

## SUMMARY OF ADMINISTRATIVE MEETING

March 7, 2018– 4:00 p.m.

Room 326

City-County Building

316 N. Park Avenue, Helena

**Call to order, introductions, opening comments** – Mayor Collins called the meeting to order. Commissioners Farris-Olsen, Haladay, Noonan and O'Loughlin were present. Staff present was: City Manager Ron Alles; Executive Assistant Sarah Elkins; City Attorney Thomas Jodoin; Deputy City Attorney Iryna O'Connor; Police Chief Troy McGee; Fire Chief Mark Emert; Community Development Director Sharon Haugen; Public Works Director Randall Camp; Assistant Public Works Director Phil Hauck; Administrative Services Director Glenn Jorgenson; Budget Manager Libbi Lovshin; Transportation Engineer David Knoepke; Solid Waste Superintendent Pete Anderson, Civic Center Manager Byron Dike; Kim Carley Recycling Program Coordinator; and Deputy City Clerk Katya Grover.

Others in attendance included: Helena Recycling owner John Hilton; Clark Street residents; Jacob Fuhrer with MTN News; Thomas Plank with Independent Record.

**1. February 21, 2018 Summary** – The February 21, 2018 administrative meeting summary was approved as submitted.

**3. Commission comments, questions – Upcoming Appointment** – There are no appointments on the March 12<sup>th</sup> city commission meeting agenda.

**4. City Manager's Report** – Manager Alles reported the Streets Division has the road grader out. There are some complications with parked cars but it was anticipated. Manager Alles noted that the City staff is getting great compliments from Helena citizens.

**5. Department discussions:**

### City Attorney

#### **Best Value Contracting/Alternative Project Delivery, Contract Accountability, and Apprenticeship Program**

Manager Alles noted that Jay Reardon, President of Big Sky Central Labor Council, AFL-CIO, could not attend the meeting, but the Commission and the staff have the tools to proceed with discussion. Attorney Jodoin will introduce and discuss the four resolutions. There might be some questions from the Commission but these resolutions meet the intent of what the Commission was looking for.

Attorney Jodoin referred to draft resolutions and pointed out that they are not currently scheduled to be heard at the Commission meeting. Attorney Jodoin asked for comments and suggestions on these resolutions, so that these resolutions could be incorporated prior to going before the Commission for final approval.

Attorney Jodoin reported the following:

#### **APPRENTICESHIP REQUIREMENTS:**

As to the apprenticeship requirement, the resolution is drafted with an initial applicability to public works contracts estimated to cost \$2 million or more and requires 10% of the labor hours be performed by apprentices. The following year that requirement steps up to 12% but the \$2 million threshold remains the same. The third year the applicability steps down to public works contracts estimated to cost \$1 million or more and requires 15% of the labor hours be performed by apprentices. The apprenticeship requirement may be adjusted or waived by the Commission upon a document showing of unavailability of apprentices or a disproportionately high ration of material costs to labor hours.

Attorney Jodoin added that it's proposed in the resolution for it to be effective July 1, 2018.

Commissioner Farris-Olsen asked how many projects there are that would cost \$2 million as Commission Farris-Olsen didn't envision too many bids with that price coming before the Commission. Manager Alles confirmed that a very small number of projects would cost \$2 million or even \$1 million. Manager Alles stated that he signs contracts that are \$25 thousand or less, the dollar range that the Commission doesn't get reported to, and that there is a report of those contracts available. Some of the

examples for high price projects are the West Main project, West Side project, and Front Street project. Commissioner Farris-Olsen said that if there are a very small number of projects with high price tag, then the Commission should step these requirements down. Commissioner Farris-Olsen said that he didn't know what the minimum should be but, if most of the contracts are around \$100 thousand, then the City should step down to \$100 thousand, instead of \$500 thousand, after three years. Manager Alles pointed out that smaller companies, besides working in lower dollar range, don't require many people either. Commissioner Farris-Olsen said that he didn't think that there was a need to apply requirement to \$25 thousand projects or even \$50 thousand projects, but if the majority of City's contracts are within the \$100 thousand to \$150 thousand range, then it's when it starts making sense to step down to over time.

Commissioner O'Loughlin asked what the threshold was in Butte and whether Butte had the apprenticeship requirement. Attorney Jodoin replied that Butte doesn't have it. Commissioner O'Loughlin noted that, in her opinion, if there are contracts in excess of \$1 million, it's a good place to start as, even though there are not a lot of contracts like that, there are still some. And those are the contracts where the companies probably have the capacity and the ability to staff up with apprentices. Manager Alles said that even though the number of those contracts is limited, most of them are Public Works contracts. There are a number of smaller contractors in Helena that also bid on smaller contracts. The staff could provide the Commission the list of those companies for Commission to get a better sense; even though the information is not tracked, it should not be difficult to make a list of projects that are in excess of a certain dollar amount. Manager Alles asked Director Jorgenson whether that information is in the City's project coding. Director Jorgenson replied that information could be extracted.

