

MISSOULA REDEVELOPMENT AGENCY

CONDENSED BOARD MEETING MINUTES

November 20, 2013

FINAL

A **Regular** meeting of the Board of Commissioners of the Missoula Redevelopment Agency was held at the MRA Conference Room, 140 West Pine, Missoula, MT 59802 at 12:00 PM. Those in attendance were as follows:

Board: Karl Englund, Nancy Moe, Daniel Kemmis, Rosalie Cates, Ruth Reineking

Staff: Ellen Buchanan, Chris Behan, Jilayne Lee, Tod Gass, Juli Devlin

Public: Craig Schaeffer, Morrison-Maierle, Inc.; Peter Walker-Kelcher, DJ&A Engineering; Zachary Craft, University of Montana Student; Mick Johnson, HDR Engineering; Peter Lambros, Public Art; Marilyn Marler, City Council; Kevin Slovarp, City Engineer – Development Services; Donna Gaukler, Parks & Recreation Department

CALL TO ORDER

12:00 p.m.

APPROVAL OF MINUTES

October 10, 2013 Special Board Meeting Minutes approved.

October 16, 2013 Regular Board Meeting Minutes approved.

PUBLIC COMMENTS & ANNOUNCEMENTS

Peter Lambros, representing the Public Art Committee, gave a report about the public art piece planned for Silver Park. He handed out a letter to the Board explaining the art ideas and the funds received from the Percent for Art ordinance. Lambros said the Percent for Art resulted in an \$18,000 contribution to the public art fund to install art in Silver Park. He said he appreciates those funds but given the scale of Silver Park and the art opportunities, the Art Committee hopes to receive additional funds to do a more substantial piece. He said the Art Committee has been in communication with the Silver Foundation and has discussed a legacy piece or art piece that provides the history of the site. Lambros said the Foundation has agreed to contribute \$65,000 for an

independent piece to be located in the 'amphitheater' area which will pay tribute to the legacy of the site and the Silver family. He said the Foundation has also agreed to contribute \$15,000 towards the public piece with a challenge to the Committee to find matching funds. Lambros asked if MRA would consider matching those funds and approving \$15,000.

Lambros said the Public Art Committee will facilitate the art selection process as well as maintain communication with MRA, Silver Foundation, and other entities that play a role.

Reineking asked if the discussion is for one or two art pieces. Lambros said the tribute art piece has been discussed as well as a second art piece to be determined at a later date by the selected artist.

Karl said he appreciates the Silver Park art update and looks forward to reviewing the proposal when it becomes an action item during a future MRA Board meeting.

Moe asked if the Public Art Committee had been in contact with the Missoula Downtown Association or other developers in their fund raising efforts and asked if the Art Committee is able to retain a certain percentage of funds once those funds are awarded. Lambros said the art ordinance allows the Committee to reserve a certain percentage for maintenance and administrative purposes. He said the MRA Board is the Committee's first approach for raising funds but their goal is to reach out to others.

ACTION ITEMS

West Broadway Island – Design and Construction Engineering (URD II) – Request to Approve Professional Services Agreement (Behan)

Behan said earlier this summer MRA advertised a Request for Proposals (RFP) for design, bidding and construction administration services for West Broadway Island. He said there are unknowns with the existing bridge and the proposed new pedestrian bridge on the eastern portion of the West Broadway Island. Behan said before moving forward with design and construction options for bridge models, the terrain must be analyzed, discussions regarding permitting must occur, and the needs of both the Island and MAX Wave must be understood. Cates asked if permitting meant determining what permits are necessary for the project. Behan said no it was the actual obtaining of permits. Cates asked if there were any potential barriers where the permitting might be considered first before the design. Craig Schaeffer, Morrison-Maierle, Inc. said he's not aware of any potential barriers at this point in time. He said Morrison-Maierle's permitting engineers looked into the project and didn't find any foreseen permitting barriers. Behan said Morrison-Maierle is also working with the MAX Wave project and that permitting process is more extensive.

