****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 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.comm7tv.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 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.
  - 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 Webinar IDs and Passcodes
- Click Here for Zoom Meeting Instructions for Attendees (as guests)

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.

CITY OF Billings

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

CITY COUNCIL
REGULAR BUSINESS MEETING
AGENDA

COUNCIL CHAMBERS | JUNE 26, 2023 | 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Mayor Cole

ROLL CALL: Councilmembers present on roll call were: ☐ Shaw, ☐ Gulick, ☐ Neese, ☐ Owen, ☐ Joy, ☐ Choriki, ☐ Tidswell, ☐ Purinton, ☐ Boyett, ☐ Rupsis

MINUTES:

- May 22, 2023 - PENDING
- June 12, 2023 - PENDING

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 3a and 5 ONLY. Speaker sign-in required. (Comments are limited to three (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. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

1. **SPECIAL PRESENTATION:** FAMILY JUSTICE CENTER ALLIANCE

1. **CONSENT AGENDA** -- Separations:

A. **Mayor Cole recommends that Council confirm the following appointments:**

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	No Applications	Board of Adjustments*	06/26/23	12/31/25
2	No Applications	Community Development - Low Mod	06/26/23	12/31/26
3	No Applications	Citizen Police Advisory Board*	06/26/23	12/31/25
4	M. Gale Stott	Housing Authority - Family Resident Comm	06/26/23	12/31/23
4	Brad Kraft	Yellowstone Soil Conservation	07/01/23	06/30/26

*1 Unexpired term of David Mitchell
*3 Unexpired term of April Veach
*4 Unexpired term of Sheri Herman

B. Bid Awards:

1. **W.O. 23-16: Landfill Scale Addition.** (Opened 6/6/23) Recommend Swank Enterprises.

C. **Agreement** with CGL Companies, LLC for Criminal Justice System Efficiency and Court Expansion Study.

D. **Agreement** with GCR Inc., DBA Civix for Airport Lease Management and Accounting System.

E. **Commercial Aviation Ground Lease** with BAG Billings, LLC.

F. **Recommendation of approval** of the Transportation Alternatives Projects to the Policy Coordinating Committee.

G. **2023 Long Range Transportation Draft Plan.**

H. **"Safe Streets for All" Grant Application** in support of Safe Routes to School.

I. **Billings Community Foundation Grant Application** in support of "Mobilize the MAGIC City".

J. **Preliminary Subsequent Minor Plat** of Falcon Ridge Estates Subdivision, 2nd Filing. *Quasi-Judicial

K. **Resolution of Intent** to annex the areas adjacent to Billings-Logan International Airport (Annexation 23-05) and set a public hearing date for July 24, 2023.

L. **Resolution** authorizing staff to pursue financing for new City Hall building renovations.

M. **Second/Final Reading Ordinance** for Zone Change 1026: located at 3648 AJ Way. *Quasi-Judicial

N. **Second/Final Reading Ordinance** for Zone Change 1028: located at 5417 Hawk Creek Avenue. *Quasi-Judicial

O. **Second/Final Reading Ordinance** expanding Ward I (Annexation 23-04).

P. **Bills for the Weeks of:**

1. May 22, 2023
2. May 29, 2023

Recommended Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTIONS** setting FY2024 annual assessments on the following:

a. Road Maintenance District 6

- Presented by: Andy Zoeller, Finance Director

b. Street Maintenance

- Presented by: Jennifer Duray, Public Works Deputy Director

c. **Storm Sewer**

- Presented by: Jennifer Duray, Public Works Deputy Director

Staff recommends approval.

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolutions setting assessments on 2a) Road Maintenance District 6; 2b) Street Maintenance and 2c) Storm Sewer, as recommended by staff.

3. **PUBLIC HEARING AND RESOLUTION** establishing collection, disposal, and landfill fees for FY2024. Staff recommends approval.

- Presented by: Jennifer Duray, Public Works Deputy Director

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution establishing collection, disposal, and landfill fees for FY2024, as recommended by staff.

a. **LANDFILL USE AGREEMENT** with Yellowstone County.

- Presented by: Jennifer Duray, Public Works Deputy Director

Recommended Motion: I move to approve the Landfill Use Agreement with Yellowstone County, as recommended by staff.

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1027:** generally located south and west of the intersection of East Lane and Elysian Road. Zoning Commission recommends approval and adoption of the 10 criteria. *Quasi-Judicial

- Presented by: Nicole Cromwell, Zoning Coordinator

Recommended Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve First Reading Ordinance for Zone Change 1027 and adopt the findings of the 10 criteria, as recommended by the Zoning Commission.

5. **RESOLUTION** requiring or canceling a Municipal Primary Election on September 12, 2023.

- Presented by: Gina Dahl, City Attorney

Recommended Motion: I move to approve a Resolution (requiring or canceling) a municipal primary election on September 12, 2023.

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.)*

COUNCIL INITIATIVES:

ADJOURN:

Council Chambers are readily accessible to individuals with physical disabilities.

For more information or to make requests for special arrangements, please contact the City Clerk's Office at 657-8210 or e-mail bohlmand@billingsmt.gov, 72 hours prior to the meeting date.

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City Council Regular
Date: 06/26/2023
Title: Boards & Commissions Appointments
Presented by: Chris Kukulski, City Administrator
Department: City Hall Administration
Presentation: No
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Mayor Cole recommends that the City Council confirm the appointments to the following boards and commissions.

	Name	Board/Commission	Term	
			Begins	Ends
1	No Applications	Board of Adjustments*	06/26/23	12/31/25
2	No Applications	Community Development - Low Mod	06/26/23	12/31/26
3	No Applications	Citizen Police Advisory Board*	06/26/23	12/31/25
4	M. Gale Stott	Housing Authority - Family Resident Comm	06/26/23	12/31/23
4	Brad Kraft	Yellowstone Soil Conservation	07/01/23	06/30/26

*1 Unexpired term of David Mitchell
*3 Unexpired term of April Veach
*4 Unexpired term of Sheri Herman

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

The Mayor is requesting that the City Council confirm appointments for Board and Commission positions that are vacant due to a resignation or unfilled vacancy.

ALTERNATIVES

Council may:

- Confirm the proposed appointments; or
- Not confirm the appointments.

FISCAL EFFECTS

The proposed action has no financial impact.

City Council Regular

Date: 06/26/2023
Title: W.O. 23-16: Landfill Scale Addition
Presented by: Debi Meling
Department: Public Works
Presentation: No
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Staff recommends the City Council award a construction contract to Swank Enterprises for WO 23-16: Landfill Scale Addition, in the amount of $669,851.87.

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

The City of Billings Regional Landfill (Landfill) currently uses three scales, one inbound and two outbound, to monitor loads of waste and determine respective dumping fees. These scales are integrated with a staffed scale house and accessed by the main road into and out of the Landfill. All customers, private and public, are required to cross the scales upon entering and leaving the Landfill.

This project involves the addition of a second inbound scale, modifying the existing roadway to access the new scale, maintaining a by-pass lane, and integrating the operation of the new scale into the existing scale house operations. The new scale will primarily be used by larger commercial trucks (Republic, McKenzie, etc.) and the large City trucks. The design includes the installation of a kiosk that will eliminate the need for drivers to have direct contact with the scale house staff, resulting in commercial and City truck traffic flowing more efficiently. Reducing the wait time for City trucks will save labor cost and provide better route efficiency. Additionally, the wait time for the public users will be substantially reduced. This project was a programmed solid waste project identified in the FY23 CIP.

W.O. 23-16 was advertised May 19, May 26, and June 2, 2023, in the *Yellowstone County News* and on the City's website. Bids were opened June 6, 2023. Four bids were received. Swank Enterprises submitted the lowest responsible bid.

ALTERNATIVES

City Council may:

- Award a construction contract to Swank Enterprises for the total Bid Price amount of $669,851.87; or
- Not award a contract and reject all bids. If the bid is not awarded, the Landfill will continue operating with only one inbound scale, resulting in excessive traffic being backed up having to wait for access to deliver waste.

FISCAL EFFECTS

The following bids were received:

Bidder (Contractor)	TOTAL Bid Amount
Swank Enterprises	$669,851.87
Western Municipal Construction	$674,060.00
COP Construction	$707,525.00
Askin Construction	$746,850.00

The project was budgeted in FY23 using Solid Waste Funds. After contract award, staff will reduce the scope of the communications kiosk portion of the project by about $35,000 to bring the cost closer to within the estimated budget. The remaining shortfall of $53,000 will be offset from savings achieved in other solid waste capital projects.

City Council Regular

Date:	06/26/2023
Title:	Criminal Justice System Efficiency and Court Expansion Consulting Services
Presented by:	Chris Kukulski, City Administrator
Department:	City Hall Administration
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends the City Council award a contract for a Criminal Justice System Efficiency and Court Expansion study with CGL Management Group, in the amount of $193,504.

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

City staff was tasked with conducting a Request for Proposals (RFP) process to select a consultant to prepare a Criminal Justice System Efficiency and Court Expansion study. This study will provide a comprehensive review of the operations, efficiency, and management of: 1) Billings Municipal Court (BMC) and 2) the City Attorney criminal prosecution division; and to provide reports and make recommendations to the City regarding such matters. The awarded contract shall be for one year, with one 1-year option to renew. The consultant will be asked to:

- Analyze and make recommendations regarding workflow efficiency.
- Review and understand historical changes in the City's criminal justice system, as well as the currently established justice coordinating council.
- Gather information and review documentation.
- Conduct staff/stakeholder interviews and on-site observations of conditions and work environments.
- Analyze current caseload weights and offer suggestions for the transition to two judges.
- Review and provide recommendations related to the planned new City Hall.
- Prepare and present a final report with findings and recommendations.

The RFP was advertised on 4/14/23 and 4/21/23, with responses due by 5/5/23. Two (2) responses were received. Selection was based on firm experience and key project staff, available resources and consultant location, and project methodology and approach. The selection committee, made up of a Councilmember, City Administration and City staff from various Departments, evaluated the proposal, revised the scope of work and unanimously agreed to recommend CGL Management Group for recommended award by City Council.

ALTERNATIVES

City Council may:

Approve the agreement with CGL Management Group, in the amount of $193,504 for a Criminal Justice System Efficiency and Court Expansion Study; or,
Not approve the agreement and provide staff with further direction.

FISCAL EFFECTS

The contract amount is $193,504. The funding for this project will come from the general fund.

SUMMARY

Staff recommends the City Council award a contract for a Criminal Justice System Efficiency and Court Expansion study with CGL Management Group, in the amount of $193,504.

Attachments

Criminal Justice System Efficiency and Court Expansion Consulting Agreement

CRIMINAL JUSTICE SYSTEM EFFICIENCY AND COURT EXPANSION CONSULTING AGREEMENT

THIS AGREEMENT is made and entered into _____ by and between the **CITY OF BILLINGS, MONTANA,** a municipal corporation organized and existing under the laws of the State of Montana, P.O. Box 1178, Billings, Montana 59103, hereinafter referred to as "**CITY**," and **CGL MANAGEMENT GROUP**, of 2260 Del Paso Road, Suite 100, Sacramento, CA 95834, hereinafter referred to as "**CONSULTANT**."

WITNESSETH:

WHEREAS, the **CITY** desires to hire **CONSULTANT** as an independent contractor to conduct a comprehensive court efficiency and management study, more accurately described in the Scope of Work attached hereto as Exhibits A and B and by this reference made a part hereof.

WHEREAS, the **CITY** has authority to contract for such services, and;

WHEREAS, the **CONSULTANT** represents that he/she is fully qualified to perform such services personally and is in compliance with the Montana Statutes relating to the provisions of such services.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the receipt and sufficiency whereof being hereby acknowledged, the parties hereto agree as follows:

1. **PURPOSE: CITY** agrees to hire **CONSULTANT** as an independent contractor to perform the services as described in the Scope of Work attached hereto as Exhibits A and B and by this reference made a part hereof. In performing these services, the **CONSULTANT** shall at all times comply with all federal, state and local statutes, rules and ordinances applicable. These services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance.

2. **TERM:** This **AGREEMENT** is effective upon the date of its execution and will terminate on June 30, 2024. The parties may extend this **AGREEMENT**, by mutual concurrence, for an additional year, in writing prior to its termination.

3. **PAYMENT**: In consideration of the services provided by the **CONSULTANT** under this **AGREEMENT**, the **CITY** agrees to pay **CONSULTANT** a price not to exceed $193,504.

Except as otherwise specified herein, the **CONSULTANT** shall invoice the **CITY** monthly for all services rendered pursuant to this **AGREEMENT**. Such invoices shall specify the services provided to the **CITY** for the completed tasks and identify the applicable fees, and shall be accompanied by reasonable documentation or other reasonable explanations supporting such charges. The **CITY** shall pay, net of applicable withholding tax, if any, the **CONSULTANT** for said invoice within thirty (30) days after receipt.

In the event scope of work issues arise, the **CONSULTANT** shall immediately discuss them with the Project Manager for the **CITY**. It is understood that the **CONSULTANT** will not perform any work that the **CITY** deems outside the scope prior to receiving written approval from the **CITY**, and at a rate agreed upon by both parties. Any payment for work not agreed upon by the **CITY** shall be denied.

The prices established in this **AGREEMENT** may be extended to other political subdivisions within the State of Montana solely at the **CONSULTANT'S** discretion.

4. **INCORPORATION BY REFERENCE:** All exhibits and addenda attached hereto, as well as any bid or proposal referenced, are hereby incorporated into this **AGREEMENT** and made a part hereof. If there is any conflict between such exhibits or addenda and the terms of this **AGREEMENT**, the terms of this **AGREEMENT** shall control.

5. **INDEPENDENT CONTRACTOR STATUS:** The parties agree that **CONSULTANT** is an independent contractor for purposes of this **AGREEMENT** and is not to be considered an employee of the **CITY** for any purpose. **CONSULTANT** is not subject to the terms and provisions of the **CITY's** personnel policies handbook and may not be considered a **CITY** employee for workers' compensation or any other purpose. **CONSULTANT** is not authorized to represent the **CITY** or otherwise bind the **CITY** in any dealings between **CONSULTANT** and any third parties.

6. **INDEMNITY:**

The **CONSULTANT** SHALL:

A. Indemnify and hold **CITY**, its officers, agents and employees harmless from any and all losses, damage and liability to the extent caused by any intentional or negligent act on the part of **CONSULTANT** or its agents or employees.

B. Not indemnify and hold the **CITY** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or reasonable attorneys' fees and costs to the extent caused by the wrongful or negligent acts, error or omission of the **CITY** occurring during the course of or as a result of the performance of the **AGREEMENT**.

C. Where claims, lawsuits or liability, including reasonable attorneys' fees and costs arise from any wrongful or negligent act of both the **CITY** and the **CONSULTANT**, the **CONSULTANT** shall indemnify and hold the **CITY** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, to the extent caused by the **CONSULTANT'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CONSULTANT'S** performance pursuant to this **AGREEMENT**.

The **CITY** SHALL:

A. Indemnify and hold **CONSULTANT**, its officers, agents and employees harmless from any and all losses, damage and liability to the extent caused by any intentional or negligent act on the part of **CITY** or its agents or employees.

B. Not indemnify and hold the **CONSULTANT** harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or reasonable attorneys' fees and costs to the extent caused by the wrongful or negligent acts, error or omission of the **CONSULTANT** occurring during the course of or as a result of the performance of the **AGREEMENT**.

C. Where claims, lawsuits or liability, including reasonable attorneys' fees and costs arise from any wrongful or negligent act of both the **CONSULTANT** and the **CITY**, the **CITY** shall indemnify and hold the **CONSULTANT** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including attorneys' fees and costs, to the extent caused by the **CITY'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CITY'S** performance pursuant to this **AGREEMENT**.

7. INSURANCE:

A. The **CONSULTANT** shall maintain in good standing the insurance described in this Section. Before rendering any services under this **AGREEMENT**, the **CONSULTANT** shall furnish the **CITY** with proof of insurance in accordance with this Section.

The **CONSULTANT** shall provide the following insurance:

1. Workers' compensation and employer's liability coverage as required by Montana law.
2. Commercial general liability, including contractual liability assumed under an insured agreement and personal injury coverage's -- $750,000 per claim and $1,500,000 per occurrence.
3. Automobile liability -- $1,500,000 per accident.
4. Professional liability in the amount of $1,500,000 per claim.

Each policy of insurance required by this Section shall provide for no less than 30 days' advance written notice to the **CITY** prior to cancellation.

The **CITY** shall be listed as an additional insured on all policies except Professional Liability and Worker's Compensation Policies.

CONSULTANT shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. **CONSULTANT** shall maintain workers' compensation insurance coverage for all members and employees of **CONSULTANT's** business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.

CONSULTANT shall furnish **CITY** with copies showing one of the following: **(1)** proof of registration as a registered contractor under Title 39, Chapter 9, MCA; **(2)** a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or **(3)** proof of exemption from workers' compensation granted by law for independent contractors.

8. AGREEMENTS OF CONSULTANT: As an inducement to the execution of this **AGREEMENT** by the **CITY** and in consideration of the agreements to be performed by the **CITY**, the **CONSULTANT** agrees that:

A. Qualifications

The **CONSULTANT** is qualified to perform the services to be furnished under this **AGREEMENT** and is permitted by law to perform such services, and all personnel engaged in the work shall be qualified and so permitted to do the work they perform.

B. Solicitation of Agreement

The **CONSULTANT** has not employed any person to solicit this **AGREEMENT** and has not made, and will not make, any payment or any agreement for the payment of any commission, percentage, brokerage, contingent fee, or other compensation in connection with the procurement of this **AGREEMENT**.

C. Facilities and Personnel

The **CONSULTANT** has and will continue to have proper facilities and personnel to perform the services and work agreed to be performed.

D. Subcontracting

None of the work or services covered by this **AGREEMENT** shall be subcontracted without the prior approval of the **CITY**.

E. Affidavits of Compliance

The **CONSULTANT** will, if requested by the **CITY**, furnish the **CITY** affidavits certifying compliance with the provisions of this Section.

9. AGREEMENTS OF CITY:

A. To furnish all labor, materials, equipment, supplies, and incidentals necessary to conduct and complete the **CITY'S** portion of the project as designated in the scope of work.

B. Name a Project Manager who shall be the liaison between the **CONSULTANT** and the **CITY**. For this project, the Project Manager for **CONSULTANT** designated is Paul Vlnar, and the Project Manager for the **CITY** designated is Chris Kukulski.

10. NONDISCRIMINATION:

A. **CONSULTANT** shall, in performance of work under this **AGREEMENT**, fully comply with all applicable federal, state, or local laws, rules, regulations, and executive orders including but not limited to, the Montana Human Rights Act, the Equal Pay Act of 1963, the Civil Rights Act of

1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. **CONSULTANT** is the employer for the purpose of providing healthcare benefits and paying any applicable penalties, fees and taxes under the Patient Protection and Affordable Care Act [P.L. 111-148, 124 Stat. 119]. Any subletting or subcontracting by **CONSULTANT** subjects subcontractors to the same provisions. In accordance with 49-3-207, MCA, and Executive Order No. 04-2016. **CONSULTANT** agrees that the hiring of persons to perform this Contract will be made on the basis of merit and qualifications and there will be no discrimination based on race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status by the persons performing this **AGREEMENT**.

B. The **CONSULTANT** shall state, in all solicitations or advertisements for employees to work on jobs, that all qualified applicants will receive equal consideration for employment without regard to race, color, religion, national origin, ancestry, age, sex or marital status, or mental or physical impairment/disability.

   The **CONSULTANT** and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

   The **CONSULTANT** and any **SUBCONSULTANT** shall abide by the requirements of 41 CRF 60-1.4, which states employees or applicants may not be discharged or in any other manner discriminated against because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the **CONSULTANT'S** legal duty to furnish information.

C. The **CONSULTANT** shall comply with any and all reporting requirements that may apply to it that the **CITY** may establish by regulation.

D. The **CONSULTANT** shall comply with all applicable federal, state, and **CITY** laws concerning the prohibition of discrimination.

E. The **CONSULTANT** shall include the provisions of Subsections A through D of this Section in every subcontract or purchase order under this **AGREEMENT**, so as to be binding upon every such subcontractor or vendor of the **CONSULTANT** under this **AGREEMENT**.

F. The **CONSULTANT** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

11. **PERMITS, LAWS, AND TAXES:** The **CONSULTANT** shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to its performance under this **AGREEMENT**. All actions taken by the **CONSULTANT** under this **AGREEMENT** shall comply with all applicable statutes, ordinances, rules and regulations. The **CONSULTANT** shall pay all taxes pertaining to its performance under this **AGREEMENT**.

12. **NONWAIVER:** The failure of either party at any time to enforce a provision of this **AGREEMENT** shall in no way constitute a waiver of the provision, nor in any way affect the validity of this **AGREEMENT** or any part hereof, or the right of such party thereafter to enforce each and every provision hereof.

13. **CONFLICT OF INTEREST: CONSULTANT** shall exercise reasonable care and diligence to prevent any actions or conditions which could result **in** a conflict with **CITY'S** interest. During the term of this **AGREEMENT**, **CONSULTANT** shall not accept any employment or engage in any consulting work which creates a conflict of interest with **CITY** or in any way compromises the services to be performed under this **AGREEMENT**. **CONSULTANT** shall immediately notify **CITY** of any and all violations of this Section upon becoming aware of such violation.

14. **SUCCESSORS AND ASSIGNS:** This **AGREEMENT** and all of the covenants hereof shall inure to the benefit of and be binding upon the **CITY** and the **CONSULTANT** respectively and his partners, successors, assigns, and legal representatives. Neither the **CITY** nor the **CONSULTANT** shall have the right to assign, transfer, or sublet his interest or obligations hereunder without written consent of the other party.

15. **CHANGES IN WORK:** Any change in the scope of **CONSULTANT'S** services as stated in this **AGREEMENT** for whatever reason, will be negotiated between the **CITY** and the **CONSULTANT** and an amendment to this **AGREEMENT** will be issued with the appropriate change of services and **AGREEMENT** fee noted.

16. **LEGAL RELATIONS:** The **CONSULTANT** shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done.

17. **TERMINATION OF AGREEMENT:** The right is reserved by the **CITY** to terminate this **AGREEMENT** at any time upon not less than thirty (30) days written notice to the **CONSULTANT**.

    In the event the **CITY** terminates this **AGREEMENT**, the **CONSULTANT** shall be paid for the amount of work performed or services rendered to date of termination per the **AGREEMENT** fee.

18. **ENDORSEMENTS:** The **CONSULTANT** shall furnish signatures, statements, or other suitable means to signify responsible endorsement of work on all reports furnished by him.

19. **OWNERSHIP OF DOCUMENTS:** All information relating to the project and prepared under the terms of this **AGREEMENT**, including reports, data, recommendations, exhibits, analyses, and plans shall be deemed the property of the **CITY**. Reproducibles of all notes, reports, and plans shall be made available at the **CITY'S** request.

20. **PUBLIC INFORMATION:** The **CONSULTANT** shall not issue any statements, releases, or information for public dissemination without prior written approval of the **CITY**. All materials related to this **AGREEMENT** and services provided are considered public records under Article II, Section 9 of the Montana Constitution and §§ 2-6-102 and 7-1-4144, MCA and may be distributed by written request pursuant to Montana's Constitutional Right to Know or Public Records Acts.

21. **PROPRIETARY RIGHTS:** If patentable discoveries or inventions should result from work required herein, all rights accruing from such discoveries or inventions shall be the property of the **CITY**.

22. **RECORDS:** The **CONSULTANT** shall maintain accounting records and other evidence pertaining to the cost incurred and to make the records available at all times during the **AGREEMENT** term and for three (3) years from the date of final payment. Such accounting records and other evidence pertaining to the cost incurred will be made available for inspections authorized by the **CITY** and copies thereof shall be furnished if requested.

23. **ATTORNEY'S FEES AND COSTS:** That in the event it becomes necessary for either Party to this **AGREEMENT** to retain an attorney to enforce any of the terms or conditions of the **AGREEMENT** or to give any notice required herein, then the prevailing Party or the Party giving notice shall be entitled to reasonable attorney's fees and costs.

24. **LITIGATION LOCATION:** The parties agree that this **AGREEMENT** shall be governed in all respects by the laws of the state of Montana, and the parties expressly agree that venue shall be in the Montana Thirteenth Judicial District County for Yellowstone County and there shall be no other venue for resolution of disputes arising from the **AGREEMENT** or the performance of its terms.

25. **MODIFICATION AND AMENDMENTS:** That any amendment or modification of this **AGREEMENT** or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this **AGREEMENT**.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

_____

WILLIAM A. COLE, MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY'S OFFICE

ATTEST:

_____

DENISE BOHLMAN, CITY CLERK

CGL MANAGEMENT GROUP

_____

SIGNATURE

_____

PRINT NAME

_____

PRINT TITLE

EXHIBIT A

SCOPE OF WORK

TASK 1: PROJECT KICKOFF

CONSULTANT shall conduct initial meetings and visioning sessions with stakeholders to ensure a clearly defined project and develop a collaborative roadmap to success. This type of project kickoff also assists in developing a working relationship that enhances all parties' ability to navigate through the project process. Consistent processes and transparent, on-going communication ensure clear understanding between the parties involved regarding the goals and needs of each party, the information and data to be gathered and the anticipated progress of the project.

CONSULTANT'S approach to this project starts with developing a collaborative working partnership with the **CITY** as well as identified, appropriate stakeholders. In addition to analysis of the data and information, **CONSULTANT** believes it is important to understand current conditions that are unique to each project.

That process will begin with the project kickoff and visioning and continue through on-going meetings with the **CITY** and key management staff who have relevant knowledge as well as identified stakeholders with knowledge of the relevant existing circumstances.

Development and identification of stakeholders will occur during project kickoff discussions with the **CITY**. However, it is anticipated that these stakeholders will include judicial officers, court clerks/administrators of the Billings Municipal Court ("BMC"), **CITY** attorney criminal prosecution division, public defenders, private counsel, court personnel, law enforcement providing security and support. Through these initial discussions, as well as on-going data gathering, other stakeholders might be identified and designated by BMC and **CITY** Leadership.

TASK 2: DATA COLLECTION AND REVIEW

Data collection and review is vital to the success of project development and outcome. **CONSULTANT'S** information-gathering and data review process uses three primary approaches: documentation review, staff/stakeholder interviews, and on-site observations of conditions and work environments. The project team will work on collecting a basic dataset of information relevant to each portion of this project as **CONSULTANT** begins familiarization with the **CITY'S** workflows and criminal justice system. **CONSULTANT'S** information gathering efforts continue through each phase of this project as circumstances reveal themselves.

As the focus of the analysis is multifaceted, **CONSULTANT** anticipates BMC

establishing a project liaison to whom **CONSULTANT** can direct inquiries for information. **CONSULTANT'S** collection efforts of data will be through a secure, centralized data sharing system for different stakeholders to upload and share information.

Initially, **CONSULTANT** anticipates providing BMC with a formal request for information that will include, but not be limited to:

Court Caseloads for 2018 through 2023

- Court caseload statistics by year and contributing agency
- Case types
- Court operational practices, including case management systems
- Staffing levels for different divisions

City Hall

- Overview schematics of the new City Hall
- Existing safety and emergency plans and operating procedures
- City/County safety protocols
- Staffing levels by department

Workflow Efficiency

- Flowchart or explanation of workflow management processes for cases

Technology

- List of technologies used for client interaction and communication
- Identification of court case management system
- Identification of courtroom recordings, audio-visual presentation technologies, and evidence presentation technologies
- Communications systems in court scheduling

Jail population statistics for 2018 through 2023:

- Total Average Daily Population (ADP)
- Misdemeanant ADP
- Jail admissions inclusive of age, race, sex, charge, and custody level (felony/misdemeanant)
- Average length of stay inclusive of age, race, sex, charge, and custody level (felony/misdemeanant)
- Misdemeanant case dispositions

- Bond assignment process (arraignment guidelines and/or bond schedule)

TASK 3: SITE VISIT AND INTERVIEWS/FOCUS GROUPS

CONSULTANT shall have a clear picture and understanding of the current workings of the BMC, its related processes and procedures, caseflows, workflows, as well as related entities who interact with the court system on a regular basis. This includes understanding and evaluating issues that are impacting the current system as well as options that have been considered in the past. A comprehensive understanding also considers processes and procedures that the court and other stakeholders would like to incorporate as the court transitions to two judicial officers.

In order to develop this needed understanding, **CONSULTANT** will visit current facilities and new facilities that are under construction/renovation, conduct multiple interviews with key personnel and stakeholders as well as facilitate focus groups. Seeing, evaluating, listening and analyzing are critical parts of this task.

During the site visit of current and new facilities, **CONSULTANT** will conduct an assessment of operations and security. This assessment will include a complete facility review and include items such as; door locks, security, electronics, traffic patterns (for staff and the public), internal space utilization and sound attenuation. History in the market indicates these items may greatly affect the overall mission of the building, impacts on the operational staff, and overall efficiency of the courthouse. Because the new facility is under construction/renovation, **CONSULTANT** will prioritize site visit, review and evaluation.

CONSULTANT'S team of experts will also interview judges, prosecutors, public defenders/private counsel, court administration and other personnel, law enforcement and other key stakeholders and employees to gather a further understanding of current conditions, operations, processes and procedures. This will include both individual interviews as well as facilitation of focus groups to gather the broadest scope of information. Knowing the perspectives of individuals who are involved in daily operations and decisions is crucial to identifying better future practices. These interviews can also identify other methods for collecting and extracting the needed data to be provided to **CONSULTANT** in an understandable and appropriate format. Supplemental interviews may be conducted throughout the project based on information and data **CONSULTANT** receives.

TASK 4: ANALYSIS OF JUSTICE SYSTEM COMPONENTS

TASK 4.1 CURRENT CASELOAD WEIGHT ANALYSIS FOR A TWO COURTROOM/JUDGE SYSTEM

In the very early phases of this project with BMC, the project team will request and review the data provided, coupled with information obtained during the visioning sessions, interviews, on-site visits, and the project team will conduct an in-depth analysis of all components and processes that will be impacted by the transition to the two courtroom/judge system. As part of the analysis, **CONSULTANT** will evaluate and work with BMC to determine initial recommendations and then finalize recommendations with a detailed implementation plan. Final recommendations and the implementation plan will be accomplished by providing an in-depth analysis of all caseload data, types, and weight of cases to determine and maximize efficiencies with considerations of the interrelationship between prosecution caseloads and judicial caseloads.

Below are examples of what the project team will review in order to determine final recommendations to BMC:

- Organizational impact, allocation of existing resources and assets.
- Staffing considerations, including support staff and administrative support services, pertaining to the transition to multiple judicial officers, but does not include a comprehensive staffing analysis.
- Best practices for managing caseload weight efficiently, including case types, types of hearings, docketing, case management, processing, and disposition.
- Interrelationship of operational considerations and space utilization between prosecution and judicial services and caseload needs.

TASK 4.2: REVIEW NEW CITY HALL/COURT FACILITY/JUDICIAL SECURITY

CONSULTANT will review the new facility to provide context to the court operational assessment and analysis. **CONSULTANT** will also consider security from an operational, not facility, perspective, within the confines of current operations as well as recommended future operations. **CONSULTANT** understands that overall facility security is not part of the scope of work. The project team will review information that relates to the safety and security function of the proposed new location. Upon initiation of the project, a data request will be drafted to ensure team members develop knowledge of judicial processes as they relate to the project. Sample data requests may include schematics, site plans, operational policies, staffing plans, and emergency procedures.

TASK 4.3: WORKFLOW EFFICIENCY REVIEW

CONSULTANT shall:

- Gather information regarding current caseload to include case types.
- Interview system participants include judges (elected and regularly serving as judge pro tempore), prosecutors, public defenders, private counsel, court personnel, law enforcement, and others designated by BMC and **CITY** Leadership to be interviewed.
- Interview justice system stakeholders.
- Conduct a weighted caseload management study and make recommendations of how to most effectively allocate the workload between two judges/two courtrooms, including the interrelationship between prosecution caseloads and judicial caseloads.

As part of the court operational assessment, the **CITY** intends to include a more thorough review of pre- and post-adjudication alternatives and operations as well as analysis from case inception (when a potential case is presented to the prosecutor's office for legal evaluation) through post-adjudication (probation or other alternatives to detention). Therefore, **CONSULTANT'S** revised scope of work is expanded consistent with that guidance to provide for a more thorough analysis of those alternatives, as well as an assessment of prosecutor processes and procedures.

TASK 4.4: TECHNOLOGY REVIEW

The **CITY** has retained the services of a separate vendor to conduct a full technology review and analysis. Therefore, **CONSULTANT'S** scope of work will be scaled back and will not include a thorough technology review. Rather, **CONSULTANT** will review/consider technology from an operational, not facility, perspective, within the confines of current operations as well as recommended future operations. **CONSULTANT** understands that a hardware and software technology review is not part of the scope of work.

TASK 4.5: JAIL POPULATION AND MISDEMEANOR ANALYSIS

CONSULTANT understands that a full population and/or operational analysis of the current detention center will not be performed at this time and is not the primary focus of the scope of work for this RFP. However as noted, court operations, case management and disposition, as well as prosecutorial operations and decisions do impact the population and operation of the current detention center. Therefore, **CONSULTANT'S** scope of work will be scaled back and not include a thorough jail population and operational analysis. Rather, **CONSULTANT** will review/assess jail population and related operations as they intersect with and are impacted by court operational practices and procedures as well as prosecutorial operations and decisions.

TASK 4.6: HISTORICAL ASSESSMENT

As part of the project, **CONSULTANT** will review and understand historical changes in the **CITY** criminal justice system that have led to the need for this study. **CONSULTANT** will review and document historical changes that impact the system. This includes underlying factors such as crime rates and resident population changes, as well as other changes (system reforms, operational changes, etc.) that may have impacted the overall criminal justice system. This historical review is essential for laying the groundwork for any recommendations that result from this study.

TASK 4.7: JUSTICE SYSTEM COORDINATION

Local criminal justice systems are made up of several independent agencies who have their own individual needs and priorities. These agencies include law enforcement, courts, prosecutors, defense attorneys and detention centers. When acting completely independently, the overall system can be negatively impacted. Criminal justice coordinating councils, if appropriately established, can better address overall system issues, manage limited resources, and improve public safety. **CONSULTANT** will review the currently established criminal justice coordinating council to provide recommendations that can improve its overall performance.

TASK 5: DEVELOPMENT AND PRESENTATION OF PRELIMINARY FINDINGS AND RECOMMENDATION (DECEMBER 2023)

CONSULTANT'S deliverables for this project include the preparation of a Preliminary Report (anticipated completion date of December 31, 2023) and a subsequent comprehensive Final Report (anticipated completion date of June 1, 2024). **CONSULTANT'S** reports will include analysis of data obtained and provide clear bases for findings and recommendations. **CONSULTANT'S** recommendations will be fact based, supported by and grounded in the information and data provided and analyzed. The findings and recommendations included in the report will provide the **CITY** and other stakeholders with the information needed to make informed and responsible decisions on current challenging issues you are facing.

CONSULTANT understands that the new city hall/courthouse is already under renovation and construction. Therefore, facility-related recommendations will be evaluated early in the work process and will be prioritized in the Preliminary Report. Although the Preliminary Report provided in late December 2023 will be the first formal deliverable, because of on-going construction/renovation, as **CONSULTANT** identifies time-critical facility related issues, **CONSULTANT** will bring those matters to the attention of the **CITY** before submission of the Preliminary Report.

Although the Preliminary Report will contain prioritized evaluations and recommendations regarding the new facility, it will also include preliminary findings regarding transition to two judicial officers, court operational processes (and potential improvements), procedures, efficiencies, caseloads, caseflows and workflows, especially those that have impact on the new facility.

The Preliminary Report will allow the **CITY** to review, comment on and ask questions regarding that report. **CONSULTANT** recognizes that there are varying options for the methodology to undertake a complex project such as this. As a result, it is common to have questions regarding those methodologies and the recommendations. Our ultimate goal is to prepare a comprehensive report regarding justice system efficiencies and court expansion that sets forth a clear path for the **CITY** and Municipal Court as it moves forward.

TASK 6: DEVELOPMENT AND PRESENTATION OF FINAL REPORT (JUNE 2024)

As noted above, **CONSULTANT'S** deliverables for this project include the preparation of a Preliminary Report (anticipated completion date of December 31, 2023) and a subsequent comprehensive Final Report (anticipated completion date of June 1, 2024). Similar to the Preliminary Report, the Final Reports will include analysis of data obtained and provide clear bases for stated findings and recommendations.

The final recommendations provided to the **CITY** will be fact based, supported by and grounded in the information and data provided and analyzed, thereby providing the **CITY** and other stakeholders with the information needed to make informed and responsible decisions.

On June 1, 2024, after review of the Preliminary Report, the **CITY'S** comments and questions and additional, relevant data gathering, review and analysis, **CONSULTANT** will submit its Final Report. Similar to the Preliminary Report, the Final Report will include findings including court operational processes, procedures, efficiencies, caseloads, caseflows and workflows. It will also include evidence-based recommendations regarding improvements to court operations, processes and procedures, as well as recommendations for transitioning to two judicial officers.

CONSULTANT does not include work for implementing the recommendations that will be included in the Final Report.

EXHIBIT B

TASK LIST AND FEES

TASK DESCRIPTIONS	HOURS	COST
1.0 Project Kickoff	44	$ 12,068
2.0 Data Collection	94	$22,988
3.0 Site Visit and Interviews/Focus Groups	88	$22,376
4.1 Analysis of Current Caseloads and Transition to 2 Judges	84	$23,340
4.2 Review City Hall/Judicial Security Plan	48	$12,688
4.3 Workflow Efficiency	116	$32,340
4.4 Technology Review	28	$7,096
4.5 Jail Population and Misdemeanor Analysis	44	$11,824
4.6 Historical Assessment	16	$5,200
4.7 Justice System Coordination	16	$4,288
5.0 Development and Presentation of Preliminary Findings and Recommendations	46	$11,258
6.0 Development of Final Report and Presentation	46	$11,258
Labor Totals	**670**	**$ 176,704**
REIMBURSABLE ITEMS	**UNIT $**	**COST**
Airfares	$700	$6,300
Hotels	$200	$5,000
Meals	$70	$1,750
Rental Car	$80	$1,000
Misc/Airport Travel & Parking	$50	$1,250
Other		$1,500
Reimbursable Totals		**$16,800**
TOTAL COST		**$ 193,504**

City Council Regular

Date: 06/26/2023
Title: Software Contract and License Agreement with GCR Inc., DBA Civix
Presented by: Jeff Roach
Department: Airport
Presentation: No
Legal Review: Yes
Project Number: N/A

RECOMMENDATION

Staff recommends that City Council approve the contract and license agreement with GCR Inc., DBA Civix for a Lease Management and Accounting System for Billings Logan International Airport.

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

Airport operations include administering all property based leases at the Airport, which comprise a majority of the City's property based leases, and include ground leases, building leases, combination building and ground leases, tenant subleases, and location based operating permits with a diverse range of tenants. The Airport has been utilizing a lease tickler system developed in-house on a legacy system that is over twenty years old, supplemented by numerous MS Excel spreadsheets that require manual updating. This system no longer meets the growing and increasingly complex needs of the Airport and its tenants. The legacy system is slated for decommissioning and when taken out of service will leave the Airport without a critical piece of its lease management capability. The City issued an RFP to obtain a new Lease Management and Accounting System for managing the Airport's leases, space utilization, billing, and receivables accounting. The RFP required that proposers provide a software solution with the following scope and key capabilities:

- Capturing key metrics for all leases, agreements, and related documents.
- Creating an event tickler for significant benchmark events on all leases and agreements.
- Creating various reports specific to Airport revenue collection.
- Cloud hosting and security.
- Renewable licensing.
- Creating and configuring invoices, and creating and sending tenant notifications.
- Integrating with City's current financial system and enterprise content management solution.
- Online tenant portal where tenants can access documents and pay invoices online.
- Capturing aeronautical and activity statistics.
- Configuring reports to include templates for standard reports and ad hoc capability.
- Reducing duplicate data entry.
- Potential for future GIS integration, business intelligence to mine statistical data and produce analytical information.

The RFP Committee consisted of Airport staff that will be utilizing the new software, along with IT representatives. Responses were evaluated based on the following criteria:

- Overall responsiveness: proposal readability, relevance, quality, detail, and completeness of information provided.
- The firm's ability to provide all or most of the desired functionalities, and perform the required services, most notably integration to the City's existing software solutions and meet City's security and hosting requirements.
- Experience providing scalable solutions for the public sector, specifically state, county, and local governments.
- Demonstrated clear understanding of the City's project -- the objectives and requirements.
- Compliance with City terms and conditions.
- The firm's experience with projects comparable to the proposed project. Capability to perform all or most aspects of the project, and current or recent experience in airport or municipal lease management and accounting system projects comparable to the proposed project tasks.
- Key personnel's professional background and experience.
- The firm's professional reputation for: background, integrity, competence, customer satisfaction, and retention and technology innovation.
- Financial viability and background information.
- The firm's reputation for customer service and ongoing support.
- Quality of customer references.
- The location of corporate office and satellite offices providing the requested services, including proximity to the Billings Logan International Airport, if service and maintenance cannot be accomplished remotely.

- Current and anticipated future workload.
- Nature and quality of projects previously completed.
- Demonstrated ability to create a realistic implementation plan and schedule, meet budgets, schedules, and deadlines.
- Demonstrated understanding of any challenges of the proposed project or specific concerns.
- Demonstrated ability to provide qualified project managers and implementation personnel. Project team's professional qualifications, experience, certifications, availability, reputation, professional integrity, competence, and innovation.
- Presentation quality and content, communication, and technical skills.

Fifteen firms requested and received the RFP. Four firms preferred to do a from scratch, custom written solution rather than provide personalization of an off-the-shelf solution. One firm with an existing off-the-shelf solution for airports preferred to provide a total accounting solution with both accounts payable and accounts receivable, but no integration with the City's financial system and enterprise content management solution, which was a mandatory requirement. Having met all of the criteria, a demonstration meeting was held with Civix to explore further the functionality of the proposed solution to understand better the capabilities and benefits of the software and the implementation process. The demonstration meeting provided valuable insight on the proposed solution as staff worked on contract negotiations. Staff is confident that the Civix solution provides the best value to the City and will meet all of the Airport's needs and goals, now and well into the future.

ALTERNATIVES

City Council may:

- Approve the contract and license agreement with GCR Inc., DBA Civix; or,
- Not Approve the contract and license agreement.

FISCAL EFFECTS

The initial cost of setup includes licensing, project management, migration and conversion, data integration, configuration, and training for a total of $154,553.00. Cloud hosting, security, and support are included in both the initial setup, as well as in each subsequent year's annual maintenance and license renewal. Annual maintenance/license renewal fees begin with Year 2 at $48,410, Year 3 at $49,862, Year 4 at $51,358, and Year 5 at $52,898, for a total of $202,528.00. Extensions/renewals are available for post Year 5 at an annual 5% escalator to each year's annual license. The Airport's FY 23 budget has adequate funds for the initial year licensing and implementation. Annual fees for subsequent years will be included in the respective fiscal year budgets.

Attachments

LMAS Draft Agreement

SERVICE AGREEMENT
FOR
LEASE MANAGEMENT AND ACCOUNTING SYSTEM
FOR
CITY OF BILLINGS LOGAN INTERNATIONAL AIRPORT

This Agreement, made and entered into on _____, by and between the **CITY OF BILLINGS LOGAN INTERNATIONAL AIRPORT, 1901 TERMINAL CIRCLE, ROOM 216, BILLINGS, MT 59105**, hereinafter designated the **CITY**, and **GCR INC., DBA CIVIX, 3300 WEST ESPLANADE AVENUE, SUITE 400, METAIRIE, LA 70002**, hereinafter designated the **CONTRACTOR**.

This Agreement shall be for a period of five (5) years. This Agreement is effective upon the date of its execution and will terminate on June 30, 2028. The parties may extend this Agreement, by mutual concurrence, for three (3) additional five-year terms, in writing prior to its termination. **CONTRACTOR** shall commence the work to be performed hereunder promptly upon Notice to Proceed from the **CITY**.

CONSIDERATION

A. The **CITY** shall pay **CONTRACTOR** for services listed below the sum of $154,553.00. Except as otherwise specified herein, the **CONTRACTOR** shall invoice the **CITY** for all services rendered pursuant to this Agreement. Such invoices shall specify the services provided to the **CITY,** the period of performance, identify the applicable fees, and shall be accompanied by reasonable documentation or other reasonable explanations supporting such charges.

B. If partial payment is requested by **CONTRACTOR**, it shall be made upon invoice and said request being proportioned to the work completed by the **CONTRACTOR**. The final payment shall be made only after acceptance of final invoice by the **CITY**, and determination has been made by the **CITY** that the scope of work has been satisfactorily completed.

COORDINATION

All work under this Agreement will be coordinated for the **CITY** through its liaison:

Name: Marita Herold, Aviation and Transit Business Manager, Project Manager
Phone: (406) 237-6284
Email: heroldm@billingsmt.gov
Address: 1901 Terminal Circle, Room 216, Billings, MT 59105

and for the **CONTRACTOR**, will be coordinated through its liaison:

Name: Matt Stebbins, Senior Project Manager
Phone: _____
Email: _____
Address: _____

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Any and all notices, requests, demands, and other communication shall be directed to each party's designated liaison.

CONTRACTOR'S DUTY

In consideration of the payment or payments herein specified and agreed to by the **CITY**, **CONTRACTOR** hereby covenants and agrees to furnish all supplies, materials, labor, supervision, machinery, licenses, and equipment as specified in the following sections of this Agreement with the **CITY**. The **CONTRACTOR** is required to meet all specifications and requirements required herein. No substitutions will be accepted without prior **CITY** written approval.

INDEPENDENT CONTRACTOR STATUS

The parties agree that **CONTRACTOR** is an independent **CONTRACTOR** for purposes of this Agreement, and is not to be considered an employee of the **CITY** for any purpose. **CONTRACTOR** is not authorized to represent the **CITY** or otherwise bind the **CITY** in any dealings between **CONTRACTOR** and any third parties.

SECTION I: SCOPE OF WORK

The Scope of Work for the Lease Management and Accounting System (the Project) located at Billings Logan International Airport, Billings, Montana, is set forth in **Attachment A**, and by said reference is made a part of this Agreement. All exhibits and addenda attached hereto, as well as any bid or proposal referenced, are hereby incorporated into this Agreement and made a part hereof. If there is any conflict between such exhibits or addenda and the terms of this Agreement, the terms of this Agreement shall control. The **CONTRACTOR** shall perform the services outlined in **Attachment A**. In performing these services, the **CONTRACTOR** shall perform all services completely and in accordance with professional standards of conduct and performance.

SECTION II: SUPPLIES, MATERIALS, AND LABOR

CONTRACTOR shall provide for all supplies, materials, labor, supervision, machinery, licenses, and equipment necessary and incidental to the performance of all services required by this Agreement.

CONTRACTOR shall comply with all State and Federal regulations and Local statutes applicable, including OSHA.

PERSONNEL

CONTRACTOR shall exercise care and diligence to prevent any actions or conditions that could result in a conflict with the best interests of the **CITY**. This obligation shall apply to the **CONTRACTOR, CONTRACTOR'S** employees, agents, and subcontractors associated with accomplishing the Project work and services hereunder. Employees assigned to the performance of this Agreement will be removed from the Project upon written request of the **CITY** for due and just cause.

CONTRACTOR will furnish the personnel necessary for the performance of this Agreement. Applicable Federal and State wage and hour laws must be adhered to and provide the minimum base for personnel wages.

All agreements issued as a result of this Agreement shall adhere to all nondiscriminatory provisions of all applicable Federal, State, and Local laws. In connection with the performance of work under this Agreement, the **CONTRACTOR** agrees not to discriminate against any applicant

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for employment because of race, religion, creed, color, age, sex, sexual orientation, or national origin. The above provision shall apply to, but not be limited to, the following employment, upgrading, promotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay, or other forms of compensation, and selection for training including apprenticeship.

The **CONTRACTOR** further covenants and agrees that during the progress of the work to be performed under the provisions of this Agreement, they will in every respect comply with the provisions of the Workers' Compensation Act, being Title 39, Chapter 71 of the Montana Code Annotated (MCA), and with all statutory provisions supplementary or amendatory thereto. At the same time of execution of this Agreement, the **CONTRACTOR** shall furnish a certificate showing that the required Workers' Compensation Insurance is in force and shall maintain required insurance and provide evidence of continued coverage for the duration of this Agreement.

PERFORMANCE WARRANTY

The **CONTRACTOR** warrants to the **CITY** that they will take all necessary steps and precautions to perform the work to the **CITY'S** satisfaction. **CONTRACTOR** shall be responsible for the professional quality, technical assurance, data security, timely completion and coordination of all documentation, and other goods/services furnished by the **CONTRACTOR** under this Agreement, and shall perform all work diligently, carefully, in a good and workman-like manner, and shall obtain and maintain all permits and licenses required by this Agreement and in connection with performance of the work. If permitted to subcontract, **CONTRACTOR** shall be fully responsible for all work performed by subcontractors. **CONTRACTOR** further warrants that the work will conform to the requirements of the Agreement and will be free from defects, except for those inherent in the quality of the work the Agreement requires or permits. Work, materials, or equipment not conforming to these requirements may be considered defective. If required by the **CITY**, the **CONTRACTOR** shall furnish satisfactory evidence as to the kind and quality of materials and equipment.

SECTION III: OTHER PROVISIONS

OWNERSHIP OF DOCUMENTS

All documents, data, drawings, specifications, and other products or materials produced by the **CONTRACTOR** in connection with the services rendered under this Agreement shall be the property of the **CITY** whether the project for which they are made is executed or not. All such documents, products, and materials shall be forwarded to the **CITY** at its request and may be used by the **CITY** as it sees fit. The **CITY** agrees that if the documents, products, and materials prepared by the **CONTRACTOR** are used for purposes other than those intended by this Agreement, the **CITY** does so at its sole risk and agrees to hold the **CONTRACTOR** harmless for such use. All or any portions of materials, products, and documents produced under this Agreement may be used by the **CONTRACTOR** upon confirmation from the **CITY** that they are subject to disclosure under the Public Disclosure Act. All services performed under this Agreement will be conducted solely for the benefit of the **CITY** and will not be used for any other purpose without written consent of the **CITY**. Any information relating to the services performed for the CITY will not be released without the written permission of the **CITY**. The **CONTRACTOR** shall preserve the confidentiality of all **CITY** documents and data accessed for use in **CONTRACTOR'S** work product.

CONTRACTOR'S software and documentation is licensed for internal purposes, not sold, for the term of this Agreement. **CONTRACTOR** is the sole and exclusive owner of all right, title, and interest in the software and software documentation, including all Intellectual Property Rights, and derivatives thereof.

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OWNERSHIP OF DATA

All materials, documents, data or information obtained from the **CITY** data files or any **CITY** medium furnished to the **CONTRACTOR** in the performance of this Agreement will at all times remain the property of the **CITY**. Such data or information may not be used or copied for direct or indirect use by the **CONTRACTOR** after completion or termination of this Agreement without the express written consent of the **CITY**. All **CITY**-owned materials, documents, data, or information, including copies, must be returned to the **CITY** at the end of this Agreement or any extension thereof.

INSURANCE

CONTRACTOR agrees to keep in force, for the duration of this Agreement and any extension thereof, insurance that meets the specified coverages as set forth in the Standard Terms and Conditions set forth in **Attachment B**, and by said reference is made a part of this Agreement. **CONTRACTOR** shall maintain in good standing the insurance described in **Attachment B**. At the same time of execution of this Agreement and before rendering any services under this Agreement, the **CONTRACTOR** shall furnish the **CITY** a certificate showing that required insurance is in force, and shall maintain required insurance and provide evidence of continued coverage for the duration of this Agreement and any extension thereof. The continuous maintenance by the **CONTRACTOR** of all types of required insurance under this Agreement or any extension thereof is mandatory. Failure of the **CONTRACTOR** to maintain such insurance is a material breach of the Agreement and does not amend this Agreement nor release the **CONTRACTOR** from any other obligations in the Agreement.

INDEMNITY

The **CONTRACTOR** shall indemnify, defend, and hold harmless the **CITY,** its officers, agents or employees, from and against any and all losses, damage, claims, demands, payments, suits, actions, recoveries and judgments of every nature and description, including those of third parties, made, brought or recovered against the **CITY** by reason of any act, negligence, recklessness, misconduct, or omission of the **CONTRACTOR**, its officers, agents, or employees, in the execution of the work. **CONTRACTOR** agrees to reimburse the **CITY** for any loss due to theft by any of the **CONTRACTOR'S** employees.

The **CONTRACTOR** shall not indemnify, defend and hold harmless the **CITY**, its officers, agents or employees harmless from claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses or reasonable attorneys' fees and costs to the extent caused by the wrongful or negligent acts, error or omission of the **CITY** occurring during the course of or as a result of the performance of the Agreement.

Where claims, lawsuits or liability, including reasonable attorneys' fees and costs arise from any wrongful or negligent act of both the **CITY** and the **CONTRACTOR**, the **CONTRACTOR** shall indemnify and hold the **CITY** harmless from only that portion of claims, causes of action, lawsuits, damages, judgments, liabilities, and litigation costs and expenses including reasonable attorneys' fees and costs, to the extent caused by the **CONTRACTOR'S** or any subcontractor's wrongful or negligent acts occurring as a result from the **CONTRACTOR'S** performance pursuant to this Agreement.

Notwithstanding the foregoing, the **CONTRACTOR** will not be obligated to indemnify the **CITY** to the extent that an infringement or misappropriation claim is based upon (1) use of the Software in breach of this Agreement, if such infringement or misappropriation would not have occurred but for such breach; (2) use of the Software in combination with other products not supplied or

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recommended by the **CONTRACTOR** or specified by the **CONTRACTOR** as being compatible with the software, if such infringement or misappropriation would not have occurred but for such combined use; (3) use of any release of the Software other than the most current release made available to the City, if the most current release was furnished to the City specifically to avoid such infringement or misappropriation and if such infringement or misappropriation would have been avoided by use of the most current release; or (4) any modification of the Software made by the City (other than at the **CONTRACTOR'S** direction), if such infringement or misappropriation would not have occurred but for such modification.

In no event shall either party be liable to the other for any punitive, special, incidental or consequential damages, lost profits or any other indirect damages even if that party has been informed of the possibility thereof.

EXTRA WORK

It is expressly understood and agreed that no claim for extra work or materials, not specifically herein provided, done or furnished by the **CONTRACTOR**, shall be allowed by the **CITY,** nor shall the **CONTRACTOR** do any work or furnish any materials not covered by this Agreement unless such work is ordered in writing by the **CITY**, and in no event shall the **CONTRACTOR** incur any liability by reason of any verbal instructions that they may be given by the **CITY**, or its authorized agent; nor will the said **CITY** be liable for any extra materials furnished or used, or for any extra work or labor done, unless said materials, work, or labor are required by said **CONTRACTOR'S** own risk, cost and expense, and they hereby covenant and agree that without such written order, they shall make no claim for compensation for work or materials so done or furnished.

AMENDMENTS

Any modifications or amendments to this Agreement must be in writing and executed by the parties hereto.

TERMINATION OF AGREEMENT

The **CONTRACTOR** acknowledges and agrees as follows:

1. Termination for Convenience. The **CITY** may terminate this Agreement, in whole or in part, at any time by written notice to the **CONTRACTOR** when it is in the **CITY'S** best interest. The **CONTRACTOR** shall be paid its costs, including Agreement closeout costs, and profit on work performed up to the time of termination. The **CONTRACTOR** shall promptly submit its termination claim to the **CITY** for payment to the **CONTRACTOR**. If the **CONTRACTOR** has any property in its possession belonging to the **CITY**, the **CONTRACTOR** will account for the said property, and dispose of it in the manner the **CITY** directs.

2. Termination for Default (Breach or Cause). If the **CONTRACTOR** does not deliver work in accordance with the Agreement implementation plan and schedule, or if the Agreement is for services, the **CONTRACTOR** fails to perform in the manner called for in the Agreement, or if the **CONTRACTOR** fails to comply with any other provisions of the Agreement, the **CITY** may terminate this Agreement for default. Termination shall be effected by serving a notice of termination on the **CONTRACTOR** setting forth the manner in which the **CONTRACTOR** is in default. The **CONTRACTOR** will only be paid the Agreement price for work delivered and accepted, or services performed in accordance

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with the manner of performance set forth in the Agreement. If it is later determined by the **CITY** that the **CONTRACTOR** had an excusable reason for not performing, such as a strike, fire, or flood, events which are not the fault of or are beyond the control of the **CONTRACTOR**, the **CITY**, after setting up a new delivery of performance schedule, may allow the **CONTRACTOR** to continue work, or treat the termination as a termination for convenience.

3. Opportunity to Cure. The **CITY** in its sole discretion may, in the case of a termination for breach or default, allow the **CONTRACTOR** an appropriately short period of time, not less than thirty (30) days, in which to cure the default. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions. If **CONTRACTOR** fails to remedy to the **CITY'S** satisfaction the breach or default of any of the terms, covenants, or conditions of this Agreement within thirty (30) days after receipt by **CONTRACTOR** of written notice from the **CITY** setting forth the nature of said breach or default, the **CITY** shall have the right to terminate the Agreement without further obligations to **CONTRACTOR**. Any such termination for default shall not in any way operate to preclude the **CITY** from also pursuing all available remedies against **CONTRACTOR** and its sureties for said breach or default.

4. Waiver of Remedies for Any Breach. In the event that the **CITY** elects to waive its remedies for any breach by **CONTRACTOR** of any covenant, term, or condition of this Agreement, such waiver by the **CITY** shall not limit the **CITY'S** remedies for any succeeding breach of that or of any other term, covenant, or condition of this Agreement.

5. Cancellation by **CONTRACTOR**. This Agreement shall be subject to cancellation by **CONTRACTOR** after the default by the **CITY** in the performance of any covenant or agreement herein required to be performed by the **CITY** and the failure of the **CITY** to remedy such default for a period of sixty (60) days after receipt from **CONTRACTOR** or written notice to remedy the same.

   CONTRACTOR may exercise such right of termination by written notice to the **CITY** at any time after the lapse of the above applicable periods of time and this Agreement shall terminate as of that date. Consideration due hereunder shall be payable only to the date of the happening of the event which results in said termination.

6. Cancellation by the **CITY**. This Agreement shall be subject to cancellation by the **CITY** in the event **CONTRACTOR** shall:

   a) File a voluntary petition of bankruptcy.
   b) Make a general assignment for the benefit of creditors.
   c) Default in the performance of any of the covenants and conditions required herein to be kept and performed by **CONTRACTOR**, and such default continues for a period of thirty (30) days after written notice from the **CITY** of said default.

DISPUTES

If during the course of this Agreement the Parties are unable to resolve any dispute or controversy arising out of or relating to the Agreement, such claims shall first be subject to non-binding mediation as a condition precedent to the initiation of any legal action. Unless the Parties mutually agree otherwise in writing, the Commercial Arbitration Rules and Mediation Procedures of the American Arbitration Association in effect at the time of the demand for mediation shall be applied at the mediation. Any such mediation will be located in State of Montana Thirteenth Judicial

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District Court, Yellowstone County, United States. Demand for mediation shall be made in writing. The Parties agree to share equally the mediator's fee and any filing fees. Any mediation hereunder shall be conducted before an independent mediator mutually selected by the Parties. If the Parties are unable to agree to a mediator within ten (10) days after the receipt of a demand for mediation by either party, the mediator will be chosen by AAA. Any agreement reached in mediation shall be enforceable and binding upon both Parties. Each Party agrees to bear its own attorneys' fees associated with the mediation. In the event of any dispute or controversy arising out of or relating to this Agreement, the Parties agree to exercise their best efforts to resolve the dispute as soon as possible. The Parties shall, without delay, continue to perform their respective obligations under this Agreement, which are not affected by the dispute.

Unless otherwise directed by the **CITY**, **CONTRACTOR** shall continue performance under this Agreement while matters in dispute are being resolved.

ATTORNEY FEES AND COSTS

In the event that either party is required to retain the services of an attorney, or use in-house counsel to enforce the terms and conditions of this Agreement, then the prevailing party shall recover from the other party all reasonable costs, expenses and attorney fees, including fees of in-house counsel, expended or incurred in connection therewith.

This Agreement shall be governed by and construed in accordance with the laws of the State of Montana. Venue in any proceedings held hereunder shall be in the State of Montana Thirteenth Judicial District Court, Yellowstone County, Montana.

SEVERABILITY

Any provision or part of the Agreement held to be void or unenforceable under any law or regulation shall be deemed stricken and all remaining provisions shall continue to be valid and binding upon the **CITY** and the **CONTRACTOR**, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

SUCCESSORS AND ASSIGNS

Neither the **CITY** nor the **CONTRACTOR** shall assign, transfer, or encumber any rights, duties, or interests accruing from this Agreement without the written consent of the other.

COMPLIANCE WITH LAWS

CONTRACTOR agrees to comply with all Federal, State, and Local laws, ordinances, rules, and regulations applicable at the time services are provided by the **CONTRACTOR** and accepted by the **CITY**. **CONTRACTOR** is required to pay the City Business and Occupation Tax to purchase a City business license, and keep the license current during the term of this Agreement and extension thereof.

GOVERNING LAW AND VENUE

This Agreement shall be construed and enforced in accordance with the laws of the State of Montana. Venue for any suit between the parties arising out of this Agreement shall be in the State of Montana Thirteenth Judicial District Court, Yellowstone County.

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CIVIL RIGHTS

The following requirements and those additional and applicable requirements found in the FAA Federal Provisions in **Attachment C** apply to the underlying Agreement:

1. Nondiscrimination. **CONTRACTOR** shall, in performance of work under this Agreement, fully comply with all applicable Federal, State, or Local laws, rules, regulations, and executive orders including, but not limited to, the Montana Human Rights Act, the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. **CONTRACTOR** is the employer for the purpose of providing healthcare benefits and paying any applicable penalties, fees and taxes under the Patient Protection and Affordable Care Act (P.L. 111-148, 124 Stat. 119). Any subletting or subcontracting by **CONTRACTOR** subjects subcontractors to the same provisions. In accordance with 49-3-207, MCA, and Executive Order No. 04-2016, **CONTRACTOR** agrees that the hiring of persons to perform this Contract will be made on the basis of merit and qualifications and there will be no discrimination based on race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status by the persons performing this Agreement

   The **CONTRACTOR** and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a), which prohibit discrimination against qualified protected veterans and/or qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

   In accordance with Title Vl of the Civil Rights Act, as amended, 42 U.S.C. 2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. 12132, and the **CONTRACTOR** agrees that they will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age or disability. In addition, the **CONTRACTOR** agrees to comply with applicable Federal implementing regulations and other implementing requirements Federal Aviation Administration (FAA) may issue.

   The **CONTRACTOR** and any subcontractor shall abide by the requirements of 41 CFR 60-1.4, which states employees or applicants may not be discharged or in any other manner discriminated against because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the **CONTRACTOR'S** legal duty to furnish information.

2. Equal Employment Opportunity. The following equal employment opportunity requirements apply to the underlying Contract:

   a) Race, Color, Creed, National Origin, Sex. In accordance with Title Vll of the Civil Rights Act, as amended, 42 U.S.C. 2000e, and the **CONTRACTOR** agrees to comply with all applicable equal employment opportunity requirements of U.S.

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Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 CFR Parts 60 *et seq*., (which implement Executive Order No. 11246, Equal Employment Opportunity, as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the project. The **CONTRACTOR** agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

b) Age. In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 623, and the **CONTRACTOR** agrees to refrain from discrimination against present and prospective employees for reason of age.

c) Disabilities. In accordance with Section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. 12112, the **CONTRACTOR** agrees that they will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 CFR Part 1630, pertaining to employment of persons with disabilities.

3. The **CONTRACTOR** shall comply with any and all reporting requirements that may apply to them that the **CITY** may establish by regulation.

4. The **CONTRACTOR** shall comply with all applicable Federal, State, and City laws concerning the prohibition of discrimination.

5. The **CONTRACTOR** shall include the provisions of Subsections 1 through 4 of this Section in every subcontract or purchase order under this Agreement, so as to be binding upon every such subcontractor or vendor of the **CONTRACTOR** under this Agreement.

6. The **CONTRACTOR** agrees to post, in conspicuous places available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause

7. The **CONTRACTOR** also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FAA, modified only if necessary to identify the affected parties.

CONDITIONS AND NONCOLLUSION AGREEMENT

We have read and agree to the conditions and stipulations contained herein.

We further agree to furnish the product/services specified at the prices stated herein. We additionally agree to deliver the product/services to the location and by the date set forth herein, if applicable.

In signing, you also certify that you have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise taken any action in restraint of free

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competition; that no attempt has been made to induce any other person or firm to submit or not to submit a Bid/Proposal; that this Bid/Proposal has been independently arrived at without collusion with any other competitor; that the above statement is accurate under penalty of perjury.

THIS AGREEMENT EXECUTED THE DAY AND YEAR FIRST WRITTEN ABOVE.

CITY OF BILLINGS, MONTANA	GCR INC. DBA CIVIX
WILLIAM A. COLE MAYOR	TIMOTHY A. WALSH PRESIDENT

APPROVED AS TO FORM

CITY ATTORNEY

ATTEST

DENISE BOHLMAN, CITY CLERK

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DEBARMENT CERTIFICATION

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, OTHER INELIGIBILITY, AND VOLUNTARY EXCLUSION

The **CONTRACTOR**, certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.

2. Have not, within a three year period preceding this Bid/Proposal, been convicted of or had a civil judgment rendered against them for commission of a fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public function (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in Paragraph 2. of this certification.

4. Have not, within a three-year period preceding this Agreement, had one or more public transactions (Federal, State, or Local) terminated for cause or default.

Where the **CONTRACTOR** is unable to certify to any of the statements in this certification, such **CONTRACTOR** shall attach an explanation to this Bid/Proposal.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT, AND THAT I AM AUTHORIZED, ON BEHALF OF THE ABOVE FIRM, TO MAKE THIS AFFIDAVIT.

_____ _____

CONTRACTOR DATE

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ATTACHMENT A

SCOPE OF SERVICES

A. Overview: The purpose of this RFP is to obtain the services of a qualified firm to provide a Lease Management and Accounting System for the Billings Logan International Airport that captures all of the Airport's leases, permits, use agreements, and temporary agreements. The software must provide all necessary reports, journal entries, and outputs necessary to comply with legacy Government Accounting Standards Board (GASB) standards, be scalable in order to meet future business and technology needs, and integrate with third-party applications. The Airport is looking for a solution that will consolidate data entry, tracking (current and historical), include all accounts receivable accounting functions, provide customized and flexible reporting, comply with legal requirements, and provide tenant services such as online payment capability. Mandatory functions include export of current tenant data into the new system, creation of individual tenant lease/permit/agreement profile reports, creation of a tickler report for expiration dates, adjustments and reminders, all accounts receivable functions, and integration with the City's financial/ERP system.

B. Service Period: Services are to be provided for an initial five (5) year agreement period, with three (3) five-year options to renew by mutual agreement. The software shall allow for export of data to other applications, for batch uploading of initial lease data and for access controls set up by user profiles. The selected firm shall provide implementation support and customization, training for system users, and post implementation support and maintenance. The Airport has approximately 100-120 leases, permits, and use agreements, and will initially require a minimum of five (5) user licenses.

C. System Technical Requirements: Proposer's response should contain general information on the system's technical requirements noted below. If selected for a presentation/demonstration, detailed information on the following items shall be provided to the RFP Contact prior to the presentation/demonstration.

1. Cloud-based hosting must include:

   a) The cloud-based proposal must identify what the minimum requirements are for cloud-based storage and how the required storage requirements are determined. If additional storage resources are needed, specify whether this requires additional costs.
   b) The cloud-based hosting proposal must include all hardware/infrastructure and provide for all future capacity growth as part of Proposer's proposed hosting fees.
   c) The Proposer must remain on supported technology at all times, and must perform infrastructure updates and apply patches on a regular basis as part of their proposed fees.
   d) The Proposer must provide and apply application version/patch updates on a regular basis as part of their proposed fees.

e) Updates must not interrupt service and must be implemented solely by Proposer.

f) The system must be secure, meeting the City of Billings IT security specifications.

g) The Proposer must provide IT security services for the cloud-based hosted systems as part of their proposed fees and these services must include intrusion detection, penetration monitoring, vulnerability scanning, and annual SOC auditing.

h) Cloud-based hosting must be provided through a reputable data center vendor, preferred servers are AWS, Azure, or comparable.

2. Security:

a) Include an overview of the IT security services.

b) Is the Proposer PCI certified? Provide latest PCI attestation.

c) Are all costs associated with PCI compliance included in the Proposer's bid?

d) Does the Proposer undergo annual SOC audits? What level of SOC audits do you undergo?

e) Are all costs associated with annual SOC audits included in the Proposer's bid?

f) Does the Proposer's proposed services include intrusion detection? If not, please include the additional cost to provide these solutions in Proposer's pricing.

g) What tools does the provider utilize in performing IT security services?

h) Does the Proposer provide validated procedures for security configuration management, security patch installation, and malware prevention on all servers and PCs involved in service delivery?

i) Please describe how the Proposer performs the following IT security services:

1) Vulnerability Scanning
2) Penetration Testing
3) Intrusion Detection
4) SIEM Monitoring
5) Software Security Patching

j) Does the Proposer utilize an independent third party to conduct annual information security penetration tests of their IT systems?

k) Please describe any expectations Proposer has of City staff related to IT security services.

3. System Maintenance:

a) Describe system maintenance included.
b) Describe how system enhancements are prioritized.
c) Describe the upgrade cycle.

4. Reliability:

a) Describe how the hosted solution provides for disaster recovery.
b) Describe the backup process including frequency, if the backup media is stored at an offsite location, and how many backup copies are maintained.
c) Describe redundancy features.
d) Are all hosting locations within the United Sates? Are hosting locations distributed geographically? What is the physical location of each datacenter? If hosted by a third party, list the name of the hosting party.

5. Network Capability and Availability:

a) Describe the backbone connectivity of datacenter(s) to broadband provider(s). Is there physical circuit diversity with respect to how circuits enter the datacenter(s)?
b) What are the speeds of circuits entering the datacenter(s)?
c) What measures are in place to mitigate single points of failure in your network connection(s) to broadband providers?
d) What are the optimal bandwidth recommendations for end-points running Proposer's solution?

6. Data Management:

a) Describe the ability and process to return the City's data upon contract termination.
b) Are copies of backups of the data set available to the City throughout the length of the contract?
c) The City is requiring that software use Microsoft SQL Server for its database. Does Proposer's software meet this requirement?
d) Will City IT staff have access to the database(s) for reporting and query purposes?

D. Outline of Scope of Services: An outline of the functional details desired in the Scope of Services is provided in checklist format in the attached Form 11. Proposer is required to complete this form and include it in their RFP response. However, the final scope of work will be negotiated with the successful Proposer.

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
LEASE ADMINISTRATION & MANAGEMENT				
1.	Create individual lease entries by tenant name, lease type, with multiple charge codes.	x		9
2.	Provide specific lease data fields for:	x		9
	• Lease number	x		9
	• Term - beginning and expiration	x		9
	• Insurance - multiple types, limits, and policy expiration dates	x		9
	• Business license expiration date	x		9
	• Performance bond - amount and expiration	x		9
	• Annual adjustment (CPI) date and index	x		9
	• Tenant specific info -address, billing address, e-mail, legal notice address, MAG, holdover, contacts, payment terms/frequency, fixed/recurring fees, late fees, security deposit	x		9
	• Location (address, parcel description)	x		9
3.	Ability to upload copies of leases and other documentation.	X		5, 6
4.	Attach documents of any file type (PDF, JPG, TIF, DOC, Excel workbook).	X		3
5.	Import and associate PDF, JPG, PNG, and other common image file types to display floor plans and maps. Viewing images is preferred from an internal image viewer over external applications.	X		9
6.	Track available and vacant parcels separately.	X		10
7.	Option for tenants to pay charges online through a tenant portal is preferred. Airport will consider proposals with or without this feature. If this is a separate module, separate pricing should be noted on the pricing matrix.	X		9
8.	Track lease history and provide an audit trail for any lease changes.	X		7
9.	Track renewal options and allows users to designate the renewals as reasonably certain for renewal or not reasonably certain for renewal, with lease term reflecting the designation.	X		7
10.	Allow create and use of customized lease categories and/or fields for reporting and tracking.	X		9
11.	Track short-term leases if Airport elects to enter them.	X		3

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
ACCOUNTING				
12.	Create a set of standard reports and dashboards with sorting and filtering capabilities.	X		3
13.	Allow for customizable reports and dashboards for specific users.	X		3
14.	Ability to match receipts to invoices, payment type.	X		8
15.	Airport intends to use this system as its Accounts Receivable system.	X		8
16.	Receipt management - review open invoices on accounts receivable ledger.	X		8,9
17.	Create a set of standard invoices for different tenant types and charges.	X		8
18.	Implement GASB 87 Leases. Can the system apply the aviation/aeronautical lease exclusion for GASB 87? **(City will consider proposals with and without GASB 87 implementation and compliance feature)**	X		7
19.	Airport intends to utilize the lease software for calculation of all tenant AR charges such as recurring monthly, quarterly, semi-annual, and annual lease billings. Lease software billing information (charges and tenant payments and receipts) MUST export to the City's accounting software, preferably through an API.	X		8
20.	Support both full and partial lease terminations, including automatic generation of the associated journal entries.	X		8
21.	Provide ability to record a catch-up entry for a lease that was not timely entered into the software.	X		8
22.	Import and capture of aviation flight, fuel, landing and concession statistics from Airport's spreadsheets. **(City will consider proposals with and without this capability.)**	X		7
23.	Ability to support rent payments in advance and arrears.	X		9
24.	Support complex aviation rent calculations.	X		8, 9
25.	Track and account for lease charges beyond rent such as utilities, landing fees, repairs, etc.	X		8
26.	Provide for forecasting of lease revenue analysis.	X		8

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
TECHNICAL				
27.	Provide services to assist in migration of current leases, permits, and agreements into the system.	X		19
28.	Provide ability for workflow options and communication workflow:	X		
	• Send auto e-mail notification for workflow options and communications workflow	X		6, 9
	• Schedule and track notifications of account status reports, agreement term dates, audit reminders, insurance requirements, mailings, etc.	X		4, 7
29.	Track reminder notices for security deposit, LOC, performance bonds.	X		5
30.	Provide operational dashboards and reporting tools to monitor scheduled tasks, reports, due dates.	X		5
31.	Provide a custom reporting studio, allowing users to create their own reports.	X		9, 10, 20
32.	Provide ad hoc and customizable templates with Airport logo for account notices, all types of reminder letters, and other correspondence.	X		7
33.	Include e-mail capabilities using default templates with "reply to" functionality to the user's e-mail account.	X		3
34.	Provide rent escalations (CPI, etc.) and rate adjustments.	X		8
35.	Import and export data in following formats: CSV, MS Excel 2010 and newer, MS Office Suite 2010 and newer.	X		3, 22
36.	Provide search tools, menus, drop-down selections, and filters to simplify processes.	X		3
37.	Operate with commonly used computing devices, including but not limited to, PCs, laptops, tablets.	X		3
38.	Provide a list of compatible browsers that includes version options and denote if any special "plug-ins" are required. City reserves the right to stipulate the required internet browser.	X		3
39.	Provide controls to monitor user access and software versioning.	X		7, 21
40.	Provide system modifications and scalable enhancements, as Airport business needs change.	X		21

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
TECHNICAL				
41.	Access to web-based application:	X		21, 26
	• 24-hour access to application	X		21
	• Ability to control/restrict access by individuals	X		27
	• Ability to securely access remotely	X		27
	• List other available options	X		27
42.	Error handling process for any failed transmissions, send notice to Airport contacts.	X		3
43.	Training (at no additional cost) classes for users. Describe the curriculum, schedule, duration, frequency. Provide training documentation and manuals to support user learning/adoption in format agreed upon by both parties.	X		12
44.	On-call technical support:	X		12
	• Assist/resolve problems with users	X		12
	• Remedy hardware, software, integration problems	X		12
	• Provide support via toll-free phone and/or e-mail between 8 a.m. and 5 p.m.	X		12
	• MST on weekdays excluding Federal holidays	X		12
	• Log, rank, prioritize and resolve support issues in timely manner	X		12
	• Provide report on problem, cause, and resolution	X		12
	• Provide implementation support, post implementation support, and training for system use and updates	X		12
45.	Anticipate 5 user licenses initially; must have ability to add users as needed.	X		cover letter
46.	City currently uses CitySuite by Harris Computer Systems for its financial system. The lease software must interface all transactions, preferably through an API, to this software. Proposer is familiar with or has worked with CitySuite and Harris Computer Systems software in past.	X		18, 23

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
TECHNICAL				
47.	If selected, Proposer will collaborate with City IT (and Harris Computer Systems support if necessary) during integration to format files necessary to export the lease software billing and payment information into the City's ERP/financial software. Any charges and receipt of payment will be posted in the lease management software and the information will be sent to respective general ledger accounts in the financial software via a batch process, not individual transactions.	X		18, 23
48.	This system is not intended to replace the City's fixed asset depreciation module; no integration needed. Lease management software has fixed asset tracking functionality.	X		7
49.	No integration needed with the proposed lease software and the City's utility software. Lease software has functionality for Airport to create utility invoices for specific Airport tenants.	X		8
50.	Proposed lease software shall be compatible with Windows 10 for proper installation, and shall be compatible with newer OS versions as they are adopted by City.	X		3
51.	City's IT Department is responsible for all data management and SQL integration.	X		3
52.	Allow for batch uploading of initial Airport lease data.	X		19
53.	Provide access control set up by user profiles.	X		22
54.	Explain any requirements that the solution CANNOT satisfy. (Use a separate sheet.)	X		N/A
55.	Additional hardware required to run any of the applications.	X		N/A
56.	Online help feature.	X		12, 13
57.	Ability to use a wildcard, keyword, and multi-field search of records.	X		5
58.	Ability to associate lease space on a PDF map, scaled PDF floorplans, or support GIS graphical location data.	X		10
59.	Provide accounts receivable functions and the ability to accept credit card or ACH payments for the same via a PCI compliant web portal.	X		9
60.	Lease management software. If the software is structured to have a "base" of functionality, with separate modules to add other functions, provide a detailed explanation. (Use a separate sheet.)	X		5, 10

FORM 11

SCOPE OF SERVICES

FUNCTIONAL DETAILS				
FUNCTION		Can Provide		RFP Proposal
		Yes	No	Page #
OTHER SERVICES				
61.	For new service requests, contractor to develop a work plan detailing the specific tasks to be completed and a detailed not-to-exceed budget for performing such.	X		Standard; Pricing Form
62.	Describe other optional modules and/or services that may improve the Airport's management of tenant leases, permits, agreements, invoicing and receivables.	X		10

ATTACHMENT B

STANDARD TERMS AND CONDITIONS

ACCESS AND RETENTION OF RECORDS: The Contractor agrees to provide the City, City Auditor(s), or their authorized agents, access to any records necessary to determine contract compliance (MCA 18-1-118). The Contractor agrees to create and retain records supporting the services rendered or supplies delivered for a period of three (3) years after either the completion date of the contract, or the conclusion of any claim, litigation, or exception relating to the contract taken by the City or third party.

ASSIGNMENT, TRANSFER AND SUBCONTRACTING: The Contractor shall not assign, transfer, or subcontract any portion of the contract without the express written consent of the City.

AUTHORITY: The attached request for proposal, limited solicitation, or contract is issued under authority of Title 18, MCA, and the Administrative Rules of Montana, Title 2, Chapter 5.

COMPLIANCE WITH LAWS: The Contractor must, in performance of work under the contract, fully comply with all applicable Federal, State, or Local laws, rules, and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Any subletting or subcontracting by the Contractor subjects the subcontractors to the same provision. In accordance with Section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and proposals and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, sexual orientation, age, marital status, physical or mental disability, or national origin by the persons performing the contract.

CONFORMANCE WITH CONTRACT: No alteration of the terms, conditions, delivery, price, quality, quantities, or specifications of the contract shall be granted without prior written consent of the City. Supplies delivered which do not conform to the contract terms, conditions, and specifications may be rejected and returned at the Contractor's expense.

DEBARMENT: The Contractor certifies, by submitting this bid or proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. If the Contractor cannot certify this statement, attach a written explanation for review by the City.

DISABILITY ACCOMMODATIONS: The City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need aids, alternative document formats, or services for effective communications or other disability related accommodations in the programs and services offered are invited to make their needs and preferences known to the City office. Interested parties should provide as much advance notice as possible.

FAILURE TO HONOR BID/PROPOSAL: If a Contractor to whom a contract is awarded refuses to accept the award (contract) or fails to deliver in accordance with the contract terms and conditions, the City may, in its discretion, reject all future proposals and/or business agreements with the Contractor.

FORCE MAJEURE: Neither party shall be responsible for failure to fulfill its obligations due to causes beyond its reasonable control, including without limitation, acts or omissions of government or military authority, acts of God, transportation delays, fires, floods, labor disturbances, riots, wars, terrorist acts, or any other causes, directly or indirectly beyond the

reasonable control of the nonperforming party, so long as such party is using its best efforts to remedy such failure or delays.

HOLD HARMLESS/INDEMNIFICATION: The Contractor agrees to protect, defend, and save the City, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in factor of the Contractor's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omission of the Contractor and/or its agents employees, representatives, assigns, subcontractors, except the sole negligence of the City, under this agreement.

INSURANCE: The Contractor shall obtain and maintain insurance coverage, at its expense, for the following claims which may arise out of the performance of the contract award whether resulting from the Contractor's operations or from the operations of any subcontractor, anyone in the employ of any of them, or by an individual or entity for whose acts they may be liable: The insurance shall cover such claims as may be caused by any negligent act or omission. The insurance shall be provided by a company with rating of (A.M. Best) B+ VI or Better.

Workers' Compensation:

1. Workers' compensation and employer's liability coverage as required by Montana law.
2. Contractor shall comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71, MCA, and the Occupational Disease Act of Montana, Title 39, Chapter 71, MCA. Contractor shall maintain workers' compensation insurance coverage for all members and employees of Contractor's business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA.
3. Contractor shall furnish CITY with copies showing one of the following: (1) proof of registration as a registered contractor under Title 39, Chapter 9, MCA; (2) a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or (3) proof of exemption from workers' compensation granted by law for independent contractors.

Commercial General Liability Insurance may be arranged under a single policy for the full limits required or by a combination of underlying policies and an Excess or Umbrella Liability policy.

General Aggregate per Project	$3,000,000
Each Occurrence	$1,500,000
Coverages	
Premises/Operations	
Products/Completed Operations Aggregate	
Contractual Liability	
Independent Contractors Coverages	
Broad Form Property Damage	
Personal Injury	

Professional Liability (Technology Errors and Omissions) coverage as follows:

Per Claim Combined Single Limits for each Wrongful Act	$2,000,000

Each policy of insurance required by this Section shall provide for no less than 30 days' advance written notice to the City prior to cancellation. Certificates of insurance showing required coverage to be in force shall be filed with the City within five (5) days of execution of the contract and prior to commencement of work to be performed. Policies shall be endorsed to name the City as primary additional insured, and copies of the endorsements provided with the insurance certificate(s). The Contractor shall notify the City a minimum of thirty (30) days prior to any cancellation or change to the insurance coverage provided. The Contractor shall bear the sole responsibility to provide continuing insurance coverage for the duration of this agreement. .

The City shall be listed as an additional insured on all policies except Workers' Compensation and Professional Liability Policies. In addition, all policies except Workers' Compensation shall contain a waiver of subrogation against the City.

All insurance shall be written on an "occurrence" basis. "Claims made" insurance coverage is not allowed.

Cyber/Information Security Insurance:

The Contractor shall purchase and maintain cyber/information security insurance coverage with combined single limits for each wrongful act of $2,000,000 per occurrence to cover the unauthorized acquisition of personal information such as social security numbers, credit card numbers, financial account information, or other information that uniquely identifies an individual and may be of a sensitive nature in accordance with §2-6-1501, MCA through §2-6-1503, MCA. If the Contractor maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

Such insurance must cover, at a minimum, privacy notification costs, credit monitoring, forensics investigations, legal fees/costs, regulatory fines and penalties, and third party liability settlements or judgements as may be caused by any act, omission, or negligence of the Contractor's officers, agents, representatives, assigns or subcontractors.

Note: If occurrence coverage is unavailable or cost-prohibitive, the City will accept "claims made" coverage provided the following conditions are met:

1. The retroactive date must be shown, and must be before the date of the contract or the beginning of contract work;

2. Insurance must be maintained and evidence of insurance must be provided for at least three (3) years after completion of the contract of work; and

3. If coverage is canceled or non-renewed, and not replaced with another claims made policy form with a retroactive date prior to the contract effective date, the Contractor must purchase "extended reporting" coverage for a minimum of three (3) years after completion of work.

System Security:

Contractor shall ensure systems delivered are adequately secure. For purposes of this RFP, adequate security is defined to require compliance with Federal and State of Montana security requirements and to ensure freedom from those conditions that may impair the City's use of its data and information technology or permit unauthorized access to the City's data or information technology.

The City has established control standards and policies that align with the NIST Cybersecurity Framework. The latest revision of NIST SP 800-53 is used for control adherence evaluation established after developing a security categorization utilizing FIPS PUB 199. Thus, Contractor shall provide reasonable proof, through independent audit reports, **security scans of operating systems, code or the technology environment provided**, that the proposed system meets or exceeds Federal and State of Montana security requirements to ensure adequate security and privacy, confidentiality, integrity, and availability of the City's data and information technology.

Annual assurance statements shall be delivered to the Contract Liaison. Annual assurance statements must contain a detailed accounting of the security controls provided and must be in the form of a NIST Security Assessment Report or FedRAMP Security Assessment Report.

Prohibited Activities and Spoofing:

Licensor and its officers, employees, agents, subcontractors, and affiliated users, shall not violate or attempt to violate the security of the City or State of Montana's network or interfere or attempt to interfere with the systems, networks, authentication measures, servers or equipment, or with the use of or access to the network by any other user. Such prohibited activity includes (i) accessing or logging into a server where access is not authorized; (ii) unauthorized probing, scanning, or testing the security or vulnerability of the City or State's network or other systems; and (iii) attempting to portray itself as the City or State or an affiliate of the City or State or otherwise attempting to gain access, without authorization, via the network or systems to any account or information technology resource not belonging to Contractor or its officers, employees, agents, subcontractors, and affiliated users. Contractor shall not perform unauthorized spoofing or scanning of any kind, including user account identity. Systems shall not spoof the billingsmt.gov or mt.gov domains or engage in e-mail spoofing. E-mail spoofing is the creation of e-mail messages with a forged sender address. For example, e-mail spoofing includes creating or sending e-mails using the City or State's domain.

INTELLECTUAL PROPERTY: All patents and other legal rights in or to inventions arising out of activities funded in whole or part by the contract must be available to the City for royalty-free and non-exclusive licensing. The Contractor shall notify the City in writing of any invention conceived or reduced to practice in the course of performance of the contract. The City shall have a royalty-free, nonexclusive, and irrevocable right to reproduce publish or otherwise use and authorize others to use copyrightable property created under the contract.

REGISTRATION WITH THE SECRETARY OF STATE: Any business intending to transact business in Montana may be required to register with the Secretary of State. Businesses that are incorporated in another state or country, but which are conducting activity in Montana, must determine whether they are transacting business in Montana in accordance with sections 35-1-1026 and 35-8-1001, MCA. Such businesses may want to obtain the guidance of their attorney or accountant to determine whether their activity is considered transacting business. If businesses determine that they are transacting business in Montana, they must register with the

Secretary of State and obtain a certificate of authority to demonstrate that they are in good standing in Montana, and provide a copy to the City. To obtain registration materials, call the Office of the Secretary of State at (406) 444-3665, or visit their website at http://sos.mt.gov.

SEPARABILITY CLAUSE: A declaration by any court, or any other binding legal source, that any provision of the contract is illegal and void shall not affect the legality and enforceability of any other provision of the contract, unless the provisions are mutually dependent.

TAX EXEMPTION: The City is exempt from Federal Excise Taxes (#81-6001237).

TERMINATION OF CONTRACT: Unless otherwise stated, the City may, by written notice to the Contractor, terminate the contract in whole or in part at any time the Contractor fails to perform under the contract.

U.S. FUNDS: All prices and payments must be in U.S. dollars.

GOVERNING LAW: The laws of Montana govern this solicitation. The parties agree that any litigation concerning this bid, request for proposal, limited solicitation, or subsequent contract, must be brought in the Thirteenth Judicial Court in and for the County of Yellowstone, State of Montana. (MCA 18-1-401).

ATTACHMENT C

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

ACCESS TO RECORDS AND REPORTS

The Contractor must maintain an acceptable cost accounting system. The Contractor agrees to provide the Owner, the Federal Aviation Administration and the Comptroller General of the United States or any of their duly authorized representatives access to any books, documents, papers and records of the Contractor which are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts and transcriptions. The Contractor agrees to maintain all books, records and reports required under this contract for a period of not less than three years after final payment is made and all pending matters are closed.

BREACH OF CONTRACT TERMS

Any violation or breach of terms of this contract on the part of the [Contractor | Consultant] or its subcontractors may result in the suspension or termination of this contract or such other action that may be necessary to enforce the rights of the parties of this agreement.

Owner will provide [Contractor | Consultant] written notice that describes the nature of the breach and corrective actions the [Contractor | Consultant] must undertake in order to avoid termination of the contract. Owner reserves the right to withhold payments to Contractor until such time the Contractor corrects the breach or the Owner elects to terminate the contract. The Owner's notice will identify a specific date by which the [Contractor | Consultant] must correct the breach. Owner may proceed with termination of the contract if the [Contractor | Consultant] fails to correct the breach by the deadline indicated in the Owner's notice.

The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder are in addition to, and not a limitation of, any duties, obligations, rights and remedies otherwise imposed or available by law.

GENERAL CIVIL RIGHTS PROVISIONS

The Contractor agrees to comply with pertinent statutes, Executive Orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance.

This provision binds the Contractor and subcontractors from the bid solicitation period through the completion of the contract. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

TITLE VI SOLICITATION NOTICE

The (Name of Sponsor), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that any contract entered into pursuant to this advertisement, [select disadvantaged business enterprises or airport concession disadvantaged business enterprises] will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

COMPLIANCE WITH NONDISCRIMINATION REQUIREMENTS

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Title VI List of Pertinent Nondiscrimination Acts and Authorities, as they may be amended from

time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.
3. Solicitations for Subcontracts, including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the contractor's obligations under this contract and the Nondiscrimination Acts and Authorities on the grounds of race, color, or national origin.
4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the Federal Aviation Administration to be pertinent to ascertain compliance with such Nondiscrimination Acts and Authorities and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the sponsor or the Federal Aviation Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of a Contractor's noncompliance with the non-discrimination provisions of this contract, the sponsor will impose such contract sanctions as it or the Federal Aviation Administration may determine to be appropriate, including, but not limited to:
   a. Withholding payments to the Contractor under the contract until the Contractor complies; and/or
   b. Cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the sponsor or the Federal Aviation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the sponsor to enter into any litigation to protect the interests of the sponsor. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.

TITLE VI LIST OF PERTINENT NONDISCRIMINATION ACTS AND AUTHORITIES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR part 21 (Non-discrimination in Federally-assisted programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 USC § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973 (29 USC § 794 et seq.), as amended (prohibits discrimination on the basis of disability); and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended (42 USC § 6101 et seq.) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (49 USC § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§ 12131 – 12189) as implemented by U.S. Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 USC 1681 et seq).

CLEAN AIR AND WATER POLLUTION CONTROL

Contractor agrees to comply with all applicable standards, orders, and regulations issued pursuant to the Clean Air Act (42 USC § 740-7671q) and the Federal Water Pollution Control Act as amended (33 USC § 1251-1387). The Contractor agrees to report any violation to the Owner immediately upon discovery. The Owner assumes responsibility for notifying the Environmental Protection Agency (EPA) and the Federal Aviation Administration.

Contractor must include this requirement in all subcontracts that exceeds $150,000.

DEBARMENT AND SUSPENSION

By submitting a bid/proposal under this solicitation, the bidder or offeror certifies that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction.

CERTIFICATION OF LOWER TIER CONTRACTORS REGARDING DEBARMENT

The successful bidder, by administering each lower tier subcontract that exceeds $25,000 as a "covered transaction," must verify each lower tier participant of a "covered transaction" under the project is not presently debarred or otherwise disqualified from participation in this federally assisted project. The successful bidder will accomplish this by:

1. Checking the System for Award Management at website: http://www.sam.gov.
2. Collecting a certification statement similar to the Certification of Offerer/Bidder Regarding Debarment, above.
3. Inserting a clause or condition in the covered transaction with the lower tier contract.

If the Federal Aviation Administration later determines that a lower tier participant failed to disclose to a higher tier participant that it was excluded or disqualified at the time it entered the covered transaction, the FAA may pursue any available remedies, including suspension and debarment of the non-compliant participant.

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

DISADVANTAGED BUSINESS ENTERPRISES

Contract Assurance (§ 26.13)

The Contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of Department of Transportation-assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the Owner deems appropriate, which may include, but is not limited to:

1. Withholding monthly progress payments;
2. Assessing sanctions;
3. Liquidated damages; and/or
4. Disqualifying the Contractor from future bidding as non-responsible.

Prompt Payment (§26.29)

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than [specify number] days from the receipt of each payment the prime contractor receives from [Name of recipient]. The prime contractor agrees further to return retainage payments to each subcontractor within [specify the same number as above] days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the [Name of Recipient]. This clause applies to both DBE and non-DBE subcontractors.

DISTRACTED DRIVING

In accordance with Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving", (10/1/2009) and DOT Order 3902.10, "Text Messaging While Driving", (12/30/2009), the Federal Aviation Administration encourages recipients of Federal grant funds to adopt and enforce safety policies that decrease crashes by distracted drivers, including policies to ban text messaging while driving when performing work related to a grant or subgrant.

In support of this initiative, the Owner encourages the Contractor to promote policies and initiatives for its employees and other work personnel that decrease crashes by distracted drivers, including policies that ban text messaging while driving motor vehicles while performing work activities associated with the project. The Contractor must include the substance of this clause in all sub-tier contracts exceeding $3,500 that involve driving a motor vehicle in performance of work activities associated with the project.

ENERGY CONSERVATION REQUIREMENTS

Contractor and Subcontractor agree to comply with mandatory standards and policies relating to energy efficiency as contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 USC 6201 et seq).

FEDERAL FAIR LABOR STANDARDS ACT

All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of 29 CFR part 201, the Federal Fair Labor Standards Act (FLSA), with the same force and effect as if given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards for full and part-time workers.

The [Contractor | Consultant] has full responsibility to monitor compliance to the referenced statute or regulation. The [Contractor | Consultant] must address any claims or disputes that arise from this requirement directly with the U.S. Department of Labor – Wage and Hour Division.

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

FOREIGN TRADE RESTRICTION

By submission of an offer, the Offeror certifies that with respect to this solicitation and any resultant contract, the Offeror:

1. is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms as published by the Office of the United States Trade Representative (USTR);
2. has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country included on the list of countries that discriminate against U.S. firms as published by the USTR; and
3. has not entered into any subcontract for any product to be used on the Federal project that is produced in a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR.

This certification concerns a matter within the jurisdiction of an agency of the United States of America and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Title 18 USC Section 1001.

The Offeror/Contractor must provide immediate written notice to the Owner if the Offeror/Contractor learns that its certification or that of a subcontractor was erroneous when submitted or has become erroneous by reason of changed circumstances. The Contractor must require subcontractors provide immediate written notice to the Contractor if at any time it learns that its certification was erroneous by reason of changed circumstances.

Unless the restrictions of this clause are waived by the Secretary of Transportation in accordance with 49 CFR 30.17, no contract shall be awarded to an Offeror or subcontractor:

1. who is owned or controlled by one or more citizens or nationals of a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR or
2. whose subcontractors are owned or controlled by one or more citizens or nationals of a foreign country on such USTR list or
3. who incorporates in the public works project any product of a foreign country on such USTR list.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

The Offeror agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification without modification in all lower tier subcontracts. The Contractor may rely on the certification of a prospective subcontractor that it is not a firm from a foreign country included on the list of countries that discriminate against U.S. firms as published by USTR, unless the Offeror has knowledge that the certification is erroneous.

This certification is a material representation of fact upon which reliance was placed when making an award. If it is later determined that the Contractor or subcontractor knowingly rendered an erroneous certification, the Federal Aviation Administration (FAA) may direct through the Owner cancellation of the contract or subcontract for default at no cost to the Owner or the FAA.

LOBBYING

The Bidder or Offeror certifies by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder or

Offeror, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

OCCUPATIONAL SAFETY AND HEALTH ACT

All contracts and subcontracts that result from this solicitation incorporate by reference the requirements of 29 CFR Part 1910 with the same force and effect as if given in full text. The employer must provide a work environment that is free from recognized hazards that may cause death or serious physical harm to the employee. The employer retains full responsibility to monitor its compliance and their subcontractor's compliance with the applicable requirements of the Occupational Safety and Health Act of 1970 (20 CFR Part 1910). The employer must address any claims or disputes that pertain to a referenced requirement directly with the U.S. Department of Labor – Occupational Safety and Health Administration.

TAX DELINQUENCY AND FELONY CONVICTIONS

The applicant must complete the following two certification statements. The applicant must indicate its current status as it relates to tax delinquency and felony conviction by inserting a checkmark (✓) in the space following the applicable response. The applicant agrees that, if awarded a contract resulting from this solicitation, it will incorporate this provision for certification in all lower tier subcontracts.

Certifications

1. The applicant represents that it is (□) is not (□) a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.
2. The applicant represents that it is (□) is not (□) is not a corporation that was convicted of a criminal violation under any Federal law within the preceding 24 months.

Note

If an applicant responds in the affirmative to either of the above representations, the applicant is ineligible to receive an award unless the sponsor has received notification from the agency suspension and debarment official (SDO) that the SDO has considered suspension or debarment and determined that further action is not required to protect the Government's interests. The applicant therefore must provide information to the owner about its tax liability or conviction to the Owner, who will then notify the FAA

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

Airports District Office, which will then notify the agency's SDO to facilitate completion of the required considerations before award decisions are made.
Term Definitions

Felony conviction: Felony conviction means a conviction within the preceding twenty-four (24) months of a felony criminal violation under any Federal law and includes conviction of an offense defined in a section of the U.S. code that specifically classifies the offense as a felony and conviction of an offense that is classified as a felony under 18 U.S.C. § 3559.

Tax Delinquency: A tax delinquency is any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

TERMINATION OF CONTRACT

TERMINATION FOR CONVENIENCE (CONSTRUCTION & EQUIPMENT CONTRACTS)

The Owner may terminate this contract in whole or in part at any time by providing written notice to the Contractor. Such action may be without cause and without prejudice to any other right or remedy of Owner. Upon receipt of a written notice of termination, except as explicitly directed by the Owner, the Contractor shall immediately proceed with the following obligations regardless of any delay in determining or adjusting amounts due under this clause:

1. Contractor must immediately discontinue work as specified in the written notice.
2. Terminate all subcontracts to the extent they relate to the work terminated under the notice.
3. Discontinue orders for materials and services except as directed by the written notice.
4. Deliver to the Owner all fabricated and partially fabricated parts, completed and partially completed work, supplies, equipment and materials acquired prior to termination of the work, and as directed in the written notice.
5. Complete performance of the work not terminated by the notice.
6. Take action as directed by the Owner to protect and preserve property and work related to this contract that Owner will take possession.

Owner agrees to pay Contractor for:

1. completed and acceptable work executed in accordance with the contract documents prior to the effective date of termination;
2. documented expenses sustained prior to the effective date of termination in performing work and furnishing labor, materials, or equipment as required by the contract documents in connection with uncompleted work;
3. reasonable and substantiated claims, costs, and damages incurred in settlement of terminated contracts with Subcontractors and Suppliers; and
4. reasonable and substantiated expenses to the Contractor directly attributable to Owner's termination action.

Owner will not pay Contractor for loss of anticipated profits or revenue or other economic loss arising out of or resulting from the Owner's termination action.

The rights and remedies this clause provides are in addition to any other rights and remedies provided by law or under this contract.

TERMINATION FOR CONVENIENCE (PROFESSIONAL SERVICES)

The Owner may, by written notice to the Consultant, terminate this Agreement for its convenience and without cause or default on the part of Consultant. Upon receipt of the notice of termination, except as explicitly directed by the Owner, the Contractor must immediately discontinue all services affected.

FEDERAL AVIATION ADMINISTRATION (FAA) PROVISIONS

Upon termination of the Agreement, the Consultant must deliver to the Owner all data, surveys, models, drawings, specifications, reports, maps, photographs, estimates, summaries, and other documents and materials prepared by the Engineer under this contract, whether complete or partially complete.

Owner agrees to make just and equitable compensation to the Consultant for satisfactory work completed up through the date the Consultant receives the termination notice. Compensation will not include anticipated profit on non-performed services.

Owner further agrees to hold Consultant harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

VETERAN'S PREFERENCE

In the employment of labor (excluding executive, administrative, and supervisory positions), the Contractor and all sub-tier contractors must give preference to covered veterans as defined within Title 49 United States Code Section 47112. Covered veterans include Vietnam-era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns (as defined by 15 USC 632) owned and controlled by disabled veterans. This preference only applies when there are covered veterans readily available and qualified to perform the work to which the employment relates.

City Council Regular

Date:	06/26/2023
Title:	Commercial Aviation Ground Lease with BAG Billings LLC
Presented by:	Jeff Roach
Department:	Airport
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends that City Council approve the Commercial Aviation Ground Lease with BAG Billings LLC for a 23-year, 2-month term commencing August 1, 2023, and ending September 30, 2046.

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

On October 11, 2021, the City Council approved a Commercial Aviation Ground Lease with BAG Billings LLC. Beacon Air Group (BAG) principals, Joel Simmons and Kevin Button, are constructing facilities for a second Fixed Base Operator (FBO) business at the Airport. Presently the Airport has one FBO operator, Edwards Jet Center, providing various services for both commercial and general aviation operators. BAG Billings proposes to offer aviation fuel sales, hangared aircraft storage space, aircraft tie down/parking, aircraft maintenance/repair/servicing, flight/pilot training, charter brokerage, and services for general aviation pilots. The BAG Billings FBO operation will include two phases. Phase 1 is currently underway and involves the construction of the two FBO hangars and an FBO office building. Phase 2 will involve the construction of the aircraft ramp area for the FBO operation and the FBO's fueling facility. The initial 2021 FBO Lease is a twenty-five-year Commercial Aviation Ground Lease that commenced October 1, 2021 and terminates September 30, 2046. The initial FBO Lease also included the last available lot in the East End Fuel Farm complex. BAG Billings is preparing for Phase 2 of its construction and has now requested additional space for aircraft parking and tie downs to utilize the ramp space for aircraft movements. Staff identified a suitable space adjacent to the current BAG Billings leasehold that will provide the additional space requested, and worked with BAG Billings on a new supplemental FBO Commercial Aviation Ground Lease for the additional ramp space. The term of this supplemental lease is set to coincide with the expiration of the initial 2021 FBO Lease and match all other conditions contained in the initial FBO Lease.

ALTERNATIVES

City Council may:

- Approve the Commercial Aviation Ground Lease with BAG Billings LLC for a 23-year, 2-month term; or
- Not Approve the Commercial Aviation Ground Lease with BAG Billings LLC for a 23-year, 2-month term.

FISCAL EFFECTS

The initial rental amount will be for a 2-month period at $1,057.28/month. The rental amount will adjust effective October 1, 2023, along with the rentals in the initial 2021 FBO Lease. Lease rentals are adjusted on an annual basis using the average of the monthly percentage increases for the previous calendar year, as determined by the Department of Labor Consumer Price Index for All Urban Consumers (CPI-U), published by the Bureau of Labor Statistics.

Attachments

Lease

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COMMERCIAL AVIATION GROUND LEASE

THIS LEASE, made and entered into on _____, by and between the following:

CITY OF BILLINGS, MONTANA, hereinafter designated "Lessor"

and

BAG BILLINGS, LLC, a holding company, and BEACON AIR GROUP OF BILLINGS, LLC, its operating subsidiary, hereinafter designated "Lessee"

W I T N E S S E T H

RECITALS

1) Lessor owns and operates BILLINGS LOGAN INTERNATIONAL AIRPORT (hereinafter called the Airport) situated in the City of Billings, Montana, and

2) Lessor deems it advantageous to itself and the operation of the Airport to lease to the Lessee a certain parcel of land hereinafter described together with certain privileges, rights, uses, and interests, and

3) Lessee wishes to engage in certain commercial aviation activities, and proposes to lease on a net basis from Lessor said parcel of land and to avail itself of the same privileges, rights, uses, and interests contemplated herein, and

4) Lessee has indicated a willingness and ability to properly keep and maintain said land in accordance with standards established by Lessor.

NOW THEREFORE, the parties hereto covenant and agree as follows:

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ARTICLE I

PREMISES AND PRIVILEGES

A. Description of the Premises. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor that certain parcel of real property, together with improvements (hereinafter called the premises) for its exclusive use, specifically described as follows:

FBO PREMISES:
Main Parcel – 2416 Overlook Drive

Commencing at the Southwest Corner of Section 30, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana; thence from said point, N 01°11'17" E a distance of 1,907.60 feet to the Point of Beginning; thence N 00°51'02" W a distance of 178.88 feet; thence N 89°08'58" E a distance of 237.69 feet; thence S 00°51'02" E a distance of 178.88 feet; thence S 89°08'58" W a distance of 237.69 feet to the Point of Beginning.

Said Parcel containing 42,517.99 square feet.

Premises is further depicted on attached Exhibit A, and by said reference made a part of this Lease.

B. Construction of Improvements. The premises will be used as an extension to the previously leased parcels for the Lessee's FBO operations. Lessee may construct aircraft parking and tie downs on the premises pursuant to the plans marked Exhibit B and by reference specifically made a part of this Lease. Lessee will also construct necessary aprons and hangar entrance taxilanes. New apron and aircraft parking and tie down construction should be designed by a Professional Engineer (PE), taking into account the anticipated size of the largest aircraft to utilize the premises. The construction of the facilities shown on Exhibit B building plans will be substantially started within six (6) months and completed within twenty-four (24) months of the signing of this Lease. Failure to start or complete the construction during said periods shall constitute a default. If this default occurs, the Lease is canceled immediately and control of the property reverts to the Lessor. In the event an

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extension of the construction completion period should be required, an extension may be granted by the Director of Aviation and Transit or his/her designee, if both the Lessee and the Director agree on an extended completion period, and both parties evidence their agreement in writing.

C. Construction Phasing. Lessee acknowledges that availability limitations exist on the premises due to the Lessor's Terminal Expansion Project, currently in progress. Lessor and Lessee have agreed that Lessee shall work with Lessor to construct its improvements in coordination with Lessee's phased construction currently underway on the other parcels leased for its FBO operations.

D. General Privileges, Uses, and Rights. Lessor hereby grants to Lessee the following general privileges, uses, and rights, all of which shall be subject to the terms, conditions and covenants herein set forth. Said rights shall be subject to such Federal, State, or Local laws, ordinances, rules and regulations as now or may hereafter have application at the Airport. All use privileges granted herein can only be exercised in the event Lessee is the holder of the appropriate licenses for such commercial endeavors.

1) The general unrestricted use of all public Airport facilities and improvements, which are now or may hereafter be connected with or appurtenant to said Airport, except as hereinafter provided, to be used by Lessee and its sublessees for commercial aviation activity as herein defined. For the purpose of this Lease, public Airport facilities shall include all necessary landing area appurtenances including, but not limited to, approach areas, runways, taxiways, aprons, aircraft and automobile parking areas, roadways, sidewalks, navigational aids, lighting facilities, Terminal facilities, or other public facilities appurtenant to said Airport.

2) The right of ingress to and egress from the premises over and across

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public roadways serving the Airport for Lessee, Lessee's agents, employees, patrons and invitees, suppliers of service and furnishers of material.

E. Specific Privileges, Uses, and Rights. In addition to the general privileges, uses, and rights described above and without limiting the generality thereof, Lessor hereby grants to Lessee and sublessees the right to engage in commercial aviation activity on the premises as defined in subparagraphs 1 through 13 below subject to the conditions and covenants hereafter set out:

1) The loading and unloading of aircraft in any lawful activity as incidental to the conduct of any services of operations outlined in this Paragraph D.

2) The maintenance, storing, and servicing of aircraft, which shall include overhauling, rebuilding, repairing, inspection, and licensing of same, and the purchase and sale of parts, equipment, and accessories therefore.

3) The right to use vehicles necessary for the servicing of aircraft.

4) The maintenance and repair of Lessee's and other tenants' ground support equipment.

5) The operation of a business buying and selling aircraft, parts, and accessories therefore, and aviation equipment of all descriptions either at retail, wholesale, or as a dealer.

6) The sale of aircraft fuels, lubricants, and propellants at said Airport, except at specific places on said Airport, as may from time to time be designated by Lessor. Said sale of aircraft fuels, lubricants, and propellants may begin when the FBO Facility is fully constructed and operational as set forth in Article I, Paragraph C. The sale of said fuels, lubricants, and propellants shall include the right to use vehicles necessary for the servicing of aircraft in the sale of said fuels, lubricants, and

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propellants, but shall not include the storage of said fuels, lubricants, and propellants on the FBO Premises in aboveground or underground storage tanks without the prior written permission of Lessor. Said storage is allowable at the Lessor approved Fuel Farm Premises.

7) The training on the Airport of personnel in the employ of Lessee and/or its tenants and sublessees, and the training on the Airport of members of the general public generally as students or otherwise in any art, science, craft, or skill pertaining directly or indirectly to aircraft flight, maintenance, or any other aircraft service.

8) The location, construction, addition, maintenance, and removal of improvements (including hangars, shops, or related office space), in any lawful manner, upon or in the demised Premises, for the purpose of carrying out any of the activities provided for herein, subject however, to the conditions herein generally or particularly set forth and the advanced approval from the Director of Aviation and Transit or his/her designee.

9) The operation and sale of aerial survey, photography, aerial advertising, and mapping services.

10) The operation and sale of aerial taxi and sightseeing services.

11) The operation of schools for the instruction of flying navigation, mechanics, aerial survey, photography, aircraft, design, theory, and construction.

12) The operation of non-scheduled and charter transportation of passengers and cargo.

13) The maintenance of offices and operations for undertaking of any phase of aviation activity for profit related to or in any way contributing to air transportation

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or aerial navigation.

F. Definition of Fixed Base Operations. Fixed base operations are hereby defined as a person, firm, or corporation engaging in full-scale commercial aviation activities, as set forth in Paragraph D., 1 through 13 above. Lessee intends to operate the fixed base operations as Beacon Air Group of Billings, LLC.

G. Concession, Services, Uses, and Activities Excluded. The following concessions, services, uses, and activities and the establishment thereof shall be specifically excluded from this Lease:

1) Ground transportation for hire.

2) Vehicle or equipment rental services.

3) Vehicle fuel sales.

4) News and sundry sales.

5) Food sales.

6) Barber, valet, and personal services.

7) Retail sale of non-aviation products offered for sale in the Terminal Building.

8) Storage of personal vehicles outside of designated parking facilities located on the premises.

9) Storage of campers, boats, trailers, motor homes, or other recreational vehicle, or parts for such.

10) The maintenance, repairing, or restoring of motorized vehicles other than Lessee's aviation support vehicles/equipment.

11) Storage of any household items.

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12) Use of the premises in a residential capacity of any nature, whether temporary or otherwise.

13) Improper storage of any chemicals, solutions, solvents, or any potentially hazardous, explosive, or flammable materials or substances.

14) Off-premise parking.

15) Storage of any items outside of hangar structure.

16) Any non-aviation or non-aeronautical activity.

H. Reservation of Right-of-Way. Lessor hereby reserves a right-of-way easement for access purposes over/on the above described leasehold. Said reserved right-of-way may be used by Lessor and all of Lessor's representatives, agents and employees, and Lessor's tenants, employees of said tenants, and persons or entities serving said tenants.

ARTICLE II

TERM OF LEASE

A. Term. The term of this Lease shall be for a period of twenty-three (23) years, two (2) months commencing on the 1st day of August 2023, and terminating on the 30th day of September 2046. The expiration date will coincide with the Commercial Aviation Ground Lease dated October 16, 2021 on FBO Premises – Parcels A, B, C, and D, and Fuel Farm Premises – Lot 2.

If, after completion of all FBO and Fuel Farm construction, including construction on the premises, and during the remaining term of this Lease, Lessee desires to make a substantial future new capital investment in their facilities, the Lessor agrees to open the Lease for discussions regarding possible additional lease term appropriately related to the magnitude of the proposed new capital investment.

B. First Right of Refusal. At the end of the term hereof, the Lessee shall have the

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first right to accept a new lease of the premises at the same rates and charges and under the same terms and conditions that the premises may be offered to any other person or entity. Provided that the Lessor shall have the sole discretion as to the use of said premises and whether or not it will be relet at the end of said term. Provided further, that six (6) months prior to the end of the term, Lessee shall give notice in writing to Lessor of intent to exercise the first right of refusal. Lessor, upon election to relet said premises, shall give Lessee notice of the proposed terms in writing within thirty (30) days of the letter of intent. Lessee shall have thirty (30) days in which to give Lessor notice in writing of acceptance.

C. National Emergency. In the event the rights and privileges hereunder are suspended by reason of war or other national emergency, the term of this Lease shall be extended by the amount of the period of such suspension.

ARTICLE III

RENTAL AND FEES

A. Ground Rental. For the land described in Article I, Paragraph A., Lessee shall pay to Lessor $0.2984 per square foot per annum for the ground included in in this Lease, for a monthly rental of $1,057.28. The initial rental will be for two (2) months only, and will adjust on October 1 as provided in Paragraph C. hereinafter.

B. Interest Penalty. Without waiving any other right or action available to the Lessor, in the event of default in the payment of Lease rentals herein, or any other rentals, fees, or charges owed Lessor, the amount due shall accrue interest at the rate of one and one-quarter percent (1.25%) per month from the date such rentals, fees, or charges were due and payable, until paid in full. Said interest shall not apply with respect to items being contested in good faith by Lessee and which are resolved in Lessee's favor.

C. Annual Readjustment of Ground Rental. During the term of the Lease, the

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rental rate will be adjusted annually on the anniversary date of the Lease using the average of the monthly percentage increases of the previous calendar year, as determined by the Department of Labor Consumer Price Index for All Urban Consumers (CPI-U), published by the Bureau of Labor Statistics. In no case shall the rates be less than the previous year. For the purposes of this Lease and to correspond with the adjustment date of the other FBO Lease identified in Article II, Paragraph A. hereinabove, the anniversary date shall be October 1 of each year during the term of the Lease. The Lessor shall send Lessee a notice of the annual rental rate adjustment prior to each anniversary date of the Lease denoting the adjusted rental rates.

D. Rental Adjustments to Market Value. Beginning on the fifth anniversary of the Lease and then on successive five-year anniversaries of the Lease, the Lessor may conduct an analysis of the then-current lease rental rates for other on-Airport properties to determine the current market value of the property. Should the analysis identify that the then-current Lease rental rate is below market value for other on-Airport properties, the Lessor will notify Lessee six (6) months in advance of an impending Lease increase.

E. Fuel Flowage Fees. In addition to the annual ground rentals above, the Lessor shall be entitled to collect, and Lessee agrees to collect and pay a fuel flowage fee, in accordance with the City of Billings Aviation and Transit Department's Fuel Flowage Policy effective April 1, 1999, including any future changes or adjustments to said policy or other rules and regulations and ordinances of Lessor hereafter prescribed or promulgated by authority or by law that effect said fuel flowage fees.

ARTICLE IV

OBLIGATIONS OF LESSOR

A. Lessor Warranties. Lessor warrants all things have happened and have been

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done to make its granting of said Lease effective and that Lessee shall have peaceful possession and quiet enjoyment of the leased premises during the term hereof, upon performance of Lessee's covenants herein.

B. Operation as Public Airport. Lessor shall, during the term hereof, operate and maintain the Airport and its public facilities, as defined hereinabove, as a public airport consistent with and pursuant to the sponsor's assurances given by Lessor to the United States Government under the Federal Airport Act.

C. Condition and Maintenance of Premises. Lessor shall assume no responsibility for the condition of the demised premises after delivery of premises to Lessee. Lessor shall maintain all existing roads on the Airport giving access to the leased premises and Lessor shall remove snow from the access roads as Lessor's resources permit.

ARTICLE V

OBLIGATIONS OF LESSEE

A. Condition of Premises. It shall be the sole responsibility of the Lessee to develop, keep, maintain, and operate the entirety of the premises and all improvements and facilities placed thereon at Lessee's sole cost and expense. This Lease in every sense shall be without cost or expense to the Lessor. Lessee accepts the premises in its present condition and will repair and maintain any installations thereon except as provided in Article IV, Paragraph B.-C., and will remove or cause to be removed any debris to the extent required for its continuing use thereof.

B. Improvements. Lessee shall have the right to and shall provide for the future construction, alteration, expansion, and maintenance of its own improvements, in any lawful manner, upon or in the premises, for the purpose of carrying out any of the activities provided for herein, but shall obtain the written approval of Lessor for any such construction, alterations, or expansion prior to

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beginning such improvements.

C. Maintenance. Lessee shall, at its sole cost and expense, maintain the premises, improvements, and appurtenances thereto in a presentable condition free of refuse and debris consistent with good business practice and acceptable to Lessor. Lessee's maintenance responsibility shall include its buildings, fueling facilities, asphalt and/or concrete repair, snow removal on the premises, and cleanup of any fuel/oil spills on the premises.

D. Utilities. Lessee shall assume and pay for all costs or charges for utility services furnished to Lessee during the term thereof; provided, however, that Lessee shall have the right to connect to any available storm and sanitary sewers, water, electrical, or other utilities at Lessee's own cost and expense; and Lessee shall pay for any and all service charges incurred therefore. Lessee shall also provide an external water meter reading device in an external location of the leasehold structure approved by the Lessor; said meter reading device type shall be specified by Lessor. All utility services shall be installed underground.

E. Trash, Garbage, Etc. Lessee, at Lessee's expense, shall provide a complete and proper arrangement for the adequate sanitary handling and disposal of all trash, garbage and other refuse occurring because of Lessee's occupancy or use of the premises. Lessee shall provide and use Lessor approved receptacles for all garbage, trash and other refuse and shall place them on the premises in a location acceptable to the Lessor for their removal. Piling of boxes, cartons, barrels, pallets, crates, or other similar items in an unsightly or unsafe manner on or about the premises, is forbidden. All disposal costs shall be paid by the Lessee.

F. Signs. Lessee shall not maintain any billboards or advertising signs on the premises, unless specifically approved by Lessor. Provided, however, that Lessee may maintain on the outside of its building, its name(s) or signs, the size, location, and design of which shall be subject to

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written approval of Lessor prior to installation.

G. Storm Water Pollution Prevention Plan (SWPPP). Lessee shall develop and maintain a SWPPP for the Premises in accordance with any and all applicable Federal, State, and Local regulations, identifying all of the activities and conditions on the premises that could cause water pollution and detailing the steps the Lessee will take to prevent the discharge of any unpermitted pollution and a spill response plan. The Airport has developed a SWPPP for Airport operations. Lessee may either provide its SWPPP under the Airport's plan, or may develop and maintain its own SWPPP.

Lessee shall provide a current copy of its SWPPP to the Lessor. Lessee shall establish a system of periodic inspections, cleaning, and maintenance to keep any drainage structures clean and operational. Lessee shall see that special care is taken to pile removed snow in a location that will permit water generated by melting of the snow piles to flow into the drainage system on the Premises.

H. Federal, State, and Local Regulations. Lessee acknowledges that the right to use said Airport facilities in common with others authorized to do so shall be exercised subject to and in accordance with the laws, rules, regulations, and ordinances of the United States of America, the State of Montana, and the City of Billings, now in force or hereafter prescribed or promulgated by authority or by law and shall be closely observed during the full term of this Lease.

I. Hazardous Substances. Lessee assumes full responsibility for its proper and legal use, handling, storage, and disposal of any hazardous substances used or consumed in Lessee's occupancy or the conduct of its business on the premises. "Hazardous substance" shall be interpreted broadly to mean any substance or toxic material, fuel or petroleum-based products, hazardous or toxic or radioactive substance, or other similar term by any applicable Federal, State, or Local environmental law, regulation or rule presently in effect or promulgated in the future, as such laws,

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regulations or rules may be amended from time to time; and it shall be interpreted to include, but not be limited to, any substance which after release into the environment will or may reasonably be anticipated to cause sickness, death or disease. Lessee will hold Lessor harmless from and indemnify Lessor against and from any damage, loss, expenses, or liability to the extent resulting from any breach of these representations and warranty including all reasonable attorneys' fees and costs incurred as a result thereof.

J. Taxiways. Lessee shall ensure that Lessee's aircraft and all sublessee's aircraft are not permitted to block the public use taxiway accessible from Lessee's Premises.

K. Records and Reporting Requirements. Lessee shall keep and maintain the records and make the reports as specified. Lessee shall furnish to the Lessor, on or before the 10th day of each month, an accurate report of Lessee's enplaned passengers, and contracted tons of freight, mail, and other cargo, enplaned and deplaned during the preceding month. Lessee shall also report and collect all Passenger Facility Charges (PFCs) related to passenger flights and remit the proceeds to Lessor within thirty (30) calendar days of the collection of said PFCs.

Lessee is also required to report to the Federal Aviation Administration on the appropriate Federal forms, or to other requesting Federal or State agencies, all enplaning and deplaning passenger information every year in a timely manner.

Lessee shall furnish to the Lessor an accurate report of Lessee's fuel deliveries to the Airport, on or before twenty (20) business days following the end of the business month that the fuel was delivered to the Airport. Included with this report shall be a payment remittance in an amount equal to the number of gallons of fuel reported and delivered to the Airport, multiplied by the then current Fuel Flowage Fee.

Lessee shall report all Gross Revenues generated from its food/beverage

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operations on or before twenty (20) calendar days following the end of the business month in which the Gross Revenues were generated.

L. Audit. The Lessor has the right to audit the Lessee at any time during the term of this Lease and for two (2) years following the expiration of the term. The audit will not necessarily be limited to the rental and privilege fee portion of this Lease, but can be directed at an assessment of any aspect of this Lease as it pertains to its operation at Billings Logan International Airport, at the discretion of the Lessor. Audits by Lessor shall be undertaken by a reputable firm of independent certified public accountants. The cost of said audits shall be borne by Lessor, unless the results reveal a discrepancy of more than five percent (5%) between the fees and Gross Receipts reported in accordance with this Article 5, Paragraph K. hereinabove, and the fees and Gross Receipts as determined by audit for any Lease Year. In case of such discrepancy, the full cost of the audit shall be borne by Lessee and any additional percentage fee due shall be paid by Lessee to Lessor, with interest thereon at one and one-half percent (1.5%) per month from the date such additional percentage fee became due until paid.

ARTICLE VI

INSURANCE AND INDEMNIFICATION

A. Indemnification. Lessor and Lessor's officers, directors, agents, representatives, and employees shall stand indemnified by Lessee as herein provided. It is expressly understood and agreed that Lessee is and shall be deemed an independent contractor and operator responsible to all parties for its respective acts or omissions and that Lessor shall in no way be responsible therefore. It is further agreed that in the use of the Airport, in the construction, alteration, or maintenance of any improvements thereon, and in the exercise or enjoyment of the privileges herein granted, Lessee shall indemnify, save harmless, and defend the Lessor and Lessor's officers, directors, agents,

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representatives, and employees from any and all losses that may result to the Lessor and Lessor's officers, directors, agents, representatives, and employees because of any negligence, act, or omission on the part of the Lessee or Lessee's agents, representatives, and employees and shall indemnify Lessor against any and all mechanic's and materialmen's liens or any other types of liens imposed upon the premises.

Lessee expressly agrees that Lessor shall not be liable to Lessee, for personal injury, bodily injury, or for any loss or damage to real or personal property occasioned by flood, fire, earthquake, lightning, windstorm, hail, explosion, riot, strike, civil disobedience or commotion, aircraft, smoke, vandalism, malicious mischief, or acts of civil authority, unless caused by the fault or negligence of Lessor, its officers, directors, agents, representatives, or employees.

B. Insurance. Lessee shall provide and keep in force for the term of this Lease a comprehensive aviation liability policy (occurrence form only), providing coverage for personal injury, bodily injury, death, and property damage, in amounts not less than $3,000,000 per occurrence.

The comprehensive aviation liability policy shall be endorsed to name the City of Billings as a **PRIMARY ADDITIONAL INSURED**. The City of Billings' general liability policy will be excess and noncontributory. At the time of execution of this Lease, and annually thereafter prior to policy expiration, Lessee shall furnish a Certificate of Insurance and associated policy endorsements showing that required insurance is in force. Lessee shall provide notice to City of any changes to insurance or cancellation of any or all insurance at least thirty (30) calendar days in advance of such change or cancellation. Insurance coverage shall be maintained with insurance underwriters authorized to do business in the State of Montana, and that are satisfactory to the Lessor. The continuous maintenance by Lessee of all types of required insurance under this Lease is mandatory. Failure of the Lessee to maintain such insurance is a material breach of this Lease and does not amend

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this Lease, nor release the Lessee from any other obligations in this Lease.

If, in the Lessor's opinion, the minimum limits of the insurance coverage herein required become inadequate during the term of this Lease, Lessee agrees that it will increase such minimum limits by reasonable amounts on request of the Lessor.

ARTICLE VII

TERMINATION, CANCELLATION, SUSPENSION, AND TRANSFER

A. Termination. This Lease shall terminate at the end of the full term hereof without any notice by either party, except as indicated in Article II, Paragraphs A. and B. A holding over by the Lessee, its assigns or sublessees beyond the expiration of the term shall not be permitted without the written consent of the Director of Aviation and Transit or his/her designee and then only on a month-to-month basis.

Lessee shall have the right to remove all moveable furniture, fixtures, machinery and equipment and all other personal property owned or installed by Lessee on the premises, and all expenses connected with such removal shall be borne by the Lessee. Said property shall be removed within thirty (30) days after termination of Lease.

In addition, Lessee has the right to remove, at Lessee's expense, all buildings and other structures owned by Lessee located upon the premises within thirty (30) days upon the termination of this Lease. Lessee shall remove from the premises all debris resulting from the removal of the building or structures, and Lessee shall generally leave the premises in a clean and orderly condition acceptable to Lessor.

This right to remove personal property, buildings, and structures does not extend to pavement, water lines, sewer lines, electrical lines, utility poles, fencing, or exterior light poles, which improvements shall remain the property of the Lessor and shall not be removed.

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In the event the Lessee elects not to remove the buildings and other structures, personal property, fixtures, machinery and equipment, and other improvements upon termination of the Lease, the disposition of the buildings and structures, personal property, fixtures, machinery and equipment, and other improvements will be left to the sole discretion of the Lessor. If Lessor elects to remove the buildings and structures, personal property, fixtures, machinery and equipment, and other improvements because of failure of Lessee to do so, the cost of removal, demolition, disposal, and other related actions shall be at Lessee's sole expense.

B. Cancellation by Lessee. This Lease shall be subject to cancellation by Lessee after the happening of one or more of the following events:

1) The permanent abandonment of the Airport as an Air Terminal.

2) The lawful assumption of the United States Government or any other authorized agency thereof, of the operation, control or use of the Airport, or any substantial part or parts thereof, in such a manner that substantially restricts Lessee for a period of at least ninety (90) days from operating in a normal manner.

3) Issuance by any court of competent jurisdiction of an injunction in any way preventing or restraining the use of the Airport, and the remaining in force of such injunction for a period of at least ninety (90) days.

4) The default by Lessor in the performance of any covenant or agreement herein required to be performed by Lessor and the failure of Lessor to remedy such default for a period of ninety (90) days after receipt from Lessee of written notice to remedy same.

Lessee may exercise such right of termination by written notice to Lessor at any time after the lapse of the above applicable periods of time and this Lease shall terminate as of that

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date. Rental due hereunder shall be payable only to the date of the happening of the event which results in said termination. Upon termination under the provisions of this Paragraph, Lessee shall have the same rights as described in Article VII, Paragraph A. herein.

C. Cancellation by Lessor.

1) This Lease shall be subject to cancellation by Lessor in the event Lessee shall:

a) Be in arrears in the payment of the whole or any part of the amounts agreed upon hereunder for a period of thirty (30) days after receipt of written notice of a past due payment.

b) File a voluntary petition of bankruptcy.

c) Make a general assignment for the benefit of creditors.

d) Default in the performance of any of the covenants and conditions required herein (except rental payments) to be kept and performed by Lessee, and such default continues for a period of thirty (30) days after written notice from Lessor of said default.

2) In the event of termination because of the happening of any of the aforesaid events, Lessor may take immediate possession of the premises and remove Lessee's effects, forcibly if necessary, without being deemed guilty of trespassing. Upon said entry, this Lease shall terminate.

3) It is agreed that failure of Lessor to declare this Lease terminated or to reenter and take possession upon the default of Lessee for any of the reasons set out shall not operate to bar or destroy the right of Lessor to declare this Lease null and void by reason of any subsequent violation of the terms of this Lease.

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D. Suspension of Lease. During the time of war or declared national emergency, Lessor shall have the right to lease the landing area or any part thereof to the United States Government for military use. If any such lease is executed, any provisions of this instrument, which are inconsistent with the provisions of the lease to the Government, shall be suspended, provided that the term of the lease shall be automatically extended by the amount of the period of suspension.

E. Subleasing, Assigning, and Transferring. The Lessee shall have the right to sublease, assign, or transfer all or any part of Lessee's leasehold interest in the premises for the same purpose established in Article I, Paragraph D., provided that written approval of the Lessor is obtained prior to any sublease, assignment, or transfer. As a condition of said approval, Lessor reserves the right to alter this Lease in any manner deemed necessary by Lessor. Any sublease, assignment, or transfer shall be subject to the same conditions, obligations, and terms as set forth herein, and as may be subsequently amended, and Lessee shall be responsible for the observance by its tenants and sublessees for the terms and covenants of this Lease, and any subsequent lease amendments. Lessee shall provide Lessor with a copy of any sublease.

ARTICLE VIII

NONDISCRIMINATION

A. General. In the use and occupation of the Airport, Lessee shall not discriminate against any person or class of persons by reason of race, color, religion, sex, national origin or ancestry, age, or disability. Additionally, for the services provided during the use and occupation of the Airport, Lessee shall furnish said services on a reasonable and not unjustly discriminatory basis to all users thereof and charge reasonable and not unjustly discriminatory prices for each unit of service, provided that the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

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B. Civil/Human Rights Laws. In the operation and use of the Airport, Lessee shall not, on the grounds of race, color, religion, sex, national origin or ancestry, age, or disability, discriminate or permit discrimination against any person or group of persons in any manner prohibited by Part 21 of Title 49, Code of Federal Regulations, the Civil Rights Act of 1964, as amended, the Equal Pay Act of 1963, the Rehabilitation Act of 1973, and such other Federal, State, or Local laws as may be applicable.

Without limiting the generality of the foregoing, Lessee agrees not to discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry, age, or disability. Lessee agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, national origin or ancestry, age, or disability. Such action shall include, but not be limited to, employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training; and disciplinary actions and grievances. Lessee agrees to post, in conspicuous places available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

C. Lessee, for itself, its heirs, personal representatives, successors in interest, and assignees, as part of the consideration of this Lease, does hereby covenant and agree as a covenant running with the land that, in the event improvements are constructed, maintained, or otherwise operated on the Airport for a purpose for which a United States Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, Lessee shall maintain and operate such improvements and services in compliance with all other

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requirements imposed pursuant to 49 CFR Part 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation), as said regulations may be amended.

D. Lessee, for itself, its heirs, personal representatives, successors in interest, and assignees, as a part of the consideration of this Lease, does hereby covenant and agree as a covenant running with the land that:

1) No person on the grounds of race, color, religion, sex, national origin or ancestry, age, or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of said improvements.

2) No person on the grounds of race, color, religion, sex, national origin or ancestry, age, or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the construction of any improvements on, over, or under such land and the furnishing of services thereon.

3) Lessee shall use the facilities in compliance with all other requirements imposed by, or pursuant to 49 CFR Part 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation), as said regulations may be amended.

Lessee assures that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to ensure that no person on the grounds of race, color, religion, sex, national origin or ancestry, age, or disability shall be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart E, or such employment activities covered in any applicable State or Local law. Lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this Article VIII.

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E. During the performance of this Lease, the Lessee, for itself, its assignees, and successors in interest, agrees to comply with the following nondiscrimination statutes and authorities, including, but not limited to:

1) Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq*., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);

2) 49 CFR Part 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of The Civil Rights Act of 1964);

3) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal aid programs and projects);

4) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq*.), as amended (prohibits discrimination on the basis of disability); and 49 CFR Part 27;

5) The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq*.) (prohibits discrimination on the basis of age);

6) Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, § 47123) as amended (prohibits discrimination based on race, creed, color, national origin, or sex);

7) The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and § 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or

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activities of the Federal aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not);

8) Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;

9) The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

10) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low income populations;

11) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), and resulting agency guidance, national origin discrimination includes discrimination because of LEP. To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Federal Regulations at 74087 – 74100);

12) Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq*.).

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ARTICLE IX

GENERAL PROVISIONS

A. Attorney's Fees. Should either party employ an attorney or attorneys or utilize the services of in-house attorneys to enforce any of the provisions hereof or to protect its interest in any manner arising under this Lease, the nonprevailing party in any action pursued in a court of competent jurisdiction agrees to pay to the prevailing party all reasonable costs, damages, expenses, and attorney's fees, including fees for in-house attorneys, expended or incurred in connection therewith.

B. Governing Law. This Lease and all disputes arising hereunder shall be construed and enforced by the laws of the State of Montana. Venue in any proceedings held hereunder shall be in the State of Montana Thirteenth Judicial District Court, Yellowstone County, Montana.

C. Taxes. Lessee shall pay any taxes or assessments, which may be lawfully levied against Lessee's occupancy or use of the premises, or any improvements placed thereon as a result of Lessee's occupancy, but Lessee as independent contractor reserves the right to contest the levy of any tax or assessment, which it feels, is unjust.

D. Subordination of Lease.

1) This Lease shall be subordinate to the provisions of any existing or future agreements between Lessor and the United States Government relative to the administration, operation, or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of Federal funds for the development of the Airport.

2) Notwithstanding any other prohibition or limitation of Lessee's right to sublease or assign its interest under this Lease, Lessor acknowledges and agrees that

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Lessee shall have the right to grant a security interest in its rights and interest under this Lease, with Lessor's prior written consent. Any mortgagee or beneficiary shall have the right to cure any default on the part of Lessee in the payment of rent hereunder and, in the event of default, to assume the Lessee's position under this Lease. Lessor in no event shall be liable for the payment of the sum secured by such mortgage or trust indenture, nor for any expenses in connection with the same. Furthermore, such mortgage or trust indenture shall expressly provide that the mortgagor or beneficiary will seek no monetary judgment against Lessor. The mortgage or trust indenture shall also contain provisions requiring the holder of the indebtedness secured by such mortgage or trust indenture to mail to Lessor by certified mail a copy of each notice of breach of covenant, default, or foreclosure given by the holder of the trustee under such mortgage or deed of trust and to also provide Lessor with a copy of the release when the indebtedness under such mortgage or deed of trust is satisfied.

E. Access/Inspection by Lessor. The Lessor, or any person designated by the Lessor, shall at all times have reasonable access to the premises for inspection purposes, and in the event of any emergency, the Lessor or its representatives shall have the right to take such action at the premises as they deem necessary for the protection of persons and property.

F. Modification and Amendments. Changes or modifications to this Lease will be done in the form of a lease amendment to be agreed upon and signed by both Lessee and Lessor.

G. Paragraph Headings. The paragraph headings contained herein are for convenience in reference and are not intended to define or limit the scope of any provisions of this Lease or the particular paragraphs.

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H. Effect of Invalid Provision. If any term or provision of this Lease or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Lease, or the application of such terms or provisions to persons or circumstances other than those to which it is invalid or unenforceable, shall not be affected hereby, and each term and provision of this Lease shall be valid and be enforced to the fullest extent permitted by law.

I. Notices. Notices to Lessor provided for herein shall be sufficient if sent by certified mail, postage prepaid, addressed to:

Director of Aviation and Transit
Billings Logan International Airport
1901 Terminal Circle, Room 216
Billings, MT 59105

and notices to Lessee, if sent by certified mail, postage prepaid, addressed to:

Joel Simmons and Kevin Button
BAG Billings LLC
P.O. Box 1381
Dillon, MT 59725
Telephone: (307) 272-3224
E-mail: joel@beaconairgroup.com
E-mail: kevin@beaconairgroup.com

or to such other addresses as the parties may designate to each other in writing from time to time.

J. Successors and Assigns. All of the terms, covenants, and agreements herein contained, or as subsequently amended from time to time, shall be binding upon and shall inure to the benefit of successors, assigns, and sublessees of the respective parties hereto.

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IN WITNESS WHEREOF, this document has been duly executed by or on behalf of the parties hereto as of the date indicated below.

