

SUMMARY OF ADMINISTRATIVE MEETING

**February 20, 2019– 4:00 p.m.
Room 330, City-County Building
316 N. Park Avenue**

1. Call to order, introductions, opening comments – Mayor Collins called the meeting to order. Commissioners Haladay, Noonan and O’Loughlin were present. Commissioner Wicks was excused.

Staff present was: City Manager Ana Cortez; City Attorney Jodoin; Deputy City Attorney Iryna O’Connor; Police Chief McGee; Assistant Fire Chief Ken Woods; Community Development Director Sharon Haugen; Public Works Director Randall Camp; Assistant Public Works Director Libbi Lovshin; Street Superintendent David Knoepke; Capital Transit Supervisor Elroy Golemon; Interim Parks and Recreation Director Craig Marr; Open Lands Manager Brad Langsather; Administrative Services Director Glenn Jorgenson; Budget Manager Nikki Davidson; Parking Director Dave Hewitt; Community Facilities Superintendent Troy Sampson; Human Resource Director James Fehr and City Clerk Debbie Havens.

Others in attendance were HCC Representatives Carolan Bunegar, IR Reporter Michael Woodall; Kathy Marks, RMDC; Forest Service Representatives Heather DeGeest, Helena District Ranger, Jay Hedrick, Forester and Mike Kaiser, Fuels Specialist.

2. February 6, 2019 Summary – The February 6, 2019 administrative meeting summary was approved as submitted.

3. Commission comments, questions

Upcoming Appointments – Mayor Collins recommended the following board appointment:

Helena Housing Authority

David Ragghanti to the Helena Housing Authority, tenant representative. Unexpired term will begin upon appointment and expire August 2, 2019.

4. City Manager’s Report –

US Forest Service Request for Temporary Road Use Permit – Upper Tenmile Creek Watershed - Manager Cortez reported the City has historically worked with the United States Forest Service (USFS) to implement forest fuel reduction activities in the Upper Tenmile Creek Watershed. On December 12, 2018 the Helena Lewis & Clark National Forest (HLCNF) issued a decision for the proposed Tenmile South Helena project and they are currently preparing to advertise and sell the commercial timber associated with the project. To facilitate access for timber harvest and removal, the USFS will need to cross City owned properties. The USFS requests a temporary road use permit.

Manager Cortez stated she has approved issuance of the permit. However, to ensure transparency, she presented this issue to ensure that any concerns expressed by the Commission be shared with the USFS.

Manager Cortez stated the requested Temporary Road Use Permit is an administrative action that does not require public discussion.

Commissioner Haladay asked if the Forest Service will use the existing roads and no new roads will be built. Open Lands Manager Langsather concurred. Commissioner Haladay referred to Item 9 in the Temporary Road Use Permit and asked for clarification on the need for

Exhibits A3 and A4. Open Lands Manager Langsather explained two of the roads are temporary and the Forest Services has stated when the project is done they will either put the roads in cold storage status or obliterate the roads

Commissioner Noonan thanked the Forest Service representatives for their partnership with the city and the projects that has been completed.

Sidewalk Snow Removal Program – Manager Cortez requested policy direction leading to the development of the program that would address seasonal challenges that affect pedestrian safety and accessibility for differently abled individuals. Manager Cortez requested authority to develop a comprehensive approach for addressing snow/ice on sidewalks in the winter and trip hazards in the summer.

If authorized, Manager Cortez would introduce this approach during the budget process and will include a pilot program for November 2019.

Manager Cortez presented additional information on the pilot project, including staffing, scope of service; costs and targeted areas – downtown, safe routes to schools; problems areas and sensitive areas.

Manager Cortez noted street funds could be used to clear sidewalks, per the legal opinion of City Attorney Jodoin. Staff will continue to monitor the pilot program at a maximum cost of \$20,000. The sidewalk pilot program will be consistent with the street snow removal policy. Staff will outreach to the citizens to get their comments on the pilot program.