Commissioner Noonan said that it's clear that the City doesn't have very many contracts in the \$1 million and \$2 million range and asked whether it is also true for \$75 hundred thousand or \$5 hundred thousand contracts. Manager Alles replied that the City has more contracts in that dollar range, but the City still doesn't have a great number of large contracts on the annual basis. Manager Alles said that he could print out the list of all contracts that Executive Assistant Elkins maintains, identify the contracts that the Commission is interested in and distribute to the Commission.

Attorney Jodoin asked whether he understood that the consensus of the Commission was to proceed with the resolution as it was drafted, with no changes. Commissioner O'Loughlin said that she didn't feel comfortable moving it without more information; perhaps it would be a good idea to hear from Mr. Reardon and see if he has strong feelings about it.

Commissioner Farris-Olsen said that he talked to Mr. Reardon and he mentioned that a lot of the enforcement mechanisms are not just with the government agencies but, to some degree, with the third party. Commissioner Farris-Olsen said that he emailed additional language that would provide some enforcement through a third party. Commissioner Farris-Olsen read the proposed language that would be added to the end of Section 2.e: "Entities that normally monitor public works projects for compliance with prevailing wage and job classification appliance show access to all records to insure compliance with the appropriate apprenticeship ratios required in the ordinance." Commissioner Farris-Olsen emphasized that adding that language would allow groups like Montana Labor Management Alliance monitor the companies to make sure that what they say is happening is actually happening. Commissioner Farris-Olsen pointed out that he didn't know whether the way the language is phrased has any issues with privacy or not but that he emailed this language to Attorney Jodoin. Manager Alles said that it seemed to him that the information is public.

Mayor Collins directed Attorney Jodoin to keep the language of the ordinance as it is. Attorney Jodoin stated that listening to the language, he didn't think it would be problematic.

Attorney Jodoin continued his report:

**PRE-QUALIFICATION CRITERIA:**

The pre-qualification criteria resolution would require pre-qualification of bidders on public works projects in excess of \$1 million. The two identified criteria at this junction are participation in a state approved apprenticeship program and a demonstrated commitment to hiring women and minorities.

**ALTERNATE PROJECT DELIVER CONTRACTS:**

The final resolution requires the City to explore alternative project delivery methodology prior to bidding public works contracts in excess of \$80,000. The state law on alternative project delivery methodology establishes certain findings to be made by the City Commission in order to avail itself of this contract methodology and avoid the otherwise mandatory bidding requirements. See Mont. Code Ann. § 18-2-501, *et. seq.* The alternative project deliver methodology may not be applicable in all cases but this

resolution would require the exploration of such a process prior to bidding the project. This process allows the City to obtain "best value" rather than simply the lowest cost.

**CONTRACTOR ACCOUNTABILITY:**

For the contract accountability resolution bidders on public works contracts would be required to report significant violations. Significant violations include wage, workers compensation, unemployment felony theft, unlawful discrimination, failure to obtain required permits, and OSHA violations. A prospective bidder would be disqualified from bidding if the bidder lists three or more significant violations within the prior 5 years, has had a judgement against them in any 3 year period twice for the same offence, or if the bidder has been debarred by any other state, or federal, government agency. There may be an opportunity to consolidate this requirement with the prequalification resolution.

**DEFINING "PUBLIC WORKS CONTRACT":**

"Public Works Contracts" does not mean solely contracts for the City Public Works Department. Rather the phrase has a statutory definition and means any city contract for construction or non-construction services let by the city or in which the total cost of the contract is in excess of \$25,000. See Mont. Code Ann. § 18-2-401. However, certain types of contracts, such as for professional services (ex., land surveys, legal representation) and contracts for consulting services are excluded from some of the requirement (ex. prevailing wages) imposed upon public works contracts. The City Attorney's office reviews all city contracts to make sure proper terms are included.

Commissioner Noonan asked how long the prequalification criteria add to a bidding process. Attorney Jodoin replied that he couldn't say with certainty but probably no more than two weeks. Commissioner Noonan commented that since it is not a requirement but simply a prequalification and since this specifically is dealing with apprenticeship programs, perhaps the prequalification could be just that and the demonstrated commitment to hire women and minorities could be considered separately. Attorney Jodoin replied that it could be accommodated; the delay would give potential bidders an opportunity to submit the documents for prequalification.

Commissioner Farris-Olsen thanked Attorney Jodoin for preparing drafts at a short notice.

