

**\*\*ATTENTION\*\***

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, second floor of City Hall, 220 N. 27th Street. In order to honor the Right of Participation and the Right to Know in Article II, Sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: [www.billingsmt.gov](http://www.billingsmt.gov) and click on "Your Government," "City Council," and "Agendas & Minutes".
- View the meeting:
  - On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable. *(On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)*
  - Online at [www.com7tv.com](http://www.com7tv.com) and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
  - On the City's website at [www.billingsmt.gov](http://www.billingsmt.gov) and click on "Watch Meetings Online" on the homepage.
  - In-Person.
  - Virtually via Zoom (see the link below).

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- Email: [Council@billingsmt.gov](mailto:Council@billingsmt.gov).
  - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person.
- Attend the meeting virtually through Zoom by entering the Webinar ID and Passcode indicated below. Click on *Zoom Meeting Instructions* and *Zoom Hybrid Meeting Details* below for more information. The link will allow you to attend, view and participate in the meeting on your computer, laptop or smart phone. (You must have the Zoom App on your device [Click Here to Download Zoom App](#)) To provide public comment at the appropriate time, click on the "raise hand" icon located at the bottom of the screen and the moderator will unmute your device.
  - **Don't have a smart phone, computer or laptop?** That's okay -- you can attend a Zoom meeting using your **landline phone**. Call the Zoom phone number, **1.253.215.8782** to join the meeting and follow the operator's instructions. Want to give public comment? Simply "*raise your hand*" by pressing \*9 and the moderator will give you permission to speak when it is your turn. *\*Note this is a long distance toll number and charges may apply depending on your plan.*
- Click Here for [Zoom Meeting IDs and Passcodes](#)
- Click Here for [Zoom Meeting Instructions for Attendees \(as guests\)](#)

Please contact Denise Bohlman, City Clerk, at [bohlmand@billingsmt.gov](mailto:bohlmand@billingsmt.gov), or at 406.657.8210, with any questions.



**VISION STATEMENT:**  
"The Magic City: A diverse,  
welcoming community  
where people prosper and  
business succeeds."

## WORK SESSION AGENDA

COUNCIL CHAMBERS

AUGUST 15, 2022

5:30 P.M.

CALL TO ORDER: Mayor Cole

**PUBLIC COMMENT.** This is the time to comment on any matter falling within the scope of the Billings City Council. There will also be time in conjunction with each agenda item for public comment relating to that item. You may only speak once for each item.

Please note, the City Council cannot take action on any item which does not appear on the agenda. Comments are limited to three (3) minutes or as set by the Mayor. **Speaker sign-in required.** Please sign the roster at the cart located at the back of the Council chambers or at the podium.

1. **City Charter Review.**  
(Presented by: Dan Clark, MSU Local Government Director)  
-Public Comment
2. **Unified Planning Work Program (UPWP).**  
(Presented by: Scott Walker, Transportation Planner)  
-Public Comment
3. **Property Initiative Update.**  
(Presented by: Chris Kukulski, City Administrator)  
-Public Comment
4. **Highlight Upcoming Agenda Items of Council Interest.**  
(Presented by: Chris Kukulski, City Administrator)  
-Public Comment

### COUNCIL DISCUSSION:

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

### ADJOURN:

Note:

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

**City Council Work Session**

**Date:** 08/15/2022  
**Title:** City Charter Review  
**Presented by:** Chris Kukulski, City Administrator  
**Department:** City Hall Administration  
**Presentation:** Yes  
**Legal Review** Not Applicable

---

**RECOMMENDATION**

Engage in a dialogue with Dan Clark, Director of the Local Government Center to determine how the Council wants to move forward establishing a city charter review committee.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

October 11, 2021, a majority of Council supported an initiative for the city administrator to bring forward a Resolution to create a City Charter Review Committee. Prior to drafting the resolution we asked Dan Clark to share his expertise on the State's local government review process and city charters throughout Montana.

There are two different charters attached. One which Dan highlighted for our discussion and the second is the current charter. For the purposes of our discussion, the amendments to the charter over the past few years (both for public safety funding) are irrelevant, but I didn't want anyone to think we aren't reviewing our current city charter.

**ALTERNATIVES**

NA

**FISCAL EFFECTS**

NA

---

**Attachments**

2021 City Charter Committee Initiative  
Highlighted City Charter  
City Charter

## COUNCIL INITIATIVE PROPOSAL FORM

**City Code Sec. 2-214(14).** *Council Initiatives. This section of the agenda is reserved for individual councilmember requests for future legislative or staff action. These shall be limited to giving direction to staff to assist in formulating policies, work plans, etc. for future consideration of the city council. An initiative moves forward by majority vote of the city council.*

COUNCIL MEMBER PROPOSING INITIATIVE: PENNY RONNING

SHORT NAME OF INITIATIVE: RESOLUTION ESTABLISHING A CITY CHARTER REVIEW COMMITTEE

SUMMARY OF PROPOSED LEGISLATIVE OR STAFF ACTION: (Please be as specific as possible. Indicate if action may be divided into steps or phases.)  
See attached. In addition, city council and/or city staff may determine size of the review committee and application process for serving on the review committee. Recommended duration of the review committee is a maximum of two (2) years.

CITY STAFF OR DEPARTMENT DIRECTED TO TAKE ACTION: Administration

HAS COUNCIL MEMBER MAKING INITIATIVE COMMUNICATED WITH THESE STAFF MEMBERS (OR DEPARTMENT HEAD) ABOUT THE INITIATIVE? YES  NO

ESTIMATE OF APPROXIMATE STAFF TIME REQUIRED: TBD

APPROXIMATE TIMELINE FOR STAFF/DEPARTMENT ACTION: Resolution will be brought to council for vote by end of year.

COSTS OTHER THAN STAFF TIME, IF ANY: Costs related to copying paper, possible guest/expert speakers for committee/public meetings, misc. expenses related to holding meetings.

PRIORITY RELATIVE TO EXISTING INITIATIVES (SEE LIST AVAILABLE FROM CITY ADMINISTRATOR): High

ADDITIONAL INFORMATION OR COMMENTS: See attached.

# CHARTER OF THE CITY OF BILLINGS

---

*Editor's note:* Printed herein is the Billings Charter adopted by the electorate of the City on September 14, 1976 with an effective date of May 2, 1977. Amendments are indicated by a history note following in parentheses following the amended section. Obvious misspellings have been corrected. Other changes made for clarity are indicated by brackets. Article VII, Transition, and the Intent Statement have been deleted from this printing.

\*State law references: Self-government Charter, Const. of MT. Art. XI, § 5; nature of self-government local governments, MCA 7-1-101 et seq.

---

- Art. I.** Powers of the City
- Art. II.** City Boundaries
- Art. III.** Legislation
- Art. IV.** Executive
- Art. V.** Board, Commissions or Committees
- Art. VI.** General Provisions

We, the citizens of the City of Billings, for the purpose of establishing a just form of fundamental law -- one that is responsible to the public for **providing equal and adequate services and protections**, with efficient use of the community's revenue for all; one that provides for self-governing powers with respect to the **health, safety, and welfare of every citizen**, and one that utilizes the **utmost flexibility to plan for the future--** do establish this Charter for the City of Billings of the State of Montana.

## **ARTICLE I. POWERS OF THE CITY\***

---

\*State law references: Nature of self-government local governments, MCA 7-1-101 et seq.

---

### **Section 1.01. Powers of the City.**

The City shall have all powers possible for a self-government city to have under the Constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.

### **Section 1.02. Mill Levy Limit.**

The **Council shall not levy more than 74 mills on real and personal property** for all purposes, except as specifically authorized by this Charter. The mill levy on real and personal property may be increased above the 74 mills for general purposes as provided in this Section 1.02 only by an affirmative vote of a simple majority of the votes cast in an election on this question.

(Ord. No. 4278, § 1, 3-10-80)

\*State law references: Mill levy limit is not applicable to self-governing local government units, MCA 7-1-114(1)(g).

**Section 1.03. Mill Levy for Transit.**

In addition to the mill levy authorized by subsection 1.02 of Article I, the City Council may levy not more than ten (10) mills for transit purposes only. (Ord. No. 4278, § 1, 3-10-80)

**Section 1.04. Mill Levy for Library.**

In addition to the mill levies authorized by subsections 1.02 and 1.03 of Article I, the City Council may levy not more than five (5) mills for the purpose of providing funds for the operation, maintenance and capital needs of the Parnly Billings Library only. (Ord. No. 94-4948, § 1, 1-3-94)

**Section 1.05. Mill Levy to Maintain Level of Fire and Police Services.**

In addition to the mill levies authorized by subsections 1.02, 1.03 and 1.04 of Article I, the City Council may levy not to exceed the amount of mills set out hereafter for the purpose of providing funds to maintain the operation, maintenance and capital needs of the fire department and police department of the City. The increase shall be phased in over the next four fiscal years. The mill levies authorized by this subsection are intended to be permanent, are imposed solely to maintain the 1998--1999 level of service funded at \$15,443,284.00, and may only be imposed to pay the additional costs of these services, which exceed \$15,443,284.00.

- 1999/2000--5 mills
- 2000/2001--10 mills
- 2001/2002--15 mills
- 2002/2003--20 mills

This Ordinance will be repealed and void if Ordinance Number 98-5063 (to maintain and increase current levels of service and funding) passes. (Ord. No. 98-5062, § 1, 8-10-98)

*Editor's note:* Ord. No. 98-5062, §§ 1--3, adopted by the City Council on July 28, 1998, amended the Charter by renumbering former section 1.05 as section 1.06 and adding new provisions as section 1.05. Ord. No. 98-5062 was approved by the voters on Nov. 3, 1998. Ord. No. 98-5063, which would have superseded Ord. No. 98-5062, was not approved by the voters.

**Sec. 1.05.1. Mill Levy to Fund Fire, Police and Related Public Safety Expenses.**

For the purpose of funding the operation, maintenance and capital needs of the fire department, police department, and related public safety expenses, the City Council shall raise the following amounts of money by levying the required number of mills:

- |           |             |                        |
|-----------|-------------|------------------------|
| 2005/2006 | \$2,600,000 | approximately 20 mills |
| 2006/2007 | \$1,400,000 | approximately 10 mills |
| 2007/2008 | \$1,400,000 | approximately 10 mills |
| 2008/2009 | \$1,400,000 | approximately 10 mills |
| 2009/2010 | \$1,400,000 | approximately 10 mills |

The foregoing mill levies are cumulative, permanent, and in addition to any other mill levies authorized by Charter or law.

(Ord. No. 04-5288, § 1, 7-12-04)

**Section 1.06. Construction.**

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in this article.

(Ord. No. 94-4948, § 1, 1-3-94; Ord. No. 98-5062, § 1, 8-10-98)

**ARTICLE II. CITY BOUNDARIES\***

\*State law references: A local government with self-government powers is subject to state laws on annexation, MCA 7-1-114(1)(a); annexation procedures, MCA 7-2-4201 et seq.

**Section 2.01.**

The corporate boundaries of the City of Billings, Montana shall remain fixed and established as they exist on the date this Charter takes effect, provided that the City shall have the power to change its boundaries in the manner provided by law.

**ARTICLE III. LEGISLATION\***

\*State law references: A local government with self-government powers is subject to state laws establishing legislative procedures or requirements, MCA 7-1-114(1)(c); local government ordinances, resolutions, and initiatives and referendum, MCA 7-5-101 et seq.; conduct of municipal government, MCA 7-5-4101 et seq.

**Section 3.01. Legislative Branch.**

- A. The legislative branch shall consist of the City Council and the Mayor.
- B. All powers of the City shall be vested in the legislative branch, except otherwise provided by law or this Charter, and the legislative branch shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.
- C. The legislative branch shall conduct an annual performance review of the City Administrator.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 3.02. City Council: Composition and Powers.**

- A. There shall be a City Council of the City of Billings composed of ten (10) Councilmembers.

B. Reserved.

**Section 3.03. City Council: Election, Terms and Qualifications.**

- A. Councilmembers shall be elected from wards. Two (2) Councilmembers shall be elected from each ward. One (1) Councilmember from each ward shall be elected every two (2) years.
- B. Councilmembers shall serve for terms of four (4) years and shall be limited to two (2) consecutive terms.
- C. Councilmembers shall reside within the ward from which they are elected and shall be qualified voters of the City of Billings.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 3.04. Mayor: Election, Powers and Duties.**

- A. The Mayor shall be a resident and qualified voter of the City of Billings and shall be elected at large for a term of four (4) years and shall be limited to two (2) consecutive terms.
- B. The Mayor shall be the presiding officer of the City Council and shall vote on all issues.
- C. The Mayor shall be recognized as the head of City government for all ceremonial purposes and by the Governor for purposes of military law, and shall execute contracts, deeds and other documents.
- D. The Mayor shall have no administrative duties except as required to carry out the responsibilities heretofore set forth.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 3.05. Deputy Mayor.**

The City Council shall elect at its first meeting following each general election from the Councilmembers a Deputy Mayor, who shall act as Mayor during the absence or disability of the mayor.

**Section 3.06. Election.**

The procedure for the nomination and election of all City officials shall be as prescribed by state law for non-partisan elections.

\*State law references: A local government with self-government powers is subject to all state laws regulating the election of local officials, MCA 7-1-114(1)(d); elections, MCA 13-1-101 et seq.

**Section 3.07. Prohibition, Appointments and Removals.**

Neither the City Council, its members, nor the Mayor shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the City Administrator or any of his or her subordinates are empowered to appoint.

**Section 3.08. Interference with Administration.**

Except for the purposes of inquiries and investigations, the Council, its members and the Mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator.

Neither the Council, its members, nor the Mayor shall give orders to any City officer or employee either publicly or privately.

**Section 3.09. Vacancies, Forfeiture of the Office, Filling of Vacancies.**

- A. Vacancies. The office of Councilmember or Mayor shall become vacant upon his or her death, resignation, removal from office in any manner authorized by law, or forfeiture of his or her office.
- B. Forfeiture of Office. A Councilmember or Mayor shall forfeit his or her office if he or she: (1) lacks at any time during his or her term of office any qualification for the office prescribed by the Charter or by law, (2) or violates any express prohibition of this Charter, (3) or is convicted of a felony.
- C. Filling of Vacancies of City Council. Vacancies of less than five (5) in number on the City Council shall be filled by appointment by the Mayor with the advice and consent of the majority of the remaining City Council. The appointed Councilmember shall be a resident of the ward in which the vacancy occurs and a qualified voter of the City of Billings. A vacancy shall be filled within thirty (30) days after it occurs. If not filled within thirty (30) days, a special election shall be called in that ward. At the next general election, an appointed Councilmember shall stand for election for any remaining portion of the term of the office to which he or she has been appointed. If five (5) or more Council positions are vacant, a special election shall be held within ninety (90) days for the unexpired terms of the vacant positions. In the event that all members of the City Council are removed by death, disability, forfeiture of office, or other cause, the Governor shall appoint an interim Council which shall hold office until a special election can be held within ninety (90) days.
- D. Filling of Vacancy in the Office of Mayor. If a vacancy in the office of Mayor, the Deputy Mayor shall become Mayor for the remainder of the unexpired term of the Mayor. Upon assuming the office of Mayor, the Deputy Mayor vacates his or her Council position.