DATE: _____

ATTEST:

BY _____
CITY CLERK

APPROVED AS TO FORM

BY _____
CITY ATTORNEY

CITY OF BILLINGS

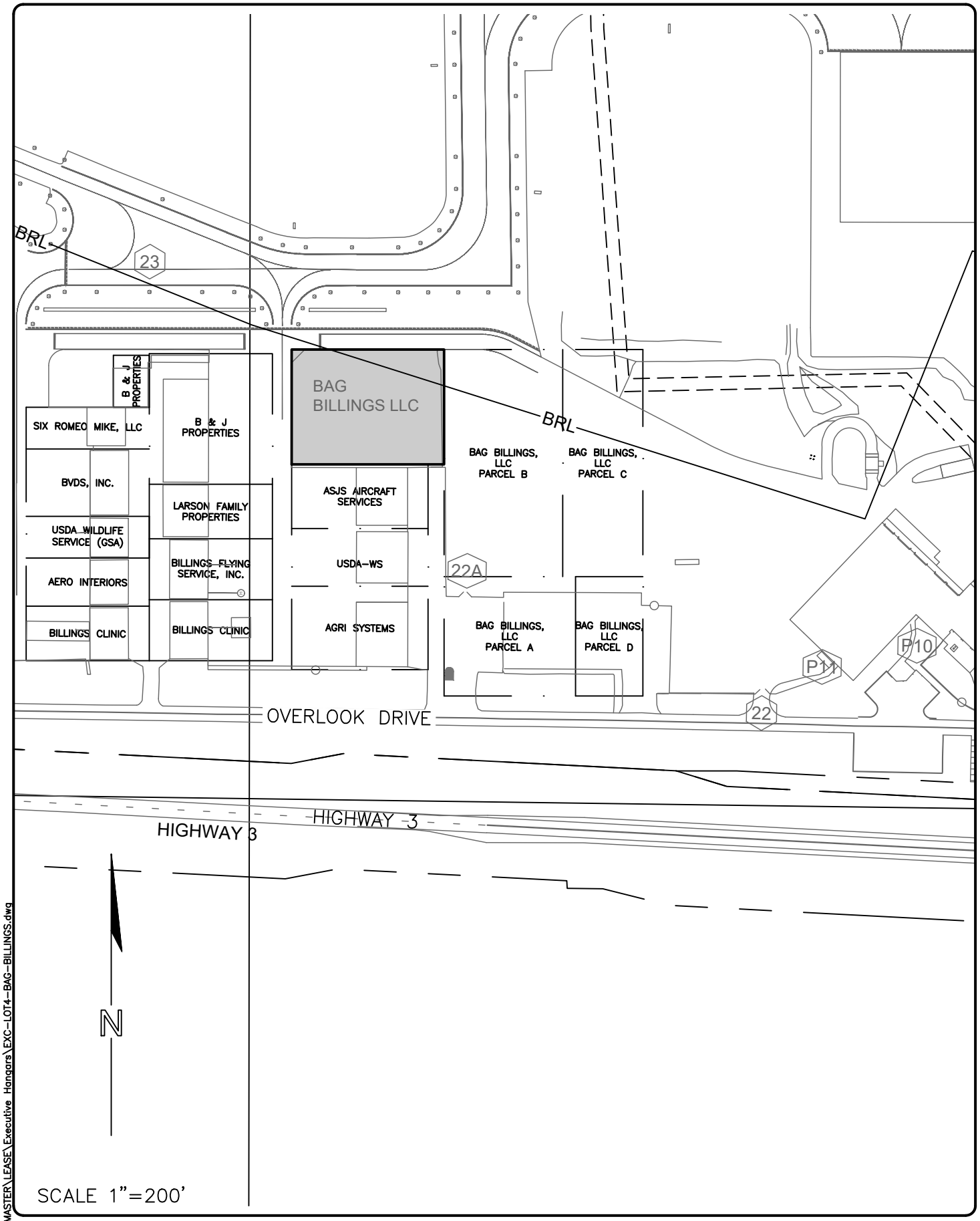
BY _____
MAYOR

BAG BILLINGS, LLC and
BEACON AIR GROUP OF BILLINGS, LLC

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BY _____
JOEL SIMMONS

DocuSigned by:
Kevin Button
25E007789398448...
KEVIN BUTTON

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LOT 4 – BAG BILLINGS, LLC LEASE

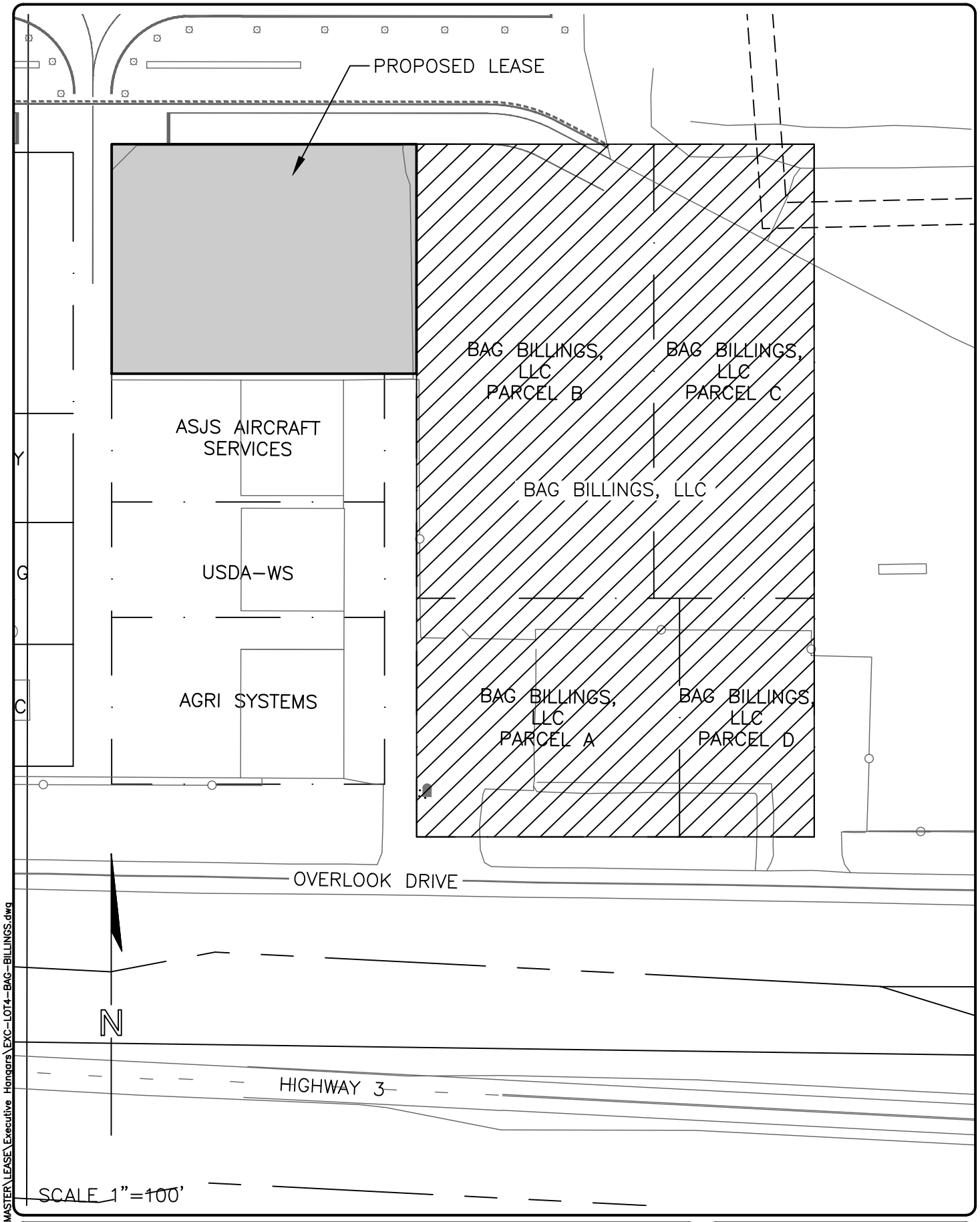
AVIATION AND TRANSIT DEPARTMENT–CITY OF BILLINGS

EXHIBIT A 1 of 4

Morrison Maierle
315 N. 25th Street, Suite 102
Billings, MT 59101
Phone: 406.656.6000
Fax: 406.237.1201

ISSUE DATE: APRIL 2023

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LOT 4 – BAG BILLINGS, LLC LEASE

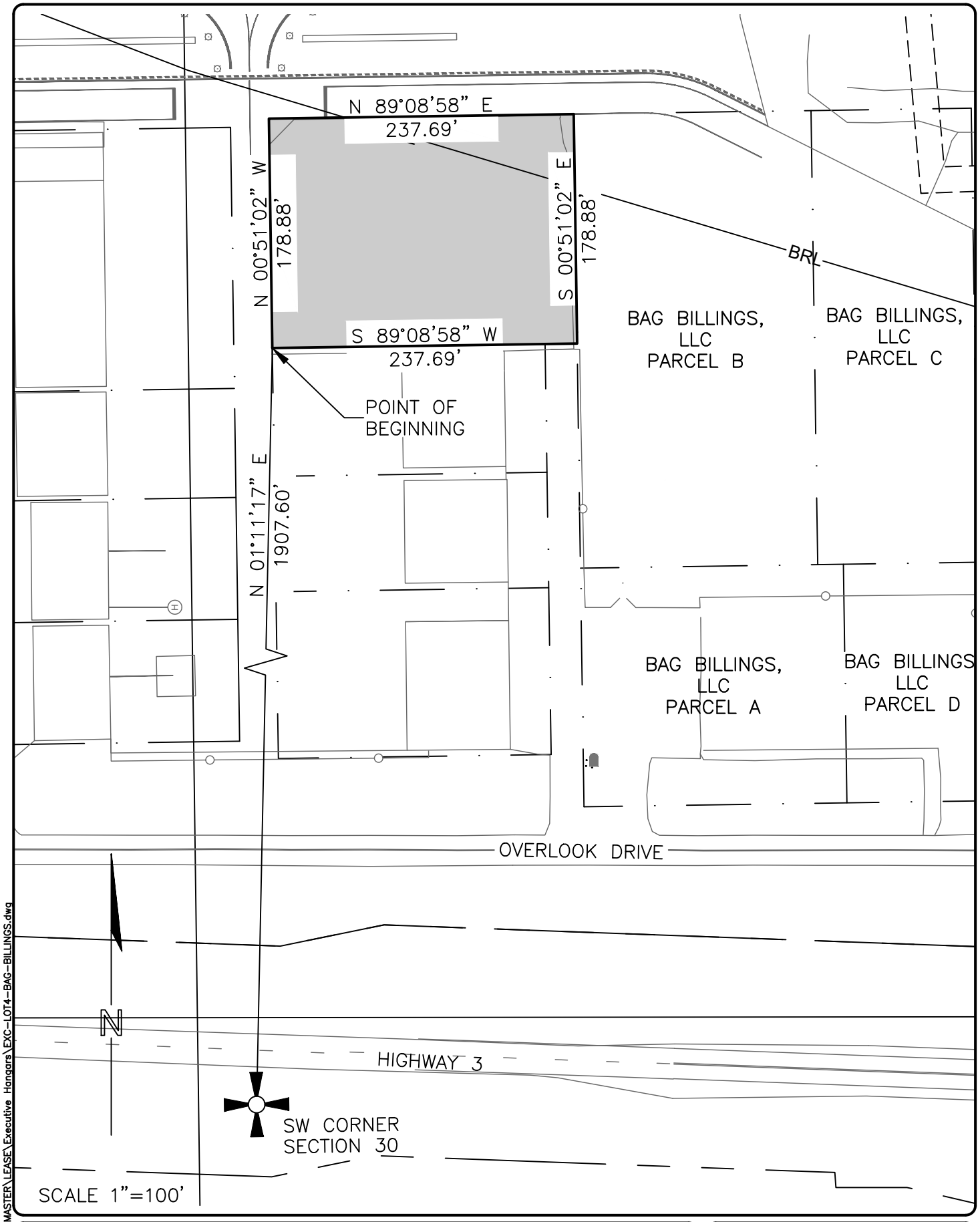
AVIATION AND TRANSIT DEPARTMENT–CITY OF BILLINGS

EXHIBIT A 2 of 4

Morrison Maierle
315 N. 25th Street, Suite 102
Billings, MT 59101
Phone: 406.656.6000
Fax: 406.237.1201

ISSUE DATE: APRIL 2023

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LOT 4 – BAG BILLINGS, LLC LEASE

AVIATION AND TRANSIT DEPARTMENT–CITY OF BILLINGS

EXHIBIT A 3 of 4

Morrison Maierle
315 N. 25th Street, Suite 102
Billings, MT 59101
Phone: 406.656.6000
Fax: 406.237.1201

ISSUE DATE: APRIL 2023

DocuSign Envelope ID: DEB3DB54-35D7-4472-85AB-AF3BB0ABA65A

DESCRIPTION

Commencing at the Southwest Corner of Section 30, T. 1 N., R. 26 E., P.M.M., Yellowstone County, Montana; thence from said point, N 01°11'17" E a distance of 1907.60 feet to the Point of Beginning; thence N 00°51'02" W a distance of 178.88 feet; thence N 89°08'58" E a distance of 237.69 feet; thence S 00°51'02" E a distance of 178.88 feet; thence S 89°08'58" W a distance of 237.69 feet to the Point of Beginning.

Said Parcel containing 42,517.99 square feet.

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LOT 4 – BAG BILLINGS, LLC
LEASE
AVIATION AND TRANSIT DEPARTMENT–CITY OF BILLINGS

EXHIBIT A 4 of 4

Morrison Maierle
315 N. 25th Street, Suite 102
Billings, MT 59101
Phone: 406.656.6000
Fax: 406.237.1201

ISSUE DATE: APRIL 2023

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TAXIWAY "H"

TAXIWAY "G"

TSA

TW-OFA (II)

TW-OFA(III)

OFA(F)

SD

BP

FAA BF

W

S

57.50'

39.50'

B & J PROPERTIES

ASJS AIRCRAFT SERVICES

ARSON FAMILY PROPERTIES

BILLINGS FLYING SERVICE, INC.

USDA–WS

30 15 0 30 60

SCALE IN FEET

N

V:\54811003-BIL-FBO\ACAD\EXHIBITS\BEACON-AIRCRAFT-PARKING-OPTION 2.DWG

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING.

MODIFY SCALE ACCORDINGLY!

REVISIONS

NO.	DESCRIPTION	BY	DATE

PLOTTED BY:KENT KUEHN ON May/25/2023

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

315 N. 25th Street, Suite 102
Billings, MT 59101
406.656.6000
www.m-m.net

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DRAWN BY: _____
DSGN. BY: _____
APPR. BY: _____
DATE: _____

Q.C. REVIEW
BY: _____
DATE: _____

BEACON AIR GROUP

BILLINGS MONTANA

APRON PARKING OPTION 2

EXHIBIT B

PROJECT NUMBER

SHEET NUMBER
2

DRAWING NUMBER
2

City Council Regular

Date:	06/26/2023
Title:	Billings MPO Transportation Alternative Projects
Presented by:	Lora Mattox
Department:	Planning & Community Services
Presentation:	No
Legal Review:	No
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council forward a recommendation of approval of the two submitted Transportation Alternative (TA) projects to the Policy Coordinating Committee (PCC). The PCC will take final action on the TA projects on July 18.

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

The Transportation Alternatives Program (TA) is a set-aside program from the Surface Transportation Block Grant (STBG) program. Eligible uses of the funds include projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21). This includes a variety of pedestrian and bicycle facilities, recreational trails, safe routes to school projects and other community improvement projects.

The Bipartisan Infrastructure Law (BIL) allows for Metropolitan Planning Organizations (MPOs) to administer their own competitive application process with approval and oversight from the Montana Department of Transportation (MDT). Billings, Missoula, and Great Falls will be overseeing a local process for the TA funding that is specific to areas with a population of over 50,000. Entities within the MPO may also apply with MDT's Call for Applications as well, as there is funding that is not tied to population. The timeline for both processes runs concurrently.

This year, the MPO received an allocation of approximately $6.38 million of TA funds. This includes several years of previously unspent TA funds managed by the Montana Department of Transportation. Future funding will be approximately $700,000 annually. Two projects were submitted requesting funding. The first is from Yellowstone County on behalf of the Lockwood Pedestrian Safety District. A proposed sidewalk gap connection along Old Hardin Road between two end points that are being constructed by Yellowstone County on one end and the Montana Department of Transportation (part of the Billings Bypass project) on the other. This project will complete the 2,200' gap. The second project, Stagecoach Trail, was submitted by the City of Billings Parks Department and will construct a 10' wide shared use path from the Skyline Trail on the east side of Zimmerman Trail to Rimrock Road below the Rims.

The Technical Advisory Committee (TAC), is the first entity that reviews and acts on the applications based on the MPOs process for review/recommendation of TA projects. TAC met on June 8 to review the two project applications. TAC based the scoring of the applications on a process developed by the MPO with guidance from MDT. Based on a total of 100 points, 10 points for Project Description, 45 points for Project Benefits and 45 points for Project Risk Analysis. Based on TAC scoring and the available TA funding, TAC is recommending to fully fund both projects.

STAKEHOLDERS

Both of these projects are located within the Billings MPO and have been identified in local planning efforts that included robust public participation. The Lockwood project is identified in the 2017 Lockwood Non-Motorized Transportation Plan and the Stagecoach Trail was identified in the 2015 Rimrocks to Valley Bike & Pedestrian Study.

A public hearing is not required to be held by City Council but the public can comment on the item. The Planning Board is required to hold a public hearing and the public is able to participate. The hearing was held on June 13th.

ALTERNATIVES

City Council may:

- Recommend approval of the two submitted Transportation Alternative projects to the Policy Coordinating Committee through the City's PCC representative; or,
- Recommend disapproval of one or both submitted Transportation Alternative projects to the Policy Coordinating

Committee through the City's PCC representative. Since the City Council originally approved of the City's application for the Stagecoach Trail, a recommendation of disapproval for that project would be counter to past actions.

FISCAL EFFECTS

The fiscal effects of approving these applications include the use of approximately $5,769,960 in TA grant funds. The TA grant program requires the local entity to provide a minimum of 13.42% in local matching funds. The Old Hardin Road project is requesting $1,038,960 in TA with a proposed local match amount of $161,040. The local funds are generated through a Special Improvement District fund specifically approved by the Lockwood residents to generate funding to complete non-motorized projects in the Lockwood community. The Stagecoach Trail project is requesting $4,730,000 in TA with local funding in the amount of $805,000. Of that amount, $100,000 is being contributed by Billings TrailNet, the balance of $705,000 is from the City of Billings Parks Department funds.

SUMMARY

The Transportation Alternatives Program is an opportunity for the Billings Urban Area to complete those larger, complex non-motorized projects. The two projects submitted for this round of funding addresses both a city and county connection that are both critical to the community's goals and safety of the traveling public.

Attachments

Lockwood TA Application
Stagecoach Trail TA Application

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

Received 04/11/2023

Billings Metropolitan Planning Organization (MPO)
Transportation Alternatives (TA) Program
2023 Project Application

Applications are due April 12, 2023 by 5:00 p.m.

Review the **instructions** prior to filling out this application for a Capital Improvement Project. Fill in all the sections and do not leave any blank.

1. Project Name: Old Hardin Road Sidewalk Connector

2. Project Sponsor: Yellowstone County

3. Project Contact:

Erin Claunch
Sanderson Stewart
1300 N. Transtech Way
Billings, MT 59102
406-869-3320; eclaunch@sandersonstewart.com

4. Project Cost Estimate

	Total Cost	Federal Share (TA)	Match	Additional Contribution
Preliminary Engineering (PE)	262,500.00	227,272.50	35,227.50	0.00
Construction (CN)	750,000.00	649,350.00	100,650.00	0.00
Construction Engineering (CE)	187,500.00	162,337.50	25,162.50	0.00
Right-of-Way (RW)	0.00	0.00	0.00	0.00
Incidental Construction (Utility involvement)(IC)	0.00	0.00	0.00	0.00
Total	1,200,000.00	1,038,960.00	161,040.00	0.00

As a reminder, the cost split between Federal Share TA and Matching funds is 86.58% Federal Share TA and 13.42% Match

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

5. Description of Project (10 points):

Lockwood is a large, unincorporated area under the governance of Yellowstone County with a population of 7,200 people. Old Hardin Road (OHR) is a minor arterial that acts as both a frontage road to I-90 and the Lockwood community's main street. This duality brings with it the commuting traffic of the frontage road, and the local access to the businesses, nearby schools and residences of the community. Currently, OHR is a two-lane road with existing sidewalk on the south side of the roadway from Highway 87 to Piccolo Lane. Yellowstone County, through the Lockwood Pedestrian Safety District (LPSD), will construct the extension sidewalk along OHR from Piccolo Lane to Woodland Road during Summer of 2023. The Montana Department of Transportation (MDT) will be reconstructing 0.3 miles of existing sidewalk along OHR from Rykken Circle to Cole Street as part of their Johnson Lane - Billings Bypass project. This OHR Sidewalk Connector project will address the gap in sidewalk facilities between Woodland Road and Rykken Circle, of approximate length of 2,200 feet. The original funding for the original OHR project does not have sufficient funding to complete this gap. The intent of this TA application is to nominate the vital portion of sidewalk to be completed via the OHR Sidewalk Connector grant to provide safety and connectivity for pedestrians in Lockwood which will finalize a 2+ mile corridor of sidewalk along OHR.
The conceptual design of the project is included in the appendix (identified as "Option B" in the plans), and shows the 6-foot wide boulevard sidewalk to be constructed in concrete. The intent of the design will maintain all existing driveways and street approaches. There is an existing irrigation ditch that runs parallel to the project along the northeasterly 500-feet of the project. This ditch will be piped as an extension of the irrigation piping included in MDT's Johnson Lane project. This project was first identified the LPSD's 2017 Non-Motorized Transportation Plan list of Engineering Projects. With completion of this grant project, in addition to the two ongoing projects, OHR will have continuous sidewalk through the heart of Lockwood!
(Letters of support from both Yellowstone County and the LPSD are included in the appendix.)

6. Project Eligibility:

The OHR Sidewalk Connector Project is of critical importance to the Lockwood Community as it satisfies multiple categories within the TA guidelines -- specifically Categories A & B (Off-road sidewalk facility and Safe Routes for Non-drivers). The importance of the OHR sidewalk was first identified as one of the top project priorities in the 2017 Lockwood Ped Safety District's Non-Motorized Transportation Plan, and its successive draft update which is currently being written. OHR is Lockwood's busiest road for both vehicular and pedestrian traffic, so this project is critical to separating the two modes of traffic and providing a safe route for pedestrians that are currently being forced to walk in the road's driving paths and unpaved shoulders.

This sidewalk project will provide a facility for non-motorized travel within one mile of the Lockwood School campus. As mentioned previously, without this multi-modal connection, there will be a half-mile gap in sidewalk along the two-mile stretch of OHR from Highway 87 to Johnson Lane.

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

7. Project Benefits (45 points):

a. Safety

OHR exists as a two-lane roadway classified within the Metropolitan Planning Organization's (MPO's) Long Range Transportation Plan (LRTP) as a minor arterial with an average AADT of approximately 4,500 vehicles per day. The lack of vehicle delineation and multi-modal facilities creates a safety impact for pedestrians and bicyclists.
Crash data for the half mile portion of roadway, provided by MDT, was evaluated to help determine crash trends and safety needs. There were three pedestrian or bicycle related crashes in the project corridor that occurred during the ten-year crash analysis period with two of the crashes resulted in injuries. Benefits to the grant project will include providing a separated pathway for pedestrians and bicyclists within the public right-of-way. These injuries likely could have been prevented if there was a separated facility dedicated to non-motorized users. The Federal Highway Administration (FHWA) notes that providing sidewalks results in up to an 89% reduction in pedestrian crashes with motor vehicles and suggests that walkways should be part of every new and renovated roadway facility and ever effort should be made to retrofit streets that currently do not have sidewalks. Both FHWA and the Institute of Transportation Engineers (ITE) recommend a minimum width of 5-feet for a sidewalk or walkway, should be continuous along both sides of a street, and should be fully accessible to all pedestrians including those in wheelchairs.

b. Accessibility

Currently, there is no facility available along OHR within the project limits that meets ADA and PROWAG guidelines. This grant application project will provide a new facility that is compliant with both ADA and PROWAG guidelines, and thus create a new route for a group of users that has been neglected for far too long.

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

c. Connectivity

One of the primary benefits of the OHR Sidewalk Connector project is connectivity. As described in the Project Description of this application, there is/will be continuous sidewalk for 1.3 miles to the southwest of this project and 0.3 miles to the northeast. With the additional half-mile project in this application, there will be over 2 miles of continuous sidewalk along the busiest road in Lockwood that connects residents, commercial businesses (including multiple gas/convenience stores and the grocery store), Lockwood's popular baseball/softball field complex, and future school safe routes along Piccolo Lane.

8. Project Risk Analysis (45 points):

a. Budget

The construction budget for this grant project was developed based on a preliminary/conceptual design of the sidewalk connector project, as commissioned by the Lockwood Pedestrian Safety District. Quantities for sidewalk area, fence installation/relocation, base gravel, and irrigation piping were developed from this design. With the quantities known, unit costs for these items were applied based on recent similar projects developed in MDT's database. These numbers were then extrapolated to determine the final construction number. As with standard engineering practice for planning level cost estimates, a contingency was applied to account for unforeseen construction items. A detailed breakdown of this cost estimate is included in the Appendix.

b. Matching Funds

The Lockwood Pedestrian Safety District is a Special Improvement District (SID) that was created by Yellowstone County as allowed under MCA 7-11-1001 through 7-11-1029. A 2014 referendum was presented to voters living within the Lockwood School District, in which they voted 61% to 39% in favor to create the District. Its purpose is to enhance pedestrian safety and provide for alternative means of transportation in the (unincorporated) Lockwood area. Accordingly, the LPSD has an estimated annual revenue of over $260,000 per year for use on projects like this one. With Yellowstone County as the sponsor of this project, they are committed to ensuring that the local match is fully secured and in-hand.

c. Project Ownership and Maintenance

As sponsor of this application, Yellowstone County is fully committed, through the LPSD, for operation and maintenance of this project. The LPSD board currently holds contracts with local businesses to remove snow off existing sidewalks within the LPSD boundaries. This grant application project would be included in the snow removal contract. In addition, the LPSD annual budget includes $13,000 for annual maintenance of sidewalks. Through these annual budget items, the LPSD (and thus Yellowstone County) are committed to the ongoing operation and maintenance items for this grant application project.

d. Project Right-of-Way and Railroad

The intent of the design for the OHR Sidewalk Connector project is to be fully constructed within the public right-of-way of OHR. As shown in the Right-of-Way Exhibits in the Appendix, there is currently 65 to 70-feet of public right-of-way along the project limits that is all free of conflicts. Further, there is over 15-feet from the edge of pavement to the southern property line. This will allow for adequate construction of the 6-foot sidewalk and boulevard throughout the project.

This project is free of railroad conflicts and no further action is required from a railroad coordination perspective.

e. Project Utility Impacts

For the OHR Sidewalk Connector project, the only utilities that could potentially be in conflict are overhead power lines within the vicinity of the proposed sidewalk. However, these power poles are located at the back of right-of-way, and the intent of the design is to place the sidewalk where power pole relocation will not be required. Yellowstone Valley Electric Cooperative has been informed about this potential project.

In addition there is a water line along the proposed sidewalk alignment. This will not cause conflicts or relocation, but will be located beneath the proposed sidewalk. The water line is owned and operated by the Lockwood Water & Sewer District.

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

9. Appendix (add attachments):

Yellowstone County

COMMISSIONERS
(406) 256-2701
(406) 256-2777 (FAX)

P.O. Box 35000
Billings, MT 59107-5000
bocc@yellowstonecountymt.gov

April 4, 2023

Lora Mattox
TA Coordinator/Transportation Planner
City of Billings Planning Division
2825 3rd Avenue North, Suite 400
Billings, MT 59101

Re: Transportation Alternatives Program Application
Old Hardin Road Sidewalk Connector Project

Dear Ms. Mattox:

The Yellowstone County Board of County Commissioners is in support of the Transportation Alternatives Program grant application for the Old Hardin Road Sidewalk Connector project. The project was identified within the Non-Motorized Transportation Plan produced by the Lockwood Pedestrian Safety District (LPSD).

The vision of the LPSD is to build a vibrant community with thriving industrial, commercial, and residential neighborhoods where people of all ages and physical abilities can travel safely and efficiently without the use of an automobile. The project will help accomplish this vision while also aiding in the mission to effectively eliminate fatalities and serious injuries caused by vehicular and pedestrian conflicts throughout the Lockwood area.

For questions regarding this letter of support please contact John Ostlund, Board of County Commissioners, Yellowstone County.

Sincerely,

John Ostlund
Yellowstone County Board of County Commissioners Chair

LOCKWOOD PEDESTRIAN SAFETY DISTRICT

Lockwood Pedestrian Safety District
Advisory Board to Yellowstone County
PO Box 35000
Billings, MT 59107-5000

April 4, 2023

Lora Mattox
TA Coordinator/Transportation Planner
City of Billings Planning Division
2825 3rd Avenue North, Suite 400
Billings, MT 59101

Re: Transportation Alternatives Program Application
Old Hardin Road Sidewalk Connector Project

Dear Ms. Mattox:

The Lockwood Pedestrian Safety District Advisory Board is in support of the Transportation Alternatives Program grant application for the Old Hardin Road Sidewalk Connector project. The project is on a segment of roadway deemed a high priority by the district's Non-Motorized Transportation Plan. The segment completes connectivity of previous projects to a commercial center of the community for shopping and dining.

The mission of the Lockwood Pedestrian Safety District is to effectively eliminate fatalities and serious injuries caused by vehicular and pedestrian conflicts throughout the Lockwood area. Completing the Old Hardin Road Sidewalk at the connector project's location will offer pedestrians a safe way out of the road where steady residential and commercial vehicle traffic, including semi-trucks are active at Lockwood's busiest intersection. As the Lockwood community continues to develop, the safety of neighbors of all ages and abilities is priority to assure an active, healthy lifestyle is responsibly encouraged and experienced.

For more information, please contact Brandy Dangerfield, Lockwood Pedestrian Safety District Advisory Board Chair.

Respectfully,

Brandy Dangerfield

Brandy Dangerfield
Lockwood Pedestrian Safety District Advisory Board Chair
dangerfield.brandy@gmail.com

DRAFT TOPO MAPPING - 02.03.2021

N

0 40' 80'

SCALE IN FEET



Rev No	Date	By	Description

OLD HARDIN RD PATHWAY SURVEY
LOCKWOOD PEDESTRIAN SAFETY DISTRICT
LOCKWOOD, MT

PLAN VIEW 25+00 TO 37+00

Drawn By: MDR
Checked By: BB
Surveyed By: XXX
Designed By: XXX
Project No: Y14-00-126
Date: 01/2021

Interstate Engineering, Inc.
P.O. Box 20953
1211 Grand Avenue, Suite 6
Billings, MT 59104-0953
Ph (406) 256-1920
Fax (406) 256-9178
www.interstateeng.com
Other offices in Minnesota, North Dakota and South Dakota

INTERSTATE ENGINEERING
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P-3

4 OF 6

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N

0 40' 80'

SCALE IN FEET

DRAFT TOPO MAPPING - 02.03.2021



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Rev No	Date	By	Description

OLD HARDIN RD PATHWAY SURVEY
LOCKWOOD PEDESTRIAN SAFETY DISTRICT
LOCKWOOD, MT

PLAN VIEW 37+00 TO 49+00

Drawn By: MDR
Checked By: BB
Surveyed By: XXX
Designed By: XXX
Project No: Y14-00-126
Date: 01/2021

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P.O. Box 20953
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0 40' 80'

SCALE IN FEET

DRAFT TOPO MAPPING - 02.03.2021



Rev No	Date	By	Description

OLD HARDIN RD PATHWAY SURVEY
LOCKWOOD PEDESTRIAN SAFETY DISTRICT
LOCKWOOD, MT

PLAN VIEW 49+00 TO POE

Drawn By: MDR | Surveyed By: XXX | Project No: Y14-00-126
Checked By: BB | Designed By: XXX | Date: 01/2021

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6 OF 6

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OLD HARDIN ROAD SIDEWALK CONNECTOR COST ESTIMATE				
QUANTITY	DESCRIPTION	UNIT	UNIT PRICE	AMOUNT
10,000.0	MISCELLANEOUS WORK	UNIT	$ 1.00	$ 10,000.00
1.0	CONTRACTOR SURVEY AND LAYOUT	LS	$ 15,000.00	$ 15,000.00
1.0	MOBILIZATION - 10%	LS	$ 42,000.00	$ 42,000.00
1.0	TRAFFIC CONTROL-LS	LS	$ 25,000.00	$ 25,000.00
640.0	EXCAVATION-UNCLASSIFIED	CUYD	$ 35.00	$ 22,400.00
300.0	TOPSOIL-SALVAGING AND PLACING	CUYD	$ 30.00	$ 9,000.00
1.0	TEMPORARY EROSION CONTROL-LS	LS	$ 5,000.00	$ 5,000.00
60.0	CRUSHED AGGREGATE COURSE	CUYD	$ 75.00	$ 4,500.00
74.0	COMMERCIAL PLANT MIX-MISC	TON	$ 175.00	$ 12,950.00
200.0	PEDESTRIAN RAIL	LNFT	$ 250.00	$ 50,000.00
200.0	DRAINAGE PIPE 18 IN	LNFT	$ 115.00	$ 23,000.00
200.0	RCP 60 IN	LNFT	$ 275.00	$ 55,000.00
1.0	CONNECT TO EXISTING PIPE	EACH	$ 1,500.00	$ 1,500.00
1.0	ADJUST VALVE BOX	EACH	$ 1,000.00	$ 1,000.00
2.0	ADJUST FIRE HYDRANT	EACH	$ 2,000.00	$ 4,000.00
1,400.0	SIDEWALK-CONCRETE 6 IN (6 FT WIDE)	SQYD	$ 100.00	$ 140,000.00
9.3	DETEC WARNING DEVICES-TYPE I	SQYD	$ 300.00	$ 2,790.00
2.0	SIDEWALK DRAIN	EACH	$ 2,000.00	$ 4,000.00
0.3	SEEDING AREA NO I	ACRE	$ 1,000.00	$ 300.00
0.3	FERTILIZING AREA NO I	ACRE	$ 400.00	$ 120.00
7.0	RESET SIGNS	EACH	$ 300.00	$ 2,100.00
20.0	STRIPING-WHITE PAINT	GAL	$ 100.00	$ 2,000.00
1,400.0	SEPARATION GEOTEXTILE-HIGH	SQYD	$ 3.00	$ 4,200.00
12.0	MAILBOX	EACH	$ 300.00	$ 3,600.00
450.0	TURF REINF MAT-NATURAL FIBER	SQYD	$ 12.00	$ 5,400.00
1.0	IRRIGATION CANAL CROSSING	LS	$ 15,000.00	$ 15,000.00
100.0	RESET FENCE	LNFT	$ 20.00	$ 2,000.00
			SUBTOTAL	$ 461,860.00
			30% CONTINGENCY	$ 138,558.00
			SUBTOTAL	$ 600,418.00
			INFLATION 4%/YEAR x 3 YEARS	$ 74,970.59
			SUBTOTAL	$ 675,388.59
			10.71% INDIRECT COST (IDC)	$ 72,334.12
			TOTAL	$ 747,722.71

RIGHT-OF-WAY EXHIBIT (SHEET 1 OF 2)

FOR

OLD HARDIN ROAD SIDEWALK CONNECTOR PROJECT

WITHIN

YELLOWSTONE COUNTY

NORTH

40 20 0 40 80

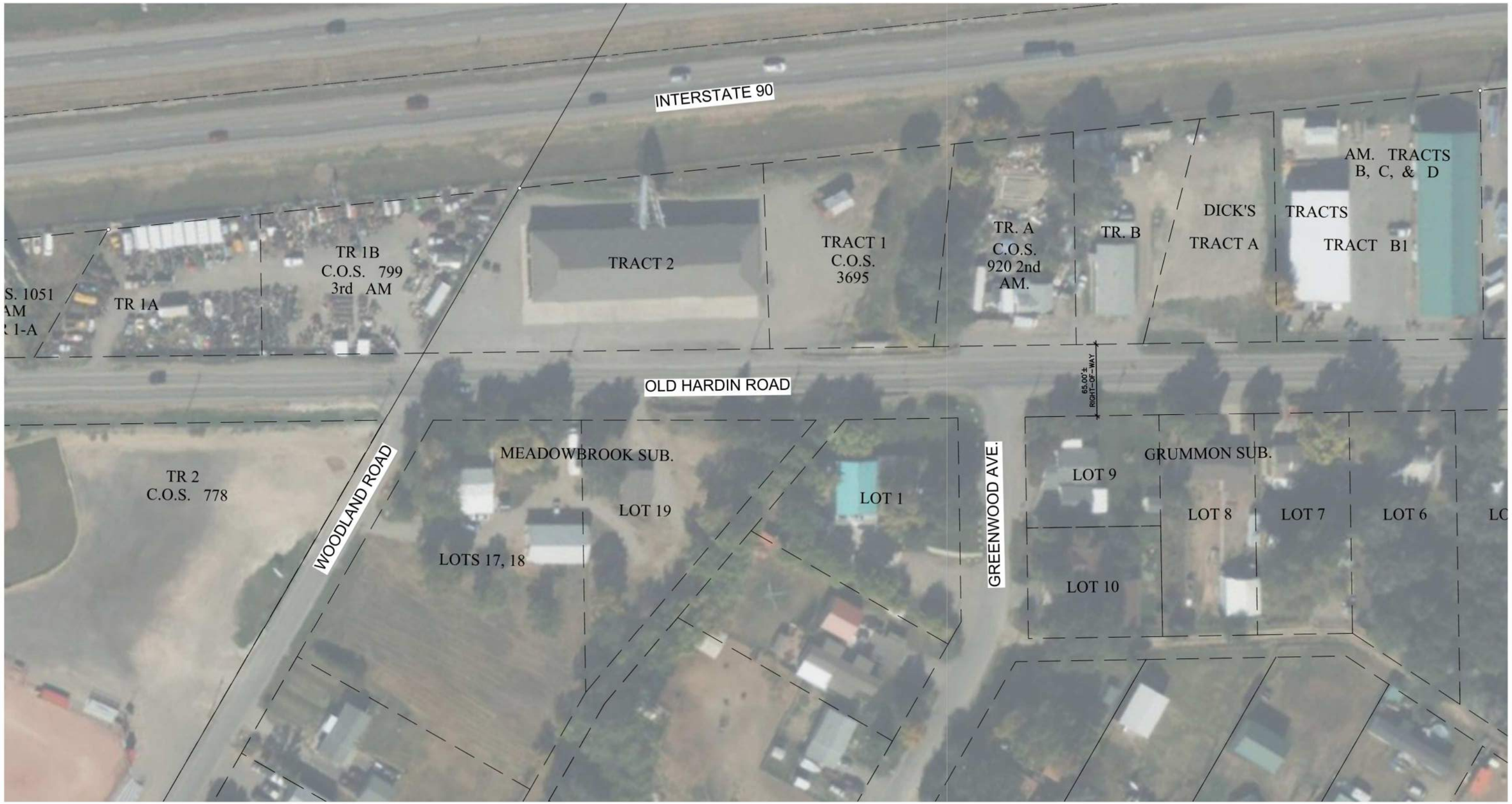
SCALE:1" = 40'

PREPARED FOR : YELLOWSTONE COUNTY, MONTANA

PREPARED BY : SANDERSON STEWART

MARCH, 2023

BILLINGS, MONTANA



RIGHT-OF-WAY EXHIBIT (SHEET 2 OF 2)

FOR

OLD HARDIN ROAD SIDEWALK CONNECTOR PROJECT

WITHIN

YELLOWSTONE COUNTY

NORTH

40 20 0 40 80

SCALE:1" = 40'

PREPARED FOR : YELLOWSTONE COUNTY, MONTANA

PREPARED BY : SANDERSON STEWART

MARCH, 2023

BILLINGS, MONTANA



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BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

Received 03/29/2023

Billings Metropolitan Planning Organization (MPO)
Transportation Alternatives (TA) Program
2023 Project Application

Applications are due April 12, 2023 by 5:00 p.m.

Review the **instructions** prior to filling out this application for a Capital Improvement Project. Fill in all the sections and do not leave any blank.

1. Project Name:

2. Project Sponsor:

3. Project Contact:

4. Project Cost Estimate

	Total Cost	Federal Share (TA)	Match	Additional Contribution
Preliminary Engineering (PE)				
Construction (CN)				
Construction Engineering (CE)				
Right-of-Way (RW)				
Incidental Construction (Utility involvement)(IC)				
Total				

As a reminder, the cost split between Federal Share TA and Matching funds is 86.58% Federal Share TA and 13.42% Match

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

5. Description of Project (10 points):

6. Project Eligibility:

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

7. Project Benefits (45 points):

a. Safety

b. Accessibility

c. Connectivity

8. Project Risk Analysis (45 points):

a. Budget

b. Matching Funds

c. Project Ownership and Maintenance

BILLINGS - YELLOWSTONE COUNTY
MPO
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d. Project Right-of-Way and Railroad

e. Project Utility Impacts

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

9. Appendix (add attachments):

Figure 1 - Stagecoach Trail map
Figure 2 - Marathon Loop
Figure 3 - Stagecoach Trail slope
Figure 4 - Inner Belt Loop
Figure 5 - HDR Preliminary Estimate



Figure 1 – Stagecoach Trail Map

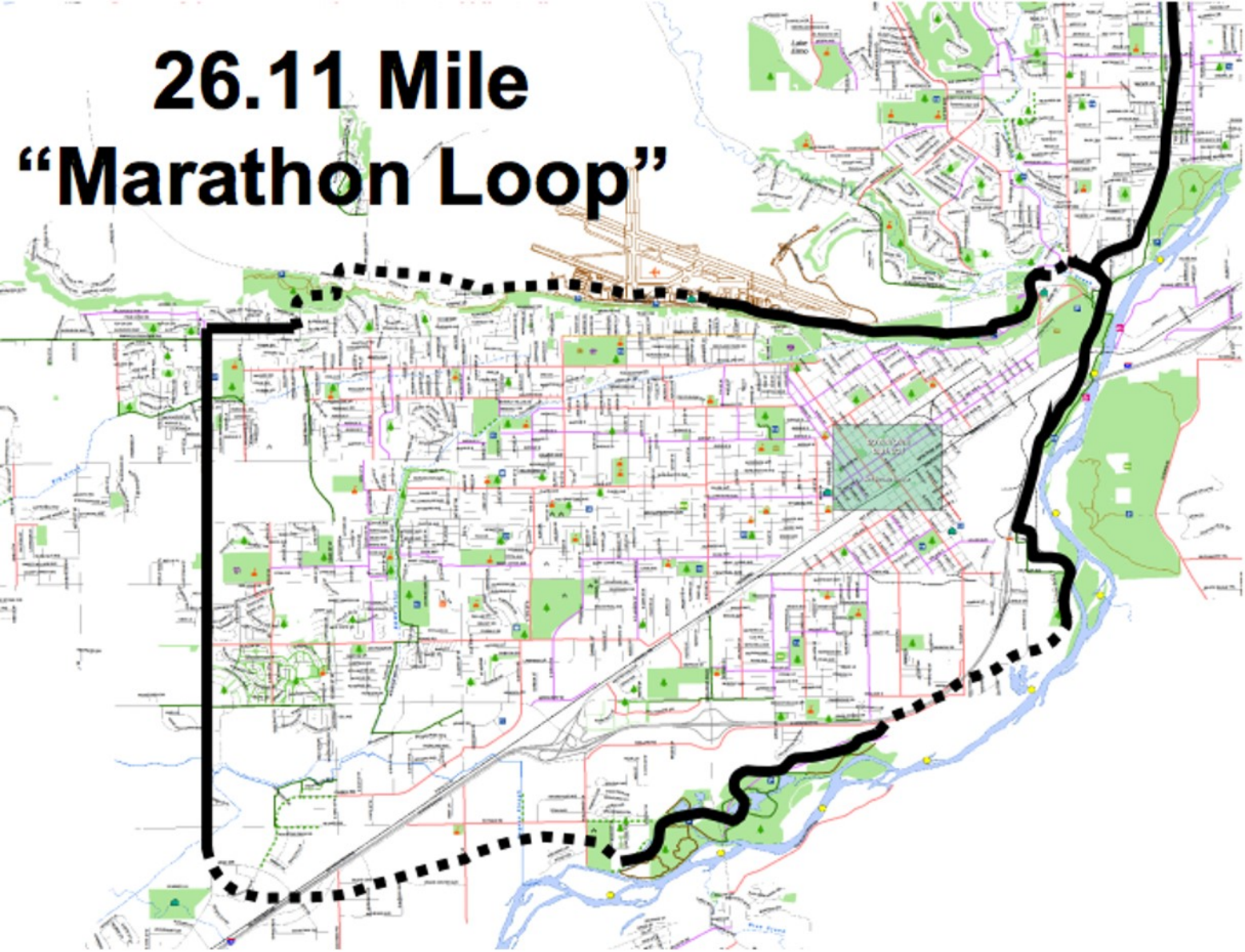


Figure 2 – Marathon Loop

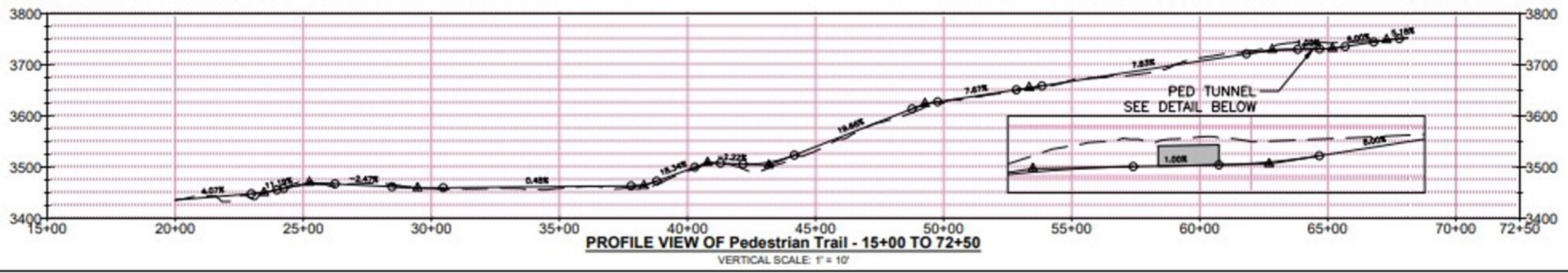


Figure 3 – Stagecoach Trail Slope



Figure 4 – Inner Belt Loop

Montana Department of Transportation

BID PRICES
June 2016

Preliminary Estimate

Project Number: MT 1001(6)
Project Name: Pedestrian Trail Alternative 3
UPN Number: 6040003
Project Length: 0.86 Miles
Design Stage: (PFR)-Preliminary Field Review

Prepared By: HDR Engineering
Date: December 6, 2016
County: YELLOWSTONE COUNTY
District: Billings
Type of Work: Pedestrian Trail w/ Retaining Wall Max. Ht. of 25'

Item Number	Quantity	Description	Unit	G-Match	Average Bid Prices		Adjusted Unit Prices	
					Unit Price	Amount	Unit Price	Amount
					Dollars	Dollars	Dollars	Dollars
203020100	7300	EXCAVATION-UNCLASSIFIED	CUYD	N	$3.98	$29,054.00	$25.00	$182,500.00
203020200	58000	EXCAVATION-UNCLASS BORROW	CUYD	N	$6.73	$390,340.00		$390,340.00
301020340	2700	CRUSHED AGGREGATE COURSE	CUYD	N	$26.31	$71,037.00		$71,037.00
301020625	5300	AGGREGATE TREATMENT	SQYD	N	$0.44	$2,332.00		$2,332.00
401020021	620	COMMERCIAL MIX-PG 70-28	TON	N	$70.45	$43,679.00		$43,679.00
401020300	10	HYDRATED LIME	TON	N	$213.85	$2,139.00		$2,139.00
605000020	0	BARRIER RAIL-CAST IN PLACE	LNFT	Y		$0.00	$110.00	$0.00
614010009	850	RETAINING WALL	SQYD	N	$506.67	$430,670.00	$1,500.00	$1,275,000.00
						$969,251.00		$1,967,027.00
	10%	Mobilization				$96,925.10		$196,702.70
		Subtotal				$1,066,176.10		$2,163,729.70
	25%	Contingency				$266,544.03		$540,932.43
		Construction Total				$1,332,720.13		**$2,704,662.13**
	10%	Construction Engineering						$270,466.21
		Total						**$2,975,128.34**
	10.97%	Indirect Cost (IDC)-Construction						$296,701.44
		Total Construction w/IDC						**$3,001,363.56**
	10.97%	Indirect Cost (IDC) - Construction Engineering						$29,670.14
		Total Construction Engineering w/IDC						**$300,136.36**
		Total w/IDC						**$3,301,499.92**

Project Length	Miles		0.86			
Project Average Finish Top Width	Feet		12.0			
Cost per Mile (Uses Construction Total)						**$3,144,955.96**
Cost per Sq. Yard (Uses Construction Total)						**$446.73**

User: Spenser Hays File Name: c:\pwworking\sea\d1910896\Zimmerman Pedestrian Trail_Altern Date: 12/8/2016 10:51

Figure 5 – 2016 Stagecoach Trail Estimate. Inflation, MDT Indirect Cost Rate, Preliminary Engineering, and Construction Engineering were added to reach a current cost estimate of $5,535,000.00

City Council Regular

Date:	06/26/2023
Title:	2023 Long Range Transportation Plan - Final Draft
Presented by:	Scott Walker
Department:	Planning & Community Services
Presentation:	No
Legal Review:	No
Project Number:	N/A

RECOMMENDATION

Staff recommends the City Council approve the Final Draft 2023 LRTP. The Mayor will bring the Council's recommendation of the document to the PCC at its July 18th meeting.

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

The Billings Urban Area Long Range Transportation Plan (LRTP) is a fiscally constrained plan and framework to guide the continued development and implementation of multimodal transportation system projects for the Billings urban area. The LRTP is updated every five years, and the previous iteration was completed in 2018. This LRTP assesses today's (2023) land use and transportation conditions to forecast the future (year 2045) conditions, which aids in identifying and strategizing transportation improvements for the region.This Draft 2023 LRTP includes updates to current transportation conditions, forecasts future population impact on the transportation system, models future traffic volumes to 2045, and includes transportation project priorities. The Plan also complies with the Federal Infrastructure Investment and Jobs Act (IIJA) requirements to ensure the community qualifies for Federal Transportation funds. The Billings MPO is required to update this plan every five years. In addition to being compliant with federal regulations it must also meet state and local requirements.

For this LRTP, a Project Oversight Committee (POC) was formed to assist staff and the consultant with transportation project review and consultations with stakeholder organizations. The POC included local representation from the Board of County Commissioners, City Council, City Engineering Division, Planning Division, MET Transit, and County Public Works. In addition, extensive coordination with the Montana Department of Transportation, Billings Department of Aviation and Transit, Bike/Pedestrian Advisory Committee, The Federal Highway Administration and City and County Public Works was conducted to ensure the most up-to-date information was included in the plan.

Attached to this report are the final draft plan itself and also an executive summary which provides an overview of the purpose and intent of the document and generalizes outcomes. This can be used as a quick reference for the plan.

The adoption schedule is as follows: TAC - June 8; Yellowstone County Board of Planning - June 27; Billings City Council - June 26; Yellowstone County Commissioners - June 27; Policy Coordinating Committee - July 18.

STAKEHOLDERS

The Planning Board held its Public Hearing on the item on June 13th. There was no public comment at the Planning Boared Meeting. The Council is not required to hold a hearing but the public is still able to offer public comment during the Council work session on June 19 and the regular business meeting on June 26.

ALTERNATIVES

The City Council may:

- Approve the 2023 Billings Long Range Transportation Plan and send a recommendation of approval to the Policy Coordinating Committee, or;
- Disapprove the 2023 Billings Long Range Transportation Plan and send a recommendation of disapproval to the Policy Coordinating Committee.

Local, State and Federal approval of the 2023 Billings Long Range Transportation Plan is critical to ensure the community receives its share of federal transportation planning funds annually.

FISCAL EFFECTS

There will be no direct financial impact with review and adoption of the 2023 LRTP Update. This plan acts as a guide to the development and implementation of multi-modal transportation system projects for the Billings Urban Area.

The projects within the plan are prioritized through community engagement and City/County review.

Attachments

2023 LRTP Ex. Summary
2023 LRTP Project List
2023 LRTP - Draft

2023 LRTP EXECUTIVE SUMMARY

Who was involved in the LRTP Process?

10 Steering Committee Meetings

2 Elected Officials Workshops
15 attendees @ #1 and
13 attendees @ #2

2 Public Open Houses 20 attendees @ #1 and 11 attendees @ #2

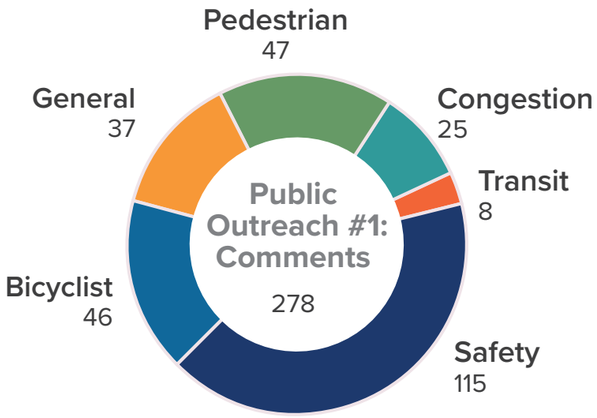
2 Online Surveys/ Interactive Maps (Fall & Spring): 521 Total Comments

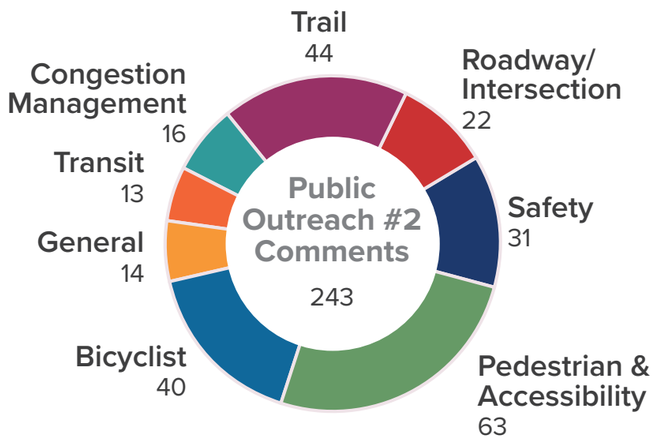
12 Outreach Meetings

OUTREACH MEETINGS

- LIFTT
- Bike Walk Montana
- Lockwood Pedestrian Safety District
- Pioneer Park Task Force
- All Task Force Meeting
- Lockwood Steering Committee
- Bicycle & Pedestrian Advisory Committee
- Billings Industrial Revitalization District (BIRD)
- Healthy by Design
- Midtown Community Collaborative
- Southside Task Force
- Billings Public Schools

The purpose of public outreach #1 was to gather input on the needs, opportunities, and deficiencies that currently exist in the multimodal transportation system.





The purpose of public outreach #2 was to gather feedback on the projects to address those needs, opportunities, and deficiencies identified during public outreach #1.

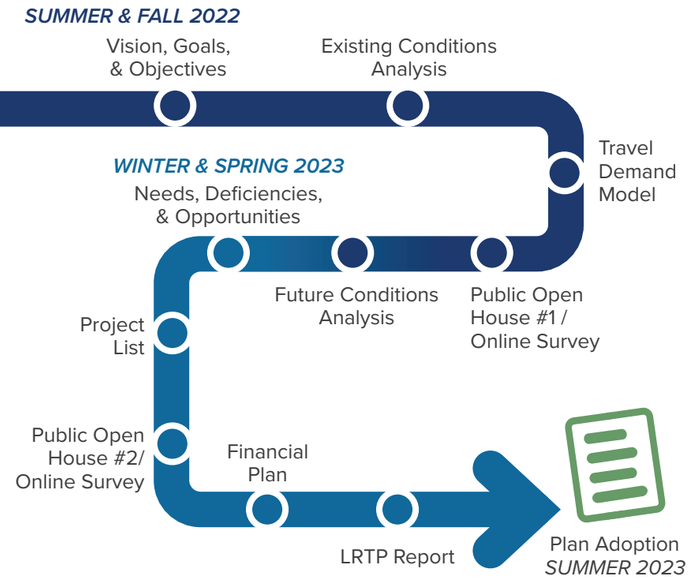
What is a Long Range Transportation Plan (LRTP)?

The Billings-Yellowstone County Metropolitan Planning Organization (MPO) prepared a long range transportation plan (LRTP) to guide the development and implementation of multimodal transportation projects for the Billings planning area. MPOs are required to update their transportation plan every four to five years to meet local, state, and federal requirements.

The LRTP includes:

- Planning for the next 20 years—looks out to year 2045
- Engaging the public for input and comment
- Assessing facilities and operations of the different transportation modes
- Identifying transportation needs and a set of short- and long-range transportation projects
- Constraining the transportation projects financially

How was the LRTP created?



VISION

Support a livable and economically vibrant community through a safer and more equitable multimodal transportation system.

GOALS

Safety – Develop a safer transportation system for all users.

Resiliency – Optimize, preserve, and enhance the existing transportation system to adapt with climate change, protect the natural environment, and promote a healthy and sustainable community.

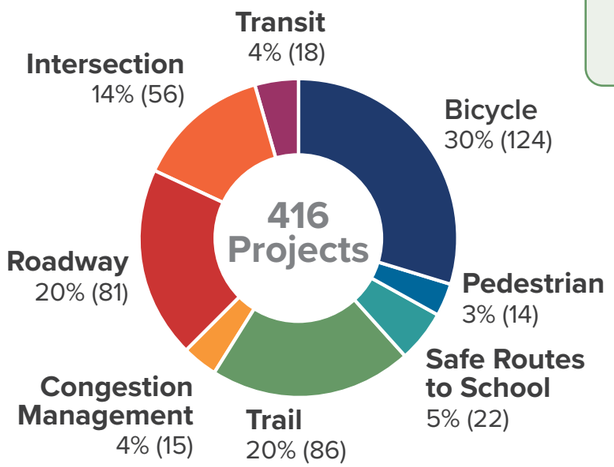
Mobility – Create a transportation system that supports the use of transit, walking, biking, shared mobility, and vehicles.

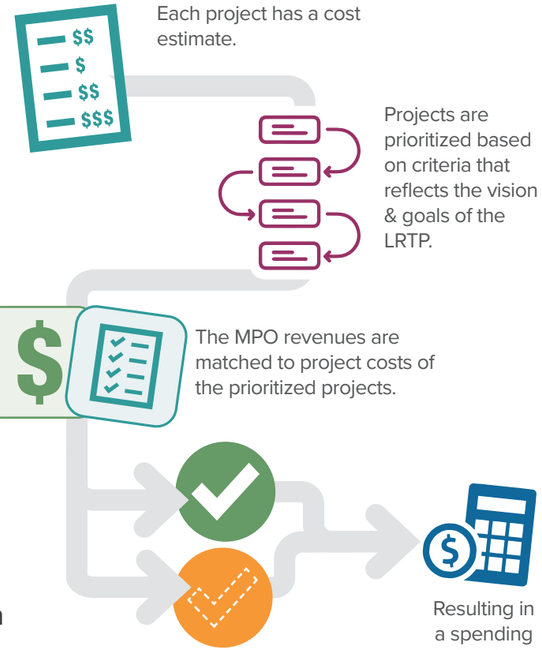
Equity & Accessibility – Address the needs of transportation-disadvantaged populations through the provision of affordable, accessible, and reliable travel options.

Economic Vitality – Provide transportation facilities to support the local economy and connect the Billings Urban Area to local, regional, and national commerce.

Project List

Projects included in the 2023 LRTP were identified through previous plans, previous studies, and feedback from the public, stakeholders, and the Steering Committee on the needs, opportunities, and deficiencies in the Billings planning area. Through this process, 416 projects were included in the Project List, with 70 new projects identified through analysis, stakeholder input, and public input. Of the 416 projects, 63 have committed funding through 2028, 349 are recommended for funding through 2045, and 4 are illustrative of what could be funded if more funding becomes available.





Each project has a cost estimate.

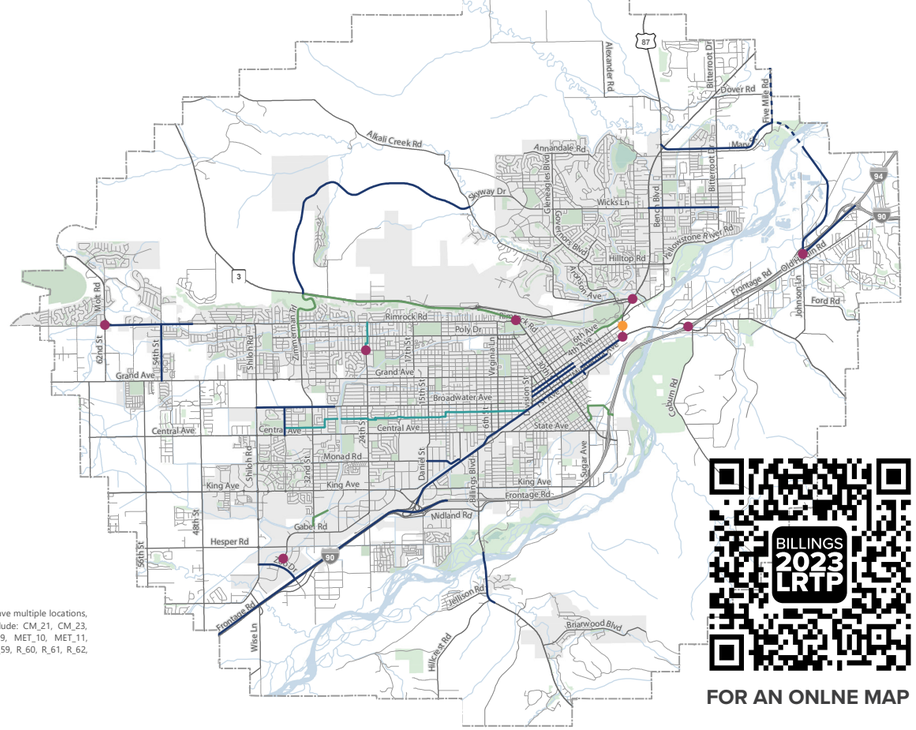
Projects are prioritized based on criteria that reflects the vision & goals of the LRTP.

The MPO revenues are matched to project costs of the prioritized projects.

Projects are categorized as Committed or Recommended based on prioritization and MPO revenues.

Resulting in a spending plan that is fiscally constrained.

Committed Projects

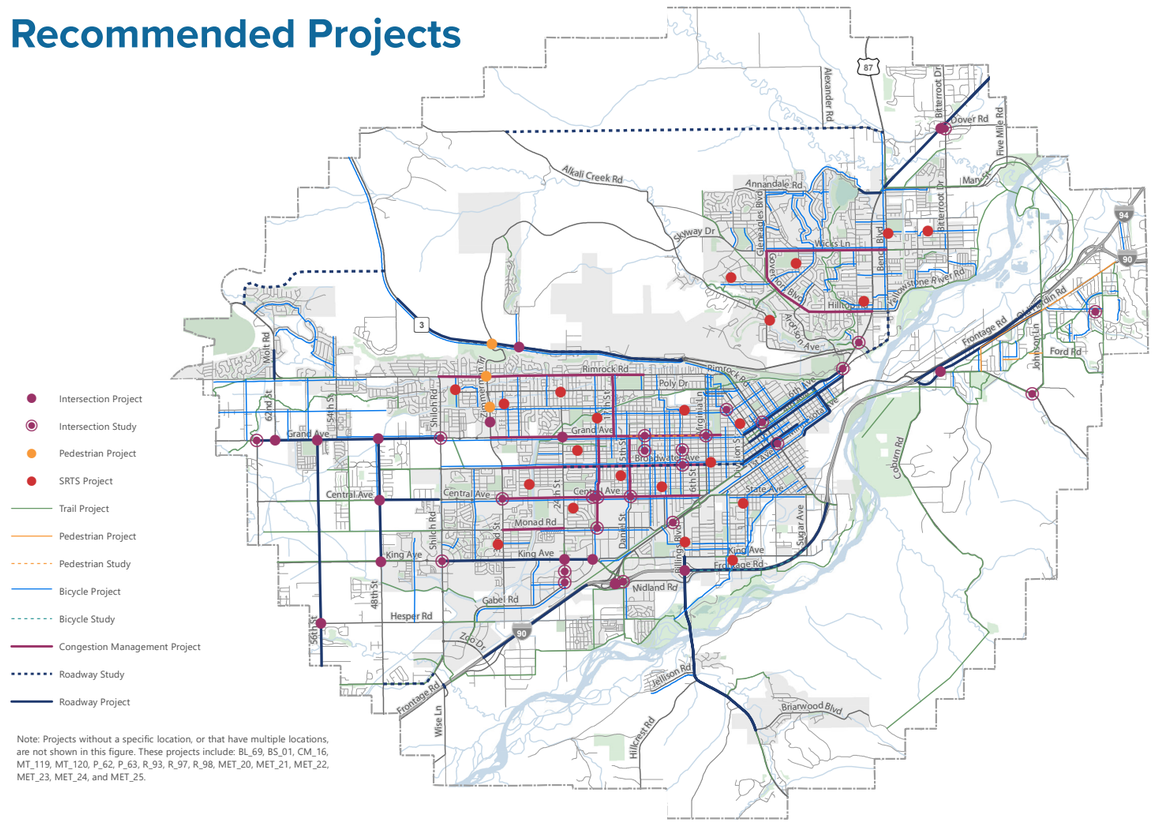


Note: Projects without a specific location, or that have multiple locations, are not shown in this figure. These projects include: CM_21, CM_23, CM_24, I_34, MET_02, MET_04, MET_05, MET_09, MET_10, MET_11, MET_12, MET_14, MET_15, MET_16, R_28, R_40, R_59, R_60, R_61, R_62, R_65, R_69, R_70, R_77, R_99, and R_100.

BILLINGS 2023 LRTP

FOR AN ONLNE MAP

Recommended Projects



Note: Projects without a specific location, or that have multiple locations, are not shown in this figure. These projects include: BL_69, BS_01, CM_16, MT_119, MT_120, P_62, P_63, R_93, R_97, R_98, MET_20, MET_21, MET_22, MET_23, MET_24, and MET_25.

A Fiscally-Constrained Plan

An important aspect of a long range transportation plan is ensuring that the projects included can reasonably expect to be funded within the lifetime of the Plan. For the 2023 LRTP, the planning horizon is 2045. The table below presents the 2023 LRTP projects by type, and the dollar amounts that are committed and recommended for each project type. Additionally, the table presents the revenue projections for these project types, and because the total funding projections exceed the total project costs, the 2023 LRTP is fiscally-constrained. Please note that dollar amounts are rounded for presentation.

SUMMARY OF LRTP PROJECT COSTS

Project Categories	Committed	Recommended	2045 Fiscally Constrained Total	2045 Revenue Projection Total	Difference
Pedestrian, Bicycle, SRTS, Trail	$16.76 million	$143.13 million	$159.89 million	$247.61 million	$87.72 million
Congestion Management, Intersection, Roadway	$265.11 million	$465.78 million	$730.89 million	$775.14 million	$44.25 million
Transit	$18.08 million	$79.29 million	$97.37 million	$228.78 million	$131.41 million
Total	**$299.96 million**	**$688.19 million**	**$988.16 million**	**$1,250.00 million**	**$263.37 million**



PROJECT LISTS

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PROJECT LIST DEVELOPMENT PROCESS

Project Prioritization

The long-term strategy for funding and implementing projects identified in the LRTP project list is made possible through project prioritization. Project prioritization consists of (1) Defining project criteria based on the vision, goals, and objectives of the 2023 LRTP; (2) Assigning scores to each project based on the priorities; and (3) Categorizing projects based on these scores. The final score for each project allows decision makers to prioritize implementation of projects based on their alignment with the criteria. The project prioritization process does not have an impact on implementation of projects already committed in the STIP, TIP, or CIP.

The projects were evaluated based on 12 project criteria shown in Exhibit 2 and described in Table 1. For each criterion, projects were assigned a score of -1, 0, 1, or 2, based on their alignment with the criterion. The final prioritization score for a project is the sum of the scores for all 12 criteria.

Table 1. Project Prioritization Scoring

#	Category	Measurement	+2 Points	+1 Point	0 Points	-1 Point
1	Stakeholder & Public Support	Steering Committee, Stakeholder, or Public Meetings	Strong Support	Moderate Support	Mixed Support or No Comment	Strong Opposition
2	Consistency with Adopted Plans / Studies	Plans and Studies Identified in 'Recently Completed & On-Going Project' List	Strong Consistency	Minor Consistency	Not Identified in a Partner Agency Plan/Study	Not Applicable

#	Category	Measurement	+2 Points	+1 Point	0 Points	-1 Point
3	Safety - Mitigates Crash Risk, Especially for Vulnerable Road Users	EPDO Analysis, Near Schools in GIS, & Project Type	Addresses Identified Safety Issue	Minor Safety Impact	No Effect	Negative Safety Impact
4	Serves Transportation-Disadvantaged Populations	Transportation Disadvantaged Populations in GIS	Project Located in High Disadvantaged Block Group	Project Located in Medium Disadvantaged Block Group	Project Located in Low Disadvantaged Block Group	Not Applicable
5	Supports Low Carbon Modes and Green Infrastructure	Project Type	Major Environmental Improvement	Minor Environmental Improvement	Minimal to No Impact	Negative Environmental Impact
6	Address Resiliency & Security Risks	Resiliency Risks in GIS	Addresses Identified Resiliency or Security Risk in High-Risk Area	Addresses Identified Resiliency or Security Risk in Medium-Risk Area	Addresses Identified Resiliency or Security Risk in Low-Risk Area	Negative Resiliency or Security Impact
7	Right-of-Way Impacts	Project Likelihood to Expand Beyond Existing ROW	No ROW Impacts	Minimal ROW Impacts	Moderate ROW Impacts	Significant ROW Impacts
8	Pedestrian Mobility	Pedestrian Crash Locations and Safe Routes to School Projects in GIS	Addresses an Identified Barrier to Pedestrian Safety /	Major Pedestrian Safety / Mobility Improvement	Minor Pedestrian Safety / Mobility Improvement	Negative Pedestrian Safety / Mobility Impact

#	Category	Measurement	+2 Points	+1 Point	0 Points	-1 Point
			Mobility OR Near a School			
9	Bicycle Mobility	Bicycle Crash Locations and Safe Routes to School Projects in GIS	Addresses an Identified Barrier to Bicycle Safety / Mobility OR Near a School	Major Bicycle Safety / Mobility Improvement	Minor Bicycle Safety / Mobility Improvement	Negative Bicycle Safety / Mobility Impact
10	Transit Mobility	Amenity, Service, or Facility Identified in the TDP or Pedestrian/Bicycle Facility Near Transit Facility	Addresses an Identified Barrier to Transit	Major Transit Improvement	Minor Transit Improvement or No Impact	Negative Transit Impact
11	Vehicular Level of Service (LOS)	Synchro Operational Analysis	Not Applicable	Decrease in Vehicle LOS	Not Applicable	Increase in Vehicle LOS
12	Freight Mobility / Safety	Freight Facilities in GIS	Improves Multimodal Freight Connectivity	Improves Designated Freight Route, Railroad Crossing, or Intermodal Facility	Not Applicable	Impacts Designated Freight Route, Railroad Crossing, or Intermodal Facility

PROJECT LISTS

This section outlines the LRTP project list by project category and project type. The prioritization score, year of expenditure, cost estimate, and funding source are provided for each project. Abbreviations used for the funding sources are defined in Table 2. To view the location of each project on an interactive web map, please visit https://maps.kittelson.com/billingslrtp2023.

Table 2. Project Funding Source Abbreviations

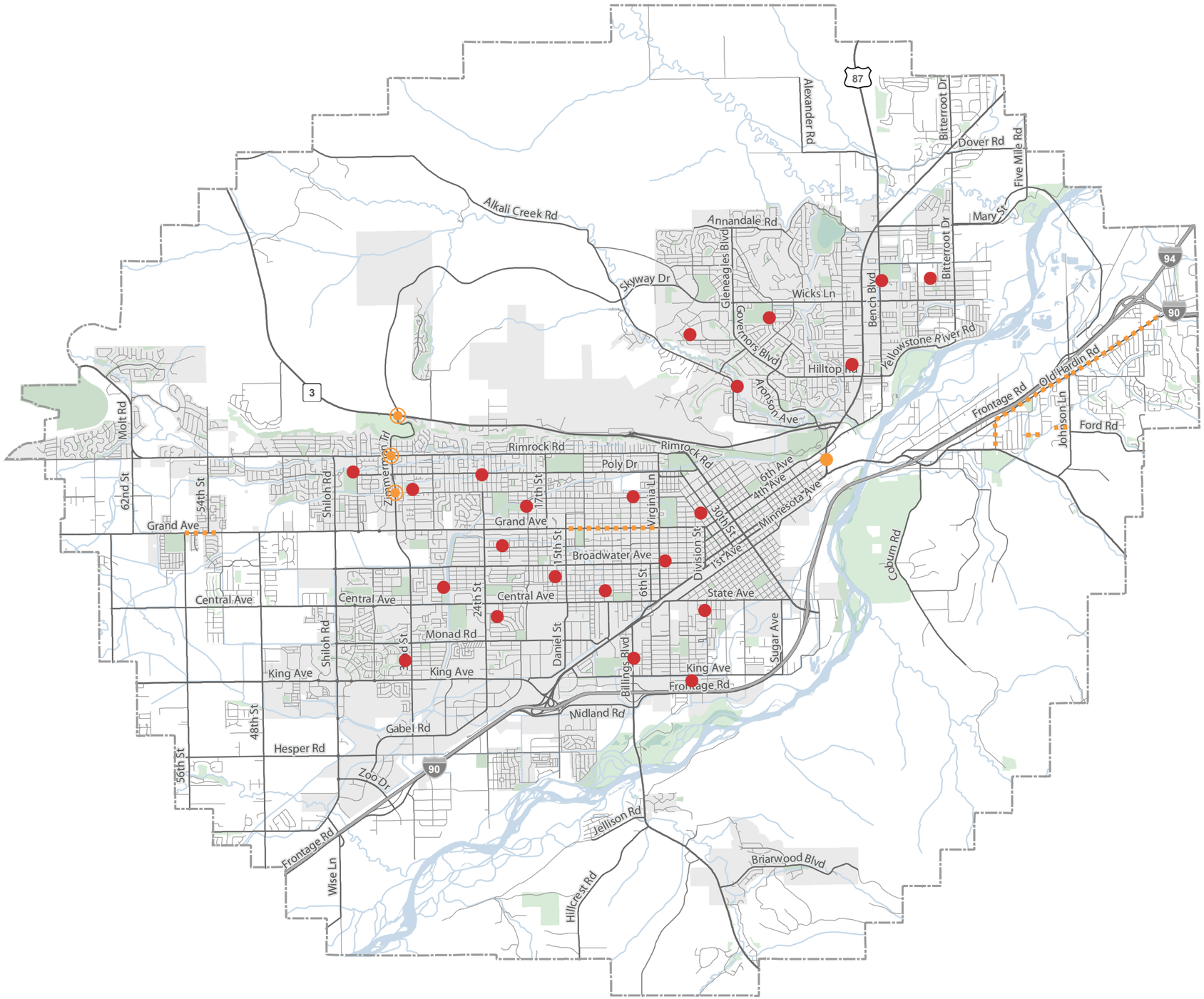
Acronym	Funding Source
BUILD	Better Utilizing Investments to Leverage Development - Federal Competitive Grant Program
CMAQ	Congestion Mitigation & Air Quality - Local Funds
CMAQ/MACI	Congestion Mitigation & Air Quality / Montana Air & Congestion - Federal and State Grant Program
GTB	Gas Tax Billings
GTY	Better Utilizing Investments to Leverage Development - Federal Competitive Grant Program
HSIP	Highway Safety Improvement Program
IM	Interstate Maintenance
M	Maintenance
NHFP	National Highway Freight Program
NHS	National Highway System

OTHER	Other Identified Local Source
SCD	Sidewalk and Curb District
SID	Special Improvement District
SM	Street Maintenance Fund
STPB	Surface Transportation Program - Bridge
STPS	Surface Transportation Program - Secondary Highway
STPU	Surface Transportation Program - Urban
TA	Transportation Alternatives
TF-C	Transit Fund - Capital
TF-F	Transit Fund - Facilities
TF-O	Transit Fund - Operations
UPP	Urban Pavement Preservation
TF-C	Transit Fund - Capital
TF-F	Transit Fund - Facilities

Pedestrian Projects

PEDESTRIAN AND SRTS PROJECTS

- Committed Pedestrian Project
- Recommended Pedestrian Project
- SRTS Project
- Recommended Pedestrian Project



COMMITTED PEDESTRIAN PROJECTS

Table 3. Pedestrian Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_41	Pedestrian Crossing of Exposition Dr	This project is for a pedestrian grade separated crossing across Exposition Drive between 1st Avenue North and 6th Avenue North.	9	2028	$4,000,000	OTHER

RECOMMENDED PEDESTRIAN PROJECTS

Table 4. Pedestrian Projects - Recommended

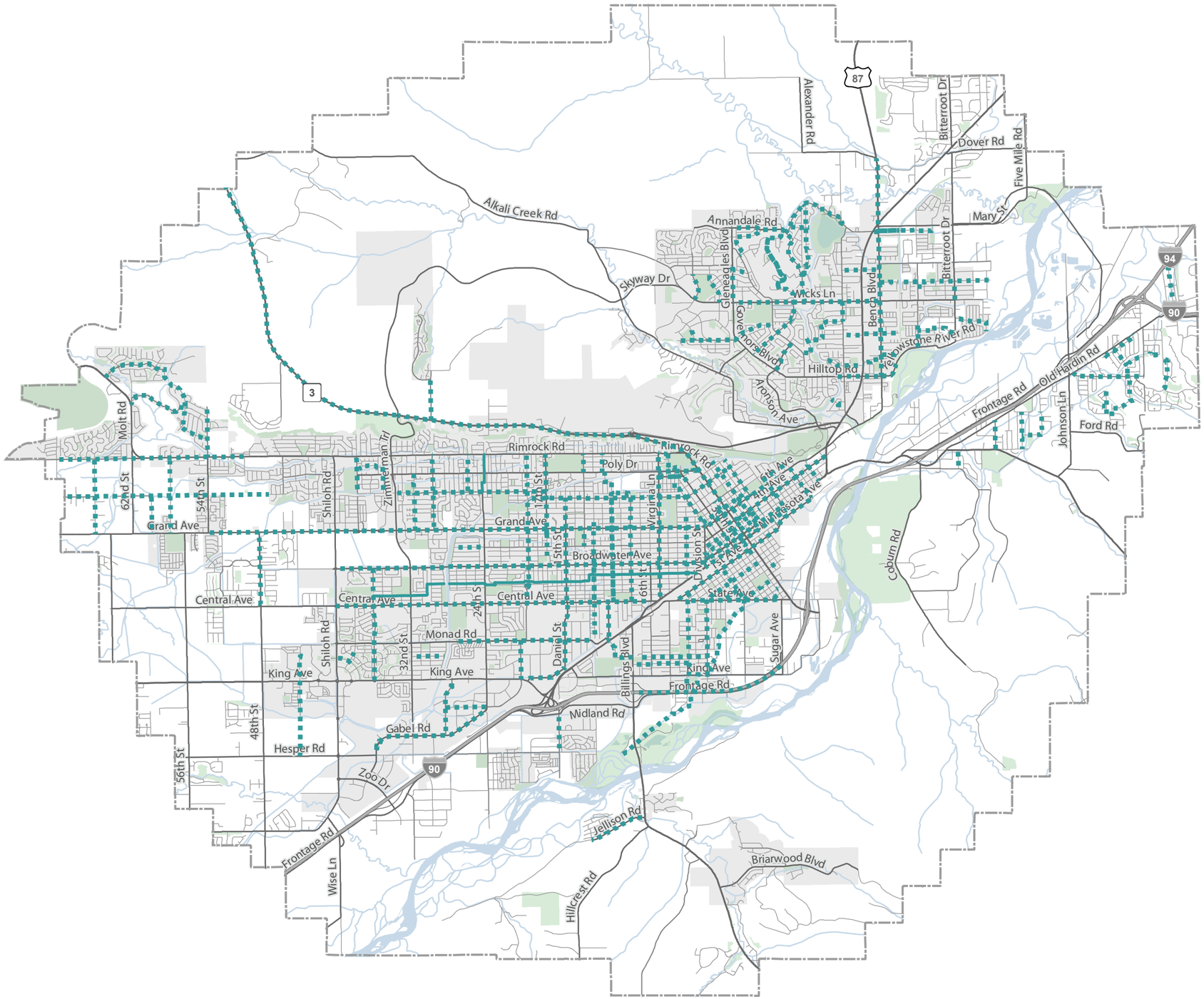
ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Funding Source
P_63	Pedestrian and Bicycle Detour Standards Policy	Draft a Pedestrian and Bicycle Detour Standards Policy to Support and Supplement MUTCD and PROWAG Guidance.	16	2033	$67,196	TA
P_62	ADA Transition Plan	Develop an ADA Transition Plan that outlines a strategy to provide an accessible transportation system within the City of Billings and surrounding area.	13	2033	$671,958	GTB
P_59	Sidewalk on Old Hardin Rd between Becraft Ln and Dickie Rd	(DRAFT) Waiting for final sidewalks from Sanderson Stewart	10	2033	$1,894,600	GTY
P_50	Sidewalk along Old Hardin Rd between Piccolo Ln and Johnson Ln	(DRAFT) Waiting for final sidewalks from Sanderson Stewart	9	2033	$1,526,205	CMAQ/MACI
P_49	Sidewalk along Piccolo Ln between Old Hardin Rd and Old US87	(DRAFT) Waiting for final sidewalks from Sanderson Stewart	9	2033	$513,121	CMAQ/MACI
P_56	Sidewalk on Sunrise Ave	(DRAFT) Waiting for final sidewalks from Sanderson Stewart	9	2033	$381,551	CMAQ/MACI

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Funding Source
P_57	Sidewalk on Sunrise St between Hemlock Dr and Greenwood Ave	(DRAFT) Waiting for final sidewalks from Sanderson Stewart	9	2033	$342,080	CMAQ/MACI
P_66	Grand Ave Crossings	Grand Ave Pedestrian and Bicycle Crossing Improvements Study	12	2045	$958,052	SCD
P_61	Highway 3 Pedestrian/ Bicycle Underpasses	Install bike/ pedestrian underpasses as needed for multi-use trail connection across Zimmerman Trail, and north-south connections across Highway 3 for future development.	12	2045	$2,221,289	STPB
P_64	I-90 Active Transportation Connection Study	Study possible locations for an active transportation crossing at I-90 to enhance pedestrian and bicycle mobility to recreational areas near the Yellowstone River (e.g., Riverfront Park).	10	2045	$958,052	SCD
P_65	Zimmerman Trail/ Rimrock Road Pedestrian and Bicycle Crossing Improvements	Bicycle/ Pedestrian Intersection Enhancement Study	10	2045	$958,052	SM
P_60	Colton Blvd/ Zimmerman Trail Pedestrian Improvement	Pedestrian intersection improvement (RRFB)	8	2045	$191,610	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Funding Source
P_40	Grand Ave Sidewalk	From west boundary of Foxtail Subdivision to HAWK signal	7	2045	$825,381	SCD
P_66	Grand Ave Crossings	Grand Ave Pedestrian and Bicycle Crossing Improvements Study	12	2045	$958,052	SCD
P_61	Highway 3 Pedestrian/ Bicycle Underpasses	Install bike/ pedestrian underpasses as needed for multi-use trail connection across Zimmerman Trail, and north-south connections across Highway 3 for future development.	12	2045	$2,221,289	STPB
P_64	I-90 Active Transportation Connection Study	Study possible locations for an active transportation crossing at I-90 to enhance pedestrian and bicycle mobility to recreational areas near the Yellowstone River (e.g., Riverfront Park).	10	2045	$958,052	SCD
P_65	Zimmerman Trail/ Rimrock Road Pedestrian and Bicycle Crossing Improvements	Bicycle/ Pedestrian Intersection Enhancement Study	10	2045	$958,052	SM
P_60	Colton Blvd/ Zimmerman Trail Pedestrian Improvement	Pedestrian intersection improvement (RRFB)	8	2045	$191,610	SM
P_40	Grand Ave Sidewalk	From west boundary of Foxtail Subdivision to HAWK signal	7	2045	$825,381	SCD

Bicycle Projects

BICYCLE PROJECTS



- Committed Bicycle Project
- Recommended Bicycle Project

COMMITTED BICYCLE PROJECTS

Table 5. Bicycle Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_66	Terry Ave/Howard Ave/24th St W	This project funds a neighborhood bikeway in the area of Howard/Terry/24th St. W and 24th St. W/Arvin	10	2028	$240,000	GTB

RECOMMENDED BICYCLE PROJECTS

Table 6. Bicycle Projects - Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_16	8TH ST W	Neighborhood Bikeway from Azalea Ln to Parkhill Dr; Bicycle Lane from Parkhill Dr to Central Ave	13	2033	$144,250	GTB
BL_05	1ST AVE N	Bicycle Lane from N 13th St to N 36th St	12	2033	$111,229	HSIP
BB_27	4th Ave S/Jackson St	Neighborhood Bikeway from S 28th St to King Ave E	12	2033	$37,294	GTB
BL_11	Minnesota/ 1st Ave S	Bicycle Lane from N 13th St to State Ave	12	2033	$198,127	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_19	REHBERG LN	Bicycle Lane from Rimrock Rd to Grand Ave	12	2033	$87,767	GTB
BB_26	S 41st St/Hallowell Ln/Arlington Dr/Carlton Ave SW	Neighborhood Bikeway from 1st Ave S to Carlton Ave SW; spot improvement at Hallowell Ln (Construct bump-outs at all four corners of intersection to reduce crossing distance)	12	2033	$27,013	GTB
BB_39	Simpson St/Moore Ln/Stone St	Neighborhood Bikeway from Carlton Ave SW to Moore Ln; spot improvement at S Billings Blvd (Install HAWK Beacon at existing east/west crossing; reconstruct west side ramp if needed to create wider landing)	12	2033	$25,602	GTB
BL_34	STATE AVE	Bicycle Lane from Sugar Ave to Hallowell Ln; spot improvement (Construct cut median on 6th and State to enable bicycles to cross)	12	2033	$148,071	GTB
BB_36	Jerrie Ln/Kyhl Ln/Elaine/Primrose/Maurine	Neighborhood Bikeway from East of Walter Rd to Lake Elmo Dr; spot improvement at Main St (Install consolidated crossing north side of intersection to enable east/west crossing. Install east/west crosswalk and HAWK Beacon. Reconstruct ramps and bulb out if needed to create wider landing)	11	2033	$40,116	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_23	Milton/Prince of Wales/Heights Ln/Shawnee Dr/Arronson/Nutter	Neighborhood Bikeway from Heights Ln to West of Prince Charles Dr; spot improvement at Main St (Install crosswalk crossing east/west leg of intersection (south side); install pedestrian-actuated signals at this leg as well. Conduct study to examine performance of existing pedestrian signal. Coordinate with adjacent signals and review crossing timing)	11	2033	$20,360	GTB
BL_06	MONTANA AVE	Bicycle Lane from N 18th St to Division St	11	2033	$115,574	HSIP
BBL_02	Grand Ave	Improvements from 58th St to Shiloh Rd; could include shoulder widening, protected bicycle lane, or sidepaths	10	2033	$145,988	HSIP
BB_38	2nd St W	Neighborhood Bikeway from Avenue C to Montana Ave	9	2033	$16,933	GTB
BB_24	Arronson/Uinta Park Dr/Riley/Cherry Creek Lp	Neighborhood Bikeway from Cherry Creek Loop to Governors Blvd; spot improvement at Main St (Install east/west crosswalk across southern leg of Main St; Move stop bar south to accommodate crosswalk; potentially retime signal. Construct curb cuts east and west side of new crosswalk; install cut-through raised median)	9	2033	$62,492	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BS_01	Bike & Scooter Share Feasibility Study Implementation	Several locations have been identified in the City of Billings as priority locations for electric-assist bicycle share stations.	9	2033	$2,150,266	GTB
BB_44	Hemlock Dr	Neighborhood Bikeway from Clayton St to Hillner Ln	9	2033	$10,079	CMAQ/MACI
BL_67	Highway 3	Bike Lanes from North 27th St to Zimmerman Trail	9	2033	$271,121	STPU
BL_25	JELLISON RD	Bicycle Lane from Blue Creek Rd to Aldona Rd	9	2033	$68,649	CMAQ/MACI
BB_47	Maier Rd	Neighborhood Bikeway from Highway 87E Rosebud Ln	9	2033	$5,040	CMAQ/MACI
BB_31	Pemberton Ln/Crist Dr/Columbine Dr	Neighborhood Bikeway from Mary St/Main St	9	2033	$17,337	CMAQ/MACI
BB_43	Piccolo Ln	Neighborhood Bikeway from Old Hardin Rd to Highway 87E	9	2033	$7,862	CMAQ/MACI
BB_48	Sunrise Ave/Greenwood Ave	Neighborhood Bikeway from Hemlock Dr to Lockwood Tributary	9	2033	$11,490	CMAQ/MACI
BBL_01	48th St	Improvements from Central Ave to Grand Ave; could include shoulder widening, protected bicycle lane, or sidepaths	8	2033	$86,898	GTY

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_73	60th Street Corridor	Construct Bicycle Lane along 60th St corridor	8	2033	$44,318	GTY
BL_72	66th Street	Construct Bicycle Lane from Rimrock Road to Grand Ave	8	2033	$86,898	GTY
BL_75	Becraft Ln	Construct Bicycle Lane on Becraft Ln from Noblewood Dr to Old Hardin Rd	8	2033	$65,173	GTY
BB_45	Bobolink St/Canary Ave	Neighborhood Bikeway from Dickie Rd to Old Hardin Rd	8	2033	$11,894	GTY
BB_57	Driftwood Ln/Marie Dr	Neighborhood Bikeway from Driftwood Ln to Mitzi Dr	8	2033	$15,925	GTY
BB_53	El Paso St/Tampico Dr	Neighborhood Bikeway from Guadeloupe Dr to La Paz Dr	8	2033	$6,249	GTY
BL_42	KING AVE W	Bicycle Lane from S 15th St W to King Ave W	8	2033	$49,532	STPU
BL_61	ROD AND GUN CLUB RD	Bicycle Lane from Iron Horse Trl to High Way 3	8	2033	$47,794	TA
BL_64	S 44TH ST W	Bicycle Lane from Georgina Dr to Hesper Rd	8	2033	$33,021	CMAQ/MACI
BL_25	JELLISON RD	Bicycle Lane from Blue Creek Rd to Aldona Rd	9	2033	$68,649	CMAQ/MACI
BB_56	Spotted Jack Loop S/Westgate Dr	Neighborhood Bikeway from Spotted Jack Loop E to Trailmaster Dr	8	2033	$12,095	GTY

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_52	Tampico Dr	Neighborhood Bikeway from El Paso St to Baja Pl	8	2033	$1,210	GTY
BB_58	Tanglewood Dr/San Marino Dr/La Paz Pl/Mitzi Dr	Neighborhood Bikeway from Noblewood Dr to La Paz Dr	8	2033	$14,514	GTY
BB_49	Ironwood Dr/Ben Hogan Ln	Neighborhood Bikeway from Molt Rd to 54th St W; spot improvement at Hog Ave (Install curb cut north side of Hog Ave leading to trail)	7	2033	$24,997	TA
BL_01	38TH ST W	Bicycle Lane from Rimrock Rd to Colton Blvd	11	2045	$60,709	SM
BL_70	3rd Ave N	Bike lane from Division to 22nd	11	2045	$25,580	SM
BL_14	N 18TH ST	Bicycle Lane from 6th Ave N to Montana Ave	11	2045	$53,275	SM
BL_18	N 22ND ST	Bicycle Lane from 6th Ave N to 12th Ave N	11	2045	$74,337	SM
BL_10	N 24TH ST	Bicycle Lane from 1st Ave N to North of 12th Ave N	11	2045	$127,612	SM
BL_32	N BROADWAY	Bicycle Lane from 9th Ave N to 2nd Ave S	11	2045	$106,550	SM
BL_57	YELLOWSTONE RIVER RD	Bicycle Lane from E of Bench Blvd to West of Hansen Ln	11	2045	$113,984	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_06	10th Street West	Neighborhood bikeway from Parkhill Dr to Central Ave	10	2045	$39,951	SM
BL_07	11TH AVE N	Bicycle Lane from N 22nd St to 19th St W; spot improvement at Virginia Ln and at 17th St W (Install bike boxes on Parkhill to provide priority for bicyclist movement)	10	2045	$357,522	SM
BB_08	12th Street West	Neighborhood Bikeway from Lewis Ave to Central Ave	10	2045	$21,556	SM
BL_26	13TH ST W	Bicycle Lane from Grand Ave to Lewis Ave	10	2045	$60,709	SM
BL_17	15TH ST W	Bicycle Lane from Parkhill Dr to King Ave W; spot improvement at Miles Ave and 15th St (Install bike boxes on Miles to provide priority for bicyclist movement)	10	2045	$289,379	SM
BL_24	2ND AVE N	Bicycle Lane from N 22nd St to Yellowstone Ave; spot improvements (Install two-stage turn box to facilitate southbound to eastbound turn movement at N 32nd St and N 30th St)	10	2045	$130,257	SM
BB_67	32ND ST W	Neighborhood Bikeway from Poly Dr to Colton Blvd	10	2045	$14,371	SM
BL_31	32ND ST W	Bicycle Lane from Colton Blvd to Grand Ave	10	2045	$61,948	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_29	7TH AVE N	Bicycle Lane from 6th Ave N to N 32nd St	10	2045	$125,134	SM
BB_35	Avenue D/ 12th St	Neighborhood Bikeway from Avenue C to South of Kalmar Dr	10	2045	$45,986	SM
BB_34	Constitution/Kootenai	Neighborhood Bikeway from Nutter Blvd to West of Amendment Cir	10	2045	$38,801	SM
BL_33	HIGH SIERRA BLVD	Bicycle Lane from Siesta Ave to W Wicks Ln	10	2045	$44,602	SM
BL_39	LAKE ELMO DR	Bicycle Lane from Wicks Lane to Uinta Park Dr	10	2045	$33,452	SM
BB_42	Marias Dr	Neighborhood Bikeway from Keno St to Kootenai Ave	10	2045	$5,461	SM
BL_23	MONAD RD	Bicycle Lane from S Plainview St to S 32nd St W	10	2045	$220,534	SM
BL_60	MOORE LN	Bicycle Lane from Central Ave to Monad Rd	10	2045	$60,709	SM
BL_04	N 10TH ST	Bicycle Lane from 6th Ave N to 1st Ave N	10	2045	$40,885	SM
BL_65	N 13TH ST	Bicycle Lane from 6th Ave N to Minnesota Ave	10	2045	$60,709	SM
BL_45	N 26TH ST	Bicycle Lane from 6th Ave N to 3rd Ave N	10	2045	$27,257	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_09	N 30TH ST	Bicycle Lane from Poly Dr to N 12th Ave; spot improvement (Install dashed bike lane across Virginia Ln, connecting bike lanes (potentially installing dashed green pavement markings))	10	2045	$13,628	SM
BL_52	10TH AVE S	Bicycle Lane from S 27th St to S 28th St	9	2045	$8,673	SM
BL_51	11TH AVE S	Bicycle Lane from S 28th Street to State Ave	9	2045	$23,540	SM
BL_81	17th St West	Visionary long-range bikeway to be constructed from Grand Ave to Colton Blvd if major roadway construction occurs.	9	2045	$61,948	SM
BB_32	8th Ave S	Neighborhood Bikeway from S 28th to S 34th St	9	2045	$12,359	SM
BB_28	Avalon Rd/Vickery Dr/Vickery Ct	Neighborhood Bikeway from Colton Blvd to Vickery Ct	9	2045	$31,041	SM
BB_25	Azalea Ln/10th St W/11th St W/Missouri St/Moore Ln	Neighborhood Bikeway from Rimrock Rd to Monad Rd	9	2045	$57,771	SM
BL_59	BENCH BLVD	Bicycle Lane from Alexander Rd to Hilltop Rd	9	2045	$266,375	SM
BL_15	COLTON BLVD	Bicycle Lane from 17th St W to Rehburg Ln; Neighborhood Bikeway from Rehburg Ln to Zimmerman Tr; spot improvement at 32nd St W	9	2045	$315,128	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		(Formalize path around fence to permit non-motorized travel) and at Rehberg Ln (Install bike boxes on Colton to provide priority for bicyclist movement) and at Hoover (Consider installing stop sign on Colton at Hoover)				
BB_03	Crist Drive	Neighborhood Bikeway from Main St to Yellowstone River Trail	9	2045	$8,048	SM
BB_37	Fantan St	Neighborhood Bikeway from Siesta Ave to Wicks Ln	9	2045	$12,071	SM
BL_37	GABEL RD	Bicycle Lane from S 24th St W to Hesper Rd	9	2045	$214,339	SM
BB_29	Lampman Dr/Decathlon Pkwy/S 38th St W	Neighborhood Bikeway from S 29th St W to S Shiloh Rd	9	2045	$21,556	SM
BB_11	Lewis Avenue	Neighborhood Bikeway from 24th St W to Parkview Dr; spot improvement at 24st St W (Install bike boxes on Lewis to provide priority for bicyclist movement)	9	2045	$11,497	SM
BL_54	MULLOWNEY LN	Bicycle Lane from Midland Rd to Elysian Rd	9	2045	$64,426	SM
BB_41	N 14th St	Neighborhood Bikeway from Park Pl to 6th Ave N	9	2045	$4,311	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_53	N 35TH ST	Bicycle Lane from 2nd Ave N to 1st Ave N	9	2045	$6,195	SM
BB_30	Normal Ave/Ash St/Colton Blvd/N 32nd St	Neighborhood Bikeway from Rimrock Rd/South of Avenue B	9	2045	$35,352	SM
BL_12	POLY DR	Bicycle Lane from N 27th St to Virginia Ln	9	2045	$65,664	SM
BL_38	RIMROCK RD	Bicycle Lane from Normal Ave to Virginia Ln	9	2045	$16,106	SM
BL_30	ROLLING HILLS RD	Bicycle Lane from Annandale Rd to Lake Elmo Dr	9	2045	$146,196	SM
BL_44	S 19TH ST W/Hoover Avenue	Bicycle Lane from Rimrock Rd to Monad Rd; spot improvement on Miles Ave (Install bike boxes on Miles to provide priority for bicyclist movement) and on Grand Ave (Install bike boxes on 19th to provide priority for bicyclist movement)	9	2045	$250,972	SM
BL_41	S 20TH ST W	Bicycle Lane from Monad Rd to King Ave W	9	2045	$64,426	SM
BL_43	S 29TH ST W	Bicycle Lane from King Ave W to Gabel Rd	9	2045	$96,638	SM
BL_50	S 34TH ST	Bicycle Lane from 1st Ave S to State Ave	9	2045	$61,948	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_09	Simpson Street	Neighborhood Bikeway from Newman Ln to Jackson St	9	2045	$25,005	SM
BL_71	58th Street	Construct Bicycle Lane from Rimrock Road to Grand Ave	8	2045	$125,134	CMAQ/MACI
BL_66	RIMROCK RD	Bicycle Lane from 50th St W to 70th St W	8	2045	$310,977	CMAQ/MACI
BL_13	17TH ST W	Bicycle Lane from Grand Ave to Yellowstone Ave	8	2045	$52,036	SM
BL_76	17th St W	Construct Bicycle Lane on 17th St W from Rimrock Rd to Colton Blvd	8	2045	$61,948	SM
BL_46	6TH AVE S	Bicycle Lane from S 25th St to State Ave	8	2045	$44,602	SM
BB_02	Butterfly Lake Lane	Neighborhood Bikeway from Nutter Blvd to Uninta Park Dr	8	2045	$10,347	SM
BL_74	Colton Blvd	Construct Bicycle Lane Extension of Colton Blvd	8	2045	$340,712	SM
BL_63	HIGH SIERRA BLVD	Bicycle Lane from Benjamin Blvd to Matador Ave	8	2045	$3,717	SM
BL_69	Misc. bicycle spot improvements to existing facilities	Pavement marking/ striping projects at 7 locations (Lake Elmo at Windsor Cir, 15th St and Lewis Ave, 8th St and Lewis Ave, 13th St W and Grand Ave, Colton Blvd and Poly Dr, Division St/	8	2045	$2,107,714	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		Lewis Ave/ 4th Ave, Broadwater/ Division St/ 1st Ave); Construct raised median refuges at 4 locations (Lake Elmo at Windor Cir, 32nd St at St. Johns Ave, Rimrock Rd and Arvin Dr, Terry Ave/ Montana Ave/ 1st Ave); Implement RRFBs at 5 locations (Lake Elmo at Windsor Cir, 32nd St and St. Johns Ave, Colton Blvd and Poly Dr; Howard Ave and 24th St, and Terry Ave/ Montana Ave); Facilities improvements at 2 locations (establish formal westbound connection in Pioneer Park; install crosswalk at Terry Ave/ Montana Ave)				
BL_47	OVERLAND AVE	Bicycle Lane from S 24th St W to S 29th St W	8	2045	$68,142	SM
BL_35	S 36TH ST W	Bicycle Lane from Broadwater Ave to King Ave W	8	2045	$185,843	SM
BL_40	SAINT ANDREWS DR	Bicycle Lane from Gleneagles Blvd to Wicks Ln	8	2045	$223,011	SM
BB_10	Virginia Lane	Neighborhood Bikeway from Rimrock Rd to Poly Dr	8	2045	$7,185	SM
BB_07	Wingate Lane	Neighborhood Bikeway from Rimrock Rd to Colton Blvd	8	2045	$7,185	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_68	Highway 3	Bike Lanes from Zimmerman Trail to Shorey Rd/ Alkali Creek Rd	8	2045	$578,591	TA
BL_08	54TH ST W	Bicycle Lane from N of Billy Casper Dr to Rimrock Rd	7	2045	$83,010	TA
BL_56	BABCOCK BLVD	Bicycle Lane from Annandale Rd to Governors Blvd; spot improvement (Install full signal with north/south crosswalks both sides of intersection at Wicks Ln; Coordinate with adjacent signals)	7	2045	$1,153,400	TA
BL_58	BITTERROOT DR	Bicycle Lane from Elaine St to Wicks Ln	7	2045	$30,974	TA
BB_40	Cherry Hills/Black Diamond	Neighborhood Bikeway from Annandale Rd to Gleneagles Blvd	7	2045	$25,293	TA
BB_46	Constellation Trl/Eagle/Southern Hills/Venus	Neighborhood Bikeway from Riveroaks Dr to Saint Andrews Dr	7	2045	$29,029	TA
BL_48	GLENEAGLES BLVD	Bicycle Lane from Sierra Granda Blvd to W Wicks Ln	7	2045	$61,948	TA
BL_55	HAWTHORNE LN	Bicycle Lane from Hemingway Ave to Yellowstone River Rd; spot improvement at Dublin St (install wayfinding signage)	7	2045	$37,846	TA
BL_03	IRONWOOD DR	Bicycle Lane from Woodcreek Dr to Molt Rd	7	2045	$81,771	TA

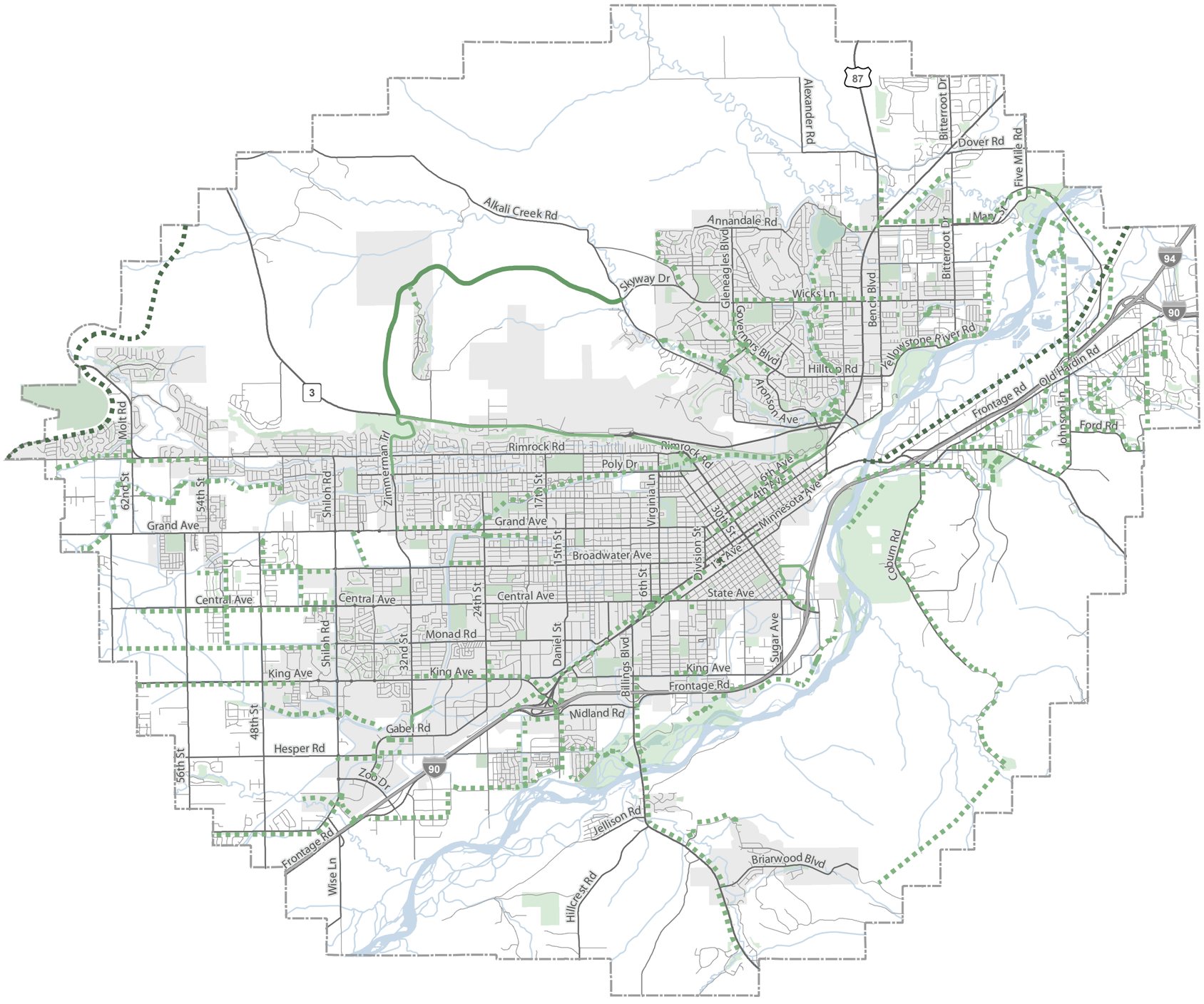
ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BB_55	Lakewood Ln	Neighborhood Bikeway from East of Constellation Trl to Riveroaks Dr	7	2045	$7,473	TA
BB_51	Sam Snead Trl	Neighborhood Bikeway from Ben Hogan Ln to Molt Rd	7	2045	$25,867	TA
BB_50	Shamrock Ln	Neighborhood Bikeway from North of Killarney St to Emerald Dr	7	2045	$5,748	TA
BB_01	Wentworth Drive	Neighborhood Bikeway from Annandale Rd to Wicks Ln	7	2045	$23,568	TA
BL_84	27th St	Visionary long-range bikeway to be constructed from 6th Ave N to Airport Rd if major roadway construction occurs.		2045	$216,817	GTB
BL_83	4th Ave N	Visionary long-range bikeway to be constructed from Division St to Main St if major roadway construction occurs.		2045	$247,790	GTB
BL_82	6th Ave N	Visionary long-range bikeway to be constructed from Division St to N 18th St if major roadway construction occurs.		2045	$123,895	GTB
BL_78	Broadwater Ave	Visionary long-range bikeway to be constructed from Shloh Rd to Division St if major roadway construction occurs.		2045	$619,476	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
BL_79	Central Ave	Visionary long-range bikeway to be constructed from Shiloh Rd to 6th St W if major roadway construction occurs.		2045	$588,502	GTB
BL_80	Grand Ave	Visionary long-range bikeway to be constructed from Shiloh Rd to Division St if major roadway construction occurs.		2045	$619,476	GTB
BL_77	Virginia Lane/ 5th St W	Visionary long-range bikeway to be constructed from Rimrock Rd to Montana Ave if major roadway construction occurs.		2045	$247,790	GTB
BL_85	Wicks Ln	Visionary long-range bikeway to be constructed from Gleneagles Blvd to Bench Blvd if major roadway construction occurs.		2045	$247,790	GTB

Trail Projects

TRAIL PROJECTS

- Committed Trail Project
- Recommended Trail Project
- Illustrative Trail Project



COMMITTED TRAIL PROJECTS

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_06	MT	This project extends the trail from South 25th Street to 8th Ave South to South 26th Street to Lillian Avenue, under I-90 at RR, and into Coulson Park Trail. Recent changes in ownership of property in this area and redevelopment activity and plans for development is expected to support future trail construction and access for this project.	10	2028	$750,000	STPU
MT_01	Skyline Trail	Multi Use Path Construction	9	2028	$4,121,400	BUILD
MT_08	Stagecoach Trail	This project is for an 8-foot wide shared use pathway approximately 5,300 lineal feet that will run on the east side of Zimmerman Trail from Rimrock Road to Highway 3. The trail will be placed below the grade of the road along the roadside slope. This trail is an essential part of the Marathon Loop and will provide a connection from the top of the Rimrocksto the valley. This project is Billings TrailNet stop priority.	9	2028	$3,500,000	OTHER; TA
MT_10	6th Ave N Multiuse Trail	This project will add a trail on 6th Ave North from Exposition Drive to N 13th.	9	2028	$500,000	OTHER; SM
MT_03	25th Street Bridge	Build a Bike Pedestrian Bridge over the Railroad Tracks at 25th Street between Montana and Minnesota Avenues. The bridge will connect to the bike lane to the south of the railroad tracks and this will provide a safe bike and pedestrian alternative to the at-grade crossing of the railroad at 27th as well as	8	2028	$1,250,000	TA; OTHER

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		provide an emergency connection between the north and south sides of the tracks for police bike patrol or foot patrol in the event of a train blocking the tracks.				
MT_07	N 27th St Side Path	Build a Bike Pedestrian Path along N. 27th Street connecting Rimrock Road and Skyline Trail/Swords Park. It would begin near the existing trail underpass at the intersection of North 27th Street/Highway 3/Airport Road and would continue to the southeast along North 27th Street. It appears that there is existing width available on North 27th Street to consider moving the guardrail on the south side so that both bikes and pedestrians could use an off-street multi-use trail that could still be incorporated into the overall 27th Street cross section and ROW.	7	2028	$1,700,000	NHS
MT_09	Trail Connector from King Ave West to TransTech Center	Complete trail connection to TransTech Center Trail at 32nd Street West from current trail terminus near East/West Bannister Drain corridor along BBWA Canal. Further analysis of the condition and operation of the BBWA Canal expected in 2022 and 2023 may provide opportunities in this area.	6	2028	$700,000	OTHER; TA

RECOMMENDED TRAIL PROJECTS

Table 7. Trail Projects - Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_51	6th Avenue N	Multi-use Trail from N 13th St to N 27th St (Modified from the actual 2016 Plan - partially committed in 24-28 CIP)	13	2033	$532,191	GTB
MT_121	5th Avenue Corridor East (Design)	This project would begin to develop the east leg of the 5th Avenue North corridor from Main Street to 27th Street. The vision is to complete the project in several phases. This project would include a public participation/property owner process to identify treatments and options for a linear trail from Main Street to 27th Street via the 5th Avenue Corridor as proposed in the 5th Avenue North Corridor Feasibility Study. From the input of the public participation process, develop a design/engineering package and associated costs to complete the project. This could include physical alterations and additions for street crossings, private property easements, and construction of pedestrian walkway	10	2033	$275,503	GTB
MT_59	Highway 87E	Multi-use Trail from Johnson Ln to Old Hardin Rd; spot improvements (Install crosswalk and trail crossing signage and potentially install RRFB to facilitate crossing at Old Hardin Rd; and install mid-block crosswalk, trail crossing signage, and	10	2033	$755,711	STPU

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		RRFB at Rock Hill Dr; Install crosswalk, RRFB, and trail crossing signage at Hwy 87/ Maier Rd)				
MT_119	Misc. trails spot improvements to existing infrastructure	Facilities/ pavement improvements at 7 locations (Install crosswalks at Aronson Ave at BBWA Canal Tr, Create cut in fence and install bollard at Hallowell Ln at Ponderosa SRTS Tr, Construct raised crosswalk and curb cuts at Shiloh Rd at Bell Ave, install crosswalk and curb cuts on Rimrock Rd at 54th St, Install crosswalk and curb cuts at Songbird Dr at Suburban Ditch Tr, Construct crossing on Dickie Rd at Bobolink St/ Canary Ave, construct curb ramps, crosswalk, and median refuge at Highway 3 and Zimmerman Trl); Install RRFB at 3 locations (S 29th St W and BBWA canal Tr, Songbird at Suburban Ditch Tr, and Highway 3 and Zimmerman Trail); Install HAWK beacons at 8 locations (all 4 legs of Shiloh Rd at Zoo Dr, Hesper Rd, Shiloh Crossing Blvd, King Ave W, Monad Rd, Central Ave, Broadwater Ave, Grand Ave)	10	2033	$2,419,049	GTB
MT_53	Montana Ave/Underpass Ave	Multi-use Trail from Division St to S Billings Blvd; spot improvement at State Ave (Enhance west side pedestrian crossing to facilitate access with curb cuts; construct curb ramp at southwest corner of State St and Access St, and south side of pork chop island) and at Underpass Ave (Install crosswalk and trail crossing signage; construct	10	2033	$761,033	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		curb ramps north and south side of Underpass Ave)				
MT_54	Wicks Ln	Multi-use Trail from Gleneagles Blvd to Kiwanis Trail	10	2033	$1,186,786	GTB
MT_60	24th	Multi-use Trail from Stillwater to South of King Ave W; spot improvement at Stillwater Dr (Install HAWK beacon on south leg of intersection; coordinate with adjacent signals)	9	2033	$164,979	GTB
MT_52	BBWA Canal Trail	Multi-use Trail from 6th Avenue N to TransTech Way; spot improvements (Install RRFB with center median at Grand Ave and construct curb cuts both sides of Grand Ave; Install RRFB with center median at 24th St; install median refuge and RRFB at 27th St; Assess feasibility of constructing shared use path under 17th St Bridge; Bring shared use path to roadway grade and install consolidated crossing north side of intersection across 13th St; install RRFB at 13th St; reconstruct ramps if needed to provide wider landing at 13th St; Bring shared use path to roadway grade and install crosswalk across 11th St; construct ramps both sides of 11th St; Install north/south crosswalk across Poly Rd; construct curb ramps both sides of crosswalk across Poly Rd; install RRFB on Poly Rd)	9	2033	$2,714,174	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_69	King Ave W/S Frontage Road	Multi-use Trail from S 29th St W to S Frontage Rd; spot improvement at King Ave W (Install crosswalk; add pedestrian refuge in the existing hatched areas)	9	2033	$1,410,306	GTY
MT_90	Railroad/State Ave Trail	Multi-use Trail from 2nd Ave S to Trail near S 24th St W	9	2033	$1,623,182	CMAQ
MT_81	S Billings Blvd/Blue Creek Rd	Multi-use Trail from King Ave S to Glengary Ln; spot improvement at S Billings Blvd eastbound and westbound ramps (Construct curb ramps and install high visibility crosswalk)	9	2033	$1,873,312	GTB
MT_62	1st Ave/Old Hardin Rd/Highway 87E	Multi-use Trail from N 13th St to Hogan Rd	8	2033	$207,554	STPU
MT_87	Alkali Creek Rim Trail	Multi-use Trail from Judicial Ave to Alkali Creek Rd	8	2033	$159,657	GTB
MT_63	BBWA Canal Trail North	Multi-use Trail from East of Shadow Heights to Aronsen Ave; spot improvement (At Yellowstone River Rd, Construct curb cuts on north and south side of Hilltop Rd, install crosswalk and RRFB, and if road-diet is conducted, install raised median at crossing)	8	2033	$1,681,723	CMAQ
MT_57	Grand Ave	Multi-use Trail from 24th St W to Zimmerman Trl	8	2033	$617,341	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_58	Hesper Rd	Multi-use Trail from East of Shiloh Rd to S Shiloh Rd	8	2033	$271,417	GTB
MT_107	Johnson Ln/Highway 87E	Multi-use Trail from Jim Dutchner Trail to Stonehaven Trl; spot improvements (Install trail crossing signage and crosswalk at Johnson Ln/ 87 intersection; Install crosswalk leading to porkchop island on Old Hardin; install pedestrian actuated signals and countdown timers on Old Hardin; Install north/south crosswalk, install pedestrian actuated signals and countdown timers, install curb cuts at Johnson Ln eastbound ramp; Install crosswalk and trail crossing signage, install curb cuts both sides of westbound ramp; Install crosswalk and trail crossing signage, install curb cuts both sides of Frontage Rd; Install at-grade crossing of railroad and trail crossing signage north of Coulson Rd; Construct signature bike/ped bridge over Yellowstone River connecting trail systems on either side)	8	2033	$2,629,023	STPB
MT_77	Mullowney Ln	Multi-use Trail from S Frontage Rd to Story Rd	8	2033	$393,821	GTB
MT_56	N 27th St	Multi-use Trail from Rimrock Rd to Mountain View Blvd	8	2033	$159,657	GTB
MT_88	Peters St	Multi-use Trail from Highway 87E to East of Peters St	8	2033	$234,164	GTY

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_55	Rosebud Ln	Multi-use Trail from Highway 87E to West of Rosebud Ln	8	2033	$1,394,340	TA
MT_89	State Ave/S 27th St	Multi-use Trail from 12th Ave S to Garden Ave	8	2033	$303,349	GTB
MT_04	Alkali Creek Trail Connection	This project would extend the trail from Swords Park at Main Street tunnel along Alkali Creek to new Aronson Connection Trail just east of Aronson Bridge	7	2033	$537,567	GTB
MT_123	Grey Eagle Ditch Trail	Multi-use trail along Eagle Ditch	7	2033	$1,330,477	GTB
MT_94	South of Governors Blvd	Multi-use Trail from W Wicks Ln to Aronson Ave; spot improvement on Wicks Lane (Install Beacon signal on east side of intersection if trail is constructed at Wicks Ln) and at Senators Blvd (Install crosswalk and trail crossing signage)	7	2033	$798,286	GTB
MT_78	Terrace Park Trail	Multi-use Trail from High Sierra Blvd to Alkali Creek Rd	7	2033	$654,595	GTB
MT_93	Unita Park/Twin Oaks Park	Multi-use Trail from Wicks Ln to Ditch Trail	7	2033	$276,739	GTB
MT_122	5th Avenue Corridor	This project constructs a non-traditional motorized and non-motorized transportation corridor within 5th Avenue North through Downtown Billings and the East Billings Urban	12	2045	$12,073,159	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		Renewal District. The project consists of 4 segments: Linear Park, Wye Junction, Rail Trail, and Gateway Hub. The project would be completed in phases and includes corridor transportation improvements and placemaking elements.				
MT_82	Shiloh Rd to Washington St	Multi-use Trail from Shiloh Rd to Washington St	8	2045	$4,173,273	GTY
MT_75	Highway 87 Bypass	Multi-use Trail from Roundup Rd to Johnson Ln	8	2045	$4,848,585	HSIP
MT_76	Jim Dutcher Trail	Multi-use Trail from South of Mary St to E&F St	7	2045	$2,344,621	GTY
MT_68	King Ave E	Multi-use Trail from Jackson Ave to King Ave W	7	2045	$804,304	GTB
MT_105	Lockwood Canal	Multi-use Trail from Nobelwood Dr to Hillner Ln; spot improvement at Johnson Lane (Install crosswalk and RRFB across Johnson Rd;Construct curb cuts both sides of Johnson), Becraft Lane (Install crosswalk north/south across Becraft; install RRFB), Enfield St (Install crosswalk and trail crossing signage), and Tampico Dr (Install crosswalk and trail crossing signage)	7	2045	$1,896,942	GTY
MT_95	Lockwood Tributary Trail	Multi-use Trail from Old Hardin Rd to Highway 87E	7	2045	$1,297,509	GTY

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_71	Chrysalis Acres	Multi-use Trail from Van Buren St to Hallowell Ln	7	2045	$91,053	GTB
MT_66	South of Emerald Dr/Sword Ln	Multi-use Trail from Emerald Dr to Sword Lane	7	2045	$386,976	GTB
MT_79	Tania Cir Ditch Trail	Multi-use Trail from Naples St to Bitterroot Dr	7	2045	$311,099	GTB
MT_05	Downtown BBWA Corridor Trail/ On Street Facilities	This project is for the completion of sidewalk/pathway through MSU-B Campus to connect campus and pedestrian improvements at Virginia Lane/Poly Drive intersection. 2015 project did not provide a pedestrian crossing at Virginia/Poly on the east side. Reassessment is needed for this project to function as needed. Further analysis of the condition and operation of the BBWA Canal expected in 2021 and 2022 may provide opportunities in this area.	7	2045	$574,831	SCD
MT_106	Coburn Rd	Multi-use Trail from Old Hardin Rd to South extent of Coburn Rd; spot improvement at Old Hardin Rd (Install crosswalk across Coburn St; Construct curb ramps both sides of Coburn) and at Rosebud Lane (Install trail crossing east/west across Coburn; Install trail crossing signage; Construct curb ramps both sides of Coburn)	7	2045	$3,816,648	TA
MT_19	Canyon Creek Trail	Construct a multi-use trail from Zoo Montana to BNSF Rail with Trail	7	2045	$3,331,031	CMAQ

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_109	Enfield St/Toledo St/La Paz Dr	Multi-use Trail from Becraft Ln to Ford Rd	7	2045	$758,777	TA
MT_104	King Ave W	Multi-use Trail from S 44th St W to East of S 72nd St W	6	2045	$2,579,842	TA
MT_67	Rimrock Rd	Multi-use Trail from 54th St W to 66th St W; spot improvement at Molt Rd (Install crosswalk and curb cuts perpendicular to Molt Rd; install trail crossing signage) and at 62nd Ave (Install crosswalk across 62nd Ave and curb cuts both sides of 62nd Ave; Install trail crossing signage)	6	2045	$1,115,402	GTY
MT_84	62nd St W	Multi-use Trail from Falcon Ridge Way to Rimrock Rd	6	2045	$235,221	CMAQ/MACI
MT_99	Blue Creek Rd	Multi-use Trail from Colleen Dr to Briarwood Blvd	6	2045	$561,495	CMAQ/MACI
MT_17	Briarwood to Blue Creek School	Construct a multi-use trail from Briarwood Blvd to Blue Creek School	6	2045	$652,548	CMAQ/MACI
MT_108	Krumheuer Dr	Multi-use Trail from Old Hardin Rd to Mitzi Dr; spot improvement at Farnum Dr (Install crosswalk and trail crossing signage)	6	2045	$652,548	CMAQ/MACI
MT_112	Noblewood Dr	Multi-use Trail from Old Hardin Rd to Ford Rd; spot improvement north of Farnum Dr (Install crosswalk and trail crossing signage; Construct curb cuts both sides of Noblewood) and at	6	2045	$1,388,562	CMAQ/MACI

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		Lockwood Canal (Construct crosswalk east/west across Noblewood; install trail crossing signage)				
MT_14	Arnold Drain Trail	Construct a multi-use trail from Arnold Drain Connector to Grand Ave	6	2045	$409,740	GTB
MT_100	Broadwater Ave	Multi-use Trail from Shiloh Rd to 48th St W	6	2045	$1,054,700	GTB
MT_61	Broadwater Ave	Multi-use Trail from 24th St W to 28th St W	6	2045	$364,213	GTB
MT_65	Gabel Rd	Multi-use Trail from Hesper Rd to Zoo Rd	6	2045	$409,740	GTB
MT_83	Gabel Rd	Multi-use Trail from S 32nd St W to TransTech Way	6	2045	$250,396	GTB
MT_86	Hesper Rd	Multi-use Trail from East of Majestic Ln to Gabel Rd	6	2045	$250,396	GTB
MT_120	Implementation of Wayfinding Signage Plan	This plan addresses sign placement of 200 signs along priority corridors identified by the Steering Committee, including: Avenue C/ Avenue D / 9th Ave N/ 21st St W/ Lyman Ave/ Arvin Rd (priority bicycle boulevard from the 2017 Billings Area Bikeway & Trails Master Plan), Lewis Ave, Jim Dutcher Tr, Alkali Creek Tr, Kiwanis Tr, BBWA Canal Trail Corridor (Canal Tr), Rimrock Rd, Poly Dr, Portions of Shiloh Rd	6	2045	$574,831	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_74	Kiwanis Trail Corridor	Multi-use Trail from Bitterroot Dr to Mary St	6	2045	$728,426	GTB
MT_45	Riverfront Park Trail	Construct a multi-use trail from Mystic Park Trails to Riverfront Park Trails	6	2045	$3,448,986	GTB
MT_36	Senators Park	Construct a multi-use trail from Aronson Ave to Inner Belt Loop Trail	6	2045	$295,923	GTB
MT_91	Shiloh Rd	Multi-use Trail from Pierce Pkwy to Autumn Ln	6	2045	$538,732	GTB
MT_97	West of Governors Blvd	Multi-use Trail from South of W Wicks Ln to Constitution Ave	6	2045	$288,335	GTB
MT_85	West Wicks Ln	Multi-use Trail from Annandale Rd to Skyway Dr	6	2045	$728,426	GTB
MT_96	Central Ave	Multi-use Trail from Shiloh Rd to East of 64th St W	6	2045	$2,010,759	HSIP
MT_102	Hogans Slough Trail	Multi-use Trail from S 48th St W to Discovery Dr	6	2045	$1,274,745	HSIP
MT_103	Monad Rd	Multi-use Trail from BBWA Canal to East of S 64th St W	6	2045	$2,185,278	HSIP
MT_111	S 52nd St W	Multi-use Trail from North of Dovetail Ave to South of S 52nd St W	6	2045	$925,708	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_38	South Hogans Slough	Construct a multi-use trail from Suburban Ditch to MRL Rail with Trail	6	2045	$819,479	HSIP
MT_70	Arnold Drain Trail	Multi-use Trail from 18th St W to 25th St W; spot improvement (install RRFB with center median and construct curb cuts on both sides of 24th)	6	2045	$607,022	SCD
MT_72	Suburban Ditch Trail	Multi-use Trail from Songbird Dr to Mullowney Ln	5	2045	$379,388	CMAQ/MACI
MT_34	Rehberg Ranch	Construct a multi-use trail from Extension of Existing Trail to Inner Belt Loop	5	2045	$295,923	GTB
MT_18	Briarwood to Pictograph Caves	Construct a multi-use trail from Briarwood Blvd to Pictograph Caves State Park	5	2045	$1,745,187	HSIP
MT_110	Ford Rd	Multi-use Trail from East of Eagle Cliff Meadows Rd to Johnson Ln	5	2045	$872,593	HSIP
MT_23	Four Dances Connector	Construct a multi-use trail from Lockwood Trail to Four Dances Natural Area	5	2045	$622,197	HSIP
MT_26	High Ditch	Construct a multi-use trail from Rimrock West Trail to Hogans Slough	5	2045	$3,126,161	HSIP
MT_37	Snow Ditch	Construct a multi-use trail from Shiloh Rd to Big Ditch	5	2045	$1,434,088	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_13	Audubon Conservation Education Center Trail	Construct a multi-use trail from Riverfront Park to Josephine Crossing	4	2045	$508,381	TA

ILLUSTRATIVE TRAIL PROJECTS

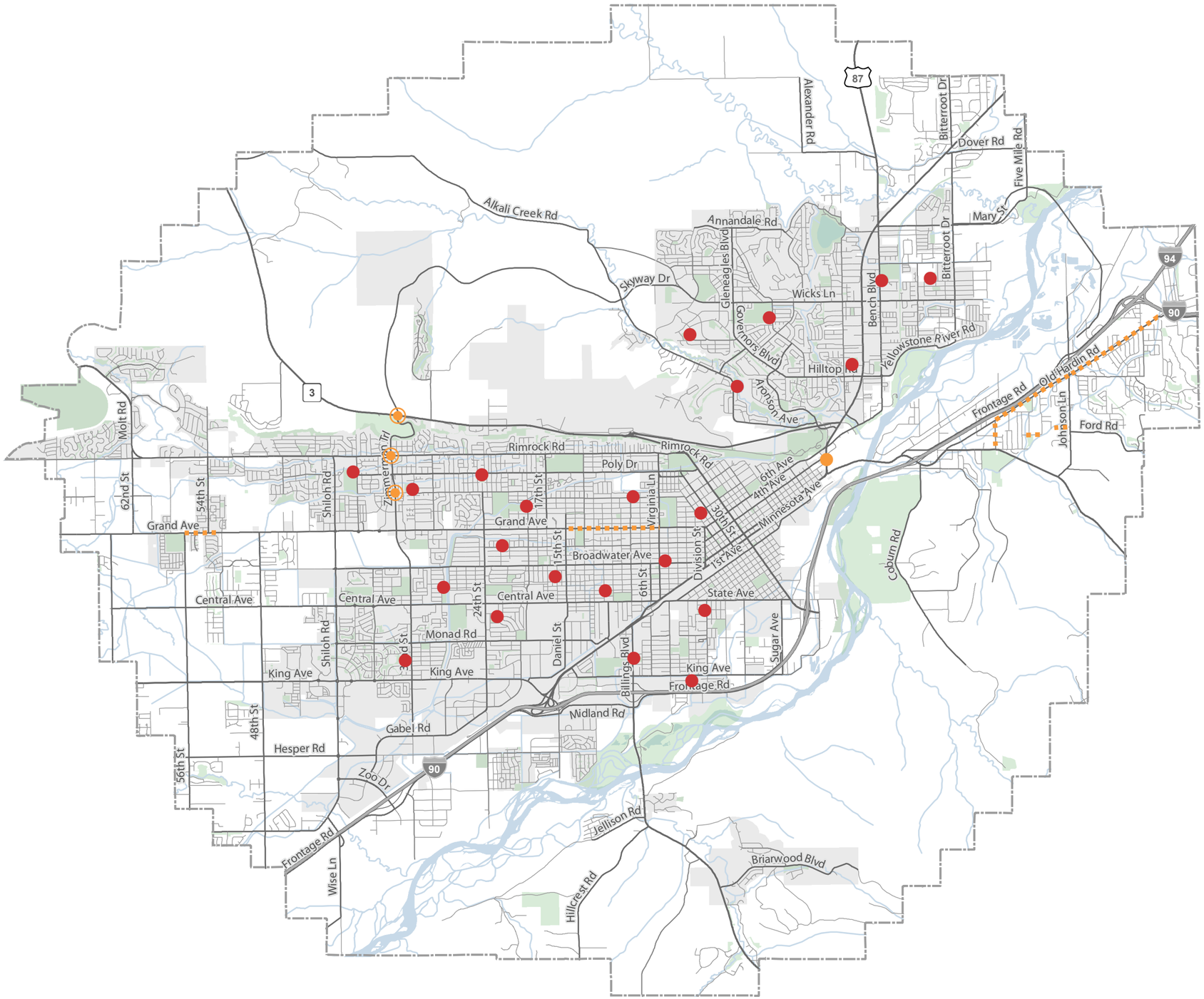
Table 8. Trail Projects - Illustrative

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MT_48	34th Street Pedestrian Bridge	Construct a multi-use bridge to cross the tracks near 34th Street	7	2045	$67,063,619	ILLUSTRATIVE
MT_16	BNSF Rail with Trail	Construct a multi-use trail from MRL Rail with Trail to Highway 3	7	2045	$11,328,540	ILLUSTRATIVE
MT_33	MRL Rail with Trail	Construct a multi-use trail from Interstate-90 to Highway 312	7	2045	$9,302,605	ILLUSTRATIVE

Safe Routes to Schools Projects

PEDESTRIAN AND SRTS PROJECTS

- Committed Pedestrian Project
- Recommended Pedestrian Project
- SRTS Project
- Recommended Pedestrian Project



RECOMMENDED SAFE ROUTES TO SCHOOL PROJECTS

Table 9. Safe Routes to School Projects - Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_17	Orchard - SRTS	Enhanced traffic control for arrival/ dismissal (short term); road diet on State Ave (long term); Install ADA compliant curb ramps at State Ave and Jackson St (Long term); Consider re-locating signage and flashing light to more visible area on Jackson St or removing vegetation	13	2033	$161,270	GTB
P_19	Ponderosa - SRTS	Encourage active transportation to reduce congestion during arrival/ dismissal (short term); Determine actions to discourage hazardous activities near path (short term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short term)	13	2033	$13,439	GTB
P_22	Washington - SRTS	Enhanced traffic control for arrival/ dismissal (short term); Install traffic calming improvements on Central Ave to reduce speeds (long term); Widen sidewalk and install a buffer on Central Ave (long term); At Central Ave and Moore Ln, add high visibility crosswalk markings, parking restrictions on the crosswalk approach, and ensure there is adequate nighttime lighting. (Short Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking.	13	2033	$739,154	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_01	Alkali Creek - SRTS	Install fencing along Alkali Creek Rd; Build a paved path along Alkali Creek; Add signage designating back-in only parking in the afternoons (short term)	12	2033	$510,688	GTB
P_02	Arrowhead - SRTS	Develop a school drop-off/ pick-up plan (traffic control – short-term); construct a min. 10' sidewalk or path on west side of 38th St. W (long term); Reduce travel lane widths to shorten crossing distance and/or add curb extensions at Rimrock/ 38th St W (Medium Term); Use in-street yield to pedestrian signs at 38th St/ Poly Dr (Short Term); Replace the existing bike racks in front of, and behind school with new racks that support the bike frame in at least two places and that enable secure locking. (short term)	12	2033	$268,783	GTB
P_05	Big Sky - SRTS	Enhanced traffic control for arrival/ dismissal (short-term); Refresh crosswalk markings and yield markings at 32nd St and Lampman Dr (Short Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking.	12	2033	$120,952	GTB
P_08	Broadwater - SRTS	Install driver feedback signs (short term); enhance traffic control during arrival/ dismissal (short term);	12	2033	$349,418	GTB
P_11	Eagle Cliffs - SRTS	Recommended an off-road multi use path connecting Marias Dr. and Wicks Ln; Tighten the curb radii on the [north, south east] legs of the intersection of Constitution and Governors Blvd and install new curb ramps that line up with crosswalks at all corners. (Long Term); Install a three-way stop at the intersection of Constitution Ave and Maris Dr; Replace the existing bike racks with new racks	12	2033	$671,958	GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		that support the bike frame in at least two places and that enable secure locking. Place racks in location that does not impede pedestrian route (short)				
P_15	Miles Avenue - SRTS	Install pedestrian refuge islands to shorten crossing distances (medium term); Remove crossing markings to consolidate crossings at 16th and Miles Ave. (Medium term; Install driver speed feedback sign on both approaches to the intersection of Miles Ave and 15th St W. (Short term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term)	12	2033	$685,397	GTB
P_16	Newman - SRTS	Widen sidewalks (medium term); enhanced traffic control for arrival/ dismissal (short term); Add pedestrian refuge island to shorten crossing distances and improve pedestrian safety at S Billings Blvd and Simpson St (Medium Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking.	12	2033	$739,154	GTB
P_20	Rose Park - SRTS	Reconstruct pedestrian bridge to accommodate 2-way bicycle and pedestrian traffic (long term); Reduce travel lane width and add a separated bike lane on 17th St (long term); Install traffic calming improvements on 19th St (medium term); Reconfigure 17th St W to reduce travel lanes and add sidepath or separated bike lane at Parkhill Dr (Long Term); Add high visibility crosswalk markings and adequate nighttime lighting levels for Hoover Ave/Poly Dr. (Short Term); Replace the existing bike racks with new	12	2033	$1,169,207	STPB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		racks that support the bike frame in at least two places and that enable secure locking. (Short Term)				
P_21	Sandstone - SRTS	Reduce the number of lanes on Wicks Ln by building bike lanes or shared use paths (long term); build sidewalk on at least one side of Claim Jumper Ln (medium term); Post a crossing guard at the intersection of Wicks Lane and Nutter Blvd (Short Term); Add curb extensions or pedestrian refuge islands to the north and south legs of Babcock Blvd at Prospectors Ln to shorten crossing distances and improve pedestrian safety. (Medium Term); Add curb extensions or pedestrian refuge islands on all legs of Nutter Blvd/Babcock Blvd to shorten crossing distances and improve pedestrian safety. (Medium Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term)	12	2033	$3,467,304	HSIP
P_04	Bench - SRTS	Install sidewalks on west side of Rex. Ln. (long term); construct connections via shared-use path or sidewalks on the north end of the property and along the irrigation canal (long term); add vertical barriers to address speeding (long term); Install school zone signs and driver speed feedback sign on both approaches to the intersection of Lake Elmo Dr/ Milton Rd (Short Term); Replace the existing bike rack with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term)	11	2033	$577,884	GTB

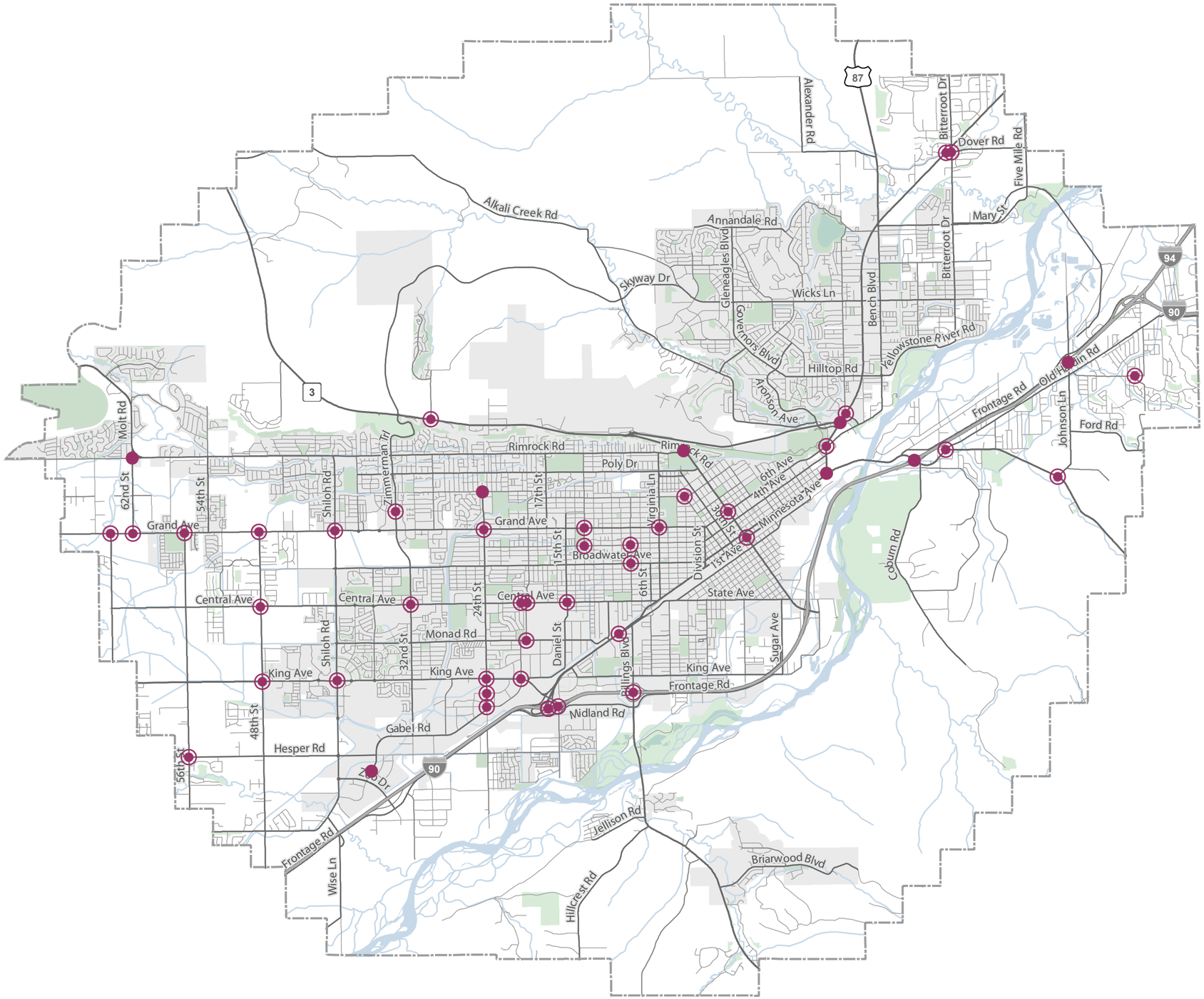
ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_06	Bitterroot - SRTS	Enhanced traffic control measures for arrival/ dismissal (short term); construct sidewalk in front of the school (medium term); install new sidewalk link to the Heritage/ Kiwanis Tr; install new sidewalk/ trail along south side of Barrett Rd (long term); Install curb extensions to shorten pedestrian crossing distance and improve visibility of pedestrians at Barrett Rd and Bench Blvd (Long Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking (Short Term)	11	2033	$792,911	GTB
P_14	Meadowlark - SRTS	Replace existing bike racks	12	2045	$498,187	GTB
P_18	Poly - SRTS	Paved connection from Poly Dr to Lyman Ave (long term); install a school zone flashing beacon on Colton Blvd (medium term); add school zone flashing beacon on Rimrock Rd (medium term); Recommend removing left turn lane on Colton Blvd turning north on to 24th St W (Medium term); Add high visibility crosswalk markings, and adequate nighttime lighting levels for Woody Dr and Colton Blvd. (Short term)	12	2045	$1,092,179	GTB
P_07	Boulder - SRTS	Install driver feedback signs (short-term); enhance accessibility at the west side of the school (short term); Recommend installing curb extensions to shorten crossing distance. (Medium term); Recommend high-visibility crosswalk at Zimmerman Tr and Colton Blvd (Short term)	11	2045	$459,865	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_09	Burlington - SRTS	Install a shared use path from Burlington Elementary to 24th St. W (long term); Install high-visibility crosswalk, signage, pedestrian refuge island, and pedestrian hybrid beacon or rectangular rapid-flashing beacon at Arnold Ln and 24th St W; Tighten the curb radii on the northeast corner of the intersection of 24th St W and Lewis Ave and install new curb ramps that line up with crosswalks at all corners. (Long Term); Add a high-visibility crosswalk on all legs of the intersection of 19th St W and Lewis Ave (Short Term)	11	2045	$421,543	SM
P_10	Central Heights - SRTS	Enhanced traffic control for arrival/ dismissal (short term); Repaint crossing at Monad Road and 24th St W with high-visibility markings; Tighten the curb radii on the legs of the intersection of Dallas Dr and Pueblo Dr and install new curb ramps that line up with crosswalks at all corners. (Long Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term)	11	2045	$459,865	SM
P_12	Highland - SRTS	Enhanced traffic control for arrival/ dismissal (short term); Add leading pedestrian interval at signal at Poly Dr and 11th St W (Short Term); Tighten the curb radii on the west leg of the intersection. (Long Term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term); Tighten the curb radii on the west leg of the intersection of Virginia Ln and Parkhill Dr (Long Term)	11	2045	$249,093	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
P_13	McKinley - SRTS	Install a stop sign and high visibility crosswalk on (1) the west leg of Parkhill Dr and N 32nd street; (2) west leg of the intersection of Parkhill Dr and 11th Ave N. Install a high visibility crosswalk on the north and east legs of the intersection of 3rd St W and Ave C. Replace bicycle racks.	11	2045	$287,416	SM
P_03	Beartooth - SRTS	Install new sidewalk or trail along south side of Barrett Rd. (Long term); Add signage designating bus-only parking on Elaine St (short term); Add high visibility crosswalk markings, and adequate nighttime lighting levels at Elaine St and Bitteroot Dr (Short term); Add high visibility crosswalk markings, parking restrictions on the crosswalk approach, and ensure there is adequate nighttime lighting at Bitteroot Dr and Wicks Ln (Short term); Replace the existing bike racks with new racks that support the bike frame in at least two places and that enable secure locking. (Short Term)	10	2045	$1,475,400	SM