Manager Alles reiterated what the Commission direction to him and Attorney Jodoin is: Manager Alles would get the information on the number of contracts with added dollar value and the three ordinances, with some cleanup, would be ready for Commission Agenda at some point. Commissioner Farris-Olsen said that the resolution regarding apprenticeship needs to be amended but it could be done at the Commission Meeting. Attorney Jodoin replied that, with the consensus from the Commission, he could add the language that Commissioner Farris-Olsen emailed to him. Commissioner Farris-Olsen agreed and added that the numbers could be kept in the ordinance as they are right now; they could be changed during a Commission meeting. Commissioner Noonan noted that the Commission would also look at the levels of the apprenticeship requirements.

**Fire Levy Proposal**

Manager Alles referred to two documents entitled "Fire levy information for the Commission" and "Estimated mills and cost to homeowner" (this document will be attached to the resolution that will go before the City Commission at March 12, 2018, meeting) distributed before the meeting and a draft resolution included in the packet. City Commission will adopt it at the March 12 City Commission meeting so it could be on June 5<sup>th</sup> ballot. Manager Alles went over the content of the documents. Manager Alles also noted that according to Political Practices and what can be done on individual time outside of work on the Commission; any individual can promote the levy on his or her own time but cannot do so on city time. Attorney Jodoin added that if there are any questions that Mayor and Commissioners might have, to bring those questions to either Deputy Attorney O'Connor or him.

Commissioner O'Loughlin asked Manager Alles to go over the key points from distributed documents as Commission didn't have a chance to study them before the meeting. Manager Alles said that Chief Mark Emert could go over the documents and pointed out that more work and more discussions will need to take place before the levy is put on the ballot. Chief Emert went over the content of the documents.

Commissioner O'Loughlin asked to confirm whether, with respect to ISO, because of where the City is right now with capacity for fire safety, it has an impact on individual homeowners' insurance policies. Chief Emert said that that was correct; however, if enough residents call in to an insurance

company and say that they know that the ISO rating is improving, they will see a reduction in their homeowners' rates. It has a stronger impact on commercial businesses than it does on residential but it still has an effect.

Manager Alles asked Chief Emert to confirm that the ISO rating went down from 4 to 3. Chief Emert concurred. Mayor Collins asked what the lowest ISO rating is. Manager Alles replied the lowest rating is 10 and elaborated on factors contributing to how any given community is rated; many volunteer rural fire departments in Montana are at a 10. Manager Alles noted that even though it's common for insurance companies to use ISO rating, not all insurance companies do.

Commissioner Haladay asked to confirm whether staffing would be four and four, with one being a battalion chief. Chief Emert concurred.

Commissioner Noonan asked whether, in having seven on-duty firefighters, the Fire Department has been using an extra person at times during the busiest times or whether it has been seven firefighters straight across. Chief Emert replied that all personnel is used for certain kinds of calls, no one remains at the station. In terms of personnel, due to vacation or sick leave, there are usually 8 firefighters each shift; it rarely happens that there are 9 or 10 firefighters per shift.

Commissioner Farris-Olsen asked whether, if the Commission approved \$300 thousand per capital levy, the Fire Department would not need the General Fund money for capital improvement. Chief Emert concurred and said that even if Fire Department did an INTERCAP loan, when \$100 thousand to \$150 thousand would have to be paid off over the course of fifty years, it would still leave the department some room to put money aside to replace some of the frontline equipment. Commissioner Farris-Olsen said that it makes sense and means that some other resources could be shifted, for instance, to Police and Parks for their capital needs as well. Director Jorgenson elaborated further on the information presented in the document entitled "Estimated Mills and Cost to Homeowner" that was distributed earlier: if the Commission approves \$300 thousand capital levy, it would cover most of what the Fire Department needs, and if the Commission approves \$150 thousand levy, the Fire Department, essentially wouldn't have much left for capital needs. Commissioner Farris-Olsen asked Manager Alles whether he would like the Commission to give him direction to change the dollar amount from \$150 thousand to \$300 thousand in the text of the resolution or whether the Commission would amend the dollar amount at the Commission Meeting. Manager Alles said if the Commission decides to go with \$300 thousand capital levy, it could be amended. Commissioner O'Loughlin expressed her agreement.

Commissioner O'Loughlin asked Attorney Jodoin what he used as a base for this resolution draft, how much of the content of the draft is required to be included with respect to the extent of the flexibility of the language on the ballot. Attorney Jodoin stated that the Whereas clauses provide the background information but the actual election language is required by the state law. Commissioner O'Loughlin asked whether including \$100 thousand and \$200 thousand of property value is required. Director Jorgenson concurred and elaborated on how the language of the resolution came to be. Commissioner O'Loughlin thanked Manager Alles and Chief Emert for providing the background information.

