

PLANNING DIVISION

Planning and Community Services Department

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Billings, MT 59102

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September 2011 Report

To: Board of County Commissioners, City Administrator, Mayor and City Council, Planning Board, Zoning Boards and Commissions, Planning and Community Services Department Director

From: Wyeth Friday, AICP, Planning Division Manager

Date: October 12, 2011

Below is a list of items that the Planning Division has been working on for the past month.

Meeting Management and Support

Planning staff supported the regular meetings of the following Boards and Commissions in September 2011.

Each entity met once unless otherwise noted:

- Yellowstone County Board of Planning (2)
- City Board of Adjustment
- City Zoning Commission
- Historic Preservation Board
- Technical Advisory Committee
- Policy Coordinating Committee

Long-Range Planning Projects:

East Billings Master Plan Implementation – A draft project summary report was presented to the steering committee in September. The report proposes to consolidate the area into two primary zoning subdistricts and two main street subdistricts. The steering committee has agreed to this arrangement and the consultant is moving forward with a draft code. The draft code is expected to be completed in November, 2011 and will move forward towards adoption in early 2012. An Exposition Gateway Master Plan and a Hospitality Corridor Plan are all being coordinated with the City, County, Chamber, and BSEDA. BSEDA has prepared a draft RFP for the Exposition Gateway Master Plan and has identified some grant funding sources. Planning staff has included partial funding of these projects in its 2011 and draft 2012 Unified Planning Work Program based on the availability of other funding and staff resources. All of these projects are expected to be underway later this year. The 2-way street conversion project (2nd and 3rd Avenues North) is expected to be completed by year end. Please visit www.eburd.com for a description of this and other EBURD projects.

South Billings Boulevard Urban Renewal District Master Plan – AECOM Technical Services is the lead consultant on a multi-disciplinary team to develop a master plan for the South Billings Boulevard Urban Renewal District (SBBURD) area. A third public hearing was conducted in September to gauge public opinion on identified planning options and projects for the four subdistricts in the area. Approximately 45 people attended the meeting and voted on recommendations using electronic keypad polling. This master plan is funded through the SBBURD tax increment funds. This project is expected to be completed in early 2012. Please visit www.southbillings.com/ for more information.

Infill Policy Development – Based on the successful infill workshop hosted by the City of Billings in April, an ad hoc committee has formed to draft an infill policy for the City. The third meeting of this committee was August 24 and another will be held on October 5. Discussion at the third meeting centered on refinement of a draft of a policy, a schedule to bring a draft to the City Council, and outreach to stakeholders in the next few months. A public meeting is planned for early November with a draft policy expected to reach the Council for initial consideration by November.

Sustainable Communities Challenge Planning Grant – After a yearlong planning session with more than 20 community partners, the Planning Division supported BSEDA in preparing a \$3 million grant application to fund a Sustainable Community Fund for the EBURD. City Council committed to using \$10,000 of EBURD tax increment funds for three years as financial match for this grant. This grant fund, if awarded, will be available to non-profit organizations and sub-recipients may use the money for land acquisition and related projects in the EBURD. Projects must align with the EBURD Master Plan and the original grant requirements. The grant application was submitted on September 16 and a response is expected in about 60-90 days. More information on the grant application is available on the EBURD website at www.eburd.com.

Grant Funded Projects

- FEMA Grant for West End Flood Mitigation/County Pre-Disaster Mitigation Plan Update (PDM Plan) – Staff is administering the grant and staff along with a Steering Committee is working with the consultant team. The consultant team and staff have made final corrections to the PDM Plan Update and the West Billings component and returned the documents for final review to the State Hazard Mitigation Officer and FEMA before starting the local adoption process. This is a two year project that is scheduled to be completed by December 2011. Local adoption by the Billings City Council, Board of County Commissioners, Town of Broadview, and City of Laurel of the PDM Plan Update and the West Billings component are expected in October/November 2011.
- A DNRC Renewable Resource Grant is also being administered by staff in conjunction with FEMA grant referenced above and will follow the same two year schedule.
- Division staff continues to help manage the \$1 million Energy Efficiency and Conservation Block Grant on behalf of the other City Department grant recipients. The grant is partially funding a new hybrid bookmobile; a large portion of the Swords Park Trail, Phase II, training for Building Division inspectors to enforce the 2009 International Energy Conservation Code (IECC), and the technical audit for the City's Performance Contract project to make multiple City facilities more energy efficient. The Performance Contract was closed out in September and the Swords Park is expected to be completed by November 2011. The hybrid bookmobile is expected to be purchased soon.

Community Events/Training

The Division hosted several webinar workshops for staff and the public in September. The webinars are advertised via email and on the Division's website and anyone is welcome to attend. The webinar topics in September included: What Economic Development Planners Should Know about Eco-Industrial Development; and Making the Case for Trails in Tight Economic Times.

Most of the Planning Division staff had the opportunity to attend the 2011 Montana Association of Planners Conference in Big Sky, MT in September. The annual conference brought together more than 100 private and public sector planners and engineers, elected officials, planning board members, and other land use professionals to receive training and participate in sessions applicable to land use planning in Montana and across the United States.

Special Projects/Assignments

- Staff has will meet with A.T. Stoddard of LSC Transportation Consultants later this month to review the scope for the feasibility study for a downtown circulator bus or trolley. Staff is working with MET Transit, MSU-Billings, the Downtown Partnership, Billings Clinic and St. Vincent Healthcare and other stakeholders to determine the feasibility of a downtown transit circulator bus system to move people from MSU-Billings through the medical corridor to downtown and back. The Billings Metropolitan Planning Organization recently received local, State and Federal approval in its annual Unified Planning Work Program to conduct a feasibility study using Federal and local funds. This study is expected to be underway in late 2011.
- Staff continues to work internally and meet with City IT staff to work on initial conversion of the Planning Division's permits into the new Innoprise project management software system. The permit conversion process is expected to take place in November.
- Based on the 2009 Legislative changes, and now changes in the 2011 Legislature in relation to land use regulations, staff has moved forward with amendments to the City and County subdivision regulations. Staff started this effort in June and draft updates have been presented to the Board of County Commissioners and City Council. The governing bodies are expected to take action on these amendments in October and early November.
- Based on the 2009 Legislative changes, and now changes in the 2011 Legislature in relation to land use regulations, staff has begun drafting changes to the City and County zoning regulations. Staff started this effort in September and plans to provide draft updates to the Board of County Commissioners and City Council in November.
- Serving on Healthy by Design Advisory Committee through Riverstone Health to participate in various grant programs to review implementation of the healthy community strategies in the 2008 Growth Policy, and serving on the Billings Area Food Policy Council with the other community stakeholders on issues relating to healthy food policy and access in the community.
- Serving on Traffic Control Board
- Serving on Billings Preservation Society
- Serving on Steering Committee for East Billings Environmental Assessment Program
- Attended Monthly Homebuilders Association Meeting with City staff
- The City's first Tax Increment Finance District Coordinator Steve Zeier joined the staff in late September and is taking over monthly coordination of the South Billings Boulevard Urban Renewal District Association and Billings Industrial Revitalization District meetings. Steve will be handling a variety of projects and duties in relation to these two TIF districts that will appear in this monthly report.

