

City of Missoula
Items Held in City Council Committees

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City of Missoula, Montana

Item to be referred to City Council Committee

Committee: Admin and Finance

Item title: Create and Fund a Paid Parental Leave Policy for City of Missoula Employees

Date: 9.23.2015

Sponsor: Heidi West and Emily Bentley

Prepared by: Heidi West and Emily Bentley

Wards affected: All

Action Required: Direct staff to develop an employee policy and budget for such policy that allows 12 weeks paid maternal leave (for birth and adoption) and flexible scheduling upon return from leave, intended as a stop-gap measure to a policy that can eventually include leave for both parents.

Recommended Motion: Move to adopt a 12 week paid maternal leave and flexible scheduling policy for the City of Missoula.

Move to amend the FY16 budget....

Timeline:

Referred on: 9.23.2015

Committee discussion: 10.5.2016

Information needed for committee discussion:

Cost of implementing a 12 week paid maternal leave policy if it were applied retroactively to the beginning of the fiscal year vs. if it were it were instituted or the remainder of the fiscal year.

Background and Alternatives Explored:

During the 2017 Budget discussions the City Council discussed paid parental leave for city employees. However, it was decided to return to the subject of paid parental leave upon completion of the budget process to evaluate the financial implications of parental leave scenarios to be implemented in the upcoming budget season. In the interim, City Council discussed prioritizing a twelve week paid maternity leave policy to go into effect as soon as possible. This was determined to be a less expensive stop-gap measure.

Examples of a few of the other cities that provide a variety of paid parental leave benefits:

Seattle currently provides 4 weeks of paid parental leave that can be used in conjunction with other benefits to supply additional time off, however the city council is looking at expanding paid leave. Details can be found here:

<http://www.seattle.gov/Documents/Departments/Council/Members/Gonzalez/Action-Plan---Increasing-City-of-Seattle-Workforce-Equity.pdf>

Portland currently provides 6 weeks of paid leave.

Ordinance can be viewed at:

<http://www.portlandonline.com/fritz/index.cfm?a=556768&c=49205>

In April San Francisco created a city wide requirement for paid parental leave that will go into effect at the beginning of 2017:

<http://sfgov.org/olse/paid-parental-leave-ordinance>

And the State of New York just passed legislation that will be rolling in state wide paid parental leave over the next few year. I had trouble finding a good link on the New York State Website but here is an informational page:

<https://www.ny.gov/paid-family-leave-strong-families-strong-ny/provide-paid-family-leave-new-york-workers>

Paid parental leave is a benefit that New York

<http://www1.nyc.gov/office-of-the-mayor/news/025-16/mayor-de-blasio-signs-paid-parental-leave-personnel-order-nyc-workers#/0>

Financial implications: TBD

Staff Recommendation to Amend 9-23-16 City Council Referral Entitled “Create a Paid Parental Leave Policy for City of Missoula Employees”

“Action Required: Direct staff to:

- Develop a policy that establishes a six-week pregnancy-related medical leave bank that current affected City of Missoula employees may use, retroactive to July 1, 2016, for pregnancy-related medical leave (defined as “leave related to any physical limitations imposed by pregnancy or childbirth”);
- Ensure that the policy provides that current affected employees may use the pregnancy-related medical leave bank prior to using accrued sick leave under Montana state law and Family and Medical Leave provided under federal law or any other accrued leave;
- Ensure that the pregnancy-related medical leave bank is not retroactively applied to any former City of Missoula employees who have terminated since July 1, 2016;
- Develop a budget for this proposed pregnancy-related medical leave bank;
- Retroactive to July 1, 2016, restore any sick leave taken (up to six weeks) by any current employee(s) for pregnancy-related medical leave, and deduct an equivalent amount of leave from the newly established pregnancy-related medical leave bank;
- Develop a policy effective July 1, 2017 that provides a six week “parental leave bank” that City of Missoula employees may use for:
 - (1) pregnancy-related medical leave; and/or
 - (2) parental leave (for the purposes of bonding with a child and/or caring for a newly born or adopted child);
- Develop a proposed FY18 budget for this “parental leave bank;”
- Ensure that the policy provides that affected employees may use this leave bank prior to using accrued sick leave under Montana state law and Family and Medical Leave provided under federal law or any other accrued leave; and
- Develop cost or budget estimates for any future expansion of this leave bank as directed by City Council at a later date (for example, expanding the leave bank from six weeks to twelve weeks).”

Selected Passages from EEOC “Enforcement Guidance: Pregnancy and Related Issues (June 25, 2015)

https://www1.eeoc.gov/laws/guidance/pregnancy_guidance.cfm?renderforprint=1#IC2

An employer may not compel an employee to take leave because she is pregnant, as long as she is able to perform her job. Such an action violates Title VII even if the employer believes it is acting in the employee's best interest.^[110]

A policy requiring workers to take leave during pregnancy or excluding all pregnant or fertile women from a job is illegal except in the unlikely event that an employer can prove that non-pregnancy or non-fertility is a bona fide occupational qualification (BFOQ).^[112] To establish a BFOQ, the employer must prove that the challenged qualification is "reasonably necessary to the normal operation of [the] particular business or enterprise."^[113]

While employers may not force pregnant workers to take leave, they must allow women with physical limitations resulting from pregnancy to take leave on the same terms and conditions as others who are similar in their ability or inability to work.^[114] Thus, an employer could not fire a pregnant employee for being absent if her absence fell within the provisions of the employer's sick leave policy.^[115]

An employer may not require employees disabled by pregnancy or related medical conditions to exhaust their sick leave before using other types of accrued leave if it does not impose the same requirement on employees who seek leave for other medical conditions.

Similarly, an employer may not impose a shorter maximum period for pregnancy-related leave than for other types of medical or short-term disability leave. Title VII does not, however, require an employer to grant pregnancy-related medical leave or parental leave or to treat pregnancy-related absences more favorably than absences for other medical conditions.^[116]

A policy that restricts leave might disproportionately impact pregnant women. For example, a 10-day ceiling on sick leave and a policy denying sick leave during the first year of employment have been found to disparately impact pregnant women.^[121]

If a claimant establishes that such a policy has a disparate impact, an employer must prove that the policy is job related and consistent with business necessity. An employer must have supporting evidence to justify its policy. Business necessity cannot be established by a mere articulation of reasons. Thus, one court refused to find business necessity where the employer argued that it provided no leave to employees who had worked less than one year because it had a high turnover rate and wanted to allow leave only to those who had demonstrated "staying power," but provided no supporting evidence.^[122] The court also found that an alternative policy denying leave for a shorter time period might have served the same business goal, since the evidence showed that most of the first year turnover occurred during the first three months of employment.^[123]

For purposes of determining Title VII's requirements, employers should carefully distinguish between leave related to any physical limitations imposed by pregnancy or childbirth (described in this document as pregnancy-related medical leave) and leave for purposes of bonding with a child and/or providing care for a child (described in this document as parental leave).

Leave related to pregnancy, childbirth, or related medical conditions can be limited to women affected by those conditions.^[124] However, parental leave must be provided to similarly situated men and women on the same terms.^[125] If, for example, an employer extends leave to new mothers beyond the period of recuperation from childbirth (e.g. to provide the mothers time to bond with and/or care for the baby), it cannot lawfully fail to provide an equivalent amount of leave to new fathers for the same purpose.

Leave and Other Fringe Benefits (Best Practices)

- Leave related to pregnancy, childbirth, or related conditions can be limited to women affected by those conditions. Parental leave must be provided to similarly situated men and women on the same terms.
- If there is a restrictive leave policy (such as restricted leave during a probationary period), evaluate whether it disproportionately impacts pregnant workers and, if so, whether it is necessary for business operations. Ensure that the policy notes that an employee may qualify for leave as a reasonable accommodation.
- Review workplace policies that limit employee flexibility, such as fixed hours of work and mandatory overtime, to ensure that they are necessary for business operations.
- Consult with employees who plan to take pregnancy and/or parental leave in order to determine how their job responsibilities will be handled in their absence.
- Ensure that employees who are on leaves of absence due to pregnancy, childbirth, or related medical conditions have access to training, if desired, while out of the workplace.^[179]

Item Information



Title: Create and Fund a Paid Parental Leave Policy for City of Missoula Employees			
Item #:		Status:	Held in Committee
Type:		#:	A&F
Version:	3 rd	Sponsor:	Heidi West
Meeting Date:	1/1/2050	Ward:	All
Meeting Type:	AF Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				9/26/2016	City Council
2nd			Held in committee	10/5/2016	AF
▶ 3rd			Held in Committee	1/1/2050	AF Referrals Held in Committee

Vote Records

No voting recorded



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Administration and Finance

Item: Missoula City Council – Proposed Code of Ethics for Elected Officials and Board and Commission Members

Date: December 4, 2019

Sponsor(s): Heather Harp

Prepared by: Steve Johnson, Central Services Director

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input checked="" type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

Approve Proposed City Council Policy

Recommended Motion(s):

I move the City Council: Approve the proposed code of ethics for City of Missoula elected officials and members of boards and commissions.

Timeline:

Referral to committee:	November 21, 2019
Committee discussion:	12-4-19
Council action (or sets hearing):	12-9-19
Public Hearing:	n/a
Deadline:	n/a

Background and Alternatives Explored: Background and Alternatives Explored: The City of Missoula Ethics Advisory Committee has met over the last year to discuss options for a City Code of Ethics Policy for Elected Officials and Members of Boards and Commissions.

Financial Implications: None.

Links to external websites:

<http://www.cityethics.org/files/Local%20Govt%20Ethics%20Nutshell.pdf>

https://missoulain.com/news/state-and-regional/st-ignatius-official-jailed-will-retain-seat-as-embezzlement-case/article_a2366a60-eec4-5110-9425-38837cf0deea.html

Code of Ethics Policy for City of Missoula Elected Officials and Members of City of Missoula Boards and Commissions

PURPOSE

It is the intent of the City of Missoula to establish a Code of Ethics Policy for Elected Officials and Appointed Board or Commission Members. Ethics-related policies for all City of Missoula employees other than members of City boards and commissions are established under separate policies in the City of Missoula Human Resources Policy Manual.

The Code of Ethics for Elected Officials and Appointed Board or Commission Members encourages and protects impartial and independent judgment and ensures that the private conduct and financial interests of public officers, officials and board and commission members do not result in a conflict of interest in their responsibilities to serve the public and uphold the public trust as defined in 2-2-103, MCA.

All newly elected City of Missoula officials and newly appointed members of City of Missoula Boards and Commissions shall be provided with a hard copy of or an electronic link to this Code of Ethics Policy.

DEFINITIONS

A **“board or commission member”** is a member of “a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority,” and is also considered a **“public employee”** under Montana law at 2-2-102(7)(c), MCA.

A **“conflict of interest”** is a transgression of a statutory rule of conduct, a violation of a legitimate ethical principle, a violation of a local ordinance related to ethical conduct, or an abuse of public trust by a public officer or public employee. Some actions taken by public officers or public employees are conflicts of interest per se, while other actions may or may not pose such conflicts depending upon the relevant facts and circumstances.

“Disclosure” requirements under 2-2-131, MCA, provide that that, prior to acting “in a manner that may impinge on public duty, including the award of a permit, contract or license, a public officer or employee must disclose “the nature of the private interest that creates the conflict.” The disclosure must be made in writing to the commissioner of political practices, listing: (1) the amount of the private interest, if any, (2) the purpose and duration of the person’s services rendered, if any, and (3) the compensation received for the services or other information that is necessary to describe the interest. See also disclosure requirements in 2-2-105(4), MCA.

“Gift of substantial value” under 2-2-102(3)(a), MCA, means a gift with a value of \$50 or more per individual recipient, and does not include “trivial benefits incidental to personal, professional or business contacts and involving no substantial risk of undermining official impartiality” (see also 45-7-104(5)(b), MCA).

“Local government” means “an incorporated city or town” or a **“special district”** under 2-2-102, MCA.

“Official act” or “official action” refers to “a vote, decision, recommendation, approval, disapproval, or other action, including inaction, that involves the use of discretionary authority” by a **“public officer”** or **“board or commission member.”**

“Official misconduct” under 45-7-401(1), MCA, occurs when a public servant: (1) purposely or negligently fails to perform and mandatory duty as required by law or by a court of competent jurisdiction, (2) knowingly performs an act in an official capacity that the public servant knows is forbidden by law, (3) performs an act in excess of the public servant’s lawful authority to obtain a personal advantage or an advantage for another person, (4) solicits or knowingly accepts for the performance of any act a fee or reward that the public servant knows is not authorized by law, or (5) knowingly conducts a meeting of a public agency in violation of 2-3-202 or 2-3-303, MCA.

“Public officer” means “any elected officer of a local government” under 2-2-102(8)(a).

“Special district” under 2-2-102(9), MCA, means “a unit of local government, authorized by law to performs a single function or a limited number of functions.” The term also includes “any district or other entity formed by interlocal agreement.”

STANDARDS OF CONDUCT FOR CITY OF MISSOULA ELECTED OFFICIALS OR APPOINTED BOARD OR COMMISSION MEMBERS

The following Standards of Conduct do not involve alleged violations of Montana law and are enforceable by the Missoula City Council or the Mayor of the City of Missoula. City Council may formally reprimand, censure, deny or modify committee assignments, or restrict budgets for City Council members who violate these Standards of Conduct. Appointed board or commission members who violate these Standards of Conduct may be subject to removal from boards and commissions or any other sanctions not expressly prohibited, proscribed or restricted by Montana law or City of Missoula Ordinance (see “Enforcement” section below).

Missoula Elected Officials and Appointed Board or Commission Members shall, in the course of carrying out all official actions, duties and responsibilities, demonstrate:

- Honesty, integrity and trustworthiness;
- Fairness, equality and equity;
- Satisfactory attendance, effort and preparation;
- Accountability;
- Transparency and a commitment to open meetings when the public’s right to know supersedes the privacy interests of any person or persons asserting a privacy interest;
- Civility, respect and decorum in all public meetings and in interactions with members of the public, City of Missoula staff, the media and other elected officials; and
- Recognition of the appropriate role of City Council members as members of a larger group, and that the Council must specifically authorize individual Council members to act on behalf of the larger group.

ENFORCEMENT OF STANDARDS OF CONDUCT

Enforcement of the above standards of conduct shall be the responsibility of the Missoula City Council, unless alleged violations involve matters that are appropriate for referral to the Missoula County Attorney, the Missoula City Attorney, the commissioner of political practices, a private attorney for possible civil litigation, district court, municipal court, justice court or local law enforcement.

In reviewing any claims of a public officer's failure to observe non-statutory standards of conduct, City Council (through the Council President) may seek consultation or advice from City staff (such as the Ethics Advisory Committee below) or from any member of the public or any other person or persons whom council believes can provide relevant information, advice or assistance.

Any board or commission member appointed by the Mayor of the City of Missoula who violates the above standards of conduct may be subject to removal by the Mayor. Likewise, any board or commission member appointed by the Missoula City Council who violates the above standards of conduct may be subject to removal by the Council.

PROHIBITIONS FOR ELECTED OFFICIALS AND BOARD AND COMMISSION MEMBERS

Under 2-2-104, MCA, a City of Missoula elected official or appointed board or commission member may not violate any of the following rules of conduct for public officers, legislators and public employees:

- Accept a gift of substantial value or a substantial economic benefit as defined under state law, tantamount to a gift that: (1) would tend to improperly influence a reasonable person in that position to depart from the faithful and impartial discharge of official public duties; or (2) that the person knows, or any reasonable person in that position would know, is primarily for the purpose of rewarding the person for an official action taken;
- Disclose legitimately confidential information acquired in the course of official duties in order to improperly advance an elected official or appointed board or commission member's economic interests; or
- Engage in any other behavior or conduct proscribed under Montana code of ethics/standards of conduct statutes or Missoula City Ordinance.

See statutory language here:

2-2-104, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0010/section_0040/0020-0010-0040.html

See also: **Missoula Municipal Code – Title 2 - Chapter 2.88 - Code of Ethics:**

http://www.ci.missoula.mt.us/DocumentCenter/View/1025/Municipal-Code-Title-02-Administration--Personnel?bidId=#Chapter_2_88

Under 2-2-105, MCA, a public officers or public employees (including members of City of Missoula boards and commissions, may not violate any of the following ethical requirements for public officers and public employees (including members of City of Missoula boards or commissions:

- Acquire an interest in any business or undertaking that the officer or employee has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the officer's or employee's agency.
- Within twelve months following the term of elected office or board or commission membership, obtain employment by taking direct advantage of matters with which the elected officer, board or commission member was directly involved during such term of office or board or commission membership, when such advantage is not available to others;
- Participate in any official action as a member of a board or commission in which the public employee has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the public employee's influence, benefit, or detriment in regard to the matter, without disclosing the interest in writing prior to participating in the official action.
- Perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the officer or employee has a substantial personal interest in a competing firm or undertaking.
- Engage in any other behavior or conduct proscribed under Montana code of ethics/standards of conduct statutes or Missoula City Ordinance.

See statutory language here:

2-2-105, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0010/section_0050/0020-0020-0010-0050.html

See also: **Missoula Municipal Code – Title 2 - Chapter 2.88 - Code of Ethics:**

http://www.ci.missoula.mt.us/DocumentCenter/View/1025/Municipal-Code-Title-02-Administration--Personnel?bidId=#Chapter_2_88

Under 2-2-121, MCA, a City of Missoula elected official or appointed board or commission member may not violate the following rules of conduct for public officers and public employees:

- Use public time, facilities, equipment, supplies, personnel or funds for the elected official, board or commission member's private business purposes;

- Acquire an interest in a business or undertaking in which the officer has reason to believe will directly and substantially benefit from action taken by the council, board or commission;
- Engage in a substantial financial transaction for the elected official, appointed board or commission member's private business purposes with a person whom the elected official, appointed board or commission member regulates or supervises in the course of official duties;
- Assist any person for a fee or other compensation in obtaining a contract, claim, license or other economic benefit a city agency over which an elected official, board or commission member exercises supervision in the course of official duties (this section does not apply to a member of a board or commission unless that person is also a full-time public employee);
- Assist any person for a contingent fee in obtaining a contract, claim, license or other economic benefit from any city agency;
- Perform an official act that directly and substantially affects a business or other undertaking, to its economic detriment, when the elected official, board or commission member has a substantial personal interest in a competing firm or undertaking;
- Solicit or accept employment, or engage in negotiations or meetings to consider such employment, with a person whom the officer or employee regulates in the course of official duties, without first giving written notification to the to the officer's or employee's supervisor and department director;
- Use public time, facilities, equipment, supplies, personnel or funds to solicit support or opposition to any political candidate or ballot issue, unless authorized by Montana law or incidental to another activity required or authorized under Montana law;
- Perform an official act that directly and substantially economically benefits a business or other undertaking in which the elected official or appointed board or commission member has a substantial financial interest or is engaged with that business interest or undertaking as counsel, consultant, representative or agent;
- Take official action (such as rulemaking) on any matter in which the elected officer or board or commission member has an actual or apparent conflict created by a personal or private interest that is not disclosed prior to taking such official action;
- Engage in any other behavior or conduct proscribed under Montana code of ethics/standards of conduct statutes or Missoula City Ordinances.

See statutory language here:

2-2-121, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0010/section_0210/0020-0020-0010-0210.html

See also: **Missoula Municipal Code – Title 2 - Chapter 2.88 - Code of Ethics:**

http://www.ci.missoula.mt.us/DocumentCenter/View/1025/Municipal-Code-Title-02-Administration--Personnel?bidId=#Chapter_2_88

Under 2-2-201, MCA through 2-2-207, MCA, a public officer, an appointed public board or commission member or a former employee may not engage in any of the following proscribed acts pertaining to contracts or claims:

- Have an interest in any contract made by them in their official capacity or by any body, agency, or board of which they are members or employees if they are directly involved with the contract. A former employee may not, within 6 months following the termination of employment, contract or be employed by an employer who contracts with the state or any of its subdivisions involving matters with which the former employee was directly involved during employment.

This does not include situations specifically excluded under Montana law, such as when an officer, employee or commission or board member holds a minority interest in a corporation or where merchandise is sold to the highest bidder at public.

- Have an interest in sales or purchases. State, county, town, township, and city officers must not be purchasers at any sale or vendors at any purchase made by them in their official capacity.
- Purchase or sell or in any manner receive to their own use or benefit any evidences of indebtedness except those expressly authorized under Montana law.
- When the officer is charged with the disbursement of public moneys, pay any warrant or other evidence of indebtedness against the state, county, city, town, or township when the same has been purchased, sold, received, or transferred contrary to any of the provisions of Montana law.
- Fail to suspend the settlement or payment of an account under the conditions set forth in 2-2-207, MCA involving an affidavit establishing probable cause.
- Engage in any other behavior or conduct proscribed under Montana code of ethics/standards of conduct statutes or Missoula City Ordinances.

See statutory language here:

2-2-201, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0010/0020-0020-0020-0010.html

2-2-201, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0020/0020-0020-0020-0020.html

2-2-203, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0030/0020-0020-0020-0030.html

2-2-204, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0040/0020-0020-0020-0040.html

2-2-205, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0050/0020-0020-0020-0050.html

2-2-206, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0060/0020-0020-0020-0060.html

2-2-207, MCA:

https://leg.mt.gov/bills/mca/title_0020/chapter_0020/part_0020/section_0070/0020-0020-0020-0070.html

See also: **Missoula Municipal Code – Title 2 - Chapter 2.88 - Code of Ethics:**

http://www.ci.missoula.mt.us/DocumentCenter/View/1025/Municipal-Code-Title-02-Administration--Personnel?bidId=#Chapter_2_88

ENFORCEMENT OF THE STANDARDS OF CONDUCT AND ETHICAL REQUIREMENTS

A person alleging a violation of 2-2-104, MCA, 2-2-105, MCA, 2-2-121, MCA or 2-2-201 through 2-2-207, MCA by a City of Missoula elected official or appointed board or commission member must notify the Missoula County Attorney directly regarding the alleged violation. If the county attorney declines to bring an action, the person alleging the violation may, in accordance with 2-2-144(3), MCA, file a civil action directly in district court seeking a fine of not less than \$50 or more than \$1000.

Under 2-2-144(5) and 2-2-144(6), MCA, the City of Missoula may establish a three-member review panel to hear complaints alleging a violation of 2-2-104, MCA, 2-2-121, MCA or 2-2-201, MCA by a City of Missoula elected official or appointed board or commission member. The City of Missoula shall establish procedures and rules for such a panel. The panel members may not be officers or employees of the City of Missoula. The panel shall review complaints and may refer to the Missoula County Attorney and complaints that appear to be substantiated. If such a panel is established by the City of Missoula, a complaint must be filed with the committee prior to making the complaint to the Missoula County Attorney.

If the City of Missoula does not establish a review panel under 2-2-144(5), MCA, a complaint must be filed directly with the commissioner of political practices pursuant to 2-2-136, MCA.

Any person alleging “official misconduct” as defined in 45-7-401, MCA (see “Definitions” section above), must file an action in the appropriate Montana district court.

See also: **Missoula Municipal Code – Title 2 - Chapter 2.88 - Code of Ethics:**

http://www.ci.missoula.mt.us/DocumentCenter/View/1025/Municipal-Code-Title-02-Administration--Personnel?bidId=#Chapter_2_88

ETHICS ADVISORY COMMITTEE

An Ethics Advisory Committee shall be established to provide advice and counsel to officers, officials and employees who may have a question regarding an issue that relates directly to the Code of Ethics and Rules of Conduct for City of Missoula Elected Officials and Members of City of Missoula Boards and Commissions. The Committee shall consist of the Chair of Administration and Finance Committee, the City Attorney, the Chief Administrative Officer, and the Human Resources Director. The advisory committee shall meet at the request of the Chair of the Administration and Finance Committee, whom shall also serve as the Chair of the Ethics Advisory Committee.

The recommendations, suggestions and comments of the committee are advisory and consultative only. Members of the committee shall safeguard all legitimate privacy interests and shall monitor the Code of Ethics and recommend changes as needed.

Chapter 2.88

CODE OF ETHICS

Sections:

[2.88.010 Purpose.](#)

[2.88.020 Organizational Responsibility](#)

[2.88.030 Definitions.](#)

[2.88.040 Just and equitable treatment.](#)

[2.88.050 Campaign activities.](#)

[2.88.060 Gifts and Things of Value.](#)

[2.88.070 Conflicts of Interest.](#)

[2.88.080 Prior employment.](#)

[2.88.090 Contemporaneous employment.](#)

[2.88.100 Subsequent employment.](#)

[2.88.110 New employee training.](#)

[2.88.120 Ethics Advisory Committee](#)

[2.88.130 Violation of ordinance.](#)

2.88.010 Purpose. It is the intent of the City of Missoula to establish a code of ethics. This code protects and encourages impartial and independent judgment ensuring that the private conduct and financial interests of public officers, officials and employees do not present a real conflict of interest in their responsibilities to serve the public.

The Code establishes minimum standards of conduct and is designed to assist public officers, officials and employees in understanding their obligations. This Code of Ethics applies to all officers, officials and city employees, whether full-time, part-time, seasonal or temporary.

Public confidence in government is essential and the City can help sustain it by establishing and enforcing rules to assure the impartiality and honesty of officials and employees in all public transactions and decisions. Each affected agency of city government should inform its employees of the provisions of this chapter and strive to effectively enforce its requirements by seeking appropriate assistance from the City Attorney, Mayor's office or Personnel office. (Ord. 3110, 1999)

2.88.020 Organizational Responsibility. The administrative and legislative affairs of the city shall be conducted in a manner free from influences and/or activities that compromise the integrity of the process. Services and goods procured by and for the city shall be done so in a fair and unbiased manner. (Ord. 3110, 1999)

2.88.030 Definitions. Unless the context specifically indicates otherwise, the meanings of terms used in this ordinance shall be as follows:

A. *Department* shall mean and include all divisions, agencies, offices, departments, boards and commissions, authorities or committees of the city.

B. *Employee* shall mean and include any person in the employ of the city or of any agency or department thereof, whether receiving compensation or not.

C. *Gift* shall mean any benefit, favor, service, privilege, or thing of value which could be interpreted as influencing an employee's impartiality. Gifts include, but are not limited to: trips, money,

merchandise, foodstuffs, and tickets to sports, civic or cultural events; services or work provided by City suppliers and offers of future employment from City suppliers. Gifts do not include items that would not ordinarily be interpreted as affecting an employee's impartiality; such as an occasional business lunch, potted plants or flowers, boxes of candy for office personnel, "gimme caps" or advertising office supplies, such as pencils, calendars, or pens, or other token gifts of small value.

D. *Immediate and direct official action* shall mean any vote, decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.

E. *Officer* shall mean and include any person in the service or employ of the city whose office is set forth in the City of Missoula Charter.

F. *Official* shall mean and include any person who individually, or collectively with others, employs the employees or controls the personnel of any group of employees defined by subsection (1) hereof to be a department, together with any person who individually or collectively with others constitutes a "department" as so defined regardless of whether the person is technically deemed an "officer" or "employee" of the city.

G. *Substantial conflict of interest* shall mean a situation, which is likely to affect the judgment or actions of an officer, official, or employee in the performance of duties as such officer, official, or employee.

H. *Financial Interest* shall mean any interest which shall yield, directly or indirectly, a monetary or other material benefit (other than duly authorized salary or compensation for services to the City) to the employee or any other person retaining the services of the officer, official or employee. (Ord. 3110, 1999)

2.88.040 Just and equitable treatment.

A. *Use of Public Property.* No officer, official or employee shall request or permit the use of city-owned vehicles, equipment, materials or property or the expenditure of city funds for personal convenience or profit unless authorized by other agreement. Use or expenditure is to be restricted to such services as are available to the public generally or for such employee in the conduct of official business. Administrative Rule # 11 specifically addresses employees' use of city-owned vehicles in the course of their work.

B. *Obligations to Citizens.* No officer, official or employee shall grant any special consideration, treatment or advantage beyond that which is available to every other citizen.

C. Except as authorized by law and in the course of his or her official duties, no officer, official or employee shall use the power or authority of his or her office or position with the city in a manner intended to induce or coerce any other person to provide such officer, official or employee or any other person with any compensation, gift, or other thing of value directly or indirectly.

D. No officer, official or employee may ask for or receive, directly or indirectly, any compensation, gift, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty, or action by the city other than the compensation, costs or fees provided by law. (Ord. 3110, 1999)

2.88.050 Campaign activities. City employees are encouraged to participate in the political process on their own time, with their own personal resources, and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition. Employees shall not use or authorize the use of the facility of the City of Missoula for such purposes except as authorized by law. See subsection 2 –2-121 (3) MCA which applies to public officers, officials and employees. City employees may provide neutral, objective, and factual data regarding campaign related issues or individuals. (Ord. 3110, 1999)

2.88.060 Gifts and Things of Value. Officers, officials and employees may not accept gifts or other things of value when given by anyone who does business or seeks to do business with the employee's agency, if the gift is given for performance, or the failure to perform, one's duty; or when the gift could appear to be for the purpose of obtaining special consideration or to influence a city action. Pursuant to subsection 45-7-104 (5)(b) MCA, this section does not apply to trivial benefits incidental to personal, professional, or business contacts and involving no substantial risk of undermining official impartiality. A hosting government or agency may sometimes pay for other costs, such as travel expense and hotel accommodation, associated with government-related activities. Gifts of this nature are not a violation of this policy.

Gifts do not include items for which fair market value is paid or which are reimbursed by the city, or items received but donated to a charitable organization within 30 days of receipt of the gift. If the gift is a perishable item, such as flowers or candy, it may be placed on a public counter and shared with the public. Meals are not considered gifts or items of value. (Ord. 3110, 1999)

2.88.070 Conflicts of Interest. In addition to conflicts of interest identified in the City of Missoula's Personnel Policy Manual, the following rules apply to all officers, officials and employees of the City.

No officer, official or employee shall engage in any act that is in conflict with the performance of official duties. An officer, official or employee shall be deemed to have a conflict of interest if he or she directly or indirectly:

A. Receives or has any financial interest in any purchase, sale or lease to or by the city of any service or property when such financial interest was received or obtained with the prior knowledge that the city intended to purchase, sell or lease such property or service;

B. Is beneficially interested, directly or indirectly, in any contract, sale, lease, option or purchase that may be made by, through, or under the supervision of the employee, in whole or in part, or accepts, directly or indirectly, any compensation, gift or thing of value from any other person beneficially interested therein;

C. Accepts or seeks for others, directly or indirectly, any employment, travel expense, service, information, compensation, gift or thing of value on more favorable terms than those granted to other city employees or the public generally. These favorable terms may not be solicited from any person doing business, or seeking to do business with the city in an area for which the employee has responsibility or with regard to which he or she may participate. This subsection shall not apply to the receipt by elected officials, or by employees who are supervised directly by an elected official, of meals, refreshments or transportation within the boundaries of the city when given in connection with meetings with constituents or meetings which are informational or ceremonial in nature. (Ord. 3110, 1999)

2.88.080 Prior employment. No officer, official, or employee shall be disqualified from employment by the city solely because of his or her prior employment; however such officer, official, or employee shall be disqualified from taking any immediate and direct official action with respect to his or her prior employer for a period of six (6) months from the date of termination of employment. (Ord. 3110, 1999)

2.88.090 Contemporaneous employment Under no circumstances shall any employee engage in an outside business that may cause a conflict of interest with his or her duties at the city. No use should be made of City-owned materials or facilities in performing such outside work nor should such work be done on City time. (Ord. 3110, 1999)

2.88.100 Subsequent employment. No officer, official, or employee shall:

A. During or for six (6) months following termination of office or employment, obtain employment in which he or she will take direct advantage, unavailable to other, of matters with which he or she took immediate and direct official action during his or her term of employment;

B. Engage in any action or litigation in which the city is involved, on behalf of any other person or entity, when the action or litigation involves an issue on which the employee took immediate and direct official action while an employee of the city, for one (1) year following termination of service with the city. (Ord. 3110, 1999)

2.88.110 New employee training. Every employee, upon initiating employment with the city, shall receive a copy of the code of ethics as part of the employee's orientation. (Ord. 3110, 1999)

2.88.120 Ethics Advisory Committee. An Ethics Advisory Committee shall be established to provide advice and counsel to officers, officials and employees who may have a question regarding an issue that relates directly to them. The Committee shall consist of the Chair of Administration and Finance Committee or his or her designee, City Attorney, Chief Administrative Officer, and Personnel Director. The recommendations or comments of the committee are only advisory and hold no weight or affect on the direction the officers, officials and employees take with regard to the issue raised. Members of the committee are charged with keeping all information confidential. They shall monitor the Code of Ethics and recommend changes as the need arises. (Ord. 3110, 1999)

2.88.130 Violation of ordinance. Violation of this ordinance shall be ground for discharge or other disciplinary action. Disciplinary action and grievance procedures will be conducted according to the City's Personnel Policies and Montana Code Annotated where appropriate. (Ord. 3110, 1999)

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Committee of the Whole

Item: Joint meeting of the Board of County Commissioners and the Missoula City Council

Date: 04/18/2018

Sponsor: Michelle Cares

Prepared by: Michelle Cares

Wards Affected: All wards

Action Required:
None

Recommended Motion(s):
N/A

Timeline:

Referral to committee:	04/10/2018
Committee discussion:	04/18/2018

Background and Alternatives Explored:

Please schedule from 11:30 – 1:30 on Wednesday, April 18, 2018.

The primary goal is to bring together the county commissioners and the city council to discuss our shared interests, strategic vision, and ways in which we can do a better job of working collaboratively going forward.

The commissioners and mayor meet frequently, but apart from meetings that require a joint action on the part of both governing bodies (e.g., approval of spending open space bonds), these two groups don't get together often. The last gathering was April 2017.

Agenda for 4/18/2018

- Dedicated Presentation and Discussion Items
 - o Jail Diversion Master Plan Update; Commissioner Cola Rowley, Sheriff McDermott, Justice of the Peace Landee Holloway and Councilor Michelle Cares
 - o Community Wildfire Protection Plan: Commissioner Dave Strohmaier, Director of the Office of Emergency Management Adriane Beck
- Additional topics that may be discussed more generally if time allows
 - o County land use mapping project
 - o Downtown Missoula Master Plan Update

- Transportation
- Housing / Collaboration on 10-year plan to end homelessness
- Annexation

Financial Implications:

None

Links to external websites:

APPENDICES

Recommendations

Behavioral Health Recommendations:

- **3.0 Resource Crisis Intervention Trained Officers:**
 - Prioritize and encourage CIT training for patrol officers
 - Provide resources for shift commanders to direct CIT officers to these types of calls (in addition to the officer on patrol who is closest to the situation)
 - Provide resources to allow for longer response times for patrol officers to CIT calls, and for more than one responding officer
 - Provide resources so that there is at least one CIT-trained officer on every shift
 - Hold local trainings more frequently and involve local mental health agencies
- **3.1 Create Crisis Intervention Protocol with Hospitals:**
 - Work with St. Patrick Hospital, Community Hospital, and Western Montana Mental Health Center to create a protocol for handling criminal detainees in a mental health crisis that includes:
 - Utilizing jail as the very last option
 - Stabilizing the person in crisis – either at the hospital or in an emergency detention bed
 - Officers remaining as needed to ensure the safety of medical personnel
- **3.2 Engage in Crisis Intervention Statewide Efforts:**
 - Remain engaged in statewide efforts for ongoing education
 - Remain engaged to ensure consistency in applications for CIT programs statewide
 - Idea share with other communities for improvements to the program.
 - Prioritize and support these efforts
 - Compensating coordinators
- **3.3 Cultural Sensitivity in Crisis Intervention Training:**
 - CIT trainings should include and underscore resources for Native Americans in crisis
- **3.4 Increase Emergency Detention Beds:**
 - Continue applying for HB 33 and HB 34 grant money to construct and operate secure emergency detention beds
 - Work with WMMHC to ensure the beds are operationally solvent.

MISSOULA COUNTY JAIL DIVERSION MASTER PLAN

- Beds should reduce the number of people Missoula County sends to the state hospital; significantly, decrease strain on the St. Patrick Hospital Emergency Department, and reduce expenses associated with hospital uncompensated care
- Beds should reduce the number of people booked into the jail in mental health crisis and generally improve outcomes for this population
- **3.5 Build Social Detox Beds:**
 - Draft a funding plan to build and staff four to six social detox beds
 - Estimated yearly costs to staff the facility would range between \$250,000 and \$300,000
 - Expenditure should offset the cost avoidance in uncompensated medical care
- **3.6 Build/Fund a Drop in Center and Permanent Supportive Housing:**
 - Build a drop-in center
 - Build permanent supportive housing
 - Resource ongoing operations
 - \$4.5 million in annual uncompensated care costs resulting from the treatment of Missoula's homeless by local hospitals
 - Advocate to legislature to allow Medicaid dollars to be used for housing
- **3.7 Fund Treatment Court:**
 - Fund Co-Occurring and Veterans Court
 - Costs are associated with personnel, drug/alcohol testing, and treatment services
 - Assist the court in finding grant funding for its ongoing operational expenses
 - Adopt best practices for measuring outcomes for participants, including recidivism measures
- **3.8 Implement DUI Court:**
 - Implement an evidence-based DUI Court for moderate and high risk individuals who can safely live in the community during participation
- **3.9 Improve Access to Prescription Medications:**
 - Ensure contracts for vendors for medical services at MCDF provide for the best continuum of care in and outside of MCDF
 - Contracts should ensure medical staff have mental health care credentials
 - Contracts should specify use of formulary that provides for individualized medication management plans that prioritize mental health stabilization

MISSOULA COUNTY JAIL DIVERSION MASTER PLAN

- Pursue collaborations with Partnership Health Center whenever possible
- Measure progress by periodically administering an inmate survey on the quality of medical or mental health care
- **3.10 Add Health Care Navigator to Detention Center:**
 - Jail staff should apply to the Center for Medicare and Medicaid (CMS) to become a Certified Application Counselor (CAC) organization
 - Implementation of this recommendation stands to yield significant cost savings in medical care for MCDF
- **3.11 Increase Number of Social Workers at Detention Center:**
 - Ensure funding for a minimum of two social workers and two case managers in the jail to assist with mental health services and diversion, programming, case management, re-entry planning, and applications for social service benefits
 - Explore repurposing space to accommodate the additional staff
 - These positions could be hard-funded by Missoula County and City, or the County could apply for state mental health jail diversion grants under HB 33 to fund these positions (or a combination of both)
 - State and local funding should be supplemented with other grant funding, as it becomes available
- **3.12 Increase Programming at Detention Center:**
 - Increase programming for inmates at the Detention Center
 - MCDC should solicit and facilitate programming from volunteer service providers in the community
 - Prioritize evidence-based programming demonstrated to reduce recidivism, improve participant mental and/or physical health and well-being, and otherwise improve participant outcomes
 - Prioritize culturally appropriate programming for Native American detainees, including those capable of addressing historical trauma
 - Programs may include education classes, classes on early childhood trauma and parenting, peer-to-peer programs, women-centered classes, and general skills classes
- **3.13 Allow Smudging Ceremonies at Detention Center:**
 - Accommodate smudging ceremonies important to several Native American tribes
 - Smudging is a healing and purification ritual that involves burning and smudging should be considered a routine offering at the jail

Pre-Sentencing Recommendations:

- **4.0 Improve Data Collection by Adding Booking Clerk at Detention Center:**
 - Have at least one person on shift at all times who is trained and collects in-depth booking data
 - Booking clerk should produce weekly reports to the Municipal, Justice, and District Courts that list detainees by court, with current length of stay, charge, and judge
- **4.1 Increase Court Hours:**
 - Work with judiciary to support increased court hours, including providing increased resources
 - Provide resources for increased hours for prosecution
 - Advocate to state to provide resources to increase hours that public defenders are available
- **4.2 Execute Nonviolent Warrants Primarily During Regular Court Hours:**
 - Stipulate that officers use discretion to execute nonviolent ordinance and misdemeanor warrants during regular court hours (when the individual does not pose a public safety threat)
 - Law enforcement should ensure individuals are not taken to jail before seeing a judge. (Exceptions might be if it is dangerous for law enforcement to remove the individual from the patrol car)
 - Recommendation does not imply that individuals pulled over for driving under the influence should be released before seeing a judge
- **4.3 Utilize Evidence-Based Risk Assessment:**
 - Judges should set bond based on an evidence-based risk assessment
 - Narrowly tailoring conditions of release to be the least restrictive
- **4.4 Prioritize court dates for jailed defendants:**
 - Judges should prioritize court dates for jailed defendants
 - This will come after the booking clerk starts providing weekly or bi-weekly reports to the courts regarding jailed defendants
- **4.5 Track Continuances:**
 - Advocate to the Public Defender Commission to track continuance requests for jailed defendants
 - Address underlying causes of continuances with defense counsel
 - OPD attorneys should prioritize jail visits for clients
 - OPD regional manager should monitor continuance request rates and address inconsistencies

- **4.6 Utilize Text Messaging:**
 - Use low-cost technology, such as text messages or auto-calls, to remind defendants of court dates
 - Advocate for the State to fund the purchase of a module in Full Court Enterprise that can send these messages
- **4.7 Run Low-level Sentences Concurrent:**
 - Low-level, municipal ordinance violations should run concurrent with a felony state sentence
- **4.8 Provide Pre-Sentence Assessment Immediately Upon Booking:**
 - Have trained staff at MCDF administer the PSA-Court assessment
 - Assessment and recommendations for conditions of release should be made available to the judge at the defendant's initial appearance
- **4.9 Provide Funding Source for Pre-trial Electronic Monitoring:**
 - Provide funding for judges to draw from to pay for pre-trial services for indigent offenders
 - Funding should follow the individual (no bulk contracts) and enable judges to order alcohol monitoring or drug testing
- **4.10 Increased Accountability for Private Supervision Programs:**
 - Either pay per person per day, or have a minimum number of supervisees per officer, to increase capacity
 - Require annual or twice-yearly reports on costs and failure rates, etc.,
 - Require policies on evidence-based incentives and sanctions from private providers
 - Have target success rate, working with a vendor for a compliance plan
 - Structure contract to ensure pre-trial supervision programs offer required classes on site and include them in the supervision fee

Sentencing and Post-Sentencing Recommendations:

- **5.0 Support Efforts to Eliminate Mandatory Minimums:**
 - Restore judicial discretion
 - Support legislation that eliminates mandatory minimums
 - Including DUI's, driving while suspended or revoked and petty theft,
 - Lobby for policies recommended by the Sentencing Commission that meet the goals of this plan and reduce DOC overflow at County jails
- **5.1 Utilize Evidence-Based Assessment of Ability to Pay:**
 - Institute an independent objective assessment process to determine a defendant's ability to pay fines and fees
 - Waive them appropriately

- **5.2 Monthly Billing Statements:**
 - Send billing statements to offenders notifying them of the outstanding debt and the consequences of non-payment
 - If a judge does suspend a license or issue a warrant for failing to comply with financial requirements of a sentence, he or she should keep data on the incidents
- **5.3 Institute Work Release:**
 - MCDF should institute a Work Release program
- **5.4 Allow Some Flexibility with Timesheets:**
 - Allow a 15-minute grace period for arriving late to a Work Program site. Currently, a participant who is even a few minutes late can be terminated from the program
 - Placement opportunities should exist for people with physical disabilities, and judges should be informed of these positions
- **5.5 \$15.00 per Hour Credit for Community Service:**
 - Increase credit for community service to \$15.00 per hour to incentivize participation
- **5.6 Increase Use of Alternative Jail:**
 - Provide a payment source for judges to sentence indigent offenders to Alternative Jail rather than the jail
- **5.7 Institute Evidence-Based Risk Assessment in Sentencing:**
 - Screen arrestees for risk level in order to determine conditions of release
 - Judges should also use the risk assessment to tailor sentencing options to the individual's level of risk
 - Misdemeanor probation should be used only with high risk offenders
- **5.8 Increase Transparency for Private Providers:**
 - Require contracted vendors to make available policies on sanctions and incentives.
 - Require an annual report detailing the per-person per-day cost of probation
 - Work with the jail to adopt and monitor recidivism outcomes
 - Contracts should also be explicit in classes that may be required by participants
 - Classes should be included in the contracted cost and be made available on evenings and weekends

➤ **5.9 Increase Use of Electronic Monitoring:**

- Implement a home arrest monitoring program and electronic monitoring program for moderate risk offenders such as some people found guilty of DUI's
- Run by the jail or through a private provider
- Sentencing option should not be contingent upon an offender's ability to pay

➤ **5.10 Provide Re-entry Assistance at Detention Center:**

- Provide for at least one SOAR-certified re-entry assistant to work with the jail population with public benefit applications and re-entry plans that include housing and employment options
- SOAR-certified staffer can assist in having benefits properly suspended upon incarceration – when necessary – rather than terminated
- Annual savings to the Medicaid expansion to the jail population (for 24-hour medical treatments outside the jail) should be reinvested in this re-entry position

Jail Diversion Master Plan Update
April 18, 2018

Missoula City and County adopted the Jail Diversion Master Plan (JDMP) brought forth by Sheriff McDermott in November of 2016 and have been evaluating the 40 recommendations for non-assaultive defendants with an eye to timing, potential partners and funding. This first year has been characterized by making operational and low- or no-cost changes while beginning discussions and building partnerships around the forward movement of some of the more complex, expensive recommendations, such as a drop-in center and permanent supportive housing. It is important to keep in mind that those with non-assaultive charges only generate a portion of the inmate population in the Missoula County Detention Facility (MCDF). From July-December 2017, although they accounted for 41.7% of bookings, snap-shots of non-assaultive defendants in custody on the first day of each month reveal they made up 30.8% of the population. The average length of stay for this population was 8.5 days compared to 13 days for the overall population. Non-violent misdemeanors (the misdemeanor sub-set of non-assaultive charges) accounted for 30.4% of total bookings during this same period, but were only an average of 2.9% of the population on the first day of each month and had an average stay of 3 days. In the JDMP, recommendations for the non-assaultive population were categorized as behavioral health, pre-sentencing, and post-sentencing.

Four recommendations around behavioral health involve Crisis Intervention Teams (CIT), including providing resources, working with hospitals, engaging in statewide efforts, and encompassing cultural humility in CIT training. Both City and County first responders and community stakeholders are active in CIT and continue to address these recommendations. It was also advised that emergency detention units be built. With support from State and County funding, Western Montana Mental Health Center constructed two involuntary emergency detention beds with compassionate and professional supervision for people in a mental health crisis. Justice of the Peace Landee Holloway currently oversees a DUI court and has applied for a grant to advance plans to implement an evidence-based model, as suggested by the JDMP. Sheriff McDermott recently issued a request for proposals (RFP) and plans to award the \$1.2 million medical contract for MCDF to Planned Parenthood, which will address three additional behavioral health recommendations by 1) improving access to prescription medications through an alternate formulary and adding four hours a week of a medical provider specially trained in the diagnostics and prescribing of psychiatric medications for complex cases, and 2) providing a healthcare navigator who also 3) performs re-entry assistance through coordinating community resources for inmates upon release.

In March, Missoula County was awarded funding for a Supportive Housing Program for returning citizens through the Montana Board of Crime Control (MBCC). Promoting the use of a Housing First model, the MBCC sought applications that could help provide housing for individuals returning to their community. Missoula County was one of four counties to receive funding and will work with the District XI Human Resource Council to staff a Re-entry Case Manager and a Housing Stability Coordinator, as well as provide a limited amount of rental assistance funds.

The JDMP goes on to recommend additional social workers and programming in MCDF to create better outcomes for inmates. Under Sheriff McDermott's leadership, MCDF has begun bringing in several groups to aid in providing incarcerated individuals services, such as yoga and parenting classes, and has built an

in-house behavioral health team. Providing behavioral health treatment in the jail is a daunting task. In 2017, 59 chemical dependency evaluations were completed by the half-time licensed addiction counselor (LAC), out of 98 requests. The LAC is one of 3.5 staff positions on the team at MCDF. Also in 2017, 252 juveniles were seen in group and individual mental health sessions, as were 2,380 adult individuals. Of these, 43% were identified to meet the criteria of severe and disabling mental illness, 38% identified as homeless, and 43% had a co-occurring disorder. This staff responded individually to 3,692 mental health requests from inmates. Further, 133 suicide assessments were completed and 39 individuals were diverted from MCDF to a mental health facility. The caseload is overwhelming, and discussions are ongoing about what additional positions would be the most efficient use of funding to provide the most relief in workflow and community need. The provision of mental health services, including re-entry assistance and case management, helps link exiting inmates to services in the community to reduce recidivism and support the development of productive citizens.

In 2017, Missoula County was awarded a 15-month grant to address the disproportionate number of Native Americans incarcerated at MCDF by conducting culturally-sensitive interviews of inmates who identify as Native American to gather their perception and experience with services, their engagement with cultural identity, and how incarceration may affect their life plans; introducing cultural programming within MCDF; and providing cultural safety training to all MCDF staff. This aligns with the JDMP recommendation to increase culturally appropriate programming at MCDF and can help provide guidance for future work to reduce recidivism.

Evaluations of several of the pre-sentencing recommendations have shown that conditions do not currently support pursuit. For example, instead of adding a booking clerk at MCDF as recommended, Missoula County supported the hiring of four additional detention officers to maintain full staffing in this high turnover position to ease time constraints that restrict collection of accurate booking data. Increased court hours would be difficult; court staff and judges, public and private attorneys, public defenders, and transport staff would have to work alternate hours and incur increased personnel costs. Since there is not consensus that implementation would yield better outcomes, this recommendation will not be enacted without further research. A work release program will not be feasible until MCDF is consistently less than 80-90% full, and work program flexibility may take the form of scheduling adaptability or alternate sanctions versus program removal rather than the recommended flexibility with arrival time. Law enforcement will continue to execute nonviolent warrants primarily during court hours to keep those costs low and reduce unadjudicated jail time, and judges will continue to prioritize court dates for jailed defendants in most circumstances as recommended. Defendants will continue to receive notifications of non-payment and consequences from the court in lieu of monthly billing statements.

The JDMP recommended crediting individuals \$15 an hour for community service. This was implemented in both Justice Courts and Municipal Court on April 1; judges simply adjusted the hours required based on the hourly credit to eliminate the individual's debt owed. Increased accountability for private supervision programs like pre-trial supervision, as well as for post-sentencing programs such as misdemeanor probation and community service were recommended, as were increased electronic monitoring and use of an evidence-based risk assessment. Missoula County is releasing an RFP this quarter that will address these recommendations.

Beginning in April, Missoula will attend to several recommendations by piloting a pre-trial diversion program by the Montana Supreme Court. The 2017 legislature mandated the use of an evidence-based risk assessment and made recommendations for managing defendants who are released awaiting trial. The Arnold Foundation was contracted to develop this project to maximize public safety, court appearance, and the appropriate use of bail, release and detention. Judges will have the Public Safety Assessment, a risk assessment tool that analyzes each defendant's current and prior criminal conduct and previous failure to appear in court, available as a part of their decision-making process. Research-based factors, including a focus on violent offenses, provides a judge with information about whether a defendant can be successful in the community while awaiting trial. Therefore, this addresses more than just the sub-population targeted by the JDMP and will be performed on all people with new criminal charges booked into MCDF. After refining, the tool will be utilized statewide. Missoula County will receive state funding to assist defendants awaiting trial to remain law-abiding, at work and participating in necessary support services. This effort will also satisfy another recommendation by including text messaging court reminders to defendants. Implementing an evidence-based risk assessment is a significant step towards reaching national best practices in justice systems as well as accomplishing recommendations of the JDMP.

Although this update does not address every recommendation, it provides an overview of what has been done in the past year regarding non-assaultive defendants. There has been success on several fronts. Moving forward, we will push into the more expensive and complex strategies that will have positive impacts on other sub-populations as well. The City, County and multiple community-based private and non-profit groups have partnered on the issue of attainable housing. State funding for mental health services was severely cut last session, and the community is grappling with how to move forward with integrated community care. As we know too well, lack of housing, mental health care, and substance abuse treatment are drivers of crime and recidivism. We appreciate the support from the community while building these initial efforts, and look forward to the continued positivity and collaborative spirit of Missoula as we work towards long-term goals and outcomes.

Respectfully submitted,

Nicole "Cola" Rowley PhD, Missoula County Commission
Michelle Cares, Missoula City Council

Item Information



Title:		Joint meeting of the Missoula County Board of County Commissioners and the Missoula City Council			
Item #:		Status:	Held in Committee		
Type:		#:	COW		
Version:	4 th	Sponsor:	Michelle Cares		
Meeting Date:	1/1/2050	Ward:	Ward 1, Ward 2, Ward 3, Ward 4, Ward 5, Ward 6		
Meeting Type:	COW Referrals Held in Committee		Video:	<i>No Video Available</i>	
Attachments:					

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				2/13/2017	City Council
2nd			Held in committee	3/15/2017	COW
3rd			Held in committee	4/18/2018	COW
 4th			Held in Committee	1/1/2050	COW Referrals Held in Committee

Vote Records

No voting recorded

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: COW

Agenda item title: Max Wave Project and Permitting Update

Date: May 4, 2018

Sponsor: Bryan von Lossberg

Prepared by: Bryan von Lossberg

Ward(s) affected: All

Action Required: None

Recommended Motion: None

Timeline:

Referred to committee:	May 4, 2018
Committee discussion:	May 9, 2018
Public hearing (if necessary):	N/A
Deadline:	N/A

Background and Alternatives Explored:

Brennan's Wave maintenance and the Max Wave project were last reviewed in COW over three years ago on Feb. 18th, 2015.

