

Approved
PARKING ADVISORY BOARD
September 14, 2009

Randy Hafer√
Scott Wetzel √
Don Olsen √
Leticia Moore √

Steve Bruggeman √
Bruce Simon√
Nick Blake √

NOTES:

The meeting was called to order by Randy Hafer at 4:07 p.m. Those present were: Bruce McCandless, Bill Cochran, Lloyd Mickelson, Barb McKay, Tony Hines, Maxine Allman, Chris Mallow and Kelly Cox.

Bruce Simon motioned that item 7, DBP request, be moved to the top of the agenda since there were members present that would like to discuss this issue and so they would not have to sit through the meeting. Don seconded the motion and all members were in favor. The Agenda was changed to show this.

DBP request on N. 28th St. between 4th and 6th Avenues N.:

At the August Parking Advisory Board meeting Greg Krueger submitted a request from the Downtown Billings Partnership Board of Directors. They request that all 2-hour meters on 28th between 4th and 6th be converted to 10-hour meters. I have included the request in your agenda packet. The information Greg provided explains that these on-street meters will replace those contained in an off-street lot which could be sold to Stockman Bank and hopefully be included in their bank development. Staff has contacted the Gazette, Midland Printing, Underriner Motors, the Library Board, and Stockman Bank. There were objections to this request from both Underriner Motors and the Library Board since they both rely on the existing 2-hour metered parking for their customers. The other businesses contacted state that they already have off-street parking available for their customers. There are currently 36 two hour meters on 28th between 4th and 6th, two of which are green meters. There are also 2 10-minute zones on this street.

Staff Recommendation:

Staff recommends converting the 12 two hour meters (including the green meter) on the east side of 28th Street between 4th and 6th to 10-hour meters and the 8 two hour meters, on the west side of 28th, that are adjacent to the Stockman Bank property and the Library Lot. Staff believes this will still allow the Library and Underriner Motors to have some short-term on-street parking.

Staff also recommends that the Parking Advisory Board add a condition to the sale of the 10-hour meter Library Lot that allows the City of Billings to continue to use this lot until construction activities begin. This would allow the City of Billings to use this lot for as long as possible before converting the on-street meters.

Chris stated that all businesses that would be affected by this change were contacted and that there were no objections except from the Library and Underriner Motors.

Underriner stated that they did not have off street parking for their customers and would like the 2-hour meters directly in front of their business be left as is.

Bill Cochran stated that the Library Board just recently had a meeting and they are working on a purchase agreement with Gainan's to move the library to that location on N. 30th St. and 6th Ave. N. Bill would like it if the Parking Board would wait to make the decision on moving the meters until there was a decision made on the Gainan's property. If the purchase of the Gainan's location does not work out the lot in question would then need to be used to expand the library footprint to the south of the existing library.

Lloyd Mickelson, current Library Board member and past Library chairperson, stated that the lot in question was purchased by the Library fund and wanted to know why the Parking Board and the DBP want to move the meters. Chris explained the request from the DBP and the anticipation of selling the lot to Stockman Bank in hopes that they will build a two story building instead of a drive thru bank. Additionally it was stated that 75% of the occupants of the 10-hour meter lot appear to be Gazette employees and are rarely used by other patrons. Chris explained that Greg Kruger feels that it would increase utilization of the meters in this area as the current meters are being underutilized.

Bill stated that the public in general already feel that having to pay to visit the public Library is not fair and that this hinders some patrons from visiting the Library at all. Bruce Simon stated that if the 2-hour meters were changed to 10-hour meters then the Library patrons would then only have to pay ten cents an hour instead of the thirty-five cents an hour, the current meters charge. Bill stated that he believes if this change were to occur the meters would be full with the ten hour meter patrons and there would not be space available for the library patrons to park. Bill again stated that he would like to see any decision in regards to this property wait until after a decision has been made in regards to the possible purchase of the Gainan's property.

Bill said that he is currently trying to set up a meeting time with Stockman Bank, City Administration, CTA Architects and the Library to come to some sort of agreement in regards to the lot in question but still needs an answer in regards to the Gainan's property first. Additionally Bill informed those present that Gainan's needs an answer from the City by the end of the calendar year in order to move forward with other options if the City does not or is not able to purchase the location.