Intersection Projects

INTERSECTION PROJECTS



- Recommended Intersection Project
- Committed Intersection Project

COMMITTED INTERSECTION PROJECTS

Table 10. Intersection Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_33	Billings Bypass - Johnson Lane Interchange	Reconstruction of existing interchange	10	2028	$45,204,600	IM; STPU; CMAQ/MACI; NHS; NHFP
I_37	Exposition Drive and 1st Avenue N. (Billings)	Intersection improvements	10	2028	$10,221,500	NHS
I_48	Zoo Drive Improvements - Safety improvements for traffic ops	Intersection Improvements	9	2028	$5,238,300	NHS; HSIP
I_32	SF189 South D5 Safety Improvements	MDT safety project to improve intersections with enhanced signage and lighting in some locations. Intersections include: 72nd Street/Neibauer Road, 72nd Street/Danford Road, 64th Street/Neibauer Road, 64th Street/Danford Road, 56th Street/Hesper Road, 48th Street/Hesper Road, 72nd Street/King Avenue, 64th Street/Hesper Road, 48th Street/King Avenue, 56th Street/Neibauer Road, 72nd Street/Hesper Road, 72nd Street/Laurel Airport Road, 64th Street/King Avenue, 48th Street/Neibauer Road .	9	2028	$42,190	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_39	Airport Road and Main Street - Billings	Intersection improvements	8	2028	$10,968,100	NHS
I_69	SF 169 Rimrock & 62nd St W	Intersection Improvements - Roundabout	7	2028	$7,545,300	HSIP
I_49	Gabel Road	Development is occurring in the Broso Valley Subdivision and has reached the level where signal warrants are met at the Gabel Road/Broso Park Drive intersection. Developers will be required to fund a portion of a traffic signal on Gabel Road and the City will need to fund the remainder. Developer contributions are required by a subdivision improvements agreement for Broso Valley Subdivision that identifies the future need for the signal, funding mechanisms, and contains a waiver to create an SID.	5	2028	$550,000	SID; SM
I_50	Intersection Capacity Improvements	This project is for the evaluation and construction of improvements to selected intersection trouble areas. Intersections are evaluated regularly to determine priority based on traffic counts, crash history, pedestrian counts and other factors. While the priority of the intersections may change, the most likely intersection to be reconstructed in FY 2023 is Colton and 24th. This intersection is a priority due to high traffic volumes and an accident history. The intersection that will be improved in 2024 is King Avenue/ 36th. Intersections that will be completed in FY25 - FY27 will be determined during the next signal priority study.	4	2028	$2,778,000	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_34	MDT Preventative Maintenance	Pavement Preservation	3	2028	$7,500,000	IM

RECOMMENDED INTERSECTION PROJECTS

Table 11. Intersection Projects – Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_52	Central Ave/ 15th St W - Intersection Operations and Safety Study	Intersection Operations and Safety Study	11	2033	$537,567	STPU
I_56	6th Ave N/ N 27th Street - Intersection Safety Study	Intersection Safety Study	10	2033	$134,392	HSIP
I_03	Grand Ave/24th St	Evaluate intersection to identify alternative intersection treatment	10	2033	$537,567	STPU
I_62	6th Ave N / Main St - Intersection Safety Study	Intersection Safety Study	9	2033	$134,392	HSIP
I_59	Broadwater Ave/ 8th St W - Intersection Operations and Safety Study	Intersection Operations and Safety Study	9	2033	$537,567	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_55	Grand Ave/ 13th St W - Intersection Safety Study	Intersection Safety Study	9	2033	$134,392	HSIP
I_51	Grand Ave/ Virginia Ln - Intersection Safety Study	Intersection Safety Study	9	2033	$134,392	HSIP
I_58	Central Ave/ 19th St W - Intersection Safety Study	Intersection Safety Study	8	2033	$134,392	HSIP
I_60	Central Ave/ Birchwood Dr - Intersection Safety Study	Intersection Safety Study	8	2033	$134,392	HSIP
I_57	Monad Road/ 19th St W - Intersection Operations and Safety Study	Intersection Safety Study	8	2033	$537,567	HSIP
I_72	Becraft Lane/ Westgate Dr - Intersection Safety Study	Study for an intersection improvement at Becraft Lane/ Westgate Drive.	7	2033	$268,783	STPU
I_63	Dover Rd/ Bitterroot Dr/Highway 312 - Intersection Safety Study	Intersection Operations and Safety Study	7	2033	$537,567	NHFP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_73	Grand Avenue/ 64th Steet West - Intersection Operations Study	Study for an intersection improvement at Grand Avenue/ 64th Street West.	7	2033	$537,567	STPU
I_75	Laurel Rd/ Underpass Ave/ Foote Street - Intersection Study	Study for an intersection improvement at Laurel Rd/ Underpass Ave/ Foote Street	7	2033	$134,392	NHFP
I_07	US Highway 87 & Old Hardin Road	Single lane roundabout (from 3-way stop)	7	2033	$4,031,749	NHS
I_14	Highway 3/Rod & Gun Club Road	Single lane roundabout (from side street stop)	6	2033	$4,031,749	NHS
I_15	Highway 312 & Dover Road - Intersection Control	Traffic Signal or Roundabout	6	2033	$2,015,875	HSIP
I_02	King Ave/24th St	Evaluate intersection to identify alternative intersection treatment	13	2045	$2,874,155	HSIP
I_25	King Ave/20th St	Evaluate intersection to identify alternative intersection treatment	12	2045	$2,874,155	HSIP
I_20	King Ave West & 48th St West	Traffic Signal or Roundabout	9	2045	$2,874,155	HSIP

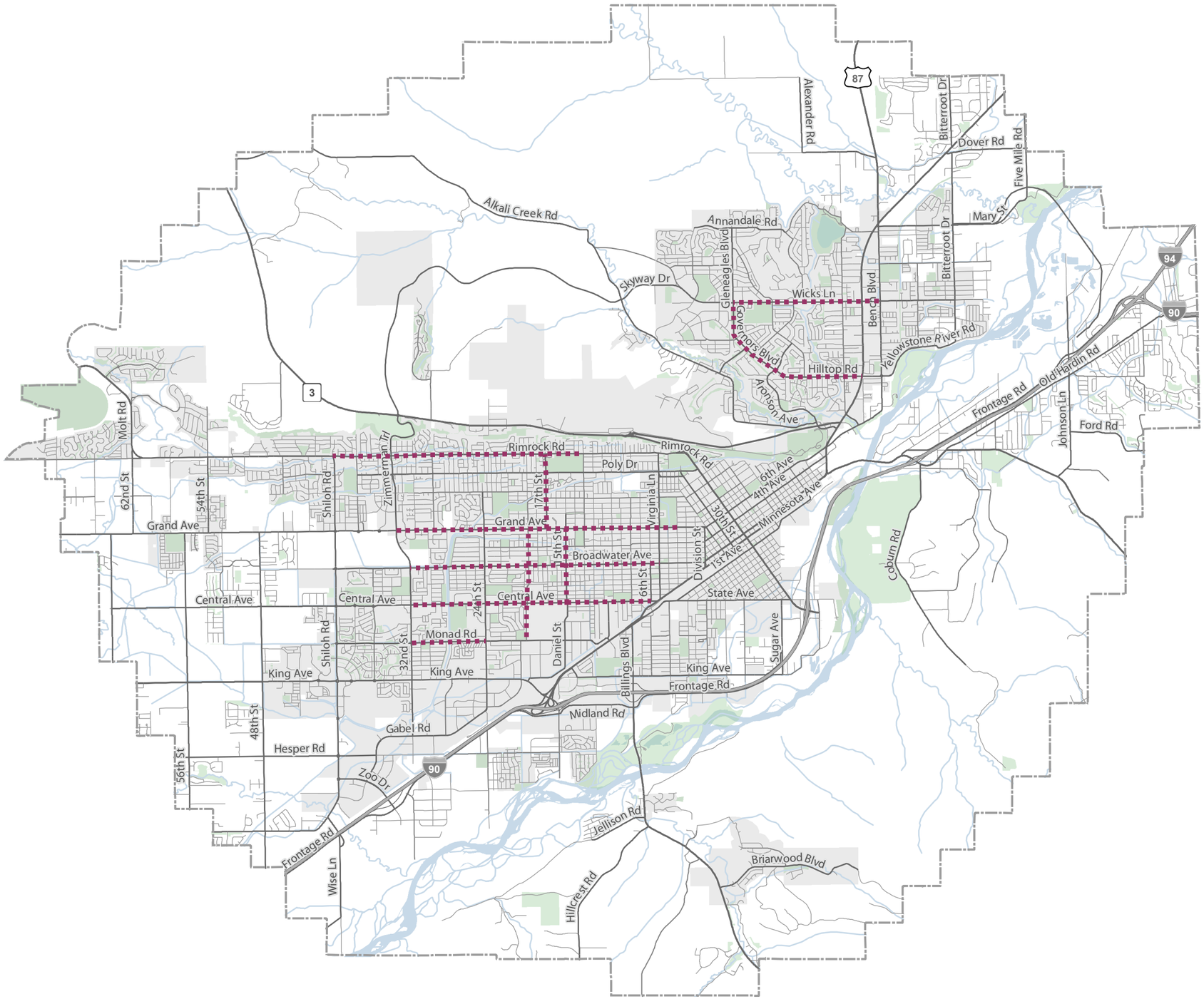
ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_54	Montana Ave/ 27th - Intersection Safety Study	Intersection Safety Study	9	2045	$191,610	HSIP
I_53	Mullowney Lane/ I-90 Ramps (Exit 446) - Intersection Operations and Safety Study	Intersection Operations and Safety Study	9	2045	$766,441	HSIP
I_71	Hwy 87 East/ Johnson Lane - Intersection Operations Study	Study for an intersection improvement at Hwy 87 East/ Johnson Lane.	8	2045	$766,441	NHFP
I_66	Avenue E/ Zimmerman Tr Traffic Signal	Install signal when warranted	8	2045	$862,247	SM
I_70	Central Avenue/ 32nd Street - Intersection Operations Study	Study for an intersection improvement at Central Avenue/ 32nd Street.	8	2045	$766,441	SM
I_67	Lewis Ave/ 13th St W - Intersection Operations Study	Intersection Operations Study	8	2045	$191,610	SM
I_65	Shiloh Rd/ Grand Ave - Roundabout Operations Study	Intersection Operations Study	8	2045	$191,610	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_36	Lockwood Interchange - Billings	Reconstruction of existing interchange to a diverging diamond design	8	2045	$45,000,000	UPP; NHFP; STPU; NHS; IM; HSIP; STPS; STPB; M
I_30	24th Street West and Rosebud Drive/Market Place	Intersection Safety Study	7	2045	$766,441	HSIP
I_12	West Billings Interchange	Construct additional EB and WB mainline lanes through interchange, modify vertical curve, reconstruct bridge segments (Laurel Rd and Mullowney) and restripe WB off-ramp at West Billings Interchange. Update geometry to match C standards, improve landscaping and improve pedestrian facilities	7	2045	$26,000,000	IM
I_18	Grand Ave & 48th St West	Traffic Signal or Roundabout	7	2045	$2,874,155	STPU
I_61	Lake Elmo Dr/ Main St - Intersection Operations and Safety Study	Intersection Safety Study	7	2045	$766,441	SM
I_64	Shiloh Rd/ King Ave W - Intersection Safety Study	Intersection Safety Study	7	2045	$191,610	SM
I_21	Central Ave & 48th St West	Traffic Signal or Roundabout	6	2045	$2,874,155	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
I_68	Lewis Ave/ 8th St W - Intersection Operations Study	Intersection Operations Study	6	2045	$191,610	SM
I_19	Grand Ave & 56th St West	Traffic Signal or Roundabout	5	2045	$2,874,155	HSIP
I_23	Grand Ave & 62nd St West	Traffic Signal or Roundabout	5	2045	$2,874,155	HSIP
I_22	King Ave West & 64th St West	Traffic Signal or Roundabout	5	2045	$2,874,155	SM
I_29	24th Street W & Grant Road	Intersection Operations Study	4	2045	$766,441	SM
I_10	South Billings Blvd Interchange	Additional EB and WB mainline lanes under and through the Interchange	3	2045	$4,023,817	STPU
I_24	Hesper Rd & 56th St West	All-Way Stop	3	2045	$479,026	CMAQ
I_74	Parkhill Dr/ N 32nd St/ 11th Ave N - Intersection Safety Study	Study for an intersection improvement at Parkhill Dr/ N 32nd St/ 11th Ave N		2045	$191,610	HSIP

Congestion Management Projects

CONGESTION MANAGEMENT PROJECTS



Committed Congestion Management Project

Recommended Congestion Management Project

COMMITTED CONGESTION MANAGEMENT PROJECTS

Table 12. Congestion Management Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
CM_21	Annual travel corridor coordination	This is for improvements to corridors within the city that only require minor infrastructure modifications.	9	2028	$281,000	SM
CM_23	Traffic Signal Controller Upgrades	This is for the replacement of obsolete signal controllers with new technology which includes improved communication and detection at the intersection at 19 intersections. Locations include: 3rd St/ Grand Ave; Division St/ 3rd Ave N; N 13thSt/ 6th Ave N; 13th St West/ Rimrock Rd; 17th St W/ Rimrock Rd; Shiloh Road/ Rimrock Rd; 17th St W/ Colton Blvd; 14th St W/ Lewis Ave; 15th St W/ Lewis Ave; 16th St/ Lewis Ave; 17th St/ Poly Dr; Vermillion Dr/ Broadwater Ave; Mall Dr/ Central Ave; Target/ Central Ave; Rehburg Ln/ Colton Blvd; N 18th St/ 4th Ave N; N 30th St/ 9th Ave N; 24h St W/ Fire Station #5.	7	2028	$650,000	SM
CM_24	Downtown Signal Timing	Update signal timing for 40 signals	11	2028	$300,000	CMAQ/MACI

RECOMMENDED CONGESTION MANAGEMENT PROJECTS

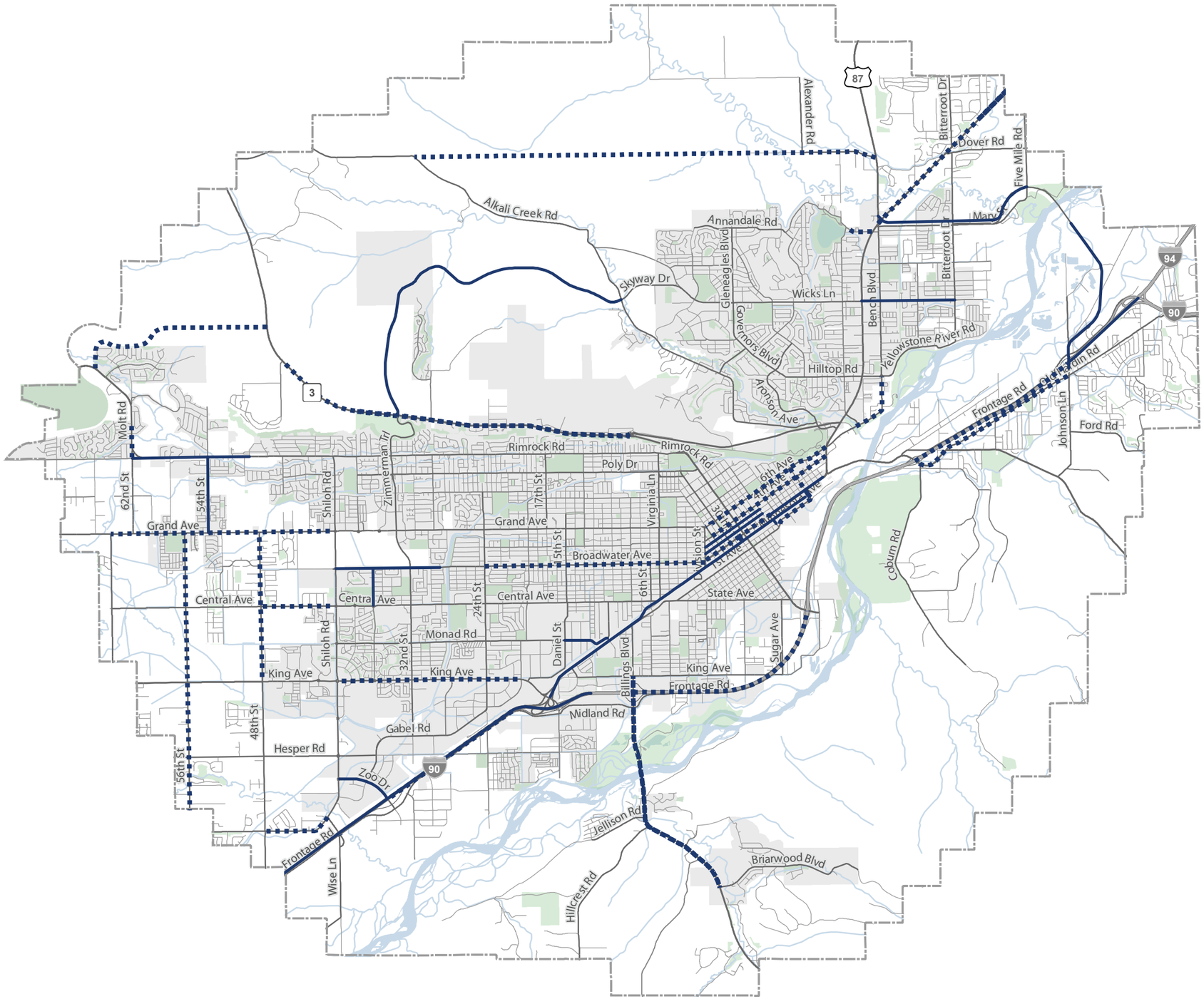
Table 13. Congestion Management Projects - Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
CM_08	Grand Avenue – 24th St W to Zimmerman	Update signal timing for 3 signals.	11	2033	$60,476	STPU
CM_16	27th Street RRXing ITS Signage and Advanced Warning System	Implement a signage and advanced warning system on 27th Street to inform transportation users of crossing delays due to incoming and stopped trains	9	2033	$671,958	STPU
CM_02	Broadwater Avenue – 5th St W to Zimmerman	Update signal timing for 8 signals	9	2033	$161,270	STPU
CM_03	Central Avenue – 6th St W to Zimmerman	Update signal timing for 10 signals	9	2033	$201,587	STPU
CM_11	Wicks Lane – Governors Blvd to Bench Blvd	Update signal timing for 5 signals	9	2033	$100,794	STPU
CM_10	15th Street West – Central Ave to Grand Ave	Update signal timing for 5 signals	8	2045	$143,708	SM
CM_12	19th Street West – Monad Rd to Grand Ave	Update signal timing for 5 signals	8	2045	$143,708	SM
CM_01	Grand Avenue – 3rd St W to 24th St W	Update signal timing for 10 signals	8	2045	$287,416	SM
CM_09	Rimrock Road – 38th St W to 13th St W	Update signal timing for 5 signals	8	2045	$143,708	SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
CM_15	Governors Boulevard/Hilltop Road – Wicks Ln to Main St	Update signal timing for 3 signals	7	2045	$86,225	STPU
CM_14	Monad Road – 19th St W to 32nd St W	Update signal timing for 4 signals	6	2045	$114,966	CMAQ
CM_13	17th Street West – Grand Ave to Rimrock	Update signal timing for 5 signals	5	2033	$100,794	CMAQ

Roadway Projects

ROADWAY PROJECTS



Committed Roadway Project

Recommended Roadway Project

COMMITTED ROADWAY PROJECTS

Table 14. Roadway Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_64	Downtown 2 Way Conversion	This project is for the conversion of downtown 2-way streets as well as chip-sealing and traffic control upgrades. The one-way to two-way conversion moves toward a consistent network of two-way streets within downtown Billings, increasing accessibility for all users. Other benefits include increased exposure for businesses and increased bicycle connectivity. The project was identified as a priority in the Downtown Traffic Study.	15	2028	$7,400,000	OTHER; SM; GTB
R_56	21st Street Underpass Improvements	"The 21st Street Underpass has a low clearance of only 8.5 feet, limiting the vehicles that can pass through this route. With the congestion of 27th nearby, the City will increase the clearance to standard minimum of 14 feet to provide a route for emergency vehicles or larger commercial vehicles, especially during train crossings on 27th."	12	2028	$11,850	OTHER
R_34	1st Avenue N - Broadway to Division	Major Reconstruction	10	2028	$25,200	NHS
R_78	Montana Avenue Crosswalks - Billings	Sidewalk Improvements ADA Compliance; milling and paving work on Laurel Road.	10	2028	$76,900	NHS
R_85	I-90 Incident Management	This project will install variable message signs and road closure gates on Interstate 90 from Billings to Three Forks. These signs will aid	10	2028	$5,600,000	IM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		motorists by communicating road conditions, accidents, or other important information about the roadway ahead. This improved communication will reduce accidents by giving motorists more opportunities to avoid incidents.				
R_100	ADA Compliance Program	Various ADA Compliance upgrades.	10	2028	$1,000,000	CMAQ
R_71	Wicks Lane - Main to Bitteroot	This project funds the design of the reconstruction of Wicks Lane and construction of sidewalks. Wicks Lane is an arterial that carries a volume of traffic that would be more efficient and safe if the road was reconstructed as a three lane section with multimodal facilities. Bitterroot Road connects to Wicks Lane and needs to be improved as well due to development that has occurred in the area. Sidewalks and a small section of Wicks west of Hawthorne was constructed in FY22 to improve pedestrian access and other improvements will be constructed in FY25.	9	2028	$2,200,000	OTHER; SM; GTB
R_33	1st Avenue N - RR Crossing to Broadway	Major Reconstruction	9	2028	$25,200	NHS
R_25	Billings Bypass - Five Mile Road to US87	Construction of connection from Five Mile Road to US87	8	2028	$16,207,400	NHS
R_88	I 90: East Laurel - West Billings Improvements	The I 90: East Laurel - West Billings project will improve I 90 from the west bridge ends of Mossmain Interchange to the east bridge ends	8	2028	$443,500	CMAQ/MACI

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
	(Mossmain Intch-West Blgs Intch)	of the West Billings Interchange bridges over King Avenue West. This section of I 90 serves drivers traveling between Billings and Laurel. Work will include the widening of the interstate bridges over S. 56th Street W.				
R_50	Inner Belt Loop	Road Construction	8	2028	$14,620,400	BUILD
R_66	Monad Road (Daniels to Moore Ln)	This project will widen and reconstruct Monad Road. This project will reconstruct, widen and add storm drain to Monad Road and increase safety, particularly on the east end toward Moore Lane. Most of this street has no sidewalk. A large portion of the street is used by heavy truck traffic and experiences rutting. Intersection alignment and safety will be improved.	7	2028	$4,150,000	SM; GTB
R_32	1st Avenue N - 9th to RR Crossing	Major Reconstruction	7	2028	$15,209,100	NHS
R_26	Billings Bypass - Johnson Lane Interchange to RR Overpass	Construction of connection from interchange to railroad overpass	6	2028	$9,252,800	NHS
R_24	Billings Bypass - Railroad Overpass	Construction of new bridge over railroad	6	2028	$15,301,800	NHS
R_86	BR Pres Columbus Joliet Area	The project includes deck work along with bridge rail work on four bridges located in or near Columbus, Joliet, Billings, and Huntley. The	6	2028	$6,600,000	STPB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		work is being done to maintain the decks and to help prolong the life of the bridges.				
R_70	Traffic Calming	There are areas of the City that experience consistent speeding of traffic through the neighborhoods. This project would install traffic calming measures in those neighborhoods. The work will be prioritized by City staff according to the severity of the problem.	6	2028	$50,000	GTB
R_40	SF 169 Billings District Safety Improvements	Signage (Only portion in MPO boundary)	5	2028	$136,500	HSIP
R_57	36th- Central to Broadwater	This project funds the construction of 36th Street West from Central Avenue to Broadwater Avenue. Design is slated for FY27 and the construction will be in FY28.	4	2028	$3,000,000	GTB
R_28	MDT Preventative Maintenance	Pavement Preservation	4	2028	$5,000,000	NHS
R_65	Misc., Curb, Gutter, and Sidewalk Program	This project funds the annual replacement and infill program of curb, gutter, and sidewalk. The project focuses on areas of missing sidewalk primarily on arterials, school routes, near parks, and where requested by citizens.	4	2028	$5,155,000	SCD; GTB
R_77	Traffic Mitigation	Signalization	4	2028	$1,250,000	CMAQ/MACI
R_64	Downtown 2 Way Conversion	This project is for the conversion of downtown 2-way streets as well as chip-sealing and traffic control upgrades. The one-way to two-way	15	2028	$7,400,000	OTHER; SM; GTB-B

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		conversion moves toward a consistent network of two-way streets within downtown Billings, increasing accessibility for all users. Other benefits include increased exposure for businesses and increased bicycle connectivity. The project was identified as a priority in the Downtown Traffic Study.				
R_56	21st Street Underpass Improvements	"The 21st Street Underpass has a low clearance of only 8.5 feet, limiting the vehicles that can pass through this route. With the congestion of 27th nearby, the City will increase the clearance to standard minimum of 14 feet to provide a route for emergency vehicles or larger commercial vehicles, especially during train crossings on 27th."	12	2028	$11,850	OTHER
R_59	Annual gravel street reconstruction	In an effort to reduce the number of gravel streets within the city, Public Works has developed a program to work with neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year	3	2028	$12,250,000	OTHER; SID; SM
R_60	Annual PAVER program	This annual program is responsible for crack sealing, overlay, and chip seals of various streets throughout the City.	3	2028	$13,225,000	SID; SM
R_62	Annual street reconstruction	In an effort to reduce the number of non-maintainable streets within the City, Public Works has developed a program to work with	3	2028	$7,900,000	SCD; SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.				
R_61	Annuals SIDs	Annual amount for any SIDs that neighborhoods bring forward. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.	3	2028	$5,250,000	SID; SM
R_63	Broadwater - Vermillion to Shiloh	This project will reconstruct and widen Broadwater Avenue from Vermillion to Shiloh Road.	3	2028	$3,600,000	SM
R_67	Rimrock Road Widening (54th to 62nd)	This project will construct widening of Rimrock Road from 54th Street West to 62nd Street West. Rimrock Road from 54th Street West to 62nd Street West has high traffic counts and experiences congestion during peak times. This project is the second part of a larger two-section goal to widen and improve the capacity of Rimrock road from Clearview Drive to 62nd Street West. The goal of this project is to start to increase capacity of the corridor and safety narrow two-lane road section.	3	2028	$6,400,000	SM; GTB

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_68	Rimrock Road Widening (Clearview to 54th)	Rimrock Road from Clearview Drive to 54th Street West has high traffic counts and experiences congestion during peak times. This project is the first part of a larger two-section goal to widen and improve the capacity of Rimrock road from Clearview Drive to 62nd Street West. The goal of this project is to start to increase capacity of the corridor.	3	2028	$3,675,000	SM; GTB
R_69	SBURA Unimproved Street Improvements	This project funds improvements to gravel or unimproved streets in the South Billings Boulevard Urban Renewal District (SBBURD).	3	2028	$2,620,000	OTHER
R_58	54th St W (Grand to Rimrock)	This project will construct widening of 54th Street West from Grand Avenue to Rimrock Road along with storm drain improvements	2	2028	$6,200,000	SM; GTB

RECOMMENDED ROADWAY PROJECTS

Table 15. Roadway Projects - Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_87	Broadwater Avenue Corridor Plan (24th St W to Division Street)	Conduct a study on Broadwater Avenue from 24th St W to Division Street to assess potential operations, safety, and multiomodal improvements.	15	2033	$671,958	CMAQ
R_90	56th St W Corridor Plan	Conduct a corridor plan/study for 56th Street W.	13	2033	$671,958	CMAQ
R_83	Broadway Avenue Street Closure	Roadway closure - Downtown Traffic Study	12	2033	$671,958	CMAQ
R_89	72nd Street W Corridor Plan	Conduct a corridor plan/study for 72nd Street W.	11	2033	$671,958	CMAQ
R_93	Electric Vehicle (EV) Infrastructure Plan	Develop a strategy for electric vehicle charging and other alternative fuel infrastructure in the MPO.	11	2033	$268,783	CMAQ
R_34	1st Avenue N - Broadway to Division	Major Reconstruction	10	2033	$4,343,300	NHS
R_101	ADA Compliance Program	Various ADA Compliance upgrades.	10	2033	$1,343,916	CMAQ/MACI
R_94	Highway 3 Safety Study	After implementation of a 3-lane section on Highway 3, perform a speed/ safety study with a focus on posted speed and access/	9	2033	$671,958	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_95	King Ave from S 20th St W to Shiloh Road	Segment Safety Study	9	2033	$671,958	HSIP
R_91	North Billings Corridor Study	Conduct a corridor study to evaluate the feasibility of a northern corridor connecting US87 to MT3.	9	2033	$671,958	HSIP
R_33	1st Avenue N - RR Crossing to Broadway	Major Reconstruction	9	2033	$4,648,550	NHS
R_82	Bench Blvd from Hilltop Rd to Alkali Creek Rd	Segment Safety Study	8	2033	$671,958	HSIP
R_17	I-90 from S Blgs Blvd Inch to 27th St Intch	Roadway reconstruction/ widening (Add a 3rd travel lane to I-90)	7	2033	$6,316,407	STPB
R_103	MDT Preventative Maintenance	Pavement Preservation	4	2033	$6,719,582	IM
R_105	Annual gravel street reconstruction	In an effort to reduce the number of gravel streets within the city, Public Works has developed a program to work with neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year	3	2033	$8,063,498	SID; SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_106	Annual PAVER program	This annual program is responsible for crack sealing, overlay, and chip seals of various streets throughout the City.	3	2033	$5,375,666	SID; SM
R_108	Annual street reconstruction	In an effort to reduce the number of non-maintainable streets within the City, Public Works has developed a program to work with neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.	3	2033	$5,375,666	SCD; SM
R_107	Annuals SIDs	Annual amount for any SIDs that neighborhoods bring forward. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.	3	2033	$6,047,624	SID; SM
R_97	Pavement Preservation	Pavement Preservation Projects		2033	$2,015,875	UPP
R_98	Roadway Maintenance	Roadway Maintenance Projects		2033	$4,703,707	M
R_113	Traffic Calming	There are areas of the City that experience consistent speeding of traffic through the neighborhoods. This project would install traffic calming measures in those neighborhoods. The work will be prioritized by City staff according to the severity of the problem.		2033	$67,196	CMAQ

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_80	S. Billings Blvd/ Blue Creek Rd from King Ave E to Briarwood Blvd	Segment Safety Study	12	2045	$958,052	HSIP
R_34	1st Avenue N - Broadway to Division	Major Reconstruction	10	2045	$8,322,212	NHS
R_102	ADA Compliance Program	Various ADA Compliance upgrades.	10	2045	$1,916,103	CMAQ/MACI
R_96	4th Avenue N and 6th Avenue N from N 27th St W to Main St	Corridor plans on 6th Ave N and 4th Ave N with a focus on active transportation and safety.	9	2045	$1,916,103	SM
R_20	Highway 3 to Molt Road Connection Study	This project would be an update to the Molt Road/ Highway 3 Collector Road Planning Feasibility Study conducted in 2004.	8	2045	$958,052	STPS
R_01	Old Hardin Road - Lockwood Interchange to Johnson Ln	Roadway reconstruction/ widening to a 3-lane urban roadway including storm drainage improvements	8	2045	$12,665,444	STPU
R_18	I-90 from Lockwood Intch to Johnson Lane Intch	Roadway reconstruction/ widening (Add a 3rd travel lane to I-90)	8	2045	$6,706,362	NHFP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_75	13th Street Road Diet (6th Ave N to 1st Ave N)	Road diet	8	2045	$1,532,883	HSIP
R_19	Hwy 3 from Airport to Zimmerman Trail	Roadway reconstruction/ widening (3-lane section)	8	2045	$7,281,193	NHS
R_92	I-90 from Zoo Drive to West Billings Interchange	Construct EB and WB auxiliary lanes on the mainline segment between Shiloh and West Billings interchanges. Other elements include: Constructing an additional WB off-ramp lane at Shiloh Interchange ramp gore; Construct additional EB off-ramp lane at West Billings Interchange ramp gore; Reconstruct EB and WB I-90 bridge crossing of Hogan's slough.	8	2045	$27,319,053	NHS
R_06	Highway 3 Widening - Zimmerman to Apache	Widen Highway 3 from Zimmerman Trail to Apache Trail, including one thru lane in each direction, bike lanes, and center turn lanes where needed for future development	7	2045	$6,131,531	NHS
R_02	1st Avenue South-Minnesota Avenue - 21st St to N 13th St	Roadway reconstruction/ widening to an urban roadway	6	2045	$2,299,324	HSIP
R_81	Neibauer from S 48th St W to Shiloh Rd	Segment Safety Study	6	2045	$958,052	HSIP

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_05	N 13th Street – 1st Ave N to Minnesota Ave	Reconstruct railroad underpass	6	2045	$42,154,275	NHS
R_10	US87 & Highway 312 Signing	Signing at RP 0	6	2045	$95,805	M
R_84	Shiloh Overpass Rehab	Proposed project to rehab deck and substructure. Study in progress.	5	2045	$7,664,414	NHFP
R_09	Highway 312 Pavement Preservation	Pavement Preservation (Main St to Seven Mile Creek) (Only Extent in MPO)	5	2045	$4,598,648	STPS
R_104	MDT Preventative Maintenance	Pavement Preservation	4	2045	$9,580,517	IM
R_11	Grand Ave - Shiloh Rd to 62nd St West	Roadway reconstruction/ widening (5-lane section)	4	2045	$26,059,006	STPU; STPS; HSIP; CMAQ
R_08	Highway 312 Widening - 3-Lane Section	One mile passing lane from Barry Dr. to 5 mile Road (Only Extent in MPO)	4	2045	$1,149,662	STPU
R_03	Pemberton Lane - BBWA to Lake Elmo Dr	Roadway reconstruction/ widening to an urban roadway	4	2045	$6,706,362	SM
R_07	Highway 312 Shoulder Widening	Shoulder Widening from Barry Dr. to 5 mile Road (Only Extent in MPO)	3	2045	$958,052	STPU

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_16	King Avenue - Shiloh to 72nd	Roadway reconstruction/ widening (5-lane section/3-lane section)	3	2045	$17,819,762	CMAQ
R_109	Annual street reconstruction	In an effort to reduce the number of non-maintainable streets within the City, Public Works has developed a program to work with neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.	3	2045	$11,496,620	SCD; SM
R_110	Annual gravel street reconstruction	In an effort to reduce the number of gravel streets within the city, Public Works has developed a program to work with neighborhoods to develop SIDs to construct or re-construct streets. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year	3	2045	$15,328,827	SCD; SID; SM
R_111	Annual PAVER program	This annual program is responsible for crack sealing, overlay, and chip seals of various streets throughout the City.	3	2045	$19,161,034	SCD; SID; SM
R_112	Annuals SIDs	Annual amount for any SIDs that neighborhoods bring forward. The gas tax portion of this project will provide funding for corner lot subsidies and for any street component that is the City's financial responsibility that may be included in an SID for a given year.	3	2045	$8,622,465	SID; SM

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
R_04	48th Street West – King Ave to Grand Ave	Roadway reconstruction/ widening (cross section to be determined)	2	2045	$12,646,282	CMAQ/ MACI; STPU
R_15	62nd St West - Rimrock Rd to Western Bluffs Boulevard	Roadway reconstruction/ widening (3-lane section)	2	2045	$2,682,545	UPP
R_14	Central Ave - Shiloh Rd to 48th St West	Roadway reconstruction/ widening (3-lane section)	2	2045	$7,472,803	STPU
R_114	Traffic Calming	There are areas of the City that experience consistent speeding of traffic through the neighborhoods. This project would install traffic calming measures in those neighborhoods. The work will be prioritized by City staff according to the severity of the problem.		2045	$95,805	CMAQ

Transit Projects

COMMITTED TRANSIT PROJECTS

Table 16. Transit Projects - Committed

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MET_15	Metroplex expansion/ interior remodel	Metroplex expansion/ interior remodel	8	2028	$1,600,000	TF-C
MET_14	Electrical supply upgrade for bus chargers	Electrical supply upgrade for bus chargers	7	2028	$302,000	TF-F
MET_16	MET EV bus chargers	MET EV bus chargers	7	2028	$365,000	TF-C
MET_11	MET Paratransit Vehicles	Purchase vehicles (ADA and Cutaway) for MET and other Coordination members as applicable	7	2028	$358,800	TF-C
MET_12	MET Traditional and Non-Traditional Projects	Projects to support identified community needs but may also be used for vehicles	7	2028	$60,000	TF-C
MET_04	MET Transit Operations	MET Transit Operations	7	2028	$10,102,600	TF-O
MET_09	MET Transit Bus, Facilities, and Technology	Upgrade facilities, replace buses, add technology	7	2028	$1,050,000	TF-C
MET_02	MET Transit Facility Improvement	Training lot construction	7	2028	$-	TF-F
MET_10	MET Transit Operations	Operations	7	2028	$200,000	TF-O

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MET_05	MET Transit Rollingstock/ Buses	Replacement Vehicles	7	2028	$4,045,600	TF-C

RECOMMENDED TRANSIT PROJECTS

Table 17. Transit Projects – Recommended

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
MET_17	Fixed Route Redesign	The goal of the route redesign is to provide a better rider experience across the service area without requiring more funding. The redesigned network would achieve this by revising parts of the current route network so that buses spend more time on corridors with high demand, by reducing or eliminating loops, and by providing improved connectivity between transit-oriented land uses. Redesign route changes include adding service in areas that need more coverage, while reducing coverage in areas that are currently overserved (reflected in a lower number of boardings at stops along route segments).	9	2033	$9,000,000	TF-C
MET_18	Fixed Route Redesign	The goal of the route redesign is to provide a better rider experience across the service area without requiring more funding. The redesigned network would achieve this by revising parts of the current route network so that buses spend more time on corridors with high demand, by reducing or eliminating loops,	9	2045	$9,000,000	TF-C

ID	Name	Description	Prioritization Score	Year of Expenditure	Cost	Proposed Funding Source
		and by providing improved connectivity between transit-oriented land uses. Redesign route changes include adding service in areas that need more coverage, while reducing coverage in areas that are currently overserved (reflected in a lower number of boardings at stops along route segments).				
MET_20	MET Transit Operations	Continued fixed route and paratransit operations in 2033.	8	2033	$13,842,339	TF-O
MET_21	MET Transit Operations	Continued fixed route and paratransit operations in 2043.	8	2045	$19,735,865	TF-O
MET_22	MET Transit Capital	Continued capital investments in 2033.	8	2033	$10,751,331	TF-C
MET_23	MET Transit Capital	Continued capital investments in 2043.	8	2045	$15,328,827	TF-C
MET_24	MET Transit Facilities	Continued facilities investments in 2033.	8	2045	$958,052	TF-F
MET_25	MET Transit Facilities	Continued facilities investments in 2033.	8	2033	$671,958	TF-F



BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

DRAFT

2023 BILLINGS URBAN AREA LONG RANGE TRANSPORTATION PLAN

July 2023

2023 BILLINGS URBAN AREA LONG RANGE TRANSPORTATION PLAN

BILLINGS, MONTANA

DRAFT

Prepared for:

City of Billings

Prepared by:

Kittelson & Associates, Inc. and DOWL

July 2023

2023 BILLINGS URBAN AREA LONG RANGE TRANSPORTATION PLAN

The Plan received local approvals as follows:

AGENCY	DATE
Technical Advisory Committee (TAC)	
Billings City Council	
Yellowstone County Commissioners	
Yellowstone County Board of Planning	
Policy Coordinating Committee (PCC)	

ACKNOWLEDGMENTS

The Billings Urban Area Long Range Transportation Plan was developed under the guidance of a Steering Committee. Additional input and guidance were provided through the plan development process by many local and regional governing bodies, including the Policy Coordinating Committee, City of Billings Mayor and City Council, City of Billings/ Yellowstone County Planning Board, Yellowstone Board of County Commissioners, and Technical Advisory Committee. Thank you to all of the members for their instrumental involvement with the development of the Billings Urban Area Long Range Transportation Plan.

Many thanks also to the individuals, groups, agencies, and participating members of the public that provided information, comments, suggestions, and/or their valuable time to the planning process and development of this Plan. Thank you for your commitment to the community!

CITY OF BILLINGS
Mac Fogelsong
Dakota Martonen
Debi Meling

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Kendra Shaw – Ward 1
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David Nordel – Ward V
Monica Plecker
Scott Reiter
Jim Ronquillo – Ward I
John Staley – Ward IV
Dennie Stephenson – Ward III
Woody Wood – BOCC District #5

MONTANA DEPARTMENT OF TRANSPORTATION
Zach Kirkeno
Kurtis Schnieber
Samantha Wood

POLICY COORDINATING COMMITTEE
Commissioner Donald Jones
Mayor Bill Cole
Dennis Cook
Ryan Hammon
Michael Taylor

STEERING COMMITTEE
Tony Chase, Healthy By Design
Dennis Cook, City/County Planning Board
Ed Gulick, City of Billings City Council
Wyeth Friday, City/County Planning
Chris Kukulski, City of Billings
Rusty Logan, MET Transit
Lora Mattox, City/County Planning
Elyse Monat, City/County Planning
Dakota Martonen, City of Billings Public Works
Monica Plecker, City/County Planning
Katie Potts, Federal Highway Administration
Kurtis Schnieber, MDT District 5 – Billings
Scott Walker, City/County Planning
Samantha Woods, MDT
Woody Woods, Lockwood Community

TECHNICAL ADVISORY COMMITTEE
Mike Black, Yellowstone County Public Works
Mac Fogelsong, City of Billings Engineering
Wyeth Friday, City/County Planning
Rusty Logan, MET Transit
Debi Meling, City of Billings Public Works
Tim Miller, Yellowstone County Public Works
Clark Snyder, Riverstone Health
Scott Walker, City/County Planning
Samantha Woods, MDT

YELLOWSTONE COUNTY
Mike Black
Tim Miller

YELLOWSTONE BOARD OF COUNTY COMMISSIONERS
John Ostlund – District #1
Mark Morse – District #2
Donald Jones – District #3

CONSULTANT TEAM
KITTELSON & ASSOCIATES, INC.
Katie Ayer
Andy Daleiden
Rachel Grosso
Matthew Hagen
Mark Heisinger
Katie Popp
Steve Rhyne
Jon Sommerville

DOWL
Doug Enderson
Lisa Olmsted
Sarah Patterson

CONTENTS

01 WHAT IS AN LRTP? 1
Plan Development 1
What topics are covered in the LRTP? 1
Plan Requirements 4
Transportation Planning & Implementation Since 2018 6
Key Terms 12

02 WHAT IS IMPORTANT TO THE BILLINGS PLANNING AREA? 12
Federal & State Targets 12
Vision, Goals, Objectives, & Performance Measures 15

03 WHO WAS INVOLVED IN CREATING THE LRTP? 23
Engagement Overview 23
Thank You 23
Steering Committee 24
Stakeholder Engagement 25
Public Engagement 26
Plan Review & Approval 30

04 WHAT IS THE TRANSPORTATION SYSTEM LIKE TODAY? 31
Community & Land Use 31
Safety 40
Equivalent Property Damage Only (EPDO) Analysis 45
Pedestrian & Bicycle Crashes 52
Heavy Vehicle Crashes 55
Railroad Crashes 55
Transportation 58
Emerging Technology Readiness 84
Security & Resiliency 85

05 WHAT COULD THE TRANSPORTATION SYSTEM BE LIKE IN 2045? 89
Planning Horizon: 2045 89
Land Use 89
Safety 95
Transportation 95
Emerging Technology 109

06 WHAT ARE THE TRANSPORTATION SYSTEM NEEDS, OPPORTUNITIES, & DEFICIENCIES? 111

07 WHAT ARE THE FUNDING OPTIONS? 113
Federal Funding 115
State Funding 121
Local Funding 121
Emerging Funding Sources 123
Revenue Projections 123

08 WHAT ARE THE PRIORITY PROJECTS? HOW WILL WE FUND THEM? 125
Projects 125
Implementation 127

APPENDICES
A 2018 LRTP Report Card
B 2023 LRTP Report Card
C Public Involvement Plan
D Public & Stakeholder Engagement Materials
E Steering Committee Meeting Materials
F Existing Conditions Supporting Figures & Content
G Future Conditions Supporting Figures
H Project Lists
I Air Quality Conformity



01 WHAT IS AN LRTP?

The Billings Planning Area Long Range Transportation (LRTP) is a framework to guide the continued development and implementation of multimodal transportation system projects for the Billings planning area. The LRTP is updated every **five** years, and the previous iteration was completed in 2018. This LRTP assesses today's (2023) land use and transportation conditions to forecast the future (year 2045) conditions, which aids in identifying and strategizing transportation improvements for the region.

The Yellowstone County Board of Planning is the designated Metropolitan Planning Organization (MPO) and oversees transportation planning for the Billings planning area. The planning area for the Long Range Transportation Plan encompasses the City of Billings, as well as an area extending approximately 4.5 miles outside the city limits into Yellowstone County, which includes Lockwood. Figure 1 illustrates the planning area.

The Billings planning area lies at the western edge of the northern High Plains. It serves as a central hub for a large region comprised of Montana, northern Wyoming, and the western Dakotas. Due to its location, Billings has developed as an important urban area in the region for economic, cultural, educational, and transportation activities, as the largest city in Montana. Billings is in Yellowstone County, in the south central area of Montana, a crossroads of major cities to the north, south, east, and west.

Transportation is a vital element to the residents and businesses of Billings and connects commerce from the Billings planning area to other parts of Montana and metropolitan areas via road, rail (freight), and air. The regions transportation infrastructure is robust and includes streets, highways, the Interstate, rail, transit, sidewalks, bicycle facilities, trails, and an airport. Given the importance of the transportation infrastructure, this document plans for transportation facilities and services to ensure mobility and accessibility throughout the Billings planning area.

Plan Development

The development of the 2023 LRTP was guided by a Steering Committee (SC), which consisted of representatives from the following agencies:

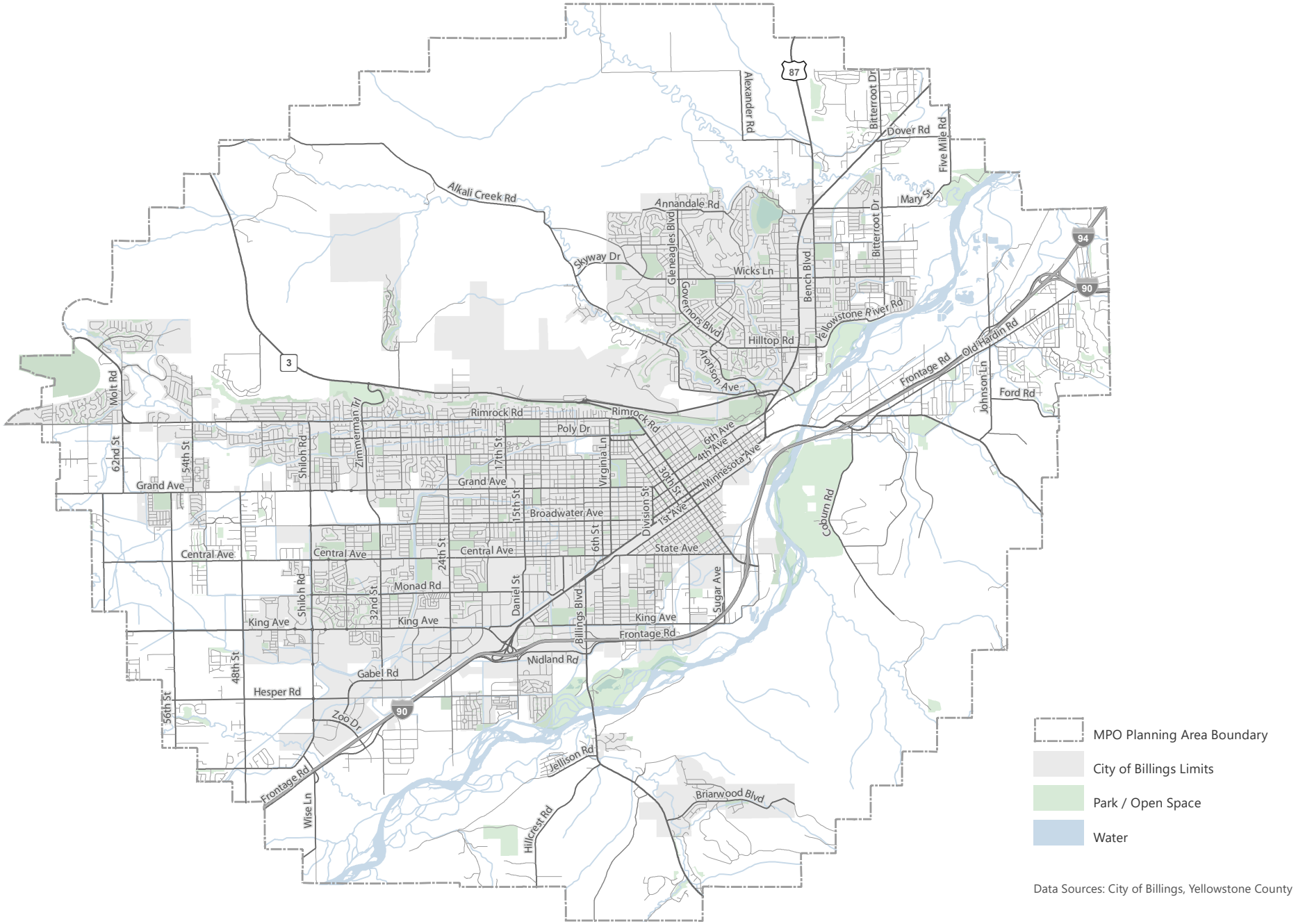
- Billings City Council
- Billings/Yellowstone County Planning Board
- Billings/Yellowstone County MPO
- City of Billings Planning Department
- City of Billings Public Works Department
- Federal Highway Administration
- Healthy By Design
- Lockwood Steering Committee
- Billings Metropolitan Transit (MET Transit)
- Montana Department of Transportation (MDT)
- Yellowstone Board of County Commissioners
- Yellowstone County Public Works

Additional input was received from many other agencies, neighborhood groups, advocacy organizations, and members of the public throughout the planning process.

What topics are covered in the LRTP?

- Goals, objectives, performance measures, and targets
- Public and stakeholder engagement
- Existing multimodal transportation and land use conditions
- Forecasts of population, households, and employment expected in 2045
- Inventory of needs, deficiencies, and opportunities for transportation improvements
- Funding sources and projected revenues
- Project recommendations, prioritization and implementation strategies

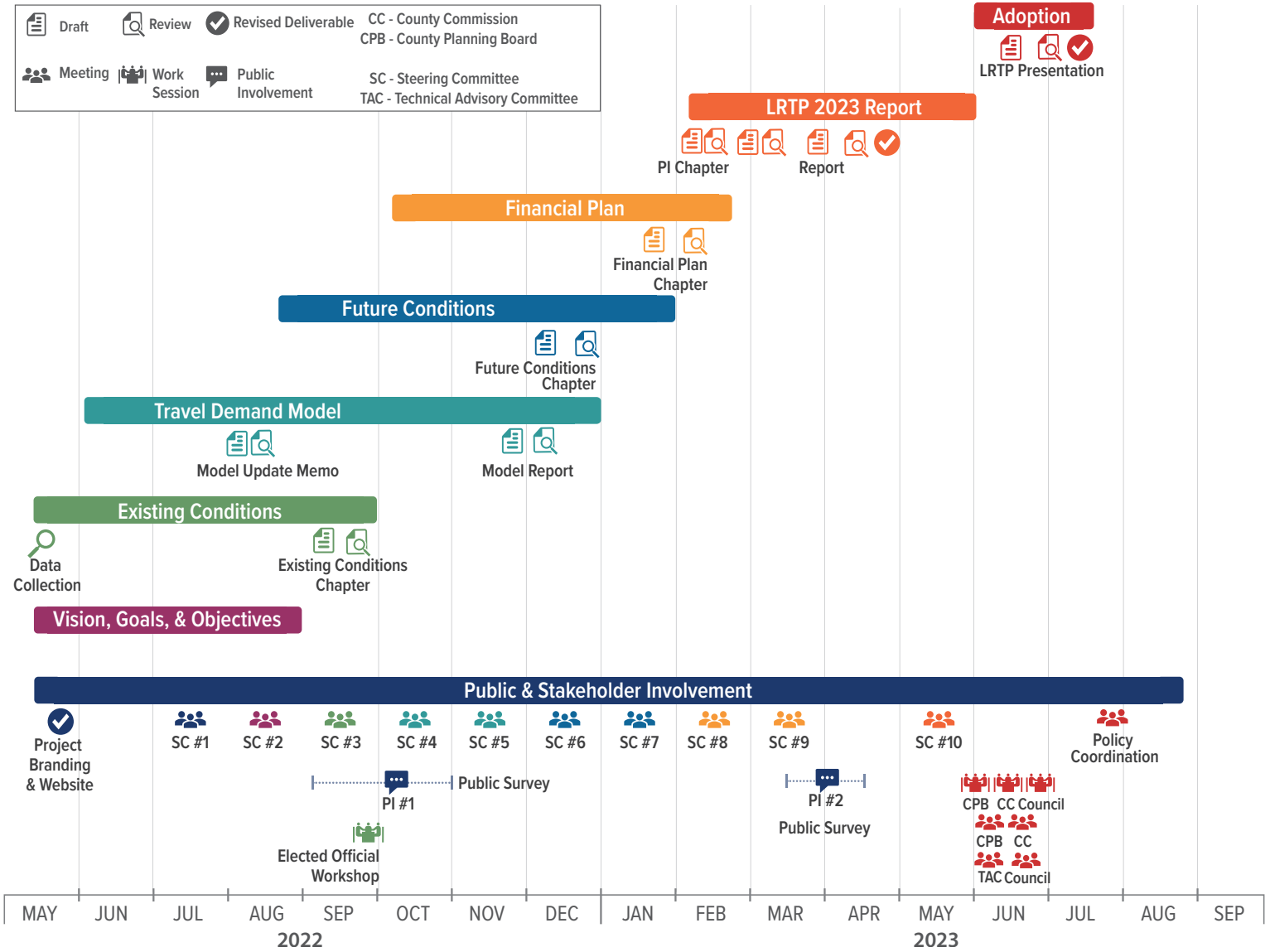
FIGURE 1. BILLINGS PLANNING AREA



PLAN PROCESS

The LRTP planning process was initiated in May 2022 and completed with plan adoption in July 2023. Figure 2 illustrates the plan development process, which is described in more detail throughout the document.

FIGURE 2. LRTP PLANNING PROCESS



Plan Requirements

As discussed in the next chapter, the vision of the LRTP is to encompass all transportation modes of the Billings planning area and to strategize how these modes can be improved through the planning horizon year of 2045. Throughout the development of the LRTP, several federal, state, and local planning requirements were addressed to ensure compliance and consistency with transportation planning regulations.

FEDERAL REQUIREMENTS

An MPO is federally required for any city with a population greater than 50,000. The Billings-Yellowstone Planning Board has represented the Billings planning area as an MPO since 1964. The scope of the planning process for an MPO is outlined in several sections of federal code, which is amended every so often to include new requirements.[1] At its core, the MPO is responsible for four documents:

- **Long Range Transportation Plan:** Outlines the community's vision for the multimodal transportation system and priorities for improvements.
- **Transportation Improvement Program:** Delineates how federal, state, and local funds will be dedicated to projects over a five-year period, to implement the vision of the LRTP.
- **Unified Planning Work Program:** Specifies the annual programs, budget, and priorities to implement the TIP for the MPO on a one-year basis.
- **Public Participation Plan:** Outlines the MPO's framework for facilitating public participation in the transportation planning process.

The LRTP forms the basis for the three subsequent documents, as it employs a performance-driven, outcome-based approach to planning for the metropolitan area, through a continuous, cooperative, and comprehensive process. Federal code also states that this planning process should address the ten planning factors listed in Chapter 2. These factors were established by the Moving Ahead for Progress in the 21st Century Act (MAP-21), and expanded upon by the Fixing America's Surface Transportation Act (FAST Act) and the Infrastructure Investment and Jobs Act (IIJA), passed in November 2021.

In addition to these factors, the the Infrastructure IIJA introduces new focus areas for transportation planning, including climate resiliency, environmental justice, and equity. The planning factors, as well as the new focus areas, are supported by various Federal-aid programs, including:

- Carbon Reduction Program
- Congestion Mitigation and Air Quality (CMAQ) Improvement Program
- Highway Safety Improvement Program (HSIP)
- National Electric Vehicle Infrastructure (NEVI) Program
- National Highway Performance Program (NHPP)
- Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula Program
- Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program
- Reconnecting Communities Pilot Program
- Safe Streets and Roads for All Program

1 United States of America. (ND). *Code of Federal Regulations, Title 23 Part 450 Subpart C.* https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-450

STATE REQUIREMENTS

TranPlanMT, Montana's long-range transportation plan, was last amended in 2017.[2] TranPlanMT identifies key transportation priorities and outlines long-range policy goals and strategies to assist MDT in addressing aging infrastructure, changing environmental conditions, and ongoing funding challenges. It also provides a framework for MDT to advance and manage its transportation programs in compliance with evolving federal requirements. In support of MDT and national goals, MDT conducts performance-based planning in the following key areas mandated through federal regulations:

- Safety
- Infrastructure Condition
- Transit Asset Management
- System Reliability
- Freight Movement and Economic Vitality
- Environmental Sustainability

TranPlanMT cites safety as an overarching goal which is applied in nearly every MDT decision-making process for all projects and programs. The vision and priorities of TranPlanMT were influential in the update of the Billings Planning Area LRTP.

The **Montana Comprehensive Highway Safety Plan** (CHSP) was updated in 2020 in accordance with FAST Act requirements. The goal of the CHSP is Vision Zero- zero fatalities and zero serious injuries on Montana's roadways. The CHSP is intended to be a working document to guide the State of Montana in effectively address the state's safety issues. The CHSP interim goal is to to reduce fatalities and serious injuries by half from 952 in 2018 to 476 in 2030.[3] The CHSP aligns with the development of the **Billings Community Transportation Safety Plan**, adopted in 2023, as well as the development of the 2023 LRTP.[4]



Selection of State and local plans used to inform the LRTP

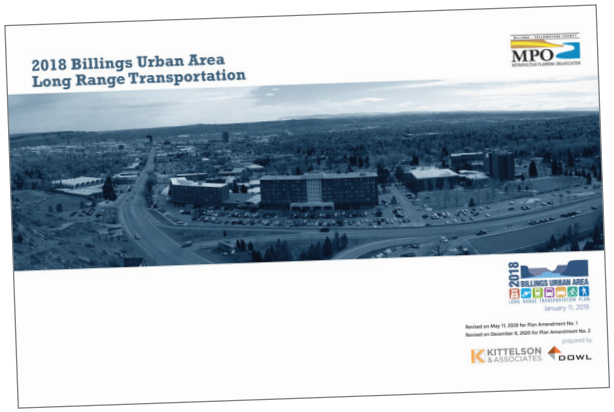
2 Montana Department of Transportation. (2017). *TranPlanMT: Moving Montana Forward Together.* https://www.mdt.mt.gov/tranplan/

3 Montana Department of Transportation. (2020). *Montana Comprehensive Highway Safety Plan*. https://www.mdt.mt.gov/visionzero/plans/docs/chsp/current-chsp.pdf

4 Billings-Yellowstone County Metropolitan Planning Organization. (January 2023). *Billings Community Transportation Safety Plan.* https://billingsctsp.com/wp-content/uploads/2023/02/Billings-CTSP-Update-Final.pdf

LOCAL REQUIREMENTS

Several local plans, studies, and policies were reviewed to inform the process and elements to be considered in development of the plan. It is important to review and incorporate these documents into the planning process, as to ensure that the integrity and value discussion of past planning efforts are carried forward into today's planning effort. Development of this plan was coordinated with guidelines developed in the Yellowstone County Board of Planning Public Participation Plan (2018)[5], the 2018 Billings Urban Area Long Range Transportation Plan[6], and past transportation and land use plans/studies/policies highlighted in the following sections.



Billings 2018 Urban Area Long Range Transportation Plan

AIR QUALITY

In compliance with the requirements of the Clean Air Act of 1990, the Billings-Yellowstone MPO and its partners monitor air quality in the Billings planning area. The Billings planning area is a former non-attainment area for the Carbon Monoxide (CO) National Ambient Air Quality Standard. Since the 2018 LRTP, it has been determined that the Billings planning area is no longer a non-attainment area. Additional information on air quality conformity is available in Appendix I.

Transportation Planning & Implementation Since 2018

The previous LRTP, completed in 2018, addressed several key elements:

- Facilitated robust public and stakeholder involvement.
- Maintained a planning horizon year of 2040.
- Assessed existing and future transportation and land use conditions, including an update of the regional travel demand model.
- Evaluated related topics such as safety, security, freight, and air quality conformity.
- Prioritized a fiscally constrained project list that includes committed, recommended, and illustrative projects.

The 2023 LRTP seeks to continue to incorporate these important elements, while expanding the depth and breadth of the long-range transportation planning process.

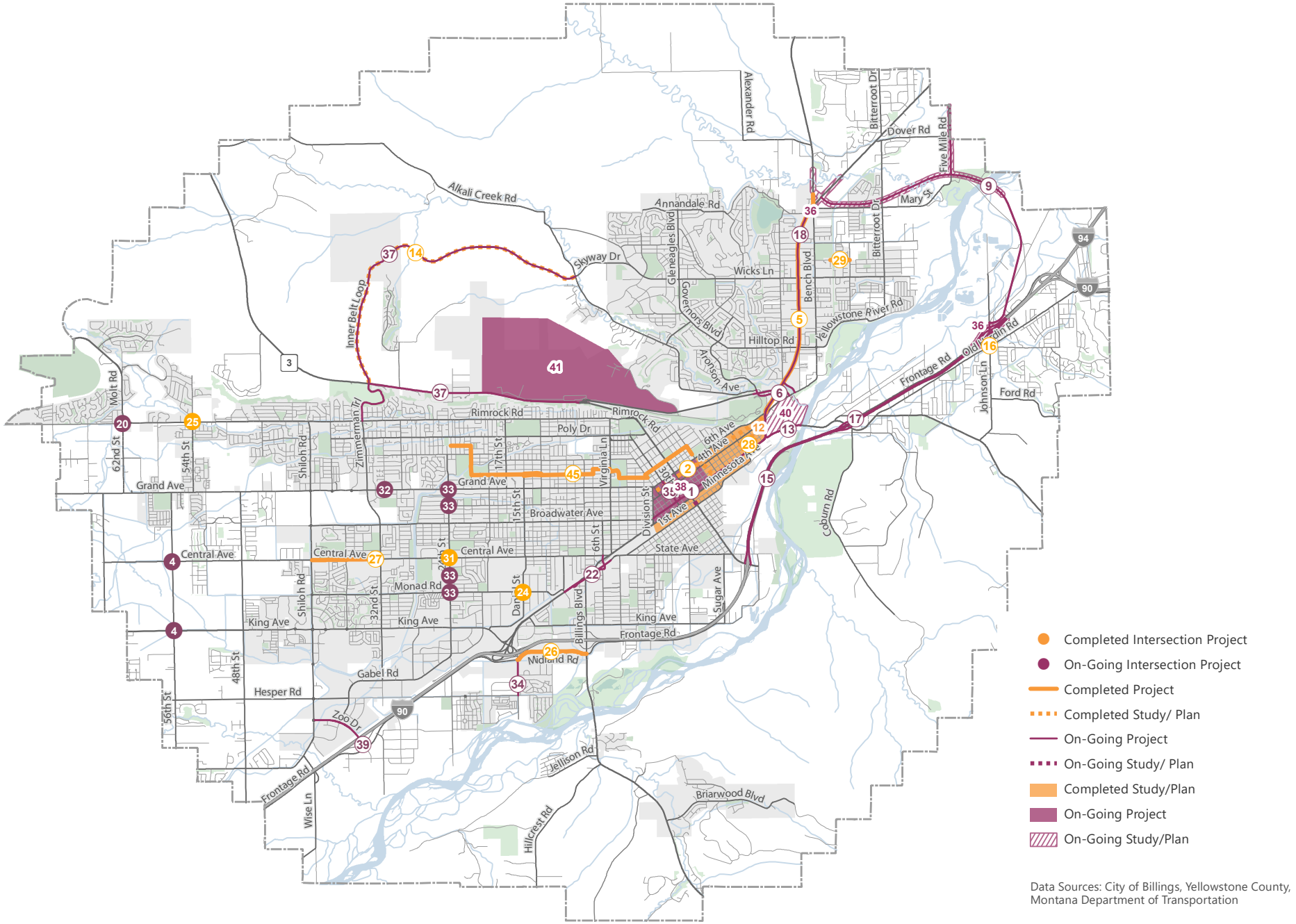
ONGOING & RECENTLY COMPLETED PLANS, PROJECTS, & STUDIES

To benchmark the work completed since the adoption of the 2018 LRTP, recently completed and on-going plans, studies, and projects were reviewed and the existing transportation network within the planning boundary was inventoried. These documents provide information regarding the roadway and active transportation networks, zoning and land use, deficiencies, and planned projects. Table 1 delineates these documents in alphabetical order, along with a brief description, while Figure 3 shows the locations of the planning, study, or project area. The number associated with each document indicates its location on the figure.

5 Billings-Yellowstone County Metropolitan Planning Organization. (August 2018). *2018 Billings Urban Area Public Participation Plan*. https://www.billingsmt.gov/DocumentCenter/View/37536/Public-Participation-Plan_final-08-30-2018

6 Billings-Yellowstone County Metropolitan Planning Organization. (October 2018). *2018 Billings Urban Area Long Range Transportation Plan*. https://www.billingsmt.gov/DocumentCenter/View/45535/Final-Billings-Urban-Area-LRTP-Update-Oct-2020_Low-1

FIGURE 3. ONGOING & RECENTLY COMPLETED PLANS, PROJECTS & STUDIES



Data Sources: City of Billings, Yellowstone County, Montana Department of Transportation

TABLE 1. RECENTLY COMPLETED AND ON-GOING PLANS, STUDIES, AND PROJECTS

#	DOCUMENT	YEAR / STATUS	DESCRIPTION
1	1st Ave N Design	On-Going	On-going MDT project to reconstruct 1st Ave N from Division St to N 9th St, with sidewalk upgrades and ADA pedestrian ramps, storm water management, vehicular parking, and lighting modifications. ROW acquisition is planned for 2023-2024 and the construction timeline will be determined.
31	24th St W and Central Ave Signal	2022	Installation of a southbound turn lane and signal improvements at 24th St W and Central Ave.
33	24th St W Signal Improvements	2023	Signal improvements along 24th St W at the Grand, Lewis, Mall, and Monad Intersections.
3	27th St Railroad Crossing Study	On-Going	This project is analyzing alternatives to remove and mitigate conflicts at the 27th St at-grade railroad crossing.
35	29th St and 30th St Traffic Improvements	2022	N 30th St (between Montana Ave and 6th Ave): This project implemented a two-way traffic restoration, with back-in angle parking conversion and sharrows. N 29th St (between Montana Ave and 6th Ave): This project implemented a two-way traffic restoration, with back-in angle parking conversion.
4	56th St Roundabouts: King Ave and Central Ave	2022	Construction of single lane roundabouts at King Ave and 56th Street W and Central Ave and 56th St W.
2	5th Ave N Corridor Feasibility Study	2021	Feasibility study for re-development of 5th Ave N railroad spur into a multimodal corridor. Provides potential corridor recommendations and the next step is a conceptual design for both the western and eastern segments.
6	Airport Rd and Main St Intersection Design	On-Going	Capacity and safety improvements to the Airport Rd and Main St intersection. Conceptual layout has been approved, and design is currently underway.
41	Airport Terminal Expansion Project	On-Going	The Terminal Expansion Project is necessary to support current needs and future growth potential of Billings Logan International Airport operations, City of Billings residents and the outlying communities served by our air service. Planning and design began in 2018, with progression into construction starting in 2019 and continuing today. The construction portion of this project was anticipated to extend for three years, and the project is roughly halfway complete at the start of 2022. The project is divided into phases to minimize the impact to business and operations during construction and is currently in Phase III.
42	Billings Area Public Transit Survey	2020	To gather feedback on transit service improvement priorities, as well as to understand whether Billings and Yellowstone County resident support additional levies to support transit, MET Transit conducted a public survey between 2019 – 2020.
8	Billings Bike and Scooter Share Feasibility Study	2021	To understand how shared micromobility could be implemented in Billings, the Billings Bike & Scooter Share Feasibility Study was completed to determine if and how a bicycle or scooter share system would operate.

#	DOCUMENT	YEAR / STATUS	DESCRIPTION
36	Billings Bypass Corridor Study	2023	The Billings Bypass Corridor Study evaluated the proposed alignment that ultimately connected Lockwood and the Heights. This corridor study was a step toward thoughtful planning in anticipation of the new Billings Bypass corridor and related development. The study addressed future access options as development occurred along the roadway, potential intersections, stormwater and utility management, bicycle and pedestrian access, and transportation safety along the corridor.
9	Billings Bypass Final Design	On-Going	The Billings Bypass is a multi-phase MDT project that will connect the Johnson Ln/I-90 Interchange to the Heights neighborhood via a new roadway and Yellowstone River Crossing. The initial phase of the project (Five Mile Rd and the Yellowstone River Bridge) has been constructed. The tentative completion date for all portions of the project is 2025.
10	Billings Community Transportation Safety Plan (CTSP) Update	2022	The CTSP presents local crash data analysis to identify effective strategies for reducing crashes and mitigating risk in the city of Billings and Yellowstone County. The 2022 update to the CTSP focuses on a collaborative approach towards reaching the goal of a reduction in fatalities and serious injuries by 20% over the rolling five-year period.
11	Billings Complete Streets Report	2020	Report that examines progress made since the Complete Streets Policy was adopted in 2011. Updated every three years.
12	Billings Downtown Traffic Study	2019	Study that developed and evaluated six alternatives for the downtown transportation network, including road reallocations, one-way to two-way conversions, and road closures.
12	Billings Downtown Traffic Study Alternative Prioritization and Public Preference	2021	Study that focused on public outreach effort for the six alternatives presented in the Billings Downtown Traffic Study.
27	Central Ave Widening	2019	Construction project to improve the streetscape on Central Ave between 32nd St and Shiloh Rd while widening the roadway from two to five lanes. Roundabouts at 38th St and 36th St were constructed.
38	Downtown 2-Way Street Conversion	On-Going	The City of Billings is currently converting one-way streets in downtown to two-way. 29th Street and 30th Street were recently converted and the City has begun the design process to convert additional streets to two-way.
28	EBURD Reconstruct	2018	Construction project to improve streetscape on 2nd Ave and 3rd Ave, between N 13th St to N 10th St, including sidewalks. This project was identified in the 2018 LRTP.
13	Exposition Dr & 1st Ave N Intersection Design	On-Going	Capacity improvements at 1st Ave N and Main St and 4th Ave N and Main St. Includes extensive pathway improvements and coordination with MetraPark. Design is underway.
43	FY22/23 Billings Area Transportation Coordination Plan (TCP)	2022	As required by MDT and federal regulations, the TCP provides an overview of the structure and practices of the Billings Area Public Transportation Coordination Group and Technical Advisory Committee along with a summary of current and anticipated coordination efforts in the Billings, MT area including prioritized projects for the current funding cycle.

#	DOCUMENT	YEAR / STATUS	DESCRIPTION
32	Grand Ave and 32nd St W Signal	2023	Signal construction at Grand Ave and 32nd St W Signal.
14	Inner Belt Loop Corridor Study	2020	This new, 6-mile roadway will connect the Heights and west Billings neighborhoods, constructed with a Better Utilizing Investments to Leverage Development (BUILD) transportation grant. The project will also feature a new multi-use pathway. This study examined the access, land use, landscape, and utilities of the corridor.
15	Interstate 90 Yellowstone River Project	On-Going	This project is widening I-90 from two to three lanes between the Lockwood interchange to the 27th St interchange. It also includes lighting, signage, and ramp upgrades.
16	Johnson Ln Signal Retiming	2019	Retiming signals along Johnson Ln to align with the Billings Bypass Project.
29	Kyhl Ln Improvements	2019	Between Billings Bench Water Association (BBWA) and Hawthorne Ln, Kyhl Ln has had sidewalk and pathway improvements completed. This project was identified in the 2018 LRTP.
17	Lockwood Interchange Reconstruction	On-Going	Reconstruction of the Lockwood interchange to a diverging diamond interchange, in addition to the widening of I-90 from two to three lanes between the Lockwood interchange and the Johnson Ln interchange. The design phase of the project will occur from 2020 through 2023, with construction anticipated in 2024.
18	Main St Billings Improvement Project	2022	The project includes a mill and overlay of the asphalt roadway in addition to guardrail, signing and pavement markings, medians, storm drain, and Americans with Disabilities Act (ADA) (improvements. Construction is on-going and anticipated to be completed by Fall 2022.
5	Main St Timing	2019	Retiming signals along Main Street between 1st Avenue N and US 87.
19	MET Transit – Transit Development Plan	2022	Updated every five years, the TDP documents existing conditions, collects public feedback on services, and identifies improvements for MET to endeavor towards in the coming years.
40	MetraPark Master Plan	On-Going	MetraPark will mark 50 years of serving Yellowstone County in 2025. In anticipation of this milestone, the MetraPark Advisory Board and MetraPark leadership began a process in early 2020 to develop a new Master Plan for MetraPark. The Master Planning process is designed to reimagine the complete 189-acre campus, adding new facilities and amenities, improving upon the assets already in place, and creating a world-class experience that sets MetraPark apart as a unique destination and tourism magnet for the region.
26	Midland Rd Streetscape Improvements	2018	Construction project to improve the streetscape on Midland Road between S Billings Blvd and Mullowney Ln, including sidewalks, curb and gutter, and widening from two to three lanes. This project was identified in the 2018 LRTP.
24	Monad Rd and Daniel St Traffic Signal	2019	Traffic signal construction at Monad Rd and Daniel St. This project was identified in the 2018 LRTP.
34	Mullowney Ln Improvements	On-Going	Reconstruction of Mullowney Ln from Midland Rd to Elysian Rd.

#	DOCUMENT	YEAR / STATUS	DESCRIPTION
37	Northwest Billings Connector and Skyline Trail BUILD Grant	On-Going	The City of Billings was awarded a FY20 BUILD Transportation Grant in September of 2020. The project consists of completing the construction of the Northwest Billings Connector (Inner Belt Loop) from Skyway Dr and Alkali Creek to Highway 3 and the Skyline Trail from the existing multi-use path on the west side of 27th St pedestrian underpass west to Zimmerman Trail.
44	Public Transit Agency Safety Plan	2020	This annually reviewed and updated plan outlines operational needs, updated regulations, safety goals, employee and public feedback, and other recent safety findings.
20	Rimrock Rd & 62nd St W Intersection	On-Going	Construction of a single-lane roundabout at Rimrock Rd and 62nd St, with an anticipated construction starting in 2023.
25	Rimrock Rd & 54th St W Traffic Signal	2019	Traffic signal construction at Rimrock Rd and 54th St. This project was identified in the 2018 LRTP.
21	Safe Routes to School Plan Update	2022	Completed in July 2022, the Safe Routes to School Plan Update is a comprehensive analysis of the existing barriers that prevent kids from walking and bicycling to school, coupled with systemic safety treatments to mitigate and remove the barriers. The Billings MPO conducted significant outreach with school administrators, planning partners, parents, and children to understand the challenges that exist and how to address them through policy, programs, and projects.
22	Underpass Ave	On-Going	Reconstruction of intersections to add new traffic signals, storm drain, lighting, and pedestrian facilities along Underpass Ave, with construction anticipated in 2023.
23	Wayfinding Signage Plan	2020	This plan outlines the City of Billings' approach to implement wayfinding signage throughout the planning area.
39	Zoo Dr Improvements	On-Going	MDT is designing improvements for Zoo Drive between Shiloh Road and S Frontage Road. The improvements include adding a second through lane in each direction on Zoo Drive, turn lane improvements, and signal enhancements.
45	Neighborhood Bikeways	2022	The City of Billings established its first Neighborhood Bikeway that stretches from the North Park area to Rose Park and Lyman Avenue. The Neighborhood Bikeway is designated by signs and markers along the route.

Source: Billings-Yellowstone County Metropolitan Planning Organization, MDT, City of Billings, MET Transit, Yellowstone County

02 WHAT IS IMPORTANT TO THE BILLINGS PLANNING AREA?

This chapter describes the goals, objectives, performance measures, and targets that will be used to measure the Billings MPO's success in developing a transportation system that 1) improves safety and aligns with federal requirements and 2) addresses community safety issues and needs. The establishment of these goals and objectives is to foster accountability, encourage measurement of progress, and create actionable steps for the MPO to take to improve transportation in the Billings planning area. The targets to which the Billings MPO area plans adhere are presented in this chapter, followed by specific Billings planning area goals, objectives, and performance measures created by the MPO. Together, these metrics ensure the Billings planning area establishes a transportation system that both meets federal and state criteria and reflects the unique needs and desires of the community it serves.

Federal & State Targets

As discussed in the Federal Requirements section of the Introduction, federal code requires MPOs shall develop long-range transportation plans through a performance-driven, outcome-based approach to planning for metropolitan areas of the State. Over the years, this has grown to include the reporting on for various performance metrics to assess the performance of the transportation system. The Montana Department of Transportation (MDT) has implemented these national performance measures with exceptions made based on Montana's urban population sizes and lack of public transportation rail assets.

ADOPTED STATEWIDE TARGETS

Adopted state performance measure targets are summarized in the following sections. As of September 9th, 2020, the MPO has formally agreed to support the statewide targets.[7] MDT has implemented the five required performance measures with the following exceptions:

- Per 23 CFR 490.703, MDT is not required to implement the *Annual Hours of Peak Hour Excessive Delay Per Capita* Measure or the *Percent of Non-SOV Travel* Measure because the state of Montana lacks urban areas with populations exceeding 1 million.[8]

Key Terms

GOAL

Intended downstream outcomes of accomplishing the proposed objectives.

OBJECTIVE

Desired outcome or action that aligns with overall goal.

PERFORMANCE MEASURE

Meaning an expression based on a metric that is used to establish targets and to assess progress toward achieving the established targets.

PERFORMANCE TARGET

A quantified and measurable data point that benchmarks progress for a performance measure.

7 Scott Walker. (September 9th, 2020). *Email Correspondence: Mid-Term Performance Reporting*. Billings-Yellowstone Metropolitan Planning Organization.

8 United States of America. (ND.). *Code of Federal Regulations, Title 23 Part 490 Subpart G 703*. https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-490

- The *Percent of the Interstate System Where Peak Hour Travel Times Meet Expectations* and *Percent of the Non-Interstate National Highway System (NHS) Where Peak Hour Travel Times Meet Expectations* measures are not applicable to Montana.
- The performance measure for rail fixed guideway, track, signals, and systems is not applicable because the state lacks rail fixed guideway public transportation assets.

MDT, along with the Federal Highway Administration (FHWA) published the performance reporting for these measures utilizing 2020 data during the LRTP development, which informed the development of the 2022/2023 targets delineated in the following sections.

Safety

Safety performance measure targets are based on a rolling 5-year average and updated annually. Table 2 delineates the safety performance targets. Montana met or made significant progress on all safety performance measure targets in 2020.

TABLE 2. SAFETY PERFORMANCE TARGETS

PERFORMANCE MEASURE	2019 TARGET 5-YEAR AVERAGE	2020 PROGRESS	2023 TARGET 5-YEAR AVERAGE
Number of Fatalities	187.4	212	223.2
Fatality Rate	1.462	1.753	1.693
Number of Serious Injuries	892.8	730	715.6
Serious Injury Rate	6.968	6.037	5.593
Number of Combined Non-Motorized Fatalities and Non-Motorized Serious Injuries	73.2	59	61.9

Source: Montana Department of Transportation[9], Federal Highway Administration[10]

Pavement & Bridge Condition

To ensure the efficient operation of the NHS, pavement and bridge conditions are monitored. Table 3 presents the pavement and bridge condition performance targets.

TABLE 3. NHS PAVEMENT & BRIDGE CONDITION PERFORMANCE TARGETS

PERFORMANCE MEASURE	2-YEAR TARGET	4-YEAR TARGET	2020 PROGRESS (MDT)
Interstate Pavement	50% = Good Condition	50% = Good Condition	51.7%= Good Condition
	2% = Poor Condition	2% = Poor Condition	0.3% = Poor Condition
Non-Interstate Pavement	40% = Good Condition	40% = Good Condition	41.0%% = Good Condition
	3% = Poor Condition	3% = Poor Condition	1.5% = Poor Condition
NHS Bridge Deck Area	16% = Good Condition	16% = Good Condition	20.7% = Good Condition
	9% = Poor Condition	9% = Poor Condition	5.8% = Poor Condition

Source: Federal Highway Administration[11]

9 Montana Department of Transportation. (May 2022). *2023 Safety Performance Targets.* https://www.mdt.mt.gov/visionzero/plans/docs/chsp/PerformanceMeasuresTargets-2023.pdf

10 Federal Highway Administration. (2020). *State Highway Safety Report – Montana.* Transportation Performance Management. https://www.fhwa.dot.gov/tpm/reporting/state/safety.cfm?state=Montana

11 Federal Highway Administration. (2020). *State Highway Infrastructure Report – Montana.* Transportation Performance Management. https://www.fhwa.dot.gov/tpm/reporting/state/condition.cfm?state=Montana

Travel Time Reliability

To promote economic vitality, travel time reliability (TTR) is monitored. Table 4 shows the TTR performance targets.

TABLE 4. TRAVEL TIME RELIABILITY PERFORMANCE TARGETS

PERFORMANCE MEASURE	2-YEAR TARGET	4-YEAR TARGET	2022 PROGRESS (MDT)
Interstate Travel Time Reliability (TTR) (% Reliable Person Miles)	98%	98%	99.7%
Non-Interstate NHS TTR (% Reliable Person Miles)	n/a	80%	88.0%
Interstate Truck TTR (TTTR) (Truck Travel Time Reliability Index)	1.30	1.30	1.22

Source: Federal Highway Administration[12]

Emissions

As an important aspect of the Congestion Mitigation Air Quality (CMAQ) Program, On-Road Emissions Sources including carbon dioxide (CO), particulate matter 10 (PM10), and particulate matter 2.5 (PM2.5) are monitored. Table 5 delineates emissions performance targets.

TABLE 5. EMISSIONS PERFORMANCE TARGETS

PERFORMANCE MEASURE	2-YEAR AND 4-YEAR TARGET	2019 PROGRESS (MDT)
CO Emissions	>0 kg/day	105.391 ppm
PM10 Emissions	>0 kg/day	1.174 ppm
PM2.5 Emissions	>0 kg/day	0.843 ppm

Source: Federal Highway Administration[13]

Transit Asset Management

The Federal Transit Administration (FTA) requires federally funded public transportation providers to develop and implement transit asset management (TAM) plans with asset inventories, condition assessments of inventoried assets, and a prioritized list of investments to improve the state of good repair of their capital assets. The final rule (effective as of October 1, 2016) also established "state of good repair" (SGR) standards and four associated performance measures including:

- The percentage of non-revenue, support-service, and maintenance vehicles that have either met or exceeded their useful life benchmark (ULB);
- The percentage of rolling stock vehicles that have either met or exceeded their ULB;
- The percentage of track segments with performance restrictions for rail fixed guideway, track, signals, and systems; and
- The percentage of facilities rated below condition 3 on the Transit Economic Requirements Model (TERM) scale.

MET Transit completed its first Transit Asset Management (TAM) Plan in 2019 and has updated the TAM Plan in 2023.[14] This plan includes a summary of the current state of MET Transit assets and is intended to be used as a tool supporting state of good repair. The performance targets and measures set by the MET Transit Fiscal Year 2023 TAM Plan are shown in Table 6.

12 Federal Highway Administration. (2020). *State Highway Reliability Report – Montana.* Transportation Performance Management. https://www.fhwa.dot.gov/tpm/reporting/state/reliability.cfm?state=Montana

13 Federal Highway Administration. (2020). *State On-Road Mobile Source Emissions Reductions Report – Montana*. Transportation Performance Management. https://www.fhwa.dot.gov/tpm/reporting/state/emissions.cfm?state=Montana

14 MET Transit. (January 2023). City of Billings MET Transit – Transit Asset Management Plan. https://www.billingsmt.gov/DocumentCenter/View/48607/FY23-Transit-Asset-Management-Plan

TABLE 6. TRANSIT PERFORMANCE TARGETS

ASSET CATEGORY – PERFORMANCE MEASURES	ASSET CLASS	TARGETS 2024	2025	2026	2027	2028
Revenue Vehicles						
Age - % of Revenue Vehicles within a Particular Asset Class that have Met or Exceeded their ULB	BU – Bus	0%	16%	12%	8%	4%
	CU – Cutaway Bus	27%	7%	7%	20%	7%
Equipment						
Age - % of Vehicles that have Met or Exceeded their ULB	Non-Revenue / Service Automobile	25%	25%	25%	0%	0%
	Trucks and other Rubber Tire Vehicles	100%	100%	100%	50%	50%
	Facility Maintenance Vehicle	43%	29%	29%	29%	29%
Facilities						
Condition - % of Facilities with a Condition Rating Below 3.0 on the FTA TERM Scale	Passenger Facilities	0%	0%	0%	0%	0%
	Administration and Maintenance	0%	0%	0%	0%	0%

Vision, Goals, Objectives, & Performance Measures



VISION

Support a livable and economically vibrant community through a safer and more equitable multimodal transportation system.



WHAT IS A LIVABLE COMMUNITY?

A livable community is an innovative, equitable, and inclusive place that fosters connection and celebrates diversity.



Through this, a livable community provides a mix of transportation, housing, employment opportunities, and land uses interspersed in a clean and green landscape. Livable communities are safe, secure, and affordable for residents of all ages, abilities, and backgrounds.

In addition to the federal performance measures detailed above, the MPO created the following goals, objectives, and performance measures tailored specifically to the Billings planning area. The goals established by the MPO are designed to align with federal and state programs and plans to ensure a consistent and unified approach to transportation planning and programming, while also reflecting community needs and safety issues. Both focus on a long-term vision for a safe, efficient, and sustainable transportation system. The MPO's goals reflect the Billings community public stakeholder feedback, as well as align with other adopted plans within the Billings planning area.



Safety – Develop a safer transportation system for all users.



Resiliency – Optimize, preserve, and enhance the existing transportation system to adapt with climate change, protect the natural environment, and promote a healthy and sustainable community.



Mobility – Create a transportation system that supports the use of transit, walking, bicycling, rolling, shared mobility, and vehicles



Equity & Accessibility – Address the needs of transportation-disadvantaged populations[15] through the provision of affordable, accessible, and reliable travel options.



Economic Vitality – Provide transportation facilities to support the local economy and connect the Billings planning area to local, regional, and national commerce.

Table 7 summarizes the 2023 LRTP goals, objectives, and performance measures. Additionally, the associated Federal Planning Factors are detailed for each objective. Table 8 shows how the adopted state targets intersect with the LRTP goals established by the MPO.

The Federal Planning Factors are outlined in 23 CFR Part 450, and guide the metropolitan transportation planning process. They include:

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 accessibility and mobility of people and 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.

15 Transportation Disadvantaged Populations include persons with disabilities, older adults, and people experiencing poverty (FTA, 2013), and additionally people under age 18 and zero vehicle households, among others.
Federal Transit Administration. (February 2013). *Transportation Needs of Disadvantaged Populations: Where, When, and How?*. FTA Report No. 0030. https://www.transit.dot.gov/sites/fta.dot.gov/files/FTA_Report_No._0030.pdf

TABLE 7. LRTP GOALS, OBJECTIVES, & PERFORMANCE MEASURES

2023 LRTP GOAL	OBJECTIVE	PERFORMANCE MEASURE(S)	DATA SOURCE	RELATED FEDERAL PLANNING FACTORS	SUPPORTIVE PLAN / POLICY
 Safety	Reduce the rolling five-year average number of fatal and serious injury crashes by 20% by the end of 2024 to 47. (CTSP Objective) Reduce the rolling five-year average number of fatal and serious injury crashes by 35% between 2023 – 2027 (by the end of 2027).	Fatal and serious injury crashes	MDT / City of Billings	1, 2, 3, 4, 6, 7, 8, 9, 10	Billings Community Transportation Safety Plan; Safe Routes to School Plan Update 2022; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
	Reduce the rolling five-year average rate of fatal crashes and serious injury crashes per 100 million vehicle miles traveled by 20% between 2023 and the end of 2027.	Fatal and serious injury crashes; Vehicle Miles Traveled	MDT / City of Billings		
	Reduce the rolling five-year average number of fatal crashes and serious injury crashes involving non-motorized modes by 20% between 2023 and the end of 2027.	Non-motorized fatal and serious injury crashes	MDT / City of Billings		

2023 LRTP GOAL	OBJECTIVE	PERFORMANCE MEASURE(S)	DATA SOURCE	RELATED FEDERAL PLANNING FACTORS	SUPPORTIVE PLAN / POLICY
	Shift commute mode share 15% to low-carbon travel modes (walking, bicycling, riding transit, carpooling) between 2023 and the end of 2027.	Mode share	MDT / City of Billings	2, 3, 4, 5, 6, 7, 8, 9	Bike & Trail Master Plan 2016; Billings Bike & Scooter Share Feasibility Study; Billings-Yellowstone Household Travel 2017; Complete Streets Progress Report 2020; Downtown Traffic Study 2021; Rims to Valley Non-Motorized Study 2016; West End Multi-Modal Transportation Study 2016; Montana Electric Vehicle Infrastructure Deployment Plan 2022; Safe Routes to School Plan Update 2022; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
 Resiliency	Increase Electric Vehicle Registrations 50% over 2022 levels by the end of 2027.	Vehicle registrations	MDT / Montana Department of Environmental Quality	7, 9	Montana Electric Vehicle Infrastructure Deployment Plan 2022
	Reduce overall vehicle miles traveled by 10% between 2023 and the end of 2027.	Vehicle miles traveled	MDT / City of Billings / Yellowstone County	2, 3, 4, 5, 6, 7, 8, 9	Billings-Yellowstone Household Travel 2017; Complete Streets Progress Report 2020; Safe Routes to School Plan Update 2022; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
	Convert transit vehicle fleet to zero-emission vehicles through new vehicle purchases beginning in 2024.	New transit fleet vehicles	MET Transit	7, 9	MET Transit Development Plan 2022
	Adopt a Green Infrastructure Policy by end of 2025.	Policy adoption	City of Billings / Yellowstone County	3, 5, 9	Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
	Update the regional emergency response plan at least once by end of 2025.	Regional emergency response plan	City of Billings / Yellowstone County	1, 3, 4, 6, 7, 8, 9, 10	Functional Classification Map; Corridor and Intersection Studies; Emergency Operations Plan; Multi-Jurisdictional Pre-Disaster Mitigation Plan Update

2023 LRTP GOAL	OBJECTIVE	PERFORMANCE MEASURE(S)	DATA SOURCE	RELATED FEDERAL PLANNING FACTORS	SUPPORTIVE PLAN / POLICY
Mobility	Increase annual transit ridership 10% between 2023 and the end of 2027.	Total annual ridership	MET Transit	2, 3, 4, 6, 10	MET Transit Development Plan 2022
	Decrease number of routes and increase headways (from 60 minutes to 30 minutes) on routes between 2023 and end of 2028, as outlined in the MET Transit Development Plan.	Number of routes, length of headways			
	Increase number of bikeway miles by 20% between year 2023 and the end of 2027.	Number of bikeway miles	City of Billings / Yellowstone County	2, 3, 4, 5, 6, 7, 10	Bike & Trail Master Plan 2016; Billings Bike & Scooter Share Feasibility 2021; Billings-Yellowstone Household Travel 2017; Complete Streets Progress Report 2020; Downtown Traffic Study 2021; Rims to Valley Non-Motorized Study 2016; West End Multi-Modal Transportation Study 2016; Safe Routes to School Plan Update 2022; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
	Increase number of shared-use trail miles by 20% between 2023 and the end of 2027.	Number of trail miles			
	Incorporate bicycle or pedestrian facilities on 95% of non-Interstate projects between 2023 and the end of 2027.	Number of projects with bicycle or pedestrian facilities incorporated			
	Increase bicycle and pedestrian volumes by 20% between 2023 and the end of 2027.	Number of bicyclists, number of pedestrians			
	Increase bicycle and pedestrian count locations by 20% between 2023 and the end of 2027.	Number of count locations			
	Reduce the number of intersections identified as operating at LOS E or worse during the peak hour in the 2018 LRTP by 10% between 2023 and the end of 2027.	Intersection level of service (LOS)		1, 3, 4, 6, 7, 8, 9, 10	Various Corridor and Intersection Studies

2023 LRTP GOAL	OBJECTIVE	PERFORMANCE MEASURE(S)	DATA SOURCE	RELATED FEDERAL PLANNING FACTORS	SUPPORTIVE PLAN / POLICY
 Equity & Accessibility	Develop an ADA Transition Plan to address deficient transportation infrastructure.	Plan creation	City of Billings / Yellowstone County / MDT	2, 3, 4, 5, 6	MDT ADA Transition Plan Update 2021; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
	Prioritize transportation investments in Transportation-Disadvantaged Population areas2.	Percent of TIP projects in Transportation-Disadvantaged Population areas			
	Adopt Pedestrian and Bicycle Detour Standards Policy for roadway closures to provide adequate walking, bicycling, and transit facilities during all roadway construction projects.	Adopt policy			
	Implement Safe Routes to School projects.	Number of SRTS projects implemented			Safe Routes to School Plan Update 2022; Billings / Yellowstone County Growth Policy 2016; Lockwood Growth Policy 2016
 Economic Vitality	Address gaps and deficiencies in emerging technology readiness.	Develop Electric Vehicle Infrastructure Plan	City of Billings / Yellowstone County / MDT	1, 5, 10	Billings Bike & Scooter Share Feasibility 2021; Montana Electric Vehicle Infrastructure Deployment Plan 2022
	Many other objectives included for other goals promote Economic Vitality, especially those listed for Safety and Mobility goals.				

TABLE 8. STATEWIDE TARGETS & LRTP GOALS

STATEWIDE TARGETS		LRTP GOALS				
		SAFETY	RESILIENCY	MOBILITY	EQUITY & ACCESSIBILITY	ECONOMIC VITALITY
Safety	Number of Fatalities	✓				
	Rate of Fatalities Per Vehicles Miles Traveled (VMT)	✓				
	Number of Serious Injuries	✓				
	Rate of Serious Injuries per VMT	✓				
	Number of Combined Non-Motorized Fatalities and Serious Injuries	✓				
Pavement and Bridge Condition	Percentage of Pavement on the Interstate System in Good Condition	✓	✓	✓		✓
	Percentage of Pavement on the Interstate System in Poor Condition	✓	✓	✓		✓
	Percentage of Pavement on the NHS (excluding the Interstate System) in Good Condition	✓	✓	✓		✓
	Percentage of Pavement on the NHS (excluding the Interstate System) in Poor Condition	✓	✓	✓		✓
	Percentage of NHS Bridges classified as in Good Condition	✓	✓	✓		✓
	Percentage of NHS Bridges classified as in Poor Condition	✓	✓	✓		✓
Travel Time Reliability	Percent of Reliable Person-Miles Traveled on the Interstate			✓		✓
	Percent of Reliable Person-Miles Traveled on the Non-Interstate NHS			✓		✓
	Percentage of Interstate System Mileage Providing for Reliable Truck Travel Time (Truck Travel Time Reliability Index)			✓		✓
Emissions	Total Emissions Reductions for Applicable Pollutants		✓		✓	
Transit Asset Management	Percentage Of Non-Revenue, Support-Service and Maintenance Vehicles that have Either Met or Exceeded Their Useful Life Benchmark (ULB)			✓	✓	✓
	Percentage Of Rolling Stock Vehicles that Have Either Met or Exceeded Their ULB			✓	✓	✓
	Percentage of Facilities Rated Below Condition 3 on the Transit Economic Requirements Model (TERM) Scale			✓	✓	✓

MONITORING PROGRESS

The MPO will continue to incorporate adopted statewide targets and MPO goals, objectives, and performance measures into the LRTP and discuss how the targets will be advanced and linked to investment priorities. The MPO will continue to coordinate with partner agencies for monitoring each performance measure, in particular with MDT to obtain routinely collected data from the agency about the condition of roadway pavement and bridges, safety performance, and the overall operation of the transportation system within the Billings planning area. This information will help the MPO identify and advance projects in the LRTP which support adopted statewide targets and MPO goals, objectives and performance measures.

To document the successes of the MPO and its partner agencies, as well as recognize areas that need increased attention, a 2018 LRTP Report Card was developed for the performance measures included in the 2018 LRTP. This information is available in Appendix A. To promote the practice of performance measurement and monitoring, a similar report card has been developed for the 2023 performance measures, and is available in Appendix B.



03 WHO WAS INVOLVED IN CREATING THE LRTP?

This chapter details the engagement that took place throughout the LRTP process. Public involvement and agency coordination is critical for plan development, acceptance, and adoption by the following groups:

- Policy Coordinating Committee (PCC), which is comprised of a representative from the Yellowstone County Planning Board, Yellowstone Board of County Commissioners, City Council, and Montana Department of Transportation
- Federal Highway Administration (FHWA)
- Montana Department of Transportation (MDT)
- City of Billings
- Yellowstone Board of County Commissioners
- Yellowstone County Planning Board (YCPB)

The Public Involvement Plan (PIP) for this LRTP was developed based on past public involvement efforts for the 2018 LRTP[16] and to be consistent with the public involvement elements of the YCPB 2018 Public Participation Plan[17] in conjunction with this LRTP, and the MDT 2018 Public Involvement Plan[18]. The PIP is available for reference in Appendix C.

A collaborative and context-appropriate public engagement process was employed in the development of the LRTP. The objectives of the engagement conducted for the 2023 LRTP include:

- Facilitate open communication regarding community desires, needs, and challenges.
- Meet the stakeholders and public where they're comfortable.
- Solicit relevant engagement through educational and informative messaging.

Public engagement was targeted during key points in the LRTP process, and stakeholder engagement occurred throughout the development of the plan to best coordinate with standing meetings and events. The following sections outline engagement and feedback received throughout the LRTP process. All public and stakeholder engagement materials are available in Appendix D.

Engagement Overview

The public and stakeholder engagement activities for plan development reflected a multi-faceted approach. The outreach methods were created to facilitate communication between the public and consultant team and gather insights and direction for plan development. These engagement methods are delineated in Table 9.

Thank You

Over 520 comments were received from the public to inform the development of the LRTP. This input is critical towards shaping a more livable Billings for the entire community!

16 Billings-Yellowstone Metropolitan Planning Organization. (October 2018). *Billings Urban Area Long Range Transportation Plan.* https://www.billingsmt.gov/DocumentCenter/View/45535/Final-Billings-Urban-Area-LRTP-Update-Oct-2020_Low-1

17 Billings-Yellowstone Metropolitan Planning Organization. (August 2018). *Public Participation Plan.* https://www.billingsmt.gov/DocumentCenter/View/37536/Public-Participation-Plan_final-08-30-2018

18 Montana Department of Transportation. (2018). *Public Involvement Plan.* https://www.mdt.mt.gov/publications/docs/manuals/pubinvhb.pdf

TABLE 9. PUBLIC & STAKEHOLDER ENGAGEMENT METHODS OVERVIEW

ENGAGEMENT METHOD	DESCRIPTION
Branding & Logo	A logo, color scheme and reporting templates were developed and implemented with this LRTP. These items established brand awareness and cohesiveness with plan materials through the development and adoption of the plan.
LRTP 2023 Website	The project website (provided at URL www.BillingsLRTP. com) was maintained by the consultant team and served as the primary, public, 24-hour source for information on the plan. The website included maps, purpose, public involvement contacts, agency involvement, project schedule, documents, meeting information, and a place for the public to provide input, comments, or questions to the team.
Media Coordination	Outreach was conducted to appropriate media outlets to disseminate information regarding information on the plan and advising the community of public involvement opportunities. Media releases were provided to local media outlets in October 2022 and March 2023 regarding the plan development.
Email Updates	The consultant team provided email updates to the MPO, which summarized the following: ■ Consultant work tasks associated with the LRTP, which included a summary of completed and on-going work tasks of the consultant's responsibility. ■ Action Items for MPO - Requests for guidance or materials review for the MPO from the consultant team ■ Upcoming Meetings - Location, date, and time for any upcoming meetings The goal of the updates was to keep a consistent line of communication between the MPO and the consultant team throughout the LRTP process. Additionally, the email updates were forwarded on to other agencies, committees, and elected officials to keep them apprised of the LRTP schedule.
Social Media	Social media content and graphics were developed and provided to the MPO and partner agencies to publish on their existing social media networks. This information was used to provide updates on the plan and to promote meetings and opportunities for online engagement.
Interactive Map Surveys	Between October – November 2022 and March – April 2023, interactive online maps were created to gather public and stakeholder input in a collaborative, crowdsourced manner. In the first round of engagement in Fall 2022, the interactive online map asked respondents to select areas where they have concerns or ideas to share, and categorize the comment by mode or type of concern. These comments influenced the identification of needs, deficiencies, and opportunities outlined in Chapter 6. In the second round of engagement in Spring 2023, the online interactive map was used to collect feedback on the Project List, outlined in Chapter 8. Stakeholder and public comments influenced the project prioritization for each project.

Steering Committee

Prior to kicking off the Plan, the MPO formed a Steering Committee (SC) that represented agencies within the Billings planning area to help guide the plan development. The SC served as the primary sounding board for the development of the plan. The SC's responsibilities included reviewing project deliverables, providing guidance to the consultant team, and promoting the plan development to the public. The SC included staff from:

- City of Billings Administration
- City of Billings City Council
- City of Billings Planning
- City of Billings Public Works
- Healthy By Design
- Lockwood Steering Committee
- MDT Billings District
- MDT Planning
- MET Transit
- Yellowstone County Commission
- Yellowstone County Planning Board
- Yellowstone County Public Works

The consultant team, with assistance from the MPO, scheduled and led ten SC meetings throughout the duration of the project. The goal of the SC meetings was to solicit feedback concerning the development of project deliverables and determine next steps for the consultant team. The consultant team provided materials to the SC, prior to the meeting, for review and comment. All meeting agendas and materials are included in Appendix E.

Stakeholder Engagement

Key stakeholders in the development of the LRTP include various community groups, special interest organizations, and public leaders. This section outlines how Billings planning area stakeholders were involved throughout the plan development process.

STAKEHOLDER MEETINGS

One-on-one meetings were held with various individuals and groups who have a key interest or stake in the LRTP. The purpose of these meetings included:

- Introduce the planning process and components, the LRTP purpose, and the planning timeline.
- Identify existing transportation deficiencies, needs, and opportunities that should be addressed with the plan.
- Gather input on the proposed projects included in the plan.

Throughout the planning process, the consultant team met with the following stakeholders:

- Bicycle & Pedestrian Advisory Committee
- Bike Walk Montana
- Healthy By Design
- Joint All-Task Force
- Living Independently for Today & Tomorrow (LIFTT)
- Lockwood Pedestrian Safety District
- Lockwood Steering Committee
- Pioneer Park Task Force
- Southside Task Force
- Healthy by Design
- Billings Industrial Revitalization District (BIRD)
- Midtown Community Collaborative

ELECTED OFFICIALS WORKSHOPS

To facilitate broader understanding of the long-range planning process among elected officials, the consultant team conducted two workshops during the planning process, in October 2022 and April 2023. Both workshops coincided with the public open houses described in the following section, to provide an additional opportunity for elected officials to interact with the consultant team and provide comments.

Elected Officials Workshop #1

- Held in October 4th, 2022 at the Billings Public Library.
- Topics included the plan development process, an overview of existing conditions, and a discussion of regional priorities regarding transportation, land use, and growth.
- Elected officials from the City of Billings Council, Yellowstone County Commission, Lockwood Steering Committee, Yellowstone County Public Works, Billings MET Transit, and the Billings-Yellowstone County MPO attended the workshop.

Elected Officials Workshop #2

- Held in April 5th, 2023 at the Billings Public Library.
- Topics included the plan development and adoption process, public and stakeholder outreach, and a discussion of the project list.
- Elected officials from the City of Billings Council, Yellowstone County Commission, Lockwood Steering Committee, Yellowstone County Public Works, Billings MET Transit, City of Billings Public Works, the Billings-Yellowstone County MPO, and Riverstone Health / Healthy by Design attended the workshop.

Public Engagement

Public input and involvement is crucial towards the development of a relevant, comprehensive, and federally-compliant LRTP. This section outlines how and when public input influenced the direction of the 2023 LRTP.

PUBLIC OPEN HOUSE #1

The first public open house was held on October 6th, 2023 from 5:00 pm to 6:30 pm at the Billings Public Library in the Community Room. There were 20 attendees who signed in at the front desk. Media coverage leading up to this public open house included Q2, KSVI/yourbigsky.com, and Northern News Network. The discussion at this open house included an update for the community on progress since the last LRTP. Present and existing conditions were also discussed. Feedback on transportation challenges and needs was gathered using laptops with an interactive map that collected comments and was available for two weeks following the public open house on the project website.

While active, the interactive, online map collected 278 comments, organized by self-selected category. These categories, and the number of comments received in each category, are depicted in Figure 4. Additionally, Figure 5 displays the location of each comment received. The feedback provided by the public through the open house and online comment map were crucial towards developing the needs, deficiencies, and opportunities discussed in Chapter 6, which formed the basis for the project list discussed in Chapter 8.



FIGURE 4. PUBLIC OPEN HOUSE #1 COMMENTS BY CATEGORY

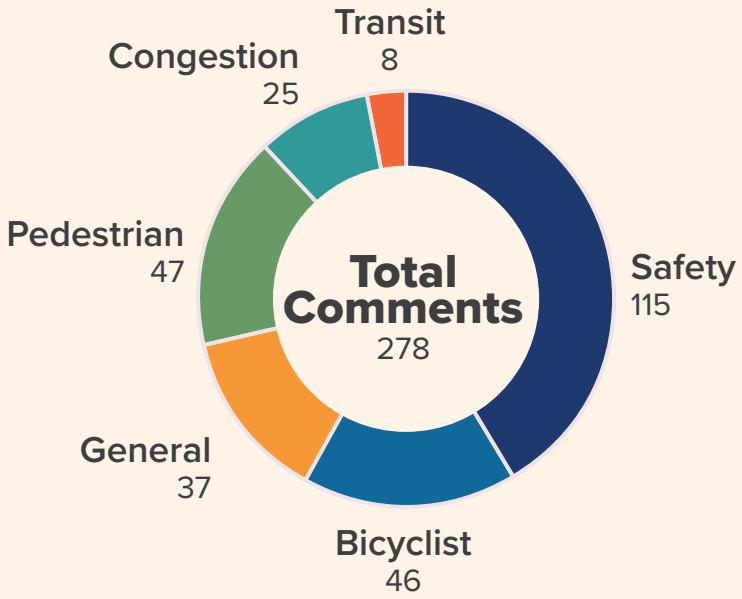
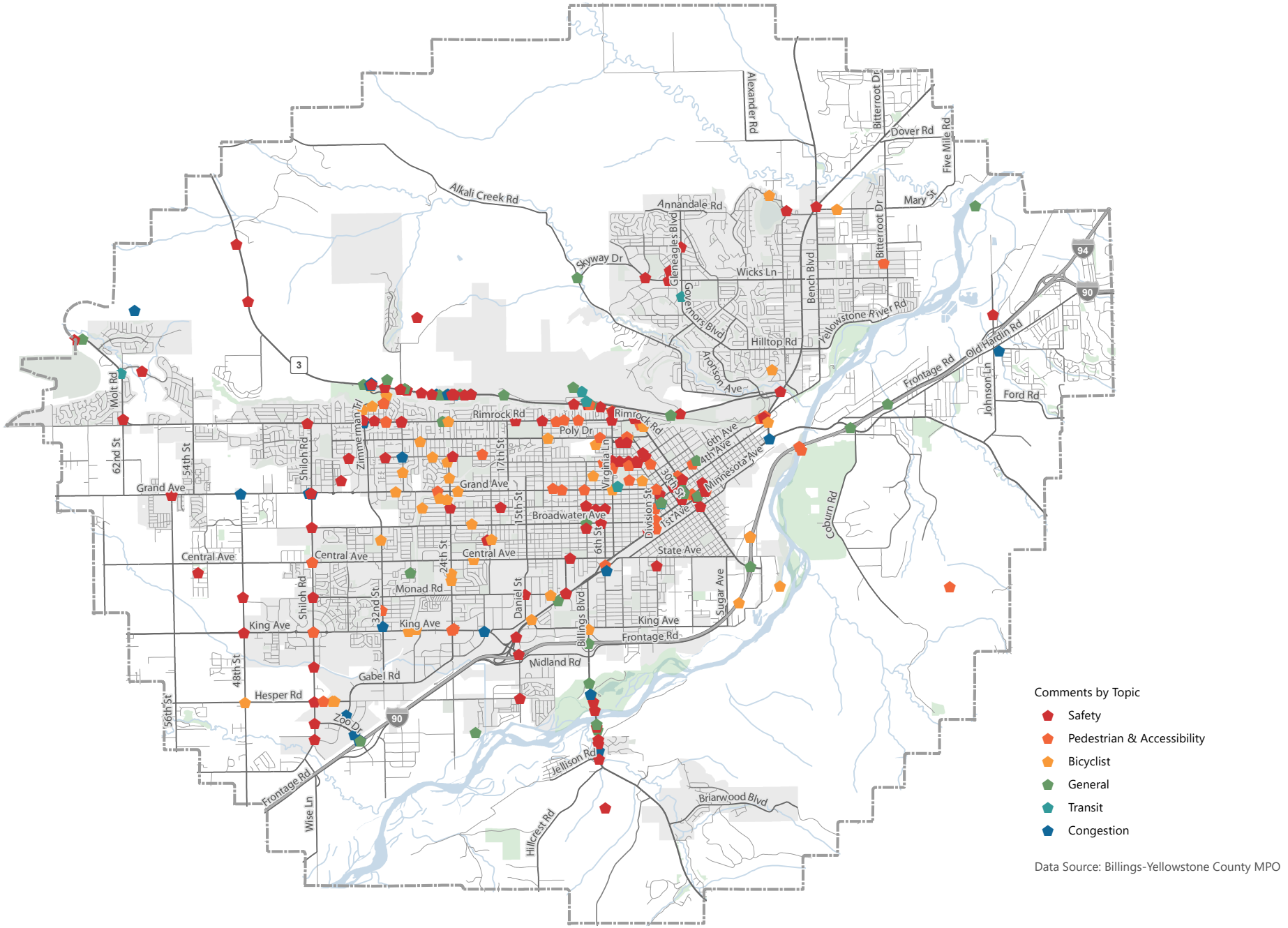


FIGURE 5. PHASE 1 PUBLIC & STAKEHOLDER COMMENTS



Comments by Topic

- Safety
- Pedestrian & Accessibility
- Bicyclist
- General
- Transit
- Congestion

Data Source: Billings-Yellowstone County MPO

PUBLIC OPEN HOUSE #2

The second public open house was held on April 5th, 2023 from 5:00 pm to 6:30 pm at the Billings Public Library in the Community Room. There were 10 attendees who signed in at the front desk. Media coverage leading up to this public open house included YPR and the Billings Gazette. The discussion at this open house included an update for the community on progress since public open house #1. Future conditions, the identified needs, deficiencies, and opportunities, and the project list were also discussed. Feedback on the project list was gathered using laptops with an interactive map that collected comments, with the ability to "Like" another comment and respond to it. The online, interactive map was available for two weeks prior to the public open house and two weeks following the public open house on the project website.

While active, the interactive, online map collected 243 comments with 332 likes on the projects. Figure 6 displays the location of each comment received. The feedback provided by the public through the open house and online comment map were crucial towards refining and finalizing the prioritization of the project list, as discussed in Chapter 8.

FIGURE 6. PUBLIC OPEN HOUSE #2 COMMENTS BY CATEGORY

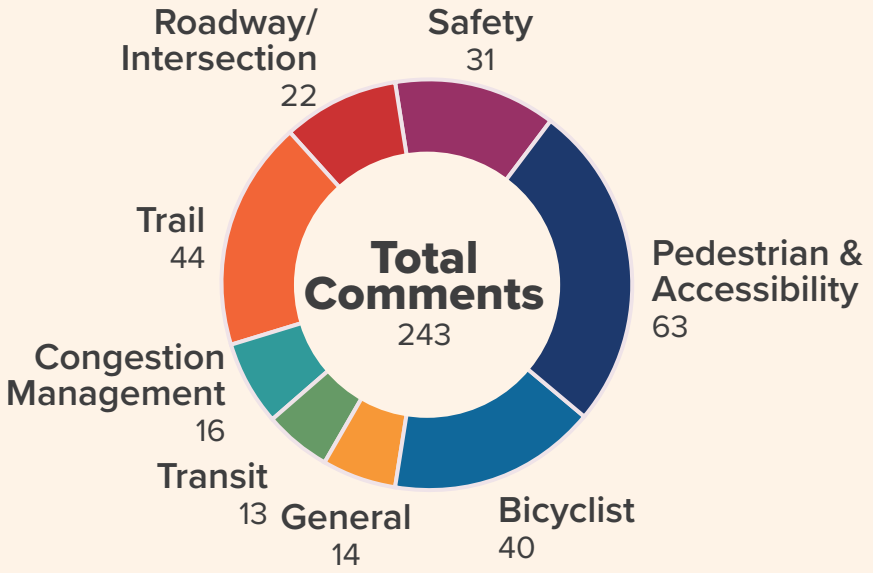
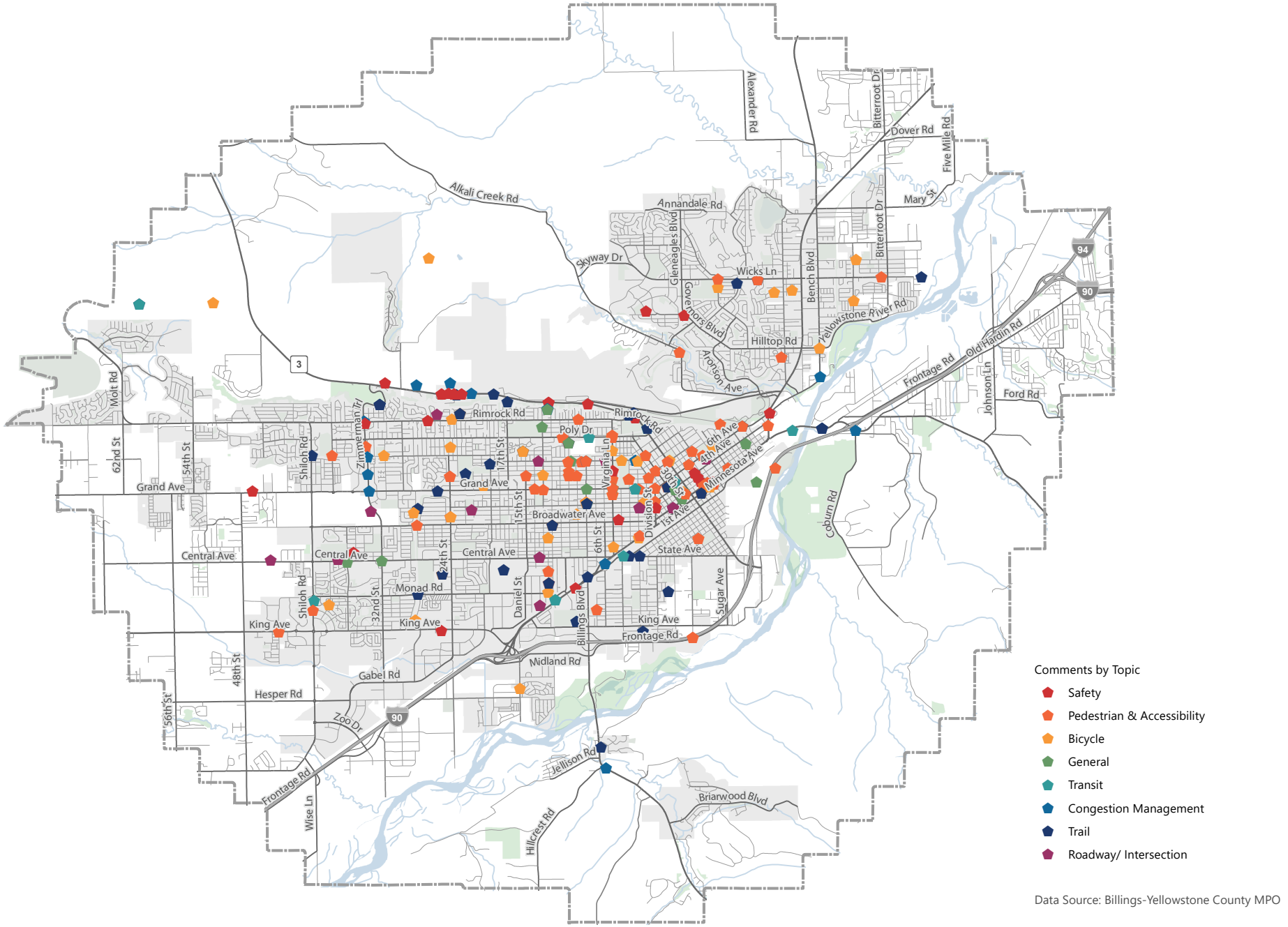


FIGURE 7. PHASE 2 PUBLIC & STAKEHOLDER COMMENTS

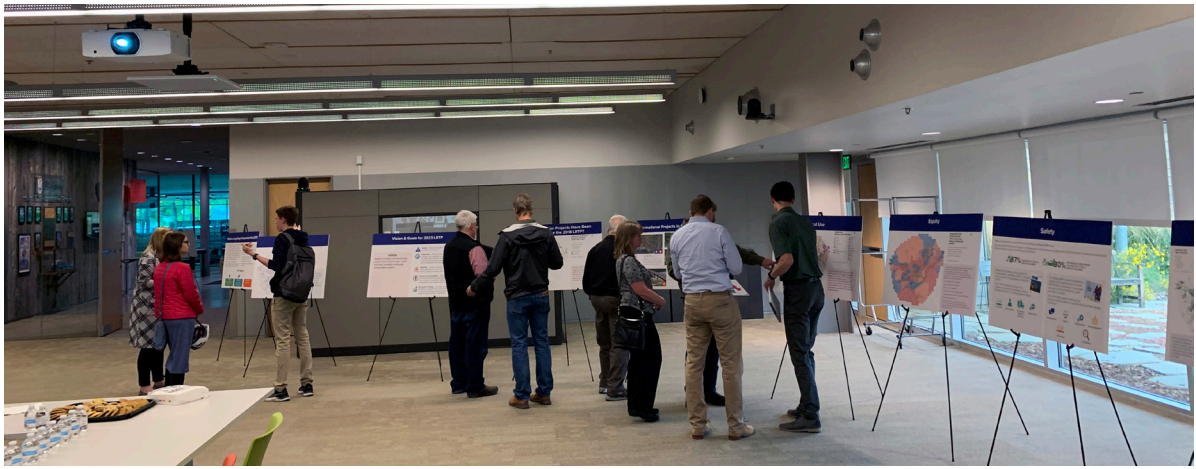


Plan Review & Approval

THIS SECTION TO BE UPDATED FOLLOWING PLAN ADOPTION IN JULY 2023.







04 WHAT IS THE TRANSPORTATION SYSTEM LIKE TODAY?

Billings is located in Yellowstone County and is the largest city in Montana by population. Due to its location in south-central Montana, near Wyoming and the Dakotas, Billings has developed as an important economic, cultural, educational, and transportation urban center for the entire region. Transportation is a vital element to the residents and businesses of Billings and connects commerce via road, rail (freight), and air. The region's transportation infrastructure is robust and includes streets, highways, Interstate, rail, transit, sidewalks, bicycle facilities, trails, and an airport. This chapter details the existing conditions of these system elements, to identify needs and deficiencies that are further discussed in Chapter 6.

Community & Land Use

Understanding the current land use patterns and opportunities envisioned for growth is a critical part to developing a long range transportation plan. Through this understanding, the transportation system and land use vision can be integrated to effectively match future infrastructure and system management projects with the desires of the community. Relevant documents to land use and growth in the Billings planning area include:

- Billings Urban Area Long Range Transportation Plan (2018)
- City of Billings Growth Policy (2016)
- Lockwood Growth Policy (2016)

ZONING

The Billings planning area encompasses approximately 151.2 square miles and includes the City of Billings (44.9 square miles) and Lockwood, as well as a planning area extending 4.5 miles outside of the city limits and into Yellowstone County. Figure 8 shows the existing zoning map and key destinations within the planning area. Since the 2018 LRTP, the City of Billings and Yellowstone County have modified their zoning ordinances to include several types of mixed use zoning, including:

- Corridor Mixed Use and Commercial Centers
- Neighborhood Mixed Use
- Mixed Residential (varying between 3 – 8+ units per structure)

The relationships between land-use development and the effects on generating travel demand are well-defined. Established land uses in the planning area have influenced the travel patterns that exist today. Understanding the relationship between the distribution of population/housing and the resulting regional travel patterns is key to projecting future transportation demand, which is discussed in Chapter 5.

POPULATION & HOUSEHOLDS

Yellowstone County has the highest population of any county in Montana with a reported 2020 population of 160,390 persons, an increase of 8% over the 2010 population (147,972).[19] Billings remains the largest city in Montana with a 2020 population of 117,116, a 12% increase over the 2010 population

19 United State Census Bureau. (2020). *Decennial Census – Total Population: Table B01003.* www.data.census.gov

(104,170). Figure 9 displays the 2020 population density of the Billings planning area, and Figure 10 shows the 2020 housing density. The population of the Billings planning area at the 2020 Decennial Census was 128,787 and the housing units were 57,343.[20]

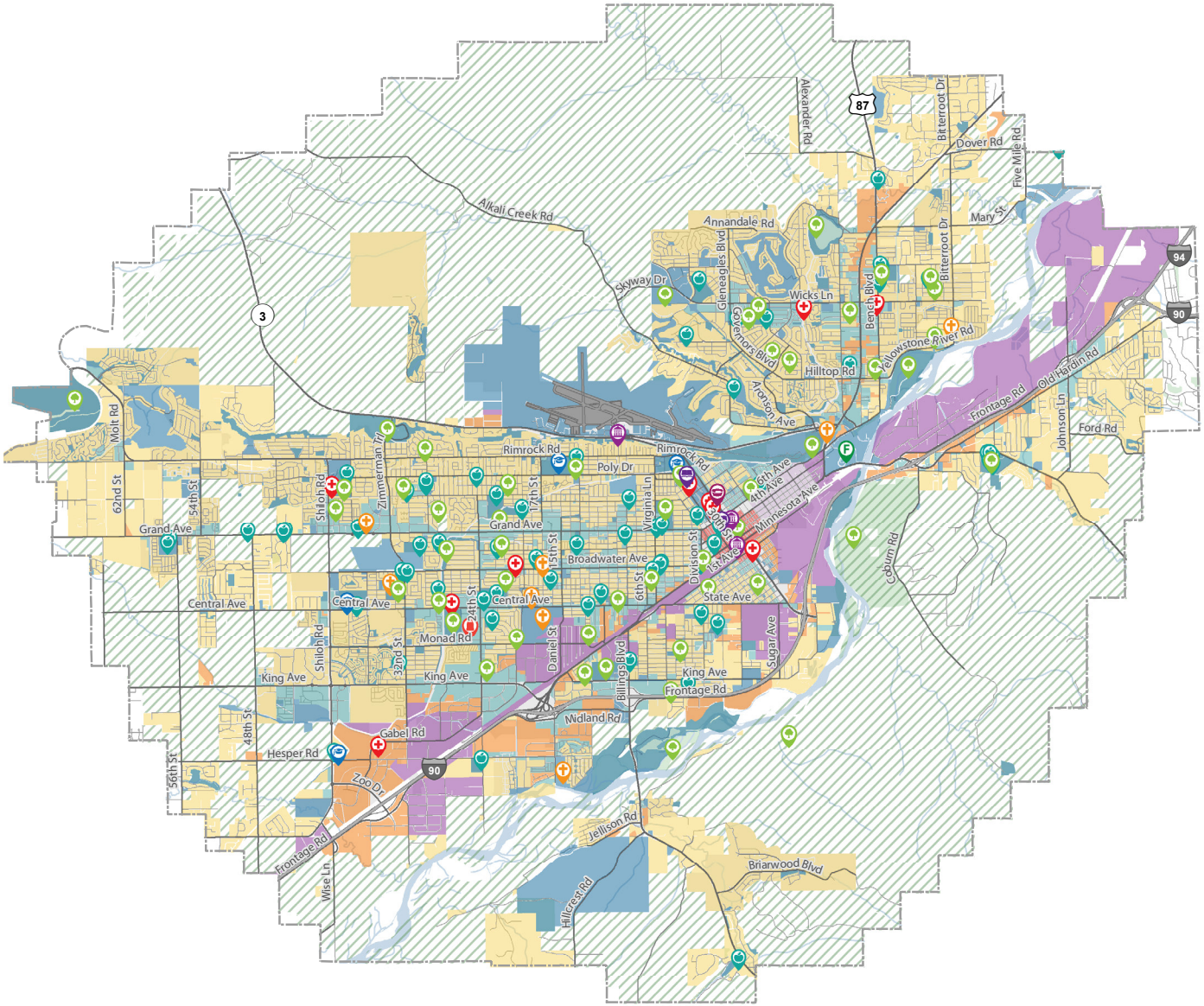
EMPLOYMENT

As the driver of the local and regional economy, understanding employment patterns is crucial towards understanding transportation needs. Figure 11 shows the current geographic concentrations of employment centers in the Billings planning area. As shown in Figure 11, employment concentrations are greatest around the major employment centers including Billings Airport, Downtown Billings, Saint Vincent and Billings Clinic Hospitals, Rimrock Mall, and industrial facilities to the south of the Zoo Drive Interchange on Interstate 90, as well as the Grand Ave, Central Ave, and King Ave corridors.



20 United States Federal Register. (December 29, 2022). *2020 Census Qualifying Urban Areas and Final Criteria Clarifications.* https://www.federalregister.gov/documents/2022/12/29/2022-28286/2020-census-qualifying-urban-areas-and-final-criteria-clarifications

FIGURE 8. EXISTING ZONING AND MAJOR ACTIVITY CENTERS



ZONING AND MAJOR ACTIVITY CENTERS

Existing Zoning

- Residential
- Commercial
- Core Business District
- Public
- Mixed Use
- Industrial
- East Billings Urban Renewal District
- Agricultural
- Billings Logan International Airport

Major Activity Centers

- Stadium
- Library
- Park
- Museum
- Fairgrounds
- Shopping Mall
- Cemetary
- College
- Schools
- Hospital

Data Source: City of Billings, Yellowstone County

FIGURE 9. 2020 POPULATION DENSITY

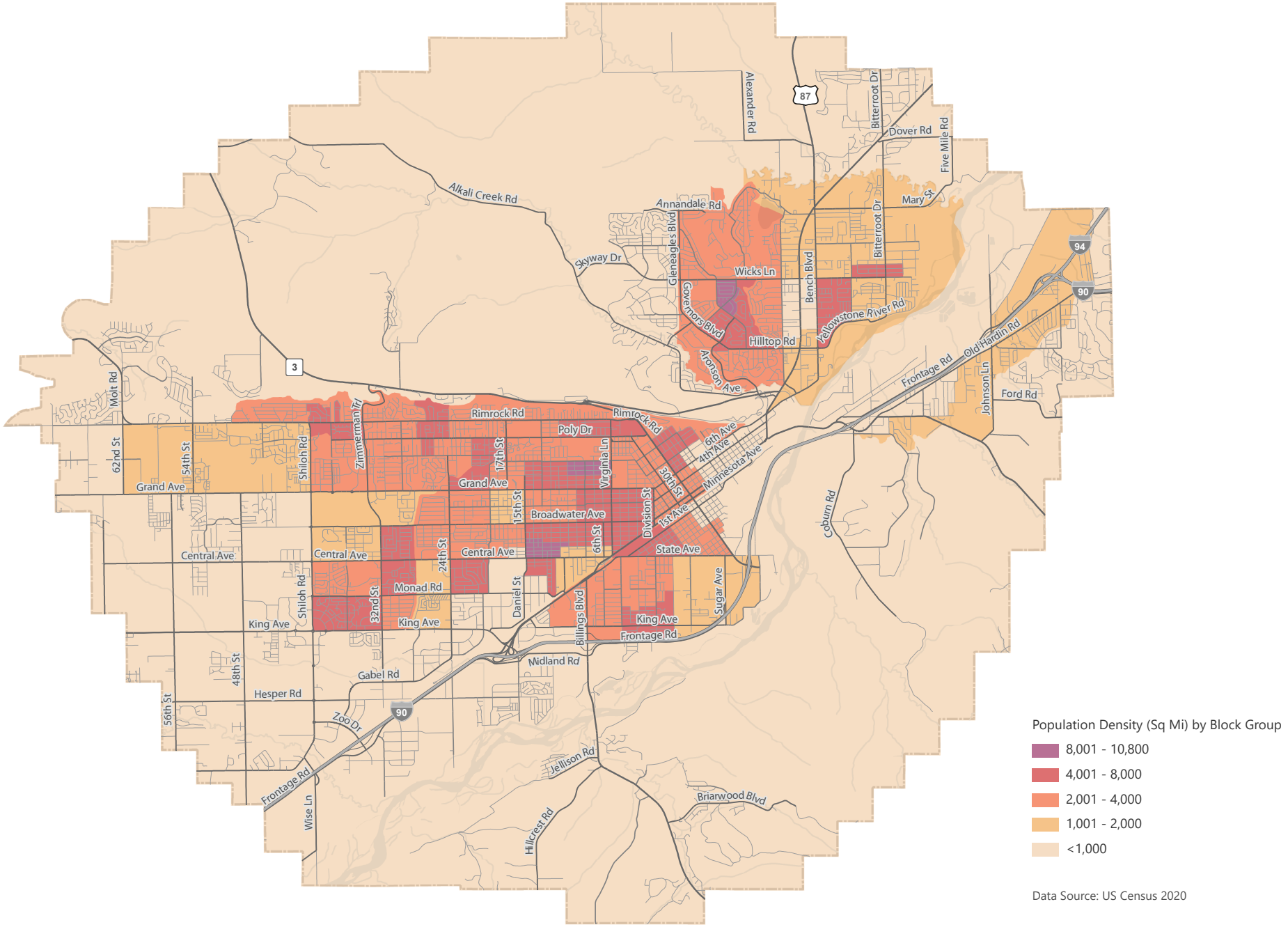


FIGURE 10. 2020 HOUSING DENSITY

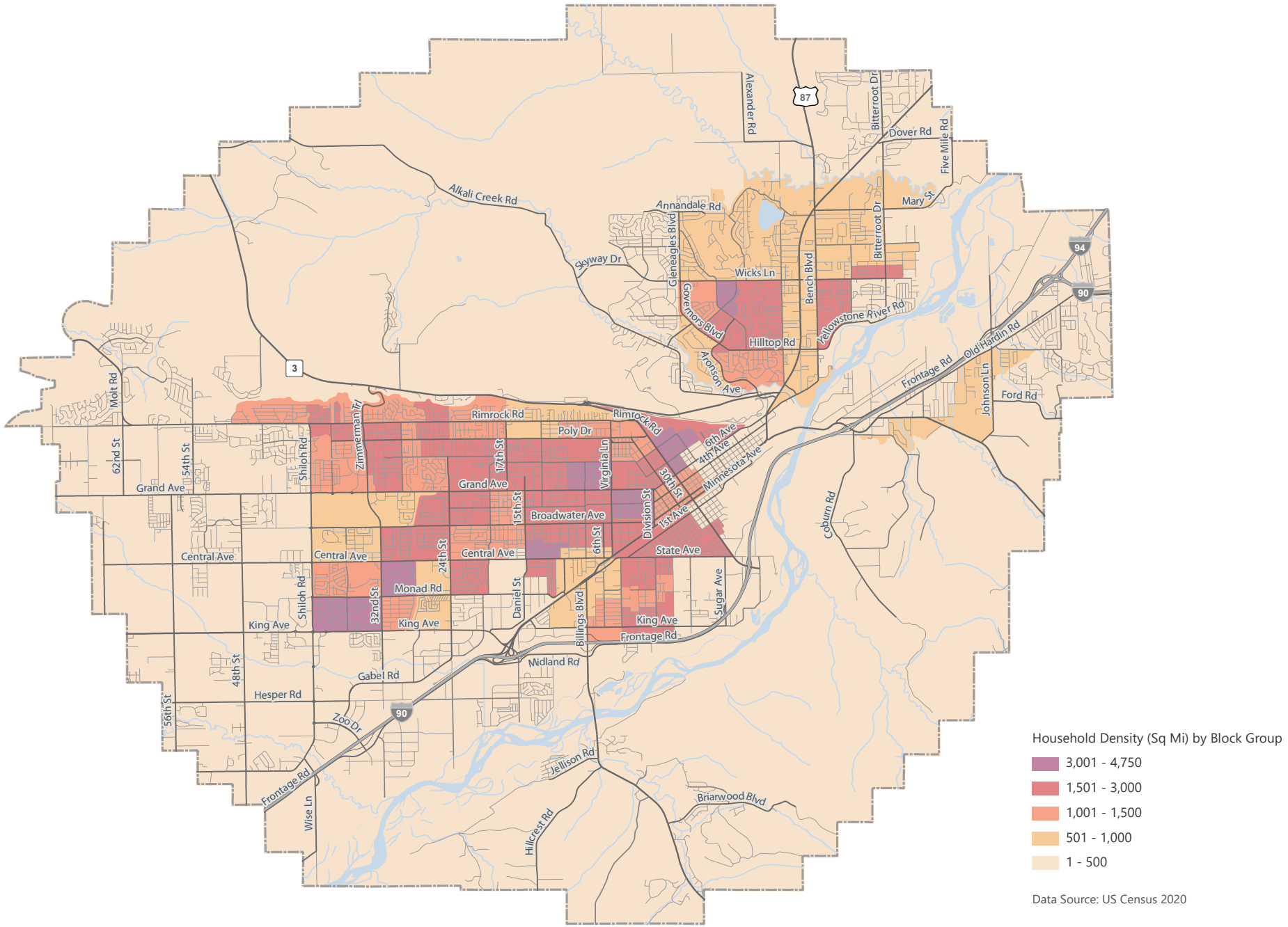
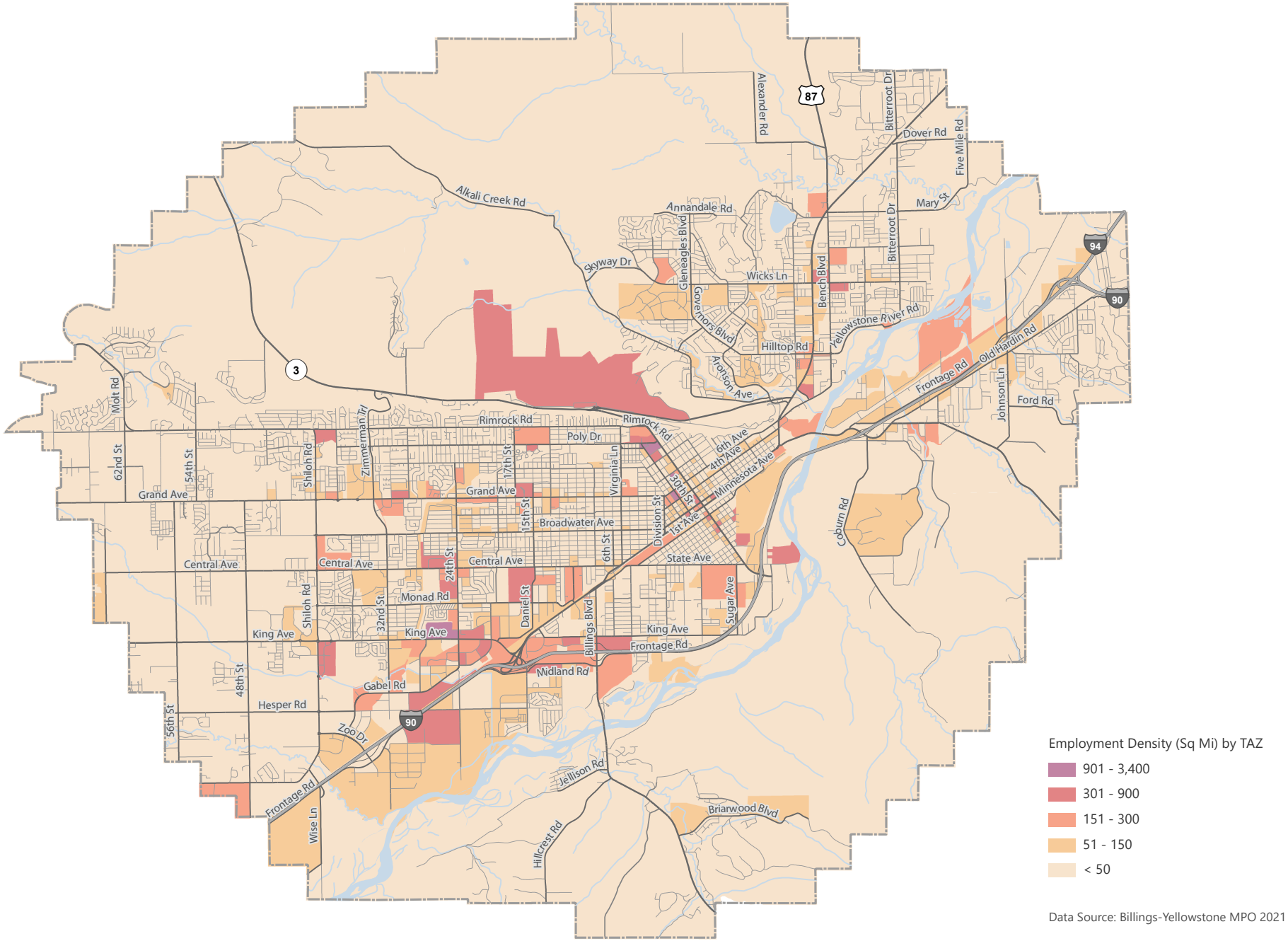


FIGURE 11. 2020 EMPLOYMENT DENSITY



COMMUTE MODE SHARE

Year 2020 mode share data was obtained through the American Community Survey (ACS), a product of the United States Census Bureau. Table 10 displays the commute mode share data for Billings, Yellowstone County, and the state of Montana.

Of all modes, most residents of the City of Billings and Yellowstone County commute by driving alone – 82.3% and 82.5%, respectively. The MPO has a higher percentage of commuters driving alone than the state of Montana as a whole, at 75.2%. The City of Billings and Yellowstone County have a lower percentage of walking and bicycling commuters than the state of Montana.

In the City of Billings, the 2018 LRTP reported ACS 2016 data, with walk mode share at 3.2% (compared to 2.5% in 2020) and bicycle mode share at 0.8% (compared to 1.5% in 2020), which indicates an increase in bicycling and a decrease in walking to work. Public transit, which relies on the active transportation network for many of its users to begin and end their trips, accounts for 1.0% of commute mode share in 2020, a slight decrease from 1.1% in 2016. Additionally, the City of Billings and Yellowstone County have slightly higher percentages of transit riding than the state of Montana, but lower percentages of telecommuters. Additionally, in the City of Billings in 2016, 4% of residents reported telecommuting, compared with 4.9% in 2020. Across Montana, the percentage of people reporting telecommuting as their mode to work increased 2%, from 6.4% in 2016 to 8.4% in 2020. Telecommuting increased to 9.6% in 2021.[21] These increases could potentially relate to the increase of telework due to the COVID-19 pandemic.

EQUITY

In accordance with directives from the Justice40 Initiative[22] and guidance from the IIJA passed in November 2021, the US Department of Transportation has adopted a definition and methodology for Areas of Persistent Poverty ("APPs")[23] and Historically Disadvantaged

TABLE 10. 2020 COMMUTE MODE SHARE IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, AND MONTANA

TRAVEL MODE	CITY OF BILLINGS		YELLOWSTONE COUNTY		MONTANA	
	NUMBER OF COMMUTERS	PERCENT OF COMMUTERS	NUMBER OF COMMUTERS	PERCENT OF COMMUTERS	NUMBER OF COMMUTERS	PERCENT OF COMMUTERS
Walk	1,382	2.5%	1,829	2.3%	23,670	4.6%
Bicycle	801	1.5%	938	1.2%	11,242	2.2%
Public Transit	533	1.0%	628	0.8%	3,729	0.7%
Telecommute	2,678	4.9%	4,203	5.2%	41,108	8.0%
Carpool	4,428	7.9%	6,526	8.1%	47,247	9.2%
Drove Alone	45,428	82.3%	66,395	82.5%	385,206	75.2%
Total	55,174	100%	80,519	100%	512,202	100%

Source: American Community Survey 2020 5-Year Estimates, Table DP03 Selected Economic Characteristics

21 United States Census Bureau. (2021). T*able SO801: Commuting Characteristics by Sex, ACS 1-Year Estimates for the Billings Urban Area.* American Community Survey. https://data.census.gov/table?q=S0801:+COMMUTING+CHARACTERISTICS+BY+SEX&g=400XX00US07705&y=2021&tid=ACSST1Y2021.S0801

22 United States Department of Transportation. (July 29, 2022). *Justice40 Initiative.* https://www.transportation.gov/equity-Justice40

23 United States Department of Transportation. (May 10, 2022). *Areas of Persistent Poverty (APP) Project and Historically Disadvantaged Community (HDC) Status Tool.* https://datahub.transportation.gov/stories/s/tsyd-k6ij

Communities ("HDCs")[24], also known as transportation-disadvantaged populations. Both APPs and HDCs are measured at the Census tract level. HDCs are measured using 22 indicators grouped into six categories of transportation disadvantage, including:

- **Transportation access disadvantage** identifies communities and places that spend more, and take longer, to get where they need to go.
- **Health disadvantage** identifies communities based on variables associated with adverse health outcomes, disability, as well as environmental exposures.
- **Environmental disadvantage** identifies communities with disproportionately high levels of certain air pollutants and high potential presence of lead-based paint in housing units.
- **Economic disadvantage** identifies areas and populations with high poverty, low wealth, lack of local jobs, low homeownership, low educational attainment, and high inequality.
- **Resilience disadvantage** identifies communities vulnerable to hazards caused by climate change.
- **Equity disadvantage** identifies communities with a with a high percentile of persons (age 5+) who speak English "less than well."