Volunteers and a local non-profit built the Brennan's Wave whitewater park structure in 2006. That initial construction, as well as the long-term viability of the structure, involved and continues to require substantial design, permitting, and maintenance activities. There are also long-term ownership and liability considerations. While construction of Brennan's Wave occurred outside of city government's jurisdiction, public funding from the Missoula Redevelopment Agency benefitted the project.

A follow up project downstream and in the vicinity of Broadway Island — Max Wave — has been under development and review for several years. A permit application for the Max Wave project was submitted to the US Army Corps of Engineers and Montana Department of Environmental Quality around the beginning of 2018. Brennan's Wave, Inc. and the City of Missoula are identified as co-applicants on the permit application. The Corps issued a public notice of a 30-day public comment period on April 13, 2018, and that public comment period closes May 14, 2018.

From the Public Notice:

The application of The City of Missoula and Brennan's Wave, Inc. for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska. **The project described herein is not being proposed by the Corps, but by the applicant; the Corps will evaluate the proposed work to determine if it is permissible under current laws and regulations.**

Description of Proposed Project: The City of Missoula and Brennan's Wave, Inc. are proposing to construct, operate, and maintain a whitewater drop structures to be known as

the Max Wave. The proposed project is located at the Flynn-Lowney Diversion on the Clark Fork River in downtown Missoula, Montana. The Max Wave will be located adjacent to Ogren Park Allegiance Field and immediately downstream from McCormick Park and the All-Abilities Playground. The goal of the Max Wave project, as stated by the applicants, is to provide a recreational venue while enhancing safe boater passage, providing safe access to those with accessibility needs, maintaining the ditch company's ability to divert flows, restoring heavily impacted streambanks, and maintaining passage for bull trout and other fish.

Since the public notice issued in 2015 which advertised the proposed Max Wave project, the following change have been made:

- Elimination of a wave feature at the lower section to allow for a widened AOP channel.
- Increased complexity and variation to create holding pockets and cover in the AOP channels.
- Reduction and limitation on the use of grout.
- Commitment to inclusion of a fish screen on the irrigation ditch as a form of mitigation for the project.
- Additional information on riparian vegetative efforts.
- Incorporation of a 2-dimensional hydraulic model with comprehensive results and analysis.
- Modification of Aquatic Organism Passage channels to reduce velocities for fish passage.
- Reduction of trail width and incorporation of additional vegetation at the two access points.
- Reduction in size of the deflector on the north bank.
- Development of an operation and maintenance plan.

The Public Notice contains additional project details and schematics and can be accessed at the link below.

This project is of great interest and consequence to the community, and there are many stakeholders and organizations that play a role in the complex design, evaluation, permitting, operations, and maintenance process. Given that the 30-day public comment period associated with the permit application before the US Army Corps of Engineers is currently open and scheduled to close on May 14th, this committee meeting is timely.

Representatives from Brennan's Wave, Inc. and Morrison Maierle will provide an overview and history of the project.

Representatives from the Confederated Salish and Kootenai Tribes will present regarding CSKT's role in the USACE permit process.

There are several other permitting, or otherwise involved, agencies. Representative from the following organizations will be available to answer questions:

- Montana Fish Wildlife & Parks (MT Stream Protection Act - SPA 124 Permit - agency),
- Montana Department of Natural Resources and Conservation (Right of Way Easement),
- US Fish and Wildlife Service (Endangered Species Consultation; invited but unconfirmed),
- City of Missoula Floodplain administration,
- City of Missoula Parks and Recreation.

Additionally, representatives from the Clark Fork Coalition and Montana Trout Unlimited will be present.

Financial Implications: Undetermined at this time.

Links: Project posting at the US Army Corps of Engineers -
<http://www.nwo.usace.army.mil/Media/Public-Notices/Article/1491475/nwo-2010-01566-mtm/>



**US Army Corps
of Engineers®**

Omaha District

PUBLIC NOTICE

Application No: NWO-2010-01566-MTM

Applicant: City of Missoula & Brennan's Wave, Inc.

Waterway: Clark Fork River

Issue Date: April 13, 2018

Expiration Date: May 14, 2018

30 DAY NOTICE

Missoula Regulatory Office 1600 North Avenue West, Suite 105 Missoula, Montana 59801

JOINT PUBLIC NOTICE FOR PERMIT APPLICATION SUBMITTED TO U.S. ARMY CORPS OF ENGINEERS AND MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

The application of The City of Missoula and Brennan's Wave, Inc. for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska. **The project described herein is not being proposed by the Corps, but by the applicant; the Corps will evaluate the proposed work to determine if it is permittable under current laws and regulations.**

Description of Proposed Project: The City of Missoula and Brennan's Wave, Inc. are proposing to construct, operate, and maintain a whitewater drop structures to be known as the Max Wave. The proposed project is located at the Flynn-Lowney Diversion on the Clark Fork River in downtown Missoula, Montana. The Max Wave will be located adjacent to Ogren Park Allegiance Field and immediately downstream from McCormick Park and the All-Abilities Playground. The goal of the Max Wave project, as stated by the applicants, is to provide a recreational venue while enhancing safe boater passage, providing safe access to those with accessibility needs, maintaining the ditch company's ability to divert flows, restoring heavily impacted streambanks, and maintaining passage for bull trout and other fish.

Since the public notice issued in 2015 which advertised the proposed Max Wave project, the following change have been made:

- Elimination of a wave feature at the lower section to allow for a widened AOP channel.
- Increased complexity and variation to create holding pockets and cover in the AOP channels.
- Reduction and limitation on the use of grout.
- Commitment to inclusion of a fish screen on the irrigation ditch as a form of mitigation for the project.
- Additional information on riparian vegetative efforts.
- Incorporation of a 2-dimensional hydraulic model with comprehensive results and analysis.
- Modification of Aquatic Organism Passage channels to reduce velocities for fish passage.
- Reduction of trail width and incorporation of additional vegetation at the two access points.

- Reduction in size of the deflector on the north bank.
- Development of an operation and maintenance plan.

The Max Wave project consists of two grouted rock drop structures anchored to the south shore and West Broadway Island. The Project Overview Plan is provided immediately following Section 5.0 References. Drop structure #1 consists of a 60-foot wide play wave, a 75-foot wide aquatic organism/novice boater passage, a headgate island and a 110-foot wide diversion overflow channel. Drop structure #2, which is downstream of drop structure #1, consists of a 60-foot wide play wave and a 75-foot wide aquatic organism passage. Additional improvements downstream of drop structure #2 include a barb on both the south (river left) and a deflector on the north banks (river right). The southern barb consists of terraced seating and serves to protect the City's new boat ramp, providing slower water for recreationists behind the barb. Similarly the north bank deflector is designed to create slower water along the north shore thereby protecting the existing beaches established along the shoreline of West Broadway Island while providing a swimming and viewing area.

Each whitewater drop structure will be constructed with a hydraulic drop. The drop structures will consist of native stone boulders with the voids between the boulders filled with grout. The drop structures will be oriented to direct flow towards the center of the river away from the boat ramp and island beaches. The pools following each drop structure will be armored with type H rip rap.

A headgate island will be constructed on the northern edge of drop structure #1. This island will anchor the northern edge of the drop structure to West Broadway Island in addition to ensuring sufficient water levels for the Flynn-Lowney Diversion. The headgate island will be constructed with ungrouted boulders and will be a more stable structure than the irrigation company has used in the past, thereby eliminating the need for regular maintenance as currently occurs. A 110-foot wide diversion overflow channel will be situated as part of this headgate island for high flow scenarios.

A roughened channel with no hydraulic drop known as the aquatic organism passage (AOP) will be situated north of the whitewater play waves and will also serve as a route for novice boater passage. The AOP will be in two sections, each bypassing the two drop structures. Each AOP section will be approximately 75 feet wide and will continue downstream past the whitewater features with a long gradient decline. The AOP channels are terraced to provide hydraulic variation in velocity rates for a given flow rate. Roughening of the channel bottoms is incorporated to provide resting places.

Access to the wave is anticipated to be primarily from the south bank from the Silver Park boat ramp and river trail. The existing concrete slabs lining the sides of the river will be removed and replaced with terraced boulder seating adjacent to each of the drop structures. These terraced areas will incorporate planting pockets for trees and native vegetation. A 8-foot wide concrete ADA-compliant trail will connect the adjacent gravel river trail to each of the drop structures. These concrete ADA-compliant trails will have a maximum slope of 5% and will terminate in a put-in and viewing area. These trails will be located in expected high traffic areas to minimize stream bank disturbance.

The deflector and barb are designed to protect the existing boat ramp and existing beaches along West Broadway Island. These features will be built with similar material to the whitewater drop structures and will extend into the river. The features are located beneath the ordinary high water mark line.

Large random boulders are shown on the plans and are intended to be placed in slower water areas to provide eddies for fish and recreationists. These boulders are to be large enough and located in protected areas where the river will not move them.

Besides installation of new features, the project involves removal of undesirable materials currently located in the river and riparian banks. The riparian banks on the south side of the Clark Fork River includes what appears to be one layer concrete slab debris. The current river velocities along the south bank are high due to the location of the channel thalweg along the bank and it is presumed that the concrete slabs were placed to prevent soil erosion. The proposed project adjusts the thalweg of the channel away from the south bank towards the center of the channel. With the reduction of velocities along the bank, it is proposed that the concrete debris is removed. The existing diversion is a conglomeration of non-anchored riprap, metal, and concrete jersey barriers. The presence of rebar has also been reported. The proposed project will remove all identified rebar, metal, concrete jersey barriers and other found material and replace with appropriately sized rock with grout for stability.

Construction will occur between September and February to ensure low flows and minimal impact to the irrigation flows of the adjacent Flynn-Lowney irrigation system. A two stage cofferdam will be constructed splitting the project into south and north halves. The stage one cofferdam will isolate the south half of the project from the river, allowing dry construction of the south shore improvements and the whitewater play waves. Final design of the cofferdam is not available yet but it is expected that the cofferdam will consist of large boulders stacked upon each other. These boulders are anticipated to generate minimal turbidity. Once the boulder wall is completed and the interior of the work has been isolated, finer material will be added to the dry side of the cofferdam to reduce cofferdam leakage. Groundwater and water that penetrates the coffer dam will be collected and pumped to settling ponds before being discharged to the river at the downstream end of the project. Hydraulic models show that the size of the river area to the north is sufficient to pass winter flows. Following construction of the southern half, the river will be flipped to the southern side and the north half will be isolated using a similar style cofferdam.

Fill Material Below the Ordinary High Water Mark

Structure	Fill Area (SF)	Cobble Base Volume (CY)	Type H Rip Rap (CY)	Boulder Volume (CY)	Grout/ Concrete Volume (CY)	Total Volume (CY)
Structure 1	19,868	0	460	750	405	1,615
Structure 2	16,895	0	365	640	340	1,345
Diversion Overflow	13,907	260	N/A	810	545	1,615
New Deflector	3,886	N/A	N/A	380	N/A	380

A location map and drawings are attached to this notice. A copy of this public notice and a complete set of drawings is also available at <http://www.nwo.usace.army.mil/html/od-rmt/pn/pn.html>.

Location: The proposed project is located in the city of Missoula on the Clark Fork River at the Flynn-Lowney Diversion between the Orange Street Bridge and the California Street Pedestrian Bridge, Section 21, Township, 13 North, Range 19 West, Missoula County, Montana (Lat/Lon: 46.8757/-114.00626).

Purpose: The applicants' project purpose is to replace an existing irrigation diversion structure (Flynn-Lowney Diversion) and to provide recreational opportunities in the Clark Fork River. The project also provides Americans with Disabilities Act (ADA) - compliant access to the river and expands recreational opportunities to those with accessibility needs. The existing structure is a rip-rap rock weir that has been reinforced with scrap metal, rebar, and jersey barriers which has resulted in an unsafe structure. The in-channel debris will be removed and the diversion will be reconstructed into a safer, more stable structure that will continue to serve water rights users. The proposed project, the Max Wave, will also accommodate in-stream drop structures, known as whitewater play waves, which will provide recreational and spectator opportunities in downtown Missoula. A deflector will be built to slow velocities near the existing take-out near Silver Park. Terraces will be incorporated along the bank to provide access for spectators. An aquatic organism passage channel has been incorporated to the design.

Mitigation: Avoidance, Minimization and Compensation. The applicant is proposing to avoid and minimize impacts to the Clark Fork River by undertaking construction activities on site in the low flow conditions and utilization of construction BMPs and has stated in the application that rock and grouted features have been minimized. The project is located within the service area of the Upper Clark Fork Stream Mitigation Bank. The applicants are proposing on-site permittee responsible compensatory stream mitigation by augmenting existing vegetation on approximately 4.4 acres of West Broadway Island (WBI) which is owned by the city of Missoula and through the incorporation of a fish screen onto the Flynn-Lowney headgate. The Corps will evaluate the proposed mitigation plan to ensure compliance with 33 CFR Part 332.

Fill material in wetlands is limited to less than 0.1 acre (3,440 square feet) and compensatory wetland mitigation will not be required.

401 Water Quality Certification: The Montana Department of Environmental Quality, 1520 East 6th Avenue, PO Box 200901, Helena, Montana 59620-0901 will review the proposed project with the intent to certify in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The Montana Department of Environmental Quality hereby incorporates this public notice as its own public notice and procedures by reference thereto.

Cultural Resources: The Corps is lead federal agency for determining compliance with Section 106 of the National Historic Preservation Act for this project and will complete a cultural resource review of the project site in conjunction with their obligations under Section 106 and the National Environmental Policy Act. The Omaha District is currently reviewing information in order to determine the presence of eligible properties and effect determinations.

Threatened / Endangered Species: The Corps is the lead federal agency for determining compliance with the Endangered Species Act. Listed species for Missoula County include: Grizzly Bear, Water Howellia, Canada Lynx, Bull Trout, Yellow-billed cuckoo, and Whitebark Pine. The project area does not contain suitable habitat for the Grizzly Bear, Water Howellia, Canada Lynx, and Yellow-billed cuckoo. The Corps has made a no effect determination for Grizzly Bear, Water Howellia, Canada Lynx, and Yellow-billed cuckoo. The Clark Fork River is designated critical habitat for bull trout. The Corps will consult with the USFWS for effects to bull trout and bull trout critical habitat. ESA consultation will be completed prior to the Corps permit decision.

Evaluation Factors: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of work on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 C.F.R.; Part 230).

Comments: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. All public notice comments will be considered public information and will be subject to review by the applicant.

Any person may request, in writing and within the comment period specified in this notice, that a public hearing be held for the purpose of gathering additional information. Requests for public hearings must be identified as such and shall state specifically the reasons for holding a public hearing and what additional information would be obtained. The request must be submitted to the U.S. Army Corps of Engineers, 1600 North Avenue West, Suite 105, Missoula, Montana. If it is decided that additional information is required and that a public hearing should be held, interested parties will be notified of the date, time and location.

Any interested party (particularly officials of any town, city, county, state, or Federal agency; Indian tribe; or local association whose interests may be affected by the work) is invited to submit to this office written facts, arguments, or objections on or before the expiration date listed on the front of this notice. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this application. All replies to the public notice should be addressed to the

U.S. Army Corps of Engineers, 1600 North Avenue West, Suite 105, Missoula, Montana, 59801. Please reference the Application Number found on the first page of this notice in any correspondence. Christina Schroeder, telephone number (406) 541-4845, extension 322, may be contacted for additional information. You may also fax your comments to (406) 541-4849, or email them to: **Christina.L.Schroeder@usace.army.mil**

Comments postmarked after the expiration date of this public notice, or received by fax or e-mail after the expiration date, will not be considered. Comments left on our voicemail system will not be considered.

Statutory Authorities: A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act.

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS CLARK FORK RIVER, MISSOULA, MONTANA

FILE NO.	----	
APPLICANT	CITY OF MISSOULA	
LOCATION	CLARK FORK RIVER, MISSOULA, MONTANA	
	MISSOULA COUNTY	
DATE	JAN 11, 2018	DATE CREATED: SEP 2014
SHEET	1 OF 35	PREVIOUS REVISION: 9/14/17

PERMIT SET - NOT FOR CONSTRUCTION

ENGINEER:



GARY M. LACY, P.E.
RECREATION ENGINEERING AND PLANNING
485 ARAPAHOE AVE.
BOULDER, CO 80302
303-545-5883
INFO@BOATERPARKS.COM

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PROJECT LOCATION MAP

PROJECT LOCATION

LATITUDE 46°55'51"N LONGITUDE 117°09'16"W



485 ARAPAHOE AVE.
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WWW.BOATERPARKS.COM
(303)-545-5883

DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

PROJECT LEGEND AND NOTES
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO.
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
2 OF 35

LEGEND

BOULDER TERRACING OR RETAINING WALLS (UNGROUTED)	
STRUCTURE LOW FLOW (GROUTED)	
AQUATIC ORGANISM PASSAGE (SUB-SURFACE GROUT)	
AQUATIC ORGANISM TERRACES (UNGROUTED)	
GROUTED WING AND ISLAND (GROUT HELD BACK 6")	
GROUTED CUTOFF WALL (SUB-SURFACE GROUT)	
STRUCTURE POOL	

GENERAL NOTES

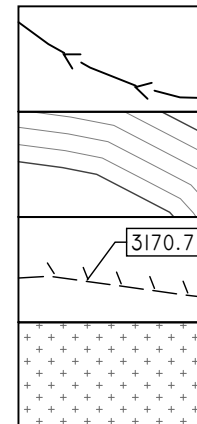
1. ALL ELEVATIONS GIVEN IN FEET ABOVE SEA LEVEL.
2. ROCK FILL/HATCH AND VEGETATIVE IMAGES SHOWN FOR ILLUSTRATIVE PURPOSES. NOT TO SCALE.
3. AN REP REPRESENTATIVE SHALL BE PRESENT DURING CONSTRUCTION OF ALL STRUCTURES AND TERRACING.
4. ALL STRUCTURE CREST AND EXIT ELEVATIONS ARE APPROXIMATE AND WILL BE CONFIRMED BY AN REP REPRESENTATIVE PRIOR TO CONSTRUCTION.

THALWEG AND
DIRECTION OF FLOW

EXISTING
CONTOUR LINES

ORDINARY HIGH
WATER MARK (OHWM)

WETLANDS

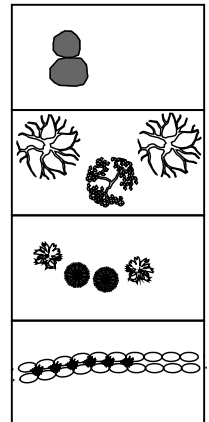


SELECT
LANDSCAPING BOULDER

TREE PLANTING
(SEE DETAILS)

SHRUB PLANTING
(SEE DETAILS)

WILLOW PLANTING
(SEE DETAILS)





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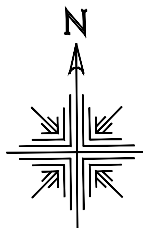
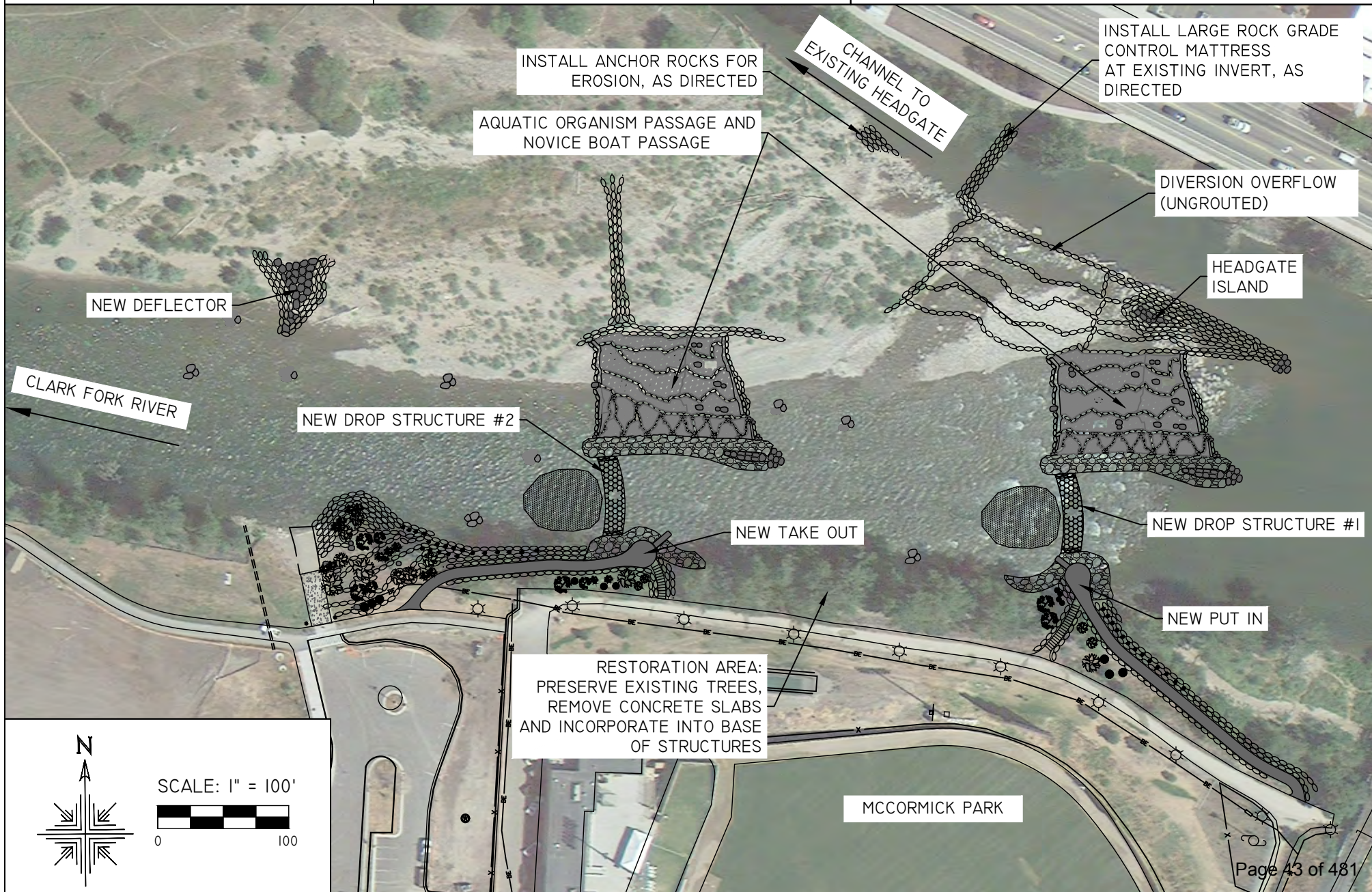
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DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

PROJECT OVERVIEW PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE JAN 11, 2018
SHEET 3 OF 35



SCALE: 1" = 100'



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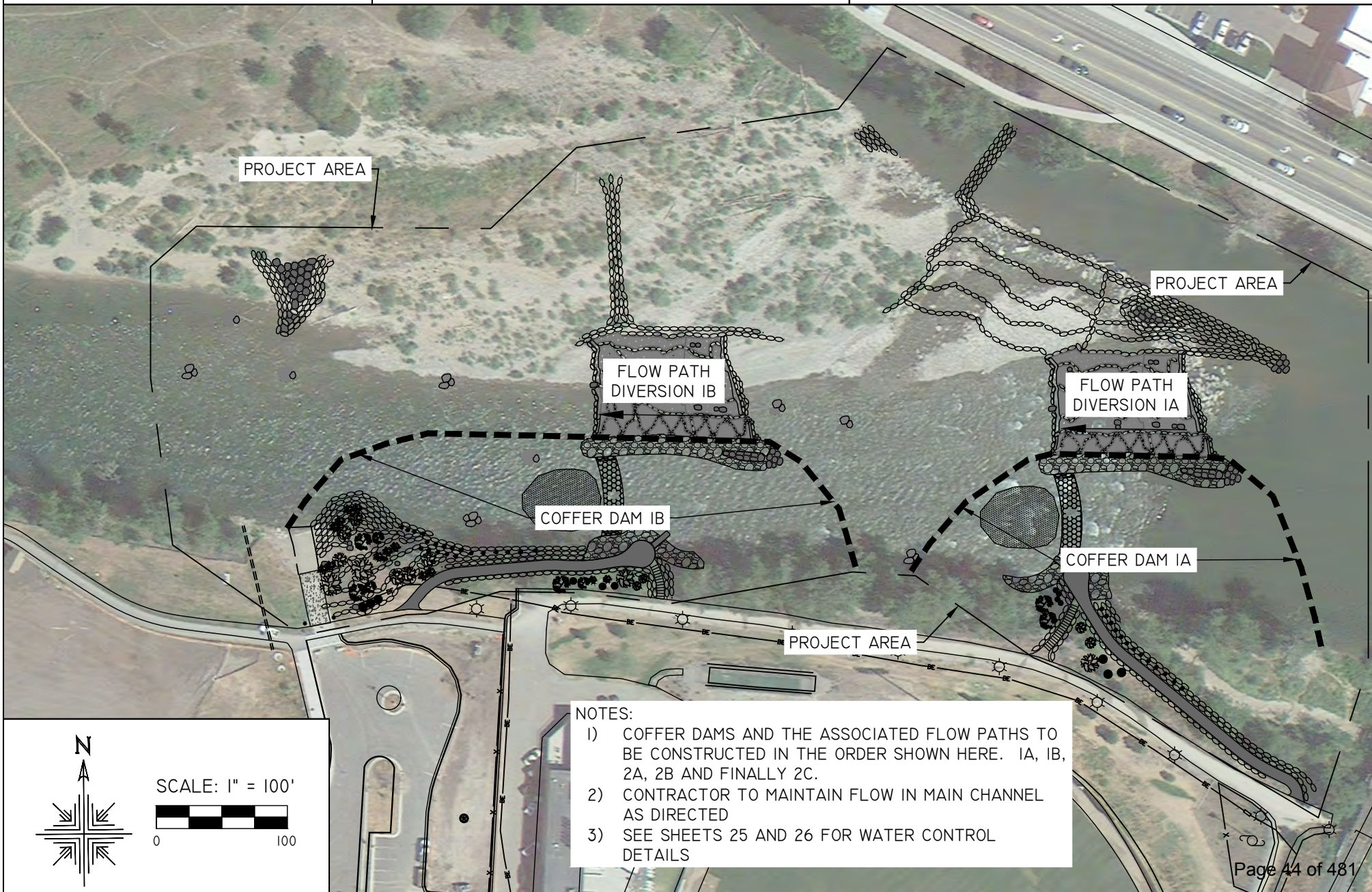
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DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

WATER CONTROL PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE JAN 11, 2018
SHEET 4 OF 35





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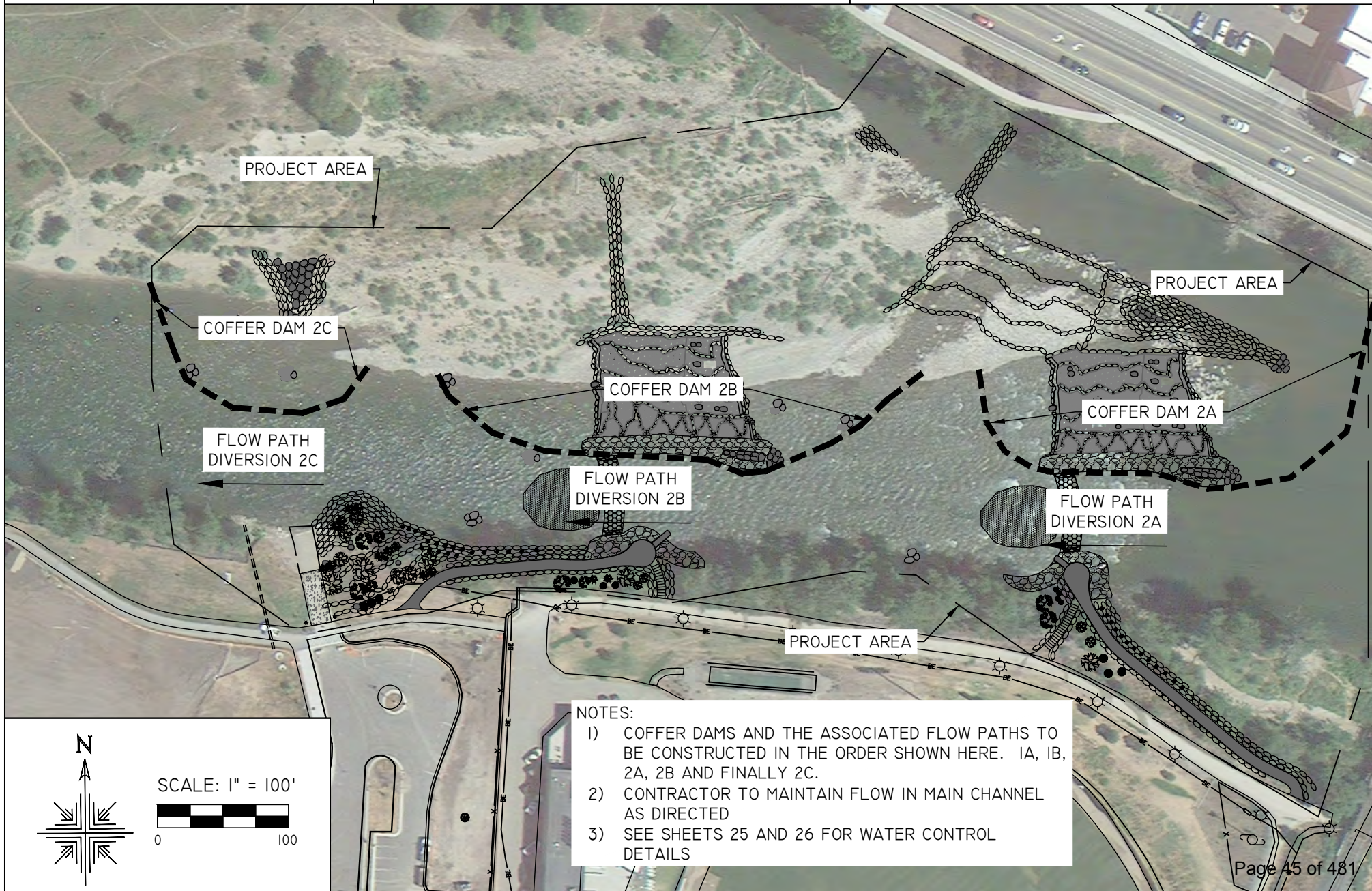
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DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

WATER CONTROL PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE JAN 11, 2018
SHEET 5 OF 35





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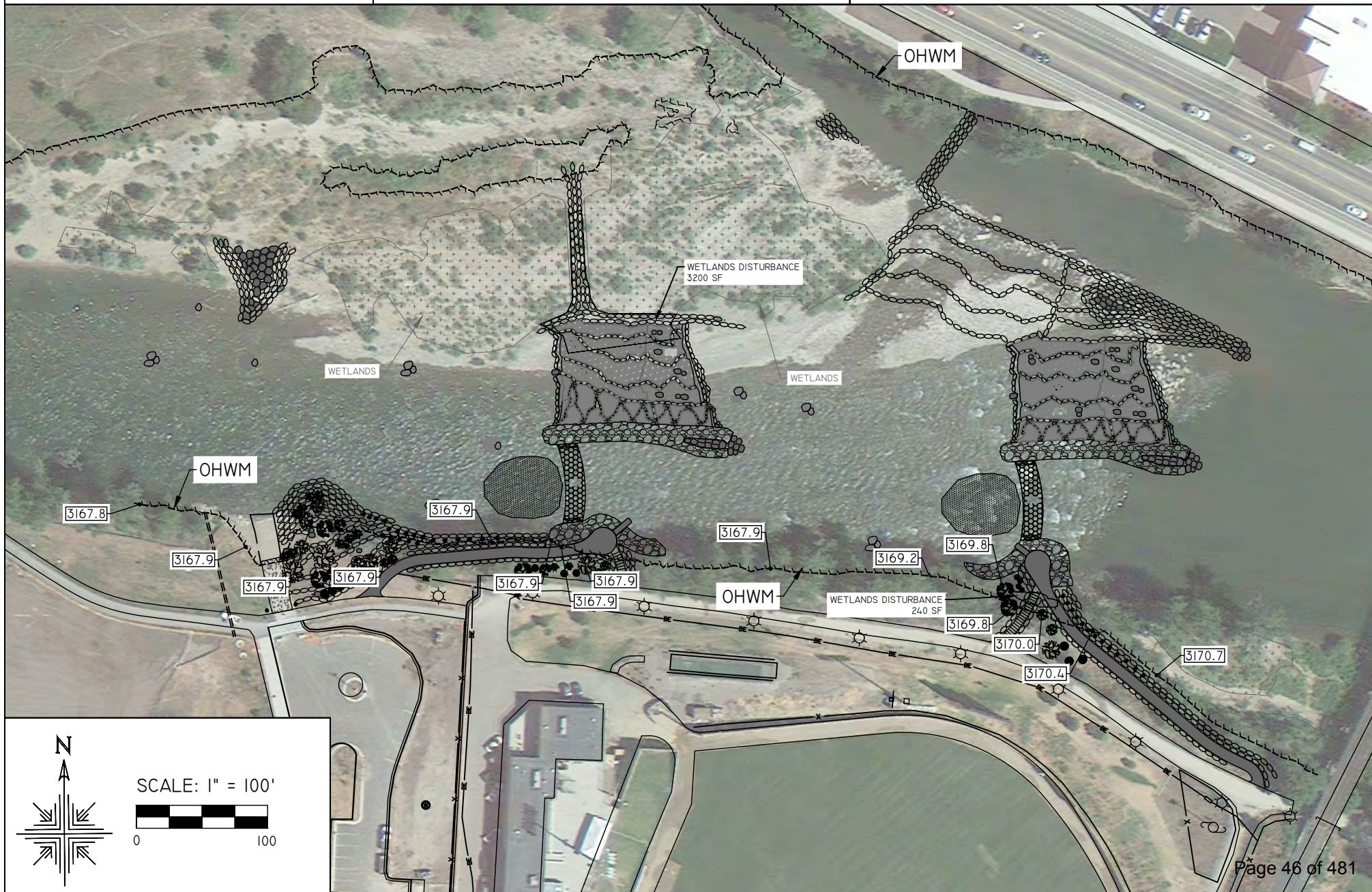
DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

WETLANDS AND OHWM
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO.
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
JAN 11, 2018
6 OF 35





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MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

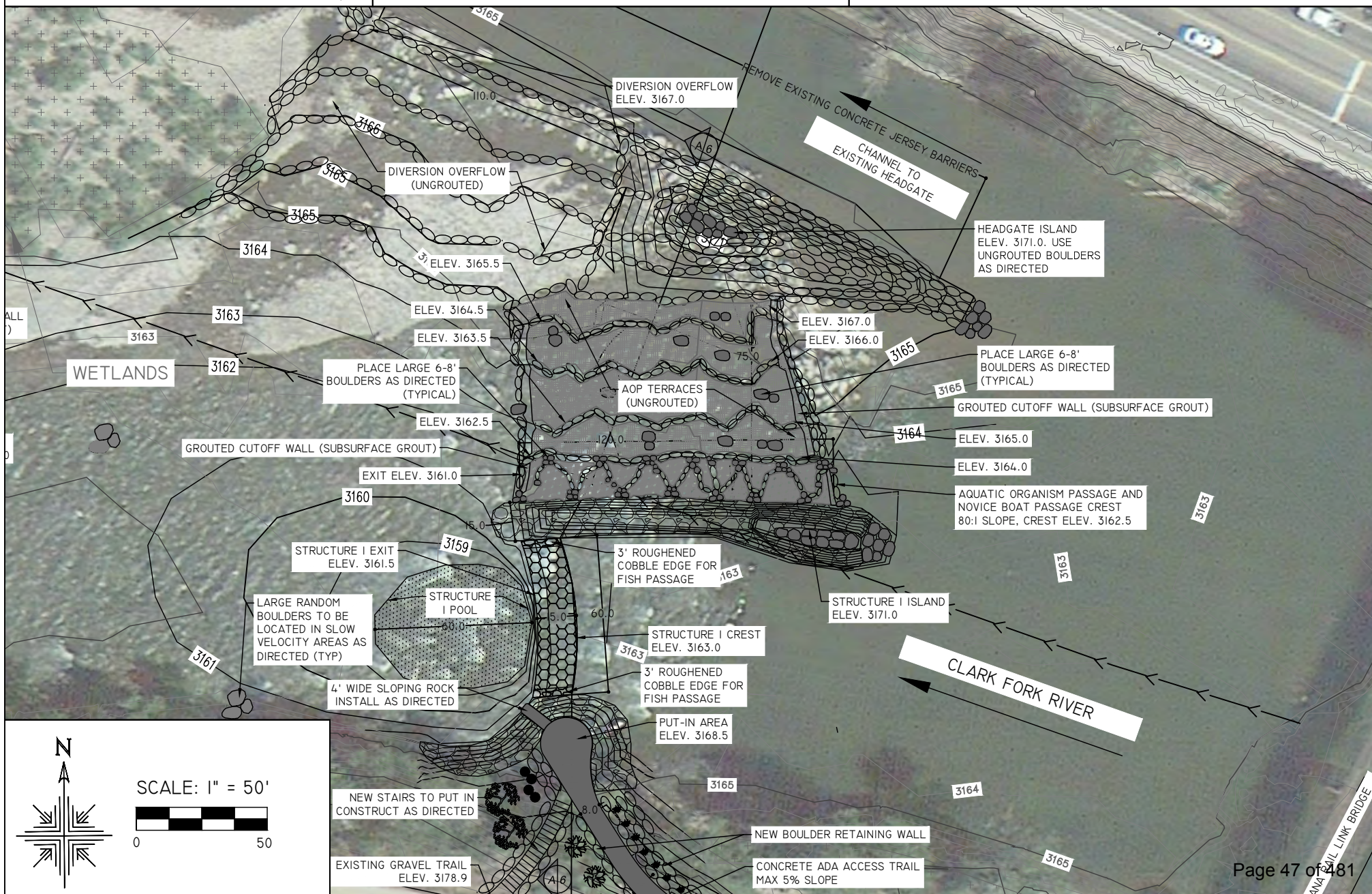
STRUCTURE #1 PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
7 OF 35





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MAX WAVE AT THE FLYNN-LOWNEY
DIVERSION WHITEWATER AND
RIPARIAN IMPROVEMENTS

STRUCTURE #1 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

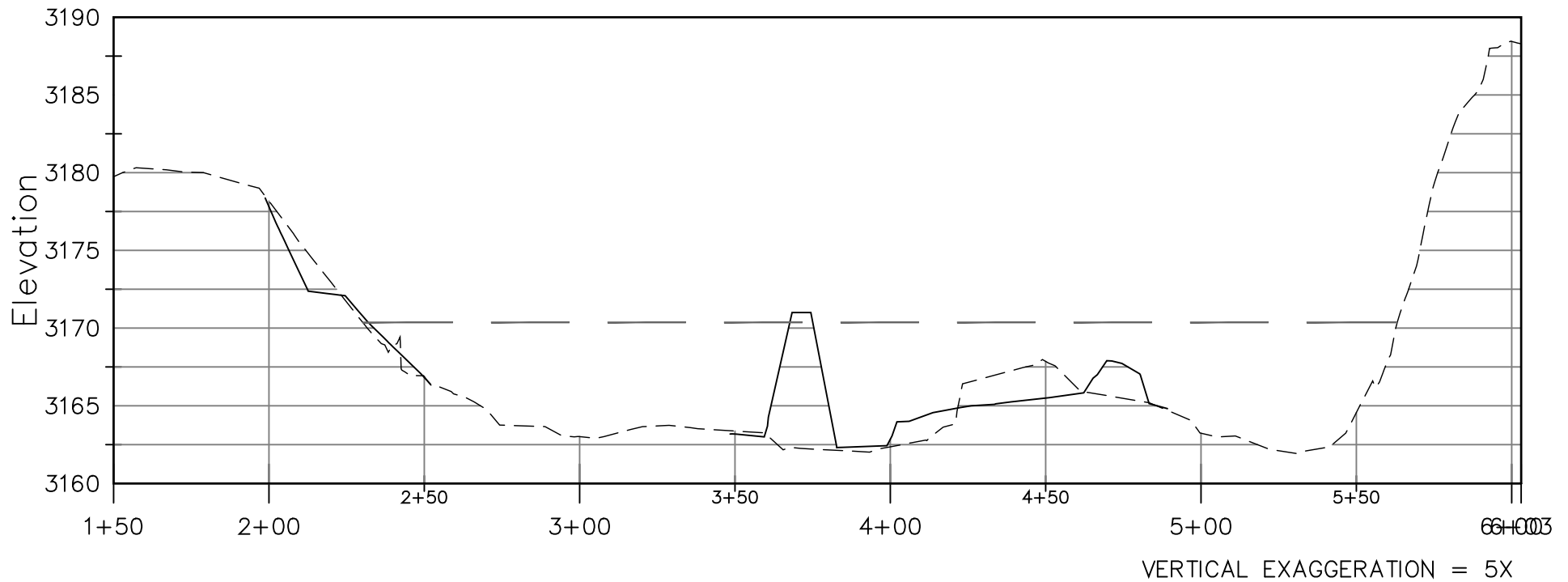
CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
8 OF 35

STRUCTURE #1 HEAD GATE ISLAND

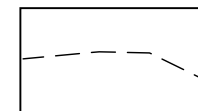
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SCALE: 1" = 50'



EXISTING GROUND



PROPOSED GRADE





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(303)-545-5883

DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

STRUCTURE #1 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

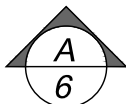
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CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

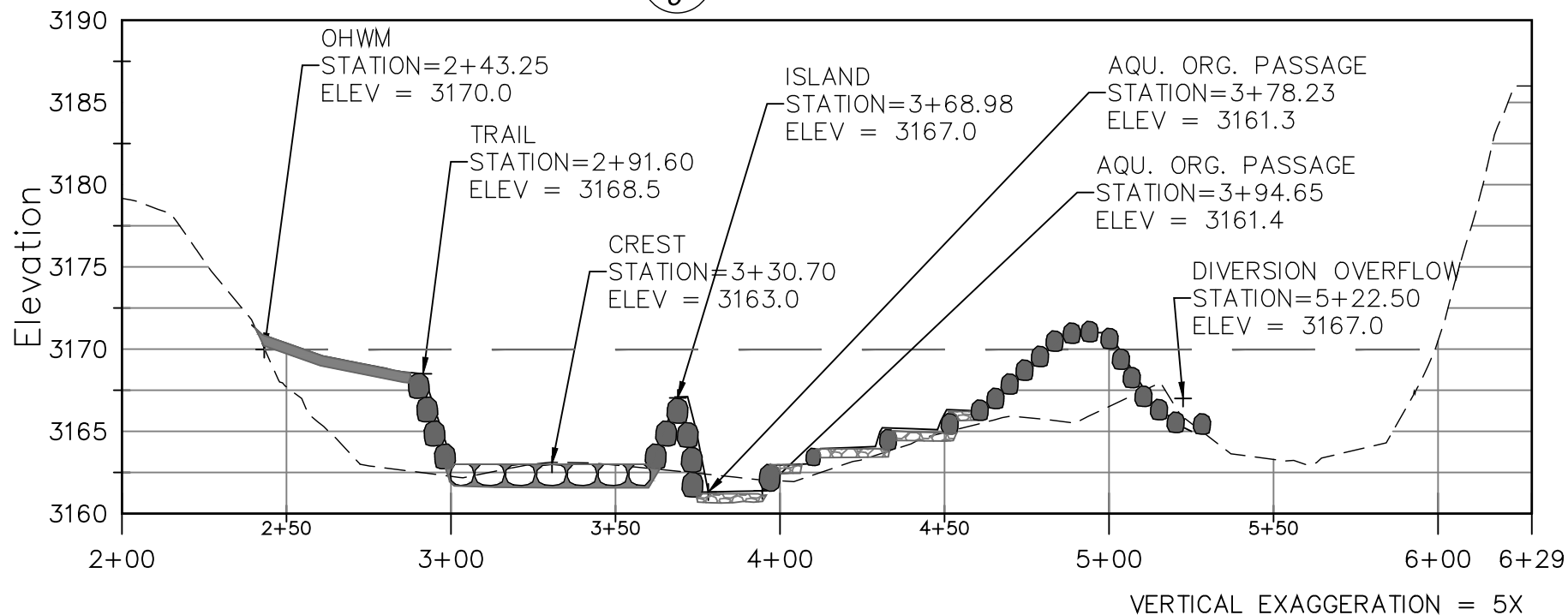
DATE
SHEET

JAN 11, 2018
9 OF 35

STRUCTURE #1 CREST



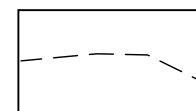
XS191670



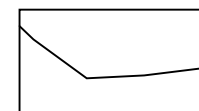
SCALE: 1" = 50'



EXISTING GROUND



PROPOSED GRADE





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(303)-545-5883

DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY
DIVERSION WHITEWATER AND
RIPARIAN IMPROVEMENTS

STRUCTURE #1 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

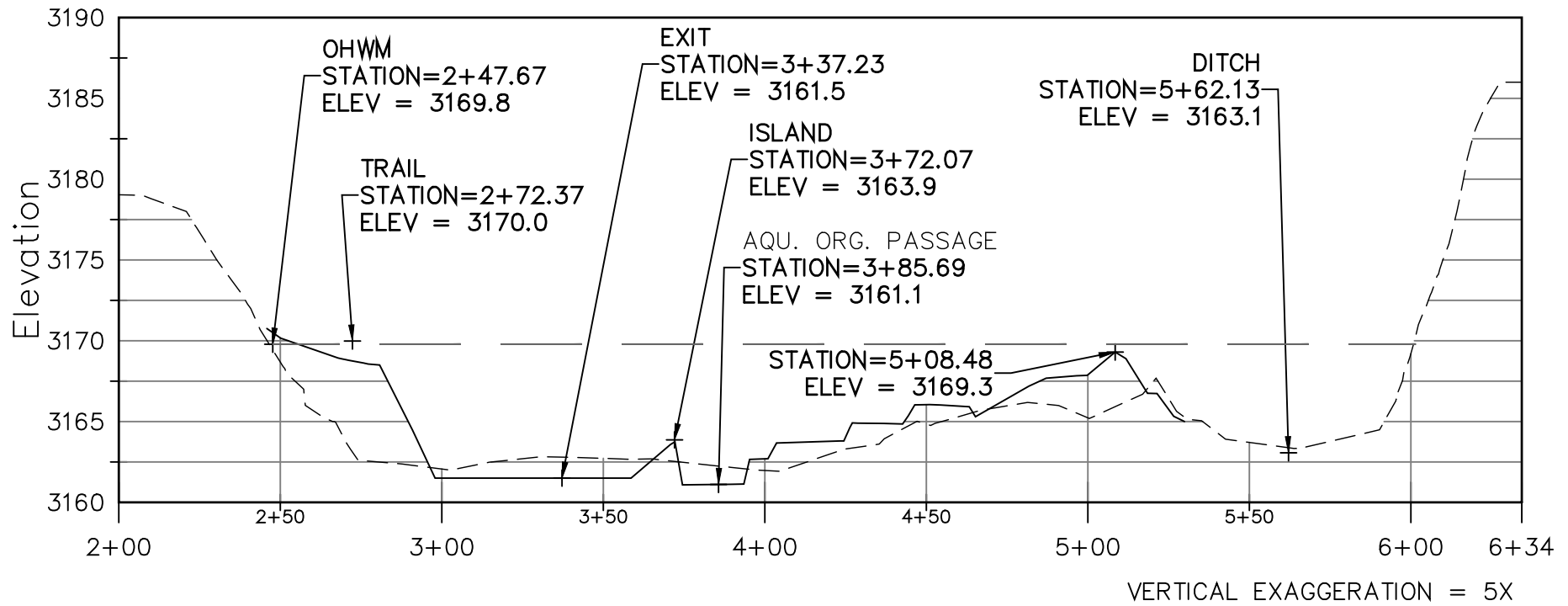
CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
10 OF 35

STRUCTURE #1 EXIT

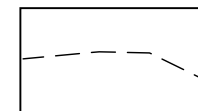
XS191650



SCALE: 1" = 50'



EXISTING GROUND



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STRUCTURE #1 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

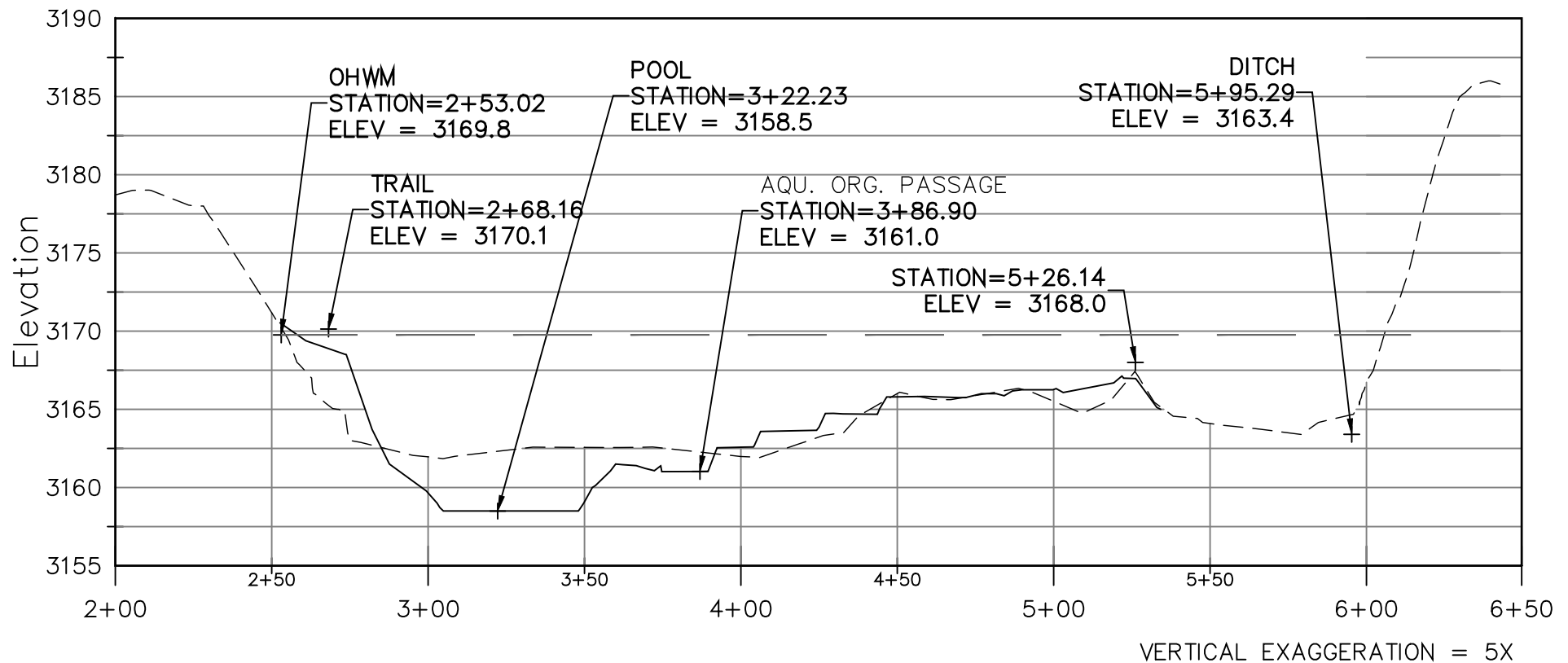
CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
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STRUCTURE #1 POOL

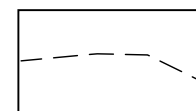
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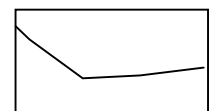
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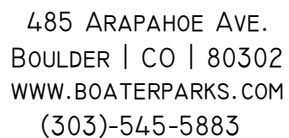


