

# City Council Work Session

5:30 PM  
Council Chambers  
July 16, 2012

## ATTENDANCE:

Mayor/Council (please check) x Hanel, x Ronquillo, x Cromley, x Cimmino, ☐ Pitman, x McFadden, x Bird, x Ulledalen, x McCall, ☐ Astle, x Crouch.

ADJOURN TIME: 7:40 p.m.

## Agenda

<b>TOPIC #1</b>	<b>Traffic Enforcement Efforts</b>
<b>PRESENTER</b>	Rich St. John
<b>NOTES/OUTCOME</b>	

- Rich St. John: 23% increase in all traffic citations and warnings. Officers asked to do more and they responded. Traffic enforcement patrol started last January and they're part of the results. The large issues that you are hearing about include cell phone, speeding and red light statistics. DUI accidents and DUI arrests maps were discussed.
- McCall: heard that Thursdays are the end of the week for an increasing number of people.
- Rich: time of day for DUI accidents map. Hotspots shown for DUI accidents and arrests. Traffic unit statistics – responsible for 18% of all traffic contacts. Explains problem area details.
- Bird: does traffic unit work Monday-Friday or other? Do the officers rotate?
- Rich: flexible schedule based on traffic problem times of day and days of week. Traffic unit is a specialized unit, officers are in for three (3) years, then have to reapply, test, etc.
- Ulledalen: neighbor called with a problem and Police Department sent an officer and neighbor complimented officer's behavior.
- Rich: 54<sup>th</sup> and Rimrock, 54<sup>th</sup> in general and other intersections – 14 citations in 2012. Aronson – 84 warnings and citations in 2012.
- Hanel: still some problems with roundabouts?
- Rich: still lots of accidents but have reduced most right angle and head-on accidents. Moves traffic very well.
- Tina Volek: accident statistics on Shiloh and monitoring. One (1) driver observed going the wrong way over a two (2) day observation.
- Ulledalen: speed in the roundabout is a problem. Recommended speed is 15 but not enforceable? Is it possible to post more signs?
- Rich: right.
- Dave Mumford: federal standards are that speed limit is advisory, but might be changed to regulatory. Can put up more advisory signage.
- Hanel: residential burglaries increasing?

- Rich: using the crime software, sharing intelligence with county, ramped up neighborhood watch, security systems encouraged where it makes sense. Directed patrol when we see a hot spot.
- Public comments:
- None

TOPIC #2	<b>Amendment to Urban Renewal Plan of N. 27<sup>th</sup> St. Expanded TIFD</b>
PRESENTER	Greg Krueger/Lisa Harmon
NOTES/OUTCOME	

- Greg Krueger: Street level business recruitment and retention presentation. Foundation of the 1998 Framework Plan and all updates since then. Enabling legislation, not a specific program or funding at this time. Outlines the process of plan amendment. Allowed project under 7-15-4217 MCA. Details the characteristics of downtown business owners. Use TIF for business plans, rent assistance, marketing and mentoring. Ask that in the near term; pass a resolution of intent, then a plan amendment.
- McCall: does the list of uses for TIF duplicate what BSEDA already does?
- Lisa Harmon: plan is to have a business plan competition. Program used in Duluth, MN. BSEDA involved in training business people. Need to attract the right retailers. Collaboration, not competition. Program must be approved by Council before it is funded.
- Ulledalen: small business owners often don't know what they should before starting their business. Need to shore up what we have and bring in new businesses.
- Cromley: recruitment tool will be the contest? Any overt marketing of this program? Do you envision types of business that are not currently downtown?
- Lisa: anyone can compete. Yes, will market it. Like to market it to specific types of businesses.
- Greg: will go after targeted business sectors. May be able to do it without TIF.
- Bird: DBP have any interaction with Benson's owners (former George Henry's)?
- Greg: no. Offered assistance to the former owners.
- Hanel: Legal reviewed this?
- Brent Brooks: reviewed the memo but need to talk with bond counsel. Will ask what elements can be included in incentive program.
- Greg: Empire Garage is first priority, but point out that it will have ground floor retail that we'd like to fill. Ask that City Council instruct staff to bring the Resolution forward.
- Public comments:
- None

TOPIC #3	<b>Parking Management</b>
PRESENTER	Bruce McCandless
NOTES/OUTCOME	

- Bruce McCandless: this presentation is in response to a council initiative that was approved in May to do a RFP and discuss options and guidance in parking management. The three (3) options include privatization agreement, create a parking commission or

retain city operations. In parking system privatization parking would be handled as it is at the airport, there is long term contract handling over management, it is a new approach for the city if we are talking about privatization of all the city parking operations. Advantages and areas of concerns were discussed. A parking commission could be created by the city, parking would be governed by a parking commission board of directors and employees would be hired by the commission. Advantages and areas of concerns discussed. Parking being operated by the city parking division as it currently is the city would retain control of downtown parking, the council would be able to adopt operating policies and it could function similar to a private company or a parking commission. Again the advantages and areas of concern were discussed. We are asking for some direction and guidance if any of the three (3) options appealing to you.

- Cimmino: would the parking commission have more power and authority than the Parking Advisory Board?
- Bruce: yes. The Parking Advisory Board is an advisory committee only.
- Cimmino: have staff or anyone from the PAB done any research in other communities that entertained this notion of going with a parking commission?
- Bruce: we have done some research, several Montana cities do operate with a commission. One commission contracts with a private provider to do some of the parking management and operations. Great Falls, Bozeman, Missoula, Helena and Butte all have a parking commission; there is history of Billings having a parking commission about 40 years ago.
- McCall: the council would have the opportunity to create a commission but it could also dissolve the commission?
- Bruce: correct.
- McCall: a parking commission could also privatize?
- Bruce: yes for example Great Falls has a parking commission that contracts with Standard Parking to operate their lots and garages.
- Ulledalen: we could combine one (1) and two (2); create a parking commission that would do what made sense. We do what we do because that is what we have always done; there is not enough creativity the way we operate now. The PAB feels their ideas are dismissed; there is no follow-up from staff on their ideas. If there are companies that would to put in a RFP that have experience in other cities, that would be okay, but if that is not the case moving toward a parking commission would have some authority.
- Bruce: the PAB wanted the meter reduction trial; they wanted the meters bagged no exceptions. The city has varied that some to meet the needs of customers, but the inflexibility has come from the PAB. The city had a Technology Audit done, the issue is finances, and the equipment costs the same however the parking rates in New York are not the same as Billings. We are ready for technology upgrades but need help with the financing.
- Ronquillo: I like option three (3). We have come a long ways, we are learning as we go, we just need some clarification on how we are going to get there. The Parking Division is making money for the city and I would hate to lose that. We are aware of the problems downtown, which staff's guidance we could solve some of the problems and make this a payable solution.
- Bruce: regarding the conversion of parking garages to monthly, Park 1 has been converted; talked about converting Park 4 however met opposition from United

Properties as they feel the ability to park hourly is very important plus the pending sales have been the factors for not converting to a monthly garage. Park 2 and Park 3 both have strong needs for hourly parking; changing to monthly would be a disservice to the downtown customers.

- McCall: can you give us a synopsis of the PAB's thoughts?
- Bruce: The three (3) options were described to the PAB at their July meeting, there was not a lot of response but it was new information to them. The PAB has not taken a position as a board, have expressed individually.
- McCall: this has been talked about indirectly for over three (3) years.
- Ulledalen: we need to throw it back to the PAB and have them discuss it and come up with what they think the next step should be.
- Hanel: On the July 23<sup>rd</sup> meeting we have an agenda item to discuss parking rates correct?
- Tina: yes for the meter rates and the increase in the fines.
- Bruce: not fines, just the meter rates and the surface lots.
- Tina: there is nothing on the agenda discussing the increases in the garages; however in 2013 we have a onetime rebate from Northwestern Energy.
- Bruce: one of the presented alternatives to the council is if you do not want to increase meter and surface lot rates and that would be to increase the garage rates.
- Hanel: a lot of cities have commission parking structures; I believe it is something that Billings needs to look into.
- Bird: has there been any consideration for Park 3 monthly parkers being transferred to the garages that are monthly only to free up more space for hourly parkers?
- Bruce: has been discussed internally, there are not a lot of empty spots in either Park 1 or Park 2; the expansion looks to have several open spots but they are leased out with a short waiting list. Moving city employees could be done over a long period of time as spaces opened in other garages. Teamsters have a guarantee for roof parking in their contract.
- Ulledalen: Doesn't Park 1 have 50 available spaces now?
- Chris Mallow: that number changes daily; the number of parkers is increasing we have dropped from 50 available to 25-30.
- Ulledalen: with it being a downtown issue do Greg and Lisa have access to what works in other areas?
- Cromley: if we had a commission they would decide who could park where and the rates, and would not have to come to the city council correct?
- Bruce: yes.
- Cromley: would they have a paid staff and would the employees be a part of the commission?
- Bruce: the commission is authorized by state law to hire employees. If all areas and functions of the parking division were moved over to a parking commission they would have to have some employees.
- Cromley: are the members of the commission paid?
- Bruce: I do not believe they are compensated; they can be reimbursed for expenses but are not paid.
- Bird: would a parking commission be similar to an enterprise operation as the airport is?
- Bruce: no, those are city departments, would be similar to the Business Improvement District, the Mayor, with council's consent, and would appoint members to the

commission. They would have to have their budgets approved through the city but they have control over the detail of the budgets.

- Bird: is there a membership criteria for the commission?
- Chris: it is not specified in MCA; in speaking to the Missoula Parking Commission the commission is set up as our Boards and Commissions.
- Bird: I would like to request information about the parking commissions in other Montana cities, a printed copy of the statute and any other information available about parking.
- Bruce: are you looking for a written explanation of how parking commissions operate?
- Bird: looking for bylaws, something registered with the Secretary of State.
- McCall: Alec Hansen at the MLCT may have some history of other commissions.
- Ulledalen: Alec know a lot of the dirt, he will know what worked and what didn't.
- Cimmino: will the discussion with the underwriter and the Bond Counsel take place regarding the Empire Garage being jeopardized?
- Bruce: that conversation is ongoing. Could be more difficult to get the financing in place.
- McFadden: If there were complaints of parking downtown being too expensive under a commission is there anything the city could do? The public depends on the city to watch out for their best interests.
- Bruce: correct, that is the way the statue works. The Parking Commission would have control of the details. Council would have the ability to approve or disapprove the budget but the internal operation belongs to the commission. The parking commission would be able to watch out for the interest of the taxpayers also; it works well in other communities.
- Ulledalen: the people on the board for the commission would be stakeholders and downtown business owners and landowners. Don't believe Park 2 refinancing or the Empire Garage would be affected either way.
- Tina: meeting next Wednesday with the Standard Parking Manager from Great Falls.
- Public Comments:
- Lisa Harmon, Business Improvement District: BID seven (7) member Board supports privatization, either or Parking Commission or privatization.
- Bird: question about the other cities' Parking Commissions, need to know meaningful information about the impact of changing parking operations on bonding for Park 2 and Empire Garage.
- Tina: Pat Weber focusing on the library bonds, but will soon turn to the parking bonds.
- Pat Weber: working with an underwriter to get him comfortable, especially since Parking Fund hasn't generated profit for the past six (6) years.
- Ulledalen: lay all issues on the table with the underwriter and he can tell you the problems with a bond issue.
- Tina: change won't happen next month.
- Cimmino: any recommendations from Rich about parking management? Bruce: don't believe there was any recommendations from Rich & Associates. There were several recommendations made in the Technology Audit Report.