Moe asked if staff reviewed the hours provided by Morrison-Maierle and asked if those hours were reasonable. Behan said staff did converse with Morrison-Maierle about the

hours and feels confident with the figures. Moe said public safety is a concern of hers, especially since the Island project is in coordination with the MAX Wave project and also involves the Parks and Recreation department. She said patrol should be part of the project check list. Behan mentioned the name of a public safety officer who has worked with MRA projects in the past and said he would be in contact with the public safety officer. Schaeffer said public safety was a big part of the proposal and certainly is important with the project.

Kemmis mentioned a difference in hourly rates and asked if that was driven by different personnel involved with different parts of the project. Behan said that was correct.

Donna Gaukler, Director of Parks and Recreation, said she fully supports the West Broadway Island and MAX Wave projects and said she could speak for the Police Department as they are also in full support. She said the environmental design of the Island will actually assist with crime prevention. Gaukler said the demand for river access during the warmer months is immense, and river use from average citizens will help enhance that area.

Buchanan said stream bank erosion is a concern with individuals accessing the river in inappropriate places. She hopes this more formalized river access will assist with those issues.

KEMMIS: I MOVE THAT THE BOARD APPROVE AN AGREEMENT WITH MORRISON-MAIERLE FOR AN AMOUNT UP TO \$115,947 FOR THE WEST BROADWAY ISLAND DESIGN AND FINAL DOCUMENT PREPARATION SERVICES WITH THE UNDERSTANDING THAT AN AMENDMENT TO THE AGREEMENT WILL BE NEGOTIATED REGARDING BRIDGE DESIGN AND CONSTRUCTION ADMINISTRATION COSTS AND THAT THAT AMENDMENT WILL ALSO BE SUBJECT TO BOARD APPROVAL AND THAT THE PAYMENTS TO THE CONTRACTOR UNDER THIS MOTION OR ANY AMENDMENT WILL BE MADE BASED ON INVOICES DESCRIBING ACTUAL TIME WORKED AND MATERIALS USED.

Moe seconded the motion.

Cates asked if the motion was committing Morrison-Maierle for the entire project. The answer was yes.

Motion passed unanimously. (5 ayes, 0 nays)

Front/Main Street Two-Way Conversion – Feasibility Study (Front St URD) – Request to Approve Professional Services Agreement (Buchanan)

At the September 2013 Board meeting, the Board authorized the staff to work with HDR Engineering to develop a scope of work to provide professional services for the Front/Main Street two-way conversion feasibility study. Buchanan said the feasibility

study is a required step in order to possibly receive any available State or Federal Transportation funds if the study finds the conversion is feasible. She said the estimated cost for the feasibility study is \$129,121 which is above the \$100,000 that is available through CMAQ Funds (Congestion, Mitigation and Air Quality Funds). Buchanan said the State is allowed to subtract an amount to cover their indirect costs related to managing the funds under the Statewide Cost Allocation Program (SWCAP), previously referred to as Indirect Cost Allocation Program (ICAP). The amount they receive is strictly formula driven and is a percentage of the project cost. She said this percentage can change on a yearly basis and is now at 9.12%. Buchanan said the overage of \$29,121 came from the proposed engineering contract that added an additional \$20,000 and from the indirect costs for an additional \$9,121. Buchanan said since the conversion of Front and Main Streets to two-way traffic is the number one priority of implementing the Downtown Master Plan, she has requested the Missoula Downtown Association (MDA) and the Business Improvements District (BID) help pay the overage. She said the MDA and BID have both agreed to provide \$5,000 each. The remaining deficit is \$19,121 but Buchanan said when the local match of \$2,684 is added, then MRA's contribution is \$21,805. Buchanan said staff recommends the Board approve entering into an agreement with HDR Engineering for the total amount negotiated (\$129,121) including \$21,805 of tax increment funds to provide a feasibility study for the Front/Main Street two-way conversion project. She said the process of holding public meetings was a factor that drove the cost up.

Cates asked Johnson what style of public meetings he typically uses. Johnson said a potential concept will be proposed and they will then accept input from the public. He said separate meetings could also be organized with specific groups because some people may feel uncomfortable speaking their opinion in front of others especially if there is disagreement. Johnson said he would like to tentatively schedule a public meeting in early February 2014 and a second meeting in late spring before the University of Montana lets out.