EXISTING GROUND



PROPOSED GRADE





DESIGNED: MH, GL
DRAFTED: AR, MH

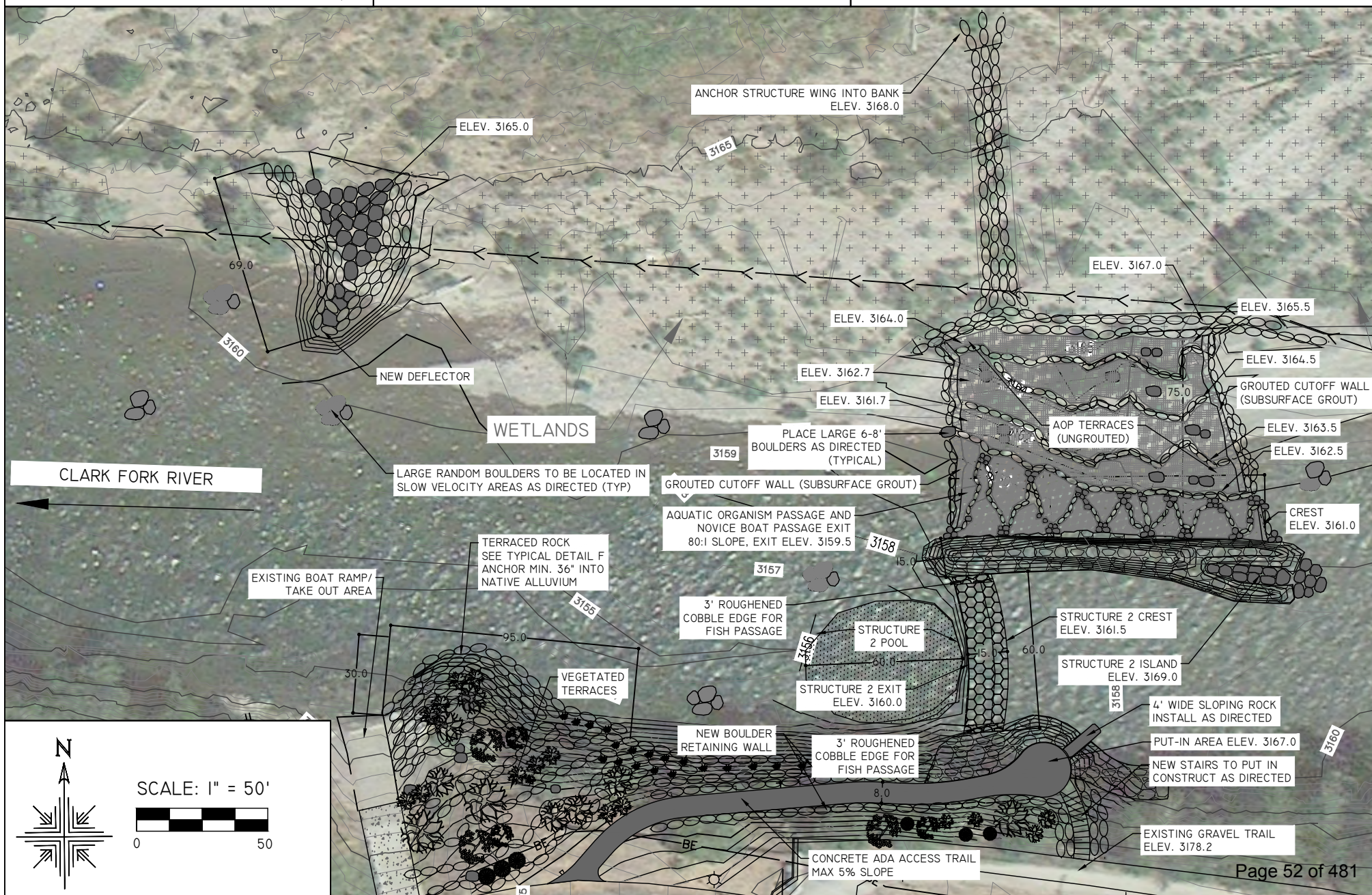
MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

STRUCTURE #2 PLAN
PERMIT SET - NOT FOR CONSTRUCTION

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DATE
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DRAFTED: AR, MH

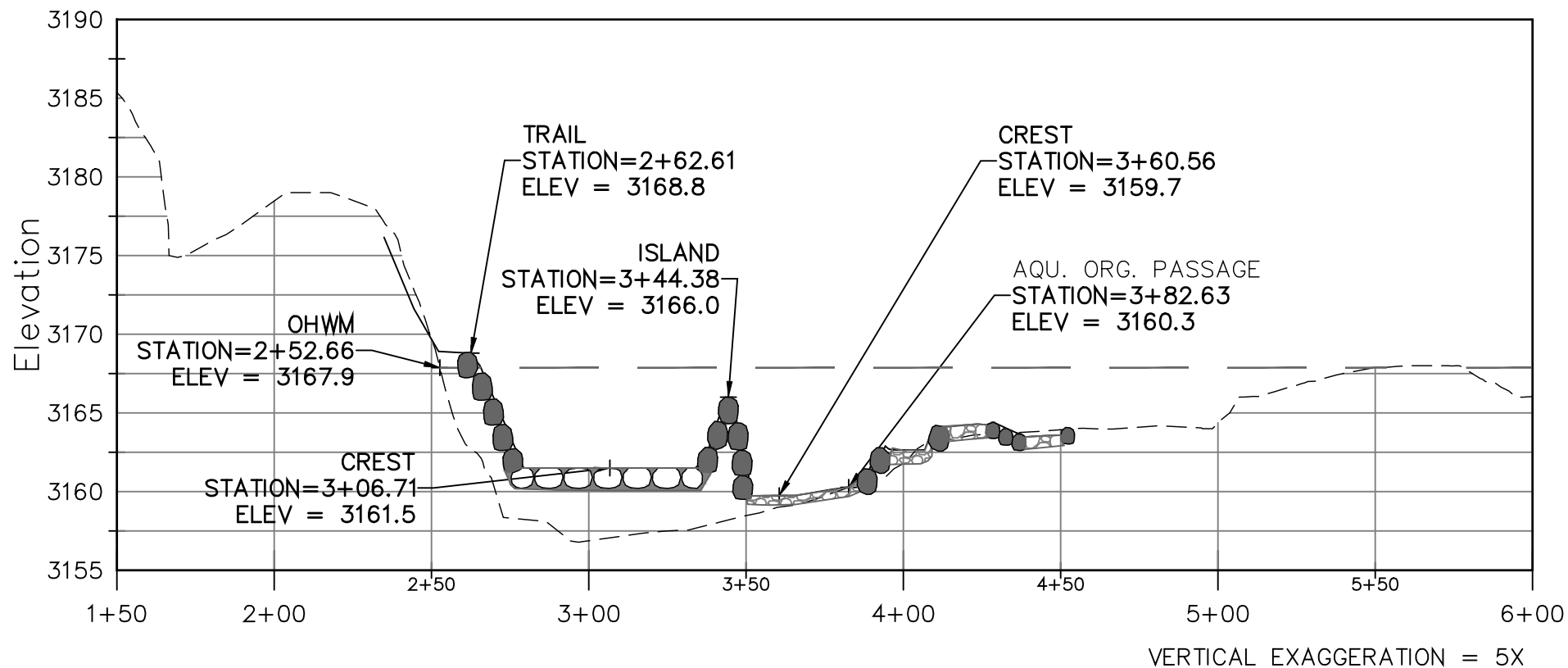
MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

STRUCTURE #2 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
DATE JAN II, 2018
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STRUCTURE #2 CREST

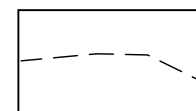
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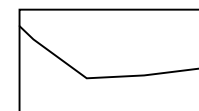
SCALE: 1" = 50'



EXISTING GROUND



PROPOSED GRADE





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MAX WAVE AT THE FLYNN-LOWNEY
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RIPARIAN IMPROVEMENTS

STRUCTURE #2 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

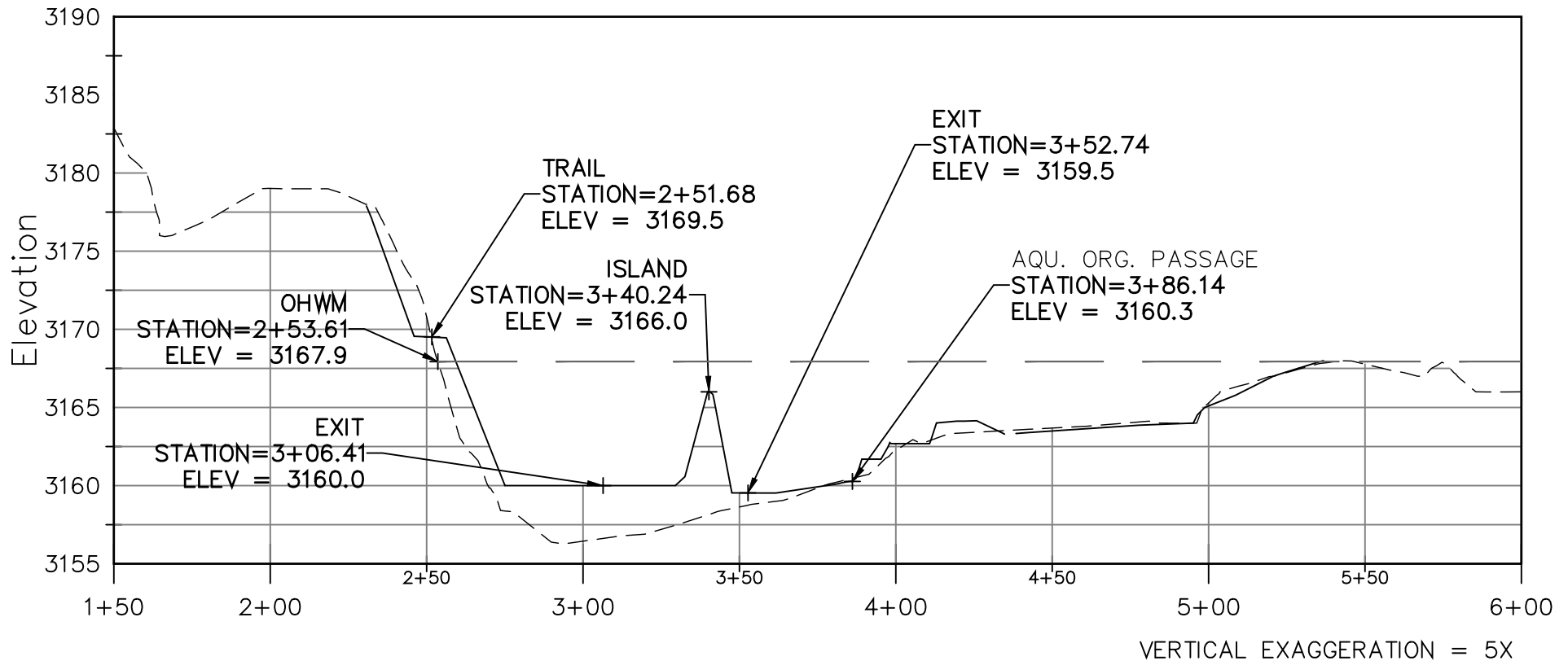
CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
14 OF 35

STRUCTURE #2 EXIT

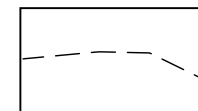
XS191287



SCALE: 1" = 50'



EXISTING GROUND



PROPOSED GRADE





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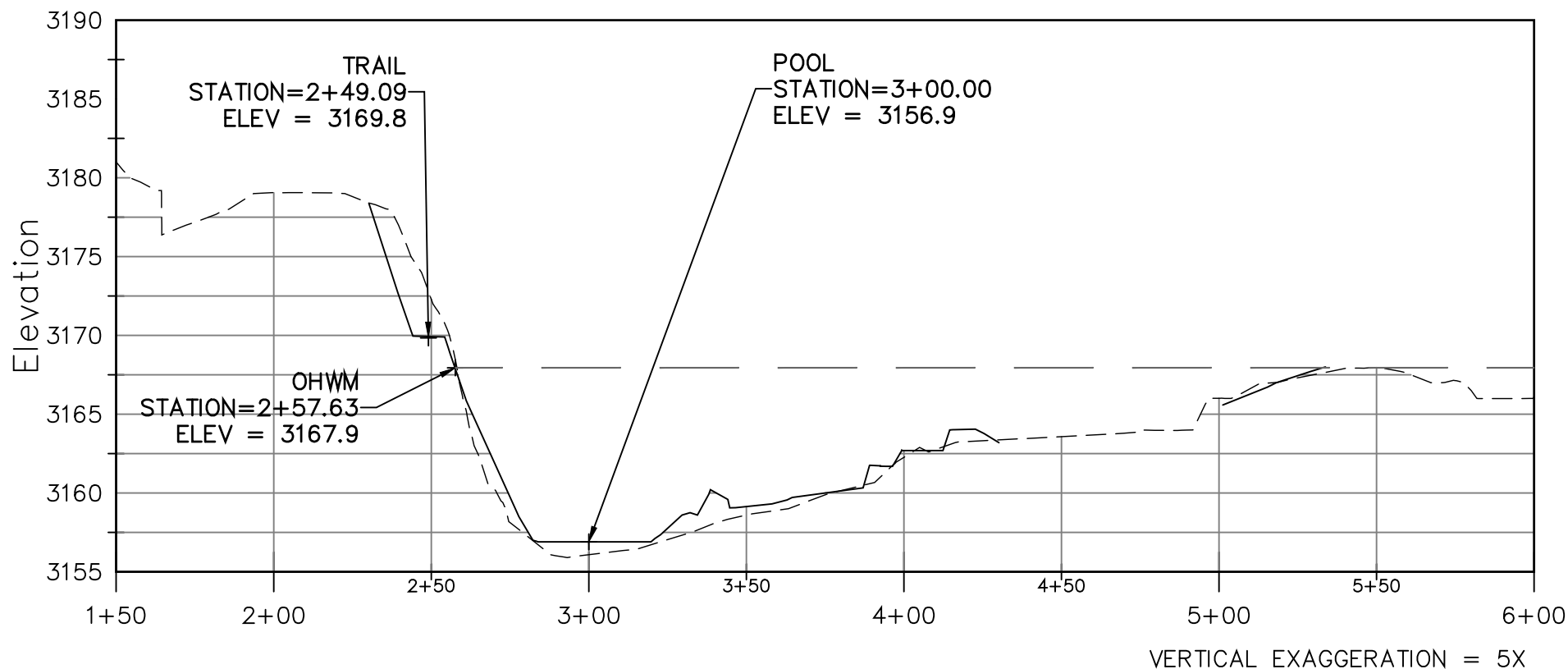
DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY
DIVERSION WHITEWATER AND
RIPARIAN IMPROVEMENTS
STRUCTURE #2 CROSS SECTION
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
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STRUCTURE #2 POOL

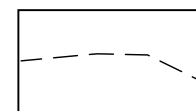
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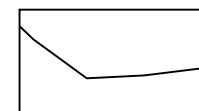
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EXISTING GROUND



PROPOSED GRADE





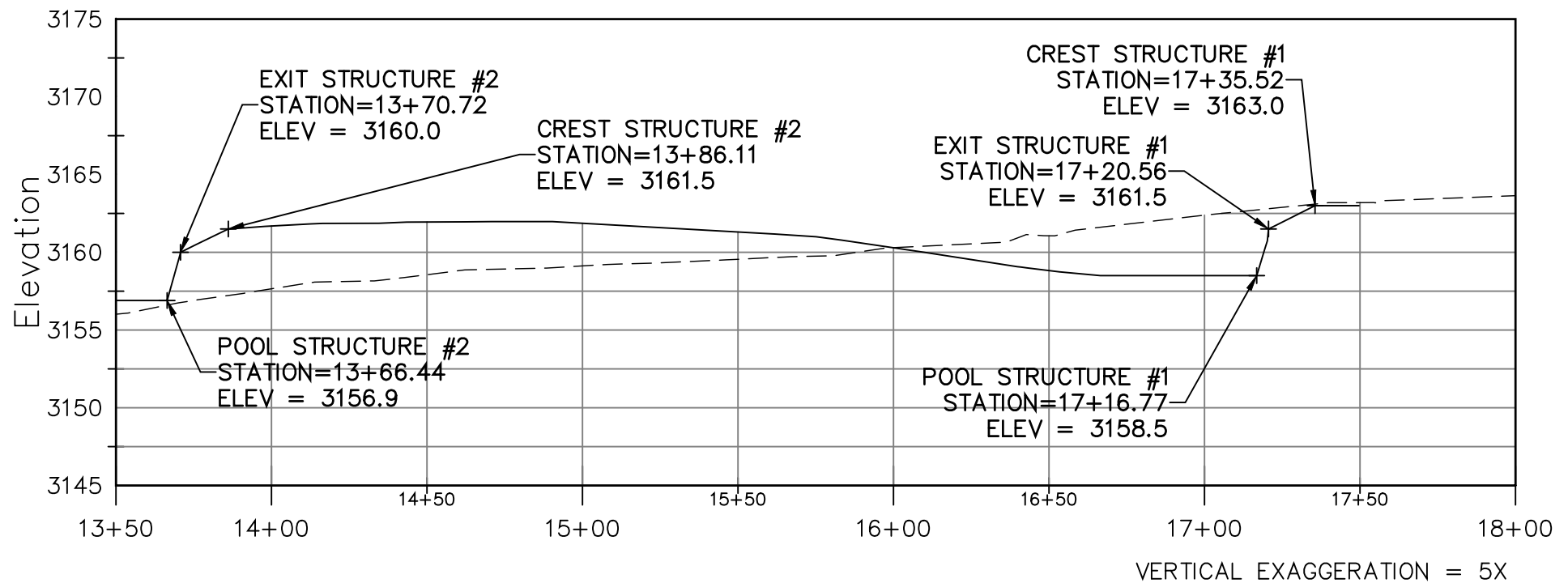
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MAX WAVE AT THE FLYNN-LOWNEY
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LONGITUDINAL PROFILE
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
DATE JAN II, 2018
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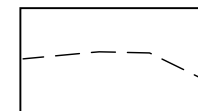
THALWEG PROFILE



SCALE: 1" = 50'



EXISTING GROUND



PROPOSED GRADE

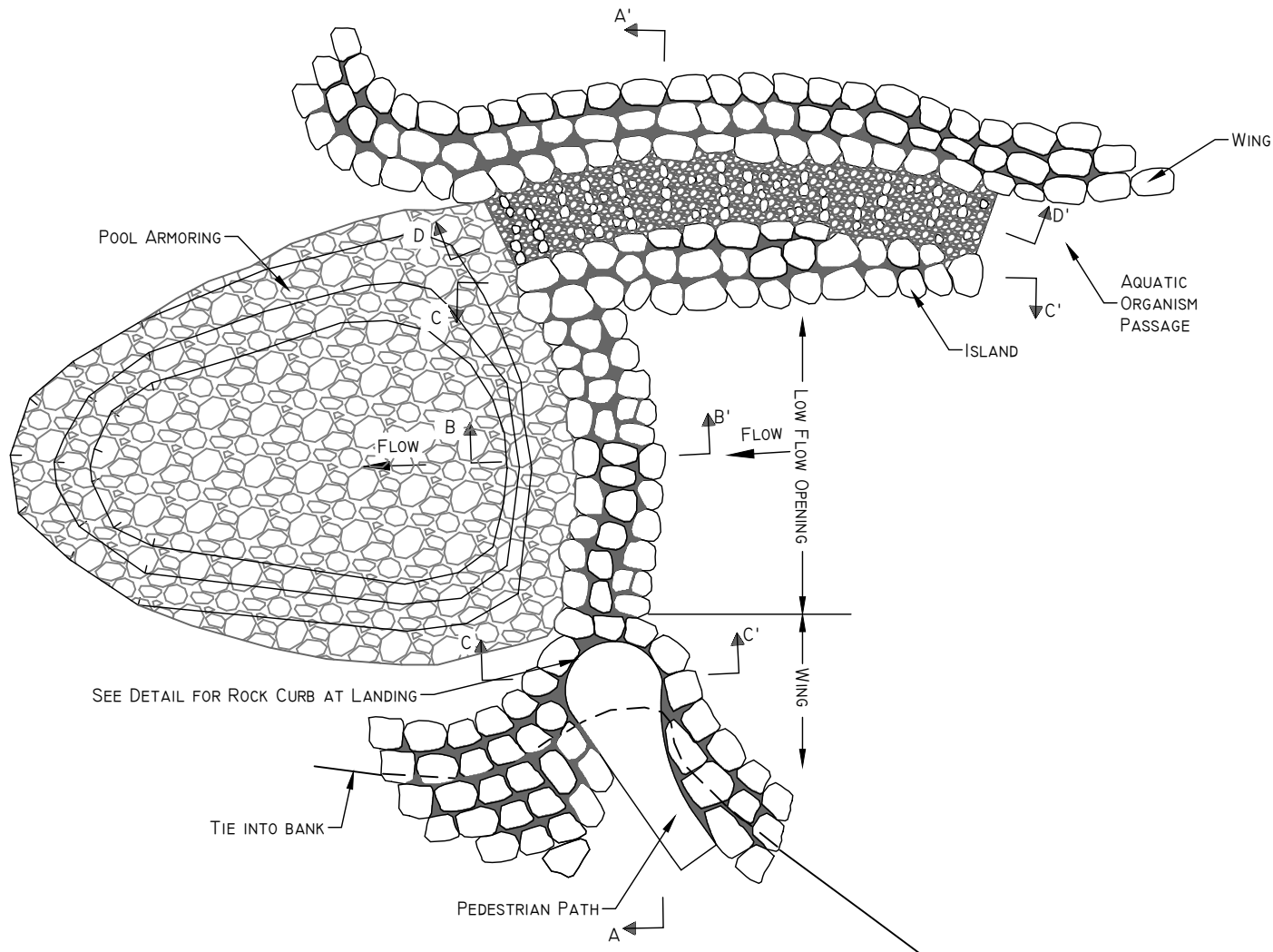


TYPICAL DETAILS-A

PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO.
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE JAN II, 2018
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MAX WAVE TYPICAL DROP STRUCTURE

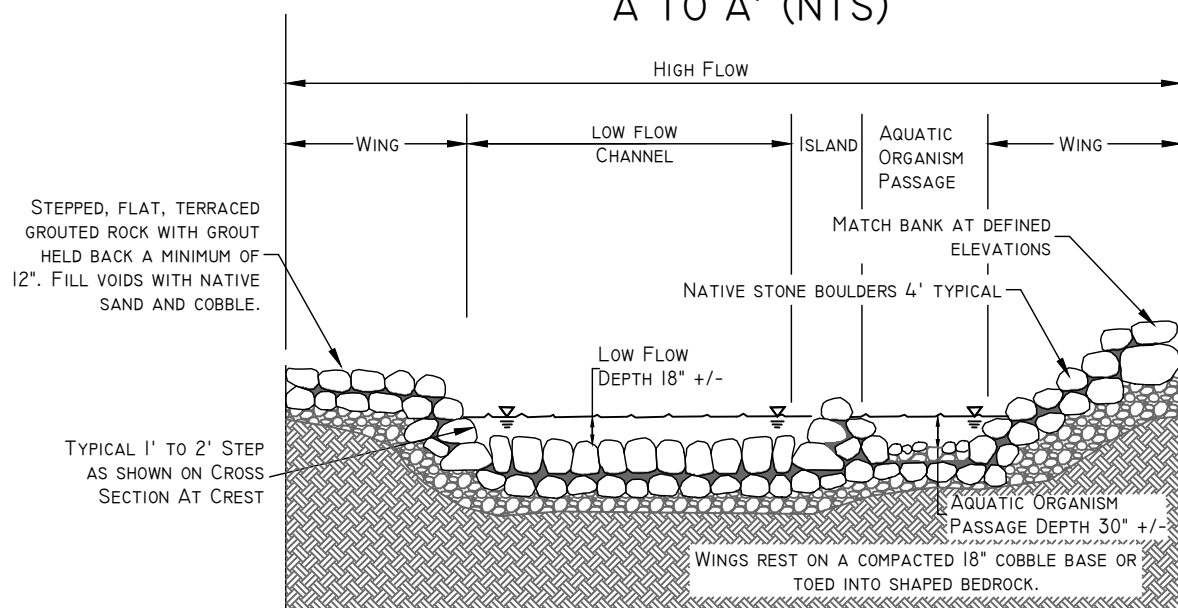


TYPICAL DETAILS-B

PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO.
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE JAN II, 2018
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TYPICAL DROP STRUCTURE CROSS SECTION VIEW DOWNSTREAM A TO A' (NTS)



TYPICAL DETAILS-C

PRELIMINARY - NOT FOR CONSTRUCTION

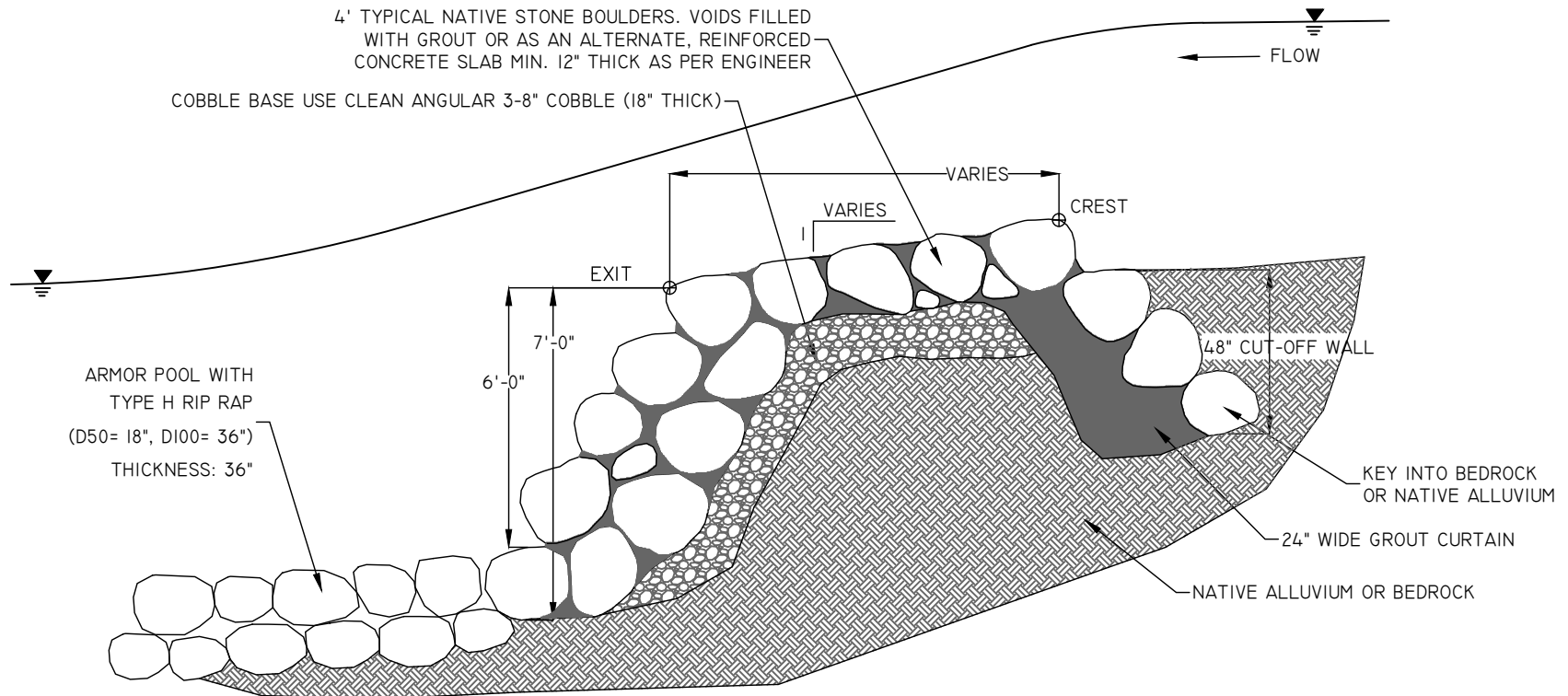
FILE NO.
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER,

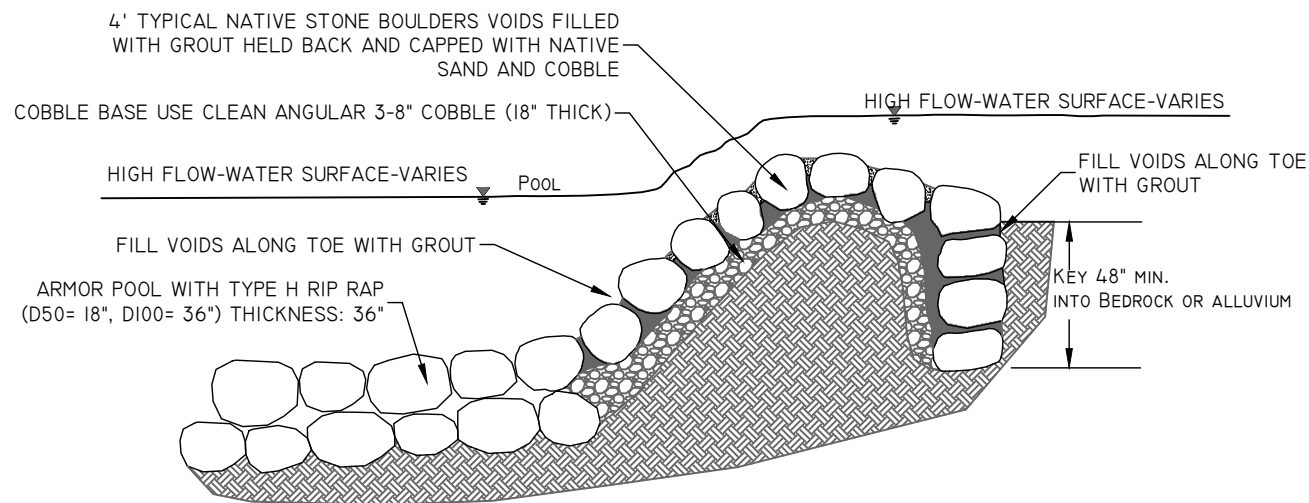
DATE
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STRUCTURE 1 AND 2 TYPICAL LOW-FLOW CHANNEL B TO B' (NTS)



STRUCTURE 1 AND 2 TYPICAL WING AND ISLAND PROFILE C TO C' (NTS)

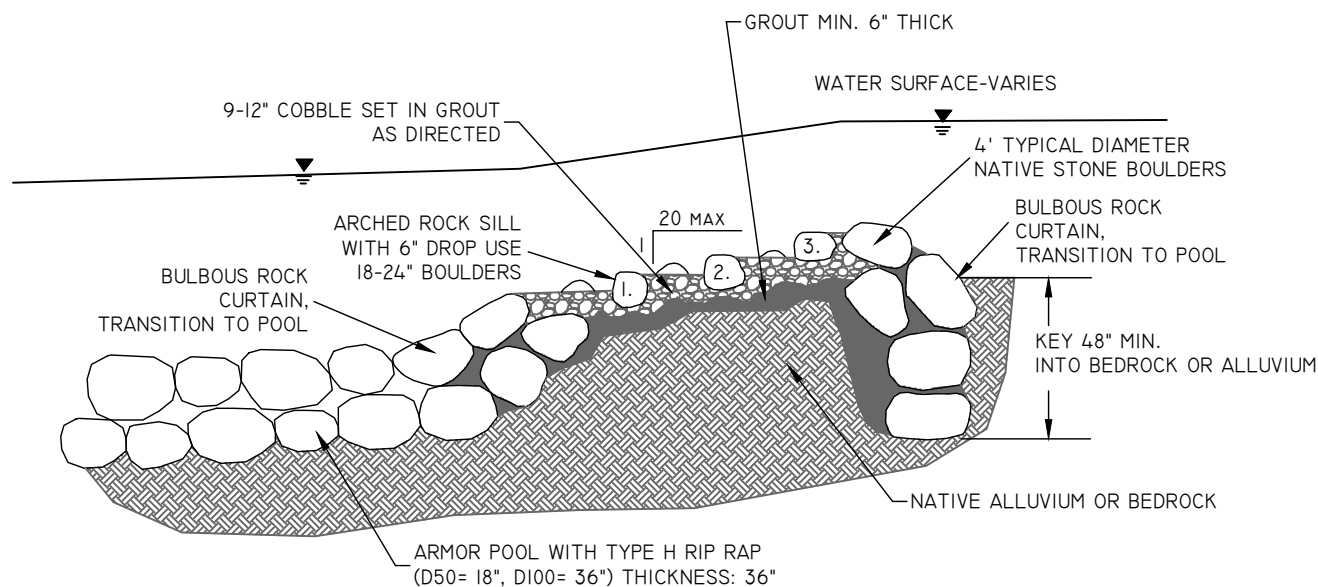


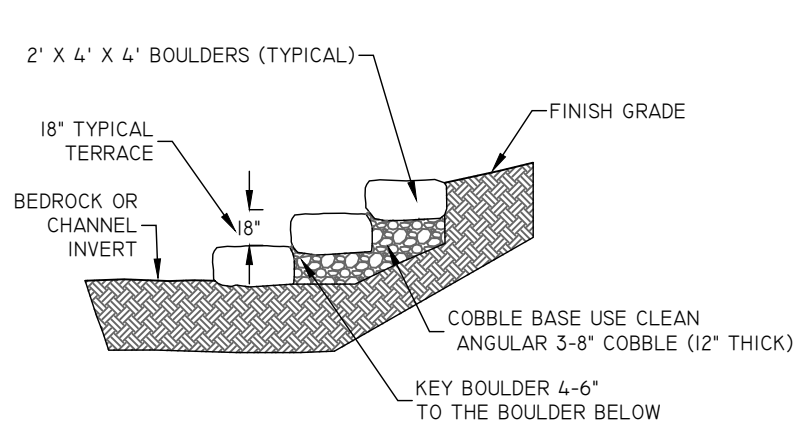
NOTE:

A) FILL VOIDS ALONG UPSTREAM AND DOWNSTREAM TOE WITH GROUT AND ALL OTHER VOIDS FILLED WITH GROUT HELD BACK. ALL ROCK TO TO BE CLEAN AND SWEEPED AFTER GROUTING

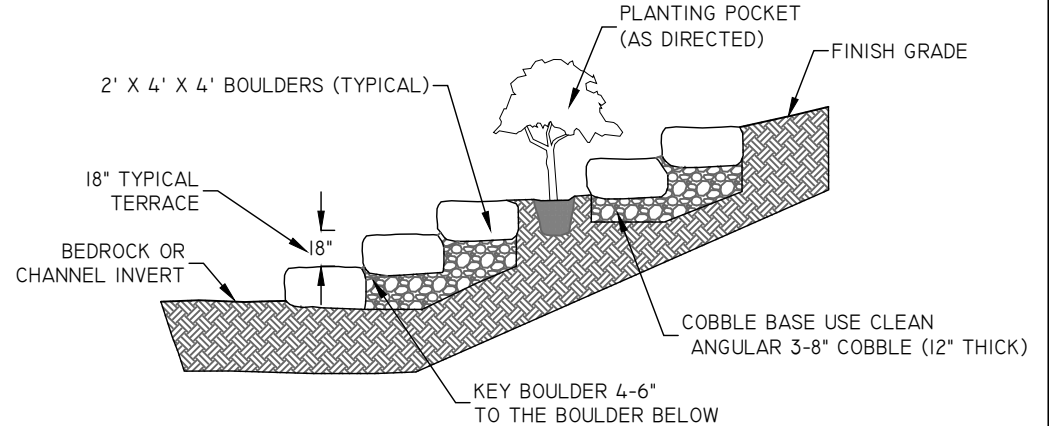
B) MAKE WING ROUNDED TO PREVENT DEEP WATER BOAT PINS ON UPSTREAM SIDE AS SPECIFIED BY WHITEWATER ENGINEER.
C) STEP BACK SIDE OF WINGS WITH 18" TO 30" STEPS TO BREAK UP HYDRAULICS
D) CAP VOIDS ON TOP OF THE WING WITH NATIVE SAND AND COBBLE.

STRUCTURE 1 AND 2 TYPICAL AQUATIC ORGANISM PASSAGE D TO D' (NTS)





A - TERRACED ROCK
TYPICAL
N.T.S

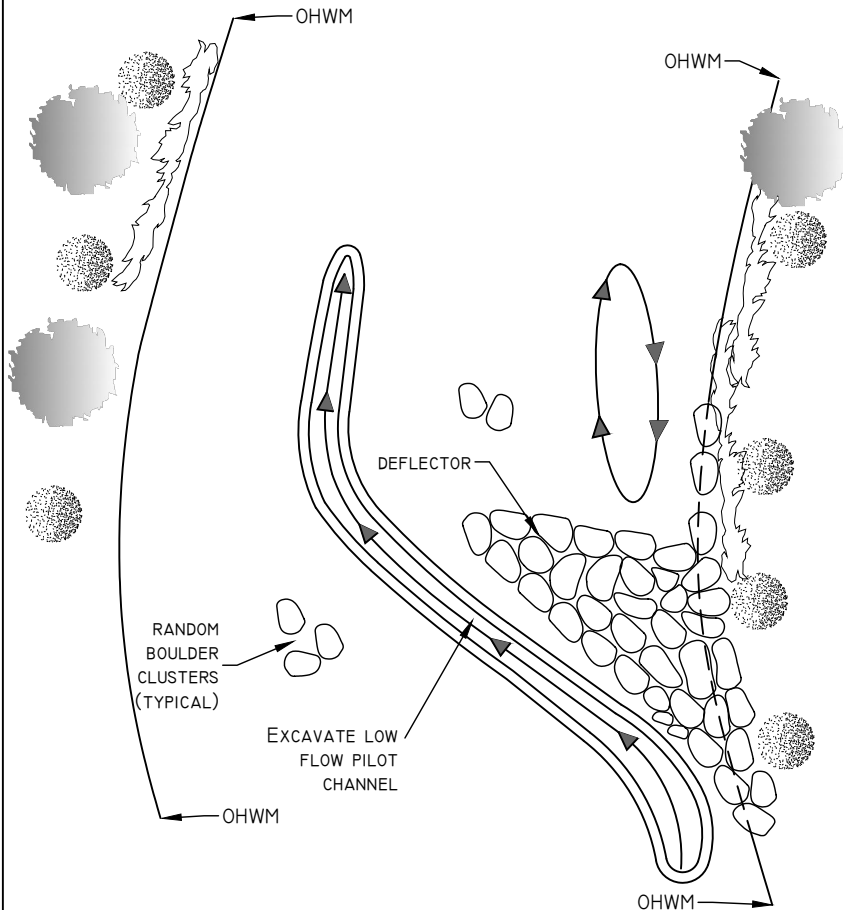


B - TERRACED ROCK
WITH PLANTING POCKET
TYPICAL
N.T.S

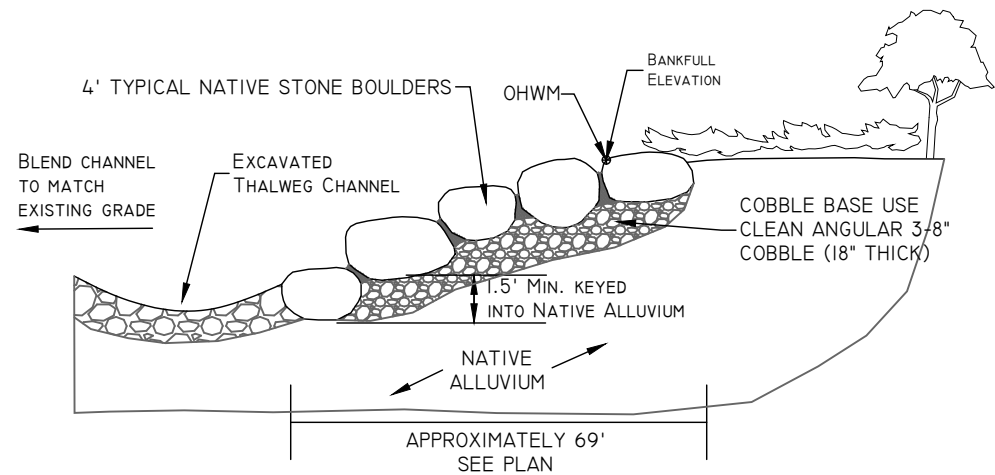
TYPICAL DETAILS-G

PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE JAN II, 2018
SHEET 23 OF 35



TYPICAL CURRENT DEFLECTOR
PLAN VIEW



CURRENT DEFLECTOR CROSS SECTION VIEW

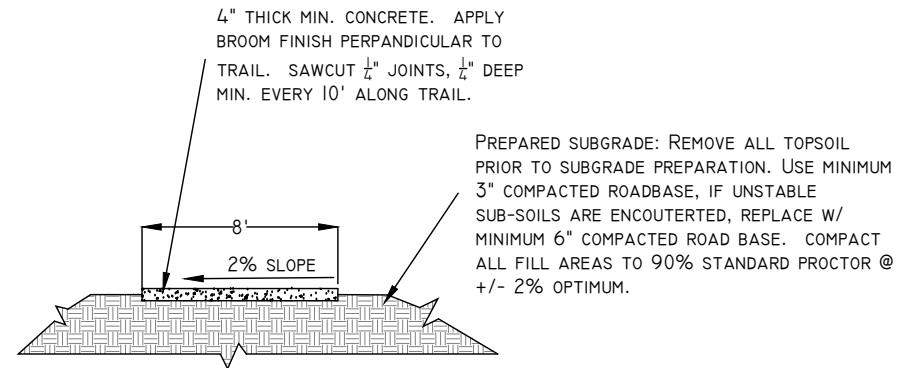


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TYPICAL DETAILS-H

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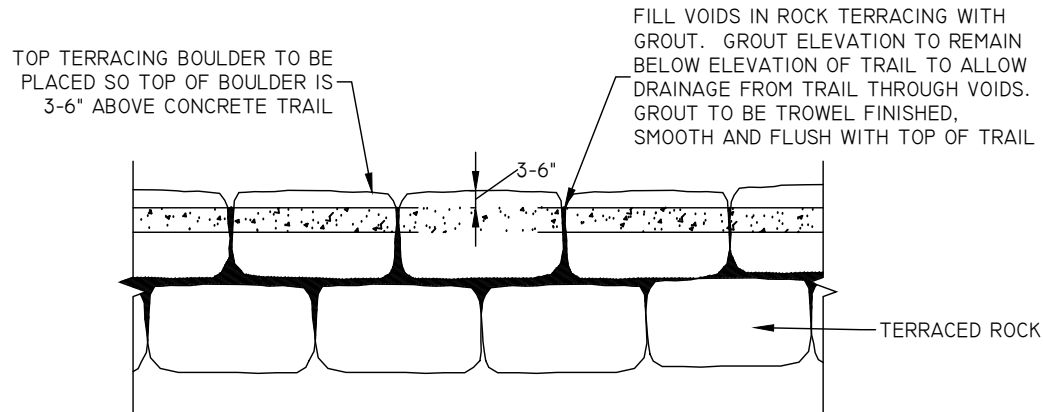
FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE JAN II, 2018
SHEET 24 OF 35



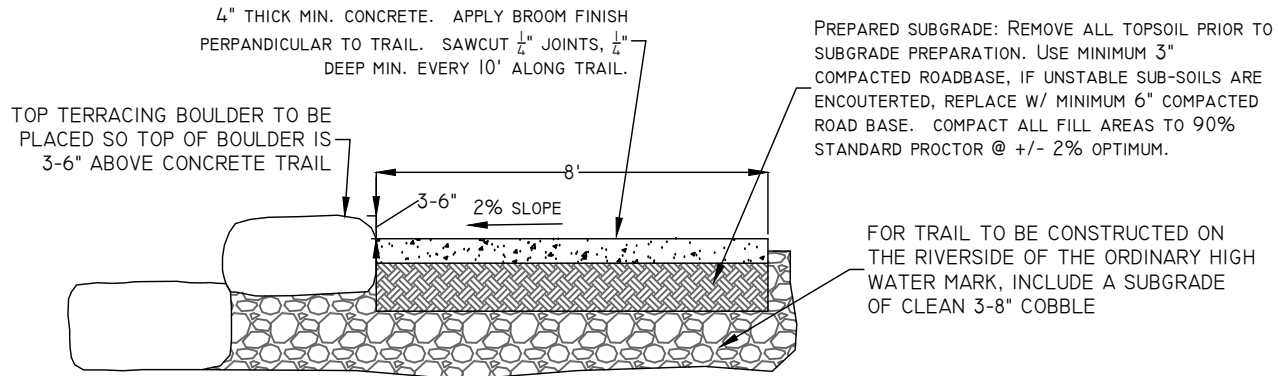
TYPICAL CONCRETE TRAIL SECTION

TYPICAL DETAILS-I PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO. ----
 APPLICANT CITY OF MISSOULA
 LOCATION CLARK FORK RIVER,
 DATE JAN II, 2018
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PROFILE



SECTION

TYPICAL ROCK CURB AT LANDING OF STRUCTURE WING (NTS)

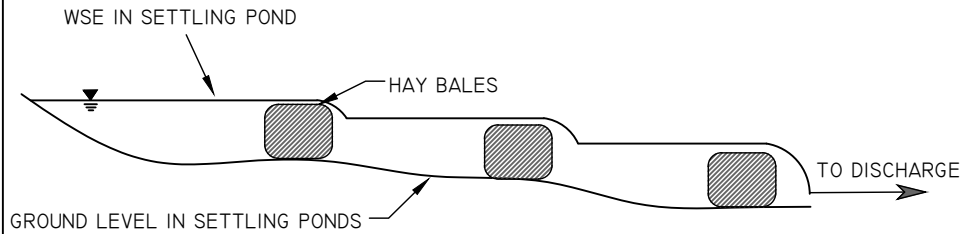


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TYPICAL DETAILS-J

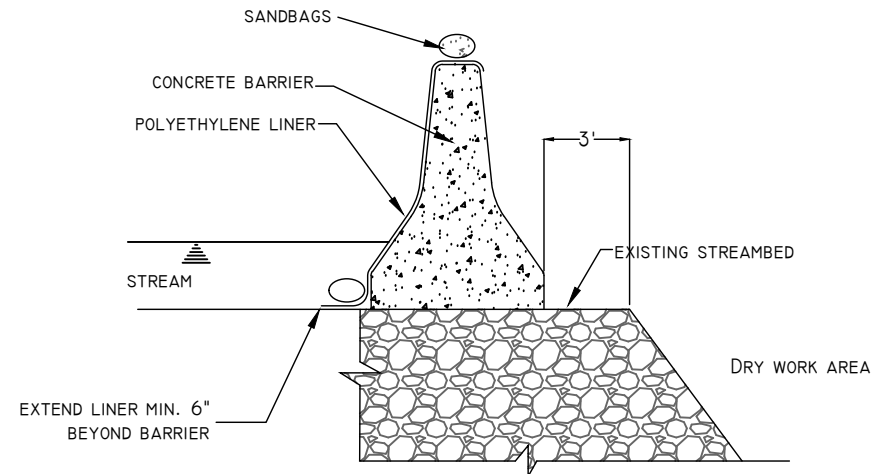
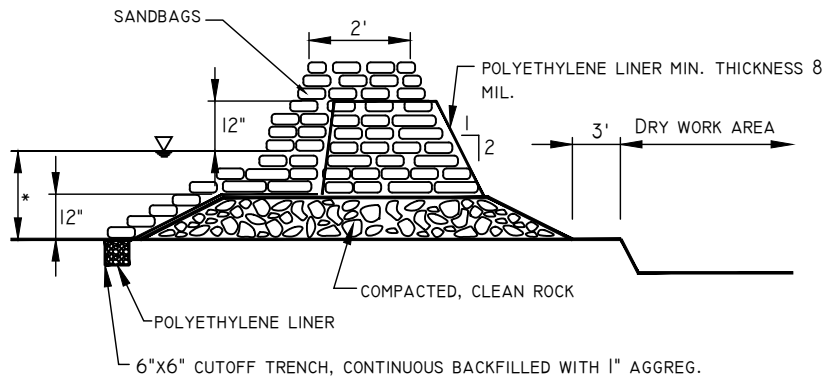
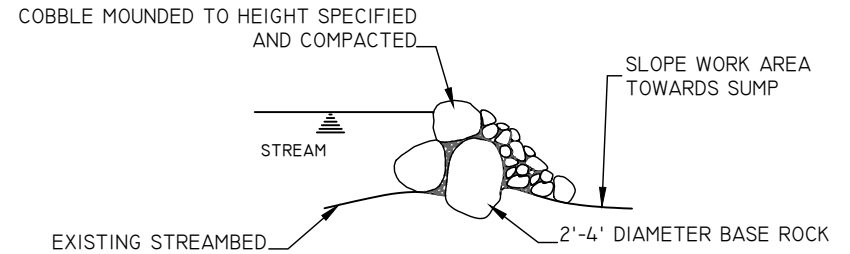
PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
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TYPICAL SECTION IN SETTLING POND

NOTE: SCHEMATIC LAYOUT TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL LAYOUT TO BE DETERMINED BY CONTRACTOR, PER PERMIT CONDITIONS.

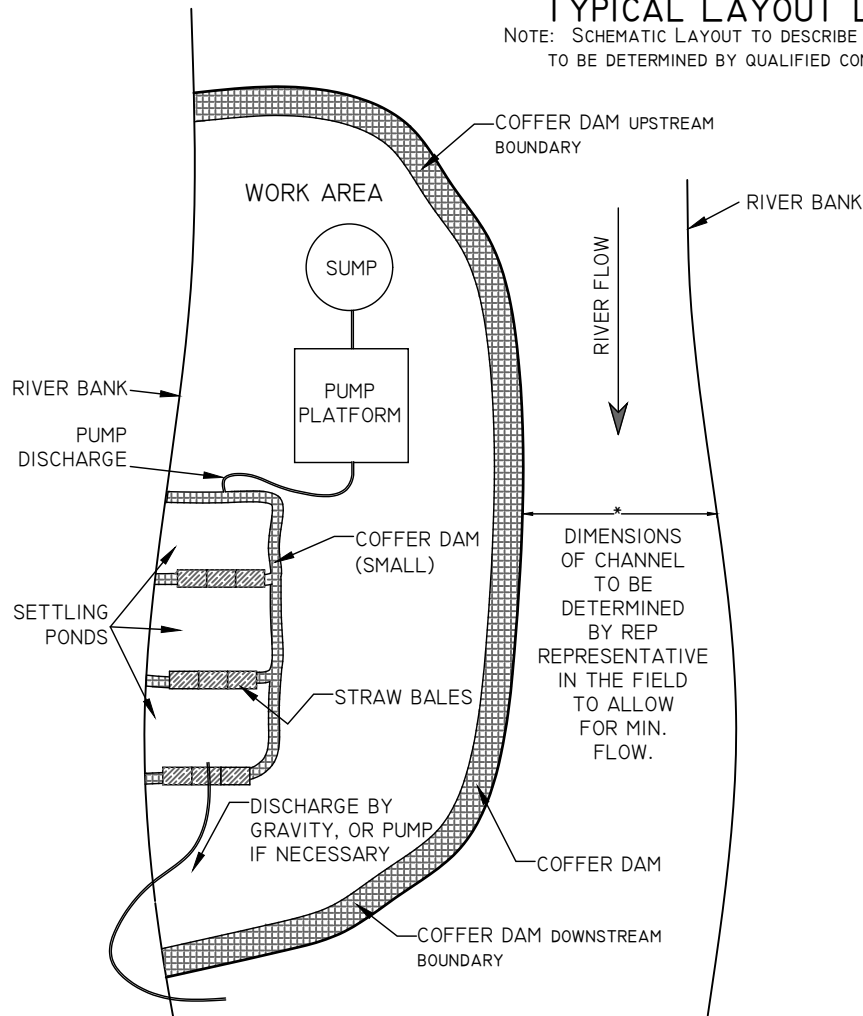




ALTERNATIVE COFFERDAM METHODS

NOTE: ALTERNATE METHODS PRESENTED TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL METHOD TO BE DETERMINED BY QUALIFIED CONTRACTOR, PER PERMIT CONDITIONS, IN ORDER TO ACHIEVE DRY WORK AREA.

TYPICAL LAYOUT DEWATERING AREA

NOTE: SCHEMATIC LAYOUT TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL LAYOUT TO BE DETERMINED BY QUALIFIED CONTRACTOR, PER PERMIT CONDITIONS.