Bruce Simon suggested using the maintenance hand-held device to check utilization in the meters along this section to verify how much each meter is actually being used. Chris stated that at this time the software for writing these types of reports is not yet up and running but that he would be willing to do this once the program is ready. Leticia added that she is aware of several patrons, who use this ten hour metered lot, which will be moving within a matter of two to three weeks to the new First Interstate Bank center and that she believes that any type of utilization study should wait until after this time.

The issue of Stockman Bank being frustrated with this process was brought up and Bill stated that although they are frustrated he does not believe that there is a set date or time that a decision must be made and that Stockman has not come to a final decision on what they plan to do with their property. He stated that they are still willing to work with the City to come to an agreement that is satisfactory for everyone.

Don motioned that this item be tabled until the October 13th meeting to give the Library time to work on the purchase plan for the Gainan's property. Nick seconded the motion. All members except for Bruce Simon were in favor. The motion passed.

PUBLIC COMMENT PERIOD:

Old Town Neighbors:

Along with fellow Old Town Neighbors member Barb McKay Randy presented a copy of the design for the modernization plan for Minnesota Ave. Randy stated that the plans have been approved by City Council, County Commissioners and City Engineers. Randy is asking that the Parking Advisory Board support the idea that the Parking Division pay and for the restriping, meter adjustments and signage for the area in question. He is asking for unmetered two hour signed parking on Minnesota Ave. between N. 25th and N. 30th Streets with 10-hour metered parking on all side streets from 1st Ave. S to the railroad tracks from N. 25th to N. 30th Streets.

Randy stated that when Montana Ave. did their revitalization the City did not ask the owners to pay for the restructuring of the parking and the Old Town Neighbors for the same consideration extended to the Minnesota Ave. project. Randy said that the Old Town Neighbors will be looking for possible C-TEP monies, S.I.D.s and other funds to help with the bulb-outs, trees, irrigation, lighting and planters.

Randy was asked if he had any estimates of cost which he said he didn't. If approved, Chris will need to obtain an estimate about the project costs and follow purchasing policy accordingly, i.e. quotes or competitive bids depending on the overall costs along with a budget amendment.

Bruce S. motioned that the Board approve the design and support the concept of the Old Town Neighbors plans and to support the Parking Division to pay for the costs of the restructuring of parking spaces. Steve seconded the motion. All members were in favor and the motion passed.

Scott motioned that this plan be revisited in a two year period to reassess the possible need to change the special parking district and possibly add meters to this area or to rethink the placement of the 10-hour meters. Don seconded the motion. All members except Bruce S were in favor and the motion passed.

REPORTS AND ACTION ITEMS:

Approve minutes from July and August meetings:

Don motioned to approve minutes as written from both July and August. Scott seconded the motion. All members were in favor and the motion passed.

Monthly Report – July and August 2009:

Monthly reports were given to the Board members but discussion on the issue were not opened due to the length of the meeting.

Park 3 Assigned spaces:

Steve Bruggeman informed the Park 3 Attendant that he will no longer need the two assigned spaces he was renting, next to the VFCU Building Sky-Bridge. These spaces have been there for many years and signed as HHS/OIG parking. Steve converted the two assigned spaces in his space inventory into regular reserved spaces. Park 3 garage has a current total of 8 assigned spaces (2-HHS/OIG, 4-BPD, 2-Parking Division spaces). Deputy Chief Tim O'Connell and the Billings Police Department had made requests to increase their assigned spaces in the Park 3 garage for use by their Detectives. They state that this will free up parking on the northeast side of City Hall and allow more patrol cars to park there. These BPD spaces have raise a negative public impact in the past with the public complaining that the BPD has such convenient spaces but they are rarely occupied 100% of the time. This is not uncommon with other assigned spaces but the BPD is in the midst of a very heavily used hourly area and that makes the empty spaces very noticeable to the public entering the Municipal Court.

Staff Recommendation:

Staff recommends that the Parking Advisory Board advise Staff about which of the two options to proceed with:

1. Swap two hourly and the HHS/OIG assigned spaces and re-sign the assigned spaces as Police Only. The BPD does pay the Parking Division for all of these spaces through their O&M Budget.

2. Remove the HHS/OIG spaces from the Garage Inventory completely and replace with Hourly Only spaces. Staff recommends "Hourly Only" since the area of the garage in question is an Hourly Only area.

It was asked where the Police park at the current time when in meetings since they do not have ample parking at this time. Chris explained that they park where they can such as the alley, Police only parking located west and north of the BPD offices, loading zones, available hourly or reserved spaces, spaces reserved in the basement of Park 3 garage or in metered spaces. Kelly explained that if tickets are issued to Officers on duty the tickets are dismissed by the Parking Division.

Scott motioned that the two assigned spaces be marked as hourly only spaces and that the request for additional Police assigned spaces be denied for the best utilization of the spaces. Leticia seconded the motion. All members except Don were in favor and the motion passed.

Future parking Items for Consideration:

This item was passed over due to the length of the meeting.

Financial Statements:

Financial statements were given to the Board members but discussion on the issue was not opened due to the length of the meeting.

OLD BUSINESS:

Downtown Parking Study Update:

- a. Response from Rich and Associates about the letter sent from the Parking Advisory Board

September 9, 2009 – Rich and Associates Responses

AUGUST 11, 2009

Dear Chris Mallow, Parking Supervisor for the City of Billings:

On behalf of the Parking Advisory Board, I am writing to express our concerns regarding the recently received "draft" parking study prepared by Rich & Associates. The study is intended to provide the Parking Advisory Board, City Council and City Staff with current accurate data about the state of downtown parking. As decisions are made about specific parking issues downtown, as well as general parking policies, it is essential that all parties involved in downtown parking have current, accurate and useful data. As it stands, the draft study is seriously deficient on all those counts.

Among our most serious reservations are the following:

1. Although a number of downtown parking stakeholders were interviewed during their research phase, the Parking Advisory Board was NOT consulted. This is a major oversight. Had we been consulted, many of these problems would never have surfaced.

PAB President attended kick-off. Our intent is to involve the PAB to a maximum extent beginning with our conference call on September 14th.

2. The "typical" day selected for the survey and count of downtown parking was December 18, 2008. Not only is December, almost by definition, NOT a "typical" time period for most anything, but that particular day was extremely cold with fresh snow. There has been some background discussion about who selected that day; however, we hired professionals who should have made it clear that data collected on a non-typical date compounded by extreme weather conditions would not yield useful information. Because the data was collected under such atypical and extreme conditions many of the conclusions are suspect and the recommendations do not inspire confidence. In short, bad data leads to bad results.

It is important to understand that the results of the turnover and occupancy study are not the prime indicators of parking demand. The turnover and occupancy count has several purposes in our general scope of work for a parking study and those purposes are;

- Review how parking spaces on and off-street are utilized, specifically for on-street the occupancy every two hours (in the case of Billings) and the turnover of vehicles.
- Review the number and prevalence of meter/time violations on short stay spaces.
- Review the use of handicapped spaces (on and off-street) and loading zones.
- Review how parking is used and pedestrian movements in lots and decks.
- Use occupancy data to compare to the parking demand projections to see relatively speaking, if there is a material variance between the occupancy levels and the projected current demand (this will be discussed further below).

It is a given that anytime we do the fieldwork for a study we probably will not do it and hit the “average day”. When the “average day” occurs varies by community depending on many factors. Influencing factors can be University or college schedules, tourist seasons (which may not necessarily occur in the summer), re-occurring events etc.

Over the 40 years we have been doing municipal parking studies, we have generally tried to avoid doing fieldwork (including turnover and occupancy counts) between Thanksgiving and New Years, the month of January (typically a slow retailing month), around Easter (higher retail month) and August (due to end of Summer vacations and conversely a higher retail month for back-to-school). These are generalizations however, and in some communities these rules don't necessarily apply.

There have been many instances where, due to the client's schedule we have conducted fieldwork during either a real or perceived “non average” period. This includes recent studies in Flagstaff, Arizona and Loveland, Colorado. In the one case, turnover and occupancy counts in Loveland were done during the first week of December (and after a snow storm) but we took this into account when we analyzed the data based on observations that we made when we returned to Loveland to present the preliminary report in the late winter/early spring.

For Flagstaff, the turnover and occupancy counts were initially completed in August (their peak season for the Grand Canyon but before Northern Arizona University was in session). We initially advised the client based on experience, that we needed to do the counts when NAU was in session, but they opted for August. After the fact, they realized that we really needed to conduct the counts with NAU in session and we undertook a second count.