**Section 3.10. Procedure.**

The Council shall establish by ordinance its rules of procedure and time and place of meetings.

**Section 3.11. Compensation.**

The Council shall establish by ordinance the compensation of its members including the Mayor, but no Councilmember or Mayor's compensation may be increased during his or her term of office.

**ARTICLE IV. EXECUTIVE**

**Section 4.01. City Administrator: Employment, Compensation, Qualifications.**

The Council shall employ a City Administrator on the basis of merit for an indefinite term. The Administrator shall not be the Mayor or a Councilmember at the time of

employment and need not be a resident of the City or state at the time of employment. The Council shall conduct an annual performance review of the City Administrator. (Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 4.02. City Administrator: Removal.**

The Council may remove the Administrator with or without cause by an affirmative vote of a majority of all its members.

**Section 4.03. City Administrator: Powers and Duties.**

The Administrator shall:

- A. carry out policies established by the City Council;
- B. perform the duties required by law, ordinance, resolution, or this Charter;
- C. enforce laws, ordinances, and resolutions;
- D. administer the affairs of the City;
- E. direct, organize, establish, supervise, and administer all departments, agencies, and offices of the City;
- F. appoint, suspend, and remove all employees of the local government;
- G. prepare and present the City budget to the Council for its approval and administer the budget adopted by the Council;
- H. Report publicly to the Council at least quarterly on the financial conditions of the City;
- I. recommend measures to the Council;
- J. report to the Council as the Council may require;
- K. attend Council meetings and take part in the discussion, but shall have no vote;
- L. appoint with the approval of the City Council a qualified acting administrator to exercise the powers and perform the duties of the Administrator during temporary absences.

**ARTICLE V. BOARDS, COMMISSIONS, OR COMMITTEES**

**Section 5.01. Powers.**

Boards, commissions, or committees of City government shall be advisory only. They shall have no administrative authority unless specifically required by federal or state law, or interlocal agreement.

**Section 5.02. Appointment, Compensation, Terms and Qualifications.**

- A. Boards, commissions, or committees shall be appointed by the Mayor with consent of the Council, unless otherwise provided by federal or state law, or interlocal agreement.
  - (1) Notice of a vacancy shall be published thirty (30) days prior to appointment.
  - (2) Members of boards, commissions, or committees shall hold no other elected City office unless required by federal or state law, or interlocal agreement.
  - (3) Terms shall be limited to two (2) consecutive four (4) year terms.

B. Board, commission, or committee members shall serve without compensation.

## **ARTICLE VI. GENERAL PROVISIONS**

### **Section 6.01. Effective Date.**

The effective date of this Charter shall be May 2, 1977.

### **Section 6.02. Amendment Procedure.**

The Charter shall be amended only as provided by state law.

\*State law references: Amendment of self-government Charter, MCA 7-3-103.

### **Section 6.03. Recall.**

An elected City official may be recalled as provided by state law.

\*State law references: Montana Recall Act, MCA 2-16-01 et seq.

### **Section 6.04. Severability.**

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

# CHARTER OF THE CITY OF BILLINGS

---

*Editor's note:* Printed herein is the Billings Charter adopted by the electorate of the City on September 14, 1976 with an effective date of May 2, 1977. Amendments are indicated by a history note following in parentheses following the amended section. Obvious misspellings have been corrected. Other changes made for clarity are indicated by brackets. Article VII, Transition, and the Intent Statement have been deleted from this printing.

\*State law references: Self-government Charter, Const. of MT. Art. XI, § 5; nature of self-government local governments, MCA 7-1-101 et seq.

---

- Art. I.** Powers of the City
- Art. II.** City Boundaries
- Art. III.** Legislation
- Art. IV.** Executive
- Art. V.** Board, Commissions or Committees
- Art. VI.** General Provisions

We, the citizens of the City of Billings, for the purpose of establishing a just form of fundamental law -- one that is responsible to the public for providing equal and adequate services and protections, with efficient use of the community's revenue for all; one that provides for self-governing powers with respect to the health, safety, and welfare of every citizen, and one that utilizes the utmost flexibility to plan for the future--do establish this Charter for the City of Billings of the State of Montana.

## **ARTICLE I. POWERS OF THE CITY\***

---

\*State law references: Nature of self-government local governments, MCA 7-1-101 et seq.

---

### **Section 1.01. Powers of the City.**

The City shall have all powers possible for a self-government city to have under the Constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.

### **Section 1.02. Mill Levy Limit.**

The Council shall not levy more than 74 mills on real and personal property for all purposes, except as specifically authorized by this Charter. The mill levy on real and personal property may be increased above the 74 mills for general purposes as provided in this Section 1.02 only by an affirmative vote of a simple majority of the votes cast in an election on this question.

(Ord. No. 4278, § 1, 3-10-80)

\*State law references: Mill levy limit is not applicable to self-governing local government units, MCA 7-1-114(1)(g).

**Section 1.03. Mill Levy for Transit.**

In addition to the mill levy authorized by subsection 1.02 of Article I, the City Council may levy not more than ten (10) mills for transit purposes only.  
(Ord. No. 4278, § 1, 3-10-80)

**Section 1.04. Mill Levy for Library.**

In addition to the mill levies authorized by subsections 1.02 and 1.03 of Article I, the City Council may levy not more than five (5) mills for the purpose of providing funds for the operation, maintenance and capital needs of the Parmly Billings Library only.  
(Ord. No. 94-4948, § 1, 1-3-94)

**Section 1.05. Mill Levy to Maintain Level of Fire and Police Services.**

In addition to the mill levies authorized by subsections 1.02, 1.03 and 1.04 of Article I, the City Council may levy not to exceed the amount of mills set out hereafter for the purpose of providing funds to maintain the operation, maintenance and capital needs of the fire department and police department of the City. The increase shall be phased in over the next four fiscal years. The mill levies authorized by this subsection are intended to be permanent, are imposed solely to maintain the 1998--1999 level of service funded at \$15,443,284.00, and may only be imposed to pay the additional costs of these services, which exceed \$15,443,284.00.

- 1999/2000--5 mills
- 2000/2001--10 mills
- 2001/2002--15 mills
- 2002/2003--20 mills

This Ordinance will be repealed and void if Ordinance Number 98-5063 (to maintain and increase current levels of service and funding) passes.  
(Ord. No. 98-5062, § 1, 8-10-98)

*Editor's note:* Ord. No. 98-5062, §§ 1--3, adopted by the City Council on July 28, 1998, amended the Charter by renumbering former section 1.05 as section 1.06 and adding new provisions as section 1.05. Ord. No. 98-5062 was approved by the voters on Nov. 3, 1998. Ord. No. 98-5063, which would have superseded Ord. No. 98-5062, was not approved by the voters.

**Sec. 1.05.1. Mill Levy to Fund Fire, Police, and Related Public Safety Expenses.**

For the purpose of funding the operation, maintenance and capital needs of the fire department, police department, and related public safety expenses, the City Council shall levy 60 mills starting in fiscal year 2021 which will raise approximately \$12.2 million.

The foregoing mill levy is permanent and shall continue indefinitely in future fiscal years. This levy is not cumulative, which means the number of mills will not increase over time. This levy is in addition to any other mill levies authorized by Charter or law.

(Ord. No. 04-5288, § 1, 7-12-04; Ord. No. 20-5736, § 1, 6-22-20)

*Editor's note:* Ord. No. 20-5736 was approved by the voters on September 15, 2020 which repealed and replaced the previous Sec. 1.05.1.

**Section 1.05.2 Mill Levy to Fund Police, Fire, Prosecution Services, Code Enforcement, Municipal Court, Mental Health and Substance Abuse Services, and Related Public Safety Expenses.**

For the purpose of funding the operation, maintenance and capital needs of the police department, fire department, prosecution services, code enforcement, municipal court, mental health and substance abuse services, and related public safety expenses, the City Council shall levy up to 34 mills starting in fiscal year 2023, which will raise approximately \$7.1 million as follows:

Fiscal Year 2023	\$7,115,000	34 Mills
------------------	-------------	----------

The foregoing mill levy is permanent and shall continue indefinitely in future fiscal years. This levy is not cumulative, which means the number of mills will not increase over time. This levy is in addition to any other mill levies authorized by Charter or law.  
(Ord. No. 21-5760, § 1, 6-28-21)

*Editor's note:* Section 1.05.02 Public Safety Mill Levy was approved by voters on November 2, 2021 which granted immediate effectiveness of Ord. No. 21-5760.

**Section 1.06. Construction.**

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in this article.

(Ord. No. 94-4948, § 1, 1-3-94; Ord. No. 98-5062, § 1, 8-10-98)

**ARTICLE II. CITY BOUNDARIES\***

---

\*State law references: A local government with self-government powers is subject to state laws on annexation, MCA 7-1-114(1)(a); annexation procedures, MCA 7-2-4201 et seq.

---

**Section 2.01.**

The corporate boundaries of the City of Billings, Montana shall remain fixed and established as they exist on the date this Charter takes effect, provided that the City shall have the power to change its boundaries in the manner provided by law.

### **ARTICLE III. LEGISLATION\***

\*State law references: A local government with self-government powers is subject to state laws establishing legislative procedures or requirements, MCA 7-1-114(1)(c); local government ordinances, resolutions, and initiatives and referendum, MCA 7-5-101 et seq.; conduct of municipal government, MCA 7-5-4101 et seq.

#### **Section 3.01. Legislative Branch.**

- A. The legislative branch shall consist of the City Council and the Mayor.
- B. All powers of the City shall be vested in the legislative branch, except otherwise provided by law or this Charter, and the legislative branch shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.
- C. The legislative branch shall conduct an annual performance review of the City Administrator.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

#### **Section 3.02. City Council: Composition and Powers.**

- A. There shall be a City Council of the City of Billings composed of ten (10) Councilmembers.
- B. Reserved.

#### **Section 3.03. City Council: Election, Terms and Qualifications.**

- A. Councilmembers shall be elected from wards. Two (2) Councilmembers shall be elected from each ward. One (1) Councilmember from each ward shall be elected every two (2) years.
- B. Councilmembers shall serve for terms of four (4) years and shall be limited to two (2) consecutive terms.
- C. Councilmembers shall reside within the ward from which they are elected and shall be qualified voters of the City of Billings.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

#### **Section 3.04. Mayor: Election, Powers and Duties.**

- A. The Mayor shall be a resident and qualified voter of the City of Billings and shall be elected at large for a term of four (4) years and shall be limited to two (2) consecutive terms.
- B. The Mayor shall be the presiding officer of the City Council and shall vote on all issues.
- C. The Mayor shall be recognized as the head of City government for all ceremonial purposes and by the Governor for purposes of military law, and shall execute contracts, deeds and other documents.
- D. The Mayor shall have no administrative duties except as required to carry out the responsibilities heretofore set forth.

(Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 3.05. Deputy Mayor.**

The City Council shall elect at its first meeting following each general election from the Councilmembers a Deputy Mayor, who shall act as Mayor during the absence or disability of the mayor.

**Section 3.06. Election.**

The procedure for the nomination and election of all City officials shall be as prescribed by state law for non-partisan elections.

\*State law references: A local government with self-government powers is subject to all state laws regulating the election of local officials, MCA 7-1-114(1)(d); elections, MCA 13-1-101 et seq.

**Section 3.07. Prohibition, Appointments and Removals.**

Neither the City Council, its members, nor the Mayor shall in any manner dictate the appointment or removal of any City administrative officers or employees whom the City Administrator or any of his or her subordinates are empowered to appoint.

**Section 3.08. Interference with Administration.**

Except for the purposes of inquiries and investigations, the Council, its members and the Mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator. Neither the Council, its members, nor the Mayor shall give orders to any City officer or employee either publicly or privately.

**Section 3.09. Vacancies, Forfeiture of the Office, Filling of Vacancies.**

- A. Vacancies. The office of Councilmember or Mayor shall become vacant upon his or her death, resignation, removal from office in any manner authorized by law, or forfeiture of his or her office.
- B. Forfeiture of Office. A Councilmember or Mayor shall forfeit his or her office if he or she: (1) lacks at any time during his or her term of office any qualification for the office prescribed by the Charter or by law, (2) or violates any express prohibition of this Charter, (3) or is convicted of a felony.
- C. Fillings of Vacancies of City Council. Vacancies of less than five (5) in number on the City Council shall be filled by appointment by the Mayor with the advice and consent of the majority of the remaining City Council. The appointed Councilmember shall be a resident of the ward in which the vacancy occurs and a qualified voter of the City of Billings. A vacancy shall be filled within thirty (30) days after it occurs. If not filled within thirty (30) days, a special election shall be called in that ward. At the next general election, an appointed Councilmember shall stand for election for any remaining portion of the term of the office to which he or she has been appointed. If five (5) or more Council positions are vacant, a special election shall be held within ninety (90) days for the unexpired terms of the vacant positions. In the event that all members of the City Council are removed by death, disability, forfeiture of office, or other cause, the Governor

shall appoint an interim Council which shall hold office until a special election can be held within ninety (90) days.

- D. Filling of Vacancy in the Office of Mayor. If a vacancy in the office of Mayor, the Deputy Mayor shall become Mayor for the remainder of the unexpired term of the Mayor. Upon assuming the office of Mayor, the Deputy Mayor vacates his or her Council position.

**Section 3.10. Procedure.**

The Council shall establish by ordinance its rules of procedure and time and place of meetings.

**Section 3.11. Compensation.**

The Council shall establish by ordinance the compensation of its members including the Mayor, but no Councilmember or Mayor's compensation may be increased during his or her term of office.

**ARTICLE IV. EXECUTIVE**

**Section 4.01. City Administrator: Employment, Compensation, Qualifications.**

The Council shall employ a City Administrator on the basis of merit for an indefinite term. The Administrator shall not be the Mayor or a Councilmember at the time of employment and need not be a resident of the City or state at the time of employment. The Council shall conduct an annual performance review of the City Administrator. (Local Gov't. Review Comm., approved at election, June 4, 1996)

**Section 4.02. City Administrator: Removal.**

The Council may remove the Administrator with or without cause by an affirmative vote of a majority of all its members.