Mayor Collins asked why the pilot program is starting March 1 and there is the possibility there will be no snow. Manager Cortez noted even if there is no new snow, there will be work to complete to implement the pilot program. Mayor Collins noted the evaluation of the program may have to be done next snow season.

Commissioner Noonan asked if staff could contact agencies that work with the disabled to offer the service to them. Manager Cortez concurred.

Commissioner O'Loughlin asked how the pilot program would relate to the current enforcement plan. What communication will be provided to the property owner and is the plan to provide notice to the property owner and if the city has to clear the sidewalks will the property owner will be assessed the costs. Manager Cortez stated the current policy does not change at all; with the pilot program if the city clears a private sidewalk, the property owner would be charged; however, there are sensitive areas the city would clear.

Commissioner Haladay asked how the ten miles a day was determined and once those identified sidewalks are cleared; would those employees be done. Manager Cortez explained the employees would be expected to clear five miles of sidewalks a day. Commissioner Haladay asked if there has been discussion on flexibility that at any time there are complaints, would the employees be dispatched to clear the sidewalks where the complaints have been filed.

Manager Cortez stated it would be the employee's responsibility to manage the workload. Commissioner Haladay stated we need to be proactive in clearing the sidewalks; however, we need to address the existing problems. Employees need to be responsive to these specific properties where complaints has been filed.

Commissioner Noonan stated one area that is problematic is the Chamber of Commerce Building's sidewalk; if you park in the ADA parking spot on Cruse Avenue, you cannot access the sidewalk.

Next Steps:

Move forward with the pilot program and report back to the commission with the costs.

5. Department Discussions

City Attorney

Policy Discussion for Disposal of Surplus Real Property – Attorney Jodoin reported the City does not presently have a written, commission approved policy stating the method for disposing surplus property. Similarly, the City does not have a protocol for determining sale price. All disposals of real property require commission approval pursuant to §1-4-17, Helena City Code, which allows the commission to “sell, lease, or dispose” of real property. The inclusion on the general word “dispose” within the ordinance allows the City to tailor the method of disposal to each property, be it public auction, negotiated sale, donation, or any other method of disposal. The disposal method used may vary depending on the value of the property, expected level of interest, whether there is an interested buyer, or the proposed new use for the property.

Historically, the City Manager has selected the best disposal option for a property, be it auction or direct sale and the amount of such sale price and presented that proposal to the Commission for consideration and ultimate approval.

Given the expected increase in disposals of surplus real property, the City Manager requests policy direction on how the commission would like to proceed with regard to disposal of real property owned by the City. More specifically, if the commission would (1) like to establish a policy for a preferred method of disposal or whether properties should continue to be evaluated on a case by case basis, (2) whether a reserve price must be set attendant to a public auction, and (3) criteria for establishing that reserve price.

A more formalized approach may make it easier for the public to understand the anticipated process for offering input on a proposed real property disposal.

Commissioner Haladay suggested if the commission members have questions on specific surplus properties; rather than create an overarching system, we should address them upfront, discuss what the options are and what is the recommended approach on a case-by-case basis. The commission can then can decide how the property will be disposed of.

Commissioner O’Loughlin concurred with Commissioner Haladay’s comments and suggested the commission discuss the individual properties at an administrative meeting, reach a consensus on the process and then move it onto a regular city commission meeting. There was commission concurrence with Commissioner O’Loughlin’s comments on the process going forward.

Manager Cortez reviewed the process outlined by Commissioner O’Loughlin.

Commissioner O’Loughlin asked what the status is on the KCAP property. Director Marr stated a live auction set for Thursday, February 28 in Room 426.

Public Works

Capital Transit Budget –Director Camp presented the following PowerPoint presentation the Capital Transit Budget.