 COFFER DAM
 HAY BALES (PURE HAY)

DEWATERING NOTES:

1. SUMPS CAN BE MADE FROM DIGGING A HOLE AND INSERTING A PERFORATED PIPE AND BACKFILLING WITH CLEAN DRAIN ROCK OR OTHER APPROVED METHOD.
2. SETTLING BASINS SHOULD BE BASED UPON SITE SPECIFICS (I.E. INFILTRATION AND SETTLING RATES, PARTICLE SIZE). DETENTION TIMES WILL BE BASED UPON THE SIZE OF THE SUSPENDED PARTICLES. IF THERE IS EXCESSIVE LEAKAGE THROUGH ANY COFFER DAM, BASE ROCK IS TO BE LINED WITH VISQUENE PRIOR TO BEING COVERED IN COBBLE. NUMBER OF SETTLING PONDS TO BE DETERMINED BY CLARITY OF DISCHARGE FLUID.
3. UPON COMPLETION VISQUENE AND SETTLED FINES SHALL BE REMOVED AND DISPOSED OF OFFSITE BY THE CONTRACTOR.
4. PUMP STATION SHALL BE ELEVATED. FUEL CONTAINMENT BMP'S SHALL BE ONSITE AT ALL TIMES.
5. PUMP REMAINING WATER IN CONSTRUCTION AREA AS NECESSARY, TO MANAGE GROUNDWATER AND LEAKAGE. ALL DISCHARGED WATER MUST BE ROUTED TO THE SETTLING BASINS.
6. CONTRACTOR IS RESPONSIBLE FOR OWN SECURITY DURING CONSTRUCTION. ANY VANDALISM WILL BE CORRECTED AT CONTRACTOR'S OWN EXPENSE.
7. DETAILS SUBJECT TO REVIEW AND CHANGE DURING 404 PERMIT APPLICATION PROCESS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CARE OF ALL WATER DURING CONSTRUCTION INCLUDING MAINTENANCE OF ALL DITCHES, COFFERDAMS, LEVEES, DIVERSIONS AND PUMPS TO KEEP THE WORK AREA FREE FROM WATER.



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SPECIFICATIONS

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FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
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GENERAL NOTES

ENGINEERS OVERSIGHT

1. THE ENGINEER WAIVES ANY AND ALL RESPONSIBILITY, AND IS NOT LIABLE FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS AND THE DESIGN INTENT THEY CONVEY OR FOR PROBLEMS WHICH ARISE FROM OTHERS OR OTHERS' FAILURE TO OBTAIN AND/OR FOLLOW THE ENGINEER'S GUIDANCE WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS.
2. ALL ELEVATIONS, DIMENSIONS, ALIGNMENTS AND ORIENTATION OF ALL ELEMENTS SHOWN IN THE PLANS MUST BE APPROVED BY THE REP ENGINEER OR REP ENGINEER'S REPRESENTATIVE (ENGINEER).
3. WORK SHALL NOT COMMENCE UNTIL AFTER THE DATE OF THE ON-SITE PRE-CONSTRUCTION MEETING WHICH WILL BE ATTENDED BY REPRESENTATIVES OF THE PROJECT OWNER, ENGINEER, CONTRACTOR AND ANY SUB-CONTRACTORS. IN THE EVENT THAT WORK DOES NOT BEGIN IMMEDIATELY FOLLOWING THE PRE-CONSTRUCTION MEETING, THE CONTRACTOR SHALL PROVIDE REPRESENTATIVES OF THE PROJECT OWNER, ENGINEER, ANY SUB-CONTRACTORS, AND RELEVANT AGENCIES NOTED IN THE PERMITS, TWO WEEKS NOTICE BEFORE CONSTRUCTION COMMENCES.
4. ALL CONSTRUCTION WORK SHALL CONFORM TO THE CITY OF MISSOULA DESIGN AND SPECIFICATIONS. UTILITY CONSTRUCTION SHALL CONFORM TO THE AMERICAN PUBLIC WORKS ASSOCIATION, PUBLIC WORKS CONSTRUCTION MANUAL, LATEST EDITION. STANDARD SPECIFICATIONS OF MATERIALS FOR AGGREGATES AND SOIL AGGREGATE SUB-BASE, BASE AND SURFACE COURSES SHALL BE GOVERNED BY AASHTO DESIGNATION M147-65 (1993) OR LATEST REVISION. ALL CONSTRUCTION SHALL CONFORM TO CITY AND COUNTY STANDARDS AND SPECIFICATIONS AS APPLICABLE.
5. WHENEVER THE INCLUDED DRAWINGS ARE FOUND TO BE INCONSISTENT WITH ANY OTHER RESOLUTION, ORDINANCE, CODE, REGULATION, OR OTHER STANDARDS REFERENCED, THE ENACTMENT IMPOSING THE MORE RESTRICTIVE STANDARDS OR REQUIREMENTS SHALL CONTROL.
6. THE CONTRACTOR SHALL NOT COMMENCE CONSTRUCTION WITHOUT CONSTRUCTION PLAN APPROVAL BY ALL RELEVANT AGENCIES. A COPY OF THE APPROVED PLANS SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES DURING WORKING HOURS.
7. THE ENGINEER IS TO BE NOTIFIED PRIOR TO ANY PLAN CHANGES OR ON-SITE DESIGN MODIFICATIONS. ALL PLAN CHANGES MUST BE APPROVED BY THE ENGINEER.
8. ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS HAS BEEN OBTAINED AND CERTIFIED BY OTHERS. THE ENGINEER HAS UNDERTAKEN NO FIELD VERIFICATION OF THIS TOPOGRAPHIC INFORMATION, AND MAKES NO REPRESENTATION PERTAINING THERETO AND THEREFORE ASSUMES NO RESPONSIBILITY OR LIABILITY.
9. THE CONTRACTOR SHALL CONFINE HIS OPERATIONS TO THE CONSTRUCTION LIMITS OF THE PROJECT AND IN NO WAY SHALL ENCROACHMENT OCCUR ONTO ADJACENT PROPERTIES UNLESS LEGAL EASEMENTS ARE OBTAINED. ALL FILL AND CUT SLOPES SHALL BE SETBACK FROM THE PROPERTY LINE IN ACCORDANCE WITH CHAPTER 70 OF THE UNIFORM BUILDING CODE. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY AGREEMENTS NECESSARY OR DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO PUBLIC OR PRIVATE PROPERTY, INCLUDING UTILITIES.

SURVEY

1. CONSTRUCTION SURVEY TO BE PROVIDED BY THE OWNER.
2. THE OWNER'S SURVEYOR SHALL VERIFY PROPOSED GRADES AND INVERT ELEVATIONS, FLOW LINES, ALIGNMENTS, SETBACKS AND TOPOGRAPHY PRIOR TO CONSTRUCTION.
3. THE OWNER IS RESPONSIBLE FOR COMPLETING AN AS-BUILT SURVEY, IF REQUESTED, FOLLOWING COMPLETION OF THE FINAL GRADES

UTILITIES

1. A MINIMUM OF 12 INCHES OF SEPARATION MUST BE MAINTAINED BETWEEN UTILITY LINES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES AND SHOULD NOT RELY SOLELY ON THESE CONSTRUCTION PLANS FOR UTILITY LOCATIONS. CONTRACTOR MUST COMPLETE ALL UTILITY LOCATES PRIOR TO CONSTRUCTION. LOCATES CAN BE COORDINATED WITH THE LOCAL UTILITY NOTIFICATION CENTER. DAMAGE TO ANY EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.

GENERAL ENVIRONMENTAL

1. WORK SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL AGENCIES' LAWS, RULES, REGULATIONS, AND PERMITS. ALL WORK SHALL BE SUBJECT TO INSPECTIONS AND SITE INVESTIGATION BY REGULATORY AGENCIES. FAILURE TO COMPLY WITH THESE REGULATIONS IS SUBJECT TO LEGAL ENFORCEMENT ACTION.
2. COPIES OF PERMITS OBTAINED BY THE OWNER WILL BE PROVIDED TO THE CONTRACTOR. CONTRACTOR SHALL MAINTAIN COPIES OF ALL PERMITS ON THE SITE AT ALL TIMES. THESE MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING: CLEAN WATER ACT SECTION 404 PERMIT FROM THE U.S. ARMY CORPS OF ENGINEERS, SECTION 401 WATER QUALITY CERTIFICATION, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT, FLOODPLAIN DEVELOPMENT PERMIT, ANY APPROPRIATE LAND USE PERMITS, AND ANY RELEVANT CONSTRUCTION STORM WATER PERMITS.
3. A PRE-CONSTRUCTION MEETING WITH EQUIPMENT OPERATORS SHALL BE HELD TO DISCUSS THE PROJECT REQUIREMENTS AS THEY RELATE TO ENVIRONMENTAL PERMIT COMPLIANCE.
4. ON-SITE CONSTRUCTION REVIEWS SHALL BE CONDUCTED TO IDENTIFY MAINTENANCE NEEDS AND CHRONIC PROBLEMS THAT MAY BE OCCURRING. APPROPRIATE REMEDIAL ACTIONS SHALL BE IMPLEMENTED IN A TIMELY MANNER.
5. IF PREVIOUSLY UNKNOWN ARCHEOLOGICAL MATERIALS ARE DISCOVERED DURING CONSTRUCTION ACTIVITIES, WORK SHALL STOP IMMEDIATELY AND THE ENGINEER AND OWNER SHALL BE CONTACTED. THE STATE HISTORIC PRESERVATION OFFICE WILL THEN BE CONTACTED BY THE ENGINEER OR OWNER FOR CONSULTATION.

GENERAL CIVIL

1. ALL DRAINAGE PIPE FOR ROADWAY PURPOSES SHALL BE EITHER HIGH DENSITY POLYETHYLENE (HDPE) OR REINFORCED CONCRETE PIPE (RCP) WITH A MINIMUM DIAMETER OF 18-INCHES AND A MINIMUM COVER OF 12-INCHES. THE PIPE SHALL BE ABLE TO WITHSTAND AASHTO HS-20 LOADING WITH TIRE CONTACT AREA DEFINED IN AASHTO 3.30.

SEDIMENT AND POLLUTION CONTROL

1. ALL APPROPRIATE SEDIMENT AND POLLUTION CONTROL MEASURES, AND BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE IN PLACE TO MINIMIZE SEDIMENTATION AND RIVERBED IMPACTS PRIOR TO INITIATING IN-RIVER / RIVERBANK WORK. SEDIMENT AND EROSION CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT GUIDELINES AND ANY STORM WATER POLLUTION PREVENTION PLAN PROVIDED BY THE ENGINEER.
2. CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR THE DESIGN, IMPLEMENTATION, AND MAINTENANCE OF SEDIMENT AND EROSION CONTROLS IN CONFORMANCE WITH CONSTRUCTION STANDARDS AND THE REQUIREMENTS OF REGULATORY AGENCIES THROUGHOUT THE CONSTRUCTION PERIOD. THE ENGINEER WILL NOT BE ON-SITE TO APPROVE, REVIEW, OR MAINTAIN THE CONTROLS. STORMWATER MEASURES MAY BE REQUIRED TO BE INSTALLED AT ANY TIME DURING CONSTRUCTION AT THE DIRECTION OF THE ENGINEER OR OWNER.
3. IN ADDITION TO CONSTRUCTION BMP'S, TEMPORARY SEDIMENT AND EROSION CONTROLS (E.G., TEMPORARY SEEDING, MULCHING, SILT FENCE, STRAW WADDLE) SHALL BE IMPLEMENTED ON ALL DISTURBED AREAS WITHIN 2-DAYS IF DISTURBED AREAS ARE TO REMAIN DORMANT FOR MORE THAN 21-DAYS. PERMANENT SOIL STABILIZATION (E.G., PERMANENT SEEDING, EROSION CONTROL FABRIC) SHALL BE IMPLEMENTED ON DISTURBED AREAS WITHIN 2-DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE PROJECT AREA.
4. SPOIL PILES SHALL BE COVERED OR OTHERWISE MANAGED TO REDUCE SEDIMENTATION. ALL MATERIAL WHICH IS TO BE PLACED AT UPLAND SITE SHALL BE DISPOSED OF IN SUCH A WAY THAT SEDIMENT RUNOFF IS CONTROLLED AND MINIMIZED.
5. CONTRACTOR SHALL NOT STORE EQUIPMENT BELOW THE ORDINARY HIGH WATER LINE, AND TAKES FULL RESPONSIBILITY FOR ANY MATERIALS VANDALIZED, DAMAGED, BROKEN, OR LOST AS A RESULT OF RIVER EVENTS.
6. ALL FUELING OPERATIONS, LUBRICATING, HYDRAULIC TOPPING OFF, FUEL TANK PURGING, AND EQUIPMENT MAINTENANCE/REPAIRS SHALL BE PERFORMED AT AN UPLAND SITE OUTSIDE OF THE BANKS OF ANY SITE WATERWAYS AT A LOCATION TO BE DETERMINED BY THE ENGINEER OR OWNER. THESE ACTIVITIES SHALL TAKE PLACE ON AN APPROVED PAD WITH SPILL CONTROL/ COLLECTION DEVICES IN PLACE.
7. ALL CONSTRUCTION EQUIPMENT SHALL BE INSPECTED DAILY FOR HYDRAULIC AND FUEL LEAKS. LEAKS SHALL BE REPAIRED PRIOR TO OPERATION WITHIN THE 100-YEAR FLOODPLAIN. WHEN NOT IN USE, FUEL AND HYDRAULIC FLUIDS SHALL BE STORED AT AN UPLAND SITE OUTSIDE OF THE 100-YEAR FLOODPLAIN. EMERGENCY SPILL RESPONSE DEVICES SHALL BE ON-SITE AT ALL TIMES DURING CONSTRUCTION IN WATERWAYS AND FLOODPLAINS AND SHALL BE READY TO DEPLOY IN THE EVENT OF A SPILL.
8. NO CHEMICALS, FUELS, LUBRICANTS, BRUSH, ETC. SHALL BE DISCHARGED OR DISPOSED OF INTO OR ALONGSIDE ANY STREAM, WATERCOURSE, OR FLOODPLAIN UNDER ANY CIRCUMSTANCES.
9. LITTER AND CONSTRUCTION DEBRIS SHALL BE CONTAINED DAILY. ALL CONSTRUCTION DEBRIS AND LITTER SHALL BE COMPLETELY REMOVED OFFSITE AND DISPOSED OF PROPERLY UPON PROJECT COMPLETION.
10. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AS NECESSARY TO PROVIDE ACCESS TO CONSTRUCTION AREAS FROM ALL EXISTING ROADWAYS AND PATHS TO MINIMIZE GROUND DISTURBANCE AND SEDIMENT TRACKING FROM VEHICLE TIRES. ADJACENT ROADWAYS AND PATHS SHALL BE VISUALLY INSPECTED DAILY TO ENSURE THAT SEDIMENT IS NOT BEING CARRIED OFF-SITE. IF SEDIMENT IS BEING CARRIED OFF-SITE, THE ADJACENT ROADWAYS AND PATHS SHALL BE SWEEPED CLEAN DAILY.
11. BMP'S PLUS TEMPORARY SEDIMENT AND EROSION CONTROL



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SHALL BE MAINTAINED TO BE FUNCTIONAL UNTIL THE SITE HAS REACHED FINAL STABILIZATION. THE PROJECT AREA SHALL BE CONSIDERED TO HAVE REACHED FINAL STABILIZATION WHEN:

- A PERENNIAL, VEGETATIVE COVER HAS GROWN TO A 80-PERCENT DENSITY THROUGHOUT THE ENTIRE DISTURBED AREA.
- ALL TEMPORARY SEDIMENT AND EROSION CONTROLS HAVE BEEN REMOVED AND DISPOSED OF PROPERLY.
- ALL TRAPPED SEDIMENT HAS BEEN REMOVED AND PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION.
- ALL CONSTRUCTION ACTIVITIES HAVE CEASED.

BEST MANAGEMENT PRACTICES (BMP'S)

- BMP'S SUCH AS DRAINAGE CHANNELS, PERIMETER FENCING, DETENTION BASINS, AND VEHICLE TRACKING CONTROLS MUST BE INSTALLED PRIOR TO CONSTRUCTION ACTIVITIES. EFFECTIVE EROSION CONTROL REQUIRES ADAPTATION AND CHANGES DURING CONSTRUCTION THAT CANNOT BE DESIGNED OR ANTICIPATED PRIOR TO CONSTRUCTION. A QUALIFIED SUPERVISOR SHOULD CHECK ALL BMP'S REGULARLY AND NOTIFY THE ENGINEER IF THERE ARE QUESTIONS OR CONCERNS. THE ENGINEER ACCEPTS NO LIABILITY FOR THE PLACEMENT, EFFECTIVENESS, MAINTENANCE, OR CHOICE OF BMP ON THE SITE IF THE ENGINEER AND/OR ENGINEER'S REPRESENTATIVE ARE NOT PRESENT.2. THE CONTRACTOR SHALL IMPLEMENT THE NECESSARY SITE EROSION CONTROL MEASURES FOR INHIBITING DUST, WIND, AND AIR SEDIMENT MOVEMENT OFFSITE DURING ALL PHASES OR STAGES OF CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE AN AREA TO STORE CONSTRUCTION DEBRIS WHERE IT WILL NOT BE A NUISANCE TO THE SURROUNDING NEIGHBORHOOD. ALL DEBRIS SHALL BE CONTAINED IN SUCH A MANNER THAT WILL PREVENT SCATTERING. ALL DEBRIS, INCLUDING TREES AND UNDERGROWTH SHALL BE DISPOSED OF PROPERLY. ALL DEBRIS SHALL BE REMOVED FROM THE SITE PRIOR TO FINAL SITE INSPECTION.
- CONTRACTOR SHALL LIMIT THE AREAS OF DISTURBANCE AND COMPLETE CONSTRUCTION WITH PHASES IN MIND.
- CONTRACTOR SHALL LIM IT DIRECTLY CONNECTED IMPERVIOUS AREAS (DCIA).
- BUFFER STRIPS SHOULD BE USED DURING CONSTRUCTION TO LIMIT THE DCIA'S. WHEN POSSIBLE, TRANSITIONING CHANGES IN SLOPE, TERRACING LONGER SLOPES, SURFACE ROUGHENING, AND CONTOUR FURROWS SHOULD BE USED TO MINIMIZE CONSOLIDATED FLOW.
- ANY STAGED GRADING MUST BE DONE TO DIRECT STORMWATER TOWARDS THE APPROPRIATE BMP'S.
- DURING CONSTRUCTION, STRAW WADDLES, COMPACTED SOIL BERMS, AGGREGATE BAGS, OR SIMILAR MUST BE USED ON ALL DISTURBED SLOPES OF 3:1 AND GREATER THAN 20 FEET IN LENGTH.
- SILT FENCING LOCATED ON THE PERIMETER OF DISTURBED AREAS SHOULD BE CHECK ONA DAILY BASIS, OR FOLLOWING SIGNIFICANT STORM EVENTS TO ENSURE IT IS WORKING PROPERLY.
- INLET PROTECTION MUST BE INCLUDED AT ALL STORM, SEWER, AND CULVERT LINKS. APPROPRIATE BMP'S INCLUDE ROCK SOCKS, SEDIMENT CONTROL LOGS, OR SIMILAR.
- SEDIMENT ENTRAINMENT FACILITIES SHOULD BE DESIGNED TO

STORE THE APPROPRIATE VOLUME OF STORM WATER DISCHARGE, BUT CONTAIN MINIMAL ADDITIONAL CAPACITY. THEY MUST BE MAINTAINED TO THE CALCULATED VOLUME AND DREDGED AS NECESSARY.

MATERIAL HANDLING

- A LIST OF ALL POTENTIALLY TOXIC OR HAZARDOUS CHEMICALS THAT WILL BE USED OR STORED ON-SITE SHALL BE MAINTAINED WITH THE EROSION CONTROL SUPERVISOR. WARNING LABELS MUST BE ATTACHED. MATERIAL SAFETY DATA SHEETS (MSDS) AND OTHER SAFETY INFORMATION FOR A POTENTIALLY TOXIC OR HAZARDOUS SUBSTANCE MUST BE ON THE SITE WHILE THE SUBSTANCE IS USED OR STORED.
- THE FOLLOWING MATERIALS MANAGEMENT PRACTICES MUST BE FOLLOWED:
 - THE QUANTITY OF FUEL AND LUBRICANT AT THE CONSTRUCTION SITE MUST BE MINIMIZED.
 - STRICT STORAGE PRACTICES (I.E. OFF-SITE STORAGE) ARE PREFERABLE. FUEL, HYDRAULIC OIL, AND FORM OIL MUST BE STORED OFFSITE.
 - MATERIALS STORED AT THE CONSTRUCTION SITE MUST BE PROPERLY PROTECTED FROM THE ELEMENTS.
 - MATERIALS MUST BE HANDLED IN ACCORDANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS AND MANUFACTURERS' INSTRUCTIONS.
 - CHEMICALS REGULATED UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) WILL BE DOCUMENTED.

SPILL REMEDIATION PRACTICES

- ALL CONSTRUCTION SITE PERSONNEL MUST FOLLOW SPILL PREVENTION AND CONTROL PRACTICES AS FOLLOWS:
 - THE SENIOR SAFETY MANAGER, DESIGNATED COORDINATORS, AND THE WATER QUALITY OFFICER WILL BE CONTACTED IMMEDIATELY FOLLOWING ANY SPILL. THE SENIOR SAFETY MANAGER (OR DESIGNEE) MUST IN TURN REPORT THE SPILL TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL AGENCIES IN ACCORDANCE WITH APPLICABLE REGULATIONS.
 - PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE EQUIPMENT.
 - THERE MUST BE A DESIGNATED INDIVIDUAL ON THE SITE TRAINED IN THE APPROPRIATE CLEANUP PROCEDURES FOR VARIOUS TYPES OF CHEMICALS AND THE LOCATION OF INFORMATION AND CLEANUP SUPPLIES.
 - THE MSDS OF ANY MATERIAL SHOULD BE CONSULTED ON THE EVENT OF A SPILL. THE MSDS FOR ALL CHEMICALS USED ON THE SITE WILL BE KEPT ON THE SITE, AND WORKERS WILL BE REQUIRED TO REVIEW MSDS'S.
 - SPILL KITS MUST BE LOCATED ON-SITE. SUBCONTRACTORS MUST BE NOTIFIED OF THEIR LOCATION AND INSTRUCTED HOW TO USE THEM WHEN NECESSARY.
 - SPILLS MUST BE CLEANED UP PROMPTLY AFTER DISCOVERY, AND MATERIALS USED FOR CLEANUP MUST BE DISPOSED OF

OFF-SITE AT AN APPROVED FACILITY.

WORK LIMITS AND LAYDOWN

- WORK LIMITS, ACCESS, STAGING, LAYDOWN, AND STOCKPILE AREAS SHALL BE LOCATED WHERE SHOWN ON THE CONSTRUCTION DRAWINGS OR OTHERWISE AS APPROVED BY THE ENGINEER OR OWNER.
- ALL CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN CURRENTLY DISTURBED AREAS TO THE EXTENT POSSIBLE.
- DISTURBED/ EXPOSED RIVERBANKS AND STAGING AND PROJECT ACCESS AREAS SHALL BE PROPERLY STABILIZED (SEEDED, MULCHED, OR OTHERWISE) WITH NATIVE VEGETATION IMMEDIATELY AFTER GRADING TO PREVENT EROSION AND ESTABLISHMENT OF INVASIVE PLANT SPECIES.
- CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE TO VEGETATION OR PROPERTY OUTSIDE THE WORK LIMITS RESULTING FROM CONSTRUCTION OPERATIONS.
- ALL AREAS TEMPORARILY DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION, SLOPES, AND ELEVATIONS, UNLESS OTHERWISE NOTED IN THE CONSTRUCTION DRAWNGS.

UTILITIES

- THE CONTRACTOR SHALL LOCATE ALL UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION.
- NO EXCAVATION SHALL OCCUR IN THE AREA SURROUNDING A UTILITY CROSSING. NO IMPROVEMENTS THAT MAY CAUSE SCOUR, ARE TO BE PLACED IN THE VICINITY OF AN AT-GRADE, ABOVE OR BELOW GRADE, UTILITY CROSSING.
- IF UTILITIES ARE IDENTIFIED WITHIN THE PROJECT AREA, A MINIMUM BUFFER OF NO DISTURBANCE, APPROVED BY THE ENGINEER OR OWNER, IS TO BE MAINTAINED ON ALL UTILITY CROSSINGS.

ROCK QUALITY

- INDIVIDUAL STONE BOULDERS SHALL BE DENSE, SOUND AND FREE FROM CRACKS, SEAMS AND OTHER DEFECTS CONDUCIVE TO ACCELERATED WEATHERING.
- AT A MINIMUM EXPOSED ROCK SHOULD HAVE ONE FLAT SURFACE AND THIS SHOULD BE THE ONLY EXPOSED SURFACE.
- THE ROCK SHALL HAVE THE FOLLOWING PROPERTIES:
 - BULK SPECIFIC GRAVITY (SATURATED SURFACE-DRY BASIS) NOT LESS THAN 2.5.
 - ABSORPTION NOT MORE THAN 2% BY WEIGHT.
 - THE BULK SPECIFIC GRAVITY AND ABSORPTION SHALL BE DETERMINED BY ASTM METHOD C-127.
- ROCK THAT FAILS TO MEET THESE REQUIREMENTS MAY BE ACCEPTED ONLY IF SIMILAR ROCK FROM THE SAME SOURCE HAS BEEN DEMONSTRATED TO BE SOUND AFTER FIVE YEARS OR MORE OF SERVICE UNDER CONDITIONS OF WEATHER, WETTING AND DRYING, AND EROSION FORCES SIMILAR TO THOSE ANTICIPATED. ALTERNATIVELY NATIVE OR IMPORTED STONE, ALREADY AT THE SITE AND MEETING THE STANDARDS OUTLINED ABOVE, MAY BE USED.
- THE ENGINEER RETAINS RIGHT OF REFUSAL FOR ANY ROCK PROPOSED TO THE SITE WHICH IS NOT SUITABLE AND DOES NOT MEET THE ABOVE



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CRITERIA AND/OR SHOWS EXCESSIVE WEATHERING, CRACKING OR DEFORMATION.

6. MINIMUM ROCK DIMENSIONS FOR "QUARRIED STONE" SHALL BE 2'X2'X4' FOR DROP STRUCTURES. MINIMUM ROCK DIMENSIONS FOR ALL POOL ARMORING AND CRIB FILL TO BE RIP RAP WITH A D50 OF 9-INCHES.
7. ALL RIP RAP TO MEET ASTM C-535-69, AASHTO TEST 103 AND HAVE A SPECIFIC GRAVITY OF 2.65 AS WELL AS MEETING THE IOWA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS. THE ENGINEER TAKES NO RESPONSIBILITY FOR MATERIAL USED NOT MEETING THESE SPECIFICATIONS OR NOT APPROVED ON-SITE BY THE ENGINEER OR OWNER.

SITE PREPARATION-ROCK EXCAVATION

1. CONTRACTOR SHALL USE SUITABLE EXCAVATION TECHNIQUES THAT INCLUDE RIPPERS, STANDARD BUCKET EXCAVATION, AND HYDRAULIC BREAKERS. NO BLASTING OR EXPLOSIVES MAY BE USED WITHOUT PRIOR APPROVAL.

SITE PREPARATION- STONES PLACED IN CHANNEL

1. NO ROCK PLACEMENT SHALL OCCUR IN CHANNEL UNTIL APPROPRIATE WATER CONTROL MEASURES ARE IN PLACE (AS OUTLINED IN THE WATER CONTROL TYPICALS).
2. AFTER SHEET PILING (OR APPROPRIATE CUTOFF WALLS) IS IN PLACE NATIVE ALLUVIUM SHALL BE EXCAVATED TO DEPTH OF FIVE FEET. CLEAN CRIB FILL SHALL BE PLACED UP TO THE SUBGRADE ELEVATION.
3. QUARRIED STONE SHALL BE PLACED AS SHOWN ON THE DRAWINGS WITHOUT ANY GAPS, SO THAT EACH BOULDER TOUCHES THE NEXT ONE.
4. EACH STONE SHALL BE PLACED TO THE FINAL POSITION BY SUITABLE EQUIPMENT FOR HANDLING MATERIAL AND, IF NECESSARY; THE STONE SHALL BE PICKED UP AND REPOSITIONED.
5. IT SHOULD BE ANTICIPATED THAT RE-HANDLING OF INDIVIDUAL STONES, AFTER INITIAL PLACEMENT WILL BE REQUIRED TO ACHIEVE REQUIRED SLOPES, GRADES, ELEVATIONS AND POSITION.
6. THE ENGINEER SHALL OBSERVE AND APPROVE CONTRACTOR'S METHOD FOR STONE PLACEMENT IN A REPRESENTATIVE AREA FOR EACH PROJECT COMPONENT.

SITE PREPARATION-ROCKS PLACED IN STONE TERRACING

1. ALL ROCKS PLACED AS STONE TERRACING MUST BE PLACED WITH FLAT SIDE FACING UP AND BE CLEAN OF ALL SHARP PROTRUSIONS THAT COULD CREATE A SAFETY HAZARD.
2. IT SHOULD BE ANTICIPATED THAT RE-HANDLING OF INDIVIDUAL STONES, AFTER INITIAL PLACEMENT WILL BE REQUIRED TO ACHIEVE REQUIRED SLOPES, GRADES, ELEVATIONS AND POSITION.
3. ALL PLACED ROCKS MUST BE KEYED IN 12-INCHES IN BOTH THE HORIZONTAL AND VERTICAL DIRECTIONS.
4. ALL STONE TERRACING SHALL BE PLACED WITH SUITABLE GEOTEXTILE UNDERLYING THE MATERIAL (IF INCLUDED IN THE DESIGN) AND BACKFILLED WITH CLEAN NATIVE FILL.
5. ALL PLACED STONES SHALL BE PLACED ON SUITABLE SUBGRADE APPROVED BY ENGINEER. IF UNSUITABLE SUBGRADE IS EXPERIENCED,

CONTRACTOR MUST INCLUDE SUITABLE SUBGRADE MATERIAL SUCH AS ROAD BASE GRAVEL.

CONCRETE MATERIALS

1. CONCRETE SHALL CONSIST OF PORTLAND CEMENT, SAND, AND GRAVEL, THOROUGHLY MIXED WITH WATER TO PRODUCE A THICK, CREAMY CONSISTENCY. THE MINIMUM AMOUNT OF WATER SHOULD BE USED TO PREVENT EXCESS SHRINKAGE OF THE CONCRETE AFTER PLACEMENT.
2. THE AGGREGATE, FOR CONCRETE, SHALL CONSIST OF 70 PERCENT SAND AND 30 PERCENT 3/8-INCH ROCK. MAXIMUM AGGREGATE SHALL BE 3/8 INCH.
3. ALL CONCRETE SHALL BE PRODUCED FROM TYPE II PORTLAND CEMENT WITH LESS THAN 5% TRICALCIUM ALUMINATE. CONCRETE SHALL HAVE MINIMUM CEMENT CONTENT OF 7 GALLONS PER SACK.
4. STRENGTH OF THE CONCRETE SHALL BE 3,000 PSI IN 28 DAYS. THE WATER CEMENT RATIO SHALL NOT EXCEED 0.48. A STIFFER MIX SHALL BE USED FOR STEEPER APPLICATIONS. AIR ENTRAINMENT SHALL BE USED FOR STEEPER APPLICATIONS. AIR ENTRAINMENT SHALL BE 6% TO 9%, AND SLUMP SHALL BE 5-INCHES TO 9-INCHES, EXCEPT AS APPROVED OR DIRECTED. AIR ENTRAINING AGENTS SHALL CONFORM TO ASTM C260 AND WATER REDUCING AGENTS SHALL CONFORM TO ASTM C494.
5. SUBGRADE, BASE MATERIAL, AND SURFACE COURSE IS TO BE COMPACTED TO 95% STANDARD PROCTOR WITH A MOISTURE CONTENT WITHIN 2% OF OPTIMAL PER ASTM D1558 AND AASHTO T180.

COLD WEATHER PLACEMENT

1. CONTRACTOR MUST FOLLOW RECOMMENDATIONS SET IN THE AMERICAN CONCRETE INSTITUTE COMMITTEE 306 (ACI 306R-88). WHEN PLACING CONCRETE AFTER THE FIRST FROST OR WHEN THE MEAN DAILY TEMPERATURES ARE BELOW 40° F.
 - a. HEAT AGGREGATES AND WATER IN ORDER TO PLACE FLOW FILL AT TEMPERATURES BETWEEN 50° F AND 80° F.
 - b. PLACING OF CONCRETE MAY BEGIN IN MORNING, BUT SHALL BE DISCONTINUED AT 3:00 PM OF SAME DAY IF FREEZING WEATHER THREATENS.
 - c. AFTER CONCRETE IS PLACED, PROVIDE SUFFICIENT PROTECTION SUCH AS COVER, CANVAS, FRAMEWORK, HEATING APPARATUS, ETC., TO ENCLOSE AND PROTECT FLOW FILL AND MAINTAIN TEMPERATURE OF 70° F FOR 3 DAYS OR 50° F FOR 5 DAYS AFTER PLACING.
 - d. IF FLAKING OR SPAWLING IS FOUND, THAT PORTION OF THE CONCRETE DID NOT APPROPRIATELY CURE AND WILL BE RE-DONE AT THE EXPENSE OF THE CONTRACTOR.
 - e. IF IN THE OPINION OF OWNER'S REPRESENTATIVE PROTECTION IS NOT ADEQUATE, CEASE PLACEMENT UNTIL CONDITIONS OR PROCEDURES ARE SATISFACTORY TO OWNER'S REPRESENTATIVE.

GROUT MATERIALS

1. THE MIXTURE WILL USE PORTLAND CEMENT: TYPE I/TYPE II, AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM SPECIFICATION C150.
2. FLY ASH: CLASS FOR C AND SHALL CONFORM TO THE REQUIREMENTS

OF ASTM C618. GROUND GRANULATED BLAST FURNACE SLAG (GGBFS): SHALL CONFORM TO THE REQUIREMENTS OF ASTM C989.

3. COARSE AGGREGATE: NORMAL-WEIGHT AGGREGATE THAT SHALL CONFORM TO THE REQUIREMENTS OF ASTM C33. MAXIMUM AGGREGATE SIZE: 1-INCH DIAMETER. COARSE AGGREGATE MAY BE REDUCED TO 3/8-INCH DIAMETER PEASTONE TO PROMOTE PUMPABILITY, PROVIDED THE REQUIRED COMPRESSIVE STRENGTH CAN BE ACHIEVED.
4. FINE AGGREGATE: NORMAL-WEIGHT AGGREGATE THAT SHALL CONFORM TO THE REQUIREMENTS OF ASTM C33. FINE AGGREGATE SHALL BE NON-REACTIVE TO ALKALINITY FROM THE CEMENT-BASED GROUT.
5. WATER: SHALL BE POTABLE AND CONFORM TO THE REQUIREMENTS OF ASTM C94.
6. AIR-ENTRAINMENT: SHALL CONFORM TO THE REQUIREMENTS OF ASTM C260.
7. ADMIXTURES: SHALL BE USED FOR ADJUSTING FLOW AND WORKABILITY, AS REQUIRED, AND COULD CONSIST OF WATER-REDUCERS, RETARDERS, PLASTICIZERS, SUPERPLASTICIZERS, OR NONCHLORIDE ACCELERATORS. ALL ADMIXTURES SHALL CONFORM TO THE REQUIREMENTS OF ASTM C494 AND ASTM C1017 AS APPLICABLE
8. THE CONTRACTOR IS REQUIRED TO FINISH ALL GROUT WITHIN THE INSTREAM STRUCTURES AND TERRACING USING THE FOLLOWING TECHNIQUE: 1) FOLLOWING INITIAL PLACEMENT OF GROUT, A TROWEL WILL BE USED TO REMOVE ALL SPILLED, SPLATTERED, AND DUMPED MATERIAL FROM ROCK FACES AND EXPOSED SURFACES. 2) ONCE THE MATERIAL HAS BEEN REMOVED BY A TROWEL, ALL SURFACES ARE TO BE TROWEL FINISHED AND SMOOTHED. 3) FOLLOWING TROWEL WORK, WET BROOMS AND BRUSHES ARE TO BE USED IN COMBINATION WITH BUCKETS OF WATER TO CLEAN ALL EXPOSED SURFACES AND TRANSITIONS FROM ROCK TO GROUT WITH THE INTENTION OF MAKING THE GROUT BLEND WITH THE ENVIRONMENT.

GROUT MIX

1. DESIGN MIXTURE FOR GROUT SHALL BE PROPORTIONED ON THE BASIS OF LABORATORY TRIAL MIXTURE OR FIELD TEST DATA IN ACCORDANCE WITH ACI 301.
2. MAXIMUM FLY ASH CONTENT: 25 PERCENT.
3. MAXIMUM GGBFS CONTENT: 25 PERCENT.
4. GROUT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS.
5. MAXIMUM WATER-CEMENT RATIO: 0.55
6. MINIMUM CEMENT CONTENT: 517 POUNDS PER CUBIC YARD.
7. MINIMUM SLUMP: 5 INCHES.
8. MAXIMUM SLUMP: 9 INCHES.
9. ENTRAINMENT AIR-CONTENT: 3 TO 5 PERCENT.



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GROUT MIXING AND PLACEMENT

1. MEASURE, BATCH, MIX, AND DELIVER GROUT ACCORDING TO ASTM C94. USE ADMIXTURES ACCORDING TO THE MANUFACTURERS' WRITTEN INSTRUCTIONS.
2. THE CONTRACTOR MAY SUBMIT MIX ADJUSTMENTS TO THE DESIGNER FOR THEIR REVIEW AND APPROVAL WHEN CIRCUMSTANCES SUCH AS CHANGED PROJECT CONDITIONS, UNFAVORABLE WEATHER, OR UNFAVORABLE RESULTS OCCUR. INCLUDE NECESSARY SUPPORTING DOCUMENTS (LABORATORY AND/OR FIELD TEST DATA) WITH ANY MIX ADJUSTMENT REQUESTS. MIX ADJUSTMENTS, IF ACCEPTABLE TO THE DESIGNER, SHALL BE PERFORMED AT NO ADDITIONAL EXPENSE TO THE OWNER.
3. THE MIXER, WHEN OPERATING AT CAPACITY, SHALL BE CAPABLE OF COMBINING THE INGREDIENTS OF THE GROUT MIX INTO A THOROUGHLY MIXED AND UNIFORM MASS, AND OF DISCHARGING THE MIX WITH A SATISFACTORY DEGREE OF UNIFORMITY. THE MIXER SHALL BE OPERATED WITHIN THE LIMITS OF THE MANUFACTURER'S GUARANTEED CAPACITY AND SPEED OF ROTATION.
4. IF REQUIRED TO PROMOTE PUMP-ABILITY, UP TO 20 GALLONS OF POTABLE WATER PER FULL (10CY) LOAD (OR PROPORTIONED ACCORDINGLY) MAY BE ADDED (AND THOROUGHLY MIXED) ONSITE. ADDING WATER TO THE MIX ON-SITE (IF REQUIRED) MUST OCCUR WITHIN 60 MINUTES OF THE TIME OF BATCHING. ALL REQUIREMENTS FOR THE GROUT MIX, AS STATED IN THIS SPECIFICATION, APPLY REGARDLESS OF WHETHER OR NOT WATER IS ADDED ON-SITE.
5. THE TIME INTERVAL BETWEEN GROUT BATCHING AND PLACEMENT SHALL BE 90 MINUTES. OR, THIS REQUIREMENT MAY BE WAIVED IF, AFTER 90 MINUTES, THE GROUT CAN STILL BE PLACED WITHOUT ADDING WATER (TO REDUCE SLUMP) TO THE BATCH. FIELD PACKS OF WATER REDUCING ADMIXTURES MAY BE ADDED TO THE BATCH TO INCREASE SLUMP/WORKABILITY. MAXIMUM TIME INTERVAL, REGARDLESS OF SLUMP, SHALL BE 180 MINUTES. FOR AIR TEMPERATURE GREATER THAN 80 DEGREES, MAXIMUM TIME INTERVAL SHALL BE REDUCED TO 120 MINUTES. FOR AIR TEMPERATURE GREATER THAN 90 DEGREES, MAXIMUM TIME INTERVAL SHALL BE REDUCED TO 90 MINUTES.
6. IN ANY CASE, GROUT SHALL BE CONVEYED FROM THE MIXER TO THE FINAL PLACEMENT AS RAPIDLY AS PRACTICABLE BY METHODS THAT WILL PREVENT SEGREGATION OF THE AGGREGATES AND/OR LOSS OF CEMENTITIOUS MATERIALS.
7. GROUT MIX SHALL NOT BE ALLOWED TO FREE FALL MORE THAN FIVE (5) FEET UNLESS SUITABLE EQUIPMENT IS USED TO PREVENT SEGREGATION.
8. THE GROUT MIX SHALL NOT BE PLACED UNTIL THE AFFECTED AREA HAS BEEN INSPECTED AND APPROVED BY THE DESIGNER FOR THE PLACEMENT OF GROUT.
9. GROUT MIX SHALL NOT BE PLACED WHEN THE DAILY AVERAGE TEMPERATURE IS LESS THAN 40 F UNLESS FACILITIES ARE PROVIDED TO ENSURE THAT THE TEMPERATURE OF THE MATERIALS IS MAINTAINED AT A MINIMUM TEMPERATURE OF 50 F AND NOT MORE

THAN 90 F DURING PLACEMENT AND THE CURING PERIOD.

10. GROUT MIX SHALL NOT BE PLACED ON FROZEN SURFACES. AT A MINIMUM, GROUT MIX SHALL NOT BE ALLOWED TO FREEZE FOR THE INITIAL 24 HOURS AFTER PLACEMENT.
11. FOR HOT WEATHER PLACEMENT, COMPLY WITH ACI 305.1 (SPECIFICATION FOR HOT WEATHER CONCRETING).
12. FOLLOW DESIGNER SPECIFICATIONS FOR SUBGRADE PREPARATION, GROUT PLACEMENT AND FINISHING, CURING, AND CLEAN-UP. SPECIFICALLY, FILL VOIDS ALONG UPSTREAM AND DOWNSTREAM TOE WITH GROUT. ALL ROCK TO BE CLEAN AND SWEEPED AFTER GROUTING.
13. AFTER COMPLETION OF ANY GROUT PLACEMENT, NO INDIVIDUALS OR EQUIPMENT SHALL BE PERMITTED ON THE GROUTED SURFACE FOR A PERIOD OF TWENTY-FOUR (24) HOURS. THE GROUTED SURFACE SHALL BE PROTECTED FROM INJURIOUS ACTION BY THE SUN, RAIN, FLOWING WATER, MECHANICAL INJURY, OR OTHER POTENTIAL DAMAGING ACTIVITY.

GROUT AND CONCRETE PLACEMENT

1. GROUT SHALL BE PUMPED INTO VOIDS AS DIRECTED BY THE ENGINEER OR OWNER.
2. ALL GROUT IN "WING" AND "ISLAND" SHOULD BE HELD BACK 4-6 INCHES.
3. ALL EXPOSED VISIBLE GROUT SHALL BE SMOOTHED WITH TROWEL OR BRUSHED FINISH, EVEN IN VOID SPACES.
4. AT COMPLETION OF GROUT PLACEMENT ALL ROCK SHOULD BE CLEANED OF GROUT AND GROUT RESIDUE. SMALL BRUSHES HAVE BEEN PROVEN TO BE THE MOST EFFECTIVE TECHNIQUE FOR REMOVING CONCRETE GROUT RESIDUE.
5. GROUT SHALL NOT BE PLACED UNLESS APPROPRIATE WATER CONTROL MEASURES ARE IN PLACE.
6. FOLLOWING COMPLETION OF GROUT PLACEMENT, THE WORK AREA SHOULD BE FLOODED TO ENSURE OPTIMAL CURING TIME. THE WORK AREA SHALL BE ISOLATED TO ENSURE THERE IS NO CONTACT WITH THE LIVE RIVER. THE STATIC WATER LEVEL IN THE WORK AREA SHOULD EQUAL THE WATER LEVEL IN THE LIVE RIVER.
7. THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE A MINIMUM OF 48 HOURS PRIOR TO THE PLACEMENT OF CONCRETE OR GROUT. THE OWNER'S REPRESENTATIVE MUST APPROVE THE FORM WORK AND REINFORCEMENT PRIOR TO PLACEMENT OF CONCRETE OR GROUT.
8. ALL SAW CUT JOINTS MUST BE COMPLETED WITHIN 24 HOURS OF CONCRETE PLACEMENT. ANY CONCRETE SAWN AFTER THIS 24 HOUR PERIOD, WHICH IN THE OPINION OF THE OWNER'S REPRESENTATIVE HAS EXCESSIVE SHRINKAGE CRACKS, SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.

INSPECTING AND TESTING FRESH GROUT

1. THE GROUT MATERIAL SHALL BE CHECKED AND TESTED THROUGHOUT THE GROUTING OPERATION AT THE CONTRACTOR'S

EXPENSE. SAMPLING OF FRESH GROUT SHALL BE CONDUCTED IN CONFORMANCE WITH ASTM C172. FIELD TESTING WILL BE DETERMINED BY METHODS PRESCRIBED IN ASTM C138. AT A MINIMUM, FIELD TESTING SHALL INCLUDE SLUMP, AIR CONTENT, UNIT WEIGHT, TEMPERATURE, AND COMPRESSIVE STRENGTH CYLINDERS (1 7D, 2 28D, AND 1 HOLD CYLINDER). A MINIMUM OF ONE SET OF TEST CYLINDERS SHALL BE CAST FOR EVERY 50 CUBIC YARDS OF GROUT PLACED.

2. THE ENGINEER SHALL HAVE FREE ACCESS TO ALL PARTS OF THE CONTRACTOR'S PLANT AND EQUIPMENT UTILIZED FOR MIXING AND PLACING GROUT DURING THE PERIOD OF THE CONTRACT. PROPER FACILITIES SHALL BE PROVIDED FOR THE ENGINEER TO SAMPLE MATERIALS AND VIEW PROCESSES IMPLEMENTED IN THE MIXING AND PLACING OF GROUT AS WELL AS FOR SECURING GROUT TEST SAMPLES. ALL TESTS AND INSPECTIONS SHALL BE SO CONDUCTED AS A MINIMUM OF INTERFERENCE TO THE CONTRACTOR'S OPERATION OCCURS.
3. FOR READY-MIXED GROUT, THE CONTRACTOR SHALL FURNISH TO THE ENGINEER A STATEMENT OF DELIVERY TICKET FOR EACH BATCH DELIVERED TO THE SITE. THE TICKET SHALL PROVIDE AS A MINIMUM: WEIGHTS IN POUNDS OF CEMENT, AGGREGATES (FINE AND COARSE), WATER; WEIGHT IN OUNCES OF AIR-ENTRAINING AGENT; TIME OF LOADING; AND, THE REVOLUTION COUNTER READING AT THE TIME BATCHING WAS STARTED.

REVEGETATION NOTES

1. ANY REVEGETATION OR PLANTING SHALL OCCUR WITHIN THE APPROPRIATE PLANTING WINDOWS AND IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. THIS TIMEFRAME SHOULD NOT EXCEED 14 DAYS AFTER COMPLETION OF FINAL GRADES.
2. THE CONTRACTOR SHALL PLANT THE TYPE OF PLANT MATERIAL AND MIX OF SPECIES INDICATED FOR EACH PLANTING ZONE. BOUNDARIES OF PLANTING ZONES AND LOCATIONS OF TREE AND SHRUB PLANTINGS WILL BE MARKED IN THE FIELD UPON COMPLETION OF EARTHWORK BY THE ENGINEER AND MAY VARY FROM THOSE SHOWN ON THE DRAWING DUE TO ACTUAL SITE CONDITIONS.
3. ALL SUITABLE TOPSOIL SHALL BE STOCKPILED DURING CONSTRUCTION AND PLACED WITHIN THE SEEDER AREAS IN MINIMUM 3-INCH DEPTHS.
4. CONTRACTOR SHALL MAINTAIN ALL PLANT MATERIAL IN A VIABLE CONDITION UP TO THE TIME OF PLANTING AND SHALL NOT PLANT DEAD, DISEASED, OR DAMAGED PLANTS OR SEEDS.
5. NO PLANTING OR SEEDING SHALL OCCUR UNTIL THE AREA HAS BEEN PROPERLY PREPARED AND APPROVED BY THE ENGINEER (INCLUDING SOILS BEING SATURATED AND/OR FLOODED TO APPROPRIATE WATER DEPTHS).
6. PLANT MATERIALS SHALL BE INSTALLED USING STANDARD PRACTICES FOR THE TYPE OF MATERIAL. THE FOLLOWING DESCRIBES THE SPECIFIC METHODS TO BE USED FOR EACH TYPE OF PLANTING:
 - a. MINIMUM 3-CUBIC-INCH POTTED NURSERY STOCK: POTTED STOCK OF THE SPECIES SHOWN FOR EACH ZONE SHALL BE PLANTED RANDOMLY IN STAGGERED ROWS AT THE SPACING



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SPECIFICATIONS

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INDICATED. PLANTS SHALL NOT BE PLANTED COMPLETELY SUBMERGED.

b. TREES AND SHRUBS: TREES AND SHRUBS SHALL BE PLANTED AT THE LOCATIONS SHOWN ON THE PLAN.

c. SEEDING: THE UPPER THREE (3) INCHES (MINIMUM) OF THE AREA TO BE SEEDED SHALL BE IN A LOOSE AND FRIABLE CONDITION SUITABLE FOR SEEDING. IF NECESSARY, AREAS TO BE SEEDED WILL BE TILLED TO RELIEVE COMPACTION PRIOR TO SEEDING. ONCE SEEDING IS COMPLETE, NO MORE THAN 0.5-INCHES OF SOIL MAY BE PLACED OVER THE SEED.

7. CONTROL ANY SURFACE FLOW TO ENABLE SEEDING.

8. THE SEED MIXES SPECIFIED SHALL BE BROADCAST SEEDED IN WETLAND PLANTING AND TRANSITION AREAS AND SHALL BE DRILL SEEDED IN OTHER AREAS. SEPARATE SEED BOXES SHALL BE USED AS NEEDED, TO ACCOMMODATE THE SEED SIZES IN THE MIXTURES.

9. 2 TONS PER ACRE OF STRAW MULCH SHALL BE APPLIED TO SEEDED AREAS IMMEDIATELY AFTER SEEDING, EXCEPT THAT 1 TON PER ACRE OF STRAW MULCH SHALL BE APPLIED TO SEEDED WETLAND CREATION AREAS.

10. MULCH SHALL BE CRIMPED OR TACKIFIER APPLIED TO PREVENT MOVEMENT. IF TACKIFIER IS USED, IT SHALL BE "M-BINDER" TACKIFIER APPLIED AT A RATE OF 100 POUNDS PER ACRE.

11. ALL PLANTED AND SEEDED AREAS SHALL BE ADEQUATELY WATERED WITHIN 4 HOURS AFTER SEEDING/PLANTING. THE FOLLOWING DESCRIBES THE REVEGETATION TO BE COMPLETED BY AREA:

a. WETLAND CREATION AREAS: A) BROADCAST SEED MIX FOR AREA B) APPLY 1 TON PER ACRE STRAW MULCH C) APPLY 100 POUNDS PER ACRE "M-BINDER" TACKIFIER D) PLANT POTTED STOCK 3-FOOT-ON-CENTER IN STAGGERED ROWS THROUGH MULCH.

b. TRANSITION AREAS: A) BROADCAST SEED MIX SPECIFIED, B) APPLY 2 TONS PER ACRE STRAW MULCH, C) APPLY 100 POUNDS PER ACRE "M-BINDER" TACKIFIER.

c. EXCESS SOIL DISPOSAL AREA AND OTHER UPLAND AREAS: A) BROADCAST SEED MIX SPECIFIED, B) APPLY 2 TONS PER ACRE STRAW MULCH, C) CRIMP MULCH TO SECURE.

2. STEPS SHALL BE EMPLOYED THROUGHOUT THE COURSE OF THE PROJECT TO AVOID THE CREATION OF EXCESSIVE TURBIDITY WHICH MAY DEGRADE WATER QUALITY OR ADVERSELY AFFECT AQUATIC LIFE.

3. NO WASTEWATER SHALL BE DISCHARGED INTO THE RIVER.

4. PRIOR TO CREATION OF COFFERDAMS OR DIVERTING WATER IN ANY MANNER, THE CONTRACTOR MUST REVIEW ALL RELEVANT PERMIT CONDITIONS AND INFORM THE ENGINEER OF THEIR TIMING, METHODS, AND TECHNIQUES FOR WATER CONTROL.

5. THE WATERWAY MAY EXPERIENCE FLOODING AND CHANGES IN WATER LEVEL AT ANY TIME. IT IS THE CONTRACTORS RESPONSIBILITY TO MONITOR AND ANTICIPATE CHANGES AND PLAN ACCORDINGLY. ANY DAMAGE, LOSSES, PERMIT CONDITION VIOLATIONS, ETC. AS A RESULT OF FLOODING IN THE WATERWAY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

6. ANY COFFERDAM FAILURE MUST BE REPORTED TO THE ENGINEER AND/OR OWNER IMMEDIATELY.

7. UNLESS PRIOR APPROVAL HAS BEEN GRANTED, THE CONTRACTOR MUST ONLY CONSTRUCT AND WORK WITHIN ONE COFFERDAM AT A TIME.

EMERGENCY PLANNING

1. CONTRACTOR SHALL CREATE AND HOLD ON FILE AN EMERGENCY ACTION PLAN. THAT PLAN MUST INCLUDE CONTACT NUMBERS FOR ALL UTILITIES LOCATED WITHIN THE PROJECT SITE, IN ADDITION TO PHONE NUMBERS FOR ALL PERMIT AGENCY PROJECT MANAGERS.