**Section 4.03. City Administrator: Powers and Duties.**

The Administrator shall:

- A. carry out policies established by the City Council;
- B. perform the duties required by law, ordinance, resolution, or this Charter;
- C. enforce laws, ordinances, and resolutions;
- D. administer the affairs of the City;
- E. direct, organize, establish, supervise, and administer all departments, agencies, and offices of the City;
- F. appoint, suspend, and remove all employees of the local government;
- G. prepare and present the City budget to the Council for its approval and administer the budget adopted by the Council;
- H. Report publicly to the Council at least quarterly on the financial conditions of the City;
- I. recommend measures to the Council;
- J. report to the Council as the Council may require;
- K. attend Council meetings and take part in the discussion, but shall have no vote;

- L. appoint with the approval of the City Council a qualified acting administrator to exercise the powers and perform the duties of the Administrator during temporary absences.

## **ARTICLE V. BOARDS, COMMISSIONS, OR COMMITTEES**

### **Section 5.01. Powers.**

Boards, commissions, or committees of City government shall be advisory only. They shall have no administrative authority unless specifically required by federal or state law, or interlocal agreement.

### **Section 5.02. Appointment, Compensation, Terms and Qualifications.**

- A. Boards, commissions, or committees shall be appointed by the Mayor with consent of the Council, unless otherwise provided by federal or state law, or interlocal agreement.
  - (1) Notice of a vacancy shall be published thirty (30) days prior to appointment.
  - (2) Members of boards, commissions, or committees shall hold no other elected City office unless required by federal or state law, or interlocal agreement.
  - (3) Terms shall be limited to two (2) consecutive four (4) year terms.
- B. Board, commission, or committee members shall serve without compensation.

## **ARTICLE VI. GENERAL PROVISIONS**

### **Section 6.01. Effective Date.**

The effective date of this Charter shall be May 2, 1977.

### **Section 6.02. Amendment Procedure.**

The Charter shall be amended only as provided by state law.

\*State law references: Amendment of self-government Charter, MCA 7-3-103.

### **Section 6.03. Recall.**

An elected City official may be recalled as provided by state law.

\*State law references: Montana Recall Act, MCA 2-16-01 et seq.

### **Section 6.04. Severability.**

If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

**City Council Work Session**

**Date:** 08/15/2022  
**Title:** Draft 2023 Unified Planning Work Program (UPWP)  
**Presented by:** Scott Walker  
**Department:** Planning & Community Services  
**Presentation:** Yes  
**Legal Review** No

**RECOMMENDATION**

Staff recommends the City Council hear the overview presentation and review the Draft 2023 UPWP at this Work Session. The Council is scheduled to take action on the 2023 UPWP at its August 22nd meeting. For the August 22 meeting, staff will forward a recommendation requesting the City Council approve the program and instruct PCC Designee Mayor Cole to give a positive recommendation to PCC for final local approval.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

The City-County Planning Division is presenting the 2023 Unified Planning Work Program (UPWP) for the Billings Metropolitan Planning Organization (MPO) for City Council review and recommendation of approval to the Billings Policy Coordinating Committee (PCC). The UPWP is primarily for the purpose of programming the federal dollars that Billings receives from the Federal Highway Administration (FHWA) for transportation planning and the Federal Transit Administration (FTA) for transit (MET) planning. These funds are passed through the Montana Department of Transportation (MDT).

All transportation planning activities for the Billings MPO are included in the UPWP so that it represents a comprehensive document for the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2023, which runs from October 1, 2022, through September 30, 2023. This UPWP corresponds directly with the Planning Division's annual work plan. The significant changes in this year's program include continuing to update the 2018 Long Range Transportation Plan, Phase II of the Safe Routes to School Plan, and a transportation section for future neighborhood planning studies. The Transit section is Chapter II of the UPWP. The document is consistent with past programs in its content and format.

**ALTERNATIVES**

At this Work Session, staff recommends the City Council hear the overview presentation and review the Draft 2023 UPWP. The Council is scheduled to take action on the 2023 UPWP at its August 22nd meeting and instruct PCC Designee Mayor Cole to give its recommendation to PCC for final local approval.

**FISCAL EFFECTS**

Approval of the 2023 UPWP allows the City to access Federal funds for transportation planning in the community. Federal and local funds are combined to provide most of the planning work done by the Planning Division for the City and the County. If the UPWP is not approved, there would be a significant loss of resources for community planning and the community's ability to manage transportation planning projects and programs would be severely limited. The breakdown of funding sources for the FY 2023 UPWP is estimated below:

- \$300,000 Planning Dept. Fee Revenue (City of Billings)
  - \$160,000 Planning Dept. Fee Revenue (Yellowstone County)
  - \$525,000 Yellowstone County Planning Levy
  - \$2,007,135 Federal Planning (PL) Allocation
- \$2,992,135 Total - Local and Federal Program Funding (UPWP)

**Attachments**

Draft 2023 UPWP

# **Billings Urban Area**

## **Unified Planning Work Program**

**(UPWP)**

**Federal Fiscal Year**

# **2023**

## **DRAFT**

Prepared By:

Billings/Yellowstone County Planning Division  
2825 3rd Avenue North, 4th Floor  
Billings, Montana 59101

In Cooperation With:

Montana Department of Transportation  
Federal Highway Administration  
Federal Transit Administration



# UNIFIED PLANNING WORK PROGRAM

## TABLE OF CONTENTS

Introduction ..... 3

UPWP Approval Dates ..... 3

**CHAPTER I – Highway**

**SECTION I – Work Elements**

100 - Program Administration ..... 4

101 - Service ..... 8

102 – Citizen Involvement ..... 10

200 – Community Planning ..... 13

204 – Zoning Administration ..... 17

205 – Subdivision Administration ..... 19

300 – Transportation System Data ..... 22

301 – Transportation Plan ..... 24

302 – Planning Studies ..... 26

500 – Transportation Improvement Program ..... 28

600 – Environmental Considerations ..... 30

700 – Un-Programmed Funds ..... 32

**SECTION II – Funding**

Funding Summary ..... 33

Funding Comparisons ..... 33

Funding Percentages ..... 34

Staff Months Worked ..... 34

**SECTION III – Indirect Cost Plan**

Identification of Costs ..... 35

Funding Sources ..... 36

Acronyms ..... 37

**CHAPTER II – Transit**

Administration ..... 38

Short Range Transportation Planning ..... 41

Current Service Enhancement ..... 44

Transportation Improvement Program ..... 47

ADA ..... 48

Funding ..... 51

## INTRODUCTION

The Billings Urban Area planning process is organized and conducted in a cooperative, coordinated, and comprehensive manner. The Yellowstone County Board of Planning, as the designated Metropolitan Planning Organization (MPO), is charged with the responsibility of administering the planning process. Under federal regulations, an MPO must be established for urban areas with populations greater than 50,000 in order to receive federal funds for construction projects and transportation planning. This document, the Billings Urban Area Unified Planning Work Program (UPWP), and a companion document, the Prospectus, is the foundation upon which the planning process is based.

The UPWP is developed each year, and once adopted and approved by FHWA and FTA, is in effect from October 1 to September 30. The UPWP contains a task by task discussion of projects, which are to be undertaken during the program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP undergoes a comprehensive review at the local, state, and federal levels each year.

This year, Federal Fiscal Year 2023, the format for work program activities conforms to Federal Transit Administration (FTA) Circular 8100.1C, specifically Chapter IV. The Montana Department of Transportation and the Yellowstone County Board of Planning have mutually agreed upon use of this format.

The UPWP is a detailed description of projects, which occur on a routine basis. Once adopted, the document is only amended if there is a change in the planning process. The UPWP also contains information pertaining to the organization of the planning process, agencies involved, and agreements between agencies involved in the process.

Cost overrun guidelines have been established by the Montana Department of Transportation, and agreed to by the Yellowstone County Board of Planning. Those guidelines will determine the allowable overruns for any work program element. Overruns that surpass those outlined in the guidelines will require a UPWP amendment.

This document includes two chapters, Highway and Transit. Each chapter contains individual work elements. These work elements describe work the planning and transit staff will undertake in the program year as well as work accomplished in the past year. Also included is a breakdown of funding sources which include, Planning (PL) funds and Local (City & County) funds which are used to provide funding for non-PL eligible activities. Priorities this year include continuing the 2023 Long Range Transportation Plan Update, beginning an update to the 2017 Bike and Pedestrian Plan, an MPO-wide School Safe Routes to School Study, Neighborhood Planning Transportation Elements, grant application development, and other projects.

### **DATES OF LOCAL APPROVAL**

TAC -7/28/22  
PLANNING BOARD -8/23/22  
COUNTY COMMISSION -8/23/22  
CITY COUNCIL -8/22/22  
PCC -8/30/22  
FWHA-September 2022

# CHAPTER I

## YELLOWSTONE COUNTY BOARD OF PLANNING

### SECTION I UNIFIED PLANNING WORK PROGRAM

#### 41.11.100 PROGRAM SUPPORT & ADMINISTRATION

#### **100 PROGRAM ADMINISTRATION (4301)**

##### **OBJECTIVE**

- To administer the area-wide planning process.
- To support the Board of Planning and other Boards, Commissions, and the City Council and County Commissioners in decision-making activities in the planning process.
- To engage in administrative and financial actions related to identified planning activities and to prioritize those activities.
- To enhance staff skills and maintain staff exposure to the "state-of-the-art" in planning practice and computer software.
- To maintain contact with, provide input to, and receive feedback from various local, state and federal agencies, committees and groups during the planning process.

##### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

Conformance with federal, state, and local administrative and regulatory requirements, as well as maintenance of planning operations was achieved for FY22.

Members of the planning staff attended various professional meetings, workshops, and conferences at which planning, transportation, transit, bicycle/pedestrian and related topics were presented and discussed.

Specifically, the City-County Planning Division (Planning Division) and members of other local, state and federal departments and agencies actively participated in a diverse set of local meetings, including the Billings Technical Advisory Committee (TAC), Policy Coordinating Committee (PCC), Billings & Yellowstone County Zoning Commissions and Boards of Adjustment, Board of Planning, City Annexation Committee, City Development Process Review Committee, Community Development Board, Public Works (formerly the Traffic Control) Board, Bicycle and Pedestrian Advisory Committee, Historic Preservation Board and others. Grant writing for the Division was completed under this work element. Staff also participates in meetings with MDT and the other two MPO's quarterly to discuss activities and issues. Billings MPO also meets with MDT to discuss project coordination and issues.

Planning staff received updates in computer software programs for the geographic information system and its application to mapping data layers such as streets, land use, TAZ data information, address, ownerships and environmental data. This GIS information is vital to provide to consultants for local plan development. Staff regularly utilizes an application tracking and project management software system that integrates the existing City building permit, finance and land management software, as well as coordinated subdivision and development project reviews across City and County departments. This software allows for electronic submittal of building, sign, fence and exempt plats for local review. Staff also reviewed/updated the City Annexation Policy and Limits of Annexation Map, and assisted in updates to the City's Capital Improvement Plan (CIP). Implementation of the City's Complete Streets Policy is ongoing with the continued collection of data to be incorporated into the Complete Streets Status Report that is

updated and published every three years, including in calendar year 2020. Implementation of the Billings Community Transportation Safety Plan will continue with reporting to MDT as required. The 2023 UPWP outlines an update to the Community Transportation Safety Plan, that project is discussed in more detail in the Transportation Planning Studies.

Online permitting continues to have a positive impact on development.

## **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

All administrative functions of the Planning Division will be performed under this work element. Program management activities will include, but not be limited to the following:

1. Correspondence
2. Public Relations
3. Employee Guidance, Supervision, and Training
4. Program Organization and Management
5. Consultant Liaison Activities
6. Staff Meetings
7. Negotiations
8. Preparation of Contracts
9. Staff Training
10. Performance Monitoring
11. Office Equipment Acquisition
12. Budget Management and Administration

Federal regulations require that performance measures and goals be established to monitor the performance of the region's transportation system.

The MPO will work with federal, state and local agencies to improve current performance tracking methods. Performance measures will be tracked on the MPO website and regular reporting will be provided to the Transportation Policy Coordinating Committee, MPO committees and the general public depending on the availability of related data.

With the refilling of the Planner 1 positions, senior staff has the ability to undertake a few neighborhood planning efforts. Staff is looking for other funds to assist with some consultant lead neighborhood activities on larger sub-area plans. With development and implementation of the new Zoning Code, higher emphasis on the transportation system, including road classification, safety and connectivity is vital to how the adjacent land uses for residential and commercial development are built. The road system emphasizes location and setting of any structures. The Planner I will be responsible for using the new code and existing transportation documents for review of land use applications, building permits and zoning clarification forms.

### **PL Eligible Activities**

- As per the MPO's public participation plan and ongoing public outreach efforts, the planning staff will make available the documents and guidelines for transportation planning activities to the community, as well as keep abreast of federal and state requirements as they relate to the overall planning processes. These activities may include distribution of the Billings Area Bikeway and Trail Master Plan to community organizations or individuals, distribution of the current Billings Area Tour Map for bicycle and pedestrian users and visitors, distribution and explanation of the latest Billings Urbanized Area Traffic Count Map and Bicycle Count Map, explanation and distribution of the MPO's public participation plan to groups involved or interested in transportation planning processes in the community, and explanation and information dissemination of the TA or other grant programs to possible project applicants in the community.

- Staff will update the PL & Memorandum of Agreement as necessary to meet the requirements of the IJA or any new legislation they may be approved in the upcoming fiscal year.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation (MDT) in order to maintain federal funding support.
- The FY 2023 UPWP will be continually appraised and monitored in terms of content and budget allocations and will be revised when deemed necessary.
- The Fiscal Year 2024 UPWP will be developed under this work element.
- The Board of Planning, Board of County Commissioners and City Council will be kept informed of the activities of the staff and its progress in completing the approved UPWP.
- Staff will be involved in update and implementation of the Community Safety Plan for the Billings Urban Area.
- All planning staff will participate in recognized and approved training programs in order to improve staff skills and capabilities. Planning expertise will be maintained through enrollment in appropriate planning and transportation-related courses at area colleges, workshops, seminars, webinars and conferences.
- Staff will adapt software programs to effectively utilize traffic data and continue computer-training programs.
- The use of PL funds for out-of-state travel and/or registration fees for the above or other purposes will continue to be subject to prior approval of MDT.
- The TA Program administration will be funded through this work element.
- Infrastructure Investment and Jobs Act (IJA) will be reviewed so staff may become familiar with changes affecting the metropolitan planning process.
- Grant writing services will continue to be incorporated within the department.
- Planning activities pertaining to Bicycle-Pedestrian in this work element will include:
  - Work field inspections, handle complaints and investigate problem areas of the Bike/Pedestrian system.
  - Presentations as needed.