Kemmis said the Montana Department of Transportation (MDT) is a major stakeholder in this project, and he has concerns about spending a fair amount of money for the feasibility study if MDT perhaps doesn't support the two-way conversion. He asked Johnson how he plans to address this concern. Johnson mentioned his 30 year experience with MDT and his personal and professional relationship with MDT. He said it's important that MDT is aware of this study and potential project well in advance. Johnson briefly described examples of similar projects in Helena and Billings that MDT was in favor of. Buchanan said MDT has been involved with discussions on this particular project since day one. She said MDT was part of the selection process and will be part of the technical advisory committee. Buchanan said MDT will be involved with the entire project. She said there is also an economic impact piece to the two-way conversion feasibility study and said the conversion of one-way streets to two-way streets in a retail area is very positive.

Kemmis said work is being done on the median on Madison Street which is a follow-up from the water main reconstruction. He asked if the reconstruction would constrain the

options of possible reconfiguration of the Front and Madison Streets intersection and Main and Madison Streets intersection. Buchanan said the utilities will be a factor and will probably constrain the decisions about both of those major intersections. She said utilities can be moved but would impact costs. Kemmis asked if those questions fall into the scope of the feasibility study. Buchanan and Johnson both said yes.

Moe asked if Buchanan could explain why the two-way conversion feasibility study is the highest priority of the Downtown Master Plan Implementation Committee. Buchanan said the two-way conversion of Front and Main Streets is a project thought to have the most positive impact for downtown businesses. Buchanan said it's not a common desire to have businesses on a one-way street and she said historically the streets downtown were always two-way streets.

Englund asked if MRA is administering the contract with HDR Engineering. Buchanan said yes.

REINEKING: I MOVE THAT WE ACCEPT THE STAFF RECOMMENDATION TO APPROVE ENTERING INTO AN AGREEMENT WITH HDR ENGINEERING, INC. WITH A COST OF UP TO \$120,001 FOR THE FRONT & MAIN TWO WAY CONVERSION FEASIBILITY STUDY RECOGNIZING THAT THIS WILL ENTAIL THE EXPENDITURE OF \$21,805 IN TAX INCREMENT FUNDS FROM THE FRONT STREET URBAN RENEWAL DISTRICT AND AUTHORIZE THE BOARD CHAIR TO SIGN THE CONTRACT WITH HDR.

Moe seconded the motion. No further discussion. Motion passed unanimously. (5 ayes, 0 nays)

Bitterroot Branch Trail – Reserve Street Grade Separated Crossing (URD III) – RFP for Design (Buchanan)

Buchanan said the County was recently awarded a TIGER Grant to be used to construct the trail from Missoula to Lolo. She said there is currently a bike/pedestrian trail from Lolo to Hamilton and was built in conjunction with the reconstruction of HWY 93. Buchanan said with the rural TIGER Grants there is no match requirement, unlike the urban TIGER Grants, but there needs to be some commitment of local funding in order for it to be competitive. The awarded amount of the TIGER Grant is \$4,580,363. Buchanan said there is a committed amount of \$400,000 that will be provided by Missoula County through in-kind services in the form of engineering and construction oversight. She said part of the TIGER Grant also asks for a commitment of City funds and the expectation is to use tax increment funds from URD III because this trail would connect with the Bitterroot Branch Trail. Buchanan said an on-grade crossing of Reserve Street, which is a mid-block crossing, was proposed in the TIGER Grant. Moe asked for an explanation of what a graded separated crossing is. Buchanan said it's a crossing either over or under a street. Discussion ensued.

Buchanan explained more about the scope of the project and what the City and County would be responsible for. She said the City's responsibility would be to extend the Bitterroot Branch Trail starting on McDonald Street. The Bitterroot Branch Trail currently ends on McDonald Street, on the north-west side of the railroad tracks. Buchanan said the goal is to have the City extend the trail to the city limits line which is at the base of Lower Miller Creek Road. She said the County would then continue the trail from there and extend it to Lolo and connect to the existing trail that runs from Lolo to Hamilton. Buchanan said the City has committed Community Transportation Enhancement Program (CTEP) Funds, Park Impact Fees, Transportation Fees, and possibly Park District Fees for the City's section of the trail. She reiterated this was not just a MRA project but was a City project.