2. THE ENGINEER AND THE OWNER MUST BE NOTIFIED IMMEDIATELY FOLLOWING AN EMERGENCY SITUATION.

OTHER

1. IN THE EVENT AN ITEM IS NOT COVERED IN THE SPECIFICATIONS, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE AND THEY MUST APPROVE ANY ADDITIONS OR MODIFICATIONS TO THE SPECIFICATIONS.

2. ALL WASTE MATERIAL AND/OR EXCESS EXCAVATION NOT USED AS PART OF THE WORK SHALL BE REMOVED FROM THE JOB SITE AND DISPOSED OF AT ACCEPTABLE LOCATIONS IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.

3. THE CONTRACTOR AT ALL TIMES DURING CONSTRUCTION SHALL PROVIDE WARNING SIGNS, BARRICADES, AND OTHER SAFETY DEVICES (INCLUDING TEMPORARY FENCING AROUND THE JOB SITE) TO PROTECT PUBLIC SAFETY AND HEALTH IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

WATER CONTROL

1. CONTRACTOR SHALL PREPARE A DEWATERING PLAN TO BE APPROVED BY THE ENGINEER OR OWNER PRIOR TO COMMENCEMENT OF ANY DEWATERING ACTIVITIES. ALL DEWATERING DISCHARGES MUST BE FILTERED TO REMOVE EXCESSIVE SEDIMENTS AND MUST BE DISCHARGED ONTO AN ENERGY-DISSIPATION DEVICE (E.G., PLUNGE POOL, SPLASH PUP, CONCRETE WEIGHT, OR EQUIVALENT) PRIOR TO DISCHARGE INTO ANY SURFACE WATER. FISH OR MUSSELS TRAPPED IN THE DRY AREA MUST BE PROPERLY RELOCATED TO A DOWNSTREAM SECTION OF THE RIVER BY A DESIGNATED/QUALIFIED INDIVIDUAL.



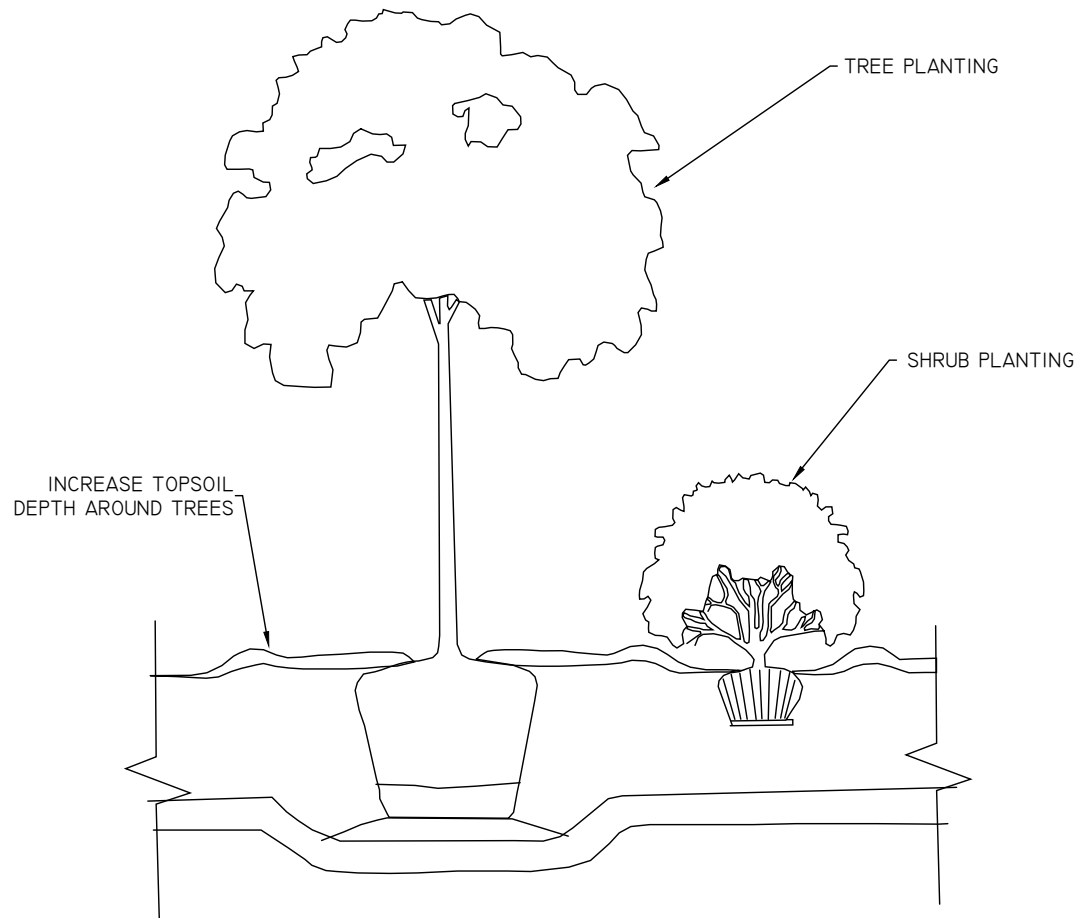
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LANDSCAPING DETAILS

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TREE AND SHRUB PLANTINGS

NOTES:

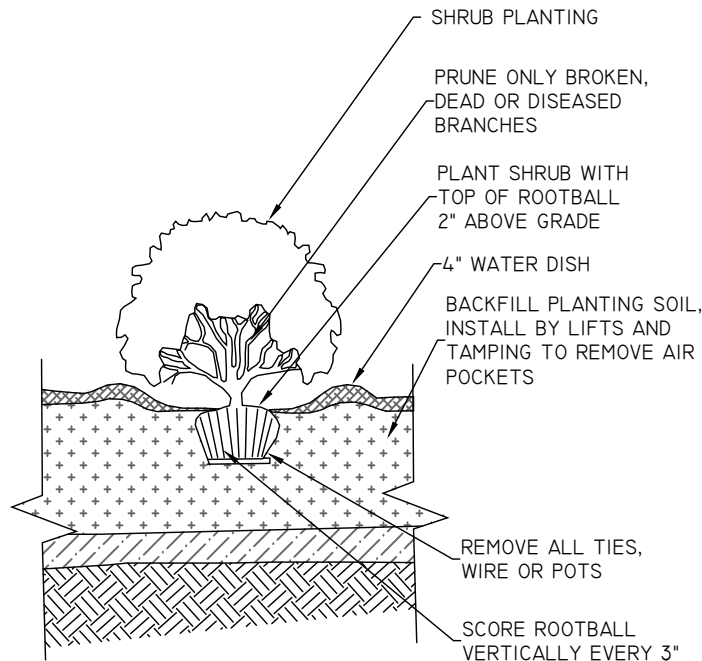
- 1) REMOVE ALL UNSUITABLE MATERIAL INCLUDING TRASH, RUBBLE, DEBRIS, GRAVEL, ETC. FROM PLANTING PIT
- 2) WATER THOROUGHLY AFTER INSTALLATION
- 3) REMOVE TREE RINGS AND STAKES TWO YEARS AFTER INSTALLATION IF STAKING WAS REQUIRED
- 4) DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING
- 5) CROWN OF ROOTBALL TO BE PLACED 2" ABOVE FINISHED GRADE TO ALLOW FOR SETTLEMENT
- 6) DO NOT WRAP TRUNK

LANDSCAPING DETAILS

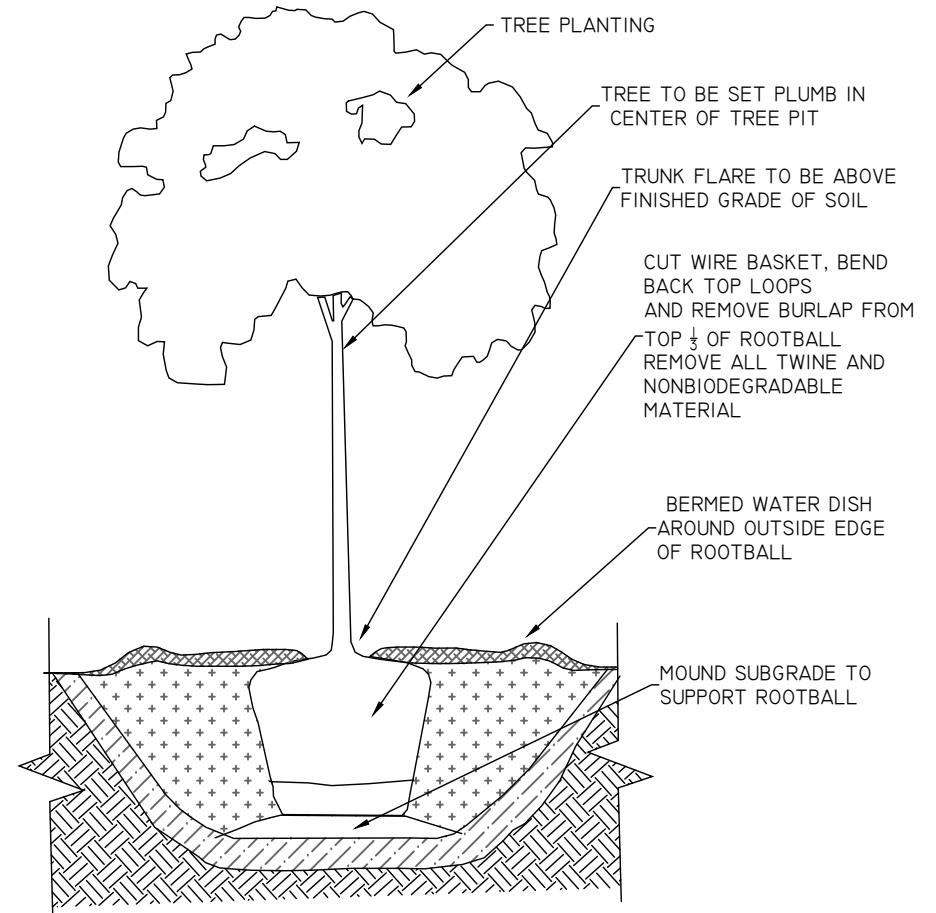
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SHRUB PLANTING



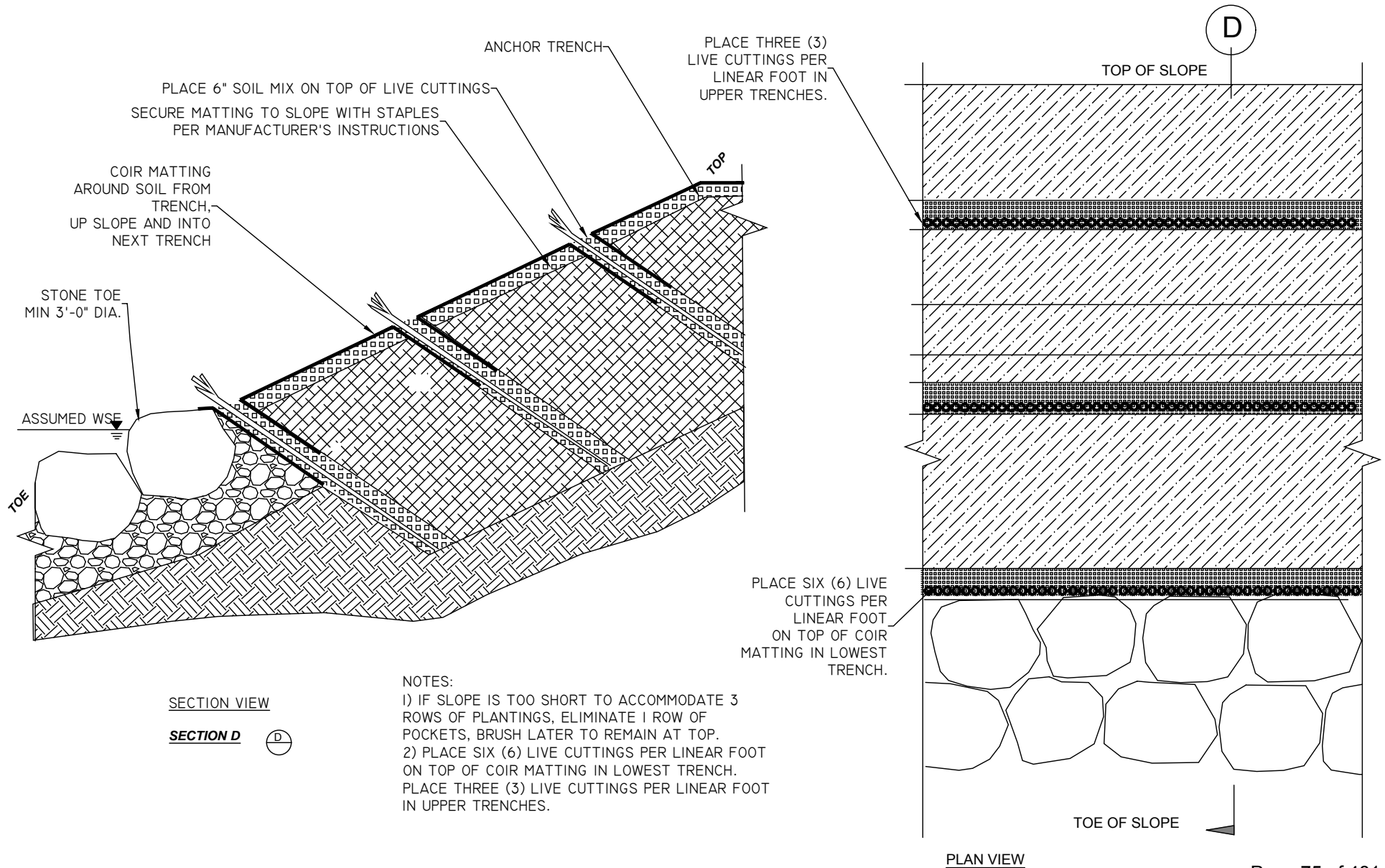
TREE PLANTING

LANDSCAPING DETAILS

PRELIMINARY - NOT FOR CONSTRUCTION

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APPLICANT	CITY OF MISSOULA
LOCATION	CLARK FORK RIVER,

DATE JAN 11, 2018
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MAX WAVE PROJECT
OPERATION & MAINTENANCE
(O&M) MANUAL

March 2018

Prepared for

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PO Box 9053
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and

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MMI #: 5251.001.01

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1 GENERAL INFORMATION

This document is the Operation and Maintenance (O&M) Manual for Max Wave and Flynn-Lowney Diversion. The manual provides procedures and guidance for the operation and maintenance of the facilities associated. The purpose of the O&M Manual is to ensure adherence to approved operating procedures over long periods of time and during changes in operating personnel. The instructions will permit personnel unfamiliar with conditions associated with wave park facilities and diversions to conduct the operation and maintenance at times when regular operating personnel cannot perform their normal duties.

1.1 Project Description

The Max Wave Project consists of whitewater drop structures, roughened channel, and diversion (headgate island) located at the Flynn-Lowney Diversion on the Clark Fork River near downtown Missoula, Montana. The project is located adjacent to Ogren Park Allegiance Field, adjacent to West Broadway Island, and immediately downstream from McCormick Park and the All-Abilities Playground. The location is in an urban setting with the surrounding area developed for commercial, residential, and recreational uses. The goals of the Max Wave Project are to provide a recreational venue while enhancing safe boater passage, providing safe access to those with accessibility needs, maintaining the ditch company's ability to divert flow, restoring heavily impacted streambanks, and maintaining passage for aquatic life.

The diversion was rebuilt using less rough boulders, less porous diversion, and more erosion resistant boulders than the original diversion. Along with these improvements, two whitewater drop structures and a roughened channel with a gradual hydraulic transition were installed. The roughened channel is located along the north bank, adjacent to West Broadway Island, designed for aquatic organism and novice boater passage. The project's design implements ADA-compliant river access as well as streamside improvements including removal of concrete debris slabs and replacement of noxious weeds with native vegetation.

1.2 Location and Access

For operation and maintenance purposes, any repairs or maintenance to the project below the low water mark must be accessed within the areas defined by the DNRC Navigable Rivers Permit easement. Recommended access is shown on Appendix B.

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To the greatest extent possible, access to the site should protect natural resources, recreational infrastructure and minimize disturbance to the public. Access through West Broadway Island should be along the canal embankment on the south side of the canal, unless deemed impractical. If public is present and heavy equipment is mobilized, then a flagger is recommended. Any damages from mobilizing equipment should be repaired within a reasonable timeframe.

1.3 Roles and Responsibilities

Max Wave involves numerous stakeholders including the Hellgate Valley Irrigation Company, Brennan's Wave Inc., and the City of Missoula Parks and Recreation Department. Hellgate Valley Irrigation Company is the owner of the diversion structure directly upstream of West Broadway Island. The owner of the lower wave feature is Brennan's Wave. The State of Montana owns the riverbed below the ordinary high water mark and the City of Missoula owns the land above the low water mark.

Each entity is responsible for operations and maintenance for various parts of the Max Wave. The rules and responsibilities are as follows:

- Hellgate Valley Irrigation Company is responsible for all operation and maintenance relative to the Flynn-Lowney Diversion and irrigation ditch. These areas include, but are not limited to, the channel to the existing headgate, diversion overflow, and headgate island.
- City of Missoula Parks and Recreation is responsible for all operation and maintenance above the low water mark. This includes, but is not limited to signs, vegetation, and access to Max Wave. This excludes structure islands within the river.
- Brennan's Wave Inc. is responsible for all operation and maintenance below the low water mark. This includes the roughened channel and drop structures. This does not include the diversion overflow.

An exhibit is prepared to illustrate areas of O&M responsibility and is included in Appendix A.

In the event of a structural emergency that affects the irrigation ditch and structures below the low water mark, Brennan's Wave Inc. and the Hellgate Valley Irrigation Company will work together to coordinate repairs. This includes, but is not limited to, structural damage to the aquatic organism passage and the novice boat passage.

1.4 Permit Compliance

All operating and maintenance procedures laid out in this manual have been approved by the following permitting agencies: City of Missoula Floodplain, Department of Natural Resources and Conservation (DNRC), United States Army Corps of Engineers (USACE), Department of Environmental Quality (DEQ), and Fish, Wildlife and Parks (FWP). Any operation and maintenance procedures outside of this document require additional permitting, review, and acceptance before procedures can be carried out.

All applicable permits have been attached in Appendix G for reference.

1.5 Public Safety

Public safety at Max Wave is of the utmost importance. Stakeholders will promote public safety through the implementation of this Operation and Maintenance Plan and through the use of signs providing safety guidelines and recommendations on identifying dangerous conditions. Signs should be located at the two access ramps on the south bank of the Clark Fork River. Signs shall provide the following message with wording and coordination of signage agreed upon by the City of Missoula Parks and Recreation Department and Brennan's Wave, Inc.:

All Max Wave users should take proper safety precautions before entering the river and should observe hydraulic conditions before use. All users enter at their own risk.

1.6 Emergency Repair & Contacts

An emergency repair may be warranted due to structural damage or operational inefficiencies to components of the Max Wave including, but not limited to, the aquatic organism passage or the novice boat passage. In the event of an emergency repair, the following steps should be followed:

1. All project stakeholders shall be notified.
2. Provide a courtesy call to permitting agencies notifying them of the need for emergency repair. Inform them that the O&M Manual provides them authority to perform the repairs in accordance with the design standards and guidelines set forth in the O&M Manual.

O&M Manual

3. Provide repairs to Max Wave in accordance with the O&M Manual and design standards. These sections include, but are not limited to, Sections 01150 and 02401, Environment Quality control and Diversion and Care of River.

An emergency contact list has been provided with this document. It is up to the involved parties to maintain and update this list as necessary.

Organization	Address	Representative/Contact
Brennan's Wave Inc.	PO Box 9053 Missoula, MT 59807	Brennan's Wave Inc. Jason Shreder 406-360-4436
City of Missoula Parks and Recreation Department	600 Cregg Lane Missoula, MT 59801	Director of Parks and Recreation 406-721-Path
Hellgate Valley Irrigation Company	4646 Buckhouse Lane Missoula, MT 59804	Hellgate Valley Irrigation Company President Race Pruyn 406-370-7401

2 OPERATING PROCEDURES

2.1 General

Max Wave is designed to function at all normal flows. Over the course of time the Clark Fork River's geomorphology will inevitably change. The effects of these changes are difficult to predict due to influences outside of this project and could result in changes to the functionality of the diversion structure, drop structure, and/or roughened channel. Design calculation for the project suggest aggregation will not be an issue within the project area. However, geomorphologic changes and their effects on the Max Wave Project should be monitored and noted.

2.1.1 Flynn-Lowney Diversion and Intake Canal

The Flynn-Lowney diversion is a hardened diversion that requires minimal operation of any structures to receive desired flows. If desired flows are not received, the diversion structure should be inspected. Operating procedures for the original diversion structure and intake canal have been incorporated into this document to provide references to typical maintenance and operating procedures. It is anticipated that operating and maintenance tasks for the diversion should be minimal, which is a vast improvement over the required operation over the past 20 years.

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The historic routine maintenance for the Flynn-Lowney diversion and intake canal includes, but is not limited to, the following activities:

- The intake channel needs to be maintained for an even flow of water without restriction from the diversion to the head gate.
- The intake channel needs to be kept free of debris and silt.
- The banks need to be maintained to prevent water returning to the river during normal flow events once diverted to the intake channel.
- The return structure boards need to be removed prior to an ice event and replaced during low water.
- An access shall be maintained along the intake channel for the equipment required for maintenance and cleaning.
- Periodic inspection will be completed by the Hellgate Valley Irrigation Company.

Record drawings can be found in Appendix E and a maintenance history can be found in Appendix F.

2.1.2 Max Wave

Drop structures and the roughened channel require no operation and, if functioning improperly or creating dangerous hydraulic conditions, the structures should be inspected.

At extremely low flow conditions, water will be directed down the roughened channel to provide stream flow and allow for fish passage. During these extreme low flow periods, the diversion will likely divert minimal flow and the drop structures will not convey water.

2.2 Flood Operations

During an extreme flood event such as in excess of a 100-year flood, no one should be permitted within 25 feet of the water line along either streambank or along Broadway Island. The flood event should be monitored from a safe distance and any emergency situations shall be reported and acted upon as soon as possible.

3 MONITORING AND INSPECTIONS

3.1 Frequency of Inspections

Inspections and monitoring of the Max Wave Project shall occur with the following frequency:

- Annual: owner performs visual inspection and monitoring. Inspection to occur after the high water season.
- Critical Event: owner performs visual inspection and monitoring. Inspection to occur after critical event occurs.
- 5-year Inspection: Engineer performs 5-year inspection and monitoring.

3.2 Annual Inspections

An owner inspection should be performed once a year after high water (typically between August-September). A table of percent daily exceedance and corresponding flow rates are provided in Appendix F. A lower percent exceedance indicates a higher flow event and a higher percent exceedance indicates a lower flow event. These flow rates can be used as a basis when determining what flow condition is present at any given time. The instantaneous flow of the project area can be estimated by taking the flow provided at the USGS gauging station located on the Clark Fork River above Missoula. https://waterdata.usgs.gov/nwis/uv?site_no=12340500

Inspections at a greater frequency may be required in the event of a critical event or reported observation of uncharacteristic wave performance or flow diversion.

3.3 Critical Event Inspections

Max Wave should be inspected as soon as reasonably safe following the occurrence of a critical event. Critical events include severe rain or wind, earthquakes, and floods or periods of extremely high water exceeding a 25-year event. All inspection procedures outlined in the section above, periodic inspections, should be followed.

In the event of an earthquake event, a decrease in the structural integrity of all structures could occur. This could result in a change in monitoring schedules that should be studied and changed if necessary. The need for a change in inspection schedules will be on a case-by-case basis dependent on the severity of the critical event.

3.4 Annual and Critical Event Inspection Tasks

The inspection should include a systematic review of the conditions of the diversion structure, each drop structure, roughened channel, and streambank along the Max Wave's entirety. Photographs of each structure should be included with each inspection. The inspection should include review of past photographs to monitor for changes in the shape and condition of the structures.

3.4.1 Deterioration, breaks, cracks, weathering in structure and grout

The structures should be visually inspected for deterioration, breaks, cracks and weathering in structure and grout. The visual inspections do not warrant dewatering and only includes review of features above water or viewable through the water surface. If visual inspections identify deterioration, breaks, cracks, weathering in structure and grout and/or if review of photographs identify changes in the shape and condition of the structure, then a professional engineer should be consulted to determine risk associated with failure or the need to repair. The engineer may require survey of the structures to assess the risk and make recommendations for repair and/or maintenance. If survey is requested by the engineer, the survey should consider the elevations of the structures as noted in the record drawings provided as Appendix E of this document.

3.4.2 Sediment, debris, or any blockage restricting flow capacity or operation

If visual inspections identify sediment, debris, or any blockage restricting flow capacity or operation, such as woody vegetation and perennials on structure, then items should be removed.

Sediment transport is a natural process of the river system. It is expected that sediment aggradation (deposition) will occur after large flow events. This process should be considered normal and insignificant unless it effects the stability of the structure or partially blocks water delivery to the irrigation canal, aquatic organism passage (AOP) or wave features. The site is not functioning in a normal capacity if sediment aggradation is effecting the quality of the wave features or blocks passage through the AOP or irrigation canals.

3.4.3 Woody vegetation and perennials on structure

General inspection items include vegetation above the ordinary high water mark, vandalism, and signage.

3.4.4 Scour or dislodging of structure

The structures should be visually inspected for scour or dislodging of the structure. The visual inspections do not warrant dewatering and only includes review of features above water or viewable through the water surface. If visual inspections identify scour or dislodging of the structure and/or if review of photographs identify changes in the shape and condition of the structure, then a professional engineer should be consulted to determine risk associated with failure or the need to repair. The engineer may require survey of the structures to assess the risk and make recommendations for repair and/or maintenance. If survey is requested by the engineer, the survey should consider the elevations of the structures as noted in the record drawings provided as Appendix E of this document.

Sediment transport is a natural process of the river system. It is expected to witness sediment scour after large flow events and over time. This process should be considered normal and insignificant unless it effects the stability of the structure.

3.4.5 Documentation and Reporting

The owner should keep record of annual inspection findings. The record should include the following:

- Person(s) who performed inspection
- Dates and Time of inspection
- Site conditions during inspection including flow of the river as noted on the USGS gaging station above Missoula
- Observations
- Photographs of all structures
- Actions taken, such as maintenance
- Summary of all maintenance costs since last inspection

3.5 5-year Inspections and Monitoring

Every five years, an engineer shall inspect the Max Wave Project. The engineer should perform the tasks identified for the annual inspection in addition to the tasks identified in this section.

3.5.1 Review and Analysis

Engineer should:

- Review previous inspection reports and available data on the design, construction, operation, and maintenance of the structures and its appurtenances.
- Review operation and maintenance procedures in Operation and Maintenance manual.
- Review inspection procedures employed by the owner. Does owner do a good job of their annual inspection? Could they use training or assistance? Are the owner's inspection reports helpful to you?
- Review aerial imagery over time periods applicable.

3.5.2 Field Tasks and Monitoring

Engineer should:

- Provide recommendations based on data analysis. If data is limited and the condition warrants investigation, design a program for data acquisition.
- Conduct a visual inspection of the structures, its appurtenances, the downstream area, and all other areas affected by the structure.
- Conduct a visual inspection of the condition of surfaces and vegetation on the structures.
- Perform a grade survey on the crest of the wave features (2), crest of AOP channels (2), deflector, and headgate island.

3.5.3 Report

Engineer should:

- Prepare a written report and photographic record of the inspection. Include the date and findings of the inspection.
- Include an assessment of the conditions structures based on visual observations, available data on the design, construction, operation, and maintenance of the structure, and hydrologic, hydraulic, stability, and other evaluation.

- Make recommendations for any critical or emergency measures or actions.
- Make recommendations for corrective measures or actions relating to design, construction, operation, maintenance, and inspection of the structure.
- Make recommendations for time periods appropriate for implementing any necessary emergency or corrective measures or actions to improve the safety of the site to an acceptable level.
- Make recommendations for additional detailed studies, investigations, and analyses, if warranted. In many cases, no additional study is necessary.
- Make recommendations for the time of the next inspection by an engineer
- The engineer shall deliver the report and discuss it with the owner within 60 days of the investigation.

4 MAINTENANCE

4.1 Periodic Maintenance

Periodic maintenance shall be performed upon the results of periodic inspections. Any items noted in the inspection report will be added to the maintenance work schedule and performed as soon as conditions, safety, and scheduling allow to prevent further damage or operational inefficiencies. Maintenance work shall be performed within a reasonable period after completion of inspection. Maintenance tasks performed should adhere to the following procedures:

1. Signs of hydraulic rollers, deeper than normal pools, etc. indicate erosion or scour holes that require fill with properly compacted cohesive native material or material compliant with original design specifications.
2. Any observations of deteriorated, cracked, or broken concrete or grout shall be repaired in accordance with Montana Public Works Specifications.
3. Any observations of displaced or damaged structures shall be repaired by addition, repair, or relocation of riprap where displacement or damage has occurred.

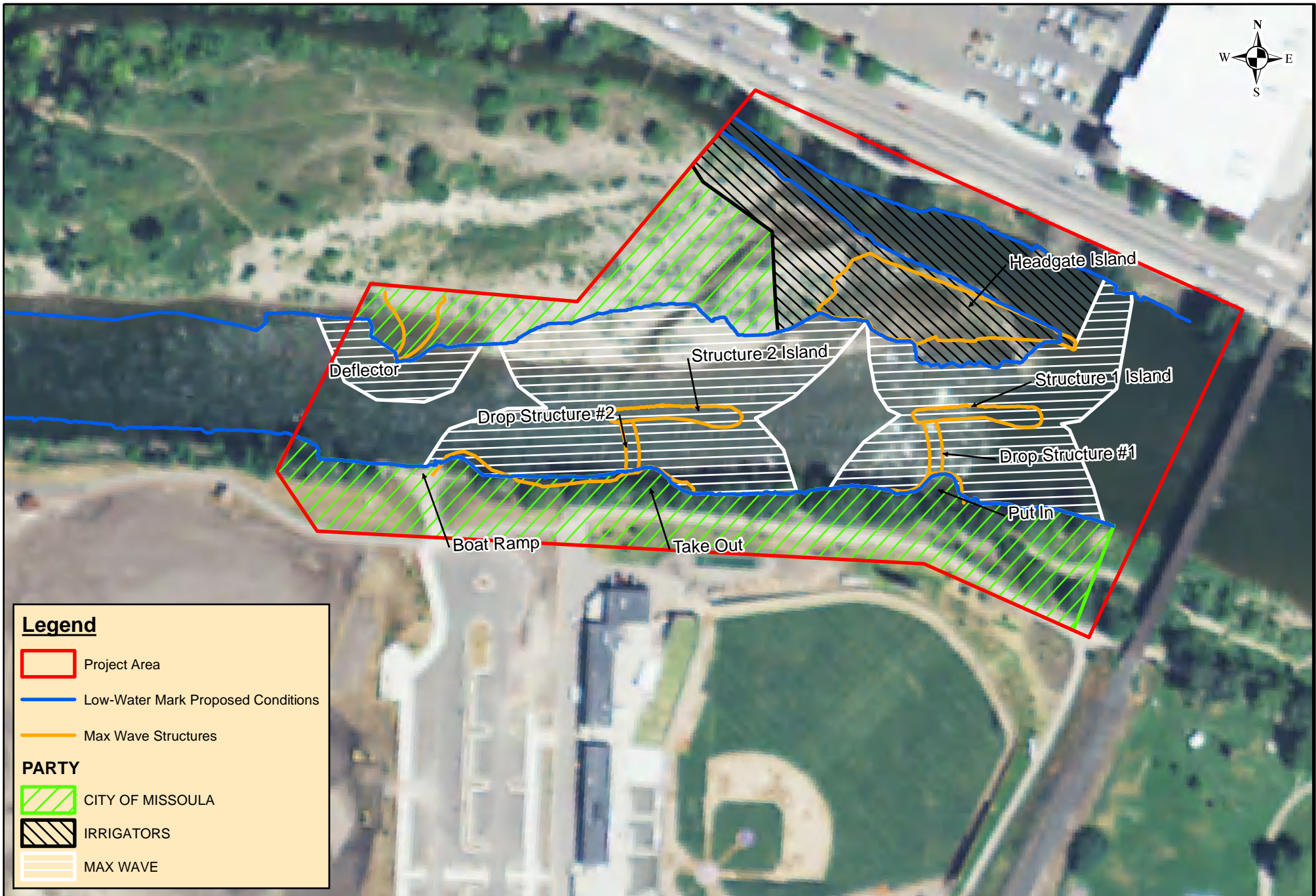
O&M Manual

4. Any observations of sediment, debris, woody vegetation, perennials, or blockage of flow within 50 feet upstream or downstream of a structure shall be removed.
5. Indication of weeds and thinning or dying vegetation shall be maintained by spraying of weeds, fertilizing, replanting, and watering as needed.
6. Indication of damage or stolen or lost signs shall be repaired or replaced as needed.
7. Signs of vandalism to existing signs or structures shall be repaired as needed.

Any maintenance required shall adhere to original design specifications Sections 01150 and 02401, Environmental Quality Control and Diversion and Care of River located in Appendix D of this manual. Work requiring movement within the Clark Fork River will implement the diversion procedures approved in the permit. When diversion of water is required, sediment shall be monitored through use of sediment monitoring devices downstream of the diversion to ensure turbidity of the water is kept to a minimum.

4.2 Maintenance Funding

Maintenance tasks involved with the diversion structure below the ordinary high water mark and above the ordinary high water mark will be funded separately through each responsible entity. Maintenance required on the diversion structure will be performed by Hellgate Valley Irrigation Company through use of their own equipment and personnel. Tasks required above the low water mark will be performed by the City of Missoula Parks and Recreation Department funded through the city. Maintenance required below the low water mark will be performed by Brennan's Wave. Brennan's Wave Inc. has a dedicated maintenance fund and will add \$5,000 or more per year to fund with a goal of \$30,000 on hand for major emergencies. All entities' maintenance tasks will adhere to the permits associated with this document.



Legend

- Project Area
 - Low-Water Mark Proposed Conditions
 - Max Wave Structures
- PARTY**
- CITY OF MISSOULA
 - IRRIGATORS
 - MAX WAVE

0 25 50 100 150 200
Feet

**Morrison
Maierle**
engineers • surveyors • planners • scientists

1 Engineering Place
Helena, MT 59602
Phone: (406) 442-3050
Fax: (406) 442-7862

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DRAWN BY: ZMC
CHK'D BY: MDB
APPR. BY: MD
DATE: 01/16/18

MISSOULA COUNTY

MAX WAVE

MT

PROJECT NO.
5251.001.01

**DRAFT AREAS OF OPERATION
AND MAINTENANCE RESPONSIBILITY**

FIG. A
Page 91 of 481

M:\5251\001.01\GIS\O&M_AREAS.mxd



485 ARAPAHOE AVE.
BOULDER | CO | 80302
WWW.BOATERPARKS.COM
(303)-545-5883

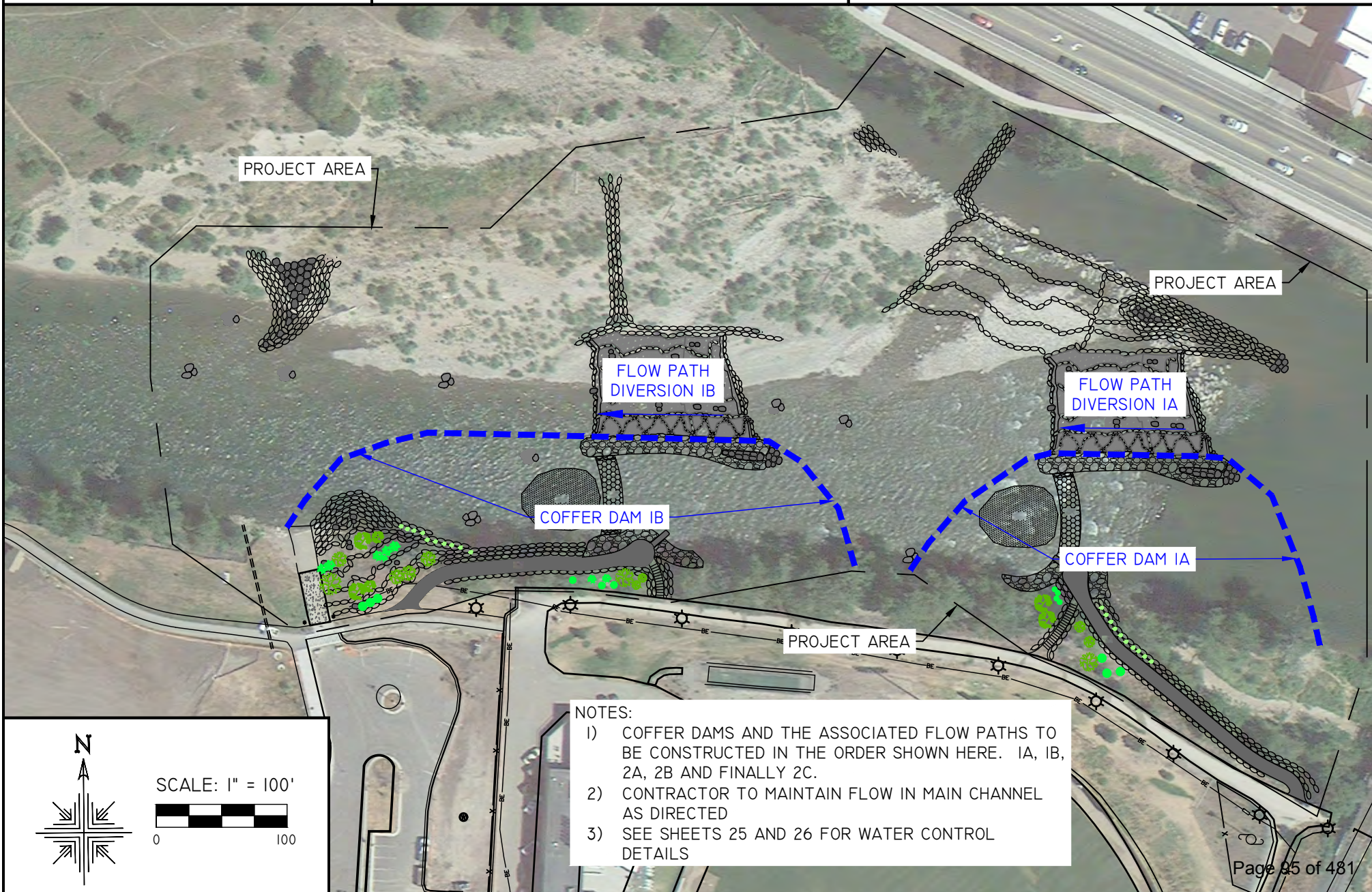
DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

WATER CONTROL PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
SEP 14, 2017
4 OF 34





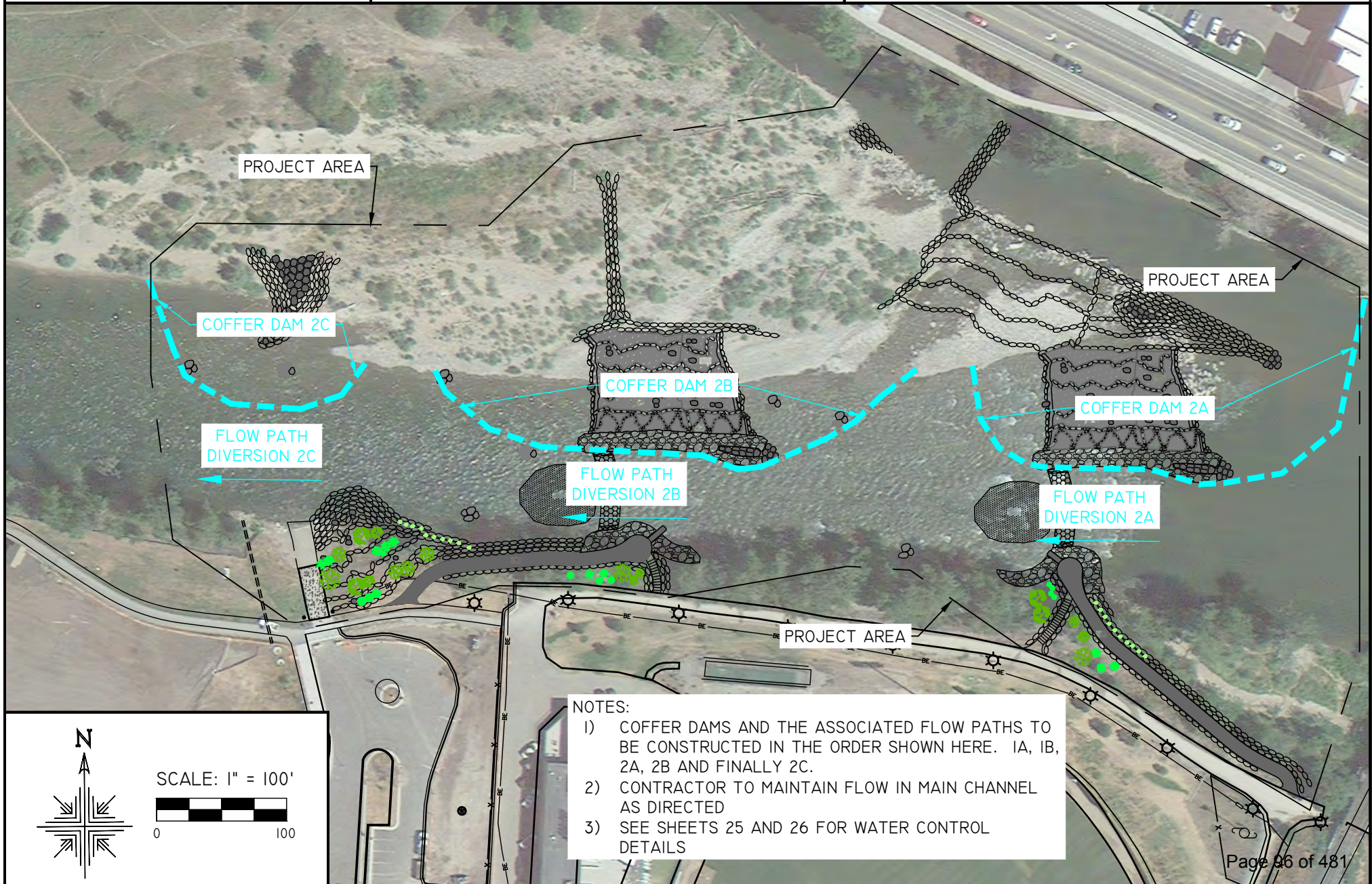
485 ARAPAHOE AVE.
BOULDER | CO | 80302
WWW.BOATERPARKS.COM
(303)-545-5883

DESIGNED: MH, GL
DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

WATER CONTROL PLAN
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY
DATE SEP 14, 2017
SHEET 5 OF 34



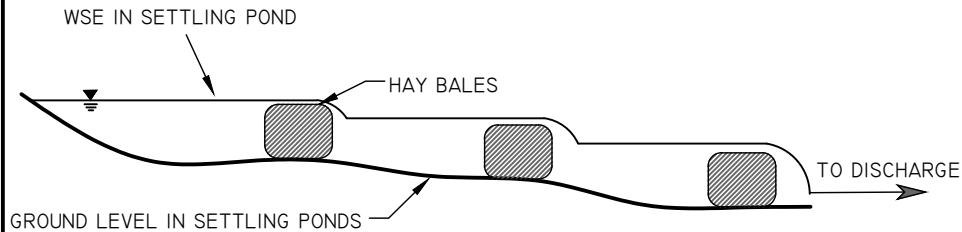


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TYPICAL DETAILS-I

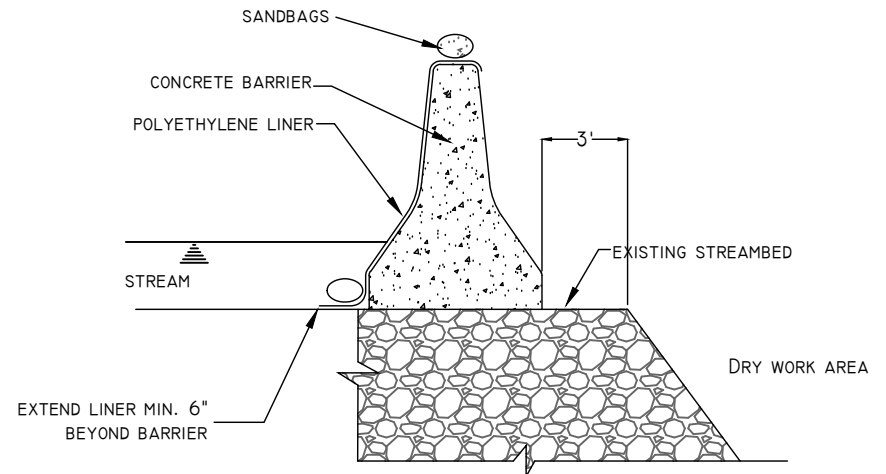
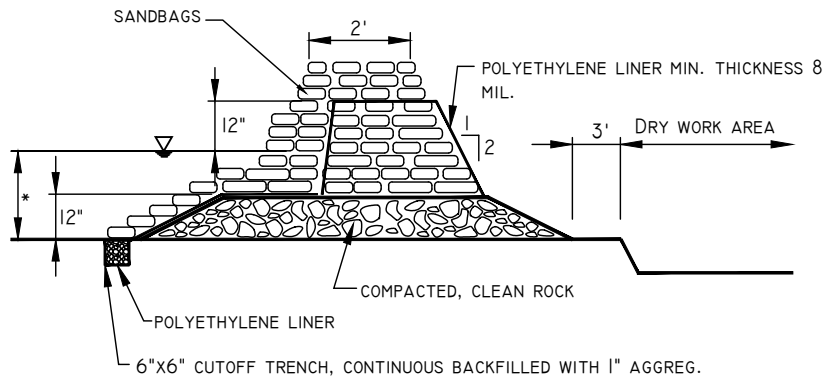
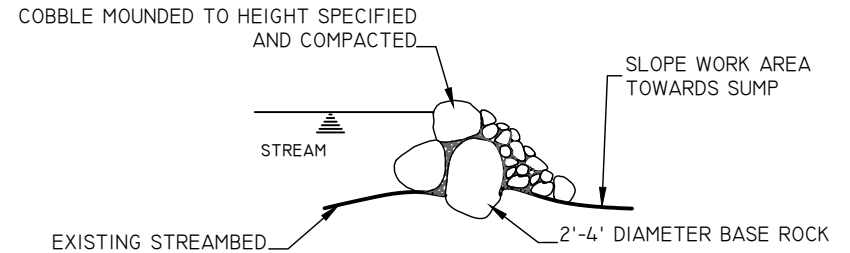
PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE SEP 14, 2017
SHEET 25 OF 34



TYPICAL SECTION IN SETTLING POND

NOTE: SCHEMATIC LAYOUT TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL LAYOUT TO BE DETERMINED BY CONTRACTOR, PER PERMIT CONDITIONS.



ALTERNATIVE COFFERDAM METHODS

NOTE: ALTERNATE METHODS PRESENTED TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL METHOD TO BE DETERMINED BY QUALIFIED CONTRACTOR, PER PERMIT CONDITIONS, IN ORDER TO ACHIEVE DRY WORK AREA.



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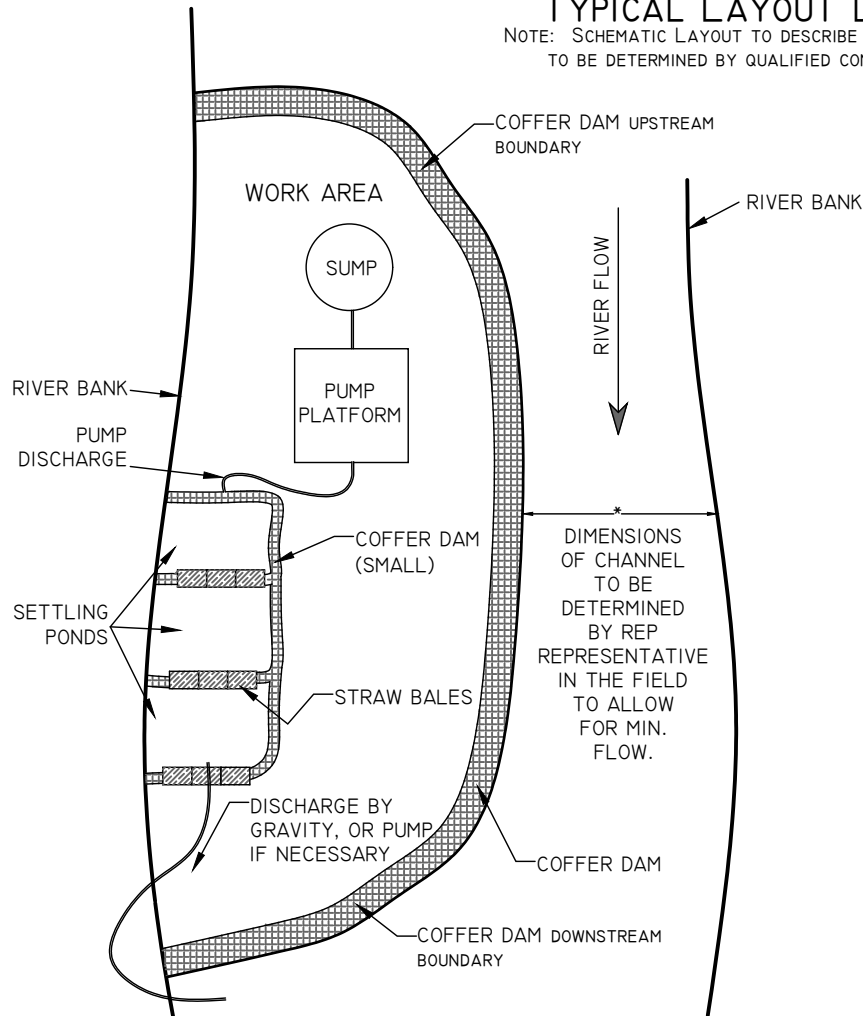
TYPICAL DETAILS-J



PRELIMINARY - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,
DATE SEP 14, 2017
SHEET 26 OF 34

TYPICAL LAYOUT DEWATERING AREA

NOTE: SCHEMATIC LAYOUT TO DESCRIBE FUNCTIONALITY ONLY. ACTUAL LAYOUT TO BE DETERMINED BY QUALIFIED CONTRACTOR, PER PERMIT CONDITIONS.



-  COFFER DAM
-  HAY BALES (PURE HAY)

DEWATERING NOTES:

1. SUMPS CAN BE MADE FROM DIGGING A HOLE AND INSERTING A PERFORATED PIPE AND BACKFILLING WITH CLEAN DRAIN ROCK OR OTHER APPROVED METHOD.
2. SETTLING BASINS SHOULD BE BASED UPON SITE SPECIFICS (I.E. INFILTRATION AND SETTLING RATES, PARTICLE SIZE). DETENTION TIMES WILL BE BASED UPON THE SIZE OF THE SUSPENDED PARTICLES. IF THERE IS EXCESSIVE LEAKAGE THROUGH ANY COFFER DAM, BASE ROCK IS TO BE LINED WITH VISQUENE PRIOR TO BEING COVERED IN COBBLE. NUMBER OF SETTLING PONDS TO BE DETERMINED BY CLARITY OF DISCHARGE FLUID.
3. UPON COMPLETION VISQUENE AND SETTLED FINES SHALL BE REMOVED AND DISPOSED OF OFFSITE BY THE CONTRACTOR.
4. PUMP STATION SHALL BE ELEVATED. FUEL CONTAINMENT BMP'S SHALL BE ONSITE AT ALL TIMES.
5. PUMP REMAINING WATER IN CONSTRUCTION AREA AS NECESSARY, TO MANAGE GROUNDWATER AND LEAKAGE. ALL DISCHARGED WATER MUST BE ROUTED TO THE SETTLING BASINS.
6. CONTRACTOR IS RESPONSIBLE FOR OWN SECURITY DURING CONSTRUCTION. ANY VANDALISM WILL BE CORRECTED AT CONTRACTOR'S OWN EXPENSE.
7. DETAILS SUBJECT TO REVIEW AND CHANGE DURING 404 PERMIT APPLICATION PROCESS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CARE OF ALL WATER DURING CONSTRUCTION INCLUDING MAINTENANCE OF ALL DITCHES, COFFERDAMS, LEVEES, DIVERSIONS AND PUMPS TO KEEP THE WORK AREA FREE FROM WATER.