### **Service Line Reimbursement Discussion, Continued**

Manager Alles reminded Mayor and Commissioners where the discussion was left off: City staff prepared information regarding Great Falls. Attorney Jodoin reported on two points. The first point was regarding the service line reimbursement program: whether, if the City funds service line reimbursement program through a charge on the water or wastewater utility bill, the funds would have to be available to everybody who pays into it. Attorney Jodoin stated that his general sense is that the program would have to be available to everybody who pays into it. If the Commission doesn't follow this approach, another option in this situation would be to fund it through general tax, but that would lead back to the current problem with the general fund where the City is capped by the state law; additionally, Attorney Jodoin said that he would worry how it would fit with the fire levy. Attorney Jodoin recommended that, if the Commission wants to do a charge on the utility bill, it should be a program available to everybody, including residents outside city limits because the charge would be on their bills if they are connected to the city. Furthermore, there should probably be a discussion about a cap on what would be available to everybody because the cost to the City could potentially be significant.

The second point was regarding what Great Falls does with NeighborWorks in relation to the program that's being discussed. Great Falls avoided issues associated with a general tax or fee for service by funding the program with the CDBG grant. With that they are able to have eligibility determination, which was required by grant anyway. If this option is chosen, the funding for that would probably be significantly less than a charge of the water or wastewater bill. Attorney Jodoin concluded by

saying that Great Falls contracts with NeighborWorks, who, in turn, contracts with a financial institution to run the program, which would eliminate a concern regarding the city staff expertise in running such program.

Commissioner Farris-Olsen asked whether it would be possible to have a grant program through CDBG funds to pay for low income lines and, at the same time, have the zero interest loan for everyone. Attorney Jodoin expressed his concern about this approach: if there is a fee on the water or wastewater bill, what would happen if the program runs out of money, would the City have to tap into other resources to make it available to everyone who pays the fee.

Commissioner-Farris-Olsen said that he understood that and asked how that would work if the CDBG was utilized. Attorney Jodoin replied that the City could certainly do both; however, the concerns regarding the "fee for service" model would remain the same. Manager Alles added that if the program is going to be offered, the intent is to have this program available to everybody. Manager Alles stated the following: the staff is trying to identify the dollar amount that they anticipate is going to be needed. City staff is trying to ramp up that program, and eventually the City would get cash built up in that revolving loan. In order to keep some of the risk out going beyond where the City's cash capacity would be, Attorney Jodoin referred to some kind of cap or a threshold that would go up to a certain amount that the City might have for large claims or large loans.

Commissioner O'Loughlin asked to clarify the term "cap", whether it means a cap on the amount of each individual project. Attorney Jodoin replied that "cap" refers to the amount available to each individual.

Commissioner Haladay noted that the goal of the program is that if a resident's line breaks, that resident is in the program and so the line would be repaired affordably and quickly, and, thus, if the Commission moves the amount down to \$10 thousand or less, there is a risk of harming the overall goal of the program. For that reason, it makes sense to keep the amount close to what Utility Maintenance Supervisor Kevin Hart has shown; the City should stick with the inclusiveness.

Commissioner Farris-Olsen agreed that it made sense to keep the amount at \$15 thousand.

Commissioner Haladay said that he would like to talk about affordability, especially, if using external sources is going to be considered. Commissioner Haladay referred to Montana Business Assistance Corporation (MBAC) as an organization that can do the processing for the City, so that they can start working on a project right away without the City having to wait for, what in essence would be, underwriting. Commissioner Haladay pointed out that since MBAC appears to be better equipped, he would like to talk about what the City could anchor it to. There should be criteria for qualification whether it's tap, or 80% median household income. Commissioner Haladay recognized that it could bring some issues with the amount in the fund.

Commissioner O'Loughlin asked Commissioner Haladay whether he had funding the program through CDBG in mind. Commissioner Haladay replied that he believed the City should fund the program through this process right now, even though it would throw numbers proposed by Utility Maintenance Supervisor Hart slightly.

Manager Alles asked for a clarification from the Commission: whether the City should give MBAC some cash or whether the City would apply for the CDBG loan. Commissioner Haladay noted that he didn't see any reasons for not applying for the CDBG loan; if Helena could fund the program similar to how Great Falls does it, it should be done. MBAC is equipped to run the process for the City. One of the issues would be how the City would determine if somebody qualifies for a grant as opposed to a loan, but this kind of issues could be worked out by MBAC.

Manager Alles reiterated Commissioner Haladay's proposal: the City would fund the program and let MBAC take care of the entire process. Commissioner Haladay concurred and added that if it takes the pressure of the concern voiced earlier, MBAC is well equipped to do it.

Commissioner Farris-Olsen said that he is in favor of this proposal.

Commissioner Noonan noted that he is a representative to MBAC and that MBAC's staff feels it's something they could manage.

Manager Alles said that what he will do is have the language of the resolution cleaned up, obtain more information and pass it to the Commission.

Commissioner Farris-Olsen requested information regarding how homeowners qualify for tap if the line breaks so that the Commission has a concept of how much to give out for grant each year. Manager Alles noted that he didn't know if it was possible to go back on the ones that have been done but would try to get requested information.

Commissioner O'Loughlin said that it is a big expense; however, it's different when a resident can't afford the monthly loan payment. The City needs to figure that out, as well as the threshold; and it should be fairly easy to determine.

### **Public Works Department**

#### **Helena Recycling – Curbside Recycling Agreement**

Manager Alles introduced the topic and stated that Helena entered into an agreement with Helena Recycling for curbside pickup.

Solid Waste Superintendent Pete Anderson elaborated on some changes that Helena Recycling has proposed and on new contract.

Owner of Helena Recycling John Hilton provided background information regarding the company and services it performs. Currently, Helena Recycling offers 3 bins: plastic type 1 and 2, all types of paper, and aluminum cans. Mr. Hilton made two proposals: to add lids to the existing bins and to add a fourth bin for recycling glass. As a result, the price for bins will go from \$15 to \$17 per bin. Helena Recycling will deliver the lids. Regarding glass, because it's heavy, Mr. Hilton proposed to add \$2.25 to the customers' bills. Mr. Hilton spoke about a questionnaire his company conducted: 86% of those who participated in the survey said they would be willing to pay extra \$2 so that glass could be picked up for recycling and 14% said they would not be willing to pay extra \$2. Mr. Hilton believes that participation rate in the recycling program will go up significantly as the feedback he received indicated that inability to recycle glass is the biggest reason residents don't want to participate in the program.

Commissioner Haladay stated that both proposals make sense.

Solid Waste Superintendent Anderson added that currently Helena Recycling charges \$10.95 a month per qualified subscriber. This charge will go to \$13.20 per subscriber. Currently, the subsidized cost for the program approximately amounts to \$35 thousand a year.

Commissioner Haladay noted that it would be worth of looking into increasing a rate for everyone in Helena, regardless of whether or not residents use the program, with the purpose of encouraging residents to recycle and recognizing that it was a policy decision for public good.

Commissioner Farris-Olsen asked how the \$35 thousand is funded. Solid Waste Superintendent Anderson said that it is funded through residential solid waste.

Manager Alles stated that the staff will prepare an update to the contract and will make sure to discuss it in the budget process. Solid Waste Superintendent Anderson proposed to change the language in the contract so that recyclables would be collected biweekly as opposed to once a month.

Mr. Hilton asked whether this will go in front of the Commission in the upcoming Monday City Commission meeting, as it would take about 3 months to order lids, etc. Manager Alles replied that the City will try to expedite the process.

#### **RFQ – Multimodal Transportation Study for Two 5-point Intersections**

Director Camp introduced the topic.

David Knoepke reported entities use the Request for Qualification (RFQ) process to select professional services based on the submitted qualifications per Montana State Law. The process includes advertising the RFQ announcement that contains a brief description of the project and what services are being requested. Interested firms then submit a Statement of Qualifications (SOQ) to the requesting agency by the appointed due date. These SOQs are then reviewed by a selection committee to determine the most qualified firm for the particular project. When selection is made, and the firm notified, the parties enter into negotiations of scope and fee. At this point the details of the project are discussed, often resulting in a scoping and strategy meeting for more complex projects. In some cases, a preliminary scope is given to the consultant to allow them to get a better idea of the project, and they are invited to meet and discuss. The scoping meeting is where stakeholders' input is encouraged, so the consultant can get a good feel for the project and help with the development of the final scope. Once a scope is agreed upon, the consultant will present a fee proposal for that scope. The fee is negotiable. If the consultant and City cannot agree on a scope and fee, then the next most qualified firm will be asked to propose on the project.

Commissioner Haladay noted that, in terms of the scope, the Commission is comfortable the way it's worded for the Montana Avenue and Euclid Avenue. Commissioner Haladay asked Engineer Knoepke to elaborate on that point. Engineer Knoepke said that part of this also has to look at the interconnected

projects of the Centennial crossing and how the pedestrian network is build out, and how pedestrians will interact with the traffic.

Commissioner Haladay stated that last summer there was an attempt to update Centennial masterplan but for a number of reasons it didn't go forward. Commissioner Haladay asked whether discussions right now revolve around a general point about the scope or whether discussions are about such details such as whether or not the portion of the 6<sup>th</sup> ward should be part of it.

Engineer Knoepke replied that right now, RFQ only states where the triangle would be. Once a firm is selected, the scope can be adjusted and then the fee could be discussed. Ultimately, the basic question is concerned with how much the project will cost. Engineer Knoepke stated that he believed that it would not be a bad idea to expand that area in that region. Once the City staff is in the negotiation process, the staff will report to the Commission about the fee associated with a particular scope and the Commission would advise whether it's comfortable with the fee amount.

Commissioner Haladay asked whether, when the scope has been determined, there will be an opportunity for a Centennial train within the railroad district. Engineer Knoepke confirmed that is correct: right now the staff is giving the firms a general area so that they have an idea of where approximately they would be. Once the firms submit their proposals to the City, the staff will make a decision which firm would be best for the City.

Mayor Collins asked about the timeline with respect to advertising, etc. Engineer Knoepke elaborated on the process and said that overall it would take about 8 to 10 weeks.

Commissioner Haladay asked whether the advertisement is done through Independent Record and trade journals. Engineer Knoepke said that was correct.

#### **RFQ – Pavement Management System/Inventory**

Manager Alles introduced the topic and said that the staff will talk about why this management system is important for Helena with respect to inventory and infrastructure.

Director Camp elaborated further on the importance of pavement management system.

Engineer Knoepke reported the current request to change the City's Pavement Management System (PMS) is the result of a notice (July 27, 2017) from the Montana Department of Transportation (MDT) that Helena's current data is outdated. MDT indicated that the current data provider is inadequate. As a result, pavement preservation project money from MDT will not be considered until data is updated. When the notice was received, staff evaluated options to update our data.

City staff reached out to Bozeman to discuss alternative Pavement Management Systems. Bozeman went through a similar process approximately three years ago. At that time they were using the same system that Helena is currently using, and transitioned to a new system for essentially the same reason Helena must consider a change. The system they were using did not provide all the data points they required.

The proposed system will provide pavement condition information based upon the American Society for Testing and Materials (ASTM) standards, as required, plus a data collection system that will include: crack measurements, cross slopes, roughness index, 360 LiDAR mapping, panoramic images, inventories of signs, sign retro reflectivity, trails, existing/missing sidewalks, curbs, manholes, water valves, parking meters, hydrants, power vaults, gas valves, survey monuments, catch basins, light poles, drop inlets, pavement markings, guide rails, culverts, ditches, speed zones, school zones, cross walks, and street trees.

These features can be integrated into GIS or Cityworks. Using the integration feature, we can overlay the data collected (main breaks, services, main replacement, etc.) by the utility division to better plan for upcoming road and utility projects. Once the data is collected, it can be edited upon completion of street reconstruction projects, keeping our data up to date.

Pavement data is analyzed by Paver, an industry recognized pavement maintenance management system. It uses inspection data and a pavement condition index (PCI) rating from zero (failed) to 100 (excellent) to consistently describe pavement's condition and to predict maintenance and rehabilitation (M&R) needs. The Federal Highway Administration supports the use of PAVER for pavement management systems. Indexing helps make the most of our limited maintenance dollars.

This request is being made now, because if the project isn't addressed until the 2019 budget approval, the process of publishing the RFQ, making a selection, signing contracts and scheduling time for data collection will limit the City's opportunity to get started this year. Once the data is collected, it takes an average of three to four months to process it. If the City waits for budget approval in July, allow

four to six weeks for the RFQ process, plus a few weeks to sign contracts, September is likely to be the earliest start.

The risk of scheduling of data collection during the fall of 2018 is early snowfall and other related concerns, which would postpone data collection until the spring/summer of 2019. If given budget approval now, City staff will have the RFQ process completed by mid-April and under contract by mid-May. Staff will schedule data collection this spring/summer and have the data back by in fall or early winter. Beginning the project now will allow staff to use the data results to reprioritize 2019 maintenance activities, rather than wait until 2020.

Manager Alles concluded that money for this particular project is not in the existing budget. If the Commission believes this pavement management system would be beneficial for Helena, the preference would be to start the process as soon as possible and obtain the software. City staff is asking for an early budget approval for the amount of \$150 thousand.

Commissioner Haladay asked what the City would need to pay for once the project is started. Manager Alles replied that there would be annual maintenance expense.

Engineer Knoepke added that \$150 thousand is the price plus some money left for the annual maintenance of the software. Engineer Knoepke added that this amount, in addition to covering the cost of purchasing the software, includes training of staff, the iPads, and partly annual software maintenance.

Manager Alles asked Engineer Knoepke what the yearly expense for software maintenance would be. Engineer Knoepke replied that he didn't have the exact numbers available right now.

Engineer Knoepke pointed out that Helena doesn't qualify for the Pavement Preservation money because the data that Helena staff can produce with the current system in place is outdated.

Commissioner O'Loughlin asked whether more staff would be necessary in order to implement this system. Engineer Knoepke replied that no additional staff is necessary.

Director Camp stated that the intention is to use information produced by this software in conjunction with the information his staff has on the underground utilities: this way the data can overlay so that City staff could do a better job at taking care of the streets.

Commissioner Haladay asked if that would be part of street maintenance. Manager Alles concurred.

City Manager Alles concluded by saying that this software system would be a good tool for Helena.

### **Clark Street Update**

City Engineer David Knoepke reported the City Commission approved the FY19 budget for Clark Street/Hamilton Street in Street Maintenance Capital Projects. City staff has been working on the design of the project based on direction from previous administrative meetings.

Staff evaluated the underground utilities and is recommending that the utilities be replaced as part of the project.

Staff will be looking for direction from the Commission on the overall design, budget, and whether or not staff should continue to invest time on this project.

Assistant Director Hauck elaborated about utilities and costs and how those costs compare with other projects. Rather than keeping streets separate, the city needs to consider utilities as well. In this case, it hasn't been done and, therefore, it is part of the request. Because there are two water mains, the cost of updating them constitutes most of the \$925 thousand allocated to this project; wastewater is not a significant portion of that. Regarding the pavement management with a project like this, in the interface with the utilities, water, sewer and storm water needs to be taken into consideration. In the request for FY19, Public Works included utilities. It is important to make sure that the budget can handle that, as it is a large expense for a small portion of town.

Mayor Collins asked if there was public comment.

Preservation Officer Pam Attardo commented regarding the street lamps that were referred to earlier and noted that there is a difference between a commercial region like downtown and a residential region and spoke regarding the appropriate kind of lamps: they should be different from what is installed on the Walking Mall and Last Chance Gulch.

Clark Street Residents and a property owner spoke regarding the following:

Their concerns:

- A proposal to remove all trees on the street is an issue for most residents on that street as it will significantly impact the street.
- Residents like the brick sidewalks on the street.
- Part of the frustration is that the residents don't know what the decision making process is.
- Residents haven't had an opportunity to make any suggestions.
- And residents have concerns about emergency vehicle access, and storm water as well, as the current configuration isn't really working.

Suggestions and proposals:

- A kind of forum would be appreciated that would include a dialogue with street residents regarding the work on the street and, especially, regarding finding possible ways to save some of the trees.
- The owner of property on this street has just attended the Montana Water Summit, where she heard about permeable pavers and green infrastructure. It seems that there are some options that could be explored; however, the residents don't feel very well informed.
- Thus, the street residents would appreciate an opportunity to better understand the situation and look at the alternatives. The residents appreciate the fact that \$2 million is a lot of money.

Mayor Collins noted that the City staff will make sure there is a dialogue between the staff and Clark Street residents and that the residents will be included in the process of the work done with the street.

Commissioner Farris-Olsen said that it could be a solution to send out some mailers and set up a public meeting so that the input could be heard.

Manager Alles added that part of the reason why this street is being discussed today is the \$925 thousand in utilities. Manager Alles pointed out that the staff is looking for directions from the Commission: whether to proceed with the project or wait. Manager Alles also stated that several months ago Commission and the staff had a good discussion regarding Clark Street and, if the stuff proceeds with the project, the next stage would include meetings with the residents.

Commissioner Farris-Olsen stated that his preference would be to push this project to the next year's budget and engage residents of Clark Street to address some of the questions raised today and budget for a different street (for instance, Rodney) this year.

Commissioner Haladay stated that he doesn't consider sidewalks negotiable. If the Commission moves forward with the neighborhood discussions, it would be helpful if Engineer Leland and Engineer Knoepke would come up with designs that would include the sidewalks. However, if the goal of the discussion would be not to have sidewalks, then at this point, the project should be abandoned and that money budgeted elsewhere because there are streets where that money could be better spent on in terms of utility, such as Rodney. Commissioner Haladay emphasized that if this project is abandoned this year, Clark Street may never come up as a candidate for work again.

Mayor Collins noted that the sense he gets from the Commission is that the Commission might delay the project due to communication from neighborhood.

A Clark Street resident expressed his frustrations saying that if residents are asking for a dialogue, the project is taken off the list. Mayor Collins pointed out that was not what Commissioner Haladay has said.

City Manager Alles explained why Clark Street surfaced as one to take a look at: it is representative of all typical problems, including the underground infrastructure. Manager Alles asked for clarification with regards to the direction from the Commission, specifically, whether or not Clark Street needs the infrastructure before other projects that need to be done. If the Commission wants to proceed with it, things associated with this project need to be budgeted up front. Likewise, meetings with the residents would be scheduled.

Commissioner Farris-Olsen noted that as long as residents are being involved, he would be OK with budgeting for this project. Commissioner Farris-Olsen also pointed out that when the City has similar projects in the future, staff needs to reach out earlier in the process.

Commissioner O'Loughlin asked how much the original project was budgeted for. Assistant Director Hauck replied that close to \$1 million was allocated for the project in street maintenance, but no other costs were anticipated originally.

Manager Alles stated the goal was to address the policy questions: the ordinance required adjacent property owners to pay for installation of their sidewalks. The City has never used street maintenance money for capital projects. City staff is trying to work with the Commission to figure out all the policy issues: whether, per ordinance, the City could have neighbors pay for sidewalks, curb and gutter, or the City would pay for those. It wasn't necessarily that the staff was designing Clark Street. City staff hasn't had those meetings with residents and they should. Those conversations will continue through the budget process, when the staff looks at the rest of the costs.

Mayor Collins noted that his understanding was that the Commission's will is to move forward with this project and continue the dialogue.

Commissioner Haladay clarified that when Clark Street was proposed originally, it shouldn't have been the first project on the priority list. This is the first meeting where Clark Street has been singled out. The price for the Clark Street project has doubled now. Knowing this dollar amount and what it would cost to work on any other street, the discussion should be whether or not move forward with this project.

Commissioner O'Loughlin said that it is difficult because she was not present during the original discussion on prioritization. This seems like a significant addition to the original cost of the project.

Commissioner Haladay addressed Commissioner O'Loughlin's point and elaborated on how Engineer Knoepke singled out Clark Street. Engineer Knoepke elaborated further saying that there are about \$27 million worth of failed streets in Helena. The goal is to repair those streets within five years. And Clark Street fits within the criteria. Manager Alles emphasized that originally, the staff didn't include the utilities, which in the end doubled the cost of the project.

Commissioner O'Loughlin proposed to move forward with the conversations with the neighborhood about some of the possible design options and still hold off on the conversation of whether or not the Commission wants to add this additional cost to budget. If the good portion of residents has concerns about the potential design, city staff would look at possible options and then come back to the Commission and advice on the price if there are doable options, and then the Commission would make a decision.

Mayor Collins noted that that is a reasonable approach.

Engineer Knoepke elaborated saying that there are other options, but there are ramifications as well. Removal of all trees was a recommendation of the arborist: with digging curb and gutter, the tree roots will be cut by the excavators. If only curb and gutter were installed, without the sidewalks, some trees could be saved but the goal is to have the sidewalks.

Director Camp advised against paving over aged infrastructure. Director Camp also elaborated on why Clark Street came into consideration for a project. Director Camp also recommended considering utilities.

Commissioner O'Loughlin asked Manager Alles for his recommendation to the Commission considering where the budget is right now. Manager Alles recommended waiting as there are significant water and sewer projects that have to be worked on.

Commissioner Haladay asked about the rate increase. Manager Alles recommended the rate increase. Commissioner Haladay said that he appreciated a rate increase as the Commission was looking five years out and asked, since it wasn't anticipated to be budgeted for, if the Commission did it, whether it would mean bumping something or whether it would be a proposal to supplement. Assistant Director Hauck said that is what has been discussed during the budget process – to consider a rate increase; that would be a conversation that would need to take place. Manager Alles recommended to hold it off until the Commission goes through the budget process and sees some of the projects, rather than deciding now. Commissioner Haladay asked whether it would still be possible to continue discussing the street options. Mayor Collins added that engaging the community should also be included. Manager Alles stated that would be possible.

## **6. Committee discussions:**

- a) Audit Committee, City-County Board of Health, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns – Mayor Wilmot Collins – No report given.
- b) Mayor Pro-Tem, Audit Committee, Helena Chamber of Commerce Liaison, Information Technology Committee, Public Art Committee – Commissioner Andres Haladay – No report given.

- c) Board of Adjustment, Civic Center Board, Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – Commissioner Rob Farris-Olsen – No report given.
  - d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Administration Building (CCAB), Montana Business Assistance Connection – Commissioner Ed Noonan – No report given.
  - e) Audit Committee, City-County Parks Board, Transportation Coordinating Committee – Commissioner Heather O’Loughlin – No report given.
  - f) Helena Citizens Council – HCC Chair Sumner Sharpe – No report given.
- 7. Review of agenda for March 21, 2018 - No discussion held.**
- 8. Public Comment – No public comment.**
- 9. Commission discussion and direction to the City Manager – No discussion held.**
- 10. Adjourn – Meeting adjourned at 6:15 p.m.**