Buchanan mentioned during the URD III Curb & Sidewalk Needs Assessment, this trail extension was identified as a key component for the connectivity part of the assessment that MRA was trying to achieve with infrastructure in District III. She said the request today is to authorize the staff to advertise an RFP for a feasibility study to see where a grade-separated trail crossing of South Reserve Street could be, what kind of right-of-way would be required, and what the probable cost would be. Moe asked how MRA can do a feasibility study when there is an unknown of whether or not the trail will be proposed for the north or south side of HWY 93. Buchanan said that information will be known. She said this TIGER project has to be complete and ready to bid by the end of June 2014. She said the commitment is to have 30% of the design complete by February 1, 2014. Peter Walker-Kelcher, DJ&A Engineering, said between the County and the Highway Administration there's been some solidification as to what the route is going to be. He said essentially the commitment is to bring the trail to the intersection of Reserve Street and old HWY 93 and then run the trail along the north side to Lower Miller Creek Road. He said from there the trail is proposed to run on the north side of HWY 93 to Blue Mountain Road where there would be an at-grade crossing. Walker-Kelcher said this is the commitment that is being proposed to the US Department of Transportation.

Englund asked if the Board is being asked to approve an RFP for a feasibility study. Buchanan said that was correct. Englund asked if there was an estimated cost associated with the feasibility study. Buchanan said she guessed the cost could be anywhere between \$30,000 and \$50,000. Walker-Kelcher said the cost largely depends on the scope of the project, what the alternatives are, how many alternatives there are, etc. Englund asked what the estimated cost is to actually construct an above-grade crossing over Reserve Street. Buchanan said the estimated cost in the Needs Assessment is between \$2-3 million. Moe asked if the feasibility study would include an attempt to put a cost on the feasible project. Buchanan said yes. Discussion ensued.

Gaukler said in her opinion a separated-crossing at Reserve Street would be significant because it would connect a residential neighborhood with a commercial neighborhood. She said being next to a trail and having the ability to utilize the different facilities and/or services is desirable. She mentioned a research study had been done about people choosing alternate transportation other than the use of a vehicle. Gaukler said those

individuals who are classified under the group who doesn't regularly ride a bike for transportation purposes would possibly ride a bike "if" there was an easier way to cross a major street via a separated-crossing rather than an at-grade crossing. She also mentioned the distance from one side of Reserve Street to the other side and the limited time permitted to cross a major street. Gaukler said safety issues are also an example why some people would not travel by bike if there was an at-grade crossing. She said the crossing would allow people from Big Sky High School, two major golf courses, and Fort Missoula to connect with an area of retail. The crossing would need to ensure these individuals could cross Reserve Street safely knowing traffic in this area is traveling speeds of 40-50 miles an hour and there are five lanes of traffic.

Cates said she supports the feasibility study and mentioned the importance of looking at various options because of accountability purposes. Buchanan said there needs to be some kind of evidence showing why a decision was made and how it affects the use of the trail. Moe asked if the TIGER Grant covered the cost of either the on-grade or separated grade crossing. Buchanan said the TIGER Grant with the local contribution will get the on-grade crossing but she said a study will help determine the benefit of either an on-grade or separated grade crossing. Discussion ensued.