DIVISION 1 – GENERAL REQUIREMENTS

PART 1 GENERAL

1.01 WORK INCLUDED

- A. The work shall consist of installing measures or performing work to control and protect the environmental quality of the project site and to minimize the pollution of the water and air during the construction operations in accordance with these specifications.
- B. The Owner has obtained the Environmental Permits found in Appendix A of this technical specification. The Contractor must comply with all the requirements of permits.
- C. Table 1 lists the approximate average monthly stream flows from the Clark Fork River that could be anticipated at the project. This information is obtained from the USGS gage located above Missoula, MT on the Clark Fork River. The gage is located approximately 4.6 river miles up-gradient of the project.

TABLE 1:

Month	Average Monthly Flow (cfs)
January	1,330
February	1,470
March	1,890
April	3,770
May	7,880
June	8,170
July	3,130
August	1,470
September	1,380
October	1,540
November	1,550
December	1,400
Average Annual Stream Flow	2,915

DIVISION 1 – GENERAL REQUIREMENTS**SECTION 01560
ENVIRONMENTAL
QUALITY CONTROL**

- D. Table 2 lists the approximate flood flows from the Clark Fork River that could be anticipated at the project. This information is obtained from the USGS gage located above Missoula, MT on the Clark Fork River. The gage is located approximately 4.6 river miles up-gradient of the project.

TABLE 2:

Recurrence Interval	Peak Flow (cfs)
2-Year	14,900
10-Year	25,900
50-Year	35,000
100-Year	38,600
500-Year	46,800

1.02 RELATED WORK SPECIFIED UNDER OTHER SECTIONS

- A. Section 01400 - QUALITY CONTROL.
- B. Section 01500 - CONSTRUCTION FACILITIES AND TEMPORARY CONTROLS.
- C. Section 02401 – DIVERSION AND CARE OF RIVER

PART 2 PRODUCTS (Not Used)**PART 3 EXECUTION****3.01 EROSION AND SEDIMENT CONTROL MEASURES AND WORKS**

- A. The erosion and sediment control work and measures shall include but not be limited to the following and as shown in the Contract Documents.
1. If surface disturbance exceeds one acre, which requires an EPA Stormwater Discharge Permit, the Contractor shall submit a written erosion control plan to the Engineer and Owner 15 days prior to

DIVISION 1 – GENERAL REQUIREMENTS

SECTION 01560 ENVIRONMENTAL QUALITY CONTROL

start of construction. The plan shall address, but not be limited to, erosion due to storm water runoff, dust abatement, etc.

2. Soil shall be slightly rounded over trenches to compensate for settling.
3. Provide sediment barriers (silt fence) along slopes greater than 5% grade and before stream crossings in accordance with Section 01560, 3.03 and all federal, state, and local requirements.

B. Control of Earthwork Activities:

1. The excavation and moving of soil materials shall be scheduled so that the smallest possible areas will be unprotected from erosion for the shortest time practical.
2. Excavated materials or other construction materials shall not be stockpiled or deposited within 10 feet of stream banks, lake shorelines, or other watercourse perimeters where they can be washed away by high water or storm runoff or can in any way encroach upon the actual watercourse itself.
3. All surplus dredged or excavated materials shall be placed on an upland site above the ordinary high water line in a confined area, not classified as a wetland, to prevent the return of such materials to the waterway.
4. All earthwork operations on shore shall be carried out in such a manner that sediment runoff and soil erosion to the water are controlled.

C. Seeding: Seeding to protect disturbed areas shall be used as specified in the Contract Documents and/or in Section 02480, FINISH GRADING, SEEDING, AND LANDSCAPING

D. Mulching: Mulching shall be used to provide temporary protection to soil surfaces from erosion.

DIVISION 1 – GENERAL REQUIREMENTS

- E. Vegetation Conservation: Except where clearing is required for the permanent works, approved construction roads, or excavation operations, all trees, native shrubbery, and vegetation shall be preserved and shall be protected from damage by the construction operations and equipment. The Contractor shall move equipment on access routes within the right-of-way in a manner which will prevent damage to crops, rangeland, or property.
 - 1. Undisturbed buffer strips of natural vegetation shall be left on banks and bottoms of waterways and at road crossings until start of construction.
- F. Diversions:
 - 1. Diversions shall be used to divert water away from work areas and/or to collect runoff from work areas for water quality treatment and safe discharge.
 - 2. Diversions or channel changes required by the Contractor to complete the work shall be completed in a manner to minimize erosion and to leave the drainage course essentially unchanged.
 - 3. The Contractor shall remove all diversions, culverts, bridges and other temporary work following completion of the work and shall restore the area disturbed to essentially the same configuration as it was prior to construction or to the final lines and grades as shown on the Contract Documents.
- G. River Crossings: The Contractor shall not be permitted to ford live streams. The Contractor shall install adequate culverts, temporary bridges, or other works so that all equipment and vehicles can operate and work without the equipment's tires or tracks entering the live stream channel. River crossings using fill material in the river is not allowable.
- H. Sediment Basins: Sediment basins shall be used to settle and filter out sediment from eroding areas, and to protect properties and streams below the construction areas.
- I. Temporary and permanent slope breakers and sediment barriers (e.g. soil berms or staked bales of hay) will be installed to reduce water erosion on slopes greater than five percent as at stream crossings.

DIVISION 1 – GENERAL REQUIREMENTS

3.02 WATER POLLUTION CONTROL

- A. The Contractor's construction activities shall be performed by methods that will prevent the entrance, or accidental spillage, of solid matter, contaminants, debris, and other objectionable pollutants and wastes into streams, flowing or dry watercourses, lakes, and underground water sources. Such pollutants and wastes shall include, but are not restricted to, refuse, garbage, cement concrete, sanitary waste, industrial waste, radioactive substances, oil and other petroleum products, aggregate processing tailings, mineral salts, and thermal pollution. Servicing and refueling of construction equipment shall be restricted to areas more than 250 feet away from a water body.
 - 1. No herbicide shall be applied within 25 feet of water bodies unless specifically labeled for use in or next to water. Mechanical or biological control methods also can be used. Herbicide shall be applied in compliance with federal, state, and local regulations. Use of coil carriers with herbicides shall be avoided.
- B. Compliance with Applicable Laws and Regulations:
 - 1. The Contractor shall comply with all applicable Federal, State and local laws, orders, and regulations concerning the control and abatement of water pollution.
 - 2. Prior to the discharge of any wastewater or other pollutants, or any dredged or fill materials into navigable waters, the Contractor shall obtain the proper permits and provide a copy to the Engineer.
- C. Other Provisions:
 - 1. All construction debris shall be disposed of on land in such a manner that it cannot enter a waterway or wetland.
 - 2. Equipment for handling and conveying materials during construction shall be operated to prevent dumping or spilling the materials into the water except as approved herein.
 - 3. During construction and subsequent operation of this facility, no petroleum products, chemicals, or other deleterious materials shall be allowed to enter or be disposed of in such a manner so that they could enter the water and precautions shall be taken to prevent entry of these materials into the water.

DIVISION 1 – GENERAL REQUIREMENTS

4. All work in waterways shall be performed in such a manner so as to minimize increases in suspended solids and turbidity, which may degrade water quality and damage aquatic life outside the immediate area of operation.
5. Only clean riprap materials shall be utilized in order to avoid the percolation of fines which would result in excessive local turbidity and the riprap shall be placed in such a manner so as to provide a reasonably solid mass with no appreciable variation in thickness or slope.
6. The Contractor shall maintain close coordination with downstream water users, advising them of any water quality changes to be caused by the construction.
7. Measures shall be employed to prevent wet concrete from entering the waterway.
8. Concrete trucks shall be washed at a site and in such a manner that wash water cannot enter the waterway.

D. Dewatering Procedures:

1. The Contractor shall construct, maintain, and operate cofferdams, channels, flume drains, sumps, pumps, or other temporary diversion and protection works. Furnish materials required, install, maintain, and operate necessary pumping and other equipment for environmentally safe removal and disposal of water from the various parts of the work. Maintain any foundations, trenches, pipelines, and parts of the work free from water.
2. Where an excavation extends below the water table, dewater in a manner that will prevent loss of fines from the foundation. Maintain stability of slopes and bottom of the excavations, and perform construction operations in the dry. Use screened wells or equivalent methods for dewatering. Control seepage along the bottom of excavations, which may require ditches and pipe drains leading to sumps from which the water shall be pumped and properly discharged.

3.03 STORM WATER DISCHARGE PERMIT

- A. Federal law requires an appropriate storm water discharge permit be obtained prior to the start of construction on any Work Delivery Order that will result in one (1) or more acres of surface disturbance. The Contractor shall meet all requirements for storm water discharges from construction activities as administered by the Montana Department of Environmental Quality (MDEQ).

The Contractor shall submit a Notice of Intent (NOI). Construction involving surface disturbance may begin after acknowledgement of receipt by MDEQ of the completed NOI Package is submitted to the OWNER and ENGINEER. The NOI shall be submitted to:

Department of Environmental Quality
Water Protection Bureau
PO Box 200901
Helena, MT 59620-0901
Telephone: (406) 444-3080
Website:
<http://deq.mt.gov/wqinfo/mpdes/stormwaterconstruction.mcp>

The Contractor shall also submit a Notice of Termination (NOT). The NOT must be submitted to MDEQ upon the completion of construction when all soil disturbing activities have ceased and the site has been stabilized as stated in the NOT.

- B. The Contractor shall also be responsible for developing a written site-specific Storm Water Pollution Prevention Plan (SWPPP) in accordance with the USEPA guidance document entitled *Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices*. A copy of the SWPPP may be requested for review by the USEPA. The SWPPP must comply with the GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY effective date January 1, 2013.
1. A copy of the SWPPP shall be submitted to the Owner and the Engineer prior to submittal to MDEQ.

3.04 CHEMICAL POLLUTION

- A. The Contractor shall provide tanks or barrels to be used to dispose of chemical pollutants produced as a by-product of the project work such as

DIVISION 1 – GENERAL REQUIREMENTS

drained lubricating or transmission oils, greases, soaps, asphalt, etc. At the completion of the construction work, storage tanks or barrels shall be removed from the site and properly disposed of.

- B. Sanitary facilities such as chemical toilets or septic tanks shall not be placed adjacent to live streams, wells, or springs. They shall be located at a distance of 200 feet or as required to prevent contamination of any well or watercourse.
- C. The term pesticide as used in these Specifications shall include all herbicides, insecticides, fungicides, and rodenticides. Should the Contractor find it necessary to use pesticides in the areas of work under this contract, he shall submit his plan for such use to the Engineer for written approval. The Contractor shall not proceed prior to approval by the Engineer.
- D. Pesticides used shall only be those registered with the Environmental Protection Agency in compliance with the Federal Environmental Pesticide Control Act of 1972 and other Federal pesticide acts. Pesticides names on the Department of the Interior's "Prohibited List" shall not be used.

3.05 AIR POLLUTION

- A. The Contractor shall comply with applicable Federal, State, and local regulations concerning the prevention and control of air pollution and the burning of brush, slash or other materials. In no case shall unapproved materials, such as tires, plastics, rubber products, asphalt products, or other materials that create heavy black smoke or nuisance odors, be burned. Trash burning will not be permitted and smoke of any kind shall be minimized.
- B. Fire prevention measures shall be taken to prevent the start or the spreading of fires resulting from the project work.
- C. In the conduct of construction activities and operation of equipment, the Contractor shall utilize such practicable methods and devices as are reasonably available to control, prevent, and otherwise minimize atmospheric emissions or discharges of air contaminants.
- D. Equipment and vehicles that show excessive emissions of exhaust gases shall not be operated until corrective repairs or adjustments are made.

3.06 DUST ABATEMENT

DIVISION 1 – GENERAL REQUIREMENTS

- A. The Contractor shall prevent dust that has originated from his operation from damaging crops, cultivated fields, rangeland, trees, and dwellings, or causing a nuisance. The Contractor shall be held liable for any damage resulting from dust originating from his operations under these Contract Documents.

3.07 NOISE POLLUTION

- A. The Contractor shall comply with applicable Federal, State, and local laws, orders, and regulations concerning the prevention, control, and abatement of excessive noise.
- B. The use of jackhammers, pile driving, or other operations producing high-intensity impact noise may not be performed at night unless the Contractor receives prior approval of the Owner and nearby property owners.

3.08 PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

- A. Federal legislation provides for the protection, preservation, and collection of scientific, prehistoric, historic, paleontologic, and archeologic data (including relics and specimens) that might otherwise be lost due to alteration of the terrain as a result of any Federal construction project.
- B. The Contractor agrees that, should he or any of his employees in the performance of this contract discover evidence of possible scientific, prehistoric, historical, paleontologic, or archeologic data, he will cease work and notify the Owner or Engineer immediately giving the location and nature of the finding. Written confirmation shall be forwarded immediately. The Owner will issue stop-work orders should the Contractor encounter any of the above-mentioned resources. The Contractor shall exercise care so as not to damage artifacts or fossils uncovered during excavation operations and shall provide the cooperation and assistance necessary to preserve the findings for removal.
- C. Where appropriate by reason of a discovery, the Engineer may order delays in the time of performance, or changes in the work, or both. If such delays, or changes, or both, are ordered, the time of performance and contract price shall be adjusted in accordance with the applicable clauses in the General Provisions.
- D. The Contractor agrees to insert this paragraph 3.08 in all subcontracts which involve the performance of work on the project site.

DIVISION 1 – GENERAL REQUIREMENTS

3.09 WASTE MATERIAL DISPOSAL

- A. Excess excavated material not required or suitable for backfill, and other waste material, must be disposed of in licensed landfills or at other sites for which local, county, or state approval is obtained.
- B. Unacceptable disposal sites include, but are not limited to, sites within a wetland land or critical habitat and sites where disposal will have a detrimental effect on surface water or groundwater quality.
- C. Contractor may make his own arrangements for disposal subject to submission of proof that the owner(s) of the proposed site(s) has(have) a valid fill permit issued by the appropriate governmental agency.
- D. Maintain areas covered by the Contract and affected public properties free from accumulations of waste, debris, and rubbish caused by construction operations. Remove excavated materials from the site, or stockpile where shown or directed by Engineer.
- E. Cleaning and disposal shall comply with local ordinances and pollution control laws. Do not burn or bury rubbish or waste materials on the project site. Do not dispose of volatile wastes such as mineral spirits, oil, chemicals, or paint thinner on-site or in storm or sanitary drains. Disposal of wastes into streams or waterways is prohibited. Provide acceptable containers for collection and disposal of waste materials, debris, and rubbish.

3.10 MAINTENANCE, REMOVAL AND RESTORATION

- A. The Contractor shall, at all times, keep the construction area, including storage areas used by him, free from accumulations of waste materials and rubbish.
- B. Waste materials including, but not restricted to, refuse garbage, sanitary wastes, industrial wastes, and oil and other petroleum products, shall be disposed of by the Contractor. Materials must be disposed of by acceptable means such as an approved solid waste facility. It shall be the responsibility of the Contractor to make any necessary arrangements pertinent to the locations and regulations of such disposal. The Contractor shall pay any fees or charges required for disposal of materials.

DIVISION 1 – GENERAL REQUIREMENTS

3.11 OSHA REGULATIONS

- A. General: Contractor will be required to comply with the Amendment to the Occupational Safety and Health Administration Construction Standards for Excavations, 29 CFR Part 1926, Subpart P printed Tuesday October 31, 1989 and effective January 2, 1990.

Any conflicting information between the OSHA document and these Contract Documents shall be revised to the OSHA document requirements supersede and take precedence over all other conflicting information. Contractor shall be required to obtain copies of the OSHA document and to complete review of the same to avoid misrepresentation of their regulations

- B. Trench Shoring

1. Type 1 TRENCH EXCAVATION. Excavation performed as Type 1 need not have protective support. The sides of all trenches shall be sloped back according to the soil type and in accordance with other criteria as defined in OSHA STANDARDS, 29 CFR, PART 1926, SUBPART P. Contractor shall solely be responsible for determination of soil type and full compliance.
2. TYPE 2 TRENCH EXCAVATION. Excavation performed as Type 2 shall provide a support system, shielded system or other system, if required, which adequately protects employees against cave-in and which is designed in accordance with OSHA STANDARDS as defined in 29 CFR, PART 1926, SUBPART P.

Note: OSHA regulations require that all trenches which are deeper than 20 ft. are to have the side slopes and/or the protective systems designed by a registered professional engineer.

3.12 HAZARDOUS ATMOSPHERES

- A. Contractor shall prevent employee exposure to potentially harmful levels of atmospheric contaminants and assure acceptable atmospheric conditions by complying with the requirements of 29 CFR, Part 1926, Subpart P. Monitoring equipment shall be supplied as a requirement of this project.

3.13 CONTAMINATED MATERIALS

DIVISION 1 – GENERAL REQUIREMENTS

- A. General: If contaminants are encountered, Contractor shall provide notice to the Owner and Engineer.
- B. Procedures at Petroleum Contaminated Soils/Groundwater Site: Since the scope of the project is not designed as a cleanup, any contaminated soil material shall be separated during the excavation process from non-contaminated material, temporally stored and protected on the site, and then returned to the trench for use as backfill material. Measures shall be taken to address the following requirements.
 - 1. Contractor shall comply with all applicable OSHA regulations to protect the health and safety of their employees from known or suspected hazards in the work environment. For a Contractor working near any discovered contaminated areas during the process of the project, Contractor shall be required to demonstrate employee training similar to the requirements of 29 CFR 1910.120(e)(3) for “routine and non-routine site employees” on a hazardous waste site. Contractor shall be required to properly secure the site to protect and prevent exposure of the general public to the contaminated materials.
 - 2. The pipe zone and bedding zone shall be sealed at each end of the determined petroleum contaminated material zone with impervious soil/bentonite trench plugs (1×10^7 cm/sec²) to prevent migration of the contaminant from the area.
 - 3. The pipe materials shall be stored, handled and installed to prevent contact with any contaminants, and where directed by the Engineer, prevent migration of the contaminants from the area. Engineer may revise the pipe, gaskets, and other materials as necessary to protect the project from contaminants. The Contractor shall be compensated for the increased material and labor costs associated with these pipe modifications.
 - 4. The temporary site storage of the petroleum-contaminated material shall require securing the material from access by all unauthorized parties. The material shall be covered and provisions taken to prevent migration of the contaminants from the source material by rainstorms or other events. The material shall be placed on either an impervious liner material, or on an asphalt street surface. The material shall not be mixed with non-contaminated materials.
 - 5. All petroleum-contaminated soils shall be returned to the trench as backfill material. They shall be confined to the area from which

they came, and placed as near to their original depth as possible. The materials shall not be removed from the site.

All work related to training personnel in the handling of contaminated soils as per these specifications shall be done as incidental work and no separate payment shall be made.

- C. Procedures at Other Contaminated Soil Sites: When contaminants other than petroleum products are encountered during the project (such as hazardous substances or wastes), the situation will be addressed by the Owner at the time of discovery.
- D. Dewatering Activities: For areas where it is determined that the project will be in contaminated groundwater (containing hazardous materials), the dewatering procedure and progress of work on the project shall be addressed by the Owner at the time of discovery.

3.14 FIRE PROTECTION

- A. Muffler systems on construction equipment shall have spark arresters to reduce risk of fire. A corridor along the pipeline may be moved in order to reduce the risk of fire. The Contractor shall maintain fire extinguishers and other fire fighting equipment to quickly respond in the event of a fire.

3.15 WETLANDS

- A. Wherever possible, construction shall avoid wetlands and riparian areas.
- B. The Contractor shall comply with all of Section 401 water quality certification conditions, and any additional federal water quality requirements/conditions.
- C. Construction equipment operating in wetlands shall be limited to that which is needed to excavate the trench, install the pipe, backfill the trench, and restore the ROW.
- D. Where required, vegetation removal in the right-of-way beyond the trench area shall be done at ground level, leaving existing root systems intact. Grading and stump removal in wetlands shall be limited to directly over the trench, where possible.

DIVISION 1 – GENERAL REQUIREMENTS

- E. Wide-track or balloon-tire construction equipment shall be used in saturated/inundated areas; timber pads, prefabricated equipment pads, or geotextile fabric overlain with gravel fill shall be used with normal equipment in such areas. All pads and temporary fill shall be removed following construction.
- F. Hay bales, berms, or other acceptable erosion/sedimentation control devices shall be installed at the edge of wetlands and other waters prior to construction. All exposed soils shall be permanently stabilized at the earliest practicable date.
- G. Hazardous materials, including fuels and lubricating oils, shall not be stored within 250 feet of wetlands. Additionally, construction equipment shall not be serviced or refueled within 250 feet of such areas.
- H. Topsoil from wetlands shall be stockpiled with intact roots, rhizomes and seed banks. Where possible, the topsoil shall be returned to its original horizon. At a minimum, the top one-foot of topsoil shall be replaced in the trench following pipeline placement.
- I. Wetland ground surfaces shall be re-contoured to maintain preconstruction wetland hydrology.
- J. When possible, disturbed wetlands shall be re-vegetated with native plant material obtained from local sources. Additionally, appropriate measures shall be taken to prevent the introduction/spread of noxious weeds into wetland areas.

3.16 THREATENED, ENDANGERED, CANDIDATE, AND SENSITIVE SPECIES AND HABITATS

- A. The Contractor agrees that, should he or any of his employees in the performance of this contract, discover evidence of possible threatened, endangered, candidate, and sensitive species and habitats, he will cease work and notify the Owner and Engineer immediately, giving the location and nature of the finding. Written confirmation shall be forwarded immediately. The Owner may issue stop-work orders if construction encounters threatened, endangered, candidate, and sensitive species and habitats. Construction will continue only after consultation with the U.S. Forest Service and U.S. Fish and Wildlife Service.

END OF SECTION

PART 1 GENERAL**1.01 WORK INCLUDED**

- A. The work included under this section consists of furnishing all construction plans, labor, equipment, and incidentals necessary for the diversion of flows from the Clark Fork River, dewatering of the project site, and the diversion and care of the river during construction of the Project. Note that dewatering and diversion and care of the river may require a system of pumping plants, pipelines and/or coffer dams. The work also includes complete removal of all diversion and dewatering equipment and structures from the project site and restoration of the project site following completion of the work.
- B. The Contractor shall be responsible for coordination with the Owner for any dewatering, diversion, and/or construction activity that may adversely affect the volume of water flowing through the project site or would have the potential to increase sediment discharge and turbidity of the Clark Fork River. Based on these factors the Contractor shall promptly perform the work within the limits of the river channel to resume normal flows through the project site in the shortest duration within the performance period of the Contract.
- C. The Contractor is responsible to satisfy themselves as to the extent and cost of all necessary diversion and dewatering in accordance with the Drawings and this specification.

1.02 QUALITY ASSURANCE

- A. The Contractor shall be responsible to research and satisfy themselves as to the size, type, and quality of the diversion and dewatering system. In the case of an event which exceeds the diversion and/or dewatering system's capacity; the Owner and Engineer shall not be held liable for the damages to the dewatering system, diversion system, and any portion of the completed work.
- B. It shall be the Contractor's responsibility to comply with all requirements and regulations of all federal, state or local agencies that govern the work affecting construction in and adjacent to the stream.

1.03 SUBMITTALS

- A. The Contractor shall submit to the Engineer prior to the start of any work, any revisions to and supplemental information to dewatering plans including: 1) a detailed description of the diversion system, and dewatering system; 2) proposed equipment, layout, and capacity of the systems; 3) proposed operational procedures; 4) proposed materials; and 5) proposed schedule or work with regards to the diversion, and dewatering. Review shall be made by both the Owner and Engineer as to the proposed system. The review shall only be with respect to the basic principles of the methods the Contractor intends to employ to assure protection of water volume, structures and water quality. The Contractor shall be solely responsible for all aspects of the diversion system, dewatering including the arrangement, location and depths of the system necessary to

accomplish the work of dewatering and the protection of the stream, structures, and water quality.

PART 2 PRODUCTS - NOT USED**PART 3 EXECUTION****3.01 CONTRACTOR'S RESPONSIBILITY**

- A. The Contractor shall furnish all necessary labor, equipment, and incidentals necessary for reservoir drawdown, dewatering of the project site, and diversion and care of the river during the period of construction.
- B. The Contractor shall keep the construction area free from water by diversion, pumping, berming, coffer-dams, sheet pile, or by other methods or combination thereof.

3.02 UPSTREAM AND DOWNSTREAM COFFERDAM

- A. Upstream and downstream cofferdams may be constructed on existing grade above and below the existing measurement weir as required for the Contractor's Diversion and Dewatering Plan(s). Contractor shall implement coffer dam materials per the design drawings. At the Contractor's discretion, a liner may be added to the cofferdam to decrease permeability.

3.03 FISH SALVAGE

- A. Any fish found isolated within the diversion area should be salvaged and transported from isolation downstream of the diversion area.
- B. Fish shall be removed with a bait net, cast net, or scoop net. The area of the site will best determine the appropriate net for use. Use of bait or cast nets is not permitted without an additional permit.
 - 1. Improper handling of fish can harm fish through interference with mucus or scales.
 - 2. Nets used shall have fine, soft mesh free from knots.
 - 3. Use of hands is allowable if fish are handled with wet hands or a wet towel. Handling of fish with dry hands is prohibited.
- C. If the pool fish are found isolated in is considered too large for removal with nets, water level may be lowered to allow removal of fish. Water level should initially be lowered by 25% and as many fish as possible removed. Water level can then be lowered by another 25% again and again until all fish are removed safely.

- D. Removal and transportation of fish from isolation to the river downstream of the diversion area shall be performed as quickly as possible.

3.04 COORDINATION DURING CONSTRUCTION

- A. If any adverse effects are observed or reported due to diversion and dewatering related to water quantity or quality they shall be reported immediately to the Owner and Engineer. No work shall proceed prior to resolution of deficiency and flow past the site is approved by Owner.

3.05 REMOVAL

- A. The Contractor shall, when no longer needed or at the end of construction, completely remove all dewatering and stream diversion equipment from the project site and demolish any cofferdams or other dewatering structures constructed by the Contractor. Constructed cofferdam material must be completely removed from the work area to the pre-existing ground surface and the area reclaimed to pre-existing conditions as approved by the Engineer.
- B. The diversion and care of the river will no longer be needed when the new ramp flume can be operated to convey the stream flow as determined by the Engineer.

3.06 PROTECTION

- A. At all times the Contractor shall provide sufficient protection to ensure the safety to personnel, equipment, materials, and existing structures, and to the public for activities relating to dewatering, water supply, and diversion and care of the stream.

END OF SECTION



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APPLICANT CITY OF MISSOULA
LOCATION CLARK FORK RIVER,

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GENERAL NOTES

ENGINEERS OVERSIGHT

1. THE ENGINEER WAIVES ANY AND ALL RESPONSIBILITY, AND IS NOT LIABLE FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS AND THE DESIGN INTENT THEY CONVEY OR FOR PROBLEMS WHICH ARISE FROM OTHERS OR OTHERS' FAILURE TO OBTAIN AND/OR FOLLOW THE ENGINEER'S GUIDANCE WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS.
2. ALL ELEVATIONS, DIMENSIONS, ALIGNMENTS AND ORIENTATION OF ALL ELEMENTS SHOWN IN THE PLANS MUST BE APPROVED BY THE REP ENGINEER OR REP ENGINEER'S REPRESENTATIVE (ENGINEER).
3. WORK SHALL NOT COMMENCE UNTIL AFTER THE DATE OF THE ON-SITE PRE-CONSTRUCTION MEETING WHICH WILL BE ATTENDED BY REPRESENTATIVES OF THE PROJECT OWNER, ENGINEER, CONTRACTOR AND ANY SUB-CONTRACTORS. IN THE EVENT THAT WORK DOES NOT BEGIN IMMEDIATELY FOLLOWING THE PRE-CONSTRUCTION MEETING, THE CONTRACTOR SHALL PROVIDE REPRESENTATIVES OF THE PROJECT OWNER, ENGINEER, ANY SUB-CONTRACTORS, AND RELEVANT AGENCIES NOTED IN THE PERMITS, TWO WEEKS NOTICE BEFORE CONSTRUCTION COMMENCES.
4. ALL CONSTRUCTION WORK SHALL CONFORM TO THE CITY OF MISSOULA DESIGN AND SPECIFICATIONS. UTILITY CONSTRUCTION SHALL CONFORM TO THE AMERICAN PUBLIC WORKS ASSOCIATION, PUBLIC WORKS CONSTRUCTION MANUAL, LATEST EDITION. STANDARD SPECIFICATIONS OF MATERIALS FOR AGGREGATES AND SOIL AGGREGATE SUB-BASE, BASE AND SURFACE COURSES SHALL BE GOVERNED BY AASHTO DESIGNATION M147-65 (1993) OR LATEST REVISION. ALL CONSTRUCTION SHALL CONFORM TO CITY AND COUNTY STANDARDS AND SPECIFICATIONS AS APPLICABLE.
5. WHENEVER THE INCLUDED DRAWINGS ARE FOUND TO BE INCONSISTENT WITH ANY OTHER RESOLUTION, ORDINANCE, CODE, REGULATION, OR OTHER STANDARDS REFERENCED, THE ENACTMENT IMPOSING THE MORE RESTRICTIVE STANDARDS OR REQUIREMENTS SHALL CONTROL.
6. THE CONTRACTOR SHALL NOT COMMENCE CONSTRUCTION WITHOUT CONSTRUCTION PLAN APPROVAL BY ALL RELEVANT AGENCIES. A COPY OF THE APPROVED PLANS SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES DURING WORKING HOURS.
7. THE ENGINEER IS TO BE NOTIFIED PRIOR TO ANY PLAN CHANGES OR ON-SITE DESIGN MODIFICATIONS. ALL PLAN CHANGES MUST BE APPROVED BY THE ENGINEER.
8. ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS HAS BEEN OBTAINED AND CERTIFIED BY OTHERS. THE ENGINEER HAS UNDERTAKEN NO FIELD VERIFICATION OF THIS TOPOGRAPHIC INFORMATION, AND MAKES NO REPRESENTATION PERTAINING THERETO AND THEREFORE ASSUMES NO RESPONSIBILITY OR LIABILITY.
9. THE CONTRACTOR SHALL CONFINED HIS OPERATIONS TO THE CONSTRUCTION LIMITS OF THE PROJECT AND IN NO WAY SHALL ENCROACHMENT OCCUR ONTO ADJACENT PROPERTIES UNLESS LEGAL EASEMENTS ARE OBTAINED. ALL FILL AND CUT SLOPES SHALL BE SETBACK FROM THE PROPERTY LINE IN ACCORDANCE WITH CHAPTER 70 OF THE UNIFORM BUILDING CODE. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY AGREEMENTS NECESSARY OR DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO PUBLIC OR PRIVATE PROPERTY, INCLUDING UTILITIES.

SURVEY

1. CONSTRUCTION SURVEY TO BE PROVIDED BY THE OWNER.
2. THE OWNER'S SURVEYOR SHALL VERIFY PROPOSED GRADES AND INVERT ELEVATIONS, FLOW LINES, ALIGNMENTS, SETBACKS AND TOPOGRAPHY PRIOR TO CONSTRUCTION.
3. THE OWNER IS RESPONSIBLE FOR COMPLETING AN AS-BUILT SURVEY, IF REQUESTED, FOLLOWING COMPLETION OF THE FINAL GRADES

UTILITIES

1. A MINIMUM OF 12 INCHES OF SEPARATION MUST BE MAINTAINED BETWEEN UTILITY LINES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES AND SHOULD NOT RELY SOLELY ON THESE CONSTRUCTION PLANS FOR UTILITY LOCATIONS. CONTRACTOR MUST COMPLETE ALL UTILITY LOCATES PRIOR TO CONSTRUCTION. LOCATES CAN BE COORDINATED WITH THE LOCAL UTILITY NOTIFICATION CENTER. DAMAGE TO ANY EXISTING UTILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.

GENERAL ENVIRONMENTAL

1. WORK SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL AGENCIES' LAWS, RULES, REGULATIONS, AND PERMITS. ALL WORK SHALL BE SUBJECT TO INSPECTIONS AND SITE INVESTIGATION BY REGULATORY AGENCIES. FAILURE TO COMPLY WITH THESE REGULATIONS IS SUBJECT TO LEGAL ENFORCEMENT ACTION.
2. COPIES OF PERMITS OBTAINED BY THE OWNER WILL BE PROVIDED TO THE CONTRACTOR. CONTRACTOR SHALL MAINTAIN COPIES OF ALL PERMITS ON THE SITE AT ALL TIMES. THESE MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING: CLEAN WATER ACT SECTION 404 PERMIT FROM THE U.S. ARMY CORPS OF ENGINEERS, SECTION 401 WATER QUALITY CERTIFICATION, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT, FLOODPLAIN DEVELOPMENT PERMIT, ANY APPROPRIATE LAND USE PERMITS, AND ANY RELEVANT CONSTRUCTION STORM WATER PERMITS.
3. A PRE-CONSTRUCTION MEETING WITH EQUIPMENT OPERATORS SHALL BE HELD TO DISCUSS THE PROJECT REQUIREMENTS AS THEY RELATE TO ENVIRONMENTAL PERMIT COMPLIANCE.
4. ON-SITE CONSTRUCTION REVIEWS SHALL BE CONDUCTED TO IDENTIFY MAINTENANCE NEEDS AND CHRONIC PROBLEMS THAT MAY BE OCCURRING. APPROPRIATE REMEDIAL ACTIONS SHALL BE IMPLEMENTED IN A TIMELY MANNER.
5. IF PREVIOUSLY UNKNOWN ARCHEOLOGICAL MATERIALS ARE DISCOVERED DURING CONSTRUCTION ACTIVITIES, WORK SHALL STOP IMMEDIATELY AND THE ENGINEER AND OWNER SHALL BE CONTACTED. THE STATE HISTORIC PRESERVATION OFFICE WILL THEN BE CONTACTED BY THE ENGINEER OR OWNER FOR CONSULTATION.

GENERAL CIVIL

1. ALL DRAINAGE PIPE FOR ROADWAY PURPOSES SHALL BE EITHER HIGH DENSITY POLYETHYLENE (HDPE) OR REINFORCED CONCRETE PIPE (RCP) WITH A MINIMUM DIAMETER OF 18-INCHES AND A MINIMUM COVER OF 12-INCHES. THE PIPE SHALL BE ABLE TO WITHSTAND AASHTO HS-20 LOADING WITH TIRE CONTACT AREA DEFINED IN AASHTO 3.30.

SEDIMENT AND POLLUTION CONTROL

1. ALL APPROPRIATE SEDIMENT AND POLLUTION CONTROL MEASURES, AND BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE IN PLACE TO MINIMIZE SEDIMENTATION AND RIVERBED IMPACTS PRIOR TO INITIATING IN-RIVER / RIVERBANK WORK. SEDIMENT AND EROSION CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT GUIDELINES AND ANY STORM WATER POLLUTION PREVENTION PLAN PROVIDED BY THE ENGINEER.
2. CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR THE DESIGN, IMPLEMENTATION, AND MAINTENANCE OF SEDIMENT AND EROSION CONTROLS IN CONFORMANCE WITH CONSTRUCTION STANDARDS AND THE REQUIREMENTS OF REGULATORY AGENCIES THROUGHOUT THE CONSTRUCTION PERIOD. THE ENGINEER WILL NOT BE ON-SITE TO APPROVE, REVIEW, OR MAINTAIN THE CONTROLS. STORMWATER MEASURES MAY BE REQUIRED TO BE INSTALLED AT ANY TIME DURING CONSTRUCTION AT THE DIRECTION OF THE ENGINEER OR OWNER.
3. IN ADDITION TO CONSTRUCTION BMP'S, TEMPORARY SEDIMENT AND EROSION CONTROLS (E.G., TEMPORARY SEEDING, MULCHING, SILT FENCE, STRAW WADDLE) SHALL BE IMPLEMENTED ON ALL DISTURBED AREAS WITHIN 2-DAYS IF DISTURBED AREAS ARE TO REMAIN DORMANT FOR MORE THAN 21-DAYS. PERMANENT SOIL STABILIZATION (E.G., PERMANENT SEEDING, EROSION CONTROL FABRIC) SHALL BE IMPLEMENTED ON DISTURBED AREAS WITHIN 2-DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE PROJECT AREA.
4. SPOIL PILES SHALL BE COVERED OR OTHERWISE MANAGED TO REDUCE SEDIMENTATION. ALL MATERIAL WHICH IS TO BE PLACED AT UPLAND SITE SHALL BE DISPOSED OF IN SUCH A WAY THAT SEDIMENT RUNOFF IS CONTROLLED AND MINIMIZED.
5. CONTRACTOR SHALL NOT STORE EQUIPMENT BELOW THE ORDINARY HIGH WATER LINE, AND TAKES FULL RESPONSIBILITY FOR ANY MATERIALS VANDALIZED, DAMAGED, BROKEN, OR LOST AS A RESULT OF RIVER EVENTS.
6. ALL FUELING OPERATIONS, LUBRICATING, HYDRAULIC TOPPING OFF, FUEL TANK PURGING, AND EQUIPMENT MAINTENANCE/REPAIRS SHALL BE PERFORMED AT AN UPLAND SITE OUTSIDE OF THE BANKS OF ANY SITE WATERWAYS AT A LOCATION TO BE DETERMINED BY THE ENGINEER OR OWNER. THESE ACTIVITIES SHALL TAKE PLACE ON AN APPROVED PAD WITH SPILL CONTROL/ COLLECTION DEVICES IN PLACE.
7. ALL CONSTRUCTION EQUIPMENT SHALL BE INSPECTED DAILY FOR HYDRAULIC AND FUEL LEAKS. LEAKS SHALL BE REPAIRED PRIOR TO OPERATION WITHIN THE 100-YEAR FLOODPLAIN. WHEN NOT IN USE, FUEL AND HYDRAULIC FLUIDS SHALL BE STORED AT AN UPLAND SITE OUTSIDE OF THE 100-YEAR FLOODPLAIN. EMERGENCY SPILL RESPONSE DEVICES SHALL BE ON-SITE AT ALL TIMES DURING CONSTRUCTION IN WATERWAYS AND FLOODPLAINS AND SHALL BE READY TO DEPLOY IN THE EVENT OF A SPILL.
8. NO CHEMICALS, FUELS, LUBRICANTS, BRUSH, ETC. SHALL BE DISCHARGED OR DISPOSED OF INTO OR ALONGSIDE ANY STREAM, WATERCOURSE, OR FLOODPLAIN UNDER ANY CIRCUMSTANCES.
9. LITTER AND CONSTRUCTION DEBRIS SHALL BE CONTAINED DAILY. ALL CONSTRUCTION DEBRIS AND LITTER SHALL BE COMPLETELY REMOVED OFFSITE AND DISPOSED OF PROPERLY UPON PROJECT COMPLETION.
10. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AS NECESSARY TO PROVIDE ACCESS TO CONSTRUCTION AREAS FROM ALL EXISTING ROADWAYS AND PATHS TO MINIMIZE GROUND DISTURBANCE AND SEDIMENT TRACKING FROM VEHICLE TIRES. ADJACENT ROADWAYS AND PATHS SHALL BE VISUALLY INSPECTED DAILY TO ENSURE THAT SEDIMENT IS NOT BEING CARRIED OFF-SITE. IF SEDIMENT IS BEING CARRIED OFF-SITE, THE ADJACENT ROADWAYS AND PATHS SHALL BE SWEEPED CLEAN DAILY.
11. BMP'S PLUS TEMPORARY SEDIMENT AND EROSION CONTROL



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SHALL BE MAINTAINED TO BE FUNCTIONAL UNTIL THE SITE HAS REACHED FINAL STABILIZATION. THE PROJECT AREA SHALL BE CONSIDERED TO HAVE REACHED FINAL STABILIZATION WHEN:

- A PERENNIAL, VEGETATIVE COVER HAS GROWN TO A 80-PERCENT DENSITY THROUGHOUT THE ENTIRE DISTURBED AREA.
- ALL TEMPORARY SEDIMENT AND EROSION CONTROLS HAVE BEEN REMOVED AND DISPOSED OF PROPERLY.
- ALL TRAPPED SEDIMENT HAS BEEN REMOVED AND PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION.
- ALL CONSTRUCTION ACTIVITIES HAVE CEASED.

BEST MANAGEMENT PRACTICES (BMP'S)

- BMP'S SUCH AS DRAINAGE CHANNELS, PERIMETER FENCING, DETENTION BASINS, AND VEHICLE TRACKING CONTROLS MUST BE INSTALLED PRIOR TO CONSTRUCTION ACTIVITIES. EFFECTIVE EROSION CONTROL REQUIRES ADAPTATION AND CHANGES DURING CONSTRUCTION THAT CANNOT BE DESIGNED OR ANTICIPATED PRIOR TO CONSTRUCTION. A QUALIFIED SUPERVISOR SHOULD CHECK ALL BMP'S REGULARLY AND NOTIFY THE ENGINEER IF THERE ARE QUESTIONS OR CONCERNS. THE ENGINEER ACCEPTS NO LIABILITY FOR THE PLACEMENT, EFFECTIVENESS, MAINTENANCE, OR CHOICE OF BMP ON THE SITE IF THE ENGINEER AND/OR ENGINEER'S REPRESENTATIVE ARE NOT PRESENT.2. THE CONTRACTOR SHALL IMPLEMENT THE NECESSARY SITE EROSION CONTROL MEASURES FOR INHIBITING DUST, WIND, AND AIR SEDIMENT MOVEMENT OFFSITE DURING ALL PHASES OR STAGES OF CONSTRUCTION.
- THE CONTRACTOR SHALL PROVIDE AN AREA TO STORE CONSTRUCTION DEBRIS WHERE IT WILL NOT BE A NUISANCE TO THE SURROUNDING NEIGHBORHOOD. ALL DEBRIS SHALL BE CONTAINED IN SUCH A MANNER THAT WILL PREVENT SCATTERING. ALL DEBRIS, INCLUDING TREES AND UNDERGROWTH SHALL BE DISPOSED OF PROPERLY. ALL DEBRIS SHALL BE REMOVED FROM THE SITE PRIOR TO FINAL SITE INSPECTION.
- CONTRACTOR SHALL LIMIT THE AREAS OF DISTURBANCE AND COMPLETE CONSTRUCTION WITH PHASES IN MIND.
- CONTRACTOR SHALL LIM IT DIRECTLY CONNECTED IMPERVIOUS AREAS (DCIA).
- BUFFER STRIPS SHOULD BE USED DURING CONSTRUCTION TO LIMIT THE DCIA'S. WHEN POSSIBLE, TRANSITIONING CHANGES IN SLOPE, TERRACING LONGER SLOPES, SURFACE ROUGHENING, AND CONTOUR FURROWS SHOULD BE USED TO MINIMIZE CONSOLIDATED FLOW.
- ANY STAGED GRADING MUST BE DONE TO DIRECT STORMWATER TOWARDS THE APPROPRIATE BMP'S.
- DURING CONSTRUCTION, STRAW WADDLES, COMPACTED SOIL BERMS, AGGREGATE BAGS, OR SIMILAR MUST BE USED ON ALL DISTURBED SLOPES OF 3:1 AND GREATER THAN 20 FEET IN LENGTH.
- SILT FENCING LOCATED ON THE PERIMETER OF DISTURBED AREAS SHOULD BE CHECK ONA DAILY BASIS, OR FOLLOWING SIGNIFICANT STORM EVENTS TO ENSURE IT IS WORKING PROPERLY.
- INLET PROTECTION MUST BE INCLUDED AT ALL STORM, SEWER, AND CULVERT LINKS. APPROPRIATE BMP'S INCLUDE ROCK SOCKS, SEDIMENT CONTROL LOGS, OR SIMILAR.
- SEDIMENT ENTRAINMENT FACILITIES SHOULD BE DESIGNED TO

STORE THE APPROPRIATE VOLUME OF STORM WATER DISCHARGE, BUT CONTAIN MINIMAL ADDITIONAL CAPACITY. THEY MUST BE MAINTAINED TO THE CALCULATED VOLUME AND DREDGED AS NECESSARY.

MATERIAL HANDLING

- A LIST OF ALL POTENTIALLY TOXIC OR HAZARDOUS CHEMICALS THAT WILL BE USED OR STORED ON-SITE SHALL BE MAINTAINED WITH THE EROSION CONTROL SUPERVISOR. WARNING LABELS MUST BE ATTACHED. MATERIAL SAFETY DATA SHEETS (MSDS) AND OTHER SAFETY INFORMATION FOR A POTENTIALLY TOXIC OR HAZARDOUS SUBSTANCE MUST BE ON THE SITE WHILE THE SUBSTANCE IS USED OR STORED.
- THE FOLLOWING MATERIALS MANAGEMENT PRACTICES MUST BE FOLLOWED:
 - THE QUANTITY OF FUEL AND LUBRICANT AT THE CONSTRUCTION SITE MUST BE MINIMIZED.
 - STRICT STORAGE PRACTICES (I.E. OFF-SITE STORAGE) ARE PREFERABLE. FUEL, HYDRAULIC OIL, AND FORM OIL MUST BE STORED OFFSITE.
 - MATERIALS STORED AT THE CONSTRUCTION SITE MUST BE PROPERLY PROTECTED FROM THE ELEMENTS.
 - MATERIALS MUST BE HANDLED IN ACCORDANCE WITH OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS AND MANUFACTURERS' INSTRUCTIONS.
 - CHEMICALS REGULATED UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) WILL BE DOCUMENTED.

SPILL REMEDIATION PRACTICES

- ALL CONSTRUCTION SITE PERSONNEL MUST FOLLOW SPILL PREVENTION AND CONTROL PRACTICES AS FOLLOWS:
 - THE SENIOR SAFETY MANAGER, DESIGNATED COORDINATORS, AND THE WATER QUALITY OFFICER WILL BE CONTACTED IMMEDIATELY FOLLOWING ANY SPILL. THE SENIOR SAFETY MANAGER (OR DESIGNEE) MUST IN TURN REPORT THE SPILL TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL AGENCIES IN ACCORDANCE WITH APPLICABLE REGULATIONS.
 - PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE EQUIPMENT.
 - THERE MUST BE A DESIGNATED INDIVIDUAL ON THE SITE TRAINED IN THE APPROPRIATE CLEANUP PROCEDURES FOR VARIOUS TYPES OF CHEMICALS AND THE LOCATION OF INFORMATION AND CLEANUP SUPPLIES.
 - THE MSDS OF ANY MATERIAL SHOULD BE CONSULTED ON THE EVENT OF A SPILL. THE MSDS FOR ALL CHEMICALS USED ON THE SITE WILL BE KEPT ON THE SITE, AND WORKERS WILL BE REQUIRED TO REVIEW MSDS'S.
 - SPILL KITS MUST BE LOCATED ON-SITE. SUBCONTRACTORS MUST BE NOTIFIED OF THEIR LOCATION AND INSTRUCTED HOW TO USE THEM WHEN NECESSARY.
 - SPILLS MUST BE CLEANED UP PROMPTLY AFTER DISCOVERY, AND MATERIALS USED FOR CLEANUP MUST BE DISPOSED OF

OFF-SITE AT AN APPROVED FACILITY.

WORK LIMITS AND LAYDOWN

- WORK LIMITS, ACCESS, STAGING, LAYDOWN, AND STOCKPILE AREAS SHALL BE LOCATED WHERE SHOWN ON THE CONSTRUCTION DRAWINGS OR OTHERWISE AS APPROVED BY THE ENGINEER OR OWNER.
- ALL CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN CURRENTLY DISTURBED AREAS TO THE EXTENT POSSIBLE.
- DISTURBED/ EXPOSED RIVERBANKS AND STAGING AND PROJECT ACCESS AREAS SHALL BE PROPERLY STABILIZED (SEEDED, MULCHED, OR OTHERWISE) WITH NATIVE VEGETATION IMMEDIATELY AFTER GRADING TO PREVENT EROSION AND ESTABLISHMENT OF INVASIVE PLANT SPECIES.
- CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE TO VEGETATION OR PROPERTY OUTSIDE THE WORK LIMITS RESULTING FROM CONSTRUCTION OPERATIONS.
- ALL AREAS TEMPORARILY DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION, SLOPES, AND ELEVATIONS, UNLESS OTHERWISE NOTED IN THE CONSTRUCTION DRAWNGS.

UTILITIES

- THE CONTRACTOR SHALL LOCATE ALL UTILITIES WITHIN THE PROJECT AREA PRIOR TO CONSTRUCTION.
- NO EXCAVATION SHALL OCCUR IN THE AREA SURROUNDING A UTILITY CROSSING. NO IMPROVEMENTS THAT MAY CAUSE SCOUR, ARE TO BE PLACED IN THE VICINITY OF AN AT-GRADE, ABOVE OR BELOW GRADE, UTILITY CROSSING.
- IF UTILITIES ARE IDENTIFIED WITHIN THE PROJECT AREA, A MINIMUM BUFFER OF NO DISTURBANCE, APPROVED BY THE ENGINEER OR OWNER, IS TO BE MAINTAINED ON ALL UTILITY CROSSINGS.

ROCK QUALITY

- INDIVIDUAL STONE BOULDERS SHALL BE DENSE, SOUND AND FREE FROM CRACKS, SEAMS AND OTHER DEFECTS CONDUCIVE TO ACCELERATED WEATHERING.
- AT A MINIMUM EXPOSED ROCK SHOULD HAVE ONE FLAT SURFACE AND THIS SHOULD BE THE ONLY EXPOSED SURFACE.
- THE ROCK SHALL HAVE THE FOLLOWING PROPERTIES:
 - BULK SPECIFIC GRAVITY (SATURATED SURFACE-DRY BASIS) NOT LESS THAN 2.5.
 - ABSORPTION NOT MORE THAN 2% BY WEIGHT.
 - THE BULK SPECIFIC GRAVITY AND ABSORPTION SHALL BE DETERMINED BY ASTM METHOD C-127.
- ROCK THAT FAILS TO MEET THESE REQUIREMENTS MAY BE ACCEPTED ONLY IF SIMILAR ROCK FROM THE SAME SOURCE HAS BEEN DEMONSTRATED TO BE SOUND AFTER FIVE YEARS OR MORE OF SERVICE UNDER CONDITIONS OF WEATHER, WETTING AND DRYING, AND EROSION FORCES SIMILAR TO THOSE ANTICIPATED. ALTERNATIVELY NATIVE OR IMPORTED STONE, ALREADY AT THE SITE AND MEETING THE STANDARDS OUTLINED ABOVE, MAY BE USED.
- THE ENGINEER RETAINS RIGHT OF REFUSAL FOR ANY ROCK PRODUCT TO THE SITE WHICH IS NOT SUITABLE AND DOES NOT MEET THE ABOVE



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CRITERIA AND/OR SHOWS EXCESSIVE WEATHERING, CRACKING OR DEFORMATION.

6. MINIMUM ROCK DIMENSIONS FOR "QUARRIED STONE" SHALL BE 2'X2'X4' FOR DROP STRUCTURES. MINIMUM ROCK DIMENSIONS FOR ALL POOL ARMORING AND CRIB FILL TO BE RIP RAP WITH A D50 OF 9-INCHES.
7. ALL RIP RAP TO MEET ASTM C-535-69, AASHTO TEST 103 AND HAVE A SPECIFIC GRAVITY OF 2.65 AS WELL AS MEETING THE IOWA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS. THE ENGINEER TAKES NO RESPONSIBILITY FOR MATERIAL USED NOT MEETING THESE SPECIFICATIONS OR NOT APPROVED ON-SITE BY THE ENGINEER OR OWNER.

SITE PREPARATION-ROCK EXCAVATION

1. CONTRACTOR SHALL USE SUITABLE EXCAVATION TECHNIQUES THAT INCLUDE RIPPERS, STANDARD BUCKET EXCAVATION, AND HYDRAULIC BREAKERS. NO BLASTING OR EXPLOSIVES MAY BE USED WITHOUT PRIOR APPROVAL.

SITE PREPARATION- STONES PLACED IN CHANNEL

1. NO ROCK PLACEMENT SHALL OCCUR IN CHANNEL UNTIL APPROPRIATE WATER CONTROL MEASURES ARE IN PLACE (AS OUTLINED IN THE WATER CONTROL TYPICALS).
2. AFTER SHEET PILING (OR APPROPRIATE CUTOFF WALLS) IS IN PLACE NATIVE ALLUVIUM SHALL BE EXCAVATED TO DEPTH OF FIVE FEET. CLEAN CRIB FILL SHALL BE PLACED UP TO THE SUBGRADE ELEVATION.
3. QUARRIED STONE SHALL BE PLACED AS SHOWN ON THE DRAWINGS WITHOUT ANY GAPS, SO THAT EACH BOULDER TOUCHES THE NEXT ONE.
4. EACH STONE SHALL BE PLACED TO THE FINAL POSITION BY SUITABLE EQUIPMENT FOR HANDLING MATERIAL AND, IF NECESSARY; THE STONE SHALL BE PICKED UP AND REPOSITIONED.
5. IT SHOULD BE ANTICIPATED THAT RE-HANDLING OF INDIVIDUAL STONES, AFTER INITIAL PLACEMENT WILL BE REQUIRED TO ACHIEVE REQUIRED SLOPES, GRADES, ELEVATIONS AND POSITION.
6. THE ENGINEER SHALL OBSERVE AND APPROVE CONTRACTOR'S METHOD FOR STONE PLACEMENT IN A REPRESENTATIVE AREA FOR EACH PROJECT COMPONENT.