See Staff Project Priorities and Application Review Activity in FY2012 Below

Planning Division Staff Project Priorities 2011 - 2012

Project	Priority	Completion Date
EBURD FBC Adoption and Implementation*	1	12/1/11
Vacant Housing Ordinance	1	11/1/11
Complete Street Policy Adoption**	1	9/1/11
Business License Ordinance**	1	8/1/11
EECBG Administration	1	2/1/12
FEMA/DNRC PDM West End Flood Grants* **	1	12/1/11
Infill Work Policy Development* **	1	12/1/11
SBBURD Master Plan/TIFD Implementation*	1	2/1/12
Bike Way and Trail Plan Update*	1	4/30/11
Community Outreach and Planning Mill Levy* **	1	Ongoing
City/County Subdivision Reg. Legislative Updates*	2	12/1/11
EBURD Mini-Master Plan -Exposition Gateway	2	2/1/12
Hospitality Corridor Study (Hwy 87 River Bridge - Airport Rd.)	2	12/1/11
Downtown Electronic Walking Tour	2	9/1/11
Feasibility Study - Mystic Park to Riverfront Park Trail	2	6/1/12
Zoning Text Legislative Amendments*	2	12/1/11
Correctional Facilities Zoning Amendment Memo* **	2	6/1/11
Update Records Retention/Review Process*	2	10/1/11
Highway 3/Airport Road Corridor Study* **	2	10/12/11
Historic Pres. Ordinance Update*	2	6/1/11
Scan/Archive City/County Historical Zoning Maps	2	10/1/11
CTEP	3	Ongoing
Innoprise/ HTE2 Conversion Preparation*	3	2/1/12
Web Page Maintenance City/County Webpage	3	Ongoing
Wind Turbine Regulation	3	12/1/11

Worked on in September

Completed

* Aligns with 2011 Planning Work Plan

** Aligns with Council/Administration/BOCC Initiatives

Priority Index

1 = Next 3 Months

2 = Next 6 Months

3 = Next 12 Months

SUBDIVISIONS		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	YTD Totals
Pre-Application Meetings														
	City	0	2	1	0	0	0	0	0	0	0	0	0	3
	County	1	2	1	0	0	0	0	0	0	0	0	0	4
	Total	1	4	2	0	0	0	0	0	0	0	0	0	7
Preliminary Plats														
	City	2	0	2	0	0	0	0	0	0	0	0	0	4
	County	0	1	0	0	0	0	0	0	0	0	0	0	1
	Total	2	1	2	0	0	0	0	0	0	0	0	0	5
Final Plats														
	City	1	2	0	0	0	0	0	0	0	0	0	0	3
	County	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1	2	0	0	0	0	0	0	0	0	0	0	3
Exempt Plats														
	City	2	0	0	0	0	0	0	0	0	0	0	0	2
	County	0	0	4	0	0	0	0	0	0	0	0	0	4
	Total	2	0	4	0	0	0	0	0	0	0	0	0	6
ZONING														
Neighborhood Meetings														
	City	0	0	0	0	0	0	0	0	0	0	0	0	0
	County	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0
Zone Changes														
	City	1	1	0	0	0	0	0	0	0	0	0	0	2
	County	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1	1	0	0	0	0	0	0	0	0	0	0	2
Special Reviews														
	City	2	0	1	0	0	0	0	0	0	0	0	0	3
	County	0	0	0	0	0	0	0	0	0	0	0	0	0

	Total	2	0	1	0	0	0	0	0	0	0	0	0	0	3
Variances															
	City	2	3	3	0	0	0	0	0	0	0	0	0	0	8
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	2	3	3	0	0	0	0	0	0	0	0	0	0	8
Medical Corridor		0	0	0	0	0	0	0	0	0	0	0	0	0	0
Zoning Clarifications															
	City	6	8	6	0	0	0	0	0	0	0	0	0	0	20
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	6	8	6	0	0	0	0	0	0	0	0	0	0	20
Zoning Compliance Permits (YC)		0	2	6	0	0		0	0	0	0				8
Fence Permits															
	City	15	15	17	0	0	0	0	0	0	0	0	0	0	47
	County	0	1	0	0	0	0	0	0	0	0	0	0	0	1
	Total	15	16	17	0	0	0	0	0	0	0	0	0	0	48
Sign Permits															
	City	10	24	15	0	0	0	0	0	0	0	0	0	0	49
	County	2	0	1	0	0	0	0	0	0	0	0	0	0	3
	Total	12	24	16	0	0	0	0	0	0	0	0	0	0	52
Temp. Sign Permits															
	City	1	1	3	0	0	0	0	0	0	0	0	0	0	5
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	1	1	3	0	0	0	0	0	0	0	0	0	0	5
Temp. Use Permits															
	City	0	4	1	0	0	0	0	0	0	0	0	0	0	5
	County	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Total	0	4	1	0	0	0	0	0	0	0	0	0	0	5
Building Permit Reviews		55	60	58	0	0	0	0	0	0	0	0	0	0	173

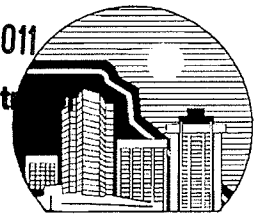


City of Billings

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OCT 12 2011

City Administrator



Public Works
"Working for You"

Public Works Administration

Public Works Department
2224 Montana Avenue – 2nd Floor
Billings, MT 59101
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MEMORANDUM

To: Christina Volek, City Administrator
From: David Mumford, Public Works Director
Date: October 7, 2011

SUBJECT: MONTHLY REPORT – PUBLIC WORKS DEPARTMENT

The following is the Public Works Department's Monthly Report for September 2011.