In Billings, the turnover and occupancy results from December 18th were used in the analysis in the following way. It is important to note that on the turnover and occupancy survey day, the weather in Billings was not snowy and the temperature was between 8 and 15 degrees.

1. Review how the on-street spaces were used: The results showed that the peak time occurred between 10:00 A.M. and noon. In the overall study area, the peak occupancy was about 60 percent, but in many of the core blocks downtown the occupancy exceeded 85 percent. We believed based on the character of the downtown, the land uses, taking into account the weather, and finally anecdotal information from stakeholders that this pattern was not particularly unusual. We do not believe that it is accurate to make the argument that the December period would expect to see more activity due to retailing and restaurants etc., but then say that activity would have been slower on the survey day due to the weather. We did have one comment at the preliminary report meeting that there were several block faces on the east side of the study area that would have been more occupied with employees, but that due to the weather they probably were not parking in these locations. As a result this may have increased the occupancy in the parking structures on the survey day.

2. Review the enforcement of parking: There was no enforcement that day of the survey as the staff was assisting with the counts. The recommendations for parking enforcement were based on discussions about enforcement with staff and stakeholders.

3. Revised parking allocation: Recommendations for revised allocation did not use the

turnover and occupancy counts as the basis, though we did look at them for the use of PS 4 for example. From our interviews, the occupancy of PS 4 on the day of our counts appeared not to have been affected by the weather or season.

4. Review of the use of the handicapped and loading zones: We based our review on the results of the turnover and occupancy study.

5. Relate parking occupancy to parking demand: We adjust parking demand projections using data from a turnover and occupancy study based on a community by community basis. One of the tools that we rely on is the Urban Land Institute's Shared Use Handbook. In this volume there is an analysis of adjustment factors for parking demand based land use for each of the 12 months of the year. These tables' breakout customer/visitor demand and employee demand. The factors come from actual studies from around the country, so it does not take the specific factors that make each community unique into account.

Table 1 on the next page shows the percentage adjustments for various land uses that we found in downtown Billings. The table shows that December is generally lower than November for example for customers and visitors. If we look at the combined values for customers, visitors and employees December is at 92 percent while November is at 94 percent and January is at 90 percent. **Chart 1** graphically shows the results.

Therefore, from the Urban Land Institute (ULI)'s Shared Use data base, December appears to be an average month overall when looking at all of the land uses in downtown Billings. When we looked at the turnover and occupancy results for Billings, we believed that the affects of time of year and possible weather implications were not affecting the overall results. Second, from anecdotal information it appears that parking areas outside the core are generally not experiencing occupancies issues, whereas parking in the core can experience occupancy issues. These results were consistent with our findings.

Lastly, while the weather previous to the count day had been snow and colder temperatures, we do not believe that the weather had nearly the impact as it is perceived to have had. It is important to understand that the turnover and occupancy study **does not** drive the estimate for parking demand for the current or future conditions.

The turnover and occupancy study is used to give the consultant an indication of levels of parking demand. When Rich and Associates looked at zones for parking demand and supply (a grouping of several blocks), we referenced back to the results of the turnover and occupancy study to use as a check to see if there were individual blocks within the zone that had parking demand (and resulting surpluses or deficits) that appeared to be too high or too low relative to the parking occupancy study.

3. The total number of downtown parking spaces within the study area, certainly a critical bit of information, is inconsistently reported or inaccurate due to private off-street parking missing from this inventory of parking spaces. The totals range from approximately 3,700 (in the power point presentation) to approximately 5,300 to over 9,800. Since we don't know which is correct, it is difficult to reach any useful conclusions based on quantity and utilization data that is obscure and up to interpretation. The other data set that appears to be inaccurate is the data about building classification, building inventory, and parking demand derived from such information. These inaccuracies are realized in the block-by-block demand analysis when many blocks have parking demand that is either vastly under or over stated. Both of these data sets seem to be the foundation of the study and if the information is faulty or not sound then that affects the entire study.

Statement of 3,700 parking stalls from preliminary presentation was associated with Rich's examination of zones. This inventory amount was erroneously included in the slide presentation as a total supply. The counts presented in the report are correct as follows: 9,792 stalls total supply, 5,474 private parking stalls. The counts have been re-verified and found to be consistent. (See Table 2A, Page 11 in the report)

4. The recommendations for future parking structure locations are curious at best. They include a mid-block, quarter-block sized location (after noting previously that quarter blocks were not a good size for a parking structure). In addition, another proposed location includes a significant historic building. Given the amount of community time, energy and effort that went into "saving" that building, it is not likely that anyone would think it an appropriate candidate for demolition, especially for a parking structure.

Sites are consistent with parking demand and were selected based on where new parking would be needed and on potential properties that were of adequate size. The sites presented were intended to be optional alternative locations subject to commentary and refinement. Subsequent re-examination of potential sites is being sought with PAB input on September 14th. Once we have reviewed possible sites on the 14th, we will have a follow up conversation with the PAB on the findings before the report is finalized.

5. There are several significant downtown development projects currently in the works -the new federal courthouse, the new First Interstate Bank Operation Center, the new plan for parking on Minnesota Ave., the Northern Hotel and a prospective Stockman Bank building. While it is understandable that a parking study cannot and should not attempt to address every possible development opportunity that may exist, at the same time major projects that are moving forward should be considered. There was no particular consideration given to these projects and it is difficult to reach any useful conclusions from the information presented.

All of the above mentioned new developments with the exception of 'the new parking plan for Minnesota Avenue' are included in the analysis. These projects are individually identified in Section 2, Table 2I on page 30 and again in Section 5, page 58. (Included on the following page)

Table 2I – Proposed And Potential Projects In Downtown Billings

Development Name	Type	Block Number	Street Location	Parking Stalls gained/lost	Office Sq. Footage	Retail Sq. Footage	Residential Sq. Footage	Event Venue	Total Sq. Footage	Year of Development
Babcock Building Remod	Mixed use	43	2nd & 28th	n/a					0	2010
Federal Courthouse	Gov't Services	27 & 22	2nd & 26th		100,000				100,000	2012
Federal Office Building	Gov't Services	East of CBD	East of CBD	300	110,000				110,000	2012
1st Interstate Complex	Fin. Services	East of CBD	East of CBD	300	58,450				58,450	
Stockman Bank	Fin. Services	40	4th & 28th		70,000				70,000	2011
Privatization of Park 4	Parking Garage	56	6th & 31st	-695					0	
Babcock Theater Bld.	Mixed use	43	2nd & 28th			10,000	11,300	700 seats	21,300	2016
Northern Hotel	Hotel/Event/Retail	35	1st & 28th		30,000	10,000		120 rooms	40,000	2011
BN Building	Office	34	MT & 28th		60,000				60,000	
Northern Hotel Garage	Parking Garage	35	1st & 28th	180					0	2011
Old WSB Building	Office	54	3rd & 30th		53,338	8,000			61,338	
Downtown Conf. Center	Event/Retail	44,35,29	MT & 28th	650		unknown		2000 seats	0	2018
Park 5	Parking Garage	43	1st & 29th	550		hopefully		library?	0	2018
Park 6	Parking Garage	26	3rd & 26th	475		hopefully		library?	0	2018

6. Lastly, although there are many more minor concerns, the spelling, grammar and punctuation throughout the report were problematic. A draft should be in the process of final adjustments and not require wholesale corrections.

Editing is in progress. “Many more minor concerns” should be clearly identified to the Consultant and City project managers in order for PAB acceptable corrections to be made.

The Parking Advisory Board is recommending that Staff direct the consultant to rectify these serious concerns before accepting this study. The Parking Advisory Board also recommends that Staff direct the consultant to prepare an action plan and timetable of how they intend to address these concerns. The Parking Advisory Board also recommends that we talk with the consultant about the revised study before any presentation to City Council is made so we can put our full support behind the Downtown Parking Study.

We are willing to assist as needed to bring this very important study to a successful conclusion.

Rich and Associates concur.

Sincerely, Parking Advisory Board Randy Hafer, Chair

Before the conference call was made to Rich and Associates, Randy asked the Board what they felt needed to be done to continue to move this process forward and what the Board hoped to accomplish from here. It was agreed upon that Rich and Associates needs to return to Billings and have another day of data

collection to vanquish the perception that the data collected on December 18th was not accurate or not depicting a “typical” parking day in downtown Billings. In addition to this Don Olsen would like to see an intelligent option for placement of an additional parking facility. With input from members of the community the Board is hoping to give Rich and Associates an inside look of the City and the best possible options and areas that can and cannot be considered.

Randy believes that with help from the Parking Advisory Board and other key members of the Downtown area, they will be able to help Rich and Associates clarify block faces and certain anomalies within those blocks, clarify future development items that were not addressed such as the Minnesota Ave project, the Federal Courthouse, Northern Hotel and the potential Stockman Bank project. Additionally, incorrect inventory and land use issues can also be addressed and corrected.

The conference call was made and Chris turned the call over to Randy. Randy updated John Revell and Rick Rich of the wishes of the Board. Both John Revell and Rick Rich were in agreement to coming back to Billings and re-doing the data collection and getting together with the Parking Advisory Board to straighten out some problems with the data collection and the inventory and land use issues.

It was asked if an extension was given to Rich and Associates being that the original contract stated that they needed to be finished by April 1st. Chris stated that indeed an extension was given until July 31st due to Rich and Associates waiting for information regarding land use.

It was asked what would happen if the Board and City Council did not agree to pay the expenses of Rich and Associates to come back and do another set of collection data what would happen then. It was explained that Rich and Associates could advise Chris and his staff on how to collect the data and then when the information was forwarded to Rich and Associates they would then re-run the numbers.

Leticia stated that she believed that Rich and Associates tainted the original report by continually qualifying that the data was not “typical day” numbers due to the weather and the time being the week before Christmas. She felt strongly that the City should not have to pay the expenses for Rich and Associates to come back and re-do the data collection as it was their continual qualifying that tainted the report. Additionally, she believes that Rich and Associates should have flat refused to do the data collection on a day that was not considered to be typical. Rick Rich stated that December or January was not necessarily the best time to do data collection but that it was the first step needed in order to start the process. It was the City Council that stated that the project had to be started in order to obtain the information as quickly as possible in order to go forward with the possible sale of the Park 4 garage. Additionally, Rick Rich stated that he feels that it was important to qualify that it was a non-typical day and that it would be misleading and foolish not to.

Randy ended the conversation in regards to paying the expenses and told John Revell and Rick Rich that the Board would like to discuss the matter and that Chris would get back with them in regards to the details. It was agreed upon that the data collection day be a Thursday to correspond with the last data collection day and that the best time would be October 1, 2009. Rick and John agreed to this along with calling two special meetings (if needed) of the Parking Advisory Board. Randy suggested Wednesday the 30th from 4:00 p.m. to 8:00 p.m. and Thursday October 1, 2009 from 4:00 p.m. to 8:00 p.m. if needed. Randy stated in closing that he appreciated Rich and Associates working with the City on this and that he was going to recommend that the City pay the expenses and that he believed this report could be salvaged.

Chris stated that it is his opinion that the City pay the change order and pay for the expenses of Rich and Associates to come back out, do a new day of data collection and to get the project back on track.

Don agreed with Leticia that he did not believe the City should have to pay for Rich and Associates expenses but that the study needed to be salvaged. It was stated that it was not an intelligent decision to have staff do the data collection as this could back fire against the City bringing up credibility issues.

Bruce motioned to approve paying for Rich and Associates actual expenses. Steve seconded the motion. All members except Leticia were in favor. The motion passed.

It was agreed upon that Rich and Associates would give the actual expenses to Chris and then Chris would clear them with Randy as reasonable.

NEW BUSINESS:

MET Transit Center update:

Yellowstone County request:

Due to the length of the meeting this Agenda item was not addressed.

DBA Report:

None

DBP Report:

None

Informational Items:

Bruce Simon advised the Board that he will be absent for the next six to eight months due to having to travel to California to be considered for a possible heart transplant. All members wished Bruce a quick and speedy recovery.

The Planning Department has issued a R.F.Q. to hire a consultant to review the site development code in regards to the parking over-lay for the E-BURD district. As of now the City has received seven or eight proposals for this project. There will be a meeting on Thursday September 17th at 3:00 to choose which company to use.

Don asked that the Board review the "special parking district" policy during the October meeting.

Adjourn:

The meeting was adjourned at 6:33 p.m.