TOPIC #4	<b>Priority Based Budgeting (PBB)</b>
PRESENTER	Tina Volek

- Tina: FY 13 budget is balanced. Recommend dropping four (4) programs described in the FY 13 budget and schedule regular meetings to go over the programs in preparation for the FY 14 budget. Could also appoint a citizen committee to do that work.
- Hanel: support the recommendation. PBB should be on one (1) work session per month for discussion.
- Ulledalen: shortfall is in the General Fund. We'll get bogged down if we talk about all the other funds. Don't want to fight over irrelevant issues.
- Tina: Council can deal exclusively or first with the General Fund if it chooses to do that. Federal funding will also affect us and its future is unknown.
- McCall: agree with Mayor's recommendation and with CM Ulledalen's suggestion. Interested in citizen committee, should talk about it some more.
- Bird: agree with CM Ulledalen. Asked previously why we're looking at enterprise funds, they're not the problem. Look at the General Fund. Not opposed to citizens committee but reluctant to appoint one (1) until Council is more familiar with Priority Based Budgeting and the City's budget.
- Cimmino: housing authority officer position filled? How much city money? Neighborhood planning funded?
- Tina: not filled, vacant for about four (4) months, Housing Authority paid for a portion of the cost. Don't know the city cost but will get that information. When we grow, we may propose re-starting the neighborhood planning program. Former neighborhood planner is now the transportation planner and paid from Federal PL funds. If federal government reduces funding, that will be a position that we'll have to discuss and consider changing or dropping.
- Ulledalen: one (1) place that a citizen committee could work is if new funding isn't approved and there is no more money, ask what programs should be reduced or eliminated.
- Tina: PBB is on-going and has value to the City long term. Squeezed all we can out of the General and Public Safety fund operations, so will need more money or fewer services.
- Hanel: know that departments worked hard on this, still have work to do. Thank you for your work and for being here tonight.
- Cimmino: always talk about decreasing services or increasing taxes, cut spending by cutting back; reduce.
- Tina: no automatic operating cost increases and all requests are scrutinized. Supplemental Budget Requests (SBR) in tax supported programs are scrutinized and approved if they save money over a longer term. Equipment Replacement Plan committee members are critical about vehicle replacement. This organization is cheap and that's kept us from going over the cliff, but it's only a postponement. Other cities can incrementally increase mills but Billings can't. Hard decisions have been made here.
- Bird: restate something Volek said – potential funding crisis and PBB will give us an analysis tool to make tough choices. PBB can also be a good tool for growth and development. Don't think that we've thought or talked a lot about that.

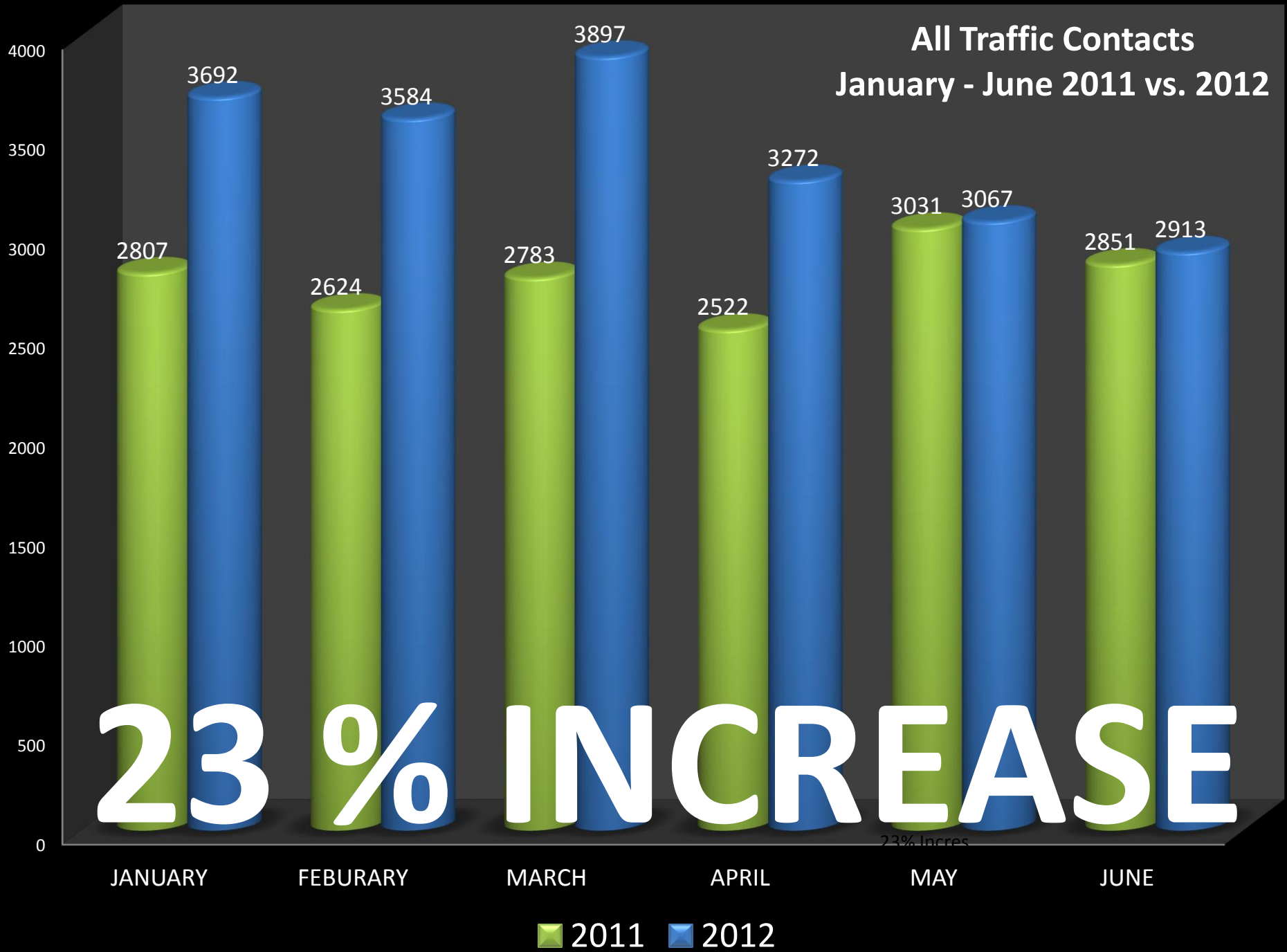
- Tina: PBB allows you to look at each program. Challenging but will be informative to Council.
- Ulledalen: generalization is that about 80% of General Fund is people, so cuts in operating costs won't save much; positions have to be cut in order to save money.
- Bird: request that program grid show only General Fund programs. With 80% of budget going into people, have to cut back there to make a difference in the budget. Layoffs, pay freezes, hiring freezes, etc. Will also have to ask voters for increases. Council needs to have everything on the table and to discuss it.
- Crouch: what does a mill generate?
- Pat: about \$162,000.
- Public comments:
- None

<h3 style="margin: 0;">Additional Information:</h3>
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Other public comments:

- Doug Ruebke, 110 S. 31<sup>st</sup> Street: copies of information for Administrator and Councilmembers. Next week agenda has farm animals on it. Packet of material is about that. Laurel is going to study this.
- Tina: He is talking about chickens in the city. Zoning issue is on the agenda, not animal control.
- Pat: good news about Library bonds. \$2,655,000 sold locally. Rate will be about 2.83%, premium of about \$800,000, meaning that the Library should have the full \$16.3 million for construction.