SITE PREPARATION-ROCKS PLACED IN STONE TERRACING

1. ALL ROCKS PLACED AS STONE TERRACING MUST BE PLACED WITH FLAT SIDE FACING UP AND BE CLEAN OF ALL SHARP PROTRUSIONS THAT COULD CREATE A SAFETY HAZARD.
2. IT SHOULD BE ANTICIPATED THAT RE-HANDLING OF INDIVIDUAL STONES, AFTER INITIAL PLACEMENT WILL BE REQUIRED TO ACHIEVE REQUIRED SLOPES, GRADES, ELEVATIONS AND POSITION.
3. ALL PLACED ROCKS MUST BE KEYED IN 12-INCHES IN BOTH THE HORIZONTAL AND VERTICAL DIRECTIONS.
4. ALL STONE TERRACING SHALL BE PLACED WITH SUITABLE GEOTEXTILE UNDERLYING THE MATERIAL (IF INCLUDED IN THE DESIGN) AND BACKFILLED WITH CLEAN NATIVE FILL.
5. ALL PLACED STONES SHALL BE PLACED ON SUITABLE SUBGRADE APPROVED BY ENGINEER. IF UNSUITABLE SUBGRADE IS EXPERIENCED,

CONTRACTOR MUST INCLUDE SUITABLE SUBGRADE MATERIAL SUCH AS ROAD BASE GRAVEL.

CONCRETE MATERIALS

1. CONCRETE SHALL CONSIST OF PORTLAND CEMENT, SAND, AND GRAVEL, THOROUGHLY MIXED WITH WATER TO PRODUCE A THICK, CREAMY CONSISTENCY. THE MINIMUM AMOUNT OF WATER SHOULD BE USED TO PREVENT EXCESS SHRINKAGE OF THE CONCRETE AFTER PLACEMENT.
2. THE AGGREGATE, FOR CONCRETE, SHALL CONSIST OF 70 PERCENT SAND AND 30 PERCENT 3/8-INCH ROCK. MAXIMUM AGGREGATE SHALL BE 3/8 INCH.
3. ALL CONCRETE SHALL BE PRODUCED FROM TYPE II PORTLAND CEMENT WITH LESS THAN 5% TRICALCIUM ALUMINATE. CONCRETE SHALL HAVE MINIMUM CEMENT CONTENT OF 7 GALLONS PER SACK.
4. STRENGTH OF THE CONCRETE SHALL BE 3,000 PSI IN 28 DAYS. THE WATER CEMENT RATIO SHALL NOT EXCEED 0.48. A STIFFER MIX SHALL BE USED FOR STEEPER APPLICATIONS. AIR ENTRAINMENT SHALL BE USED FOR STEEPER APPLICATIONS. AIR ENTRAINMENT SHALL BE 6% TO 9%, AND SLUMP SHALL BE 5-INCHES TO 9-INCHES, EXCEPT AS APPROVED OR DIRECTED. AIR ENTRAINING AGENTS SHALL CONFORM TO ASTM C260 AND WATER REDUCING AGENTS SHALL CONFORM TO ASTM C494.
5. SUBGRADE, BASE MATERIAL, AND SURFACE COURSE IS TO BE COMPACTED TO 95% STANDARD PROCTOR WITH A MOISTURE CONTENT WITHIN 2% OF OPTIMAL PER ASTM D1558 AND AASHTO T180.

COLD WEATHER PLACEMENT

1. CONTRACTOR MUST FOLLOW RECOMMENDATIONS SET IN THE AMERICAN CONCRETE INSTITUTE COMMITTEE 306 (ACI 306R-88). WHEN PLACING CONCRETE AFTER THE FIRST FROST OR WHEN THE MEAN DAILY TEMPERATURES ARE BELOW 40° F.
 - a. HEAT AGGREGATES AND WATER IN ORDER TO PLACE FLOW FILL AT TEMPERATURES BETWEEN 50° F AND 80° F.
 - b. PLACING OF CONCRETE MAY BEGIN IN MORNING, BUT SHALL BE DISCONTINUED AT 3:00 PM OF SAME DAY IF FREEZING WEATHER THREATENS.
 - c. AFTER CONCRETE IS PLACED, PROVIDE SUFFICIENT PROTECTION SUCH AS COVER, CANVAS, FRAMEWORK, HEATING APPARATUS, ETC., TO ENCLOSE AND PROTECT FLOW FILL AND MAINTAIN TEMPERATURE OF 70° F FOR 3 DAYS OR 50° F FOR 5 DAYS AFTER PLACING.
 - d. IF FLAKING OR SPAWLING IS FOUND, THAT PORTION OF THE CONCRETE DID NOT APPROPRIATELY CURE AND WILL BE RE-DONE AT THE EXPENSE OF THE CONTRACTOR.
 - e. IF IN THE OPINION OF OWNER'S REPRESENTATIVE PROTECTION IS NOT ADEQUATE, CEASE PLACEMENT UNTIL CONDITIONS OR PROCEDURES ARE SATISFACTORY TO OWNER'S REPRESENTATIVE.

GROUT MATERIALS

1. THE MIXTURE WILL USE PORTLAND CEMENT: TYPE I/TYPE II, AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM SPECIFICATION C150.
2. FLY ASH: CLASS FOR C AND SHALL CONFORM TO THE REQUIREMENTS

OF ASTM C618. GROUND GRANULATED BLAST FURNACE SLAG (GGBFS): SHALL CONFORM TO THE REQUIREMENTS OF ASTM C989.

3. COARSE AGGREGATE: NORMAL-WEIGHT AGGREGATE THAT SHALL CONFORM TO THE REQUIREMENTS OF ASTM C33. MAXIMUM AGGREGATE SIZE: 1-INCH DIAMETER. COARSE AGGREGATE MAY BE REDUCED TO 3/8-INCH DIAMETER PEASTONE TO PROMOTE PUMPABILITY, PROVIDED THE REQUIRED COMPRESSIVE STRENGTH CAN BE ACHIEVED.
4. FINE AGGREGATE: NORMAL-WEIGHT AGGREGATE THAT SHALL CONFORM TO THE REQUIREMENTS OF ASTM C33. FINE AGGREGATE SHALL BE NON-REACTIVE TO ALKALINITY FROM THE CEMENT-BASED GROUT.
5. WATER: SHALL BE POTABLE AND CONFORM TO THE REQUIREMENTS OF ASTM C94.
6. AIR-ENTRAINMENT: SHALL CONFORM TO THE REQUIREMENTS OF ASTM C260.
7. ADMIXTURES: SHALL BE USED FOR ADJUSTING FLOW AND WORKABILITY, AS REQUIRED, AND COULD CONSIST OF WATER-REDUCERS, RETARDERS, PLASTICIZERS, SUPERPLASTICIZERS, OR NONCHLORIDE ACCELERATORS. ALL ADMIXTURES SHALL CONFORM TO THE REQUIREMENTS OF ASTM C494 AND ASTM C1017 AS APPLICABLE
8. THE CONTRACTOR IS REQUIRED TO FINISH ALL GROUT WITHIN THE INSTREAM STRUCTURES AND TERRACING USING THE FOLLOWING TECHNIQUE: 1) FOLLOWING INITIAL PLACEMENT OF GROUT, A TROWEL WILL BE USED TO REMOVE ALL SPILLED, SPLATTERED, AND DUMPED MATERIAL FROM ROCK FACES AND EXPOSED SURFACES. 2) ONCE THE MATERIAL HAS BEEN REMOVED BY A TROWEL, ALL SURFACES ARE TO BE TROWEL FINISHED AND SMOOTHED. 3) FOLLOWING TROWEL WORK, WET BROOMS AND BRUSHES ARE TO BE USED IN COMBINATION WITH BUCKETS OF WATER TO CLEAN ALL EXPOSED SURFACES AND TRANSITIONS FROM ROCK TO GROUT WITH THE INTENTION OF MAKING THE GROUT BLEND WITH THE ENVIRONMENT.

GROUT MIX

1. DESIGN MIXTURE FOR GROUT SHALL BE PROPORTIONED ON THE BASIS OF LABORATORY TRIAL MIXTURE OR FIELD TEST DATA IN ACCORDANCE WITH ACI 301.
2. MAXIMUM FLY ASH CONTENT: 25 PERCENT.
3. MAXIMUM GGBFS CONTENT: 25 PERCENT.
4. GROUT SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS.
5. MAXIMUM WATER-CEMENT RATIO: 0.55
6. MINIMUM CEMENT CONTENT: 517 POUNDS PER CUBIC YARD.
7. MINIMUM SLUMP: 5 INCHES.
8. MAXIMUM SLUMP: 9 INCHES.
9. ENTRAINED AIR-CONTENT: 3 TO 5 PERCENT.



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GROUT MIXING AND PLACEMENT

1. MEASURE, BATCH, MIX, AND DELIVER GROUT ACCORDING TO ASTM C94. USE ADMIXTURES ACCORDING TO THE MANUFACTURERS' WRITTEN INSTRUCTIONS.
2. THE CONTRACTOR MAY SUBMIT MIX ADJUSTMENTS TO THE DESIGNER FOR THEIR REVIEW AND APPROVAL WHEN CIRCUMSTANCES SUCH AS CHANGED PROJECT CONDITIONS, UNFAVORABLE WEATHER, OR UNFAVORABLE RESULTS OCCUR. INCLUDE NECESSARY SUPPORTING DOCUMENTS (LABORATORY AND/OR FIELD TEST DATA) WITH ANY MIX ADJUSTMENT REQUESTS. MIX ADJUSTMENTS, IF ACCEPTABLE TO THE DESIGNER, SHALL BE PERFORMED AT NO ADDITIONAL EXPENSE TO THE OWNER.
3. THE MIXER, WHEN OPERATING AT CAPACITY, SHALL BE CAPABLE OF COMBINING THE INGREDIENTS OF THE GROUT MIX INTO A THOROUGHLY MIXED AND UNIFORM MASS, AND OF DISCHARGING THE MIX WITH A SATISFACTORY DEGREE OF UNIFORMITY. THE MIXER SHALL BE OPERATED WITHIN THE LIMITS OF THE MANUFACTURER'S GUARANTEED CAPACITY AND SPEED OF ROTATION.
4. IF REQUIRED TO PROMOTE PUMP-ABILITY, UP TO 20 GALLONS OF POTABLE WATER PER FULL (10CY) LOAD (OR PROPORTIONED ACCORDINGLY) MAY BE ADDED (AND THOROUGHLY MIXED) ONSITE. ADDING WATER TO THE MIX ON-SITE (IF REQUIRED) MUST OCCUR WITHIN 60 MINUTES OF THE TIME OF BATCHING. ALL REQUIREMENTS FOR THE GROUT MIX, AS STATED IN THIS SPECIFICATION, APPLY REGARDLESS OF WHETHER OR NOT WATER IS ADDED ON-SITE.
5. THE TIME INTERVAL BETWEEN GROUT BATCHING AND PLACEMENT SHALL BE 90 MINUTES. OR, THIS REQUIREMENT MAY BE WAIVED IF, AFTER 90 MINUTES, THE GROUT CAN STILL BE PLACED WITHOUT ADDING WATER (TO REDUCE SLUMP) TO THE BATCH. FIELD PACKS OF WATER REDUCING ADMIXTURES MAY BE ADDED TO THE BATCH TO INCREASE SLUMP/WORKABILITY. MAXIMUM TIME INTERVAL, REGARDLESS OF SLUMP, SHALL BE 180 MINUTES. FOR AIR TEMPERATURE GREATER THAN 80 DEGREES, MAXIMUM TIME INTERVAL SHALL BE REDUCED TO 120 MINUTES. FOR AIR TEMPERATURE GREATER THAN 90 DEGREES, MAXIMUM TIME INTERVAL SHALL BE REDUCED TO 90 MINUTES.
6. IN ANY CASE, GROUT SHALL BE CONVEYED FROM THE MIXER TO THE FINAL PLACEMENT AS RAPIDLY AS PRACTICABLE BY METHODS THAT WILL PREVENT SEGREGATION OF THE AGGREGATES AND/OR LOSS OF CEMENTITIOUS MATERIALS.
7. GROUT MIX SHALL NOT BE ALLOWED TO FREE FALL MORE THAN FIVE (5) FEET UNLESS SUITABLE EQUIPMENT IS USED TO PREVENT SEGREGATION.
8. THE GROUT MIX SHALL NOT BE PLACED UNTIL THE AFFECTED AREA HAS BEEN INSPECTED AND APPROVED BY THE DESIGNER FOR THE PLACEMENT OF GROUT.
9. GROUT MIX SHALL NOT BE PLACED WHEN THE DAILY AVERAGE TEMPERATURE IS LESS THAN 40 F UNLESS FACILITIES ARE PROVIDED TO ENSURE THAT THE TEMPERATURE OF THE MATERIALS IS MAINTAINED AT A MINIMUM TEMPERATURE OF 50 F AND NOT MORE

THAN 90 F DURING PLACEMENT AND THE CURING PERIOD.

10. GROUT MIX SHALL NOT BE PLACED ON FROZEN SURFACES. AT A MINIMUM, GROUT MIX SHALL NOT BE ALLOWED TO FREEZE FOR THE INITIAL 24 HOURS AFTER PLACEMENT.
11. FOR HOT WEATHER PLACEMENT, COMPLY WITH ACI 305.1 (SPECIFICATION FOR HOT WEATHER CONCRETING).
12. FOLLOW DESIGNER SPECIFICATIONS FOR SUBGRADE PREPARATION, GROUT PLACEMENT AND FINISHING, CURING, AND CLEAN-UP. SPECIFICALLY, FILL VOIDS ALONG UPSTREAM AND DOWNSTREAM TOE WITH GROUT. ALL ROCK TO BE CLEAN AND SWEEPED AFTER GROUTING.
13. AFTER COMPLETION OF ANY GROUT PLACEMENT, NO INDIVIDUALS OR EQUIPMENT SHALL BE PERMITTED ON THE GROUTED SURFACE FOR A PERIOD OF TWENTY-FOUR (24) HOURS. THE GROUTED SURFACE SHALL BE PROTECTED FROM INJURIOUS ACTION BY THE SUN, RAIN, FLOWING WATER, MECHANICAL INJURY, OR OTHER POTENTIAL DAMAGING ACTIVITY.

GROUT AND CONCRETE PLACEMENT

1. GROUT SHALL BE PUMPED INTO VOIDS AS DIRECTED BY THE ENGINEER OR OWNER.
2. ALL GROUT IN "WING" AND "ISLAND" SHOULD BE HELD BACK 4-6 INCHES.
3. ALL EXPOSED VISIBLE GROUT SHALL BE SMOOTHED WITH TROWEL OR BRUSHED FINISH, EVEN IN VOID SPACES.
4. AT COMPLETION OF GROUT PLACEMENT ALL ROCK SHOULD BE CLEANED OF GROUT AND GROUT RESIDUE. SMALL BRUSHES HAVE BEEN PROVEN TO BE THE MOST EFFECTIVE TECHNIQUE FOR REMOVING CONCRETE GROUT RESIDUE.
5. GROUT SHALL NOT BE PLACED UNLESS APPROPRIATE WATER CONTROL MEASURES ARE IN PLACE.
6. FOLLOWING COMPLETION OF GROUT PLACEMENT, THE WORK AREA SHOULD BE FLOODED TO ENSURE OPTIMAL CURING TIME. THE WORK AREA SHALL BE ISOLATED TO ENSURE THERE IS NO CONTACT WITH THE LIVE RIVER. THE STATIC WATER LEVEL IN THE WORK AREA SHOULD EQUAL THE WATER LEVEL IN THE LIVE RIVER.
7. THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE A MINIMUM OF 48 HOURS PRIOR TO THE PLACEMENT OF CONCRETE OR GROUT. THE OWNER'S REPRESENTATIVE MUST APPROVE THE FORM WORK AND REINFORCEMENT PRIOR TO PLACEMENT OF CONCRETE OR GROUT.
8. ALL SAW CUT JOINTS MUST BE COMPLETED WITHIN 24 HOURS OF CONCRETE PLACEMENT. ANY CONCRETE SAWN AFTER THIS 24 HOUR PERIOD, WHICH IN THE OPINION OF THE OWNER'S REPRESENTATIVE HAS EXCESSIVE SHRINKAGE CRACKS, SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.

INSPECTING AND TESTING FRESH GROUT

1. THE GROUT MATERIAL SHALL BE CHECKED AND TESTED THROUGHOUT THE GROUTING OPERATION AT THE CONTRACTOR'S

EXPENSE. SAMPLING OF FRESH GROUT SHALL BE CONDUCTED IN CONFORMANCE WITH ASTM C172. FIELD TESTING WILL BE DETERMINED BY METHODS PRESCRIBED IN ASTM C138. AT A MINIMUM, FIELD TESTING SHALL INCLUDE SLUMP, AIR CONTENT, UNIT WEIGHT, TEMPERATURE, AND COMPRESSIVE STRENGTH CYLINDERS (1 7D, 2 28D, AND 1 HOLD CYLINDER). A MINIMUM OF ONE SET OF TEST CYLINDERS SHALL BE CAST FOR EVERY 50 CUBIC YARDS OF GROUT PLACED.

2. THE ENGINEER SHALL HAVE FREE ACCESS TO ALL PARTS OF THE CONTRACTOR'S PLANT AND EQUIPMENT UTILIZED FOR MIXING AND PLACING GROUT DURING THE PERIOD OF THE CONTRACT. PROPER FACILITIES SHALL BE PROVIDED FOR THE ENGINEER TO SAMPLE MATERIALS AND VIEW PROCESSES IMPLEMENTED IN THE MIXING AND PLACING OF GROUT AS WELL AS FOR SECURING GROUT TEST SAMPLES. ALL TESTS AND INSPECTIONS SHALL BE SO CONDUCTED AS A MINIMUM OF INTERFERENCE TO THE CONTRACTOR'S OPERATION OCCURS.
3. FOR READY-MIXED GROUT, THE CONTRACTOR SHALL FURNISH TO THE ENGINEER A STATEMENT OF DELIVERY TICKET FOR EACH BATCH DELIVERED TO THE SITE. THE TICKET SHALL PROVIDE AS A MINIMUM: WEIGHTS IN POUNDS OF CEMENT, AGGREGATES (FINE AND COARSE), WATER; WEIGHT IN OUNCES OF AIR-ENTRAINING AGENT; TIME OF LOADING; AND, THE REVOLUTION COUNTER READING AT THE TIME BATCHING WAS STARTED.

REVEGETATION NOTES

1. ANY REVEGETATION OR PLANTING SHALL OCCUR WITHIN THE APPROPRIATE PLANTING WINDOWS AND IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. THIS TIMEFRAME SHOULD NOT EXCEED 14 DAYS AFTER COMPLETION OF FINAL GRADES.
2. THE CONTRACTOR SHALL PLANT THE TYPE OF PLANT MATERIAL AND MIX OF SPECIES INDICATED FOR EACH PLANTING ZONE. BOUNDARIES OF PLANTING ZONES AND LOCATIONS OF TREE AND SHRUB PLANTINGS WILL BE MARKED IN THE FIELD UPON COMPLETION OF EARTHWORK BY THE ENGINEER AND MAY VARY FROM THOSE SHOWN ON THE DRAWING DUE TO ACTUAL SITE CONDITIONS.
3. ALL SUITABLE TOPSOIL SHALL BE STOCKPILED DURING CONSTRUCTION AND PLACED WITHIN THE SEEDING AREAS IN MINIMUM 3-INCH DEPTHS.
4. CONTRACTOR SHALL MAINTAIN ALL PLANT MATERIAL IN A VIABLE CONDITION UP TO THE TIME OF PLANTING AND SHALL NOT PLANT DEAD, DISEASED, OR DAMAGED PLANTS OR SEEDS.
5. NO PLANTING OR SEEDING SHALL OCCUR UNTIL THE AREA HAS BEEN PROPERLY PREPARED AND APPROVED BY THE ENGINEER (INCLUDING SOILS BEING SATURATED AND/OR FLOODED TO APPROPRIATE WATER DEPTHS).
6. PLANT MATERIALS SHALL BE INSTALLED USING STANDARD PRACTICES FOR THE TYPE OF MATERIAL. THE FOLLOWING DESCRIBES THE SPECIFIC METHODS TO BE USED FOR EACH TYPE OF PLANTING:

- a. MINIMUM 3-CUBIC-INCH POTTED NURSERY STOCK: POTTED STOCK OF THE SPECIES SHOWN FOR EACH ZONE SHALL BE PLANTED RANDOMLY IN STAGGERED ROWS AT THE SPACING



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INDICATED. PLANTS SHALL NOT BE PLANTED COMPLETELY SUBMERGED.

b. TREES AND SHRUBS: TREES AND SHRUBS SHALL BE PLANTED AT THE LOCATIONS SHOWN ON THE PLAN.

c. SEEDING: THE UPPER THREE (3) INCHES (MINIMUM) OF THE AREA TO BE SEEDED SHALL BE IN A LOOSE AND FRIABLE CONDITION SUITABLE FOR SEEDING. IF NECESSARY, AREAS TO BE SEEDED WILL BE TILLED TO RELIEVE COMPACTION PRIOR TO SEEDING. ONCE SEEDING IS COMPLETE, NO MORE THAN 0.5-INCHES OF SOIL MAY BE PLACED OVER THE SEED.

7. CONTROL ANY SURFACE FLOW TO ENABLE SEEDING.

8. THE SEED MIXES SPECIFIED SHALL BE BROADCAST SEEDED IN WETLAND PLANTING AND TRANSITION AREAS AND SHALL BE DRILL SEEDED IN OTHER AREAS. SEPARATE SEED BOXES SHALL BE USED AS NEEDED, TO ACCOMMODATE THE SEED SIZES IN THE MIXTURES.

9. 2 TONS PER ACRE OF STRAW MULCH SHALL BE APPLIED TO SEEDED AREAS IMMEDIATELY AFTER SEEDING, EXCEPT THAT 1 TON PER ACRE OF STRAW MULCH SHALL BE APPLIED TO SEEDED WETLAND CREATION AREAS.

10. MULCH SHALL BE CRIMPED OR TACKIFIER APPLIED TO PREVENT MOVEMENT. IF TACKIFIER IS USED, IT SHALL BE "M-BINDER" TACKIFIER APPLIED AT A RATE OF 100 POUNDS PER ACRE.

11. ALL PLANTED AND SEEDED AREAS SHALL BE ADEQUATELY WATERED WITHIN 4 HOURS AFTER SEEDING/PLANTING. THE FOLLOWING DESCRIBES THE REVEGETATION TO BE COMPLETED BY AREA:

a. WETLAND CREATION AREAS: A) BROADCAST SEED MIX FOR AREA B) APPLY 1 TON PER ACRE STRAW MULCH C) APPLY 100 POUNDS PER ACRE "M-BINDER" TACKIFIER D) PLANT POTTED STOCK 3-FOOT-ON-CENTER IN STAGGERED ROWS THROUGH MULCH.

b. TRANSITION AREAS: A) BROADCAST SEED MIX SPECIFIED, B) APPLY 2 TONS PER ACRE STRAW MULCH, C) APPLY 100 POUNDS PER ACRE "M-BINDER" TACKIFIER.

c. EXCESS SOIL DISPOSAL AREA AND OTHER UPLAND AREAS: A) BROADCAST SEED MIX SPECIFIED, B) APPLY 2 TONS PER ACRE STRAW MULCH, C) CRIMP MULCH TO SECURE.

2. STEPS SHALL BE EMPLOYED THROUGHOUT THE COURSE OF THE PROJECT TO AVOID THE CREATION OF EXCESSIVE TURBIDITY WHICH MAY DEGRADE WATER QUALITY OR ADVERSELY AFFECT AQUATIC LIFE.

3. NO WASTEWATER SHALL BE DISCHARGED INTO THE RIVER.

4. PRIOR TO CREATION OF COFFERDAMS OR DIVERTING WATER IN ANY MANNER, THE CONTRACTOR MUST REVIEW ALL RELEVANT PERMIT CONDITIONS AND INFORM THE ENGINEER OF THEIR TIMING, METHODS, AND TECHNIQUES FOR WATER CONTROL.

5. THE WATERWAY MAY EXPERIENCE FLOODING AND CHANGES IN WATER LEVEL AT ANY TIME. IT IS THE CONTRACTORS RESPONSIBILITY TO MONITOR AND ANTICIPATE CHANGES AND PLAN ACCORDINGLY. ANY DAMAGE, LOSSES, PERMIT CONDITION VIOLATIONS, ETC. AS A RESULT OF FLOODING IN THE WATERWAY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

6. ANY COFFERDAM FAILURE MUST BE REPORTED TO THE ENGINEER AND/OR OWNER IMMEDIATELY.

7. UNLESS PRIOR APPROVAL HAS BEEN GRANTED, THE CONTRACTOR MUST ONLY CONSTRUCT AND WORK WITHIN ONE COFFERDAM AT A TIME.

EMERGENCY PLANNING

1. CONTRACTOR SHALL CREATE AND HOLD ON FILE AN EMERGENCY ACTION PLAN. THAT PLAN MUST INCLUDE CONTACT NUMBERS FOR ALL UTILITIES LOCATED WITHIN THE PROJECT SITE, IN ADDITION TO PHONE NUMBERS FOR ALL PERMIT AGENCY PROJECT MANAGERS.

2. THE ENGINEER AND THE OWNER MUST BE NOTIFIED IMMEDIATELY FOLLOWING AN EMERGENCY SITUATION.

OTHER

1. IN THE EVENT AN ITEM IS NOT COVERED IN THE SPECIFICATIONS, THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE AND THEY MUST APPROVE ANY ADDITIONS OR MODIFICATIONS TO THE SPECIFICATIONS.

2. ALL WASTE MATERIAL AND/OR EXCESS EXCAVATION NOT USED AS PART OF THE WORK SHALL BE REMOVED FROM THE JOB SITE AND DISPOSED OF AT ACCEPTABLE LOCATIONS IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.

3. THE CONTRACTOR AT ALL TIMES DURING CONSTRUCTION SHALL PROVIDE WARNING SIGNS, BARRICADES, AND OTHER SAFETY DEVICES (INCLUDING TEMPORARY FENCING AROUND THE JOB SITE) TO PROTECT PUBLIC SAFETY AND HEALTH IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

WATER CONTROL

1. CONTRACTOR SHALL PREPARE A DEWATERING PLAN TO BE APPROVED BY THE ENGINEER OR OWNER PRIOR TO COMMENCEMENT OF ANY DEWATERING ACTIVITIES. ALL DEWATERING DISCHARGES MUST BE FILTERED TO REMOVE EXCESSIVE SEDIMENTS AND MUST BE DISCHARGED ONTO AN ENERGY-DISSIPATION DEVICE (E.G., PLUNGE POOL, SPLASH PUP, CONCRETE WEIGHT, OR EQUIVALENT) PRIOR TO DISCHARGE INTO ANY SURFACE WATER. FISH OR MUSSELS TRAPPED IN THE DRY AREA MUST BE PROPERLY RELOCATED TO A DOWNSTREAM SECTION OF THE RIVER BY A DESIGNATED/QUALIFIED INDIVIDUAL.

This information is pending.

To Molly

Here is a list of maintenance records I could find on the Hellgate Ditch regarding to the Diversion point in the Clarkfork River. Race

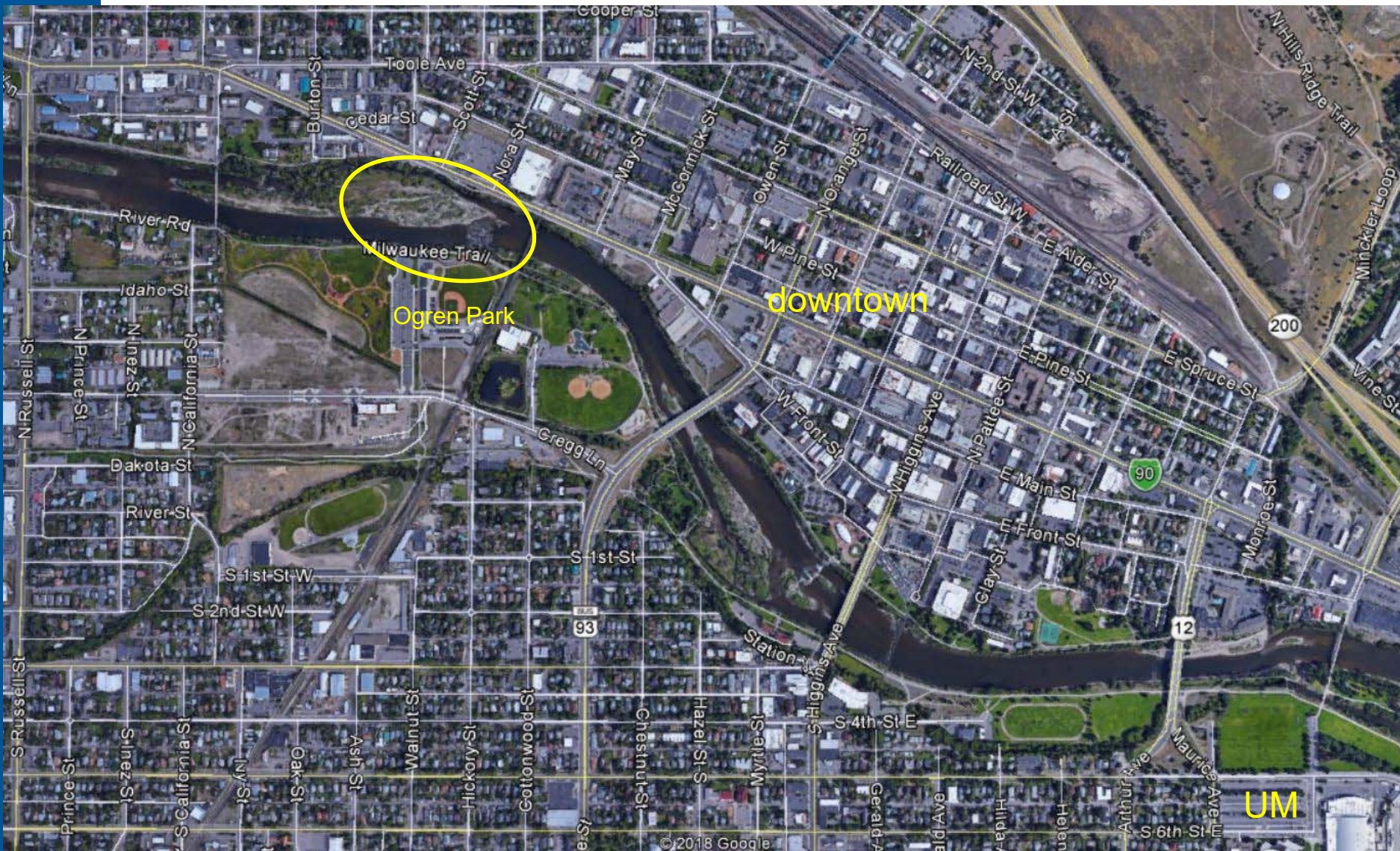
1. (2000) Mike Flynn river repair \$360
2. (2004) JTL hauled rock to south side of channel for riprap \$4800
3. (2008) Perkins Const. performed duties in river \$3700
4. (2013) Forney Const. placed jersey barriers in river diversion \$4400
5. (2016) Low Tide Const. removed silt from river and straightened up jersey barriers \$2000
6. Numerous canal (intake channel) breach repairs (2013, 2017)

This information is pending.

Max Wave Project

May 2018







Purpose

- More stable, permanent irrigation diversion structure
- Restore impacted channel and banks
- ADA access to the river
- Unique recreation opportunities
- Supports economic development
- Improves ecosystem



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DRAFTED: AR, MH

MAX WAVE AT THE FLYNN-LOWNEY DIVERSION WHITEWATER AND RIPARIAN IMPROVEMENTS

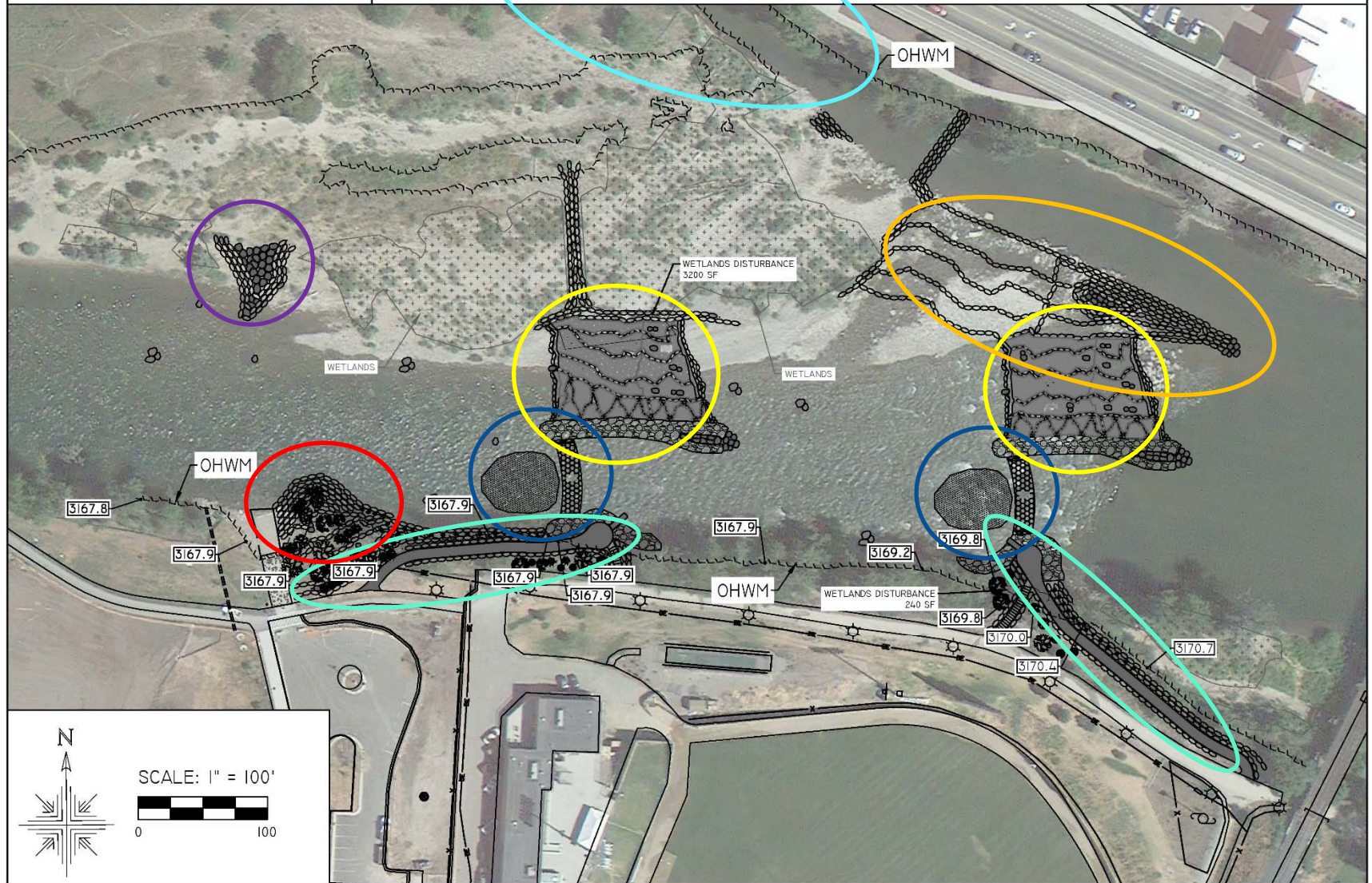
WETLANDS AND OHWM
PERMIT SET - NOT FOR CONSTRUCTION

FILE NO. ----
APPLICANT
LOCATION

CITY OF MISSOULA
CLARK FORK RIVER, MISSOULA, MONTANA
MISSOULA COUNTY

DATE
SHEET

JAN 11, 2018
6 OF 35



Timeline

- 2012 – Original design concept submitted
- 2014 – MMI-REP team involved, new design concept developed based on comments, stakeholder meetings
- 2015 – Permit application, review comments received, revised layout based on comments
- 2016 – On-hold
- 2017 – Revisions based on comments, 2D model
- 2018 – Permits in process
- Summer 2018 – Permit approvals
- Fall 2019 – Construction

Input

- **City Council – 2015**
- **USACE Public Comment – 2015, 2018**
- **DNRC Public Comment – 2018 (forthcoming)**
- **Floodplain/FEMA Public Comment – 2018 (forthcoming)**
- **Water Quality Advisory Council**
- Montana Trout Unlimited
- Clark Fork Coalition
- Department of Natural Resources and Conservation (Southwest Lands and Water Resources)
- Montana Fish, Wildlife and Parks
- Missoula Parks and Recreation
- US Fish and Wildlife Service (consultation open)
- Department of Environmental Quality
- Missoula Redevelopment Agency
- United States Army Corp of Engineers
- Hellgate Valley Water Users Association
- Missoula County Public Schools
- Missoula Downtown Association
- Friends of Missoula Parks
- Silver Summit
- Missoula Office of the Mayor
- Missoula Outdoor Recreation and Education
- Whitewater Rescue Institute
- Missoula Youth Homes
- FEMA

Advocates

- John Lentz
- Jason Shreder
- Sue Larew
- Dave Ryan
- Steven Glaskill
- Race Pryun
- Max Wave Committee
- Sherene Ricci – Amputee Extraordinaire
- Numerous Individuals and General Public
- Recreation Engineering and Planning
- Morrison-Maierle
- TetraTech
- GCM Services

Modifications

- Elimination of a wave feature at the lower section.
- Reduce width of wave features.
- Increased complexity, variation and widening of the AOP channels.
- Reduction and limitation on the use of grout.
- Fish screen on the irrigation ditch.
- Additional riparian vegetation on banks, access trails and island.
- 2-dimensional hydraulic model.
- Modification of Aquatic Organism Passage channels to reduce velocities for fish passage.
- Reduction of trail width and incorporation of additional vegetation at the two access points.
- Reduction in size of the deflector on the north bank.

Questions?



Bruce Farling
232 West Sussex Avenue
Missoula, MT 59801
brucefarling@gmail.com
406-360-6208

30 April 2018

Dear Council Members DiBari and Von Lossberg:

I understand that the Missoula City Council will be discussing the proposed Max Wave at its early May meeting. I will be out of state at the time and unfortunately unable to attend. I write now to share my perspective on this proposed project. I hope you find this information informative.

I have a special affinity for the Clark Fork River after years of professional and personal experience. In May of 2017 I stepped down after 24 years as executive director of Montana Trout Unlimited (MTU). Prior to that, I was the conservation director of the Clark Fork Coalition for five years. In those positions, I spent considerable professional and personal time working for an improved Clark Fork River and its watershed by advocating for enhanced water quality and fisheries, instream flow preservation and streamside habitat protection and public access. Among other topics this involved issues surrounding Milltown, the Champion-Smurfit-Stone site, municipal wastewater discharges, phosphate detergent bans and the Salish-Kootenai Water Compact, among other items. I first fished and floated the Clark Fork River more than 45 years ago. I have a B.S. in environmental sciences, with an emphasis on hydrology and fisheries. Over the years I have witnessed a significant improvement in the river, its fisheries and the overall attractiveness of this blue ribbon as it winds through Missoula. The Max Wave project as currently conceived represents a step backward in this progress.

During my last few years with MTU, I met with the proponents of the Max Wave and their consultants, while also communicating my concerns, and those of the members I represented, with agency staff, Mayor Engen, several council members and local conservationists. The concerns I continue to harbor include:

- The Max Wave coupled with the existing Brennan's Wave would essentially convert much of the river downtown into a heavily engineered, artificial whitewater playground that primarily accommodates a small group of specialized recreationists, who may or may not be using the features in the future. Before additional heavy engineering in the river occurs, it seems reasonable to first ensure there is a wider conversation in Missoula about what the broader community desires from the downtown reach of river. This dialogue has not occurred, and it should *before* the City blesses any Max

Wave construction and potentially risks taking on future maintenance costs. Yes, some kayakers might prefer the engineered play wave future, but we should also consider the kid whose family can't afford a kayak, but who might want to instead ride his bike to the river near the Higgins Street Bridge and catch a trout, or float an old inner tube between Higgins and Russel Streets. Further, despite the purported but undocumented economic benefits the Max Wave will supposedly create, I am convinced a more natural river downtown, with fewer engineered features and more trout, is a much more marketable asset than artificial waves and the minimal economic benefits it might generate. According to economists at Montana FWP, rivers around Missoula currently generate tens of millions of dollars in annual economic activity from angling along. The river corridor downtown is a critical migratory reach for fish that use the upper and lower Clark Fork as well as Rock Creek, the lower Blackfoot and Bitterroot Rivers, and Rattlesnake Creek.

- A lot of questions as well as obligations surrounding Brennan's Wave remain unresolved. It is still unclear who owns it, who is responsible for maintaining it and who ultimately must prevent it from becoming a navigation hazard and liability. The feature has been degraded by high flows and though the county years ago directed the local non-profit that was awarded MRA funds for the structure to fix it, repairs have not been completed. It makes sense that the ownership, long-term liability, repairs and issues resolving establishment of a private permanent fund for maintenance for Brennan's Wave be resolved before the City blesses another more heavily engineered set of play waves downstream.
- Some of the justifications Max Wave proponents cite for their venture don't hold water. They claim they are primarily concerned with improving an unsafe situation at the Flynn-Lowney Diversion. But a review of the historical record of all three irrigation systems in downtown Missoula indicates major injuries and deaths haven't occurred at the diversions, but instead at the headgates and in the ditches, where over the past 100 years there have been a number of drowning fatalities. If safety is a primary concern, the focus is on the wrong part of the irrigation infrastructure. In addition, the current design of the two drop structures, placement of the proposed "aquatic organism and novice boat passage," and additional engineered features on the north side of the river channel, are going to make it difficult for tubers and neophytes in rubber duckies to skirt the drop structures and still get to the access ramp on the south side of the river at most flows. The result will be novices going through the drop structures, or, landing on the "island" on the north side, where the proponents previously told the U.S. Army Corps of Engineers they wanted to do riparian habitat enhancement as required mitigation for their in-channel disturbance. Maintaining a healthy riparian community will be impossible if floaters stomp out the area.

- The proponents argue that the Max Wave project will “clean up” the reach of river and banks it affects. However, the improvements that are cited -- such as dealing with unsightly bank stabilization material, or improving damaged riparian areas -- can occur without building two whitewater drop structures, in-channel rock veins, unnatural grouted structures and other engineered structures.
- Montana TU, Montana FWP, the U.S. Fish and Wildlife Service and I believe artificial structures placed in rivers for whatever purpose – irrigation, industry or recreation – should strive to accommodate upstream movement of all life-stages of all fish species occurring in that reach. That doesn’t seem to be asking too much from a community with an abiding interest in the health of our local river. It is also what we accomplished as a community by supporting removal of Milltown Dam, and what the City and many community members hope to celebrate with eventual removal of the dam on lower Rattlesnake Creek. However, it is questionable, based on conditional hydrological data that have been collected and the recent designs proponents have developed, whether the current proposal achieves this criterion. The preliminary designs appear unlikely to meet hydrological or biological criteria for upstream passage, except perhaps for adult trout. It also appears that the proposed design might also cause fish traveling upstream as well as downstream to stray to the north, thereby risking being trapped in the ditch and lost to the river. The proponents have said they will commit to installing a fish screen in the ditch, but the designs apparently have not been forthcoming nor, as far as I’ve seen, has the ditch company approved a proposal. My experience with fish screens is that though they are sometimes necessary, they are almost always expensive and problematic to maintain. The City needs to take a hard look at all the short-and long-term impacts of the Max Wave project before it considers blessing it.
- It continues to be unclear as to who will ultimately own the Max Wave infrastructure, ensure it is maintained in a timely fashion, and assume liability for problems that could occur. You can pretty much guarantee at some point problems will emerge. As we were reminded in 2011, when Missoula witnessed a not unusual 20-year-flow event along the Clark Fork – an event that could be topped this year -- this river can roar and put the hurt to things we put in its way, including Brennan’s Wave. DNRC owns the riverbed, the irrigation companies own the diversion structure and headgates, but the irrigators don’t need an expensive play wave design to divert water for their use; MRA has contributed to both Brennan’s and the Max Wave project on behalf of the City; the Army Corps of Engineers, Missoula Conservation District, City floodplain authorities and DNRC all have permitting responsibilities for siting the wave structures; and, local non-

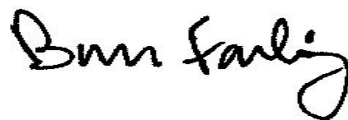
profits have raised money for building the features, but avoid claiming ultimate responsibility for them and have yet to demonstrate they have the financial wherewithal to build, maintain or prevent the structures from becoming hazardous. And so, it is unclear who ultimately is legally liable should something really expensive, or tragic, occur with these features. Liability could be with the county, DNRC, the Corps, the nonprofits or the City. The ultimate answer is unclear, though it appears the City of Missoula might be getting roped into taking charge and taking on what could be an expensive liability for the foreseeable future. I urge the City to think deeply and communicate with the broader community before doing that.

I strongly recommend that until the structural problems at Brennan's Wave are rectified, its ownership and liability firmly clarified, and a long-term, sufficient source of private maintenance funding established -- along with a demonstration the existing and proposed structures don't impede the river's fishery -- it is not appropriate for the City to support or finance a second wave project. Certainly, let's deal with the one we already have before signing off on another. I am pretty sure Montana Trout Unlimited, and, I believe, the Clark Coalition, share many if not all the concerns I express.

Finally, I have to note that I am not a no-fun recreationist. Besides being a life-long angler, I am also a whitewater enthusiast. I appreciate waves. But like most other river users, I prefer the features that nature provides, which we have in spades around Missoula on the Clark Fork and Blackfoot Rivers, as well as elsewhere around the state. It is hard to reconcile the strong support this community lent to ridding our backyard of the problematic Milltown Dam, to only then in turn plug the river with new, artificial structures.

Thanks for your consideration. I would be happy to further discuss these concerns at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Bruce Farling". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Bruce Farling

May 8, 2018

City Council Members of Missoula
435 Ryman
Missoula, MT 59802

Dear Members of the Missoula City Council:

Montana Trout Unlimited's (MTU) mission is to conserve, protect and restore Montana's coldwater fisheries and their watersheds. It is in that spirit that I write today to share MTU's concerns with the proposed Max Wave in the Clark Fork River.

Foremost, while the current design presents a *model* that appears to accommodate upstream passage of fish, the realities of a living river do not always match modeled behavior. As you know, just today the Clark Fork River has 25% more cubic feet per second than any other day in the 89 years of record (at 24,800 compared to past max of 18,800 in 1947). Similarly, the model did not test passage at the kind of unprecedented low flows that are increasingly likely as climate has an impact on instream flow. The CSKT water compact requires an instream flow of 1200cfs at the confluence of the Blackfoot and Clark Fork Rivers above Missoula, which is significantly less than the 2080cfs the modeling used as its low end flows. In addition to the flow limitations of the modeling, there is a body of scientific evidence showing that realities of fish passage differ significantly from modeling. MTU has engaged an independent fisheries scientist who has studied the discrepancies between whitewater park modeling for fish passage and habitat and actual surveys of those variables. Science will guide our position related to the fish passage concern and we trust that it will also be the guide for project planners and the city.

Paramount to MTU and our 4300 members statewide is the health of wild and native fish, and the addition of the Max Wave does not enhance habitat. But, the proposed removal of concrete, rebar, and other hard debris from the river and improvements that are included in the plan could certainly be implemented as a stand-alone project. Max Wave is not necessary for cleaning up the Clark Fork through downtown Missoula.

River health matters to this community and the idea of the introduction nearly 5000 cubic yards of hard material in the Clark Fork river below the high water mark, plus another large quantity of rock and concrete within the riparian area is and should be a concern. This possible addition of man-made structures seven miles from the former Milltown dam site seems antithetical to the Missoula ethos. In researching my book,

Restoring the Shining Waters: Superfund Success at Milltown, Montana, I spent a great deal of time learning about Missoula's deep conviction for a natural, free-flowing river. Is there data to support that Max Wave and its possible threats to fish passage is really wanted by more than a small group of specialized recreationists? A more robust community discussion about the future of this iconic, free-flowing river through downtown Missoula is warranted before moving ahead with this project.

The question of what Missoulians deem important for the river miles that run through town should be discussed and decided upon before any public or private entity irreversibly changes any reach of the Clark Fork. I recognize that it would not be fair or prudent if a group of passionate anglers proposed forever changing the river in a way that only benefited their fishing opportunities and possibly negatively affected the channel for others. With that in mind, I am not confident that the myriad factors that should be considerations (economic impact, environmental impact, voice of Missoulians) have been taken into account.

Of the more than \$900 million that angling added to the Montana economy in 2014, roughly 10% (\$90 million) of the angling days were spent on the Blackfoot, Bitterroot or Clarkfork watersheds. Gravely altering fish passage for migratory fish, at the heart of these watersheds could surely hurt Missoula's economy. MTU advocates for wider conversation about what different constituencies (not simply white water enthusiasts) want their downtown river to look like. Anglers, bike riders, float tubers, hikers and birders (to name a few) may not agree that the Max Wave is the best use for all, and more importantly, there is no evidence that the conversation has even taken place.

Montana Trout Unlimited cannot support the Max Wave while we still have questions about how this artificial structure will impact fish and fishing. While we are independently seeking data and information, we also welcome any additional scientific data that exists about fish passage, and any records of public meetings that focus on Clark Fork River corridor usage and planning.

Please feel free to contact me with questions or suggestions. Thank you for your service as a Council Member.

Kind Regards,



Dr. David Brooks
Executive Director, Montana Trout Unlimited
Missoula, Montana

Item Information



Title:	Max Wave Project and Permitting Update		
Item #:		Status:	Held in Committee
Type:		#:	COW
Version:	3 rd	Sponsor:	Bryan von Lossberg
Meeting Date:	1/1/2050	Ward:	
Meeting Type:	COW Referrals Held in Committee		
Attachments:		Video:	No Video Available

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				5/7/2018	City Council
2nd			Held in committee	5/9/2018	COW
▶ 3rd			Held in Committee	1/1/2050	COW Referrals Held in Committee

Vote Records

No voting recorded

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Committee of the Whole
Agenda item title: Water utility litigation update
Date: 06/07/2019
Sponsor/Contact: Bryan von Lossberg
Prepared by: Bryan von Lossberg
Ward(s) affected: All

Action Required: Discussion only.

Recommended Motion: N/A

Timeline:
 Referred to committee: 5/18/18
 Committee discussion: 06/12/2019
 Public hearing (if necessary): NA
 Deadline: NA

Background and Alternatives Explored:

Water utility litigation update.

Financial Implications: N/A

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: COW

Item: Missoula Economic Partnership Update

Date: October 14, 2016

Sponsor: Marilyn Marler

Prepared by: Kirsten Hands

Ward(s) affected: All

Action Required:

None, discussion only.

Recommended Motion(s):

N/A

Timeline:

Referral to committee: October 14, 2015

Committee discussion: Quarterly Update

Background and Alternatives Explored:

Quarterly update to the City Council on the activities of the Missoula Economic Partnership.

Financial Implications:

List any financial implications here.