One Census tract in the Billings planning area is designated as an APP, displayed in Figure 12. While no Census tracts within the Billings planning area are designated as HDCs, it is still important to acknowledge the communities in Billings that likely need more equitable and accessible transportation investments. For this reason, demographic data from the 2020 Census was analyzed to understand the population density of Billings communities in terms of:

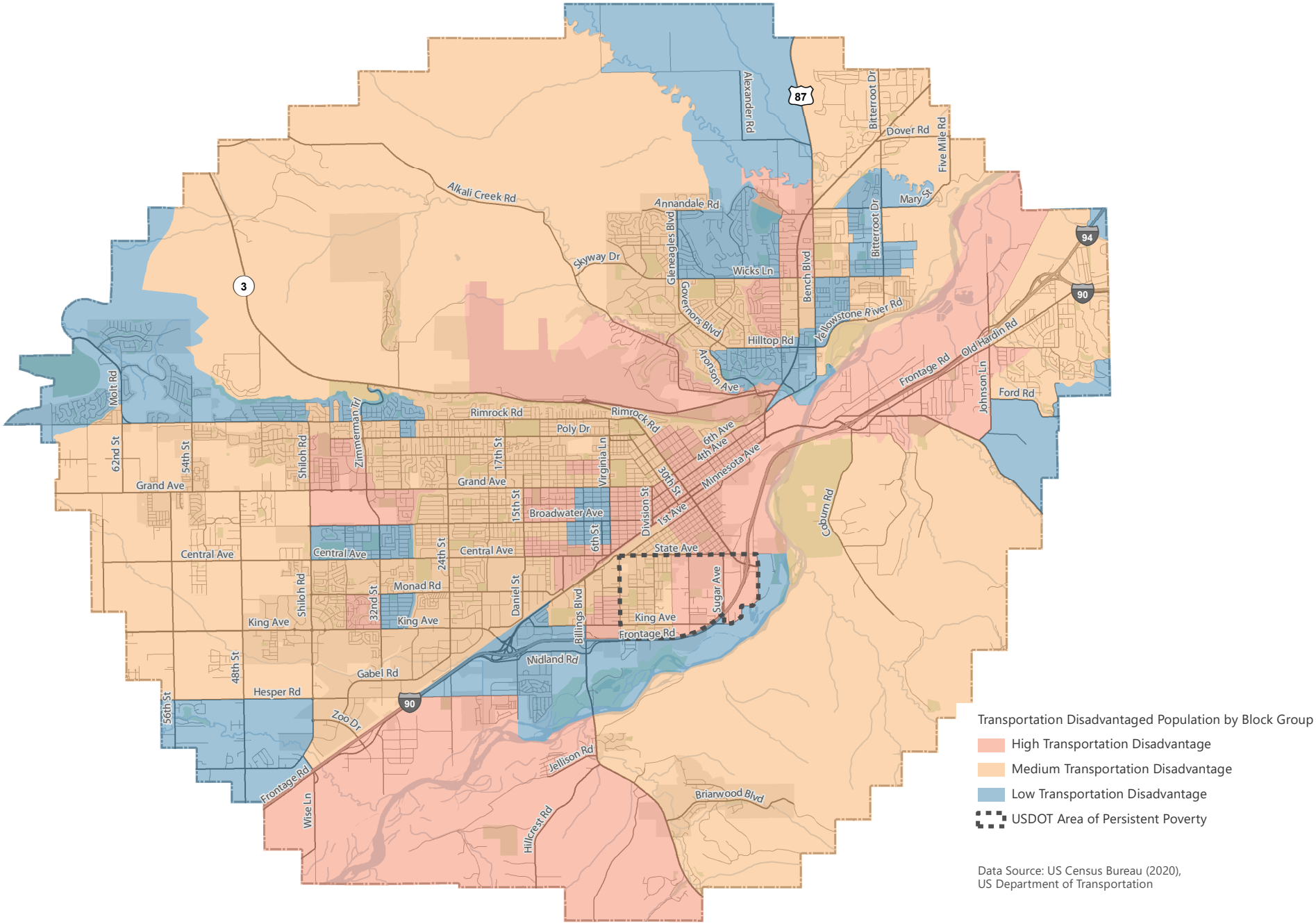
- People with Disabilities
- Households Experiencing Poverty
- Households with Limited English Proficiency
- Households without Cars

Areas identified as having High Transportation Disadvantage tend to cluster around the I-90 corridor, with pockets in west Billings, Lockwood, the Heights, and near the airport. Most Census block groups in the planning area are identified as either high or medium disadvantage, with a few areas exhibiting low disadvantage in the Heights and west Billings.

An index based on the 50th percentile for each of these criteria was created to identify transportation-disadvantaged communities in the Billings planning area. These communities are displayed in Figure 12. Supporting figures are available in the Existing Conditions Supporting Figures Appendix.

24 United States Department of Transportation. (July 2022). Transportation Disadvantaged Census Tracts (Historically Disadvantaged Communities) Online Mapper. https://www.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a

FIGURE 12. TRANSPORTATION-DISADVANTAGED POPULATIONS AND AREAS OF PERSISTENT POVERTY



Data Source: US Census Bureau (2020), US Department of Transportation

Safety

A variety of federal, state, and local requirements and guidelines address incorporating safety into the transportation planning process. This section presents background information, analysis, and strategies to address safety within the Billings planning area, including specific modal analyses for pedestrian, bicycle, heavy vehicle, and railroad crashes. Overall, safety is a key element in the transportation planning process.

MPOs must comply with federal requirements associated with the transportation planning process as outlined in the 23 CFR Part 450 for Metropolitan Transportation Planning and Programming. The planning process should address increasing the safety of the transportation system for motorized and nonmotorized users. The metropolitan transportation planning process should be consistent with the Strategic Highway Safety Plan, as specified in 23 U.S.C. 148, and other transit safety and security planning and review processes, plans, and programs, as appropriate. With new research and available data, safety can be incorporated in planning, project development, and operation/maintenance activities to effectively identify and implement countermeasures to reduce crashes and crash severity for the Billings community.

The Billings LRTP builds from the important work completed in the state and locally to improve safety, including:

- TranPlanMT, Montana's Long Range Transportation Plan[25]
- Montana Comprehensive Highway Safety Plan[26]
- Billings Community Transportation Safety Plan[27]
- Billings Safe Routes to School Plan[28]

Further details about each of these plans are available in the Existing Conditions Supporting Figures & Content Appendix.

CRASH DATA SUMMARY

Crash data was obtained from the Montana Department of Transportation (MDT) for the period from January 1, 2016, to December 31, 2020, to identify crash trends over the five-year period. Crash data was unavailable for years 2021 and 2022 at the time of plan development. The data used for this analysis corresponds with that used in the *Community Transportation Safety Plan (2022)*. The dataset received was at the "crash" level – meaning that information about the entire crash is included; the "vehicle" level – meaning that information was provided for each motor vehicle (or pedestrian, bicycle, train, or equestrian) involved in a crash; and the "person" level – meaning that information was provided for each person involved in the crash. For this analysis, the "crash" level data was utilized. Crashes are categorized into crash severity levels described below.

- **Property Damage Only (PDO)** – Any crash in which there was property damage incurred to any one person but no injuries or fatalities.
- **Possible Injury (C)** – Any injury reported or claimed which is not a fatal injury, incapacitating injury, or non-incapacitating non-evident injury.
- **Suspected Minor injury (B)** – Any injury, other than a fatal injury or incapacitating injury, which is evident to observers at the scene of the crash in which the injury occurred.
- **Suspected Serious Injury (A)** – Any injury, other than a fatal injury, which prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred.
- **Fatal Injury (K)** – Any injury that results in the death of a person within 30 days of the crash in which the injury was sustained.

25 Montana Department of Transportation. (2017). *TranPlanMT: Moving Montana Forward, Together.* https://mdt.mt.gov/tranplan/

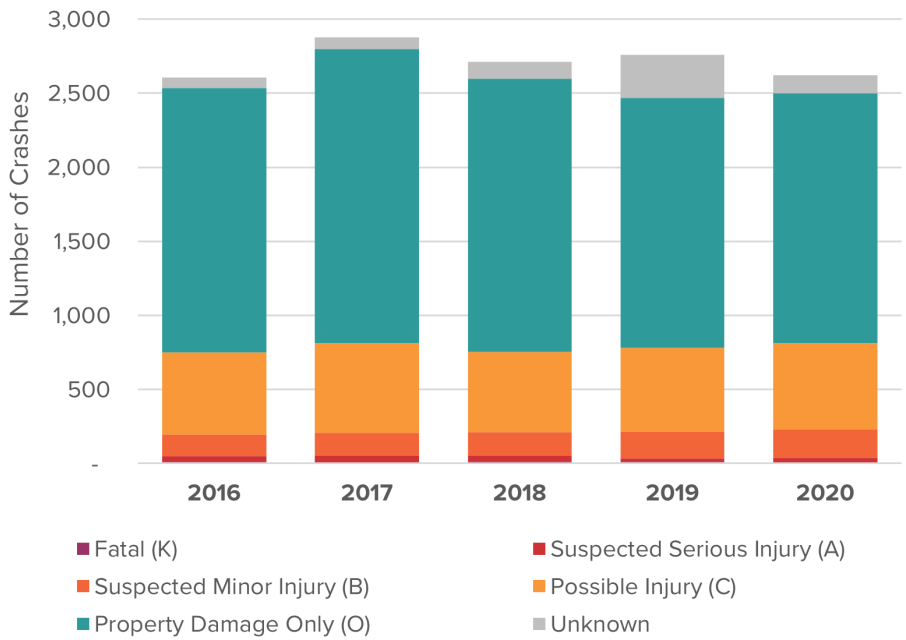
26 Montana Department of Transportation. (2020). *Montana Comprehensive Highway Safety Plan - 2020 Update.* https://www.mdt.mt.gov/visionzero/plans/docs/chsp/current-chsp.pdf

27 Billings-Yellowstone County Metropolitan Planning Organization. (2022). *Community Transportation Safety Plan - 2022 Update*.

28 Billings-Yellowstone County Metropolitan Planning Organization. (2022). *Safe Routes to School Plan - 2022 Update.* https://ci.billings.mt.us/DocumentCenter/View/47663/Billings-SRTS-Study-07262022_final

A total of 13,574 crashes occurred in the Billings planning area during the five-year period. A summary of total crashes by severity is shown in Table 11 and displayed in Figure 13. Additionally, these crashes are mapped in Figure 16.

FIGURE 13. CRASHES BY SEVERITY BY YEAR



Source: Montana Department of Transportation

In the five-year period, the total number of crashes remained relatively steady. However, there was a slight decrease in fatal and serious injury crashes in this time period, as displayed in Figure 14. Both 2019 and 2020 show a decrease in fatal and suspected serious injury crashes, from a high in 2018. These fatal and serious injury crashes are displayed in Figure 17.

FIGURE 14. FATAL AND SUSPECTED SERIOUS INJURY CRASHES BY YEAR

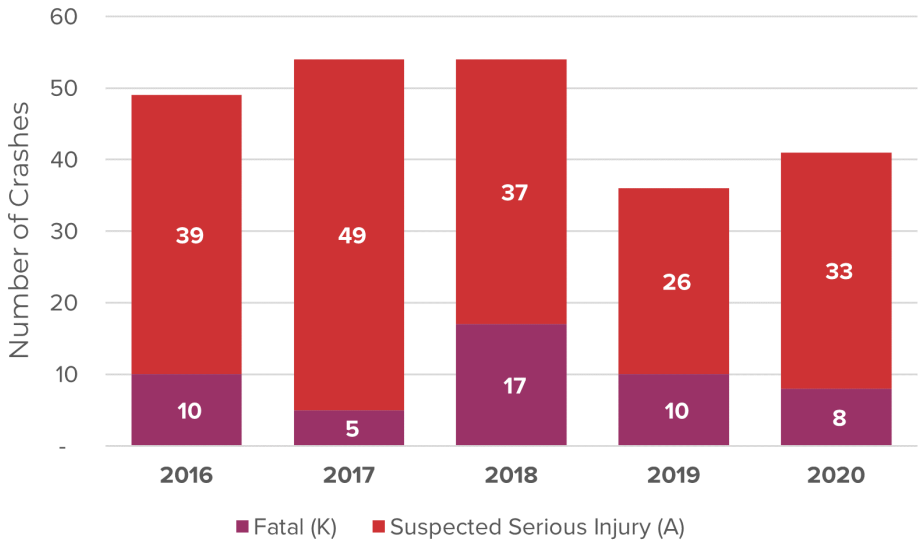


TABLE 11. CRASHES BY SEVERITY (2016-2020)

YEAR	FATAL (K)	SUSPECTED SERIOUS INJURY (A)	SUSPECTED MINOR INJURY (B)	POSSIBLE INJURY (C)	PROPERTY DAMAGE ONLY (O)	UNKNOWN (U)	TOTAL
2016	10	39	148	552	1,785	73	2,607
2017	5	49	153	605	1,988	76	2,876
2018	17	37	159	542	1,841	114	2,710
2019	10	26	180	567	1,684	291	2,758
2020	8	33	192	579	1,688	123	2,623
Total	50	184	832	2,845	8,986	677	13,574

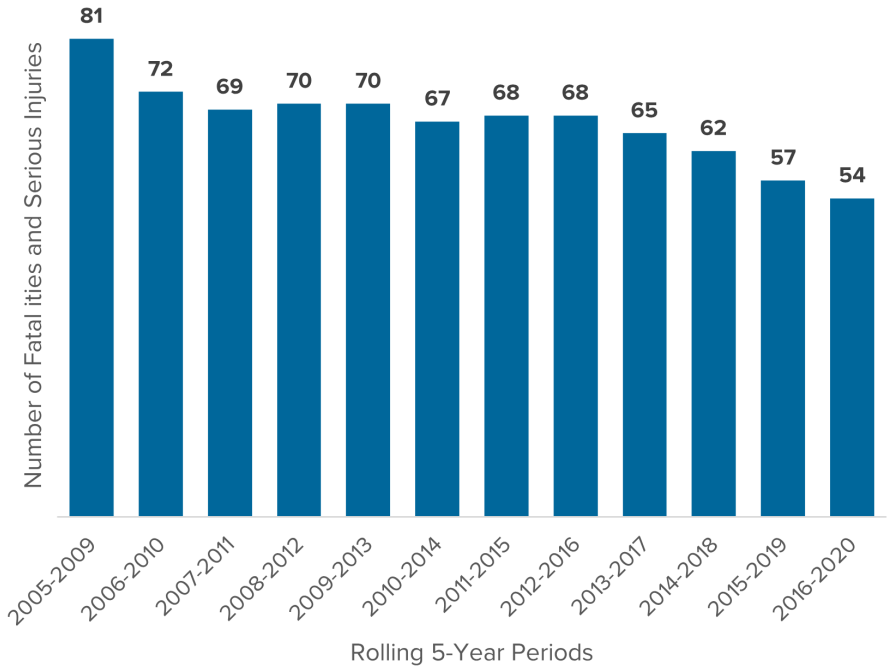
Source: Montana Department of Transportation



The 2016 CTSP set a goal of reducing fatalities and serious injuries by 20% from 70 people in the 2009 – 2013 period to 56 people in the 2016 – 2020 period (based on a five-year rolling average). As shown in Transportation Planning & Implementation Since 2018, the five-year rolling average from 2016 – 2020 was 54 total fatalities and serious injuries, which achieves the CTSP goal.

Note that Figure 14 displays data at the crash level, while Figure 15 displays data at the person-level, which corresponds with the CTSP goal. In 2023, the MPO updated the CTSP, and has established a goal of reducing the rolling five-year average number of fatalities and serious injuries by 20% to 47 by the end of 2024.

FIGURE 15. ROLLING 5-YEAR AVERAGE OF FATALITIES AND SERIOUS INJURIES



Source: Montana Department of Transportation

FIGURE 16. CRASHES BY SEVERITY (2016-2020)

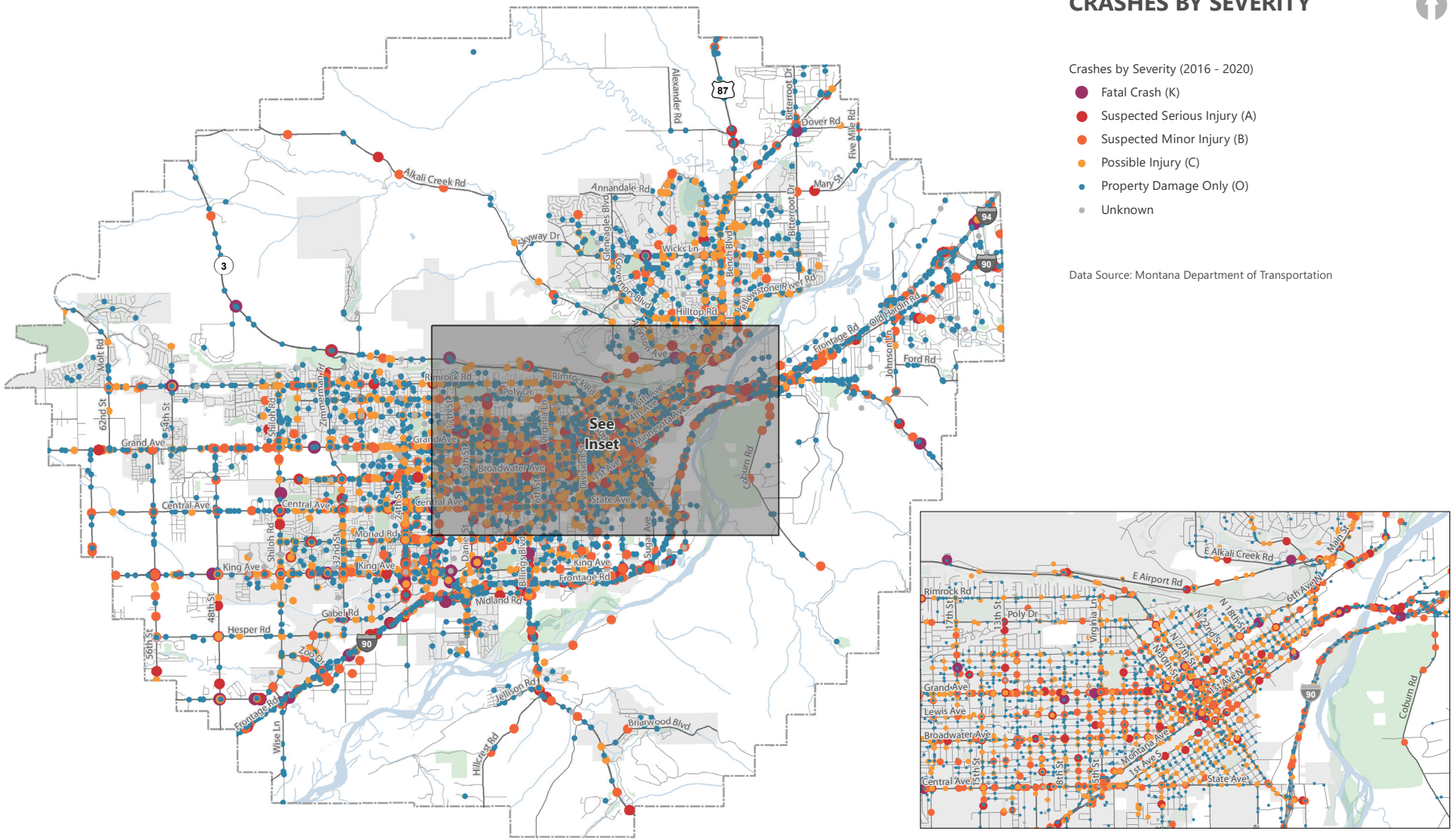
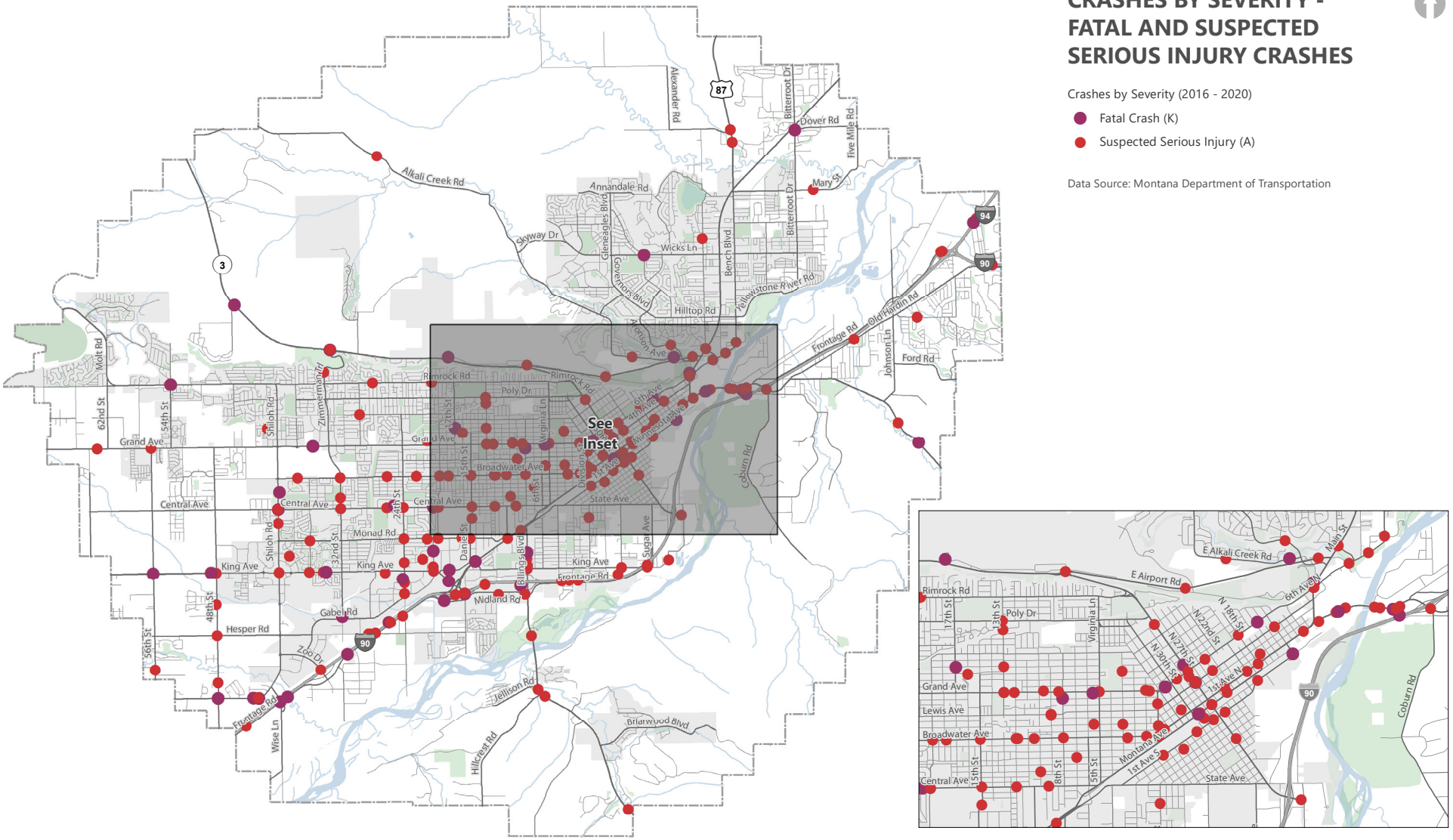


FIGURE 17. FATAL AND SUSPECTED SERIOUS INJURY CRASHES (2016–2020)



Equivalent Property Damage Only (EPDO) Analysis

The Equivalent Property Damage Only (EPDO) analysis method is one of the safety network screening performance measures included in the *Highway Safety Manual*.[29] The following analysis employs the KABCO Injury Classification Scale, a system recognized by the Federal Highway Administration which defines injury severity as:[30]

- K – Fatal Crash
- A – Suspected Serious Injury Crash
- B – Visible Injury Crash
- C – Possible Injury Crash
- O – Property Damage Only Crash

An EPDO analysis is used here because the MPO's goals and targets are related to Fatal Injury (K) and Suspected Serious Injury (A) crashes and this method considers crash severity, unlike using crash rates of frequency alone. The EPDO method assigns societal costs to each crash by KABCO severity level to develop an equivalent property-damage only value (i.e., all crashes are scored based on their relative magnitude to a PDO crash) that can be used to evaluate and compare intersections and roadway corridors by number of crashes and crash severity.

Table 12 shows the values assigned to each crash by severity. These values were used to develop the weighting factors for crashes by dividing the cost for each severity by the value of a PDO crash (e.g., $77,200 [Cost of Injury C Crash] / $3,900 [Cost of PDO Crash] = 19.79 [EPDO Value for Injury C Crash). These costs were selected using guidance from the *USDOT (United States Department of Transportation) Benefit-Cost Analysis Guidance for Discretionary Grant Programs*.[31] The USDOT guidance lists the monetized value for Fatal Injury (K) crashes as $11,600,000 and for Suspected Serious Injury (A) as $554,800.

In the Billings planning area, the USDOT-recommended value for Fatal Injury (K) crashes skewed EPDO values upward for any intersection or segment with fatal injury crashes. For purposes of this analysis, the monetized value for (K) and (A) crashes was developed by calculating a weighted average of total Fatal Injury (K) and Suspected Serious Injury (A) crashes over the five-year period. The weighted average reduces the influence of a single fatal injury crash on EPDO values. Additionally, MDT crashes classified as "Unknown" severity were assigned the same monetized value as a PDO crash.

TABLE 12. EPDO VALUES BY SEVERITY

SEVERITY (KABCO)	MONETIZED VALUE (2020 $)	EPDO SCORE
Property Damage Only (O) / Unknown	$3,900	1
Possible Injury (Injury C)	$77,200	19.79
Visible Injury (Injury B)	$151,100	38.74
Suspected Serious Injury (A)	$2,884,167	739.53
Fatal Injury (K)	$2,884,167	739.53

Source: US Department of Transportation

The economic costs of crashes in the Billings planning area for the five-year period between 2016 – 2020 is summarized in Table 13. The average annual EPDO value for the 2016 – 2020 time period was $211.56 million, with the highest annualized EPDO value in 2017 at $233.62 million.

29 Association of American State Highway Transportation Officials. (2010). *Highway Safety Manual.* https://www.highwaysafetymanual.org/Pages/default.aspx

30 Federal Highway Administration. (N.D.). *KABCO Injury Classification Scale and Definitions by State.* https://safety.fhwa.dot.gov/hsip/spm/conversion_tbl/pdfs/kabco_ctable_by_state.pdf

31 US Department of Transportation. (March 2022). *Benefit-Cost Analysis Guidance for Discretionary Grant Programs.* https://www.transportation.gov/sites/dot.gov/files/2022-03/Benefit%20Cost%20Analysis%20Guidance%202022%20%28Revised%29.pdf

FIGURE 18. TOTAL CRASH COSTS BY YEAR IN MILLIONS OF DOLLARS ($)



An EPDO analysis was conducted for the Billings planning area in the five-year period at both the intersection- and roadway segment-level, detailed in the following sections.

EPDO ANALYSIS – INTERSECTIONS

The intersection EPDO analysis calculated the total EPDO value of crashes at each intersection by selecting crashes within 250 feet of each intersection and assigning an EPDO value based on crash severity (as delineated in Table 12), then summing the values per intersection. Figure 19 shows intersections by EPDO value and Table 13 shows high EPDO value intersections. Four of the listed high-EPDO intersections are on Central Avenue, and three on 6th Avenue N. Of the twenty highest scoring intersections, sixteen are signalized intersections. With the exception of Bitterroot Drive & Dover Road, all of the highest scoring intersections are within the city limits of Billings.

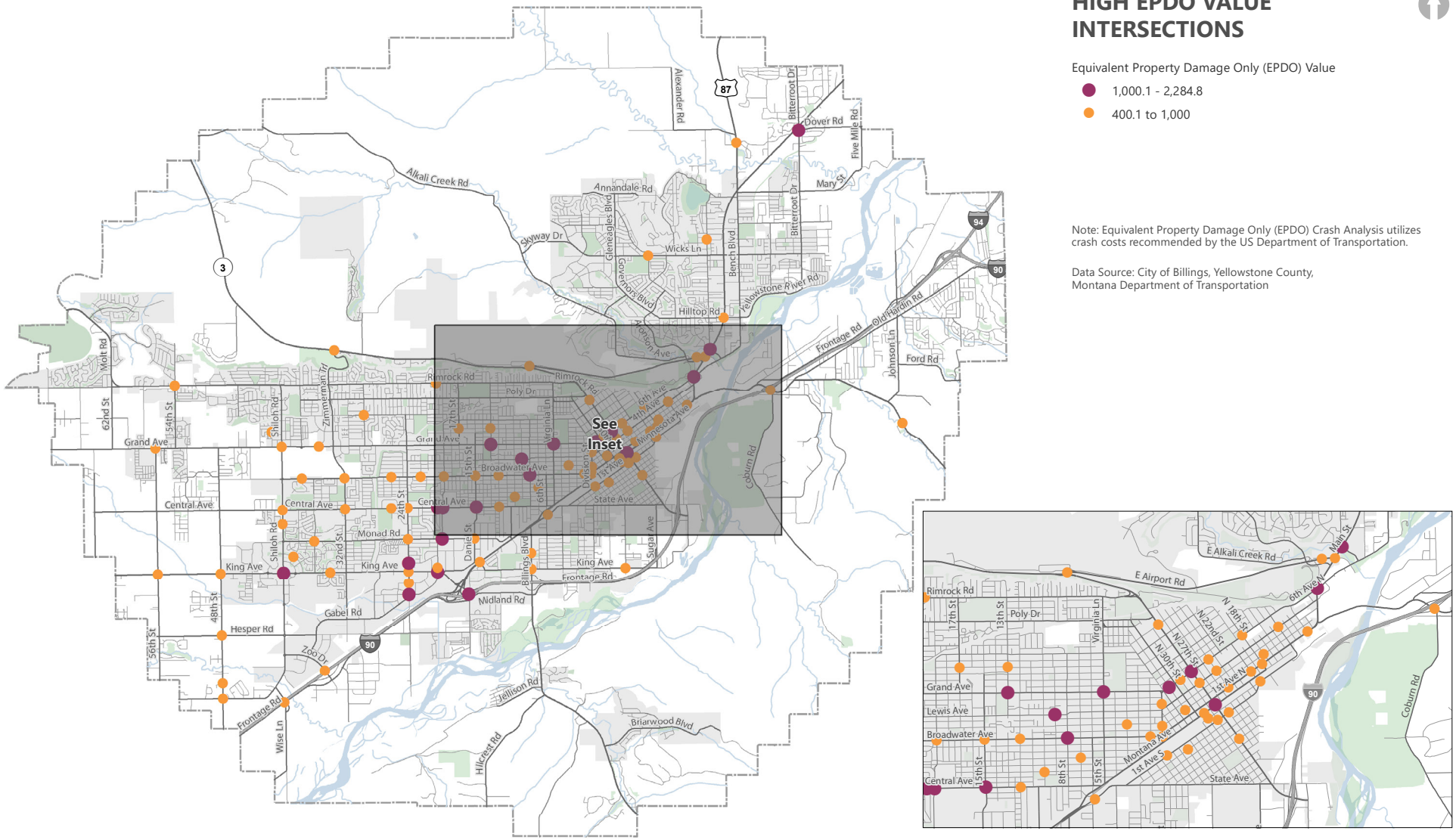
TABLE 13. HIGHEST EPDO VALUE INTERSECTIONS (2016 – 2020)

RANK	INTERSECTION	CONTROL TYPE	TOTAL CRASHES	K AND A INJURY CRASHES	EPDO VALUE
1	Main Street & 6th Avenue N	Signal	74	3	2,284.8
2	Lake Elmo Drive & Main Street	Signal	109	2	1,779.5
3	Mullowney Lane & Exit 446	Signal	40	2	1,476.7
4	Grand Avenue & 13th Street W	Signal	47	2	1,467.4
5	Montana Avenue & N 27th Street	Signal	37	2	1,415.8
6	Central Avenue & S 19th Street W	Signal	31	2	1,396.4
7	N 31st Street & 6th Avenue N	Signal	15	2	1,354.7
8	Grand Avenue & 5th Street W	Signal	43	2	1,317.7
9	Monad Road & S 19th Street W	Signal	24	2	1,302.9
10	Overland Avenue & Gabel Road	Signal	22	2	1,301.3
11	S 20th Street W & King Avenue W	Signal	100	2	1,255.6
12	Lewis Avenue & 9th Street W	Stop Control	9	1	1,247.2
13	Bitterroot Drive & Dover Road	Stop Control	6	2	1,200.9
14	Birchwood Drive & Central Avenue	Stop Control	6	2	1,171.4

RANK	INTERSECTION	CONTROL TYPE	TOTAL CRASHES	K AND A INJURY CRASHES	EPDO VALUE
15	S 24th Street W & Rosebud Drive	Signal	76	2	1,090.2
16	Shiloh Road & King Avenue W	Roundabout	157	1	1079.8
17	15th Street W & Central Avenue	Signal	49	1	1,025.3
18	27th Street & 6th Avenue N	Signal	81	1	1,006.1
19	Broadwater Avenue & 8th Street W	Signal	41	1	1,004.6
20	24th Street W & Central Avenue	Signal	71	1	998.2



FIGURE 19. HIGH EPDO VALUE INTERSECTIONS (2016 - 2020)



EPDO ANALYSIS - ROADWAY SEGMENTS

The roadway segment EPDO analysis was conducted with roadway crashes, excluding any crashes within 250 feet of an intersection, and using the 'sliding window' method, as recommended by the Highway Safety Manual, to effectively compare roadway segments of equal length. The sliding window method calculates EPDO by evaluating total EPDO in 0.5-mile segments (i.e., "windows"), and then sliding the window along the roadway 0.1-miles at a time, as demonstrated in Figure 20. This method reduces the possibility of splitting locations with high concentrations of crashes into separate segments, which would reduce the EPDO value for segments that start and end in high-crash spots. Figure 21 depicts roadway segments by EPDO and Table 14 shows the roadway segments in the Billings planning area with the highest 0.5-mile EPDO value. A 1.4-mile segment of US-87 includes the highest EPDO values across its 0.5-mile sections. Additionally, the roadway segment EPDO analysis revealed a mix of urban and rural locations with high EPDO values, with a range of total crashes due to the presence of fatal and suspected serious injury crashes. This trend tends to be more common in less-urbanized areas where posted speeds are higher.

FIGURE 20. EPDO SEGMENT 'SLIDING WINDOW'

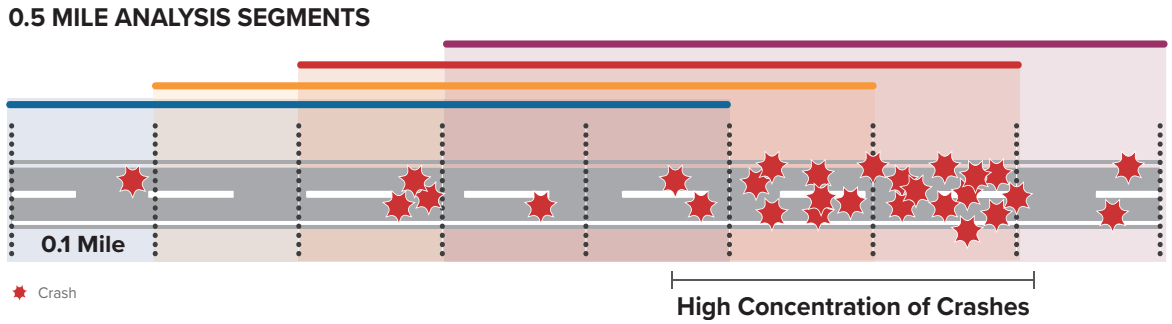


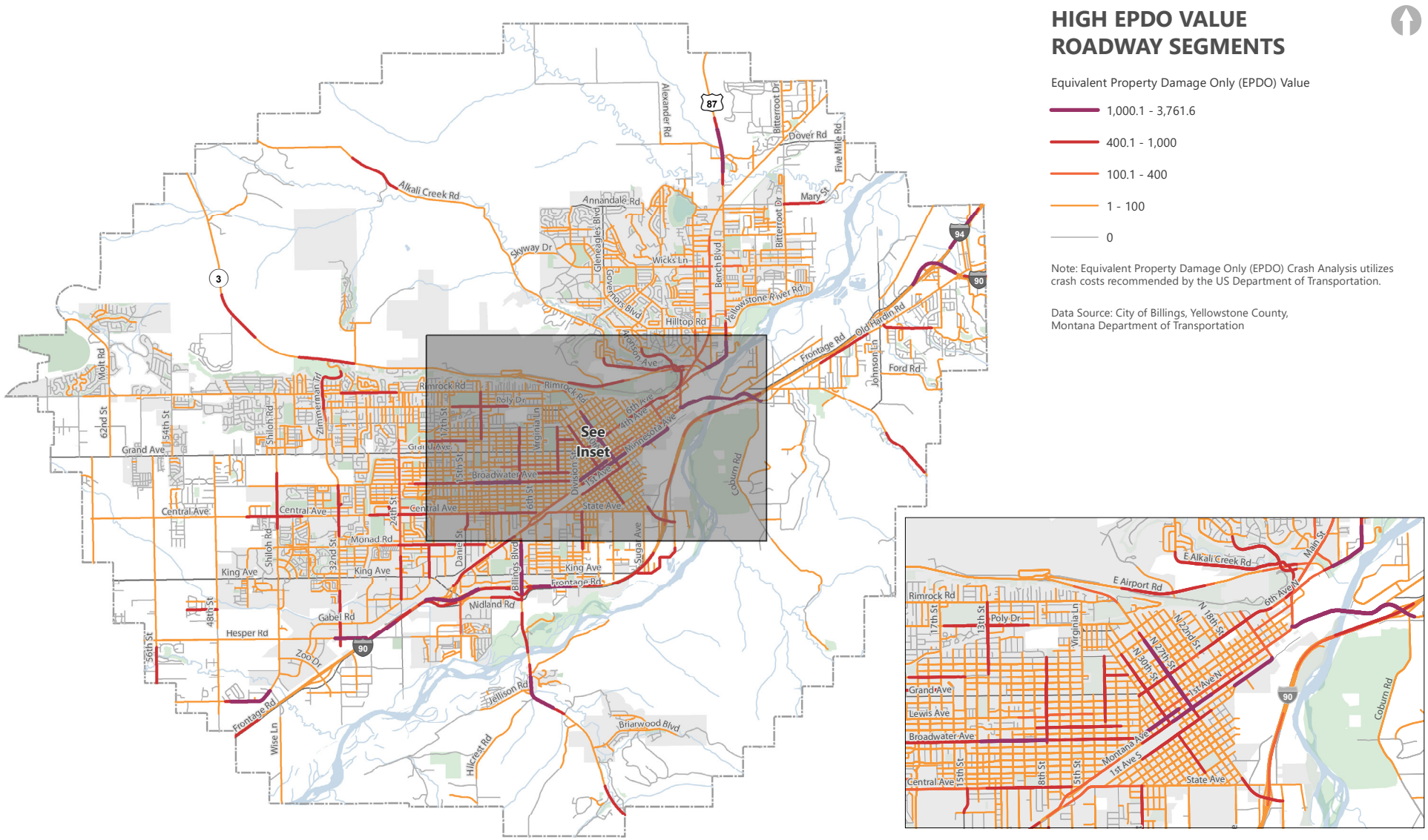
TABLE 14. HIGHEST EPDO VALUE ROADWAY SEGMENTS (2016 – 2020)

RANK	ROADWAY	EXTENT	ADT[1]	LENGTH (MI)	TOTAL CRASHES	K AND A INJURY CRASHES	EPDO VALUE
1	US-87	1st Avenue N to Coburn Road	15,895	1.4	198	6	3,761.6
2	27th Street	11th Avenue N to Montana Avenue	16,563	0.9	59	6	2,017.5
3	Neibauer Road	Autumn Lane to Harvest Lane	2,832	0.7	7	5	1,763.1
4	Montana Avenue	N 31st Street to N 23rd Street	11,612	0.5	47	4	1,336.4
5	Broadwater Avenue	14th Street West to 8th Street W	21,709	0.6	26	4	1,299.9
6	Bench Boulevard	Lake Elmo Drive to 603 Bench Boulevard Driveway	12,208	0.6	18	4	1,285.3
7	Minnesota Avenue	1st Avenue S to N 13th Street	9,444	0.5	18	3	1,239.6
8	1st Avenue N	Division Street to N 29th Street	9,749	0.5	28	3	1,232.6
9	I-90 Westbound	Mile Post 445.6 to Mile Post 446.5	34,200	0.9	20	3	1,224.24
10	I-90 Eastbound	Mile Post 444.4 to Mile Post 445	34,200	0.6	8	3	1,216.3

RANK	ROADWAY	EXTENT	ADT[1]	LENGTH (MI)	TOTAL CRASHES	K AND A INJURY CRASHES	EPDO VALUE
11	S Billings Boulevard	I-90 Eastbound Ramp to 430 Billings Boulevard Driveway	12,538	0.8	21	3	1,208.7
12	I-90	Mile Post 456.1 to Mile Post 457	31,200	0.9	15	3	1,192.5
13	I-94	East of I-90 Interchange from I-94 Mile Post 0.5 to I-94 Mile Post 1.1	31,200	0.6	12	3	1,190.0
14	Blue Creek Road	Santiago Boulevard to 2504 Blue Creek Road Driveway	6,694	0.7	11	3	1,189.3
15	Hesper Road	3242 Hesper Road Driveway to End of Hesper Road (East)	413	0.5	7	3	1,172.2
16	US-87 (Roundup Road)	2811 US-87 Driveway to 3415 US-87 Driveway	5,974	0.7	6	3	1,156.8
17	I-90	Reference Marker 447.4 to Reference Marker 448	28,700	0.6	6	2	1,156.0

[1]*Average ADT across the high-EPDO segment.*

FIGURE 21. HIGH EPDO VALUE ROADWAY SEGMENTS (2016 - 2020)



Pedestrian & Bicycle Crashes

The LRTP is focused on addressing safety for all transportation modes, including active transportation modes. Table 15 delineates pedestrian and bicycle crashes by severity. Between 2016 – 2020, there were a total of 205 pedestrian related crashes, ten of which resulted in fatalities and 21 of which were suspected serious injuries. In the same time period, there were a total of 130 bicyclist related crashes, two of which were fatal and seven of which were suspected serious injuries.

Figure 22 displays pedestrian crashes by severity between 2016 – 2020. While 2017 had the highest number of total crashes (47), with no fatal crashes and six suspected serious injury crashes, 2018 had only 40 total crashes but the highest number of fatal and suspected serious injury crashes (8). Pedestrian crash frequency has remained relatively stable over the five-year period.

Figure 24 shows bicycle crashes by severity during the five-year period. Since experiencing highs in 2018, fatal and serious injury crashes for pedestrians and bicycles decreased in 2019 and 2020.

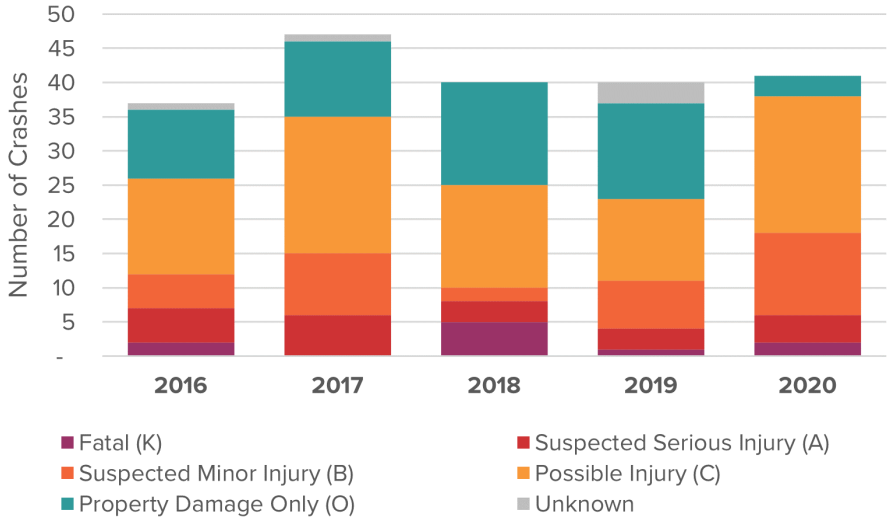


TABLE 15. PEDESTRIAN AND BICYCLE CRASHES BY SEVERITY (2016 – 2020)

TYPE	FATAL (K)	SUSPECTED SERIOUS INJURY (A)	SUSPECTED MINOR INJURY (B)	POSSIBLE INJURY (C)	PROPERTY DAMAGE ONLY (O)	UNKNOWN (U)	TOTAL
Pedestrian	10	21	35	81	53	5	205
Bicyclist	2	7	32	57	29	3	130
Total	12	28	67	138	82	8	335

Source: Montana Department of Transportation

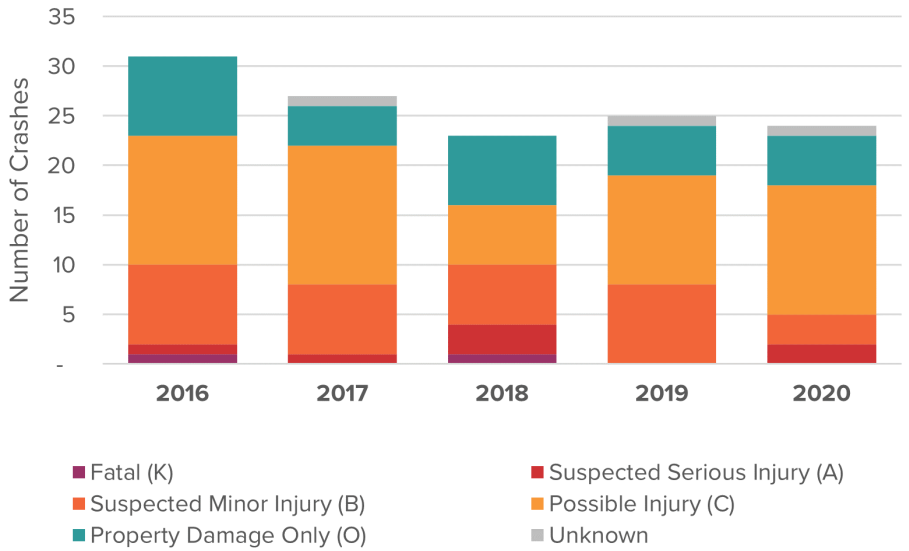
FIGURE 22. PEDESTRIAN CRASHES BY SEVERITY (2016-2020)



Source: Montana Department of Transportation

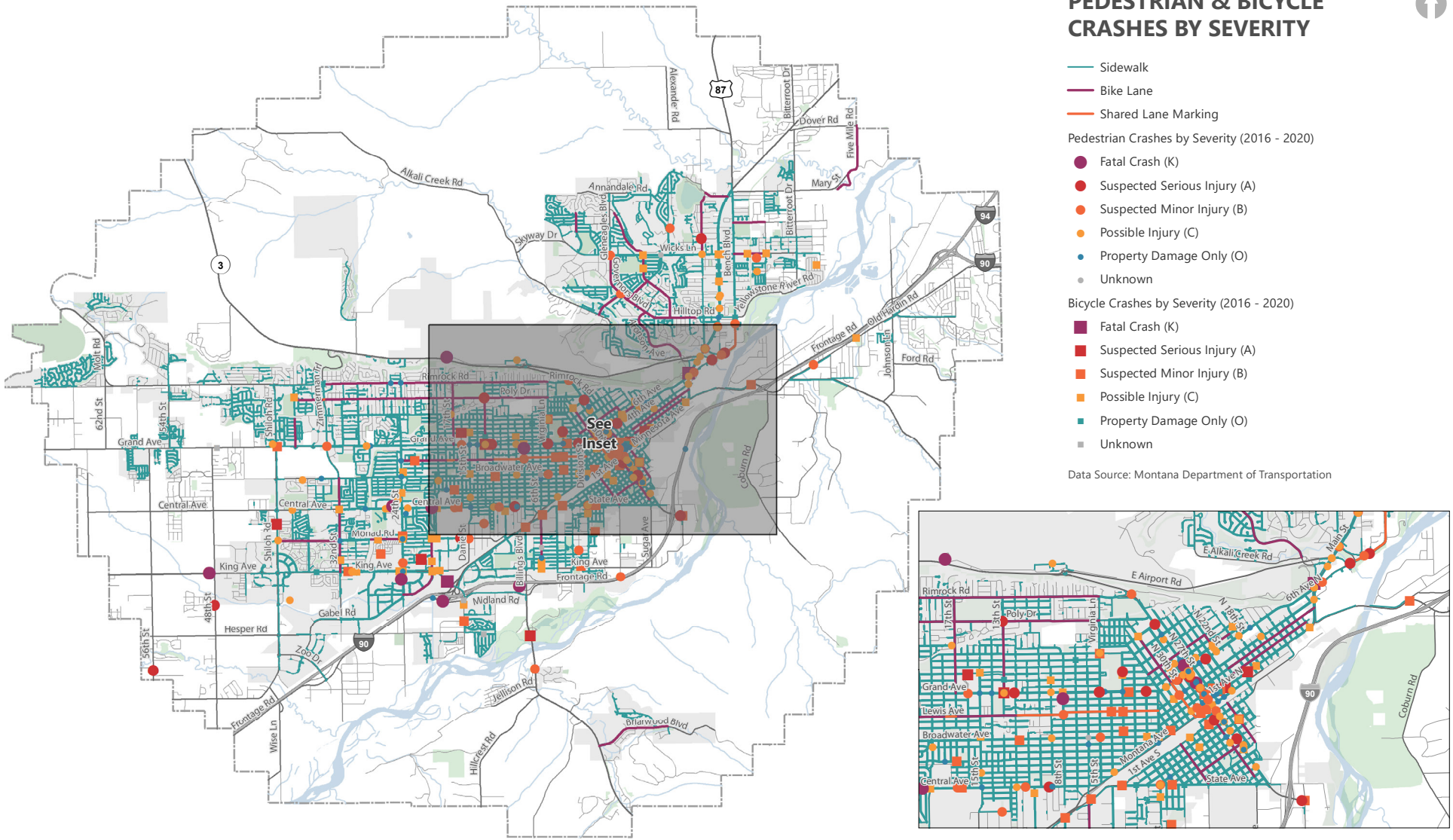
Figure 24 maps pedestrian and bicycle crashes by severity over the five-year period. While both pedestrian and bicycle crashes occur throughout the MPO region, crashes tend to cluster in the downtown Billings area, as well as along Bench Boulevard, 24th Street, Grand Avenue, and Central Avenue.

FIGURE 23. BICYCLE CRASHES BY SEVERITY (2016-2020)



Source: Montana Department of Transportation

FIGURE 24. PEDESTRIAN & BICYCLE CRASHES BY SEVERITY (2016-2020)



Heavy Vehicle Crashes

Heavy vehicle crashes are classified as any type of crash involving a vehicle over 9,999 pounds, which were identified utilizing crash details collected by MDT. Table 16 summarizes crashes with heavy vehicles by severity in the five-year period. Of the 432 heavy vehicle crashes, there were four fatal crashes and nine serious injury crashes between 2016 - 2020. Similar to overall crash trends, heavy vehicle crashes peaked in 2018, and are lower in 2019 and 2020. Figure 25 shows all heavy vehicle crashes in the Billings planning area. Heavy vehicle crashes tend to cluster on freight routes such as I-90, Montana Highway 3, and US Highway 87, in addition to 1st Avenue N, Bench Boulevard, and King Avenue.

Railroad Crashes

Table 17 summarizes crashes located at at-grade rail crossings and with railway vehicles (trains) in the Billings planning area, which were identified utilizing crash details collected by MDT. Between 2016 – 2020, there were four railway vehicle crashes and nine railroad crossing crashes, for a total of 13 crashes. Two of the thirteen crashes were possible injury (C) crashes, and eleven were property damage only (PDO) crashes. Figure 26 shows crashes with railway vehicles or at at-grade rail crossings in the Billings planning area. Most rail-related crashes occurred in or near downtown Billings, along rail spurs.

TABLE 16. HEAVY VEHICLE CRASHES BY SEVERITY (2016 – 2020)

YEAR	FATAL (K)	SUSPECTED SERIOUS INJURY (A)	SUSPECTED MINOR INJURY (B)	POSSIBLE INJURY (C)	PROPERTY DAMAGE ONLY (O)	UNKNOWN (U)	TOTAL
2016	-	3	5	10	62	1	81
2017	1	2	5	8	75	3	94
2018	3	2	5	12	78	3	103
2019	-	2	5	9	54	3	73
2020	-	-	10	11	57	3	81
Total	**4**	**9**	**30**	**50**	**326**	**13**	**432**

Source: Montana Department of Transportation

TABLE 17. AT-GRADE RAIL CROSSING AND RAILWAY VEHICLE CRASHES BY SEVERITY (2016 – 2020)

YEAR	FATAL (K)	SUSPECTED SERIOUS INJURY (A)	SUSPECTED MINOR INJURY (B)	POSSIBLE INJURY (C)	PROPERTY DAMAGE ONLY (O)	UNKNOWN (U)	TOTAL
2016	-	-	-	-	2	-	2
2017	-	-	-	1	3	-	4
2018	-	-	-	1	2	-	3
2019	-	-	-	-	3	-	3
2020	-	-	-	-	1	-	1
Total	**-**	**-**	**-**	**2**	**11**	**-**	**13**

Source: Montana Department of Transportation

FIGURE 25. HEAVY VEHICLE CRASHES BY SEVERITY (2016-2020)

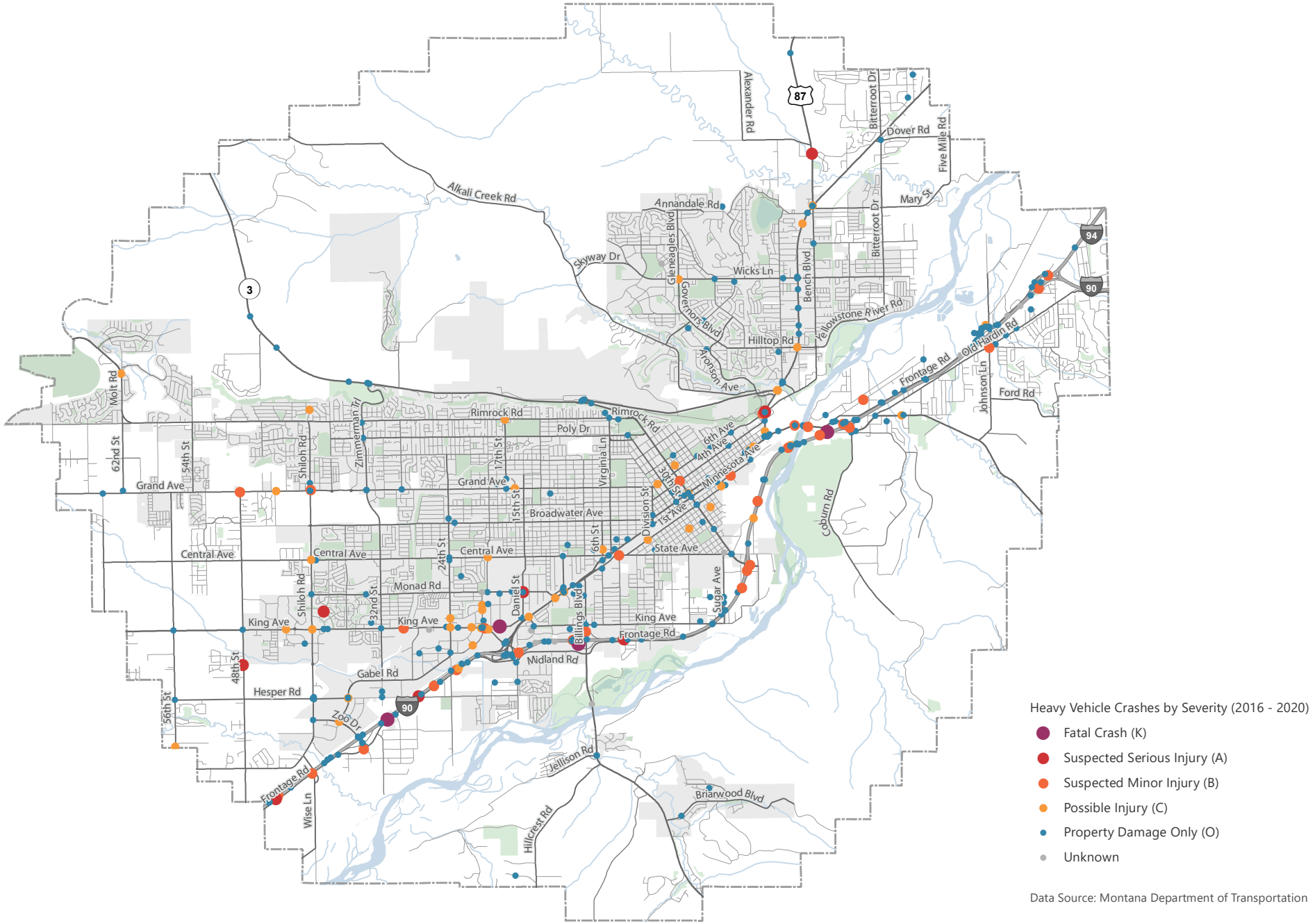
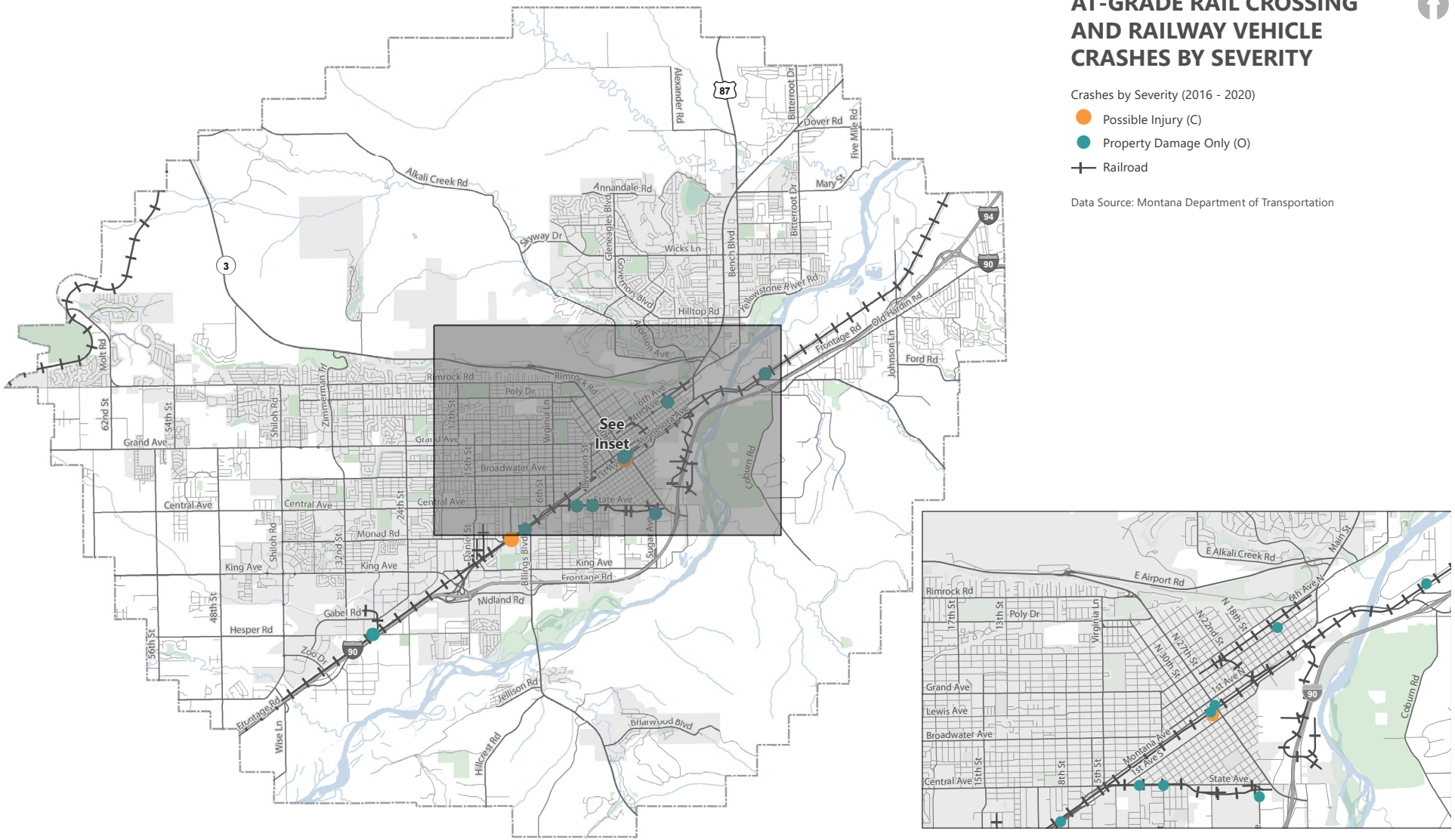


FIGURE 26. AT-GRADE RAIL CROSSING AND RAILWAY VEHICLE CRASHES BY SEVERITY (2016-2020)



Transportation

The Billings transportation system both influences and is influenced by the land use decisions in the planning area, including the zoning, population, employment, and equity considerations discussed in the previous sections. The movement of people – by foot, mobility device, bicycle, bus, or car – and the movement of freight – by truck, plane, or rail – depends on a complex, interwoven system of infrastructure and services that connect residents and businesses with one another, the state, and the country. This section provides details about the work being done to improve this system, documents the existing facilities, volumes, and services; and creates a framework for understanding what is important to Billings planning area residents in the coming years, for each mode.



PEDESTRIAN & BICYCLE

The Billings planning area has been upgrading sidewalk facilities, enhancing crossings, constructing trails, and building bicycle facilities throughout the region over the last 30 years. Recently, important efforts to improve walking, rolling, and bicycling conditions in the area include:

- Investigating how bicycle share and scooter share systems could operate, through the *Billings Bike & Scooter Share Feasibility Study* in 2021,
- Assessing the evolution of creating streets that are safe and comfortable for people of all ages and abilities, through the *Complete Streets Progress Report* in 2020,
- Planning for elementary school students to commute through the *Safe Routes to School Plan Update* in 2022, and
- Including pedestrian or bicycle infrastructure in 93% of projects since 2018.

Much of the work completed to date dovetails and supports the goals and strategies outlined in the *Billings Bikeway and Trails Master Plan* goals and strategies:[32]

- **Complete Streets:** Improve, expand, and consider active transportation and recreation facilities within the Billings planning area.
- **Implementation:** Consider the implementation of active transportation facilities at all levels of government and through all related policies, processes, and standards that encourage and enhance walking, bicycling, and other trail-related activities in the Billings area.
- **Evaluation:** Monitor the implementation of the *Billings Area Bikeway and Trails Master Plan*.
- **Transit Integration:** Integrate bicycle and walking into the MET Transit system.
- **Maintenance:** Ensure bicycle and trail facilities are clean, safe, and accessible.
- **Education and Encouragement Programs:** Implement comprehensive education and encouragement programs targeted at all ages and abilities.
- **Enforcement:** Increase enforcement on city/county streets, trails, and bikeways to make interactions between motorists, bicyclists, and pedestrians safer.
- **Health and Safety:** Encourage healthy activities through increased access and safe infrastructure for bicyclists and pedestrians.

32 Billings-Yellowstone County MPO. (2016). *Billings Area Bikeways and Trails Master Plan Update.* https://ci.billings.mt.us/DocumentCenter/View/34091/Billings-Bikeway-and-Trails-Master-Plan

Facilities

The Billings planning area has a robust network of pedestrian and bicycle facilities, including crossings, sidewalks, multi-use trails, and bicycle lanes.

PEDESTRIAN FACILITIES

For people walking and rolling, the Billings planning area has 670 miles of sidewalks, in addition to 85 miles of multi-use trails, depicted in Figure 29. These multi-use trails are delineated by type and length in Table 18. The City of Billings has tracked the expansion of the shared use path network since 1997, starting with just two miles of pathways and growing to 50 miles in 2021, as displayed in Figure 27.

BICYCLE FACILITIES

Development of the City's bicycle facilities has steadily increased and notably mostly occurred over the last ten years, including 8.1 miles of new bicycle lanes constructed between 2017 – 2021, an increase of 31%. The overall rate of bicycle lane implementation has remained essentially constant at a rate of close to two miles per year over this time. The City of Billings currently maintains 40.5 miles of bikeway facilities, classified as bicycle lanes, neighborhood bikeways, shared roadways.

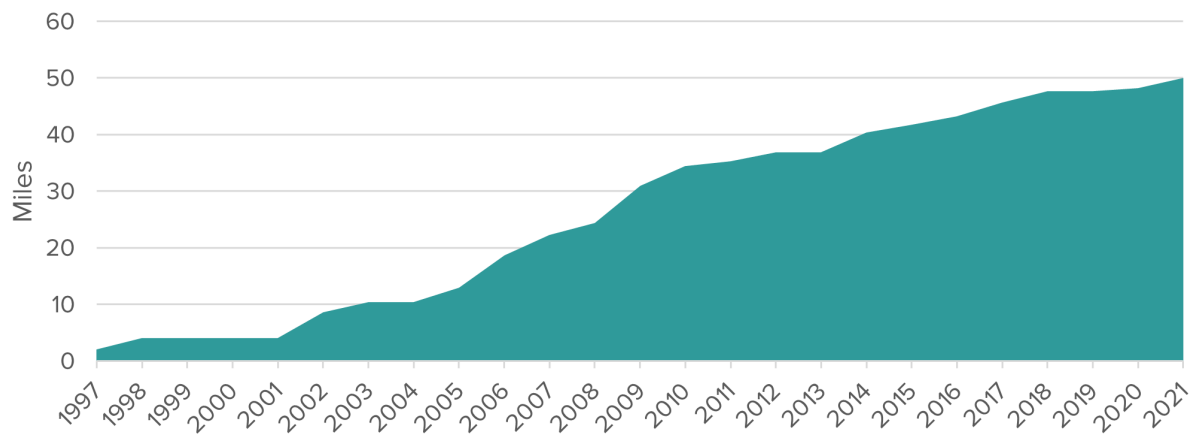
- **Bicycle Lanes:** This type of facility provides a dedicated space within the roadway for bicyclists to travel and uses signage and striping to delineate the right-of-way assigned to bicyclists. Billings currently has 33.5 miles of bicycle lanes in its transportation system.
- **Neighborhood Bikeways:** This type of facility is located on local streets and designated with signs and shared lane markings. The intent of a neighborhood bikeway is to provide a low-stress connection between neighborhoods. Billings currently has 4.5 miles of neighborhood bikeways in its transportation system.
- **Shared Lane Markings:** Shared roadways are designated by signage and/or shared lane markings on collector or arterial roadways. Shared lane markings are pavement markings that indicate the position within a roadway where bicyclists should ride, and they also provide wayfinding guidance to bicyclists while alerting motorists to be aware of bicyclists. Streets marked with shared lane markings, or sharrows, are intended to be shared streets, with motorists and bicyclists sharing the travel lane. Billings currently has 2.5 miles of shared roadways in its transportation system.

TABLE 18. TYPE AND LENGTH OF EXISTING TRAILS

TYPE	LENGTH (MI)
Shared Use Path	50
Neighborhood Trail	11
Unpaved Trail	25
Total	86

Source: City of Billings

FIGURE 27. SHARED USE PATH MILEAGE (1997 - 2021)



Source: City of Billings



Source: DOWL



Source: City of Billings



Source: DOWL

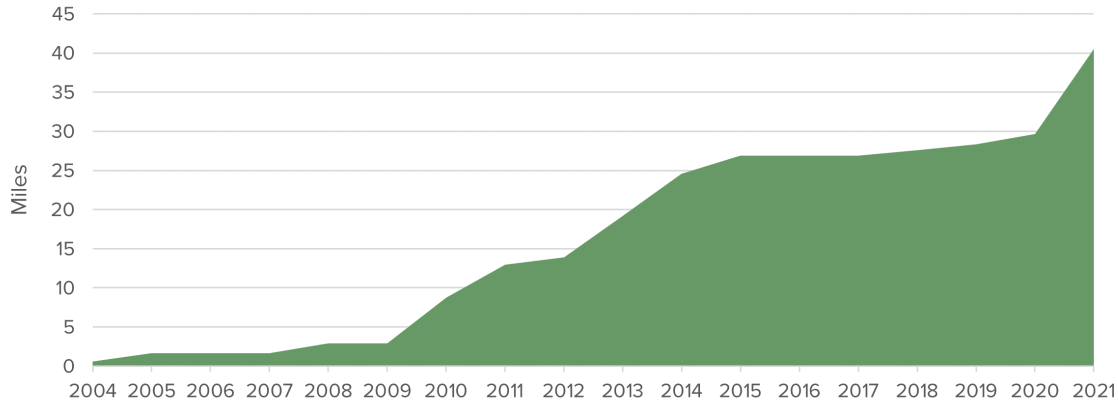
These facilities are delineated in Table 19 and depicted in Figure 30. Existing bikeway and trail facilities work together to provide good connectivity around the city. As shown in Figure 30 the bikeway and trail system almost provide a complete "loop" around Billings, as well as north-south connectivity in the Heights and the west end on Shiloh Road. To promote the construction of consistent facilities, the City of Billings has adopted specific design standards for all types of bikeway facilities, included in their *Design Standards for Trails & Bikeways.*[33] The City of Billings has constructed bicycle facilities since the early 2000's, with substantial increases in the 2010's, as displayed in Figure 28.

TABLE 19. TYPE AND LENGTH OF BICYCLE LANES

TYPE	LENGTH (MI)
Bicycle Lane	33.5
Shared Lane Marking	2.5
Neighborhood Bikeway	4.5
Total	40.5

Source: City of Billings

FIGURE 28. BICYCLE LANE NETWORK MILEAGE (2004 – 2021)



33 City of Billings. (N.D.). *Design Standards for Trails & Bikeways.* https://www.billingsmtpublicworks.gov/DocumentCenter/View/202/Design-Standards-or-Trails-and-Bikeways-PDF?bidId=

FIGURE 29. EXISTING COUNT LOCATIONS, SIDEWALKS, AND TRAIL FACILITIES

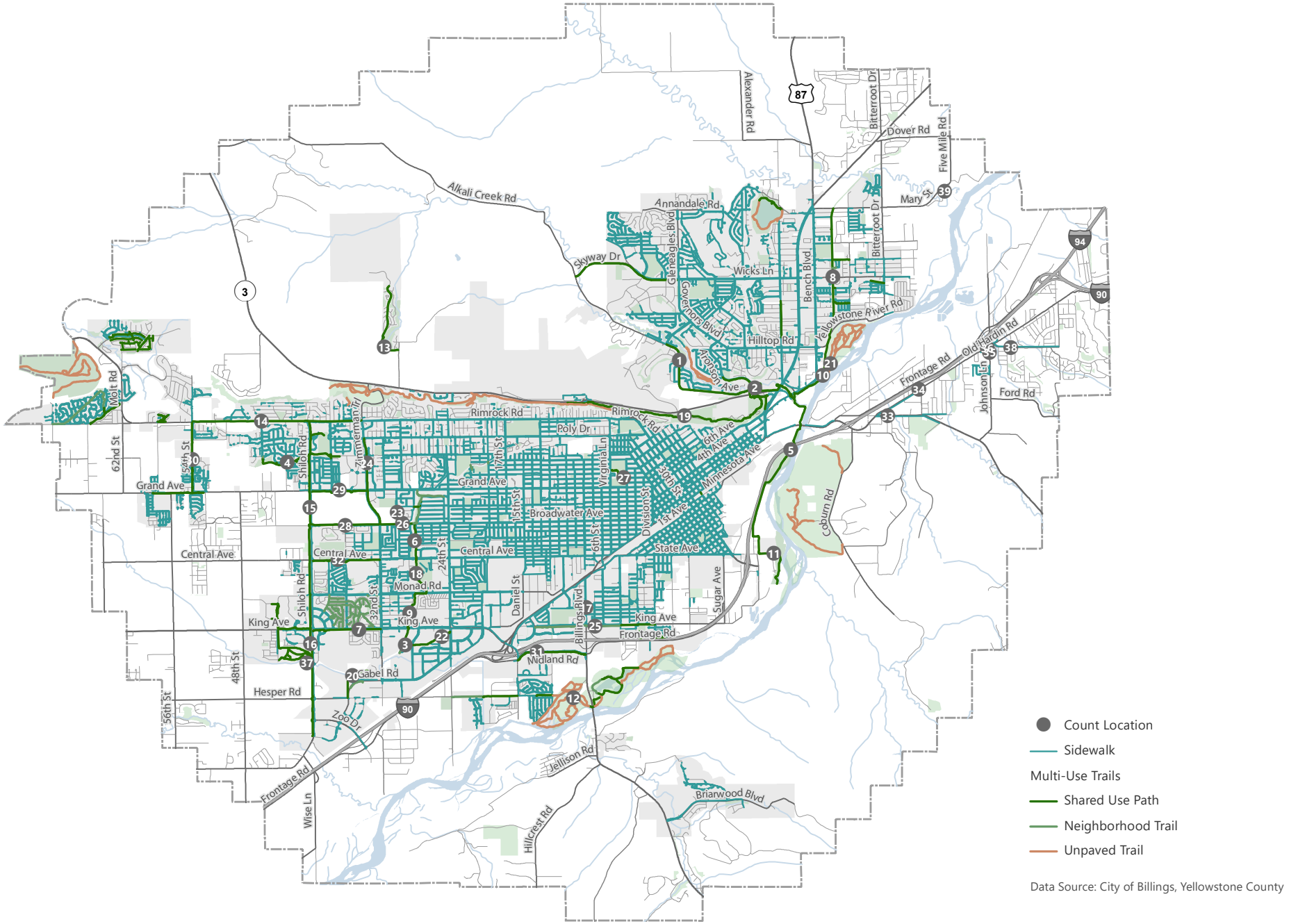
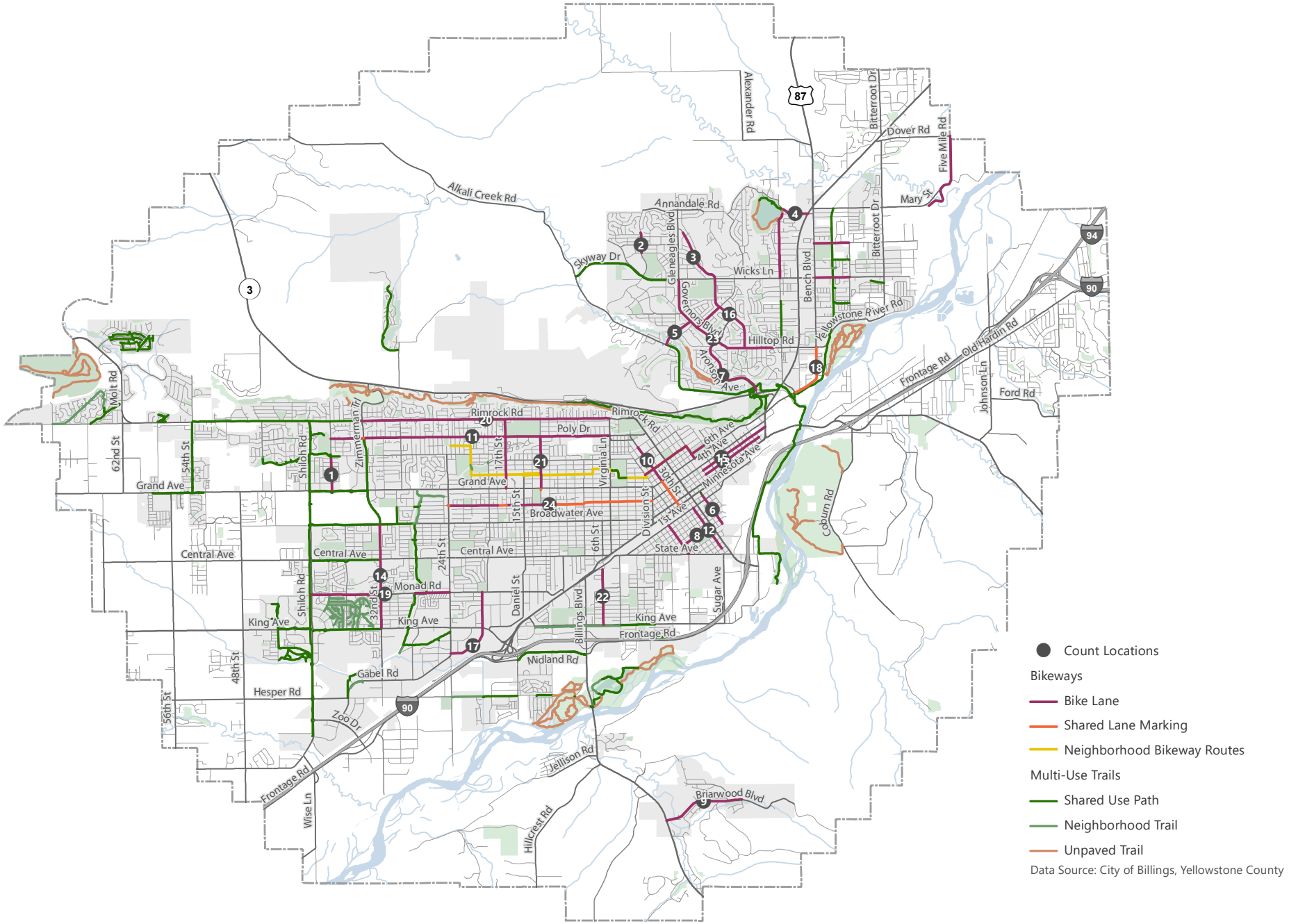


FIGURE 30. EXISTING COUNT LOCATIONS, BICYCLE LANES, AND TRAIL FACILITIES



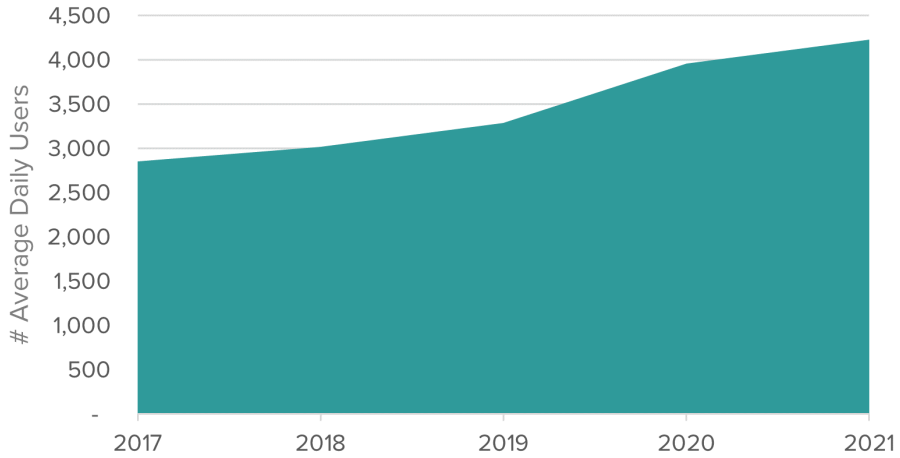
Volumes

As the Billings planning area has increased its walking and bicycling infrastructure, pedestrian and bicycle average daily volume data has been collected at select multi-use trail locations since 2008, and at select bicycle lane locations since 2017. For the most part, automated counters are utilized to collect this volume data, by conducting counts alongside a trail for one week and then rotating the counter to a new location to create an average daily volume for the location. Currently, the City of Billings owns three counters and rotates them such that the same location is counted during the same time frame each year, allowing for the year-to-year comparisons included here. The 39 multi-use trail count locations are displayed in Figure 31 and the 24 bicycle lane count locations are displayed in Figure 32. Each figure also depicts how volumes have increased at select locations over the past five years. System-wide, walking, bicycling, and rolling along the multi-use trail system and bicycle lane network has continued to grow, with trail system average daily volumes augmented by 48% (a change from 2,850 in 2017 to 4,225 in 2021) and bicycle lane system average daily volumes increased by 89% in the past five years (a change from 299 in 2017 to 517 in 2021), as displayed in Transportation Planning & Implementation Since 2018 and Figure 32, respectively.

Safe Routes to School

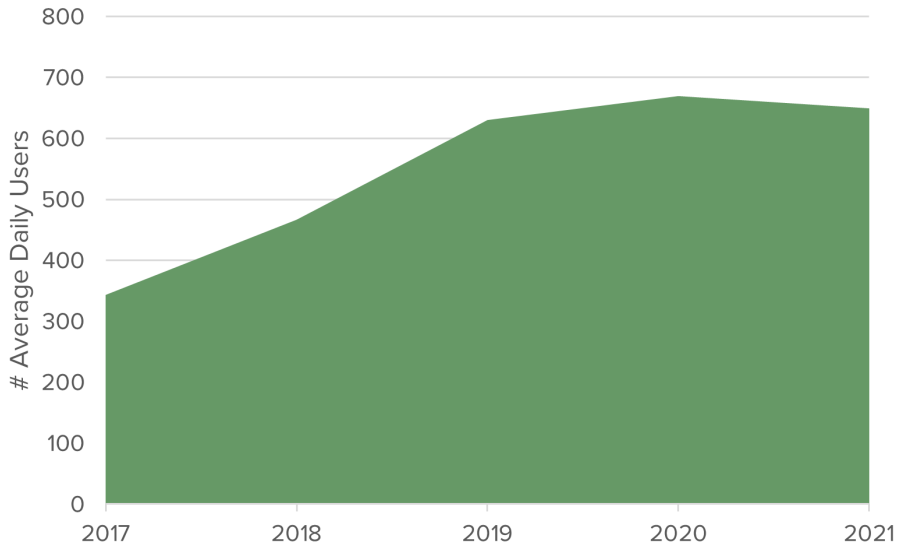
Completed in July 2022, the *Safe Routes to School Plan Update* is a comprehensive analysis of the existing barriers that prevent kids from walking and bicycling to school, coupled with systemic safety treatments to mitigate and remove the barriers. The Billings MPO conducted significant outreach with school administrators, planning partners, parents, and children to understand the challenges that exist and how to address them through policy, programs, and projects. Figure 33 displays the locations of infrastructure recommendations to improve walking and bicycling conditions for elementary school students throughout the Billings Public School system. The Billings MPO is working on the Phase 2 Safe Routes to School effort, which includes an additional 18 schools.

FIGURE 31. MULTI-USE TRAIL SYSTEM DAILY AVERAGE VOLUME (2017 - 2021)



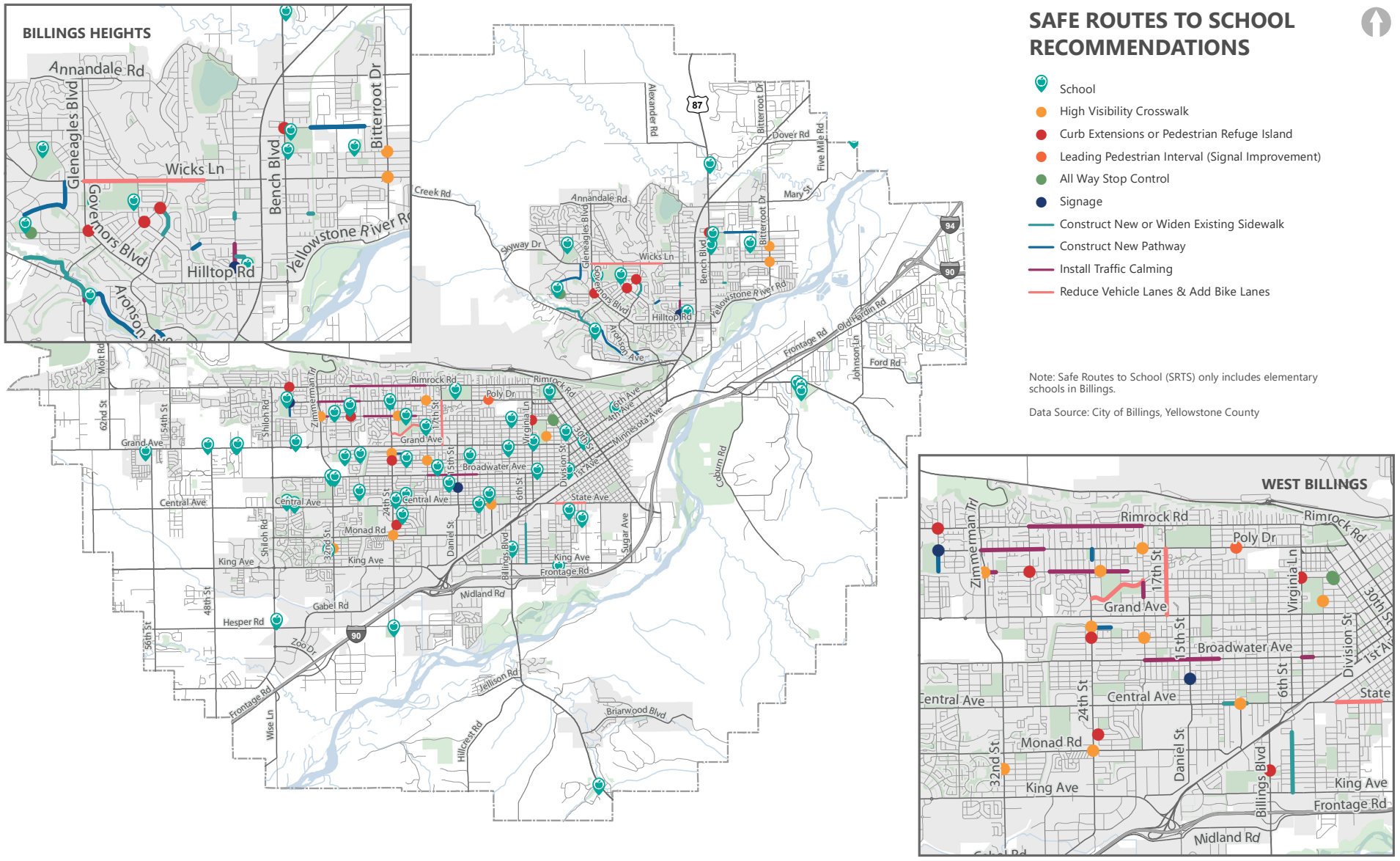
Source: City of Billings

FIGURE 32. BICYCLE LANE NETWORK DAILY AVERAGE VOLUME (2017 – 2021)



Source: City of Billings

FIGURE 33. SAFE ROUTES TO SCHOOL PLAN RECOMMENDATIONS



SAFE ROUTES TO SCHOOL RECOMMENDATIONS

- School
- High Visibility Crosswalk
- Curb Extensions or Pedestrian Refuge Island
- Leading Pedestrian Interval (Signal Improvement)
- All Way Stop Control
- Signage
- Construct New or Widen Existing Sidewalk
- Construct New Pathway
- Install Traffic Calming
- Reduce Vehicle Lanes & Add Bike Lanes

Note: Safe Routes to School (SRTS) only includes elementary schools in Billings.

Data Source: City of Billings, Yellowstone County

STREETS & HIGHWAYS

As noted in the 'Mode Share' section, approximately 90.2% of Billings residents carpool or drive along to commute to work, which indicates the primacy of cars in the Billings planning area. This section explores the existing conditions of the region's streets and highways.

Functional Classification

The roadway functional classification system defines a road's role in the overall context of the highway transportation system. In addition, it helps to define which standards are generally desirable for roadway width, right-of-way needs, access spacing, pedestrian and bicycle facilities, and other specifications. The functional classification system is typically established by the following hierarchy:

- **Freeways** serve high speed, long distance travel movements and provide limited access to adjacent lands. Often included in the arterial classification, freeways are unique in that they provide access to other arterial roadways via grade-separated interchanges. In the Billings planning area, the freeways are classified as Interstate. Typically, roadway access to these facilities is restricted from pedestrians and bicyclists.
- **Arterials** are intended to serve higher volumes of traffic, particularly through-traffic, at higher speeds. They also serve truck movements and should emphasize traffic movement over access to adjacent property. Arterial roadways are further designated as principal arterials and minor arterials. To accommodate pedestrians on arterial roadways, detached sidewalks or shared use paths should be provided. To accommodate bicyclists on arterial roadways, separated bicycle lanes should be provided.
- **Collectors** represent the intermediate class. As the name suggests, these roadways collect traffic from the local street system and link travel to the arterial roadway system. These roadways provide a balance between through-traffic movement and property access and provide extended continuity to facilitate traffic circulation within an urban community or rural area. To accommodate pedestrians on collector roadways, attached or detached sidewalks should be provided. To accommodate bicyclists on collector roadways, bicycle lanes or neighborhood bikeways should be provided.
- **Local Roads and Streets** are the lowest classification. Their primary purpose is to carry locally generated traffic at relatively low speeds to the collector street system and to provide more frequent access to individual businesses and residential property. Local streets provide connectivity through neighborhoods, but generally should be designed to discourage cut-through vehicular traffic and encourage lower vehicle speeds. To accommodate pedestrians on collector roadways, attached or detached sidewalks should be provided. To accommodate bicyclists on collector roadways, bicycle lanes or neighborhood bikeways should be provided.

As part of the LRTP planning process, the existing functional classification map was updated to reflect completed roadway projects, new connections, and future connections. Figure 35 illustrates the updated functional classification map for the Billings planning area. The functional classification map is used for local planning purposes by the MPO and does not represent the federally approved system. A map of the federally approved system can be accessed through the MDT website. In the Billings planning area, 4% of roadways are classified as Interstate, 14% as Principal Arterials, 5% as Minor Arterials, 8% as Collectors, and 70% as Local Street as shown in Figure 34.

FIGURE 34. SUMMARY OF ROADWAYS BY FUNCTIONAL CLASSIFICATION

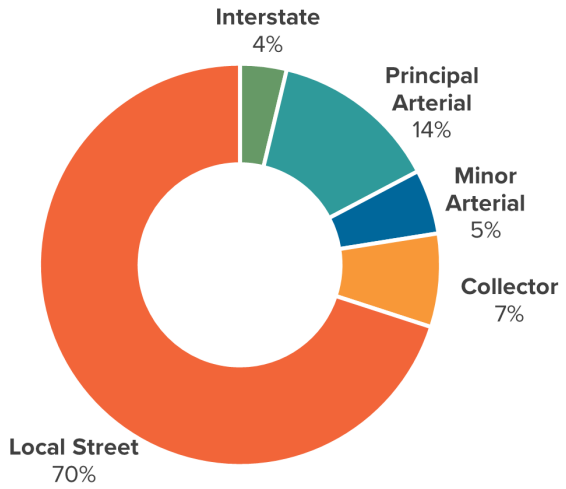
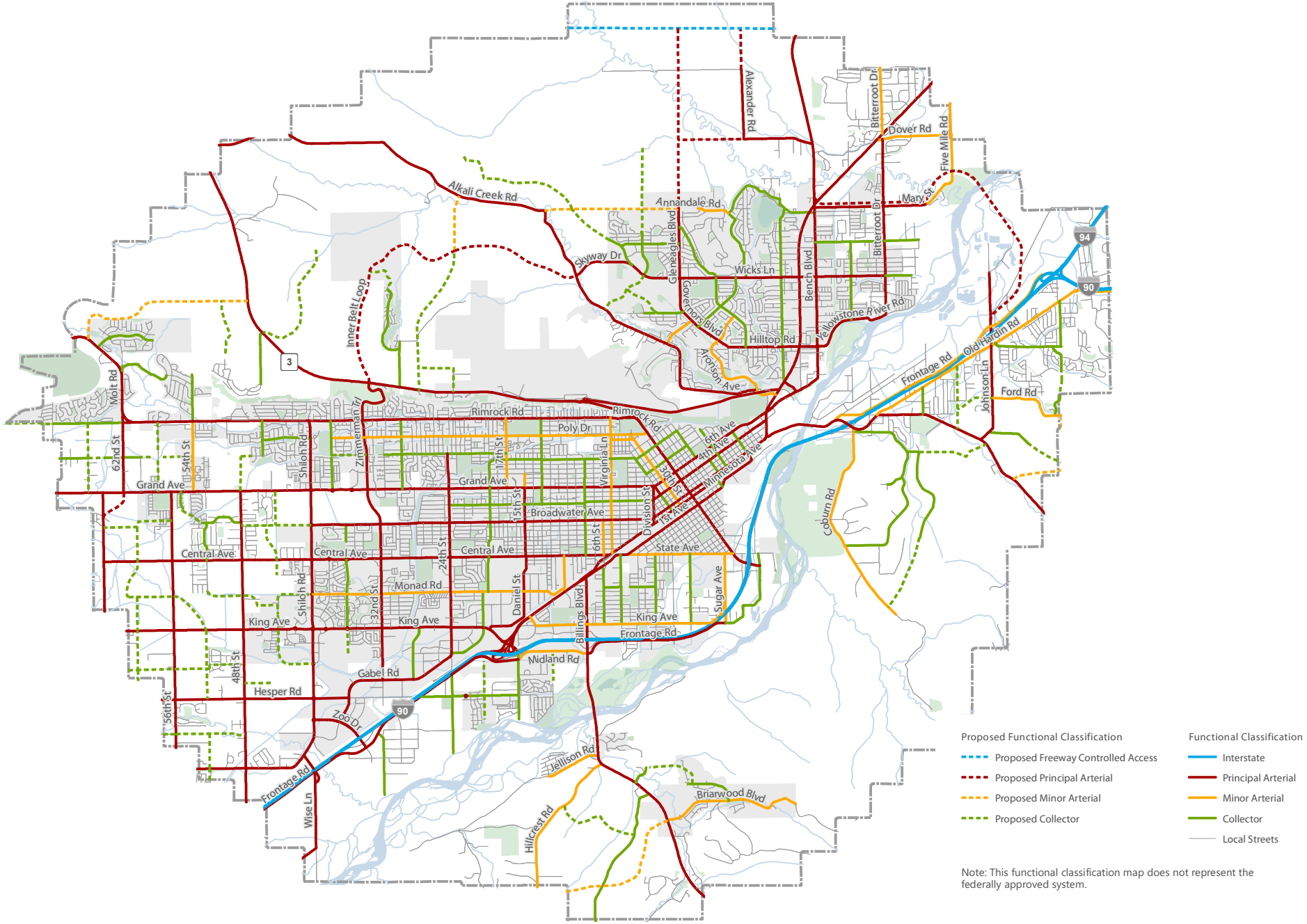


FIGURE 35. FUNCTIONAL CLASSIFICATION



Note: This functional classification map does not represent the federally approved system.

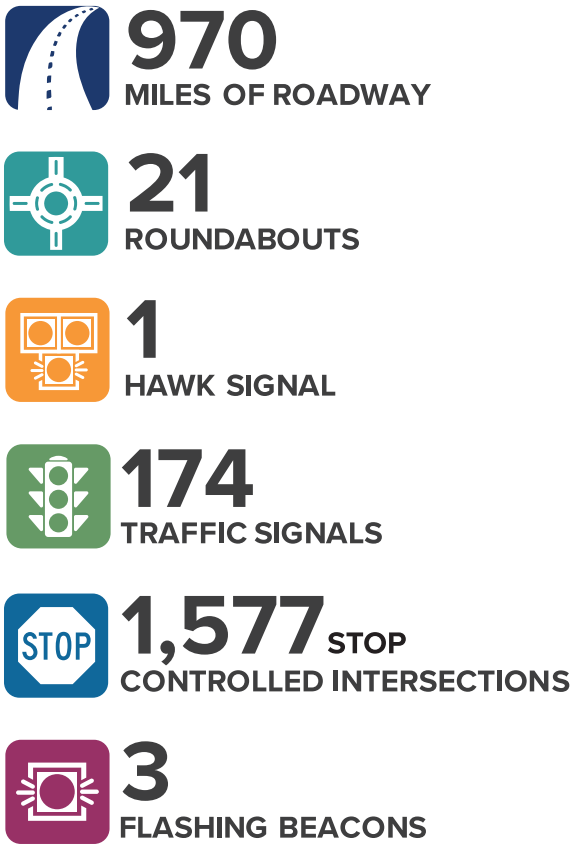
Facilities

Several major highways and roadways serve the Billings planning area, including Interstate 90, Interstate 94, US Route 87, and Montana Highway 3. Billings also lies along the Camino Real Corridor, a high priority corridor on the National Highway System and part of the North American Free Trade Agreement (NAFTA) that connects Canada, the United States, and Mexico. In total, the Billings planning area encompasses 970 miles of roadway, 174 signalized intersections, and 21 roundabouts. As shown in Figure 37, Interstate 90, Montana Highway 3, and US Route 87 are the three major roadways that converge near downtown Billings. Critical roadways that are part of the National Highway System (NHS) in the Billings planning area include:

- Interstate 90 (NHS, Eisenhower Interstate System) – Busiest truck route in the state
- Interstate 94 (NHS, Eisenhower Interstate System)
- Montana Highway 3 (NHS, STRAHNET Route)
- US Route 87 (NHS, Other NHS Route)
- King Avenue (NHS Principal Arterial)
- Zoo Drive (NHS Principal Arterial)
- Laurel Road (NHS Principal Arterial)
- 1st Avenue N (NHS Principal Arterial)
- 1st Avenue S (NHS Principal Arterial)
- Montana Avenue (NHS Principal Arterial)

For additional figures showing roadway facility characteristics, please reference the Existing Conditions Supporting Figures & Content Appendix. Additionally, in the Billings planning area, there are a variety of intersection control types, as displayed in Figure 36.

FIGURE 36. SUMMARY OF ROADWAY FACILITY TYPES



Traffic Volumes

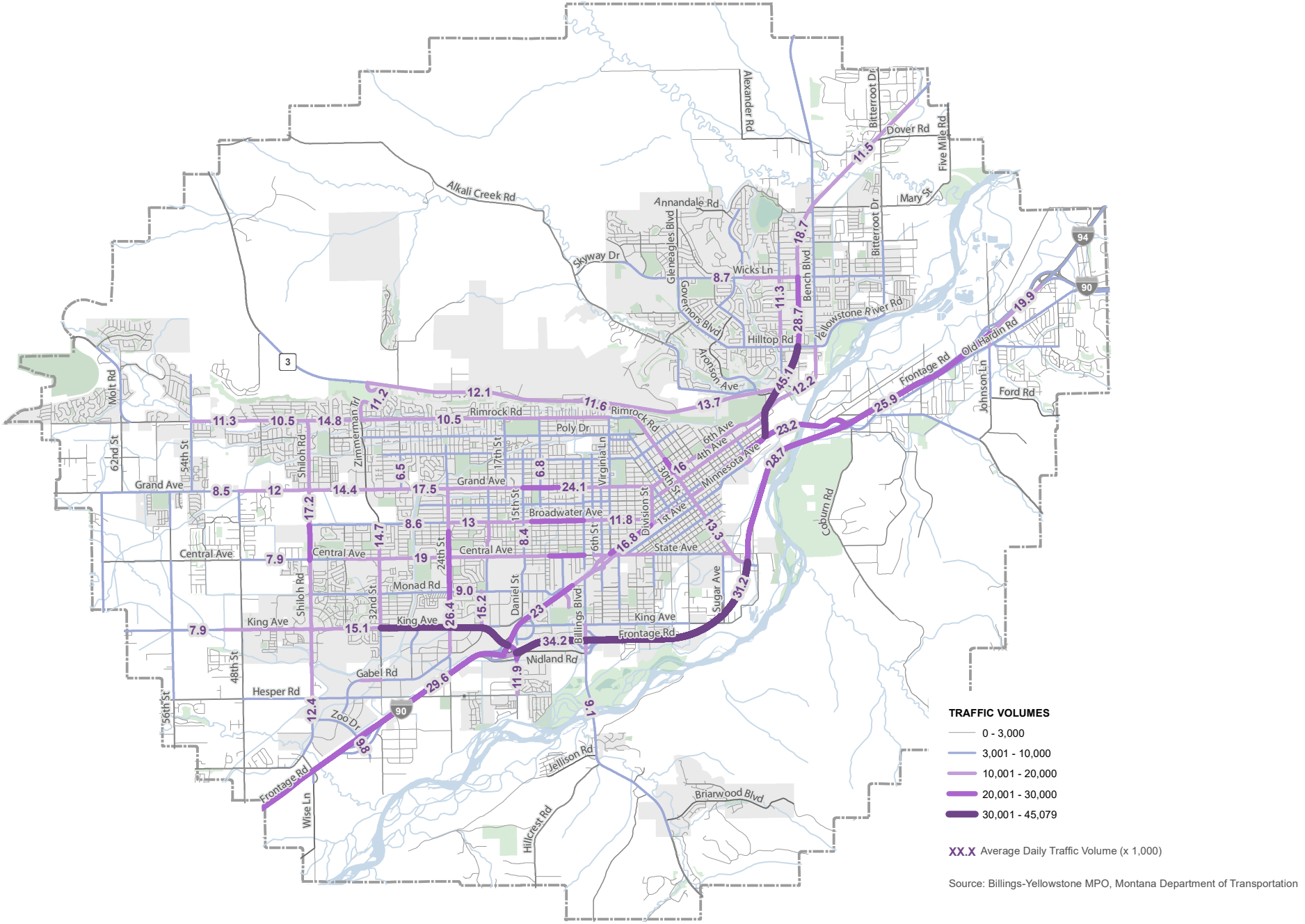
Figure 37 shows average annual daily traffic (AADT) volumes on roadways in the study area for year 2021 conditions. MDT collects traffic counts on roadways and provides an estimated AADT annually. These estimates are based on seasonally adjusted 48 hour sample counts. In the event a traffic count is not taken, current year change factors from continuous count stations in the region are applied to reflect positive or negative growth.

MDT also maintains a series of permanent, continuous traffic count locations and locations where data is collected daily, year-round. Traffic data at these locations was analyzed to determine traffic volume growth from year 2017 to year 2021. MDT traffic count data from 2017 to 2021 was analyzed from other count locations and indicated that the average annual growth rate for traffic volumes in the study area is approximately 1.3%.

In conjunction with the 2018 LRTP, the MPO developed a travel model for use in estimating traffic volumes and travel mode splits within the Billings planning area. The Billings travel model is a conventional travel demand forecasting model that is similar in structure to most other current area-wide models used for traffic forecasting. The model uses socioeconomic, land use, and network data to estimate travel patterns and roadway traffic volumes. The planning area is represented by 21 gateway zones at major road crossings of the planning area. For the 2023 LRTP, the travel demand model has been updated from the base year of 2017 to a base year of 2021, and the future year has been updated from 2040 to 2045.[34]

34 Billings-Yellowstone Metropolitan Planning Organization. (2022). *Billings Urban Area Travel Demand Model Update Report.*

FIGURE 37. YEAR 2021 AVERAGE ANNUAL DAILY TRAFFIC (AADT)



Traffic Operations

Intersection turning movement count data from a variety of sources[35] informed evening (4 - 6pm) peak hour level of service estimates at approximately 365 intersections throughout the Billings planning area. The traffic operations analysis was conducted utilizing *Highway Capacity Manual (HCM) 6th Edition and 2000* methodology[36,37]. The *Highway Capacity Manual* methodology calculates average vehicle delay (which corresponds with level of service) and capacity at intersections based on traffic volume patterns. The level of service estimates included most intersections featuring both approaches with collector or higher roadway functional classification. Turning movement counts were normalized to 2022 levels by assuming a 1.3% annual, compounding growth rate. Turning movement counts located on Shiloh Road (north of King Avenue) and to the west of Shiloh Road were normalized to 2022 levels by assuming a 3.0% annual, compounding growth rate due to higher growth occurring in this area based on review of historical traffic count data. Figure 38 shows existing intersection PM peak hour level of service. Intersections operating at a critical peak hour level of service E or F are shown in Table 20.

Level of service (LOS) has traditionally been the primary metric for evaluating roadway performance and impacts to transportation users. More recently, there's been an increased focus on reevaluating traditional metrics such as LOS that are used to assess the performance of transportation systems due to the limitations of those metrics for capturing multiple factors across the entire transportation network. LOS is focused on evaluating performance of motorized vehicles and does not consider alternative modes of transportation, which can lead to adverse consequences in long-term planning when LOS is used as the primary performance measure. Active transportation projects such as bicycle lanes or separated pedestrian paths do not result in a significant change in LOS despite the benefits of such facilities to the overall transportation network, particularly related to safety and accessibility. Additionally, roadway projects that are necessary to improve LOS can be very costly and could potentially induce demand, increase speeds, and ultimately compromise safety of all transportation modes.

Overall, vehicular LOS is an important metric to capture performance of motorized travel. For the Billings planning area, additional performance measures that focus on safety, mobility, and other community goals are identified in Chapter 2.

TABLE 20. CONGESTED INTERSECTIONS (LOS E AND LOS F) DURING PM PEAK HOUR (YEAR 2022)

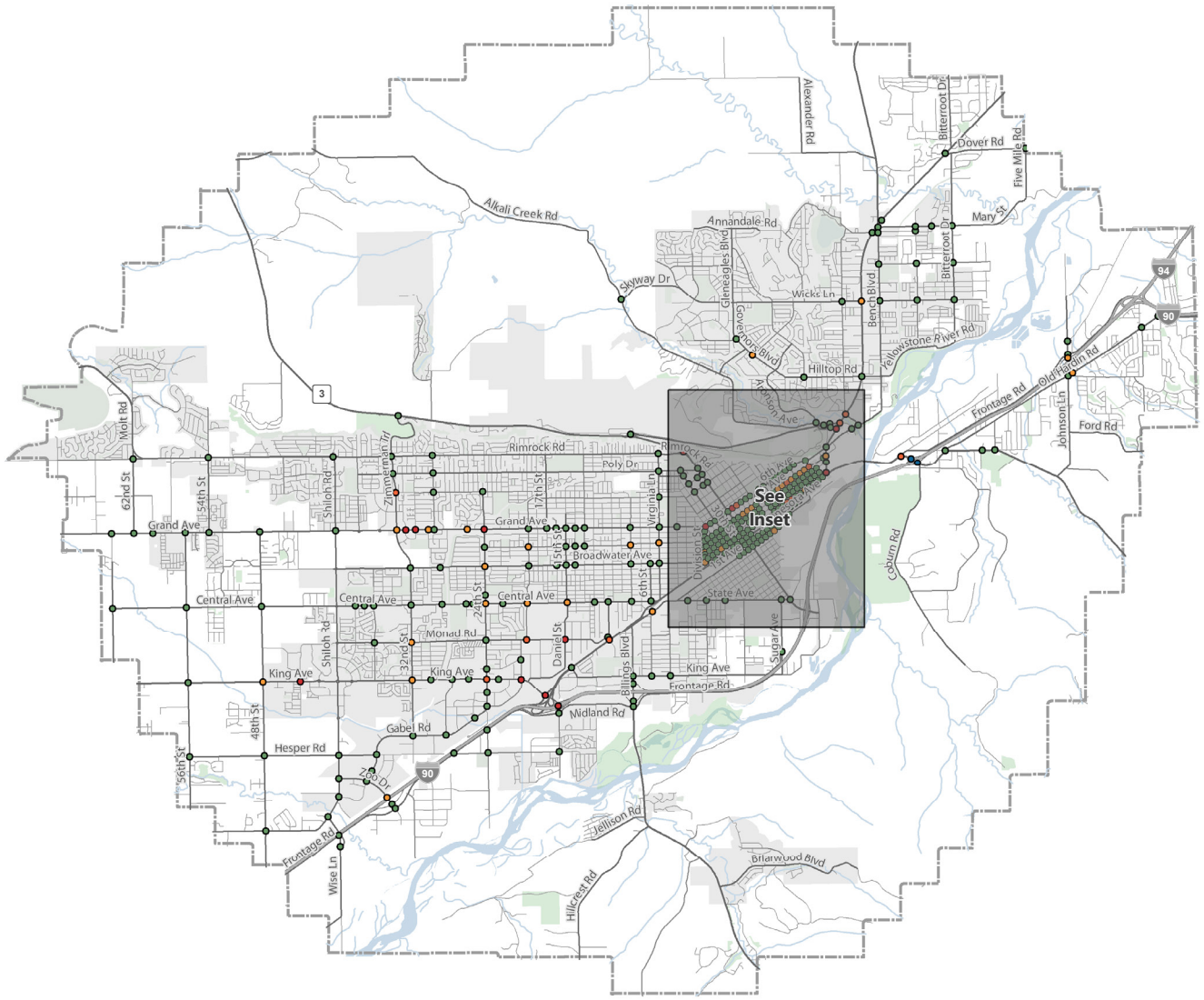
Intersections Operating at LOS E	Intersections Operating at LOS F
1st Ave N & 16th St (Stop Controlled)	1st Ave N & Main St (Traffic Signal)
1st Ave N & 17th St (Stop Controlled)	6th Ave N & 26th St (Stop Controlled)
4th Ave N & 10th St (Stop Controlled)	Aronson Ave & Main St (Stop Controlled)
4th Ave N & 15th St (Stop Controlled)	Grand Ave & 24th St (Traffic Signal)
6th Ave N & 25th St (Stop Controlled)	Grand Ave & 32nd St (Traffic Signal)
Airport Rd & Main St (Traffic Signal)	Grand Ave & Golden Blvd (Stop Controlled)
Colton Blvd & Zimmerman Trail (Stop Controlled)	Grand Ave/6th Ave N & 32nd St (Traffic Signal)
King Ave & 24th St (Traffic Signal)	King Ave & 44th St (Stop Controlled)
Lake Elmo Dr & Main St (Traffic Signal)	King Ave & I-90 Ramps (Traffic Signal)
Monad Rd & 19th St (Traffic Signal)	King Ave & Laurel Rd (Traffic Signal)
Moore Ln & Laurel Rd (Traffic Signal)	King Ave & Overland Ave (Traffic Signal)
US 87 & N Frontage Rd (Traffic Signal)	Monad Rd & Daniel St (Stop Controlled)
	Rimrock Rd & 27th St (Stop Controlled)

35 Intersection turning movement count data was obtained from MDT's Miovision database, the City of Billings, and transportation impact studies that have been conducted within the study area between 2017 and 2022.

36 Transportation Research Board. *Highway Capacity Manual 6th Edition*. 2016.

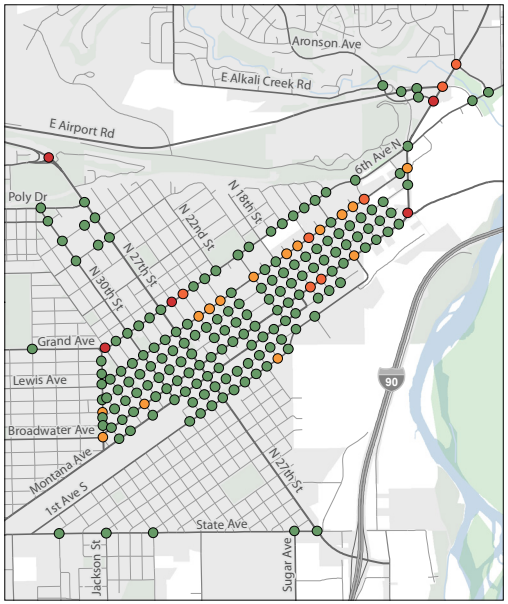
37 Transportation Research Board. *Highway Capacity Manual 2000*. 2000.

FIGURE 38. EXISTING (YEAR 2022) PM PEAK PERIOD INTERSECTION LEVEL OF SERVICE



YEAR 2022 INTERSECTION LEVEL-OF-SERVICE (LOS)

- LOS A, B, or C
- LOS D
- LOS E
- LOS F
- No Data



TRANSIT

Service Overview

Billings Metropolitan Transit, known as MET Transit (herein referred to as MET) is the public transit system serving the Billings planning area through fixed-route and paratransit bus services since 1973. MET is operated by the City of Billings. The METroplex is a 31,000 square-foot facility located at 1705 Monad Road in Billings. This complex, built in 1983 with renovations in 1998, 2000, and 2016 provides a centrally located facility for MET operations that includes administration, dispatch, vehicle maintenance, washing, and fueling. MET operates all routes through two transfer centers that operate a “pulse” system where buses arrive and depart from the transfer center simultaneously:



Source: DOWL

- **Stewart Park Transfer Center** – This transfer center was constructed in 1993 and renovated in 2003. It is located south of Central Avenue and adjacent to the Rimrock Mall. This transfer center has ten bus parking spaces, passenger shelters and benches, and a driver break area.
- **Downtown Transfer Center** – This transfer center was constructed in 2008 (opened in 2009) and is located at 220 N 25th Street in Billings. This transfer center has fifteen bus parking spaces, passenger shelters and benches, a covered passenger pavilion, and a driver break area.

Recently, MET has been implementing several technology upgrades to improve convenience and ease of use, including on-board Wi-Fi, an electronic fare system, new paratransit dispatching and scheduling software, real-time bus tracking software, and automatic passenger counters. Along with this, MET updated its Transit Development Plan in 2022, which includes a redesign of the transit network that is further discussed in Chapter 5. Additional details about transit planning in the Billings area are available in the Existing Conditions Supporting Figures & Content Appendix.

FLEET

MET directly owns and operates a fleet of twenty-five buses to provide service on its fifteen fixed routes. Seventeen of MET’s fixed-route fleet are recently purchased 32-foot buses to replace the aging fleet using federal grants and other sources (in 2021). MET’s fleet also includes 15 body-on-chassis small buses to provide service on 10 paratransit demand-response routes. MET’s fleet is delineated in Table 21.

TABLE 21. MET FIXED ROUTE FLEET

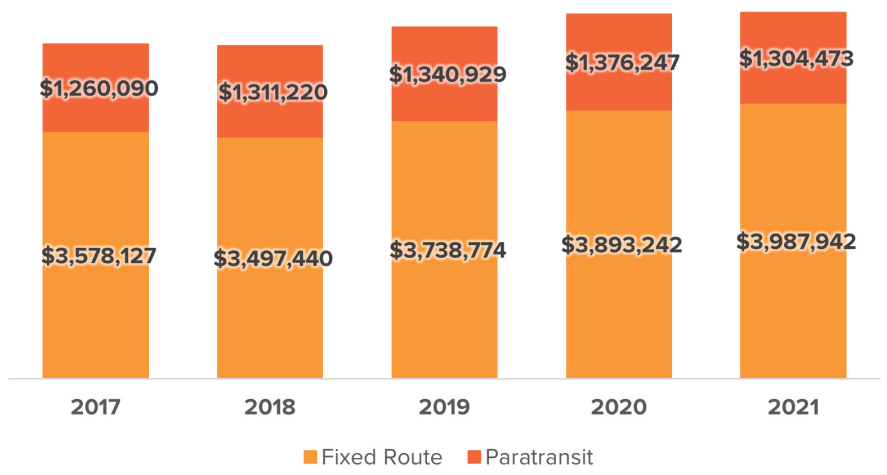
VEHICLE SERVICE TYPE	NUMBER OF VEHICLES
Fixed Route	25
Paratransit	15
Support (Staff Fleet Vehicles)	3

Source: MET Transit

FINANCES

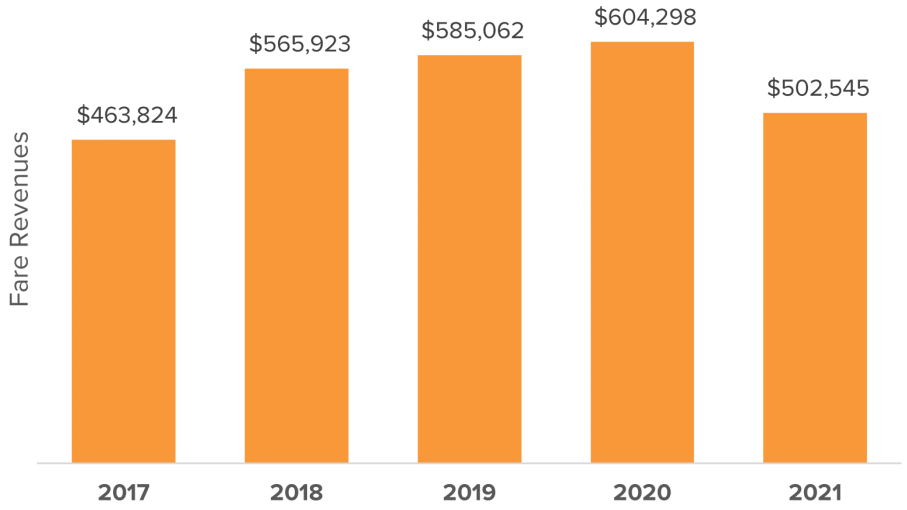
MET operates using several funding sources including FTA grants, MDT grants generally passed through from FTA funding sources, local mills, advertising, and fare revenues. The average annual operating expense budget is approximately $5 million. MET is set up as an "enterprise" fund, meaning MET does not receive funding from the City of Billings general fund; similarly, other City departments and operations do not have access to the transit division funds as the operating mills and revenue are designated specifically for transit use only. Figure 39 depicts the total operating cost for MET between 2016 – 2020, which has increased slightly and steadily over the past five years.

FIGURE 39. MET TOTAL OPERATING COSTS (2017 - 2021)



Source: MET Transit, National Transit Database

FIGURE 40. MET TOTAL FARE REVENUES (2017 - 2021)



Source: MET Transit, National Transit Database

MET offers a variety of fare options for riders, including on-bus cash payments, UMO Mobility app-based digital payments, and card-based TouchPass payments, which are available for purchase at Billings City Hall and participating school offices. For fixed route service, MET offers one-way fares, single day passes, 10-ride passes, and unlimited monthly passes – these fares vary in price, with discounts for youth (6-18 years), seniors (62 years and up), and disabled citizens. Additionally, MET offers the Veterans with Service Connected Disabilities program, which provides free fares for qualified veterans. MET offers fare-capping, a benefit that automatically upgrades riders to an unlimited monthly pass once their fare purchases of one-way fares, single day passes, or 10-ride passes equals the cost of the unlimited monthly pass. For paratransit service (MET Plus), the fare is $3.50 for each one-way ride. Total fare revenue for both fixed route and paratransit services is depicted in Figure 40. Fare revenue provides funding for approximately 8 – 12% of the operating cost.

COVID-19 IMPACTS & RESPONSE

The COVID-19 global pandemic substantially impacted MET ridership, decreasing 30% from a high in 2016 to a low in 2020. To respond to the needs of the Billings community, MET implemented several modifications to help alleviate both the risk and financial hardships, including:

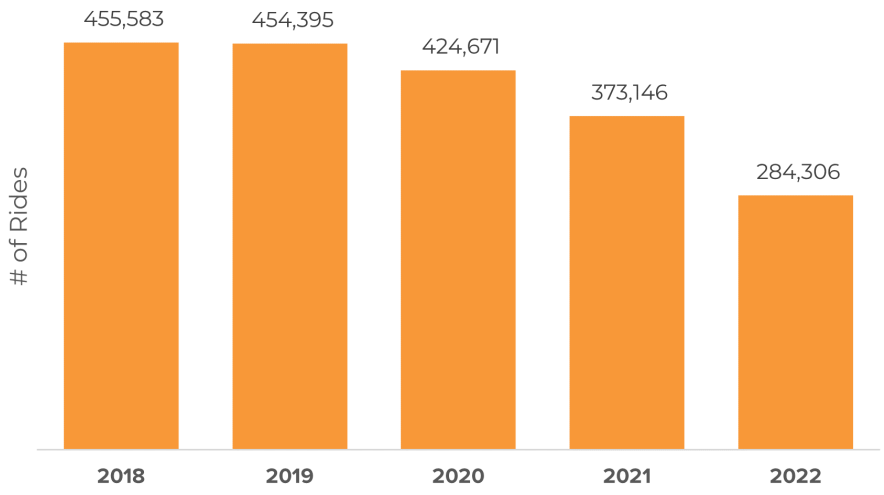
- Fare free operation from mid-March 2020 – May 2020.
- Creation of Transit Police to ensure rider safety.
- Rear door boarding during business closures (MET has since returned to front door boarding).
- On existing fleet vehicles, driver barriers were installed (newly purchased vehicles do not include barriers, as drivers did not prefer them).
- Digital fare payment system implemented in Fall of 2020 to minimize the contact between operators and riders, in addition to allowing online or phone fare purchases.
- Due to driver shortages, MET eliminated many of its school tripper routes in Fall of 2021 and redirected students to fixed route services, which maintained student ridership.

Fixed Route Transit Service

MET offers fifteen routes on weekdays (service hours between 5:50 AM – 6:40 PM), and seven routes on Saturdays (8:10 AM – 6:10 PM). Figure 43 displays MET routes and transfer centers. Most routes operate at one-hour service frequency in a "pulse" setup with buses simultaneously arriving to and departing from the two MET Transit Transfer Center locations: Downtown Transfer Center and Stewart Park Transfer Center. MET operates a modified flag stop system, with 101 designated bus stops and a ridership that can flag down buses at any intersection along the route deemed safe enough to board or alight. Twenty-four of these stops have bus shelters – mostly along higher ridership routes, and many have benches. All fixed route buses are equipped with automated passenger counters (APCs) to collect data on popular boarding and alighting locations. MET is currently working with the Billings MPO to improve the coordination and development of pedestrian and bicycle infrastructure that connects with MET routes.[38]

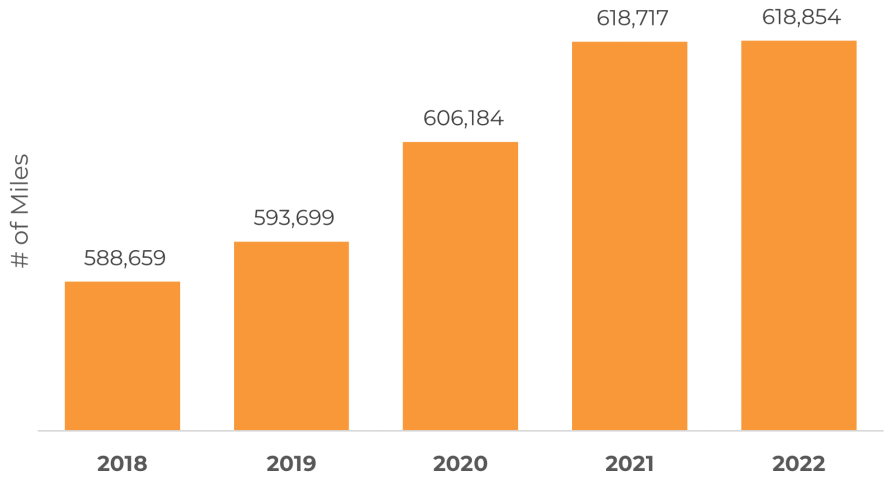
Figure 41 depicts the fixed route ridership between 2018 – 2022, which shows a steady decrease over the past five years, with a substantial decline in 2020 (likely due to the COVID-19 pandemic). Figure 42 shows the service miles for fixed routes, which have steadily increased over the past five years, likely due to service changes implemented in 2018. Figure 44 displays fixed route service hours, which have remained relatively steady over the past five years.

FIGURE 41. MET FIXED ROUTE RIDES (2018 - 2022)



Source: MET Transit, National Transit Database

FIGURE 42. MET FIXED ROUTE SERVICE MILES (2018 - 2022)



Source: MET Transit, National Transit Database

38 R. Logan (electronic communication, August 18, 2022).

FIGURE 43. MET ROUTES AND TRANSFER CENTERS

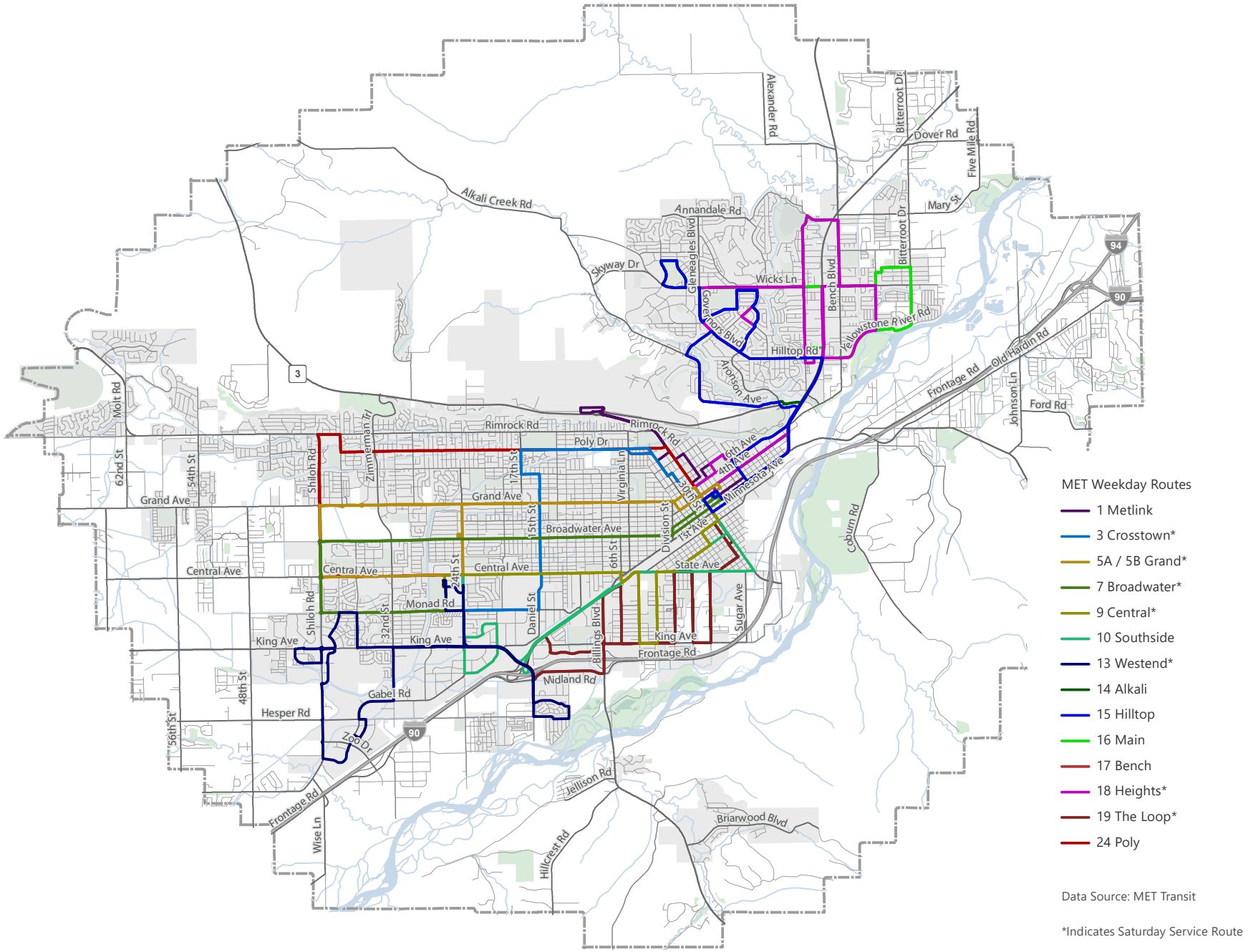
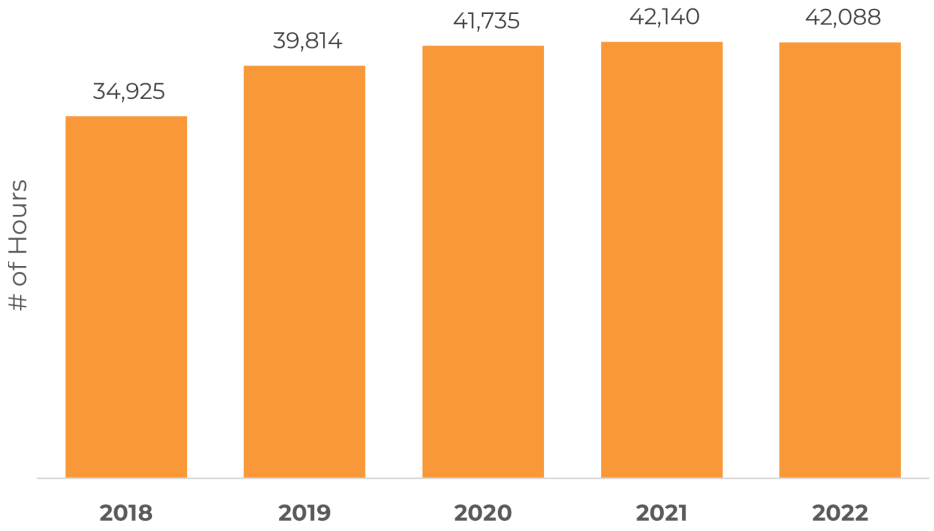


FIGURE 44. MET FIXED ROUTE SERVICE HOURS (2018 - 2022)

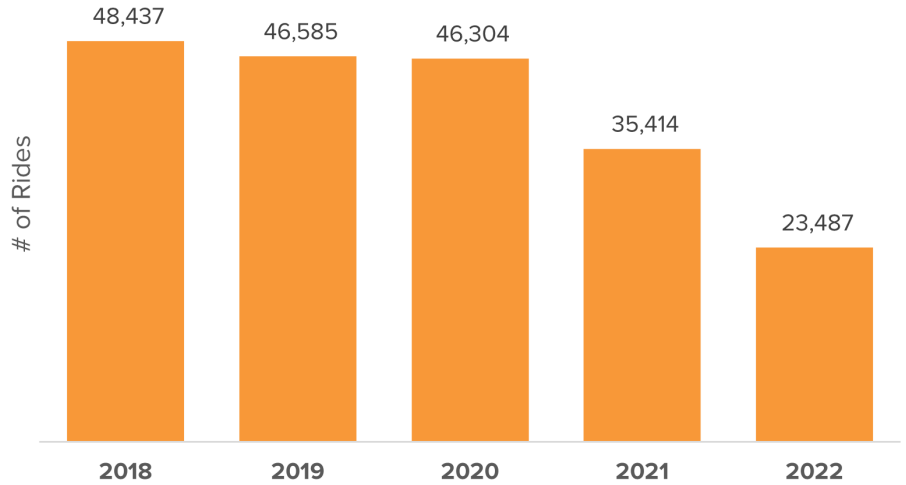


Paratransit Service (MET Plus)

MET directly provides complementary paratransit service for riders unable to use the fixed route service due to a disability. The paratransit service was rebranded as MET Plus in the summer of 2019. MET Plus is an origin to destination service for persons certified as eligible through an application process. The MET Plus service area includes the Billings city limits and within ¾ mile of a MET fixed route service. MET Plus service hours operate on weekdays between 5:50 AM to 6:40 PM and on Saturdays between 8:10 AM – 6:10 PM. MET Plus is a curb-to-curb service typically, but riders can request door-to-door service as well. Riders may request rides through a dispatch service (between 7:00 AM – 5:00 PM, Monday through Friday), the Ecolane Mobile App, or the Ecolane Self Service web portal. Rides are scheduled on a first-come, first-served basis. Additionally, MET contracts with both the Adult Resource Alliance as well as the State of Montana Developmental Disabilities Bureau to provide subscription services and expanded services outside of minimum required paratransit services.

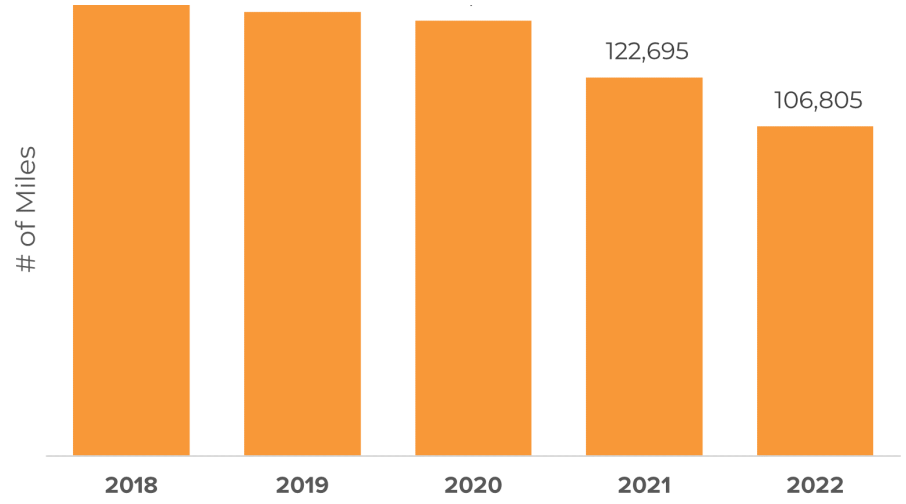
Figure 45 depicts paratransit ridership between 2018 – 2022, which shows a steady decrease over the past five years, with a substantial decline in 2020 (likely due to the COVID-19 pandemic). Figure 46 shows the service miles for fixed routes, which have also steadily decreased over the past five years. Figure 47 displays fixed route service hours, which have remained relatively steady over the past four years, with a substantial decline in 2020.

FIGURE 45. MET PARATRANSIT RIDES (2018 – 2022)



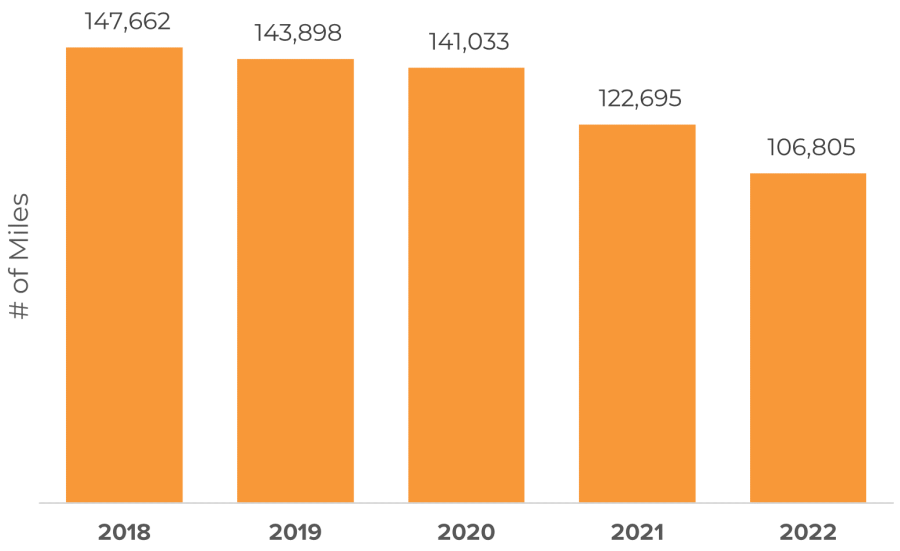
Source: MET Transit, National Transit Database

FIGURE 46. MET PARATRANSIT SERVICE MILES (2018 - 2022)



Source: MET Transit, National Transit Database

FIGURE 47. MET PARATRANSIT SERVICE HOURS (2018 – 2022)



Source: MET Transit, National Transit Database

Private Transit Service

Private for-profit public transportation providers operating in and through the Billings planning area include intercity bus lines, charter and rental bus services, and taxicab services. Jefferson Lines provides the most extensive service in the Billings planning area, connecting with *Whitefish, Kalispell, Lakeside, Polson, Pablo, Saint Ignatius, Ravalli, Arlee, Evaro, Missoula, Butte, Bozeman, Miles City, and Glendive*. Additionally, Greyhound Lines operates services that connect Billings with other destinations along the I-90 corridor. Billings also has several transportation network companies and private taxi services available, including:

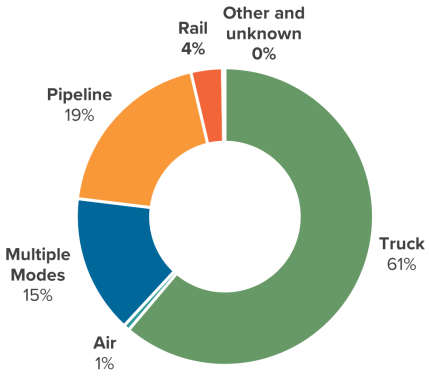
- Uber
- Lyft
- Billings Yellow Cab
- Total Transportation (A Plus Limos)
- Billings Limousine Service
- Red Lodge Tour and Taxi

FREIGHT

The movement of goods and services is an economic driver for the City of Billings. As the largest city in Montana, Billings experiences a significant amount of freight traffic on its roadway system, at its airport, and on its railways due to the geographic location and proximity to other major hubs. This chapter will outline existing conditions for freight movement in trucking, aviation, and rail in the Billings planning area.

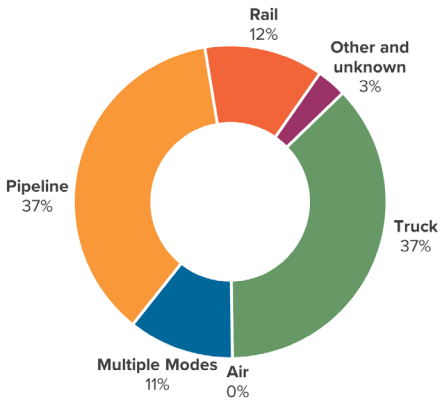
Utilizing the Federal Highway Administration Freight Analysis Framework, 5th Edition (FAF5), the existing (Year 2020) multimodal freight movement for the state of Montana is shown by value and by tonnage in Figure 48 and Figure 49. Trucking accounted for 61% of freight by value and 37% by tonnage in 2020, where rail accounted for 4% of freight by value and 12% of freight by tonnage. Overall, aviation comprises a small percentage of the total freight movement by value (1%) and by tonnage (0%).

FIGURE 48. MONTANA FREIGHT MOVED BY MODE - VALUE (2020)



Source: Federal Highway Administration Freight Analysis Framework 5th Edition

FIGURE 49. MONTANA FREIGHT MOVED BY MODE - TONNAGE (2020)



Source: Federal Highway Administration Freight Analysis Framework 5th Edition

Trucking

This section includes a summary of existing truck facilities, routes, and high freight activity zones within the Billings planning area. A brief operations analysis is included to identify trends related to truck traffic along key corridors and at key intersections. Highways that traverse the Billings planning area are included on the National Highway System (NHS), which qualifies these roadways for additional federal funding and stipulates additional performance measurement. In the Billings planning area, there are corridors included on both the Interstate NHS and non-Interstate NHS, which are displayed in the Existing Conditions Supporting Figures & Content Appendix. NHS roadways in the Billings planning area include:

- Interstate 90
- Interstate 94

Non-Interstate NHS roadways in the Billings planning area include:

- US Highway 87 / Main Street / Roundup Road
- MT Highway 3 / Airport Road
- Laurel Road / Montana Avenue
- State Avenue
- 1st Avenue
- 27th Street
- King Avenue / Mullowney Lane
- Shiloh Road / Zoo Drive

FACILITIES

The primary truck routes in the study area are Interstate 90 (I-90), Interstate 94 (I-94), US Route 87 (US 87), and Montana Highway 3, as shown in Figure 51. The Camino Real, which is a North American Free Trade Agreement (NAFTA) designated transportation corridor connecting Mexico to Canada through the United States, traverses Billings along Montana Highway 3 and I-90. MDT and the City of Billings have identified or are constructing projects that are anticipated to have a significant impact to freight mobility within the study area:

- **1st Avenue N and Exposition Drive:** This on-going MDT project will provide safety and capacity improvements at the 1st Avenue N and Exposition Drive (Main Street) intersection and adjacent intersections. The 1st Avenue N and Exposition Drive intersection is on the Camino Real corridor and provides a connection between the Lockwood Interchange and the City of Billings.
- **Airport Road and Main Street:** This on-going MDT project will provide safety and capacity improvements at the Airport Road and Main Street intersection and adjacent intersections. The Airport Road and Main Street intersection is on the Camino Real corridor and provides a connection between the airport, downtown, and Heights neighborhoods.
- **Billings Bypass:** The Billings Bypass is a multi-phase MDT project that will connect the Johnson Lane/I-90 Interchange to the Heights neighborhood via a new roadway and Yellowstone River Crossing. This project will provide a new route that may be utilized by freight traffic between I-90 and US 87 or Highway 312 and will allow freight traffic to bypass congested corridors in the vicinity of Main Street and 1st Avenue N. The initial phase of the project (Five Mile Road and Yellowstone River Bridge) has been constructed.

- **Interstate 90:** MDT has three ongoing projects to widen I-90 and improve interchanges from Johnson Lane to 27th Street. These projects will improve freight movement and reliability on this segment of I-90 through the Billings community.

These truck routes, along with major freight activity generators and freight route restrictions, are displayed in Figure 51.