Buchanan said there is still confusion as to what is covered under the TIGER Grant and what is covered by the local match. She said information is still being received from the Federal government and the information sharing will continue so that the project is ready to bid in June 2014. Cates asked if a workshop session would be beneficial to better clarify the design and the contents of the RFP since it sounded like there were many unknowns. Buchanan said hopefully some of those unknowns would be clarified within the next couple of weeks. Englund asked if there was enough time to schedule a workshop. Buchanan said it was her understanding that as long as the Federal government approved the alternate which built the trail up Reserve Street and crossed at South Avenue, where the TIGER Grant would end and the funding from the City would begin, then the timing wasn't a huge issue and wouldn't violate the contract. With that said, Buchanan suggested this trail be completed as one big project. Walker-Kelcher said the sooner there is resolution around a potential separated grade crossing, the easier it is to integrate with the design that's currently being discussed. Kevin Slovarp, City of Missoula Engineer, said the design framework on Old US HWY 93 comes from the Miller Creek Environment Impact Statement (EIS) that was finalized approximately six years ago. He said the City would like to build that roadway but the funding to do so is not available at this time. Slovarp said he recently put together a Capital Improvements Program (CIP) for constructing the roadway to include the preferred alternative (trail on the north side of the road) that came out of the EIS process. He said the Impact Fee Advisory Committee approved the funding for that CIP item but it has not yet been approved by the City Council. Slovarp said the project includes 30% design of the roadway, full design of the trail on the north side, and constructing a portion of the trail along the north side.

Kemmis said Gaukler commented the trail had potential in producing redevelopment opportunities and would connect neighborhoods which interest him more than the trail

being driven by the fierce deadlines of the TIGER Grant. He said he would like to see these dimensions factored into the project discussions.

Englund said the recommendation in the memo was to issue an RFP for consulting services to determine the feasibility of constructing a grade-separated trail crossing and asked if the recommendation could also include the at-grade crossing. He said more importantly is figuring out the best way to have people get from one side of Reserve Street to the other, safely.

Buchanan said the motion can be simplified by authorizing MRA staff to do an RFP for a feasibility study to determine the best way to route the trail across Reserve Street. She said MRA staff will come back to the Board to award a contract. Buchanan said once the questions are answered and we're on the same page, then we can advertise an RFP for design services. Moe said **regardless of what the study determines, it's a further decision of the MRA Board to accept that it's feasible and to go ahead with something there.** She continued to say **we (MRA) agree to do the study up to a point of a conclusion given to us on the best way to get across Reserve Street for the purpose of this trail.** Englund asked if that was the motion.

MOE: SO MOVED.

Reineking seconded the motion.

Walker-Kelcher asked if the Board would consider adding to the motion if there was a situation where it was advantageous to move forward with a design sooner than later, in part because of the interconnectivity with the trail and roadway design, then the second round of RFP's would not need to be advertised which would save approximately 4-6 weeks. Buchanan said it was up to the Board to decide what their comfort level is but reminded the Board of the tight schedule and the importance of not falling behind with the rest of the project.

Cates said she votes against the motion because she feels there isn't enough information available before making a decision but understands time is limited. She said MRA needs to be accountable for the decisions on this trail project.

Slovarp said he is in favor of the separated grade crossing. He said the separated grade crossing will increase the efficiency of the roadway and will reduce conflict points between vehicles and pedestrians. Slovarp said he also assumes that the Montana Department of Transportation (MDT) would agree with the separated grade crossing.

Motion passed. (4 ayes, 1 nay) Cates opposed.

NON-ACTION ITEMS

Wayfinding System Design – Update

Buchanan said MERJ, the consulting team for the wayfinding system provided three very different wayfinding designs which were attached to her memo. She said the wayfinding committee is now going through a process to identify appropriate locations for gateways, directional signs, etc. She said the wayfinding design package was presented to City Council and the resolution to adopt a design was approved. Buchanan said with the larger structures there is the ability to add public art.

STAFF REPORTS

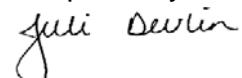
Director's Report

Buchanan said the mini roundabout on the Scott and Toole Street intersection is being used and she said she has received positive feedback. She said the street lights will most likely be installed within the next week or two. Buchanan said the new Urban Forester with the Parks Department has advised the trees within the roundabout should be rearranged. Buchanan said Caras Nursery has agreed to rearrange the trees after the ribbon cutting and that irrigation will be installed in the spring of 2014 along with a larger landscaping project.

ADJOURNMENT

Meeting adjourned at approximately 1:40 p.m.

Respectfully Submitted,



Juli Devlin