### **Locally Funded Activities**

- General administrative activities will include maintenance of files, library documents, daily correspondence and preparation of necessary periodic reports.
- Interagency committee participation is included in this work element.
- All staff members will continue to participate in and encourage increased cooperation between state and local agencies, departments and governing bodies.
- The Planning Division will serve both as a coordinator of and a participant in meetings and committees.
- Planning Division involvement will include participation with such agencies as the Housing Authority, Big Sky Economic Development (BSED), Air Pollution Control Board, RiverStone Health (City-County Health Department), Healthy by Design, legislative study committees, and other agencies.
- Staff will continue to implement long-term document storage through virtual servers and cloud storage platforms.

### **STAFFING**

28 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

The Planning Division will be responsible for administering the area-wide planning process for the City and County.

### **PRODUCT**

- An ongoing administrative program focused primarily at effective and expeditious implementation of this UPWP.

- The continual enhancement of the Planning Division staff skills and knowledge.
- Maintenance of a coordinated, comprehensive, and cooperative planning process that is endorsed and supported by the local community.
- The development of the FY24 UPWP.

**FUNDING SCHEDULE - ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$247,500	\$202,500	\$450,000**
<b>TOTAL</b>	\$247,500	\$202,500	\$450,000**

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	55	45	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$264,000	\$216,000	\$480,000**
<b>TOTAL</b>	\$264,000	\$216,000	\$480,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\* Record Keeping via virtual servers and cloud storage, scanning - \$8,000, 3 Computer Upgrades - \$7,500.

## **101 SERVICE (4302)**

### **OBJECTIVE**

- To coordinate the dissemination of information and exchange of ideas between planning agencies and the interested public, decision-makers, and other departments, agencies, and organizations as related to the Billings MPO.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

Members of the planning staff were involved in a wide range of service tasks. Planning services included presentations related to roadways and alternative transportation, responding to citizen inquiry and complaints regarding streets, subdivision layout, site distance, zoning request, conformance with the 2018 Transportation Plan Update and the Billings Area Bikeway and Trails Master Plan, City of Billings 2016 Growth Policy, the Lockwood Growth Policy and various neighborhood and community plans.

Staff presented transportation planning information to its organization and agency partners as needed for educational and decision-making purposes. Planning staff also shared information with the community and stakeholders throughout the development of several planning efforts. The Billings MPO hosts monthly webinars covering a variety of topics including transportation and mobility related topics.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- Staff will continue the very successful series of webinars and “brown bag lunch” seminars on a wide range of planning topics, including multi-modal transportation planning and funding, collaborative community planning techniques and planning for sustainability as well as various Institute of Transportation Engineers, Project for Public Spaces, Sustainable Communities, and Federal Highway Administration webinars.
- Staff is also targeting webinars which educate staff and public on the transportation planning process and funding as related to the operation of the MPO.
- The Planner I positions will also be working within this element. These positions will provide transportation and related planning information to the general public and interested organizations.

#### **Locally Funded Activities**

- Staff will continue to develop and use website tools to enable citizens to access information on upcoming planning activities, board and commission meetings, and recent land use applications, as well as interact with various planning processes through email notification and online comment programs. Staff will look at implementing citizen access to the Questys System software for access to historical data related to transportation, zoning and other planning applications.
- Continue increasing community and agency awareness of the interrelationships between land use development and transportation needs through dissemination of information and drafting of planning documents that incorporate both elements together.

### **STAFFING**

3.5 Staff Months – City/County Planning

## FUNCTIONAL AGENCY RESPONSIBILITY

As Assigned.

## PRODUCT

- A responsive and flexible planning process utilizing staff capable of providing short-term findings and recommendations, as well as ongoing customer service to the public on all levels of planning projects and regulations.
- Provide transportation related webinars to staff, local officials and general public to educate on current transportation issues. These webinars are scheduled on a monthly basis and anticipate 5-10-person viewings per showing. This number can fluctuate depending on the topic. Staff participation is anticipated to be 4-5 persons at these viewings.
- In addition to the transportation specific webinars, staff also provides general planning webinars that are advertised to all city staff, local officials and the general public. These webinars are scheduled routinely and can include up to 3 webinars a month. Participation anticipated at these webinars is 5-10 person per viewing. This number can fluctuate depending on the topic. Staff participation is approximately 3-5 per viewing contingent on scheduling.

## FUNDING SCHEDULE - SERVICE

### FUNDS PROGRAMMED - FISCAL YEAR 2022

#### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$25,000	\$25,000	\$50,000
TOTAL	\$25,000	\$25,000	\$50,000

#### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

### FUNDS PROGRAMMED - FISCAL YEAR 2023

#### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$30,000	\$30,000	\$60,000
TOTAL	\$30,000	\$30,000	\$60,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **102 CITIZEN INVOLVEMENT (4303)**

### **OBJECTIVE**

- To solicit information concerning community values and goals and to receive community input into the development of plans and projects.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

Numerous meetings with service clubs, civic groups, and professional organizations were attended by staff members to discuss all facets of local planning. The Planning Board used extensive public input to review and receive comments on a wide range of planning issues throughout the City and County. Meetings of neighborhood task force organizations and neighborhood advisory committees were also attended as requested to answer questions and review long-range planning issues, particularly related to transportation planning and projects, as well as code enforcement complaints. Projects specifically related to citizens and citizen boards included the Community Transportation Safety Plan Update, the Billings Bypass Corridor Study and the development of the Safe Routes to School Plan Update.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- Outreach to the public and all affected jurisdictions for ongoing transportation projects, including but not limited to several MDT planning and construction projects such as the North Billings Bypass, short- and long-term planning for rail traffic mitigation in downtown Billings, 6<sup>th</sup> Street Underpass project and several MPO projects. The MPO has several projects that will be completed and initiated this upcoming year including the completion of the Community Transportation Safety Plan Update, the Safe Routes to School Plan and the Billings Bypass Corridor Study. The 2023 Long Range Transportation Plan Update will carry over to this year as well as the new transportation planning studies identified in this UPWP.
- The staff will continue to support the Bicycle and Pedestrian Advisory Committee. The Committee is responsible for forwarding recommendations to the Planning Board and governing bodies on bicycle safety, bike lanes, pedestrian safety and access, and other matters. The group will be involved in the nomination and review of TA Program eligible projects, bicycle and pedestrian signing and safety projects, grant applications for non-motorized transportation projects, and community education and outreach on bicycle and pedestrian safety within the MPO.
- The MPO has several large planning efforts this year and next, as part of our continuous efforts to engage the public in these transportation planning efforts, staff will be actively engaged with the City of Billings Public Information Officer (PIO) to push information and public participation opportunities to the community. The PIO is new to the City and has already had significant impact on planning efforts.
- TAC and PCC meetings will be held and meeting information disseminated as necessary.
- Staff will continue to update and maintain the MPO's website to provide the most current up to date information to the community.
- Staff will utilize web-based GIS and web mapping software for assistance in transportation planning.
- Some of the specific projects that will involve community participation include the completion of the North Billings Bypass Corridor Study, and the Community Transportation Safety Plan Update. New projects include updating the 2018 Long Range Transportation Plan and a second phase of a Safe Routes to School Study that will review Middle Schools, urban County Elementary Schools and Private Schools. Both of these projects will include extensive public participation and solicitation.

- The Planner I will also act in this position through transportation and general planning efforts to engage the community in a broad range of MPO planning projects.

**Locally Funded Activities**

- Meetings with various citizen groups will be coordinated and attended for the purpose of soliciting information and ideas on a broad range of planning issues within the Billings Urban Area and throughout Yellowstone County.
- Community participation using new tools and techniques will also be included in all planning studies proposed within this document.
- Staff will utilize web-based GIS and Web mapping software for assistance in land-use planning.

**STAFFING**

4.0 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- A comprehensive and coordinated solicitation and collection of public opinions in order to accurately reflect the preferences and priorities of the citizens within the Billings Urban Area.
- An enhanced integrated web-based public participation software that includes MPO and general planning projects and procedures and other pertinent information.

**FUNDING SCHEDULE - CITIZEN INVOLVEMENT**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

AGENCY	PL	LOCAL	TOTAL
MPO	\$40,000	\$40,000	\$80,000
TOTAL	\$40,000	\$40,000	\$80,000

**DISBURSEMENT PERCENTAGE**

AGENCY	PL	LOCAL	TOTAL
MPO	50	50	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

AGENCY	PL*	LOCAL	TOTAL
MPO	\$47,500	\$47,500	\$95,000
TOTAL	\$47,500	\$47,500	\$95,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## 41.12.200 GENERAL DEVELOPMENT & COMPREHENSIVE PLANNING

### 200 Community Planning (4304)

#### OBJECTIVE

- To maintain records and make projections of population and dwelling unit data, land use information, employment data, and to maintain adequate financial records, files and reports.
- To provide current, accurate information pertaining to the quantity of residential, commercial, industrial, and public land in the MPO and across the County.
- To summarize and analyze development trends and to provide visual information to the City Council, County Commission, Planning Board and the public during the public input process for transportation and land-use decision making.
- To recommend implementation of the goals, policies, and strategies of the adopted 2016 City of Billings and Lockwood Growth Policies.
- Implementation of Long-Range Transportation Plans and Planning Studies.
- The current ten planning factors have been reviewed and incorporated in this UPWP. The factors are:
  - 1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
  - 2) Increase the safety of the transportation system for motorized and non-motorized users;
  - 3) Increase the security of the transportation system for motorized and non-motorized users;
  - 4) Increase the accessibility and mobility of people and for freight;
  - 5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
  - 6) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
  - 7) Promote efficient system management and operation;
  - 8) Emphasize the preservation of the existing transportation system.
  - 9) Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
  - 10) Enhance travel and tourism.

#### ACCOMPLISHMENTS - FISCAL YEAR 2022

Staff is reviewing and analyzing the 2020 Census and most recent American Community Survey (ACS) data. Current ACS data is updated and placed in various databases as it has become available. Data gathered and updated included annual information related to population estimates for city and counties within the State of Montana. This annual information is used by the public and public agencies for planning purposes. The ACS is accessed for review and dissemination, and updated information released by the US Census Bureau in regards to commuting patterns. Other data gathered includes:

- Building Permits, Demolition Permits, Electrical Permits, Subdivision Applications, Zoning Applications, Special Reviews, Variances, temporary use permits, sign permits, zoning compliance permits and zoning clarification documents, annexation data, population trends, land use trends, school enrollment, employment data and general economic indicators.

The planning staff continues to review the most current ACS data and slowly released information from the 2020 Census data and estimates for population and demographic data. Census information is made available to various local agencies and organizations and to the general public. The data is used for developing reports, grant applications and planning documents such as Transportation and Land Use Plans and for projects like the Recreational Trails Program Grant and other grants as needed.

The City-County Planning Division, on behalf of the Billings MPO, is responsible for preparing a Complete Streets Progress Report every three years. This direction was outlined in the City of Billings Complete Streets Policy: “The City will periodically collect, review and report performance data and benchmark measurements to demonstrate the effectiveness of the policy.” This effort was completed with the first-ever Billings Complete Streets Benchmark Report prepared in 2013. The Report is updated on a 3-year cycle with the most current update occurring in 2020. This [Progress Report](#) includes comparison of various data sets related to motorized and non-motorized transportation.

Zoning data developed in element 204 for the entire City and County zoning jurisdictions was provided to neighborhood task force groups and others as requested.

Numerous other special purpose maps were prepared for meeting purposes including bicycle trail maps, annexation maps, estimated development density maps and tables for the Limits of Annexation Map area, and other project influence areas. Natural resource, 2020 Census, and jurisdictional boundary information was updated or developed. Traffic count station locations were geo-positioned and linked with the City-County traffic count matrix. The City also upgraded its internal mapping system with an ArcGIS product that makes access to the most current property data and aerial photography better and easier for staff when researching existing conditions of transportation corridors and adjacent property. The new system provides a robust City GIS base map for use in application reviews, transportation planning efforts, and general customer inquiries. Ongoing review and implementation of sub-area neighborhood and transportation plans, and other planning documents was carried out by staff.

## **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

### **PL Eligible Activities**

- The new web-based GIS software is compatible with available datasets and utilizes the existing data sets more effectively. The GIS will be utilized to develop a series of maps, including existing and proposed pedestrian trail routes and projects in the community, maps to implement the Long-Range Transportation Plan, updates to a preferred growth area map in conjunction with the City’s Limits of Annexation Map, mapping of focus areas for implementation of the City’s Infill Development Policy, and others. This ability of the new GIS allows for anticipating and planning for the transportation network in areas of annexation and infill. This will assist in the development of our LRTP and project planning for future plans and studies.
- The planning staff, under the direction of the Board of Planning, will continue to work on long-range planning projects according to the priorities established by both the City of Billings and Yellowstone County. In particular, the continuing implementation of the South Billings Master Plan, the 2018 Long Range Transportation Plan Update, and the 2016 Bikeway and Trails Master Plan.
- Senior staff will be undertaking development of one neighborhood planning project to assist our neighborhoods in local planning specific to their area. This is possible due to the hiring of two additional Planner I’s. In addition to staff leading this effort, staff will be looking at grant funds to hire consulting services to assist with larger sub-area plans.
- The addition of two new Planners will allow the senior staff to take a more active role in long range planning. It is anticipated that the Planner I’s will undertake the review of:
  - Zoning applications. The development and adoption of Project Re:Code now ties land uses and land patterns to the road and street network.

- Site development plans to address clear vision and controlled and shared access points.
- Site development plans to address newly implemented build to zones which prevent traffic flow in front of buildings.
- Site orientations that allow for internal traffic and other services, for example, drive through locations.

Work related to Bicycle-Pedestrian activities in this work element will include:

- Work with staff to insure a bike/pedestrian friendly community.
- Review of proposed subdivisions for non-motorized transportation connectivity.

### **Locally Funded Activities**

- Staff also will continue to work with the Big Sky Economic Development (BSED) to implement the Master Plan for the East Billings Urban Renewal District (EBURD), the Hospitality Corridor Planning Study, the Exposition Gateway Concept Plan and the South Billings Boulevard Urban Renewal District (SBBURD) Master Plan. The plans include detailed analysis of the transportation and land use connections in the area and promote sustainable development projects.
- Staff plans to work with the City, County, BSED, and neighborhood groups to identify planning needs in various parts of the urbanized area.
- Continued maintenance and update of socio-economic and land use data for both transportation and comprehensive planning activities will continue in 2023, with 2020 data and the 2020 American Community Survey data.
- Various GIS databases and layers will continue to be developed and centrally maintained, including information on neighborhoods, community assets, route planning, trail systems and transportation plans.
- The new web-based system tracking and managing projects will include application information on zoning and subdivision applications.
- Neighborhood planning activities will be initiated to identify local issues and strategies to assist neighborhood groups and organizations with neighborhood sustainability, equity, and safety.