FREIGHT MOVEMENT

Billings

Within the Billings planning area, freight movement by truck is mostly concentrated on the facilities discussed in the previous section. The heavy vehicle percentage for planning area roadways, calculated from the 2021 average annual daily traffic volumes, is available in the Existing Conditions Supporting Figures & Content Appendix.

Montana

Freight movement by truck was assessed using the most recent data for the state of Montana from the FHWA FAF5. Table 22 summarizes trucking demand by location-destination category for Year 2020 in millions of tons and millions of dollars. As shown, trucking plays a significant role in transporting freight within the state and to the state, with a slightly lesser role in transporting freight from the state (both by tonnage and by value).

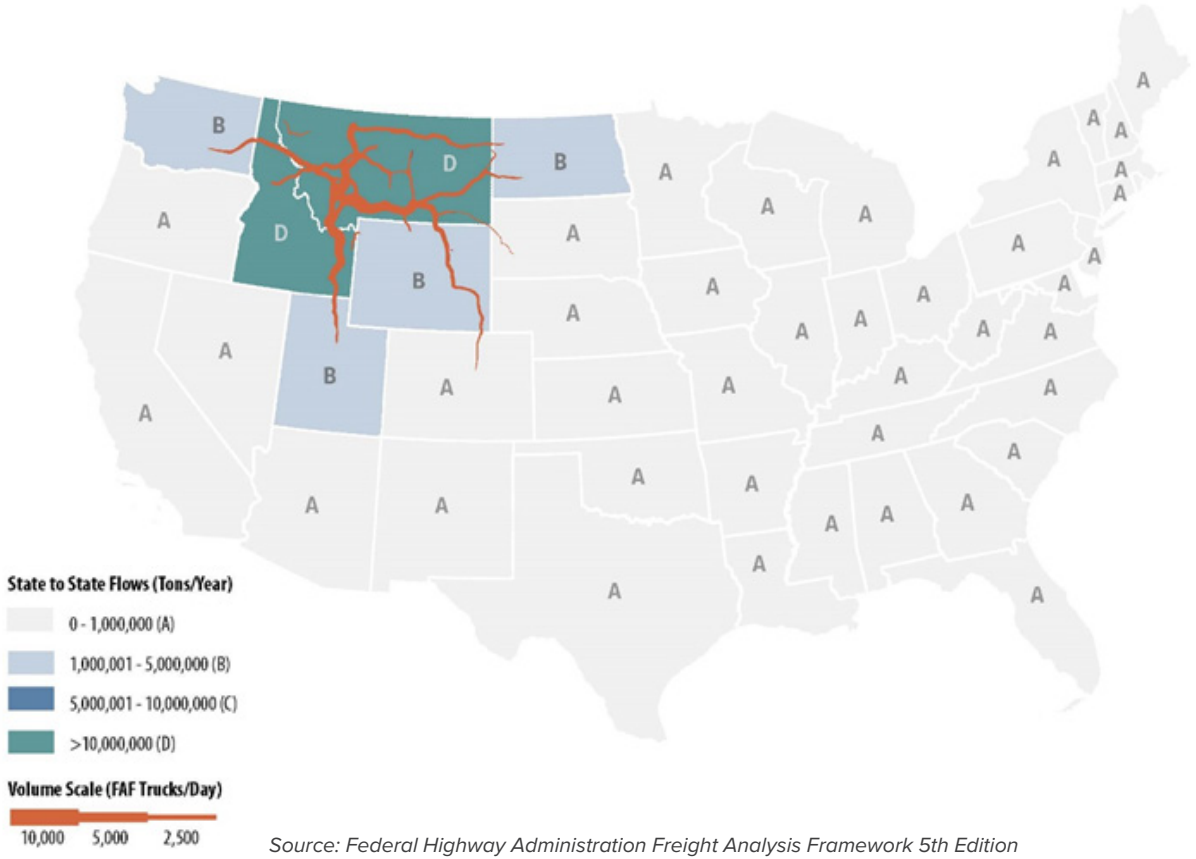
Utilizing regional FAF5 data, the major freight flows by truck for Year 2017 are depicted in Figure 50. As a statewide hub, Billings is expected to continue serving the highest volumes of trucking traffic in the state. As demand continues to increase in the state and region, it is important for Billings to invest in infrastructure maintenance, capacity, and safety on designated trucking routes to address anticipated future needs.

TABLE 22. YEAR 2020 TOTAL FREIGHT MOVED BY TRUCK

MONTANA TRUCK SHIPMENTS	WITHIN STATE	FROM STATE	TO STATE
In Millions of Tons (% Moved by Truck)	33.7 (46%)	13.4 (19%)	14.7 (65%)
In Millions of Dollars (% by Truck)	14,635 (60%)	9,892 (46%)	24,377 (72%)

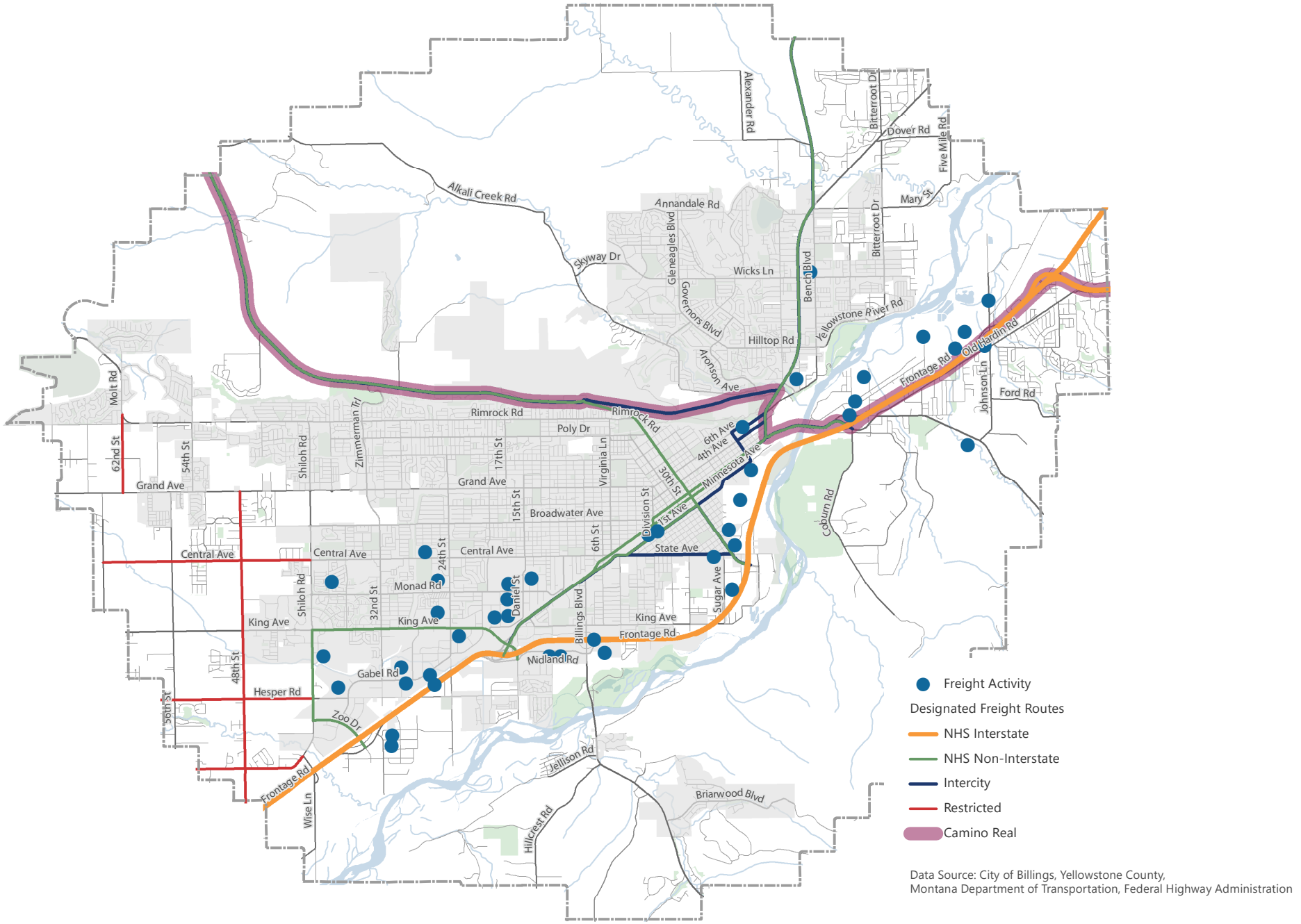
Source: Federal Highway Administration Freight Analysis Framework 5th Edition

FIGURE 50. MAJOR FLOWS BY TRUCK TO, FROM, AND WITHIN MONTANA (2017)



Source: Federal Highway Administration Freight Analysis Framework 5th Edition

FIGURE 51. TRUCK ROUTES, RESTRICTIONS, AND LOCAL GENERATORS

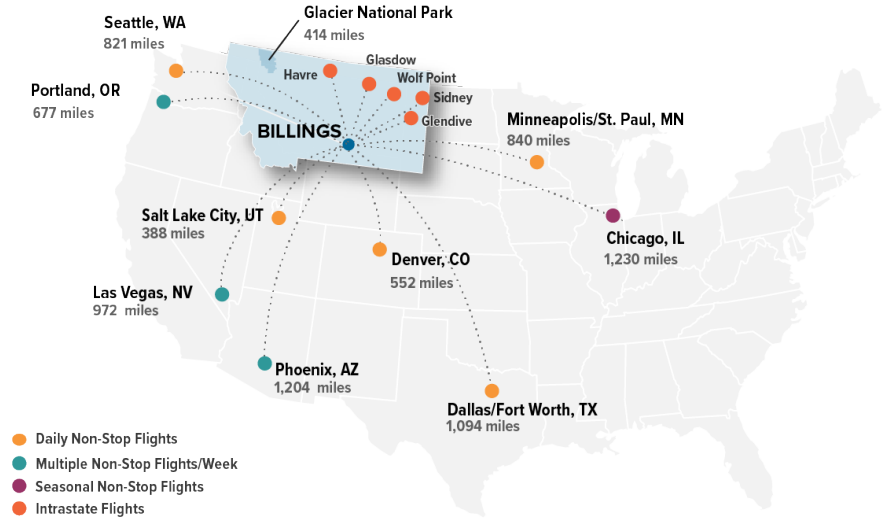


Data Source: City of Billings, Yellowstone County, Montana Department of Transportation, Federal Highway Administration

Aviation

The Billings Logan International Airport (BIL) serves as a regional air traffic hub for travel within the state of Montana and outside of Montana to several major US cities, shown in Figure 52. The airport officially opened in 1927 as the Billings Municipal Airport and has since undergone several major terminal expansions in 1958, 1972, 1992, and 2022 to accommodate growing demand. The management of BIL is housed within the City of Billings Aviation and Transit Department, along with MET.

FIGURE 52. BIL DIRECT COMMERCIAL AIR SERVICES



The *Airport Master Plan* was completed in March 2010 and serves as a 20-year development plan for BIL. The next Master Plan update is scheduled to begin in 2024. The BIL Airport's 2022-2026 Five-Year Capital Improvement Plan (CIP) identifies construction projects for the next five years and is updated yearly. In June 2022, Phase 1 and Phase 2 of another major terminal expansion project



were completed. The expansion included constructing the new A Concourse. Phases 3, 4, and 5 include the construction of a new TSA queuing area, building the new B concourse, and remodeling the existing C concourse. These construction projects are expected to be complete by Summer 2024. Upon completion of the project, the expansion will add 8 new gates/hold rooms with the ability to feasibly add additional gates as the need for capacity arises.

SERVICE

The available commercial airline services at BIL are summarized in Table 23. However, the addition of 8 new gates/hold rooms as part of the BIL expansion project will allow BIL to offer more air passenger services upon completion scheduled for 2024.

TABLE 23. PRIVATE OPERATOR CONNECTIONS

AIRLINE	DIRECT SERVICES	DAILY DEPARTURES	WEEKLY DEPARTURES
Delta/ Skywest	Minneapolis, MN and Salt Lake City, UT	5	-
United/ United Express	Denver, CO and seasonal to Chicago, IL	3	-
Frontier	Seasonal to Denver, CO	-	-
Alaska	Portland, OR and Seattle, WA	2 (Seattle, WA)	1 (Portland, OR)
American	Dallas, TX and seasonally to Chicago, IL and Phoenix, AZ	3 (Chicago, IL and Dallas, TX)	1 (Dallas, TX)
Allegiant	Phoenix, AZ and Las Vegas, NV	-	5
Cape Air	Glasgow, Glendive, Havre, Sidney, Wolf Point, MT	8	-

Source: Billings Logan International Airport as of July 2022

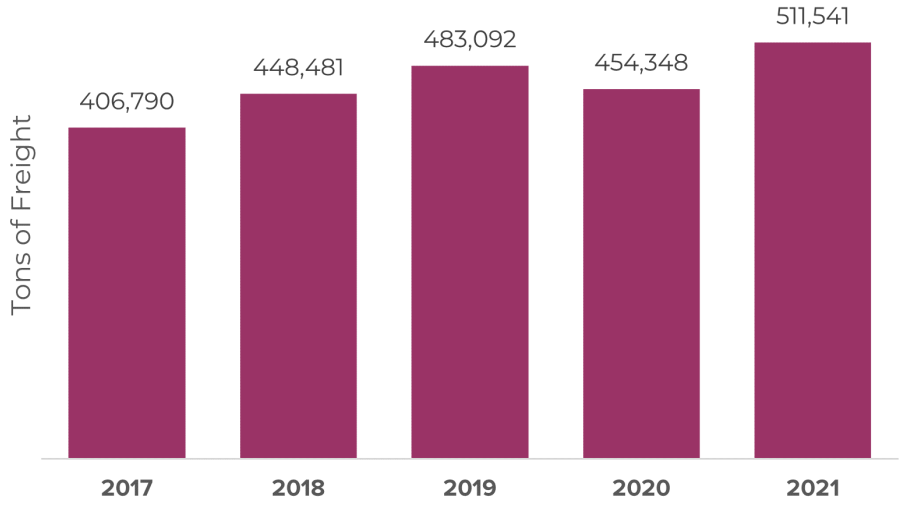
FREIGHT MOVEMENT

Annual freight tonnage moved by air through BIL is shown in Figure 53. Freight tonnage has increased 26% between 2017 – 2021, growing steadily except for a slight dip in 2020, likely due to the COVID-19 pandemic.

PASSENGER ENPLANEMENTS

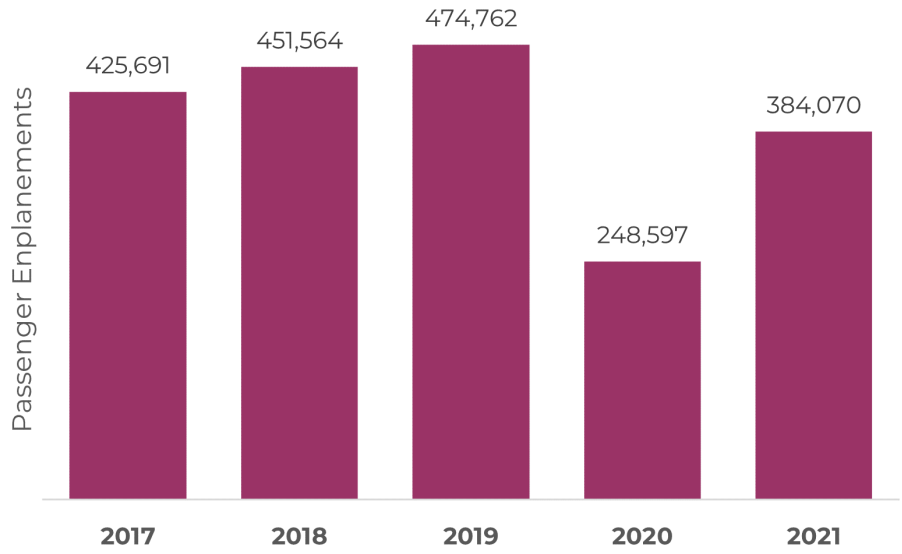
Annual passenger enplanements at BIL are shown in Figure 54. In 2019, annual passenger enplanements reached a peak of 474,762 enplanements, however, in 2020, enplanements decreased by nearly half (248,597) due to a significant decrease in air passenger travel because of the COVID-19 pandemic. In 2021, enplanements have increased (384,070), but are still approximately 90,000 less than pre-2020 enplanements.

FIGURE 53. BIL ANNUAL FREIGHT TONNAGE (2017 - 2021)



Source: Billings Logan International Airport

FIGURE 54. BIL ANNUAL PASSENGER ENPLANEMENTS



Source: Billings Logan International Airport



Rail

FACILITIES AND OPERATORS

At present, Burlington Northern Santa Fe Corporation (BNSF) operates all rail lines in the planning area, except for multiple privately operated spurs for industrial use, as shown in Figure 55. At the close of 2022, BNSF and MRL ended the existing lease on MRL-operated rail lines. This change eliminates the need for interchange between different railroads and does not impact operations and maintenance of railroads in the Billings planning area.[39]

BNSF now operates a 33.7-mile main line connecting main lines between Laurel and Huntley, MT. There are seven stations along the route, two of which are in the Billings planning area. BNSF railroad tracks generally follow on the north side of I-90, south side of Montana Avenue, along I-94, and along Montana Highway 3.

There are 19 railroad crossings on the BNSF main lines within the Billings planning area, as shown in Figure 55. Further information on railroad crossings is available in the Existing Conditions Appendix.

FREIGHT MOVEMENT

Rail shipment demand was assessed using the most recent data for the state of Montana from the FHWA FAF5. Table 24 summarizes rail demand by location-destination category in existing year 2020 in millions of tons and millions of dollars. As shown, most railroad freight tonnage in Year 2020 moves from Montana to other regions.

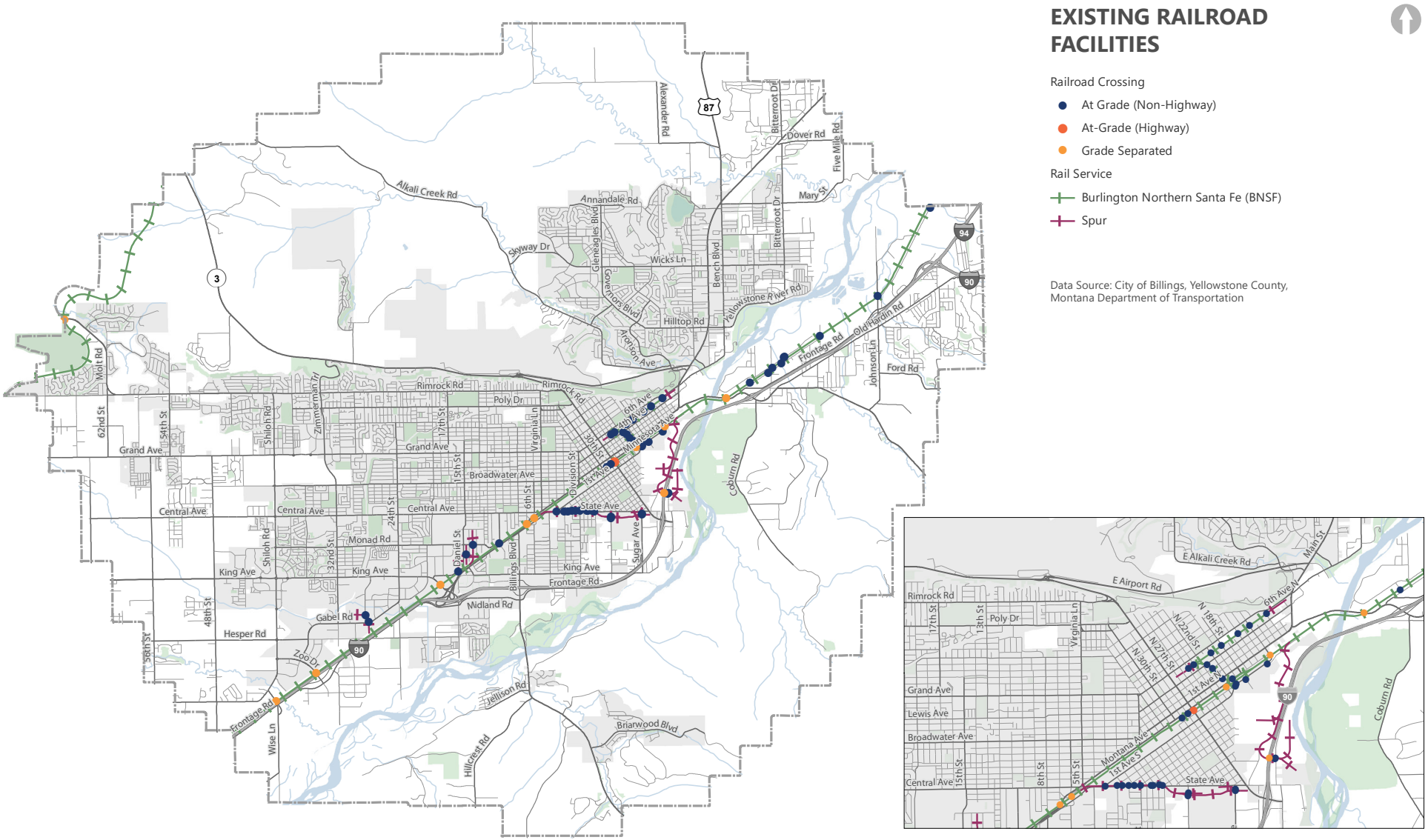
TABLE 24. YEAR 2020 TOTAL FREIGHT MOVED BY RAIL

MONTANA RAIL SHIPMENTS	WITHIN STATE	FROM STATE	TO STATE
In Millions of Tons (% Moved by Rail)	2 (2%)	16.7 (24%)	2.1 (9%)
In Millions of Dollars (% by Rail)	357 (1%)	1,786 (8%)	600 (2%)

Source: Federal Highway Administration Freight Analysis Framework 5th Edition

39 BNSF Railway. (February 2022). *Montana Rail Link and BNSF Announce Agreement to Terminate Lease*. https://bnsfnorthwest.com/news/2022/02/01/montana-rail-link-and-bnsf-announce-agreement-to-terminate-lease/

FIGURE 55. EXISTING RAILROAD FACILITIES

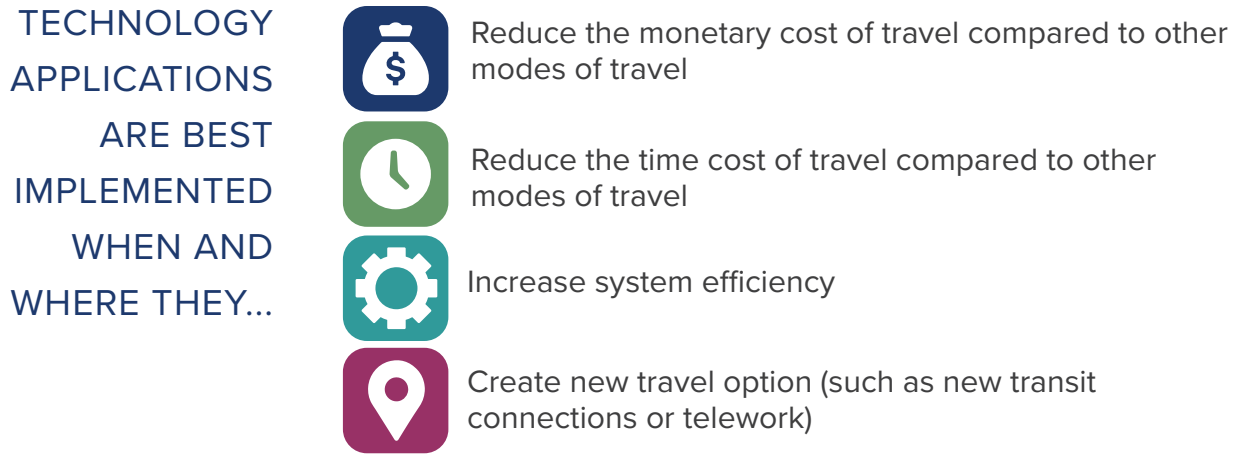


Emerging Technology Readiness

Emerging transportation technologies encompass a broad range of evolving applications of science, engineering, and social organization that have the potential to transform how people and institutions use land and transportation systems in urban and rural settings.[40] Examples of emerging technologies include fiber optic networks and 5G communications, connected and automated vehicles, mobility as a service, big data analytics, and electrification. Individually and together, these emerging technologies are changing the ways people, goods, and information move.

Understanding emerging technologies and accounting for them in the long-range planning process enables the Billings planning area to develop reasonable expectations for the types, timelines, and impacts of technologies that are expected to impact the region. The potential impacts are subject to technology development, market direction, and policy guidance. The transportation planning process must adapt as technologies develop and markets evolve. Technology applications are best implemented when and where they are used to achieve MPO goals, as described in Figure 56.

FIGURE 56. EMERGING TECHNOLOGY BEST PRACTICES



Additional details about the ways that the Billings planning area is preparing for emerging transportation technologies is available in the Existing Conditions Supporting Figures & Content Appendix, including a Plan & Policy Review and an overview of existing applications of these technologies.

ELECTRIC VEHICLES

The passage of the IIJA placed a big spotlight on electric vehicles (EVs) and the role they will play in mitigating climate change in the coming years. In Yellowstone County, there were 299 EVs on the road in 2022, which represents about 10% of the statewide total (2,895).[41] The state of Montana is expected to receive $43 million over the next five years to expand the state's EV charging network. Along I-90 and I-94, the designated Alternate Fuel Corridors (AFCs) that traverse the Billings planning area, there are no locations in the planning area that have been identified by the Montana DEQ for National Electric Vehicle Infrastructure (NEVI) formula funding in FY2022. However, the existing charging infrastructure in Billings has been identified as lacking NEVI-compliant station locations, and will likely be included in subsequent funding rounds. Table 25 details the existing charging infrastructure in the Billings planning area.

40 Transportation Research Board (2019). *NCHRP Report 924: Foreseeing the Impact of Transformational Technologies on Land Use and Transportation.*

41 Atlas EV Hub. (October 2022). *State EV Registration Data. Open Vehicle Registration Initiative*. https://www.atlasevhub.com/materials/state-ev-registration-data/

TABLE 25. EXISTING ELECTRIC VEHICLE CHARGING INFRASTRUCTURE IN THE BILLINGS PLANNING AREA

STATE EV CHARGING LOCATION ID	CHARGER LEVEL	AFC	LOCATION	NUMBER OF EV CONNECTORS	EV NETWORK
74624	L2	I-90 & I-94	Billings	1	Non-networked
82168	L2	I-90 & I-94	Billings	1	Non-networked
170726	L2	I-90 & I-94	Billings	2	Non-networked
186599	L2	I-90 & I-94	Billings	4	Non-networked
206370	L2	I-90 & I-94	Billings	2	ChargePoint
214084	L2	I-90 & I-94	Billings	6	EVGateway

Source: Montana Electric Vehicle Infrastructure Deployment Plan

Security & Resiliency

Transportation security and resiliency planning can reduce the negative impacts to the regional transportation system from major natural or human-made harmful events. Some examples of these events include:

- Natural disasters, such as tornadoes, wildfire, flooding, or blizzards;
- Attempts to destroy elements of the regional transportation network to cause disruption;
- Use of an element of the transportation system as a weapon, such as crashing a truck through a wall to deliver explosive materials; or
- Large, planned events, such as a state fair or parade.

The impacts of major events can be mitigated through preparation; expediting responses; and aiding the recovery to normal services. In addition to preparing against, expediting responses to, and aiding in recovery from major events, transportation security and resiliency planning helps keep people and goods moving, protects public health and life safety, supports economic productivity, and minimizes impacts of major events on the environment.

Contextual information, including an overview of federal requirements, statewide planning efforts, and local planning efforts, are detailed in the Existing Conditions Supporting Figures & Content Appendix.



CRITICAL INFRASTRUCTURE

The entire multimodal transportation system plays a role in providing for local, regional, and national security. Billings serves as a critical transportation hub in central and southern Montana and is connected to other urban areas via major roadway corridors, airports, and railways. Facilities that are considered critical or vital to security include elements of the system that are perceived or known to be most vulnerable. These tend to be at specific points and on connecting segments of the transportation system. Examples of connecting segments are evacuation routes, state and interstate highways/freeways, transmission lines, and mainline freight and passenger rail lines. Incorporating resiliency into any transportation improvements for these critical infrastructure components will be crucial moving forward, as natural and human-made disasters continue to proliferate.

The National Highway System (NHS) consists of roadways important to the nation's economy, defense, and mobility. The NHS includes the following categories within the Billings planning area:

- **Interstate:** The Eisenhower Interstate System of highways retains its separate identity within the NHS.
- **Other Principal Arterials:** These are highways in rural and urban areas which provide access between an arterial and a major port, airport, public transportation facility, or other intermodal facility.
- St**rategic Highway Network** (STRAHNET): This network of highways provides defense access, continuity, and emergency capabilities for defense purposes in support of the United States' strategic defense policy.

I-90 directly serves the Billings area and is the busiest truck route in the state. Major east-west corridors include I-90 and I-94. U.S. Highway 87 and MT-3 provide the only north-south connections, which are limited due to geographic constraints of the surrounding rimrocks.

As shown in Figure 57, critical roadways that are part of the NHS in the Billings planning area include the following:

- Interstate 90 (NHS, Eisenhower Interstate System) – Busiest truck route in the state
- Interstate 94 (NHS, Eisenhower Interstate System)
- Montana Highway 3 (NHS, STRAHNET Route)
- US Route 87 (NHS, NHS Principal Arterial)
- King Avenue (NHS Principal Arterial)
- Zoo Drive (NHS Principal Arterial)
- Laurel Road (NHS Principal Arterial)
- 1st Avenue N (NHS Principal Arterial)
- 1st Avenue S (NHS Principal Arterial)
- Montana Avenue (NHS Principal Arterial)

Additional critical infrastructure includes bridges, culverts, interchanges, railroads, and intermodal facilities. Within the MPO boundary, there are approximately 100 bridges to operate and maintain. As displayed in Figure 57, significant intermodal facilities within the Billings planning area include:

- Billings Logan International Airport
- Burlington Northern Santa Fe railroad facilities
- MET Transfer Centers (Stewart Park and Downtown)
- Montana Rail Link railroad facilities

POTENTIAL HAZARDS

The geographic characteristics of the Billings planning area makes it susceptible to a range of natural and human-caused hazards. Natural hazards include floods, tornadoes, wildfires, winter storms, droughts, earthquakes, volcanic ash and other severe weather events. As the largest metropolitan area in Montana, human-caused events like major transportation incidents (hazardous chemicals, utility outages, etc.), war-related incidents, and public health emergencies (i.e., pandemics) could have severe impacts on the lives and property.

The Yellowstone County Multi-Hazard Mitigation Plan (MHMP) conducted a risk assessment and vulnerability analysis to determine hazards that present the greatest risk to the County. Based on this analysis, the MHMP ranked potential natural and human-caused in a list of prioritized hazards. Table 26 shows the County's prioritized hazards and describes potential impacts specific to transportation infrastructure. The MHMP also identified earthquakes, urban fire, enemy attack, expansive soils, and volcanic ash as potential hazards. However, these potential hazards were de-emphasized in the 2019 plan because they are not considered a large risk in Yellowstone County and wouldn't affect a large portion of the population.

In Yellowstone County, three hazards are highlighted as for the substantial risk they present in the coming years: climate change, floods, and wildfires. Additional details about these hazards and the risks they presented are available in the Existing Conditions Support Figures & Content Appendix.

TABLE 26. IDENTIFIED HAZARDS AND IMPACTS TO TRANSPORTATION IN YELLOWSTONE COUNTY

2018 RANK	HAZARD	IMPACTS TO TRANSPORTATION IN YELLOWSTONE COUNTY
1	Severe Weather and Drought	■ Unprecedented precipitation events or sudden warming of snow in the spring could induce significant flooding events that impact drainage and damage transportation assets. ■ Extreme heat or cold could significantly impact alternative modes of transportation such as walking, bicycling and transit since they require users to travel outside. ■ Severe wind could damage or knock down power lines which are typically located along roadways.
2	Wildfire	Damage to transportation assets; road closures during wildfire events impact mobility.
3	Ditch and Drain Failure	Damage to transportation assets; road closures due to flooding impact mobility.
4	Haz-Mat and Transportation Incidents	Billings is a major transportation hub and industrial base within the region which puts the area at a higher risk for these human-caused incidents; Risks of transportation incidents and haz-mat incidents will increase as the population of the Billings planning area continues to increase; Damage to transportation infrastructure by the secondary effects of other potential hazards (storms, flooding, earthquakes, landslides, etc.) could contribute to increased risks of future transportation/mobile incidents
5	Terrorism / Violence / Civil Unrest / Cyber Security	Human-caused events could disrupt transportation services and put roadway, transit, rail, and active transportation users at risk of harm; Cyber security
6	Flooding and Dam Failure	The Yellowstone River is a major physiographic feature that flows east to west in south-central Montana. In recent years, flooding events along the Yellowstone River led to significant damage to roads, bridges, stormwater systems, and other critical infrastructure throughout Montana.
7	Communicable Disease	In 2020, the COVID-19 pandemic led to significant uncertainty in long-term transportation planning, performance, and funding. Public health concerns significantly disrupted air and transit ridership during the pandemic.
8	Landslide / Rock Fall	Damage to transportation assets; road closures due to flooding impact mobility.

Source: Yellowstone County Multi-Hazard Mitigation Plan

"Resilience is the ability to prepare and plan for, absorb, recover from, and more successfully adapt to adverse events"

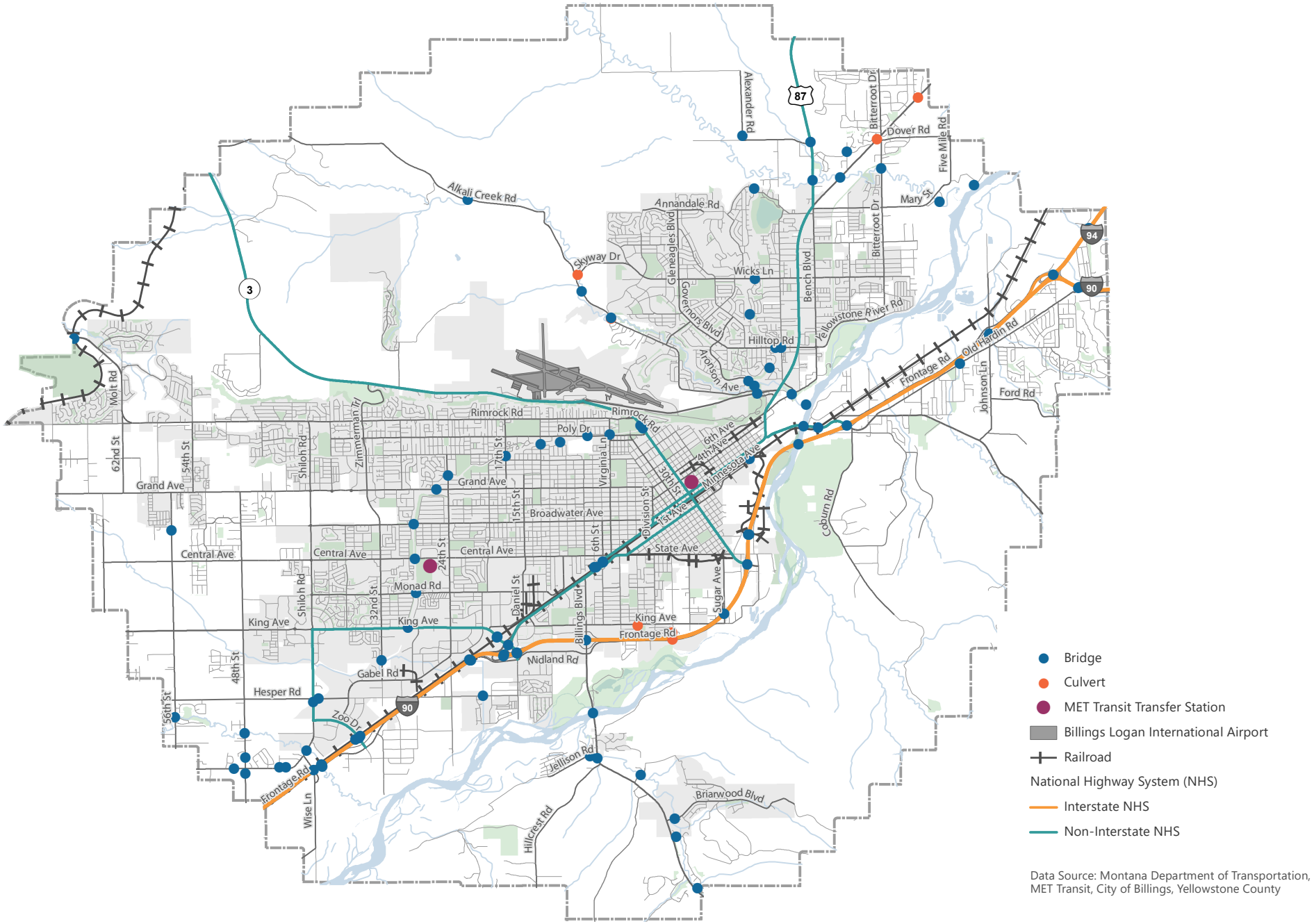
- National Research Council (NRC)

RESILIENCY

Transportation planning is essential for preparation and response to disasters. In addition to physical assets such as roadways, bridges, railways, and airports, transportation planning also includes the facilitation of evacuations and communication during extreme events. As climate events become more frequent and intense, it is important that planners focus on building resilient transportation networks that can mitigate impacts and costs, adapt to emergent conditions, and allow communities to recover efficiently and effectively.

With each of the potential hazards, it is critical to provide connectivity and alternate routes and maintain this infrastructure throughout the regional transportation system. A major unprecedented disaster would warrant the coordination of a multi-agency response from local, state, regional, and national entities to protect lives and property effectively and efficiently. Additional information regarding resiliency is available in the Existing Conditions Supporting Figures & Content Appendix.

FIGURE 57. CRITICAL INFRASTRUCTURE



Data Source: Montana Department of Transportation, MET Transit, City of Billings, Yellowstone County

05 WHAT COULD THE TRANSPORTATION SYSTEM BE LIKE IN 2045?

Planning Horizon: 2045

The Billings planning area, like the state of Montana, and the US, will face challenges in the next 25 years due to changing populations, aging transportation infrastructure, natural disasters, and cutting-edge technologies. Looking ahead to the future empowers better planning to help achieve the Billings vision.

The federal statutes that govern MPOs outline the requirements for the LRTP, which includes forecasting transportation and land use trends using a minimum of a 20-year planning horizon. This LRTP plans for the year 2045 by building from past patterns, understanding current conditions, and envisioning potential futures based on public and stakeholder input.

Land Use

Changes in population and land use over time place greater demand on public services and infrastructure, including the multimodal transportation system. The planning area of the Billings-Yellowstone MPO includes the city limits of Billings as well as 4.5 miles in each direction. This area encompasses approximately 151.2 square miles (including the City of Billings, Lockwood, and part of Yellowstone County). Since the 2018 LRTP, the planning area of the Billings-Yellowstone MPO has grown to over 140,000 people, an increase of 10% over the 2018 population of 127,000. In 2016, both the City of Billings and the Lockwood community adopted Growth Policies to outline the urban area's approach to managing growth in a manner that aligns with community values.

BILLINGS GROWTH POLICY (2016)

In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.

LOCKWOOD GROWTH POLICY (2016)

Lockwood is a community that will evolve with a Main Street-style Town Center surrounded by a range of housing options that support and sustain, both fiscally and socially, the community investments in schools, public water and sewer, transportation, recreation, and public safety while providing economic opportunities in general commercial and light and heavy industry businesses in areas shown on the preferred land use map.

Within the Billings planning area, there is a clear community desire and commitment to develop in a fiscally and socially responsible manner that provides a high quality of life for residents. Strategies and actions that can support careful growth include, but are not limited to:

- Higher Density Zoning
- Mixed Use Zoning
- Flood Zone Restricted Development
- Resource Conservation Zoning
- Targeted Economic Development Districts
- Multimodal Transportation Design Standards
- Infill Development
- Complete Streets Design Standards
- Transit Oriented Development
- Safe Routes to School Network

As land use and transportation are intertwined, the LRTP acknowledges both Growth Policies in analyzing future conditions in the Billings planning area.

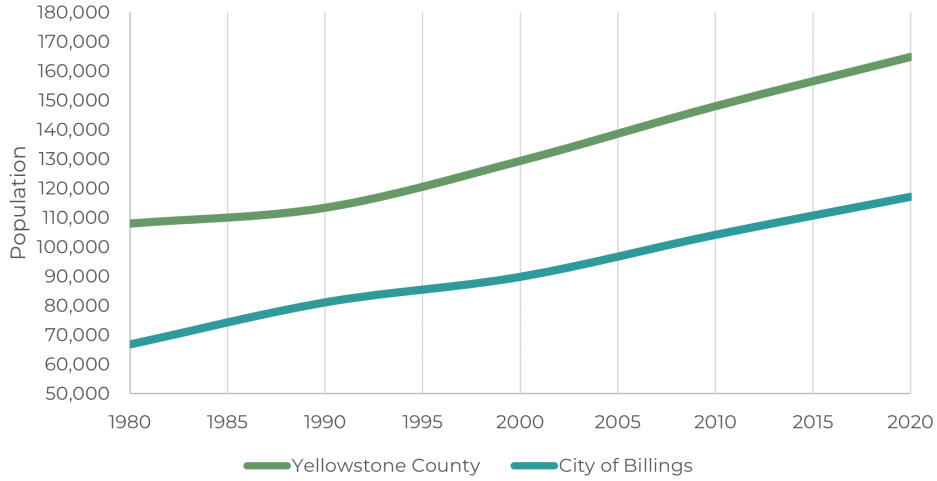
FORECAST DEMOGRAPHICS

Using historical growth patterns and discussions with the MPO and Steering Committee (SC), future population, housing, and employment concentrations were developed for the horizon year 2045 to help determine where future travel demand may occur on the roadway network.

Historical Population Growth

New residents are attracted to Billings by its quality of life, economic and recreational opportunities, and small-town atmosphere with the amenities of a large urban center. Figure 58 shows historical growth of the Billings planning area between 1980 and 2020.

FIGURE 58. BILLINGS PLANNING AREA POPULATION GROWTH (1980 – 2020)



Source: Billings-Yellowstone Metropolitan Planning Organization

From 1980 to 2020, the population of Yellowstone County (including the City of Billings) grew by 52% with an average annual (compounding) growth rate of 1.1%. From 2000 to 2020, the population of Yellowstone grew by 27% with an average annual (compounding) growth rate of 1.2%. The City of Billings experienced slightly higher growth rates over both time periods.

Population & Housing Projections

In 2021, the Billings planning area population was approximately 142,358 persons residing in 58,815 dwelling units. By 2045, the population is expected to grow to approximately 190,986 persons in 78,814 dwelling units. This correlates with an annual average growth rate of 1.2%, which is consistent with the growth rate of Yellowstone County from 2000 to 2020. The growth in population and housing between 2021 and 2045 within the Billings planning area is summarized in Figure 59.

TABLE 27. BILLINGS PLANNING AREA POPULATION & HOUSING (2021 – 2045)

DEMOGRAPHIC	2021	2045	CHANGE	PERCENT CHANGE	ANNUAL AVERAGE GROWTH RATE
Population	142,358	190,986	48,628	+34%	1.2%
Housing (Dwelling Units)	58,815	78,814	20,000	+34%	1.2%

Source: Billings-Yellowstone Metropolitan Planning Organization

Figure 59 and Figure 60 shows the population and household growth between 2021 and 2045, respectively. As depicted in Figure 59, population growth is mostly expected to reach westward towards the urban area boundary, particularly west of Shiloh Road. Additionally, more population growth is expected to occur along Highway 3 and Alkali Creek Road to the north of the city limits. There are some pockets of growth projected to occur in the southern areas outside the city limits, Lockwood, the Heights neighborhoods, and the area surrounding I-90 in the southwest urban area around Zoo Drive. As shown in Figure 60, residential growth is projected to have similar trends to population growth, with the strongest concentration of growth west of 24th Street and north of Highway 3.

Future Employment

With growth in population, the employment sector within the Billings planning area is also expected to grow. As of 2021, the estimated total employment in the Billings planning area was approximately 74,848 jobs. By 2045, employment is projected to add another 32,171 jobs to result in an approximate 107,171 jobs in the Billings planning area. Table 28 summarizes the projected employment growth from 2021 to 2045.

TABLE 28. BILLINGS PLANNING AREA EMPLOYMENT (2021 – 2045)

DEMOGRAPHIC	2021	2045	CHANGE	PERCENT CHANGE	ANNUAL AVERAGE GROWTH RATE
Employment (Retail)	14,656	21,155	6,822	+48%	1.6%
Employment (Non-Retail)	60,192	85,863	26,849	+45%	1.6%
Total Employment	74,848	107,019	32,171	+43%	1.6%

Source: Billings-Yellowstone Metropolitan Planning Organization

Figure 61 shows the comparison between 2021 and 2045 employment distributions. Employment growth within the Billings planning area is expected to expand generally within current commercial areas and to “densify” current employment locations. These commercial areas include S. 24th Street, Shiloh Road, the airport, downtown, Lockwood, and near the I-90 interchanges.

FIGURE 59. POPULATION GROWTH (2021 – 2045)

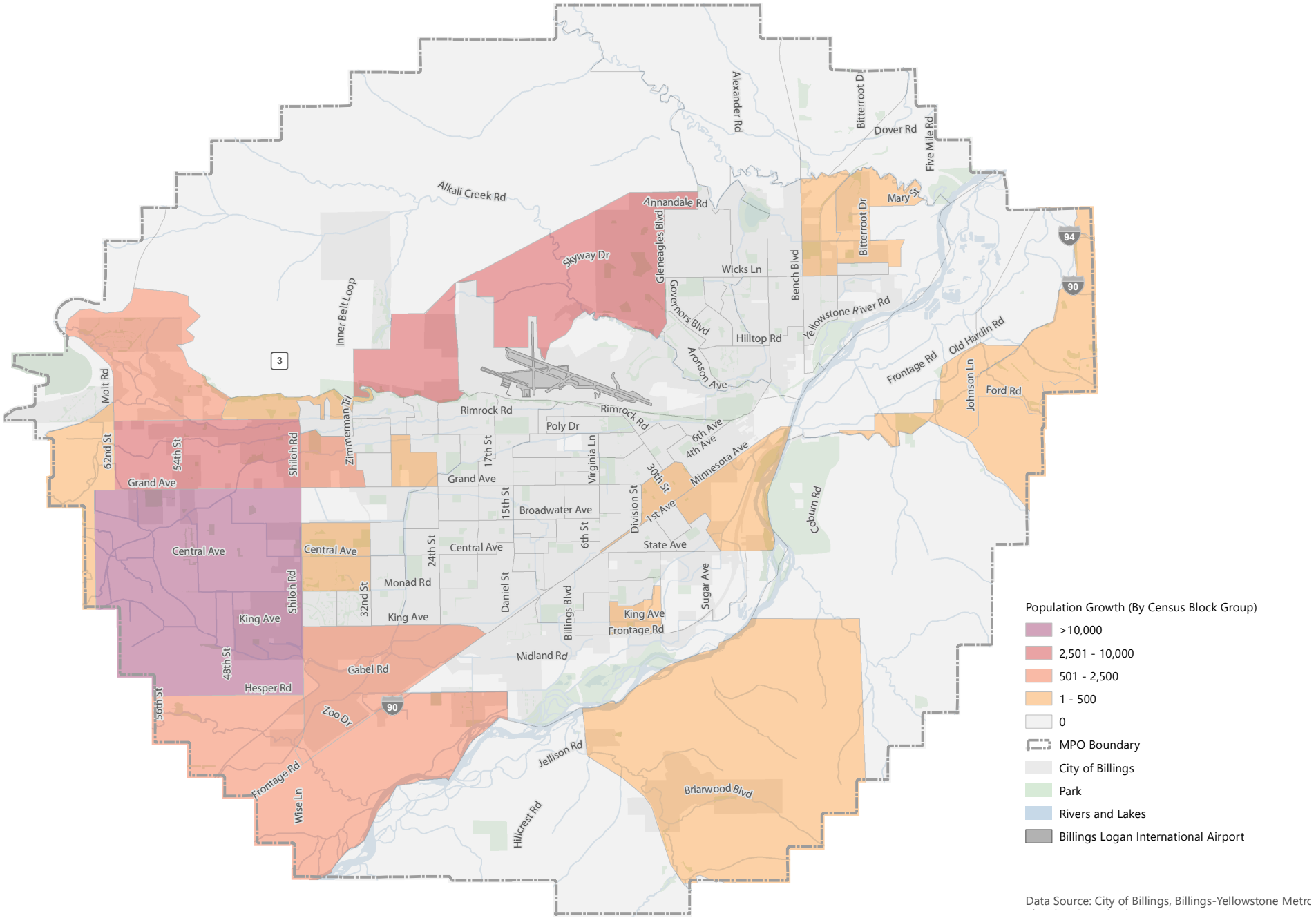


FIGURE 60. HOUSING GROWTH (2021 – 2045)

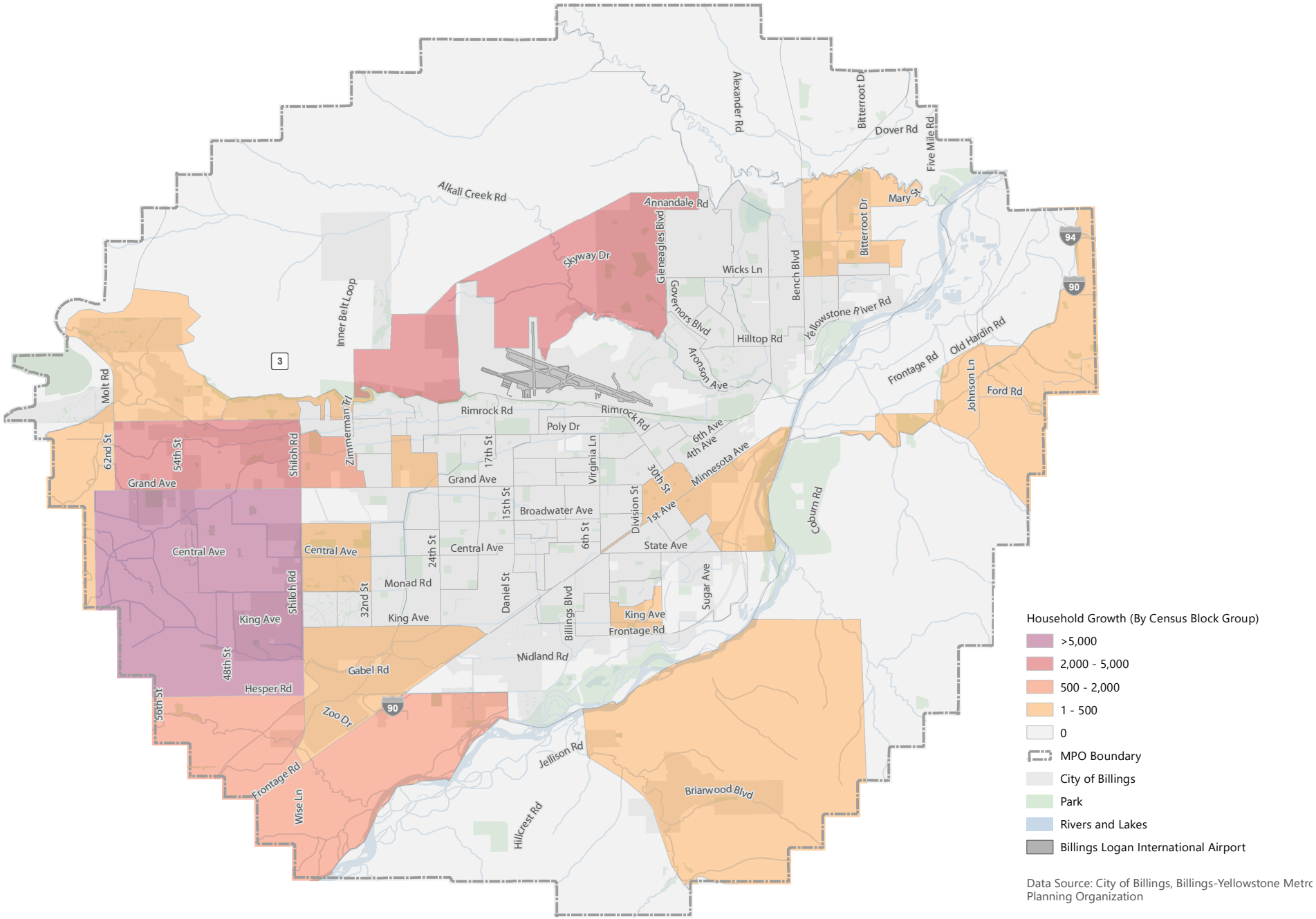
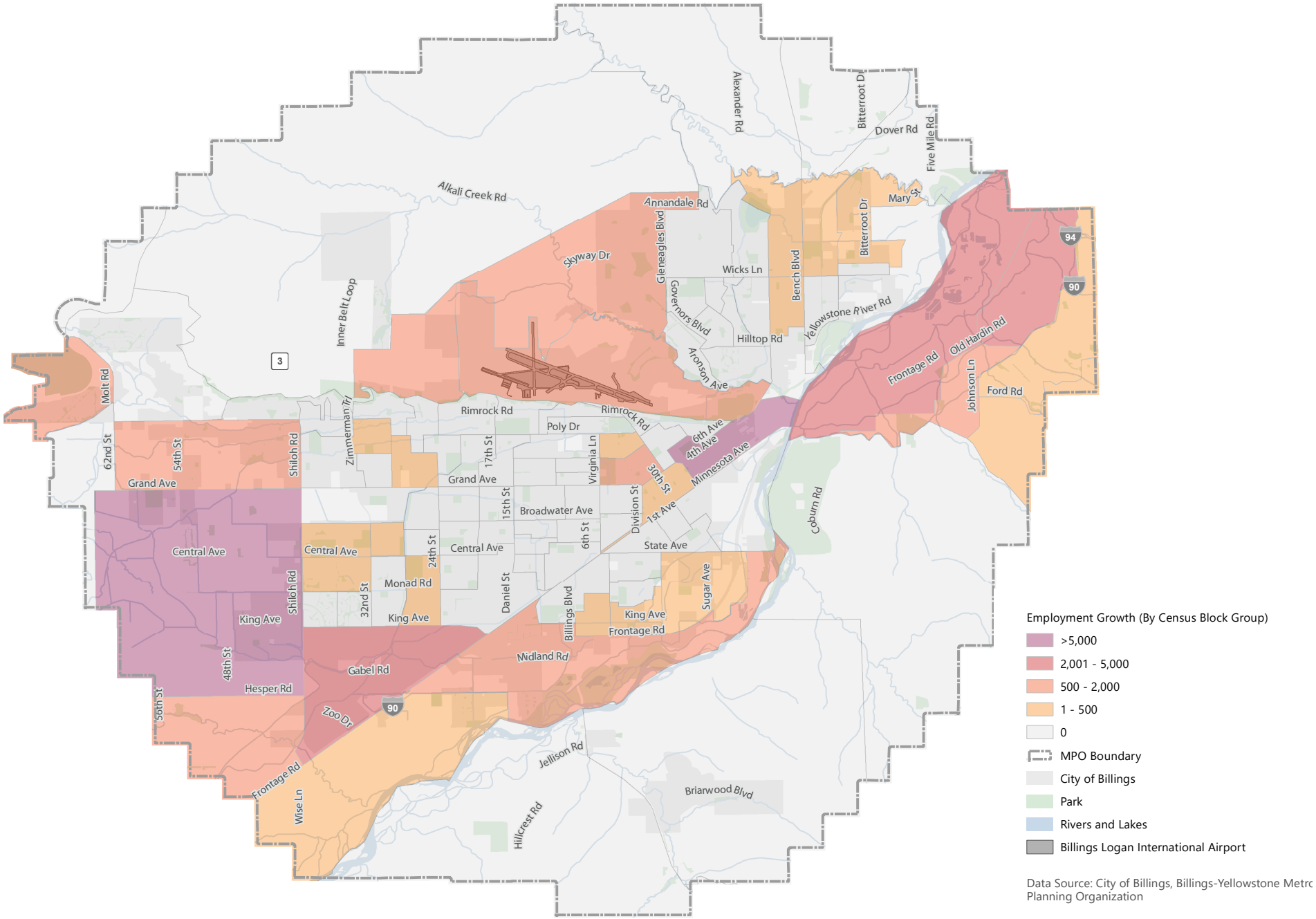


FIGURE 61. EMPLOYMENT GROWTH (2021 – 2045)



POTENTIAL EFFECTS OF GROWTH ON THE MULTIMODAL TRANSPORTATION SYSTEM

While the western, northern, and eastern portions of the planning area are expected to grow in population, these areas are expected to be relatively stagnant in terms of employment growth, apart from the Shiloh Road corridor, the airport, and Lockwood. Continued residential growth without co-located employment opportunities can force longer commute distances, likely by driving, as the existing walking and bicycling facilities do not provide the necessary connectivity to facilitate these trips.

This type of growth pattern results in urban sprawl. Urban sprawl can reduce quality of life for Billings planning area residents, increase pollution in the air and water, and inflate municipal costs such as water, sewage, and electrical utility provisions. The Billings-Yellowstone MPO, along with its partner agencies, have worked towards integrating land use and transportation decision-making to discourage sprawl and encourage intentionally designed active and dense areas. In 2016, both the City of Billings and Lockwood adopted their Growth Policies, which encourage responsible development in the urban areas. Recently, the City of Billings modified its zoning code to allow for mixed use areas, which encourage a mix of residential, commercial, and institutional buildings within the same area. These elements should be continued with an emphasis on integrating land use and transportation to provide options and enhance the quality of life in the region. Additional policies to consider that can reduce sprawl in the urban area include:

- Removing parking minimums from zoning codes
- Incentivizing transit-oriented development
- Updating traffic impact analysis guidelines to incorporate multimodal traffic

Safety

This Plan was developed to align with safety goals and policies outlined in partner agencies' plans, including *TranPlanMT, Montana Comprehensive Highway Safety Plan, Billings Community Transportation Safety Plan, Billings Safe Routes to School Plan Update,* and *Billings Area Bikeway and Trails Master Plan*. All the agencies involved in these plans are endeavoring towards a safer system for all transportation users and modes.

As outlined in *NCHRP Report 1036,* developing a transportation network with safety as the top priority goes beyond the physical design of transportation facilities.[42] A clear decision-making framework structured with a vision that encompasses community priorities is necessary to achieve a safe system for all users. Additionally, robust community engagement, aligned leadership, quantitative performance measures, and strong policy enable communities to achieve long-term visions of transforming communities into safe, livable, and accessible networks for all users. As the Billings planning area continues to work towards a safer multimodal system, incorporating these national best practices will continue to be important.

The project recommendations presented in this Plan are derived from an in-depth analysis of crash data, completed as part of Chapter 4. Framing the results of the analysis in the context of local, regional, and state safety goals illuminates opportunities for the City of Billings to prioritize safety in long-term planning and project prioritization.

Transportation

This section outlines projected multimodal transportation conditions in 2045. These future conditions, along with the key findings of the existing conditions analysis will aid in identifying needs and deficiencies for future projects.

FUTURE TRAFFIC VOLUMES

The Billings-Yellowstone County MPO travel demand model was utilized to forecast vehicular traffic volumes for year 2045. To develop the forecast volumes, the travel demand model was updated to include roadway modifications anticipated to be implemented by year 2045 within the Billings planning area. The roadway modifications were identified based on major, committed projects or projects that would be anticipated to coincide with the forecasted growth outlined in the previous sections. The year 2045 roadway network in the travel demand model was confirmed with the SC and is available in the Future Conditions Supporting Figures & Content Appendix G.

42 Transportation Research Board. (September 2022). *NCHRP Report 1036: Roadway Cross Section Reallocation.* https://www.trb.org/Publications/Blurbs/182870.aspx



Modifications to the roadway network for year 2045 include:

- Billings Bypass Project (On-Going MDT Project)
- Inner Belt Loop (City of Billings Project)
- Downtown Two-Way Conversions (City of Billings Project)
- New Collector Roadways (roadways that would be constructed via new development)

The purpose of including these modifications in the roadway network is to capture the traffic pattern shifts that occur with major roadway reconfigurations and new regional connections. The year 2045 forecast demographics shown in Figure 60 and Figure 61 and the year 2045 roadway network were input into the travel demand model to develop year 2045 volume forecasts. The resulting daily volume forecasts are displayed in Figure 62.

FUTURE VEHICULAR LEVEL OF SERVICE

Based on a comparison between year 2022 and 2045 traffic volume projections from the travel demand model, growth rates were identified for regions of the Billings planning area and then applied to the existing peak hour intersection volumes to calculate year 2045 peak hour turning movement projections at the intersections. Growth rates ranged between 1-2% per year based off the results of the travel demand model. The year 2045 intersection volumes were used to calculate year 2045 level of service (LOS) at each intersection.

Figure 63 shows year 2045 LOS estimates at approximately 300 intersections throughout the Billings planning area and Table 29 delineates intersections projected to operate at LOS E or F in year 2045, apart from stop controlled intersections that are under capacity. Intersections reported as operating at LOS E or LOS F under existing conditions are bolded in the table.

The year 2045 LOS results reflect year 2045 no-build conditions. No-build conditions assume that no improvements or changes to lane configurations are implemented, except for improvements related to the Billings Bypass/ Johnson Lane Interchange, the Inner Belt Loop, and the two-way roadway conversions in Downtown Billings. These projects were assumed due to the significant effect that they will have on regional traffic patterns.

TABLE 29. SUMMARY OF LOS E AND LOS F INTERSECTIONS DURING CRITICAL PEAK HOUR IN YEAR 2045

INTERSECTIONS PROJECTED TO OPERATE AT LOS E
1st Ave N & 13th St (Traffic Signal)
4th Ave N & 10th St (Stop Controlled)
4th Ave N & 15th St (Stop Controlled)
6th Ave N & 25th St (Stop Controlled)
Central Ave & 19th St W (Traffic Signal)
Central Ave & 32nd St W (Traffic Signal)
Grand Ave & Forest Park Dr (Stop Controlled)
Lewis Ave & 13th St W (Stop Controlled)
Rimrock Rd & Rehberg Ln (Stop Controlled)
Rimrock Rd & Shiloh Rd (Traffic Signal)
Rimrock Rd & Zimmerman Trail (Traffic Signal)
US-87 & N Frontage Rd (Traffic Signal)

INTERSECTIONS PROJECTED TO OPERATE AT LOS F
1st Ave N & Main St (Traffic Signal)
1st Ave N & 16th St (Stop Controlled)
1st Ave N & 17th St (Stop Controlled)
6th Ave N & 26th St (Stop Controlled)
6th Ave N & N 32nd St (Traffic Signal)

INTERSECTIONS PROJECTED TO OPERATE AT LOS F
Airport Rd & Main St (Traffic Signal)
Broadwater Ave & 24th St W (Traffic Signal)
Central Ave & 15th St W (Traffic Signal)
Gabel Rd & Brosso Park (Stop Controlled)
Grand Ave & 24th St (Traffic Signal)
Grand Ave & 30th St W (Stop Controlled)
Grand Ave & 48th St (Stop Controlled)
Grand Ave & Golden Blvd (Stop Controlled)
Grand Ave & Rehberg Ln (Traffic Signal)
Grand Ave & Shiloh Rd (Roundabout)
Grand Ave & Zimmerman Trail (Traffic Signal)
King Ave & 20th St/Overland Ave (Traffic Signal)
King Ave & 24th St (Traffic Signal)
King Ave & 44th St (Stop Controlled)
King Ave & 48th St (Stop Controlled)
Laurel Rd & Moore Ln (Traffic Signal)
Lewis Ave & 8th St W (Stop Controlled)
Lewis Ave & 19th St W (Stop Controlled)
Monad Rd & S 19th St (Traffic Signal)
Main St & Aronson Ave (Stop Controlled)
Main St & Lake Elmo Dr (Traffic Signal)
Rimrock Rd & 27th St (Stop Controlled)

INTERSECTIONS PROJECTED TO OPERATE AT LOS F
Zimmerman Trail & Colton Blvd (Stop Controlled)
Zoo Dr & Gabel Rd/Pierce Pkwy (Traffic Signal)
I-90 EB Ramps & King Ave W (Traffic Signal)
I-90 WB Ramps & Zoo Dr (Traffic Signal)
I-90 Ramps & US-87 (Traffic Signal)

Source: Billings-Yellowstone MPO

*Note: **Bolded** text indicates intersections operating at LOS E or LOS F under existing conditions (Year 2023).*

FIGURE 62. FUTURE CONDITIONS AVERAGE DAILY TRAFFIC (2045)

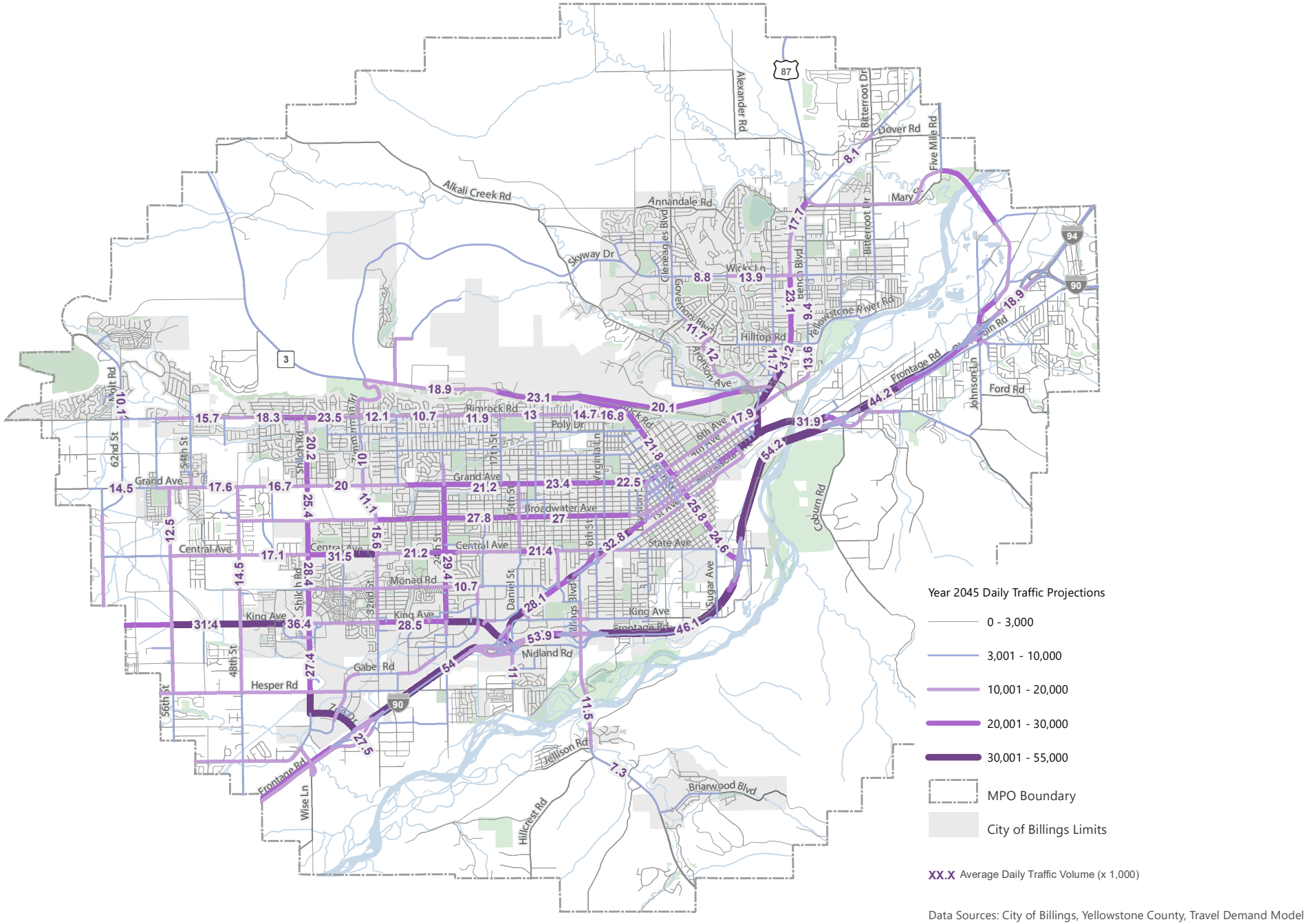
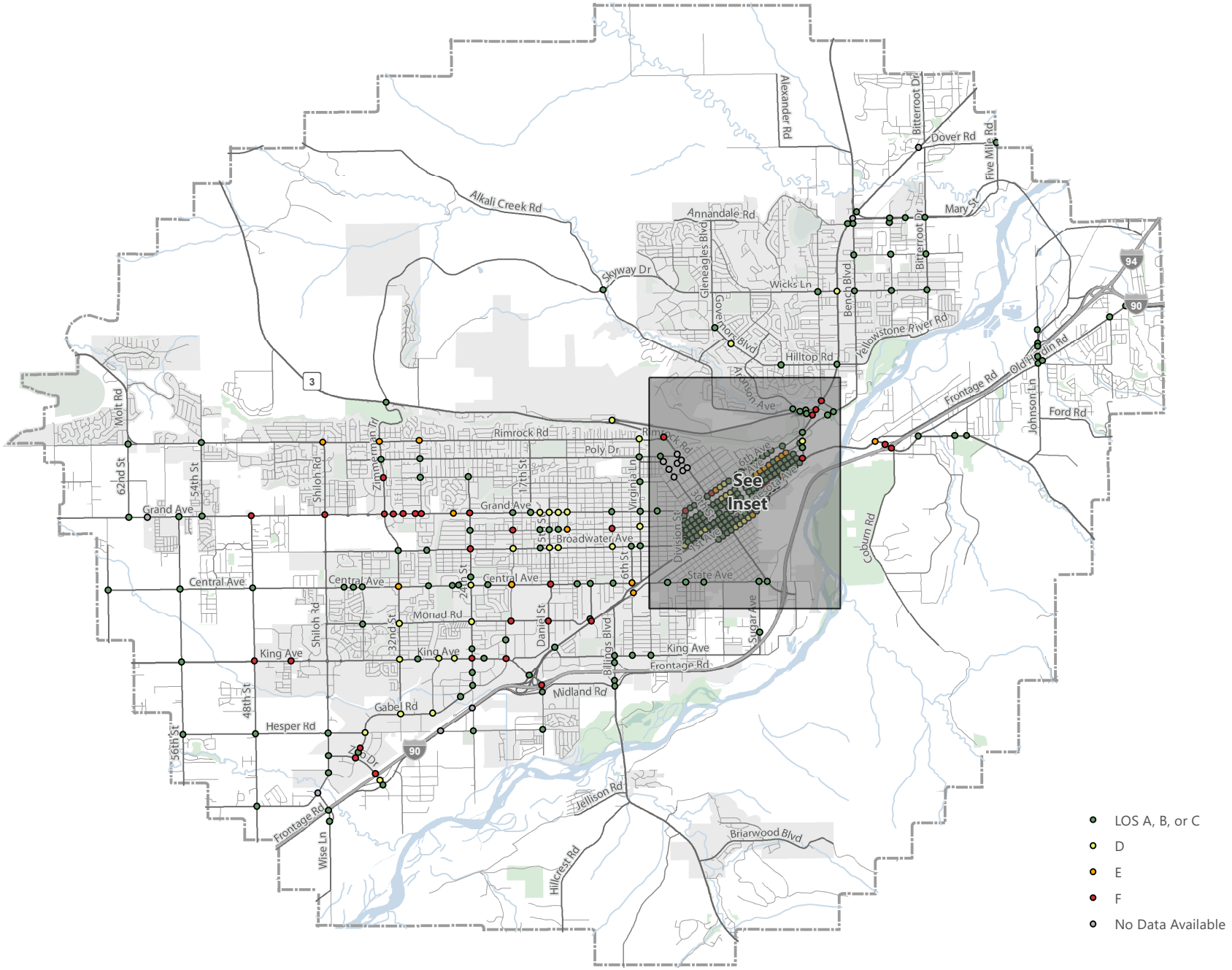


FIGURE 63. FUTURE CONDITIONS VEHICULAR LEVEL OF SERVICE (2045)



FUTURE PEDESTRIAN, BICYCLE, & TRAIL SYSTEM

In the future, the active transportation system in the Billings planning area will connect neighborhoods and provide crucial access to schools, jobs, and other essential destinations. This section outlines the recommended facilities improvements from a range of regional planning efforts.

Pedestrian Facility Types

Recommended pedestrian improvements were identified from the Lockwood Pedestrian Safety District *Draft Pedestrian & Bicycle Plan (2022)*[43], the Billings MPO *2016 Billings Area Bikeway and Trails Master Plan Update*[44], and the Billings *Safe Routes to School (SRTS) Plan Update*[45]. These focus areas, which include new sidewalks, enhanced crossings, and maintenance needs, are shown in Figure 63. The Lockwood Pedestrian Safety District has identified several locations in the Lockwood area for additional sidewalks to enhance pedestrian safety and connectivity, including pedestrian facilities along the new Billings Bypass. The *SRTS Plan Update* identifies improvements near all 22 elementary schools in the City of Billings to enhance pedestrian and bicycle safety. These projects include new and enhanced sidewalks along identified segments as well as spot-specific treatments such as:

- **Rectangular Rapid Flashing Beacons (RRFBs):** RRFBs are pedestrian-activated flashing yellow lights on the side of the street that make a crosswalk more visible to people driving and alert them to the presence of a person trying to cross the street.
- **Pedestrian Hybrid Beacons (PHBs):** PHBs are pedestrian-activated traffic control devices which help pedestrians safely cross major roadways where there is no traffic signal. After displaying brief flashing of two red lights and then steady intervals of yellow lights, the device displays a steady red indication to drivers and a "WALK" indication to pedestrians, allowing them to cross while traffic is stopped.
- **Curb Extensions:** Curb extensions are created by extending the curb line into the roadway at a corner or mid-block. They shorten the distance for people walking across the street and improve visibility between people walking and driving. By visually and physically narrowing the roadway, curb extensions also help reduce speeding.
- **Pedestrian Refuge Islands:** Pedestrian refuge islands are delineated or raised areas in the middle of the street at intersections or mid-block crossings that provide a designated place for people walking and bicycling to wait for an opportunity to cross the other half of the street.



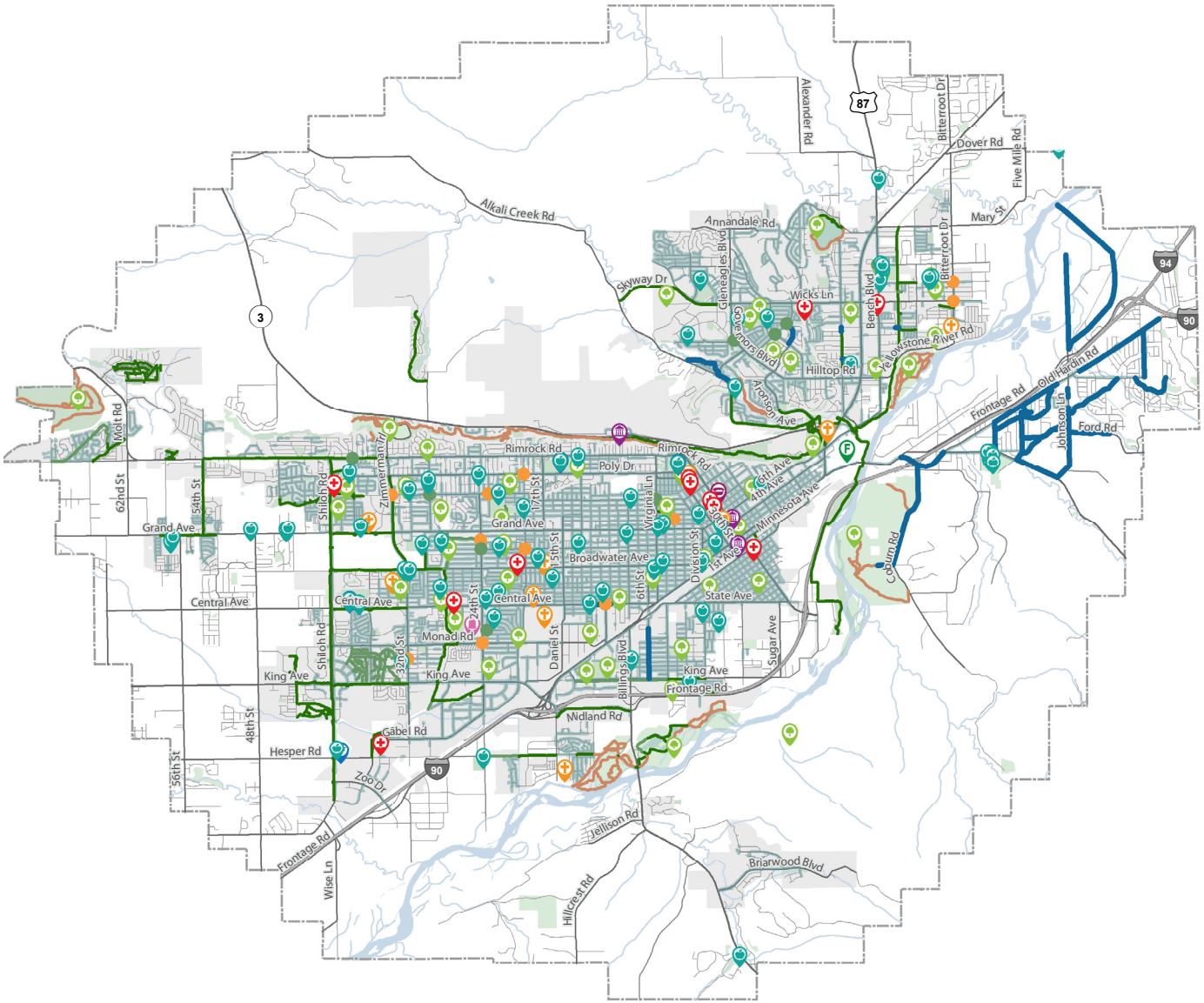
Rectangular Rapid Flashing Beacon (RRFB). Source: City of Billings



Pedestrian Hybrid Beacon (PHB). Source: DOWL

43 Lockwood Pedestrian Safety District. (2022). *Draft Pedestrian & Bicycle Plan*.
44 Billings-Yellowstone County Metropolitan Planning Organization. (2016). *Billings Area Bikeway and Trails Master Plan Update*.
45 Billings-Yellowstone County Metropolitan Planning Organization. (2022). *Billings Safe Routes to School Plan Update*.

FIGURE 64. FUTURE PEDESTRIAN FACILITIES



FUTURE PEDESTRIAN FACILITIES

Existing Infrastructure

- Sidewalk
- Shared Use Path
- Neighborhood Trail
- Unpaved Trail

Major Activity Centers

- Stadium
- Library
- Park
- Museum
- Fairgrounds
- Shopping Mall
- Cemetary
- College
- Schools
- Hospital

Recommended Projects from SRTS & LPSD

- New or Enhanced Sidewalk
- High Visibility Crosswalk
- Curb Extensions or Pedestrian Refuge Island

Data Source: City of Billings, Billings-Yellowstone MPO, Lockwood Pedestrian Safety District

Note: SRTS is the Safe Routes to School Plan Update (2022) and LPSD is the Lockwood Pedestrian Safety District Pedestrian and Bicycle Draft Plan (2022)



Buffered bicycle lane. Source: DOWL



Separated bicycle lane. Source: Kittelson & Associates, Inc.

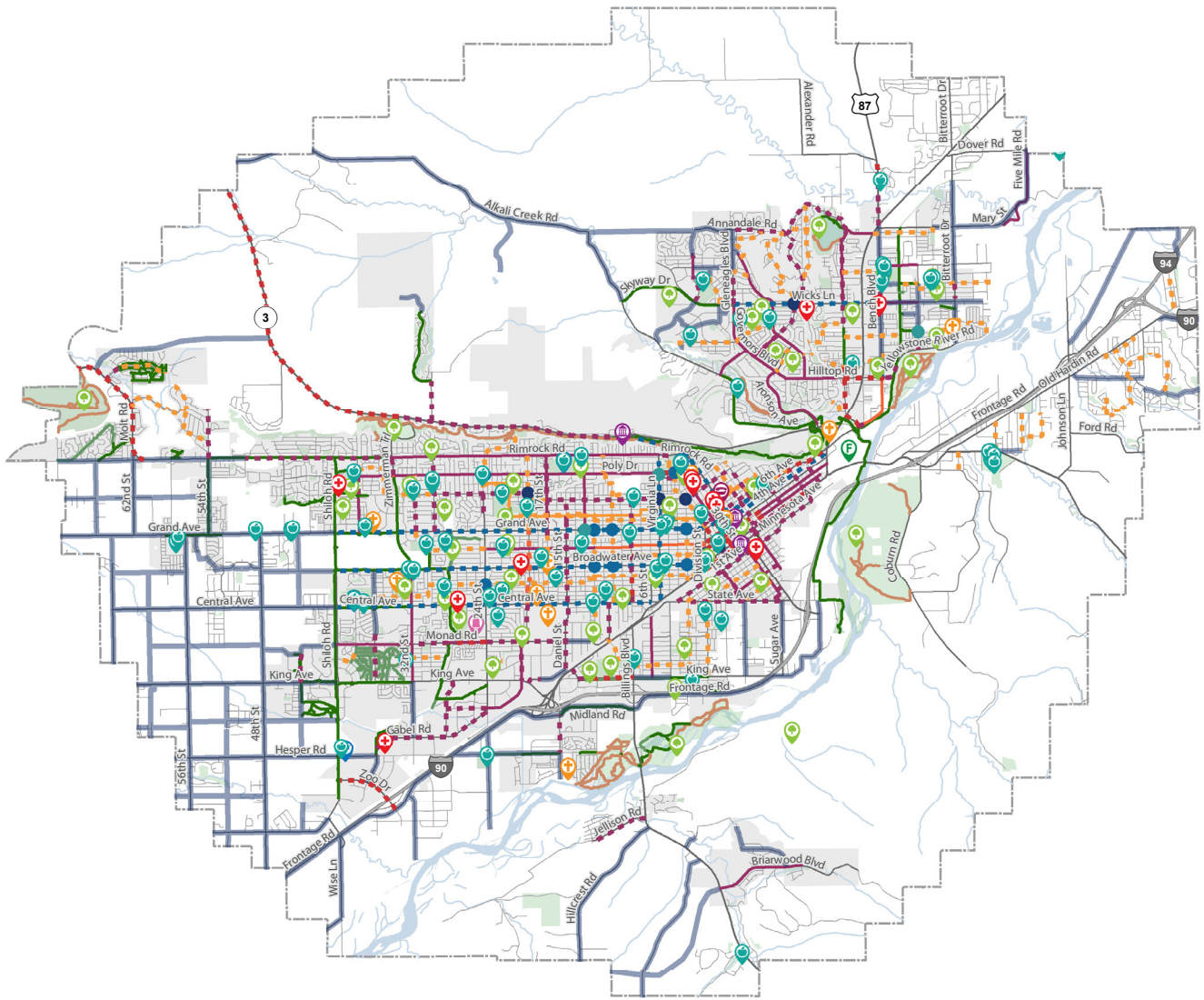
Bicycle Facility Types

The *2016 Billings Area Bikeway and Trails Master Plan* Update identifies recommendations to enhance bicycle and trail facilities in the Billings planning area. These focus areas are shown in Figure 65. The Plan defines several facility types for both trails and bicycles, including:

- **Spot Treatments:** There is a range of spot treatments that can be implemented to facilitate safer facilities for bicyclists. These include intersection treatments, enhanced crossings, or bicycle facility maintenance.
  - **Intersection Treatments:** Bicycle boxes or enhanced traffic control.
  - **Enhanced Crossings:** Rectangular Rapid Flashing Beacons (RRFBs) or Pedestrian Hybrid Beacons (PHBs) with striped bicycle crossings
  - **Bicycle Facility Maintenance:** Paving or striping treatments
- **Neighborhood Bikeways (Bicycle Boulevards):** Neighborhood bikeways are local streets with low motorized traffic volumes and speeds that have been designated as bicycle routes.
- **Buffered Bicycle Lanes:** Buffered bicycle lanes are conventional bicycle lanes that are enhances the application of a diagonally striped buffer space. While not providing physical separation, this creates a wider buffer area between vehicles and bicyclists than a conventional six-inch bicycle lane stripe.
- **Separated Bicycle Lanes:** Bicycle facilities that are physically separated from motor vehicle traffic by a painted buffer and physical barriers such as flexible delineators, curbs, or planters. Eight feet is the minimum recommended total width for a protected bicycle lane (5 feet of bicycle lane and 3 feet of physical buffer zone). At this time, this treatment is not recommended for any roadways based on the 2016 Billings Area Bikeway and Trails Master Plan Update. However, it is identified as a viable treatment that is to be considered as future bicycle lanes are developed in Billings and in future updated to the Billings Area Bikeway and Trails Master Plan.
- **Visionary Bikeway:** Constrained corridors where future conditions would need to change to permit implementation.

The recent update of the Plan recommends a network of neighborhood bikeways (also known as bicycle boulevards) as comfortable alternatives to collector and arterial roadways. As depicted in Figure 65, there are several recommended segments for bicycle boulevards in the Heights area, Lockwood, and downtown. The downtown area and directly west of downtown to Shiloh Road also include recommended segments for bicycle lanes, future bicycle lanes, and shared lane markings. Future bicycle facilities are also recommended west of Shiloh Road as roads are built and expanded to accommodate projected growth.

FIGURE 65. FUTURE BICYCLE FACILITIES



FUTURE BICYCLE FACILITIES

Existing Infrastructure

- Shared Lane Marking
- Bike Lane
- Neighborhood Bikeway
- Shared Use Path
- Neighborhood Trail
- Unpaved Trail

Major Activity Centers

- Stadium
- Library
- Park
- Museum
- Fairgrounds
- Shopping Mall
- Cemetary
- College
- Schools
- Hospital

Recommended Projects from 2016 Bikeway & Trails Master Plan Update

- Bike Intersection Treatment
- Enhance Bike Crossing
- Bike Facility Maintenance
- Buffered Bike Lane
- Bike Lane
- Shared Lane Marking
- Neighborhood Bikeway
- Visionary Long-Range Bikeway
- Bike Facilitiy Upon Roadway Widening or Construction

Data Source: City of Billings, Billings-Yellowstone County MPO

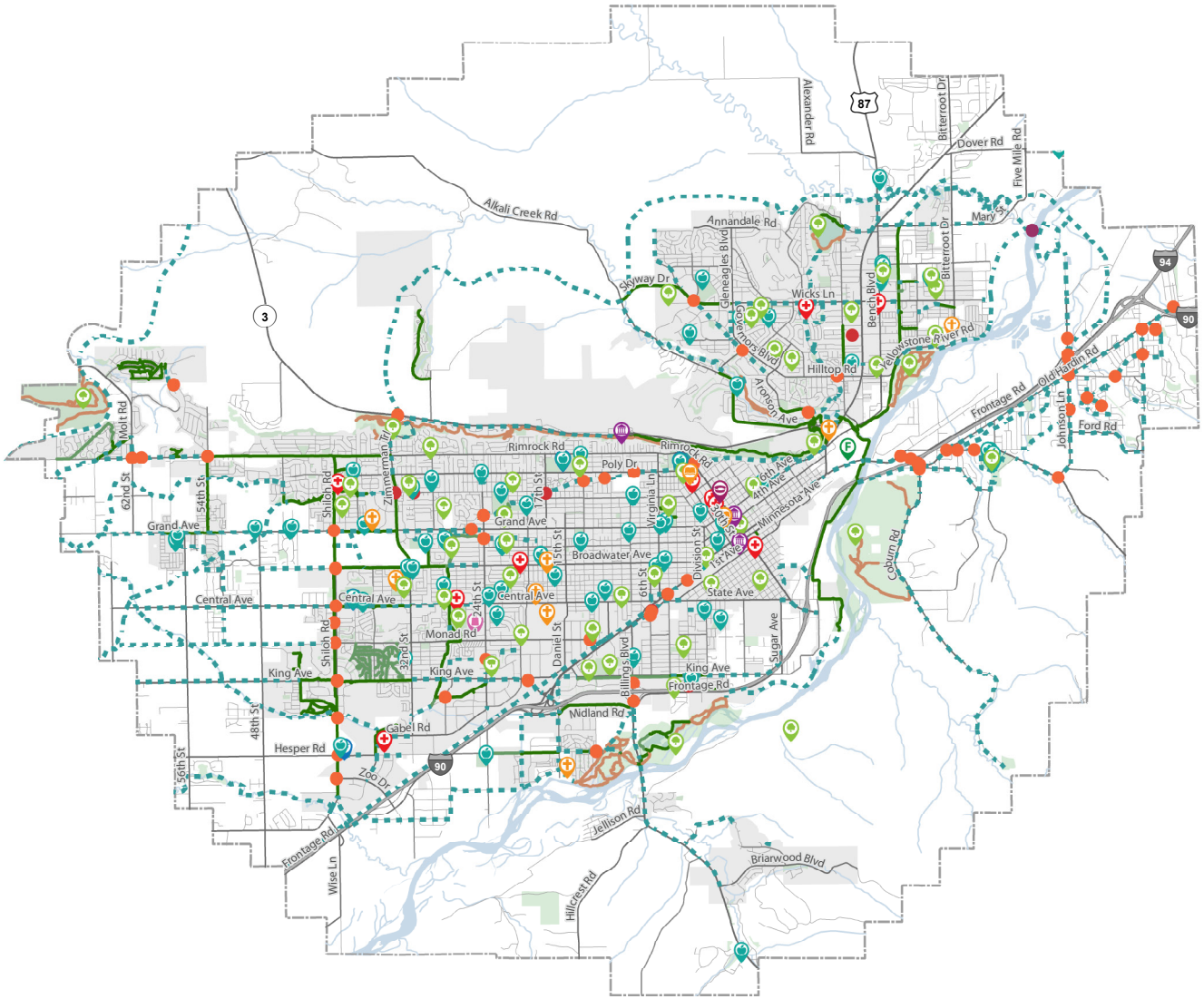


Trail Facility Types

As shown in Figure 66, there are multiple trails improvements recommended by the Billings Area Bikeway and Trails Master Plan Update that extend beyond the City of Billings limits, including a network of trails west of Shiloh Road, north of downtown along Rimrock Road and the Heights area, and in Lockwood. These proposed trails contribute to the broader non-motorized network by providing shared-use facilities for bicycles, pedestrians, and other modes. The types of trails recommended for the Billings planning area include:

- **Shared Use Paths (SUPs):** Shared-use paths are wide, hard-surface trails frequently found in parks, along rivers, in linear greenways, and besides roadways that typically have few conflicts with motor vehicles. They allow for two-way, off-street travel by bicyclists, pedestrians, skaters, wheelchair users, runners, persons with limited mobility, and other non-motorized users.
- **Neighborhood Connector Trails:** Paved trails less than 8 feet wide, making them too narrow for comfortable passing of multiple user groups. These trails complement the network of multi-use trails and are useful connections for a variety of users, especially for neighborhood residents.
- **Unpaved Trails:** Dirt, mulch, and gravel trails. These trails tend to be more narrow and rugged than the other types of trails.

FIGURE 66. FUTURE TRAIL FACILITIES



FUTURE TRAIL FACILITIES

Existing Infrastructure

- Shared Use Path
- Neighborhood Trail
- Unpaved Trail

Major Activity Centers

- Stadium
- Library
- Park
- Museum
- Fairgrounds
- Shopping Mall
- Cemetary
- College
- Schools
- Hospital

Recommended Projects from 2016 Bikeway & Trails Master Plan Update

- Build Trail Bridge
- Create Trail Access Point
- Enhance Trail Crossing
- Trail

Data Source: Billings-Yellowstone County MPO

FUTURE TRANSIT SYSTEM

As discussed in the *Transit Development Plan 2022*, MET Transit has begun transitioning its current service to a redesigned system that includes fixed stops along each route.[46] The intent of this redesign is to continue to grow ridership while improving efficiency, convenience, and sustainability of the transit system. This redesigned system is outlined in the Future Conditions Supporting Figures & Content Appendix, and displayed in Figure 66. MET is also actively working towards implementing a stop-based system for its fixed routes. In addition to these redesign changes, MET Transit will continue to work with stakeholders in the Lockwood community to evaluate and implement transit service to Lockwood. The *Transit Development Plan* studied potential alternatives and recommended a concept route that would traverse 1St Avenue N in Billings, I-90 across the Yellowstone River, and north along Old Hardin Road to service the residential neighborhoods along Noblewood Drive and Becraft Lane.

Additionally, the Future Conditions Supporting Figures & Content Appendix contains an evaluation of the future transit routes that coincide with projected congested intersections.

Passenger Rail Service

The Federal Rail Administration (FRA) is currently studying the feasibility of implementing or re-implementing a variety of Amtrak routes throughout the United States, due to funding provided by the Infrastructure Investment & Jobs Act (IIJA).[47] The Amtrak North Coast Hiawatha Route is one of the routes under study by the FRA, as it was discontinued in 1979. The North Coast Hiawatha Route could provide passenger rail service from Chicago to Seattle/Portland through southern Montana. Locally, to support this study, the Big Sky Passenger Rail Authority (BSRPA) was formed via the joint resolution of multiple Montana counties, cities, and tribal nations.[48]

FUTURE FREIGHT DEMAND

Future freight demand by truck, rail, air, and pipeline was assessed using the most recent data for the state of Montana from the FHWA FAF5 base scenarios.[49] The FAF5 also analyzes other freight modes that are not within the scope of the LRTP (such as mail and other unknown modes), and so are not included in this report. Transportation Planning & Implementation Since 2018 summarizes expected changes in freight demand by location-destination category between Year 2020 and Year 2050.

46 MET Transit. (September 2022). *Transit Development Plan 2022*. https://www.billingsmt.gov/DocumentCenter/View/47800/Billings-TDP_Draft_081112022
47 Congressional Research Service. (February 2022). *Passenger Rail Expansion in the Infrastructure Investment and Jobs Act (IIJA)*. https://crsreports.congress.gov/product/pdf/IF/IF11920
48 Big Sky Passenger Rail Authority. (N.D.). *Who We Are*. https://www.bigskyrail.org/whoweare
49 Federal Highway Administration. (July 2022). *Freight Analysis Framework 5th Edition.* https://ops.fhwa.dot.gov/freight/freight_analysis/faf/faf5/FAF5FHWAWebinarJuly282022final.pdf

FIGURE 67. FUTURE MET TRANSIT SYSTEM

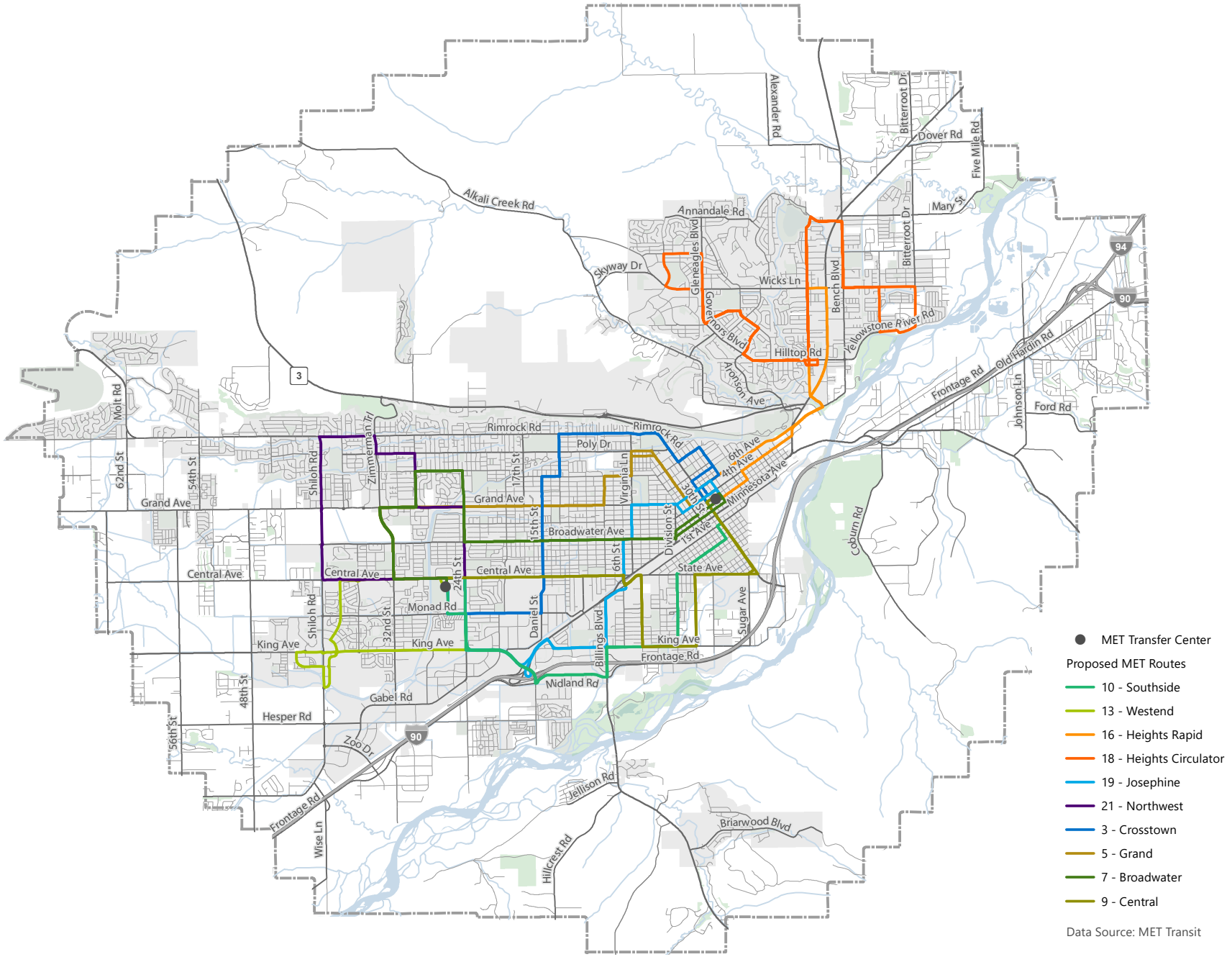


TABLE 30. YEAR 2020 AND YEAR 2050 TOTAL FREIGHT MOVED BY MODE

MONTANA FREIGHT MOVEMENT	WITHIN MONTANA			FROM MONTANA			TO MONTANA		
	2020	2050	% CHANGE	2020	2050	% CHANGE	2020	2050	% CHANGE
In Millions of Tons (% Moved by Truck)	33.7 (46%)	50.1 (46%)	+49%	13.4 (19%)	21.2 (24%)	+58%	14.7 (65%)	24.8 (69%)	+68%
In Millions of Dollars (% Moved by Truck)	14,635 (60%)	24,526 (60%)	+68%	9,892 (46%)	20,676 (52%)	+109%	24,377 (72%)	50,367 (71%)	+100%
In Millions of Tons (% Moved by Rail)	1.7 (2%)	2.9 (3%)	+65%	16.7 (24%)	13.3 (15%)	-21%	2.1 (9%)	3.3 (9%)	+60%
In Millions of Dollars (% Moved by Rail)	356.6 (1%)	570.8 (1%)	+60%	1786.4 (8%)	2866.0 (7%)	+60%	599.9 (2%)	1155.6 (2%)	+93%
In Millions of Tons (% Moved by Air)	0.03 (<1%)	0.15 (<1%)	+357%	1.8 (<1%)	3.6 (<1%)	+100%	3.0 (<1%)	6.0 (<1%)	+100%
In Millions of Dollars (% Moved by Air)	10.3 (<1%)	44.8 (<1%)	+335%	283.0 (1%)	567.5 (1%)	+100%	246.7 (1%)	566.6 (1%)	+130%
In Millions of Tons (% Moved by Pipeline)	32.6 (40%)	55.7 (51%)	+71%	23.6 (33%)	43.4 (48%)	84%	5.2 (23%)	6.4 (18%)	+25%
In Millions of Dollars (% Moved by Pipeline)	8,241 (34%)	13,904 34%	+69%	5,666 (26%)	10,812 (27%)	91%	1,572 (5%)	1,976 (3%)	+26%

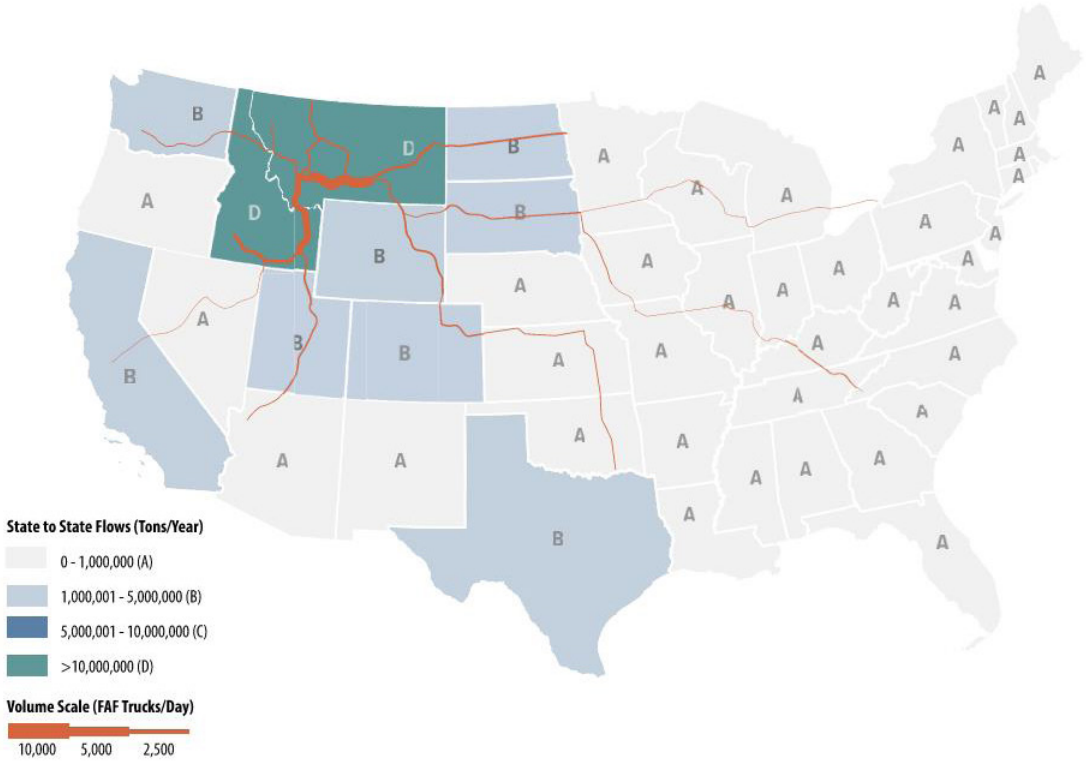
Source: Federal Highway Administration Freight Analysis Framework 5

Freight moved by air, which makes up the smallest amount of freight by weight and monetary value, is expected to increase between 2020 and 2050 within, to, and from Montana. Due to its smaller contribution to overall freight movement, increases in these categories seem relatively large in comparison to rail and trucking.

Freight moved by rail will continue increasing within Montana and to Montana from other states. While freight moved by rail from Montana to other states is expected to decrease by 21%, the monetary value of freight is projected to increase by 60%, which indicates that rail is projected to be responsible for moving higher-value goods.

Trucking currently makes up the highest percentage of tonnage and monetary value and is expected to continue increasing between 2020 and 2050. During this period, the monetary value of freight moved by trucks between Montana and other states is expected to increase by approximately 100%. As shown in Figure 68, trucking flows are expected to increase both by volume and by distance, with projected interstate trade stretching from Washington and California to Texas, the Carolinas, and Pennsylvania.

FIGURE 68. INTERSTATE TRUCK FLOWS IN 2050



Transportation Planning & Implementation Since 2018 shows the projected weight (in thousands of tons) and value (in millions of dollars) of freight moving within, to, and from Montana. Overall, total freight volume for all modes by weight is expected to increase by 32% from 178,348 to 235,444 (in thousand tons) between 2020 and 2050. Total freight volume by monetary value is expected to increase by 81% from $83,646 to $151,781 (in millions of dollars) in this period. The expected increase in tonnage and monetary value of freight moved throughout the state of Montana is an important consideration for long-term transportation planning and project prioritization in the City of Billings. The construction of the Billings Bypass will introduce additional links to the freight network in the City of Billings. As such, the current freight network within the urban area may potentially change upon completion of the project. Additionally, working with state and federal partners to ensure that the best freight routes are designated through the Billings planning area will be important.

The *2022 Montana Freight Plan*[50] provides guidance for long-term freight investments and projects and identifies statewide freight system needs, strategies, and innovative technologies that could support the increasing movement of freight. Some of the innovative technologies proposed in the Plan include the implementation of Intelligent Transportation Systems (ITS) technologies to support credentials and vehicle clearance, ramp screening, road condition monitoring, route planning, traffic control, emergency response, and safety aspects of road, rail, and air transport. Partnerships between the City of Billings, Yellowstone-Billings MPO, MDT, in addition to other local, regional, and national agencies will be critical to supporting the efficient and safe movement of freight throughout Montana.

Emerging Technology

The past twenty years have brought a variety of technologies to the cityscapes and transportation systems across the country, including in the Billings planning area. While it is impossible to predict which types of technologies will shape the landscape in the future, understanding the developments occurring today will help the community prepare for tomorrow and beyond. This section explores a few transportation technology topics and is by no means exhaustive (further details are provided in the Future Conditions Supporting Figures & Content Appendix). To best prepare the Billings planning area for emerging technologies, a readiness and feasibility study would help guide decision making in the coming years.

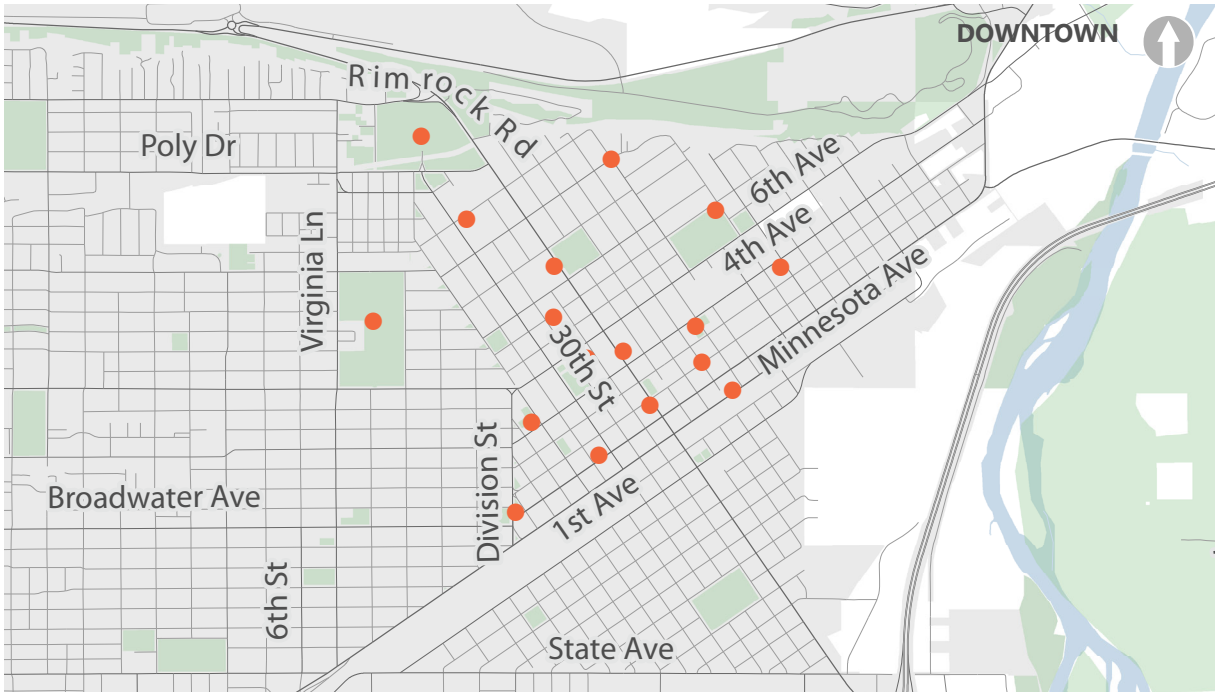
50 Montana Department of Transportation. (2022). *2022 Montana Freight Plan*. https://www.mdt.mt.gov/freightplan/docs/2022-Montana-Freight-Plan.pdf

SHARED MOBILITY & MICROMOBILITY

Over the past decade, advances in technology have contributed to the rise in popularity of transportation modes that expand accessibility and mobility to urban transportation networks. More recently, the rise of micromobility, which refers to any small, low-speed, human or electric-powered transportation device (i.e., bicycles, scooters, e-bikes, e-scooters), has introduced a variety of innovative transportation options to incorporate into a broader network of multimodal options.

The rapid growth of shared mobility and micromobility provides more mobility choices that enhance accessibility and mobility for all users, offer first- and last-mile links to transit networks, and offer cost-efficient options for those who do not have access or the physical ability to operate a personal vehicle. In 2021, the Billings-Yellowstone MPO completed the *Bike & Scooter Share Feasibility Study,* which outlined how shared micromobility could be implemented in the Billings planning area. The Study recommended pilot bicycle and scooter share station locations, which are displayed in Figure 69

FIGURE 69. RECOMMENDED BIKESHARE AND SCOOTERSHARE STATION LOCATIONS



ELECTRIC VEHICLES

In the *Electric Vehicle Infrastructure Prioritization Study,* the Montana Department of Environmental Quality (DEQ) estimates that by 2040, 9% of registered vehicles in Montana will be electric vehicles (~87,000 vehicles). This would equate to about 8,700 EVs in Billings in 2040, which will likely require substantial local investments in charging infrastructure.[51] To prepare for the charging needs of EV drivers and EV fleets, working with partner agencies such as the Montana Department of Transportation, the Montana Department of Environmental Quality, and local energy providers to complete a charging infrastructure assessment will be key towards successfully competing for National Electric Vehicle Infrastructure funding and implementing infrastructure in the Billings planning area. In addition to locally driven EVs, the DEQ also anticipates that most of the EVs travelling in Montana in 2040 will be driven by out-of-state visitors, which indicates the importance of charging infrastructure to support tourism and recreation in the area while boosting the local and regional economy.

51 Montana Department of Environmental Quality. (June 2022). *Electric Vehicle Infrastructure Prioritization Study.* https://deq.mt.gov/files/Energy/Transportation/MDEQ_EV_InfastructurePrioritizationStudy_Final.pdf

06 WHAT ARE THE TRANSPORTATION SYSTEM NEEDS, OPPORTUNITIES, & DEFICIENCIES?

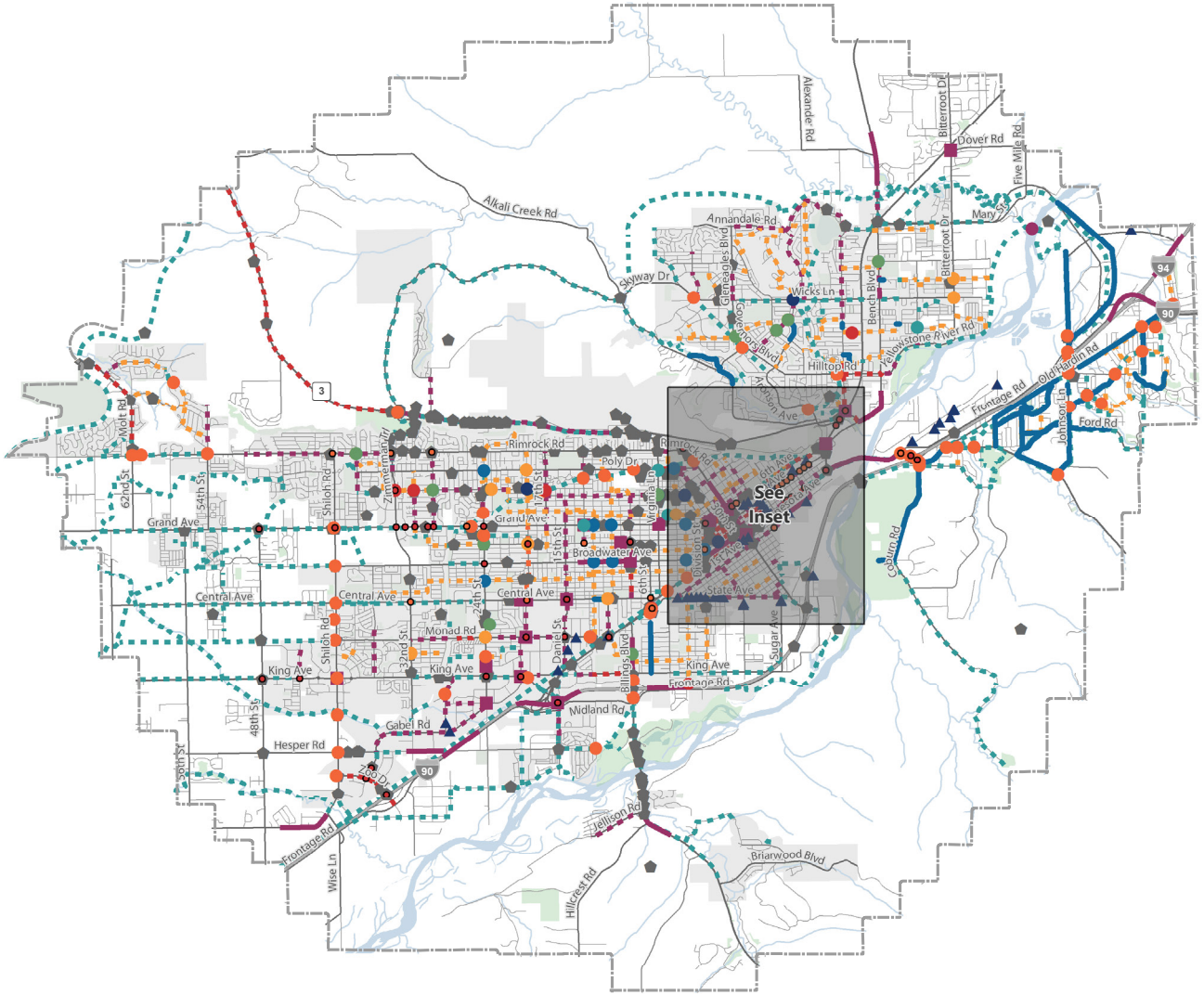
This chapter summarizes the multimodal transportation system needs and deficiencies of the Billings planning area. To better understand the barriers and issues faced by Billings planning area residents, the consultant team reviewed existing plans, held discussions with stakeholders, and collected public input. Additionally, this summary includes findings from both the Existing Conditions and Future Conditions analyses to paint a full picture of the needed improvements to the regional infrastructure looking forward to 2045. These high-level needs, opportunities, and deficiencies are delineated in Table 31 and depicted in Figure 70.

Figure 70 informed discussions with stakeholders, the public, and the Steering Committee in developing the Project List for the 2023 LRTP.

TABLE 31. BILLINGS PLANNING AREA MULTIMODAL TRANSPORTATION SYSTEM NEEDS & DEFICIENCIES

MODE / AREA	NEEDS, OPPORTUNITIES, & DEFICIENCIES
Safety	■ Address High Equivalent Property Damage Only (EPDO) Intersections ■ Address High EPDO Segments ■ Address ADA Issues
Pedestrian	■ Construct New Sidewalks ■ Maintain Existing Sidewalks ■ Enhance Crossings ■ Implement Safe Routes to Schools
Bicycle	■ Construct New Bikeways ■ Enhance Crossings ■ Implement Safe Routes to Schools
Trail	■ Build New Trails ■ Implement Safe Routes to Schools
Transit	■ Implement Stop-Based Fixed Route Service ■ Partner with MET Transit to Improve Pedestrian and Bicycle Access to Transit Stops
Congestion	■ Address LOS E Intersections ■ Address LOS F Intersections
Freight	■ Explore At-Grade Railroad Crossing Elimination ■ Explore Freight Route Designation
Emerging Technology	■ Explore Scooter and Bikeshare Pilot Program ■ Partner with MDT on Electric Vehicle Charging Infrastructure

FIGURE 70. NEEDS, DEFICIENCIES, & OPPORTUNITIES



NEEDS, DEFICIENCIES, & OPPORTUNITIES

Other Identified Concerns
- Public Comment Location
- At-Grade Railroad Crossing

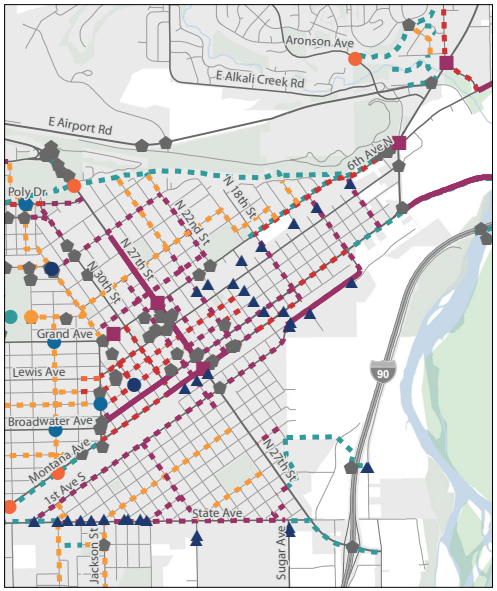
Safety
- High EPDO Intersection
- High EPDO Segment

Recommended Trail Projects
- Build Trail Bridge
- Create Trail Access Point
- Enhance Trail Crossing
- Trail

Recommended Pedestrian Projects
- High Visibility Crosswalk
- Curb Extensions or Pedestrian Refuge Island
- New or Enhanced Sidewalk

Recommended Bike Projects
- Bike Intersection Treatment
- Enhance Bike Crossing
- Bike Facility Maintenance
- Buffered Bike Lane
- Bike Lane
- Shared Lane Marking
- Neighborhood Bikeway

Projected 2045 Intersection Operations
- LOS E
- LOS F



07 WHAT ARE THE FUNDING OPTIONS?

This chapter discusses the financial plan for the 2045 LRTP. Federal legislation requires that the LRTP be "financially constrained"; in other words, the cost of implementing and maintaining transportation improvements should be within a funding amount that can reasonably be expected to be available during the life of this Plan.

Federal regulations establish the requirements for the financial plan in Title 23, Section 450.324(f)(11), of the Code of Federal Regulations.[52] To summarize, the regulations state that the financial plan should include the following:

- Estimates of costs and revenue sources needed to operate and maintain federal-aid highways and public transportation.
- Estimates of funds that will be available to support the LRTP implementation and that are agreed upon by the MPO, public transportation operator(s), and the state.
- Recommendations on any additional financing strategies to fund projects and programs included in the LRTP.
- Account for all projects and strategies proposed for funding under Title 23 U.S.C., Title 49 U.S.C. Chapter 53 or with other Federal funds, State assistance, local sources, and private participation.
- Revenue and cost estimates that use an inflation rate to reflect "year of expenditure dollars" and that have been developed cooperatively by the MPO, state, and public transportation operator.

Funding to implement the LRTP committed, recommended, and illustrative projects comes from federal, state, and local sources. This chapter includes estimates of costs that would be required to implement the LRTP as well as estimates of existing and contemplated sources of funds available to pay for these improvements. Different sets of revenue assumptions apply for capital, for operations and maintenance (O&M), and for each mode—active transportation (pedestrian, bicycle, and trail facilities); public transit; and streets and highways.

The following references and documents were used to develop this chapter:

- Montana Department of Transportation
- Billings Urban Area Transportation Improvement Program (TIP) FY 2020-2024
- City of Billings FY 2023-2027 Capital Improvement Program (CIP)
- City of Billings Proposed FY 2024-2028 CIP

The infographic on the next page depicts how the Project List, discussed in Chapter 8, is funded.

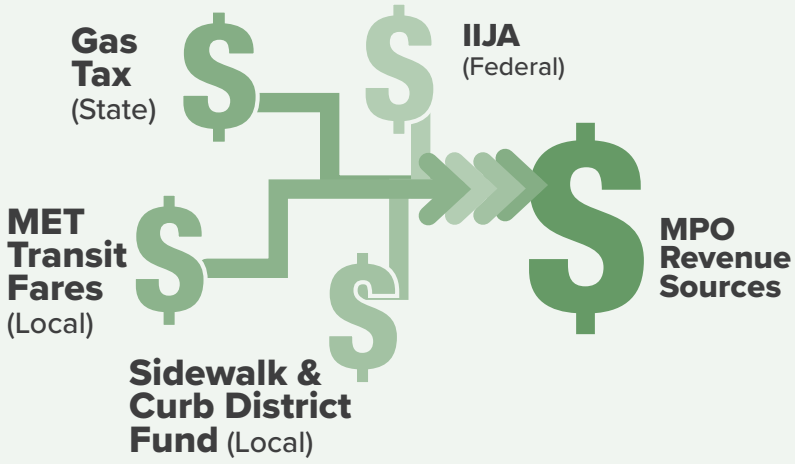
52 United States of America. (ND). Code of Federal Regulations: Title 23, Chapter I, Subchapter E, Part 450, Subpart C, Section 450.324: Development and content of the metropolitan transportation plan. https://www.ecfr.gov/current/title-23/chapter-I/subchapter-E/part-450/subpart-C/section-450.324

HOW IS THE PROJECT LIST FUNDED?

The Billings-Yellowstone County MPO receives funding from a variety of federal, state, and local sources, such as:

- Federal Programs authorized by the Infrastructure Investment & Jobs Act (IIJA)
- Montana Gas Tax
- City of Billings Sidewalks and Curb District Fund
- MET Transit Fares

Specific project types or activities are eligible for each of these funding sources.



Note: There are more available funding sources than those displayed here.



Each project has a cost estimate that includes the anticipated costs of studying, planning, designing, and/or building the project.

The Project List is sorted into categories based on eligibility for each revenue source.

The MPO revenues are matched to project costs of the prioritized projects.

Resulting in a spending plan that is fiscally constrained.

This chapter provides an overview of the various funding sources available to the Billings-Yellowstone County MPO for transportation projects. It is important to note that this summary is not exhaustive and represents a starting point for funding. Additionally, MDT administers several programs that are funded from State and Federal sources. Each year, in accordance with 60-2-127, Montana Annotated Code (MCA), the Montana Transportation Commission allocates a portion of available Federal-aid highway funds for construction purposes and for projects located on the national highway system, primary highway system, secondary highway system, urban highway system, and state highways.

Federal Funding

The Infrastructure Investment and Jobs Ac (IIJA) and the Inflation Reduction Act (IRA) continued many existing federal formula funding programs and created new federal formula funding programs. This section outlines many of these opportunities as they are relevant to the Billings-Yellowstone County MPO. Additionally, new competitive funding opportunities were also created by the IIJA and IRA that are summarized. These competitive programs could be potential sources of funding for innovative, unique, or large projects in the planning area.

NATIONAL HIGHWAY PERFORMANCE PROGRAM (NHPP)[53]

The NHPP provides funding for the National Highway System, including the Interstate System and National Highways system roads and bridges to support the condition, performance, and resiliency of the NHS. NHPP funds are Federally apportioned to Montana and allocated to Districts by the Montana Transportation Commission. Since the 2018 LRTP, updates to this program include:

11. Providing support for activities to increase the resiliency of the NHS to mitigate the cost of damages from sea level rise, extreme weather events, flooding, wildfires, or other natural disasters' is now a programmatic purpose of the NHPP.
12. 'Prioritizing Safety in All Investments and Projects' is now the stated safety goal of the NHPP through the FHWA National Roadway Safety Strategy.[54]
13. The program now encourages the Design and Construction of 'Complete Streets' , which provide comfortable and safe multimodal facilities for people of all ages and abilities.
14. Program funds can and should be used to implement ADA Transition Plans to ensure accessibility of pedestrian facilities in public right-of-way.
15. NHPP funds can be used to support the Justice40 Initiative, to meet the goal that at least 40% of the benefits of federal investments are distributed to disadvantaged communities.

Related MDT programs include:

- NH - National Highway System (Non-Interstate)
- IM - Interstate Maintenance
- NHPB - National Highway System Bridge Program

NATIONAL HIGHWAY FREIGHT PROGRAM (NHFP)[55]

The National Highway Freight Program invest in projects on the Primary Highway Freight System portion of the National Highway Freight Network, as that is what is eligible for NHFP funding in Montana. This program is apportioned to States by formula



53 Federal Highway Administration. (May 2022). *National Highway Performance Program Implementation Guidance.* https://www.fhwa.dot.gov/specialfunding/nhpp/bil_nhpp_implementation_guidance-05_25_22.pdf ; https://www.fhwa.dot.gov/bipartisan-infrastructure-law/nhpp.cfm

54 United States Department of Transportation. (January 2022). *National Roadway Safety Strategy.* https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf

55 Federal Highway Administration. (February 2022). *National Highway Freight Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/nhfp.cfm

and provides funding for construction, operational improvements, freight planning, and performance measures. The State share is typically funded through the Highway State Special Revenue Account (HSSRA) for projects on state highways and local governments provide the match for local projects. There are no other related MDT programs included with this funding source. Since the 2018 LRTP, updates to this program include:

1. The program increases the eligibility to 30% (vs. 10% under the FAST Act) on the amount of NHFP funding that a State may use on freight intermodal or freight rail projects.
2. The program increases the maximum number of miles that may be designated as critical urban freight corridors in a State to 150 miles of highways (vs. 75 under the FAST Act) or 10% of the PHFS mileage in the State, whichever is greater.



SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STP)[56, 57]

STP funds are Federally apportioned to Montana and allocated by the Montana Transportation Commission to various programs. Project types vary with each program, but can include roadway reconstruction and rehabilitation, to bridge construction and inspection, to highway and transit safety infrastructure, environmental mitigation, operational improvements, carpooling, and bicycle and pedestrian transportation facilities. Since the 2018 LRTP, updates to this program include:

- 'Prioritizing Safety in All Investments and Projects' is now the stated safety goal of the STP through the FHWA National Roadway Safety Strategy.
- The program encourages the design and construction of 'Complete Streets'.
- The program emphasizes the importance of using funds to implement ADA Transition Plans to ensure accessibility of pedestrian facilities in public right-of-way.

Related MDT programs include:

- Primary Highway System (STPP)
- Secondary Highway System (STPS)
- Urban Highway System (STPU)
- Surface Transportation Program Bridge (STPB)
- Surface Transportation Program for Other Routes - Off-System (STPX)
- Urban Pavement Preservation Program (UPP) Interstate Maintenance

HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP)[58, 59]

HSIP funds are apportioned to Montana for allocation to safety improvement projects approved by the Montana Transportation Commission and are consistent with the strategic highway safety improvement plan. Projects described in the Montana Comprehensive Highway Safety Plan must correct or improve a hazardous road location or feature or address a highway safety problem. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance.

56 Federal Highway Administration. (May 2022). *Surface Transportation Block Grant Program Implementation Guidance.* https://www.fhwa.dot.gov/specialfunding/stp/bil_stbg_implementation_guidance-05_25_22.pdf

57 Federal Highway Administration. (February 2022). *Surface Transportation Block Grant Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/stbg.cfm

58 Federal Highway Administration. (February 2022). *Highway Safety Improvement Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/hsip.cfm

59 Federal Highway Administration. (February 2022). *Highway Safety Improvement Program Eligibility Guidance.* https://safety.fhwa.dot.gov/hsip/rulemaking/docs/BIL_HSIP_Eligibility_Guidance.pdf

Since the 2018 LRTP, updates to this program include:

- The IIJA does not extend the FAST Act prohibition (FAST Act § 1401) on using HSIP funds to purchase, operate, or maintain an automated traffic enforcement system.
- The program is authorized to include additional eligible safety projects including multimodal roundabouts, railway-highway grade separation, traffic calming, multimodal traffic signals, separated bicycle and pedestrian facilities.
- The program requires States to complete a Vulnerable Road User Safety Assessment. Montana Department of Transportation has not yet completed this assessment. Federal guidance was released in October 2022.[60]
- The program specifies the eligibility of both roads and trail facilities.

CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM (CMAQ)[61]

Federal funds available under this program are used to finance transportation projects and programs to reduce congestion and help improve air quality and meet the requirements of the Clean Air Act. The Montana Transportation Commission allocates funds from the Montana Air & Congestion Initiative (MACI) Guaranteed Program directly to Billings and Great Falls to address carbon monoxide issues. Since the 2018 LRTP, updates to this program include:

- The program requires States to prioritize benefits to disadvantaged communities or low-income populations living in or adjacent to such areas, to the extent practicable.
- The program is authorized to include additional eligible projects such as shared micromobility, zero emission replacements, and alternate fuel vehicles for construction.

Related MDT programs include:

- CMAQ (formula)
- Montana Air & Congestion Initiative (MACI) – Guaranteed Program (flexible)
- Montana Air & Congestion Initiative (MACI) – Discretionary Program (flexible)



60 Federal Highway Administration. (October 2022). *Vulnerable Road User Safety Assessment Guidance.* https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-10/VRU%20Safety%20Assessment%20Guidance%20FINAL_508.pdf

61 Federal Highway Administration. (February 2022). *Congestion Mitigation and Air Quality Improvement Program Bipartisan Infrastructure Law Fact Sheet.*https://www.fhwa.dot.gov/bipartisan-infrastructure-law/cmaq.cfm





TRANSPORTATION ALTERNATIVES PROGRAM (TA)[62,63]

The TA program provides flexible funding to support a variety of Complete Streets projects at the local and regional levels. The TA program is a set-aside from the Surface Transportation Block Grant Program. Funds may be obligated for projects submitted by: Local governments, transit agencies, natural resource or public land agencies, school district, schools, local education authority, tribal governments, and other local government entities with responsibility for recreational trails for eligible use of these funds. Many projects eligible under TA are also eligible under HSIP and STP. There are no other related MDT programs included with this funding source. Since the 2018 LRTP, updates to this program include:

1. The program increased the suballocation for population centers from 50% to 59%.
2. The competitive process used for the suballocation of funds must include prioritization of project location and impact in high-need areas as defined by the State.

TRANSIT CAPITAL AND OPERATING ASSISTANCE

The MDT Transit Section provides federal and state funding to eligible recipients through Federal and state programs. Federal funding is provided through the Section 5307,[64] Section 5310,[65] Section 5311,[66] and Section 5339[67] transit programs and state funding is provided through the TransADE program. There are no other related MDT programs included with this funding source. While these programs have been updated since the 2018 LRTP, there are no relevant updates for the MPO's purposes.

NEW FEDERAL FUNDING SOURCES

The IIJA created several new transportation funding formula programs that are associated with many important elements of the Billings LRTP, including resiliency, sustainability, multimodal systems, and emerging technology. As an important planning area in the state of Montana, Billings is likely to receive an allocation of formula funds from the following new programs.

62 Federal Highway Administration. (February 2022). *Transportation Alternatives Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/ta.cfm

63 Federal Highway Administration. (March 2022). *Transportation Alternatives Program Set-Aside Implementation Guidance as Revised by the Infrastructure Investment and Jobs Act.* https://www.fhwa.dot.gov/environment/transportation_alternatives/guidance/ta_guidance_2022.pdf

64 Federal Transit Administration. (ND). *Urbanized Area Formula Grants 5307.* https://www.transit.dot.gov/funding/grants/urbanized-area-formula-grants-5307

65 Federal Transit Administration. (ND). *Enhanced Mobility for Seniors and Individuals with Disabilities Grants 5310.* https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310

66 Federal Transit Administration. (ND). *Rural Area Formula Grants 5311.* https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-12/Fact-Sheet-Rural-Program.pdf

67 Federal Transit Administration. (ND). *Grants for Buses and Bus Facilities.* https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-12/Fact-Sheet-Buses-and-Bus-Facilities.pdf

New Federal Formula Funding Programs

NATIONAL ELECTRIC VEHICLE INFRASTRUCTURE FORMULA PROGRAM (NEVI)[68]

The NEVI Formula Program provides funds to strategically deploy electric vehicle charging infrastructure and to establish an interconnected network to facilitate data collection, access, and reliability. Eligible projects must directly relate to publicly accessible or authorized commercial charging infrastructure along designated alternative fuel corridors. This Program is administered by the Joint Office of Energy and Transportation (JOET), which will allocate funds that MDT will administer along designated EV corridors.

CARBON REDUCTION PROGRAM (CRP)[69, 70]

The CRP provides funds to projects designed to reduce transportation emissions (specifically carbon dioxide emissions) from on-road highway sources. Funds are apportioned to States, which are required to suballocate 65% of funds based on population and 35% for any part of the state. Eligible projects include congestion mitigation technologies, public transit, all Transportation Alternatives projects, energy-efficient electronics upgrades, intelligent transportation system (ITS), congestion pricing and travel demand management, alternate fuel vehicles and infrastructure, and any other STBG eligible project with demonstrated capacity to reduce emissions. States are required to collaborate with MPOs to develop a statewide Carbon Reduction Strategy that aligns with statewide and metropolitan long range transportation plans. The strategy must support efforts to reduce transportation emissions, identify projects to endeavor towards this aim, quantify transportation emissions at the state and regional levels.

MDT will administer formula funds that align with its Carbon Reduction Strategy, which is currently under development.

PROMOTING RESILIENT OPERATIONS FOR TRANSFORMATIVE, EFFICIENT, AND COST-SAVING TRANSPORTATION (PROTECT) FORMULA PROGRAM[71, 72]

The PROTECT Formula Program provides funds to help make surface transportation more resilient to natural hazards, including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure. Each State is required to use at least 2% of its funds for planning activities. Limits States to use up to 40% of funds to construct new capacity and up to 10% of its funds for development phase activities. Eligible facilities include federal-aid highways, public transit facilities or services, and port facilities. PROTECT funds will be administered by MDT statewide.

68 Federal Highway Administration. (February 2022). *National Electric Vehicle Infrastructure Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/nevi_formula_program.cfm

69 Federal Highway Administration. (February 2022). *Carbon Reduction Program Bipartisan Infrastructure Law Fact Sheet*. https://www.fhwa.dot.gov/bipartisan-infrastructure-law/crp_fact_sheet.cfm

70 Federal Highway Administration. (April 2022). *Carbon Reduction Program Implementation Guidance*. https://www.fhwa.dot.gov/environment/sustainability/energy/policy/crp_guidance.pdf

71 Federal Highway Administration. (February 2022). *Promoting Resiliency Operations for Transformative, Efficient, and Cost-Saving Transportation Program Bipartisan Infrastructure Law Fact Sheet.* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/protect_fact_sheet.cfm

72 Federal Highway Administration. (July 2022). *Promoting Resiliency Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula Program Implementation Guidance.* https://www.fhwa.dot.gov/environment/sustainability/resilience/policy_and_guidance/protect_formula.pdf

BRIDGE FORMULA PROGRAM (BFP)[73, 74, 75]

The BFP provides funds to projects that replace, rehabilitate, preserve, protect, and construct highway bridges. Each State is guaranteed at least $45 million for bridges in poor and fair condition and requires a set-aside of 15% for use on "off-system" bridges (for bridges on public roads rather than federal-aid highways). Bridges owned by a local agency are eligible for 100% federal share. There are no other related MDT programs included with this funding source. Eligible bridges include all bridges listed in the National Bridge Inventory. New bridge construction is an eligible program activity. This new program will be integrated into MDT's existing bridge funding program.

New Federal Competitive Grants

Table 32 delineates the new competitive grant programs that the MPO is eligible to apply for in partnership with MDT.

TABLE 32. NEW FEDERAL COMPETITIVE GRANT PROGRAMS

GRANT PROGRAM	DESCRIPTION
Bridge Investment Program (BIP)[76]	The Bridge Investment Program (BIP) includes $2.34 billion in funding for Planning, Bridge and Large Bridge Projects that improve the safety, efficiency, and reliability of the movement of people and freight over bridges; and improve the condition of bridges in the United States by reducing the number of bridges, and total person miles traveled over bridges, that are in poor condition or at risk of falling into poor condition within the next three years. MDT is an active partner in applying for BIP grants.
Low or No Emission Vehicle Program[77]	The Low or No Emission competitive program provides funding to state and local governmental authorities for the purchase or lease of zero-emission and low-emission transit buses as well as acquisition, construction, and leasing of required supporting facilities. Transit agencies are required to have a Zero-Emission Fleet Transition Plan in place to qualify for funds.
Nationally Significant Multimodal Freight and Highways (INFRA)[78]	INFRA awards competitive grants for multimodal freight and highway projects of national or regional significance to improve the safety, efficiency, and reliability of the movement of freight and people in and across rural and urban areas. This program is continued with new eligibilities under the IIJA to improve safety, generate economic benefits, reduce congestion, enhance resiliency, and eliminate freight bottlenecks to improve critical freight movements. MDT is an active partner in applying for INFRA grants.
National Infrastructure Project Assistance (MEGA)[79,80]	The MEGA Program support large, complex projects that are difficult to fund by other means and likely to generate national or regional economic, mobility, or safety benefits. Highway and bridge projects on the NMFN, the NHFN, and NHS, as well as intermodal freight centers, intercity rail, and certain transit projects are eligible. MDT is an active partner in applying for INFRA grants.
Reconnecting Communities Program (RCP)	The RCP is intended to remove infrastructure that has historically divided neighborhoods and deteriorated the urban fabric. Pilot activities include highway closures, "stroads" to boulevards, roadway reallocations, and greenway creations.

73 Federal Highway Administration. (February 2022). *Bridge Investment Program Bipartisan Infrastructure Law Fact Sheet*. https://www.fhwa.dot.gov/bipartisan-infrastructure-law/bfp.cfm
74 Federal Highway Administration. (January 2022). *Bridge Formula Program Implementation Guidance.* https://www.fhwa.dot.gov/bridge/bfp/20220114.cfm
75 Federal Highway Administration. (December 2022). *Bridge Formula Program Questions and Answers.* https://www.fhwa.dot.gov/bridge/bfp/qanda.cfm
76 Montana Department of Transportation. (ND). Bridge Investment Program (BIP) Grant Program. https://mdt.mt.gov/business/discretionarygrants/bip.aspx
77 Federal Transit Administration. (ND). *Low or No Emission Vehicle Program – 5339 (c).* https://www.transit.dot.gov/lowno
78 United States Department of Transportation. (December 2022). *The INFRA Grants Program.* https://www.transportation.gov/grants/infra-grants-program
79 United States Department of Transportation. (January 2023). *The MEGA Grant Program.* https://www.transportation.gov/grants/mega-grant-progra
80 Montana Department of Transportation. (ND). *National Infrastructure Project Assistance (MEGA) Grant Program.* https://mdt.mt.gov/business/discretionarygrants/mega.aspx

GRANT PROGRAM	DESCRIPTION
Railroad Crossing Elimination (RCE)[81]	The Railroad Crossing Elimination Program provides funding for planning and construction grants that focus on highway-rail or pathway-rail grade crossing improvement projects with an emphasis on improving the safety and mobility of people and goods. MDT is an active partner in applying for RCE grants, and the program is administered by the Federal Railroad Administration.
Rebuilding American Infrastructure with Sustainability and Equity (RAISE)	The RAISE Grant program provides funding for capital investments in surface transportation infrastructure for projects that will have a significant local or regional impact and improve transportation infrastructure. Expected impacts of funded projects include those that reduce greenhouse gas emissions, address environmental justice, address racial equity and barriers to opportunity, and create good-paying jobs from modernizing transportation infrastructure making them safer, more accessible, more affordable, and more sustainable. MDT is an active partner in applying for RAISE grants.
Safe Streets & Roads for All (SS4A)	The SS4A Program is administered by the FHWA to award competitive grants for planning, demonstration, and implementation activities that improve multimodal safety. Cities and counties are eligible to apply for Planning & Demonstration Grants or Implementation Grants in partnership with community groups, MPOs, and state DOTs. Planning grants can support the development of a Safety Action Plan, and Implementation grants can be used for capital construction.
Strengthening Mobility and Revolutionizing Transportation (SMART)[82]	The SMART grant program supports demonstration projects focused on advanced smart city/community technologies and systems in a variety of communities to improve transportation efficiency and safety. Projects should focus on using technology interventions to solve real-world challenges and build data and technology capacity and expertise in the public sector. There are both planning and implementation grants available. MDT is an active partner in applying for SMART grants.

State Funding

At the state level, the Montana Department of Transportation allocates funding to the Billings-Yellowstone County MPO for transportation projects. This is primarily funded through the state fuel taxes levied by the state of Montana. As of 2023, the Bridge and Road Safety and Accountability Act (BARSAA) has been repealed and replaced by HB 76, which maintains the allocation of gas tax funding for cities and counties, but removes administrative barriers to accessing these funds. Gas tax funds must be used for the construction, reconstruction, maintenance of rural roads, city streets, and alleys.

The funds may also be used for the share that the city or county might otherwise expend for proportionate matching of Federal funds allocated for the construction of roads or streets that are part of the primary, secondary, or urban system. This tax has increased since the 2018 LRTP and is now assessed at $0.33 per gallon on gasoline and $0.2975 per gallon on diesel fuel used for transportation purposes.[83]

Local Funding

Local governments generate revenue from variety of sources that contribute to the funding of transportation projects in the Billings planning area. Table 33 outlines the local funding sources outlined in the City of Billings Capital Improvement Program.