Engineering Division

- ▶ *W.O. 04-12 Alkali Creek Road Slope Stability:* City Council approved the change order for maintenance on trees damaged by May flooding. Currently working on scope and costs for other slope and channel repairs to be done over the winter.
- ▶ *W.O. 04-26 Zone 4 Reservoir:* Phase 2 contractor continuing work on pump station (interior piping, electrical, etc.). Pumps set and site work is nearly complete. Tank disinfection and leak test scheduled for mid October.
- ▶ *W.O. 05-13 Jackson Street Sidewalks (phase 2):* Project is completed and finalizing a few punch list items and paperwork.
- ▶ *W.O. 05-15 Howard Heights:* Phase II is complete. The walk thru is scheduled for October. *Dickie Park:* Work has started, however additional topsoil and seeding will need to be completed next spring.
- ▶ *W.O. 08-22 WWTP Alternative Disinfection:* This project is substantially complete. Working on punch list items and final change order.
- ▶ *W.O. 08-25 Zone3 Reservoir:* Reducing the size of the reservoir to meet immediate needs. The reservoir will be constructed on site near Chapple. Currently working on acquiring the land. The final appraisal has been received, land owner contacted, purchase offer made, and still in negotiations with the landowner.
- ▶ *W.O. 08-27 Landfill Improvements:* Substantial completion achieved with final completion this fall when the shrubs can be planted.

- ▶ *W.O. 09-11 Rimrock Road, 17th to Forsythia:* The water main work is complete. Contractor is completing miscellaneous services and hydrants. Knife River is paving during the first week of October up to Country Club Circle. Street light conduit bases continue to be installed. Weather permitting, work to be completed by mid November.
- ▶ *W.O. 09-12 Inner Belt Loop:* Staff met with Sanderson Stewart to finalize the contract. Amendment to complete Phase I design expected in mid October. Currently staking the right-of-way for Phase I so property owners can look at alignment on the ground. Phase I appraisals are being updated.
- ▶ *W.O. 09-14 Wicks and St. Andrews Signal:* This project is complete and operational. Contractor still needs to install the luminary.
- ▶ *W.O. 09-15 Grand Ave Zimmerman to Shiloh:* Preliminary design is complete and evaluating options within the design. Finalizing design plans.
- ▶ *W.O. 09-25 Downtown Signals:* Intersections of 4th & 26th, 2nd & 30th, 3rd & 30th, 4th & 28th, 2nd & 24th, 3rd & 29th, 3rd & 28th are fully operational. Construction is underway at 2nd Street and 28th Street and will be completed next week. Remaining work includes removal of old street lights and some punch list items.
- ▶ *W.O. 09-28 WTP Backup Power, Phase 2:* The design is finalized and the bid package has been prepared to meet HUD regulations. An environmental review and categorical exclusion was approved by the federal government. The project will bid in October.
- ▶ *W.O. 10-05 Two Way Conversion – East Downtown:* The MRL equipment has been delivered. Construction will start the first week of October.
- ▶ *W.O. 10-13 Safe Routes to School Phase II:* Starting internal process to prioritize projects citywide.
- ▶ *W.O. 10-16 32nd St. West Two Way Left Turn Lane:* Contracts are being executed.
- ▶ *W.O. 10-24 Rimpoint Park Seeding Irrigation:* Construction is substantially complete.
- ▶ *W.O. 10-30 32nd at Broadwater Right Turn Lane:* Signal pole delivery time could prevent paving this fall. Evaluating alternatives and may delay work until spring.
- ▶ *W.O. 10-31 central & 29th Traffic Signal:* Signal equipment is being ordered with work to begin in October.
- ▶ *W.O. 11-01 Water Rehabilitation:* Schedule I pipe laying work continues on 4th Ave North between North 27th Street and North 28th Street. Schedule II pipe laying work is complete. Paving on both schedules is following the water main testing.
- ▶ *W.O. 11-02 Miscellaneous/Developer Related:* This project is 85% complete with estimated substantial completion by December 2011.
- ▶ *W.O. 11-04 2011 ADA Ramps:* Project is ongoing throughout the summer. Work is primarily on Central Avenue at this time.

- ▶ *W.O. 11-05 Chapple Area Fire Flow Improvements:* Pipe laying is complete on Arnold Palmer Drive and Mickey Wright Lane. Paving will be complete by October 7th. Pipe laying between Palisades and High Park Drive is complete with paving to follow. Pipe installation on 37th Street is complete with testing and paving to follow.
- ▶ *W.O. 11-09 Miscellaneous Storm Drain:* Three projects will be completed this fall; 6th Avenue North near 13th Street, 9th and Avenue B, and Kathy Lane. Additional areas under design to be completed in the spring.
- ▶ *W.O. 11-10 25th Street Pedestrian Bridge:* Morrison-Maierle, Inc. has been selected for design and the contract is underway.
- ▶ *W.O. 11-11 WTF Rapid Mixer System Improvements:* HDR is working on the preliminary study.
- ▶ *W.O. 11-12 Household Hazardous Waste Facility:* Selection is underway for the design firm. Five firms have submitted proposals.
- ▶ *W.O. 11-13 Mountain View Boulevard:* Contracted with Riverside Sand and Gravel to repair areas that failed during run off events this year. Work to begin in mid October.
- ▶ *W.O. 12-01 Water and Sewer Rehab:* DOWL-HKM selected for Schedule I and Sanderson Stewart selected for Schedule II engineering services. DOWL-HKM contract approved by City Council on September 12th with the Sanderson Stewart contract up for approval at the October 24th City Council Meeting. Construction will begin summer 2012.
- ▶ *SID 1369 Moore Lane:* Contractor is finishing the curb and gutter. The contractor is also planning to pave the week of October 10th.
- ▶ *MDT Projects Underway:*
 - *6th Ave to Bench Connection:* Bridge construction is underway and the walls have been mostly completed. Majority of road along Metra Arena has been paved. Water vault is being reconstructed and construction of “slip ramp” is underway.
- ▶ *Miscellaneous Waste Water Treatment Plant Projects:*
 - Electrical Master Plan – Met with HDR and final plan should be out this month.
 - West Mechanical Building MCC Panel Replacement Project- Working on shop drawings.
 - Clarifier Infrastructure Improvements- Held pre-construction meeting with work anticipated to start mid September.
 - Meter and Valve Replacement-on hold.
 - Door in AFT building- The door is constructed and Langlas and Associates have started the dock construction. Rails need to be added then the project will be completed.

▶ *Miscellaneous Water Treatment Plant Projects:*

- Scada Evaluation – This project is being scaled back to install the "backbone" of the system. Meeting with BLM on the Four Dances property. Brown and Caldwell are finishing the specs that should be done next week.
- Electrical Master Plan – Final expected soon.
- High Service Pump Station H2-1 Pump Replacement- Pump has been installed. The *contractor* will be installed this fall.
- Low Service Pump Station 1 Upgrade- Held pre-construction meeting. COP has installed Coffe Dam in intake Channel #1.
- Clearwell Contact Time Improvements- Construction on Clearwell No. 2 is complete. Clearwell No. 1 was drained and upon inspection of the roof, some structural members have rusted. It is recommended to replace members in poor condition. Morrison-Maierle under contract for roof design and has submitted a Preliminary Engineering Report. COP Construction has been issued a stop work order until roof repairs are complete. A change order for delays is being processed.
- High Service Pump Station 2011 Transfer Pump Replacement-HDR has started the design. The pump delivery will be mid-July 2012, which pushes construction into the fall of 2012.

Administration Division

- ▶ Continue to work with HDR on Numeric Nutrient Standards for wastewater.
- ▶ Attended Public Works Board meeting on September 8th.
- ▶ Public Works Director traveled to Helena to meet with DEQ regarding numeric standards.
- ▶ Public Works Finance Manager worked with FEMA to obtain reimbursement for sites damaged by May 2011 storm.
- ▶ Public Works Director spoke at the American Planners Association in Big Sky, MT.
- ▶ Met with Exxon to discuss wastewater options.
- ▶ Public Works Director met with Ed Kemmick from the Billings Gazette for an article on numeric nutrient standards.
- ▶ Public Works staff attended Innoprise training for purchase orders.
- ▶ Worked on Public Works assessments to go out on November 2011 tax statements.
- ▶ Attended Priority Based Budgeting meetings.

Solid Waste Division

- ▶ The Solid Waste Division started 27 new residential accounts and 8 commercial days were added.

- ▶ The green barrel program has diverted 674 tons of yard waste. This is 7.2% of all trash that the City Of Billings collected. It is 22% of our residential barrel trucks that was diverted. We are continuing to send out letters and deliver green barrels to the residents of Billings. We will do one more mailing of approximately 1,000 households too finish off the year. We will start again in March and we are on track to have the vast majority of the city on green barrel service by late summer of next year.
- ▶ Our green waste program has picked up 3321.94 tons of grass so far this summer. This is a 41.3% increase over last year and with 1,141 tons of green waste being diverted at the landfill this month.
- ▶ The Billings Regional Landfill received 225,387 tons of refuse. There were 21,553 tons that were land filled, 1,141 tons for compost, 39 tons for metal and white goods, .3 tons of asbestos, and 2,654 tons of soil used as cover material.
- ▶ We are currently flattening out the top of the east side of the landfill to give us room for windrowing compost piles. This will speed up the composting process while giving us a better product. The cattle guard near the entrance of the landfill has been completed.
- ▶ We completed our mandatory Greenhouse Gas report to the EPA. Also, helped with the Rocky Mountain College clean-up of the Yellowstone River. Also, cleaned up the area around N 23rd and 6th Ave. N with Shane Windham from the Billings Police Department.

Commercial & Meters Division

- ▶ Met with I.T. to discuss security camera options for our front counter area.
- ▶ Included a leaf collection message on the utility bills for Solid Waste.
- ▶ Attended purchase order training for the new Innoprise software.
- ▶ Completed a landscaping project at the Service Center.

Distribution & Collection Division

- ▶ Began water pipe bursting project on South 31st Street.
- ▶ Completed water pipe bursting project on South 38th Street.
- ▶ Completed sewer pipe bursting project on Glenwood Lane.
- ▶ Began water main replacement project on North 12th Street.
- ▶ Quincy Clark and Mike Hayes attended the Bozeman Water School.

- ▶ Installed 18" gate valve for Water Plant.
- ▶ Inspected 60 valves and 30 fire hydrants.
- ▶ Jet cleaned 277,911 feet of sanitary sewer main line.
- ▶ New employees, Mike Barker and Mark Silvis, started employment.

Environmental Affairs

- ▶ Prepared and participated in the Montana DEQ audits of the City, County, and MDT MS4 programs.
- ▶ Worked with wastewater staff to revise the Liquid Waste/Septage Permit-Manifest.
- ▶ Worked with wastewater staff to revise Chapter 38 of the Water/Sewer Rules and Regulations.
- ▶ Conducted construction site and pre-treatment inspections.
- ▶ Finalized an Industrial Users permit with Lockwood Water and Sewer.
- ▶ Set-up an informational booth with the County and MDT at the Saturday Live Event.
- ▶ Submitted the August DMR for construction water dechlorination

Street-Traffic Division

- ▶ Continuing sweeping streets throughout the City.
- ▶ Repairing streetlights that are burned out.
- ▶ Repairing the utility cuts and other digouts throughout the city.
- ▶ Starting to blow out the sprinkler systems in city right of ways.
- ▶ Finishing up painting pedestrian crosswalks and centerlines.

Statistics			
Poles straightened	11	Yards of sweepings	1,332
Feet of 2" pipe		Gallons of water	39,600
Feet of Telspar	171	Broom hours (sweepers)	305.4
Street light complaints	31	Animals picked up	10
Signs fabricated	18	Intakes cleaned	296
Signs replaced	38	Feet of pipe jetted	1,621
Trees trimmed for signs	3	Feet of pipe tv'd	1,621
Misc (welds,paint,clean,hdw)	126	Line Locates	1,160
Gallons of yellow center line paint	118	Number of alleys graded	69
Gallons of white	73	Phone calls received	602
Gallons of curb paint	420	Number of times water pumped	
Lbs of beads	1,146	Number of streets graded	1
Total feet of white	15,512	Yards of material (road mix)	164.2
Total feet of curb paint		Linear feet of white	
Total feet of yellow center line	23,525	Gallons of dust suppressant	
Gallons of white (crosswalk)	113	Tons of material used (AC)	647.85
Manholes repaired	6	Gallons of d-ice used (State)	
Number of digouts & cave-ins	6	Gallons of d-ice used (City)	
External signal requests	6	Gallons of dust suppressant	

Water Treatment Division

PRODUCTION SUMMARY:

- ▶ **Total Plant Production (million gallons (MG)):** 946.72 MG
 - ▶ **Plant Production - Year to Date (MG)** 6282.0 MG
 - ▶ **Average Daily Production (MG/day):** 391.6 MGD
 - ▶ **Maximum Daily Production (MG/day):** 40.8 MGD
-
- ▶ Production during September was highest in recent years being essentially the same as 2005 and slightly less than 2003. The Yellowstone River remained above median flow throughout the month. No operational or maintenance issues were encountered that presented any significant risk to production requirements.
 - ▶ Dredging continued in Sedimentation Basin #1 throughout early September. Dredging was halted on September 16th and the dredge was removed in order to allow work on the Low Service Pump Station #1 Upgrade to proceed. While not all of the sludge was removed from Sedimentation Basin #1, enough was removed to allow the Sedimentation basin to function properly until next summer.
 - ▶ Division personnel attended a webinar provided by AWWA on the subject of emergency water supply planning with a special emphasis on medical facilities.

- ▶ Work began to relocate the security fence damaged by the flood conditions this spring and summer. The fence is being moved back away from the river far enough to reduce the likelihood of damage and to allow equipment to operate outside the fence to shore up riprap along the bank if needed.
- ▶ Distribution and Collection personnel installed an 18-inch valve on the overflow line from the Backwash Pump Pit. During the flooding this past spring, water backed up this line into the pit causing problems using the backwash recycle pumps. A primary purpose for these pumps is to push backwash water back to the head of the plant during high water events. The installation of this valve is one of the remedies necessary to make this system functional during flood events.
- ▶ At team from Arcadis, a company doing environmental monitoring for Exxon took sediment samples from Sedimentation Basin #1 on September 14th to look for residual contaminants from the July oil spill. No results from this sampling have been received.
- ▶ A pre-bid meeting was conducted for the emergency power project for the water treatment plant. This project will install two generators at the water treatment facility which will power the treatment process and enough high service pumps to provide 15-20 million gallons per day in an emergency. While there are a couple of booster pumping stations that do not have back up power yet, this project is the most critical piece needed to make our emergency system functional.
- ▶ Sedimentation Basin #1 was removed from service and dewatered so that COP Construction could build a coffer dam to isolate Low Service Pump Station #1 from the basin for the project to expand the pump station and improve the inflow to each pump.
- ▶ With Sedimentation Basin #1 out of service, we were able to dewater the Intake #1 enough to install a stop-log system in the channel so that the channel could be isolated and pumped down.
- ▶ One person from the division attended the Fall Water School sponsored by MDEQ and the Montana Environmental Training Center at MSU in Bozeman, Montana.
- ▶ A discharge was found to be coming out of a storm drain serving the treatment plant area. No surface drainage could be found. At first it was presumed to be groundwater, but observation found the flow fluctuated widely and became turbid at high flows. A sample was obtained and tested positive for chlorine. Investigations identified a cross-connection between a temporary backwash drain system being used during construction and the storm drain. The cross-connection was temporarily plugged and will be permanently plugged when excavation equipment that can dig to the required depth is available. MDEQ was notified of the unintended, but unauthorized discharge.

Wastewater Treatment Division

- ▶ Continued working with Environmental Affairs on revisions to Grease/Septage Disposal Rules and Regulations.

- ▶ Gary Workman provided safety training.
- ▶ Several employees attended the Fall Water School in Bozeman.
- ▶ Several employees attended the City Council meeting on September 26th to receive recognition for being awarded the WEF/DEQ Burke Safety Award.
- ▶ Attended the Statewide TMDL Advisory Group meeting in Helena.
- ▶ Conducted two Process Control Meetings with staff.

Please let me know if you have questions or would like additional information about any of these items.

DDM:kf

Attachment

Change Orders Processed

Department	Project # or Name	Project Description	Change Order Description	Original Contract Amount	Current Change Order	Previous Change Orders	Percent Increase All Change Orders
PWA	SID 1369	Moore Lane	Add Fabric (Mirafi HP370) to any unsuitable subgrade.	882,956.90	12,480.00	0.00	1.4%
PWA	WO 05-13	Jackson Street Sidewalks	Reconciling quantities, increase in contract days for weather, utility delays and manhole work.	335,279.30	11,782.04	3,484.50	4.6%
PWA	WO 11-01	2011 Water Replacement	Reconcile items not needed on the project and change to PVC pipe with vertical bends in lieu of ductile iron pipe with deflections at intersections.	1,842,932.00	(81,346.00)	0.00	-4.4%
PWA	WO 11-01	2011 Water Replacement	Add a bid item for clay storm drain lateral crossing repairs and adjust quantity of storm drain Lateral by lowering.	1,842,932.00	(5,850.00)	81,346.00	4.1%
PWA	WO 04-12	Phase 3 Alkali Creek Rd	Labor and materials to repair and/or replace components that were damaged by the severe storms and flood in May.	1,336,558.00	81,836.34	279,964.71	27.1%
PWA							#DIV/0!
PWA							#DIV/0!
PWA							#DIV/0!
PWA							#DIV/0!

City of Billings & NorthWestern Energy Street Lighting Maintenance Information from September 6, 2011 Meeting

NorthWestern Energy Contacts

- NorthWestern Energy Customer Care Center to report Street Light problems **888-467-2669**
- Other Contacts for City Staff Only to Contact
 - Debbie Singer, Senior Key Account Executive, 655-2550 deborah.singer@northwestern.com (main NorthWestern Energy contact for City of Billings issues)

How many street lights are there in the City of Billings?

There are 183 street light districts and nearly 8,000 individual street lights in the city that are owned by the City, NorthWestern Energy and Yellowstone Valley Electric Cooperative. Here are light counts that were as of March 2010 but these are subject to change as street lights do get removed and/or added on an ongoing basis.

Ownership Type	# Street Light Districts (SILMD)	# Street Lights Owned by City	# Street Lights Owned by Utility	# Street Lights Owned by YVEC	Total # Individual Lights	Type of Lights	# Lights Unmetered	# Lights Metered
City of Billings	56	3,524			3,524	70 watt HPS	2,145	38
Combination City & Utility Owned	13	167	892		1,059	100 watt HPS	3,408	20
NorthWestern Energy (Utility)	113		3,392		3,392	150 watt HPS	308	25
Yellowstone Valley Electric Cooperative	1			12	12	200 watt HPS	196	
						250 watt HPS	659	179
						400 watt HPS	964	14
						LED		31
Totals	183	3,691	4,284	12	7,987	TOTALS	7,680	307

* Inventory as of March 2010 and subject to change

Who is responsible for street lights in the City of Billings?

- **City Owned Street Lights** are installed and maintained by the City of Billings on behalf of the specific property owners in each district. These districts were created as a SILMD (Special Improvement Lighting Maintenance District) in order to collect the taxes from the property owners to cover the costs of the ongoing maintenance and utility costs. A separate SID (Special Improvement District) would be created to cover the initial installation costs. These lights can be either unmetered lighting or in newer districts the street lights are installed with meters to measure the utility costs associated with operations of the lights. **City owned lights are generally maintained by the City staff. City owned street lights generally have a yellow or orange colored tag with a number.**
- **NorthWestern Energy (Utility) Owned Street Lights** are installed, owned and maintained by NorthWestern Energy and are ongoing lease light type installations and the utility is responsible for maintain almost 4,300 individual street lights in 126 different SILMD. These utility owned street lights were installed at the request of property owners or the city in each specific district following state laws. The costs or rates for the utility owned lights are under the jurisdiction of the Montana Public Service Commission (PSC) tariffs and referred to as "utility owned" in the tariffs or in contracts with the City as 'company owned'. These lights are generally installed as unmetered street lights. **NorthWestern Energy maintains the utility owned street lights and these lights will have a white label with black letter identifying the District number and individual light number.**

NorthWestern Energy also owns and maintains about 140 additional lease lights on 30 different accounts that are billed to the City of Billings for other public areas such as parks, airport parking area, etc. In addition, NorthWestern Energy has several thousand additional lease lights that are billed to individual residential and commercial customers in parking lots and near commercial businesses and residential homes.
- **Yellowstone Valley Electric Cooperative** provides electricity and maintenance service to one street light district.