### **STAFFING**

24 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- Various reports, files, and projections of socio-economic data necessary for current transportation and comprehensive planning activities, as well as support of City/County economic development activities.
- An ongoing GIS database/mapping system for the City of Billings and Yellowstone County.
- Ongoing updates to the preferred growth areas mapping and analysis for the City, implementation of the City Infill Development Policy, SBBURD Master Plan, the 2018 Long Range Transportation Plan Update, 2018 Public Participation Plan, the Downtown Area Traffic Circulation and Safety Study, Wayfinding Sign Plan, and the Heritage Trail Tour Map and App.

# FUNDING SCHEDULE - COMMUNITY PLANNING

## FUNDS PROGRAMMED - FISCAL YEAR 2022

### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$90,000	\$210,000	\$300,000
TOTAL	\$90,000	\$210,000	\$300,000

### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	30	70	100

## FUNDS PROGRAMMED - FISCAL YEAR 2023

### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$99,000	\$231,000	\$330,000
TOTAL	\$99,000	\$231,000	\$330,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **204 ZONING ADMINISTRATION (4308)**

### **OBJECTIVE**

- To oversee, interpret and enforce current City and County zoning regulations.
- To effectively administer the regulations and provide efficient service to the elected officials and the public.
- To maintain current zoning and land use information for all zoned property within the jurisdiction of the Billings Metropolitan Planning Organization to use in long-range transportation planning studies, traffic analysis, and transportation projects.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

During the past year, even during the height of COVID, all applications for zone changes, special reviews, variances, and planned developments were reviewed and processed by the planning staff in a timely manner. Reports and recommendations were prepared on each case to the various boards, commissions, and governing bodies. Digital photos are now incorporated into all zoning reports and Microsoft Power Point presentations are given to all boards and commissions. Staff is in the process of ongoing scanning of historic zoning files in preparation of future citizen access through a new archiving system software. All applications for building permits were also reviewed for compliance with City and County zoning regulations. Special zoning studies and ordinance updates were prepared as requested by the governing bodies. These included making a series of zoning code amendments to bring the regulations into compliance with changes in State Law and changes driven by community interests.

Staff coordinated with the County GIS Department to ensure that all zone changes within the Billings MPO area were reflected on GIS online and printed maps to ensure land use information was current.

A significant amount of time was also spent assisting the public with general zoning questions. The status of all active zoning applications is now posted on the City/County Planning websites.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- Zoning, Special Review, and Variance applications will be reviewed for land use compatibility, traffic, access, and overall site design.
- Staff will continue to maintain its zoning maps and land use information so that it is applicable to long-range transportation planning efforts in the Billings MPO. This information is regularly applied to a variety of MPO functions, including corridor analysis efforts like those involved in the Billings Bypass project, specific road projects, TA program applications and non-motorized grant applications.
- Staff will continue implementing the new Zoning Code. Staff will be reviewing and trouble-shooting any inconsistencies or inaccuracies in the new code with the intent to make any needed amendments within the next 2-years. As stated earlier, the Zoning Code places a higher emphasis on the transportation system, including road classification; safety and connectivity is vital to how the adjacent land uses for residential and commercial development are built. The road system emphasizes location and setting of any structures.
- The addition of two new Planners will allow the senior staff to take a more active role in long range planning. It is anticipated that the Planner I's will undertake the review of:

- Zoning applications. The development and adoption of Project Re:Code now ties land uses and land patterns to the road and street network.
- Site development plans to address clear vision and controlled and shared access points.
- Site development plans to address newly implemented build to zones which prevent traffic flow in front of buildings.
- Site orientations that allow for internal traffic and other services, for example, drive through locations.

### **Locally Funded Activities**

- Carrying out the day to day activities required to effectively administer the zoning regulations as well as ensure that land use information is current and available for all long-range transportation planning efforts, including Transportation Plan updates, specific road projects, corridor studies and the North Bypass project.
- Activity in 2022 will include ordinance updates as required by State law or requested by the public or governing bodies.
- All zone change applications will be reviewed for compliance with local plans.
- Staff will continue the update to Zoning Code based on fulfilling policy goals set by the local governing body including Growth Policy, Neighborhood Plans, Complete Streets and Infill Policies.

### **STAFFING**

13 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- Effective zoning regulations and administration for the City of Billings and Yellowstone County. Effective enforcement of the zoning regulations for Yellowstone County.
- Online submittal capability for certain zoning permits, i.e. sign and fence will increase efficiency and convenience for applicants.

# FUNDING SCHEDULE - ZONING ADMINISTRATION

## FUNDS PROGRAMMED - FISCAL YEAR 2022

### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$37,000	\$148,000	\$185,000
TOTAL	\$37,000	\$148,000	\$185,000

### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	20	80	100

## FUNDS PROGRAMMED - FISCAL YEAR 2023

### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$40,000	\$160,000	\$200,000
TOTAL	\$40,000	\$160,000	\$200,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **205 SUBDIVISION ADMINISTRATION (4309)**

### **OBJECTIVE**

- To maintain the current City and County subdivision regulations and ensure that they are updated when changes in State law occur.
- To effectively administer the regulations and provide efficient service to developers, engineers and surveyors, elected officials, and the community.
- To ensure that development is occurring with minimal negative impacts to the community and that subdivisions are designed to be safe and long lasting in the community.
- To evaluate traffic accessibility studies, general circulation data, and ensure conformity with the Functional Classification Map and associated elements of the Long-Range Transportation Plan when a subdivision application is submitted.
- To collect, manage, and apply subdivision development information for long-range transportation planning activities for the MPO – including but not limited to updates to the transportation plan and maintenance of inputs for traffic modeling.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

The Board of Planning and the planning staff reviewed all preliminary major and minor plat applications. Numerous conceptual and pre-application meetings were coordinated and attended by staff. All final plats were reviewed and processed. Also, a significant amount of time was spent assisting the public with general subdivision questions. Updates to the City and County Subdivision Regulations due to legislative changes were drafted and approved.

Staff collected and compiled information on the details of each new subdivision in terms of numbers of lots and land area slated for development. This information is integral to any transportation plan updates or long-range transportation planning efforts undertaken by the MPO in the community to determine population growth and location of residents and commercial services that affect the transportation system. This involved monthly subdivision activity reporting and periodic reviews of new development locations. This is also considered in relation to the TA program and when the MPO pursues grants for non-motorized transportation projects in the community.

The MPO continues to implement and enforce the Suburban Subdivision Regulations that require property currently outside the city limits but within the County Zoning Jurisdiction that may be annexed in the future to develop at city standards for infrastructure such as sidewalk, storm water management and future utility access. This procedure has been a positive to residential development on the city fringe areas.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- Staff will review all subdivisions for compliance with the Billings Area Long Range Transportation Plan, and for conformity with the Billings Area Bikeway and Trails Master Plan, Lockwood Transportation Plan, Blue Creek Transportation Plan, and other neighborhood and community transportation plans as applicable.
- Staff also will continue to collect information on the details of each new subdivision as an integral data source for long-range transportation planning efforts undertaken by the MPO. The MPO expects to use this data in 2023 for a variety of projects, including the implementation of the Long-Range Transportation Plan, the Bike/Ped Plan and continued analysis for the North Bypass.

- The newly added Planner I to the UPWP will take an active role in reviewing subdivision applications for compliance with the various transportation and planning documents overseeing land use within the MPO and Planning jurisdictional area.

**Locally Funded Activities**

- All subdivision applications will be reviewed for compliance with local and state subdivision law.
- Staff will continue to carry out the day to day activities required to effectively administer the subdivision regulations, and to keep the regulations current.
- Continued implementation of the Suburban Subdivision Regulations within the County Zoning Jurisdiction area.

**STAFFING**

14.5 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- An effective subdivision review process with regard to local and state law, the Growth Policy, and the Billings Area Transportation Plan.
- Correctly identified street segments in alignment with the 2018 Transportation Plan Functional Classification Map.

**FUNDING SCHEDULE - SUBDIVISION ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$55,500	\$129,500	\$185,000
<b>TOTAL</b>	\$55,500	\$129,500	\$185,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	30	70	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$60,600	\$140,400	\$202,000
<b>TOTAL</b>	\$60,600	\$140,400	\$202,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **41.13.300 LONG RANGE TRANSPORTATION PLANNING**

### **300 TRANSPORTATION SYSTEM DATA (4310)**

#### **OBJECTIVE**

- To develop and maintain current transportation system data files and records.
- To provide transportation planning and data information to City and County staff, elected officials, developers, engineering firms, and the general public.

#### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

The traffic count program for FY 2022 was completed. Travel times/delay/speed studies were completed, calculations computed, and level-of-service values determined. This data was used for various planning and engineering projects throughout the year. In addition, the public commonly requests this data for land use planning.

Staff participated in the update of the City of Billings Capital Improvement Plan (CIP). Crash information was compiled and analyzed. Crash data is also used in many of the planning studies undertaken by the MPO. The staff also continued to utilize the trail scanners that were purchased and found new and better ways to both use the scanners in more trail locations in the community and display the data for various applications. The MPO also took over collection and distribution of the data from the Lockwood sidewalk counters purchased through the Lockwood Pedestrian Safety District.

The transportation data is also being used for our current Planning Studies including the Billings Bypass Corridor Study, Safe Routes to School Plan Update and the Community Transportation Safety Plan (CTSP).

#### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

##### **PL Eligible Activities**

- The traffic count program for the Billings Urban Area as well as the Yellowstone County influence area will be conducted and the appropriate data recorded during FY2023. All traffic count data will be submitted to the MDT by February 1, 2023.
- Staff will update, where appropriate, the City's Capital Improvement Program.
- Continue with the contract position with City Engineering to continue traffic and trail counts.
- Staff will collect and maintain bike/pedestrian information through the trail census and use of the trail-bike/pedestrian scanners. The information from the bike/pedestrian counts links directly to the development of the LRTP and the MPO's non-motorized planning studies. These counts also contribute to other planning projects such as the Complete Streets Progress Report. This activity is in conjunction with MPO region wide planning.
- The traffic count data archive will be maintained and accessible for other agencies and the public.
- Data will also be used during proposed FY23 Planning Studies.
- The Bicycle-Pedestrian activities will continue. Duties will include but not limited to:
  - Maintain Bike/pedestrian data bases in conjunction with MPO region wide planning purposes.
  - Maintain data base for easement acquisition.

#### **STAFFING**

13.5 Staff Months – City/County Planning

11.0 Staff Months - City Engineering (Contract Position)

## FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning/MDT

## PRODUCT

- Documentation as necessary, support of transportation grant programs, transportation system modeling, updated Traffic Count Program, and research and integration of traffic information into planning projects and development review activities.
- Current traffic count data. Traffic counts are vital for any long-range planning efforts and during development of commercial and residential projects. Traffic counts also directly relate to the development of projects in the LRTP and ultimately for programming in the TIP.
- Current bike/pedestrian counts. MPO uses these counts for the development of the non-motorized network. This information is used for the development of the Bikeway and Trails Master Plan as well as for applications for various grants.

## FUNDING SCHEDULE - TRANSPORTATION SYSTEM DATA

### FUNDS PROGRAMMED - FISCAL YEAR 2022

#### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$266,000	\$0	\$266,000
TOTAL	\$266,000	\$0	\$266,000

#### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

### FUNDS PROGRAMMED - FISCAL YEAR 2023

#### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$250,000	\$0	\$250,000**
TOTAL	\$250,000	\$0	\$250,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*This Includes - \$25,000 for Maintenance of the Billings MPO Travel Demand Model.

## **301 TRANSPORTATION PLAN (4311)**

### **OBJECTIVE**

- Implement the Goals and Objectives in the Billings Long Range Transportation Plan.
- Develop (where necessary) and maintain data for the urban area in order to effectively monitor and evaluate the validity of the Transportation Plan.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

Staff continued to implement the 2018 Long Range Transportation Plan. Elements in the Plan include Goals and Objectives, a Transit section, an analysis of the railroad interface with the community, and a review of current projects listed in the Plan.

Staff will continue to implement the 2017 Billings Area Bikeway and Trail Master Plan. This will include working with MDT, City and County Public Works and other organizations with the continued development of the non-motorized transportation system.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- The MPO initiated an update to the 2018 Long Range Transportation Study in FY22. This project will span FY22 and FY23.
- Staff will work to implement the 2017 Billings Area Bikeway and Trails Master Plan.
- Staff will be undertaking the development of two consultant lead neighborhood planning efforts. Staff is actively pursuing grant funds to assist with two large sub-area neighborhood plans that will include a deeper dive into neighborhood transportation issues and strategies. The goal of the transportation element of these plans is to ensure safe, sustainable and equity level transportation elements and policies.
- Staff will also integrate the 2018 Transportation Plan with the City's Capital Improvement Program to ensure consistency.
- Projects will continue to be reviewed for future implementation in the City's CIP and the MPO's TIP.

### **STAFFING**

9.0 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- Implementation of transportation projects identified in the Billings Area Bikeway and Trails Master Plan, the Transportation Improvements Program, Transportation Plan and the Capital Improvements Program.

### **FUNDING SCHEDULE - TRANSPORTATION PLAN**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$381,000	\$0	\$381,000
<b>TOTAL</b>	\$381,000	\$0	\$381,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	100	0	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$575,000	\$0	\$575,000
<b>TOTAL</b>	\$575,000	\$0	\$575,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\*Approximately 50% or \$137,500 of the cost of the LRTP Update and \$100,000 (50%) for the Bike Plan Update is included here. Also \$75,000 each for the Heights Neighborhood Plan (Transportation Element) and the West End Neighborhood Plan (Transportation Element) is included here.

## **302 PLANNING STUDIES (4312)**

### **OBJECTIVE**

- To update and develop site-specific plans and transportation studies where appropriate.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

- The North Bypass Corridor Study began in January 2021, to date, the Consultant, Dowl has been preparing study development content and developing options for public outreach. A public website, [www.billingsbypasscorridor.com](http://www.billingsbypasscorridor.com) is live. Staff anticipates that this study will wrap up later this summer.
- The Safe Route to School Plan Update is completed and received final adoption on July 19, 2022. This project has several elements related to identifying and providing safe routes for children to get to school.
- The update to the Billings Community Transportation Safety Plan is also slated to be completed later this summer. Emphasis area strategies are being reviewed and tied into a final draft.
- The 2018 Long Range Transportation Plan Update was kicked off in July. This project is projected to carry over into FY23.
- Initiated the Phase II of the Safe Routes to School Plan that will study Billings Middle, County Urban Elementary, and Private Schools interested in participating in the development of a Safe Routes to School Plan.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- Continue the update to the LRTP. This update will include all regulatory elements required including Goals and Objectives, a Transit section, and a review of current projects.
- Develop and release the RFP for the 2017 Bike Plan Update. This will include Vision, Goals, and Objectives; Existing Conditions; Needs Assessment; Recommendations; and Implementation strategies. This project is scheduled to carryover to FY23.
- The MPO will continually research grant opportunities. Consultant services will be solicited to assist the MPO is preparing for a submittal of a larger federal grant. This process will help narrow and fine tune the project to the correct funding source. In addition, the consultant will assist the MPO in preparation of the grant, this could include the identification of local match sources, determining right-of-way needs, and other federal grant requirements.
- Continue to update and distribute the MPO Heritage Trail Bike/Pedestrian Tour Maps.
- Implement and promote the web-based interactive Bike and Pedestrian Mobile Application.
- Continue and complete the second phase of a Safe Routes to School Plan by addressing Billings Middle, County Urban Elementary, and Private Schools.
- The Planner I will be active in this work element as part of transportation planning elements within sub-area/neighborhood plans, as well as assisting with the development and information gathering on Transportation Planning Studies.

#### **Locally Funded Activities**

- Staff will be involved in the coordination through completion of all planning studies undertaken. This includes contract negotiations, coordination of citizen advisory groups, public meetings, overseeing contract deliverables and project wrap-up.

**STAFFING**

6.5 Staff Months – City/County Planning

**FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

**PRODUCT**

- Completed Urban Area-wide transportation studies for the 2018 LRTP Update, Bike Plan Update, Phase II of the Safe Routes to School Plan, Transportation study for sub-area planning, development of a grant application package.

**FUNDING SCHEDULE – PLANNING STUDIES**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$180,000	\$120,000	\$300,000
<b>TOTAL</b>	\$180,000	\$120,000	\$300,000

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	60	40	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$140,400	\$93,600	\$234,000**
<b>TOTAL</b>	\$140,400	\$93,600	\$234,000**

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

\*\* Safe Routes to School Plan Phase II \$125,000; Grant Writing \$100,000.

## **41.15.500 TRANSPORTATION IMPROVEMENT PROGRAM**

<b>500 TRANSPORTATION IMPROVEMENT PROGRAM (4313)</b>
--

### **OBJECTIVE**

- To maintain a viable five-year program of transportation improvements for the Billings Urban Area.

### **ACCOMPLISHMENTS - FISCAL YEAR 2022**

The MPO completed three TIP amendments in FY22. These updates included updating projects, project costs and project timing. The last amendment was approved on July 19, 2022.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

#### **PL Eligible Activities**

- A new Transportation Improvement Program (TIP) will be completed in FY23 as needed to reflect current project status. A certification statement will be included, as appropriate, to conform to the planning regulations. Based on the Transportation Plan, projects will be evaluated and ranked in accordance with the Priority Ranking Procedures, and in accordance with consistency/conformity procedures. Necessary data will be gathered from primary and secondary sources by the planning staff based upon the Memorandum of Understanding with the City of Billings Public Works Department, establishing areas of data responsibility. Conformity determinations will be prepared as necessary to ensure conformity with the Clean Air Act.

### **STAFFING**

2.5 Staff Months – City/County Planning

### **FUNCTIONAL AGENCY RESPONSIBILITY**

City/County Planning

### **PRODUCT**

- A current transportation improvement program which reflects conformity with FHWA, the Clean Air Act, and local priorities.

# FUNDING SCHEDULE - TRANSPORTATION IMPROVEMENT PROGRAM

## FUNDS PROGRAMMED - FISCAL YEAR 2022

### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$36,000	\$0	\$36,000
TOTAL	\$36,000	\$0	\$36,000

### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

## FUNDS PROGRAMMED - FISCAL YEAR 2023

### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$37,000	\$0	\$37,000
TOTAL	\$37,000	\$0	\$37,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## 41.16.600 SPECIAL PROJECTS

### 600 ENVIRONMENTAL CONSIDERATIONS (4314)

#### OBJECTIVE

- Maintain current records of monitored air pollution levels and obtain other environmental data as necessary within the Metropolitan Planning Area.
- Review proposed development and transportation system improvements with respect to environmental considerations within the MPO influence area.

#### ACCOMPLISHMENTS - FISCAL YEAR 2022

The MPO was notified that in July of 2021 the Billings Urban Area was removed from the Air Quality's "Not Classified" list. The MPO is now designated as an Attainment Area and will move the update of the LRTP from 4-years to 5-years.

Air quality monitoring information was obtained from the County Air Pollution Control Board. Air quality mapping for the State Air Quality Bureau was revised. The Congestion Mitigation Air Quality (CMAQ) program was implemented. Staff continues to monitor carbon monoxide (CO) information in the Urbanized Area.

The Socio-Economic and Environmental (SEE) effects guidelines were used to review proposed developments and transportation system improvements.

#### PROPOSED ACTIVITIES - FISCAL YEAR 2023

##### PL Eligible Activities

- The planning staff will continue to utilize the SEE effects guidelines to evaluate all major development proposals in terms of transportation systems. This would include the CMAQ program.
- Work will continue to maintain the Billings air quality designation.
- Staff will continue to review the MOVES Program and others like it and their relationship to the MPO.

#### STAFFING

2.5 Staff Months – City/County Planning

#### FUNCTIONAL AGENCY RESPONSIBILITY

City/County Planning

## PRODUCT

Current environmental data as well as a comprehensive planning and transportation planning process that will substantially address the socio-economic and environmental consequences associated with growth and development.

### FUNDING SCHEDULE - ENVIRONMENTAL CONSIDERATIONS

#### FUNDS PROGRAMMED - FISCAL YEAR 2022

##### FUNDING SOURCE

AGENCY	PL	LOCAL	TOTAL
MPO	\$35,000	\$0	\$35,000
TOTAL	\$35,000	\$0	\$35,000

##### DISBURSEMENT PERCENTAGE

AGENCY	PL	LOCAL	TOTAL
MPO	100	0	100

#### FUNDS PROGRAMMED - FISCAL YEAR 2023

##### FUNDING SOURCE

AGENCY	PL*	LOCAL	TOTAL
MPO	\$36,000	\$0	\$36,000
TOTAL	\$36,000	\$0	\$36,000

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

**41.17.700 OTHER ACTIVITIES**

**700 UN-PROGRAMMED FUNDS (4315)**

**OBJECTIVE**

- To provide for the accounting of available un-programmed funds in the current UPWP.

**ACCOMPLISHMENTS - FISCAL YEAR 2022**

N/A

**PROPOSED ACTIVITIES - FISCAL YEAR 2023**

**PL Eligible Activities**

- This work element will be utilized for accounting purposes only. No specific work activity will be charged to this work element.

**STAFFING**

N/A

**FUNCTIONAL AGENCY RESPONSIBILITY**

N/A

**PRODUCT**

N/A

**FUNDING SCHEDULE - CONTINGENCY**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$326,181	\$109,400	\$435,581
<b>TOTAL</b>	\$326,181	\$109,400	\$435,581

**DISBURSEMENT PERCENTAGE**

<b>AGENCY</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	100	100	100

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

**FUNDING SOURCE**

<b>AGENCY</b>	<b>PL*</b>	<b>LOCAL</b>	<b>TOTAL</b>
MPO	\$388,035	\$39,100	\$427,135
<b>TOTAL</b>	\$388,035	\$39,100	\$427,135

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## SECTION II -- FUNDING

### TABLE I FUNDING SUMMARY FEDERAL FISCAL YEAR 2023

WORK ELEMENT	FUNDING SOURCES FY 2023		
	PL*	LOCAL	EST. COST
100 Administration	\$264,000	\$216,000	\$480,000
101 Service	30,000	30,000	60,000
102 Citizen Involvement	47,500	47,500	95,000
200 Community Planning	99,000	231,000	330,000
204 Zoning	40,000	160,000	200,000
205 Subdivision	60,600	141,400	202,000
300 Transportation System	250,000	0	250,000
301 Transportation Plan	575,000	0	575,000
302 Planning Studies	180,000	120,000	300,000
500 T.I.P.	37,000	0	37,000
600 Environmental	36,000	0	36,000
700 Un-Programmed Funds	388,035	39,100	427,135
<b>TOTAL</b>	<b>\$2,007,135</b>	<b>\$985,000</b>	<b>\$2,992,135</b>

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

### TABLE II FUNDING COMPARISONS

WORK ELEMENT	FY 2023 ESTIMATED COST	FY 2022 ESTIMATED COST
100 Administration	\$480,000	\$450,000
101 Service	60,000	50,000
102 Citizen Involvement	95,000	80,000
200 Community Planning	330,000	300,000
204 Zoning Administration	200,000	185,000
205 Subdivision Administration	202,000	185,000
300 Transportation System Data	250,000	266,000
301 Transportation Plan	575,000	381,000
302 Planning Studies	300,000	234,000
500 T.I.P.	37,000	36,000
600 Environmental Considerations	36,000	35,000
700 Un-Programmed Funds	427,135	435,581
<b>TOTAL</b>	<b>\$2,992,135</b>	<b>\$2,637,581</b>

**TABLE III  
FUNDING PERCENTAGES FEDERAL FISCAL YEAR 2023**

<b>WORK ELEMENT</b>	<b>RECIPIENT</b>	<b>PL</b>	<b>LOCAL</b>	<b>TOTAL</b>
100 Administration	MPO	55	45	100
101 Service	MPO	50	50	100
102 Citizen Inv.	MPO	50	50	100
200 Community Planning	MPO	30	70	100
204 Zoning Administration	MPO	20	80	100
205 Subdivision Admin.	MPO	30	70	100
300 Trans. System Data	MPO	100		100
301 Transportation Plan	MPO	100		100
302 Planning Studies	MPO	60	40	100
500 T.I.P.	MPO	100		100
600 Environmental	MPO	100		100
700 Un-Programmed Funds	MPO	100		100

**TABLE IV  
STAFF MONTHS BY WORK ELEMENT FISCAL YEAR 2023**

<b>WORK ELEMENT</b>	<b>DIRECTOR</b>	<b>SENIOR PLANNER (TRANS)</b>	<b>PLANNER I</b>	<b>PLANNING MANAGER</b>	<b>PLANNER II</b>	<b>CLERK</b>	<b>PLANNER II</b>	<b>PLANNER I</b>	<b>PLANNER I</b>	<b>SENIOR PLANNER (ZONING)</b>	<b>Active Trans. Planner I</b>	<b>TOTAL M.M.</b>
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	2	1	5.5	28
101	.5		1				.5	.5		1		3.5
102	.5		.5	.5	.5	.5	1	.5				4
200	1.5		5	2	1	2	1	5	3	1	2.5	24
204			.5	.5		.5	.5	2	3	6		13
205			.5	1		.5	7.5		3	2		14.5
300		2.5	.5	.5	5	2					3	13.5
301	.5	4		.5	2	2						9
302	.5	1		.5	1	1		2.5				6.5
500	.5	1			.5	.5						2.5
600		1	.5		.5	.5						2.5
<b>TOTAL</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>121</b>

\*This table indicates approximately how many man months individual staff members work in each work element.

<b>WORK ELEMENT</b>	<b>CITY TRAF. TECHNICIAN</b>
300	11
<b>TOTAL</b>	<b>11</b>

## SECTION III

### INDIRECT COST PLAN

#### **INTRODUCTION**

The Office of Management and Budget Circular 2 CFR Part 200 is used as governing criteria for establishing the allowed costs.

#### **IDENTIFICATION OF COSTS**

The costs are delineated below by type:

DIRECT	INDIRECT	BENEFITS
Salaries & Wages	Maintenance	FICA
Legal Notices	Reproduction	PERS
Travel	Supplies	Workmen's Compensation
Printing	Postage	Accident Insurance
Training	Subscriptions	Health Insurance
Consultants	Telephone	Sick Leave
Equipment	Utilities	Vacation
Mileage	Rent	Holidays
Moving/Interview	Audit	Maternity
	Messenger	Military
		Life Insurance
		Dental Insurance

#### **ALLOCATION OF COSTS**

Direct costs will be charged to the work program line item to which they apply.

An indirect cost rate of **9%** of the City and County's direct salaries and wages is proposed. The **9%** rate will be applied to the direct wages and salaries of each line item within the work program to cover all indirect expenses.

Benefits will be calculated at a rate of **55%** of the City and County's direct salaries and wages charged to each line item.

## **FUNDING SOURCES**

The degree of participation by each funding agency is based on the prorations which have been determined for each line item. Each agency will be billed their share of the total charges made against each line item according to the approved prorations.

Funding sources and amounts contained in the UPWP are as follows:

Planning Dept. Fees (City of Billings)	\$300,000
Planning Dept. Fees (Yellowstone Co.)	\$160,000
Yellowstone County (Mill)	\$525,000
PL*	\$2,007,135
TOTAL	\$2,992,135

\*The matching ratio is Federal PL--86.58% and State match-13.42%.

## **SUMMARY**

The indirect cost rate is a predetermined fixed rate which is not subject to adjustment. The base period used in determining the rate is the period from July 1, 2021 through June 30, 2022. The calculated rate is applicable to the grant period, which is October 1, 2022 through September 30, 2023.

# CHAPTER II

## CITY OF BILLINGS TRANSIT DIVISION

### SECTION I UNIFIED PLANNING WORK PROGRAM ELEMENTS

#### 44.21.00 PROGRAM SUPPORT & ADMINISTRATION

<b>44.21.01 ADMINISTRATION</b>
--------------------------------

#### OBJECTIVE

- To provide program support, general administration, and grant administration
- To provide training in support of transit planning activities.

#### ACCOMPLISHMENTS - FISCAL YEAR 2022

Conformance with federal, state, and local administrative and regulatory requirements for maintenance of transit planning and development as well as execution of developed plans.

Staff remained informed of Federal and State requirements concerning all federal funding sources including, but not limited to, sections 5303, 5307, 5310, and 5339. Staff also adjusted grants in response to the CARES Act, the American Rescue Plan, and additional allocation from state sources.

Staff continued to manage and execute programmed aspects of awarded 5339, closing out multiple grants.

Staff attended training opportunities to enhance knowledge and skills, including the Montana Transit Association conference, safety trainings, and other education opportunities and webinars focusing on various federal requirements.

Staff maintained and updated the Transit Asset Management (TAM) Plan with upcoming and in-process capital projects, as well as fleet and facility metrics to ensure accurate capital and asset planning.

Updated the Public Transit Agency Safety Plan for MET Transit; this included additional training program development for operator and dispatch staff, additional mitigation strategies, and expanded safety promotion strategies.

Updated the MET Transit Title VI and Public Participation Plans.

Staff analyzed, recommended and implemented two new Road Supervisor personnel positions. These positions support the ongoing implementation and execution of the public transit agency safety plan as well as support daily operations.

Staff managed FTA Section 5303 grant activities and prepared the transit aspect of Unified Planning Work Program.

Transit members attended and participated in a diverse range of transit-related and general community meetings including the Billings Technical Advisory Committee (TAC), the Policy Coordinating Committee (PCC), City of Billings Transportation Team meetings, Healthy By Design Coalition meetings, and various project specific coordinating committees for transportation related projects. As the lead agency on the Coordinated Human Services Transportation Plan Committee, staff also provided guidance and updates to the plan.