81 Montana Department of Transportation. (ND). *Railroad Crossing Elimination (RCE) Grant Program.* https://mdt.mt.gov/business/discretionarygrants/rce.aspx

82 Montana Department of Transportation. (ND). *Strengthening Mobility and Revolutionizing Transportation (SMART) Grant Program*. https://mdt.mt.gov/business/discretionarygrants/smart.aspx

83 Montana Department of Transportation (ND). *Fuel Tax Frequently Asked Questions*. https://www.mdt.mt.gov/business/fueltax/faq.aspx

TABLE 33. LOCAL FUNDING SOURCES

FUNDING SOURCE	DESCRIPTION
Arterial Construction Fund	This special revenue fund is managed by the Billings Public Works Department and was used for the construction of new roadway facilities. This fund will expire following Fiscal Year 2023.
Airport Fund	This enterprise fund is used to design, construct, and maintain airport equipment and facilities at the Billings Logan International Airport.
Gas Tax Fund	This special revenue fund is managed by the Billings Public Works Department and implements the City Council's goals relating to maintaining quality streets and street maintenance. Funding for this activity is derived from the City's share of Gas Tax proceeds and a transfer from the Street Maintenance District Fund for maintenance.
Sidewalk and Curb Districts Fund	This fund is used to account for the construction of sidewalks and curbing throughout the City. The Annual Street Reconstruction and Misc., Curb, Gutter, and Sidewalk Programs are part of this fund.
Special Improvement Districts Fund	A SID is a group of properties that become a legal entity in order to construct public improvements. Some improvements that can be constructed through an SID include street paving, curb and gutter, water main, sewer main, and storm drain. Improvement costs are carried by property owners within the SID boundaries.
Street Maintenance District Fund	The street maintenance special assessment districts provide funding to maintain quality streets and street maintenance for the safety of residents and visitors and to continue to improve the city's street network. Street Maintenance District #1 is comprised of the central downtown area and Street Maintenance District #2 is the remainder of the city. This program includes the City's Street Traffic Division operations, PAVER Program, and Street Light Maintenance.
Street and Traffic Fund	This special revenue fund is used to purchase, operate, and maintain the equipment used to ensure the safe and efficient operations of public roadways in the City of Billings.
Tax Increment Financing	Tax Increment Financing (TIF) is a mechanism that allows a local government or redevelopment authority to generate revenues for a group of blighted properties targeted for improvement, known as a TIF district. As improvements are made within the district, and as property values increase, the incremental increases in property tax revenue are captured in a fund that is used for public improvements within the district. The funds generated from a new TIF district could be used to finance projects such as street and parking improvements, tree planting, installation of new bicycle racks, trash containers and benches, and other streetscape beautification projects within the designated area. Billings currently has three active TIF districts: Downtown TIFD, East Billings TIFD, and South Billings TIFD.
Transit Fund	The Transit Fund is a city Enterprise Fund, which means that the agency is operated as a business that provides a service to the public for a fee. MET Transit operates both fixed route and on-demand paratransit services with various fare options, that support MET's operations, along with city and federal funding. The Transit Fund is specifically reserved for transit projects.
Trail Grant Fund	This fund is used to account for the contributions and grants related to the construction of bicycle and pedestrian pathways.

Emerging Funding Sources

As transportation technologies continue to evolve, funding sources that were once lucrative, such as gas taxes, may become less relevant. To supplement and eventually replace obsolete funding sources, there are several funding sources that are emerging, including congestion pricing, mileage-based fees, variable parking fees, and electric vehicle charging taxes.[84, 85] Details about these emerging funding sources are outlined below.

- **Congestion Pricing:** This newer tolling approach prices roadway use to reduce demand in order to use the road's capacity most efficiently and to raise revenue. Congestion pricing is based on the idea that the price of accessing available roadway capacity should be higher at the places and during the times of day when demand is the greatest. This program can be implemented on a lane, a roadway, a bridge/tunnel, or an area (area-wide congestion pricing is also known as cordon pricing). Many states and cities in the US have implemented congestion pricing to fund either the maintenance of the facility or to fund multimodal improvements throughout the jurisdiction.
- **Mileage-Based Fee:** Also known as "Vehicle Miles Traveled" (VMT) fees, this funding source charges drivers directly for each mile traveled, either through odometer readings at annual vehicle registrations or GPS-based systems. This funding source is flexible in that the rate per mile traveled can vary and it can be different for different roadway users (such as commercial vehicles or for-hire vehicles). Because it is applicable for both internal combustion engine and electric vehicles, it is relatively future-proof, in addition to working as an incentive for individuals to drive less. Oregon and California have piloted mileage-based systems since the 2000's, and other states, including Hawaii, Massachusetts, Minnesota, Tennessee, Utah, Vermont, Virginia, and Washington are currently investigating these programs.
- **Variable Parking Fee:** Similar to congestion pricing, variable parking fees price the spaces available for vehicular parking based on location, availability, and the time of day. Variable pricing programs are based on the idea that vehicular parking is one use of on-street space, and should be priced for the opportunity cost of using that space to store cars rather than for potentially more efficient uses, such as bus-only lanes, protected bicycle facilities, commercial loading zones, landscaping, outdoor dining, or wider sidewalks. The District of Columbia has been piloting variable parking fees in select neighborhoods since 2019.
- **Electric Vehicle Charging Tax:** This emerging funding source levies a tax on electricity delivered to public electric vehicle charging stations. The Montana State Legislature passed a kilowatt hours tax in 2023.

The state of Montana is researching replacements for the gas tax. At present, the gas tax is the primary source of non-federal funding for roads, bridges, and other transportation infrastructure. The City of Billings is not currently investigating variable parking fees. For this reason, the following section continues to project revenues emerging from gas taxes.

Revenue Projections

Many of the funding sources detailed in the previous section are included in several important documents that informed the estimation and projection of future MPO revenues, including a current allocation (2023) of available transportation funding for the Billings planning area managed by MDT Statewide and Urban Planning Section, the FY2020 – 2024 MPO Transportation Improvement Program, the FY 2023 – 2027 City of Billings Capital Improvement Program, and the FY 2023 City of Billings Budget. These local, state, and federal revenue sources were compiled and then multiplied by a 3% inflation for each year to project to the five-year (FY 2028), ten-year (FY2033), and twenty-two year (FY2045) revenues for those periods. Table 34 summarizes the current and projected funding (estimated) for the Billings planning area.

The current annual allocation for the Billings-Yellowstone County MPO is $65,587,858. The 22-year revenue projection is $1,251,530,000. Using the 22-year revenue projection, the average annual allocation is estimated at $56,880,000 The average annual revenue projection is anticipated to increase due to changes in federal funding programs. However, it is important to note that federal earmarks, which were a previous revenue source, are no longer expected.

84 National Governors Association. (2021). *Innovative State Transportation Funding and Financing: Policy Options for States.* National Governors Association Center for Best Practices. https://www.nga.org/wp-content/uploads/2021/02/0901TRANSPORTATIONFUNDING.pdf

85 Povich, Elaine. (October 10, 2022). *As Electric Vehicle Shrink Gas Tax Revenue, More States May Tax Mileage.* Pew Trusts: Stateline. https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2022/10/10/as-electric-vehicles-shrink-gas-tax-revenue-more-states-may-tax-mileage

TABLE 34. BILLINGS-YELLOWSTONE MPO PROJECTED REVENUES (2023 - 2045)

FUNDING SOURCE	CURRENT ANNUAL ALLOCATION (FY 2023)	5-YEAR REVENUE PROJECTION (FY 2028)	10-YEAR REVENUE PROJECTION (FY 2032)	22-YEAR REVENUE PROJECTION (FY 2045)
Congestion Mitigation and Air Quality Improvement/ Montana Air and Congestion (CMAQ/MACI)	$1,353,095	$10,512,000	$13,940,000	$30,660,000
Surface Transportation Program Bridge (STPB)	$2,768,028	$14,260,000	$28,510,000	$62,720,000
National Highway System (NHS)	$10,942,487	$56,350,000	$112,710,000	$247,960,000
Interstate Maintenance (IM)	$4,069,307	$20,960,000	$41,910,000	$92,210,000
Highway Safety Improvement Program (HSIP)	$3,403,163	$17,530,000	$35,050,000	$77,120,000
Surface Transportation Program Secondary (STPS)	$369,102	$1,900,000	$3,800,000	$8,360,000
Urban Pavement Preservation (UPP)	$471,430	$2,430,000	$4,860,000	$10,680,000
Maintenance (M)	$998,564	$5,140,000	$10,290,000	$22,630,000
Surface Transportation Program Urban (STPU)	$2,489,770	$12,820,000	$25,640,000	$56,420,000
Transportation Alternatives (TA)	$789,570	$4,852,500	$8,130,000	$17,890,000
National Highway Freight Program (NHFP)	$3,245,550	$16,710,000	$33,430,000	$73,540,000
Federal Discretionary Grant (BUILD)	$9,370,900	$-	$-	$-
Local CMAQ (CMAQ)	$1,658,307	$8,540,000	$17,080,000	$37,580,000
Gas Tax - City (GTB)	$3,998,121	$20,590,000	$41,180,000	$90,600,000
Gas Tax - County (GTY)	$711,389	$3,660,000	$7,330,000	$16,120,000
Sidewalk and Curb Districts Fund (SCD)	$1,370,000	$7,060,000	$14,110,000	$31,040,000
Special Improvement Districts Fund (SID)	$2,400,000	$12,360,000	$24,720,000	$54,380,000
Street Maintenance District Fund (SM)	$4,097,000	$21,100,000	$42,200,000	$92,840,000
Transit Fund - Capital (TF-C)	$6,258,581	$32,230,000	$64,460,000	$141,820,000
Transit Fund - Operations (TF-O)	$3,303,194	$17,010,000	$34,020,000	$74,850,000
Transit Fund - Facilities (TF-F)	$534,301	$2,750,000	$5,500,000	$12,110,000
Total	$65,587,858	$288,764,500	$568,870,000	$1,251,530,000

**The Arterial Construction Fund will expire at the close of Fiscal Year 2023 and is not included in revenue projections.*

***The Street Maintenance District Fund is new in Fiscal Year 2024 and is included in revenue projections.*

08 WHAT ARE THE PRIORITY PROJECTS? HOW WILL WE FUND THEM?

This chapter discusses the development of the project list for the 2023 LRTP and outlines the implementation strategy of the Plan and its projects.

Projects

The LRTP project list enables the prioritization and future implementation of transportation improvements in the Billings planning area. The project list is developed from a combination of past plans and studies as well as analyses conducted in the Existing and Future Conditions analyses. Stakeholder and public outreach are also a key component of project list development and enable the residents of the Billings planning area to provide input on projects and suggest new project ideas. The project list development process is summarized in Figure 71 and further discussed below.

FIGURE 71. PROJECT LIST DEVELOPMENT PROCESS



Project Identification

- Previous LRTP
- Recent Plans and Studies
- Safety Analysis
- Operations Analysis
- Modal Evaluations
- Existing and Future Conditions Analyses
- Stakeholder & Public Input

Project Prioritization

- Apply Criteria to All Projects & Rank
- Incorporate Feedback from Steering Committee
- Incorporate Feedback from the Stakeholders and Public

Project List

- Develop Lists for Committed, Recommended, and Illustrative Projects
- Adopt LRTP

PROJECT IDENTIFICATION

The transportation projects in the LRTP were initially identified from sources and processes summarized in Table 35. After the initial draft project list was identified, there were multiple rounds of review by stakeholders and the public to refine projects and incorporate new projects that align with the vision and goals of the 2023 LRTP.

TABLE 35. PROJECT LIST SOURCES

PROJECT SOURCE	DESCRIPTION
Committed Projects	■ City of Billings FY 2023-2027 Capital Improvement Plan (CIP) ■ Proposed City of Billings FY 2024-2028 CIP ■ Montana Department of Transportation (MDT) 2022-2026 Statewide Transportation Improvement Program (STIP) ■ City of Billings FY 2020-2024 Transportation Improvement Program (TIP)
Recent Plans and Studies	■ Review of Recently Completed and On-Going Plans, Studies, and Projects (see Chapter 1)
2018 LRTP	■ Recommended and Illustrative Projects from the 2018 LRTP
2023 LRTP	■ Needs & Deficiencies Analysis (see Chapter 6) ■ Stakeholder Input ■ Public Outreach (see Chapter 3)

PROJECT PRIORITIZATION

The long-term strategy for funding and implementing projects identified in the LRTP project list is made possible through project prioritization. Project prioritization consists of (1) Defining project criteria based on the 2023 LRTP vision, goals, and objectives; (2) Assigning scores to each project based on the priorities; and (3) Categorizing projects based on these scores. The final score for each project allows decision makers to prioritize implementation of projects based on their alignment with the criteria. The project prioritization process does not have an impact on implementation of projects already committed in the STIP, TIP, or CIP.

The projects were evaluated based on 12 project criteria shown in Figure 72. For each criterion, projects were assigned a score of -1, 0, 1, or 2, based on their alignment with the criterion. The final prioritization score for a project is the sum of the scores for all 12 criteria. Further details about the project prioritization scoring system are available in the Projects & Implementation Appendix.

FIGURE 72. PROJECT PRIORITIZATION CRITERIA



PROJECT LIST

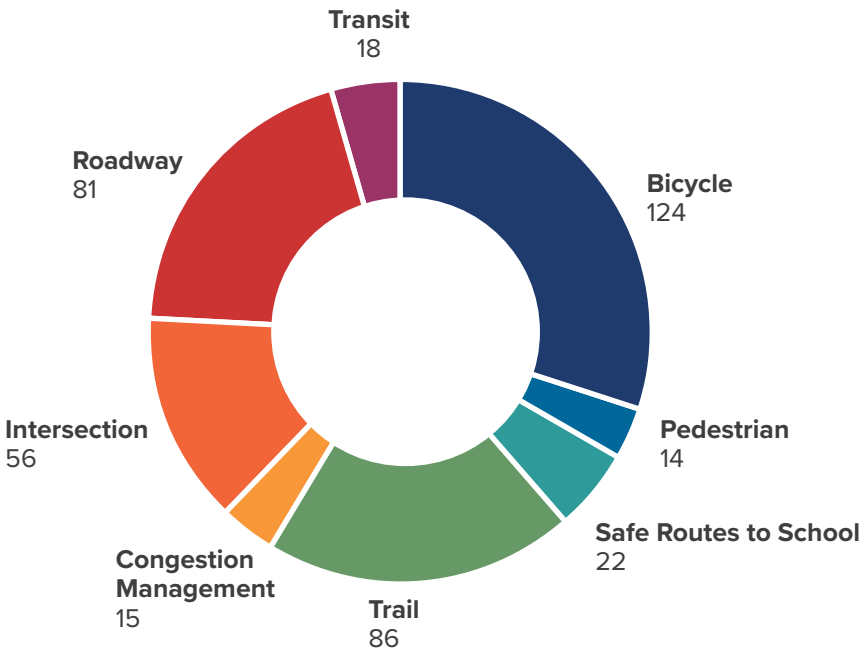
This section presents the projects that comprise the 2023 LRTP Project List, which are categorized as follows:

- **Bicycle:** Includes bicycle lanes, neighborhood bikeways, crossing improvements, trail connections, and facility maintenance.
- **Pedestrian:** Includes sidewalks, side paths, enhanced crossings, trail connections, bridges, underpasses, and facility maintenance.
- **Safe Routes to School (SRTS):** Includes projects identified in the Billings Safe Routes to School Plan Update (2022).
- **Trail:** Includes the construction of new multi-use paths and trails, improvements to existing ones, enhanced crossings, additional access locations, and maintenance activities.
- **Congestion Management:** Includes signal timing, traffic signal equipment upgrades, signs and advanced warning systems, and other intelligent transportation system modifications.
- **Intersection:** Includes operations and safety studies, new stop signs, new traffic signals, new roundabouts, turn lanes, ADA upgrades, and new interchange layouts.
- **Roadway:** Includes road widening, reconstruction, space allocation, pavement preservation, signage, bridge rehabilitation, corridor plans, railroad crossings, shoulder additions, pavement of gravel roads, and other maintenance activities.
- **Transit:** Includes transit facilities improvements, bus replacements, electric vehicle charging infrastructure, other technology upgrades, and route redesign improvements as identified in the 2022 Transit Development Plan.

The Project List includes 416 projects, which are delineated by the project categories to the left and included in the Projects & Implementation Appendix. For each category, the corresponding projects, as well as their prioritization score and the funding sources for which they are eligible, are tabulated. Additionally, maps depicting the project list by category are available in the Projects & Implementation Appendix. Figure 73 depicts the number of projects in each category.

All projects, regardless of type, benefit everyone traveling through the region, and endeavor to continue making the transportation system safer and more accessible.

FIGURE 73. PROJECTS BY CATEGORY



Implementation

Fully realizing the vision of the Billings MPO will require substantial investments over the next twenty years to fund the Project List. The prioritization of each project in the Project List, as well as the revenue projections outlined in Chapter 7, determine whether each project is classified as committed, recommended, or illustrative.

- **Committed projects** are those projects that are included in the Montana STIP, the MPO TIP, or the City of Billings CIP. The plan includes 63 committed projects. These projects are displayed in Figure 74.

- **Recommended projects** are projects that are expected to be fully funded by year 2045, but are not currently committed within the STIP, TIP, or CIP. The plan includes 350 recommended projects. These projects are displayed in Figure 75.
- **Illustrative projects** are those that are not expected to be funded by 2045 due to fiscal constraint but could be included in the adopted LRTP if additional resources become available, beyond those identified in the financial plan. In this iteration of the Billings LRTP, there are 3 illustrative projects.

The costs to design, construct, operate, and maintain all elements of the committed and recommended projects in the LRTP through 2045 are more than $934.2 million. The "plan cost" is only the portion of the project costs that is programmed in the LRTP – committed projects have funding identified to cover their full cost. Table 36 delineates the funding dedicated for each project category.

Project costs were estimated using existing estimates from the MPO Transportation Improvement Program, the City of Billings Capital Improvement Program, and the Montana Department of Transportation Statewide Transportation Improvement Program, as well as through recently completed transportation projects in the region and the state and input from the Steering Committee. As the projects included in the Project List are not fully scoped, the estimated project costs are planning-level estimates. All project costs were converted to year of expenditure (YOE) dollars using a three-percent annual inflation rate to account for how projects will be programmed within the 20-year LRTP horizon. For capital projects, the cost estimate represents the total amount of funding that will be needed to plan, design, and build a project. For some projects that recommend new programs, plans or studies, or other work, the cost estimate represents the cost of completing that item.

TABLE 36. SUMMARY OF LRTP PROJECT COSTS

PROJECT CATEGORIES	COMMITTED	RECOMMENDED	2045 FISCALLY CONSTRAINED TOTAL	2045 REVENUE PROJECTION TOTAL	DIFFERENCE
Pedestrian, Bicycle, Safe Routes to School, Trail	$16,761,400	$143,133,460	$159,894,860	$247,610,000	$87,715,100
Congestion Management, Intersection, Roadway	$265,114,640	$465,775,770	$730,890,400	$775,140,000	$44,249,600
Transit	$18,084,000	$79,288,400	$97,372,370	$228,780,000	$131,407,630
Total	**$299,960,040**	**$688,197,600**	**$988,157,640**	**$1,251,530,000**	**$263,372,360**

FIGURE 74. COMMITTED PROJECTS

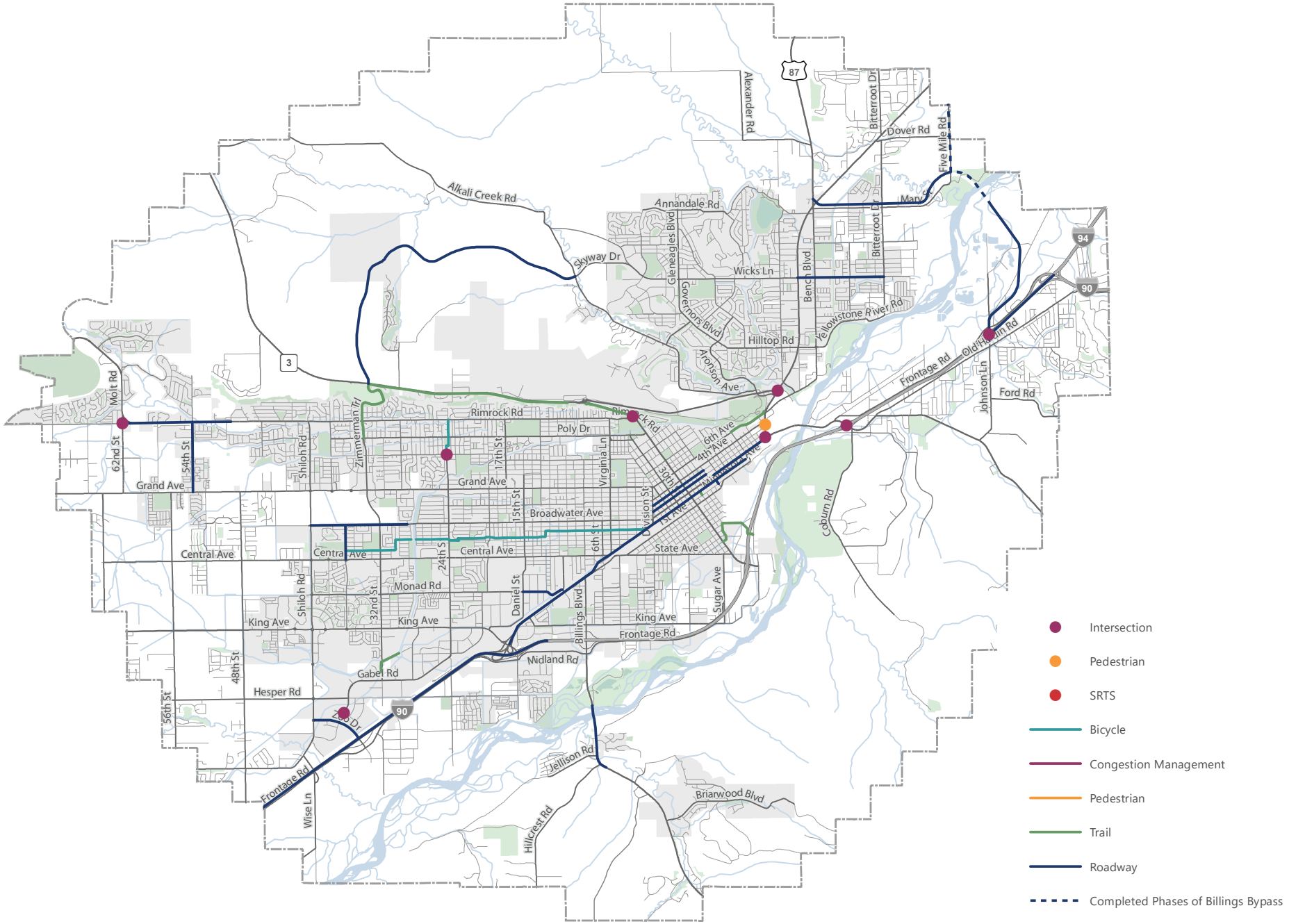
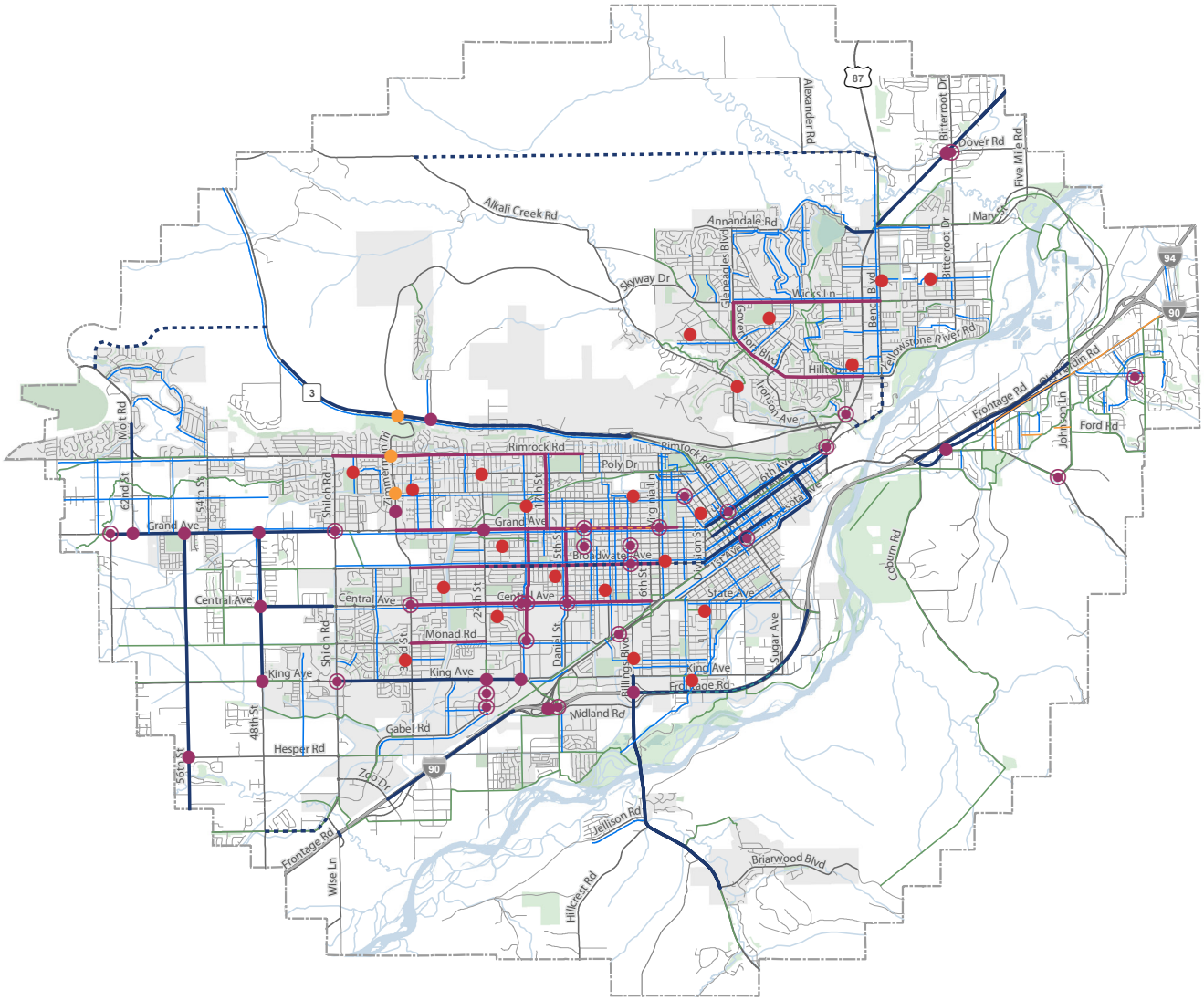


FIGURE 75. RECOMMENDED PROJECTS

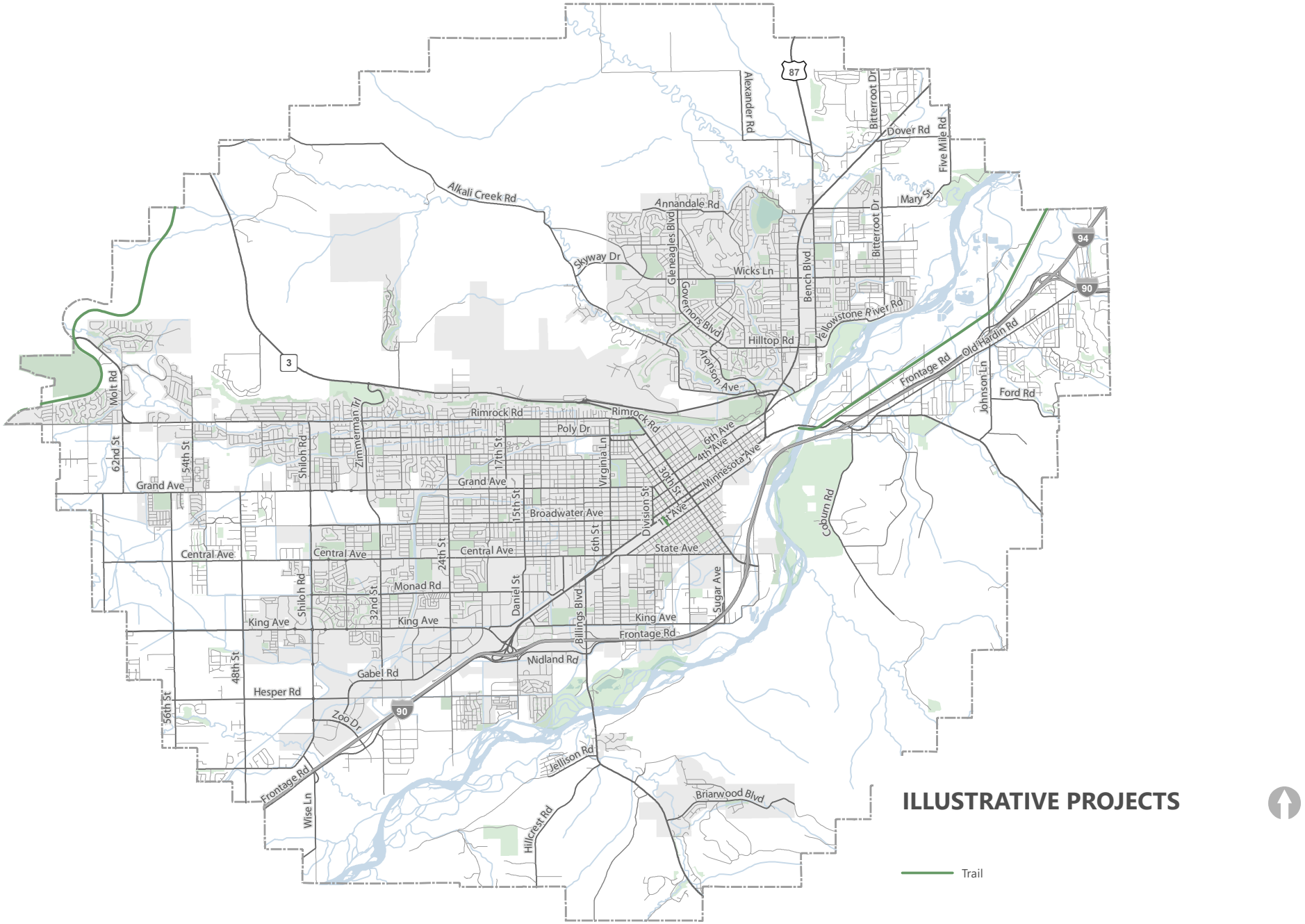


RECOMMENDED PROJECTS AND STUDIES

- Intersection Project
- Intersection Study
- Pedestrian Project
- SRTS Project
- Trail Project
- Pedestrian Project
- Pedestrian Study
- Bicycle Project
- Bicycle Study
- Congestion Management Project
- Roadway Study
- Roadway Project

Note: Projects without a specific location, or that have multiple locations, are not shown in this figure. These projects include: BL_69, BS_01, CM_16, MT_119, MT_120, P_62, P_63, R_93, R_97, R_98, MET_20, MET_21, MET_22, MET_23, MET_24, and MET_25.

FIGURE 76. ILLUSTRATIVE PROJECTS



SPENDING & REVENUE PLAN

The Project List was developed to assist the MPO in creating the upcoming updates of the Transportation Improvement Program. Utilizing the prioritized projects and their associated funding category, the MPO can make informed decisions about the next transportation investments for the Billings planning area. Table 37 summarizes the MPO revenue sources and the total project costs (expenditures) for the prioritized projects allocated funding from each source. Additionally, each funding source has remaining funds that are "carried over" to the following funding period. The funding projections and project allocations are forecasted for the first 10 years of this Plan, and the remaining years until the planning horizon of 2045. Table 37 helps the MPO to make informed decisions about the next transportation investments for the Billings planning area.

As shown in Table 37, the estimated available revenue ($1.251 billion) is greater than the estimated total costs ($934.2 million) to implement the committed and recommended projects for the 2023 LRTP. Therefore, this plan is fiscally responsible and meets the fiscally constrained requirement.

TABLE 37. COMMITTED & RECOMMENDED PROJECTS BY CATEGORY & FUNDING SOURCE

FUNDING SOURCE	2024 – 2033			2034 - 2045		
	Projected Revenues	Expenditures	Difference	Projected Revenues + Carryover	Expenditures	Difference
Congestion Mitigation and Air Quality Improvement / Montana Air and Congestion (CMAQ/MACI)	$13,940,000	$13,877,680	$62,320	$16,782,320	$16,328,893	$453,427
Surface Transportation Program Bridge (STPB)	$28,510,000	$21,714,637	$6,795,363	$41,005,363	$7,221,289	$33,784,074
National Highway System (NHS)	$112,710,000	$112,077,699	$632,301	$135,882,301	$105,863,676	$30,018,624
Interstate Maintenance (IM)	$41,910,000	$35,924,782	$5,985,218	$56,285,218	$35,580,517	$20,704,701
Highway Safety Improvement Program (HSIP)	$35,050,000	$20,760,356	$14,289,644	$56,359,644	$53,546,658	$2,812,987
Surface Transportation Program Secondary (STPS)	$3,800,000	$-	$3,800,000	$8,360,000	$5,556,700	$2,803,300
Urban Pavement Preservation (UPP)	$4,860,000	$2,415,875	$2,444,125	$8,264,125	$2,682,545	$5,581,581
Maintenance (M)	$10,290,000	$4,703,707	$5,586,293	$17,926,293	$-	$17,926,293
Surface Transportation Program Urban (STPU)	$25,640,000	$22,483,524	$3,156,476	$33,936,476	$33,704,334	$232,141
Transportation Alternatives (TA)	$8,130,000	$6,386,826	$1,743,174	$11,503,174	$9,808,164	$1,695,009
National Highway Freight Program (NHFP)	$25,075,000	$19,802,458	$5,272,542	$45,382,542	$15,137,217	$30,245,325
Federal Discretionary Grant (BUILD)	$18,741,800	$830,000	$17,911,800	$-	$-	$-
Local CMAQ (CMAQ)	$17,080,000	$3,272,436	$13,807,564	$34,307,564	$30,437,628	$3,869,935

FUNDING SOURCE	2024 – 2033			2034 - 2045		
	Projected Revenues	Expenditures	Difference	Projected Revenues + Carryover	Expenditures	Difference
Gas Tax - City (GTB)	$41,180,000	$41,074,396	$105,604	$49,525,604	$33,501,231	$16,024,373
Gas Tax - County (GTY)	$7,330,000	$5,214,720	$2,115,280	$10,905,280	$8,930,805	$1,974,475
Sidewalk and Curb Districts Fund (SCD)	$14,110,000	$14,095,000	$15,000	$16,945,000	$15,923,337	$1,021,663
Special Improvement Districts Fund (SID)	$24,720,000	$24,275,000	$445,000	$30,105,000	$24,000,000	$6,105,000
Street Maintenance District Fund (SM)	$42,200,000	$41,804,000	$396,000	$51,036,000	$47,894,938	$3,141,062
Transit Fund - Capital (TF-C)	$64,460,000	$27,230,731	$37,229,269	$114,589,269	$24,328,827	$90,260,442
Transit Fund - Operations (TF-O)	$34,020,000	$24,144,939	$9,875,061	$50,705,061	$19,735,865	$30,969,196
Transit Fund - Facilities (TF-F)	$5,500,000	$973,958	$4,526,042	$11,136,042	$958,052	$10,177,990
Total	**$579,256,800**	**$443,062,726**	**$136,194,074**	**$800,942,274**	**$491,140,675**	**$309,801,599**

For this analysis, transit fund revenue sources were simplified into three types: funds that support capital projects, funds that support operations, and funds that support facilities projects. Transit Fund – Capital includes state and federal grants as well as FTA Capital Grants. Transit Fund – Operations includes Tax Revenues (Mills Levied) and Operating Revenues. Transit Fund – Facilities includes Intergovernmental Transfers, Investment Interests, Surplus Equipment Sales, and Miscellaneous funds.

2023 BILLINGS URBAN AREA
LONG RANGE TRANSPORTATION PLAN



2018 LRTP REPORT CARD

A

City Council Regular

Date:	06/26/2023
Title:	Safe Streets for All Grant Application to the US DOT
Presented by:	Elyse Monat
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends that the Council approve the City's Safe Streets for All application to the US DOT and accept the funds if awarded.

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

The City is applying to the USDOT's Safe Streets for All (SS4A) program to fund Safe Routes to School improvements in Billings. According to the USDOT, "the purpose of SS4A grants is to improve roadway safety by significantly reducing or eliminating roadway fatalities and serious injuries through...implementation focused on all users, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micromobility users, and commercial vehicle operators. The program provides funding to develop the tools to help strengthen a community's approach to roadway safety and save lives..." Kittleson & Associates, Inc. is the consultant assisting with the completion of the application.

The City is compiling a package of Safe Routes to School improvements to submit for its SS4A grant application. The Safe Streets for All grant has a strong focus on improving routes along a community's *High Injury Network (HIN)*. To be successful, the majority of projects in the grant application must be located on the HIN or provide a nearby alternative for vulnerable road users. A HIN is a network of roads with an outsized percentage of crashes. The HIN analysis was compiled by Kittleson & Associates, Inc. using 2017-2021 crash data. The projects from the 2022 Safe Routes to School Plan Update were overlaid on the map of the HIN to select projects that would be the most appropriate for SS4A funding. In addition, bicycle and pedestrian projects identified in other plans such as the 2016 Billings Area Bikeway and Trails Master Plan and the Long Range Transportation Plan were added to the map. Projects that were close to schools and the HIN were selected to be added to the grant project list. The total application package is expected to total between $3.5-$4.5 million but may vary slightly.

The SS4A grant requires a 20% local match. The City will use its Safe Routes to School set-aside of $500,000 each year as the match for the projects in the Safe Routes to School Plan Update. For the projects not listed in the Safe Routes to School Plan Update, the funding identified in FY24 for a bicycle boulevard ($240,000 total) will be used as a match.

Additionally, the Planning Division is committing $5,000/year ($15,000 total) over FY25-27 to fund a Safe Routes to School campaign that would be matched with $60,000 of federal funding, if awarded. The Safe Routes to School Plan Update suggested a community-wide Safe Routes to School campaign. Guidance from the USDOT suggests that adding the campaign will strengthen Billings' overall SS4A application.

Unfortunately, projects from the Phase 2 Safe Routes to School Plan cannot be added to this grant application as the plan is still currently under development.

Projects are expected to be as shown on the attached flyer but may change slightly before final grant submittal.

ALTERNATIVES

City Council may:

- Approve the grant application and acceptance of funds if awarded; or,
- Not Approve the grant application.

There is no disadvantage to submitting this grant application. The SS4A program provides the opportunity to bring millions of dollars to Billings to fund Safe Routes to School improvements using match funds already committed in the CIP.

FISCAL EFFECTS

If funded, this grant has the opportunity to bring approximately $3-$3.5 million dollars to Billings in support of Safe Routes to School. The match for physical projects is expected to be between $750,000 and $875,000. These dollars will come out of funds that are already committed through the CIP under the Safe Routes to School and bicycle boulevard categories. An additional $15,000 will be provided out of the Planning Division's budget over the span of three fiscal years.

Attachments

Safe Streets for All City of Billings Grant Flyer

BILLINGS SAFE STREETS & ROADS FOR ALL

FY 2023 IMPLEMENTATION GRANT APPLICATION

What is the Safe Streets and Roads for All (SS4A) Program?

A new federal competitive grant program that funds the planning and implementation of safety improvements to prevent roadway deaths and serious injuries.

The SS4A Program applies a Safe System Approach throughout the community, with special attention on underserved communities.



What is Included in the Billings SS4A Application?

The Billings-Yellowstone County MPO is applying for an **Implementation Grant** to fund the construction of SRTS projects such as enhanced crossings, upgraded sidewalks and curb ramps, bike lanes, curb extensions, school zone flashing beacons, traffic calming, and lighting.

Grant Narrative detailing importance of funding these projects.

Project Map (see reverse)

Cost Estimate for construction of the projects.

Information regarding the communities served.

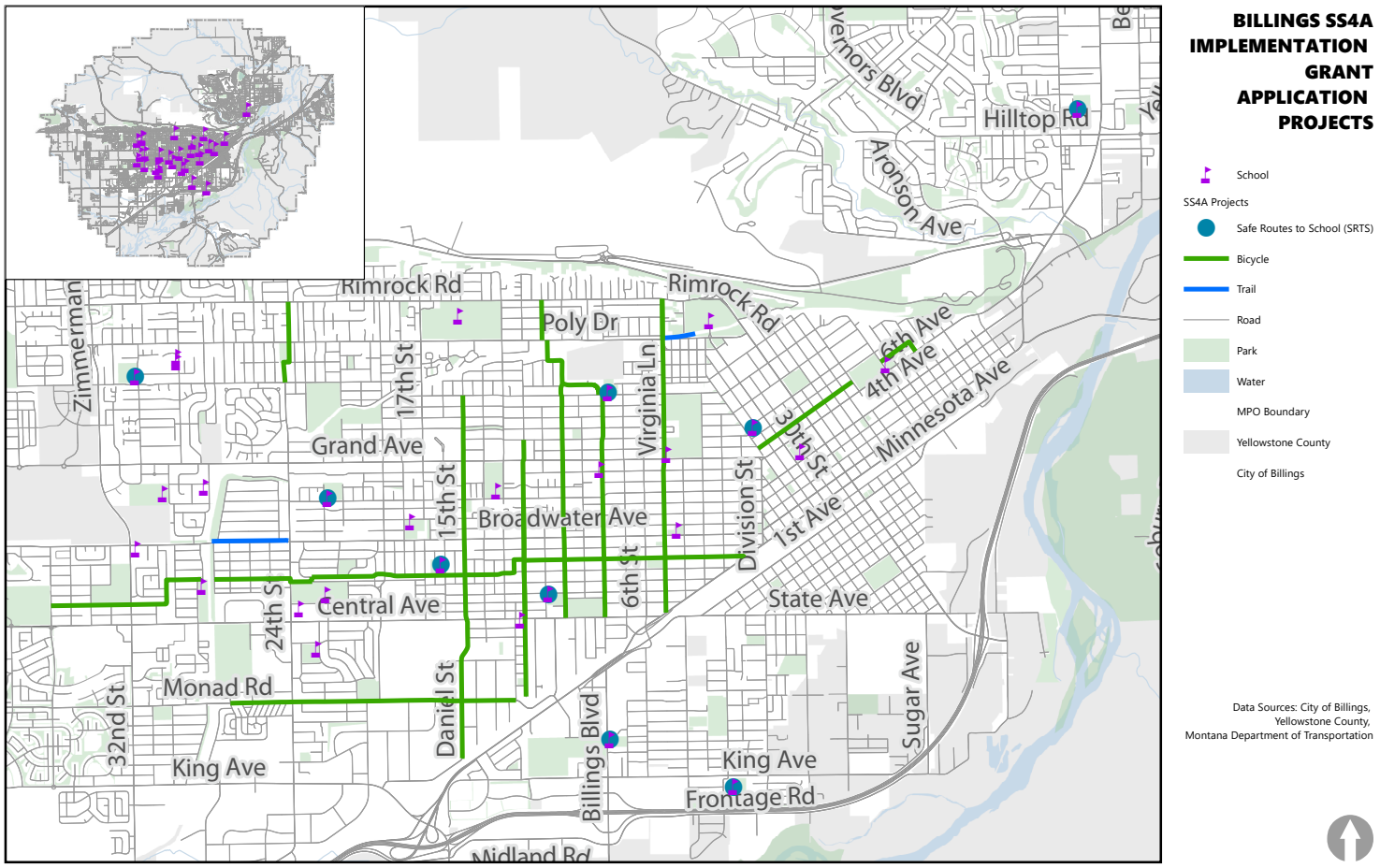
Why is Billings Applying for SS4A Funding?



- In recent years, many safety improvements have been made to the transportation system in the Billings Planning Area, but much remains to be done.
- The SS4A Program offers an exciting opportunity to fund the construction of safety projects throughout the region, including many **Safe Routes to School** (SRTS) projects identified in the *2022 SRTS Plan Update* and part of the latest Billings Urban Area Long Range Transportation Plan.
- SRTS is one of the key eligible activities for SS4A grant funding.

Why Were These Projects Selected?

These projects were selected due to their proximity to the Billings High-Injury Network (HIN), which is based on the safety analysis completed in the *2023 Billings Urban Area Long Range Transportation Plan*. The HIN indicates priority locations for safety improvements based on crash data from 2017 – 2021.



What's Needed from Me?

The Billings-Yellowstone County MPO needs your support! **Please submit a letter of support for the Billings SS4A Implementation Grant Application to Elyse Monat by June 30th.**

Elyse Monat
monate@billingsmt.gov
406.247.8637

BILLINGS - YELLOWSTONE COUNTY MPO METROPOLITAN PLANNING ORGANIZATION

City Council Regular

Date:	06/26/2023
Title:	Billings Community Foundation Grant Application in Support of Mobilize the MAGIC City
Presented by:	Elyse Monat
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends that City Council approve the application to the Billings Community Foundation in support of the Mobilize the MAGIC City project and accept the funds if the grant is awarded.

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

In 2022, the City of Billings was awarded a $50,000 Our Town grant from the National Endowment for the Arts. The Our Town grant is funding the City's Mobilize the MAGIC City project which will work with an artist for a year to develop a formal process to involve art and artists in everyday civic life. Local artist, Terri Porta, was selected as the Artist-In-Residence for this project. Ms. Porta, along with project leaders and volunteers, will engage the public to develop two creative placemaking hubs along Billings' first neighborhood bikeway, document the successful processes in a Placemaking Playbook, and conduct a Public Arts Committee Feasibility Study. The grant from the National Endowment for the Arts requires a dollar-for-dollar match. While part of the match will be provided as an in-kind match, the Mobilize the MAGIC City project leadership team has set a goal of raising $25,000 to match the grant. Funds raised will help expand and enhance creative placemaking hubs along Billings' first neighborhood bikeway.

To help fund this match, staff will submit a grant application for up to $5,000 to the Billings Community Foundation. The funding could be used for the project elements such as program evaluation or creating placemaking hubs. The grant is due by Friday, June 30.

ALTERNATIVES

City Council may:

- Approve the grant submittal and acceptance of the grant funds if awarded.
- Not Approve the grant submittal.

There is no disadvantage to submitting this grant. If not awarded, staff will continue to look for other sources of match for the Mobilize the MAGIC City project.

FISCAL EFFECTS

If awarded, this grant could provide up to $5,000 in support of the Mobilize the MAGIC City project.

City Council Regular

Date:	06/26/2023
Title:	Falcon Ridge Estates Subdivision, 2nd Filing - Preliminary Subsequent Minor Plat
Presented by:	Hunter Kelly, Planner 1
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	PZX-23-00080

RECOMMENDATION

Staff recommends to the City Council that the preliminary plat of Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2 be conditionally approved and the Findings of Fact adopted as presented in the staff report.

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

On May 15, 2022, Performance Engineering, LLC, on behalf of Christopher Marks, applied for preliminary subsequent Major plat approval for Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2. The Proposed subdivision creates 2 lots for development. The subject property is generally located North of Southern Bluffs Lane and South of Golden Acres Drive. The property is zoned NX2 - Mixed Residential 2. The land is currently vacant.

VARIANCES

No variances are requested.

PROPOSED CONDITIONS OF APPROVAL

1. To minimize the effects on local service, prior to final plat approval the applicant will coordinate with the USPS to determine what type of deliver system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

PROCEDURAL HISTORY

Pre-Application Meeting: April 27, 2023
Preliminary Plat application submitted to Planning Division: May 15, 2022
Preliminary Plat to City Council: June 26, 2023
35 Working-Day Preliminary Plat Review period ends: July 6, 2023

PLAT INFORMATION

General Location: North of Southern Bluffs Lane and South of Golden Acres Drive
Legal Description: Falcon Ridge Estates, 2nd Filing, Block 2, Lot 6, Township 1 N, Range 24 E, Section 25
Owner/Subdivider: Christopher Marks
Engineer/Surveyor: Performance Engineering, LLC
Existing Zoning: NX2 - Mixed Residential 2
Existing Land Use: Vacant Land
Proposed Zoning: NX2 - Mixed Residential 2
Proposed Land Use: Residential
Gross & Net Area: 0.327 Acres Gross and Net
Lot Size:
    Minimum: 7,064 Square Feet
    Maximum: 7,207 Square Feet
Parkland Requirements: Not Applicable

STAKEHOLDERS

There are no stakeholder responses at this time. Interested members of the public are able to provide public comment to the City Council during it's regular meeting on June 26th.

ALTERNATIVES

In accordance with state law, the City Council has 35 working days to act upon this major preliminary plat. The 35 working day review period for the proposed plat ends July 6, 2023. State and City subdivision regulations also require that preliminary plat be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 35 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FISCAL EFFECTS

The preliminary plat of this subdivision will have no financial impact on the Planning Division.

SUMMARY

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. Negative effects that are identified become the subdivider's responsibility to mitigate. Various City departments, private service/utility providers and the affected school district/s, have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

Attachments

Preliminary Plat
Draft Subdivision Improvement Agreement
Findings of Fact
Mayor's Letterhead

AMENDED PLAT OF LOT 6, BLOCK 2 OF

FALCON RIDGE ESTATES SUBDIVISION, SECOND FILING

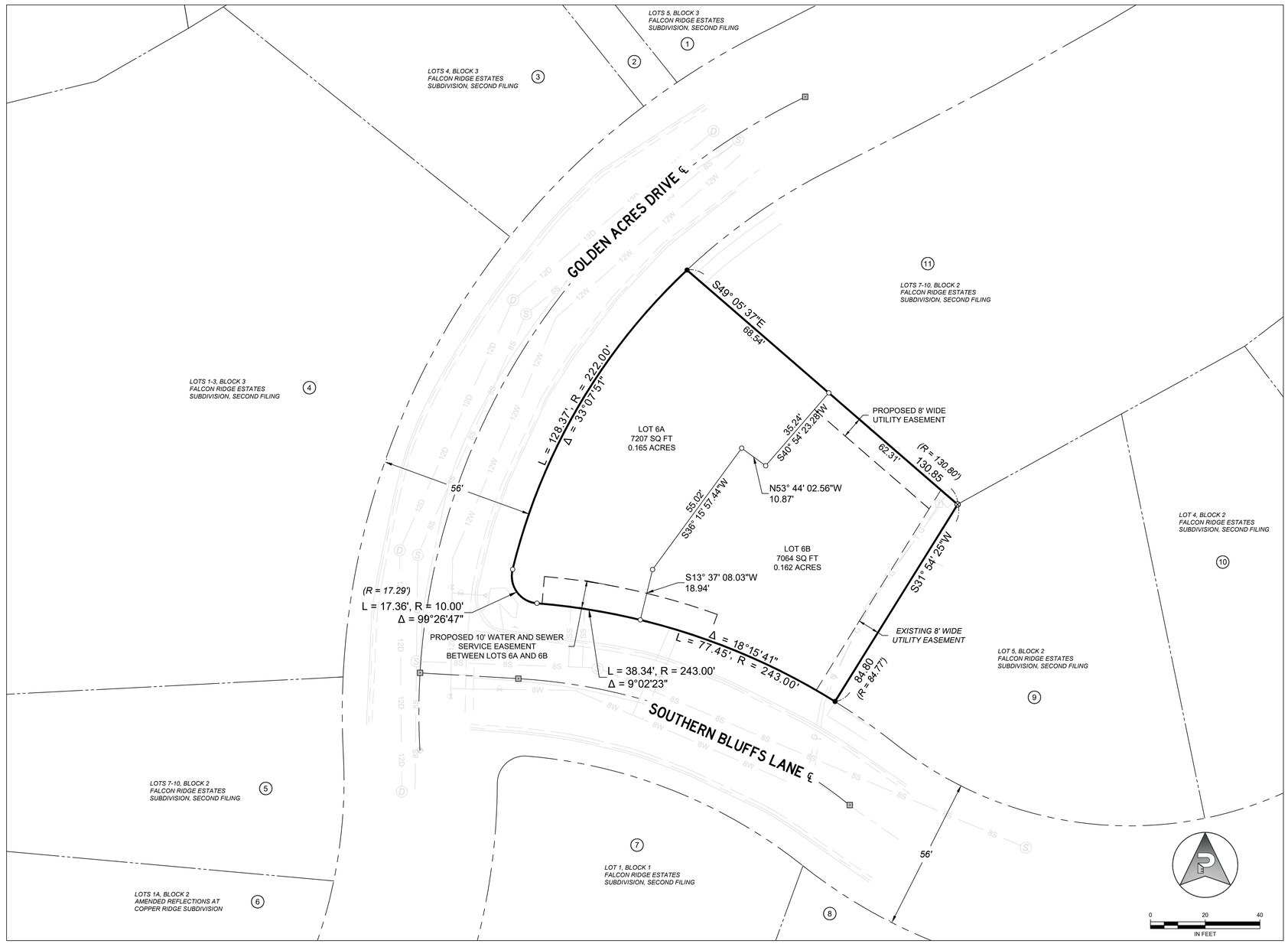
BEING SITUATED IN THE SE 1/4 OF SECTION 25, T. 1 N., R. 24 E., P.M.M.
LOCATED IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

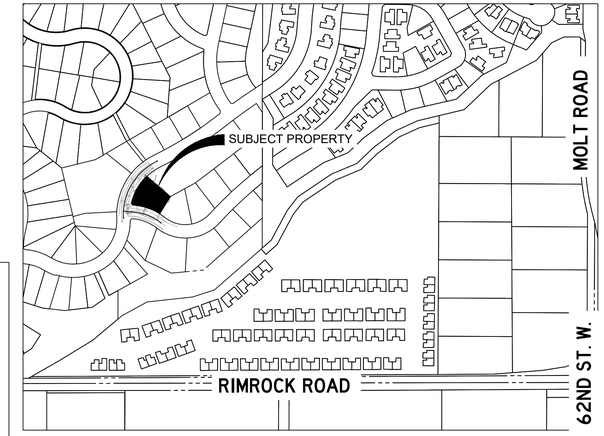
PREPARED FOR : CHRISTOPHER MARKS

PREPARED BY : PERFORMANCE ENGINEERING, LLC

LEGEND

- FOUND PROPERTY CORNER, AS DESCRIBED
- SET PROPERTY CORNER, 5/8" REBAR W/ PEC CAP
- CALCULATED CORNER, NOT FOUND NOT SET
- CENTERLINE MONUMENT
- SURVEY BOUNDARY
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- EASEMENT LINE





VICINITY MAP

SITE DATA	
NO. OF LOTS	2
MAXIMUM LOT AREA	± 7,064 SF
MINIMUM LOT AREA	± 7,207 SF
PARKLAND AREA REQUIRED	N/A
PARKLAND AREA PROVIDED	N/A
GROSS ACREAGE	± 0.327 AC
EXISTING ZONING	NX2
EXISTING LAND USE	VACANT
PROPOSED LAND USE	RESIDENTIAL
SANITARY SEWER	CITY OF BILLINGS
WATER	CITY OF BILLINGS
FIRE SERVICE AREA	CITY OF BILLINGS

PROPERTY OWNER INFORMATION

1. CYNTHIA L SHUTE
   3038 GOLDEN ACRES DR.
   BILLINGS, MT 59106
2. CITY OF BILLINGS
   PO BOX 1178
   BILLINGS, MT 59103
3. WILLIAM A TURK, C/O BERNADETTE NYBERG
   3034 GOLDEN ACRES DR.
   BILLINGS, MT 59106
4. AVIARA INC
   3671 SPALDING AVE
   BILLINGS, MT 59106
5. MARCUS J AND MOLLY J GARLEY
   3018 GOLDEN ACRES DR.
   BILLINGS, MT 59106
6. ELIZABETH S DEMAROIS
   3014 GOLDEN ACRES. DR
   BILLINGS, MT 59106
7. KRACKER PROPERTIES INC
   4741 SECRET VALLEY DR.
   BILLINGS, MT 59101
8. JAMIE J ANDERSON
   5000 CHEVELLE DR.
   BILLINGS, MT 59106
9. COUGAR CONSTRUCTION AND REMODELING INC.
   6275 CANYONWOODS DR
   BILLINGS, MT 59106
10. COUGAR CONSTRUCTION AND REMODELING INC.
    5234 CLEMSON DR.
    BILLINGS, MT 59106
11. X BAR S ENTERPRISE LLC
    4209 JULAURA LANE
    BILLINGS, MT 59106

SHEET 1 OF 1

PLOTTED: 5/4/2023 3:42:13 PM BY CHRIS MARKS

C:\Users\Taylor\PEC Billings Dropbox\Chris Marks\2022-142 8433 Southern Bluffs Lane\CAD\DWG\Plats\22-142 Preliminary Plat.dwg

SUBDIVISION IMPROVEMENTS AGREEMENT
& WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

Amended Lot 6, Block 2 of
Falcon Ridge Estates Subdivision, 2nd Filing

Table of Contents
(City of Billings)

I. Variances
II. Property Conditions and Information for Lot Purchasers
III. Transportation
  A. Streets
  B. Sidewalks
  C. Street Lighting
  D. Traffic Control Devices
  E. Access
  F. Billings Area Bikeway and Trail Master Plan
  G. Public Transit
IV. Emergency Services
V. Storm Drainage
VI. Utilities
  A. Water
  B. Sanitary Sewer
  C. Power, Telephone, Gas, and Cable Television
VII. Parks/Open Space
VIII. Irrigation
IX. Soils/Geotechnical Study
X. Phasing of Improvements
XI. Financial Guarantees
XII. Legal Provisions Applying to Subdivider

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

Amended Lot 6, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing

This agreement is made and entered into this ____ day of _____, 200__, by and between Christopher T. Marks, whose address for the purpose of this agreement is **6417 Southern Bluffs Lane**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of *Amended Lot 6, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing*, located in the City of Billings, Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on _____ day of _____, 20__, the City Council conditionally approved a preliminary plat of *Amended Lot 6, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing*; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to *Amended Lot 6, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

Subdivider has requested, and the City hereby grants, the following variances by the City Council from the strict interpretation of the City's Subdivision Regulations (Section 23.1101, BMCC):

1. No variances are requested as part of this Subdivision.

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development. If sidewalk is not constructed within 5 years, the City has the right to construct the sidewalk and assess the property owners.

B. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

C. Lot owners should be aware that a lot specific geotechnical report or specific recommendations from a licensed geotechnical engineer will be required to be submitted as part of any City Building Permit request.

D. No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

E. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

F. The subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the city and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

G. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best

Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

H. Lot owners shall be advised that land in the proximity to the northwestern boundary of the Subdivision is a right-of-way owned by the Burlington Northern Sante Fe Railway, upon which they actively operate a transportation business. This activity is protected by state law and can be expected to continue indefinitely. Subdivider, for itself and all successor owner of property within the Subdivision, hereby waives any right to object and/or protest the noise created by normal operation of trains running along the railway, acknowledges that the railroad right-of-way is private property, and further acknowledges that the Subdivision and successor owners of lots within the Subdivision, have an affirmative duty to stay off the Burlington Northern Sante Fe Railway property and to keep children, guests, and invitees off of the property.

III. TRANSPORTATION

A. Streets

- No public street improvements are necessitated for the Subdivision.

B. Sidewalks

- Sidewalks along the street frontage of each lot will be constructed by the lot owner at the time of development. Sidewalks shall be 5-foot boulevard walks.

C. Street Lighting

- No street lighting is proposed for the development; however, street lighting is included in the waiver of right to protest.

D. Traffic Control Devices

- Additional traffic control devices outside those installed as part of the original Falcon Ridge Estates Subdivision, 2nd Filing are not necessary.

E. Access

- The subdivision lots will be accessed via the existing Southern Bluffs Lane and Golden Acres Drive roadways.

F. Billings Area Bikeway and Trail Master Plan

- The subdivision is outside the Billings Area Bikeway and Trail Master Plan Area.

G. Public Transit

- There are no MET Transit routes that service this subdivision at this time. No improvements with regard to MET Transit vehicles are anticipated at this time.

IV. EMERGENCY SERVICE

- The Subdivision can currently be provided emergency services from Golden Acres Drive or Southern Bluffs Lane and an existing fire hydrant is located on the corner of the intersection of these two roadways.

V. STORM DRAINAGE

Drainage improvements have already been constructed as part of the Private Contract Number 664 for Falcon Ridge Estates Subdivision, 2nd Filing. It is not anticipated additional public storm drainage improvements are necessitated for the Subdivision. Any storm drain improvements necessitated for each lot shall be made in accordance with Chapter 28, BOCC, and the City of Billings Stormwater Management Manual in place at the time of development.

Lot owners should be aware that given the natural topography of the subdivision, areas between buildings may be used jointly by each owner to convey stormwater away from each building. Stormwater from with the Subdivision shall not be directed to adjacent private properties.

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality.

A. Water

The Subdivision will be served by an existing 8” water main in Southern Bluffs Lane and two existing water services extending to the south property line of Lot 6B. Should additional services for Lot 6A be necessary, they shall be tapped off the existing 12” water main in Golden Acres Drive.

B. Sanitary Sewer

C. The Subdivision will be served by an existing 8" sewer main in Southern Bluffs Lane and two existing sewer services extending to the south property line of Lot 6A. Should additional services for Lot 6B be necessary, they shall be tapped off the existing 8" sewer main in Golden Acres Drive.

C. Power, Telephone, Gas, and Cable Television

- Existing power, telephone, and gas utilities are present along the common line between Lot 6B and Lot 5, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing within an existing 8' wide utility easement. An additional 8' wide utility easement is provided along the north line of Lot 6B to provide these utilities to Lot 6A.

VII. PARKS/OPEN SPACE

There is no parkland requirement for proposed Amended Lot 6, Block 2 of Flacon Ridge Estates Subdivision, 2nd Filing, as this is a minor subdivision [MCA 76-3-621(3)(a)].

VIII. IRRIGATION

No existing irrigation ditches are immediately adjacent to the Subdivision, and no rights or shares in any ditches are conveyed to lot owners.

IX. SOILS/GEOTECHNICAL STUDY

A geotechnical investigation was performed by the original developer of Falcon Ridge Estates Subdivision, 2nd Filing. This geotechnical analysis includes items as shown in Appendix F (6) in the City of Billings Subdivision Regulations. This geotechnical report, in addition to subsequent addendums, are on file with the City of Billings Building Department and shall be followed when preparing a building permit application. Should lot owners wish to vary from the geotechnical report and addendums, a lot specific geotechnical report or specific recommendations from a licensed geotechnical engineer will be required to be submitted as part of any City Building Permit request for all residential structures in the Subdivision.

X. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a private contract secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and Utility Department Manager.

XI. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two years from the date of final acceptance by the City of Billings.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER" *Christopher T. Marks*

By: _____

Title: _____

STATE OF MONTANA)
: ss
County of)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared *Christopher T. Marks*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20__.

"CITY"
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

This Waiver is in addition to any other recorded waiver related to the property described herein and is not intended to replace, supersede, or invalidate any such waiver.

The real property hereinabove mentioned is more particularly described as follows:

Amended Lot 6, Block 2 of Falcon Ridge Estates Subdivision, 2nd Filing

Signed and dated this _____ day of _____, 20___.

Christopher T. Marks

_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared Christopher T. Marks, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2. These findings are based on the preliminary plat application and supplemental documents and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(H), BMCC).

A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]

1. Effect on agriculture and agricultural water user facilities

The subject property is a vacant residential lot. Perimeter ditches and drains shall remain in place and not be altered by the subdivider or subsequent owners. The subdivision should not affect agricultural water users' facilities.

2. Effect on local services

a. **Utilities** – Water service will be provided by the City of Billings. New individual services will be provided to all the lots, and new fire hydrants will be installed as required by the City Fire Department. The water service for this subdivision comes from an existing 8" water main in Southern Bluffs Lane and two existing water services extending to the south property line of Lot 6B. Should additional services for Lot 6A be necessary, they shall be tapped off the existing 12" water main in Golden Acres Drive. Any needed extension of those water lines will be installed by the subdivider to meet the requirements of the City of Billings Engineering Department regulations. The subdivider will install all new water lines in the local streets and individual services for each lot in accordance with design standards, specifications, rules and regulations of the City of Billings Engineering/Public Works Department and MDEQ. This is outlined in the SIA under the heading VI Utilities, A, Water.

   Sanitary sewer service will be provided by connecting to the existing City of Billings' sewer mains. There is an existing 8" sewer main in Southern Bluffs Lane and two existing sewer services extending to the south property line of Lot 6A. Should additional services for Lot 6B be necessary, they shall be tapped off the existing 8" sewer main in Golden Acres Drive. All new services shall be installed in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ. This is outlined in the SIA under the heading VI Utilities, B, Sanitary Sewer.

   Private Utilities will be provided from existing facilities to the subdivision. No additional easements on the lot frontage have been requested.

   Stormwater – Stormwater drainage for the public streets is proposed to be provided by curb and gutters that discharge into storm water pipes. These and all other drainage improvements shall satisfy the criteria set forth by the *City of*

Billings Stormwater Management Manual and will be subject to review and approval by the City Engineering Department.

b. **Solid Waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

c. **Streets** – The subdivision is adjacent to Southern Bluffs Lane and Golden Acres Drive. Both of these streets are developed rights of way and no street improvements are anticipated at this time. Street improvements are included in the Waiver of Right to Protest Future Special Improvement Districts.

   The sidewalks will be installed by the respective lot owner on a lot-by-lot basis, as lots develop. Sidewalks along the street frontage shall be minimum 5-foot-wide and separated with a boulevard width not less than five feet. The developer will also install all ADA required ramps at the intersections within the proposed subdivision. This information is all in the SIA under the heading Transportation.

d. **Emergency Services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station, Station #, is located at 1501 54th Street West. The Police Department has raised a concern the continued development and annexation, especially to the west, without commensurate resources has affected their ability to deliver service and may require a patrol zone adjustment. The subdivision is located within the ambulance service area of American Medical Response (AMR).

e. **Schools** –School District #2 provides educational services to elementary through high school students. Schools serving these students are Boulder elementary, Ben Stelle Middle School, and West High School. At the time of the writing of this staff report all schools are shown as being over capacity.

f. **Parks and Recreation** – This subdivision is part of a master planned development. The parkland requirements have been met with the previous filing of the subdivision.

g. **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision and has indicated that centralized mailbox units will be required as were installed for the previous filings of this subdivision. The developer will need to coordinate mailbox locations with the postal service. **(Condition #1)**

3. Effect on the natural environment

The subject property is currently residential with the proposed use of residential. The property is not located in a floodplain. During development, storm water pollution prevention best management practices are required to be used and monitored to prevent erosion on exposed ground. Overall, the effect on the natural environment should be minimal.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a paragraph in the SIA that warns future lot owners of the presence of deer in the area, which may cause damage to their landscaping. This subdivision should have a minimal effect on wildlife and wildlife habitat.

5. Effect on the public health, safety and welfare

There will be no impacts to public health, safety and welfare because of this subdivision.

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-302.H.1.]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2014 Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]

1. City of Billings 2016 Growth Policy

The proposed subdivision is consistent with the following goals of the Growth Policy:

> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired.
>
> Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.
>
> **Home Base (healthy, safe and diverse housing options)** Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.
>
> A mix of housing types that meet the needs of a diverse population is important.

2. Northwest Shiloh Area Plan

The proposed subdivision is consistent with the following goals of the Northwest Shiloh Area Plan.

> **Goal #6**: Provide more housing and business choices within each neighborhood. Provide affordable housing for all income levels dispersed throughout the City and County.

3. 2018 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

4. Billings Area Bikeway and Trail Master Plan (BABTMP)

The proposed subdivision is within the jurisdiction of the Billings Area Bikeways and Trail Master Plan. The nearest trail is south of the subdivision, the Cove Ditch Multi-Use Trail. No additional improvements of this nature are anticipated.

D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within NX2 (Neighborhood Mixed 2) zoning. The lot frontages conform to the requirements of this zone. Other building setbacks and structure specific requirements will be reviewed for compliance at the time of building permit review.

F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]

The subdivider will provide utility easements as requested by private utility companies on the face of the plat.

G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]

Legal and physical access is provided to the proposed will be from Southern Bluffs Lane and Golden Acres Drive.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2 does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several of the goals and policies of the 2016 Growth Policy, Northwest Shiloh Area Plan and does not conflict with the Transportation or Bikeway/Trail Plans.

- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.

- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

Staff recommends to City Council that the preliminary plat of Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2 be conditionally approved and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, June 26, 2023

_____

William A. Cole, Mayor

CITY OF
Billings
MAYOR'S OFFFICE

Bill Cole, Mayor
P.O. Box 1178
Billings, MT 59103
P 406.657.8296
F 406.657.8390

June 26, 2023

Taylor Kasperick
Performance Engineering, LLC
608 N 29th Street
Billings, MT 59101

Dear Applicant/Engineer:

On June 26, 2023, the Billings City Council conditionally approved the preliminary plat of Falcon Ridge Estates Subdivision, 2nd Filing Amended Lot 6, Block 2, subject to the following conditions of approval:

1. To minimize the effects on local service prior to final plat approval, the applicant will coordinate with the USPS to determine what type of deliver system is preferred and to locate and provide the correct amount of space for safely delivering the mail to the residents.

2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.

3. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have any questions please contact Hunter Kelly at (406) 247-8613 or by email at kellyh@billingsmt.gov

Sincerely,

_____
William A. Cole, Mayor

City Council Regular

Date:	06/26/2023
Title:	Annexation 23-05, Resolution of Intent to Annex City Owned Property at Tracts 9, 10, and 12 of Certificate of Survey No. 2037, and Tract C of Certificate of Survey No. 3795
Presented by:	Hunter Kelly, Planner 1
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	PZX-23-00094

RECOMMENDATION

Staff recommends that the City Council approve the Resolution of Intent to annex the areas adjacent to Billings-Logan International Airport and set a public hearing date for July 24, 2023.

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

The City Council is being asked to begin the process to annex area adjacent to the airport for the protection of the airport. State Law under 7-2-43 MCA provides municipalities the authority to annex contiguous land. The subject properties are 133.55 gross acres of land owned by the City of Billings. The properties are legally described as Tracts 9, 10, and 12 of Certificate of Survey No. 2037, recorded December 23, 1980, under Document No. 1185840 on file and of record in the office of the Yellowstone County Clerk and Recorder and Tract C of Certificate of Survey No. 3795, recorded August 17, 2021, under Document No. 3985813 on file and of record in the office of the Yellowstone County Clerk and Recorder. The properties are west and north, respectively, of the Billings-Logan International Airport. MCA 7-2-4312 allows municipalities the authority to act on a Resolution of Intent creating a notice period and setting a public hearing for the annexation of the property. The attached Resolution of Intent sets the public hearing and consideration by City Council of the Resolution to Annex the property for July 24, 2023.

ALTERNATIVES

Section 7-2-43 of the Montana Code Annotated (MCA) provides the process for local governments to annex contiguous properties. To comply with Section 7-2-4312 MCA, the City Council needs to adopt a Resolution of Intent to annex the property.
The Council may:

- Approve the Resolution of Intent to annex the contiguous property, creating a 20-day notice period and setting of the public hearing as provided in 7-2-4313 and 7-2-4313 MCA, or;
- Disapprove the Resolution of Intent to annex the property and have it remain outside the City Limits.

If this resolution of intent does not pass, the associated Zone Change and Resolution for Annexation will not occur on July 24.

FISCAL EFFECTS

This annexation shall have no financial impact on the Planning Division.

Attachments

Memorandum of Intent
Resolution of Intent to Annex

CITY OF
Billings

P.O. Box 1178
Billings, MT 59103
P 406.657.8433
F 406.657.8390

January 9, 2023

MEMORANDUM

TO: Monica Plecker Planning Division Manager
Denise Bohlman, City Clerk

FROM: Chis Kukulski, City Administrator

SUBJECT: **ANNEXATION OF CITY OWNED AIRPORT PARCELS**

In accordance with the requirements of Montana Code Annotated (MCA) 7-2-4403, this memo is a request to annex into the incorporated limits of the City of Billings, properties owned by the City of Billings adjacent to the Airport, purchased by the Airport for the protection of the Airport. The property tax ID and legal description of the properties which are the subject for this annexation request are as follows:

72.77 acres located on the north side of the Airport better identified as Tract C, Certificate of Survey No. 3795; located in the southeast one-quarter (SE 1/4) and the southwest one-quarter (SW 1/4) of Section 19, Township 1 North, Range 26 east, Principal Meridian Montana, Yellowstone County, Montana. Tax ID - D05250B.

60.78 acres located on the west side of the Airport better identified as Lots 9, 10, and 12 of the Certificate of Survey 2037; located in the northeast one-quarter (NE 1/4) of Section 26, Township 1 North, Range 25 east of Principal Montana Meridian, Yellowstone County, Montana. Tax ID - DO4575.

Thank you for your assistance with this.

KP:mdb

cc: Chrono
Wyeth Friday, Planning Director
M. Burson
M. Herold

RESOLUTION NO. 23 -

A RESOLUTION OF THE CITY OF BILLINGS TO CONSIDER ANNEXING TERRITORY UNDER TITLE 7, CHAPTER 2, PART 43 OF THE MONTANA CODE ANNOTATED, AND FIXING A DATE FOR A PUBLIC HEARING ON THE QUESTION OF ANNEXATION.

WHEREAS, the City Council of the City of Billings has determined that it is in the best interest of the City of Billings to annex the territory hereinafter described; and

WHEREAS, the City Council intends to consider annexing said territory pursuant to Title 7, Chapter 2, Part 43 of the Montana Code Annotated; and

WHEREAS, the boundaries of the territory that the City Council intends to consider annexing is particularly described as follows:

Parcels of Land situated in the NE 1/4 of Section 26, T.1N., R.25E., Yellowstone County, Montana, more particularly described as follows:

Tracts 9, 10, and 12 of Certificate of Survey No. 2037, recorded December 23, 1980, under Document No. 1185840 on file and of record in the office of the Yellowstone County Clerk and Recorder.

Said annexation containing 60.783 gross net acres, more or less.

(# 23-05) See Exhibit “A” Attached

A parcel of Land situated in the SW 1/4 and the SE 1/4 of Section 19, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows:

Tract C of Certificate of Survey No. 3795, recorded August 17, 2021, under Document No. 3985813 on file and of record in the office of the Yellowstone County Clerk and Recorder.

Said annexation containing 72.77 gross net acres, more or less.

(# 23-05) See Exhibit “B” Attached

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. The Billings City Council intends to consider annexation of the above-described property.

2. Notice of the City Council's intent to annex said territory shall be published as provided in M.C.A, Title 7, Chapter 2, Part 4313, with notice that for a period of 20 days after first publication of the notice, the Billings City Clerk will receive written comments approving or disapproving of the proposed extension of the boundaries of the City of Billings.

3. The City Clerk shall forward all written communication received by the Clerk to the City Council for consideration.

4. A public hearing for the question of annexation of said territory shall be held on July 24, 2023.

5. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 43, have been duly and properly followed and taken.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th Day of JUNE 2023.

CITY OF BILLINGS:

BY: _____

William A. Cole, Mayor

ATTEST:

BY: _____

Denise R. Bohlman, City Clerk
(# 23-05)

EXHIBIT "A"

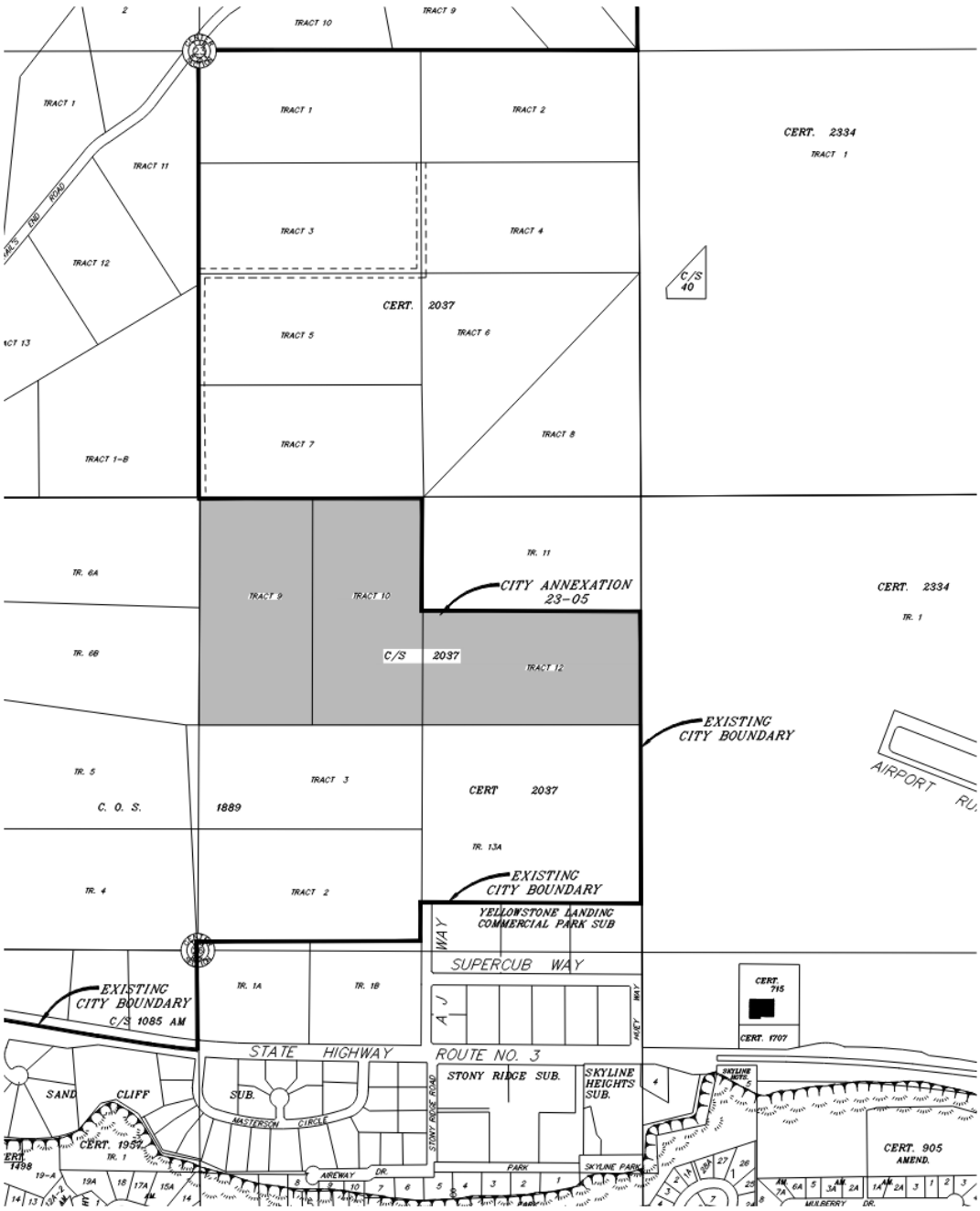
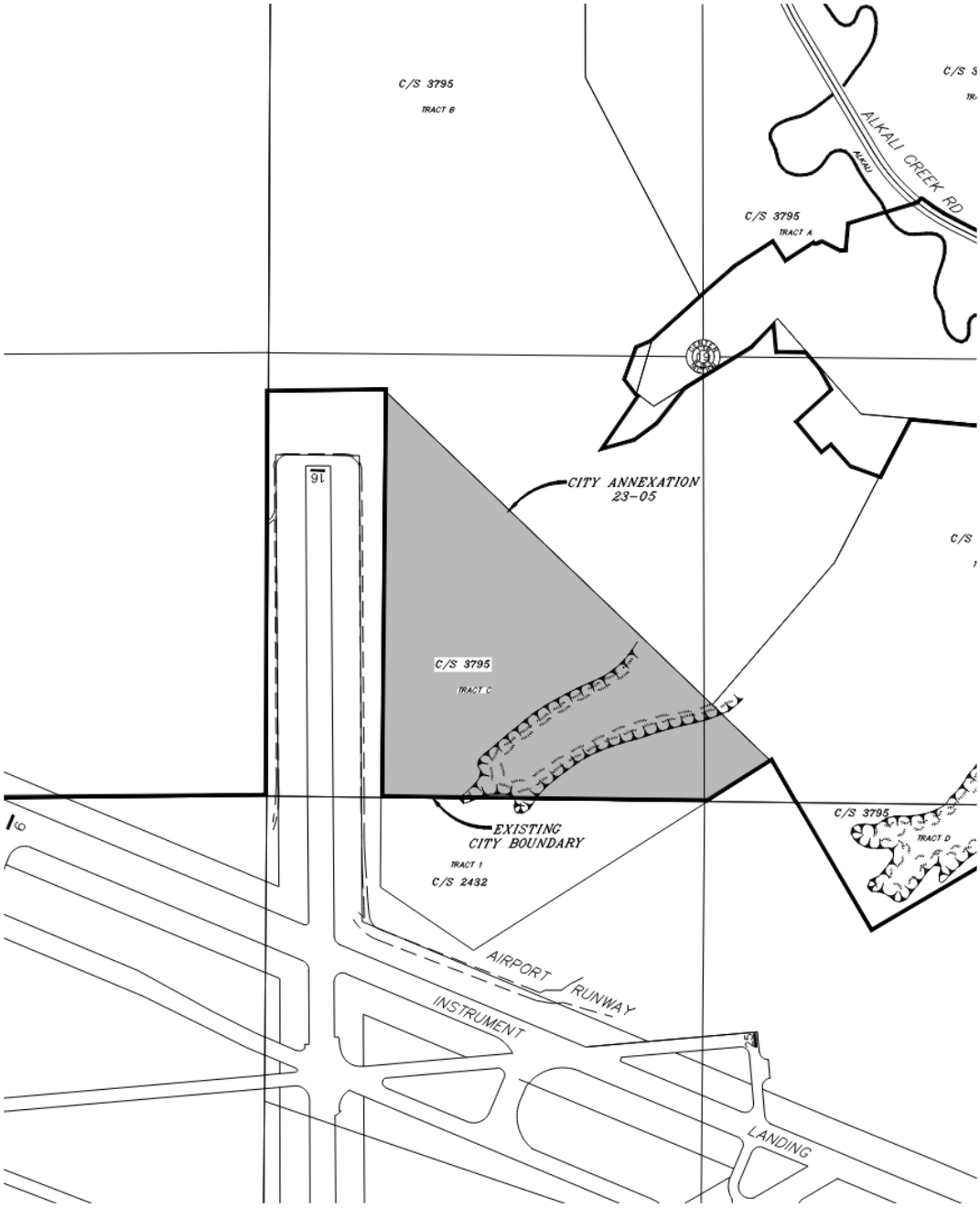

TRACT 10
TRACT 9
TRACT 1
TRACT 2
CERT. 2334
TRACT 1
TRACT 11
TRACT 3
TRACT 4
TRACT 12
C/S 40
CERT. 2037
TRACT 5
TRACT 6
TRACT 7
TRACT 8
TRACT 1-B
TR. 11
TR. 6A
TRACT 9
TRACT 10
CITY ANNEXATION 23-05
CERT. 2334
TR. 1
TR. 6B
C/S 2037
TRACT 12
EXISTING CITY BOUNDARY
TR. 5
TRACT 3
CERT 2037
C. O. S. 1889
TR. 13A
TR. 4
TRACT 2
EXISTING CITY BOUNDARY
YELLOWSTONE LANDING COMMERCIAL PARK SUB
SUPERCUB WAY
TR. 1A
TR. 1B
EXISTING CITY BOUNDARY
C/S 1085 AM
CERT. 715
CERT. 1707
STATE HIGHWAY ROUTE NO. 3
STONY RIDGE SUB.
SKYLINE HEIGHTS SUB.
SAND CLIFF SUB.
MASTERSON CIRCLE
STONY RIDGE ROAD
AIRWAY DR.
SKYLINE PARK
CERT. 1952
CERT. 905 AMEND.
MULBERRY DR.

EXHIBIT "B"


C/S 3795
TRACT B
C/S 3795
TRACT A
ALKALI CREEK RD.
CITY ANNEXATION
23-05
C/S 3795
TRACT C
EXISTING
CITY BOUNDARY
TRACT 1
C/S 2432
C/S 3795
TRACT D
AIRPORT
RUNWAY
INSTRUMENT
LANDING

City Council Regular

Date:	06/26/2023
Title:	Resolution authorizing staff to pursue financing for renovations to new City Hall building
Presented by:	Gina Dahl
Department:	Legal
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve and adopt the Resolution to allow city staff to pursue financing options in compliance with IRS regulations for the new city hall renovations.

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

In October 2021, the City purchased the former federal courthouse building previously known as the Stillwater Building in order to renovate it to make it suitable for use as a new city hall. There are federal and state historic preservation tax credits available under the law to incentivize preservation and renovation of historic structures. Historic preservation tax credits allow third parties to invest in qualified preservation and renovation projects in exchange for federal and state historic preservation tax credits.

On November 28, 2022, Council approved the proposal from the consulting firm of Brian Wishneff and Associates, LLC to assist the City in obtaining historic preservation tax credits and related financing, including identifying investors for the new city hall building. The City has been advised by Wishneff as well as the State of Montana Historic Preservation Office that all or a portion of the project is eligible for federal and state historic preservation tax credits.

On December 19, 2022, Council approved that city staff move forward with the full build-out of the new city hall building. The total cost of the project is estimated to be $43,231,624. The City will need to fund an additional $26,931,624 - $30,431,624 to complete the project. Council has indicated its intent to pursue historic preservation tax credits to partially fund expenses of the renovations. This resolution will establish compliance with reimbursement under Internal Revenue Code for expenses currently being incurred with existing cash on hand.

Therefore, Council must authorize city staff, in consultation with bond counsel, to obtain historic tax credit financing proposals and lease purchase financing proposals for the project and engage in negotiations with potential investors and financial institutions. Once a favorable proposal is received, city staff will negotiate an agreement with suitable terms and conditions to submit to Council for approval.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

This resolution will not result in additional costs. However, this resolution will allow for the City to pursue historic preservation tax credits and finance some improvements through lease purchasing. Future council action related to these items will occur, at which point there may be direct fiscal effects. At this point in time, the benefit of historic tax credits is estimated at $3-$4 million, but final amounts are not known until review is completed by the State Historic Preservation Office. Future costs associated with financing are not known at this point, as the total amount to be borrowed is not known. At this point in time the estimated amount needed for borrowing will be $6-$10 million, largely dependent upon how much is received for the current City Hall and the amount received for historic tax credits.

Attachments

Resolution

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____, entitled: "RESOLUTION RELATING TO FINANCING RENOVATIONS OF AND IMPROVEMENTS TO THE STILLWATER BUILDING; AUTHORIZING AND DIRECTING CITY STAFF TO PURSUE FINANCING OPTIONS; AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on June 26, 2023, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

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

WITNESS my hand officially this ___ day of _____, 2023.

(SEAL)

_____
City Clerk

RESOLUTION NO. _____

RESOLUTION RELATING TO FINANCING RENOVATIONS OF AND IMPROVEMENTS TO THE STILLWATER BUILDING; AUTHORIZING AND DIRECTING CITY STAFF TO PURSUE FINANCING OPTIONS; AND ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

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

Section 1. Recitals; Prior City Actions.

In October 2021, the City purchased the former federal courthouse building located at 316 North 26th Street in the City (the "Stillwater Building"). The City has determined that renovations of and improvements to the Stillwater Building are necessary to make the Stillwater Building suitable for use as a law and justice center and city offices (such renovations and improvements, collectively, the "Project"). The Project is projected to cost approximately $30,000,000 and is expected to be undertaken in phases. The City has adopted a self-governing charter, and is entitled under the constitution and laws of the State of Montana (the "State") to exercise any power not prohibited by the constitution, State law or the City's charter.

Pursuant to the Internal Revenue Code of 1986 (the "Code"), including more particularly Section 47 of the Code, as well as Title 15, Chapter 24, Part 16, Montana Code Annotated, there are federal and state historic preservation tax credits available to incentivize preservation and renovation of historic structures. Historic preservation tax credits allow third parties to invest in qualified preservation and renovation projects in exchange for federal and state historic preservation tax credits. The City has engaged Brian Wishneff, and Associates, LLC ("Wishneff") to assist the City with respect to historic preservation tax credits and related financing arrangements, including identifying potential third party investors. The City has been advised by Wishneff and the State of Montana Historic Preservation Office that all or a portion of the Project is eligible for federal and state historic preservation tax credits.

In addition, the City is authorized under State law to enter into non appropriation lease purchase financing arrangements for the purpose of providing funds for the Project.

Section 2. Authorization to Pursue Historic Preservation Tax Credit Financing. The City Administrator and City Finance Director, in consultation with Baker Tilly Municipal Advisors, LLC, the City's municipal advisor ("Baker Tilly"), Dorsey & Whitney LLP, the City's bond counsel ("Dorsey & Whitney"), and Wishneff, are hereby authorized and directed to proceed with requests for historic preservation tax credit financing proposals for the Project and engage in discussions and negotiations with potential investors, syndicators, banks, underwriters and other financial institutions with respect to the terms and conditions thereof. If a favorable historic preservation tax credit financing proposal is received, as determined by the City Administrator and City Finance Director, the terms, conditions, and forms of documentation

thereof, including documentation with respect to the formation of a limited liability company to be owned by the City, shall be negotiated and prepared and submitted to this Council for approval. All actions taken to date by officers and staff of the City on behalf of the City in connection with any historic preservation tax credit financing with respect to the Project are hereby ratified and confirmed.

Section 3. Authorization to Pursue Nonappropriation Lease Purchase Financing. The City Administrator and City Finance Director, in consultation with Baker Tilly and Dorsey & Whitney, are hereby authorized and directed to proceed with requests for lease purchase financing proposals for the Project and engage in discussions and negotiations with potential investors, banks, underwriters and other financial institutions with respect to the terms and conditions thereof. If a favorable proposal for lease purchase financing proposal is received, as determined by the City Administrator and City Finance Director, the terms, conditions and forms of documentation thereof shall be submitted to this Council for approval. All actions taken to date by officers and staff of the City on behalf of the City in connection with lease purchase financing with respect to the Project are hereby ratified and confirmed.

Section 4. Reimbursement Expenditures. If the City determines to issue tax-exempt obligations to finance the Project, the following provisions apply.

4.01 Regulations. The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt obligations, including nonappropriation lease purchase financing arrangements, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such obligations Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the obligations be issued and the reimbursement allocation made from the proceeds of the obligations within 18 months (or three years, if the reimbursement issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the "small issuer" exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the obligations.

4.02 Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than tax-exempt obligations of the City, if any (collectively, the "Obligations"), (ii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iii) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have been paid by the City before the date 60 days before the date of adoption of this resolution.

4.03 Declaration of Intent. The City reasonably expects to reimburse the expenditures made for costs of the Project out of the proceeds of Obligations in an estimated maximum aggregate principal amount of $25,000,000 after the date of payment of all or a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Obligations or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

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

4.05 Reimbursement Allocations. The City Finance Director shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Obligations to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Obligations or the Project and shall specifically identify the actual original expenditure being reimbursed.

PASSED AND APPROVED by the City Council of the City of Billings, Montana, this ___ day of _____, 2023.

_____
Mayor

Attest: _____
City Clerk

City Council Regular

Date:	06/26/2023
Title:	Second Reading Zone Change 1026 - 3648 AJ Way - A to P3
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No

RECOMMENDATION

Staff recommends the City Council approve Zone Change 1026 on second reading including adoption of the 10 review criteria. The City Council held a hearing on June 12, 2023 and approved unanimously the zone change on first reading. Not approving this second reading action would be consistent with the action taken by City Council on June 12th.

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

This is a zone change request for property at 3648 AJ Way from Agriculture (A), a county zone district, to Public 3 - Civic Campus (P3- Civic) on C/S 1889, Tracts 2 and 3, a 40.001 acre parcel(s) of land. The proposed zoning would facilitate the Department of Montana Military Affairs in the development of an Army National Guard facility. In order for these two parcels to be developed, they will be annexed into the City of Billings. This will give access to municipal water and sewer, among other utilities. When properties are annexed into the City, they must also go through a concurrent process to have the property re-zoned to a zone recognized by the City. In this case, the applicant is seeking a zone change to Public 3 Campus (P3). The P3 district is intended for public and civic uses involving multiple structures that are developed in a campus-like environment. P3 zoning is available for medical campuses, educational campuses, and civic campuses with three (3) or more principal buildings. The Army National Guard facility, more specifically known as the Limited Army Aviation Support Facility (LAASF) would be considered a civic campus in accordance with zoning and buildings will likely be constructed over the course of several years. But once the project is completed it will achieve the campus feel as intended by the district.

The following is background information on the proposed facility and operations provided by the Army National Guard: "*The Planned Action is to construct a government-owned permanent Limited Army Aviation Support Facility (LAASF) in Billings, Montana. A larger, Montana Army National Guard (MTARNG) owned facility would accommodate a permanent hangar and would include backup/emergency generator, paved parking, unheated aircraft storage, and fire detection, alarm, and suppression equipment. This large, long-term permanent facility includes space for training rooms, office space, hangar, etc. and would accommodate the emerging growth needs and coverage requirements of the Montana Army National Guard (MTARNG) aviation assets. The permanent facility would better accommodate on-the-ground drill and training activities. The LAASF would be staffed by up to 14 full-time personnel, including mechanics, flight operations specialists, and a mixture of each of the following; avionics, technical supply, production control officer, maintenance test pilot, quality assurance officer, Officer in Charge (OIC), instructor pilot, and maintenance supervisor. During the drill weekends, up to 90 personnel are stationed in Billings. These weekends commence on either Thursday or Friday and conclude on Sunday evenings. Typical start/end times are Thursdays, 10AM -- 11PM; Fridays, 7AM -- 11PM; Saturdays, 7AM -- 11PM; and Sundays, 8AM -- 330PM. The proposed LAASF would support six helicopters (including but not limited to the Chinook, Blackhawk, and Lakota). Flights occur primarily during the day. On weekdays, 2 to 3 helicopter training flights per day originate from LAASF for a total of 10 to 15 flights per work week. The LAASF supports 2 to 3 flights per day on drill weekends for a total of 14 to 21 flights during a drill week. While most flights are single-aircraft operations, some multi-ship operations occur. Multi-ship flights depart the airspace immediately and do not use the traffic pattern. The LAASF operates one additional Saturday per month that includes two to three flights. Flights follow flight paths that are approved by Air Traffic Control. Flight paths originate at the LAASF facility and travel over the airport north of Highway 3.*"

Planning staff recommended approval and adoption of the findings for the 10 review criteria for Zone Change 1026. The Zoning Commission concurred with the staff recommendation and also recommends approval to the City Council for Zone Change 1026. The Zoning Commission found that the proposed P3 zone is compatible with nearby existing aviation facilities and would not be overly intrusive to nearby low-density residential developments considering existing aviation activity.

STAKEHOLDERS

Planning staff notified the surrounding owners, published a legal ad and posted the property as required by the zoning regulations. A pre-application neighborhood meeting was conducted by the applicant on March 27, 2023, at 3465 AJ

Way - Unit 111, and 16 persons signed the attendance sheet. The pre-application meeting notes and sign in sheet are attached.

The Zoning Commission held a public hearing on May 2nd. Prior to the hearing, staff provided a presentation and overview of the proposed zone change. Additionally, the Army National Guard Lieutenant Colonel John Gehring provided background information and presentation to the Zoning Commission. He also introduced Colonel Rob Oleson, Lee Elder with SMA Architecture, and Holly Manning with Robert Peccia and Associates who are part of the design team. Lieutenant Colonel Gehring provided an overview of the project and operation that would occur. He explained the Montana Army National Guard has been conducting business in a leased hangar space on adjacent property. He stated the Dept of the Army has authorized this permanent aviation presence in Billings. This facility will help provide response for this area and Eastern Montana. In the past 12 months, the Montana Army National Guard has rescued 92 people in eastern Montana. This facility will serve as a projection platform. He stated transparency on this project is important. The Army National Guard is in the process of trying to obtain an additional 98 acres. With the governor's approval, the City could anticipate future applications for these properties as efforts move forward in build out of a campus. Lee Elder then shared conceptual images of the proposed structure. He noted at this time these are conceptual, but wanted to provide transparency. He iterated the importance of annexing and completing a zone change is to gain access to city services. He shared additional information related to the site plan. He answered an earlier question from the Board asking if there would be direct access to the Billings Airport. He stated they have not formalized access but are considering what that may look like and further coordinate with the City.

Commissioner Greg McCall asked if this property did not have to follow the PND process for newly annexed property. Staff clarified the PND did not apply to this property. Commissioner David Goss asked about the specific training that would occur on site. LC Gehring clarified up to 6 aircraft are authorized for, mostly Blackhawks. Commissioner Goss further clarified his question and asked if outside Guards would be coming in for training similar to a training program he was familiar with in Oregon. LC Gehring explained that training exercises here would be for Montana Army National Guard members who have already completed flight school.

The Public Hearing was opened. There was no public testimony. The Zoning Commission voted to recommend approval of Zone Change 1026 with the findings to City Council. The motion passed unanimously.

The City Council held a public hearing on June 12, 2023. Planning staff provided an overview of the annexation and zone change. Colonel Oleson and Lieutenant Colonel (LTC) John Gehring represented the Montana Army National Guard (MTARNG). Other project team members in attendance were Holly Manning with Robert Peccia and Associates and Lee Elder with SMA Architecture. Following staff's presentation, LTC Gehring provided an overview of the operations related to this project and also informed City Council that with the passing of House Bill 5, an additional 98 acres would be acquired soon and a Readiness Center and Maintenance facility would be planned for that area. Lee Elder showed visuals of the facility and provided an overview of the intentional design of the building massing and siting to alleviate noise and create a buffer.

Council Member Purinton asked the applicants to speak to what is being done in regards to neighbors and noise. Colonel Oleson responded with several details related to their identified flight corridors. He acknowledged there are resident concerns and shared that MTARNG has met with the neighbors to better understand their concerns. He noted there had been concerns about low flying aircraft from the west and they have changed their flight paths to the west as a result. Their flight corridors are FAA compliant. Further information was shared regarding the additional 98 acres creating a campus of 138 acres total. Mayor Cole inquired as to what a typical month is like at the proposed facility. LTC Gehring explained the Limited Support Army Aviation Facility would be staffed by up to 14 full-time employees and host trainings once per month, but it was later stated that trainings occur 8 times per year. Trainings occur from Friday thru Sunday. 90 personnel are usually onsite during these trainings. Over time as the Readiness Center is completed upwards of 500 personnel may be on site for training purposes. Council Member Neese inquired about grounds maintenance and whether the MTARNG would be maintaining the grounds to avoid nuisances like weeds and such. It was confirmed the guard is responsible for maintaining the grounds and they will do so to avoid things like tumbleweeds. Council Member Neese asked about the facility and whether it would be open to the community. Colonel Oleson stated the facility in Helena hosts school groups once per week and once per year they host an open house. He envisions something similar.

Morgan Tuss, a nearby landowner along Highway 3, provided testimony during the public hearing. Her family raises quarter horses and lives on property located approximately one mile west. The property has had a residential use for approximately 70 years. Morgan expressed concern related to noise, lighting, traffic, pollution, utilities, etc. She stated she would have preferred the land develop as residences but understands the P3 zoning is better than some other alternatives. She would like to see continued work and coordination to mitigate concerns continue with the MTANG as the development occurs. She was not opposed to the zone change or annexation, but wanted to express some concerns related to the aforementioned items.

Wesley Dunn provided testimony in support. He stated he was in full support and believes the MTARNG presence could possibly reduce or deter crime. He would like to see a state guard similar to the guard in Texas. He is a statesman. Mr Dunn did express concern that there may be inadequate utilities and urged council to look closer at the discrepancies staff discussed in the presentation.

The public hearing was closed. CM Shaw made a motion to conditionally approve the annexation as recommended by staff. It was seconded by Council Member Boyett. Council Member Purinton asked for a response to testimony received by Morgan Tuss related to noise, traffic, pollutants, wastewater, etc. Colonel Oleson referred to some of his earlier information about the flight corridors and a noise study that has been conducted. Related to lighting, he explained the building entries are recessed reducing lighting and the outdoor lighting has downward facing shields. Lighting needs to be minimal during nighttime because they fly with night vision goggles and don't want the light. Rarely should there be lighting concerns, he said. There is smaller security lighting but the landscaping is key to minimizing this, too. Lee Elder stated the design is intentional to minimize some concerns. Lee also expanded that a traffic study had been completed. Holly Manning with Robert Peccia spoke in regard to utility development. In regard to water she stated they would work with the city on potential improvements related to water. In regard to sewer flow she mentioned there are some limitations regarding how fast and how much waste water can be sent but they are proposing individual lift stations and small diameter forced mains similar to Yellowstone Landing. The biggest concern is stormwater because of the rims and their fragility. She said their plan is to take stormwater generated from the development and pump it to Alkali Basin to the north and be in compliance with the MS4 permit. Council Member Neese was curious of the airport expressed any comments related to impacts to their operations. He also asked for clarification about flight paths and the influence of the airport. Staff provided some clarifying information on the staff report. Colonel Oleson stated they have proposed their flight paths and their corridors. The airport accepted roughly 90 percent of that. Colonel Oleson explained there are some times when corridors have to be deviated from. With helicopters being so maneuverable they would give way to other air traffic. Mayor Cole asked planning staff about the traffic study. He wanted staff to talk about AJ Way and what may be done in the future. Mayor Cole asked if there was opportunity with the annexation to contribute towards intersection improvements or other improvements for AJ Way. Planning staff clarified there is opportunity for additional language in the annexation but cautioned the Council that any language considered should propose a proportionate share. Planning staff also clarified Highway 3 is the jurisdiction is MDT and any improvements should be coordinated with MDT. LTC Gehring provide clarification regarding personnel numbers on training weekends. This specific facility is 14 employees with 90 personnel. When the Readiness Center is constructed the MDT trigger will be tripped as it related to the traffic study. Council voted unanimously to annex the property.

Council Member Shaw moved to approve and adopt the findings of Zone Change 1026, seconded by Council Member Purinton. There was no additional discussion. The item was also approved unanimously.

ALTERNATIVES

The City Council may take one of the following actions:

- Follow the Zoning Commission recommendation and adopt the findings of the ten review criteria as recommended by the Zoning Commission for Zone Change 1026; or,
- Deny the zone change and adopt different findings from the Zoning Commission of the ten review criteria for Zone Change 1026; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

Staff recommends council approve this item on second reading to be consistent with first reading action.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Prior to taking any action on this zone change, the City Council shall consider the following:

1. Is the new zoning designed in accordance with the Growth Policy and neighborhood plans?
The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:

Essential Investments (relating public and private expenditures to public values)

- Infill development and development near existing City infrastructure may be the most cost-effective
- Neighborhoods that are safe and attractive and provide essential services are much desired

- Mobility and Access (transportation choices in places where goods and services are accessible to all)

Prosperity (promoting equal opportunity and economic advancement)

- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses

The proposed zoning would allow for the development of a military facility that would serve the region and promote safety. There is only one other facility in the state that serves this role, and a facility like this in Billings will provide faster response times to this part of the state. Additionally, this activity is being located in proximity to an area of the city that already has established aviation operations. The proposed zone aligns with allowed development on adjacent parcels. The P3 district allows civic campuses.

2. Is the new zoning designed to secure from fire and other dangers?
The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

3. Whether the new zoning will promote public health, public safety and general welfare?
Public health and public safety are promoted by the proposed zoning. This is not a unique to the P3 zone, but instead is promoted by all adopted zoning districts within the City of Billings. The site and structure regulations found in 27-500.1 in the P3 district promote the minimum standards to ensure public health and safety and promote general welfare. Public health and public safety will be promoted by the proposed zone change.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?
Transportation: The proposed zoning itself will have no appreciable effect on the adjacent transportation network, however once the property is developed there will be some impact to nearby roadways. The property will be served by AJ Way, a public road that is accessed by Highway 3. Montana Highway 3 is a National Highway System (NHS) non-interstate route that extends from Billings to Great Falls. In the project vicinity, Highway 3 generally runs east to west providing access to several public streets and numerous residential driveways. Currently, the facility has a single travel lane in each direction with left-turn lanes at Rod & Gun Club Road (eastbound), Zimmerman Place (westbound), Apache Trail (westbound). Highway 3 also has right-turn lanes at its intersections with Rod & Gun Club Road (westbound) and a roundabout at Zimmerman Trail.

The Billings Area Transportation Plan classifies Highway 3 as a Principle Arterial. Principle arterial roadways are built to carry higher volumes of traffic generally between 30,000-55,000 (ADT). Today traffic volumes in the corridor are approximately 11,500 Average Daily Traffic (ADT). Projections indicate that traffic will increase to approximately 17,000 ADT by the year 2040.

Generally the Level of Service (LOS) through the corridor operates at A or B which is well above the average LOS for the Billings community.

The Army National Guard (ANG) will have an estimated 14 full-time employees. Additionally, the ANG will host monthly trainings 1 weekend per month. Staff has identified no concerns with access from AJ Way and Highway 3 that would create a negative finding given the above-mentioned information specific to the function of Highway 3.

Water and Sewer: The City provides water and sewer to the property. The utilities will be provided in accordance with the accompanying annexation agreement that is mutually agreed upon between the City of Billings and the Property Owner. This agreement is a strict condition of approval for annexations. Water will be extended to the property via AJ Way.

Schools and Parks: Schools and parks should not be negatively affected by the proposed zoning. The proposed development does not include residential uses, therefore, additional students due to this zone change would not be anticipated. It should be acknowledged that with new jobs in the community the school district may realize some increase in student population, however, the zone change does not have a direct correlation to this.

Fire and Police: The subject property is served by city public safety services. The property is currently served by the Billings Fire Department and upon annexation will continue to be served. The nearest fire station is Fire Station 1 which is located approximately 3.9 miles away. The Police and Fire Departments expressed no concerns with the zone change.

5. Will the new zoning provide adequate light and air?
Similar to criteria 2 and 3, the proposed P3 zone, like all zones, requires minimum setbacks to allow for adequate

separation between structures and adequate light and air. This parcel is presently vacant therefore any new structure(s) will be required to meet the standards required by Section 27-500.1.

6. Will the new zoning effect motorized and non-motorized transportation?
The new zoning itself will not impact motorized and non-motorized transportation. Once developed, there will be increased volume to the transportation network, both motorized and non-motorized. At this time the facility will house up to14 full-time employees and will host trainings once per month with an estimated 90 personnel. AJ way provides direct access to the property and upon annexation of these parcels the access will be in the same location. Highway 3 provides access to AJ way. Highway 3 is a principal arterial road and a United States (US) highway. Principal arterial roads are built to carry higher volumes of traffic generally between 30,000-55,000 (Average Daily Traffic - ADT). Today, traffic volumes in the corridor are approximately 11,500 ADT. Projections indicate that traffic will increase to approximately 17,000 ADT by the year 2040, well under the designed capacity. Over time, some improvements may need to be made along Highway 3. These may include traffic management facilities like turn lanes. The addition of improvements such as these will need to be coordinated with the Montana Department of Transportation. Also in the vicinity is the Skyline Trail which is under construction and is located south of Highway 3. The Skyline Trail is a multi-use trail that will extend from the intersection of Highway 3 and Zimmerman Trail through Airport Road along the south side of Highway 3. The City has received federal funding to pave a 10-foot trail that would replace an unimproved/primitive trail that is presently in place. Users of the trail system will observe more air traffic, but the development of the parcel would not obstruct access to the trail.

7. Will the new zoning promote compatible urban growth?
The proposed zoning is compatible with the adjacent zoning and existing uses in the vicinity. This property is near the Billings Flying Service, the Billings Airport and other undeveloped P2 zoned land owned by the City of Billings. The Billings Flying service is a commercial heliport. The use of this property for the Army National Guard close to a heliport and municipal airport does not create compatibility concerns. The proposed Army National Guard facility will also be adjacent to agricultural lands, some that have single family residences. These residences will remain in Yellowstone County. Based on existing activity from the Billings airport and Billings Flying service, there are no additional findings to suggest the P3 zone for the use of the National Guard would not be suitable next to agricultural zoned land.

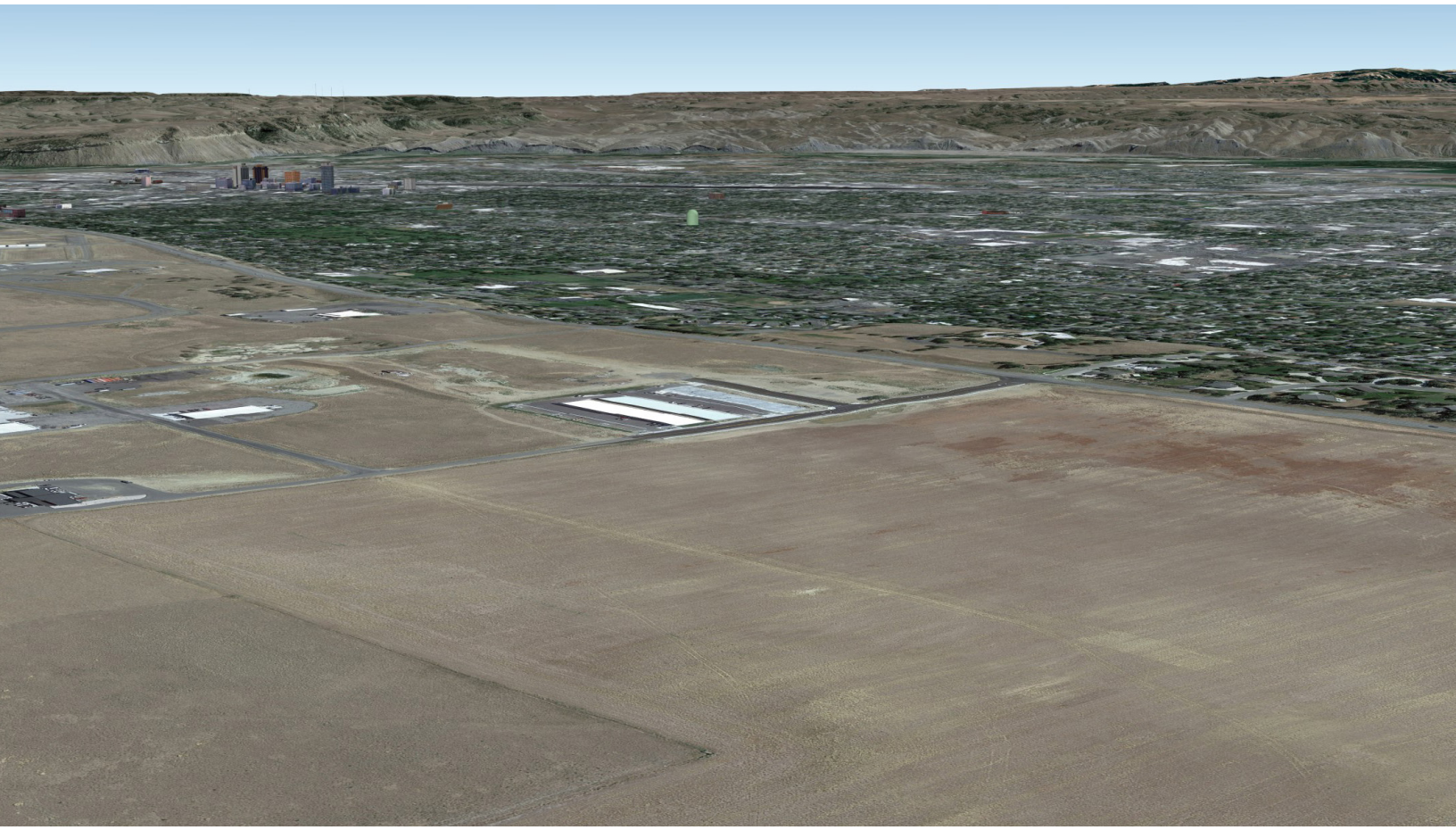
8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
The proposed zoning does consider the character of the district and the suitability of the property for the proposed use. The proposed zoning will allow a civic campus to be used by the Army National Guard. The proposed zoning is compatible with the adjacent zoning and existing development and uses in the vicinity. The property is suitable for the proposed use and will fit in with the already existing and established aviation uses in the vicinity (Billings Airport and Billings Flying Service). Further, this use is compatible with the character of the surrounding districts of Public 2 (P2), Heavy Commercial (CX), Agriculture (A), and Light Industrial (I1).

9. Will the new zoning conserve the value of buildings?
The property is currently vacant, therefore the new zoning will not have an impact on the value of buildings for the parcel. Any new structures will need to be in compliance with zoning and building codes, therefore, there are no concerns related to the conservation of value of buildings on the parcels subject to the zone change.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?
In order for the property to be annexed into the City it requires the property be rezoned to a zone recognized by the City. The Department of Military Affairs owns the property and intends to develop it for the Army National Guard. The landowner has chosen the P3 zone as the most appropriate zone and intends to develop the property in accordance with the requirements of the zoning. A use like this near already established aviation operations and businesses does encourage the most appropriate use throughout the City of Billings.

Attachments

Application Letter and Preapplication Notes
Zoning Map and Site Photos
Zoning History
Application and Pre app certification
Ordinance



3648 AJ Way | Zone Change

3 April 2023

S M A architecture + design

RPA

NARRATIVE

1 INTRODUCTION 3

2 DECISION CRITERIA 4

3 NEIGHBORHOOD MEETING MINUTES 6

DOCUMENTS

Neighborhood Meeting Mailing
Neighborhood Meeting Sign-In/Attendees

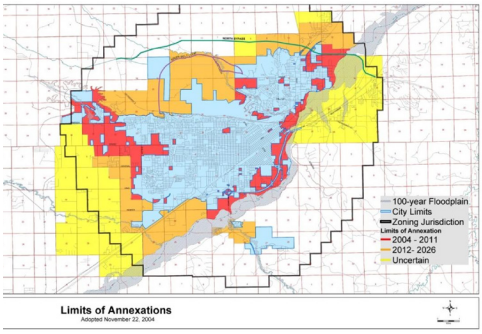
PLANS

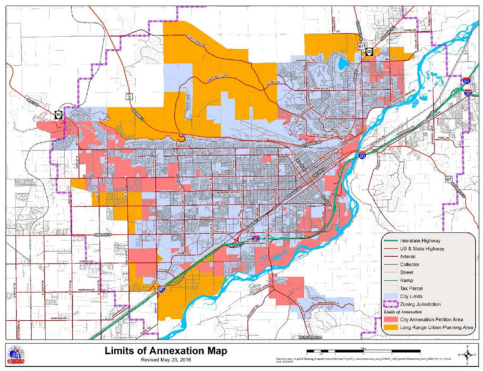
Annexation Map

INTRODUCTION

Overview

This is a proposal to change the zoning of these two parcels from County Agricultural to P3 Public Civic Campus zoning. The reason for the proposed zone change is that these parcels are also proposed to be annexed into the City of Billings. Agricultural zoning is not allowed within city limits, so this zone change is an accompanying piece of that process. Annexation of these properties into the city provides the parcels with city utilities, and in-turn, provides the benefit of these parcels to the city. These parcels are owned by the Department of Military Affairs, and the uses that will happen on site will provide public safety and resources to the community.





Growth Policy

The zoning objectives of '3648 AJ Way' were designed in line with the 2016 City of Billing's Growth Policy, and Municipal Code. These documents and others are referenced throughout the application. In the Growth Policy the Limits of Annexation maps have these parcels slated to be annexed from 2012-2026, or within the Long Range Urban Planning Area. To quote the growth policy – '**Shallow bedrock and unstable slopes can pose difficulties for construction.**' A principal reason for annexation is to connect to city utilities to limit the impacts to construction, and negative impacts that independent water, wastewater, and stormwater systems may have on the neighbors and geology.

Neighborhood Plans

There are no Neighborhood Plans for this area.

DECISION CRITERIA

27–1628 D

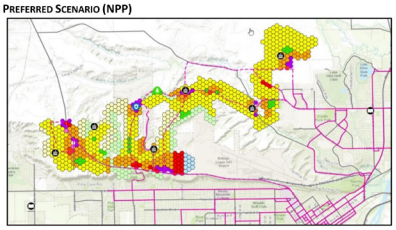
1. **Whether the new zoning is designed in accordance with the growth policy**
   These parcels fit the primary objectives listed within the Growth Policy. For Essential Investments – Under 'Locations for Investments' Infill and contiguous County properties is the primary objective. For Public Services the first objective is Public Safety. Integrated Water Systems is the first objective for Infrastructure, and Pubic services is the first objective of the Business category. For Regulation objectives 2–6 will be met on these sites.
2. **Whether the new zoning is designed to secure from fire and other dangers**
   Yes, P3 zoning will be served by the City of Billing's emergency services, including police and fire. Future site development will conform to City of Billing's public safety, building, and land use requirements in compliance with the Municipal Code, as well as all applicable building codes to help secure safety from fire and other dangers.
3. **Whether the new zoning will promote public health, public safety and general welfare**
   Yes, all future development will require site plan review and compliance with the City's Municipal Code which ensures the promotion of public health, safety and general welfare. This proposed zoning change allows for additional civic campus alternatives and provides open space. It is anticipated that this project will increase support facilities, facilitating decreases in emergency response times.
4. **Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements**
   Yes, The City conducts extensive planning for municipal transportation, water, sewer, parks, and other facilities and services provided by the City. The adopted plans allow the City to consider existing conditions and identify enhancements needed to provide additional service needed by new development. The development of public infrastructure improvements to serve the property will be required to conform to the City of Billing's adopted standards which require properties to construct public infrastructure and/or pay impact fees, assessments, and taxes to support transportation, water, sewer, school, parks, and other public requirements.
5. **Whether the new zoning will provide adequate light and air**
   Yes, The Municipal Code includes requirements for providing adequate light and air including park and recreation requirements, maximum building height, on-site open space requirements, lot coverage, and

DECISION CRITERIA (Cont.)

setback requirements. Future development of the property will be subject to these provisions and that of the Building Codes which have standards for ingress and egress, ventilation, and related subjects that further support the provision of adequate light and air.

6. **Whether the new zoning will affect motorized and nonmotorized transportation**
   Neutral, with the change in zoning there will be no direct change in transportation with this zone change. It is noted that improvements at AJ Way and Highway 3 will be needed because of existing and planned growth in the future. The zone change of these parcels does not directly impact the area transportation. Future developments will conduct the required Traffic Impact Studies to determine the impact to area transportation networks.

North Public Preferred Scenario (NPP)



7. **Whether the new zoning will promote compatible urban growth**
   The P3 zoning promotes more growth than the agricultural county zoning. The P3 zoning is also compatible with future plans from the 2016 Growth Policy. In the Public Preferred Scenario of the growth Planning Scenarios it has these parcels listed as Heavy Commercial High Density / Industrial Light. Public P3 Civic Campus is not listed as a zone in that plan but it fits similar to those uses. (See images to left)
8. **Whether the new zoning considers the character of the district and the peculiar suitability of the property for particular uses**
   Yes, the proposed P3 can support many types of urban development that serve the immediate area and broader region. With adjacent P2, I1, and CX zoning the P3 uses will fit well with those uses.
9. **Whether the new zoning will conserve the value of buildings**
   There are no existing buildings on the site to evaluate when considering how the values of buildings are being conserved. Any proposed new or expanded structures will be required to meet setbacks set forth in the Municipal Code, which will alleviate potential negative impacts to the values of adjacent buildings on bordering parcels in the event of future development on the subject property. Any future development on the property will be subject to standards in the P3 zoning which will ensure the conservation of adjacent building values.
10. **Whether the new zoning will encourage the most appropriate use of land throughout the city.**
    Yes, with adjacent P–2, CX, and I1 zoning we feel this P3 zoning fits the mix of all those zones. Additionally this zoning fits the projected uses of the Growth Policy as mentioned in the Overview.

NEIGHBORHOOD MEETING MINUTES

1. Peter Rudd from SMA noted the lots and description of the sites that have a proposed zone changes from AG to P3. A map was passed around showing the lot locations. Discussed P3 as multi building campus.
2. Barbara Ramlow:
   Will each lot be a separate campus
   Response: No, currently anticipating a single campus.
3. Alice Lahren:
   How can we be comfortable without knowing what building will be built?
   Response: The first phase will be a Limited Army Air Support Facility.
4. Howard Evans:
   Who do you represent?
   Response: SMA, the State of Montana and The Department of Military Affairs.
   What will be done to mitigate noise? Could there be a berm?
   Response: Too early in the design phase to tell. Trees have been considered.
5. Morgan Tuss:
   What exit/entry will be allowed to handle future development.
   Response: A second entry has been discussed, but too early to give a firm answer

6. Richard King (Chair of Rimrock Neighborhood Task Force):
   Is there any activity by the county, master planning program that would help define the future of this area outside your property?
   Response: Not that we are involved in or have knowledge of.
7. Paul Scarpari:
   What happen in Phase 1? Will there be barracks?
   Response: Phase 1 is the LAASF; no barracks..
8. Howard Evans:
   Why in the City?
   Response: We would guess it is due to the availability of site utilities including sewer and water
   Is the zone change county or city.
   Response: Likely a concurrent Zone Change and annexation through the City of Billings. Need to confirm.
9. Paul Scarpari:
   How large will the building and pad be
   Response: Too early to tell.

NEIGHBORHOOD MTG. MIN. (Cont.)

What impact will there be: Lights? Noise?

Response: Will need to wait until the later meeting when more specific building details are available, but there will be noise and lights.

10. Jim Helus:

How will the watershed be handled so water doesn't need to be handled? They have had flooding in the basement.

Response: This is a significant design concern and is being addressed with the site design.

11. Theresa Helus: I want to make a few comments – not questions:

AJ Way traffic has become hazardous to the traffic on Highway 3.

Lights on current industrial buildings are too bright.

12. Kevin Moser:

Will there be road upgrades due to this project? Would it be done prior to highway deaths?

Response: Road improvements, if made, will be before or concurrent with facility construction, based on traffic needs.

13. Michael Tuss: I want to make a few comments:

Cut off light fixtures are recommended. Blaine's lighting did a poor job of this.

Air craft have been flying over my house and rattling my windows. Will this be an issue? Army copters have been more respectful than Blaine's

Round abouts made traffic noise levels high. Suggest lowering speed limit on Highway 3.

Response: None

14. Howard Evans:

Will the building comply with Zoning P3?

Response: Yes

I am questioning P3 Zoning

15. Paul Scarpari:

Dates for follow up meeting?

Response: More are coming but nothing has been scheduled.

16. Howard Evans:

Can we get the master Plan? Is this a public document?

Response: Will verify

Can that be provided?

Response: Will verify

When will the application be made?

Response: Will verify.

Who pays for City Services?

Response: Normally, this would be City system development fees.

NEIGHBORHOOD MTG. MIN.(Cont.)

17. Morgan Tuss: Comment
    I would hope for a P3 zoning vs Industrial.
18. Barbara Ramlow:
    Will there be a round about?
    Response: Not Sure about infrastructure scope at this time.
19. Jeff Biscoe:
    I am from "Discovery Field" outdoor learning facility. Barracks will be just across the fence line, will there be a drill sergeant out there yelling obscenties? Can you plant a tree line now?
    Response: This barracks is not in the current scope of work.
20. Alice Lahren: Comment
    Current Trail that is under construction will make turning problems. North side development may create more issues.
    Response: None.
21. Howard Evans:
    The other lots that are industrial in this area will they take part in the road improvements.
    Response: This is not in the scope of our project. We are unsure of the answer at this time.

architecture + design

HELENA
920 Front Street, Suite 101
Helena, MT 59601
P: 406.442.4933

BOZEMAN
428 East Mendenhall Street
Bozeman, MT 59715
P: 406.219.2216

SMA.DESIGN

City Zone Change Neighborhood Meeting

To Whom it May Concern,

Hello, we would like to invite you to a Neighborhood Meeting for the Zone Change of parcels D04590 & D04589 located at 3648 AJ WAY. The parcels previously stated are in the process of annexation into the City of Billings with an accompanying zone change from County Agricultural Zoning to City of Billing's Public zoning. This zone change is occurring as Agricultural Zoning is not allowed within the City of Billings, and the Public zoning accommodates the future needs of the site and community.

When: 6:00pm, March 27th, 2023

Location of Meeting: Warehouse Unit 111
3465 AJ Way
Billings, MT 59106

Address: 3648 A J WAY

Tract 3 D04590

Legal Description: S26, T01 N, R25 E, C.O.S. 1889, PARCEL 3

Owner Contact: The Department of Military Affairs
PO Box 4789
Fort Harrison, MT 59636-4789
Contact: David Brown
Email: david.a.brown588.nfg@army.mil
Phone: (406)437-4210

Tract 2 – D04589

Legal Description: S26, T01 N, R25 E, C.O.S. 1889, PARCEL 2

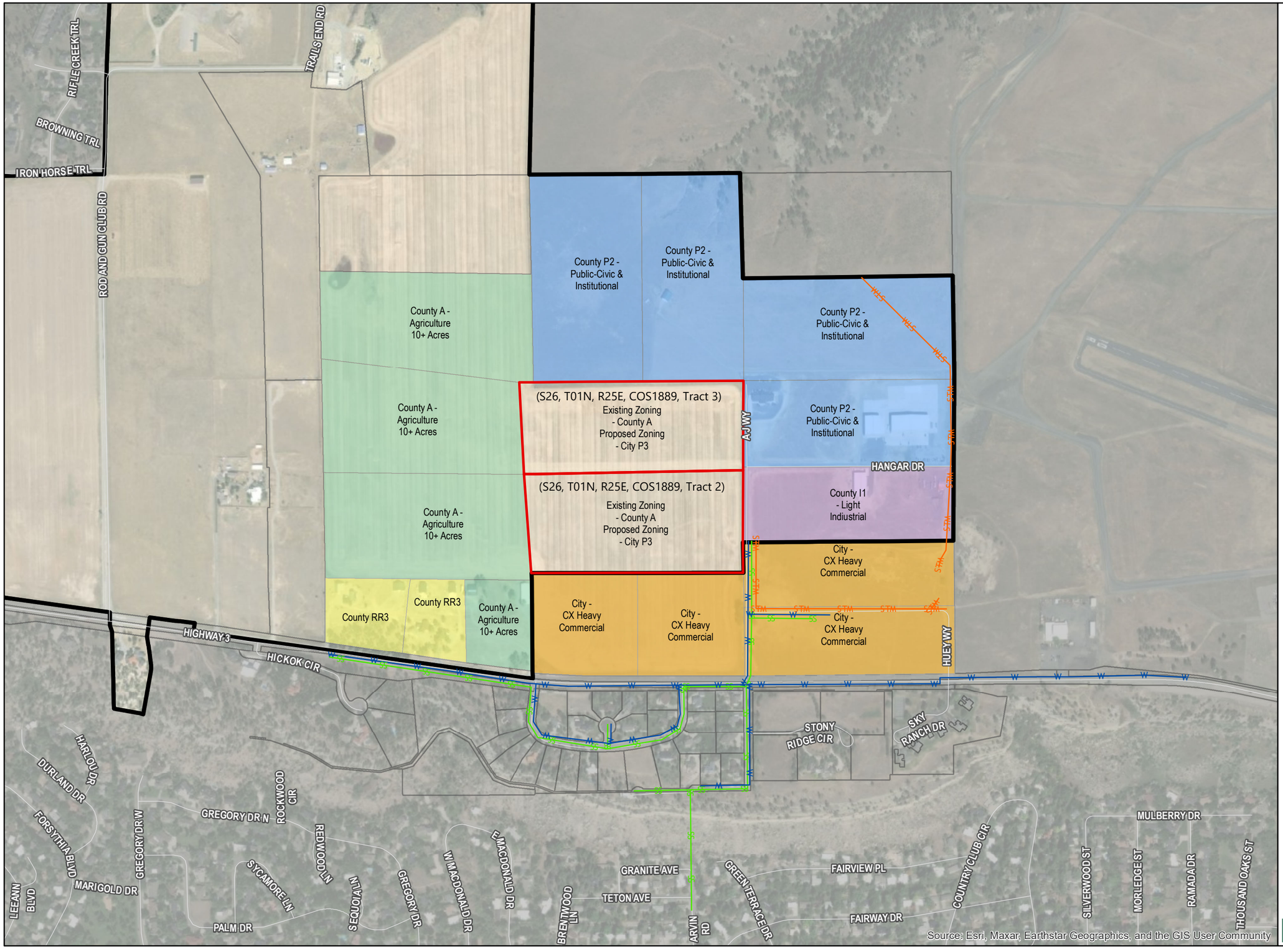
Owner Contact: Lupine Holdings LLC
421 Rimrock Road
Billings, MT 59102-1024
Contact: Erin Herringer
Email: erin@flybfs.com
Phone: (406)860-2256

MEETING SIGN-IN SHEET

Project:	Zone Change	**Meeting Date:**	3-27-2023
Facilitator:	Peter Rudd – SMA	**Place/Room:**	

Name	Title	Company	Phone	Fax	E-Mail
Kevin Moser			690-1718		moser.construction@yahoo.com
P. Vande Veegaete			406 545-0777		dvan@bresnan.net
PAUL R. SCARPARI			406 371-5301		PAUL.SCARPARI@GMAIL.COM
Barbara Ramlow			406-534-2102		erkside100@gmail.com
Howard Evans			252-3558		TrimTop1bird@gmail.com
Jim & Theresa Helus			406-245-6320		thelus@charter.net
SIMON HARPER			406 860 8912		SIMON@BRESNAN.NET
Lyle Gabrian			(406) 259-1873		lgabrian@bresnan.net
Richard King	Chair: RNTF		406 690-0776		KING55@aol.com
Alica Lahren			406. 850.8617		alahren@bresnan.net
Norma Boyd			406 865 1991		ncleveland@hotmail.com
Joe Boyd			406 860-3434		Joeboyd794@gmail.com
Michael Tuss	Resident		for 545 8972		mtussant@gmail.com
Morgan Tuss	Resident		406-698-2067		morgan.tuss@gmail.com
Jeff Biscoe	owner/President		406-839-2999		jeffbiscoe@gmail.com

Annexation Map



Legend

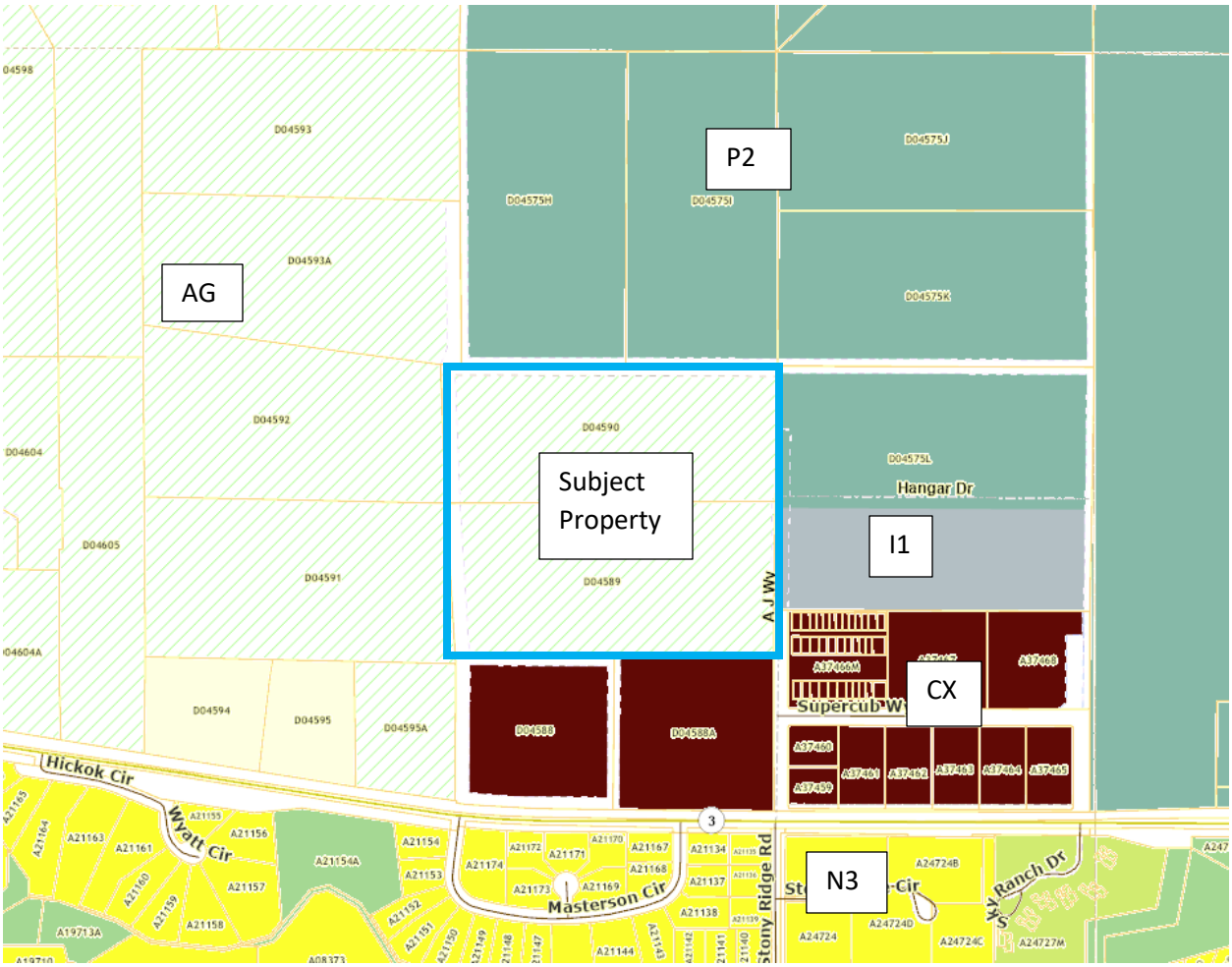
- Sewer Main
- Storm Water Main
- Water Main
- Parcels To Be Annexed
- Parcel Boundary
- City - CX Heavy Commercial
- County RR3
- County A - Agriculture 10+ Acres
- County I1 - Light Indiustrial
- County P2 - Public-Civic & Institutional
- Existing City Limits

N

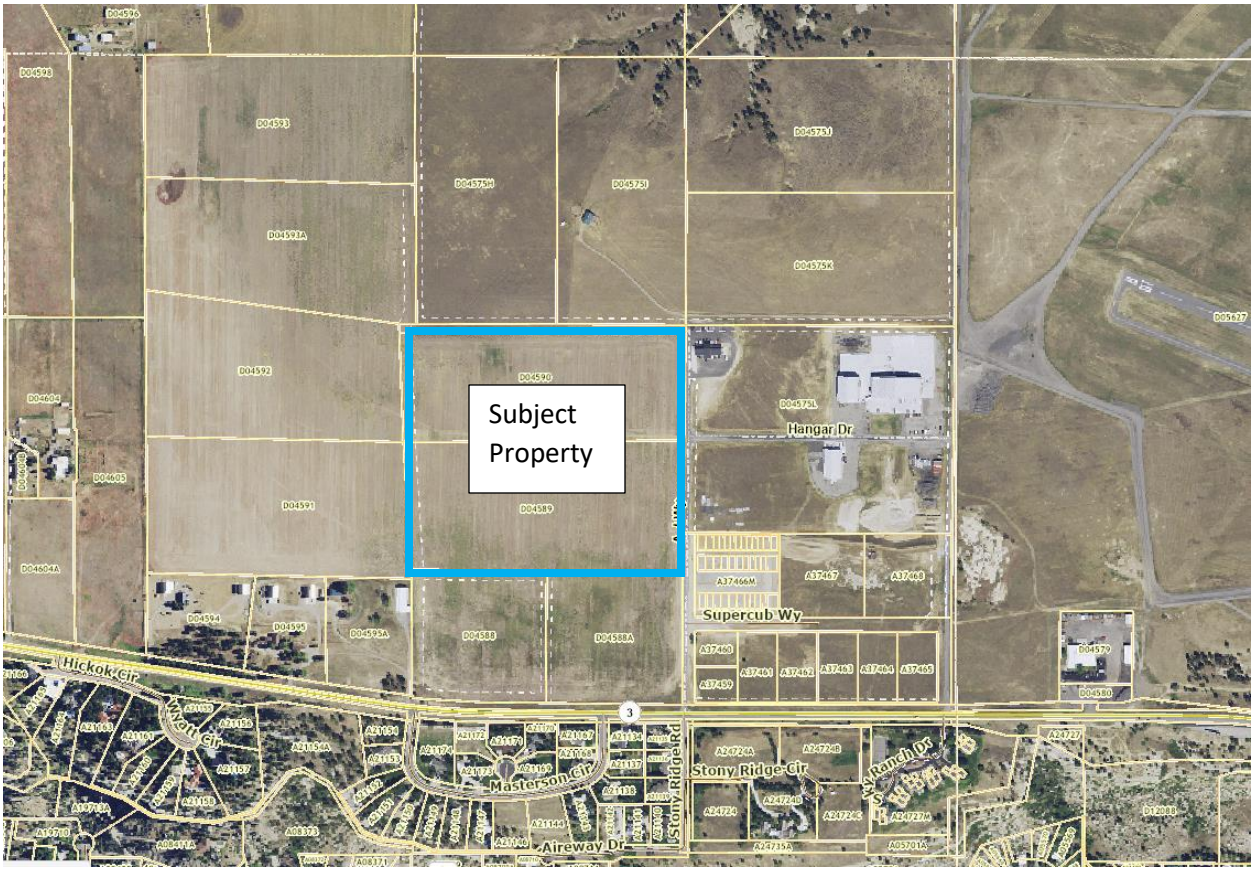
0 300 600

Feet

RPA


P2
AG
Subject Property
I1
CX
N3
Hangar Dr
Supercub W
Hickok Cir
Wyatt Cir
Masterson Cir
Stony Ridge Rd
Ranch Dr
D04593
D04575J
D04575H
D04575I
D04593A
D04575K
D04592
D04590
D04575L
D04604
D04605
D04591
D04589
D04594
D04595
D04595A
D04588
D04588A
A21154A
A21157
A21158
A21144
A24724
A24724B
A24724C
A24724D
A24727M

Zoning Map



Aerial Image



Subject Property



Looking northwest from AJ Way



Subject Property Looking South West



Looking South from AJ Way



Looking North East from AJ Way

City Zone Change 1026 – 3648 AJ Way

Chart of Zoning History

SUBJECT PROPERTY	Application	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
3648 AJ Way	NA				
SURROUNDING PROPERTY	**Application**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
2300 Block Hwy 3	County ZC 669	4/2016	A-1 to P and CI	Y	Helipad and Ancillary Aviation Businesses
Hwy 3	County ZC 676	11/2016	A-1 to HC	Y	
Hwy 3	County ZC 680	4/2017	CI to HC	Y	

Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning**: County- A- Agriculture 10+ acres

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:
   Plan to annex both parcels and change from Agriculture zoning to P3-Public-Campuses - Medical, Civic, Educational (Annexation Petition is filed separately)

3. **Subject Property Map**: please attach to this form

4. **Legal Description of Property**:
   S26, T01N, R25E, COS 1889, Tract 2

   S26, T01N, R25E, COS 1889, Tract 3

5. **Neighborhood Task Force Area**: (Yes) /// No . If Yes, Name of Task Force and mailing address of Chairperson:
   Rimrock Neighborhoods Task Force, Chairperson- Richard King (108 Sky Ranch Drive, Billings MT 59106)

6. **Roster of persons who attended the pre-application neighborhood meeting**: please attach to this form

7. **A copy of the meeting notice.** please attach to this form

8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form

9. **The undersigned affirm the following:**
   1) The pre-application neighborhood meeting was held on the 27th, day of March, 2023.
   2) The zone change application is based on materials presented at the meeting.

Owner (s): Department of Military Affairs Telephone: 406-324-3109

Address: 1956 Mt Majo Street, PO Box 4789 Email: john.w.gehring2.mil@army.mil
Fort Harrison, MT 59636-4789

Agent (s): Lee Elder (SMA) Telephone: 406-219-2216

Address: 428 E. Mendenhall St. Email: lee@sma.design
Bozeman, MT 59715

APPLICATION FORM

CITY ZONE CHANGE **Billings Zone Change #_____ - Project #** P2X-23-00065

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning: County A-Agriculture 10+ acres

Proposed Zoning: City P3- Public- Campuses -Medical, Civic, Educational

TAX ID# 81-0302402 CITY ELECTION WARD 1-after annexation

Legal Description of Property: S26, T01N, R25E, COS 1889, Tract 2 and S26, T01N, R25E, COS 1889, Tract 3

Address or General Location (If unknown, contact City Engineering): 3648 AJ Way, Billings, MT 59106 and the 20 acre parcel directly south of this address.

Size of Parcel (Area & Dimensions): 40.01 acres

Present Land-Use: Vacant- Agriculture

Proposed Land-Use: Public- Campus- MT Army National Guard -Limited Army Aviation Support Facility

Covenants or Deed Restrictions on Property: Yes_____ No__X__

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

Owner(s): The Department of Military Affairs (LTC John Gehring)
(Recorded Owner)
1956 Mt Majo Street, PO Box 4789 Fort Harrison, MT 59636-4789
(Address)
406-324-3109 john.w.gehring2.mil@army.mil
(Phone Number) (email)

Agent(s): Lee Elder (SMA)
(Name)
428 E. Mendenhall St. Bozeman, MT 59715
(Address)
406-219-2216 lee@sma.design
(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: _____ Date: 28MAR2023
(Recorded Owner)

Date Stamp

ORDINANCE 23-_____

**AN ORDINANCE OF THE CITY OF BILLINGS,
PROVIDING THE ZONE CLASSIFICATION ON C/S 1889,
TRACTS 2 AND 3**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION.** **C/S 1889, Tracts 2 and 3**, is presently zoned **Agricultural (A)** and is shown on the official zoning map within this zone.