Four Components of the 2020 State-Funding Request

1. 5311 Operating Funds to Operate Fixed & Para-Transit Services
2. TransADE Funds to provide transportation for seniors, elderly, and individuals with disabilities.
3. Capital Equipment Requests to provide funding for equipment.
4. Transportation Coordination Plan to provide greater access to transportation services for people with disabilities, older adults, and individuals with lower incomes.

1. **5311 Funding Request**

- 5311 Operating Funds - \$868,810 – Provides 80% Operating Revenue
 - Federal funds administered by MDT.
 - Requires a 20% match (\$173, 762) from General Fund.
 - Must be approved by Commission and submitted by 3/1/2019
 - Staff will be requesting approval to submit for \$868,810 in 5311 Operating Funds at the February 25 Commission Meeting.
2. **TransADE Funds - \$86,651**
- Can be used as match for 5311 Funds.
 - Reduces City's match to \$87,111 (rather than \$176,762) from General Fund.
 - Staff recommends applying the entire \$86,651 to the City's match for the 5311 funds.
 - Staff will be requesting approval to submit for \$86,651 in TransADE Funds as a match for the 5311 Funds at the February 25 Commission Meeting.
3. **Capital Equipment Requests - \$180,000**
- Requires a 20% match (\$36,000).
 - City as Lead Agency may change the ranking order.
 - Capital Equipment requests are submitted to the TAC and ranked by the TAC for presentation to the Lead Agency (City).
 - The TAC is comprised of representatives of public, private, and non-profit transportation and human-services providers, and other programs sponsored by federal, state, and local agencies.
 - Staff is requesting that Commission consider Staff's recommendation for re-ranking one of the recommendations.
 - Staff requests that the heating and insulation of the current cold storage building be ranked number 3 rather than number 5 due to the damage incurred by diesel buses when placed in unheated storage.
4. **Capital Equipment Request Rankings**
- Recommended by Staff (Ranking Order)**
- Capital Transit: a 6-14 passenger 1-4 Wheel Chair Position Vehicle, with an estimated cost of \$70,000.
 - Capital Transit: a second 6-14 passenger 1-4 Wheel Chair Position Vehicle, with an estimated cost of \$70,000.
 - Capital Transit: Heating and insulation to convert cold storage bus barn to warm storage. Estimated cost \$40,000.
 - Rocky Mountain Development Corporation (RMDC): a 12 passenger Vehicle with a cost of \$70,000.
 - West Mont: a non-ADA 6 – replacement minivan with an estimated cost of \$60,000
- Recommended by Transit Advisory Committee (Ranking Order)**
- Capital Transit: a 6-14 passenger 1-4 Wheel Chair Position Vehicle, with an estimated cost of \$70,000.
 - Capital Transit: a second 6-14 passenger 1-4 Wheel Chair Position Vehicle, with an estimated cost of \$70,000.
 - Rocky Mountain Development Corporation (RMDC): a 12 passenger Vehicle with a cost of \$70,000.

- West Mont: a non-ADA 6 – replacement minivan with an estimated cost of \$60,000.
 - Capital Transit: Heating and insulation to convert cold storage bus barn to warm storage. Estimated cost \$40,000.
5. **Capital Equipment Requests - \$180,000**
- Staff requests approval of the Capital Equipment Ranking as recommended by Staff.
 - Staff will be requesting approval to submit the Capital Equipment Requests as approved by Commission at the February 25 Commission Meeting.
6. **Capital Transit State Funding Requests for FY2020**

Revenue	
5311 Federal Award (MDT)	868,810
TransADE Funding (MDT)	86,651
Operating Match (City)	87,111
Capital Match (City)	36,000
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Total Revenue	\$ 1,078,572
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Expenditures	
Personal Services	590,134
Operations	452,438
Capital	36,000
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Total Expenditures	\$ 1,078,572
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7. **Transportation Coordination Plan**

- The Montana Department of Transportation (MDT) requires each transit service area to establish a Transportation Advisory Committee (TAC).
- State of Montana requires all Transit Service Areas to have a Transportation Coordination Plan.
- The Transportation Coordination Plan is developed by the TAC.
- The accepted Coordination Plan is submitted by the City (Lead Agency) as part of the Funding Request.

- Staff will be requesting Commission acceptance of the Transportation Coordination Plan and permission to submit as part of the grant package at the February 25 Commission Meeting.
- 8. Montana Independent Living Project (MILP) request for TransADE funding from City.**

- MILP submitted a request to TAC for \$27,000 in TransADE funding from City in order to provide after hours and weekend service via Capital Taxi. The request was supported by TAC for presentation to Commission.
- Staff will be revamping Transit Service & Structure beginning in FY2020. We must increase service to people with disabilities beyond current Para Transit service.
- Staff recommends integrating MILP's request into the FY2020 Budget Process.
- Procurement Processes will be adhered to as part of the integration.
- Staff is seeking Commission direction on this funding request.

Commissioner O'Loughlin asked how the \$868,810 in operating funds compares to last year. Director Camp stated the amount is approximately \$120,000 higher this year and is the most the city has seen.

Commissioner Noonan asked if the city has any competition for the TransADE funding this year. Director Camp stated there is a request for TransADE funding and he will review it later in the presentation.

Commissioner O'Loughlin clarified with the increase of the 5311 funding, it increases the requirement of the general fund for the 20% match. Director Camp concurred. Assistant Public Works Director Lovshin noted the general fund amount for Capital Transit has not increased for FY20, even though the match amount has increased.

Commissioner Haladay asked if staff's recommendation to use the \$86,651 in TransADE funding as the city's match been discussed with the TAC member and what was their recommendation. Director Camp noted TAC's recommendation has a different ranking than staff, as outlined above. He further explained the oversight of federal grants the city has to do with the TransADE funding.

Commissioner Noonan asked if staff has discussed using TransADE funding as the general fund match with the Montana Department of Transportation. Director Camp stated yes and it is their direction that TransADE funding can be used as the match.

Commissioner O'Loughlin asked what was funded last year with the TransADE funds. Director Camp stated one large bus was purchased and it was both city and TAC's recommendation. Supervisor Golemon stated last year there was a request to fund the transit shelter; however, re-ranking occurred and the bus was purchased; the shelter was not funded.

Commissioner O'Loughlin asked why the transit shelters are not on the request for this year. Director Camp noted there are operational issues with the paratransit system and the buses being requested are a higher priority at this time. It would be prudent to go for the smaller buses to handle the paratransit ridership.

Commissioner Noonan commented something we should consider is our relationship with the members of the Transit Advisory Committee (TAC); it is a requirement that they review and make a recommendation for capital equipment. Commissioner Noonan noted the first two years he was on the commission there was conflict and last year the city commission re-ranked the priorities. Is there any concern from others that we have a process to include the ranking from TAC; however, we pretty much ignore it.

Manager Cortez asked Director Camp who are the members on the Transit Advisory Committee. Director Camp handed out a list of the members on TAC. Commissioner O'Loughlin asked if each of the members listed are voting members. Director Camp stated yes. Transit Supervisor Golemon stated all the members are voting members on regular items; however, the Executive Committee consisting of the Chair, Vice-Chair and Secretary are the ranking committee. Manager Cortez asked if TAC is an advisory committee to the city. Transit Supervisor Golemon stated TAC is an advisory body set up, as a requirement through MDT. The members are not appointment by the City Commission.

Commissioner Noonan stated this discussion points out the issue of giving more validity of public input; we need to integrate this process. Members of the TAC represent crucial organizations within the community.

Attorney Jodoin clarified the TAC is a federal requirement through MDT and not created by city. What staff is asking the commission is what grant applications the city should submit. All of the other community entities will submit their individual grants and MDT will review and make the decision on funding. If the city applies for and is awarded funding for the RMDC vehicle, we will pass through the funds and administer the grant. Mayor Collins clarified the other community entities can apply for grants. Attorney Jodoin stated the process is open to other entities and noted last year the Montana Independent Living Project (MILP) did not submit a grant request. Mayor Collins asked what grants has MILP received over the last few years.

Manager Cortez stated the issue is if the commission wants staff to bring forward staff's recommendation or TAC's recommendation for the capital equipment requests. Mayor Collins noted he is not ready to give direction until he fully understands the process.

Director Camp noted two ago years MILP received a grant for an ADA mini-van. Capital Transit Supervisor Golemon concurred that MILP did receive a grant for an ADA accessible mini-van that is being used by Capital Taxi. He noted all entities who are non-profits could apply for grants. MDT has their own ranking process and every entity requesting capital funding, has to submit a grant application. Director Camp stated staff's recommendation and request for capital equipment has been decreased by approximately \$100,000 after reviewing purchasing the smaller bus versus a large bus.

Commissioner O'Loughlin stated she is hesitant to re-rank TAC's recommendation. Last year, the city submitted the letter to re-rank priorities and she feels less comfortable to do so again this year. If the commission is being asked to do this, they need additional information and more time to review the information. Rebuild the relationships with the TAC members is a high priority. Mayor Collins concurred with Commissioner O'Loughlin's comments.

Commissioner Haladay referred to the information in the February 25 city commission meeting packet and noted the information the commission has received is strictly the 5311 Operating Fund Budget. Assistant Public Works Director Lovshin stated what staff is addressing is the 5311 funding and after staff receives further direction, staff will bring forward the entire Capital Transit budget.

Further discussion was held on personnel services, costs for FY19 versus the proposed FY20 numbers for the Capital Transit budget. Assistant Director Lovshin spoke of the overall capital transit budget, both revenues and expenditures. Manager Cortez noted staff would update the revenues/expenditures prior to the city commission meeting.

Commissioner Noonan asked if there is money for equipment in the total Capital Transit budget. Assistant Director Lovshin stated if we do not receive the grant funding, the total for capital for FY20 is \$41,000, which would cover the costs of the heating and insulation to convert cold storage bus barn to warm storage and for radios in the buses.

Public Comment – Kathy Marks spoke in support of Rocky Mountain Development Council’s (RMDC) request for a new 12-passenger bus. RMDC provides transportation to many senior citizens.

Director Camp confirmed staff would bring forward to the February 25 city commission meeting, TACs recommendation for capital equipment.

Manager Cortez stated she has requested funding to hire a consultant to complete a transit strategy; this will identify gaps in service. In this case, there is a gap of service for citizens with disabilities for after-hours service. Incorporate this request into transit strategy and in doing so, whatever procurement process is put into place is open for anyone to compete.

Commissioner Noonan clarified by doing it this way we avoid the problem of having to administer the grant. Director Camp concurred. Commissioner Noonan asked for clarification on the comment that “we must increase service to people with disabilities beyond current Para Transit Service”. Director Camp commented the paratransit service is not available after 6:30 p.m., no weekend service and service on a few holidays. However, the need to increase service still exists. Staff is looking at integrating the need for additional paratransit services.

Commissioner Noonan asked if it is a requirement for the city to increase paratransit services. Director Camp stated the recommendation is based on the need and not a requirement; we are required to offer the paratransit service during the hours our fixed routes are operating.

Transit Supervisor Golemon stated last year one of the objections achieved was providing holiday services on a limited schedule. Other items to consider is the hours of operations and providing weekend service; which would increase costs. Director Camp noted staff is still looking at community partnerships.

Commissioner Haladay stated he likes the idea of working with community providers. It is important to rebuild the relationship with the community partners. He referenced the procurement process and asked what does this look like. Commissioner Haladay noted what he understood is MILP has previously stated \$27,000 did not fill the entire need and they were going to do some backfilling. Do we know what sideboards we are looking at to include in the RFP to fund this. Manager Cortez stated the procurement process would be brought back to the commission to identify the gaps and give direction on how to proceed. Staff will bring ideas and options; however, it will be a policy decision.

Attorney Jodoin reiterated and reminded at MILP does have a lawsuit filed against the city regarding the para-transit. The city has not served the city; however, we cannot discuss para-transit with MILP due pending litigation.

Community Development

Proposed Urban Renewal District (Capital Hill Mall) –Director Haugen reported the owners of the former Capital Hill Mall, Capital Hill Investment LLC, met with City staff to discuss the possibility creating an Urban Renewal District (URD) centering on the mall property. A map showing a concept for the URD boundaries was included in the meeting packet. Mark Esponda, representative for the owner stated that it was their intent to build residential housing, retail/office space and a hotel on the site. If an URD were created and tax increment financing (TIF) funds were generated from the development of the site, those funds could be used for needed infrastructure improvements (water, sewer, street improvements) on the site and to assist with further implementation of the city's housing goals.

The proposal is to get consensus for beginning the process for creating an Urban Renewal District for the Capital Hill Mall area.

Public Impact

- The creation of an Urban Renewal District would assist in the redevelopment of the site, in addition to the surrounding area.
- It would spur other redevelopment in an area that is considered an entryway corridor
- It will create opportunities for housing and other commercial development that are located centrally to several key areas of the city including the downtown the hospital district, and the Capital complex

Commissioner Noonan asked if this area is part of the opportunity zone. Director Haugen stated no. Commissioner Noonan asked how the TIF bills are doing this legislative session. Director Haugen stated several of the TIF bills have not come out of committee so far this year. She then spoke on three individual bills that have been introduced and where they are in the process.

Commissioner Haladay stating assuming the commission wants to move forward, from a reappraisal standpoint, would be it better to activate the new district in 2020. Director Haugen stated the base year would be the taxable values as of December 31. Staff will confirm the fact with the Department of Revenue, that they will use the value when the mall is demolished versus when the building was still standing.

Commissioner Haladay referenced the corridor from Montana to Fee and 9th Avenue to Prospect and asked if there has been any discussion with the zoning commission to adopt design standards for that corridor. Have we thought about a TIF District in conjunction with design standards. Director Haugen stated the zoning commission does not have a desire to consider design standards but to stay with the regulatory process and not the subjective process. After the downtown zoning is complete, the Zoning Commission could look at adopting different standards for entryway corridors; including landscaping and signs.

Commissioner Haladay referenced the entryway corridors and asked if there is discussion to have new zoning type. Director Haugen stated yes, as the entryways could not be zoned the standard B-2; it would be a new zoning category and not an overlay. Commissioner Haladay referenced the previous Urban Renewal Districts and noted the Planning Board had to determine the zoning was in-line with the proposed uses in the district. He asked what happens if the city moves forward with the new district and then it is then re-zoned. Director Haugen explained with the previous districts, state statute stated the Planning Board was to find the zoning to be in compliance with the urban renewal district. However, there is no requirement under state statute. She then gave an overview of the requirements for designating the zoning for an Urban Renewal District.

Manager Cortez noted the commission has given the direction to pursue the process. No policy decision is needed at this time. Commissioner Haladay stated the district map was drawn larger because of the entryway corridor and not being created specifically for the benefit of the mall property. Manager Cortez concurred and noted the map was drawn to include different levels of affordable housing within the district and other uses within the area.

6. Committee discussions

Helena Citizens Council – HCC Representative Carolan Bunegar gave a PowerPoint presentation on Improving Volunteering to the Community of Helena by its citizens.

Mayor Collins on behalf of the commission thanked Ms. Bunegar for the presentation.

7. Review of agenda for February 25, 2019 Commission meeting – No discussion held.

9. **Public comment** – No public comment received.
9. **Commission discussion and direction to City Manager** – No discussion held.
10. **Adjourn** – The meeting adjourned at 5:40 p.m.