# All Traffic Contacts January - June 2011 vs. 2012





# January - June 2012

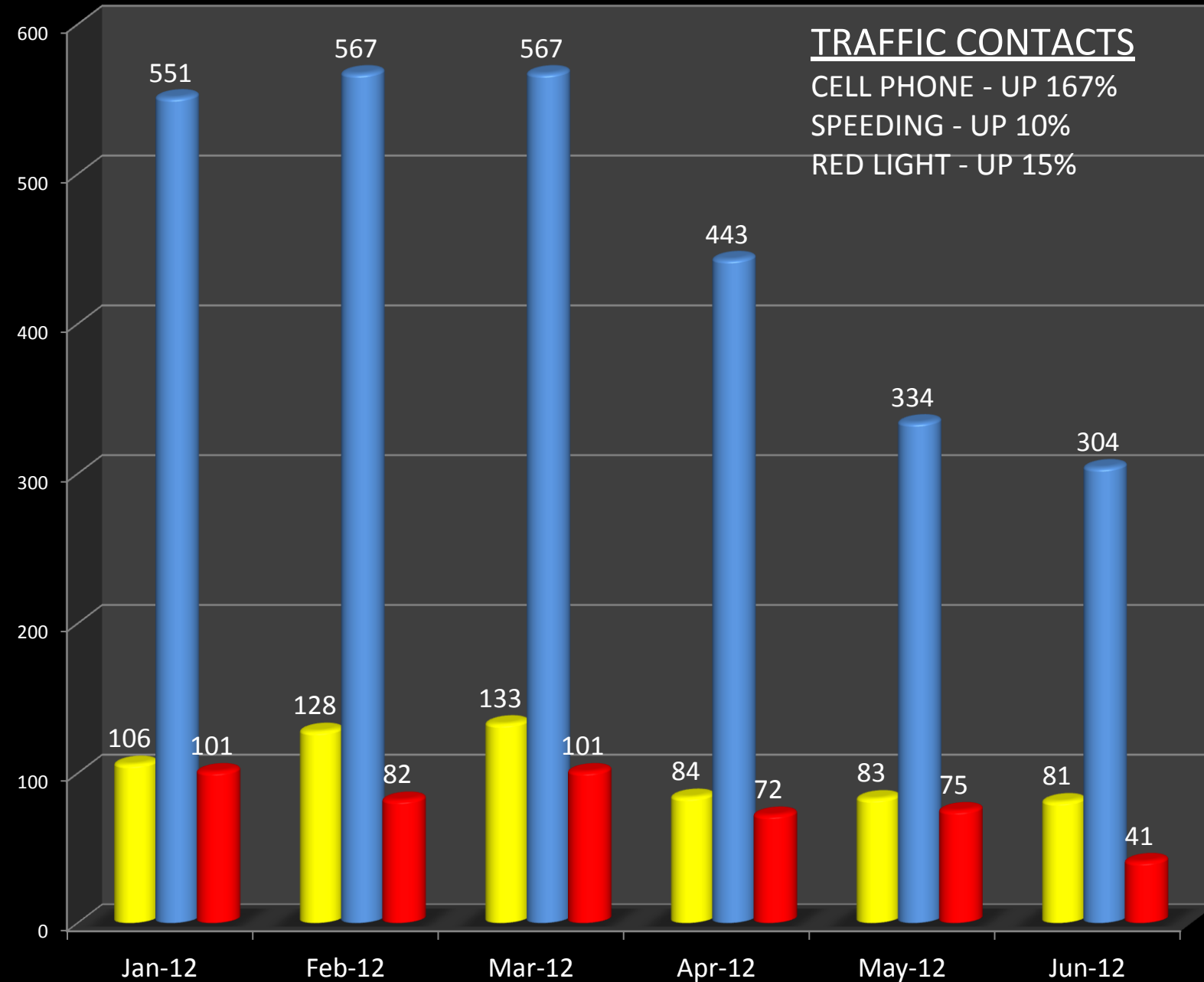
## TRAFFIC CONTACTS

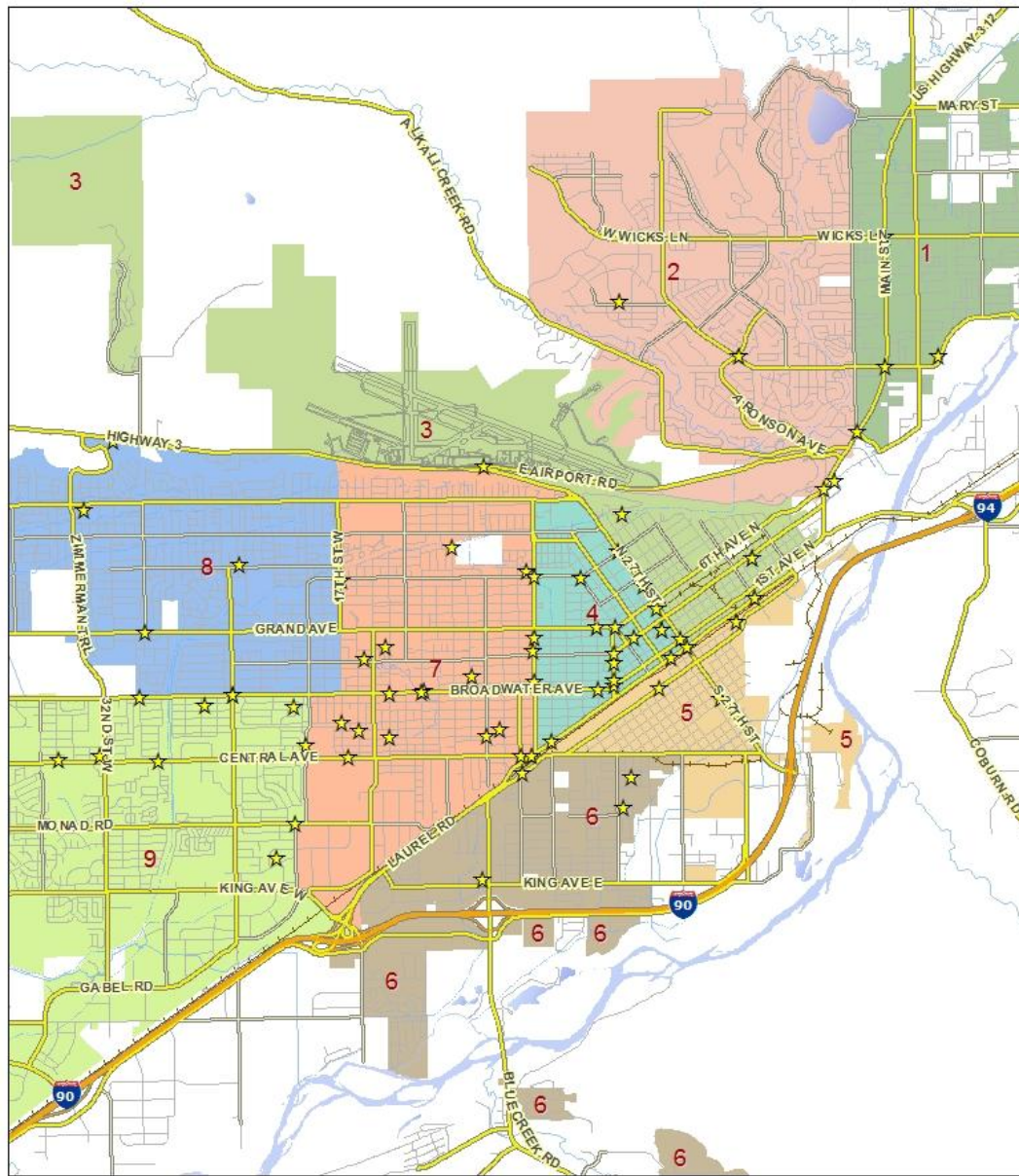
CELL PHONE - UP 167%

SPEEDING - UP 10%

RED LIGHT - UP 15%

■ CELL PHONE  
■ SPEEDING  
■ RED LIGHT





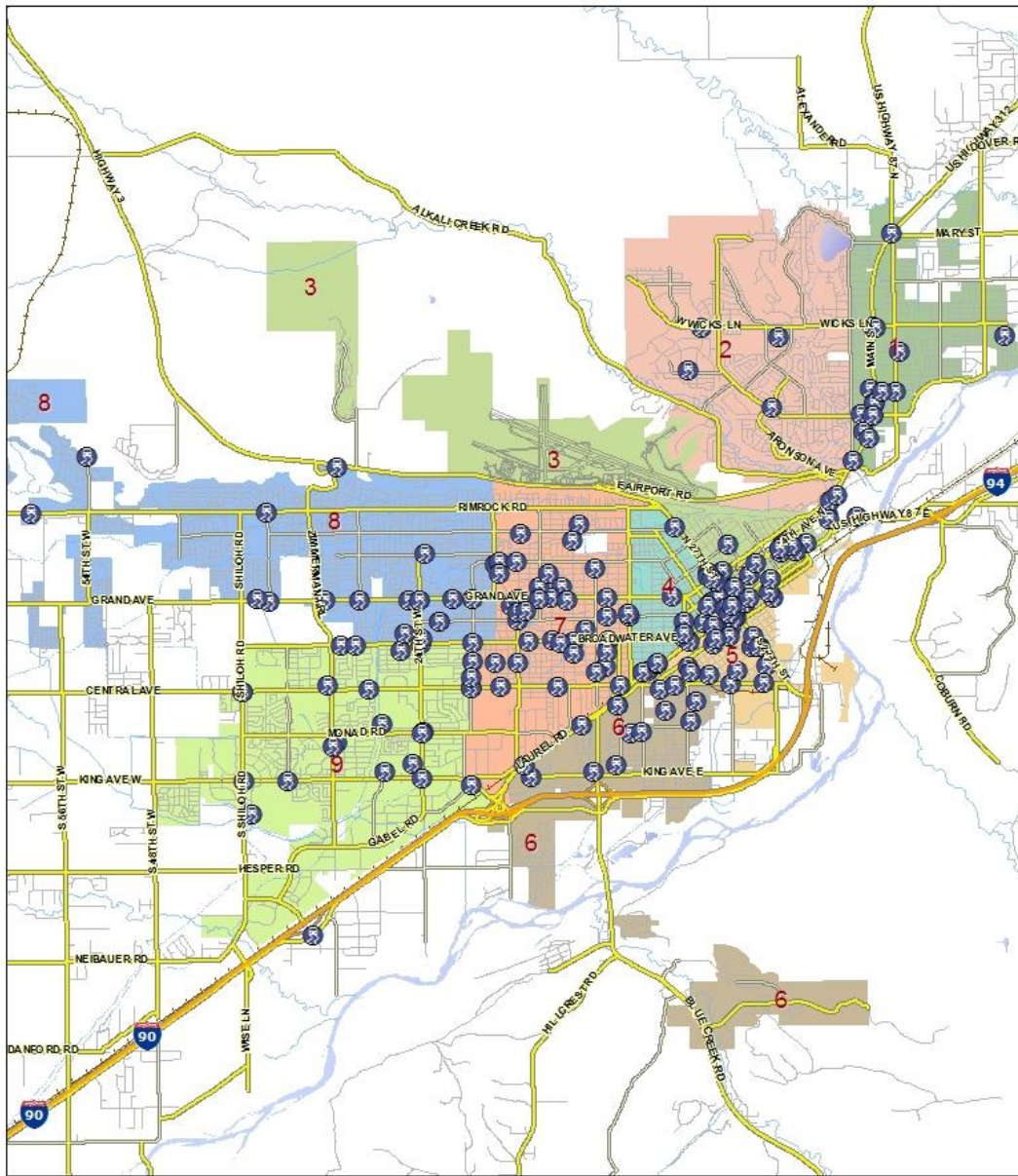
## Billings Police Department

This agency is not responsible for the misinterpretation of this map and makes no inference or judgment as to the relative safety of particular areas. This map does not meet national map accuracy standards and should not be used for engineering purposes.



0 2,100 4,200 8,400 Feet

January-June 2012  
DUI Accidents



### Billings Police Department

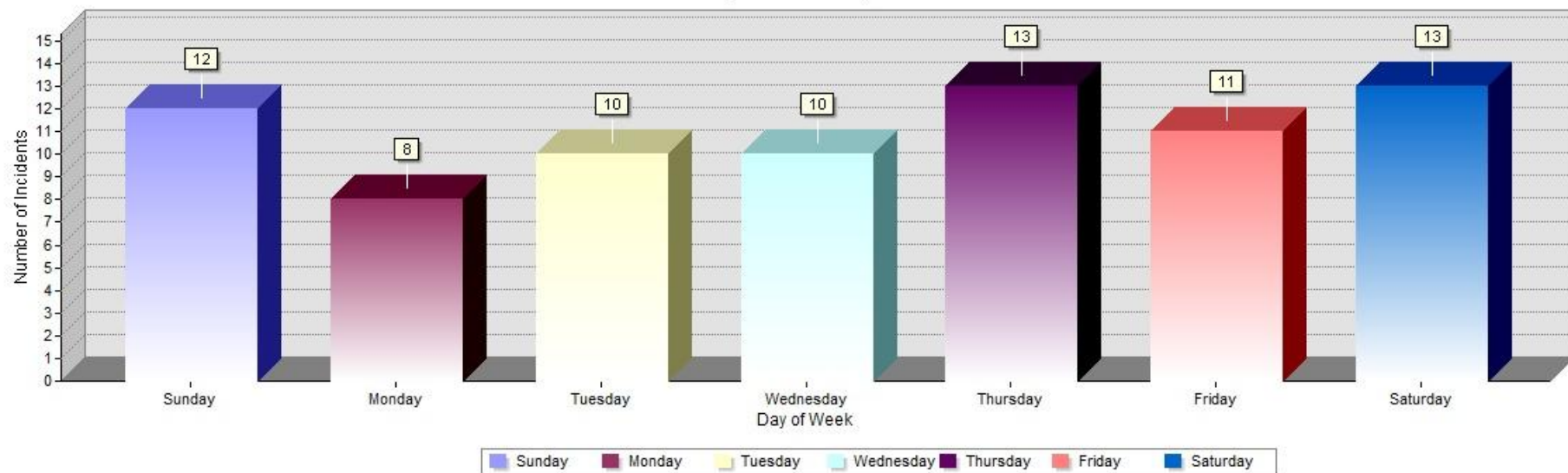
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0 3,050 6,100 12,200 Feet

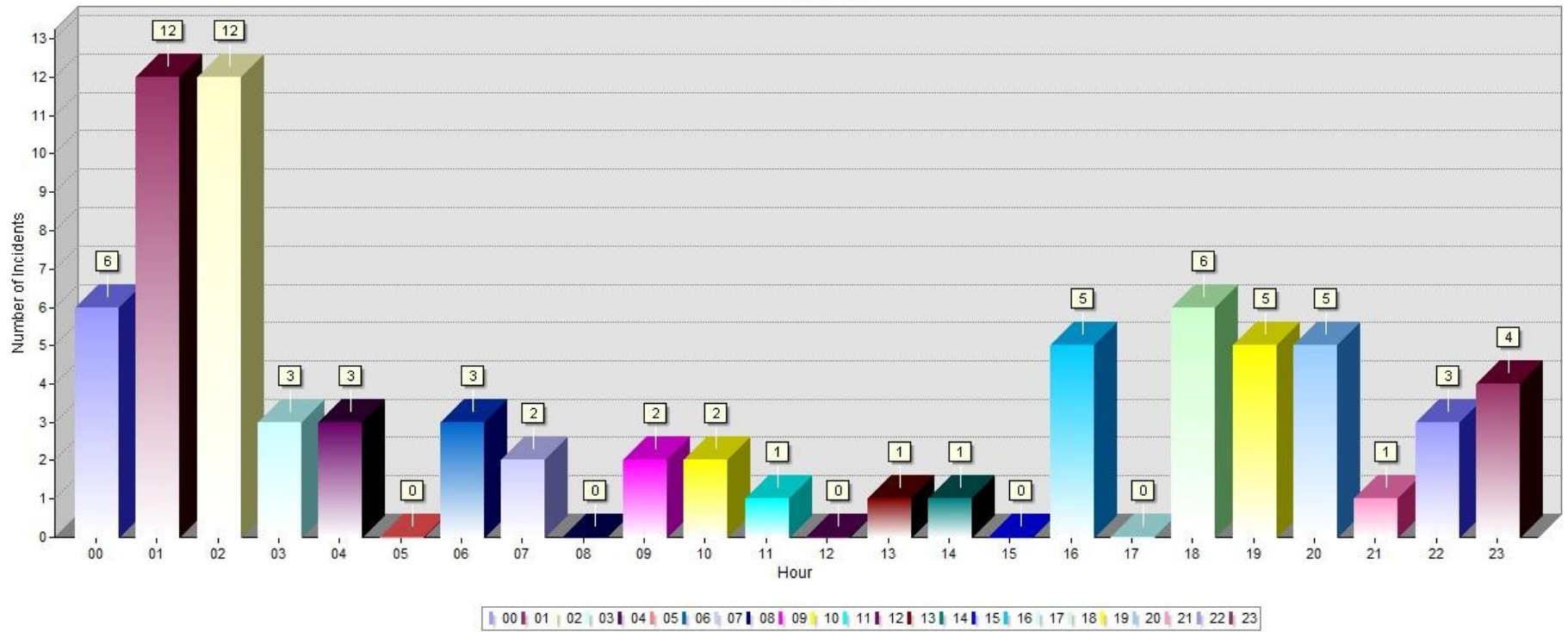
January-June 2012  
DUI Arrests

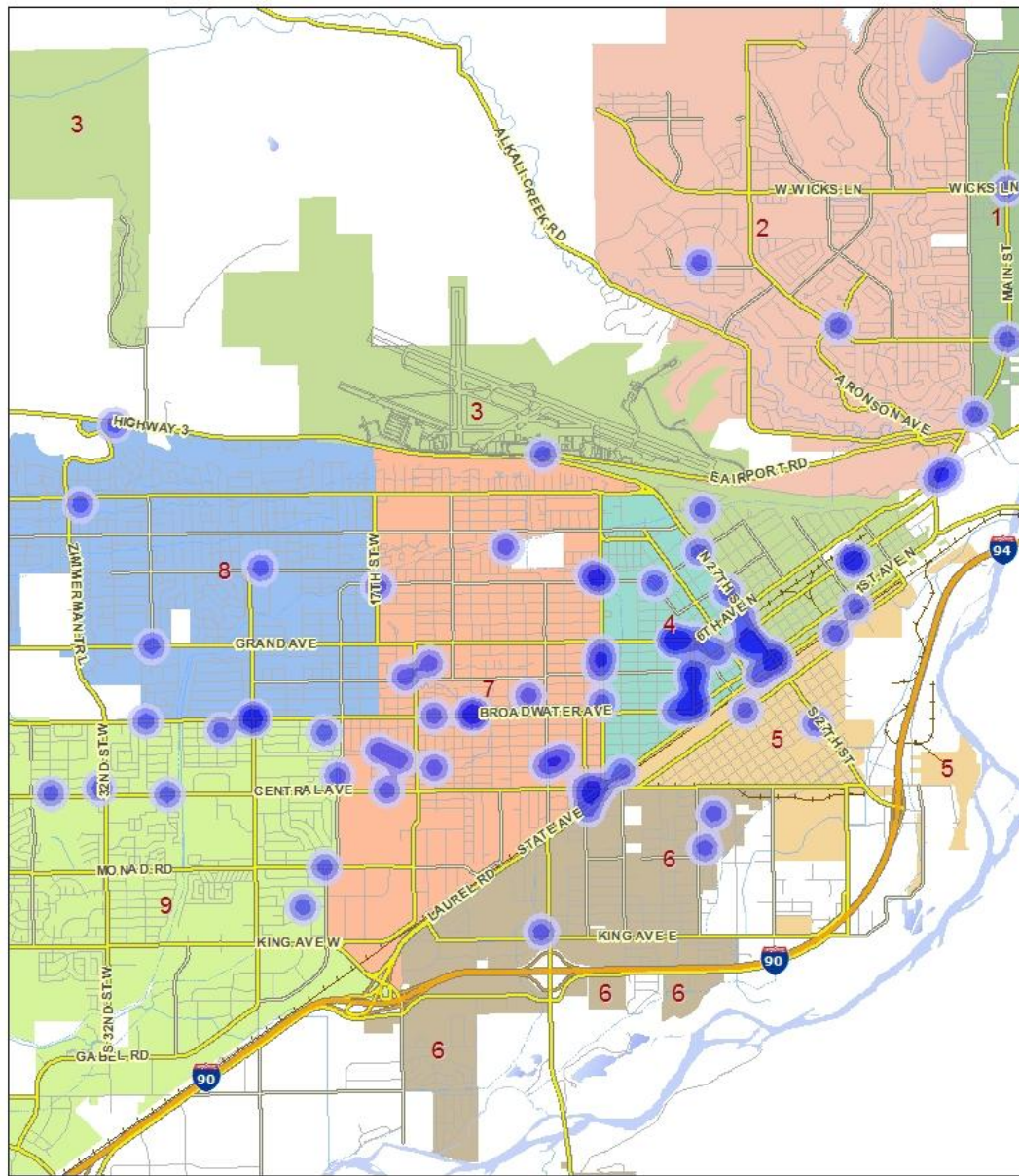
Day of Week Graph





Time of Day Graph





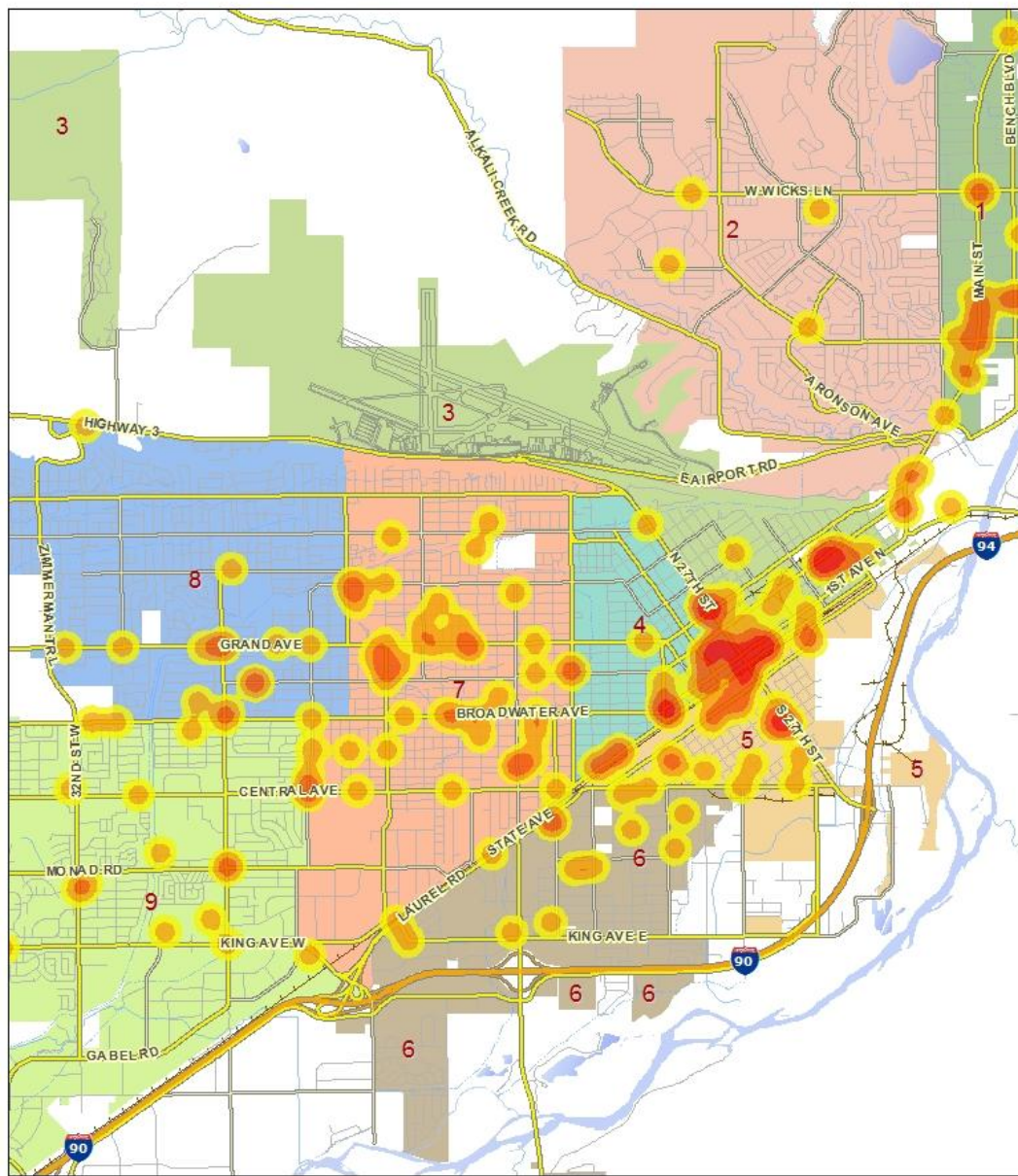
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0 1,800 3,700 7,400 Feet

January-June 2012  
DUI Accident Hot Spots



## Billings Police Department

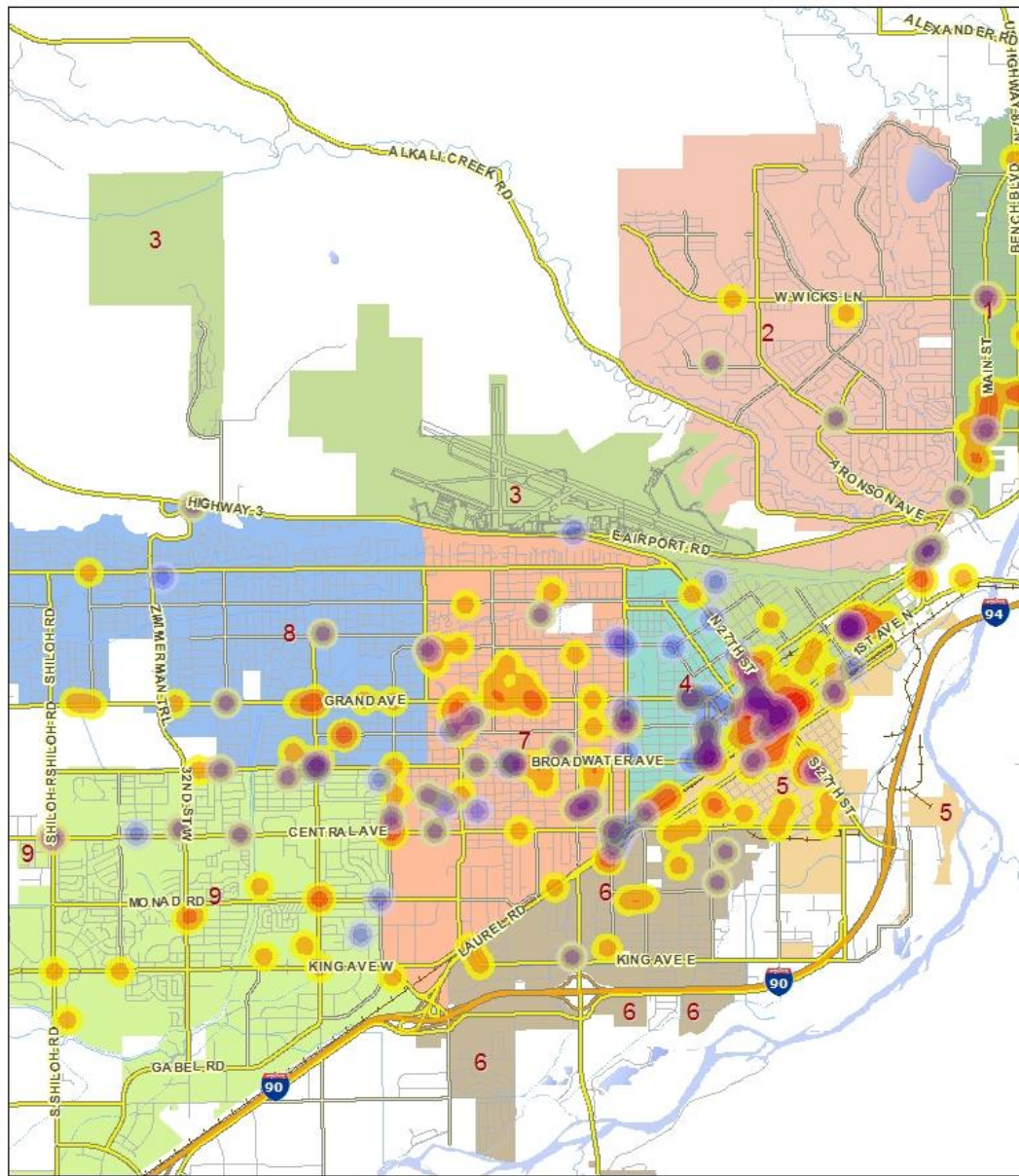
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0 1,800 3,700 7,400 Feet

January-June 2012  
DUI Arrest Hot Spots





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January-June 2012  
DUI Accident/Arrest Hot Spots

0 2,050 4,100 8,200 Feet



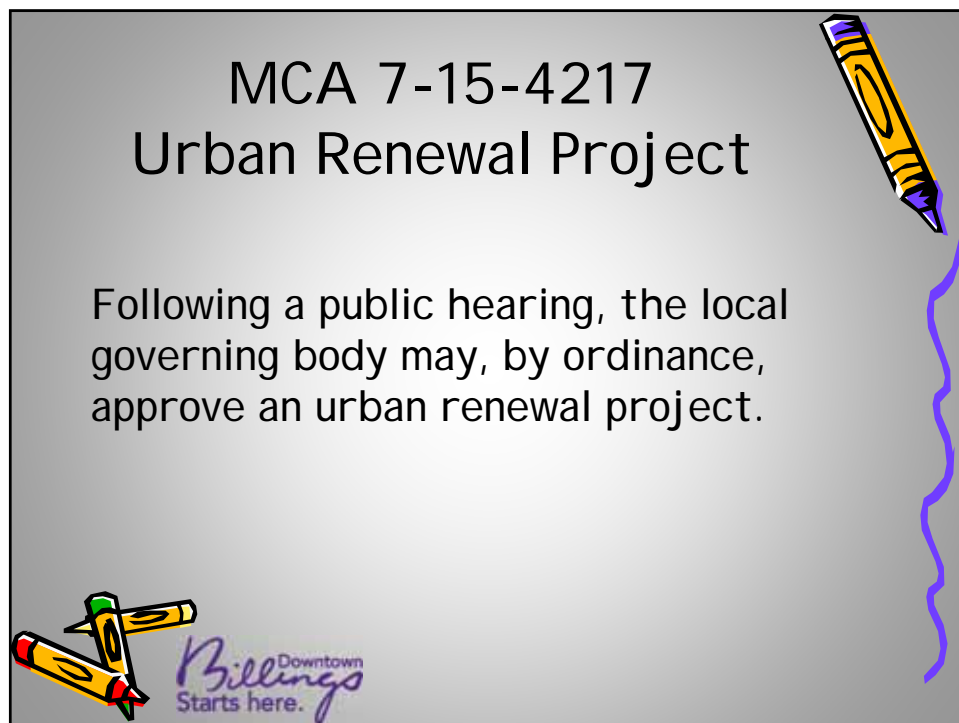
TRAFFIC UNIT  
ALL CONTACTS

Jan-12	847
Feb-12	726
Mar-12	689
Apr-12	618
May-12	414
Jun-12	<u>414</u>

TOTAL	3708
PERCENTAGE OF TRAFFIC CONTACTS	18%

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Traffic Unit Problem Area Details	44
CITATIONS	270
WARNINGS	288
Other Traffic Contacts	34
WARRANTS	4
ARRESTS	22



## MCA 7-15-4217 Urban Renewal Project

- First approve a Resolution of Intent to amend the Urban Renewal Plan
- Then, after appropriate hearing and notice, approve an Ordinance to amend the Urban Renewal Plan



## MCA 7-15-4217 Urban Renewal Project

- DBP Board Approved the Project and requested Council Action
- DBP Attorney has provided a legal opinion
- Downtown Alliance not requesting funding at this time
- Council will see refined program and funding needs later in FY 2013



## Why TIFD Incentives?



## National Chains

- Do not take chances
- Have an established plan
- Heavy into Tier I markets
- May consider Tier II markets
- Not even thinking about Tier III downtowns



## Chains... cont.

- 100% credit
- 0% character



## Mom & Pops

- 0% Credit
- 100% Character



## Local Retail/Restaurant

- Just a dream – minus a plan
- Maybe one location – going on two
- Distinctive to area
- Homegrown operator
- More realistic for small-med downtowns



## Local Retail/Restaurant

- Owner may have been raised in area
- Has knowledge of local economy/market
- Sentimental attachment
- Relies on "gut" reaction



## What are we looking for?

- The 4 musts...
  - The store must be a destination
  - The business must advertise
  - The owner must be involved/member
  - The business must have a media friendly story to tell



## Everyone has Passion

- Passion doesn't pay the rent
- Product is fine - but persona sells
- Work to market persona/image
  - At least two years



## How Can TIFD Help in Street Level Business Recruitment?

1. Business Plans
2. Marketing
3. Rent Assistance
4. Mentoring



## Street Level Business Recruitment & Retention Urban Renewal Project

Questions?





# GUTHALS, HUNNES & REUSS, P.C.

ATTORNEYS AT LAW

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175 North 27th Street, Suite 903 · P.O. Box 1977 · Billings, MT 59103-1977  
Phone: (406) 245-3071 · E-mail: [jhunnes@ghrlawfirm.com](mailto:jhunnes@ghrlawfirm.com) · Fax : (406) 245-3074

May 11, 2012

## Via Email and First Class Mail

Greg A. Krueger  
Development Director  
Downtown Billings Partnership, Inc.  
2815 2<sup>nd</sup> Avenue North  
Billings, MT 59101

Re: Downtown Retail Retention and Recruitment Program  
Our File No. 8276.33

Dear Greg:

Downtown Billings Partnership has requested an opinion regarding the proposed Downtown Retail Retention and Recruitment Program ("Program") and whether it qualifies as a permissible urban renewal project under Montana's Urban Renewal Law.

### Background of Billings Tax Increment Provisions

On December 20, 1976, the City of Billings adopted the Billings, Montana, Downtown Redevelopment Plan ("1976 Plan") as an urban renewal plan for the Downtown Redevelopment District and elected to exercise its urban renewal powers pursuant to §7-15-4201 et. seq. M.C.A. By Ordinance No. 84-4598, the City established a procedure for approving urban renewal projects. The 1976 Plan terminated on March 1, 2008.

On December 22, 1997, the Downtown Billings Framework Plan ("Framework Plan") was adopted by the Billings City Council ("City Council"). The Framework Plan was developed by the City of Billings and many other stakeholders to identify goals and objectives to revitalize the downtown Billings area, including the area then encompassed by the 1976 Plan. On September 28, 1998, pursuant to Resolution No. 98-17412, the City of Billings approved the Downtown Billings Framework Plan as an urban renewal project.

On July 11, 2005, the City Council adopted an ordinance that created the North 27<sup>th</sup> Street Urban Renewal Area ("North 27<sup>th</sup> Street District") and adopted an urban renewal plan for the district. The North 27<sup>th</sup> Street District was expanded and the urban renewal plan modified in 2006. In November of 2008, the North 27<sup>th</sup> Street District was expanded again and now includes the area known as the Central Business District of Billings. The North 27<sup>th</sup> Street Urban Renewal Plan was also amended and contains tax increment provisions. The Amended North 27<sup>th</sup> Street Urban

Renewal Plan ("North 27<sup>th</sup> Street Plan") specifically recognizes the continued validity of the vision of the Framework Plan and incorporates the Framework Plan.

Under Montana law, §7-15-4282, any urban renewal plan adopted by a city may contain, or be amended to contain, a provision for the segregation and application of tax increments as provided in §§7-15-4282 through 7-15-4292. The North 27<sup>th</sup> Street Plan contains such a provision for tax increment financing.

Under §7-15-4288, tax increments may be used by the City to pay certain categories of costs incurred in connection with an urban renewal project. Under §7-15-4288(5), such costs may include those incurred in connection with redevelopment activities allowed under §7-15-4233. Under §7-15-4233, the City Council may authorize exercise of urban renewal project powers that include those to effectuate an adopted urban renewal plan under §7-15-4254.

An "urban renewal project" is defined at §7-15-4206(19) as follows:

"Urban renewal project" may include undertakings or activities of a municipality in an urban renewal area for the elimination and the for prevention of the development or spread of blight and may involve redevelopment in an urban renewal area, rehabilitation or conservation in an urban renewal area, or any combination or part of redevelopment, rehabilitation, or conservation in accordance with an urban renewal plan.

Montana's urban renewal statutes require the City Council to follow certain procedures when committing public resources to an urban renewal project, including the following:

1. Pass a resolution that amends its urban renewal plan to encompass the proposed project. §7-15-4216(2)
2. Conduct a public hearing on the proposal. §7-15-4214.
3. Evaluate viability and public benefit of a project based on financial and other statutory criteria. §7-15-4217

### **Downtown Retail Retention and Recruitment Program**

The proposed Program provides for a collaboration of the Downtown Billings Alliance, Montana State University Billings and Big Sky Economic Development to receive business concepts from applicants for new or expanded retail businesses to be located within the North 27<sup>th</sup> Street District. If the business concept is selected after initial judging, the applicant must prepare and submit a detailed business plan. MSUB and BSED offer training in preparation of the business plans. The business plans are judged by a selection committee based on selection criteria including feasibility, ability to execute, sustainability, compatibility with the vision for downtown Billings regarding tenant mix and clustering, and ability to attract other business to downtown Billings.

My understanding is that up to 2 retail businesses may be chosen by the selection committee for prizes based on their submitted business plans - one new business to downtown Billings and one existing downtown Billings business proposing an expansion plan. These selected business(es) may be allocated tax increment funding to pay the first year of a minimum 3 year lease in a vacant retail storefront area determined to be in need to redevelopment or rehabilitation consistent with the North 27<sup>th</sup> Street Plan. The rent subsidy would be exclusive of common area maintenance expenses, utilities and taxes and subject to a maximum amount.

### **Analysis**

The Program appears to qualify as an urban renewal project under the Montana urban renewal laws and to be a permissible use of tax increment funds for a public purpose.

#### **1. Qualification of the proposed Program as an urban renewal project.**

Under the Montana urban renewal laws, the City may pay costs incurred in connection with an approved urban renewal project, which costs may include redevelopment activities to effectuate the North 27<sup>th</sup> Street Plan.

The proposed Program is consistent with redevelopment activities under the North 27<sup>th</sup> Street Plan. The North 27<sup>th</sup> Street Plan (and the Framework Plan incorporated therein) recognizes that street level storefront vacancies and under occupancies are an undesirable condition that constitutes or contributes to the spread of blight. The North 27<sup>th</sup> Street Plan also recognized an expectation that the district would fund urban renewal projects for business retention, consisting of targeted assistance of existing street level businesses, and business recruitment, including business plan development assistance. The Framework Plan identified development incentives, including business retention and recruitment as a top priority.

The City Council must follow the statutory procedures to approve the Project as an urban renewal project as discussed above. The process appears to be provided for in the draft Notice, Resolution, Ordinance and Certificate provided for our review. Ultimately the approval of the Project as an urban renewal project lies with the City Council after considering statutory criteria and input at a public hearing.

#### **2. The proposed Program as an appropriate use of tax increment funds for a public purpose.**

Art. VIII, § 1 of the 1972 Montana Constitution provides: "Taxes shall be levied by general laws for public purposes." This provision of the Montana Constitution is often applied in the context of the purpose of levying and collecting a tax. The question of whether a particular purpose for which taxes may be levied and collected is a public purpose is for the legislature in the first instance, and the courts will indulge every reasonable presumption of favor of the legislative decision in this respect. *Lewis and Clark County v. Industrial Accident Board* (1916), 52 Mont. 6, 155 P. 268. The words "public purposes" are synonymous with "governmental purposes." *State ex rel. Mills v. Dixon* (1923), 66 Mont. 76, 90, 213 P. 227, 231.