Section 3. **ZONE DISTRICT AMENDMENT.** The official zoning map is hereby amended and the zoning for **C/S 1889, Tracts 2 and 3,** is hereby changed from **Agriculture (A)** to **Public 3 (P3)**, and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining **Public (P3)** as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 12th day of June, 2023.

PASSED, ADOPTED and APPROVED on second reading this 26th day of June, 2023.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 1026 – 3648 AJ Way

City Council Regular

Date:	06/26/2023
Title:	Zone Change 1028 - Planned Development Amendment - Hawk Creek - 2nd reading
Presented by:	Nicole Cromwell
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	PZX-23-00068

RECOMMENDATION

The Zoning Commission recommended approval of the zone change and adoption of the findings of the 10 review criteria, and further recommends the City Council include an amendment to the Planned Development which would prohibit the business from operating beyond existing hours of operation (11 pm). The PD draft ordinance was amended by Council on first reading to include a limitation on the hours of operation in Section III.A.d. The amended ordinance is attached. A second reading is required to approve the zone change. Staff recommends the City Council approve this item on second reading to be consistent with its first reading action.

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

This is a zone change request to amend an existing Planned Development (PD) zoning agreement for Lots 1-3, Block 1 of MK Subdivision, 2nd Filling. Lot 3 at 5417 Hawk Creek Avenue is the location of the Diamond X Beer Company. This location has a domestic brewery license with a taproom and a cabaret license for service of beer and wine in the food service area. The original PD agreement allowed one (1) cabaret license on the property without gaming or gambling. The proposed amendment would eliminate the cabaret beer & wine license and substitute a full-beverage liquor license and keep the prohibition on gaming or gambling in place. The other proposed changes to the PD agreement are to name the current property owners, and conform the agreement to the current and archived city zoning regulations. The owners would like to provide a wider range of before and after dinner beverages for their adult customers.

The amendment to the PD adds a use, making it necessary for the amendment to go through the zone change process. The other modifications in the agreement are minor. The previous zoning for the property - Neighborhood Commercial - did not allow any on-premise alcohol service for a restaurant and did not allow a brewery. The current corollary zone district of Neighborhood Mixed Use (NMU), allows a full-beverage license with nine or fewer gaming machines for a restaurant, but still prohibits a brewery or craft alcohol maker. The PD agreement is still necessary to provide certainty for the adjoining neighborhood to the north and to ensure the location is developed in a compatible way.

Planning staff recommended approval and adoption of the findings for the 10 review criteria to amend this PD agreement. The Zoning Commission concurred with this recommendation and findings of the 10 review criteria. The essential activity on the property will not change with the change in the type of liquor license on the property. Full beverage licensees are not required to stay open later than the current closing time for Diamond X Beer Company (11 pm) or to sell package liquor to patrons. These are choices made by a license holder but do come with the full beverage license. The brewery/taproom license will remain as a separate license and allows the brewing of beer, daily sales of beer for on-premise consumption and sales of beer to patrons for off-site consumption. A review of public safety calls for service in the last 6 months shows no calls to this location but 4 calls in the surrounding area, within 500 feet of 5417 Hawk Creek Avenue. These calls related to disturbing the peace, drugs, theft, or DUI. The DUI was reported in February of this year, and the other three calls happened in 2022. The applicant conducted a pre-application meeting on March 22, 2023, and two of the 74 surrounding owners attended the meeting. There were no concerns and the Planning Division received no letters, emails or phone calls regarding the proposed change to the Planned Development agreement.

STAKEHOLDERS

The applicant conducted a pre-application meeting on March 22, 2023, and two of the 74 notified surrounding owners came to the meeting held at the Grace Montessori School (4819 Grand Avenue). There were no concerns with the proposed change to the PD agreement. Planning staff notified the same surrounding owners on April 14, 2023, posted the property and published a legal ad. Planning staff had not received any communications regarding the application from the public or from other city departments prior to the Zoning Commission hearing.

Zoning Commission Hearing May 2, 2023
The Zoning Commission conducted a public hearing on May 2, 2023, and received the staff recommendation and testimony from the applicant's agent, Performance Engineering, and from the owner Ty Schmechel of Diamond X Beer Company. In addition, testimony from surrounding owners in the Cottonwood Grove Subdivision to north was received including from Kaitlin Taylor of 5408 Round Stone Avenue, Jill Saitta of 5422 Round Stone Avenue, Molly Dutson of 5418 Round Stone Avenue, and Travis Brewington of 5426 Round Stone Avenue.

The applicant and agent stated the change to the PD is to swap out a beer & wine license for an all beverage license but keep the other restrictions in the PD agreement in place including the prohibition on gaming or gambling. Mr. Aspenlieder stated the business does not participate in the annual outdoor concert held by the Den, but at the pre-application meeting the two attendees were most concerned with this activity. Mr. Aspenlieder stated the business is a good neighbor and has address any and all concerns brought forward by the neighbors. Mr. Schmechel stated they do not intend to change any of the format of the business or add on to the existing building. He stated the business has been very successful at this location and intends to keep the family-friendly atmosphere going even with the change in the alcohol license. He stated when the building was constructed they adhered to the stipulations of the PD agreement and will continue to do so.

The surrounding property owner testimony was largely opposed to the zoning request. The individuals listed above who testified expressed concern regarding the noise, suspicious activity, damage to the fencing from erratic driving in the overflow parking lot, people tossing trash over the fence into backyards, over-served patrons causing issues after closing times, staff making noise in the parking lot after hours, public urination and issues generally associated with a business that serves alcohol. The neighbors' concerns also focused on a potential change in the business model from a limited alcohol service and restaurant to more of a bar atmosphere that closes at 2 am. The four property owners all own lots that are directly adjacent to the north property line of Diamond X Beer Company.

Mr. Aspenlieder provided response to the testimony from the surrounding owners. He stated the company takes these concerns seriously and the owner will have discussion about these issues with the neighbors. He stated Mr. Schmechel and his employees are always open to discussing issues or concerns with the neighbors. He stated the issues voiced by the neighbors are valid and stated the owner has no intention of changing the business model or staying open later.

Zoning Commission member David Goss made a motion to recommend approval of the zone change and adoption of the findings of the 10 review criteria, and further recommending the City Council include an amendment which prohibits the business from operating beyond existing hours of operation. Mr. Goss also made a recommendation to the applicant to explore with the neighbors a better buffer yard along the north property line. The motion was seconded by Zoning Commission member Trina White and was approved on a unanimous vote.

City Council Hearing June 12, 2023
The City Council received the Zoning Commission report as presented by Planning staff at the first reading hearing on June 12, 2023. Council members asked questions to clarify the Zoning Commission recommendation. The owner and agent also presented testimony to the City Council on the requested change to the Planned Development document to allow a full-beverage license. The applicant had no objection to including the limitation of operational hours. Questions from the Council included information about future use of the property for a casino or other less compatible uses. The Council and Mayor debated the issue of additional landscaping or screening for the north property line. The planted buffer yard between the building and the neighborhood properties does have young trees including evergreen trees. The gravel parking to the west of the building does not have similar plantings. This area has deciduous trees spaced about 50 feet apart.

The owner, Ty Schmechel, and agent, Scott Aspenlieder, provided testimony about the current business and the request to swap a beer and wine license for a full beverage license. Mr. Aspenlieder stated they removed the former subsection III.A.d that stated all outdoor activity ceases at 9 pm since the issue of people sitting out on the patio while it is still nice outside in the summer. He stated they are willing to accept the limitation on hours of all operations closing at 11 pm, but would like to use the full facility during the summer months including the outdoor patio. Mr. Aspenlieder stated there is a well planted buffer yard to the north of building, however but the trees are young and not yet to a mature height. When the landscape matures the buffering and screening will improve.

Ty Schmechel, co-owner of the Diamond X Beer Company, stated the change is a simple change and will not fundamentally change the business model they have adopted. This is a family-friendly restaurant and destination. The building and development plan was deliberate, fits with the agrarian heritage of the West End, with full consideration for the closest neighbors. We have an open-door policy with our neighbors. The business is a giving organization that has given more than $10,000 to local non-profits including organizations that support kids. We have taken action based on the neighbor concerns expressed at the Zoning Commission hearing. They intend to buy a full beverage license without any gaming. We have reached out to our vendors and the City Solid Waste about the noise early or

late during the day for activity north of the building. He stated they are taking management staff to deal with these issues. Mr. Schmechel also said the business would be fine with adding some more trees to the area north of the gravel parking lot similar to what they already planted north of the building.

Sean Graves, co-owner of Diamond X Beer Company, stated the goal of the business is to provide a family friendly space, where people can come and create memories and give back to the community. The only change is to the type of adult beverages we can serve. This license would also allow us to serve earlier for brunch on the weekends. Our business has been operating since 1994 downtown and here in the West End since 2020.

Tyler Patenaude of 3121 Forbes Blvd, Simon Harris of 2311 Kings Drive, Wesley Dunn of 832 Dorothy Lane, Bryce Pedersen of 539 Wyoming, Jessie Gleason of 1042 Nutter Blvd, Jordan Roberts of 3939 Palisades Park Dr, Jeff McClain of 601 Pryor Creek Road, Dustin Brown of 3304 Tahoe, Tyson Adams, of 4513 San Fernando Drive and Kevin Barth 501 S 44th St W, all testified in favor of the zone change and in support of the Diamond X Beer Company.

Council member Purinton made a motion to approve the request on first reading. The motion was seconded by Council member Tidswell. An amendment to the motion was made to include limting the hours of operation to 11 pm by Council member Boyett. The amendment was seconded by Council member Rupsis and was approved on an 11 to 0 vote. A second amendment to the motion was made by Council member Neese to include a limitation on outdoor activity (the patio) to 10 pm. The motion was seconded by Council member Boyett. This motion failed on a 4 in favor and 7 opposed vote. A third amendment to the motion was offered by Mayor Cole to include language that the buffer yard north of the gravel parking lot be improved with more trees. The motion was seconded by Council member Boyett. This third amendment failed on a 3 in favor and 8 opposed vote.
A final vote on the amended main motion passed on a 10 in favor and 1 opposed vote. Council member Neese voted no.

ALTERNATIVES

The City Council may:

- Approve and adopt the findings of the ten review criteria for Zone Change 1028 as recommended by the Zoning Commission; or,
- Deny and adopt different findings of the ten review criteria for Zone Change 1028; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

Staff recommends the City Council approve the zone change on second reading. Any other action would be inconsistent with first reading action.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Before making a decision on the requested zone change, the City Council shall consider the following recommended findings of the 10 review criteria.

1. Is the new zoning designed in accordance with the Growth Policy?
The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy and the West Billings Neighborhood Plan (2001):
The West Billings Neighborhood Plan goals and objectives stated the need to locate compatible uses and offer neighborhood services in proximity to developed neighborhoods. The West Billings Plan adopted a number of Goals, Policies, and Implementation Strategies. The proposed amendments to the Planned Development agreement are consistent with the following adopted Policies of Planned Growth Goal 1: Establish Development Patterns that Use Land More Efficiently
Policy A - "Shorten automobile trips by locating non-industrial commercial development in proximity to residential areas."
Policy B - "Limit neighborhood commercial centers to compact "commercial villages" of approximately 15 to 20 acres in size."
Policy N - "Subdivision review should encourage mixed-use development and PUD concepts and shall consider the proximity of housing to commercial, medical, and recreational facilities."
The proposed adjustments to the PD agreement are compatible with goals of the West Billings Neighborhood Plan. The proposed amendment will accommodate uses that are compatible in a mixed-use environment. The proposed development will also have good access to outdoor activities and is close to developed and developing residential neighborhoods and pedestrian facilities. There have been no reported compatibility issues with the existing

brewery/restaurant and the adjacent neighborhood.

The proposed amendment is also in line with the adopted 2016 Growth Policy goals for:
Community Fabric:

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive street-scapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive street-scapes provide a pleasant and calming travel experience in urban and suburban neighborhoods

Strong Neighborhoods:

- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction

Mobility and Access:

- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings

Prosperity:

- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

The proposed change to the PD agreement will allow this successful business to expand its adult beverage choices and help grow the business in its current location. The business does generate vehicle traffic but the streets within this commercial node at 54th St W and Grand Avenue are private streets. There are two accesses - one from Grand Avenue (Chy Way) and one from 54th St West (Hawk Creek Avenue). A third access will be developed when the lot at the corner of Grand and 54th St W is developed. There is a 25 ft wide landscape buffer along the north property line for these lots and the lot to the east created with the MK subdivision. The PD does not specify a walking path or trail through this area however one has been provided to the north of Diamond X Beer Company (Lot 3). This path will continue to the west across Lots 1 and 2. The lot to the east, Lot 5 in MK Sub 1st Filing, is currently vacant and may or may not complete this paved walkway to the join with the multi-use path that exists on the west side of 54th St W.

2. Is the new zoning designed to secure from fire and other dangers?
The zoning requires minimum setbacks, open and landscaped areas and building separations. The zoning change to allow one full-beverage license will not affect security from fire or other dangers. Any building where alcohol is served is required to be fully sprinkled and there is good access to the property from streets. Fire Station 7 is less than 1,000 feet away on the east side of 54th St W.

3. Whether the new zoning will promote public health, public safety and general welfare?
Public health and public safety will not be affected by the proposed change. The business is fully developed and has a track record of responsible service to their customers and to compatibility with the adjacent neighborhood. The addition of a full-beverage license will not affect the public health, safety or general welfare.

4. Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?
Transportation: The city has reviewed a traffic study for the entire subdivision and proposed uses. The developer has already contributed the required amount for traffic management in the area.
Water and Sewer: The City provides water and sewer to the property. There will be no additional impacts to the system from the proposed change.
Schools and Parks: Schools and parks will not be effected by the proposed amendment. The business is a "family friendly" business and is more than 1/4-mile from Ben Steele Middle School
Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

5. Will the new zoning provide adequate light and air?
The existing PD zoning provides for sufficient setbacks to allow for adequate separation between structures and

adequate light and air.

6. Will the new zoning effect motorized and non-motorized transportation?
Non-motorized travel -- walking and biking -- is an essential part of the circulation plan for this area of West Billings. The existing development plans to provide a continuous walkway in the 25-foot landscape buffer to the north. It is expected any development on Lot 5 to the east will follow suit and connect to the existing multi-use trail on 54th St West. There is a traffic signal at 54th St W and Grand Avenue where people on foot or on non-motorized bikes and scooters can safely cross Grand Avenue and 54th St W. The city, county and state will be working on a set of corridor improvement projects for Grand Avenue from just west of Shiloh Road to the intersection with 62nd St West. Traffic counts in the area on Grand Avenue are about 9,000 vehicle trips per day (3-year average) and about 3,900 vehicle trips per day on 54th St W. The new Albertson's store opening just to the east, as well as new residential development in the area will add to traffic volume and the need for safe pedestrian facilities.

7. Will the new zoning promote compatible urban growth?
The proposed addition of a full-beverage license to this development is compatible with urban growth and the provision of city level services to the new residents. The PD prohibits gaming or gambling on the property so the typical concern with a full-beverage license of a casino is not possible on this property.

8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
The proposed PD amendment does consider the character of the district and the suitability of the property for the proposed use. This area between Grand Avenue and Rimrock Road is undergoing rapid development compared to other areas of West Billings. The demand for local services such as groceries, pharmacy, personal services and places to relax and dine out is increasing. Providing the whole complement of these services close to where people live in West Billings will help reduce longer vehicle trips to obtain these services. Most West Billings residents do not have convenient access to these services within 2 or 3 miles of where they live. Consequently, traffic volumes on local streets and arterials is higher in this area compared to similar areas of more compact development.

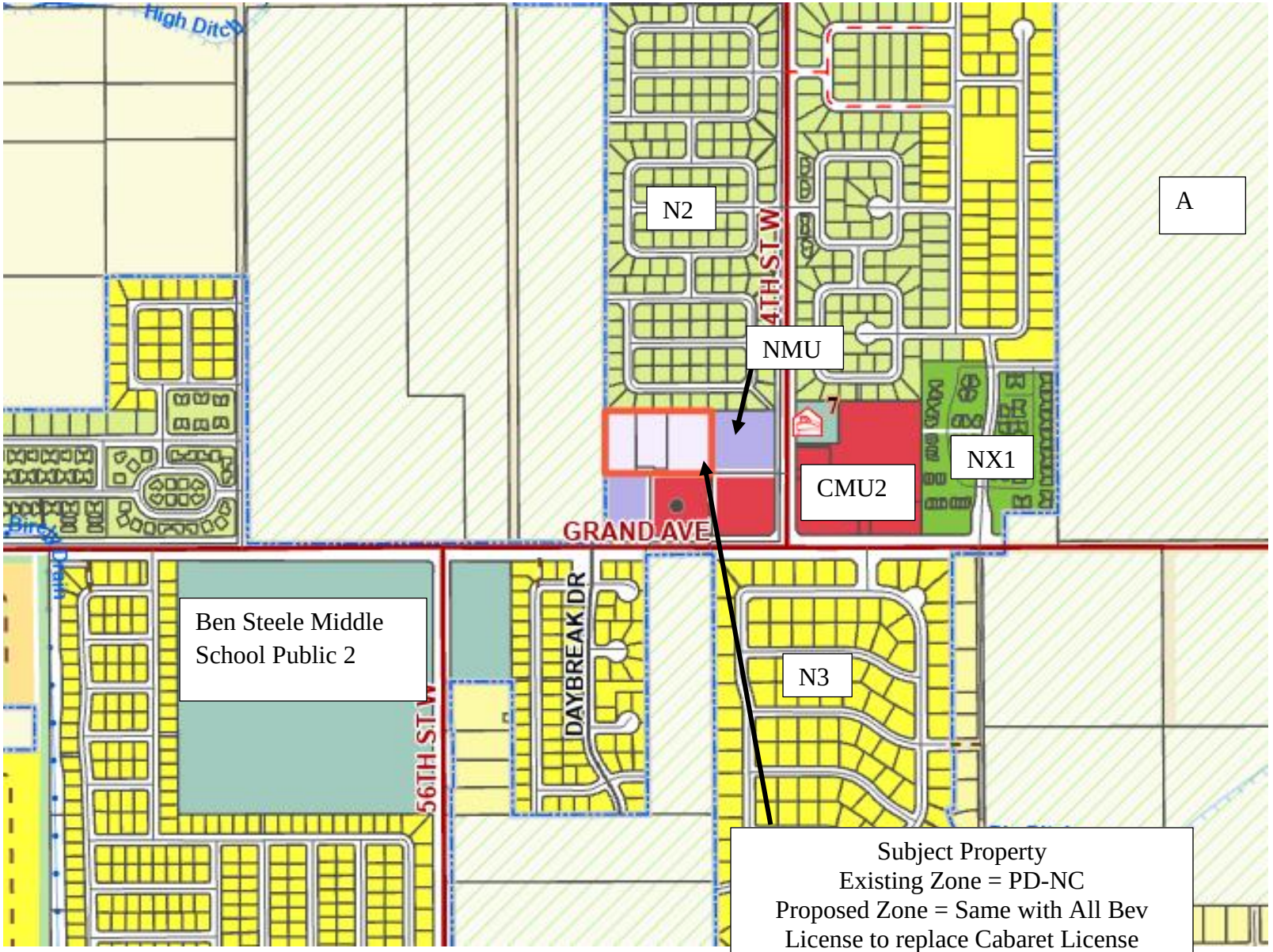
9. Will the new zoning conserve the value of buildings?
The property is a combination of developed and undeveloped parcels. Approval of the zone change to amend the PD agreement will continue to provide certainty to surrounding landowners and may help to maintain property values of adjacent buildings.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?
The proposed amendment to the PD may encourage the most appropriate use of this land in Billings.

Attachments

Zoning Map and Site Photos
Chart of Zoning History
Application and Letter
Preapplication meeting materials
Amended PD agreement
Original PD Agreement
Ordinance 1028 updated for 2nd reading

City Zone Change 1028 – Hawk Creeek PD Amendment
Zoning Map and Site Photos





Subject Property



Subject Property north west of intersection of Hawk Creek Lane and Chy Way



View of west side of Diamond X Brewery and Restaurant (Lot 3)



View north east at Diamond X Brewery



View south east to The Den



View south and west towards Grand Avenue



5417 Hawk Creek Lane – Diamond X

City Zone Change 1028 – Hawk Creek Planned Development
Chart of Zoning History

SUBJECT PROPERTY	Application	DATE	FOR	APPROVED (Y/N)	ADDITIONAL DATA
MK Sub, Block 1, Lts 1-3	971	1/14/2019	NC to PD-NC	Yes	Original PD
SURROUNDING PROPERTY	**Application**	**DATE**	**FOR**	**APPROVED (Y/N)**	**ADDITIONAL DATA**
MK Sub	City ZC 798	2/26/2007	A to NC & CC	Y	CMU2 & NMU
1411 Chy Way	City ZC 925	10/14/2014	NC to CC	Y	CMU2- The Den
1411 Chy Way	City SR 958	11/27/2017	Allow All Bev & Casino	Y	CMU2 -The Den
Cottonwood Grove	City ZC 734	2/28/2005	A to R-70 (now N2)	Y	Now N2
Daybreak Sub	City ZC 920	6/9/2014	A to R-60 (now N3)	Y	Now N3
Coal Creek Sub	City ZC 961	1/22/2018	RP to CC (expansion)	Y	CMU2, NO & N2
Coal Creek Sub	City ZC 767	11/17/2005	R-96 to RMF, RP and CC	Y	CMU2, NO & N2
Bishop Fox	City ZC 756	5/9/2005	A to CC, P, R-70 and R-96	Yes	Now CMU2, P2 & N2
Buffalo Crossing	City ZC 1011	4/11/2022	RR3 to N3, N2 NX2 and P1	Y	C/S 2735 Tract 4A
Mont Vista	City ZC 851	7/13/2009	R-96 to PD multiple zones	Y	
Grand Peaks Sub	City ZC 938	8/24/2015	R-96 to R-70	Y	Now N3 & N2
Sweetgrass Creek	City ZC 998	10/11/2021	A to to N1, N2, N3, NX1 and P1	Y	Sweetgrass Creek Subdivision
Foxtail Village	City ZC 729	5/10/2004	A to R-96 & R-70	Y	Now N3 & N2
Trails West	City ZC 847	10/14/2008	R-96 to R-60-R	Y	Now N3
Tule Ridge	County ZC 667	12/29/2015	R-96 to CC	Y	Now CMU1
Vintage Estates	None	1/10/2005	A to R-96 default	Y	Now N3

APPLICATION FORM

CITY ZONE CHANGE **Billings Zone Change #_____ - Project #22-171**

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning: PD- Neighborhood Commercial with the allowance of one cabaret license and one brewery/taproom license

Proposed Zoning: PD-Neighborhood Commercial with the allowance of one brewery/taproom license and one full liquor license.

Tax ID # A31805F CITY ELECTION WARD # WARD IV

Legal Description of Property: MK Sub 2nd Filing, Section 31, Township 01N, Range 25E, Block 1, Lot 3

Address or General Location (If unknown, contact County Public Works): Grand Avenue & 54th Street West

Size of Parcel (Area & Dimensions): 1.5 ACRES (305 FT X 214 FT)

Present Land-Use: Commercial

Proposed Land-Use: Commercial

Covenants or Deed Restriction on Property: Yes X No _____

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application

Owner(s): Arrowhead Investments Corporation
(Recorded Owner)
115 N Broadway Suite 200, Billings, MT, 59101
(Address)
406-855-6884 tyschmechel@gmail.com
(Phone Number) (Email)

Agent(s): Scott Aspenlieder
(Name)
608 N 29th Street, Billings, MT, 59101
(Address)
406-384-0080 scott@performance-ec.com
(Phone Number) (Email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: _____ Date: 03/30/23
(Recorded Owner)

1. Explain how the proposal is consistent with the goals and policies of the adopted Growth Policy or West End Neighborhood Plan.

The tract of interest is currently zoned Planned-Development Neighborhood Commercial functionally operating at Diamond X Beer Company. There are several Growth Policy goals that are already being met by the current zoning to which the change proposed would only enhance for the surrounding residents.

Essential Investments – With the facility already constructed and operational, the proposed change to allow for full-beverage service does not change the site or building. The applicants have invested significantly in the neighborhood with a building and business that has added value to the surrounding areas while starting to provide necessary neighborhood dining and entertainment to the surrounding region. The site is accessible, friendly and safe for the area and provides a diversity in serve and choices from other businesses in the direct area. The facility will not change physically with the proposed zone change, only operations will change with the insertion of a full-beverage license to the building. The existing site is clean, well-lit, maintained and fits in the character of the neighboring development, not sticking out or detracting from the value of these properties.

Place Making – The existing facility is connected to a local multi-use trail system within the development which will continue to expand with neighboring developments. The business has sourced locally when possible and become a local west-end hang out for those that live in the west end of Billings. The proposed zone change will only enhance the ability of the business to a permanent staple for residents in the area to frequent, making it a permanent neighborhood hangout.

Community Fabric – The existing facility was built with the landscape and heritage of Billings in mind with a barn style look and unique landscaping to ensure the building fit the area and neighborhood. The facility offers indoor and outdoor dining and entertainment experiences during operational hours which align with the desires of local residents, particularly during the summer with an open patio and yard games. The business has catered to locals and neighboring residents to build a strong following as evidence by the waiting lines to get in on most evenings. The proposed zone change will not change or modify the building it would only allow the business to better meet the growing demands and requests of its customers and local residents.

Strong Neighborhoods – The existing facility and business provides for the foundation of a strong neighborhood with community services and a walkable place to dine and find entertainment. The surrounding neighborhoods have benefited from having dining and entertainment establishments within the area, reducing the need to travel into town for the same service. The facility is walkable for five neighboring residential developments, hitting a core tenant of strong neighborhoods. The proposed zone change will not change but only enhance the services and choices for the neighborhood.

Home Base – Although the existing business and facility does not provide housing options it does facilitate further development in the area by providing necessary neighborhood services and entertainment. The business serves as the local hangout and restaurant for many in the surrounding neighborhoods. The proposed zone change would allow for a full-beverage service to better meet the demands and accommodate the neighbors in the area.

Mobility and Access – The business and facility is connected to sidewalks and trails within its development and is fully bikeable and walkable for the neighboring developments. Bike racks are prominently placed in the facility to encourage different modes of transportation to visit the facility. All efforts have been made to encourage outdoors experience and different transportation to visit the facility. The proposed zone change does not change anything to impact, positive or negative, the access and encouragement of alternative transportation methods to the site. No changes to the site layout or building are requested or planned.

Prosperity – The facility and business have provided local jobs that vary from brewmaster and chef to server and facility maintenance which supports the City overall. Additionally, the investment has created a large taxable business on a previously undeveloped tract which helps support the City budget and revenue. The business currently creates a foundation for additional business attraction to the current development by bringing a large customer base to the area. The proposed zone change only further enhances the applicant's ability to serve the existing client base through the expansion of a full-beverage license.

2. Explain how the application meets the 10 statutory criteria for a zone change.

1 – The new zoning does not in fact change the existing base zoning of the area nor does it change the type of business or operation able to locate at the site. The PD change request specifically allows for use of a full-beverage license in the existing building. There can still be no gaming on the site and no additional changes are being requested.

2 – The new zoning does not in fact change the existing base zoning nor does it change the existing construction on the lot. The site has been built out to be secure from fire and other dangers and previously approved by the Billings Fire Department.

3 – The new zoning does not change the existing facility, layout or site as it is constructed. The proposed changes could allow for a change in hours of operation but no change will occur to the site or facilities. The business will continue to provide diversity in jobs, services, and entertainment which benefit the general welfare of the City.

4 – The new zoning does not in fact change the base zoning nor will the proposed change facilitate a physical change to the existing facility. With that all said, the existing site facilitates adequate provision for transportation, public utilities, parks and schools. No change will result from the proposed zone change.

5 – The new zoning does not in fact change the base zoning nor will the proposed change facilitate a physical change to the existing facility. The existing building and operations meets all current City of Billings zoning regulations and codes to facilitate proper light and air for the surrounding area.

6 – The new zoning does not in fact change the base zoning nor will the proposed change facilitate a physical change to the site or transportation networks of the area. The zone change will only allow for the business to better meet the needs and demands of the customer base and residents in the area.

7 – The new zoning does not in fact change the base zoning but only allows for full-beverage services under a liquor license. The existing facility has helped facilitate a growing area in our community by providing necessary food, beverage and entertainment services which were not available to the area before. These services are necessary in urban growth of our community

and the continued development of the Billings West End. The proposed change will allow the business to continue to meet the needs and requirements of the customer base while adding value to the neighborhood.

8 – The new zoning does not in fact change the base zoning which was already in place and deemed suitable for the particular uses in place and facility constructed. The proposed change will only allow for full-beverage service under a liquor license and will not allow for gaming on the site. There will be minimal to no net change realized by the surrounding properties.

9 – The new zoning does not in fact change the base zoning nor will it change the existing building on the lot. The proposed zoning will only allow for expanded full beverage service. The existing building was built with the character of the West End in mind with a nod to our agricultural heritage. The building is very aesthetically pleasing, maintained and landscaped to fit and add value to the surrounding area.

10 – The new zoning will certainly encourage the most appropriate use of land in Billings. The proposed change will not create a physical change to the existing site, only allowing for expansion of full beverage service, therefore preserving and enhancing an existing successful business.

3. Explain how the new zoning will fit in with the existing zoning and land uses of the immediate area.

The proposed zoning currently allows the restaurant and taproom facility to sell beer and wine, along with their cabaret license that allows the sale of beer and wine. The proposed zone change would allow for full-beverage service within the existing facility, which it is incapable of doing with the current PD for the lot. Since the current facility is already operational and has been for over a year, the change in zoning will not negatively impact the surrounding area and will provide more opportunities for entertainment for the neighboring residents. No physical changes are being proposed for the site or the building currently housing Diamond X Beer Company. The proposed changes still does not allow for gaming to be located in the facility or on the lot.

Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning**: Planned Development Neighborhood Commercial with one (1) brewery/taproom and one (1) cabaret license.

2. **Written description of the Zone Change Plan** including a square footage or acres of proposed new zoning: The zoning proposal will change 1.5 acres of developed land, with a restaurant located on the lot with one(1) brewery/taproom and one (1) cabaret license to also include one (1) full liquor license.

3. **Subject Property Map**: See Attachments

4. **Legal Description of Property**: MK Sub, Second Filing, S31, T01 N, R25 E, Block 1, Lot 3

5. **Neighborhood Task Force:** West End Task Force comments not received as of submittal

6. **Roster of persons who attended the pre-application neighborhood meeting**: See Attachments

7. **A copy of the meeting notice**: See Attachments

8. **A brief synopsis of the meeting results**: See Attachments

9. **The undersigned affirm the following**:

    1) The pre-application neighborhood meeting was held on the 22nd, day of March, 2023.
    2) The zone change application is based on materials presented at the meeting.

Owner (s): Arrowhead Investment Corporation Telephone: 406-855-6884

Address: 115 N Broadway, Suite 200 Email: tyschmechel@gmail.com

Billings, MT 59101

Agent (s): Scott Aspenlieder Telephone: 406-384-0080

Address: 608 N 29th Street Email: scott@performance-ec.com

Billings, MT 59101

PERFORMANCE ENGINEERING
608 North 29th Street, • Billings, MT 59101 • (406) 384-0080

March 13, 2022

Dear Interested West-End Neighbor:

On behalf of Arrowhead Investment Corporation, Performance Engineering, LLC, is writing to inform you of a zoning pre-application neighborhood meeting being held on **Wednesday, March 22nd,** at **6:00 p.m.** at **Grace Montessori Academy** located at **4809 Grand Avenue in Billings**. The meeting is being held to discuss a modification to the zoning criteria of a neighboring property. You are receiving this notification as your property is located within 600-ft of the proposed zoning modification as required by the County Zoning Code. The owner is requesting that the property shown on the attached exhibit and described below be re-zoned to accommodate future development:

Block 1 of Lot 3 of the MK Subdivision 2nd Filing in Section 31, Township 1 North, Range 25 East in Yellowstone County totaling 1.5 acres.

The intent of the meeting is to make neighboring property owners aware of the proposed zoning change for the subject property and to answer questions about the project. The property is currently zoned as **Planned Development Neighborhood Commercial (PD-NC)** with the exception of the allowance of one (1) microbrewery/taproom and one (1) cabaret license. The zoning proposal to be presented to Yellowstone County will be to maintain the zoning of the land described above as **Planned Development Neighborhood Commercial (PD-NC)** with the exception of the allowance of one (1) microbrewery/taproom, one (1) cabaret license and one (1) full liquor license. A total of 1.5 acres is included in the proposed zoning criteria modification. Below is the definition for **Neighborhood Commercial (NC)** zoning as stated in the *Unified Zoning Regulations* for Yellowstone County.

"Neighborhood Commercial (NC): A zone for commercial centers and limited retail activities conducted in a unified development designed to serve the surrounding neighborhood with shopping facilities consisting of convenience retail and personal service establishments which secure their principal trade by supplying the daily needs of the neighboring population. Only uses serving the above purpose without undue detriment to surrounding residences should be permitted."

By way of a Planned Development, the existing **Planned Development Neighborhood Commercial (PD-NC)** zoning will be modified to allow one (1) microbrewery/taproom, one (1) cabaret license and one (1) full liquor license.

Performance Engineering, LLC acting as representatives for the owners will be present at the meeting to answer questions from those who attend. For those unable to attend the meeting, written letters can be directed to Performance Engineering at 608 N 29th Street, Billings, MT 59101, attention Scott Aspenlieder, or emails may be sent to scott@performance-ec.com. We look forward to discussing the proposed zoning modification with you and hope to see you on March 22nd.

Sincerely,

Scott Aspenlieder, P.E.
Principal

PERFORMANCE ENGINEERING

Diamond X PUD Zone Change Neighborhood Meeting

Wednesday, March 22, 2023

NAME	ADDRESS	Email
Gary Theisen	5325 Merlot Ln	gary+2020@gmail.com
Mark Oken	5425 Stream Stone Ave	brassius662@gmail

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59101

PLANNED DEVELOPMENT AGREEMENT

LOTS 1-3, BLOCK 1, MK SUBDIVISION, SECOND FILING IN THE CITY OF BILLINGS, MONTANA

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between **Arrowhead Investment Corporation,** whose address for the purpose of this agreement is 115 North Broadway, Suite 200, Billings, MT 59101, hereinafter referred to as "Owner," and **City of Billings,** Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the Owner owns approximately 3.6 acres of real property in Billings, Montana specifically described as Lots 1-3, Block 1 of the MK Subdivision, Second Filing. The foregoing property shall be known as "Hawk Creek Planned Development," or a related name that may be assigned later.

WHEREAS, the Hawk Creek Planned Development will consist of a mixture of commercial, retail, professional, medical and related uses.

WHEREAS, the Owner desires to place certain building and use restrictions on the property, specify certain land uses, and create a pattern of development that promotes community service, economic activity, convenience, and amenity for the Hawk Creek Planned Development and surrounding neighborhoods.

WHEREAS, the aforesaid Owner and the City desire to ensure the Hawk Creek Planned Development will be developed and maintained consistent with the standards described in this agreement.

THEREFORE, the undersigned hereby establish and declare the following plan for the Hawk Creek Planned Development as set forth herein, which shall apply to all of the real estate described hereinabove, shall bind all of the present and future property owners to such real estate, and shall run with the land.

AGREEMENT

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporations, or other entities, who shall hereafter acquire any interest in and to the above described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the Zoning Regulations for the City of Billings shall be followed for the type of use within each of the areas described herein.

A. Restricted Uses for Underlying City Zone: Neighborhood Commercial – NC

No land may be used for purposes that include gaming (casinos) or adult entertainment or sexually oriented businesses. No variances or special review approvals may be requested or granted for those businesses.

All allowed land uses as outlined within the City of Billings Zoning regulations for the underlying zone shall be allowed within the Planned Development**,** with the following exceptions:

Exceptions (uses not allowed):

Division A: Agriculture, Forestry, and Fishing
Group 07 – Agricultural Services
- Veterinary services for Animal specialties – Outpatient Only

Division B: Mining
- Construction sand and gravel mining (1442)

Division D: Manufacturing
Group 20 – Food and Kindred Products
- All sub-groups except offices

Division E: Transportation, Communications, Electric, Gas and Sanitary Sewer
Group 46 – Pipelines, except natural gas
Group 48 – Communications
- All uses except offices

Group 48 – Commercial Antenna Support Structures
Group 49 – Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division G: Retail Trade
Group 54 – Food Stores
- Convenience Store with Gas Pump Islands

Group 55 – Automotive Dealers and Gasoline Service Stations
- All uses

Division I: Services
Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places
- Rooming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)

Group 72 – Personal Services
- Coin-operated laundries and dry cleaning (7215)
- Funeral service and crematories (726)

Group 75 – Automotive Repair, Services, & Parking
- Automobile parking (752)

Division K: Non-Classifiable Establishments
Dwellings – Modular Homes

Allowances:

The subject property shall be allowed use of one (1) full beverage liquor license and one (1) brewing/taproom license. Subsequent subdivision of the subject parcel shall not increase the number of licenses allow for use within the Planned Development.

III. OPERATIONAL RESTRICTIONS – Alcoholic Beverage Manufacturing and Full Beverage Liquor License

The Developer and City recognize the sensitive location of the Hawk Creek Planned Development and the need to include specific operational restrictions and site requirements not normally required for the uses listed above.

A. Developer Agrees to the Following:

a. Any outdoor seating areas associated with the brewing/taproom or full beverage liquor license operations shall be located on either the east, west or south elevations of the structures. Under no circumstances shall seating areas with either taproom or full beverage liquor license operation be located off the north elevation of the structure(s).

b. Any seating area outside of any enclosed building for use by the patrons of the alcoholic beverage manufacturer or full beverage liquor license operation shall have a fence installed at least 42-inches in height enclosing the outdoor area. There shall be no entry to the outdoor seating area for patrons except through the operating building.

c. Any music or entertainment, including any permanent or temporary speakers, outside of an enclosed building shall only be installed/located along the western or southern elevations of the structure.

d. Operating hours for the taproom and full beverage liquor license shall be dictated by Montana State Law outlined in the MCA 16.3.2 and MCA 16.4.1, respectively.

IV. SIGNAGE AND LIGHTING

The intent of signage and lighting design regulation is to encourage the use of signage and lighting as a design component to enhance buildings, landscaping, or other site features while not detracting from the aesthetics of adjacent neighborhoods. Developers should encourage night sky's visibility to reduce the general illumination of the sky in the surrounding area. Design elements should reduce horizontal light glare and vertical light trespass from a development site onto adjacent parcels. Developers should encourage the judicious use of lighting in conjunction with other security methods to increase site safety.

A. Signage

a. Signage should be provided in accordance with the PDA, with the intent to compliment the pedestrian-oriented environment. The signage requirements included in Article 27-700 of the 2021 Archived Zoning Regulations and any subsequent amendments thereto shall govern the regulation of signage in Hawk Creek Planned Development so far as they are not inconsistent with the Planned Development Agreement and the below standards.

b. All signs shall comply with the design guidelines below:

- **i.** All signs, except for neighborhood identification signs, shall be placed flat against a building or designed as part of an architectural feature thereof.
- **ii.** No electronic message displays or signs are allowed.
- **iii.** No neon signs are allowed.
- **iv.** No balloon signs as defined by the 2021Archived Zoning Code are allowed.
- **v.** No string of pennants, flags, or other similar types of non-informative non-holiday decorations are allowed.
- **vi.** One (1) free-standing sign is allowed indicating the name and/or nature of the occupancy for each developed parcel/tenant. Signs may not exceed fifteen (15) feet in height and fifteen (15) feet in width.

vii. No rooftop signs are allowed.

B. Exterior Lighting

- **a.** Developers shall provide adequate lighting levels in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, and circulations areas.
- **b.** All exterior lighting must be installed or shielded to minimize light intrusion into residential units in adjacent neighborhoods.
  - **i.** All outdoor pole lighting shall be fully shielded and mounted at heights no greater than fifteen (15) feet above grade.
  - **ii.** All outdoor lighting, except street lighting, shall be aimed or shielded so as to minimize stray light trespassing across property boundaries.

V. LANDSCAPING REQUIREMENTS

All landscaping and performance standards as outlined within section 27-1101 of the 2021 Archived Zoning ordinance shall be followed as required within the underlying City zone. Additionally, all development must comply with the requirements outlined in this Section of the Planned Development.

A. General Landscape Area Requirements

- **a.** A palette of regionally appropriate drought and climate tolerant plant materials is required to be used.
- **b.** The use of drip irrigation and/or other irrigation systems is required.
- **c.** All development should create a pedestrian-friendly environment on the street and connect to adjacent developments as identified in the conceptual master plan.
- **d.** A variation of elements should be provided along public frontage; no less than two (2) types of trees may be used in a single development lot.
- **e.** One (1) 2-inch tree is required per 2,000 sf of total landscape area per development lot or parcel.
- **f.** One (1) large shrub (mature height over three feet) is required for every 500 sf of total landscape area per development lot or parcel.
- **g.** Trees and shrubs should be grouped for aesthetic and irrigation purposes.
- **h.** Lawn must have a minimum width of six (6) feet.
- **i.** Plant materials must be maintained and dead plants must be replaced in a timely manner.

B. Landscaped Green Belt Improvements

- **a.** A minimum 25-foot landscaped green belt, which may be incorporated into any required building setbacks, shall be landscaped and maintained along the northern property boundary.
- **b.** Developers shall be responsible for installation and maintenance of the landscaped green belts in accordance with Section V.A of this document.

c. Landscaped green belts and required setbacks may overlap so that the total area of the two is the greater of either the green belt or the setback.

d. All improvements shall comply with The City of Billings and Yellowstone County's clear vision standards.

C. Parking Lot Landscaping

a. All parking lot landscaping may be included as part of the landscaped area as calculated in Section V.A of this document.

b. Trees shall be planted and incorporated into parking lot layouts at a density of one (1) 2-inch tree for every sixteen (16) parking spots.

VI. SITE LAYOUT AND ORIENTATION

All development must comply with the site layout and orientation requirements outlined in this Section of the Planned Development.

A. Building Requirements

a. Buildings shall be located in the south two-thirds of the lot allowing for parking or green space on the north third of the lot.

b. Buildings can be located directly against sidewalk with no front lot setback requirements.

c. Sidewalks shall be a minimum of 5-feet wide and a minimum of 7-feet wide when directly adjacent to parking areas.

d. Building height shall be no greater than 34-feet from grade.

e. No more than fifty (50) percent lot coverage is allowed by the building.

f. Buildings containing the use of either a brewery/taproom or full-beverage license shall be designed with a likeness to traditional agricultural structures in both elevation and profile views.

g. All dumpsters shall be contained within a privacy fence that aligns the architecture features of the building.

h. All development shall provide for bike parking and non-motorized accessibility.

B. Parking Requirements

a. Parking shall be provided at a one (1) parking spot for every 200-square-feet of building.

b. Reciprocal parking access shall be provided for all businesses within the development.

c. Parking lots must be a minimum of 30-feet from the northern boundary with the landscaped green belt counting towards the setback requirement.

d. Bike parking shall be provided at a one (1) parking spot for every 2,000-square-feet of building with a minimum of two (2) spaces for each building.

VII. MODIFICATION OF THE APPROVED PLANNED DEVELOPMENT

Any modification of the approved development plan shall be processed using the same procedures for a new application, as set forth in the City of Billings Zoning regulations (2021 et seq). However, minor modifications may be approved by the zoning coordinator if he/she makes the following findings through administrative relief:

No change in the overall character of the development;

No increase in the number of residential units greater than two (2) percent;

No additional allowed uses;

No reduction in open space greater than two (2) percent; and

No change in the approved minimum setbacks, maximum lot coverage or maximum allowed height.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"OWNER" **Ty Schmechel**

By: _____

Arrowhead Investments Corporation
Managing Member

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____ of **Ty Schmechel, Managing Member of Arrowhead Investments Corporation** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20___.

"CITY" **CITY OF BILLINGS, MONTANA**

Mayor

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the Mayor of the City of Billings, Montana, whose name are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

EXHIBIT A

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59101

PLANNED DEVELOPMENT AGREEMENT LOT 4, BLOCK 1, MK SUBDIVISION IN THE CITY OF BILLINGS, MONTANA

THIS AGREEMENT is made and entered into this 14th day of January, 2018, by and between **MYK Enterprises, LLC,** whose address for the purpose of this agreement is 218 Brookshire Blvd Unit 2, Billings, MT 59102, hereinafter referred to as "Owner," and **City of Billings,** Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the Owner owns approximately 3.6 acres of real property in Billings, Montana specifically described as Lot 4, Block 1 of the MK Subdivision. The foregoing property shall be known as "Hawk Creek Planned Development," or a related name that may be assigned later.

WHEREAS, the Hawk Creek Planned Development will consist of a mixture of commercial, retail, professional, medical and related uses.

WHEREAS, the Owner desires to place certain building and use restrictions on the property, specify certain land uses, and create a pattern of development that promotes community service, economic activity, convenience, and amenity for the Hawk Creek Planned Development and surrounding neighborhoods.

WHEREAS, the aforesaid Owner and the County desire to ensure the Hawk Creek Planned Development will be developed and maintained consistent with the standards described in this agreement.

THEREFORE, the undersigned hereby establish and declare the following plan for the Hawk Creek Planned Development as set forth herein, which shall apply to all of the real estate described hereinabove, shall bind all of the present and future property owners to such real estate, and shall run with the land.

AGREEMENT

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporations, or other entities, who shall hereafter acquire any interest in and to the above described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the Zoning Regulations for the City of Billings shall be followed for the type of use within each of the areas described herein.

A. Restricted Uses for Underlying City Zone: Neighborhood Commercial – NC

No land may be used for purposes that include gaming (casinos) or adult entertainment or sexually oriented businesses. No variances or special review approvals may be requested or granted for those businesses.

All allowed land uses as outlined within the City of Billings Zoning regulations for the underlying zone shall be allowed within the Planned Development, with the following exceptions:

Exceptions (uses not allowed):

Division A: Agriculture, Forestry, and Fishing
Group 07 – Agricultural Services
- Veterinary services for Animal specialties – Outpatient Only

Division B: Mining
- Construction sand and gravel mining (1442)

Division D: Manufacturing
Group 20 – Food and Kindred Products
- All sub-groups except offices

Division E: Transportation, Communications, Electric, Gas and Sanitary Sewer
Group 46 – Pipelines, except natural gas
Group 48 – Communications
- All uses except offices

Group 48 – Commercial Antenna Support Structures
Group 49 – Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division G: Retail Trade

Group 54 – Food Stores
- Convenience Store with Gas Pump Islands

Group 55 – Automotive Dealers and Gasoline Service Stations
- All uses

Division I: Services

Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places
- Rooming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)

Group 72 – Personal Services
- Coin-operated laundries and dry cleaning (7215)
- Funeral service and crematories (726)

Group 75 – Automotive Repair, Services, & Parking
- Automobile parking (752)

Division K: Non-Classifiable Establishments

Dwellings – Modular Homes

Allowances:

The subject property shall be allowed use of one (1) cabaret license and one (1) brewing/taproom license. Subsequent subdivision of the subject parcel shall not increase the number of licenses allow for use within the Planned Development.

III. OPERATIONAL RESTRICTIONS – Alcoholic Beverage Manufacturing and Cabaret License

The Developer and City recognize the sensitive location of the Hawk Creek Planned Development and the need to include specific operational restrictions and site requirements not normally required for the uses listed above.

A. Developer Agrees to the Following:

a. Any outdoor seating areas associated with the brewing/taproom or cabaret operations shall be located on either the east, west or south elevations of the structures. Under no circumstances shall seating areas with either taproom or cabaret operation be located off of the north elevation of the structure(s).

b. Any seating area outside of any enclosed building for use by the patrons of the alcoholic beverage manufacturer or cabaret operation shall have a fence installed at least 42-inches in height enclosing the outdoor area. There shall be no entry to the outdoor seating area for patrons except through the operating building.

c. Any music or entertainment, including any permanent or temporary speakers, outside of an enclosed building shall only be installed/located along the western or southern elevations of the structure.
d. Any outdoor activities associated with operation of the facilities shall cease by 9 pm.
e. Operating hours for the taproom and cabaret license shall be dictated by Montana State Law outlined in the MCA 16.3.2 and MCA 16.4.1, respectively.

IV. SIGNAGE AND LIGHTING

The intent of signage and lighting design regulation is to encourage the use of signage and lighting as a design component to enhance buildings, landscaping, or other site features while not detracting from the aesthetics of adjacent neighborhoods. Developers should encourage night sky's visibility to reduce the general illumination of the sky in the surrounding area. Design elements should reduce horizontal light glare and vertical light trespass from a development site onto adjacent parcels. Developers should encourage the judicious use of lighting in conjunction with other security methods to increase site safety.

A. Signage

a. Signage should be provided in accordance with the PDA, with the intent to compliment the pedestrian-oriented environment. The signage requirements included in Article 27-700 of the United Zoning Regulations and any subsequent amendments thereto shall govern the regulation of signage in Hawk Creek Planned Development so far as they are not inconsistent with the Planned Development Agreement and the below standards.
b. All signs shall comply with the design guidelines below:
    i. All signs, except for neighborhood identification signs, shall be placed flat against a building or designed as part of an architectural feature thereof.
    ii. No electronic message displays or signs are allowed.
    iii. No neon signs are allowed.
    iv. No balloon signs as defined by the City of Billings Code are allowed.
    v. No string of pennants, flags, or other similar types of non-informative non-holiday decorations are allowed.
    vi. One (1) free-standing sign is allowed indicating the name and/or nature of the occupancy for each developed parcel/tenant. Signs may not exceed fifteen (15) feet in height and fifteen (15) feet in width.
    vii. No rooftop signs are allowed.

B. Exterior Lighting

a. Developers shall provide adequate lighting levels in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, and circulations areas.

b. All exterior lighting must be installed or shielded to minimize light intrusion into residential units in adjacent neighborhoods.

i. All outdoor pole lighting shall be fully shielded and mounted at heights no greater than fifteen (15) feet above grade.

ii. All outdoor lighting, except street lighting, shall be aimed or shielded so as to minimize stray light trespassing across property boundaries.

V. LANDSCAPING REQUIREMENTS

All landscaping and performance standards as outlined within section 27-1101 of the City of Billings Zoning ordinance shall be followed as required within the underlying City zone. Additionally, all development must comply with the requirements outlined in this Section of the Planned Development.

A. General Landscape Area Requirements

a. A palette of regionally appropriate drought and climate tolerant plant materials is required to be used.

b. The use of drip irrigation and/or other irrigation systems is required.

c. All development should create a pedestrian-friendly environment on the street and connect to adjacent developments as identified in the conceptual master plan.

d. A variation of elements should be provided along public frontage; no less than two (2) types of trees may be used in a single development lot.

e. One (1) 2-inch tree is required per 2,000 sf of total landscape area per development lot or parcel.

f. One (1) large shrub (mature height over three feet) is required for every 500 sf of total landscape area per development lot or parcel.

g. Trees and shrubs should be grouped for aesthetic and irrigation purposes.

h. Lawn must have a minimum width of six (6) feet.

i. Plant materials must be maintained and dead plants must be replaced in a timely manner.

B. Landscaped Green Belt Improvements

a. A minimum 25-foot landscaped green belt, which may be incorporated into any required building setbacks, shall be landscaped and maintained along the northern property boundary.

b. Developers shall be responsible for installation and maintenance of the landscaped green belts in accordance with Section V.A of this document.

c. Landscaped green belts and required setbacks may overlap so that the total area of the two is the greater of either the green belt or the setback.
d. All improvements shall comply with The City of Billings and Yellowstone County's clear vision standards.

C. Parking Lot Landscaping

a. All parking lot landscaping may be included as part of the landscaped area as calculated in Section V.A of this document.
b. Trees shall be planted and incorporated into parking lot layouts at a density of one (1) 2-inch tree for every sixteen (16) parking spots.

VI. SITE LAYOUT AND ORIENTATION

All development must comply with the site layout and orientation requirements outlined in this Section of the Planned Development.

A. Building Requirements

a. Buildings shall be located in the south two-thirds of the lot allowing for parking or green space on the north third of the lot.
b. Buildings can be located directly against sidewalk with no front lot setback requirements.
c. Sidewalks shall be a minimum of 5-feet wide and a minimum of 7-feet wide when directly adjacent to parking areas.
d. Building height shall be no greater than 34-feet from grade.
e. No more than fifty (50) percent lot coverage is allowed by the building.
f. Buildings containing the use of either a brewery/taproom or cabaret license shall be designed with a likeness to traditional agricultural structures in both elevation and profile views.
g. All dumpsters shall be contained within a privacy fence that aligns the architecture features of the building.
h. All development shall provide for bike parking and non-motorized accessibility.

B. Parking Requirements

a. Parking shall be provided at a one (1) parking spot for every 200-square-feet of building.
b. Reciprocal parking access shall be provided for all businesses within the development.
c. Parking lots must be a minimum of 30-feet from the northern boundary with the landscaped green belt counting towards the setback requirement.
d. Bike parking shall be provided at a one (1) parking spot for every 2,000-square-feet of building with a minimum of two (2) spaces for each building.

VII. MODIFICATION OF THE APPROVED PLANNED DEVELOPMENT

Any modification of the approved development plan shall be processed using the same procedures for a new application, as set forth in the City of Billings Zoning regulations. However, minor modifications may be approved by the zoning coordinator if he/she makes the following findings:

No change in the overall character of the development;

No increase in the number of residential units greater than two (2) percent;

No additional allowed uses;

No reduction in open space greater than two (2) percent; and

No change in the approved minimum setbacks, maximum lot coverage or maximum allowed height.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"OWNER"

Patricia Kramer

By: Patricia Kramer

MYK Enterprises, LLC
Managing Member

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 31st day of December, 2019, before me, a Notary Public in and for the State of Montana, personally appeared Patricia Kramer, known to me to be the Managing Member of **Patricia Kramer, Managing Member of MYK Enterprises, LLC** who executed the foregoing instrument and acknowledged to me that he/she executed the same.



Vickie Tiry
Notary Public in and for the State of Montana
Printed Name: Vickie Tiry
Residing at: Laurel, Montana
My commission expires: 1/30/2020

This agreement is hereby approved and accepted by the City of Billings, this 14th day of January, 2019

"CITY"

CITY OF BILLINGS, MONTANA

Mayor

BY: William A Cole
Willliam A. Cole, Mayor

Attest:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 14th day of January, 2019, before me, a Notary Public in and for the State of Montana, personally appeared William A. Cole, known to me to be the Mayor of the City of Billings, Montana, whose name are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

WYNNETTE J. MADDOX NOTARIAL SEAL STATE OF MONTANA

WYNNETTE J. MADDOX
NOTARY PUBLIC for the
State of Montana
Residing at Shepherd, Montana
My Commission Expires
September 16, 2022

Wynnette J Maddox
Notary Public in and for the State of Montana
Printed Name: Wynnette J Maddox
Residing at: Shepherd MT
My commission expires: 9.16.2022

ORDINANCE 23-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE PLANNED DEVELOPMENT ZONE AGREEMENT ON Lots 1, 2 and 3, Block 1 of MK Subdivision 2nd Filing, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION.** **Lots 1,2,and 3 of Block 1, MK Subdivision, 2nd Filing,** is presently zoned **Planned Development – Neighborhood Commercial (PD-NC),** and is shown on the official zoning map within this zone. The Planned Development agreement for this property was filed with the Clerk and Recorder under document No. 3874369.

Section 3. **ZONE DISTRICT AMENDMENT.** The official original **Planned Development Agreement known as Hawk Creek Planned Development filed as document No. 3874369** is hereby **deleted in its entirety** and substituted with **a new and amended PD Agreement as shown in Exhibit A**. Such amended Planned Development will be executed and filed with the Clerk and Recorder and shall be subject to all the rules and regulations pertaining to Planned Development Agreements as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6**.** **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 12th day of June, 2023.

PASSED, ADOPTED and APPROVED on second reading this 26th day of June, 2023.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 1028 – Hawk Creek Planned Development Agreement Amendment

EXHIBIT A

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59101

PLANNED DEVELOPMENT AGREEMENT

LOTS 1-3, BLOCK 1, MK SUBDIVISION, SECOND FILING IN THE CITY OF BILLINGS, MONTANA

THIS AGREEMENT is made and entered into this _____ day of _____, 2023, by and between **Arrowhead Investment Corporation,** whose address for the purpose of this agreement is 115 North Broadway, Suite 200, Billings, MT 59101, hereinafter referred to as "Owner," and **City of Billings,** Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the Owner owns approximately 3.6 acres of real property in Billings, Montana specifically described as Lots 1-3, Block 1 of the MK Subdivision, Second Filing. The foregoing property shall be known as "Hawk Creek Planned Development," or a related name that may be assigned later.

WHEREAS, the Hawk Creek Planned Development will consist of a mixture of commercial, retail, professional, medical and related uses.

WHEREAS, the Owner desires to place certain building and use restrictions on the property, specify certain land uses, and create a pattern of development that promotes community service, economic activity, convenience, and amenity for the Hawk Creek Planned Development and surrounding neighborhoods.

WHEREAS, the aforesaid Owner and the City desire to ensure the Hawk Creek Planned Development will be developed and maintained consistent with the standards described in this agreement.

THEREFORE, the undersigned hereby establish and declare the following plan for the Hawk Creek Planned Development as set forth herein, which shall apply to all of the real estate described hereinabove, shall bind all of the present and future property owners to such real estate, and shall run with the land.

AGREEMENT

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporations, or other entities, who shall hereafter acquire any interest in and to the above described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the Zoning Regulations for the City of Billings shall be followed for the type of use within each of the areas described herein.

A. Restricted Uses for Underlying City Zone: Neighborhood Commercial – NC

No land may be used for purposes that include gaming (casinos) or adult entertainment or sexually oriented businesses. No variances or special review approvals may be requested or granted for those businesses.

All allowed land uses as outlined within the City of Billings Zoning regulations for the underlying zone shall be allowed within the Planned Development**,** with the following exceptions:

Exceptions (uses not allowed):

Division A: Agriculture, Forestry, and Fishing

Group 07 – Agricultural Services
- Veterinary services for Animal specialties – Outpatient Only

Division B: Mining
- Construction sand and gravel mining (1442)

Division D: Manufacturing
Group 20 – Food and Kindred Products
- All sub-groups except offices

Division E: Transportation, Communications, Electric, Gas and Sanitary Sewer
Group 46 – Pipelines, except natural gas
Group 48 – Communications
- All uses except offices

Group 48 – Commercial Antenna Support Structures
Group 49 – Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division G: Retail Trade
Group 54 – Food Stores
- Convenience Store with Gas Pump Islands

Group 55 – Automotive Dealers and Gasoline Service Stations
- All uses

Division I: Services
Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places
- Rooming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)

Group 72 – Personal Services
- Coin-operated laundries and dry cleaning (7215)
- Funeral service and crematories (726)

Group 75 – Automotive Repair, Services, & Parking
- Automobile parking (752)

Division K: Non-Classifiable Establishments
Dwellings – Modular Homes

Allowances:

The subject property shall be allowed use of one (1) full beverage liquor license and one (1) brewing/taproom license. Subsequent subdivision of the subject parcel shall not increase the number of licenses allow for use within the Planned Development.

III. OPERATIONAL RESTRICTIONS – Alcoholic Beverage Manufacturing and Full Beverage Liquor License

The Developer and City recognize the sensitive location of the Hawk Creek Planned Development and the need to include specific operational restrictions and site requirements not normally required for the uses listed above.

A. Developer Agrees to the Following:

a. Any outdoor seating areas associated with the brewing/taproom or full beverage liquor license operations shall be located on either the east, west or south elevations of the structures. Under no circumstances shall seating areas with either taproom or full beverage liquor license operation be located off the north elevation of the structure(s).

b. Any seating area outside of any enclosed building for use by the patrons of the alcoholic beverage manufacturer or full beverage liquor license operation shall have a fence installed at least 42-inches in height enclosing the outdoor area. There shall be no entry to the outdoor seating area for patrons except through the operating building.

c. Any music or entertainment, including any permanent or temporary speakers, outside of an enclosed building shall only be installed/located along the western or southern elevations of the structure.

d. ~~Operating hours for the taproom and full beverage liquor license shall be dictated by Montana State Law outlined in the MCA 16.3.2 and MCA 16.4.1, respectively.~~ Operating hours for the brewing/taproom and full beverage liquor license operations shall be subject to Montana Code Annotated, Title 16, except that the operations shall be open **no later** than 11:00 p.m.

IV. SIGNAGE AND LIGHTING

The intent of signage and lighting design regulation is to encourage the use of signage and lighting as a design component to enhance buildings, landscaping, or other site features while not detracting from the aesthetics of adjacent neighborhoods. Developers should encourage night sky's visibility to reduce the general illumination of the sky in the surrounding area. Design elements should reduce horizontal light glare and vertical light trespass from a development site onto adjacent parcels. Developers should encourage the judicious use of lighting in conjunction with other security methods to increase site safety.

A. Signage

a. Signage should be provided in accordance with the PDA, with the intent to compliment the pedestrian-oriented environment. The signage requirements included in Article 27-700 of the 2021 Archived Zoning Regulations and any subsequent amendments thereto shall govern the regulation of signage in Hawk Creek Planned Development so far as they are not inconsistent with the Planned Development Agreement and the below standards.

b. All signs shall comply with the design guidelines below:

i. All signs, except for neighborhood identification signs, shall be placed flat against a building or designed as part of an architectural feature thereof.

ii. No electronic message displays or signs are allowed.

iii. No neon signs are allowed.

iv. No balloon signs as defined by the 2021Archived Zoning Code are allowed.

v. No string of pennants, flags, or other similar types of non-informative non-holiday decorations are allowed.

vi. One (1) free-standing sign is allowed indicating the name and/or nature of the occupancy for each developed parcel/tenant. Signs may not exceed fifteen (15) feet in height and fifteen (15) feet in width.

vii. No rooftop signs are allowed.

B. Exterior Lighting

a. Developers shall provide adequate lighting levels in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, and circulations areas.

b. All exterior lighting must be installed or shielded to minimize light intrusion into residential units in adjacent neighborhoods.

i. All outdoor pole lighting shall be fully shielded and mounted at heights no greater than fifteen (15) feet above grade.

ii. All outdoor lighting, except street lighting, shall be aimed or shielded so as to minimize stray light trespassing across property boundaries.

V. LANDSCAPING REQUIREMENTS

All landscaping and performance standards as outlined within section 27-1101 of the 2021 Archived Zoning ordinance shall be followed as required within the underlying City zone. Additionally, all development must comply with the requirements outlined in this Section of the Planned Development.

A. General Landscape Area Requirements

a. A palette of regionally appropriate drought and climate tolerant plant materials is required to be used.

b. The use of drip irrigation and/or other irrigation systems is required.

c. All development should create a pedestrian-friendly environment on the street and connect to adjacent developments as identified in the conceptual master plan.

d. A variation of elements should be provided along public frontage; no less than two (2) types of trees may be used in a single development lot.

e. One (1) 2-inch tree is required per 2,000 sf of total landscape area per development lot or parcel.

f. One (1) large shrub (mature height over three feet) is required for every 500 sf of total landscape area per development lot or parcel.

g. Trees and shrubs should be grouped for aesthetic and irrigation purposes.

h. Lawn must have a minimum width of six (6) feet.

i. Plant materials must be maintained and dead plants must be replaced in a timely manner.

B. Landscaped Green Belt Improvements

a. A minimum 25-foot landscaped green belt, which may be incorporated into any required building setbacks, shall be landscaped and maintained along the northern property boundary.

b. Developers shall be responsible for installation and maintenance of the landscaped green belts in accordance with Section V.A of this document.

c. Landscaped green belts and required setbacks may overlap so that the total area of the two is the greater of either the green belt or the setback.

d. All improvements shall comply with The City of Billings and Yellowstone County's clear vision standards.

C. Parking Lot Landscaping

a. All parking lot landscaping may be included as part of the landscaped area as calculated in Section V.A of this document.

b. Trees shall be planted and incorporated into parking lot layouts at a density of one (1) 2-inch tree for every sixteen (16) parking spots.

VI. SITE LAYOUT AND ORIENTATION

All development must comply with the site layout and orientation requirements outlined in this Section of the Planned Development.

A. Building Requirements

a. Buildings shall be located in the south two-thirds of the lot allowing for parking or green space on the north third of the lot.

b. Buildings can be located directly against sidewalk with no front lot setback requirements.

c. Sidewalks shall be a minimum of 5-feet wide and a minimum of 7-feet wide when directly adjacent to parking areas.

d. Building height shall be no greater than 34-feet from grade.

e. No more than fifty (50) percent lot coverage is allowed by the building.

f. Buildings containing the use of either a brewery/taproom or full-beverage license shall be designed with a likeness to traditional agricultural structures in both elevation and profile views.

g. All dumpsters shall be contained within a privacy fence that aligns the architecture features of the building.

h. All development shall provide for bike parking and non-motorized accessibility.

B. Parking Requirements

a. Parking shall be provided at a one (1) parking spot for every 200-square-feet of building.

b. Reciprocal parking access shall be provided for all businesses within the development.

c. Parking lots must be a minimum of 30-feet from the northern boundary with the landscaped green belt counting towards the setback requirement.

d. Bike parking shall be provided at a one (1) parking spot for every 2,000-square-feet of building with a minimum of two (2) spaces for each building.

VII. MODIFICATION OF THE APPROVED PLANNED DEVELOPMENT

Any modification of the approved development plan shall be processed using the same procedures for a new application, as set forth in the City of Billings Zoning regulations (2021 et seq). However, minor modifications may be approved by the zoning coordinator if he/she makes the following findings through administrative relief:

No change in the overall character of the development;

No increase in the number of residential units greater than two (2) percent;

No additional allowed uses;

No reduction in open space greater than two (2) percent; and

No change in the approved minimum setbacks, maximum lot coverage or maximum allowed height.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"OWNER" **Ty Schmechel**

By: _____

Arrowhead Investments Corporation
Managing Member

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be _____**Ty Schmechel, Managing Member of Arrowhead Investments Corporation** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this _____ day of _____, 20___.

"CITY" **CITY OF BILLINGS, MONTANA**

William A. Cole, Mayor

BY:_____

Attest:

BY:_____

Denise R. Bohlman, City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____

known to me to be the Mayor of the City of Billings, Montana, whose name are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____

Notary Public in and for the State of Montana
Printed Name:

_____

Residing at:

_____

My commission expires:

_____

City Council Regular

Date:	06/26/2023
Title:	Ward Boundary Expansion Ordinance Second Reading - Annexation 23-04
Presented by:	Monica Plecker
Department:	Planning & Community Services
Presentation:	No
Legal Review:	Not Applicable
Project Number:	NA

RECOMMENDATION

Staff recommends the City Council hold a public hearing and approve this ordinance on second reading, adding recently annexed property to Ward I. Council held a public hearing on June 12th and recommended approval. This second reading action would be consistent with first reading.

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

The Montana Department of Military Affairs have petitioned for annexation using the provisions of Section 7-2-4600, MCA. The property is located at 3648 AJ Way. The property is described as Tracts 2 and 3 of Certificate of Survey 1889. The land is legally described as Parcels of Land situated in the NW 1/4 and NE 1/4 of Section 26, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows: Tracts 2 and 3 of Certificate of Survey No. 1889, recorded May 17th, 1979, under Document No. 1129245 on file and of record in the office of the Yellowstone County Clerk and Recorder. Said annexation containing 40.01 gross net acres, more or less.

Upon Council approval, this annexation requires a change in the boundaries of Ward I. Two readings are required for this action. The first reading and public hearing was scheduled for June 12th. Second reading will occur at this meeting on June 26th, 2023.

ALTERNATIVES

City Council may:

- Approve adding the subject property to Ward I, or;
- Disapprove adding the subject property to Ward I. Disapproval will not modify the boundary of the ward and will create a problem where property inside the City Limits is not within a City Ward.

FISCAL EFFECTS

This application has no impact on the Planning Division Budget.

Attachments

Ward Boundary Ordinance

ORDINANCE NO. 23-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD I PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward I the following described real property:

Parcels of Land situated in the NW 1/4 and NE 1/4 of Section 26, T.1N., R.26E., Yellowstone County, Montana, more particularly described as follows:

Tracts 2 and 3 of Certificate of Survey No. 1889, recorded May 17th, 1979, under Document No. 1129245 on file and of record in the office of the Yellowstone County Clerk and Recorder.

Said annexation containing 40.01 gross net acres, more or less.

(# 23-04) See Exhibit "A" Attached

2. EFFECTIVE DATE. This ordinance shall be effective either thirty (30) days after second reading and final adoption as provided by law, or upon the effective date of Resolution No. 23-_____ approving the annexation of the above territory, whichever date is later.

3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

4. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.

PASSED by the City Council on the first reading this 12th day of June, 2023.

PASSED by the City Council on the second reading this 26th day of June, 2023.

THE CITY OF BILLINGS:

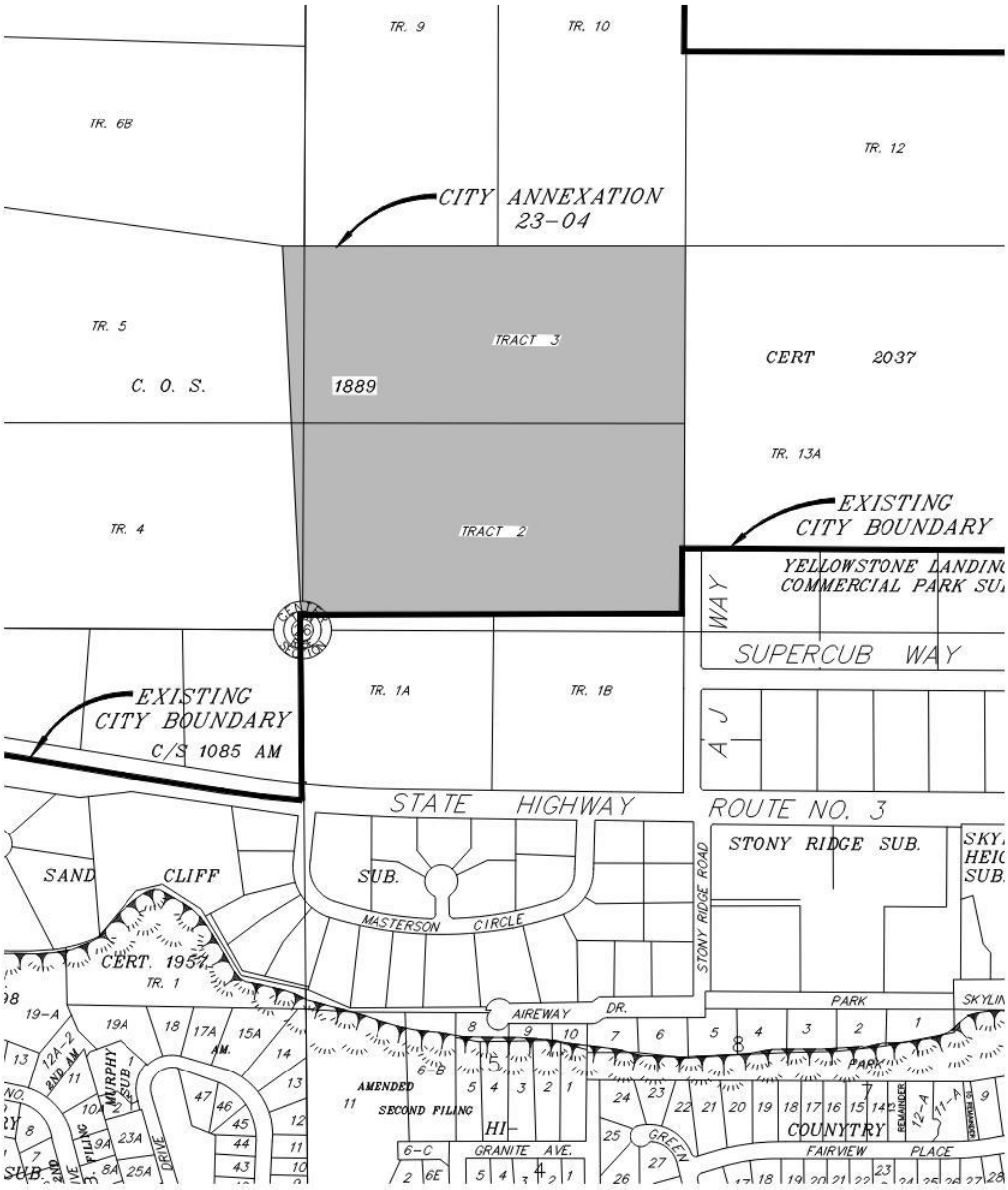
_____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

(#23-04)

EXHIBIT "A"


TR. 9
TR. 10
TR. 6B
TR. 12
CITY ANNEXATION
23-04
TR. 5
TRACT 3
CERT 2037
C. O. S.
1889
TR. 13A
TR. 4
TRACT 2
EXISTING
CITY BOUNDARY
YELLOWSTONE LANDING
COMMERCIAL PARK SU
WAY
SUPERCUB WAY
TR. 1A
TR. 1B
EXISTING
CITY BOUNDARY
C/S 1085 AM
A J
STATE HIGHWAY
ROUTE NO. 3
STONY RIDGE SUB.
SAND CLIFF
SUB.
MASTERSON CIRCLE
STONY RIDGE ROAD
CERT. 1954
TR. 1
AIREWAY DR.
PARK
AMENDED
SECOND FILING
GRANITE AVE.
COUNTRY
FAIRVIEW PLACE
GREEN

City Council Regular

Date:	06/26/2023
Title:	Payment of Claims for week of May 22, 2023
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $1,829,751.38 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment is entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.).
Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the department director or designee must perform an initial review and approval of the purchase. The number of approvals within the department can vary based upon the size of the department, but no less than one approver within each department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent or designee. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

CouncilMemo wk of 05222023

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	ACH	A & I Distributors	Airport	$ 275.00	3918035
05/22/2023	ACH	A & I Distributors	Fleet	$ 1,392.86	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 278.58	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 562.39	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 26.72	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 818.13	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 562.39	3919519
05/22/2023	ACH	A & I Distributors	Fleet	$ 1,636.27	3924860
05/22/2023	ACH	A & I Distributors	Fleet	$ 1,392.86	3924860
05/22/2023	ACH	A & I Distributors	Fleet	$ 647.28	3924860
05/22/2023	ACH	A & I Distributors	Fleet	$ 129.55	3927333
05/22/2023	ACH	A & I Distributors	Fleet	$ 155.46	3927333
05/22/2023	ACH	A & I Distributors	Public Safety	$ 40.40	3919519
05/22/2023	ACH	A & I Distributors	Public Safety	$ 40.41	3919519
05/22/2023	ACH	A & I Distributors	Solid Waste	$ 40.41	3919519
05/22/2023	ACH	A & I Distributors	Solid Waste	$ 825.00	330 GAL DEF Tote. Collections.
05/22/2023	ACH	A & I Distributors	Solid Waste	$ 825.00	330 GAL DEF Tote. Collections.
05/22/2023	ACH	A & I Distributors	Solid Waste	$ 825.00	330 GAL DEF TOTE. Landfill.
05/22/2023	ACH	A & I Distributors	Street/Traffic	$ 40.41	3919519
05/22/2023	ACH	A & I Distributors	Street/Traffic	$ 825.00	3926021
05/22/2023	ACH	A & I Distributors	Transit	$ 1,650.00	3926519. DEF
05/22/2023	861658	Advanced Employment	Facilities	$ 214.20	W/E 04/30/2023 Patrick Kittson
05/22/2023	861658	Advanced Employment	Facilities	$ 499.80	W/E 04/30/2023 Patrick Kittson
05/22/2023	861658	Advanced Employment	Solid Waste	$ 2,339.35	Contract labor at Landfill week ending 4/23/2023.
05/22/2023	861658	Advanced Employment	Solid Waste	$ 296.40	Contract labor at Landfill week ending 4/23/2023.
05/22/2023	861659	All Color Embroidery	Public Safety	$ 1,575.00	35930
05/22/2023	861659	All Color Embroidery	Public Safety	$ 1,575.00	36008
05/22/2023	861659	All Color Embroidery	Public Safety	$ 1,575.00	35945 - GRAPHICS
05/22/2023	861659	All Color Embroidery	Public Safety	$ 1,575.00	35964 - GRAPHICS
05/22/2023	861659	All Color Embroidery	Street/Traffic	$ 1,575.00	36035 - GRAPHICS
05/22/2023	861659	All Color Embroidery	Street/Traffic	$ 1,575.00	36050 - GRAPHICS
05/22/2023	861663	Archie Cochrane	Airport	$ 5,130.84	1021139-1/ A-32 Wire Harness Replacement
05/22/2023	861663	Archie Cochrane	Fleet	$ 120.96	5468850
05/22/2023	861663	Archie Cochrane	Fleet	$ 98.96	5469120

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861663	Archie Cochrane	Fleet	$ 98.96	5469120
05/22/2023	861663	Archie Cochrane	Public Safety	$ 64.63	5468850
05/22/2023	861663	Archie Cochrane	Public Safety	$ 84.08	5463492 - MIRROR; MIRROR ASY
05/22/2023	861663	Archie Cochrane	Public Safety	$ (84.08)	5464525 - MIRROR; MIRROR ASY
05/22/2023	861663	Archie Cochrane	Transit	$ 119.90	5468619. Coolant Hose Unit 1821. W/O 2023-2344
05/22/2023	861664	Assoc Employ- MT	P.W. Admin	$ 2,152.50	Management excellence training/DISC training
05/22/2023	861664	Assoc Employ- MT	Water	$ 545.00	Management excellence training/DISC training
05/22/2023	861668	Baker Tilly US	Sidewalk	$ 3,100.00	Arbitrage Compliance; Rebate and Yield Reduction Report
05/22/2023	861668	Baker Tilly US	Street Imp	$ 3,100.00	Arbitrage Compliance; Rebate and Yield Reduction Report
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 30.00	38-80059. Freight Oil Filter Housing
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 176.77	38-80059. Oil Filter Housing Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 79.96	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 7,073.40	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 37.44	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 42.12	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 270.00	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 1,822.50	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 4,565.11	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 39.18	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 16.25	38-80246. Engine Install Parts Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ (19.12)	38-80330. Engine Gaskets Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ (20.52)	38-80330. Engine Gaskets Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 159.92	38-80453. Fuel Injection Harnesses Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 8.31	38-80601. Cam Plug Unit 1819. W/O 2023-2229
05/22/2023	861691	Cummins- Rocky Mt	Transit	$ 6.06	38-80601. O' Ring Unit 1819. W/O 2023-2229
05/22/2023	861692	Dakota Supply Group	Wastewater	$ 795.13	sewer main repair clamps
05/22/2023	861692	Dakota Supply Group	Water	$ 170.73	6" TYTON PUSH-ON GASKET
05/22/2023	861692	Dakota Supply Group	Water	$ 1,146.59	Elbow for Staples Valve Replacement
05/22/2023	861692	Dakota Supply Group	Water	$ 47.34	PIPE BURSTING - 6" PV LOK CLAMP (PWMC6)
05/22/2023	861692	Dakota Supply Group	Water	$ 6,304.46	Replacement valve for Staples Fire Hydra
05/22/2023	861692	Dakota Supply Group	Water	$ 5,363.60	Replacement valve stem for Stapels
05/22/2023	861692	Dakota Supply Group	Water	$ 1,513.70	Valve and Fittings PBD-032
05/22/2023	861694	Dell Computer	General	$ 206.22	Dell Thunderbolt 4 Dock- WD22TB4
05/22/2023	861694	Dell Computer	General	$ 998.33	OptiPlex SFF 7010 tower, 16GB RAM, 1TB SSD only -Finance

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861694	Dell Computer	IT Resources	$ 2,410.18	Qty. 2 OptiPlex 5000 Tower only, i7, 32GB RAM, 1TB SSD -IT
05/22/2023	861694	Dell Computer	Planning	$ 5,349.84	Qty. 3 Latitude 5540, i7, 32GB RAM, 1TB SSD and three docks
05/22/2023	861695	Desert Mt Corp	Street/Traffic	$ 4,975.46	ice slicer
05/22/2023	861696	DOWL	Tax Incrmnt N27	$ 57,730.13	WO 23-11 Downtown 2-Way Street Conversion
05/22/2023	861696	DOWL	Wastewater	$ 7,591.02	WO 22-01 Schedules 1 & 2: Water & Sanitary Sewer Main Replacements
05/22/2023	861696	DOWL	Water	$ 6,573.98	WO 22-01 Schedules 1 & 2: Water & Sanitary Sewer Main Replacements
05/22/2023	861696	DOWL	Water	$ 17,779.10	WO 23-01 2023 Water and Sewer Main Replacement - Water
05/22/2023	861696	DOWL	Water	$ 4,955.00	WO 23-39 Grand Ave UAV Mapping
05/22/2023	861699	Dynamic Design	Engineering	$ 259.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	P.W. Admin	$ 226.80	caps for employees for open house
05/22/2023	861699	Dynamic Design	Solid Waste	$ 594.00	caps for employees for open house
05/22/2023	861699	Dynamic Design	Solid Waste	$ 21.60	caps for employees for open house
05/22/2023	861699	Dynamic Design	Solid Waste	$ 259.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	Street/Traffic	$ 637.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	Wastewater	$ 146.88	caps for employees for open house
05/22/2023	861699	Dynamic Design	Wastewater	$ 280.80	caps for employees for open house
05/22/2023	861699	Dynamic Design	Wastewater	$ 43.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	Wastewater	$ 2.70	caps for employees for open house
05/22/2023	861699	Dynamic Design	Water	$ 8.10	caps for employees for open house
05/22/2023	861699	Dynamic Design	Water	$ 97.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	Water	$ 313.20	caps for employees for open house
05/22/2023	861699	Dynamic Design	Water	$ 220.32	caps for employees for open house
05/22/2023	861702	Empire Heat & Cool	Water	$ 95,587.50	WO 22-20 Water Treatment Plant High Srvc Pump Station HVAC Procurement
05/22/2023	861706	Fender	Public Safety	$ 4,635.97	TUITION: FY2023 PERCENTAGE ADJUSTMENT
05/22/2023	ACH	Finishing Touch Exterior	Facilities	$ 135,180.54	Stewart Park Hall Damage Pay App #2
05/24/2023	ACH	Galles Filter	Fleet	$ 81.31	P1-22058-02
05/24/2023	ACH	Galles Filter	Fleet	$ 88.88	P1-22058-02
05/24/2023	ACH	Galles Filter	Fleet	$ 36.96	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 15.24	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 23.86	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 10.58	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.44	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 7.88	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 23.82	P1-22531-01

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/24/2023	ACH	Galles Filter	Fleet	$ 28.81	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 13.56	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 66.09	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 30.16	P1-22531-01
05/24/2023	ACH	Galles Filter	Fleet	$ 10.41	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.64	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 23.82	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 37.70	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 26.76	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.66	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 27.96	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.95	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 23.20	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 28.81	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 17.72	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 10.68	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 46.75	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 243.93	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 15.04	P1-22625-01
05/24/2023	ACH	Galles Filter	Fleet	$ 81.31	P1-22625-02
05/24/2023	ACH	Galles Filter	Fleet	$ 11.53	P1-22705-01
05/24/2023	ACH	Galles Filter	Fleet	$ 7.88	P1-22705-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.59	P1-22705-01
05/24/2023	ACH	Galles Filter	Fleet	$ 4.20	P1-22705-01
05/24/2023	ACH	Galles Filter	Fleet	$ 15.56	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 46.04	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 87.84	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 23.20	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 21.16	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 30.16	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 7.90	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 24.58	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 3.60	P1-22814-01
05/24/2023	ACH	Galles Filter	Fleet	$ 62.00	P1-22814-01

Check Date	Check#	Name	Find Name	Amount		Item Desc
05/24/2023	ACH	Galles Filter	Fleet	$ 3.95	P1-22889-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 30.27	P1-22889-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 13.48	P1-22889-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 15.08	P1-22889-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 10.99	P1-22992-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 38.39	P1-22992-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 46.75	P1-22992-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 23.82	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 66.12	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 101.50	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 13.98	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 45.24	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 12.29	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 22.46	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 23.20	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 3.94	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 25.20	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 22.56	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 38.39	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 43.92	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 28.81	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 7.62	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 47.74	P1-23171-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 23.86	P1-23171-02	
05/24/2023	ACH	Galles Filter	Fleet	$ 10.34	P1-23246-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 23.20	P1-23246-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 21.98	P1-23246-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 47.74	P1-23348-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 22.56	P1-23518-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 3.95	P1-23518-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 38.39	P1-23518-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 179.40	P1-23518-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 7.88	P1-23518-01	
05/24/2023	ACH	Galles Filter	Fleet	$ 13.88	P1-23518-01	

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/24/2023	ACH	Galles Filter	Fleet	$ 23.82	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 13.75	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 22.62	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 30.27	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 157.08	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 6.55	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 33.06	P1-23518-01
05/24/2023	ACH	Galles Filter	Fleet	$ 5.08	U-07799
05/24/2023	ACH	Galles Filter	Fleet	$ 3.94	U-07799
05/24/2023	ACH	Galles Filter	Public Safety	$ 103.78	P1-23416.01
05/24/2023	ACH	Galles Filter	Public Safety	$ 36.26	U07449
05/24/2023	ACH	Galles Filter	Solid Waste	$ 80.73	22689-01, LUBE SPIN-ON, AIR ELEMENT
05/24/2023	ACH	Galles Filter	Solid Waste	$ 986.02	Outer Air Element
05/24/2023	ACH	Galles Filter	Solid Waste	$ 525.68	Outer Air Element
05/24/2023	ACH	Galles Filter	Solid Waste	$ 613.50	Outer Air Element
05/24/2023	ACH	Galles Filter	Solid Waste	$ 750.62	Outer Air Element
05/24/2023	ACH	Galles Filter	Solid Waste	$ 9.10	P122374.02
05/24/2023	ACH	Galles Filter	Solid Waste	$ (90.60)	U-07766
05/24/2023	ACH	Galles Filter	Street/Traffic	$ 120.13	22648-01 - BATTERY
05/24/2023	ACH	Galles Filter	Street/Traffic	$ 22.42	P122493.01
05/24/2023	ACH	Galles Filter	Street/Traffic	$ 284.50	P1-23191
05/24/2023	ACH	Galles Filter	Street/Traffic	$ 9.94	U07461
05/24/2023	ACH	Galles Filter	Street/Traffic	$ (18.00)	U-07770 - BATTERY REFUND
05/24/2023	ACH	Galles Filter	Wastewater	$ 18.01	22650-01, LUE SPIN ON, PA602
05/24/2023	ACH	Galles Filter	Wastewater	$ 7.57	22672-01, AIR ELEMENT
05/24/2023	ACH	Galles Filter	Wastewater	$ 3.64	22673-01, LUBE SPIN-ON
05/24/2023	ACH	Galles Filter	Wastewater	$ 10.76	22688-01, LUBE SPIN-ON, AIR ELEMENT
05/24/2023	ACH	Galles Filter	Wastewater	$ 37.85	22690-01, LUBE SPIN ON, AIR ELEMENT
05/24/2023	ACH	Galles Filter	Wastewater	$ 14.25	22692-01, PA602
05/24/2023	ACH	Galles Filter	Wastewater	$ 17.89	Galles Filter 22691-01Lube Spin-On
05/24/2023	ACH	Galles Filter	Water	$ 21.90	Mixed Breather LS Lighting Mixer
05/22/2023	861715	Harris Systems	Building	$ 174,600.00	City View Software purchase
05/22/2023	ACH	HDR, Inc.	Engineering	$ 351.99	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	ACH	HDR, Inc.	Light Maint	$ 91.10	WO 20-33 Public Works GIS Services; payment 39

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	ACH	HDR, Inc.	P.W. Admin	$ 1,005.22	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	ACH	HDR, Inc.	Solid Waste	$ 409.96	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	ACH	HDR, Inc.	Storm Sewer	$ 1,120.13	WO 20-33 Public Works GIS Services: Payment 39
05/22/2023	ACH	HDR, Inc.	Street/Traffic	$ 1,379.98	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	ACH	HDR, Inc.	Wastewater	$ 1,507.31	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	ACH	HDR, Inc.	Water	$ 4,486.74	WO 20-33 Public Works GIS Services; Payment 39
05/22/2023	861718	High Point Network	IT Resources	$ 8,556.60	Installing new core switches
05/22/2023	861718	High Point Network	Library	$ 245.00	224935 Firewall monthly service
05/22/2023	861724	Iaff	Payroll Clearing	$ 5,663.08	Payroll Summary
05/22/2023	861725	Ind Commun & Elect	Public Safety	$ 3,168.00	MINITOR VI TWO TONE VOICE PAGERS, VHF, INT SAFE W/CHARGER
05/22/2023	861725	Ind Commun & Elect	Public Safety	$ 49.21	SHIPPING CHARGES
05/22/2023	861726	Ingram Library	Library	$ 49.56	75541484
05/22/2023	861726	Ingram Library	Library	$ 0.22	75541484
05/22/2023	861726	Ingram Library	Library	$ 382.78	75541485
05/22/2023	861726	Ingram Library	Library	$ 1.43	75541485
05/22/2023	861726	Ingram Library	Library	$ 20.66	75541486
05/22/2023	861726	Ingram Library	Library	$ 60.16	75541486
05/22/2023	861726	Ingram Library	Library	$ 0.52	75541486
05/22/2023	861726	Ingram Library	Library	$ 52.71	75541486
05/22/2023	861726	Ingram Library	Library	$ 18.00	75541487
05/22/2023	861726	Ingram Library	Library	$ 0.46	75541487
05/22/2023	861726	Ingram Library	Library	$ 72.27	75541487
05/22/2023	861726	Ingram Library	Library	$ 29.50	75541488
05/22/2023	861726	Ingram Library	Library	$ 11.79	75541488
05/22/2023	861726	Ingram Library	Library	$ 0.37	75541488
05/22/2023	861726	Ingram Library	Library	$ 17.70	75541488
05/22/2023	861726	Ingram Library	Library	$ 880.60	75626539
05/22/2023	861726	Ingram Library	Library	$ 290.95	75626539
05/22/2023	861726	Ingram Library	Library	$ 2.84	75626539
05/22/2023	861726	Ingram Library	Library	$ 360.83	75626539
05/22/2023	861726	Ingram Library	Library	$ 277.24	75626539
05/22/2023	861726	Ingram Library	Library	$ 0.01	75626540
05/22/2023	861726	Ingram Library	Library	$ 7.66	75626540
05/22/2023	861726	Ingram Library	Library	$ 17.10	75626541

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861726	Ingram Library	Library	$ 35.40	75626541
05/22/2023	861726	Ingram Library	Library	$ 0.08	75626541
05/22/2023	861726	Ingram Library	Library	$ 0.01	75626542
05/22/2023	861726	Ingram Library	Library	$ 11.20	75626542
05/22/2023	861726	Ingram Library	Library	$ 17.11	75626543
05/22/2023	861726	Ingram Library	Library	$ 0.06	75626543
05/22/2023	861726	Ingram Library	Library	$ 36.90	75626543
05/22/2023	861727	Insight Public Sector	Capital Replace	$ 27,882.00	Qty. 40 FZ40 MDT Havis DocksPolice
05/22/2023	861732	Jottodesk	Public Safety	$ 1,710.83	7882119B
05/22/2023	861732	Jottodesk	Public Safety	$ 1,250.34	7882119B
05/22/2023	861732	Jottodesk	Public Safety	$ 5,174.40	7882119B
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 185.00	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 108.28	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 697.32	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 5,562.50	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 185.00	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 39.26	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 372.50	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 55.90	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 355.00	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 298.68	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 355.00	13403
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 5,562.50	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 55.90	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 185.00	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 372.50	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 108.28	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 355.00	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 355.00	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 185.00	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 298.68	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 697.32	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 39.26	13404
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 50.04	13489 - SPOTLIGHT

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861734	Kent D. Bruce Co	Public Safety	$ 50.04	13489 - SPOTLIGHT
05/22/2023	861736	Knife River	Street/Traffic	$ 5,294.14	sand/salt material
05/22/2023	861741	Lamar Companies	General	$ 4,445.00	advertising for recreation programs
05/22/2023	861743	LFG Specialties	Solid Waste	$ 24,558.00	WO 22-27 Landfill Gas Emissions Compliance
05/22/2023	861745	Lithia Dodge	General	$ 22,128.00	Vehicle Purchase from Safety Mill
05/22/2023	861747	McCamley	Public Safety	$ 3,108.05	TUITION: FINAL - FY2023
05/22/2023	861755	MFPE	Payroll Clearing	$ 2,715.26	Payroll Summary
05/22/2023	861752	Montana CSED	Payroll Clearing	$ 4,093.42	Payroll Summary
05/22/2023	861762	Morgan Contractors	Airport	$ 199,032.12	Baggage Claim Restroom Remodel
05/22/2023	861763	Morrison Maierle	Airport	$ 1,236.43	Amendment #3 Baggage Claim Restroom Remodel Project
05/22/2023	861763	Morrison Maierle	Wastewater	$ 10,634.99	WO 22-10 Alkali Creek Water and Sewer Extension Consult Agreement
05/22/2023	861763	Morrison Maierle	Wastewater	$ 4,940.09	WO 23-01 Mountain View Sanitary Sewer Study
05/22/2023	861763	Morrison Maierle	Water	$ -	WO 22-10 Alkali Creek Water and Sewer Extension, Consult Agreement
05/22/2023	861765	MPPA	Payroll Clearing	$ 3,859.94	Payroll Summary
05/22/2023	861767	MT Dept Rev-CGR2	Water	$ 147.81	Fence around the Walters Pump Station
05/22/2023	861767	MT Dept Rev-CGR3	Airport	$ 2,010.43	Baggage Claim Restroom Remodel
05/22/2023	861767	MT Dept Rev-CGR4	Facilities	$ 1,365.46	Hail Damage at Stewart Park Pay App. #2
05/22/2023	861767	MT Dept Rev-CGR5	Park Dist 1	$ 592.00	business tax on Castle Rock playground installation
05/22/2023	861757	MT Peterbilt	Fleet	$ 385.80	71468B
05/22/2023	861757	MT Peterbilt	Fleet	$ 304.20	71468B
05/22/2023	861757	MT Peterbilt	Fleet	$ 101.04	71468B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 563.21	50192B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 88.00	50192B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 637.18	55786B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 88.00	55786B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 195.00	65193B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 1,051.40	65193B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 28.00	68385B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 440.00	68627B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 297.51	68627B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 212.00	68673B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 20.40	68686B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 22.44	68686B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 9.90	68686B

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 375.00	68686B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 1,746.49	68686B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ (375.00)	68686B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 278.72	68766B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 88.00	68777B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 760.81	68777B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 519.00	68794B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 28.00	69279BX1
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 319.30	69279BX1
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 88.00	69315B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 536.86	69315B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 57.03	69841B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 88.00	69841B
05/22/2023	861757	MT Peterbilt	Solid Waste	$ 245.80	69857B
05/22/2023	861758	MT State Firemen	Payroll Clearing	$ 5,163.27	Payroll Summary
05/22/2023	861768	Napa Auto Parts	Facilities	$ 76.30	3977-481723 Hitch, Ball, Ratchet Straps
05/22/2023	861768	Napa Auto Parts	Facilities	$ 22.70	3977-481758 Adapter for truck #1069 to haul trailer.
05/22/2023	861768	Napa Auto Parts	Fleet	$ 8.77	3977-475786
05/22/2023	861768	Napa Auto Parts	Fleet	$ 788.90	3977-480866
05/22/2023	861768	Napa Auto Parts	Fleet	$ 47.70	3977-481245
05/22/2023	861768	Napa Auto Parts	Fleet	$ 7.62	3977-481760
05/22/2023	861768	Napa Auto Parts	Fleet	$ 357.45	3977-482283
05/22/2023	861768	Napa Auto Parts	Fleet	$ 497.00	3977-482283
05/22/2023	861768	Napa Auto Parts	Fleet	$ 26.68	3977-483161
05/22/2023	861768	Napa Auto Parts	Fleet	$ 10.66	3977-483161
05/22/2023	861768	Napa Auto Parts	General	$ 103.24	3977-475682
05/22/2023	861768	Napa Auto Parts	General	$ 84.15	3977-480866
05/22/2023	861768	Napa Auto Parts	Parking	$ 29.07	3977-474085
05/22/2023	861768	Napa Auto Parts	Parking	$ 40.98	3977-474085,474086
05/22/2023	861768	Napa Auto Parts	Parking	$ 32.32	3977-474175
05/22/2023	861768	Napa Auto Parts	Parking	$ 10.74	3977-474175
05/22/2023	861768	Napa Auto Parts	Parking	$ 3.02	3977-475539
05/22/2023	861768	Napa Auto Parts	Parking	$ 21.95	3977-475773
05/22/2023	861768	Napa Auto Parts	Parking	$ (3.02)	3977-477870

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861768	Napa Auto Parts	Public Safety	$ 412.91	3977-473837
05/22/2023	861768	Napa Auto Parts	Public Safety	$ 118.14	3977-475240
05/22/2023	861768	Napa Auto Parts	Public Safety	$ 11.60	3977-476038
05/22/2023	861768	Napa Auto Parts	Solid Waste	$ 11.41	3977-474311
05/22/2023	861768	Napa Auto Parts	Street/Traffic	$ 25.09	3977-474077
05/22/2023	861768	Napa Auto Parts	Street/Traffic	$ 53.96	3977-474160
05/22/2023	861768	Napa Auto Parts	Street/Traffic	$ 137.04	3977-474187 - OUTLET BOX
05/22/2023	861768	Napa Auto Parts	Water	$ 10.66	3977-474048
05/22/2023	861768	Napa Auto Parts	Water	$ 3.55	3977-475543
05/22/2023	861771	NorMont Equipt	Street/Traffic	$ 21.54	29324
05/22/2023	861771	NorMont Equipt	Street/Traffic	$ 110.25	29324
05/22/2023	861771	NorMont Equipt	Street/Traffic	$ 125.00	29401
05/22/2023	861771	NorMont Equipt	Street/Traffic	$ 1,911.00	29401
05/22/2023	861771	NorMont Equipt	Street/Traffic	$ 531.32	29401
05/22/2023	861774	Northwest Playground	CDBG	$ 51,984.85	Quote 132022KAW3-Comanche Park option 3 playground
05/22/2023	861775	NorthWestern Energy	Airport	$ 2,801.05	0100483-7. Runway Lights. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 1,406.66	0100484-5. ARFF Facility. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 105.55	1647695-4. De Icer. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 808.66	1669567-8. TSA. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 1,528.20	1993430-6. Car Wash. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 334.70	2001846-1. Mud Wash. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 424.50	2001848-7. Detail Bay 1 Hertz. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 284.41	2001855-2. Detail Bay 2 National/Alamo. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 108.95	2001862-8. Detail Bay 3 Enterprise. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 304.75	2001865-1. Detail Bay 4 Avis/May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 68.11	2001867-7. Detail Bay 5 Thrifty/Dollar. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 76.69	3085107-5. Employee Parking. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 358.27	3446396-8. USDA. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 1,007.32	3477231-9. Parking Zone. May 2023
05/22/2023	861775	NorthWestern Energy	Airport	$ 21.48	3733186-5. Airport Storage. May 2023
05/22/2023	861775	NorthWestern Energy	Facilities	$ 1,755.64	0975808-7
05/22/2023	861775	NorthWestern Energy	Facilities	$ 660.33	1160802-3
05/22/2023	861775	NorthWestern Energy	Facilities	$ 803.45	1160804-9
05/22/2023	861775	NorthWestern Energy	Facilities	$ 2,715.91	1269391-7

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,287.62	SILMD 10 Acct# 0712546-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,460.87	SILMD 100 Acct# 0712559-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,111.80	SILMD 107 Acct# 0712560-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 5,296.23	SILMD 109 Acct# 0712561-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 238.78	SILMD 113 Acct# 0712562-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,139.70	SILMD 114 Acct# 0712563-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 268.17	SILMD 115 Acct# 0712564-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 703.93	SILMD 116 Acct# 0712565-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,792.08	SILMD 117 Acct# 0712566-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 239.24	SILMD 118 Acct# 0712567-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 143.02	SILMD 119 Acct# 0712568-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,016.85	SILMD 121 Acct# 0712570-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 225.77	SILMD 122 Acct# 0712571-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 402.25	SILMD 123 Acct# 0712572-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,173.24	SILMD 124 Acct# 0712573-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 469.28	SILMD 125 Acct# 0712574-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 234.66	SILMD 126 Acct# 0712575-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 846.61	SILMD 127 Acct# 0712576-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 592.63	SILMD 128 Acct# 0712577-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 402.25	SILMD 129 Acct# 0712578-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 5,299.24	SILMD 13 Acct# 0721276-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 142.19	SILMD 130 Acct# 0712579-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,039.13	SILMD 131 Acct# 0712580-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 264.02	SILMD 133 Acct# 0712581-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 609.34	SILMD 134 Acct# 0712582-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 620.84	SILMD 135 Acct# 0712583-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 569.85	SILMD 136 Acct# 0712584-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 439.79	SILMD 137 Acct# 0712585-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 905.06	SILMD 138 Acct# 0712586-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 301.69	SILMD 139 Acct# 0712587-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,661.05	SILMD 14 Acct# 0721277-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 703.93	SILMD 143 Acct# 0712588-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 33.51	SILMD 144 Acct# 0712589-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 564.41	SILMD 145 Acct# 0712590-9

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 435.75	SILMD 146 Acct# 0712591-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 527.39	SILMD 147 Acct# 0712592-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,799.92	SILMD 149 Acct# 0712593-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 903.05	SILMD 150 Acct# 0712594-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 770.97	SILMD 151 Acct# 0712595-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 5,200.77	SILMD 152 Acct# 0712596-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 649.07	SILMD 153 Acct# 0712597-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,467.48	SILMD 154 Acct# 0712598-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 603.38	SILMD 155 Acct# 0712599-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,100.59	SILMD 157 Acct# 0712600-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 972.11	SILMD 158 Acct# 0712601-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,161.97	SILMD 159 Acct# 0712602-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 871.54	SILMD 160 Acct# 0712603-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,269.93	SILMD 161 Acct# 0712604-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 54.06	SILMD 162 Acct# 0712605-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 875.50	SILMD 163 Acct# 0712606-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 451.52	SILMD 164 Acct# 0712607-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,072.65	SILMD 165 Acct# 0712608-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 282.20	SILMD 167 Acct# 0712609-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,362.90	SILMD 17 Acct# 0712553-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 677.31	SILMD 171 Acct# 0712610-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 609.31	SILMD 172 Acct# 0712611-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,411.02	SILMD 173 Acct# 0712612-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,185.25	SILMD 174 Acct# 0712613-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 395.08	SILMD 175 Acct# 0712614-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 38.60	SILMD 176 Acct# 0712615-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 310.43	SILMD 178 Acct# 0712616-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 620.84	SILMD 179 Acct# 0712617-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 116.63	SILMD 18 Acct# 0712554-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 423.32	SILMD 180 Acct# 0712618-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,044.76	SILMD 181 Acct# 0712619-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 705.51	SILMD 182 Acct# 0712620-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,411.01	SILMD 183 Acct# 0712621-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 451.52	SILMD 184 Acct# 0712622-0

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 169.33	SILMD 185 Acct# 0712623-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 792.03	SILMD 186 Acct# 0712624-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 282.20	SILMD 187 Acct# 0712625-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 338.65	SILMD 188 Acct# 0712626-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 282.20	SILMD 189 Acct# 0712627-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,467.48	SILMD 190 Acct# 0712628-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 503.58	SILMD 191 Acct# 0712629-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 366.85	SILMD 192 Acct# 0712630-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 903.05	SILMD 193 Acct# 0712631-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 353.59	SILMD 194 Acct# 0712632-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 282.88	SILMD 195 Acct# 0712633-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 90.33	SILMD 196 Acct# 0712634-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 90.33	SILMD 197 Acct# 0712635-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 141.10	SILMD 198 Acct# 0712636-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 106.13	SILMD 200 Acct# 0712637-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 592.63	SILMD 201 Acct# 0712638-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 843.56	SILMD 202 Acct# 0712639-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 24.08	SILMD 203 Acct# 0712640-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 479.04	SILMD 204 Acct# 0712641-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 30.89	SILMD 205 Acct# 0712642-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 395.08	SILMD 206 Acct# 0712643-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 451.52	SILMD 207 Acct# 0712644-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 287.20	SILMD 208 Acct# 0712645-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 649.07	SILMD 209 Acct# 0712646-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 108.40	SILMD 210 Acct# 0712647-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 60.22	SILMD 211 Acct# 0712648-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 60.22	SILMD 212 Acct# 0712649-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 36.13	SILMD 213 Acct# 0712650-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 455.54	SILMD 214 Acct# 0712651-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 169.33	SILMD 216 Acct# 0712652-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 459.29	SILMD 217 Acct# 0712653-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 325.98	SILMD 220 Acct# 0712654-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 7.73	SILMD 221 Acct# 0712655-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 95.51	SILMD 222 Acct# 0712656-8

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 144.52	SILMD 223 Acct# 0712657-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,702.93	SILMD 224 Acct# 0712658-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 462.68	SILMD 225 Acct# 0712659-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 275.02	SILMD 226 Acct# 0712660-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 765.56	SILMD 227 Acct# 0712661-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 972.11	SILMD 228 Acct# 0712662-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 502.82	SILMD 229 Acct# 0712663-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,173.23	SILMD 230 Acct# 0712664-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 703.93	SILMD 231 Acct# 0712665-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,050.36	SILMD 232 Acct# 0712666-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,055.57	SILMD 233 Acct# 0712667-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 574.15	SILMD 234 Acct# 0712668-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 667.84	SILMD 235 Acct# 0712669-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 212.14	SILMD 236 Acct# 0712670-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 479.75	SILMD 237 Acct# 0712671-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 15.44	SILMD 238 Acct# 0712672-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 112.89	SILMD 239 Acct# 0712673-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 509.15	SILMD 240 Acct# 0712674-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 703.99	SILMD 241 Acct# 0712675-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 100.57	SILMD 242 Acct# 0712676-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 134.09	SILMD 244 Acct# 0712677-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 89.00	SILMD 245 Acct# 0712678-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 402.25	SILMD 246 Acct# 0712679-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,179.75	SILMD 247 Acct# 0712680-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,318.52	SILMD 249 Acct# 0718734-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 254.58	SILMD 250 Acct# 0719001-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 4,696.43	SILMD 251 Acct# 0718801-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 670.41	SILMD 252 Acct# 0719162-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,198.50	SILMD 253 Acct# 0719644-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 191.00	SILMD 254 Acct# 0719763-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 194.66	SILMD 255 Acct# 0720813-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,136.06	SILMD 257 Acct# 0720360-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,156.49	SILMD 258 Acct# 0720606-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,721.59	SILMD 259 Acct# 0720810-1

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 603.38	SILMD 261 Acct# 0720705-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,747.75	SILMD 262 Acct# 0720937-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,189.31	SILMD 263 Acct# 0720716-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 208.36	SILMD 264 Acct# 0721427-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 441.50	SILMD 265 Acct# 0721556-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 62.04	SILMD 266 Acct# 0721684-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 555.93	SILMD 270 Acct# 0906944-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,158.51	SILMD 271 Acct# 0995095-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,448.44	SILMD 272 Acct# 0905005-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 248.95	SILMD 273 Acct# 0926386-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 606.06	SILMD 276 Acct# 0961926-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,040.81	SILMD 277 Acct# 1058710-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 268.71	SILMD 278 Acct# 1087619-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 71.47	SILMD 279 Acct# 1124127-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 735.44	SILMD 280 Acct# 1045653-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 552.72	SILMD 283 Acct# 1172743-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 396.01	SILMD 285 Acct# 1206985-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 296.65	SILMD 286 Acct# 1296582-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 2,266.11	SILMD 288 Acct# 1303978-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 283.84	SILMD 289 Acct# 1685375-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 157.12	SILMD 290 Acct# 1433921-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 737.44	SILMD 292 Acct# 1481532-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 282.20	SILMD 293 Acct# 1481534-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 564.41	SILMD 294 Acct# 1481535-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 134.09	SILMD 295 Acct# 1481536-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,495.69	SILMD 296 Acct# 1481537-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 253.99	SILMD 297 Acct# 1481539-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 225.77	SILMD 298 Acct# 1481540-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 497.77	SILMD 300 Acct# 1662840-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 6,685.59	SILMD 301 Acct# 1687005-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 301.51	SILMD 302 Acct# 1607534-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 938.07	SILMD 305 Acct# 1695873-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 204.03	SILMD 306 Acct# 1740353-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 3,398.47	SILMD 307 Acct# 2049005-8

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 329.60	SILMD 308 Acct# 2072459-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 406.78	SILMD 309 Acct# 2001311-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 177.97	SILMD 310 Acct# 2060519-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 295.33	SILMD 311 Acct# 3014475-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 301.63	SILMD 312 Acct# 3146127-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 474.98	SILMD 315 Acct# 3305804-1
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,478.64	SILMD 316 Acct# 3291842-7
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 94.94	SILMD 317 Acct# 3253826-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 994.75	SILMD 318 Acct# 3372018-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 69.45	SILMD 320 Acct# 0712569-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 491.09	SILMD 321 Acct# 3338917-2
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 90.32	SILMD 322 Acct# 3402033-9
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 748.91	SILMD 323 Acct# 3597170-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 340.70	SILMD 324 Acct# 1246537-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 304.02	SILMD 325 Acct# 3587598-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 111.46	SILMD 326 Acct# 3840455-4
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 225.77	SILMD 327 Acct# 3810801-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 664.88	SILMD 328 Acct# 3894879-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 83.90	SILMD 329 Acct# 3939032-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 255.16	SILMD 330 Acct# 3951594-5
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 451.08	SILMD 8 Acct# 0712544-6
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 418.01	SILMD 9 Acct# 0712545-3
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 607.02	SILMD 95 Acct# 0712556-0
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 11,776.84	SILMD 97 Acct# 0712557-8
05/22/2023	861776	NorthWestern Energy	Light Maint	$ 1,305.79	SILMD 99 Acct# 0712558-6
05/22/2023	861775	NorthWestern Energy	Park Dist 1	$ 442.35	0925496-2
05/22/2023	861775	NorthWestern Energy	Solid Waste	$ 2,128.29	3252194-0
05/22/2023	861776	NorthWestern Energy	Street/Traffic	$ 14,180.47	Signal Bills 5.16.2023
05/22/2023	861775	NorthWestern Energy	Transit	$ 2,537.29	0100473-8. Monad Rd. May 2023 Utilities
05/22/2023	861775	NorthWestern Energy	Wastewater	$ 522.07	822 Shiloh Crossing Blvd. April 2023
05/22/2023	861778	Perform Eng & Consult	Park Dist 1	$ 3,696.62	WO 23-15 River Edge Trail Consultant Agreement
05/22/2023	861778	Perform Eng & Consult	Park Dist 1	$ 9,727.96	WO 23-15 River Edge Trail Consultant Agreement
05/22/2023	861778	Perform Eng & Consult	Storm Sewer	$ 20,335.00	Bitterroot Drive and Wicks Lane Corridor Drainage Improvements
05/22/2023	861778	Perform Eng & Consult	Tax Incrmnt S	$ 15,510.91	WO 23-15 River Edge Trail Consultant Agreement

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861780	Plotbox	Cemetery	$ 3,840.00	Cemetery Management software
05/22/2023	861780	Plotbox	Cemetery	$ 14,400.00	Cemetery Management software
05/22/2023	861786	Rolling Right Door	Property Ins	$ 6,852.00	Replacement of a couple overhead door panels for Door #32 at the BOC
05/22/2023	861798	Steel City Drones	Fire Grants	$ 6,900.00	Spotlight -CZI GL60 PLUS- for matrice 300 all Hazmat Team
05/22/2023	861799	Steves Install	Park Dist 1	$ 58,658.00	Castle Rock playground installation
05/22/2023	861800	Stewart Title	CDBG	$ 10,000.00	FTHB Steven Ellis 226 Terry Ave.
05/22/2023	861810	Tel Net System	Facilities	$ 898.84	City Operations Building Solid Waste Door Access Control
05/22/2023	861810	Tel Net System	Facilities	$ 532.00	City Operations Verkada 3-year Door License for 1 door
05/22/2023	861810	Tel Net System	Stillwater	$ 884.04	Labor and Materials to Move Knox Box at Stillwater Building
05/22/2023	861810	Tel Net System	Stillwater	$ 2,893.80	Stillwater Building DEMARC Rack Relocate
05/22/2023	861812	Tetra Tech	Stillwater	$ 2,805.00	Stillwater Building Pre-Renovation Asbestos Inspection
05/22/2023	861812	Tetra Tech	Stillwater	$ 3,906.00	Stillwater Building Pre-Renovation Asbestos Service Inv. 52068285
05/22/2023	861812	Tetra Tech	Stillwater	$ 3,897.00	Stillwater Building Pre-Renovation Asbestos Services Inv. 52068290
05/22/2023	ACH	Town & Co Supply	Fleet	$ 3,665.69	434582
05/22/2023	ACH	Town & Co Supply	Fleet	$ 9,031.16	434582
05/22/2023	ACH	Town & Co Supply	Fleet	$ 5,290.03	434582
05/22/2023	ACH	Town & Co Supply	Fleet	$ 6,888.92	434582
05/22/2023	ACH	Town & Co Supply	Fleet	$ 22,440.60	434589
05/22/2023	ACH	Town & Co Supply	Fleet	$ 4,650.03	434591
05/22/2023	ACH	Town & Co Supply	Fleet	$ 7,654.73	434591
05/22/2023	ACH	Town & Co Supply	Fleet	$ 13,149.76	434591
05/22/2023	ACH	Town & Co Supply	Fleet	$ 7,494.39	434591
05/22/2023	ACH	Town & Co Supply	General	$ 1,040.22	dyed diesel fuel for cemetery-434465
05/22/2023	ACH	Town & Co Supply	Public Safety	$ 948.68	436077 FIRE 1 - UNLEADED
05/22/2023	ACH	Town & Co Supply	Public Safety	$ 882.44	436077 FIRE 1 DIESEL, CENEX RUBY FIELD/MASTER
05/22/2023	ACH	Town & Co Supply	Public Safety	$ 817.08	FIRE 5: DIESEL
05/22/2023	ACH	Town & Co Supply	Water	$ 15,508.50	Diesel Fuel
05/22/2023	ACH	Town & Co Supply	Water	$ 18,484.20	Unleaded Fuel
05/22/2023	ACH	Tractor & Equipt	Solid Waste	$ 6,142.25	BLW00223856
05/22/2023	ACH	Tractor & Equipt	Solid Waste	$ 2,295.15	Grapple Bucket. Attachment for all Loaders at Landfill.
05/22/2023	ACH	Tractor & Equipt	Wastewater	$ 1,400.00	WO 2397...Trench Box spreader pipe,
05/22/2023	861823	Verizon Wireless	Engineering	$ 27.32	PW-Engineering
05/22/2023	861823	Verizon Wireless	Fleet	$ 106.50	Motor Pool
05/22/2023	861823	Verizon Wireless	General	$ 162.73	City Administrator

Check Date	Check#	Name	Find Name	Amount	Item Desc
05/22/2023	861823	Verizon Wireless	General	$ 40.01	Tina Hoeger Laptop
05/22/2023	861823	Verizon Wireless	General	$ 27.32	Victoria Hill -Laptop
05/22/2023	861823	Verizon Wireless	PD Program	$ 414.70	CCSIU Cell/PTT
05/22/2023	861823	Verizon Wireless	PD Program	$ 80.02	CCSIU RAVEN
05/22/2023	861823	Verizon Wireless	Phone System	$ 80.02	WRF Cradle Point
05/22/2023	861823	Verizon Wireless	Public Safety	$ 120.03	Fire MDT
05/22/2023	861823	Verizon Wireless	Public Safety	$ 268.32	Fire MDT
05/22/2023	861823	Verizon Wireless	Public Safety	$ 520.17	MDT Toughbooks
05/22/2023	861823	Verizon Wireless	Public Safety	$ (38.66)	MDT Toughbooks
05/22/2023	861823	Verizon Wireless	Public Safety	$ 44.47	Police Bait Car
05/22/2023	861823	Verizon Wireless	Public Safety	$ 80.02	Police iPads
05/22/2023	861823	Verizon Wireless	Public Safety	$ 10.02	Police MiFi
05/22/2023	861823	Verizon Wireless	Solid Waste	$ 109.28	PW-Solid Waste
05/22/2023	861823	Verizon Wireless	Solid Waste	$ 191.13	PW-SW-ON CALL Solid Waste On Call
05/22/2023	861823	Verizon Wireless	Solid Waste	$ 23.68	PW-SW-ON CALL Solid Waste On Call
05/22/2023	861823	Verizon Wireless	Solid Waste	$ 524.52	Solid Waste Tablets -Routware
05/22/2023	861823	Verizon Wireless	Street/Traffic	$ 174.67	PW-Streets iPads
05/22/2023	861823	Verizon Wireless	Street/Traffic	$ -	PW-Streets City Works
05/22/2023	861823	Verizon Wireless	Street/Traffic	$ 263.98	PW-STRT TRFC Streets
05/22/2023	861823	Verizon Wireless	Transit	$ 309.02	MET AVL
05/22/2023	861823	Verizon Wireless	Transit	$ 1,120.28	MET Max Transit
05/22/2023	861823	Verizon Wireless	Transit	$ 970.28	MET Max Transit
05/22/2023	861823	Verizon Wireless	Wastewater	$ 400.10	MET Tablets
05/22/2023	861823	Verizon Wireless	Water	$ 27.32	PWBLKNP Water Treatment
05/22/2023	861823	Verizon Wireless	Water	$ 94.67	PWBLNP Comm-Meter CityWorks/Neptune
05/22/2023	861823	Verizon Wireless	Water	$ 40.01	PWBLNP Comm-Meter CityWorks/Neptune
05/22/2023	861831	WSF	Street/Traffic	$ 185,642.00	2021 Rolloff truck
05/22/2023	861831	WSF	Street/Traffic	$ 3,412.00	5 year Engine/Transmission warranty
05/22/2023	861832	Wutke	Water	$ 14,633.19	Fence Around the Walters Pump Station
05/22/2023	861833	Ylwstn Val An Shelter	Public Safety	$ 5,272.00	boarding fees court case
05/22/2023	861833	Ylwstn Val An Shelter	Public Safety	$ 27,025.00	city contract

City Council Regular

Date:	06/26/2023
Title:	Payment of Claims for week of May 29, 2023
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	No
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve the Payment of Claims

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

Claims in the amount of $2,632,001.61 have been reviewed and are presented for City Council payment approval. A complete listing of the claims for the week are available in the Finance Department.

Payment Approval Process

Every invoice for payment is entered into the City's accounting system and the backup documentation is scanned in and attached (physical invoices, additional e-mails explaining payments, bids, contracts, etc.).
Each invoice goes through a multi-step approval process depending upon the amount of the payment.

First, invoices are entered by the department requesting the payment and the department director or designee must perform an initial review and approval of the purchase. The number of approvals within the department can vary based upon the size of the department, but no less than one approver within each department must verify the payment.

Second, all payments, regardless of size, must be approved by the Purchasing Agent or designee. The Purchasing Agent will review the payment to ensure purchasing procedures are followed and appropriate documentation is attached.

If the payment is greater than $1,000, then it must be approved by the Finance Director or designee.
If that payment is greater than $10,000, then it must be approved by the City Administrator or Assistant City Administrator.

Once all approvals are completed, the payment is able to be made and the Accounts Payable Clerk can print the check. After all checks are printed, a list of all checks in excess of $2,500 is generated and placed on the next City Council meeting for review.

ALTERNATIVES

- No other alternatives were analyzed

FISCAL EFFECTS

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

Attachments

CouncilMemo wk of 05292023

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861838	Advanced Traffic	Street/Traffic	$ 6,507.50	ped heads with voice per attached quote
05/30/2023	861839	All Color Embroidery	Public Safety	$ 1,575.00	36097
05/30/2023	861839	All Color Embroidery	Public Safety	$ 1,575.00	36111
05/30/2023	861839	All Color Embroidery	Public Safety	$ 1,395.00	36112
05/30/2023	861842	Altitude Signal	Street/Traffic	$ 870.00	green led lens
05/30/2023	861842	Altitude Signal	Street/Traffic	$ 795.00	red led lens
05/30/2023	861842	Altitude Signal	Street/Traffic	$ 2,650.00	yellow led lens
05/30/2023	861844	Askin Const	Gas Tax	$ 310,080.71	WO 22-07 Mullowney Lane Improvements
05/30/2023	861844	Askin Const	Sidewalk Const	$ 3,313.42	WO 22-07 Mullowney Lane Improvements
05/30/2023	861844	Askin Const	Sidewalk Const	$ 22,907.10	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861844	Askin Const	St Maint	$ 200,830.57	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861844	Askin Const	Storm Sewer	$ 143,799.04	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861844	Askin Const	Water	$ 678.68	Retainage Release
05/30/2023	861844	Askin Const	Water	$ 6,167.63	Retainage Release
05/30/2023	861845	AT & T Corp	Airport	$ 817.55	Airport
05/30/2023	861845	AT & T Corp	Airport	$ (200.00)	Airport
05/30/2023	861845	AT & T Corp	Airport	$ 25.09	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Building	$ 45.14	Building Manager
05/30/2023	861845	AT & T Corp	Building	$ 507.50	PW-Building Cell Phones
05/30/2023	861845	AT & T Corp	Building	$ 386.10	PW-Building Surfaces
05/30/2023	861845	AT & T Corp	CDBG	$ 145.48	Comm Dev
05/30/2023	861845	AT & T Corp	Court Grants	$ 166.15	Muni Court DC
05/30/2023	861845	AT & T Corp	Engineering	$ 174.20	Engineering Tablets
05/30/2023	861845	AT & T Corp	Engineering	$ 204.83	PW-Engineering Cell Phones and MiFi
05/30/2023	861845	AT & T Corp	Facilities	$ 165.48	Facilities BOC
05/30/2023	861845	AT & T Corp	Facilities	$ 13.54	Facilities BOC
05/30/2023	861845	AT & T Corp	Facilities	$ 97.62	Facilities BOC/CH and iPad 75%25%
05/30/2023	861845	AT & T Corp	Facilities	$ 17.50	Facilities BOC/CH and iPad 75%25%
05/30/2023	861845	AT & T Corp	Facilities	$ 90.28	Facilities City Hall
05/30/2023	861845	AT & T Corp	Facilities	$ 90.28	Facilities Managers
05/30/2023	861845	AT & T Corp	Fleet	$ 45.44	Motor Pool
05/30/2023	861845	AT & T Corp	General	$ 95.57	City Attorney -Legal
05/30/2023	861845	AT & T Corp	General	$ 543.58	Code Enforcement +Trina Arnold
05/30/2023	861845	AT & T Corp	General	$ 45.14	FINANCE

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861845	AT & T Corp	General	$ 45.14	Human Resources
05/30/2023	861845	AT & T Corp	General	$ 135.54	Legal Dept -Domestic Violence
05/30/2023	861845	AT & T Corp	General	$ 278.20	PRPL - Recreation Division
05/30/2023	861845	AT & T Corp	General	$ 86.60	REC Seasonal
05/30/2023	861845	AT & T Corp	General	$ 104.52	Rec Tablets
05/30/2023	861845	AT & T Corp	IT Resources	$ 50.17	IT Department -On call Phone -
05/30/2023	861845	AT & T Corp	Library	$ 176.88	Library
05/30/2023	861845	AT & T Corp	Library	$ 107.14	Library Out Reach
05/30/2023	861845	AT & T Corp	P.W. Admin	$ 38.90	PWBLKNP OFFICE -60/40
05/30/2023	861845	AT & T Corp	P.W. Admin	$ 25.93	PWBLKNP OFFICE -60/40
05/30/2023	861845	AT & T Corp	Park Dist 1	$ 491.67	Parks Dept.
05/30/2023	861845	AT & T Corp	Park Dist 1	$ 558.46	PRPL Parks Tablets
05/30/2023	861845	AT & T Corp	Parking	$ (200.00)	Parking Division Meter Maintenance
05/30/2023	861845	AT & T Corp	Parking	$ 77.63	Parking Division Meter Maintenance
05/30/2023	861845	AT & T Corp	Parking	$ 270.84	Parking Phones and scanner
05/30/2023	861845	AT & T Corp	Parking	$ 225.70	Parking Phones and scanner
05/30/2023	861845	AT & T Corp	PD Program	$ 160.56	CCSIU Toughbook
05/30/2023	861845	AT & T Corp	PD Program	$ 45.40	Domestic Violence
05/30/2023	861845	AT & T Corp	Phone System	$ 40.02	IT Department -On call Phone -
05/30/2023	861845	AT & T Corp	Phone System	$ 65.02	IT iPads
05/30/2023	861845	AT & T Corp	Phone System	$ 67.49	TeleComm Manager
05/30/2023	861845	AT & T Corp	Planning	$ 62.46	PLANNING
05/30/2023	861845	AT & T Corp	Public Safety	$ 272.14	Animal Control Cell Phones
05/30/2023	861845	AT & T Corp	Public Safety	$ 303.96	Animal Control -MDT
05/30/2023	861845	AT & T Corp	Public Safety	$ 286.96	Comm. Center 9-1-1
05/30/2023	861845	AT & T Corp	Public Safety	$ 40.14	Detective Chartier -Toughbook
05/30/2023	861845	AT & T Corp	Public Safety	$ 1,339.08	Fire Department Cell Phones
05/30/2023	861845	AT & T Corp	Public Safety	$ 135.42	Fire EMS Cell Phone
05/30/2023	861845	AT & T Corp	Public Safety	$ 617.78	Fire iPads -Assistant chiefs new iPads
05/30/2023	861845	AT & T Corp	Public Safety	$ 799.46	Fire iPads -Assistant chiefs new iPads
05/30/2023	861845	AT & T Corp	Public Safety	$ 214.34	Fire iPads -Assistant chiefs new iPads
05/30/2023	861845	AT & T Corp	Public Safety	$ 40.14	Fire iPads -Assistant chiefs new iPads
05/30/2023	861845	AT & T Corp	Public Safety	$ 85.54	ICAC -Campbell and Spare
05/30/2023	861845	AT & T Corp	Public Safety	$ 1,495.96	MDT Fire

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861845	AT & T Corp	Public Safety	$ 4,201.86	Police Department Cell Phone
05/30/2023	861845	AT & T Corp	Public Safety	$ 3,784.20	Police MDT Toughbooks and Loaner MDT's
05/30/2023	861845	AT & T Corp	Public Safety	$ 240.84	Police MDT Toughbooks and Loaner MDT's
05/30/2023	861845	AT & T Corp	Public Safety	$ -	Police -Resource Officers
05/30/2023	861845	AT & T Corp	Public Safety	$ 287.20	Yellowstone County Cellular Charges -Three cradlepoints
05/30/2023	861845	AT & T Corp	Solid Waste	$ 339.52	SOLID WASTE
05/30/2023	861845	AT & T Corp	Solid Waste	$ 43.94	SOLID WASTE
05/30/2023	861845	AT & T Corp	Street/Traffic	$ 372.55	School Flashers
05/30/2023	861845	AT & T Corp	Street/Traffic	$ 700.77	Street Traffic iPads
05/30/2023	861845	AT & T Corp	Street/Traffic	$ 43.34	Street Traffic iPads
05/30/2023	861845	AT & T Corp	Transit	$ 62.86	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Transit	$ 112.92	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Transit	$ 11.39	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Transit	$ 44.96	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Transit	$ 50.17	MET Supervisor Cell Phones
05/30/2023	861845	AT & T Corp	Transit	$ 445.09	MET Transit Tablets
05/30/2023	861845	AT & T Corp	Transit	$ 645.35	MET Transit Tablets
05/30/2023	861845	AT & T Corp	Wastewater	$ 180.56	PW Environmental
05/30/2023	861845	AT & T Corp	Wastewater	$ 292.58	PWBELKNAP-DIST COLL CELL PHONES 60/40
05/30/2023	861845	AT & T Corp	Wastewater	$ 472.96	PWBLKNP Electricians -Phones
05/30/2023	861845	AT & T Corp	Wastewater	$ 27.70	PWBLKNP STORES -75/25
05/30/2023	861845	AT & T Corp	Wastewater	$ 892.96	PWBLNP-WWTRMNT1 Wastewater Treatment Plant and iPads
05/30/2023	861845	AT & T Corp	Wastewater	$ 104.52	PWBLNP-WWTRMNT1 Wastewater Treatment Plant and iPads
05/30/2023	861845	AT & T Corp	Wastewater	$ 292.97	PW-Distribution Collection Tablets 60/40
05/30/2023	861845	AT & T Corp	Wastewater	$ (150.00)	PW-Distribution Collection Tablets 60/40
05/30/2023	861845	AT & T Corp	Wastewater	$ 69.68	PW-Environmental
05/30/2023	861845	AT & T Corp	Water	$ 439.35	PWBELKNAP-DIST COLL CELL PHONES 60/40
05/30/2023	861845	AT & T Corp	Water	$ 1,045.02	PWBELKNAP-WT Water Treatment
05/30/2023	861845	AT & T Corp	Water	$ 472.64	PWBLKNP COMM-METER CityWorks/Neptune
05/30/2023	861845	AT & T Corp	Water	$ 392.04	PWBLKNP MTRSHOP CELL PHONE AND IPADS
05/30/2023	861845	AT & T Corp	Water	$ 201.85	PWBLKNP MTRSHOP CELL PHONE AND IPADS
05/30/2023	861845	AT & T Corp	Water	$ 83.09	PWBLKNP STORES -75/25
05/30/2023	861845	AT & T Corp	Water	$ 469.78	PW-Distribution Collection Tablets 60/40
05/30/2023	861845	AT & T Corp	Water	$ (225.00)	PW-Distribution Collection Tablets 60/40

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861848	Avery Dennison	Street/Traffic	$ 394.92	ink cartridges for sign machine
05/30/2023	861848	Avery Dennison	Street/Traffic	$ 3,771.00	sheeting for signs
05/30/2023	861849	Avery Electric Motor	Wastewater	$ 3,001.95	rebuild after Fire damage
05/30/2023	861849	Avery Electric Motor	Wastewater	$ 6,400.45	Rebuild after fire damage
05/30/2023	861851	Big Ditch Company	Park Dist 1	$ 3,000.00	2023 assessment - 00019520
05/30/2023	861858	Brenntag Pacific	Wastewater	$ 6,257.50	chemical supplies
05/30/2023	861858	Brenntag Pacific	Wastewater	$ 6,257.50	Chemical Supplies
05/30/2023	861871	Crowley Fleck	General	$ 6,300.00	Lobbyist Contract for April 2023
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 581.82	38-79803,38-79865
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 49.84	38-79865
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 664.16	38-79865
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 50.38	38-79950
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 710.32	38-79950
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 108.83	38-80010
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 667.16	38-80010
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 30.00	38-80191
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 45.16	38-80191
05/30/2023	861872	Cummins - Rocky Mt	Solid Waste	$ 52.86	38-80191
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 379.87	38-80345. Restocking Charge SCR Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 3,418.85	38-80345. SCR Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 303.89	38-80345. Shipping SCR Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 3,798.72	38-80536. SCR Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 7.12	38-80691. Turbo Nuts Unit Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ 7.59	38-80691. V/C Grommet Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ (270.00)	38-80708. Air Compressor Core Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ (945.00)	38-80708. Turbo Core Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ (3,418.85)	38-80716. SCR Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ (379.87)	38-80742. Service Charge Unit 1819
05/30/2023	861872	Cummins - Rocky Mt	Transit	$ (1,822.50)	38-80763. Fuel Injector Cores Unit 1819
05/30/2023	861873	Dakota Supply	Water	$ 6,482.52	3/4" METER LOOPS AKA YOKE
05/30/2023	861873	Dakota Supply	Water	$ 8,643.36	3/4" METER LOOPS AKA YOKE
05/30/2023	861873	Dakota Supply	Water	$ 7,406.83	Replacement valve for Stapels
05/30/2023	861875	Dell Marketing	Library	$ 26,612.92	Quote 3000150502196.4
05/30/2023	861875	Dell Marketing	Library	$ 7,836.99	Quote 3000150502196.4

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861876	Desert Mt Corp	Street/Traffic	$ 4,932.34	inv#22-106306ice slicer
05/30/2023	861879	Empire Garage Owner	Parking	$ 8,699.59	INV001556_CIty of Billings May Assessment
05/30/2023	861880	Fisher Sand & Gravel	Street/Traffic	$ 8,014.77	asphalt
05/30/2023	861880	Fisher Sand & Gravel	Street/Traffic	$ 364.43	asphalt
05/30/2023	861880	Fisher Sand & Gravel	Street/Traffic	$ 915.90	asphalt
05/30/2023	861881	FlashParking	Parking	$ 3,111.57	AVI Hang Tags for Empire Garage
05/30/2023	861884	Good Earth Works	Park Dist 1	$ 60,827.93	Ponderosa Park Irrigation System Replacement
05/30/2023	ACH	GPE Controls	Wastewater	$ 5,286.48	pressure regulator for waste burner flare & a rebuild kit
05/30/2023	ACH	GPE Controls	Wastewater	$ 890.37	SHIPPING CHARGES
05/30/2023	861890	Hawkins	General	$ 6,671.18	pool chemicals for rose park pool
05/30/2023	861890	Hawkins	Water	$ 4,401.97	chlorine for staples pump station
05/30/2023	861890	Hawkins	Water	$ 30,334.33	coagulant for process
05/30/2023	ACH	HDR	Solid Waste	$ 4,946.91	WO 22-37 Landfill Drop-off Bldg Repairs
05/30/2023	861891	High Point Network	IT Resources	$ 4,845.00	Block of Hours -Tier 2
05/30/2023	861891	High Point Network	IT Resources	$ 112.50	Slowness at PD -Troubleshooting charges
05/30/2023	861892	Hose & Rubber Supply	Solid Waste	$ 153.62	1783377
05/30/2023	861892	Hose & Rubber Supply	Solid Waste	$ 428.63	1785391
05/30/2023	861892	Hose & Rubber Supply	Solid Waste	$ 644.96	1785572
05/30/2023	861892	Hose & Rubber Supply	Solid Waste	$ 2,837.85	17853863
05/30/2023	861892	Hose & Rubber Supply	Street/Traffic	$ 81.57	1785913
05/30/2023	861892	Hose & Rubber Supply	Wastewater	$ 28.15	01787172 - BRASS PART
05/30/2023	861892	Hose & Rubber Supply	Wastewater	$ 222.50	01790863 - BRASS NUT
05/30/2023	861898	Insight Public	Capital Replace	$ 8,743.04	Qty. 2 FZ40 MDT Toughbooks, i7. Service package,
05/30/2023	861898	Insight Public	Capital Replace	$ 148,631.68	Qty. 34 FZ40 MDT Toughbooks, i7. Service package,
05/30/2023	861898	Insight Public	Capital Replace	$ 17,486.08	Qty. 4 FZ40 MDT Toughbooks, i7. Service package,
05/30/2023	861895	I-State Truck	Public Safety	$ 157.91	C251354409.01
05/30/2023	861895	I-State Truck	Public Safety	$ 141.60	C251354418.01
05/30/2023	861895	I-State Truck	Public Safety	$ (157.91)	C251354418.01
05/30/2023	861895	I-State Truck	Public Safety	$ 57.28	C251354771.01
05/30/2023	861895	I-State Truck	Public Safety	$ 19.10	C251354771.01
05/30/2023	861895	I-State Truck	Public Safety	$ (172.50)	C251354852.01
05/30/2023	861895	I-State Truck	Public Safety	$ 15.00	C251354861.01
05/30/2023	861895	I-State Truck	Public Safety	$ 163.80	C251354861.01
05/30/2023	861895	I-State Truck	Public Safety	$ 68.88	C251354861.01

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861895	I-State Truck	Public Safety	$ 85.73	C251354921.01
05/30/2023	861895	I-State Truck	Public Safety	$ 50.00	C251354921.01
05/30/2023	861895	I-State Truck	Public Safety	$ 172.50	C251355619.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 769.35	C251354213.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 80.96	C251354238.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 44.70	C251354335.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 115.27	C251354344.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 57.09	C251354355.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 51.06	C251354751.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 41.98	C251354751.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 20.80	C251354751.01
05/30/2023	861895	I-State Truck	Solid Waste	$ (20.80)	C251354771.01
05/30/2023	861895	I-State Truck	Solid Waste	$ (41.98)	C251354771.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 8.84	C251354841.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 71.34	C251354895.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 365.24	C251355163.01
05/30/2023	861895	I-State Truck	Solid Waste	$ 138.00	C251355163.01
05/30/2023	861895	I-State Truck	Solid Waste	$ (138.00)	C251355216.01
05/30/2023	861895	I-State Truck	Street/Traffic	$ 192.67	C251354355.01
05/30/2023	861895	I-State Truck	Wastewater	$ 19.08	C251354138.01
05/30/2023	861895	I-State Truck	Wastewater	$ 7.70	C251354138.01
05/30/2023	861895	I-State Truck	Wastewater	$ 9.02	C251354201.01
05/30/2023	861895	I-State Truck	Wastewater	$ 159.67	C251354552.01
05/30/2023	861895	I-State Truck	Water	$ 45.00	C251354383.01
05/30/2023	861895	I-State Truck	Water	$ 220.77	C251354383.01
05/30/2023	861902	Jottodesk	Public Safety	$ 27.45	7886529
05/30/2023	861902	Jottodesk	Public Safety	$ 162.30	7886529
05/30/2023	861902	Jottodesk	Public Safety	$ 64.92	7886529
05/30/2023	861902	Jottodesk	Public Safety	$ 1,048.42	7887745
05/30/2023	861902	Jottodesk	Public Safety	$ 166.71	7887745
05/30/2023	861902	Jottodesk	Public Safety	$ 91.25	7887745
05/30/2023	861902	Jottodesk	Public Safety	$ 185.60	7887745
05/30/2023	861902	Jottodesk	Public Safety	$ 970.20	7887745
05/30/2023	861902	Jottodesk	Public Safety	$ 8,254.05	7882119D

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861902	Jottodesk	Public Safety	$ 1,655.65	7882119E
05/30/2023	861902	Jottodesk	Public Safety	$ 3,948.16	7882119E
05/30/2023	861902	Jottodesk	Public Safety	$ 1,179.15	7882119E
05/30/2023	861902	Jottodesk	Public Safety	$ 7,896.33	7882119F
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 355.00	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 185.00	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 355.00	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 298.68	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 185.00	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 55.90	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 372.50	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 39.26	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 697.32	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 108.28	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 5,562.50	13405
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 108.28	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 39.26	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 372.50	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 55.90	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 697.32	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 298.68	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 355.00	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 185.00	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 185.00	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 355.00	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 5,562.50	13406
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 31.20	13571 - MOUNT
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 18.22	13571 - SHIPPING
05/30/2023	861905	Kent D. Bruce Co	Public Safety	$ 166.60	13598 - CABLE
05/30/2023	861908	Kittelson & Assoc	Planning	$ 11,545.29	INV 01345062023 Billings Urban Area Long Range Transportation Plan
05/30/2023	861910	Knife River	Street/Traffic	$ 298.91	asphalt
05/30/2023	861910	Knife River	Street/Traffic	$ 10,364.28	winter sand/3/8" chips
05/30/2023	861910	Knife River	Street/Traffic	$ 1,752.14	winter sand/salt
05/30/2023	861910	Knife River	Street/Traffic	$ 707.94	winter sand/salt

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861914	L N Curtis & Sons	Public Safety	$ 6,450.00	Drag Stabilized point of aim impact rounds
05/30/2023	861915	L P Anderson Tire	CDBG	$ 65.00	2019799
05/30/2023	861915	L P Anderson Tire	Fleet	$ 267.88	2018733 - TIRE
05/30/2023	861915	L P Anderson Tire	Public Safety	$ 2,774.24	2018647 - TIRES
05/30/2023	861915	L P Anderson Tire	Public Safety	$ 89.57	2019126 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 83.00	2017890 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 804.28	2018212 - TIRES
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 66.50	2018683 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 66.50	2018915 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 41.50	2018928 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 70.50	2019060 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 77.50	2019123 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 183.00	2019376 - TIRE REPAIR
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 3,428.08	2020241 - TIRE
05/30/2023	861915	L P Anderson Tire	Street/Traffic	$ 80.00	2020247 - TIRE REPAIR
05/30/2023	861925	Madison Agency	Transit	$ 4,202.00	#040323COB-2 Sales Toolkit/Selling Strategy
05/30/2023	861926	Majestic Homes	CDBG	$ 148,500.00	FORECLOSURE ACQUISITION / REHAB PROGRAM
05/30/2023	861927	Mccain Traffic Supply	Street/Traffic	$ 5,301.00	signal head/plumbizer mount/visor/led balls
05/30/2023	861940	Morrison Maierle	Wastewater	$ 7,600.07	WO 20-01 Water/Sewer Replacement Project
05/30/2023	861942	Moulton Bellingham	General	$ 120.00	Good Stuff - Zoning Violations
05/30/2023	861942	Moulton Bellingham	General	$ 800.00	HB 865 Research
05/30/2023	861942	Moulton Bellingham	General	$ 1,937.50	Stillwater Building Historic Tax Credit
05/30/2023	861942	Moulton Bellingham	General	$ 360.00	Stone et al v. City of Billings, et al. - Health Insurance Litigation
05/30/2023	861942	Moulton Bellingham	General	$ 12,000.00	Terry Houser - Water and Wastewater Franchise Fee
05/30/2023	861943	MSU Local Gov	General	$ 2,317.98	City staff and board trainings facilitated by Dan Clark
05/30/2023	861943	MSU Local Gov	General	$ 1,000.00	City staff and board trainings facilitated by Dan Clark
05/30/2023	861943	MSU Local Gov	General	$ 2,317.99	City staff and board trainings facilitated by Dan Clark
05/30/2023	861935	MT Dakota Utilities	Airport	$ 354.49	129 573 1000 1. Mud Wash. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 76.01	160 723 3573 6. USDA. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 763.84	179 053 7751 5. New Concourse. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 111.18	185 580 1000 7. TSA. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 49.64	229 573 1000 0. Detail Bay 1 Hertz. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 101.66	283 116 0655 3. Alpine. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 890.91	285 580 1000 6