### **PROPOSED ACTIVITIES - FISCAL YEAR 2023**

All administrative functions necessary in support of transit planning and development will be performed under this work element. Activities will include:

- Continuing to assess data-keeping and gathering practices with focus on further technology utilization and process improvement.
- Quarterly progress and expenditure reports will be prepared and transmitted to the Montana Department of Transportation, Urban Planning Division to maintain funding requirements.
- The FY 2023 UPWP will be monitored and revised as necessary.
- The FY 2024 UPWP for transit activities will also be developed within this element.
- Staff will execute grant administrative functions; staff will continue research and development regarding the utilization of FTA funding, including furthering innovative funding practices and partnerships.
- Maintenance of coordination agreements with 5310 providers and, as the lead agency, updates to the Billings Area Human Services Transportation Coordination Plan.
- Research feasibility and make recommendations for capital grants as advised by the Transportation Coordination Plan Committee.
- Research feasibility and make recommendations for capital grants in the 5339 Bus and Bus Facilities programs and other funding opportunities utilizing the TAM plan as well as the City Equipment Replacement plan.
- Participation in recognized and approved training programs in order to improve skills and capabilities including Grant Management programs as recommended.
- Division policy assimilation of documents, regulations, codes, and practices to ensure compliance with federal, state, and local requirements as they relate to the transit planning process.
- Participate with the TAC, Transportation Coordination Plan Committee, citizen advisory boards and other committees throughout the community as needed.
- Staff will continue updating and maintaining the FTA mandated Transit Asset Management Plan

- Staff will continue to update and implement required Public Transit Agency Safety Plan including annual updates as well as further research and development of best practices.
- Assists in development of improved transit integrations in the local area Emergency plan including regular participation on committee meetings.

**STAFFING**

180.00 Transit Manager Staff Hours  
 120.00 Transit Planner Staff Hours  
 230.00 Grants and Admin Coordinator Staff Hours  
 60.00 Transit Supervisor Staff Hours (3 positions)  
 60.00 Marketing and Outreach Coordinator Staff Hours  
 20.00 Aviation/Transit Director Staff Hours

**670.00 Total Staff Hours**

**FUNCTIONAL AGENCY RESPONSIBILITY**

City of Billings Transit Division – MET Transit

**PRODUCT**

- An ongoing administrative program to carry out the transit elements identified within this UPWP
- Administrative oversight and execution of transit planning and development functions including federally required plans.
- Enhancement of transit division skills and knowledge.
- Proper maintenance and administration of grant related activities.

**FUNDING SCHEDULE - ADMINISTRATION**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$5,535	\$22,139	\$27,674
<b>TOTAL</b>	<b>\$5,535</b>	<b>\$22,139</b>	<b>\$27,674</b>

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$15,171	\$60,684	\$75,855
<b>TOTAL</b>	<b>\$15,171</b>	<b>\$60,684</b>	<b>\$75,855</b>

## **44.24.00      SHORT RANGE TRANSPORTATION PLANNING**

### **01      FUTURE SERVICE ANALYSIS AND ENHANCEMENTS**

#### **OBJECTIVE**

To facilitate considerations of means to ensure citizens will have acceptable and improved public transportation alternatives in the future.

#### **ACCOMPLISHMENTS FISCAL YEAR 2022**

Members of the transit division updated projections of future revenues and expenses and directed annual budget and financial resources analysis, including multi-year forecasts.

Staff arranged for and ensured execution of on-going data gathering and analysis efforts to monitor current system effectiveness and efficiency. This assisted in identification of operating and capital needs required to ensure a reliable and effective system into the future.

Transit Division members, in conjunction with SRF Consulting, performed operational analysis of the transit system including development of identified goals and route restructures for implementation; this, as well as other recommendations, will be compiled into a finalized Transit Development Plan with anticipated plan approval to occur in Q4 of FFY2022.

Staff researched, recommended, and procured additional software solutions to blocking, run cutting, and rostering to assist in implementation of routing and schedule changes resulting from the Transit Development Plan.

Staff continued development and recommendation of alternative service models for fixed-route systems in anticipation of changing ridership demands.

Assessed feasibility of additional capital projects utilizing apportionment funds as CARES Act and ARP funds were available for operational expenses.

Staff tracked and compiled on-going ridership metrics by route and mode to support planning practices.

Staff provided information and comments related to transit at meetings geared toward development, annexation, and traffic projects. Staff also received and responded to system inquiries, concerns, complaints, and suggestions.

#### **PROPOSED ACTIVITIES FISCAL YEAR 2023**

Functions necessary in support of future transit planning and development will be performed under this work element, including continuation of activities undertaken in FY 2021. These activities

necessitate the ongoing cloud-based software costs, including the addition of a run cutting module, for route development and planning, which is split between this element and current service enhancements. Activities are as follows:

- Continue investigating feasibility of expanding service beyond existing city limits and engage county stakeholders in discussion regarding potential for service to outlying areas; include analysis of possible funding models, interlocal agreement requirements, changes in governance, and other related items.
- Analyze and evaluate current City and other area government practices for right of way requirements regarding future bus stop locations; analyze potential land acquisition and easement requirements supporting future transit infrastructure.
- Continued financial analysis and planning in support of further modified frequency and service in conjunction with TDP routing overhaul implementation.
- Assessing ongoing and future capital and operating requirements based upon projected demand and growth. Continue to assess financial and infrastructure requirements of transitioning eligible fleet vehicles to electric or alternative fuel sources. Assess feasibility of adding additional green technology to facility locations.
- Continue research on feasibility of, and make recommendations for, additional technology conveniences for passengers including modifications to established electronic fare system and amenities at transfer centers.
- Continuation of planning efforts regarding public and stakeholder involvement and input opportunities, including recruiting involvement from key partners.
- Facilitation of public meetings to support system improvements as well as specialized services for seniors and disabled.
- Perform analysis of current fare structure including comparisons to similar systems and populations to ensure equitable and sustainable fare generation.
- Analyze and make recommendations on overall ITS development within the urbanized area in conjunction MPO staff and City departments.
- Analyze, develop, and recommend opportunities for MPO and Transit collaboration on projects eligible for multiple funding sources, including flex funding, to support integration of transit and overall surface transportation structure.

## **STAFFING**

125.00	Transit Manager Staff Hours
500.00	Transit Planner Staff Hours
80.00	Grants and Admin Coordinator Staff Hours
130.00	Transit Supervisor Staff Hours (3 positions)
100.00	Marketing and Outreach Coordinator Staff Hours
40.00	Aviation/Transit Director Staff Hours

---

**975.00 Total Staff Hours**

**PRODUCT**

- Identification of and plans for efficient and effective transit service into the future.
- Financial and capital analyses for future transit enhancements.
- Identification and assistance in implementation of future system modifications.

**FUNCTIONAL AGENCY RESPONSIBILITY**

City of Billings Transit Division – MET Transit

**FUNDING SCHEDULE – FUTURE SERVICE EVALUATION AND ANALYSIS**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$16,909	\$67,635	\$84,544
TOTAL	\$16,909	\$67,635	\$84,544

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$16,390	\$65,562	\$81,952
TOTAL	\$16,390	\$65,562	\$81,952

## **02 CURRENT SERVICE ENHANCEMENT**

### **OBJECTIVE**

To improve service, ridership, and effectiveness of the existing transit system.

### **ACCOMPLISHMENTS FISCAL YEAR 2022**

Staff implemented the recommended Advertising, Marketing, and Outreach Coordinator position including significant development of marketing and outreach programs.

Recommended changes to and implemented an updated agency website to increase ease of use as well as improve overall communication to the public. Developed and implemented a significantly improved social media presence for public engagement.

Analyzed and recommended the internalization of the bus bench and vehicle advertising program; recommended, developed, and implemented internal program, including procurement of inventory, to support transit operations as well as opportunities for capital support.

Division members assessed upcoming and immediate operational needs and made recommendations on capital and operational projects.

Staff researched, analyzed, and recommended the procurement of ticket vending machines and electronic fare interfaces to support the previously implemented Cubic electronic fare system for fixed-route operations.

Continued to leverage data gained from the electronic fare system to make recommendations to admin regarding metric tracking and budget structure.

Analyzed and implemented a transition of the AVL system to the Transloc system away from the deprecated DoubleMAP system; TransLoc purchased DoubleMAP and assisted with the transition.

Staff analyzed and developed a planned capital project converting a vacant lot connected to the main METroplex into a dedicated training space to assist MET in meeting the requirements of the Entry Level Driver Training regulations implemented by the Federal Motor Carriers Services Administration regarding CDL holders. This will further support MET's hiring of non-CDL holders into trainable positions.

Staff reviewed ridership data in analysis of system functioning and passenger miles travelled metrics; members also provided monthly ridership analysis (including ADA lift use and bike rack use), assessed ridership trends, and prepared other information on system functioning as requested.

Staff prepared National Transit Database reports for monthly submission of required metrics as well as annual reporting requirements.

Staff members regularly participated in group meetings and committee meetings (both in person and virtual) to solicit partner and public feedback on current system usage, demands, successes and shortfalls.

### **PROPOSED ACTIVITIES FISCAL YEAR 2023**

Functions necessary in support of planning and development of enhancements to the current systems will be performed under this work element, including continuation of activities undertaken in FY2020. These activities necessitate the ongoing cloud-based software costs, including the addition of a run cutting module, for route development and planning, which is split between this element and future service enhancements. Activities are as follows:

- Prepare for and implement route restructure resulting from FY2022 Transit Development Plan; final routing changes anticipated to be placed in service in July, 2023.
- Develop a bus stop master plan for transitioning the system to designated stops in conjunction with the route refresh; this will be completed prior to route restructure implementation. Develop and implement criteria for stop amenities and other required items.
- Continue development and implementation of education and outreach strategies to guide market research, promote public awareness and engagement to increase ridership.
- Develop and implement further education and outreach programs to increase partnerships and other forms of participation.
- Investigate, analyze, and recommend methods for bringing existing technology solutions into a single portal to streamline customer engagement with and use of the transit system; research feasibility of a single white label smartphone app to integrate AVL, fare payment, and other customer facing items.
- Procurement and implementation of further technology enhancements to the existing technology solutions system to gather data, improve efficiency, provide further customer conveniences, and enhance safety.
- Research and make recommendations on internal technology support systems to streamline staff access and use of existing systems; research, analyze, and make recommendations on technology implementations to support transition from outdated or non-existent software solutions including items for customer account management and fleet/facility maintenance.
- Finalize automated passenger counter implementation and audit plan for approval of data reporting with the National Transit Database.
- Develop further marketing strategies including opportunities for increased revenue generation through amenity expansion and innovative concession programs. Include analysis of potential concession for retail space and other revenue generators at the Downtown Transfer Center.
- Assessment of current personnel usage for areas of improvement in utilization of resources and effectiveness.
- Maintain monthly ridership figures and summary figures for effective decision-making; complete related National Transit Database reports.
- Solicit and record public reaction to any modified routes, schedules, education efforts, and technology enhancements.
- Assessment of current budgetary impact of recommended improvements.

**STAFFING**

- 190.00 Transit Manager Staff Hours
- 655.00 Transit Planner Staff Hours
- 150.00 Grants and Admin Coordinator Staff Hours
- 250.00 Transit Supervisor Staff Hours (3 positions)
- 200.00 Marketing and Outreach Coordinator Staff Hours
- 40.00 Aviation/Transit Director Staff Hours

**975.00 Total Staff Hours**

**FUNCTIONAL AGENCY RESPONSIBILITY**

City of Billings Transit Division – MET Transit

**PRODUCT**

- Information relating to potential enhancements for existing service and system.
- Recommendations for immediate improvements.
- Information and recommendations on passenger education and outreach
- Analyses of current system functions.
- Budget alternatives.

**FUNDING SCHEDULE – CURRENT SERVICE ENHANCEMENTS**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$15,750	\$63,000	\$78,750
<b>TOTAL</b>	\$15,750	\$63,000	\$78,750

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$22,927	\$91,706	\$114,633
<b>TOTAL</b>	\$22,927	\$91,706	\$114,633

**44.25.00 Transportation Improvement Program (TIP)**

<b>01 T.I.P</b>
-----------------

**OBJECTIVE**

To maintain a viable five-year program of transit improvements for the Billings Urbanized Area.

**ACCOMPLISHMENTS FISCAL YEAR 2022**

Developed Transit specific updates for a TIP/STIP amendment, including programming for selected capital programs in relation to CARES Act funding. Updated projects were also added to the Division’s Transit Asset Management Plan (TAM), Capital Improvement Plan (CIP), and Equipment Replacement Plan (ERP).

Monitored projects for inclusion in the TIP and STIP. The Statewide Transportation Improvement Program (STIP) process was also addressed and monitored.

Attended and participated in MPO meetings.

**PROPOSED ACTIVITIES FISCAL YEAR 2023**

Functions necessary in support of transit related project inclusion in the Transportation Improvement Program will be performed under this work element. Activities are as follows:

- Division members will develop and compile information on operating and capital projects for which MET Transit plans to pursue grant assistance for inclusion in the TIP; this includes utilizing and updating the Division’s TAM, CIP, and ERP as required.
- All applicable projects will be provided to the MPO for inclusion in the program.
- Staff will monitor inclusion in the TIP and STIP to ensure ability to obtain federal Sections 5307, 5310 & 5339 and other applicable grants are not affected.

**STAFFING**

- 35.00 Transit Manager Staff Hours
- 16.83 Transit Planner Staff Hours
- 41.00 Grants and Admin Coordinator Staff Hours
- 05.00 Aviation/Transit Director Staff Hours

**102.83 Total Staff Hours**

**FUNCTIONAL AGENCY RESPONSIBILITY**

City of Billings Transit Division – MET Transit will provide transit-related information to the City/County Planning Division for the MPO's inclusion in the TIP document.

**PRODUCT**

- Monitoring of plans including Transit Asset Management, the Capital Improvement Program, and components of the Equipment Replacement Plan for related projects.
- Annual inclusion of projects in TIP as necessary per FTA regulations.
- Amendments to TIP as necessary to include new projects.

**FUNDING SCHEDULE – T.I.P.**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$1,575	\$6,301	\$7,876
TOTAL	\$1,575	\$6,301	\$7,876

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$1,616	\$6,465	\$8,081
TOTAL	\$1,616	\$6,465	\$8,081

**44.26.00 Implementation of Americans with Disabilities Act (ADA)**

**01 IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT (ADA)**

**OBJECTIVE**

To ensure optimal use of City of Billings funds in meeting the transportation needs of seniors and individuals with disabilities in both demand response and fixed route transportation in accordance with Federal Regulations, especially concerning the Americans with Disabilities Act (ADA).

**ACCOMPLISHMENTS FISCAL YEAR 2022**

Researched, developed and implemented additional training procedures for transit operators to improve paratransit customer service, procedures, and policies; integrated these practices into the Public Transit Agency Safety Plan.

Staff investigated methods to improve paratransit efficiency and cost-effectiveness, including assessing and evaluating further options for self-scheduling of rides.

Continued evaluating dispatch and customer service practices for potential modification in regards to dispatching software implementation as well as other technology implementations.

Members also assessed financial and operational functioning of paratransit services including contractual agreements with area agencies including the Adult Resource Alliance and the State of Montana Developmental Disabilities Bureau. These agreements were subsequently re-negotiated, updated, and modified to ensure more effective transportation service to seniors and individuals with disabilities.

Staff monitored procedures and policies involving ADA accessible fixed-route service and other accessibility features/requirements and updated with relevant findings.

Assessed and updated paratransit vehicle specifications to support future vehicle purchases; implemented procurement of smaller ADA equipped vehicles to enhance paratransit service efficiencies.

Staff familiarized passengers with fixed route system use as appropriate via MET's travel training program.

Staff continued to coordinate transportation services among 5310 transit providers, social service agencies and the general public to provide an overall strategy to enhance transportation access, minimize duplication of services and facilitate the most appropriate cost-effective transportation possible within available resources. This also included outreach and engagement to improve and advance the coordination plan as well as to improve community relations.

## **PROPOSED ACTIVITIES FISCAL YEAR 2023**

Functions necessary in support of planning and development of transit related Americans with Disabilities projects, procedures, outreach, and other related activities will be performed under this work element. Activities are as follows:

- Continue developing and refining improvements to current travel training options available to the public using available technology and updated delivery methods.
- Integrated ADA accessibility location assessments into the in-development bus stop master plan.
- Staff will continue to provide outreach and education for professionals, organizations, and other identified entities in the community including participating on advisory groups in order to maintain positive relationships with individuals with disabilities and senior communities.
- Staff will continue to facilitate and encourage involvement in regular Billings Area Human Services Transportation Coordination Plan meetings with human service providers, social service agencies, transportation providers and the public to coordinate efforts associated with transit capital and service planning.
- Continue to facilitate effective service provision and usage of lift-equipped fixed-route vehicles; assess and recommend capital and operational projects with the intent of supporting existing service and adding potential enhancements.
- Continue identification of means to address transit and paratransit needs, assessing both short- and long-term paratransit needs, the organizational and financial capabilities of addressing those needs, and the inclusion of such needs in the Transit Development Plan.
- Continue community outreach to the public and organizations in support of improving access to transportation for seniors, individuals with disabilities, and low-income populations; continue participation on community committees' meetings while exploring avenues for further outreach and engagement.
- Continue working with contracted providers in execution of agreements including existing agreements with the Adult Resource Alliance and the State of Montana, ensuring modifications are made as necessary to increase the efficiency and effectiveness of service.
- Analyze and recommend improvements to current scheduling practices including more advanced use of available technologies in order to expand availability of services to seniors and low-income groups.

### **STAFFING**

85.00 Transit Manager Staff Hours

250.00 Transit Planner Staff Hours

120.00 Grants and Admin Coordinator Staff Hours

180.00 Transit Supervisor Staff Hours (3 positions)

100.00 Marketing and Outreach Coordinator Staff Hours

40.00 Aviation/Transit Director Staff Hours

**775.00 Total Staff Hours**

**FUNCTIONAL AGENCY RESPONSIBILITY**

City of Billings Transit Division – MET Transit

**PRODUCT**

- Continued consensus with and support of City of Billings compliance with ADA regulations related to transit
- Continued community consensus and support of City of Billings methods for addressing of specialized needs, including lift-equipped vehicles and other options for individuals with disabilities and seniors.
- Recommendations and proposals for enhancements to existing system and programs in support of ADA compliance and regulations aimed at increasing efficiency and effectiveness.
- Public involvement and feedback regarding potential system enhancements in support of transportation for seniors and individuals with disabilities.

**FUNDING SCHEDULE – ADA SERVICE**

**FUNDS PROGRAMMED - FISCAL YEAR 2022**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$11,432	\$45,729	\$57,161
<b>TOTAL</b>	<b>\$11,432</b>	<b>\$45,729</b>	<b>\$57,161</b>

**FUNDS PROGRAMMED - FISCAL YEAR 2023**

<b>FUNDING SOURCE</b>			
<b>AGENCY</b>	<b>LOCAL</b>	<b>FTA</b>	<b>TOTAL</b>
MET	\$10,519	\$42,078	\$52,597
<b>TOTAL</b>	<b>\$10,519</b>	<b>\$42,078</b>	<b>\$52,597</b>

**SECTION II FUNDING SUMMARY**

**FEDERAL FISCAL YEAR 2023**

<b>WORK ELEMENT</b>	<b>FUNDING SOURCES FY 2021</b>			<b>STAFF HOURS</b>
	<b>LOCAL</b>	<b>FTA</b>	<b>EST. COST</b>	
44.21.01 Administration	\$15,171	\$60,684	\$75,855	670.00
44.24.01 Future Service	\$16,390	\$65,562	\$81,952	975.00
44.24.02 Current Service	\$22,927	\$91,706	\$114,633	1485.00
44.25.01 T.I.P.	\$1,616	\$6,465	\$8,081	102.83
44.26.15 ADA Service	\$10,519	\$42,078	\$52,597	775.00
<b>TOTAL</b>	<b>\$66,623</b>	<b>\$266,495</b>	<b>\$333,118</b>	<b>4007.8</b>

**ALLOCATION OF COSTS**

Expenditures identified include direct costs, benefits at the rate of 48% of direct salary or wages, and indirect costs at the rate of 11% of direct salary or wages.

Federal Transit Administration Section 5303 funding is available at an 80% reimbursement rate, meaning the local to FTA funding ratio for all categories is 20% local, 80% federal.

## LIST OF ACRONYMS

ADA	American Disability Act
ACS	American Community Survey
ARP	American Rescue Plan
AVL	Automated Vehicle Locator
BSED	Big Sky Economic Development
BUILD	Better Utilizing Investments to Leverage Development
CAC	Citizen Advisory Committee
CARES	Coronavirus Aid, Relief, and Economic Security
CDL	Commercial Drivers License
CIP	Capital Improvement Plan
CMAQ	Congestion Mitigation Air Quality
CTSP	Community Transportation Safety Plan
EBURD	East Billings Urban Renewal District
ERP	Equipment Replacement Plan
FAST Act	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year
GIS	Geographic Information System
GTFS	General Transit Feed Specification
HPMS	Highway Performance Monitoring System
IIJA	Infrastructure Investment and Jobs Act
ITS	Intelligent Transportation Systems
LRTP	Long Range Transportation Plan
MDT	Montana Department of Transportation
MPO	Metropolitan Planning Organization
NTD	National Transit Database
PCC	Policy Coordinating Committee
PEP	Private Enterprise Participation
PL	Planning Funds
PTASP	Public Transit Agency Safety Plan
RAISE	Rebuilding American Infrastructure with Sustainability and Equity
SBBURD	South Billings Boulevard Urban Renewal District
TA	Transportation Alternative Program
TAC	Technical Advisory Committee
TAM	Transit Asset Management
TAZ	Traffic Analysis Zones
TDP	Transit Development Plan
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
VMT	Vehicle Miles Traveled
YCBP	Yellowstone County Board of Planning

**City Council Work Session**

**Date:** 08/15/2022  
**Title:** Property Initiative Update  
**Presented by:** Chris Kukulski, City Administrator  
**Department:** City Hall Administration  
**Presentation:** No  
**Legal Review** Not Applicable

---

**RECOMMENDATION**

Receive update on staff progress reviewing all city owned property to determine which parcels may be placed on the market for sale and or development.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

May 9, 2022, the majority of council approved an initiative titled, Public Lands to Affordable Housing. The attached link is a GIS map of City-owned properties. Each department is reviewing the draft map and making recommendations on parcels that should be considered for development and which are critical to remaining in city ownership. As background information, I have also attached the initiative and city ordinance that guides the sale of city owned property.

**ALTERNATIVES**

NA

**FISCAL EFFECTS**

Unknown

---

**Attachments**

Article 22-900 Sale, Exchange or Donation  
Lands to Affordable Housing Initiative  
City Owned Properties Map

ARTICLE 22-900. - SALE, EXCHANGE OR DONATION OF CITY REAL PROPERTY

*Footnotes:*

--- (7) ---

**Editor's note**— *Ord. No. 12-5578, § 1, adopted September 10, 2012, amended article 22-900 in its entirety to read as herein set out. Formerly, article 22-900 pertained to the sale, disposal or lease of city property and derived from Ord. No. 90-4826, §§ 1, 2, adopted March 26, 1990.*

**Cross reference**— *Administration, Ch. 2.*

Sec. 22-901. - State law superseded.

Pursuant to the city's self-government powers, MCA 7-8-4201, of the state law dealing with the disposal, donation, lease or sale of city property is hereby superseded.

(Ord. No. 12-5578, § 1, 9-10-12)

Sec. 22-902. - Sale, exchange or donation of city real property.

- (1) Subject to the provisions of subsections (a) and (b) below, the city council may sell, exchange or donate any real property belonging to the city, including property held in trust for a specific purpose, by a resolution passed by six (6) of the city council members present. The city council shall advertise for competitive bids on any real property prior to sale, exchange or donation. The city council shall have the authority and discretion to select the bid that is in the best interest of the city, conditionally accept a bid or it may reject any and all bids. Other local, state or federal governmental entities expressing interest shall be exempt from competitive bidding, and the city council may sell, exchange or donate specific real property to such governmental entities without a competitive bidding process. However, the council shall proceed as provided in subsections (a) and (b) and approve the Resolution described above when considering the sale, exchange or donation to another governmental entity.

In its discretion, the city council may consider and impose deed restrictions relating to the use or subsequent sale of the property as a condition of the sale, exchange or donation of land.

Prior to selling exchanging or donating said real property, the city administrator or his/her designee shall:

- (a) Publish notice in the legal newspaper of the city of the intention to sell, exchange or donate such property and requesting competitive bids prior to the sale, exchange or donation of such lands, giving the public the opportunity to be heard regarding such action. Said notice shall be published no less than fifteen (15) days in advance of the date of the public hearing.
- (b) Notify by mail all property owners within three hundred (300) feet of the exterior boundaries of the real property subject to sale, exchange or donation fifteen (15) calendar days in

advance of the time, date, place of the public hearing and the existing and proposed use.

- (2) Leases of city-owned real property shall be excluded from this section and will be approved in the same manner as all other contracts submitted to the city for approval.
- (3) The city administrator is hereby authorized to establish procedures to implement this section including establishment of sale criteria or conditions, a minimum sale price or exchange value and shall have discretion to develop individualized marketing plans to maximize land value and promote city land use policies. The city administrator is authorized to the prepare all appropriate documents for signature by the mayor.

(Ord. No. 12-5578, § 1, 9-10-12)

## COUNCIL INITIATIVE PROPOSAL FORM

**City Code Sec. 2-214(14).** *Council Initiatives. This section of the agenda is reserved for individual councilmember requests for future legislative or staff action. These shall be limited to giving direction to staff to assist in formulating policies, work plans, etc. for future consideration of the city council. An initiative moves forward by majority vote of the city council.*

**City Charter Sec. 3.08.** *Interference with Administration. Except for the purposes of inquiries and investigations, the Council, its members and the Mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator.*

COUNCIL MEMBER PROPOSING INITIATIVE: TOM RUP SIS, JENNIFER OWEN, DANNY CHORIKI

SHORT NAME OF INITIATIVE: PUBLIC LANDS TO AFFORDABLE HOUSING

TERMS OF MOTION PROPOSING LEGISLATIVE OR STAFF ACTION: (Please be as specific as possible. Indicate if action is to be divided into steps or phases. Use separate sheet if needed.)

The City of Billings owns property that is not being productively used while also facing significant housing challenges with both availability and affordability. We request that the City:

- (1) Publish a list of all unused, undeveloped, and/or underdeveloped properties owned by the City that are not currently in the process of development and are not currently planned for development in the immediate future (i.e., in the current adopted CIP). This list should also include all properties, regardless of state of development, owned by the City in the downtown area (Division to the Metra, Rimrock to 90).
- (2) Define a process under which entities seeking to develop housing projects on properties owned by the City can petition Council with development proposals. The process should recognize that a variety of housing is needed and should be responsive to the varying requirements and constraints of different projects. We should consider that proposals may take a variety of forms including, but not limited to, donations (e.g., to a housing authority or land trust), swaps, and sales.
- (3) Identify costs of development that the City may be able to waive, reduce or streamline in order to make development under this process more feasible (e.g., fees, permits, etc.).

CITY STAFF OR DEPARTMENT POTENTIALLY IMPACTED BY INITIATIVE: Unused and/or undeveloped lands are likely found in the Parks and Public Works departments and may also be found in other departments. Definition of process and terms would likely include legal, planning, finance, and administration.

HAS COUNCIL MEMBER COMMUNICATED WITH CITY ADMINISTRATOR ABOUT THE INITIATIVE?  
YES – This initiative has been discussed with Administrator Kukulski on a couple occasions and he has had some preliminary discussions with staff.

ESTIMATE OF APPROXIMATE STAFF AND COUNCIL TIME REQUIRED:

The Parks Department has compiled a list of potentially saleable properties in the past. It is unknown if lands controlled by other departments have been similarly analyzed. Regardless, the inventory is expected to be much broader than what was previously know. Between the inventory, the process definition, and identification of methods to reduce development costs for qualifying projects, Administrator Kukulski estimated this to be a “medium” project...not trivial, but certainly not the largest initiative ever requested.

APPROXIMATE TIMELINE FOR STAFF/DEPARTMENT ACTION:  
90 DAYS FROM INITIATIVE PASSAGE

COSTS OTHER THAN STAFF TIME, IF ANY: No anticipated costs outside of staff time

---

PRIORITY RELATIVE TO EXISTING INITIATIVES (SEE LIST AVAILABLE FROM CITY ADMINISTRATOR): This initiative directly supports the Council priority on housing strategy.

---

ADDITIONAL INFORMATION OR COMMENTS:

---

---

---

—

# City of Billings

City Owned Properties



## City Owned Properties Maintained by / Owned by

- Airport, City of Billings
- Community Development, City of Billings
- FIRE, City of Billings
- Finance, City of Billings
- Library, City of Billings
- MET Transit, City of Billings
- Operations Center, City of Billings
- PRPL, City of Billings
- Parking, City of Billings
- Public Works Utilities, City of Billings
- Public Works, City of Billings
- Uncoded by Finance, City of Billings

The parcel data mapped hereon does not constitute a legal survey. Inaccuracies exist with both the mapped data and the Montana Department of Revenue CAMA data; when seeking the definitive description of real property, consult the deed recorded at the Yellowstone County court house.