- **Park and Special Application Lighting** are installed in various public spaces such as city parks and some of these lights are utility owned lighting and billed under the utility street lighting rates set by the Montana PSC. Some of these park or area lights may also be City owned lights.
- **Intersection signals and pedestrian control devices** are not considered street lights but in many cases the signal arms may also contain street lights mounted on the signal poles. If there are street lights installed on signal poles within a street light district the actual street lights are generally included in the district and the signals are generally metered.
- **The Montana Department of Transportation (DOT)** also has street lights that have either been installed directly by the DOT, utility or the City and these types of street lights are generally on designated highways. The Montana DOT has authority over the design and light levels for streets designated as a highways. The ongoing maintenance and utility costs for these lights may be the responsibility of the Montana DOT or in some cases the DOT may have installed the lights but the responsibility for maintenance and energy costs for these lights have been transferred to the City and a district is created and the property owners pay for the ongoing costs.
- **Yellowstone County Street Lighting** is installed in some of the rural areas around Billings as rural special improvement districts and is paid for by the local county government.

Who do citizens call if a street light is not working?

Street light problems can be reported to the City or NorthWestern Energy.

- Street light problems are reported to the **City of Billings at 406-657-8231**. The City will determine responsibility for maintenance and notify the appropriate personnel since some of the lights may be utility owned lights and others owned by the City. Per the City's website, simple bulb changes are usually completed in 3-5 working days by city staff, but electrical problems may require more time.
- Citizens can call the utility, **NorthWestern Energy at 888-467-2669**, to report the light out of order and if it is not a utility owned street light the utility will advise the City engineer's office.
- The more specific the information that citizen can provide on the street light's location the easier it is to get the light located and fixed. Specific addresses or intersections are helpful and if the citizen can provide information from the label on the street light pole that very helpful. City of Billings lights have yellow/orange labels with light numbers and NorthWestern Energy's street lights have white labels with the district number and the individual light number.

What is the process for calls sent to NorthWestern Energy that turn out to be City owned lights?

- When an order comes in to the utility for a street light repair the utility investigates to determine if it is a utility owned light or city-owned light. This may involve a night serviceman physically looking at the light to determine if the light is owned by the utility or the City of Billings. This generally occurs with 1-2 days of the order being called into the utility.
- If it is determined that the light is a City light then a notification is faxed to the **City of Billings at 657-8338**.

What is the process flow for orders sent to NorthWestern Energy to repair utility owned lights?

- Anyone can call into the NorthWestern Energy's Call Center at **888-467-2669** to report a street light that is out. NorthWestern Energy does not patrol at night to find street lights that are out. The utility relies on citizens and the City to call in to report lights that are out.
- When someone calls into report a street light that is out an order is generated and research is done as to whether or not this is a City owned street light, utility owned street light or an individual customer's lease light in their yard. The more information that can be provided when an order is called in to report a street light the better. Generally, a street location is given, but because most of the lights should have a tag on them with a number if this information is provided it helps facilitate the process of getting the light repaired.

- Orders are given to a serviceman to investigate to determine the problem with the light. These orders are given to the serviceman daily and generally the light will be looked at within a day or two by the service man. Once examining the light the serviceman may take the following actions.
 - Serviceman determines light belongs to the City so no repair is done, but order is given back to dispatch to fax to City of Billings to repair. NorthWestern Energy serviceman may also hang a tag on the customer's door near the light to inform them that this is a city owned light.
 - If it is a simple repair such as a light bulb burnt out or bad photo cell the light will be repaired by the serviceman immediately.
 - If it is determined it is a more extensive issue such as a bad underground then the order is returned to dispatch with information that this light has more extensive repair issues and will need to have additional resources sent to repair the light. The utility has had a number of street lights the last couple years that have had bad underground situations due to the service wires being cut during the process of street repairs or installation of sidewalks or corner handicap ramps, etc.
 - The order stays active in the system to be repaired and the Supervisor Electric Operations reviews these situations. In some cases if the repair is extensive and requires boring under a street to repair the bad underground cable the weather can influence the time it takes to repair as it is difficult to do boring in the winter when the ground is frozen. Also, during the busy construction season new construction projects generally take preference over maintenance repair issues of street lighting. Currently, the utility does not go back and notify the original caller that it is going to take a longer time to repair the light due to additional service issues, but NorthWestern Energy is working on a system whereas these lights that require longer repair time will result in a call back to the original caller to report that the situation requires more time.

What is the reasonable time to expect for street lights to be repaired by NorthWestern Energy?

NorthWestern Energy has a service goal of repairing street or lease lights within 10 working days. In a typical month the utility may have 80-100 orders for street lights and individual customer lease lights. Here is a breakdown of order completion s for street lights and lease light repairs in the most recently 12-month period.

- **1150 total orders completed in last 12 months**
 - 96% completed in 2 months (all but 43)**
 - 93% completed in 1 month (all but 86)**
 - 86% completed in 2 weeks (all but 163)**
 - 73% completed in 1 week (835 of 1150 orders)**
 - 41% completed in 2 days (470 of 1150 orders)**

What if a street light takes longer than 10 days to be repaired can the City receive a credit for the time the light was out?

- NorthWestern Energy can issue credits for street lights or lease lights that are out of service for a period longer than then the 10 working days. In order to issue a credit on a street light the order needs to indicate the specific light number that is out of service so the appropriate light can be credited. Many of the street light districts may have a combination of different types or wattage of lights and because the monthly costs vary by the type of light it is important to know the exact light that needs the credit. Having the number of the light off the tag on the pole is critical to giving a credit for the specific light. The credit can only be given for the time after the light was called in for repair and order generated, so credit can't be given if someone calls in and indicates the light has already been out for a month before the order is generated. For street light districts the credit goes back on the account for that specific SILMD.
- If the City of Billings is given a credit for lights out of power for longer periods of time than the 10 working days then the credit for the period out of service are done by NorthWestern Energy's representatives in Butte. The credit adjustment shows up on the next month's bill for that specific street light district.
- Jamie Young at the City of Billings reviews the street light bills and works with Lana Monson at NorthWestern Energy on any billing questions and issues and maintain an ongoing communication in regards to street lighting as the number of lights can change in a district, lights can be removed, there can be requests for additional lights, etc.

What do the contracts between the City of Billings and NorthWestern Energy say in regards to maintenance of street lighting?

There are a number of different contracts that have been written between the City of Billings and NorthWestern Energy (formerly Montana Power) in regards to street lights. These contracts were developed at the time the street lighting district was created. In reviewing some randomly selected contracts here is the sample language in regards to maintenance.

Street Lighting Contract Maintenance Language from most current contracts between City of Billings and NorthWestern Energy

This is the current contract template utilized. This is the language used in SILMD 277 (July 2001), SILMD 288 (September 2004), SILMD 300 (January 2008 and SILMD 301 (August 2007)

SECTION 3. MAINTENANCE, OPERATION AND REPAIR

- a. *Company agrees to operate and perform ordinary maintenance of the Facilities. Lights shall be turned on at dusk and turned off at dawn each day during the term of this Agreement.*
- b. *The charges specified herein are based on normal conditions and do not cover charges for extraordinary repair and/or replacement costs.*
- c. *Company will make necessary repairs and replacements within a reasonable time after receiving notice of any outage or other damage to the facilities. The Company shall have no obligation to patrol the facilities to determine that they are in operating condition.*

SECTION 6. FORCE MAJEURE

- a. *The Company shall not be liable for failure to comply with any of the terms and conditions of this Agreement where such failure is caused by acts of God, government regulations or orders, strikes or labor difficulties, fires, floods, droughts, riots, destruction of property, or by any other cause beyond its reasonable control.*
- b. *If the Company is unable to fulfill any obligation by reason of a cause beyond its reasonable control, then it shall notify the City and the Company shall use its best efforts to complete the work in a timely manner.*

Street Light Contract Language from Older Contracts between City of Billings and NorthWestern Energy (formerly Montana Power)

This language was used in contracts for SILMD 201 (Dec. 1977), SILMD 248 (May 1995), SILMD 173 (Sept. 1973), SILMD 128 (Nov. 1965) and SILMD 1100 (April 1961).

SECTION 3. MAINTENANCE AND OPERATION

The Company agrees to install and operate said street lighting facilities in the District, and to maintain said system for the charges hereinafter specified. Lights shall be turned on at dusk and turned off at dawn each day during the term of the agreement. The Company shall make all necessary repairs and replacements within a reasonable time after receiving notice of any outage or other damage to equipment thereof. The police officers of the City shall report any outages to the Company's office in Billings, Montana.

Billings Street Light Districts

Counts as of 3/1/2010 & subject to changes

SILMD #	Location / Description	NWE Account #	OWNERSHIP # LIGHTS		
			City	NWE	YVEC
City Owned Districts					
13	Various Locations	721276 & 1275165	1,196		
14	Various Locations	721277	621		
18	Various Locations	322875	11		
95	First Ave North from	712556	42		
113	Centerview Subdivision	712562	42		
163	Poly / Ash - 17th West	712606	77		
186	Broadwater Ave from	712624	58		
194	Broadwater /	712632	28		
195	15th West /	712633	20		
196	100 Block of	712634	15		
197	800 and 900	712635	15		
200	100 Block of	712637	16		
202	24th West /	712639	49		
203	North Park	712640	4		
204	6th Ave. North /	712641	35		
208	File # 1 & # 2	712645	68		
210	St. Johns /	712647	18		
211	Cook Avenue /	712648	10		
212	Cook Avenue	712649	10		
213	North 14th /	712650	6		
217	Grand /	712653	22		
220	6 North /	712654	23		
222	North 22nd /	712656	11		
223	Cook /	712657	24		
225	4th North /	712659	36		
226	Rimrock /	712660	17		
227	King /	712661	37		
233	Hogan Homestead Subd	712667	117		
234	24th Street West /	712668	28		
235	24th Street West /	712669	31		
236	Monad / 24th West	712670	16		
240	Broadwater /	712674	36		
250	Division Street	1301786-8	3		
250	Division Street	719001	17		
254	North 23rd	719763	22		
255	North 24th Street	720813	17		
257	King Ave West	720360	56		
259	NW Central	1301786-8	4		
259	NW Central	720810	158		
263	State Ave	720716	86		
264	Rimrock	721427	24		
266	Rim Point Subdivision	721684	6		
269	Polpelka Heights View	351451	7		
270	Rimrock Phase II	356630	59		
274	Wal-Mart Subdivision	356679	7		
276	Grand Avenue	360594	31		
278	King Ave West	1087619	21		
280	Gabel Road and	1045653	65		
281	Grand Avenue	1079722	21		
287	Midland Road	1246537	12		
289	Gabel Road & Pierce	1685375	21		
290	S 32nd St West	1433921	10		
302	Grand Ave. (8th - 12th)	1607534	23		
305	King Avenue West	1695873	68		
306	King Avenue East to	1740353	31		
320	Subdivision	712569	16		
Totals			3,524		

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SILMD #	Location / Description	NWE Account #	OWNERSHIP # LIGHTS		
			City	NWE	YVEC
Combination City Owned & Utility Owned Districts					
8	Various Locations	712544	4	41	
9	Various Locations	712545	5	48	
10	Various Locations	712546	3	145	
97	Downtown Area	712557	2	342	
99	1st South / 27th - 30th	712558	11	46	
137	So. 27th / 2nd - State	712585	5	16	
149	1st Avenue South	712593	66	21	
159	Broadwater	712602	2	27	
173	Kimberly Heights #1	712612	1	50	
247	Grand Avenue	712680	3	26	
258	Central Acres	720606	20	88	
283	King Avenue East	1172743	41	2	
288	Wentworth	1303978	4	40	
Totals			167	892	

Yellowstone Valley Electric Cooperative Owned Districts

299	Vintage Estates Subd	YVEC			12
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SILMD #	Location / Description	NWE Account #	OWNERSHIP # LIGHTS	
			City	NWE
NorthWestern Energy Owned Districts				
17	Various Locations	712553		95
100	1st North / 16th - 23rd	712559		81
107	Carlson/Evergreen Sub	712560		64
109	Central Heights Subd	712561		158
114	Burg Subdivision	712563		34
115	Glock Subdivision	712564		8
116	Curtis & Van Bramer	712565		21
117	Yegan Addition Subd	712566		192
118	South 27th/State - 9th	712567		19
119	Bridger Square Subd	712568		16
121	College Subdivision	712570		90
122	North 25th/11th-12th	712571		8
123	Westridge Subdivision	712572		12
124	Clark & Yellowtone	712573		35
125	Avenue E & F	712574		14
126	700 Block Ave C	712575		7
127	Country Club Heights	712576		30
128	Clark Ave /	712577		21
129	Suncrest and	712578		12
130	So. 36th / 5th - State	712579		8
131	2900 Block of Howard,	712580		31
133	Central Heights 5th	712581		13
134	North Park	712582		30
135	Lillis Subdivision	712583		22
136	600 Block Ave D	712584		17
138	Alderson / 8th-11th W.	712586		27
139	1900 & 2000 Block	712587		9
143	Sweet Acres Subdivision	712588		21
144	Maplewood Subdivision	712589		1
145	Burlington /	712590		20
146	Saint Johns /	712591		13
147	EMC/Rimrock & Poly	712592		15
150	Lee Heights Subdivision	712594		32
151	Southwest Billings Subd	712595		24
152	Vaughn to Jans	712596		160
153	Forest Park Subdivision	712597		23
154	17th to Dehlia	712598		52
155	Saint Johns /	712599		18
157	Jackson Heights Subd	712600		39
158	Partington Park Subd	712601		29
160	Streeter Brothers Sub	712603		26
161	Yellowstone & Wyoming	712604		45
162	Yelwstn & Wyoing Alley	712605		7
164	Mountainview Subd	712607		16
165	900 Blk Ave D, E, F	712608		32
167	Spring Valley Sub #1	712609		10
171	Forest Park Subdivision	712610		24
172	Windsor Imperial Sub	712611		30
174	Kimberly Heights #2	712613		42
175	Acheson Subdivision	712614		14
176	Norman Park Subd	712615		5
178	Glewood Subdivision	712616		11
179	Silverwood Subdivision	712617		22
180	Spring Valley Subd #2	712618		15
181	Glock Subdivison	712619		61
182	Hilltop Subdivision	712620		25
183	Golden View Subd	712621		50