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861935	MT Dakota Utilities	Airport	$ 57.69	295 580 1000 4. Aero Interiors. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 34.98	329 573 1000 9. Detail Bay 3 Enterprise. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 32.05	429 573 1000 8. Detail Bay 4 Avis/Budget. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 41.58	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 4,914.39	595 580 1000 1
05/30/2023	861935	MT Dakota Utilities	Airport	$ 37.18	629 573 1000 6. Detail Bay 2 National/Alamo. May 2023
05/30/2023	861935	MT Dakota Utilities	Airport	$ 650.50	706 580 1000 7
05/30/2023	861935	MT Dakota Utilities	Airport	$ 874.31	889 373 1000 6. Car Wash. May 2023
05/30/2023	861935	MT Dakota Utilities	Engineering	$ 146.17	595 373 1000 1
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 571.80	130 733 1000 8
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 2,625.08	375 963 4481 4
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 1,765.20	757 633 1000 2
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 2,022.27	929 780 1000 4
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 3,232.22	989 733 1000 0
05/30/2023	861935	MT Dakota Utilities	Facilities	$ 322.73	993 733 1000 4
05/30/2023	861934	MT Dakota Utilities	Fleet	$ 7.37	61223
05/30/2023	861934	MT Dakota Utilities	Fleet	$ 5,475.19	61223
05/30/2023	861935	MT Dakota Utilities	General	$ 273.16	437 780 1000 9
05/30/2023	861935	MT Dakota Utilities	General	$ 121.44	571 295 3342 8
05/30/2023	861935	MT Dakota Utilities	General	$ 56.97	927 890 1000 3
05/30/2023	861935	MT Dakota Utilities	Library	$ 2,014.33	219 924 4851 0
05/30/2023	861935	MT Dakota Utilities	P.W. Admin	$ 36.55	595 373 1000 1
05/30/2023	861935	MT Dakota Utilities	Park Dist 1	$ 30.58	371 101 1000 6
05/30/2023	861935	MT Dakota Utilities	Park Dist 1	$ 59.88	501 473 1000 2
05/30/2023	861935	MT Dakota Utilities	Parking	$ 66.53	303 725 2591 2
05/30/2023	861935	MT Dakota Utilities	Parking	$ 24.03	717 353 1000 6
05/30/2023	861935	MT Dakota Utilities	Parking	$ 50.42	799 152 1209 0
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 24.03	062 907 9494 7
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 780.50	169 233 1000 3
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 205.77	442 190 1000 4
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 34.29	514 117 0478 9
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 230.36	533 653 1000 1
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 71.53	602 589 7178 1
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 153.84	668 670 1000 2

Check Date	Check#	Name	Fund Name	Amount		Item Desc
05/30/2023	861935	MT Dakota Utilities	Public Safety	$ 329.27	885 880 1000 4	
05/30/2023	861935	MT Dakota Utilities	Solid Waste	$ 372.55	284 225 1320 1	
05/30/2023	861935	MT Dakota Utilities	Solid Waste	$ 732.54	770 390 1000 2	
05/30/2023	861935	MT Dakota Utilities	Transit	$ 644.05	962 880 1000 0	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 3,483.83	293 780 1000 2	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 6,967.67	293 780 1000 2	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 3,483.83	293 780 1000 2	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 104.33	310 490 1000 7	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 48.20	410 490 1000 6	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 65.68	596 733 1000 5	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 66.44	713 064 3190 0	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 72.25	735 453 1000 2	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 65.68	843 879 2205 1	
05/30/2023	861935	MT Dakota Utilities	Wastewater	$ 78.70	868 563 1000 7	
05/30/2023	861935	MT Dakota Utilities	Water	$ 101.66	010 490 1000 0	
05/30/2023	861935	MT Dakota Utilities	Water	$ 73.71	076 225 9180 3	
05/30/2023	861935	MT Dakota Utilities	Water	$ 36.45	110 490 1000 9	
05/30/2023	861935	MT Dakota Utilities	Water	$ 42.32	209 077 5055 6	
05/30/2023	861935	MT Dakota Utilities	Water	$ 98.72	210 490 1000 8	
05/30/2023	861935	MT Dakota Utilities	Water	$ 312.97	310 490 1000 7	
05/30/2023	861935	MT Dakota Utilities	Water	$ 22.26	373 580 1000 9	
05/30/2023	861935	MT Dakota Utilities	Water	$ 22.25	373 580 1000 9	
05/30/2023	861935	MT Dakota Utilities	Water	$ 144.57	410 490 1000 6	
05/30/2023	861935	MT Dakota Utilities	Water	$ 1,127.72	500 490 1000 7	
05/30/2023	861935	MT Dakota Utilities	Water	$ 34.24	510 490 1000 5	
05/30/2023	861935	MT Dakota Utilities	Water	$ 25.46	527 033 1000 4	
05/30/2023	861935	MT Dakota Utilities	Water	$ 51.84	541 380 1000 1	
05/30/2023	861935	MT Dakota Utilities	Water	$ 44.51	566 923 1000 8	
05/30/2023	861935	MT Dakota Utilities	Water	$ 29.87	666 923 1000 7	
05/30/2023	861935	MT Dakota Utilities	Water	$ 128.78	700 490 1000 5	
05/30/2023	861935	MT Dakota Utilities	Water	$ 182.65	800 490 1000 4	
05/30/2023	861935	MT Dakota Utilities	Water	$ 23.27	832 001 1000 1	
05/30/2023	861935	MT Dakota Utilities	Water	$ 225.97	900 490 1000 3	
05/30/2023	861935	MT Dakota Utilities	Water	$ 65.71	921 580 1000 6	

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861944	MT Dept Rev-CGR2	Airport	$ 3,385.87	AIP-77 Terminal Expansion (GMP) - Federal Share
05/30/2023	861944	MT Dept Rev-CGR3	CDBG	$ 1,500.00	FORECLOSOURE ACQUISITION / REHAB PROGRAM
05/30/2023	861944	MT Dept Rev-CGR4	Park Dist 1	$ 614.42	WO 22-43 Ponderosa Park Irrigation System Replacement
05/30/2023	861944	MT Dept Rev-CGR5	Sidewalk Const	$ 231.38	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861944	MT Dept Rev-CGR6	Airport	$ 376.21	AIP-77 Terminal Expansion (GMP) - Local Share
05/30/2023	861944	MT Dept Rev-CGR7	Airport	$ 318.27	AIP-77 Terminal Expansion (GMP) - Ineligible Local Share
05/30/2023	861944	MT Dept Rev-CGR8	Storm Sewer	$ 1,452.52	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861944	MT Dept Rev-CGR9	St Maint	$ 2,028.59	WO 22-21 Brewington Drive Reconstruction
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 1,746.49	69987B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 375.00	69987B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 15.57	69987B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 379.52	70037B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 36.70	70158B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 56.67	70331B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ 201.56	70502B
05/30/2023	861937	MT Peterbilt	Solid Waste	$ (375.00)	CM69987B
05/30/2023	861937	MT Peterbilt	Wastewater	$ 77.87	70083B
05/30/2023	861937	MT Peterbilt	Wastewater	$ 12.50	70083B
05/30/2023	861937	MT Peterbilt	Wastewater	$ (12.50)	CM70083B
05/30/2023	ACH	Northwest Pipe	Public Safety	$ 18.22	7927405
05/30/2023	ACH	Northwest Pipe	Street/Traffic	$ 11.21	bushing/coupling for irrigation repair
05/30/2023	ACH	Northwest Pipe	Street/Traffic	$ 147.69	irrigation repair supplies
05/30/2023	ACH	Northwest Pipe	Street/Traffic	$ 208.52	irrigation repair supplies
05/30/2023	ACH	Northwest Pipe	Wastewater	$ 212.40	CFP #2 bolt pack set
05/30/2023	ACH	Northwest Pipe	Wastewater	$ 63.66	control rebuild
05/30/2023	ACH	Northwest Pipe	Wastewater	$ 15.98	Odor control bed sprinkler
05/30/2023	ACH	Northwest Pipe	Wastewater	$ 603.14	Odor Control Sprinkler System Repair
05/30/2023	ACH	Northwest Pipe	Water	$ 4,864.00	1" E-CODER REGISTER HEAD
05/30/2023	ACH	Northwest Pipe	Water	$ 200.50	1-1/2" TD METER FLANGE GASKETS
05/30/2023	ACH	Northwest Pipe	Water	$ 434.06	1-1/2" TD METER FLANGES
05/30/2023	ACH	Northwest Pipe	Water	$ 9,793.50	2" ECODER WALL METER CUFT FLG.
05/30/2023	ACH	Northwest Pipe	Water	$ 357.44	2-1/2" 0-3000# LIQUID FILLED - BOTTOM MOUNT GAUGE
05/30/2023	ACH	Northwest Pipe	Water	$ 2,992.46	3" MACH 10 METER OR TRU FLO COMPOUND R900I CU/FT EC3BRWF3
05/30/2023	ACH	Northwest Pipe	Water	$ 50,948.00	3/4" E-CODER WALL CU/FT METER W/RECPT ED2C11REF7

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	ACH	Northwest Pipe	Water	$ 20,214.00	3/4" T10 2BD 4 WHEEL - REGISTER HEADS R62F21
05/30/2023	ACH	Northwest Pipe	Water	$ 6,738.00	3/4" T10 2BD 4 WHEEL - REGISTER HEADS R62F21
05/30/2023	ACH	Northwest Pipe	Water	$ 8,984.00	5/8" PIT REGISTER E-CODER - 202NS90607
05/30/2023	ACH	Northwest Pipe	Water	$ 8,984.00	5/8" PIT REGISTER E-CODER - 202NS90607
05/30/2023	ACH	Northwest Pipe	Water	$ 6,738.00	5/8" PIT REGISTER HEAD E-CODER - 202NS90607
05/30/2023	ACH	Northwest Pipe	Water	$ 8,000.00	Back Flow Preventor Parts
05/30/2023	ACH	Northwest Pipe	Water	$ 554.76	BONNET GASKETS - K8109 - FOR K11 & K81 HYDRANTS
05/30/2023	ACH	Northwest Pipe	Water	$ 1,449.90	DUAL CHECK REPAIR KITS FOR METERS
05/30/2023	ACH	Northwest Pipe	Water	$ 1,049.18	Elbows, pipe for Filter Bldg AS System
05/30/2023	ACH	Northwest Pipe	Water	$ 1,693.22	Filter 5 Air Supply Line
05/30/2023	ACH	Northwest Pipe	Water	$ 317.84	HOSE NOZZLE 2 1/2"-K8140 - K81 HYDRANT-NST SCREW TYPE
05/30/2023	ACH	Northwest Pipe	Water	$ 59,363.76	Neptune 360 Annual Software Hosting Rene
05/30/2023	ACH	Northwest Pipe	Water	$ 431.41	PW Water Plant Filters
05/30/2023	ACH	Northwest Pipe	Water	$ 26,428.00	R-900 ENHANCED WALL RR - MIU 13341-200
05/30/2023	ACH	Northwest Pipe	Water	$ 2,432.00	REGISTER E-CODER PIT 1-1/2" RH2F41
05/30/2023	ACH	Northwest Pipe	Water	$ 566.04	Restock
05/30/2023	ACH	Northwest Pipe	Water	$ (2,500.00)	Returned parts for Back Flow Preventors
05/30/2023	ACH	Northwest Pipe	Water	$ (2,150.00)	returned parts for back flow preventors
05/30/2023	ACH	Northwest Pipe	Water	$ 41.05	slip caps
05/30/2023	ACH	Northwest Pipe	Water	$ 227.94	Upstairs Bathroom parts
05/30/2023	ACH	Northwest Pipe	Water	$ 3,333.25	wire, mics stock
05/30/2023	ACH	Northwest Pipe	Water	$ 350.22	WTP, Copper elbows, Pressure Reducing va
05/30/2023	861951	NorthWestern Energy	Airport	$ 31,823.32	0100482-9. Main Vault. May 2023
05/30/2023	861951	NorthWestern Energy	Airport	$ 537.97	0712809-3. IP-11/12 Alpine. May 2023
05/30/2023	861951	NorthWestern Energy	Engineering	$ 915.92	1741314-7
05/30/2023	861951	NorthWestern Energy	Engineering	$ 41.33	Depot parking lot lights
05/30/2023	861951	NorthWestern Energy	Facilities	$ 7,865.67	0100507-3
05/30/2023	861951	NorthWestern Energy	General	$ 1,362.06	0100506-5
05/30/2023	861951	NorthWestern Energy	General	$ 45.65	0712387-0
05/30/2023	861951	NorthWestern Energy	General	$ 86.76	0712536-2
05/30/2023	861951	NorthWestern Energy	General	$ 42.09	0720818-4
05/30/2023	861951	NorthWestern Energy	General	$ 188.08	0720821-8
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 25.12	0722237-5
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 6.00	0722247-4

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 143.34	0722251-6
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0722254-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 108.13	0722255-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 311.02	0722257-3
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 106.50	0722260-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 31.27	0722261-5
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 30.81	0722262-3
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0722263-1
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0722265-6
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 135.11	0722266-4
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.33	0722268-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 11.20	0722269-8
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0722285-4
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 181.56	0722287-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 12.60	0722292-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 29.14	0722293-8
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 14.26	0722905-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 83.10	0722933-9
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 106.50	0723027-9
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 96.60	0723035-2
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 6.92	0723036-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 219.74	0723037-8
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0723038-6
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0723041-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 41.63	0723042-8
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 183.82	0723044-4
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 395.10	0723045-1
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 106.50	0723048-5
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 106.90	0723050-1
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0723051-9
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 46.46	0723052-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 188.05	0723054-3
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 7.98	0723055-0
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 42.25	0723056-8

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 8.60	0723057-6
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 23.13	0723058-4
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 8.70	0723090-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 6.00	0723162-4
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 531.51	0723170-7
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 18.85	0789437-1
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 45.20	0839280-5
05/30/2023	861951	NorthWestern Energy	Park Dist 1	$ 11.50	1836666-6
05/30/2023	861951	NorthWestern Energy	Parking	$ 2,157.08	0720834-1
05/30/2023	861951	NorthWestern Energy	Parking	$ 1,513.00	1594282-4
05/30/2023	861951	NorthWestern Energy	Public Safety	$ 774.61	0871546-8
05/30/2023	861951	NorthWestern Energy	Public Safety	$ 2,452.08	3448739-7
05/30/2023	861951	NorthWestern Energy	Radio	$ 265.70	0721580-9
05/30/2023	861951	NorthWestern Energy	Street/Traffic	$ 6.00	0723645-8
05/30/2023	861951	NorthWestern Energy	Street/Traffic	$ 45.48	1740357-7
05/30/2023	861951	NorthWestern Energy	Street/Traffic	$ 45.90	1748896-6
05/30/2023	861951	NorthWestern Energy	Transit	$ 193.55	1784756-7
05/30/2023	861951	NorthWestern Energy	Wastewater	$ 1,193.54	0100606-3
05/30/2023	861951	NorthWestern Energy	Water	$ 874.94	0100485-2
05/30/2023	861951	NorthWestern Energy	Water	$ 8,459.03	0100540-4
05/30/2023	861951	NorthWestern Energy	Water	$ 90,708.94	0100606-3
05/30/2023	861951	NorthWestern Energy	Water	$ 3,580.62	0100606-3
05/30/2023	861951	NorthWestern Energy	Water	$ 3,370.85	0722264-9
05/30/2023	861951	NorthWestern Energy	Water	$ 2,848.09	0723040-2
05/30/2023	861951	NorthWestern Energy	Water	$ 17.01	0723059-2
05/30/2023	861951	NorthWestern Energy	Water	$ 818.95	1116452-2
05/30/2023	861956	Proforce Law Enforce	Public Safety	$ 4,362.50	519632, taser mags
05/30/2023	ACH	Rexel USA	Wastewater	$ 3,436.02	PD SRP Control Stations
05/30/2023	861961	River Oaks Commun	General	$ 4,705.50	Ziply Franchise
05/30/2023	861964	Roto Mix LLC	Payroll Clearing	$ 37,636.00	Bid Deposit Refund for Solid Waste; Compost Mixer and Conveyor
05/30/2023	861965	Routeware	Solid Waste	$ 28,030.00	Hardware/Software Deposits. Collections.
05/30/2023	861965	Routeware	Solid Waste	$ 20,907.54	Q3 2023 Support. Routeware Control Center Support.
05/30/2023	861966	Sanderson Stewart	Arterial Streets	$ 1,782.50	WO 22-28 Grand Ave & 32nd Street West Traffic Signal Improvements
05/30/2023	861966	Sanderson Stewart	Arterial Streets	$ 1,461.00	WO 23-10 48th St W/Grand Ave Intersection Improvements

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861966	Sanderson Stewart	Tax Incrmnt S	$ 28,580.79	WO 21-42 SBURA Streets improvements, Phase 1
05/30/2023	861970	SHI International	Building	$ 170.30	Adobe Standard Renewal -Mark Cole
05/30/2023	861970	SHI International	IT Resources	$ (707.55)	Upgrade 3 -Planning from G1 to G3, Upgrade 4 D&C to G3, PWA -G3
05/30/2023	861970	SHI International	Planning	$ 480.00	Upgrade 3 -Planning from G1 to G3, Upgrade 4 D&C to G3, PWA -G3
05/30/2023	861970	SHI International	Public Safety	$ 498.62	Adobe Acrobat Pro 2020 -Kristin Funk -PD
05/30/2023	861970	SHI International	Public Safety	$ 340.60	Adobe Standard Renewal -Secretary 1 and Secretary 2 Workstations -PD
05/30/2023	861970	SHI International	Public Safety	$ 306.69	MS Office Standard -Voice 1 Rec -Comm. Center
05/30/2023	861970	SHI International	Public Safety	$ 613.38	Qty. 2 MS Office Standard -SCBA Laptops -Fire
05/30/2023	861970	SHI International	Wastewater	$ 456.00	Upgrade 3 -Planning from G1 to G3, Upgrade 4 D&C to G3, PWA -G3
05/30/2023	861970	SHI International	Water	$ 684.00	Upgrade 3 -Planning from G1 to G3, Upgrade 4 D&C to G3, PWA -G3
05/30/2023	861971	Sletten Const	Airport	$ 335,201.25	AIP-77 Terminal Expansion (GMP) - Federal Share
05/30/2023	861971	Sletten Const	Airport	$ 31,508.43	AIP-77 Terminal Expansion (GMP) - Ineligible Local Share
05/30/2023	861971	Sletten Const	Airport	$ 37,244.59	AIP-77 Terminal Expansion (GMP) - Local Share
05/30/2023	861973	Solid Waste System	Solid Waste	$ 173.15	155005
05/30/2023	861973	Solid Waste System	Solid Waste	$ 881.25	155005
05/30/2023	861973	Solid Waste System	Solid Waste	$ 61.96	155408
05/30/2023	861973	Solid Waste System	Solid Waste	$ 189.98	155408
05/30/2023	861973	Solid Waste System	Solid Waste	$ 21.53	155408
05/30/2023	861973	Solid Waste System	Solid Waste	$ 170.38	155408
05/30/2023	861973	Solid Waste System	Solid Waste	$ 151.56	155478
05/30/2023	861973	Solid Waste System	Solid Waste	$ 1,968.21	155478
05/30/2023	861973	Solid Waste System	Solid Waste	$ 2,232.19	155478
05/30/2023	861973	Solid Waste System	Solid Waste	$ 15.92	155482
05/30/2023	861973	Solid Waste System	Solid Waste	$ 64.80	155482
05/30/2023	861976	Sunset Excavation	Payroll Clearing	$ 6,564.50	Bid Deposit Refund for W.O. 23-43; Water Service Repairs
05/30/2023	861979	T W Enterprises	Airport	$ 4,823.41	Annual Generator Maintenance
05/30/2023	861983	Tel Net Systems	Building	$ 2,494.50	Miller Building security system
05/30/2023	861983	Tel Net Systems	General	$ 1,247.25	Miller Building security system
05/30/2023	861983	Tel Net Systems	Planning	$ 1,247.25	Miller Building security system
05/30/2023	861984	TESSCO	Wastewater	$ 4,407.09	electrical supplies
05/30/2023	861985	Tetra Tech	Public Safety	$ 681.00	FIRE 5: ASBESOS INSPECTION
05/30/2023	861985	Tetra Tech	Solid Waste	$ 2,588.79	Services for 3 years for surface emission, groundwater monitoring & reporting
05/30/2023	861986	Tire-Rama	General	$ 16.95	INSPECT AND TUBE - 1010026810
05/30/2023	861986	Tire-Rama	Solid Waste	$ 135.00	Service call to recheck torque on multiple Collection garbage trucks.

Check Date	Check#	Name	Fund Name	Amount	Item Desc
05/30/2023	861986	Tire-Rama	Solid Waste	$ 3,297.00	Tire repair and purchase. Collections.
05/30/2023	861986	Tire-Rama	Solid Waste	$ 4,810.85	Tire repair and purchase. Collections.
05/30/2023	861986	Tire-Rama	Solid Waste	$ 300.00	Tire repair and service call. Landfill.
05/30/2023	861986	Tire-Rama	Solid Waste	$ 26,422.40	Two tires for for Unit 0243 - 627G CAT Scraper. Landfill.
05/30/2023	861986	Tire-Rama	Solid Waste	$ 12,033.60	Two tires for Unit 0255 - 938M Wheel Loader. Landfill.
05/30/2023	ACH	Town & Co Supply	Airport	$ 27,478.87	434345. QTA Car Rental Fuel
05/30/2023	ACH	Town & Co Supply	Fleet	$ 5,426.97	435750
05/30/2023	ACH	Town & Co Supply	Fleet	$ 13,370.80	435750
05/30/2023	ACH	Town & Co Supply	Fleet	$ 6,685.40	435750
05/30/2023	ACH	Town & Co Supply	Fleet	$ 3.30	435750
05/30/2023	ACH	Town & Co Supply	Fleet	$ 6,464.78	435750
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 1,088.94	436121 FIRE 5 DIESEL
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 982.38	436122, FIRE 7 DIESEL FUEL
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 1,332.04	436123, FIRE 3 DIESEL FUEL
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 749.27	436124, FIRE 1 DIESEL FUEL
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 832.53	436125 FIRE 6 DIESEL FUEL
05/30/2023	ACH	Town & Co Supply	Public Safety	$ 1,258.78	FIRE 436120, FIRE 2
05/30/2023	ACH	Town & Co Supply	Transit	$ 19,616.34	434343. 6002 Gallons Dyed #2
05/30/2023	ACH	Town & Co Supply	Transit	$ 6,316.20	434477. 2000 Gallons Unleaded
05/30/2023	ACH	Tractor & Equipt	Solid Waste	$ 13,400.00	Preventive Maintenance for Unit 0243. Landfill.
05/30/2023	861989	TraffiCalm Systems	St Maint	$ 5,765.92	WO 23-30 Pedestrian Crossing Improvements; Includes Estimated Shipping
05/30/2023	861994	USA Adventure KS	Building	$ 2,550.00	HBA ad
05/30/2023	861996	Voegele Acquisition	Street/Traffic	$ 1,977.42	pre-emergent fertilizer
05/30/2023	861996	Voegele Acquisition	Street/Traffic	$ 2,987.05	roundup application
05/30/2023	ACH	Wastequip	Solid Waste	$ 22,400.00	Encumbrance
05/30/2023	ACH	Wastequip	Solid Waste	$ 3,658.48	Shipping.
05/30/2023	862001	Ylwstn Co Finance	Building	$ 6,990.97	Miller Building; Building Division; June, 2023 Rent
05/30/2023	862001	Ylwstn Co Finance	CDBG	$ 5,437.13	Miller Building; Community Development; June, 2023 Rent
05/30/2023	862001	Ylwstn Co Finance	General	$ 2,175.48	Miller Building; Code Enforcement; June, 2023 Rent
05/30/2023	862001	Ylwstn Co Finance	Planning	$ 4,657.35	Miller Building; Planning Dept.; June, 2023 Rent

City Council Regular

Date:	06/26/2023
Title:	Public Hearing and Resolution Road Maintenance District No. 6
Presented by:	Andy Zoeller, Finance Director
Department:	Finance
Presentation:	Yes
Legal Review:	Not Applicable
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council hold a public hearing and approve the resolution setting the annual Road Maintenance District (RMD) No. 6 assessment.

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

RMD No. 6 was established by City Council in 2015. The purpose of the district is to maintain a permanent emergency access road for fire apparatus and emergency vehicles. This specific access road is located in the Briarwood subdivision located between Glengarry Lane and Colleen Drive. This road provides a secondary access point for the development which can be used during an emergency should the main access road become inaccessible. The fee will remain the same for FY 24 as it was for FY 23, at $55.28 per lot.

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve The district will not collect enough money to maintain the Briarwood Emergency Access Road and this would create a conflict with the Subdivision Improvement Agreement and the Fire Code.

FISCAL EFFECTS

The total assessment of $2,819 (51 properties at $55.28) reflects the cost of providing maintenance to meet Fire Code requirements.

Attachments

Resolution RMD6

RESOLUTION 23 -_____

A RESOLUTION LEVYING AND ASSESSING ROAD MAINTENANCE DISTRICT NO. 6 FEES FOR PROPERTIES WITHIN ROAD MAINTENANCE DISTRICT NO. 6 IN THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING AND ADOPTION.

WHEREAS, the City, by Resolution, has defined the boundaries and established a road maintenance district as provided by State Law, and

WHEREAS, Billings Montana City Code and Title 7, Chapter 12, Parts 41 and 44, as amended of the Montana Code Annotated authorizes the City of Billings to adjust the road maintenance district rate and charge to provide for the sufficient collection of revenues adequate for the payment of the reasonable expense of the district.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. METHOD OF ASSESSMENT. The City hereby determines that each lot or parcel of land within Road Maintenance District No. 6 shall be assessed for that portion of the whole cost which each lot or parcel of land in the respective district bears.

2. ASSESSMENT. Each lot or parcel within the boundaries of Road Maintenance District No. 6, is hereby assessed **$55.28** per lot for fiscal year 2024.

3. LOTS AND PARCELS ASSESSED. A list which describes the legal description of each of the 51 lots or parcel of land assessed within the respective district,

and the amount levied thereon set is available in the office of the City Clerk, 210 North 27th St, Billings, Montana.

4. COLLECTION OF ASSESSMENTS. Said special assessments shall be placed upon the assessment rolls and collected in the same manner as other taxes.

5. NOTICE OF HEARING. On Monday, **June 26th, 2023** at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice twice, at least five (5) days prior to the hearing, in the Yellowstone County News, as provided in Section 7-1-4127, MCA.

6. EFFECTIVE DATE. This resolution shall be effective upon final adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of June 2023**.**

BY:_____

William A. Cole, MAYOR

ATTEST:

BY:_____

Denise R. Bohlman, CITY CLERK

Exhibit A

Tax ID	Legal Description
A32132	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 1A, AMD 29382 SQ FT (08)
A32133	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 2, 16843 SQUARE FEET, (06)
A32134	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 3, 18688 SQUARE FEET, (06)
A32135	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 4, 19990 SQUARE FEET, (06)
A32136	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 5, 18532 SQUARE FEET, (06)
A32137	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 6, 18568 SQUARE FEET, (06)
A32138	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 7, 18605 SQUARE FEET, (06)
A32139	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 8, 18641 SQUARE FEET, (06)
A32140	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 9, 18678 SQUARE FEET, (06)
A32141	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 10, 20037 SQUARE FEET, (06)
A32142	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 11, 17170 SQUARE FEET, (06)
A32143	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 1, Lot 12, 21975 SQUARE FEET, (06)
A32144	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 1, 30665 SQUARE FEET, (06)
A32146	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 3, 22760 SQUARE FEET, (06)
A32147	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 4, 20152 SQUARE FEET, (06)
A32148	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 5, 13290 SQUARE FEET, (06)
A32149	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 2, Lot 6, ACRES 14129, (06)
A32150	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 3, Lot 1, 24360 SQUARE FEET, (06)
A32151	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 3, Lot 2, 22366 SQUARE FEET, (06)
A32152	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 3, Lot 3, 20430 SQUARE FEET, (06)
A32153	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 1
A32154	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 2, 33407 SQUARE FEET, (06)
A32155	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 3, 42372 SQUARE FEET, (06)
A32156	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 4, 46904 SQUARE FEET, (06)
A32157	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 5, 19276 SQUARE FEET, (06)
A32158	THE ESTATES AT BRIARWOOD 1ST FILING, S27, T01 S, R26 E, BLOCK 4, Lot 25, ACRES 17562, (06)
A35428	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 4
A35429	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 5
A35430	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 6
A35431	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 7
A35432	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 8
A35433	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 9
A35434	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 10
A35435	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 11
A35436	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 12
A35437	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 13
A35438	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 14
A35439	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 15
A35440	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 16
A35441	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 17
A35442	THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 18

A35443 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 19
A35444 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 20
A35445 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 21
A35446 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 3, Lot 22
A35447 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 26
A35448 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 27
A35449 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 28
A35450 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 29
A35451 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 30
A35453 THE ESTATES AT BRIARWOOD SUB 2ND FIL (15), S22, T01 S, R26 E, BLOCK 4, Lot 31

EXHIBIT "A"

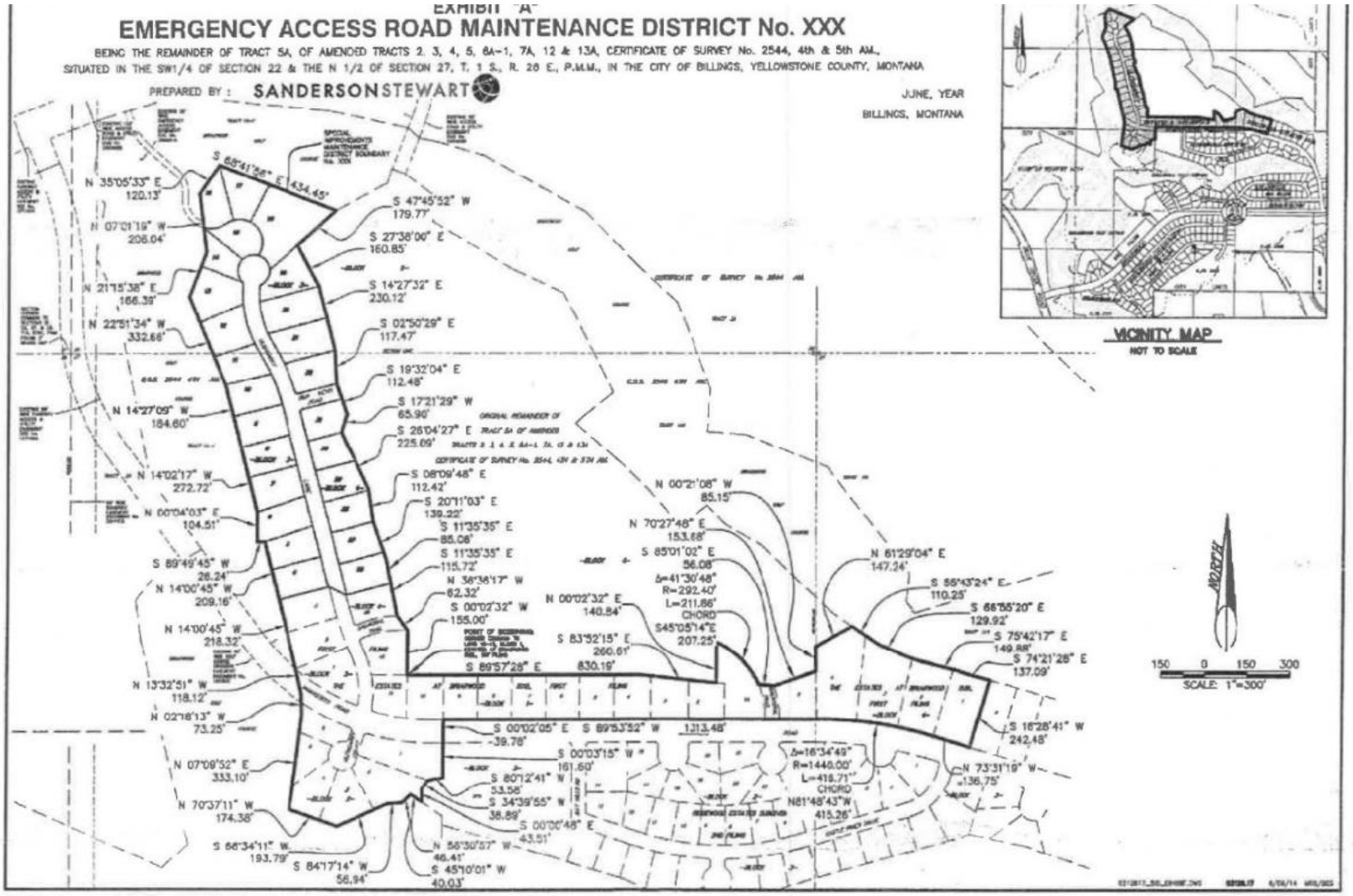
EMERGENCY ACCESS ROAD MAINTENANCE DISTRICT No. XXX

BEING THE REMAINDER OF TRACT 5A, OF AMENDED TRACTS 2, 3, 4, 5, 6A-1, 7A, 12 & 13A, CERTIFICATE OF SURVEY No. 2544, 4th & 5th AM.,
SITUATED IN THE SW1/4 OF SECTION 22 & THE N 1/2 OF SECTION 27, T. 1 S., R. 26 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED BY : SANDERSONSTEWART

JUNE, YEAR
BILLINGS, MONTANA

VICINITY MAP
NOT TO SCALE



City Council Regular

Date:	06/26/2023
Title:	Public Hearing and Resolution Setting Annual Street Maintenance District Assessments for Fiscal Year 2024
Presented by:	Jennifer Duray
Department:	Public Works
Presentation:	Yes
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the proposed resolution setting annual street maintenance district assessments for FY24.

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

Street Maintenance District (SMD) assessments are set annually by resolution. There are currently two SMDs in Billings. SMD 1 encompasses primarily the downtown area. SMD 2 is the entire City. Properties in SMD 1 are also in SMD 2. The existing rates for road funding are not adequate to provide for the operation and maintenance and capital investment necessary to continue providing service at the current level. The proposed increase is 3% for SMD 1 and 7% for SMD 2 which reflect inflationary levels for the services provided in each SMD. The attached resolution specifies the proposed rates for FY24.

ALTERNATIVES

City Council must hold a public hearing and then may:

- Approve the recommended resolution,
- Approve an amended resolution, or:
- Not approve the resolution. If Council does not approve a resolution, an amended resolution to establish street maintenance district assessments will need to be considered at a future City Council meeting to be in accordance with state statutes.

FISCAL EFFECTS

The proposed rates will increase an average 9,691 square foot residential lot in SMD2 by $12.96 from $185.08 per year to $198.04 per year and will generate approximately $1,009,000 of additional revenue in FY24. SMD 1 revenues will increase by $10,000 or 3%.

Attachments

Resolution

RESOLUTION 23-_____

A RESOLUTION LEVYING AND ASSESSING STREET MAINTENANCE DISTRICT FEES FOR PROPERTIES WITHIN STREET MAINTENANCE DISTRICTS IN THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING AND ADOPTION.

WHEREAS, the City, by Resolution, has defined the boundaries and established street maintenance districts as provided by State Law, and

WHEREAS, Billings Montana City Code and Title 7, Chapter 12, Part 44 of the Montana Code Annotated authorizes the City of Billings to adjust street maintenance district rates and charges to provide for the sufficient collection of revenues adequate for the payment of the reasonable expense of each said district.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. METHOD OF ASSESSMENT. The City hereby determines that each lot or parcel of land within both Street Maintenance Districts One (1) and Two (2) shall be assessed for that portion of the whole cost which each lot or parcel of land in the respective district bears to the total area of the respective district exclusive of streets, avenues, alleys, and public places.

2. ASSESSMENT DISTRICT ONE (1). Each lot or parcel within the boundaries of Street Maintenance District One (1), is hereby assessed $.063962 per square foot of area for fiscal year 2024.

3. ASSESSMENT DISTRICT TWO (2). Each lot or parcel within the boundaries of Street Maintenance District Two (2), is hereby assessed the following for fiscal year 2024:

Property Type	**Rate per square foot of area**
Residential/Governmental	$.020435
Commercial	$.029354
Vacant	$.018871

The maximum square footage charged for any tract, parcel or lot is as follows:

Property Type	**Max Square Feet**
Residential	1 Acre
Governmental	1,100,000 SF
Vacant Residential/Governmental	1 Acre
Vacant Commercial	115,000 SF

4. LOTS AND PARCELS ASSESSED. A list which describes each lot or parcel of land assessed within the respective district, with the name of the owner thereof, and the amount levied thereon set is available in the office of Public Works Fiscal Services Belknap location, 2251 Belknap Avenue, Billings, Montana.

5. EXEMPTION. Street Maintenance District assessments shall not be paid by the City General Fund, Public Safety Fund, Library Fund, MET Transit Fund or Airport Fund.

6. COLLECTION OF ASSESSMENTS. Said special assessments shall be placed upon the assessment rolls and collected in the same manner as other taxes.

7. NOTICE OF HEARING. On Monday, **June 26, 2023,** at 5:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice twice, at least five (5) days prior to the hearing, in the Yellowstone County News, as provided in Section 7-1-4127, MCA.

8. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of June 2023.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

ATTEST:

BY:_____

Denise R. Bohlman, City Clerk

City Council Regular

Date:	06/26/2023
Title:	Public Hearing and Resolution Setting Annual Storm Sewer Assessments for Fiscal Year 2024
Presented by:	Jennifer Duray
Department:	Public Works
Presentation:	Yes
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends that City Council conduct a public hearing and approve the proposed resolution setting storm sewer assessments rates for FY24.

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

Storm sewer assessments are set annually by resolution. Storm assessments are based on zoning and square footage to reflect the relative storm water runoff of various land uses. The existing rates are not adequate to provide for the capital investment and operating costs necessary to continue providing service at the current level. The attached resolution specifies the proposed rates that will result in an estimated overall 5.6% increase for FY24. During the Public Works budget presentation to Council in May 2023, staff discussed that most recent Construction Cost Index (CCI) was 5.6%.

ALTERNATIVES

City Council may:

- Approve the recommended resolution
- Approve an amended resolution; or
- Not approve a resolution. If Council does not approve a resolution, an amended resolution to establish storm sewer assessments will need to be considered at a future City Council meeting to establish rates for FY24.

FISCAL EFFECTS

The proposed increase in the storm sewer assessment rates would increase an average 9,691 square foot residential lot by $3.16 from $56.40 per year to $59.56 per year and will generate an additional $291,000 for the storm sewer fund in FY24.

Attachments

Resolution

Attachment

RESOLUTION 23- _____

A RESOLUTION LEVYING AND ASSESSING STORM SEWER FEES FOR PROPERTIES WITHIN THE CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING AND FINAL ADOPTION

WHEREAS, under Section 7-13-4301, M.C.A, the City of Billings is authorized to construct, reconstruct, operate, and maintain a storm sewer system; and

WHEREAS, Billings, Montana City Code and Title 7, Chapter 13, Part 43 of the Montana Code Annotated authorizes the City of Billings to adjust storm sewer rates and charges to provide for the sufficient collection of revenues adequate for the payment of the reasonable expense of said system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. ANNUAL STORM SEWER FEE. That for the purpose of defraying the cost of upgrading, repairing, and maintaining the City Storm Sewer System, an annual storm sewer fee is imposed for fiscal year 2024, upon all lots or portions of lots as identified in the City's property tax record files. Rates are hereby levied and assessed as listed and described on EXHIBIT “A” attached hereto and by this reference said exhibit is made a part hereof.

2. EXEMPTION. Storm Sewer Fee assessments shall not be paid by the City General Fund, Public Safety Fund, Library Fund, Airport Fund or MET Transit Fund.

3. DISPOSITIONS OF COLLECTIONS. Monies collected from assessments shall be paid into the Municipal Storm Sewer System Fund, of Billings, Montana.

4. NOTICE OF HEARING. On Monday, **June 26, 2023,** at 5:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Yellowstone County News.

5. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council of the City of Billings, Montana on the 26th day of June, 2023.

CITY OF BILLINGS:

BY: _____
William A. Cole, MAYOR

ATTEST:

BY: _____
Denise Bohlman, CITY CLERK

Exhibit A

STORM SEWER FEE

ZONE	RATE	
VACANT	1,110.00	Cap
AT RATE	0.001901	per sq. ft.
CBD	0.019462	per sq. ft.
CMU1	0.013401	per sq. ft.
CMU2	0.013749	per sq. ft.
CX	0.014615	per sq. ft.
DX	0.013401	per sq. ft.
EBCW	0.013401	per sq. ft.
EBIS	0.014615	per sq. ft.
EBMS	0.019462	per sq. ft.
EBRMS	0.019462	per sq. ft.
EBRSV	0.012524	per sq. ft.
I1	0.014615	per sq. ft.
I2	0.016252	per sq. ft.
N1	0.006146	per sq. ft.
N2	0.006146	per sq. ft.
N3	0.006146	per sq. ft.
NMU	0.012524	per sq. ft.
NO	0.010549	per sq. ft.
NX1	0.011004	per sq. ft.
NX2	0.011183	per sq. ft.
NX3	0.011352	per sq. ft.
P1	0.003231	per sq. ft.
P2	0.003231	per sq. ft.
P3	0.012925	per sq. ft.
PD	0.008902	per sq. ft.
RMH	0.007255	per sq. ft.

City Council Regular

Date:	06/26/2023
Title:	Public Hearing and Resolution Adopting Solid Waste Collection, Disposal, and Landfill Fees for Fiscal Year 2024
Presented by:	Jennifer Duray
Department:	Public Works
Presentation:	Yes
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve staff's recommended resolution adopting collection, disposal, and landfill fees effective July 1, 2023.

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

Section 21-229 of the Billings, Montana city Code (BMCC) requires that the City Council adopt the Solid Waste collection and disposal charges and the landfill fees annually by resolution. The existing solid waste rates and fees are not adequate for the operation and maintenance and capital investment necessary to continue providing service at the current level. The reccommended rate and fee adjustments include the following:

- $1.45 increase in residential collection fees that will include curbside cardboard recycling (subsidized by landfill fees);
- The option of a smaller 64 gallon container for $9.90 per month;
- An increase of the charge for a second 96 gallon container to $4.50 and establishment of a $4.50 fee for a second green barrel container;
- Extras charged at $5 per item and on a call-in basis only;
- $15.00 increase in dropbox/roll-off fee;
- 11% increase in commercial collection fees;
- Addition of a dry run fee for roll-off services;
- 10.6% increase in landfill fees;
- Revision of FOG fee from a fee per 1,000 gallons to a per ton fee and only accept FOG originating within Yellowstone County; and
- Establish parameters for clean soil.

The attached memo summarizes council discussions regarding the residential collection program and provides additional context regarding residential collection options. Two resolutions are also attached. The first resolution (Option A) is based on staff's recommendation provided during the May 15, 2023 Council meeting. The one change to that recommendation is that it now includes the ability for residential customers to call-in for scheduled pickup for extras for a fee. The second resolution (Option B) is based on feedback received from Council at the May 15, 2023 work session and is the same basic program framework that exists today.

A public hearing is required and if the resolution is approved, rates will be effective July 1, 2023.

ALTERNATIVES

City Council may:

- Approve the Option A Resolution as recommended by staff,
- Approve alternate Option B Resolution (no programmatic changes from the previous year) and give staff direction for FY25 program. This is the resolution presented for approval given the feedback during the May 15, 2023, work session.
- Approve a modified resolution based on either Option A or B. Modifications could include a defined subsidy from landfill for collection or eliminating the charge for the second green container.

FISCAL EFFECTS

The proposed rate and fee adjustments will generate approximately $1,600,000 in collection revenues, $110,000 in roll-off revenues, and $660,000 in landfill revenues for a total increase to the solid waste fund of $2,370,000 for FY24.

Attachments

Residential Memo
Resolution Option A
Resolution Option B

PUBLIC WORKS
ADMINISTRATION
2251 Belknap Ave
Billings, MT. 59101
P 406.657.8230

Billings PUBLIC WORKS
EXCELLENCE • INNOVATION • INTEGRITY

MEMORANDUM

DATE: June 15, 2023
TO: Mayor and Council
SUBJECT: Solid Waste Residential Collection Program

Public Works staff presented a plan to the City Council at a work session on May 15. During that meeting, we heard concerns about the plan for a few different reasons. Due to that, we included a resolution for consideration at the City Council June 12, 2023, meeting that proposed staying with the Solid Waste collection program we have had for many years and just adjusting the rates for inflation. Before the meeting, we had a couple of requests for further clarification on the program we presented. In addition to the information requests, the City Council meeting on June 12 was very full. Staff proposed delaying the public hearing and adoption of rates so we could address the requests for information. During the discussion about delaying the item, City Council asked that staff send information in an email about the Solid Waste program that was being recommended as well as the option that had been presented previously.

Work Session Rate Structure Options

Staff presented two options at the work session, one to continue as we are currently doing and the other is a more service-based cost model.

> *BMCC 21-227 states: Each property from which refuse is produced or collected shall, as far as practicable, bear its share of the expense of collecting and/or disposing of the refuse in proportion to the amount of refuse collected and/or disposal of and the frequency of collection.*

This City Code section states that the city will match rates to service as much as possible. Our current program does not do that. A person who disposes of one bag per week pays the same as a person who fills a black container, green container, and monthly extras. If it is decided that we should retain our current system, we will need to modify this section of City Code.

Recommended Solid Waste Collection Structure

The rates for the program that City Staff recommended at the May 15, 2023, meeting are:

96 gallon black container	$13.90
64 gallon black container	$9.90
Additional 96 gallon black container	$4.50
Green container (included with basic service)	$0
Additional green container	$4.50
Bulky	Fee per item (call in)
Cardboard recycle	Subsidized

The goal of the program is to provide a similar curbside experience as we do now but through more sustainable methods. Each property would decide if they wanted a 96 gallon container or a smaller 64 gallon container – whichever matched their disposal needs most closely. With this base service fee, they would also receive a yard waste (green) container that would be collected weekly and the ability to dispose of their cardboard at curbside one time per month. Customers would have an option to add an additional black container and/or green container for a small fee. The fee for the additional containers is relatively low to encourage the use of them. Customers could also contact the City for a scheduled pick up of any additional material that would be collected curbside for a fee. After analyzing the waste characteristics of the residential properties, if the City collected cardboard curbside for free, almost all customers would be able to use one black container for garbage collection by diverting their cardboard and freeing up space in the container. If a customer could not consistently do that, we would encourage them to utilize a second black container for the minimal fee which is consistent with the existing City Code.

> *BMCC 21-207 states: Residential properties. There shall be sufficient number of receptacles to adequately hold the accumulation of garbage refuse for a period of seven (7) days.*

The program that was recommended would provide a similar curbside experience, conform to the City Code regarding proportional cost of service, reduce worker injuries from extra collection, and be a first step toward a recycling program.

City Council Feedback

1. No subsidy from landfill for collection. When we presented to City Council last year regarding our approach to a new structure, we brought up the current practice of subsidizing collection with revenue from the landfill. The majority of the feedback we received was that the preference was to set collection rates appropriate for the cost of service and not subsidize collection. This feedback is why the rate for FY24 is significantly higher than FY23 if we continue with the same program framework. Previously, the subsidy was 20% of the rate, resulting in a rate of $13.44 if Council desires to continue the subsidy. Council could also choose to subsidize at a lower rate, such as 10 or 15%, to begin transitioning into full cost of services rates. Staff proposed continuing the subsidy for cardboard collection as it benefits the landfill by diverting a significant amount of material. Cardboard is estimated to make up approximately 15% of the waste stream at the landfill so it is a considerable amount of diversion.

2. Cost for additional container not high enough. We want to encourage the use of containers as it is an automatic operation versus manual. The efficiency is much higher when we can use a sideload truck and automatically collect the container with one person versus a rear load with two people who have to manually collect the refuse.

3. Concerns about extra service ending. The reason City staff proposed curbside cardboard collection is that we believe the need for extra collection will drop to a very low amount. A significant amount of the current extra collection is cardboard which does not technically meet the city code if it is not in a container or bag. If we recycled cardboard however, we would be collecting a majority of what is currently set out as extras. Most of the existing material set out for extra collection beyond cardboard does

not meet the City Code for extra collection. This additional material would not be collected if we enforce the existing code which was a discussion during the work

session. The City Code is below for what is acceptable and if we stop collecting anything that does not fit within these parameters, it will dramatically reduce the number of extras we collect. We believe a better option than just ending inappropriate extras is to offer a cardboard recycle solution in addition to a "for cost, scheduled" extra collection that not only meets the needs of the vast majority of people, but also provides the benefit of waste diversion from the landfill.

> *BMCC 21-209 states: Plastic containers, receptacles, bags or sacks designed for the accumulating, storage and handling of refuse are also acceptable and will be picked up per approved published schedule or frequency.*

4. Desire full recycle program: If this is a goal of City Council, we can develop a program to meet the goal. However, the reason we did not propose it is that it is cost prohibitive to do all at one time. We would need to purchase new containers and trucks to go to a single stream curbside recycling program. In addition, the cost to separate and ship the materials would be very high in contrast to the revenue it would generate given the lack of market. Our estimates to phase in a full curbside, single waste stream recycle program are as follows:

	Implementation In 5 Years	Implementation In 10 Years
One-time costs	$4,220,175	$5,057,328
On-going annual costs	$2,128,000*	$2,128,000*
Annual rate Increase needed	8.7% + inflationary rate increases needed	4.9% + inflationary rate increases needed

*Dependent on market rate

We could partner with local recyclers and try to resurrect some of the drop-off sites that have been discontinued until we can develop and fund a full program if it is desired by City Council. There were challenges with these in the past so those issues would need to be addressed. The issues were significant enough that it may require manned recycle stations which would be costly.

5. Desire a smaller container option: Without discontinuing free extra collection, it is not feasible to offer a smaller, less expensive option. The result of doing so could potentially mean less revenue and a higher extra volume which would raise expenses. The long-term outcome would be increased cost to everyone.

6. Public engagement: This is a difficult balance – we do not roll programs out to the community until we know that it is the direction City Council wants to proceed. We have talked with many community groups to get the feel for the community's preference and the feedback has been overwhelmingly positive towards a curbside cardboard recycling program. To make a change like this will require extensive, but short-term outreach. If we start the outreach too soon, there can be more concern the longer it is until it is implemented. We saw this with the 300 to 96 conversion. We had many calls of concern from the property owners about not having enough room in the containers, other people using their containers, people disposing of refuse randomly, and other concerns. After the conversion, we received few additional calls because people found that the 96-gallon containers were adequate and they were able to control the use of them. We have also not seen an uptick in garbage being dumped outside of containers. We have a contract with Lee Enterprises and will develop a robust outreach program that will be extensive, but will only span a few weeks.

7. Leaves, trees and general refuse: We would plan occasional special city collection events. Most cities do two or three per year to collect leaves and general full city cleanup. We would anticipate continuing the leaf collection program that we had this year and likely expand that to include more areas given the popularity of the program. We would also anticipate continuing the Christmas tree collection sites.

Collection Program Options

The City Council can choose one of two options at this time – either stay with the existing program or move to the recommended program. Any option in between will take longer to implement. If it is decided that City Council wants to stay with the existing program but just charge for extras, we would need time to develop a pay option for the extras. If we are not collecting cardboard but we are charging for extras, we anticipate the demand would drop but not enough to do it on an on-call, scheduled basis so we would need to continue driving full routes monthly. Our current software does not allow charges to be made in the field so the only viable option would be a "bag and tag" system where customers purchase bags or tags at local stores and our collection staff would only collect items that were properly bagged and tagged. This would take time to set up. Within the next year, we will be changing the software and will have an option to do a fee if there are items to collect at each residence, but we cannot do that currently. As of today, keeping the current system but implementing a charge for extras is not recommended.

PUBLIC WORKS
ADMINISTRATION
2251 Belknap Ave
Billings, MT. 59101
P 406.657.8230

	FY23	FY24 – No Program Change	FY24 - Recommended Program
96 gallon black container	$12.45	$16.80	$13.90
64 gallon black container	n/a	n/a	$9.90
Additional 96 gal black container	$4.15	$4.50	$4.50
Green container	$0	$0	$0
Additional green container	$0	$4.50	$4.50
Extras 1x per month	$0	$0	Fee per item (call in)
Cardboard recycle	n/a	n/a	Subsidized

Solid Waste Collection changes

Regardless of the program that is chosen, we will be implementing a route efficiency change this summer or fall. Previously, we had not done a full route modification and have instead just added areas as they came into the city. By doing a full-scale route optimization, we will save significant resources and provide better service to the customers. This program will result in nearly 85% of customers collection days being changed. Depending on the decision by City Council, either extra or cardboard recycle collection will be moved to be on the same day as the black container collection. Regardless of the program selected, city staff will also educate the public on extras that meet the city code and discontinue the collection of items that do not meet the code.

The June 26, 2023 meeting is also quite full so staff is happy to address as many concerns and provide as much information before the meeting as is possible to ensure the City Council has all of the information it needs to be able to discuss the issue effectively at the meeting.

OPTION A

RESOLUTION 23-

A RESOLUTION ESTABLISHING SOLID WASTE RESIDENTIAL AND COMMERCIAL COLLECTION AND DISPOSAL FEES AND LANDFILL USE FEES

WHEREAS, a need is anticipated for repair, improvement, and continued operation and maintenance of existing and proposed solid waste facilities and services for the providing of collection, disposal, and landfill use to inhabitants of the City of Billings, Montana and its environs; and

WHEREAS, it is essential to the public health, welfare, and safety of the inhabitants of the City of Billings and its environs to provide an adequate and safe solid waste collection service and landfill operation and to provide adequate funding to meet the cost of constructing, maintaining, and operating the same; and

WHEREAS, the City Council of the City of Billings did adopt Ordinance No. 12-5574 on the 25th day of June 2012, providing for the billing of solid waste collection and disposal fees on a monthly basis; and

WHEREAS, said fees are established by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. That the rates, fees, and charges specified in Schedules I, II, and III are found to be just, reasonable, and necessary for the continued sound operation of the Solid Waste Division and that the proposed rates, fees, and charges are approved and adopted as the rates, fees, and charges of the City of Billings, Montana Solid Waste Division effective July 1, 2023.

2. That any payment not received by the due date shall accrue interest at the rate of one-and-one-half percent (1.5%) per month from the due date until paid in full.

3. That garbage fees will not be paid by the City General Fund, Public Safety Fund, Library Fund, or MET Transit Fund.

4. That on Monday, June 26, 2023, at 5:30 p.m., or as soon thereafter as the matter could be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council heard objections to the adoption of this resolution. The City Clerk published notice twice, at least five (5) days prior to the hearing, in the Yellowstone County News, as provided in Section 7-1-4127, MCA.

Schedule I – Residential and Mobile Home Collection and Disposal Fees

Monthly Fees (for unit occupied by 1 family)

96 Gallon Black Containers		
Residential	$ 13.90	
Mobile home located in mobile park	$ 13.90	
Residential carry out service (medical necessity verification required)	$ 13.90	
64 Gallon Black Residential Containers	$ 9.90	
Additional 96 gallon black or green barrel	$ 4.50	
Residential landfill fees for new annexed property (not yet receiving City collection)	$ 4.20	
Extras - Call in only	$ 5.00	per item
Bulky Items - special pickup due to size or quantity	$ 55.00	1-5 items
	$ 110.00	6-10 items
	$ 165.00	>10 items
Refrigerator/freezer/air conditioner	$ 80.00	per pickup
NSF/Returned item fee	$ 25.00	per occurrence

Schedule II – Commercial Collection and Disposal Fees

Commercial collection service is available subject to Solid Waste Division approval of container type, size, placement, and serviceability.

Fees per Month for Customer Owned Containers

	PER WEEK FREQUENCY OF COLLECTION						
Container Size	**1**	**2**	**3**	**4**	**5**	**6**	**Saturday**
Extra Volume	$ 8.65						
90 Gallon Barrel	$ 21.32						
300 Gallon Barrel	$ 47.65						
30 Gallon Can	$ 8.45	$ 16.90	$ 25.35	$ 33.80	$ 42.25	$ 52.80	$ 16.90
1 Yard	$ 39.00	$ 78.00	$ 117.00	$ 156.00	$ 195.00	$ 243.78	$ 78.00
2 Yards	$ 45.23	$ 90.46	$ 135.69	$ 180.92	$ 226.15	$ 282.66	$ 90.46
3 Yards	$ 51.43	$ 102.86	$ 154.29	$ 205.72	$ 257.15	$ 321.42	$ 102.86
4 Yards	$ 58.00	$ 116.00	$ 174.00	$ 232.00	$ 290.00	$ 362.52	$ 116.00
6 Yards	$ 70.46	$ 140.92	$ 211.38	$ 281.84	$ 352.30	$ 440.40	$ 140.92
8 Yards	$ 83.11	$ 166.22	$ 249.33	$ 332.44	$ 415.55	$ 519.42	$ 166.22

Compactor containers will be assessed at 2.5 times the above rates.
Saturday service without 6 times per week pick-up will be assessed double the one-time per week rate. This service is not available in all areas.

The above fees are for customer-owned containers. For City-owned containers, in addition to the above fees, monthly container lease rates will be charged as follows:

Container Size	
< 6 yards	$ 25.65
6 or 8 yards	$ 33.70

Additional compactor truck service will be billed at the hourly rates as follows with a 1-hour minimum:

Compactor truck, 1 person	$ 116.00
Compactor truck, 2 people	$ 158.00

Additional commercial services:

Special event barrel rental/delivery		$ 137.00	per event
	plus	$ 3.20	per barrel
Container wash		$ 116.50	
Delivery charge for front or rear load		$ 51.83	
Daily rental fee for front or rear load		$ 5.90	
Collection and disposal fee			
front or rear load rental		$ 8.71	per cubic yard
Bar type locks/installation		$ 183.36	

Roll Off/Compactor Rates

Per pull plus disposal		
20, 30, or 40 yard container	$ 200.00	
10 or 12 yard container	$ 108.10	
Dry Run	$ 50.00	
Container wash	$ 113.18	
Debris dig out	$ 113.18	
Unit relocation (on same site)	$ 86.20	
Compactor turnaround fee	$ 50.32	
Daily rental for temporary roll off containers	$ 5.75	
300 cubic yard roll off - cash only	$ 373.50	Minimum charge
NSF/Returned item fee	$ 25.00	per occurrence

Disposal rates are charged per Schedule III.

Schedule III – Landfill Fees

	ORIGIN OF WASTE [1]		
	City of Billings	**Other Towns & Counties**	**Outside of Montana**
All businesses will be charged at least $9.00			
0 - 3.0 cubic yards or 0 - 1500 lbs [2]	$ -	$ 13.50	$ 18.00
Municipal solid waste, construction & demolition, etc. (per ton)	$ 26.00	$ 39.00	$ 52.00
Special Waste (per ton) [3]	$ 53.20	$ 79.80	$ 106.40
Asbestos			
Per ton	$ 102.30	$ 153.45	$ 204.60
Per bag	$ 14.05	$ 21.08	$ 28.10
Asbestos bags	$ 3.95	$ 5.93	$ 7.90
Clean Soil [4]	$ 0	$ 0	$ 0
Dead Animals			
Animals < 100 pounds	$ 16.80	$ 25.20	$ 33.60
Animals > 100 pounds	$ 56.05	$ 84.08	$ 112.10
Per ton	$ 80.10	$ 120.15	$ 160.20
FOG (Fats, Oils and Grease) [5]	$ 26.00	$ 26.00	N/A
Mobile Home Trailers	$ 415.00	$ 622.50	$ 830.00
Refrigeration Units			
Refrigerators, Freezers, Air Conditioners (Each Unit)	$ 35.00	$ 52.50	$ 70.00
Special Pad Fee for Liquids	$ 146.90	$ 220.35	$ 293.80
Tires			
Tires per ton	$ 115.00	$ 172.50	$ 230.00
Uncovered Load Fee [6]	$ 30.00	$ 45.00	$ 60.00
If scale is inoperable, the vehicle will be charged by the cubic yard rated on the vehicle capacity			
Loose garbage (per CY)	$ 3.15	$ 4.72	$ 6.30
Compacted garbage (per CY)	$ 8.16	$ 12.24	$ 16.32
Non-compactible material (per CY)	$ 34.80	$ 52.20	$ 69.60
Special Waste, contaminated soil, etc. (per CY)	$ 74.33	$ 111.49	$ 148.65
Tires (per CY)	$ 84.44	$ 126.66	$ 168.88
Asbestos (per CY)	$ 49.01	$ 73.52	$ 98.03
NSF/returned item fee		$ 25.00	per occurrence

[1] Actual weights may result in the rates above rounding to the nearest $.05

[2] Residential Yellowstone County customers are assessed a landfill fee on the annual tax statement according to an Agreement with Yellowstone County and accordingly are not charged for loads less than 1.5 yds or 700 pounds.

[3] Special Waste such as contaminated soil, sludges, and treated timbers will be accepted on a case-by-case basis dependent upon testing and approval. If accepted, landfill fees will be charged rates specified above.

[4] Clean soil will be evaluated on a case-by-case basis and is determined by laboratory analytical results for parameters such as: TPH (total petroleum hydrocarbons), EPH (extractable petroleum hydrocarbons), VPH (volatile petroleum hydrocarbons). Soil that does not meet the parameters to be classified as clean will be charged at the full rate per the schedule above.

[5] FOG will not be accepted from outside of Yellowstone County.

[6] Uncovered load fee will be charged to all customers that enter the landfill with an uncovered load.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the 26th day of June 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

OPTION B

RESOLUTION 23-

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Monthly Fees (for unit occupied by 1 family)

Residential	$ 16.80	
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Residential carry out service (medical necessity verification required)	$ 16.80	
Additional 96 gallon black or green barrel	$ 4.50	
Residential landfill fees for new annexed property (not yet receiving City collection)	$ 4.20	
Refuse requiring a special pickup due to size or quantity	$ 55.00	1-5 items
	$ 110.00	6-10 items
	$ 165.00	>10 items
Refrigerator/freezer/air conditioner	$ 80.00	per pickup
NSF/Returned item fee	$ 25.00	per occurrence

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Per pull plus disposal		
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Asbestos			
Per ton	$ 102.30	$ 153.45	$ 204.60
Per bag	$ 14.05	$ 21.08	$ 28.10
Asbestos bags	$ 3.95	$ 5.93	$ 7.90
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Dead Animals			
Animals < 100 pounds	$ 16.80	$ 25.20	$ 33.60
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Tires per ton	$ 115.00	$ 172.50	$ 230.00
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PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the 26th day of June 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

City Council Regular

Date:	06/26/2023
Title:	FY2024 Landfill Use Agreement with Yellowstone County
Presented by:	Jennifer Duray
Department:	Public Works
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends that the City Council approve the one-year landfill use agreement with Yellowstone County.

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

The Billings Regional Landfill currently accepts waste from Yellowstone County. Disposal of waste picked up and hauled by private haulers is charged directly to those haulers. Yellowstone County is only charged for the estimated tonnage and landfill trips of self-haul residential waste. The agreement with Yellowstone County is a 13.3% increase for FY24 and is based on a rate increase of 10.6% in landfill fees in the Solid Waste fee resolution proposed to Council at this meeting, as well as landfill use growth of 2.7%.

ALTERNATIVES

City Council may:

- Approve the landfill agreement with Yellowstone County; or,
- Not approve the agreement. If Council does not approve the agreement, there would be a loss of revenue for the Solid Waste Fund, and Yellowstone County residents would need to find an alternative to disposal at the landfill.

FISCAL EFFECTS

The landfill agreement will generate $345,670 in revenue for the Solid Waste Fund in FY24.

Attachments

FY24 Yellowstone County Landfill Agreement

LANDFILL USE AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____ 2023, by and between the CITY OF BILLINGS, MONTANA, a municipal corporation, hereinafter referred to as "CITY" and the YELLOWSTONE COUNTY SOLID WASTE DISPOSAL DISTRICT, hereinafter referred to as "DISTRICT".

WITNESSETH:

WHEREAS, the DISTRICT and its residents are desirous of using the landfill facilities of the CITY for the disposal of solid waste; and

WHEREAS, the CITY is willing to allow the DISTRICT and its residents use of its landfill facilities during normal public operating times.

NOW THEREFORE, in consideration of the mutual covenants and agreements between the parties hereto, it is mutually agreed as follows:

1. **DEFINITIONS**
    a. Landfill – The term "Landfill" shall mean the Billings Regional Landfill situated in Yellowstone County, owned and operated by the City of Billings.
    b. Other Waste – The term "other waste" shall mean construction and demolition refuse, dead animals, non-processed tires, asbestos, and special waste such as contaminated soil, sludges, and treated timbers.
    c. Refuse – The term "refuse" shall mean all approved and permitted wastes that lawfully may be disposed of in the Landfill.
    d. Residential Municipal Solid Waste – The term "residential municipal solid waste" shall mean any refuse not falling under the definition of "other waste" and generated from or at a property used as a residential dwelling.

2. **TERM.** The term of this AGREEMENT shall be from July 1, 2023 through June 30, 2024. Either party may terminate this AGREEMENT at any time with or without cause, upon six months written notice to the other party. In the event of such termination, a pro rata payment shall be paid or refunded, depending on the termination date.

3. **USE OF FACILITIES.** The City will permit the DISTRICT and its residents to use its landfill facility for disposal of refuse generated within the area of the DISTRICT at such times as said landfill shall be open for disposal of refuse. The DISTRICT agrees to use facilities in accordance with all applicable federal and state legislation, all applicable local ordinances including, but not limited to Billings Municipal Code, Chapter 21, and all applicable federal, state, and local administrative rules in order to promote the health, safety, and welfare of the citizens of Billings, Montana.

4. **PAYMENT FOR RESIDENTIAL MUNICPAL SOLID WASTE.** For the period from July 1, 2023 through June 30, 2024, the DISTRICT agrees to pay the CITY the sum of three hundred forty-five thousand six hundred seventy dollars ($345,670.00) for residential municipal solid waste hauled by District residents from their primary residence. One half of this amount shall be paid semi-annually on or before July 1, 2023 and January 1, 2024.

DISTRICT residents will not be charged at the Landfill for residential municipal solid waste hauled by residential users for loads less than 1.5 yards or 700 pounds, but will be charged for other waste of any volume or weight.

5. **IDEMNITY.** Each of the parties hereto shall indemnify, hold harmless, and defend the other party, its agents, employees or officials, against any and all claims, demands, causes of action, damages, costs, expenses, liability, or judgments against the other party for personal injury, death, or property damage caused by the negligence of the other party, its agents, employees or contractors arising from, growing out of, or in any way connected with or incidental to performance of this agreement.

   Indemnity under this agreement shall commence on the date of execution hereof and shall continue for the entire term this agreement is in effect and for any applicable period of limitations thereafter. Either party shall notify the other party, in writing, within ten (10) days of any claim made on the obligations indemnified against hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

By _____

WILLIAM A. COLE, MAYOR

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

_____

JOHN OSTLUND, Chairman

_____

DONALD W. JONES, Member

_____

MARK MORSE, Member

APPROVED AS TO FORM:

By _____

GINA DAHL, CITY Attorney

City Council Regular

Date:	06/26/2023
Title:	Zone Change 1027 - Viking Tvetene Planned Development Amendment
Presented by:	Nicole Cromwell
Department:	Planning & Community Services
Presentation:	Yes
Legal Review:	Not Applicable
Project Number:	PZX-23-00048

RECOMMENDATION

The Zoning Commission recommends approval and adoption of the findings of the 10 review criteria for Zone Change 1027.

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

This is a zone change request to amend the underlying Zoning master-plan for the several lots in the Viking Tvetene Planned Development zone generally located south and west of the intersection of East Lane and Elysian Road. The original Planned Development zone was approved by the County Commissioners in 2013 to include land west of Elysian School with underlying zoning of Highway Commercial (HC) and Controlled Industrial (CI), two zone districts that have now been retired. The Planned Development also included a reduced set of allowed uses in both underlying zone districts to protect the school and the surrounding agricultural and residential uses. The property was recently annexed to the city and property has been sold to Elysian School to accommodate the growing campus. This zone change and amendment to the PD agreement will update the names of the owners to include the school district, and a development company along with Viking Land, LLC. The amendment also updates the special agreements in the document and names the city's code for landscaping requirements for parcels that were recently annexed to the city. The amendment will make this agreement easier to interpret and enforce and provide continuing predictability for the school and owners of property in the development and surrounding owners.

The change in the underlying Zoning master-plan will expand the area with underlying HC zoning and decrease the area for the underlying CI zoning. In addition, the two parcels recently purchased by the school will be zoned Public 2 (P2) to match the school's existing zoning. The HC and CI zone districts are archived zone districts in use for all Planned Developments in the city and county. The new zoning code adopted in February 2021 anticipated the need to use these archived zone districts for the 80+ Planned Development zone districts. The owners in these Planned Developments can rely on these archived districts to guide the development within these areas. Section 27-107 of the zoning code does provide language to guide the interpretation of these Planned Development documents:

> *Section 27-107.D. Planned developments and master site plans approved prior to the effective date.*
> *1. Any planned development identified on the zoning map and approved prior to the effective date shall remain valid. Planned developments that refer to zone districts not included in this zoning code shall use the archived zoning code requirements. For example, a reference to an underlying zone district of "community commercial" shall refer to the use table, use standards, and other requirements for that zone district in the archived zoning code.*
> *2. Planned development and master site plan approvals that predate the adoption of this zoning code shall be narrowly interpreted and are limited to the specified terms of approval. Where a term was not defined or a process not specified in the PD or MSP approval, the most closely similar provision of this zoning code shall be applied. For example, if a planned development does not specify a process for amendment, the process for amending planned development approvals in this zoning code will be used.*

Planning staff recommended approval of the proposed zone change and amendment to the Planned Development agreement to the City Zoning Commission. The Zoning Commission conducted a public hearing on June 6, 2023 and concurred with the staff recommendation. The increase in the underlying HC zone is to accommodate a multifamily development project adjacent to the school property. The HC zone district allows multifamily residential development similar to the retired Residential Multifamily-Restricted (RMF-R) zone district. For example, the original zoning for Riverfront Pointe Estates (east of Mullowney Lane) was Highway Commercial. There is no substantial change in the original findings for this Planned Development except the type of traffic may change from commercial truck traffic to more residential type traffic.

A minor subdivision of the property was approved by the City Council on May 22, 2023. One of the conditions of approval is to require an update to the Traffic Impact Study and road improvements as required to handle the intended

type and volume of traffic on adjacent streets and roads. Another condition of the approval requires at least three pedestrian connections to the school property. This will allow any students in the new residential neighborhoods to walk to the school without traveling on a collector or arterial street. The updates and amendments align with the 2016 City Growth Policy to encourage strong neighborhoods with walkable streets and housing choices. In addition, the limitation of uses within both underlying zone districts protects and encourages compatible uses on the property.

STAKEHOLDERS

The applicant conducted a pre-application neighborhood meeting on March 24, 2023, at the Elysian School. Approximately 13 surrounding property owners attended the meeting along with the agents for the owners, IMEG Corp staff Anna Vickers, Matt Suek, and Renae Heisler. The meeting notes are attached.

The Planning staff published a legal ad, posted the property and sent notification to the 69 property owners within the required notice area of 1,320 feet. The Planning staff did not receive any letters, emails or phone calls regarding the proposed zone change prior to the Zoning Commission hearing.

Zoning Commission Hearing

The Zoning Commission conducted a public hearing on June 6, 2023, and received the staff report and recommendation for approval. The applicant's agent, Anna Vickers of IMEG Corp., provided testimony in favor of the application and answered questions from the Zoning Commission. There was no other testimony. Commission member David Goss asked whether the 2019 County Zoning Code could be amended and then make the PD agreement out-of-date. Staff stated the 2019 County Zoning Code named in the document is an archived version (Dec 2020) of the code and cannot be amended by the County. The 2019 County Code is similar to the City's archived Zoning Code (February 2021).

The Chair Michael Larson closed the public hearing. Commission member Dan Brooks made a motion to recommend approval and adoption of the findings of the 10 review criteria. The motion was seconded by Commission member Greg McCall and was approved on a 4-0 vote. Commission member Trina White was absent.

ALTERNATIVES

The City Council may:

- Approve and adopt the findings of the ten review criteria for Zone Change 1027; or,
- Deny and adopt different findings of the ten review criteria for Zone Change 1027; or,
- Delay action on the zone change request for up to 30 days; or,
- Allow the applicant to withdraw the zone change request.

The applicant has not requested a delay or a withdrawal of the application.

FISCAL EFFECTS

Approval or denial of the proposed zone change will not have an effect on the Planning Division budget.

SUMMARY

Before making a decision on the zone change request, the City Council shall consider the recommended findings of the Zoning Commission for the 10 review criteria.

1. Is the new zoning designed in accordance with the Growth Policy?
The proposed zone change is consistent with the following guidelines of the 2016 Growth Policy:
The proposed amendment is also in line with the adopted 2016 Growth Policy goals for:
Essential Investments:
Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
Infill development and development near existing City infrastructure may be the most cost-effective
Community Fabric:
Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
Attractive street-scapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
Outdoor public spaces provide casual and relaxing gathering areas for people
Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
Attractive street-scapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
Strong Neighborhoods:
Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction

Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale streetlights, street trees and walkable access to public spaces

Home Base:

A mix of housing types that meet the needs of a diverse population is important
Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe

Mobility and Access:

Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
"Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less cost for transportation

Prosperity:

A diversity of available jobs can ensure a strong Billings' economy
Successful businesses that provide local jobs benefit the community
Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
Retaining and supporting existing businesses helps sustain a healthy economy

2. Is the new zoning designed to secure from fire and other danger?
The subject property is currently served by the Billings Fire Department. No development has occurred yet but a new city subdivision has been approved. The nearest fire station is located on S 24th Street, approximately 3 miles north of the subject property. Depending on the specific uses, additional review for fire protection would be conducted during the development process for this property. City water and other improvements will be in place to protect the new uses from fire and other dangers.

3. Whether the new zoning will promote public health, public safety and general welfare?
Public health and public safety will not be affected by the proposed change. The underlying zone districts and prohibited uses will continue to provide predictability and compatibility between uses.

4. Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?
Transportation: The existing zoning and new development will increase traffic on East Lane, Elysian Road and Shackelford Lane, the three access roads available to the property. The increase is addressed through the traffic analysis during the recent subdivision. Street and road improvements will be needed as part of the final plat.
Water and Sewerage: The property will be served by city water and sewer. There were issues raised during the annexation or subdivision of the property effecting the provision of water or sewer.
Schools and Parks: The proposed zoning will help protect the Elysian School property and function. The proposed adjacent development will be residential in nature. The School district supports the amendment to the agreement.
Fire and Police: The subject property is serviced by the Billings Fire Department and the Billings Police Department. The Fire Department and BPD commented at the annexation request that additional development will continue to strain current department resources.

5. Will the new zoning provide adequate light and air?
The existing PD zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air. The amendment does not alter these requirements.

6. Will the new zoning effect motorized and non-motorized transportation?
Non-motorized travel -- walking and biking -- is an essential part of the circulation plan for this area of Billings. Elysian Road will be widened and a new multi-use path will be constructed. At least three pedestrian accesses will be provided to Elysian School from the new residential development in the underlying HC zone district. The preliminary traffic impact study identified that all accesses from the development should be stop-controlled intersections and that several surrounding intersections will require improvements either as part of the subdivision or with contributions to improvements in the future. Those contributions will be done at the time of final plat approval.

7. Will the new zoning promote compatible urban growth?
The proposed expansion of the HC zone and the reduction in the CI zone will accommodate the school's anticipated growth and will add more compatible urban growth around the school. The CI zoning will accommodate uses that are in demand in this area of southwest Billings including warehousing.

8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?
The proposed PD amendment does consider the character of the district and the suitability of the property for the proposed uses. This area of southwest Billings is undergoing rapid development compared to other areas of Billings. The demand for housing choices including townhomes, apartments and smaller single family residences is increasing. The underlying HC zone also allows some retail and personal services that can provide neighborhood

services. This area of southwest Billings has limited access to retail and personal services south of the interstate. Subdivisions to the east, Annafeld and parts of Harmony Meadows, have mixed use zoning that can support additional retail and commercial development.

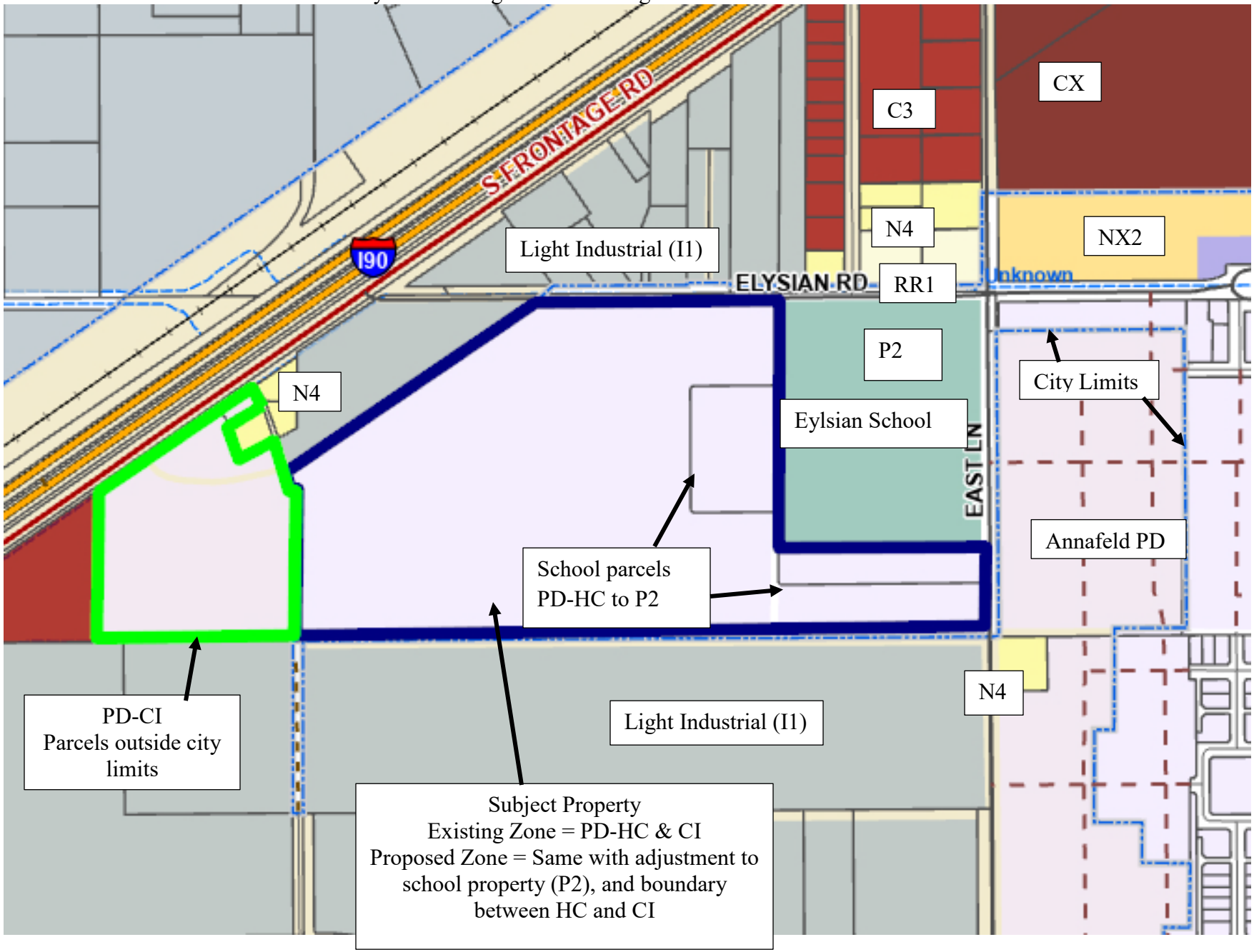
9. Will the new zoning conserve the value of buildings?
The property consists of undeveloped parcels. Approval of the zone change to amend the PD agreement will continue to provide certainty to surrounding landowners and may help to maintain property values of adjacent buildings.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?
The proposed amendment to the PD may encourage the most appropriate use of this land in Billings.

Attachments

Zoning Map and Site Photos
Existing PD Agreement
Amended PD for city parcels
Pre app meeting notes
Application and Letter
Ordinance ZC 1027

City Zone Change 1027 – Viking Tvetene PD Amendment

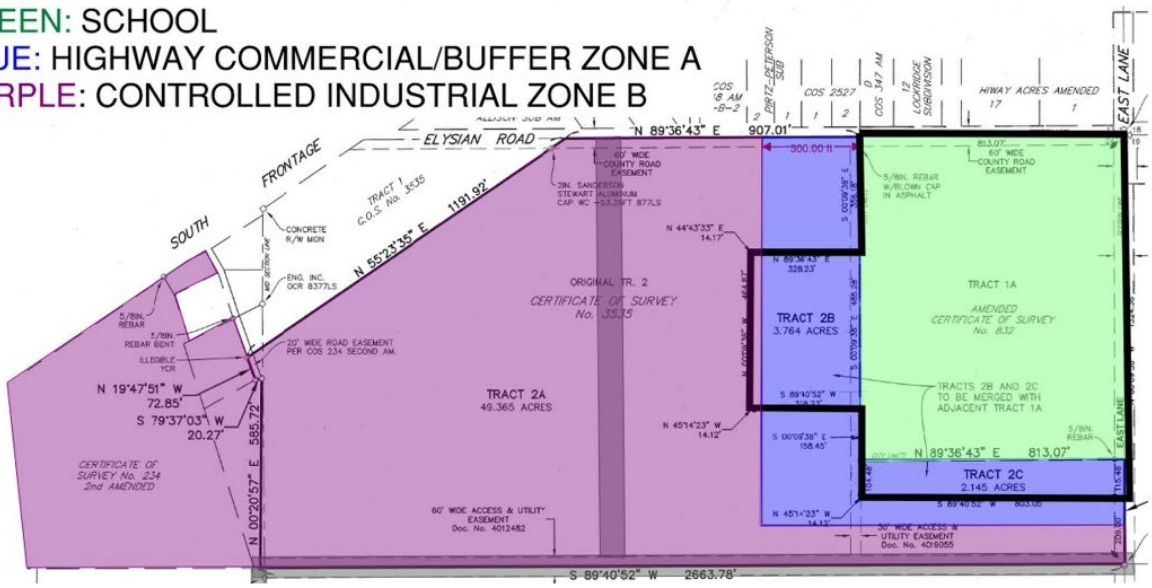




Subject Property

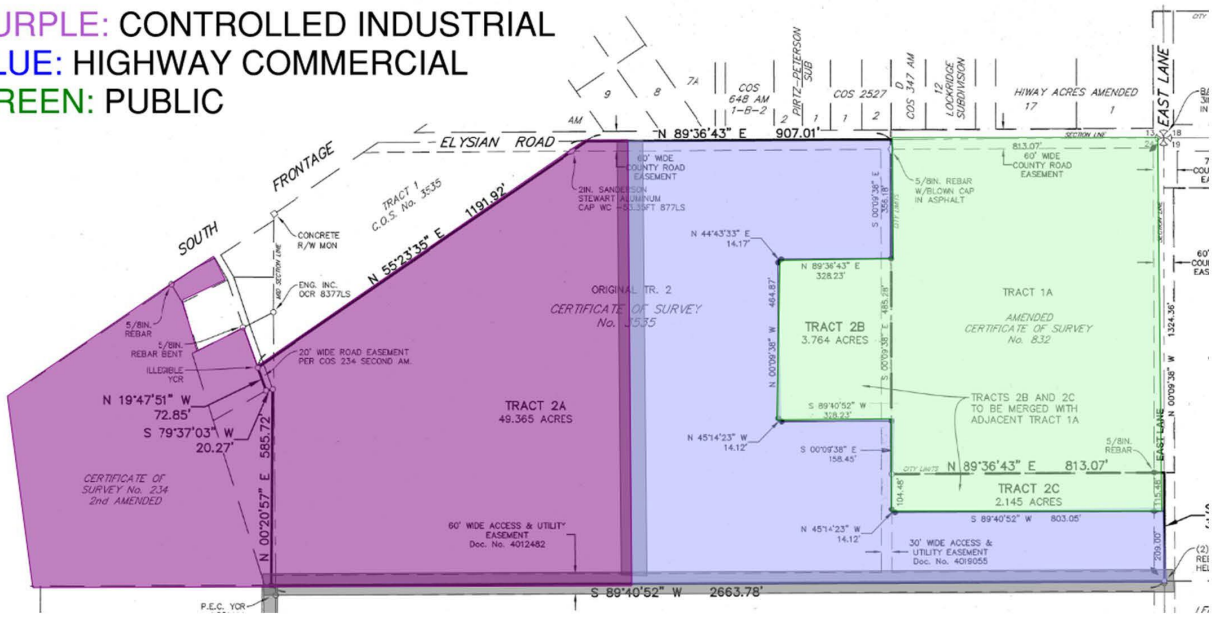
EXISTING ZONING

GREEN: SCHOOL
BLUE: HIGHWAY COMMERCIAL/BUFFER ZONE A
PURPLE: CONTROLLED INDUSTRIAL ZONE B



PROPOSED ZONING

PURPLE: CONTROLLED INDUSTRIAL
BLUE: HIGHWAY COMMERCIAL
GREEN: PUBLIC





Subject Property view south from Elysian Rd



View south and west from Elysian Rd



View west on Elysian Rd



View north across Elysian Rd



View north and east across Elysian Rd



View east on Elysian Rd – Elysian School



View north west from East Lane



View south east from Elysian Rd

AG 3666419
05/03/2013 08:50 AM Pages: 1 of 9 Fees: 63.00
Jeff Martin Clerk & Recorder, Yellowstone MT

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

PLANNED DEVELOPMENT AGREEMENT

TRACTS 2, 3, 4, AND 5, OF CERTIFICATE OF SURVEY NO. 234, SECOND AMENDED, AND TRACT 6-A OF AMENDED TRACTS 6 AND 7, CERTIFICATE OF SURVEY NO. 234, SECOND AMENDED IN YELLOWSTONE COUNTY, MONTANA

THIS AGREEMENT is made and entered into this 30 day of April, 2013, by and between **Viking Land, LLC**, whose address for the purpose of this agreement is 6844 South Frontage Road, hereinafter referred to as "Owner," and **Yellowstone County**, Montana, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, the owner is in discussions with the Elysian School District No. 23 regarding a potential sale of a portion of the owners property to the school district for the purposes of expansion of the existing Elysian School.

WHEREAS, the School District and the Owner desire to provide for harmonious development of the property with land uses and restrictions acceptable to both parties.

WHEREAS, the undersigned is the Owner of all of Tracts 2, 3, 4, and 5 of Certificate of Survey No. 234, Second Amended and Tract 6-A of Amended Tracts 6 and 7, Certificate of Survey No. 234, Second Amended in Yellowstone County.

WHEREAS, the aforesaid Owner and the County desire to place building and use restrictions on the above-described property, as provided in this agreement.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporations, or other entities, who shall hereafter acquire any interest in and to the above described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the Yellowstone County's Zoning Ordinance shall be followed for the type of use within each of the areas described herein.

A. Restricted Use **School Buffer Zone A** and **School Purchase Parcel** as depicted on attached **Exhibit A** (underlying county zone: Highway Commercial - HC).

All allowed land uses as outlined within the Yellowstone County Zoning Regulations for the underlying Zone shall be allowed within the **School Buffer Zone A** and **School Purchase Parcel**, with the following exceptions (SIC numbers noted are as defined by the "*Standard Industrial Classification Manual*", 1987 Edition by the Executive Office of the President, O.M.B.):

Exceptions (uses not allowed) within School Buffer Zone A and **School Purchase Parcel:**

Division A: Agriculture, Forestry, and Fishing

Group 07 - Agricultural Services
- Veterinary services for Livestock - Boarding
- Veterinary services for Animal specialists - Boarding

Group 08 - Forestry
- Equipment storage and wholesale sales

Division B: Mining

- Construction sand and gravel mining (SIC 1442)

Division C: Construction

Group 16 - Heavy Construction Other Than Building Construction - Contractors
- Open storage of equipment and supplies

Division D: Manufacturing

Group 20 - Food and Kindred Products
Alcoholic beverages manufacturing & bottling (SIC 2082, 2083, 2084, 2085)
Group 21 - Tobacco Products
- Offices only

Group 24 - Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 28 Chemicals and Allied Products
- Growing, harvesting, or selling of Marijuana based products

Group 31 - Leather and Leather Products

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 41 - Local & Surburban Transit & Interurban Highway Passenger Transportation
- Bus terminal operation only, without maintenance facilities (4173)

Group 42 - Motor Freight Transportation and Warehousing
- Trucking terminal and maintenance facilities (421, 423)

Group 43 - U.S. Postal Service
- With truck terminal

Group 46 - Pipelines, except natural gas
Group 47 - Transportation services
- Warehouses, terminals

Group 48 - Communications
- Amateur Radio Antenna Support Structures
- Broadcast antenna or tower farms

Group 48 - Commercial Antenna Support Structures
- Tower farms

Group 49 - Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division F: Wholesale Trade

Group 51 - Wholesale Trade - Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518)
- Tobacco and tobacco products; (5194)

Division G: Retail Trade

Group 52 - Building Materials, Hardware, Garden Supply, and Mobile Home Dealers
- Mobile home dealers (manufactured homes) (527)

Group 58 - Eating and Drinking Places
- With the sale of beer and wine only for on-premise consumption, without gaming
- With the sale of beer and wine only for on-premise consumption, with gaming
- With the sale of all alcoholic beverages for on-premise consumption, with gaming

Group 59 - Miscellaneous Retail (Strictly Carryout)
- Fuel dealers (598)

Division I: Services

Group 70 - Hotels, Rooming Houses, Camps, and Other Lodging Places
- Rooming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)
- Camps and recreational vehicle parks (703)

Group 72 - Personal Services
- Funeral service and crematories (726)

Group 78 - Motion Pictures
- Drive-in motion picture theaters (7833)

B. Restricted use **Zone B** as depicted on attached **Exhibit A** (underlying county Zone: controlled Industrial - CI)

All allowed land uses as outlined within the Yellowstone County Zoning regulations for the underlying zone shall be allowed within the restricted use **Zone B**, with the following exceptions:

Exceptions (uses not allowed) within restricted use Zone B:

Division A: Agriculture, Forestry, and Fishing

Group 09 - Fishing, Hunting, and Trapping
- Fish hatcheries and preserves (092)

Division B: Mining

- Construction sand and gravel mining (1442)

Division D: Manufacturing

-
Group 21 - Tobacco Products
- Offices only

Group 24 - Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)

Group 28 - Chemicals and Allied Products
- Growing, harvesting or selling of Marijuana based products

Group 31 - Leather and Leather Products
- Offices only

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 40 - Railroad Transportation
- Passenger and freight terminals

Group 46 - Pipelines, Except Natural Gas

The following uses are allowed within the Restricted Use Zone B, with special review approval:

Division D: Manufacturing

Group 20 - Food and Kindred Products
- Alcoholic beverages manufacturing and bottling (2082, 2083, 2084, 2085) By Special Review

Group 41 - Local & Surburban Transit & Interurban Highway Passenger Transportation
- Bus terminal operation only, without maintenance facilities (4173)
- By Special Review

Division F: Wholesale Trade

Group 51 - Wholesale Trade - Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518) - By Special Review
- tobacco and tobacco products; (5194) By Special Review

IV. LANDSCAPING REQUIREMENTS

Unless expressly designated below, all landscaping and performance standards as outlined within section 27-1101 of the Yellowstone County's Zoning ordinance shall be followed as required within the underlying county zone outlined herein, with the following exceptions:

A. School Buffer Zone A

Within the **School Buffer Zone A** as depicted on attached Exhibit A, regardless of the size of the development, a bufferyard shall be provided on the common boundary with the Elysian School property which shall include

- 15' Minimum width bufferyard
- Three trees per 40 lineal feet
- 6' sight obscuring fence or wall located on property.

The bufferyard shall be required at the time of development of the property adjacent to the Elysian School Purchase Parcel.

V. OTHER SPECIAL AGREEMENTS

A. Access

AG 3666419
05/03/2013 08:50 AM Pages: 7 of 9 Fees: 63.00
Jeff Martin Clerk & Recorder, Yellowstone MT

Vehicular Access onto Elysian Road and East Lane from School Buffer Zone A and Restricted Use Zone B shall be a minimum of 150 feet from the **School Purchase Parcel**

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"OWNER"

VIKING LAND, LLC

By: Mike Tvetene

Its: President

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 2nd day of May, 2013, before me, a Notary Public in and for the State of Montana, personally appeared Mike Tvetene, known to me to be the President of **VIKING LAND, LLC** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

LINDA K. VANDERSLOOT
NOTARIAL SEAL
STATE OF MONTANA

Linda K. Vandersloot
Notary Public in and for the State of Montana
Printed Name: Linda K. Vandersloot
Residing at: Billings
My commission expires: 5/25/15

AG 3666419
05/03/2013 08:50 AM Pages: 8 of 9 Fees: 63.00
Jeff Martin Clerk & Recorder, Yellowstone MT

This agreement is hereby approved and accepted by Yellowstone County, this 30 day of April, 2013.

"COUNTY"

COUNTY OF YELLOWSTONE, MONTANA

County of Yellowstone
Board of County Commissioners

By: _____
Chairman

By: _____
Commissioner

By: _____
Commissioner

Attest: _____
County Clerk and Recorder

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 30 day of April, 2013, before me, a Notary Public in and for the State of Montana, personally appeared James E. Reno, Bill Kennedy, John Ostlund, and Jeff Martin, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

TERI REITZ
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
February 27, 2014

Teri Reitz
Notary Public in and for the State of Montana
Printed Name: Teri Reitz
Residing at: Billings
My commission expires: 2-27-2014

PLANNED DEVELOPMENT AGREEMENT

TRACT 2A OF COS 3535 AMENDED, AND TRACT 1A-1 OF COS 832 AMENDED IN YELLOWSTONE COUNTY, MONTANA

THIS AGREEMENT is made and entered into this ___ day of _____, 2023, by and between **Development 55, LLC**, whose address for the purpose of this agreement is 2210 N Plaza Drive, Rapid City, SD 57701, hereinafter referred to as "Owner." **Elysian School District #23, Billings, Montana** whose address for the purpose of this agreement is 6416 Elysian Road, Billings Montana 59101 hereinafter referred to as "School." And the **City of Billings**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the School and the Owner desire to provide for harmonious development of the property with land uses and restrictions acceptable to both parties.

WHEREAS, the undersigned are the owners of Tract 2A of COS 3535 Amended, and Tract 1A-1 of Certificate of Survey No. 832, Amended in the City of Billings.

WHEREAS, the aforesaid Owner, School, and City desire to amend and supplement the existing Planned Development Agreement recorded as Document Number 3666419, on file and of record at the Yellowstone County Clerk and Recorder's Office, as provided within this agreement.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporation, or other entities, who shall hereafter acquire any interest in and to the above-described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the 2019 Yellowstone County's Zoning Ordinance shall be followed for the type of use within each of the areas described herein.

A. Restricted Use **School Buffer Zone A** as depicted on attached **Exhibit A** (underlying county zone: Highway Commercial – HC).
All allowed land uses as outlined within the Yellowstone County Zoning Regulations for the underlying Zone shall be allowed within the **School Buffer Zone A** with the following exceptions (SIC numbers noted are as defined by the "*Standard Industrial Classification Manual"*, 1987 Edition by the Executive Office of the President, O.M.B.):

Exceptions (uses not allowed) within School Buffer Zone A:

Division A: Agriculture, Forestry, and Fishing

Group 07 – Agricultural Services
- Veterinary services for Livestock – Boarding
- Veterinary services for Animal specialists – Boarding Group 08 – Forestry
- Equipment storage and wholesale sales

Division B: Mining

- Construction sand and gravel mining (SIC 1442)

Division C: Construction

Group 16 – Heavy Construction Other Than Building Construction – Contractors
- Open storage of equipment and supplies

Division D: Manufacturing

Group 20 – Food and Kindred Products
Alcoholic beverages manufacturing & bottling (SIC 2082, 2083, 2084, 2085)
Group 21 – Tobacco Products
- Offices only

Group 24 – Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products
- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transport
- Bus terminal operation only, without maintenance facilities (4173)

Group 42 – Motor Freight Transportation and Warehousing
- Trucking terminal and maintenance facilities (421, 423)

Group 43 – U.S. Postal Service
- With truck terminal

Group 46 – Pipelines, except natural gas
Group 47 – Transportation services
- Warehouses, terminals

Group 48 – Communications
- Amateur Radio Antenna Support Structures

- Broadcast antenna or tower farms

Group 49 – Electric, Gas, and Sanitary Services

- Transmission and distribution, electric and gas

Division F: Wholesale Trade

Group 51 – Wholesale Trade – Nondurable Goods

- Groceries; beer, wine and distilled beverages (514, 518)
- Tobacco and tobacco products; (5149)

Division G: Retail Trade

Group 52 – Building Materials, Hardware, Garden Supply, and mobile Home Dealers

- Mobile home dealers (manufactured homes) (527)

Group 58 – Eating and Drinking Places

- With the sale of beer and wine only for on-premise consumption, without gaming
- With the sale of beer and wine only for on-premise consumption, with gaming
- With the sale of alcoholic beverages for on-premise consumption, with gaming

Group 59 – Miscellaneous Retail (Strictly Carryout)

- Fuel dealers (598)

Division I: Services

Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places

- Roaming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)
- Camps and recreational vehicle parks (703)

Group 72 – Personal Services

- Funeral service and crematories (726)

Group 78 – Motion Pictures

- Drive-in motion picture theaters (7833)

B. Restricted use **Zone B** as depicted on attached **Exhibit A** (underlying county zone: Controlled Industrial – CI)

All allowed land uses as outline within 2019 Yellowstone County Zoning regulations for the underlying zone shall be allowed within the restricted use **Zone B,** with the following exceptions:

Exceptions (uses not allowed) within restricted use Zone B:

Division A: Agriculture, Forestry, and Fishing

Group 09 – Fishing, Hunting, and Trapping

- Fish hatcheries and preserves (092)

Division B: Mining

- Construction sand and gravel mining (1442)

Division D: Manufacturing

Group 21 – Tobacco Products
- Offices only

Group 24 – Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products
- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products
- Offices only

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 40 – Railroad Transportation
- Passenger and freight terminals

Group 42 – Pipelines, Except Natural Gas

The following uses are allowed within the Restricted Use Zone B, with special review approval:

Division D: Manufacturing

Group 20 – Food and Kindred Products
- Alcoholic beverages manufacturing and bottling (2082, 2083, 2084, 2085) By Special Review

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transportation
- Bus terminal operation only, without maintenance facilities (4173)
- By Special Review

Division F: Wholesale Trade

Group 51 – Wholesale Trade – Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518) – By Special Review
- Tobacco and tobacco products; (5149) By Special Review

III. LANDSCAPING REQUIREMENTS

Unless expressly designated below, all landscaping, buffering, and screening standards as outlined within Article 27-1200 of the 2021 City of Billings Zoning Code shall be followed as required with the following exceptions:

A. School Buffer Zone "A"

Within the School Buffer Zone "A" as depicted on the attached Exhibit "A," a residential development is not required to install an opaque screen fence or open fence adjacent to the School's property.

IV. OTHER SPECIAL AGREEMENTS

A. Access

Vehicular Access onto Elysian Road and East Lane from School Buffer Zone A and Restricted Use Zone B shall be a minimum of 150 feet from the **School.**

[*Left intentionally blank, signature pages to follow*]

IN THE WITNESS WHEREOF, the OWNERS have set their hands and official seals on this _____ day of _____, 2023.

"OWNER"

DEVELOPMENT 55, LLC

By:_____

Its:_____

STATE OF _____)

: ss

County of _____)

On this ___ day of _____, 2023, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the _____ of **DEVELOPMENT 55, LLC** who executed the foregoing instrument and acknowledged to me he/she executed the same.

SS_____

[*Intentionally blank with signatures on the following pages*]

IN THE WITNESS WHEREOF, the SCHOOL have set their hands and official seals on this _____ day of _____, 2023.

"SCHOOL"

ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA

_____

Luke Shelton, Superintendent of Elysian
School District #23, Billings, Montana

STATE OF _____)

: ss

County of _____)

On this ___ day of _____, 2023, before me, a Notary Public in and for the State of Montana, personally appeared Luke Shelton, known to me to be the Superintendent of **ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA** who executed the foregoing instrument and acknowledged to me he executed the same.

SS_____

[*Intentionally blank with signatures on the following pages*]

Viking Land, LLC as a party of the existing agreement recorded as Document Number 3666419 hereby recognizes and accepts the amendments identified within this document.

I hereby set my hand on this _____ day of _____, 2023.

VIKING LAND, LLC

By:_____

Its:_____

STATE OF _____)

: ss

County of _____)

On this ___ day of _____, 2023, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the _____ of **VIKING LAND, LLC** who executed the foregoing instrument and acknowledged to me he/she executed the same.

SS_____

[*Intentionally blank with signatures on the following pages*]

This agreement is hereby approved and accepted by the City of Billings, this _____ day of _____, 2023.

"CITY"

CITY OF BILLINGS, MONTANA

By:_____
Mayor

Attest: _____
City Clerk

STATE OF _____)

: ss

County of _____)

On this ___ day of _____, 2023, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

SS_____

[*Left* i*ntentionally blank*]

MEETING NOTES

Date	March 24, 2023
Project	Elysian Subdivision Zone Change
Project Number	22008916.01
Attendees	Anna Vickers, Matt Suek, Renae Heisler

Arlynn Lafurge, Mike Lahey, Luke Shelton, Scott Lawson, Jolynn Lawson, Tammy Cosgrove, Arliss Keller, Janna Ostermiller, Tracy Ostermiller, Mike Fouch, Linda Buckaman, G. Armstrong, T. Tafoya

ANNA: Started Presentation
Mike L.: In relation to the school is this located to the east?
Scott: No this is south of the school.
Arlynn: This is going on the other side of east lane
Scott: Looking at the school from Elysian this is going left of the school then?
Matt: Let's let Anna get through the presentation, because she may answer some of these questions in this presentation.

IMEG: *please see included presentation slides.*

Arliss: So, you are essentially just moving the buffer zone out more?
IMEG: That's correct, the school's boundary line relocation took some of the property that was initially set up within the PUD as a buffer zone. The desired result is to adjust buffer zone A that has an underlying zoning of Highway Commercial to the spot shown.

Arliss: Lot 4 is not going to contain residential homes, right?
IMEG: Lot 4 has the potential to contain residential homes along with all other allowable uses within highway commercial that are not excluded through the Planned Development Agreement. At this point the use of Lot 4 is unknown.

Mike F.: Are all 5-lot going to be annexed into the city?
IMEG: Yes, the proposed 5-lots are slated to be annexed into the city.

Arlynn: Are we all going to annexed into the city as well?
IMEG: No, annexation will only be applicable to the area proposed to be subdivided.

T. Tafoya: My biggest concern is how will this affect the traffic that is already so bad out here?
IMEG: I can understand that would be a concern. During the subdivision process there is a requirement to undergo a traffic impact study. This study includes a number of intersections in the area, as you see in the map. At this point, the extent of this

particular development's effect on traffic is unknown. What we have learned in the study is what you say, traffic is already bad in this area.

T. Tafoya: With the new development down the road, we have people that drive down Elysian going 60 MPH now.
Anna: Have you tried calling the police department?
T. Tafoya: We call it in, but the Sheriffs don't want anything to do with it.

Scott: So, with the traffic are you guys responsible for making changes based on your traffic impact study?
IMEG As part of subdivision, the developer will be required to contribute a sum or provide improvements associated with the development. This sum or improvements are dictated to us from City Public Works or MDT. Typically, a sum is provided to the City. How the City chooses to spend that money is not determined by us.

T. Tofoya: But how are you going to make that happen when we had to fight tooth and nails for the county to even put in a cross walk at Elysian Rd, just so that the kids could safely get to school.
IMEG: As part of subdivision, we must have sidewalks.

Tracy: We used to let our kids play out in the street all the time and now we are so worried that someone speeding down the road not paying attention will hit a child.
T. Tofoya: I really think East Lane and Elysian need a four way stop.
T. Tofoya: How many more kids will be using the school?
IMEG: It's unknown at this time. But we have had conversations with the school who is excited at the prospect of additional students.

Mike: The city has already approved all of this?
IMEG: No, this meeting is a preliminary step in the process. In order of operations, we have to have this meeting regarding zoning before submittal of items to the City for the zone change.

Tracy: I mean you guys have already started to put in utilities on the lots.
IMEG: Those were not done by us. Those were done by a different owner.

T. Tofoya: Going back to the traffic who is going to be responsible for maintaining the roads with all the additional truck traffic, I see how much damage those big trucks do to our roads.
IMEG: As part of annexation the portion of roadways adjacent to the property will be annexed as well. So Elysian Road, East Lane, and Shackelford Lane will all be City maintained roads. Frontage Road is a state maintained road.

T. Tafoya: So, do you also have to contribute money to the school like you would with the traffic
IMEG: Contributions to the school are paid through taxes, so yes.

Janna: No one seems to really know what city is and what is the county out here
Scott: Is this going to affect our taxes
IMEG: It shouldn't be we are not tax assessors.

Arlynn: So where are the schools additional 6 acres
IMEG: *Reference to the BLR from the school.*

Janna: What exactly are the uses for controlled industrial and highway commercial
IMEG: The Planned Development Agreement makes the uses on this property be more restrictive than typical zoning. Additionally, Controlled Industrial is a lot like what it states a lot of commercial offices. Highway commercial is the allowances within that designation of zoning if not restricted by the Development agreement. This allows for commercial uses, such as offices and also for residential uses.

T. Tofoya: So that means that no bars and stuff like that will be allowed in these lots
IMEG: There's restrictions on alcohol and marijuana sales within the development agreement.

T. Tofoya: Another one of my major concerns is the wildlife, when I moved out here you would always see deer and other animals and now it is very rare to see any wildlife.
Janna: I mean the new developments have already started to push out all the wildlife
IMEG: As part of zoning, we are required to assess items such as accordance with the growth policy, neighborhood character and uses, typically assessment of wildlife is something that is done within the subdivision and will be done within the subdivision. But as you've mentioned, unfortunately, much of the wildlife has already left the area due to prior developments.

Luke: My name is Luke Shelton I am the superintendent here at Elysian Schools and I have been in conservation with Anna and the School Board, and I know that there have been a lot of concerns about the buffer zone, but I just want you all to know that the school board is very on board with this new buffer zone. We all think that this is very favorable for all parties.

Tracy: How is this going to affect the crime in our neighborhood? We used to be able to keep our doors always unlocked, and now as soon as we get home have to lock our doors. We used to let our kids out to play and now we can't even let them out without worrying about them.
IMEG: Crime is a concern everywhere in the City. As the property lies right now, these two zonings are allowed. All this proposal does is allow for a larger buffer zone. This would benefit the school and the potential developer. And at least have two known uses on two of the lots. One being a fulfillment center and the other being residential. Otherwise this property will continue to have it's existing zoning and someone else could develop it and that use is unknown.

Scott: The city limits will stay the same for our properties, correct?

IMEG: If your property is part of the City it will remain in the City. If your property is part of the County it will remain in the County.

Arliss: What is going to happen to the population of the school, and will the school be able to handle it?
IMEG: The number of new students is currently unknown. The school has indicated a desire for new students.

Arlynn: Who exactly are you representing in this meeting?
IMEG: We are here on behalf of the prospective buyer of the property to discuss the zoning change.

IMEG discussed next steps regarding school board meeting on April 3. Compilation and submittal of the zone change request. City Planning Department review of the zone change request. Future notification regarding a public hearing of the zone change request. And the ability for anyone to reach out via email or phone call in order to ask questions or receive the presentation information. Meeting was then concluded.

ATTENDANCE RECORD

IMEG #: 22008916.00

Project: Elysian Subdivision

Meeting Description: Pre-application Neighborhood Meeting

Date: 03/24/2023 Time: 5:30 p.m.

Place: Elysian Elementary School

ATTENDEE NAME	PHONE #	E-MAIL
Arlynn Lafuerge	406-697-1477	arlynn.lafuerge@gmail.com
MIKE LAHEY	406 672 7737	
Luke Shelton	656-4101	w/ Elysian School
Scott Lawson	698 5047	
JoLynn Lawson	670 1319	
Tammy Cosgrove	406 861-0902	tammycosgrove FS @gmail.com

ATTENDANCE RECORD

IMEG #: 22008916.00

Project: Elysian Subdivision

Meeting Description: Pre-application Neighborhood Meeting

Date: 03/24/2023 Time: 5:30 p.m.

Place: Elysian Elementary School

ATTENDEE NAME	PHONE #	E-MAIL
ARliss Keller	656 2654	
JannaOstermiller	671 5512	
Tracy ostermiller	671-0054	
MIKE FOUCH	425-1661	
Linda Buckman	690 1432	

175 N 27th Street, Suite 1312, Billings, MT 59101
406.256.1141 Fax: 406.721.5224 imegcorp.com

ATTENDANCE RECORD

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ATTENDEE NAME	PHONE #	E-MAIL
G. ARMSTRONG	406.655.4439	GARMSTRONG@IN-TCH.COM
T. Tafoya	406-647-3861	

175 N 27th Street, Suite 1312, Billings, MT 59101
406.256.1141 Fax: 406.721.5224 imegcorp.com

Pre-Application Statement of Owner(s) or Agent(s)

The owner(s), contract purchasers (if any) and agents (if any) are required to submit this completed form and any attachments along with a completed zone change application packet, including any required fees, for a zone change to be processed by the Planning Division.

1. **Present Zoning**: Planned Development Agreement

2. **Written description of the Zone Change Plan** including existing and proposed new zoning:

The existing zoning provides for highway commercial underlay of school restricted use buffer zone A and controlled industrial underlay of school restricted use buffer zone B. The proposed zoning provides both of these zoning types but relocates the boundary of restricted use buffer zone A and buffer zone B to accommodate for the school's growth that's occurred since 2013, when the original agreement took place. Additionally, the expansion of highway commercial with buffer zone A allows for potential residential uses adjacent to the school.

3. **Subject Property Map**: please attach to this form

4. **Legal Description of Property**:

Parcel 1A1 of COS 832 (Amd), Parcel 2A of COS 3535 Amended,

Tracts 2, 3, 4, and 5 of COS 234 Second Amendment in Section 24, Township 1 south, Range 25 east, PMM, Yellowstone County, MT

5. **Neighborhood Task Force Area**: Yes /// (No) If Yes, Name of Task Force and mailing address of Chairperson:

6. **Roster of persons who attended the pre-application neighborhood meeting**: please attach to this form

7. **A copy of the meeting notice.** please attach to this form

8. **A brief synopsis of the meeting results including any written minutes or audio recording.** please attach to this form

9. **The undersigned affirm the following:**

1) The pre-application neighborhood meeting was held on the 24th, day of March, 20 23.

2) The zone change application is based on materials presented at the meeting.

Owner (s): Viking Land, LLC; Development 55, LLC, Elysian School District #23, Billings, Montana, and Cogburn Holdings, LLC - Under contract Telephone:

Address: 6844 South Frontage Rd. Billings, MT 59101; 6416 Elysian Rd. Billings, MT 59101; 2210 N Plaza Dr. Rapid City, SD 57701 Email:

Agent (s): IMEG Corp - Anna Vickers Telephone: 406-248-9000

Address: 175 N 27th St. Ste 1312, Billings, MT 59101 Email: anna.m.vickers@imegcorp.com

APPLICATION FORM

CITY ZONE CHANGE **Billings Zone Change #_____ - Project #_____**

The undersigned as owner(s) of the following described property hereby request a Zone Change as outlined in the City of Billings Zoning Regulations.

Present Zoning Planned Development Agreement

Proposed Zoning: Planned Development Agreement

TAX ID# D008620, D008600, D008560, D008570 CITY ELECTION WARD _____

Legal Description of Property: Parcel 1A1 of COS 832 (Amd), Parcel 2A of COS 3535 Amended, in Section 24, Township 1 south, Range 25 east, PMM, Yellowstone County, MT

Address or General Location (If unknown, contact City Engineering): 6844 South Frontage Rd. Billings, MT 59101; 6416 Elysian Rd. Billings, MT 59101

Size of Parcel (Area & Dimensions): 62.55 (see included)

Present Land-Use: Industrial, School, and vacant

Proposed Land-Use: Industrial, School, Residential, and unknown

Covenants or Deed Restrictions on Property: Yes_____ No_x_____

If yes, please attach to application

*** Additional information may be required as determined by the Zoning Coordinator in order to fully evaluate the application.

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(Address)

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(Name)
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(Address)
406-248-9000 anna.m.vickers@imegcorp.com
(Phone Number) (email)

I understand that the filing fee accompanying this application is not refundable, that it pays for the cost of processing, and that the fee does not constitute a payment for a Zone Change. Also, I attest that all the information presented herein is factual and correct.

Signature: _____ Date: _____
(Recorded Owner)

Date Stamp

DocuSign Envelope ID: C393532D-4510-4D40-B281-1E4E9329BF8C

APPLICATION FORM

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Proposed Land-Use: Industrial, School, Residential, and unknown

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Signature: DocuSigned by: 3B17C114C62B4EB... Authorized Signer, Cogburn Holdings LLC Date: 4/14/2023
(Recorded Owner)

Date Stamp

DocuSign Envelope ID: FBED2F2D-EEE7-4A54-A9B8-17405A9C4E1E

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Signature: DocuSigned by: [signature] DF1BB87522F54B2... Authorized Signatory, Development 55 LLC Date: 4/14/2023
(Recorded Owner)

Date Stamp

DocuSign Envelope ID: B3AEA4AC-EC67-43D8-9D3E-C4BF41791A2D

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Signature: DocuSigned by: Donald Tietze A9B35F8F1D454AB... Authorized Signatory, Viking Land LLC Date: 4/14/2023
(Recorded Owner)

Date Stamp

DocuSign Envelope ID: 56DD43C6-5BEA-4659-B9A5-F17CC0722DA8

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Signature: DocuSigned by: Luke Shelton 1B7910FEA8624FC... Elysian School District #23 Date: 4/15/2023
(Recorded Owner)
Superintendent

Date Stamp

Billings Zone Change Application Packet
Elysian PUD Rezoning

Summary:

The new zoning is a restructuring of the old zoning PUD. The restructure of the layout accommodates Elysian School's expansion of property. The original PUD that was negotiated between Elysian School and Viking Land allowed for a School Buffer Zone 'A'. This buffer zone restricted uses adjacent to the school's parcel and had the underlying zoning of Highway Commercial. As the school expanded its property, the buffer zone was diminished, placing the school adjacent to Zone 'B' of the PUD. Zone 'B' continues restricted uses with the underlying zoning of Controlled Industrial. However, Zone 'B' is not as restrictive of development as Zone 'A'.

During the development process of the adjacent proposed Elysian Subdivision, the issues within the current PUD's restricted zones was discovered. In an effort to allow Elysian School the intended buffer zone within the PUD the proposed reallocation of each zone is the requested update. This reallocation allows the school the intended Zone 'A' buffer. Additionally, within the Highway Commercial uses that are allowed within zoning and not restricted by the agreement, residential uses are allowed. The allowance of residential use is highly supported by the school and the developer of the proposed Elysian Subdivision.

10 Statutory Zone Change Criteria:

Below is a list of the 10 Statutory Zone Change requirements in *italics*. Response to each criteria is provided below.

1. Whether the new zoning is designed in accordance with the growth policy.

The requested new zoning is designed in accordance with many criteria within the growth policy. The City of Billings Growth Policy states the following growth guidelines:

- "Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and liability of Billings."
    - The new zoning allows for safe and affordable interconnected sidewalks and trails. The property adjacent to the school, currently owned by Development 55, is desired to be developed by new purchasers. The purchasers are currently undergoing subdivision and have completed annexation of the property. As part of the subdivision design, the new purchasers would like the possibility to have residential that is allowed within Zone 'A'. The rezoning is a realignment of the existing zonings within the Planned Development Agreement (PUD). The existing zonings and subdivision regulations allow for planning and construction of safe and affordable interconnected sidewalks and trails.
- "Infill Development and development near existing City infrastructure may be the most cost effective."
    - The property has been annexed to the City of Billings contingent upon annexation conditions. The intent of the annexation was the ability for future development to use existing City infrastructure. The zoning is supportive of desired infill development. The proposed zoning allows for a variety of uses of residential, commercial and industrial.

- "A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality competitive community."
    - The proposed zoning realignment is supportive of the school system. By realigning School Buffer Zone 'A' the property will protect the schools undesired surrounding uses while encouraging development through the ability to connect to city infrastructure. This ability allows for more tax dollars in the area which increases school funding. Additionally, the zoning revision allows for the use of residential. Elysian School has specifically requested the possibility for additional residential and the desire for more students.
- "Public Health and safety and emergency service response are critical to the well-being of Billings' residents, business, and visitors."
    - The zoning allows for setbacks, landscaping, maximum density restrictions all of which are important to public health. In addition, the proposed new zoning alignment will allow for a mix of uses that will mutually benefit properties in the area. This PUD is specifically designed to accommodate the school, the adjacent industrial and residential.
- "Public and private partnerships are valuable for creating enhanced entryways into Billings."
    - The proposed PUD amendment has been done through partnership of private businesses such as Viking Land and Development 55, and public entity, Elysian School. This proposed change allows for a cohesive area and design.
- "Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels."
    - The proposed zoning allows for the existing School Buffer Zone 'A' to be relocated which accommodates for the schools expansion over the years. The underlying zoning of School Buffer Zone 'A' of Highway Commercial refers to the standards of Residential Multi-Family Restricted zoning for residential development. Residential Multi-Family Restricted allows for one to 8 unit residential. If the property were to remain as is, a mixture of housing types would not be possible. The current Restricted Use Zone 'B' only allows for single family homes after a special review.
- "Strategically placed industrial parks will encourage a more diverse city economy and will better help manage effluent and emission from industrial processes."
    - As the zoning currently sits on the property, Restricted Use Zone 'B' is adjacent to the school. By allowing for the proposed amendment to the PUD, the industrial uses will be strategically placed. This will allow for continued industrial use, which is compatible with some parts of the neighborhood. The reallocation of School Buffer Zone 'A' will place Highway Commercial uses close to the school and existing residential.

2. *Whether the new zoning is designed to secure from fire and other dangers.*
The proposed new zoning will continue to secure from fire and other dangers. The zoning allows for open space, setbacks and other design standards that are associated with parking, building location for emergency access, etc.

3. Whether the new zoning will promote public health, public safety, and general welfare.
The zoning code will continue to promote public health, safety, and general welfare. It is the desire of the school and future developer to allow for the School Buffer Zone 'A.' This buffer zone allows for additional public safety associated with any development next to the school. Additionally, the restructuring of the two buffer zones allows for potential compatible uses adjacent to similar uses. The Controlled Industrial which underlies, Restricted Zone 'B,' would continue to be on the western side of the property, in proximity to existing industrial use. The Highway Commercial zoning which underlies, School Buffer Zone 'A,' allows for the potential of commercial or residential uses in proximity to the school and existing residential uses.

4. Whether the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
The intent of this zoning restructure is to continue to allow for the schools buffering and use restrictions on the property adjacent to them. The zoning allows for provisions of transportation, water, sewer, and parks as required with development. The potential developer has annexed the parcel owned by Development 55 into the City of Billings. As part of the annexation a set of conditions was given to the developer that requires a subdivision improvements agreement. The Elysian Subdivision is currently being reviewed by City of Billings agencies. This rezoning accompanies the overall development plan for the properties regarding transportation, water, sewer, school and other public requirements.

5. Whether the new zoning will provide adequate light and air.
The new zoning will provide for adequate light and air. The new zoning will still use zoning code which addresses setbacks, spacing between buildings, maximum density, etc.

6. Whether the new zoning will affect motorized and nonmotorized transportation.
The new zoning is a reallocation of existing zonings in the area. The effect of motorized and nonmotorized transportation will remain the same as it is currently.

7. Whether the new zoning will promote compatible urban growth.
Yes, the proposed new zoning alignment is compatible with urban growth. This realignment accommodates for the school's growth that has occurred since the original PUD in 2013. This request protects the school and existing residential areas, while allowing for additional opportunities for mixed residential uses.

8. Whether the new zoning considers the character of the district and the peculiar sustainability of the property for particular uses.
The proposed new zoning is a realignment of an existing PUD on the property. These zoning and uses are allowable on the property already. This rezoning request simply expands School Buffer Zone 'A' in order to allow the school the buffer zone that was originally negotiated in 2013 within this PUD. The Controlled Industrial zoning which underlies, Restricted Zone 'B', would continue to be on the western side of the property, in proximity to existing industrial use. The Highway Commercial which underlays,

School Buffer Zone 'A,' allows for the potential of commercial or residential uses in proximity to the school and existing residential uses.

9. Whether the new zoning will conserve the value of buildings.
The proposed new zoning is a realignment of an existing PUD on the property. These zoning and uses are allowable on the property already. This rezoning request simply expands School Buffer Zone 'A' in order to allow the school the buffer zone that was originally negotiated in 2013 within this PUD. The value of buildings in the area should not be affected as this is not a new zoning, simply a realignment of existing zoning on the property.

10. Whether the new zoning will encourage the most appropriate use of land throughout the City of Billings.
The proposed new zoning is a realignment of an existing PUD on the property. These zoning and uses are allowable on the property already. This rezoning request simply expands School Buffer Zone 'A' in order to allow the school the buffer zone that was originally negotiated in 2013 within this PUD.

ORDINANCE 23-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THE PLANNED DEVELOPMENT ZONE AGREEMENT ON Tract 2A of C/S 3535 and Tract 1A-1of C/S 832, BE AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS THAT:

Section 1. **RECITALS.** *Title 76, Chapter 2, Part 3, MCA,* and *Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.

Section 2. **DESCRIPTION.** **Tract 2A of C/S 3535 and Tract 1A-1of C/S 832,** is presently zoned **Planned Development – Highway Commercial and Controlled Industrial (PD-HC and PD-CI)),** and is shown on the official zoning map within this zone. The Planned Development agreement for this property was filed with the Clerk and Recorder under document No. 3666419.

Section 3. **ZONE DISTRICT AMENDMENT.** The official original **Planned Development Agreement known as Viking Tvetene Planned Development filed as document No. 3666419** is hereby **amended for the tracts noted above within the city limits** and the attached **amended PD Agreement as shown in Exhibit A, shall apply to these tracts**. Such amended Planned Development will be executed and filed with the Clerk and Recorder and shall be subject to all the rules and regulations pertaining to Planned Development Agreements as set out in the Billings, Montana City Code.

Section 4. **EFFECTIVE DATE**. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

Section 5. **REPEALER**. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 6. **SEVERABILITY**. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 26th day of June, 2023.

PASSED, ADOPTED and APPROVED on second reading this 10th day of July, 2023.

CITY OF BILLINGS

BY:_____

William A. Cole, Mayor

Attest:

BY:_____

Denise R. Bohlman, City Clerk

Zone Change 1027 – Viking Tvetene Planned Development Agreement Amendment

EXHIBIT A

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59101

PLANNED DEVELOPMENT AGREEMENT

TRACT 2A OF COS 3535 AMENDED, AND TRACT 1A-1 OF COS 832 AMENDED IN YELLOWSTONE COUNTY, MONTANA

THIS AGREEMENT is made and entered into this _____day of __, 2023, by and between **Development 55, LLC**, whose address for the purpose of this agreement is 2210 N Plaza Drive, Rapid City, SD 57701, hereinafter referred to as "Owner." **Elysian School District #23, Billings, Montana** whose address for the purpose of this agreement is 6416 Elysian Road, Billings Montana 59101 hereinafter referred to as "School." And the **City of Billings**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the School and the Owner desire to provide for harmonious development of the property with land uses and restrictions acceptable to both parties.

WHEREAS, the undersigned are the owners of Tract 2A of COS 3535 Amended, and Tract 1A-1 of Certificate of Survey No. 832, Amended in the City of Billings.

WHEREAS, the aforesaid Owner, School, and City desire to amend and supplement the existing Planned Development Agreement recorded as Document Number 3666419, on file and of record at the Yellowstone County Clerk and Recorder's Office, as provided within this agreement, and Tract 1A-1 C/S 832 will be designated as **Public 2**, a zone district of the City of Billings, and subject to all regulations set forth for **Public 2** districts.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as
follows:

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT

All persons, corporation, or other entities, who shall hereafter acquire any interest in and to the above-described property, in whole, or in part, shall be taken and held to agree, to conform to, and observe the following land uses, restrictions, and other stipulations as to the use thereof, and as the construction of improvements thereon.

II. LAND USES AND BUILDING RESTRICTIONS

Unless expressly designated below, all other standards or requirements of the 2019 Yellowstone County's Zoning Ordinance shall be followed for the type of use within each of the areas described herein.

A. Restricted Use **School Buffer Zone A** as depicted on attached **Exhibit A** (underlying county zone: Highway Commercial – HC).
All allowed land uses as outlined within the Yellowstone County Zoning Regulations for the underlying Zone shall be allowed within the **School Buffer Zone A** with the following exceptions (SIC numbers noted are as defined by the "*Standard Industrial Classification Manual"*, 1987 Edition by the Executive Office of the President, O.M.B.):

Exceptions (uses not allowed) within School Buffer Zone A:

Division A: Agriculture, Forestry, and Fishing

Group 07 – Agricultural Services
- Veterinary services for Livestock – Boarding
- Veterinary services for Animal specialists – Boarding

Group 08 – Forestry
- Equipment storage and wholesale sales

Division B: Mining

- Construction sand and gravel mining (SIC 1442)

Division C: Construction

Group 16 – Heavy Construction Other Than Building Construction – Contractors
- Open storage of equipment and supplies

Division D: Manufacturing

Group 20 – Food and Kindred Products
Alcoholic beverages manufacturing & bottling (SIC 2082, 2083, 2084, 2085)
Group 21 – Tobacco Products
- Offices only

Group 24 – Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products
- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transport
- Bus terminal operation only, without maintenance facilities (4173)

Group 42 – Motor Freight Transportation and Warehousing
- Trucking terminal and maintenance facilities (421, 423)

Group 43 – U.S. Postal Service
- With truck terminal

Group 46 – Pipelines, except natural gas

Group 47 – Transportation services
- Warehouses, terminals

Group 48 – Communications
- Amateur Radio Antenna Support Structures
- Broadcast antenna or tower farms

Group 49 – Electric, Gas, and Sanitary Services
- Transmission and distribution, electric and gas

Division F: Wholesale Trade

Group 51 – Wholesale Trade – Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518)
- Tobacco and tobacco products; (5149)

Division G: Retail Trade

Group 52 – Building Materials, Hardware, Garden Supply, and mobile Home Dealers
- Mobile home dealers (manufactured homes) (527)

Group 58 – Eating and Drinking Places
- With the sale of beer and wine only for on-premise consumption, without gaming
- With the sale of beer and wine only for on-premise consumption, with gaming
- With the sale of alcoholic beverages for on-premise consumption, with gaming

Group 59 – Miscellaneous Retail (Strictly Carryout)
- Fuel dealers (598)

Division I: Services

Group 70 – Hotels, Rooming Houses, Camps, and Other Lodging Places
- Roaming, boarding houses; organization hotels and lodging houses, on a membership basis (702, 704)
- Camps and recreational vehicle parks (703)

Group 72 – Personal Services
- Funeral service and crematories (726)

Group 78 – Motion Pictures
- Drive-in motion picture theaters (7833)

B. Restricted use **Zone B** as depicted on attached **Exhibit A** (underlying county zone: Controlled Industrial – CI)

All allowed land uses as outline within 2019 Yellowstone County Zoning regulations for the underlying zone shall be allowed within the restricted use **Zone B,** with the following exceptions:

Exceptions (uses not allowed) within restricted use Zone B:

Division A: Agriculture, Forestry, and Fishing

Group 09 – Fishing, Hunting, and Trapping
- Fish hatcheries and preserves (092)

Division B: Mining

- Construction sand and gravel mining (1442)

Division D: Manufacturing

Group 21 – Tobacco Products
- Offices only

Group 24 – Lumber and Wood Products, Except Furniture
- Hardwood and special product sawmills (2426, 2429)
- Millwork, plywood veneer, wood members manufacture (2431, 2435, 2436, 2439)
- Wood Buildings and Mobile home manufacture (245)

Group 81 – Chemicals and Allied Products
- Growing, harvesting, or selling of Marijuana based products

Group 24 – Leather and Leather Products
- Offices only

Division E: Transportation, Communications, Electric, Gas, and Sanitary Sewer

Group 40 – Railroad Transportation
- Passenger and freight terminals

Group 42 – Pipelines, Except Natural Gas

The following uses are allowed within the Restricted Use Zone B, with special review approval:

Division D: Manufacturing

Group 20 – Food and Kindred Products
- Alcoholic beverages manufacturing and bottling (2082, 2083, 2084, 2085) By Special Review

Group 41 – Local & Suburban Transit & Interurban Highway Passenger Transportation
- Bus terminal operation only, without maintenance facilities (4173) By Special Review

Division F: Wholesale Trade

Group 51 – Wholesale Trade – Nondurable Goods
- Groceries; beer, wine and distilled beverages (514, 518) – By Special Review
- Tobacco and tobacco products; (5149) By Special Review

III. LANDSCAPING REQUIREMENTS

Unless expressly designated below, all landscaping, buffering, and screening standards as outlined within Article 27-1200 of the 2021 City of Billings Zoning Code shall be followed as required with the following exceptions:

A. School Buffer Zone "A"

Within the School Buffer Zone "A" as depicted on the attached Exhibit "A," a residential development is not required to install an opaque screen fence or open fence adjacent to the School's property.

IV. OTHER SPECIAL AGREEMENTS

A. Access

Vehicular Access onto Elysian Road and East Lane from School Buffer Zone A and Restricted Use Zone B shall be a minimum of 150 feet from the **School.**

[*Left intentionally blank, signature pages to follow*]

IN THE WITNESS WHEREOF, the OWNERS have set their hands and official seals on this _____day of _____, 2023.

"OWNER"

DEVELOPMENT 55, LLC

By:_____ Its:__

STATE OF _____)

:

ss County of

_____

)

On this ___day of _____, 2023, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the _____of **DEVELOPMENT 55, LLC** who executed the foregoing instrument and acknowledged to me he/she executed the same.

SS

_____

[*Intentionally blank with signatures on the following pages*]

IN THE WITNESS WHEREOF, the SCHOOL have set their hands and official seals on this _____day of _____, 2023.

"SCHOOL"

ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA

_____

Luke Shelton, Superintendent of Elysian
School District #23, Billings, Montana

STATE OF _____)

:

ss County of

_____

)

On this ___day of _____, 2023, before me, a Notary Public in and for the State of Montana, personally appeared Luke Shelton, known to me to be the Superintendent of **ELYSIAN SCHOOL DISTRICT #23, BILLINGS, MONTANA** who executed the foregoing instrument and acknowledged to me he executed the same.

SS

_____

[*Intentionally blank with signatures on the following pages*]

Viking Land, LLC as a party of the existing agreement recorded as Document Number 3666419 hereby recognizes and accepts the amendments identified within this document.

I hereby set my hand on this _____day of _____, 2023.

VIKING LAND, LLC

By:_____ Its:__

STATE OF _____)

:

ss County of

_____

)

On this ___day of _____, 2023, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the _____of **VIKING LAND, LLC** who executed the foregoing instrument and acknowledged to me he/she executed the same.

SS

_____

[*Intentionally blank with signatures on the following pages*]

This agreement is hereby approved and accepted by the City of Billings, this ____day of _____, 2023.

"CITY"

CITY OF BILLINGS, MONTANA

By:_____
William A. Cole, Mayor

Attest: _____
Denise R. Bohlman, City Clerk

STATE OF _____)

:

ss County of

_____

)

On this ___day of _____, 2023, before me, a Notary Public in and for the State of Montana, personally appeared _____and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

SS

_____

[*Left intentionally blank*]

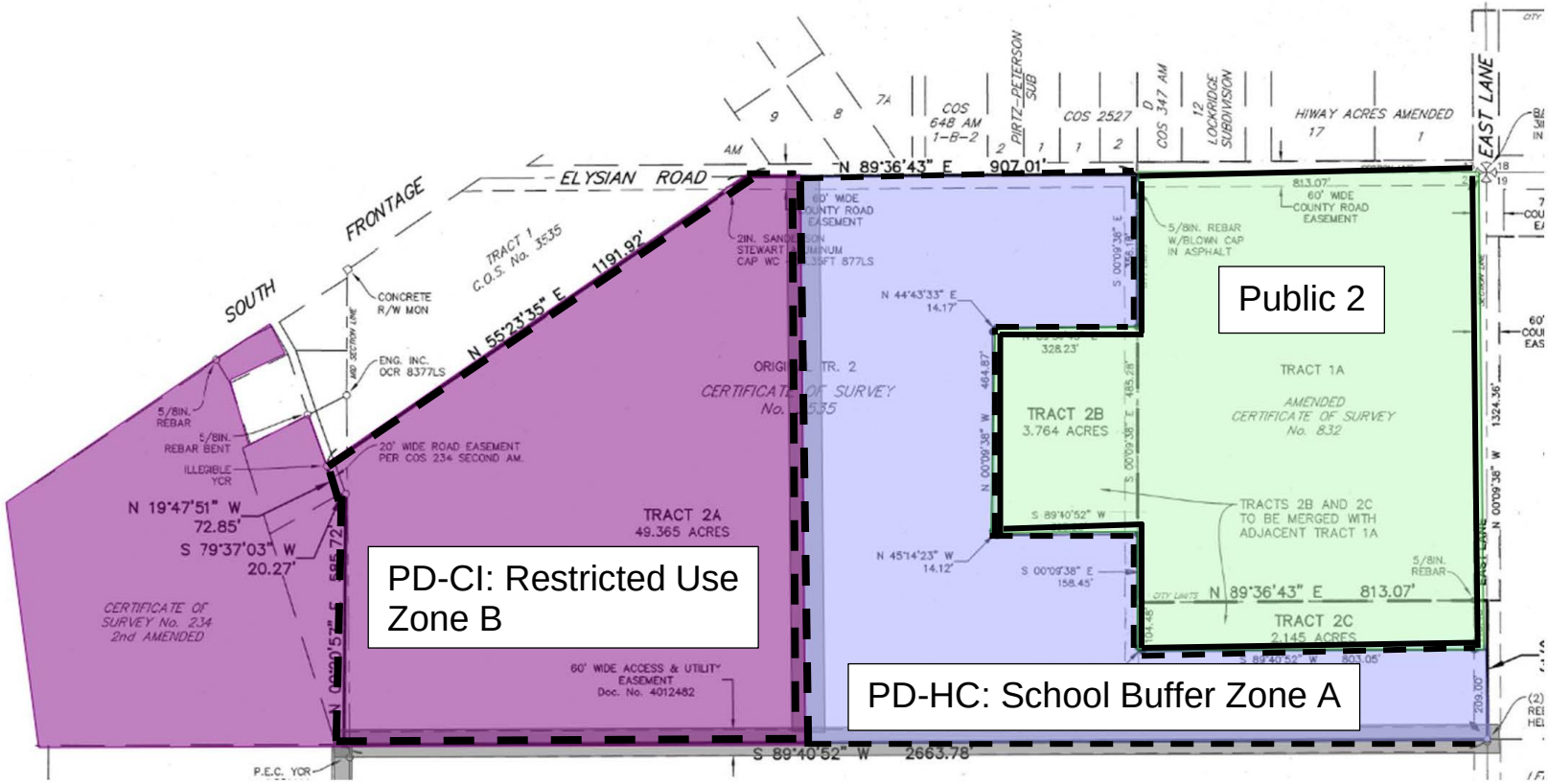


Exhibit A to Viking Tvetene Planned Development Amendment 2023

City Council Regular

Date:	06/26/2023
Title:	Resolution requiring or canceling a Municipal Primary Election
Presented by:	Gina Dahl
Department:	Legal
Presentation:	No
Legal Review:	Yes
Project Number:	N/A

RECOMMENDATION

Staff recommends Council approve a resolution requiring or canceling a Municipal Primary Election be held on September 12, 2023.

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

Section 13-14-115(3), MCA, authorizes a governing body to require a primary election be held for a nonpartisan office if it passes a resolution not more than 10 days after the close of filing by candidates for election stating that a primary election must be held for that office, or June 29, 2023.

Section 13-1-403(4), MCA authorizes a municipality to cancel an election by resolution after notification by the election administrator if the number of candidates filing for election is equal to or less than the number of positions to be filled.

At the time of preparation of this memo, the City has not yet received notification from the election administrator. However, at least one council member requested Council consider requiring a primary in the event such an election was deemed not necessary by the election administrator. Although there was no official direction given to staff to place this matter on the agenda, and given the statutory 10-day deadline stated above, it was necessary to place this on the June 26 agenda because it is the last regular meeting where Council may pass a resolution requiring a primary before the June 29 deadline.

ALTERNATIVES

City Council may:

- Approve a resolution requiring a primary election be held for its nonpartisan offices on September 12, 2023, pursuant to Section 13-14-115(3), MCA; or,
- Approve a resolution canceling the primary election if the Yellowstone County Election Administrator has determined and provided notice that a primary election does not need to be held, pursuant to Section 13-1-403, MCA.

FISCAL EFFECTS

The primary election of municipal offices currently eligible for election shall be held by mail ballot as set forth in City of Billings Resolution No. 23-11120 and in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, MCA. Pursuant to Section 13-1-302, MCA, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body. According to the Yellowstone County Election Administrator, K. V. "Ginger" Aldrich, having a primary election on September 12, 2023, may cost the City approximately $105,000.

Attachments

DRAFT RESOLUTION CANCELING PRIMARY ELECTION
DRAFT RESOLUTION REQUIRING PRIMARY ELECTION

RESOLUTION _____

A RESOLUTION CANCELING THE SEPTEMBER 7, 2023 PRIMARY ELECTION OF CERTAIN MUNICIPAL OFFICERS

WHEREAS, MCA section 13-1-403(4) authorizes a municipality to cancel an election by resolution after notification by the election administrator if the number of candidates filing for election is equal to or less than the number of positions to be filled; and

WHEREAS, by letter dated, June 19, 2023, the City of Billings received notice by the Yellowstone County Election Administrator that a primary election would not be necessary for the following elected municipal offices: [City Council Ward 1, City Council Ward 2, City Council Ward 3, City Council Ward 4, City Council Ward 5, Municipal Court Judge]; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

The City of Billings cancels the November 7, 2023, primary election for the following elected municipal offices: [City Council Ward 1, City Council Ward 2, City Council Ward 3, City Council Ward 4, City Council Ward 5, Municipal Court Judge].

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of June, 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

RESOLUTION _____

A RESOLUTION REQUIRING A PRIMARY ELECTION OF MUNICIPAL OFFICERS TO TAKE PLACE ON SEPTEMBER 12, 2023

WHEREAS, section 13-14-115(3), MCA, authorizes a governing body to require a primary election be held for a nonpartisan office if it passes a resolution not more than 10 days after the close of filing by candidates, or June 29, 2023.

WHEREAS, section 13-10-201(7), MCA, provides that a candidate's declaration for nomination must be filed no sooner than 145 days before the election in which the office first appears on the ballot and no later than 5 p.m., 85 days before the date of the primary election, or June 19, 2023; and

WHEREAS, the City of Billings wishes to conduct a primary election on September 12, 2023; and

WHEREAS, pursuant to Section 13-1-302, MCA, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. Council has determined there should be primary election held for the municipal officer positions currently eligible for election.

2. Council hereby calls and directs a primary election to be held on September 12, 2023, to be conducted in accordance with the provisions of Title 13 of the Montana Code Annotated.

3. The primary election of all municipal offices currently eligible for election shall be held by mail ballot as set forth in City of Billings Resolution No. 23-11120 and in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, MCA.

4. The City of Billings shall bear its proportionate share of the costs as determined by the Yellowstone County Election Administrator.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of June, 2023.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk