

**PUBLIC WORKS COMMITTEE REPORT
SEPTEMBER 7, 2011 11:05 AM
City Council Chambers**

Members Present: Jason Wiener (chair), Ed Childers, Dick Haines, Lyn Hellegaard, Marilyn Marler, Dave Strohmaier, Pam Walzer, Cynthia Wolken

Members Absent: Bob Jaffe, Renee Mitchell, Jon Wilkins

Others Present: Mayor Engen, Steve King, Kevin Slovarp, Anne Guest, Stacy Rye, John Kappes, Logan McInnis, Barbara Hall

I. ADMINISTRATIVE BUSINESS

- A. Approval of the minutes of – August 17, 2011 Approved as submitted
Jason Wiener wanted to note that these minutes included the final appearance of Jim Hausauer who passed away this weekend; Jim helped the committee do some things right.
- B. Announcements – None
- C. Public Comment on Non-Agenda items – None

II. CONSENT AGENDA ITEMS

1. [Discussion Date: 09/07/11] Confirm the reappointments of Wes Delano and Jerry Wolf to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2011 and ending September 15, 2014. (memo)—Regular Agenda (Mayor Engen) (Referred to committee: 08/22/11)(REMOVE FROM AGENDA)

Motion: The committee recommends the City Council confirms the reappointments of Wes Delano and Jerry Wolf to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2011 and ending September 15, 2014.

Mayor Engen reappointed Wes Delano and Ms. Jerry Wolf saying they both have served on the Bike/Ped Advisory Board with a lot of interest, he asked the committee to confirm these reappointments.

Pam Walzer made the motion to recommend the City Council confirms the reappointments of Wes Delano and Jerry Wolf to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2011 and ending September 15, 2014.

The motion was passed unanimously.

2. [Discussion Date: 09/07/11] Confirm the appointment of John Roemer to the Missoula Parking Commission to complete a vacated term beginning September 1 and ending April 30, 2013. (memo)—Regular Agenda (Mayor Engen) (Referred to committee: 08/22/11)(REMOVE FROM AGENDA)

Motion: The committee recommends the City Council confirm the appointment of John Roemer to the Missoula Parking Commission to complete a vacated term beginning September 1, 2011 and ending April 30, 2013.

Mayor Engen nominated John Roemer to the Missoula Parking Commission stating that he is a legendary downtown business owner and a long time former Parking Commission Commissioner. He is very committed to downtown Missoula and is interested in the success of the Parking Commission, its management and its effect on the prosperity of downtown and downtown business.

Pam Walzer made the motion to recommend the City Council confirm the appointment of John Roemer to the Missoula Parking Commission to complete a vacated term beginning September 1, 2011 and ending April 30, 2013.

The motion passed unanimously.

III. REGULAR AGENDA ITEMS

1. **[Discussion Date: 09/07/11] Resolution stating the City of Missoula's policy regarding the proposed sale of Mountain Water's parent company to the Carlyle Group. (memo)—Regular Agenda (Jason Wiener) (Referred to committee: 08/15/2011)(HELD IN COMMITTEE) WILL RESCHEDULE**

Jason Wiener said this is an opportunity to get an update on and continue a discussion of the proposed sale of Mountain Water to the Carlyle Group. He pointed out an article in yesterday's news in which the Carlyle Group intends to file for an initial public offering of stock; it is a small fraction of the company's assets.

Mayor Engen gave a brief update on the status of where the Administration is regarding this sale stating that they were waiting to hear from the Carlyle Group on a number of points. He has worked with the Consumer Council and the Clark Fork Coalition on a draft settlement agreement for everyone to consider. In general terms of what is on the table, the Consumer Council has asked basically for the stipulations that Carlyle agreed to in the California docket and his understanding that they are okay with that. The Clark Fork Coalition is very interested in the City having the first right of refusal to purchase if Carlyle should elect to sell; in maintaining the Rattlesnake Creek as a secondary emergency water source only; and in keeping the water resources in Missoula not shipping it elsewhere. The City of Missoula is also interested in the right of refusal; in what sort of investment Carlyle might make in the short term in the infrastructure and how that might affect rates, we are wanting some type of rate stability over time and period of ownership. The Mayor is expecting to hear from the Carlyle Group this week.

Pam Walzer was concerned about the first right of refusal and asked if this was being reworded.

Mayor Engen replied by saying there was a letter from former Mayor Mike Kadas that is an ambiguous document and what he is hoping to get from the Carlyle Group and what he hopes the Public Service Commission and the City Council would expect is something far less ambiguous; he has made that very clear to Carlyle and the other interveners have expressed that same viewpoint as well. Mayor Engen stated we could submit information to the Commission at the last minute if necessary.

Jason Wiener stated that something the City Council can do is to express under what conditions they would find this sale acceptable or unacceptable and he thinks this would have some weight with the Public Service Commission and he hopes it would have some weight with the involved parties and there would be a settlement agreement that would make the sale acceptable. His Draft Resolution does not list specific conditions they would find favorable for this sale or state in their absence the Council would not support the sale. He doesn't feel any action should be taken on the motion at this time however this will need to be done sometime soon. He asked if anyone had anything they would like in a motion and a resolution stating the Council's position please contact him; also anything the Council members have received from their constituents and would like considered, he will reschedule this referral. The public is very interested in this sale and concerned about Missoula's water supply. We want to alleviate their concerns and move towards some long term water security.

IV. HELD AND ONGOING AGENDA ITEMS

1. Discussion on the sizes of grease interceptors for the restaurant industry ([Grease Interceptor PowerPoint](#)) ([memo](#)).—Regular Agenda (Stacy Rye and Bob Jaffe) (Referred to committee: 04/21/08)
2. Review infrastructure conditions at the locations of serious and fatal traffic accidents: 2007-2009 ([memo](#)).—Regular Agenda (Jason Wiener) (Referred to committee: 01/25/10)

3. T4 America partner support ([memo](#)) – Regular Agenda (Stacy Rye) (Referred to committee: (Referred to committee: 08/16/10)
4. Resolution to change the speed limit on Reserve Street between Brooks and 39th Street. ([memo](#))—Regular Agenda (Wayne Gravatt) (Referred to committee: 01/24/11)
5. Approve the agreement for consultant services with Eli & Associates, Inc. on Project 10-034 England Boulevard right turn lane improvements. ([memo](#)) - Regular Agenda (Kevin Slovarp) (Referred to committee 05/16/2011)
6. Infrastructure condition inventory and maintenance requirements. ([memo](#))—Regular Agenda (Ed Childers) (Referred to committee: 07/11/11)

IV. ADJOURNMENT

The meeting adjourned at 11:20 AM

Respectfully Submitted,
Peggy Diamond, Program Specialist
City Public Works Department