SILMD #	Location / Description	NWE Account #	OWNERSHIP # LIGHTS	
			City	NWE
NorthWestern Energy Owned Districts - Continued				
184	Kimberly Heights #3	712622		16
185	Pryor View Subdivision	712623		6
187	Pineview Subdivision	712625		10
188	Meadowood Subdivision	712626		12
189	Kimberley Heights #4	712627		10
190	Sun Village and	712628		52
191	Kimberley Heights #5	712629		18
192	Spring Valley Subd #3	712630		13
193	Toole Circle	712631		32
198	Luther Circle	712636		5
201	Stewart Court	712638		21
205	Vigilante Trail	712642		4
206	Dixon Street	712643		14
207	Castle Rock Subdivision	712644		16
209	Kings Green Subdivision	712646		23
214	Normal and North	712651		13
216	Park Side Subdivision	712652		6
221	Highwood Circle	712655		1
224	Montana /	712658		55
228	Parkland West Subd	712662		29
229	Woodland Hills Subd	712663		15
230	Aspen Grove Subd	712664		35
231	Oaks Subdivision	712665		21
232	Centennial Subdivision	712666		91
237	Tepee Trail &	712671		17
238	Gorham Park Subd	712672		2
239	Beverly Hills	712673		4
241	4th North /	712675		17
242	Tierra West Subdivision	712676		3
244	Clevenger Subdivision	712677		4
245	North Pointe Sq. Subd	712678		2
246	Parkland West Subd	712679		12
248	North 27th /	712681		57
249	Descro Subdivision	718734		99
251	Sahara Sands Subd	718801		138
252	Summerhill Subdivision	719162		20
253	Governors Boulevard	719644		61
261	Straw Subdivision	720705		18
262	1200 Calico Avenue	720937		110
265	Two Moon Subdivision	721556		12
271	Gabel Subdivision	995095		24
272	Forest Park	905005		79
273	South Heights Drive	926386		9
277	Forest Park Subd	1058710		20
279	Cambridge Subdivision	1124127		3
285	Moore Lane	1206985		9
286	Chrysalis Acres	1296582		9
292	Hawthorne Park	1481532		22
293	Dunbar Subdivison	1481534		10
294	Vista Heights	1481535		20
295	Bender Subdivision	1481536		4
296	Primrose Subdivision	1481537		54
297	Heyn Subdivision	1481539		9
298	Heyn Subdivision	1481540		8
300	Bellville Subdivision	1662840		12
301	Josephine Crossing Sub	1687005		50
Totals				3,392



City of Billings

Public Works Administration

Public Works Department
2224 Montana Avenue
Billings, MT 59101
Office (406) 657-8231
Fax (406) 657-8252



MEMORANDUM

To: Christina Volek, City Administrator
From: David D. Mumford, P.E., Public Works Director
Date: October 14, 2011

SUBJECT: Zimmerman Trail

In 2005 Senator Burns provided the City of Billings with a \$7.2 million Federal Highway earmark for the reconstruction of Zimmerman Trail from Rimrock Road to Highway 3. The funding became available in late 2006 and in 2007 the City of Billings selected through the MDT process an engineering firm to design the project. It was at this time that MDT implemented their IDC fees. The project was placed on hold while the City of Billings and MDT discussed the costs and process for the new fees. At the time the IDC charges were 13.5% of the project cost. This was estimated to be \$1.5 million, plus the City would be responsible for all Federal match and costs above the earmark funding. Due to lack of sufficient funding at the time the project was placed on hold.

In accordance with the current CIP, Public Works Department began discussions with MDT on the design of Zimmerman Trail in 2011. The project scope is to reconstruct Zimmerman Trail with 2 twelve foot travel lanes, slow vehicle lane at the bottom, shoulders, and improve sight distance at the top curve. With past projects using Federal highway funds the City of Billings has been responsible for IDC, Federal Match, and costs above the Federal funding. The City has been the lead agency through design and MDT has taken the lead during construction. This scenario provides the City with insurance that the project will be designed to our needs and standards, and assists us in controlling the overall project costs. MDT informed Public Works during these discussions that the process used on Rimrock Road and Bench Blvd. of the City being the lead agency during design is no longer acceptable. MDT informed us that the only scenarios available are the following:

- MDT has complete control of the project, with the City of Billings being a reviewing agency similar to Shiloh Road. The City of Billings will be responsible for IDC, Federal match, MDT design and management costs, and all project

costs above the earmark. The City of Billings will have to pay the federal match and IDC upfront before the project starts and show MDT the City has the available funds to complete the project before MDT begins.

- The second scenario is for the City of Billings to be certified under the Local Agency Guidelines (LAG) to receive and manage the project using the Federal Highway funds. This scenario will still require the City of Billings to pay the IDC fees, Federal match, MDT review costs, and project costs above the federal earmark. MDT informed us that with the LAG scenario the City of Billings would have to pay all cost for IDC, design, MDT review; ROW, utility relocation, and construction upfront and at the end of the project MDT and FHWA will audit the project and determine our reimbursement based on meeting all State and Federal guidelines.

Public Works Department believes both of these scenarios place the City of Billings in a position of significant financial risk. Public Works Department is looking for guidance and direction from the City Administrator and City Council on how to proceed. Public Works is very concerned with having the financial resources to pay all costs incurred by MDT in designing and reconstructing Zimmerman Trail with the City being only a reviewing agency, or for the City to have the financial ability to front \$9-11 million project at our estimates and wait for MDT and FHWA to determine our reimbursement. For the City of Billings to fund the entire project and wait for reimbursement we would have to utilize all the Arterial Construction Fee revenues for approximately 4- 5 years.