It appears that the use of tax increment funds must be for a public purpose. The expenditure of tax increment funds for urban renewal projects and uses consistent with the Urban Renewal Law has been approved as a public purpose by the Montana legislature. The Montana legislature, through enacting §7-1-4124(9), MCA has provided that a municipality with general powers has the power to "make grants and loans of money, property, and services for public purposes." The Montana legislature, through enacting §7-15-4204, has determined that the powers conferred by the Montana urban renewal laws are for public uses.

In evaluating whether the Program constitutes an appropriate use of tax increment funds for a public purpose, the case of *Stanley v. Jeffries* (1929), 86 Mont. 114, 284 P. 134 and 48 Mont. Op. Atty. Gen. No. 12 (2000) are instructive. These legal authorities provide the following analysis.

It has long been held in Montana that an essential element of a "public purpose" is that the project affects the "inhabitants as a community and not merely individuals." *Stanley* That the grant of money for a public purpose incidentally benefits a private individual or entity is not determinative. As the court stated in *Stanley*, "the purpose to be served [may be] found to be a public one, although private individuals might profit thereby. The mere fact that the money raised will go to individuals [does not] condemn the [a]ct in question since the test is not who receives the money, but, is the purpose for which it is to be expended a public purpose?" The true test of whether or not an enterprise is for a public purpose is "whether the work to be done is essentially public and for the general good of the inhabitants, satisfying their needs or contributing to their convenience, rather than merely for gain or for private objects." *Id.*

Applying these concepts of public purpose to the proposed Program it appears that the proposed Program is consistent with the articulated purposes of the North 27<sup>th</sup> Street Plan and the Framework Plan. The expenditure of tax increment funds under the proposed Program is for the public purposes of encouraging business retention and recruitment and eliminating blight through redevelopment of vacant storefront retail space with the North 27<sup>th</sup> Street District.

Yours truly,



Jeffery A. Hunnes

JAH:nc

Enc.

**CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE**

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "RESOLUTION OF INTENTION TO ADOPT AN ORDINANCE APPROVING THE DOWNTOWN RETAIL RETENTION AND RECRUITMENT PROGRAM (THE PROGRAM) AS AN URBAN RENEWAL PROJECT IN THE EXPANDED NORTH 27TH STREET URBAN RENEWAL AREA - 2008 (THE "DISTRICT"); APPROVING THE PROGRAM FOR FUNDING USING TAX INCREMENT REVENUES OF THE DISTRICT; AND CALLING A PUBLIC HEARING THEREON" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on \_\_\_\_\_, 2012, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council members voted in favor thereof: \_\_\_\_\_  
\_\_\_\_\_; voted against the same: \_\_\_\_\_  
\_\_\_\_\_; abstained from voting  
thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_\_ day of \_\_\_\_\_, 2012

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF INTENTION TO ADOPT AN ORDINANCE APPROVING THE DOWNTOWN RETAIL RETENTION AND RECRUITMENT PROGRAM (THE PROGRAM) AS AN URBAN RENEWAL PROJECT IN THE EXPANDED NORTH 27TH STREET URBAN RENEWAL AREA - 2008 (THE "DISTRICT"); APPROVING THE PROGRAM FOR FUNDING USING TAX INCREMENT REVENUES OF THE DISTRICT; AND CALLING A PUBLIC HEARING THEREON

BE IT RESOLVED by the City Council (the "Council") of the City of Billings, Montana (the "City"), as follows:

Section 1. Recitals and Authorization.

1.01 Pursuant to the provisions of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43 (the "Act") and Ordinance No. 05-5333 adopted on July 11, 2005, the Council created the North 27th Street District Urban Renewal Area as an urban renewal district, and approved the North 27th Street Urban Renewal Plan (the "North 27th Street Plan") for the District (as hereinafter defined) containing a tax increment financing provision all as set forth in Ordinance No. 05-5333. The Council adopted Ordinance Nos. 06-5394 and 08-5483 on November 13, 2006 and December 8, 2008, respectively, which expanded the boundaries of the District and amended the North 27th Street Plan to create the Expanded North 27th Street Urban Renewal Area – 2008 (the "District").

1.02. In adopting the North 27th Street Plan and the Expansion Of The Billings, Montana North 27<sup>th</sup> Street Urban Renewal Area, With Tax Increment, and Amendment To The Urban Renewal Plan (the "Plan"), the City, in Section 2, subsection I, Business Programs and Projects, noted the need for Business Retention and Business Recruitment, as a way of encouraging private investment, and development and redevelopment in the District. Further, in Section 3 – Summary of Blight Findings, the City noted the need to fill vacant spaces due the blighted condition of under-utilized properties.

1.03. The Downtown Billings Partnership has proposed that the City annually review and approve projects and programs that will directly impact street level occupancy and blight elimination within the Urban Renewal Area pursuant to Montana Code Annotated (MCA), Section 7-15-4208, MCA 7-15-4233 and MCA 7-15-4209.

1.04. It is necessary and desirable that the Council conduct a public hearing on the Downtown Retail Retention and Recruitment Program (the "Program") as an urban renewal project (the "Project") and take certain other actions with respect to the Project.

Section 2. Proposed Urban Renewal Project.

2.01. Downtown Retail Retention and Recruitment Program. The Program will be managed and implemented by the Downtown Billings Alliance (the Alliance), which is comprised of the Downtown Billings Association, Inc., the Downtown Billings Partnership, Inc.,

and the Downtown Billings Business Improvement District, Inc. In collaboration the Alliance will partner with Montana State University Billings and Big Sky Economic Development.

2.02. The Program is aimed at serving as a catalyst to encourage entrepreneurs to submit retail business concepts for consideration and review that demonstrate a feasible opportunity to open or expand a storefront within the District in order to address and remediate underperforming or blighted areas of the district and in order to perpetuate sound growth of the district.

2.03. The Program will employ the following Goals:

Assist with the opening, annually, of one new and one expanded business in the District

Attract multiple new retail businesses and strengthen already established businesses.

Retail businesses may also include restaurant/food and/or eateries.

Showcase opportunities and collaborations.

Fill vacant retail spaces with new businesses that complement the existing mix and highlight the potential for businesses to stand out.

2.04. The Program may use allocated tax increment funding to subsidize selected businesses for the first year of a minimum of a 3 year lease. The subsidy shall exclude common area maintenance expenses, utilities, operations, fees and taxes.

### Section 3. Findings.

3.01 Findings with Respect to Projects. Based on the forgoing representations and subject to the public hearing called for herein, the Council hereby finds, with respect to the Projects described in Section 2 hereof, as follows:

(a) the Plan, Program and Projects conform to the comprehensive plan and growth policy of the City;

(b) the Plan, Program and Projects will afford maximum opportunity consistent with the needs of the City as a whole for the rehabilitation or redevelopment of the District by private enterprise;

(c) the Program constitutes an urban renewal project within the meaning of the Act and the Plan is eligible for financing from the tax increment of the District.

3.02. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Program. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

Section 4. Public Hearing. A public hearing is hereby called and shall be held on Monday, \_\_\_\_\_, 2012 at 6:30 p.m. in the Council chambers on the Project.

Section 5. Notice. Notice of the public hearing shall be published in the *Billings Times* on \_\_\_\_\_ and \_\_\_\_\_, 2012, in substantially the form attached as Exhibit A hereto (which is incorporated by reference and made a part hereof).

Section 6. Reading of Ordinance. The first reading of the Ordinance substantially in the form attached as Exhibit B hereto (the "Ordinance") shall occur at the public hearing called for herein. The second reading of the Ordinance shall occur at the Council's regular meeting on \_\_\_\_\_, 2012, and it is the Council's intention that the Ordinance will be voted upon conclusion of such meeting.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

(SEAL)



## EXHIBIT A

### NOTICE OF PUBLIC HEARING ON NORTH 27TH STREET URBAN RENEWAL PLAN TO APPROVE THE DOWNTOWN RETAIL RETENTION AND RECRUITMENT PROGRAM AS AN URBAN RENEWAL PROJECT, TO APPROVE THE FINANCING OF THE PROJECTS USING TAX INCREMENT REVENUES OF THE DISTRICT.

NOTICE IS HEREBY GIVEN that the City Council (the "Council") of the City of Billings, Montana (the "City"), will hold a public hearing regarding approval of a development project (THE DOWNTOWN RETAIL RETENTION AND RECRUITMENT PROGRAM) as an urban renewal project in the Expanded North 27th Street Urban Renewal Area – 2008 (the "District"), the financing of certain public projects with tax increment revenues on Monday, \_\_\_\_\_, 2012 at 6:30 p.m. in the City Council Chambers in Billings, Montana.

In adopting the North 27th Street Plan and the Expansion Of The Billings, Montana North 27<sup>th</sup> Street Urban Renewal Area, With Tax Increment, and Amendment To The Urban Renewal Plan (the "Plan"), the City, in Section 2, I Business Programs and Projects, noted the need for Business Retention and Business Recruitment, as a way of encouraging private investment, and development and redevelopment in the District. Further, in Section 3 – Summary of Blight Findings, the City noted the need to fill vacant spaces due the blighted condition of under-utilized properties.

The Downtown Billings Partnership has proposed that the City annually review and approve projects and programs that will directly impact street level occupancy and blight elimination within the Urban Renewal Area pursuant to Montana Code Annotated (MCA), Section 7-15-4208, MCA 7-15-4233 and MCA 7-15-4209. 7.

Any interested persons may appear and will be heard or may file written comments with the City Clerk prior to such hearing.

Dated: \_\_\_\_\_, 2012.

Done By Order Of The Council of  
Commissioners of the City of Billings,  
Montana

Publish: \_\_\_\_\_ and \_\_\_\_\_, 2012.

## EXHIBIT B

ORDINANCE NO. \_\_\_\_\_

ORDINANCE APPROVING THE DOWNTOWN RETAIL RETENTION AND RECRUITMENT PROGRAM (THE PROGRAM) AS AN URBAN RENEWAL PROJECT IN THE EXPANDED NORTH 27TH STREET URBAN RENEWAL AREA - 2008 (THE "DISTRICT"); APPROVING THE PROGRAM FOR FUNDING USING TAX INCREMENT REVENUES OF THE DISTRICT WITHIN THE MEANING OF MONTANA CODE ANNOTATED, SECTION 7-15-4263

BE IT ORDAINED by the City Council (the "Council") of the City of Billings, Montana (the "City"), as follows:

Section 1. Recitals.

1.01. On July 11, 2005, the City Council adopted Ordinance No. 05-5333, which created the North 27th Street District Urban Renewal Area as an urban renewal district and approved the North 27 Street Urban Renewal Plan (the "North 27th Street Plan") containing a tax increment financing provision. On November 13, 2006 and December 8, 2008, the City Council adopted Ordinance Nos. 06-5394 and 08-5483, respectively, which expanded the boundaries of the North 27th Street Urban Renewal Area and amended the North 27th Street Plan to create the Expanded North 27th Street Urban Renewal Area – 2008 (the "District").

1.02. In adopting the North 27th Street Plan and the Expansion Of The Billings, Montana North 27<sup>th</sup> Street Urban Renewal Area, With Tax Increment, and Amendment To The Urban Renewal Plan (the "Plan"), the City, in Section 2, I Business Programs and Projects, noted the need for Business Retention and Business Recruitment, as a way of encouraging private investment, and development and redevelopment in the District. Further, in Section 3 – Summary of Blight Findings, the City noted the need to fill vacant spaces due the blighted condition of under-utilized properties.

1.03. The Council on \_\_\_\_\_, 2012, conducted a public hearing on a proposal to undertake a urban renewal project in the District that will directly impact street level occupancy and blight elimination within the Urban Renewal Area pursuant to Montana Code Annotated (MCA), Section 7-15-4208, MCA 7-15-4233 and MCA 7-15-4209.

1.04. Pursuant to the Act and the procedures contained in the North 27th Street Plan, and Resolution No. [\_\_\_\_\_] , adopted \_\_\_\_\_, 2012, the City has set forth its intention to use tax increment in an amount sufficient to finance all or a portion of a certain urban renewal project and has undertaken to designate and approve the following urban renewal project (the "Project"):

Section 2. Findings. The Council hereby finds, with respect to each of the Projects described in Section 1.04, as follows:

- (a) a workable and feasible plan exists for making available adequate housing for any persons who may be displaced by the Project;
- (b) the Project conforms to the comprehensive plan or parts thereof for the City as a whole;
- (c) the Project will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise;
- (d) the Project constitutes an urban renewal project within the meaning of the Act and Urban Renewal Plan.

Section 3. Approval of the Project and Financing.

3.01. The Project is hereby approved as an urban renewal project.

3.02. The Council approves the use of tax increment revenues to pay the costs of the Project.

Section 4. Effective Date. This Ordinance shall take effect from and after 30 days of its passage by the City Council and approval by the Mayor.

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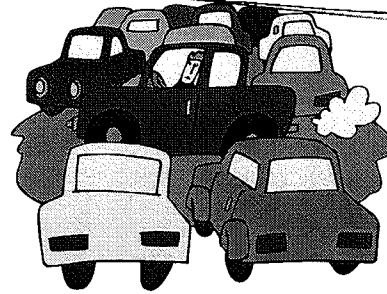
PASSED AND APPROVED by the City Council of the City of Billings, Montana, on the second reading this \_\_\_\_ day of \_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

DRAFT

[Signature page to Ordinance]



# **PARKING MANAGEMENT OPTIONS**

JULY 16<sup>TH</sup>, 2012  
CITY COUNCIL WORKSESSION



# Background

- May 14<sup>th</sup>, 2012
  - CM Ulledalen moved to direct the Parking Advisory Board to discuss options, do an RFP, and bring back suggestions for alternative groups to manage parking in Billings in place of City Staff, seconded by Councilman Pitman.
  - On a voice vote, the motion was unanimously approved.



# OPTIONS

1. Privatization (Concession) agreement
2. Create a Parking Commission
3. Retain City operations



# OPTION #1

## PARKING SYSTEM PRIVATIZATION

- City would enter into a Concession Agreement with a private company, similar to Airport parking.
- Long-term contract handing over management, not ownership
  - 5 – 75 years
- Relatively new approach
  - Contract for all parking assets and enforcement





# Privatization Advantages

- Transfers financial/economic risk
- Allows City to obtain payments from the private company.
  - Lump sum – cash infusion to solve City financial shortfalls
  - Monthly/annual – sustained cash flow for on-going obligations
- Technology updates or other upgrades as contract conditions
- City can maintain some control over fees and fines
- Eliminate City employee positions
- May insulate City from some parking complaints



## Privatization Areas of Concern

- Rate and fine increases usually accompany a privatization agreement.
  - Allows the private company to meet City and investor expectations.
- Cities lose a measure of control over parking rates.
- Existing debt must be retained by the City.
- Private companies usually pay low wages and no benefits.
- Property disposal or other major changes may be restricted.
- Change in operations may jeopardize planned Park 2 refinancing and Empire Garage financing



## Option #2

### PARKING COMMISSION

- MCA Title 7, Chapter 14, Part 46 authorizes a City to create a Parking Commission.
- Created by City Council adopting a resolution that establishes a need for a Parking Commission and then creates it.
- Governed by a Parking Commission Board of Directors.
  - Mayor appoints members with Council consent
  - 5 to 7 members.
- A Parking Commission may establish and revise self-governing bylaws.
- A Parking Commission may sell tax exempt bonds.
- A Parking Commission may hire employees.



## Parking Commission Advantages

- Transfers financial/economic risk.
- Allows City to monitor Parking Commission's financial standing and transactions.
- Parking Commission is controlled by end-users of the parking system.
- City can transfer existing debt.
- Law allows a BID Board of Directors to become a Parking Commission.



## Parking Commission Areas of Concern

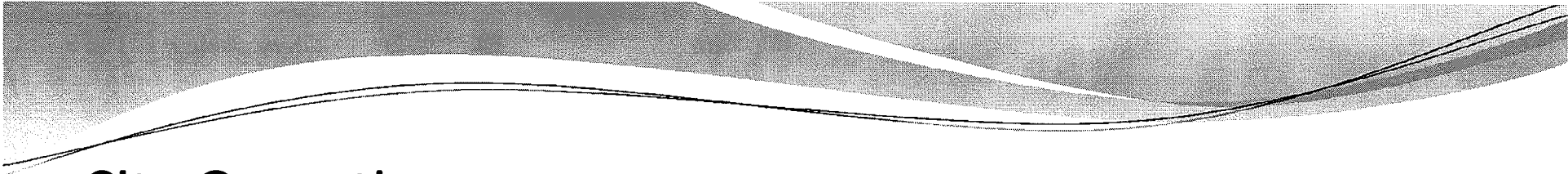
- City Council loses all control over parking rates and fines.
- Board of Directors and conflicting goals
- City Council cannot abolish a Parking Commission that has outstanding debt.
- Front line staff would probably still be unionized.
- A Parking Commission has overhead costs similar to the City and has statutory access to City services.
  - Financial services, HR services, Legal Services
  - City cannot insure for Liability or Property - probably more costly
- Parking Commission revenue bonds require an election.
- Change in operations may jeopardize planned Park 2 refinancing and Empire Garage financing.

A decorative graphic at the top of the slide consisting of several overlapping, wavy, horizontal bands in shades of gray and white, creating a layered, wave-like effect.

## OPTION #3

### CITY PARKING DIVISION

- City retains control of downtown parking.
- City Council to adopt operating policies.
- Performance measurement
  - Accomplish policy goals
  - Meet benchmarks
- Could function similar to a private company or Parking Commission.



## City Operations Advantages

- City Council will set operating policies and performance targets.
- Best oversight and accountability among 3 options.
- City Council retains rights over property acquisition, disposal and debt.
- Stakeholders would be consulted but may not veto.
- Reduce or eliminate conflicting goals:
  - Cheap downtown parking
  - Enterprise fund, expected to operate like a business



## City Operations Areas of Concern

- No immediate cash infusion.
- City financial/economic risks remain.
- Line parking staff would still be unionized.
  - wage/benefit inflation
  - operating restrictions
- City owns any debt.
- Overhead costs from City internal services.





# **QUESTIONS AND GUIDANCE TO STAFF/PAB**

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	<div>CITY OF BILLINGS, MONTANA</div> <div>PROGRAM LISTING by QUARTILE</div> <div>TOTAL PROGRAMS = 347</div>												
2													
3													
4													
5	QUARTILE 1 - 83 programs		QUARTILE 2 - 100 programs		QUARTILE 3 - 90 programs		QUARTILE 4 - 74 programs						
6													
7	Administrative Services	On Street Long Term Parking	Administration	Downtown Programs	Administration	Citizen Engagement	Administration	Business Recruitment, Retention and Expansion					
8	Administrative Services	On Street Short Term Parking	Administrative Services	Off Street Long Term Parking	Administration	Legislative Advocacy	Administration	Ceremonial					
9	Aviation and Transit	Airfield Maintenance & Repair	Administrative Services	Off Street Short Term Parking	Administrative Services	Parking Advisory Board	Administration	Intergovernmental Relations					
10	Aviation and Transit	Construction Design & Planning	Administrative Services	Parking Administration/Support Services	Aviation and Transit	Aviation Security	Administration	Special Projects					
11	Aviation and Transit	Construction Oversight	Aviation and Transit	Terminal Building Maintenance & Repair	Aviation and Transit	Regulatory Compliance - Airport Security	Administrative Services	Leased Office/Retail Space					
12	Aviation and Transit	Fixed Route - Full Service	Aviation and Transit	Construction Monitor/Escort	Aviation and Transit	Car Rental QTA Facility Maintenance & Repair	Aviation and Transit	Law Enforcement Operations - Airport					
13	Aviation and Transit	Fixed Route - Peak Service	Aviation and Transit	Fixed Route - Bus Maintenance	Aviation and Transit	Aircraft Rescue Fire Fighting	Aviation and Transit	Car Rental Fueling Operation					
14	Aviation and Transit	Para Transit - MET Plus	Aviation and Transit	Fixed Route - Saturday Service	Aviation and Transit	Airport Snow Removal	Aviation and Transit	Other Airport Buildings Maintenance & Repair					
15	Aviation and Transit	School trippers	Aviation and Transit	Para Transit - MET Plus Saturday Service	Aviation and Transit	Airport Operations - Regulatory Compliance	Aviation and Transit	Other Special Airport Maintenance Projects					
16	Fire	Billings Urban Fire Service Area BUFSa)	Aviation and Transit	Para Transit - Van Maintenance	Aviation and Transit	Airport Operations - Training/Drills	Aviation and Transit	Terminal Building Custodial					
17	Municipal Court	Criminal Court Arraignments	Fire	City of Billings & Yellowstone County Consolidated Dispatch Center	Aviation and Transit	Grant & Passenger Facility Charge Administration	Aviation and Transit	Airport Operations Center Facility Maintenance & Repair					
18	Parks, Recreation and Public Lands	Multi-Use Trails Repairs	Fire	Yellowstone County Dispatch Services	Aviation and Transit	Tenant/Concession Leases Administration	Aviation and Transit	Fleet Maintenance & Repairs/Fabrication					
19	Parks, Recreation and Public Lands	Multi-Use Trails Tunnel Maintenance	Fire	Building Plan Review	Aviation and Transit	Environmental Compliance	Aviation and Transit	Landside Maintenance & Repair					
20	Parks, Recreation and Public Lands	Nuisance, Noxious and Weed Abatement Programs	Fire	Business and commercial Inspections	Aviation and Transit	Marketing - MET Services	Aviation and Transit	Wildlife Mitigation Plan					
21	Parks, Recreation and Public Lands	Park Shelter Program	Fire	Permits & License	Aviation and Transit	MET Facility Maintenance	Aviation and Transit	Public Relations/Special Projects/Air Service Development					
22	Parks, Recreation and Public Lands	Playground Equipment Maintenance	Parks, Recreation and Public Lands	Tennis and Basketball Court Program	Aviation and Transit	Para Transit - D/D Contract Service	Aviation and Transit	Transit Grants Administration					
23	Parks, Recreation and Public Lands	Sidewalks, Pathways and Parking Lots	Parks, Recreation and Public Lands	Amend Park Soccer Complex	Finance	Business Licenses	Fire	Montana Highway Patrol					
24	Parks, Recreation and Public Lands	Skatepark	Parks, Recreation and Public Lands	Baseball Field Maintenance Program	Fire	American Medical Response (AMR)	Fire	Alarm Data Tracking and Records - Administrative Coordinator					
25	Parks, Recreation and Public Lands	Snow Removal	Parks, Recreation and Public Lands	Dehler Park and Baseball Stadium	Fire	Billings Police Department	Fire	Emergency Medical Services					
26	Parks, Recreation and Public Lands	Urban Forestry	Parks, Recreation and Public Lands	Graffiti Prevention and Removal Program	Fire	City of Billings Fire Dispatch Services	Fire	Public education activities					
27	Parmly Billings Library	Children's Services	Parks, Recreation and Public Lands	Irrigation and Watering Systems	Fire	City of Billings Logan Airport	Fire	Vehicle Fire Extinguishment					

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28		Planning & Community Services	Building - Residential	Parks, Recreation and Public Lands	Irrigation Systems, Park Buildings and Water Services Winterization and Spring Start Up	Fire	Communications Center Manager	Fire	Training Officer				
29		Planning & Community Services	Building -Commercial	Parks, Recreation and Public Lands	Landscape Installation, Management and Maintenance Programs	Fire	Yellowstone County Fire Dispatch	Fire	Address and Street Names				
30		Planning & Community Services	Electrical - Commercial	Parks, Recreation and Public Lands	Machinery, Equipment, Power Tool and Tool Maintenance	Fire	Yellowstone Sheriff Department	Fire	Fire Investigations				
31		Planning & Community Services	Electrical - Residential	Parks, Recreation and Public Lands	Multi-Use Trails Sign Program	Fire	Grass and other related fires	Fire	Public Education				
32		Planning & Community Services	Plumbing, Mechanical, Energy - Commercial	Parks, Recreation and Public Lands	Multi-Use Trails Snow Removal and Sweeping	Fire	Hazardous Material/Special Rescue/Good intent calls	Legal	Municipal Court Treatment Court				
33		Planning & Community Services	Plumbing, Mechanical, Energy - Residential	Parks, Recreation and Public Lands	Multi-Use Trails Vegetation Management Program	Fire	Structure Fire Suppression	Legal	Municipal Court/Municipal Infractions/Code Enforcement				
34		Planning & Community Services	First Time Home Buyer Program	Parks, Recreation and Public Lands	Natural Area Parks Management and Maintenance	Fire	Emergency Medical Services	Legal	Public Document Requests				
35		Planning & Community Services	Home Repair Programs	Parks, Recreation and Public Lands	Par 3 Golf Course	Fire	Fire Suppression Training	Municipal Court	Delinquent Collections				
36		Planning & Community Services	Long Range Planning and Growth Management	Parks, Recreation and Public Lands	Park Fences	Fire	Hazardous Material	Municipal Court	Jury Trials(just to hold a trial)				
37		Planning & Community Services	Subdivision Application Review	Parks, Recreation and Public Lands	Park Informational Signage	Fire	Medical Certification	Municipal Court	Overdue & Failure to Pay Notices				
38		Planning & Community Services	Transportation Planning and MPO Administration	Parks, Recreation and Public Lands	Park Restrooms	Legal	Domestic Violence Grant	Municipal Court	Temporary Restraining Orders				
39		Planning & Community Services	Urban Renewal and Historic Preservation	Parks, Recreation and Public Lands	Park Special Events and Soundstage Support Program	Legal	Municipal Court Prosecution	Parks, Recreation and Public Lands	Records Management				
40		Police	Patrol Services	Parks, Recreation and Public Lands	Park Trash Removal and Litter Pickup	Legal	Victim Witness Grant	Parks, Recreation and Public Lands	Neighborhood Recreation Centers				
41		Police	General Administration	Parks, Recreation and Public Lands	Spraygrounds Management, Operations and Maintenance	Municipal Court	Court Records Request	Planning & Community Services	Junk Vehicles				
42		Public Works	Collection System Maintenance	Parks, Recreation and Public Lands	Stewart Park and Poly Vista Park Ball Field Complexes	Municipal Court	Court Revenue Collection	Planning & Community Services	Nuisance Weed Enforcement				
43		Public Works	Distribution System Maintenance	Parks, Recreation and Public Lands	Turf Care	Municipal Court	Jury Pool and Selection	Planning & Community Services	Public Nuisance and Open Storage				
44		Public Works	Lift Station Maintenance	Parks, Recreation and Public Lands	Adult Recreation Programs	Municipal Court	Treatment Court	Planning & Community Services	RV/Trailers Parking and Storage				
45		Public Works	Stormwater Permit Compliance	Parks, Recreation and Public Lands	Batting Cages	Parks, Recreation and Public Lands	Cemetery Operations	Planning & Community Services	Grants to Non-Profit Organizations				
46		Public Works	ADA Compliance Program	Parks, Recreation and Public Lands	Billings Community Center	Parks, Recreation and Public Lands	Forestry	Planning & Community Services	Homeless Initiatives				
47		Public Works	Capital Program Management & Design	Parks, Recreation and Public Lands	Concessions	Parks, Recreation and Public Lands	Funeral Service	Planning & Community Services	Neighborhood and Community Planning				
48		Public Works	Infrastructure Planning - Storm Sewer	Parks, Recreation and Public Lands	Recreation Administration	Parks, Recreation and Public Lands	Grave Service	Police	Evidence				
49		Public Works	Infrastructure Planning - Water	Parks, Recreation and Public Lands	Self-Sustaining Youth Programs	Parks, Recreation and Public Lands	Turf Care	Police	ATF Task Force				



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50		Public Works	Infrastructure Planning - Wastewater	Parks, Recreation and Public Lands	Senior Recreation Programs	Parks, Recreation and Public Lands	Bus Transportation Program	Police	Housing Authority Officer				
51		Public Works	Infrastructure Planning - Solid Waste	Parks, Recreation and Public Lands	Swimming Pool Operations	Parks, Recreation and Public Lands	Equipment Rentals	Police	Quartermaster				
52		Public Works	Infrastructure Planning - Other Transportation	Parmly Billings Library	Circulation Services	Parks, Recreation and Public Lands	Non-Sustaining Youth Programs	Police	Support Services				
53		Public Works	PAVER Program - Street Maintenance Fund	Parmly Billings Library	Digital Resources	Parks, Recreation and Public Lands	Swimming Lessons	Police	Municipal Court Security				
54		Public Works	PAVER Program - Other Special Revenue Fund	Parmly Billings Library	Outreach Services	Parks, Recreation and Public Lands	Wading Pool Operations	Police	Policy/Research/Training Officer				
55		Public Works	Private Development Oversight	Parmly Billings Library	Reference Services	Parmly Billings Library	Adult & Teen Collection Management	Police	Statistics				
56		Public Works	Right of Way (ROW) Management	Planning & Community Services	Billings Metro VISTA Project (MVP) AmeriCorps*VISTA	Planning & Community Services	All other Code Enforcement	Police	Uniform Crime Report				
57		Public Works	Sidewalk Maintenance Program - Storm Sewer Fund	Planning & Community Services	Foreclosure Acquisition, Rehabilitation and Sale	Planning & Community Services	Affordable Housing Development - Multi-Family	Public Works	Employee Safety & Training				
58		Public Works	Sidewalk Maintenance Program - Street Maintenance Fund	Planning & Community Services	South 27th Street Redevelopment	Planning & Community Services	Affordable Housing Development - Single Family	Public Works	Special Assessments				
59		Public Works	Sidewalk Maintenance Program - Other Special Revenue Fund	Planning & Community Services	Grant Administration	Planning & Community Services	Fair Housing	Public Works	Meter Operations & Maintenance				
60		Public Works	Traffic Engineering	Planning & Community Services	Zoning Compliance Review	Planning & Community Services	Zoning Application Review	Public Works	Utility Billing & Meter Reading - Water				
61		Public Works	Traffic Engineering - Other	Police	Investigations	Police	Animal Care	Public Works	Utility Billing & Meter Reading - Wastewater				
62		Public Works	Sign Maintenance	Police	Downtown Business Assoc. Patrol	Police	Animal Control Operations	Public Works	Landfill Scale				
63		Public Works	Snow/Ice Control	Public Works	Sewer Pipe Bursting Program	Police	Animal Control Patrol and Investigations	Public Works	Solid Waste Billing				
64		Public Works	Street Maintenance and Repair	Public Works	Utility Locate Program - Water	Police	Animal Sheltering and Licensing (Contracted Services)	Public Works	Septage/Trucked Waste Program				
65		Public Works	Street Markings	Public Works	Utility Locate Program - Wastewater	Police	Internet Crimes Against Children						
66		Public Works	Traffic Signal Maintenance	Public Works	Water Pipe Bursting Program	Police	DEA Prescription Drug Diversion Task Force	Administration	Boards and Commissions				
67		Public Works	Drinking Water Quality	Public Works	Sewer Infrastructure Replacement Program	Police	Logistical Support	Administration	City Council relations				
68		Public Works	Water Production Maintenance	Public Works	Water Infrastructure Replacement Program	Police	School Resource Officers	Administration	Media relations				
69		Public Works	Water Production Operations	Public Works	Commercial Solid Waste Collection	Police	US Marshal Violent Offender Task Force	Administration	Real estate transactions				
70		Public Works	Wastewater Treatment Plant Operations & Maintenance.	Public Works	Household Hazardous Waste Program	Police	Domestic Violence Investigator	Administration	Risk sharing pool administration				
71				Public Works	Landfill Operations	Police	Office of Professional Standards	Administration	Council meetings				

	A	B	C	D	E	F	G	H	I	J	K	L	M
1		<div>CITY OF BILLINGS, MONTANA</div> <div>PROGRAM LISTING by QUARTILE</div> <div>TOTAL PROGRAMS = 347</div>											
2													
3													
4													
5		QUARTILE 1 - 83 programs		QUARTILE 2 - 100 programs		QUARTILE 3 - 90 programs		QUARTILE 4 - 74 programs					
72		Administration	Budget Development	Public Works	Residential Extra Service	Police	Public Information and Media Relations	Administrative Services	Cash Adjustment/Reserves				
73		Administration	Records	Public Works	Residential Solid Waste Collection	Police	Volunteer Coordination and Activity	Administrative Services	Courier Service				
74		Administrative Services	Facilities Administration	Public Works	Maintenance of Walkways	Public Works	Water Service Line Repair Program	Administrative Services	Overtime/Standby and Other Pays				
75		Administrative Services	Preventive Maintenance Public Safety Equipment	Public Works	Utility Break/Pipe bursting Street Repairs - Wastewater	Public Works	Pretreatment Program	Administrative Services	Training				
76		Administrative Services	Business Application Management	Public Works	Utility Break/Pipe bursting Street Repairs - Water	Public Works	Landfill Closure Operations	Administrative Services	Vehicle Licensing, Inspections & Permits				
77		Administrative Services	Business Application Services	Public Works	Storm Sewer Maintenance	Public Works	Yard Waste Recycling	Administrative Services	Warranty Administration				
78		Administrative Services	Business Application Support			Public Works	Landscaping	Administrative Services	IT Purchasing				
79		Administrative Services	Servers & Storage Services	Administrative Services	Building/Systems Maintenance	Public Works	Maintenance of Gravel Roads/Alleys	Human Resources	City Event Planning & Human Resources Outreach				
80		Finance	Accounting and Audit	Administrative Services	Project Management	Public Works	Street Light Maintenance	Human Resources	Customer Service and Other Administrative Functions				
81		Finance	Accounts Payable	Administrative Services	Equipment Maintenance & Repair Heavy Equipment	Public Works	Street Sweeping	Human Resources	Property Insurance Administration				
82		Finance	Budget	Administrative Services	Equipment Maintenance & Repair Other Equipment								
83		Finance	Debt Management	Administrative Services	Equipment Maintenance & Repair Public Safety Equipment	Administration	Labor relations						
84		Finance	Finance Administration	Administrative Services	Equipment Maintenance & Repair Snow Removal Equipment	Administration	Oversee City Departments						
85		Finance	Investment Accounting	Administrative Services	Fuel/Parts Inventory Management	Administrative Services	Custodial and Floor Care						
86		Finance	Other Accounting	Administrative Services	Preventive Maintenance Heavy Equipment	Administrative Services	Facility Operations-Utilities						
87		Finance	Purchasing	Administrative Services	Preventive Maintenance Other Equipment	Administrative Services	Grounds, Site and Irrigation Maintenance						
88		Finance	Taxes and Assessments	Administrative Services	Preventive Maintenance Snow Removal Equipment	Administrative Services	Preventive Maintenance						
89		Human Resources	Federal, State, Local Law and City Policy Administration	Administrative Services	Cellular Services	Administrative Services	New Equipment Preparation						
90		Legal	Civil Litigation	Administrative Services	Desktop Services	Administrative Services	IT Administration						