Links to external websites:

www.missoulapartnership.com

MISSOULA CITY COUNCIL

MEP Activity Update

May 23, 2018



THE TEAM



Jeff Fee, Interim
Director



Jenni Graff, Economic
Development Director



Nicole Rush, Grants
Manager



Lindsey Wallace,
Business and
Communications
Manager



Molly Cook, Graduate
Fellow

2017-2018 BUSINESS RETENTION & EXPANSION



101

Meetings



85

Surveys

\$643M

Revenues



8%

Missoula County
Workforce

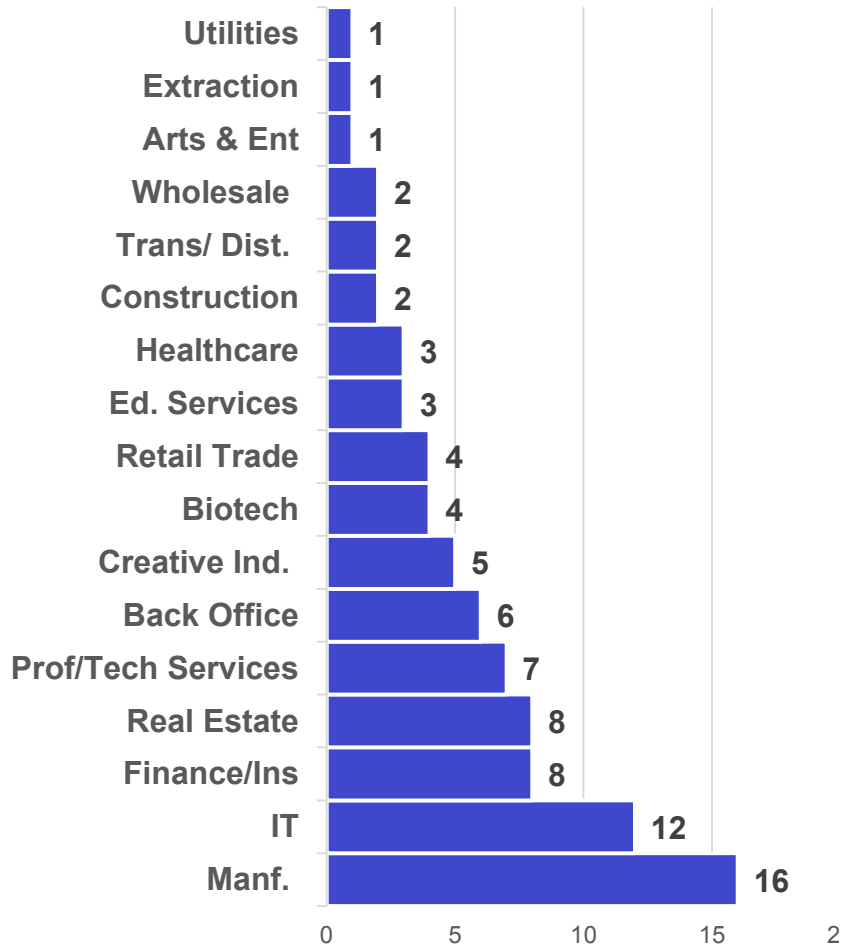


\$26M

Capital
Investments



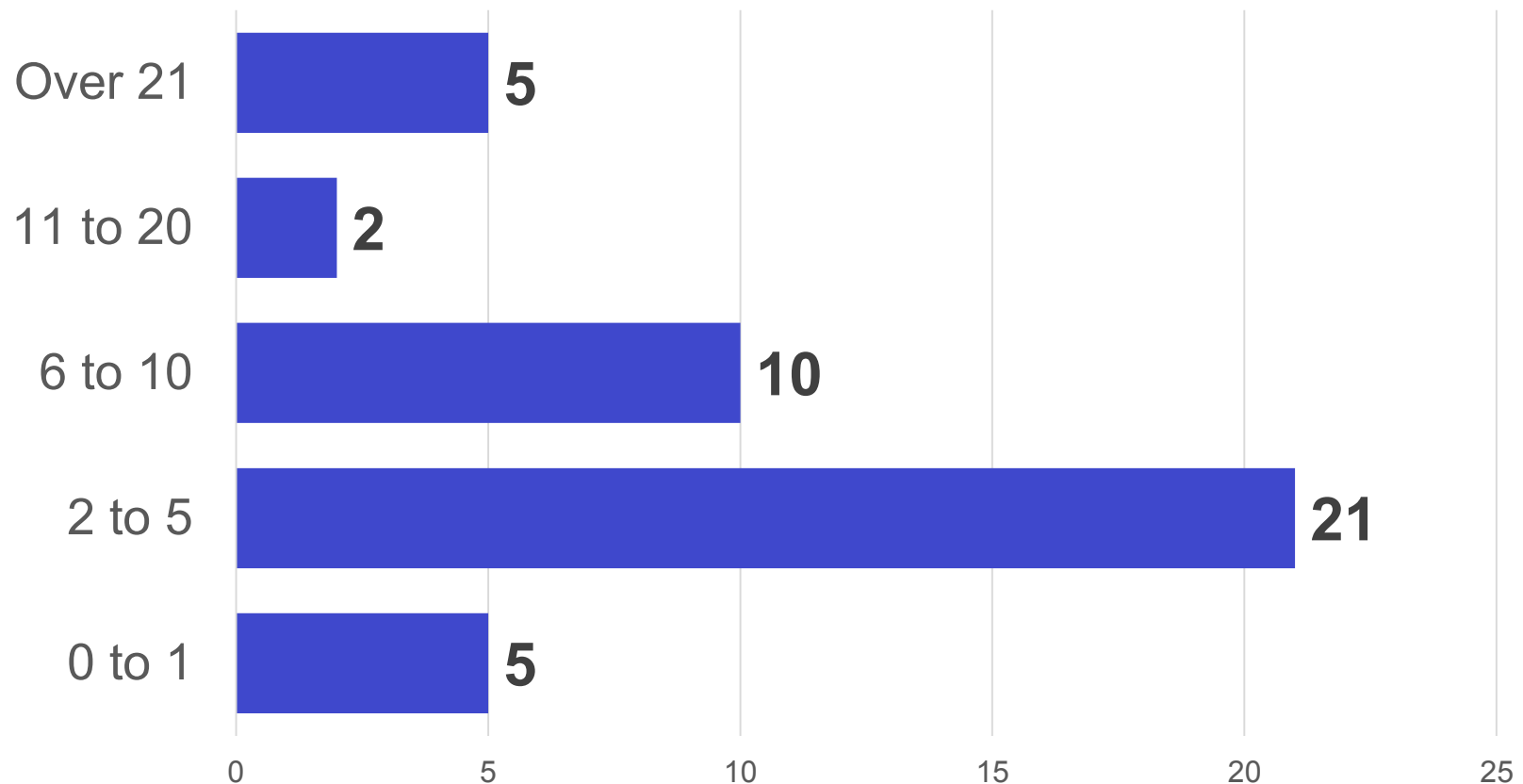
SURVEY OVERVIEW



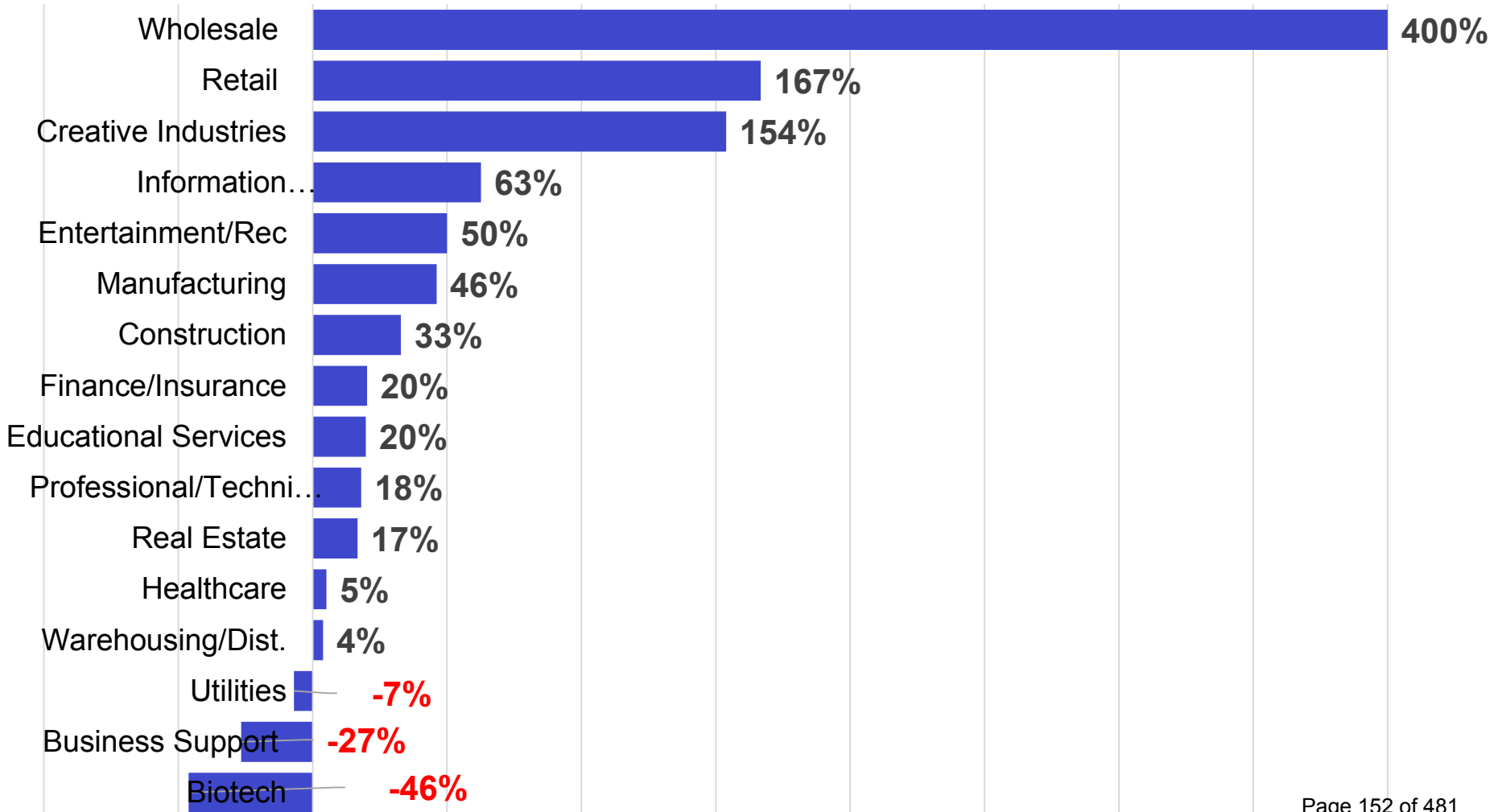
EMPLOYMENT GROWTH



of Employees Businesses Plan to Hire in 6-12 Months

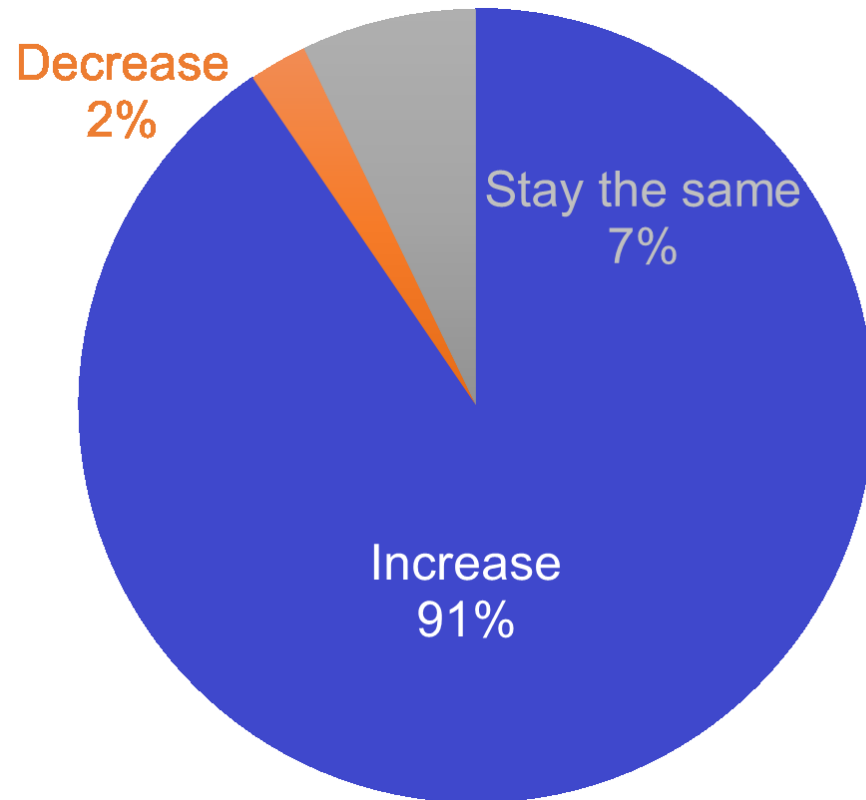


3 Year Growth by Industry

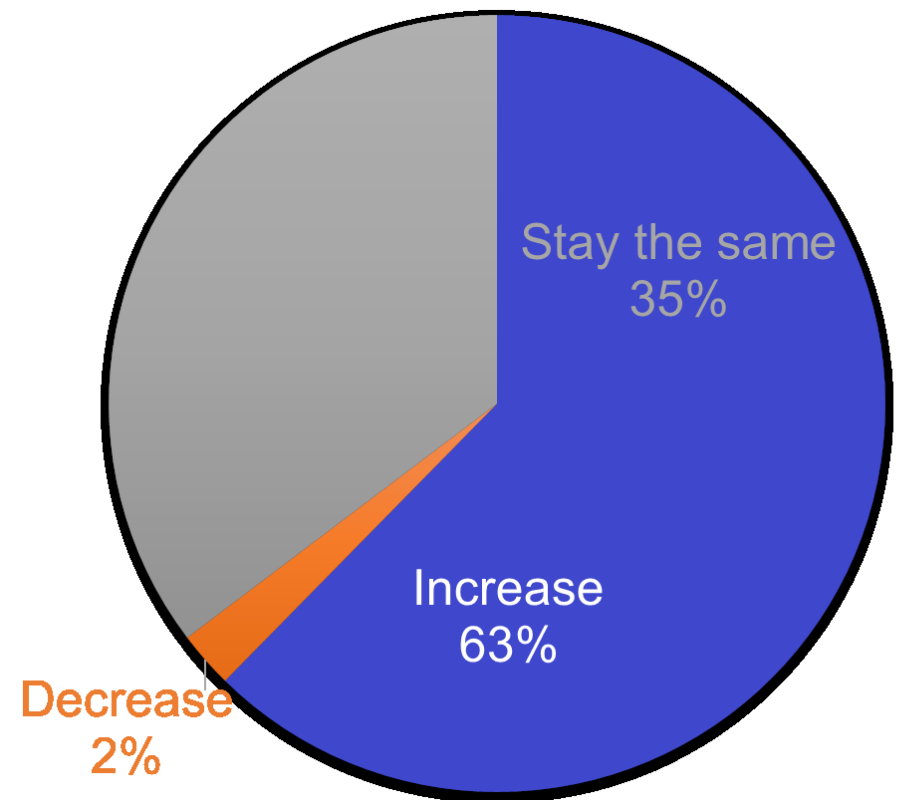


SALES PROJECTIONS + CAPITAL INVESTMENTS

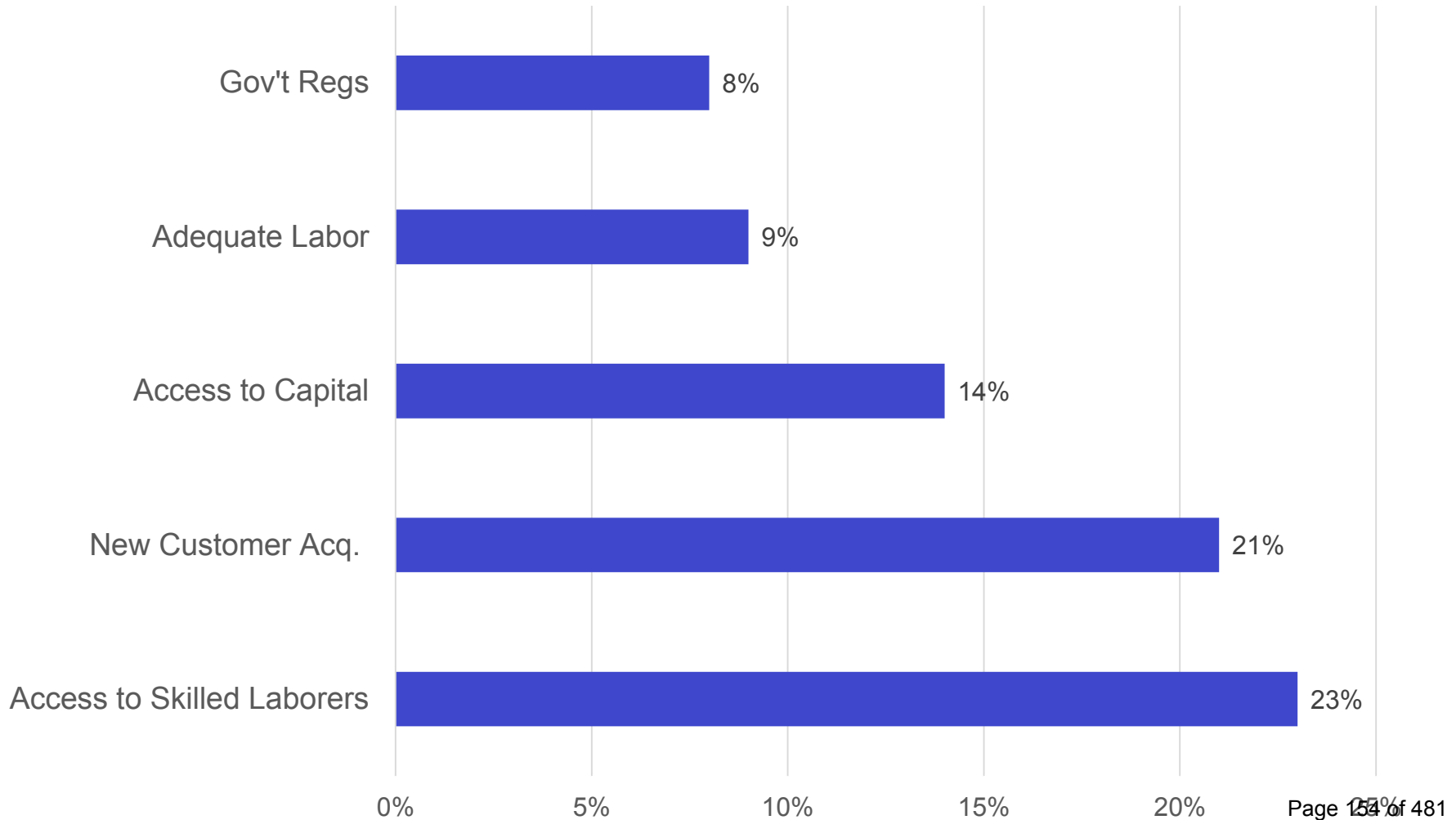
Sales Projections



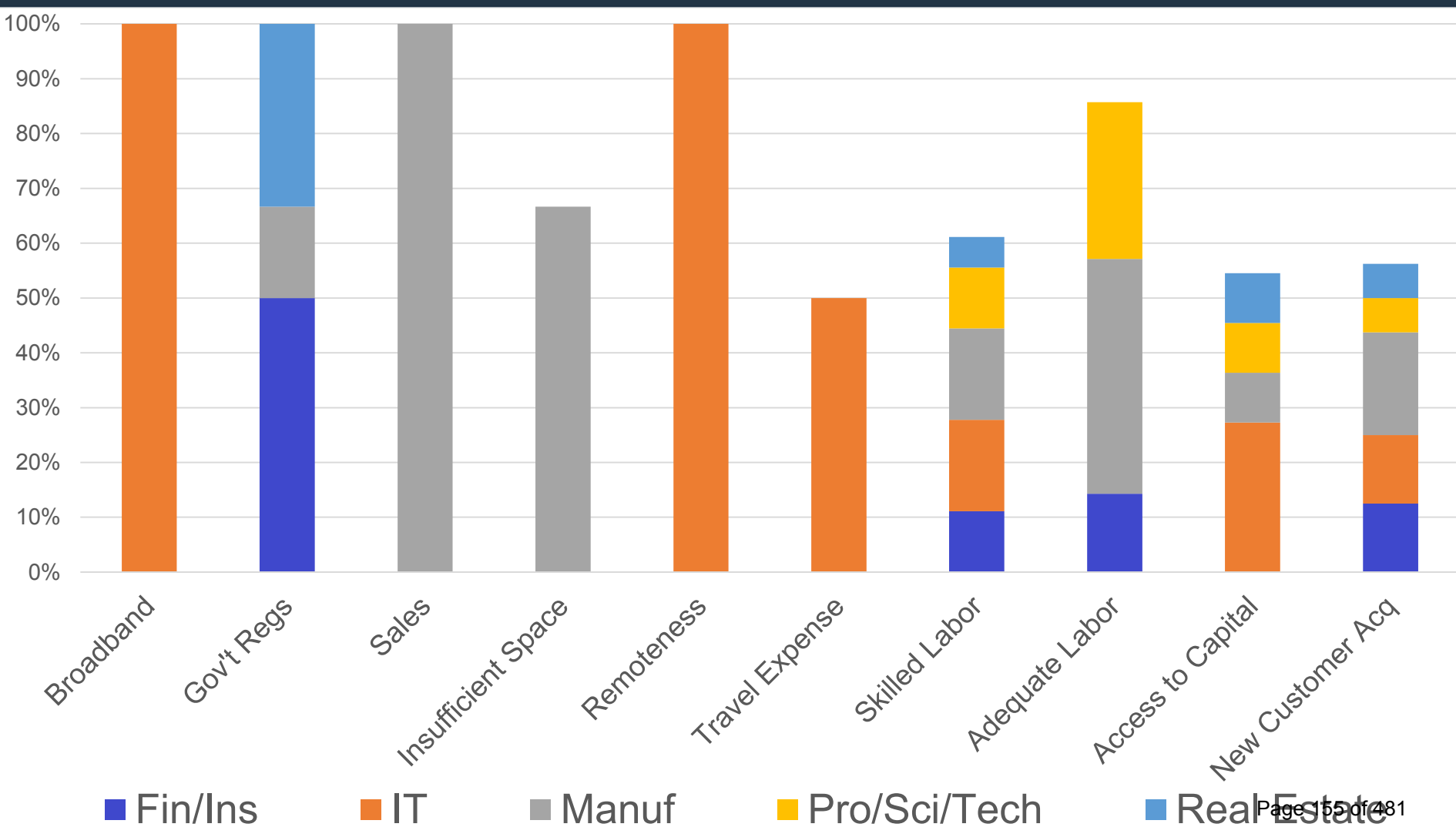
Capital Investments



BUSINESS CHALLENGES



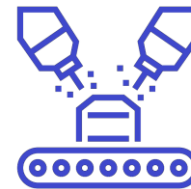
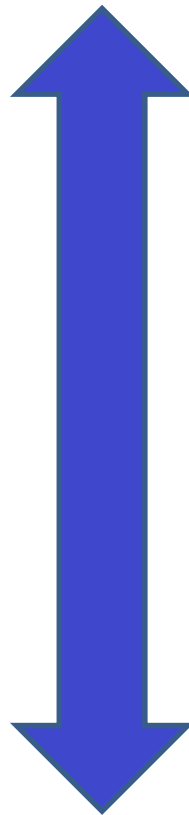
CHALLENGES BY INDUSTRY



AVERAGE GRADE BY INDUSTRY

65%

Respondents gave
Missoula an A or B



Manufacturers



IT



Construction

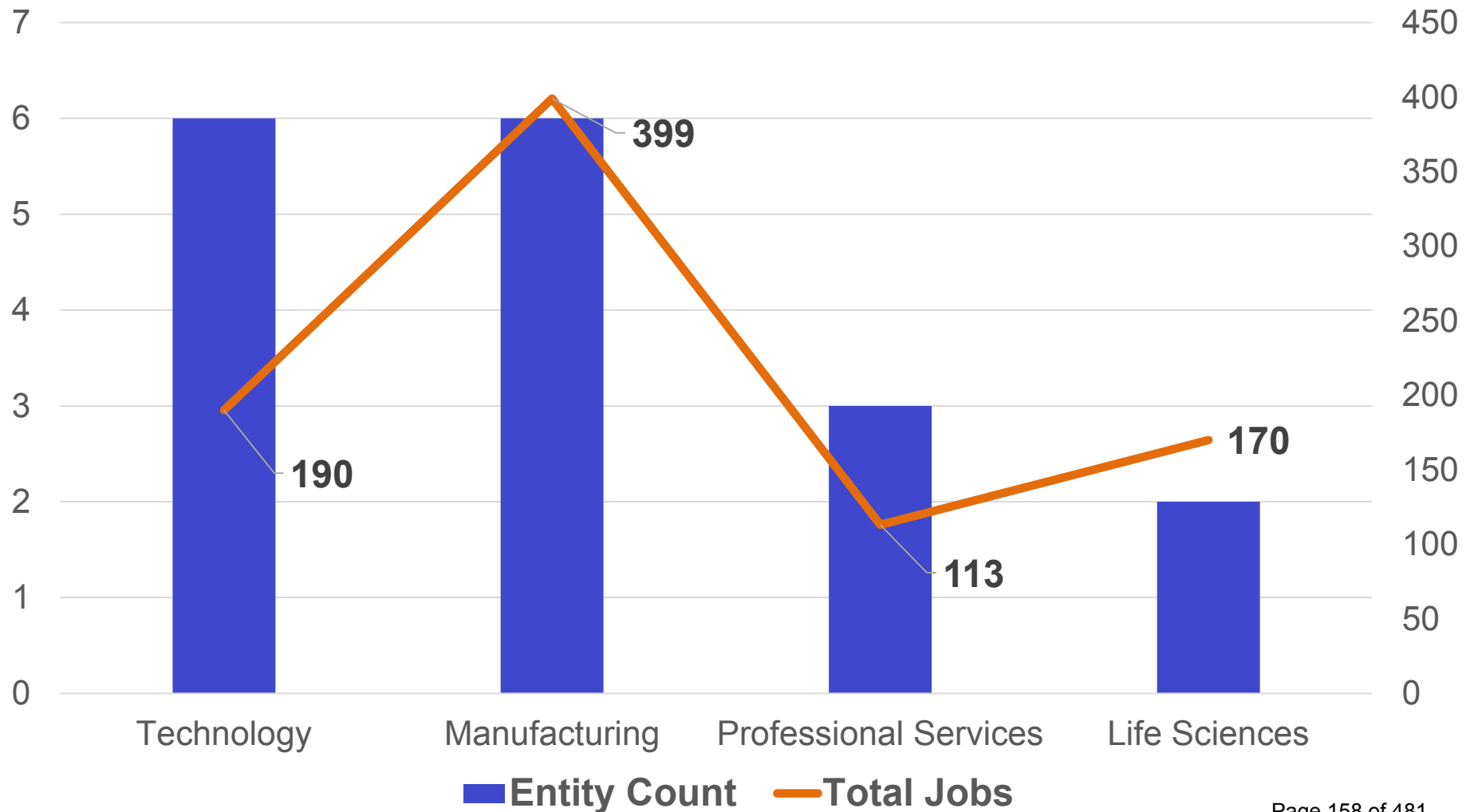


Mining, Oil & Gas

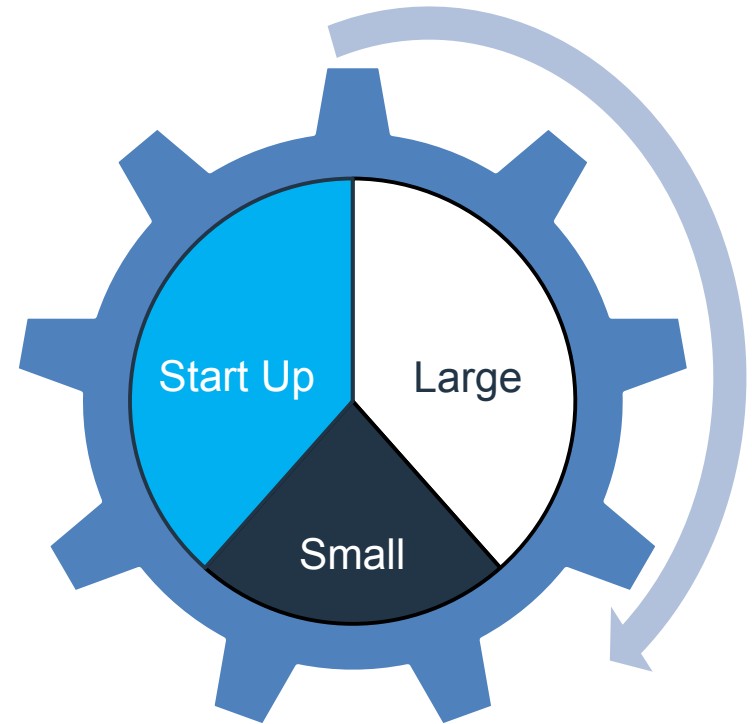
2018-2019 BRE Program Improvements



BUSINESS ATTRACTION



BIG SKY ECONOMIC DEVELOPMENT TRUST FUND

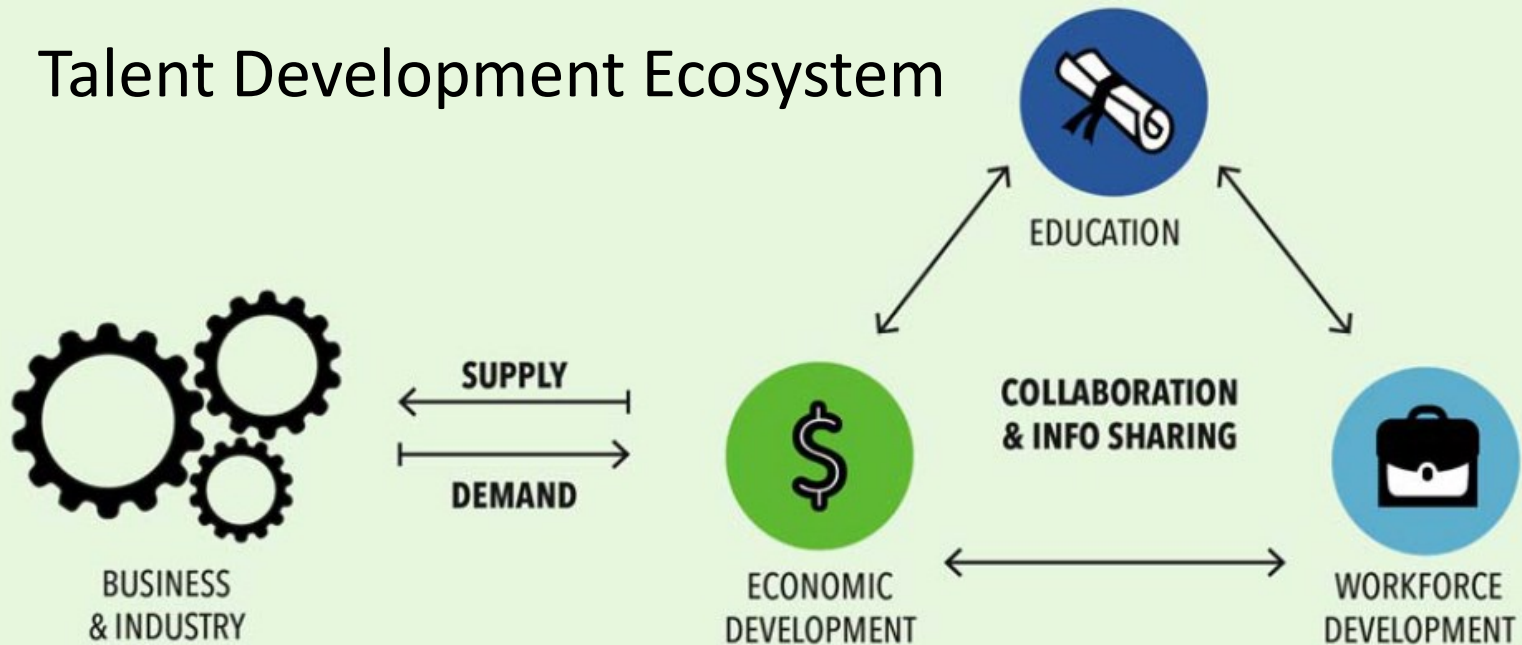


Air Service Task Force



Workforce Development

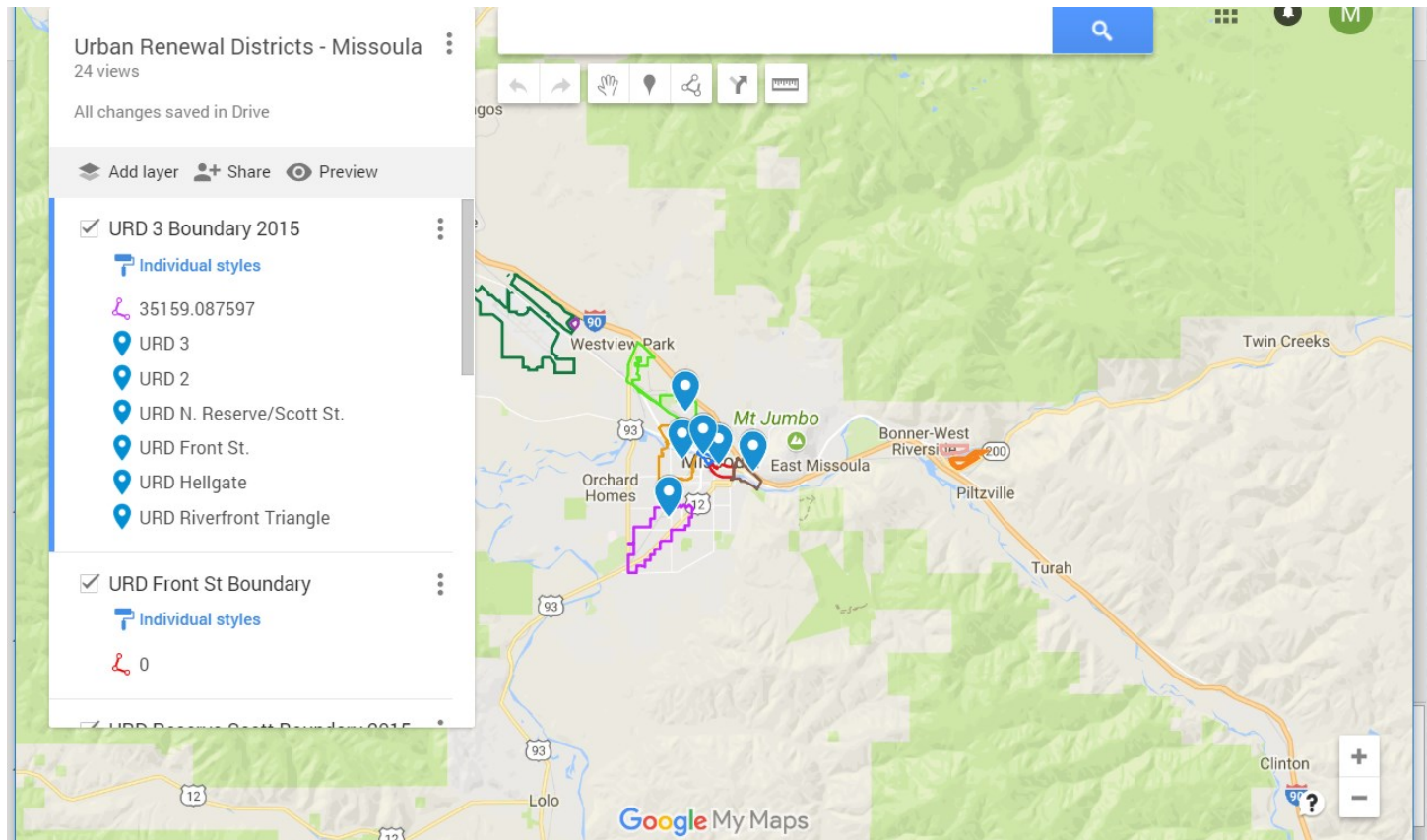
Talent Development Ecosystem



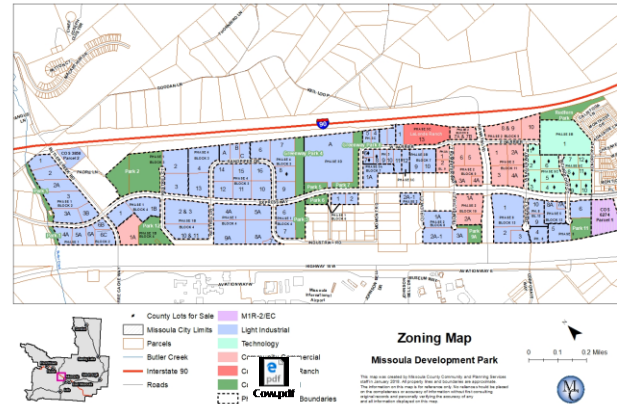
Workforce Development Action Plan

- Create resource guides for employers and job seekers; incorporate into MEP website re-design and MEP business retention and expansion visits and follow up (Goal 1).
- Work with Destination Missoula, Missoula Chamber of Commerce, and other partners to develop strategy and marketing plan for talent attraction campaign (Goal 1).
 - Web-based relocation guide/website
 - Hello West Michigan events/model
- Support Missoula County Public Schools in implementation of recommendations following Career and Technical Education Review (Goal 3).
- Work with University of Montana, Missoula College, and strategic partners (Chamber WDERC) to increase the number of registered apprenticeships and internships at Missoula companies (Goal 3).
- Complete at least 4 presentations or workshops for employers on internships/apprenticeships, recruiting, training, retention and diversity (Goal 1).
- Update the State of the Workforce by end of 2018 to include an employee survey by BBER, employer survey by MEP, 3 employer focus groups, and updated data through MTDOL, Census, and U.S. Bureau of Economic Analysis.

TIF Map



TIF Report



Missoula County Development Park TIF

Missoula County

Website: <https://www.missoulacounty.us/government/community-development/development-districts/missoula-development-park>





INTERIM DIRECTOR'S UPDATE

THANK YOU FOR
YOUR SUPPORT





State of the Workforce

Talent Attraction. Talent Development. Talent Retention.

The Challenge

↑ Economic Growth
& Total Jobs ↑



↓ Unemployment &
Population Growth ↓



Missoula employers are pulling from a **shrinking** pool of applicants to fill an **increasing** number of jobs.



Talent Attraction

The ability of a community or organization to draw in talent.

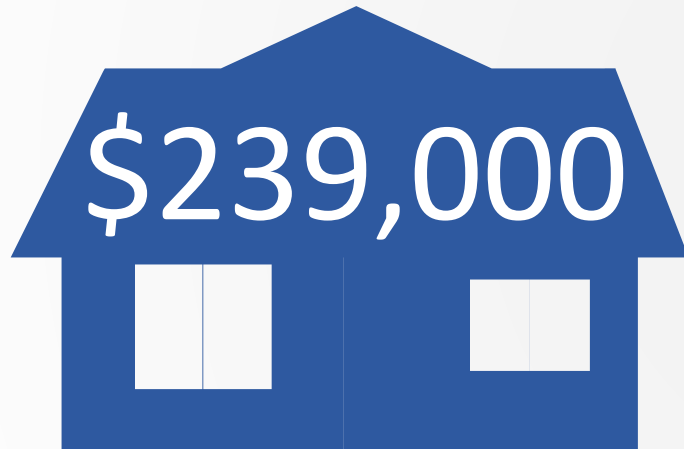
University of Montana enrollment has decreased by **21.6%** since 2011.

Population growth declined by **0.65%** between 2015 and 2016.

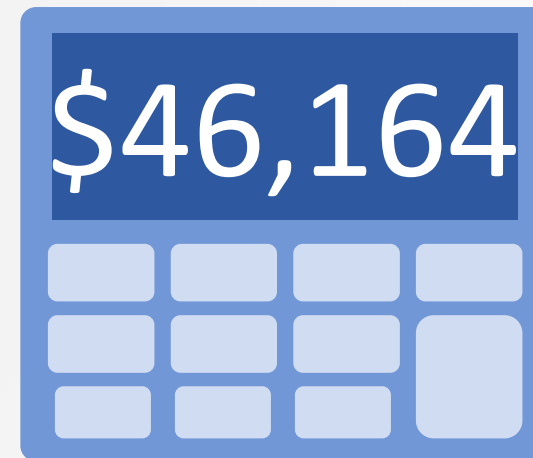
62.9% of employers indicated they were recruiting talent outside of Missoula.

Talent Attraction

Barriers:



2015 Median Home
Value



2015 Median
Household Income

Talent Attraction

Successes:

- Quality of Life
- Relocation Guide
- Business Involvement





Talent Retention

The ability of a community or organization to retain its talent.

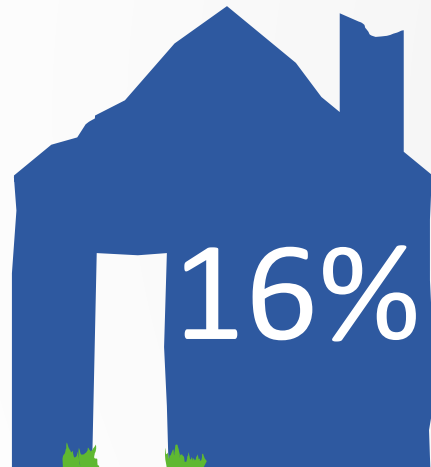
66.09% Of University of Montana graduates are employed in Montana within at least 1 quarter.

After one year, **33.91%** are still not employed or are employed outside Missoula.

This gap is an **opportunity**.

Talent Retention

Barriers:



Poverty
Rate



Low Starting
Salary



Pay is #1
Barrier

Talent Retention

The ability of a community or organization to retain its talent.

Successes:

- Production of graduates in top occupations
 - Registered Nursing
 - Postsecondary Teachers
 - Business-related Occupations
- Proactive Business Retention





Talent Development

The ability of a community or organization to improve the skills of individuals in the workforce.

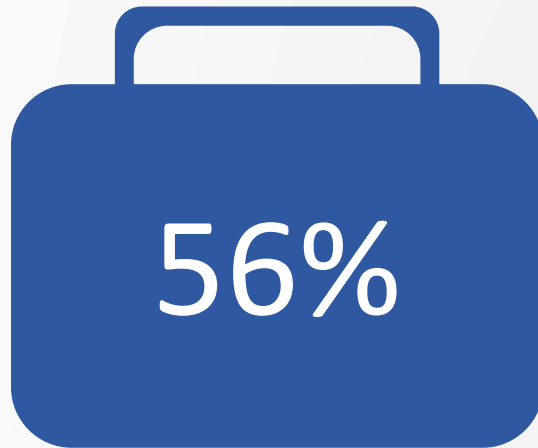


More than

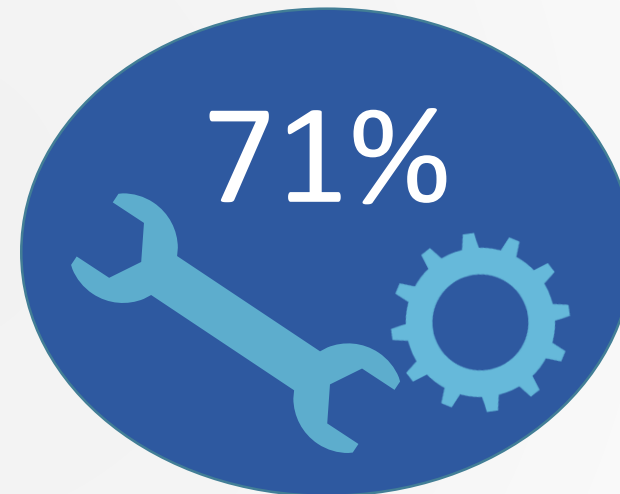
1,100 training opportunities exist in the Missoula area.

Talent Development

Barriers:



Employability
Skills



Industry-Specific
Skills

Talent Development

Successes:

- Strong K-12 System
- Large number of training opportunities and partners, including online opportunities
- A highly-educated population
- Significant tourism industry





Goals and Strategies

1

Establish Missoula as a premier destination for **diverse talent and opportunities** at all levels.

Strategies:

- Create talent recruitment and retention brand
- Develop career opportunities website
- Establish 'welcoming concierge' system
- Collaboratively address housing cost



Goals and Strategies

2

Position the Missoula Economic Partnership as a hub for **workforce development** in the Missoula region.

Strategies:

- Coordinate talent development system partners
- MEP serve as voice for talent development
- Promote talent development opportunities



Goals and Strategies

3

Develop, implement, and scale comprehensive **career pathway programs** for students at all levels through Missoula's talent development system.

Strategies:

- Lead career pathway efforts and ensure alignment
- Publicize occupational opportunities in Missoula
- Expand 'Learn and Earn'
- Explore 'inter-sector' career pathways
- Leverage and scale entrepreneurship in the K-12 system



Goals and Strategies

4

Diversify and expand resources available for talent development among employers, educators, and talent development system partners throughout the Missoula region.

Strategies:

- Launch funding campaign for talent development
- Pursue additional funding through grants, foundations, and other opportunities



The Future

With a proactive, collaborative approach, we can turn
Missoula's
challenges into *talent opportunities*.



Steering Committee

Clint Reading, Missoula College

Margaret McManus, Allegiance Benefit Plan Management

Karyn Trainor, Providence Health & Services

Robert Farmer, Missoula Federal Credit Union

Wolf Ametsbichler, Missoula Job Service

Sam Sill, Missoula Organization of Realtors

Leanne McManus, ikuw Solutions, Missoula Chamber of Commerce
Workforce Development Committee Chair

Linda Abreu, LC Staffing

Wendy Koster, Diversified Plastics

Carey Davis, Advanced Technology Group

Jodie L. Rasmussen, Missoula County Public Schools, President-elect of Big Sky
Society of Human Resource Managers

Kim Latrielle, President and CEO, Missoula Chamber of Commerce

Kimberly Hannon, Director of Operations, Missoula Chamber of Commerce

Missoula Chamber of Commerce Workforce Development, Education and Recruitment Committee

Thank you



Read the full report:
missoulapartnership.com/mep-state-of-the-workforce-study



Nicole Rush

nrush@missoulapartnership.com

Grants Manager

Missoula Economic Partnership



THOMAS P. MILLER & ASSOCIATES

Nate Klinck

nklinck@tpma-inc.com

Vice President, Workforce Development

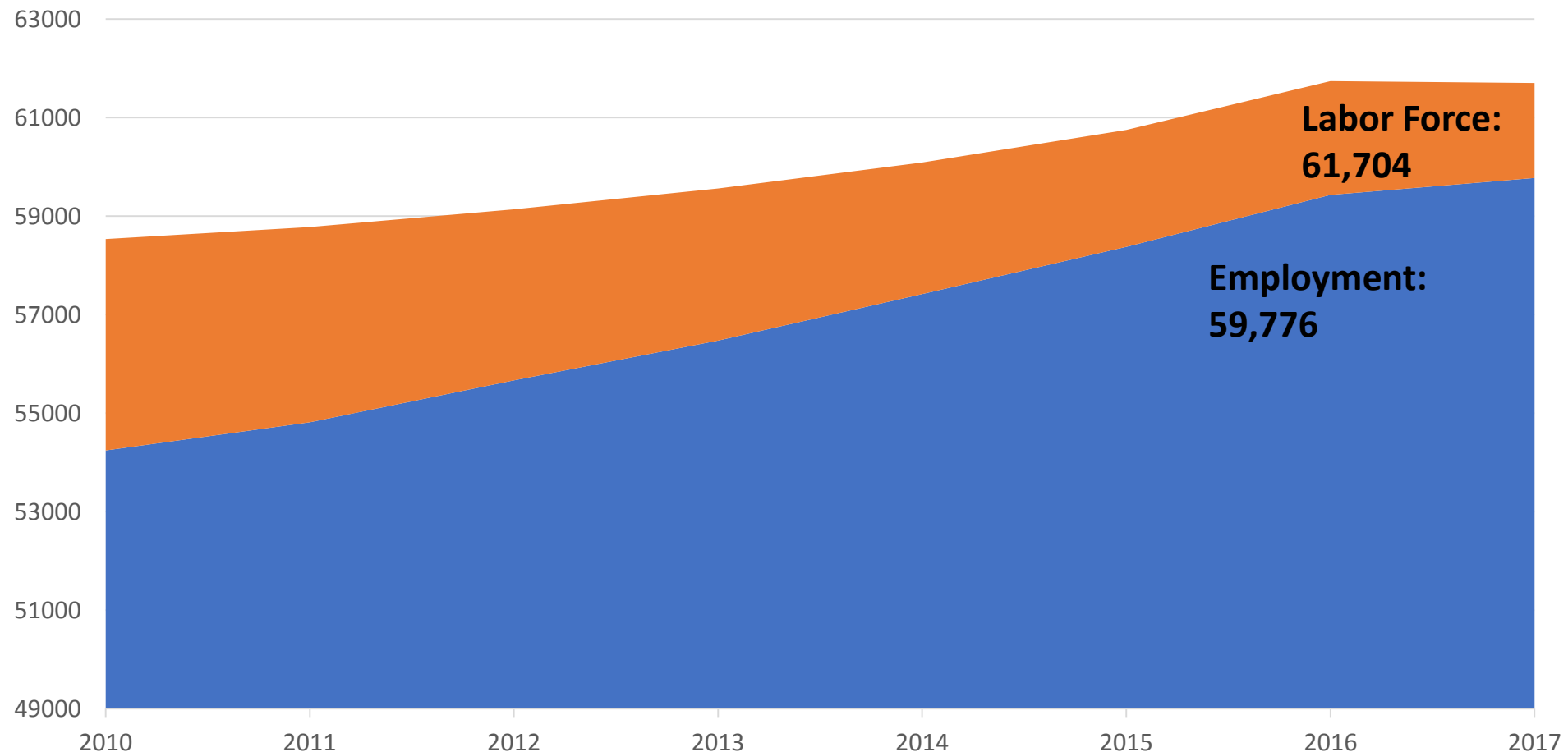
Thomas P. Miller & Associates

MISSOULA ECONOMIC PARTNERSHIP

MISSOULA CITY COUNCIL
JULY 26, 2017

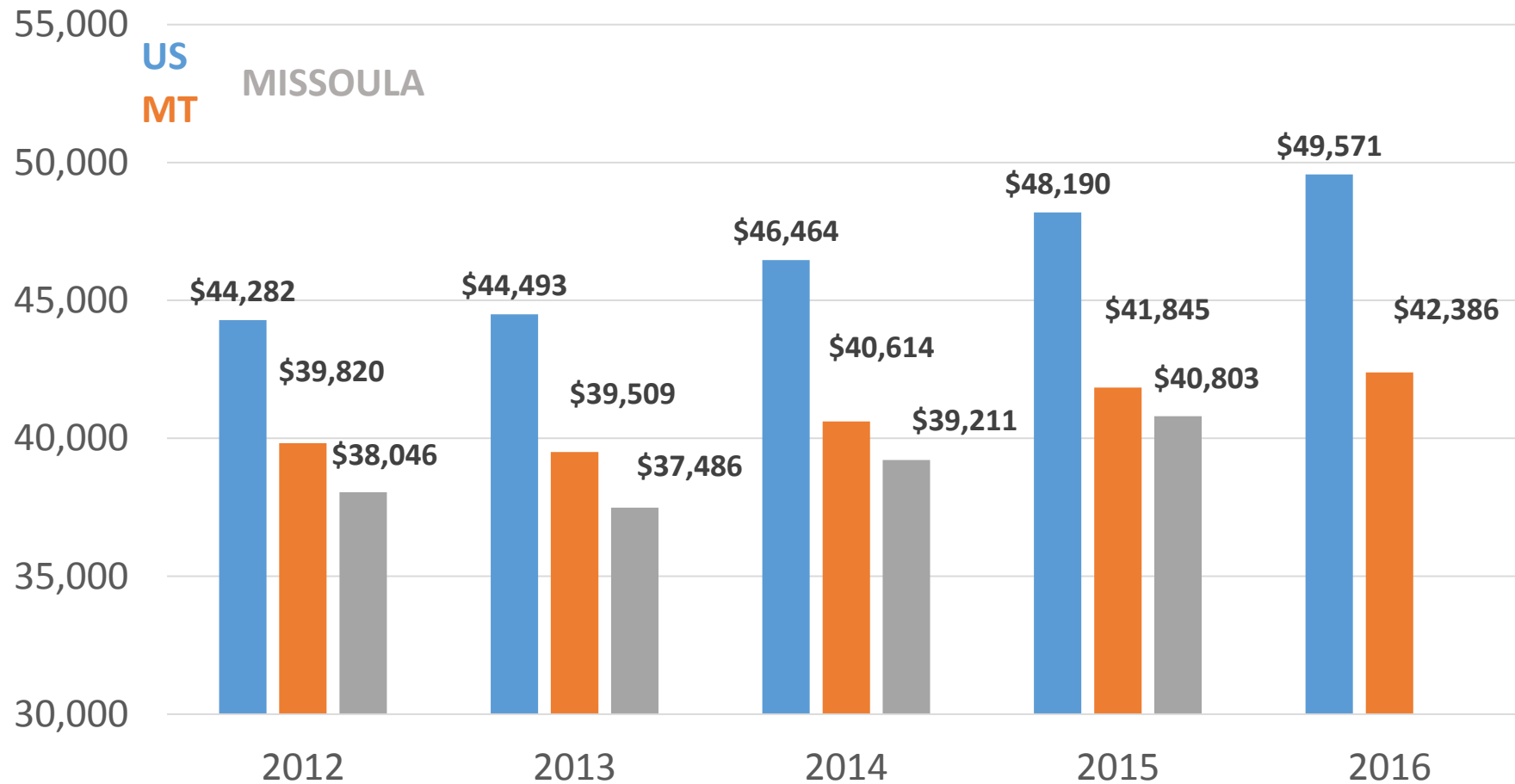


Employment and Labor Force Growing in Missoula County



Source: Local Area Unemployment Statistics (LAUS) from www.lmi.mt.gov

Strong Personal Income Growth

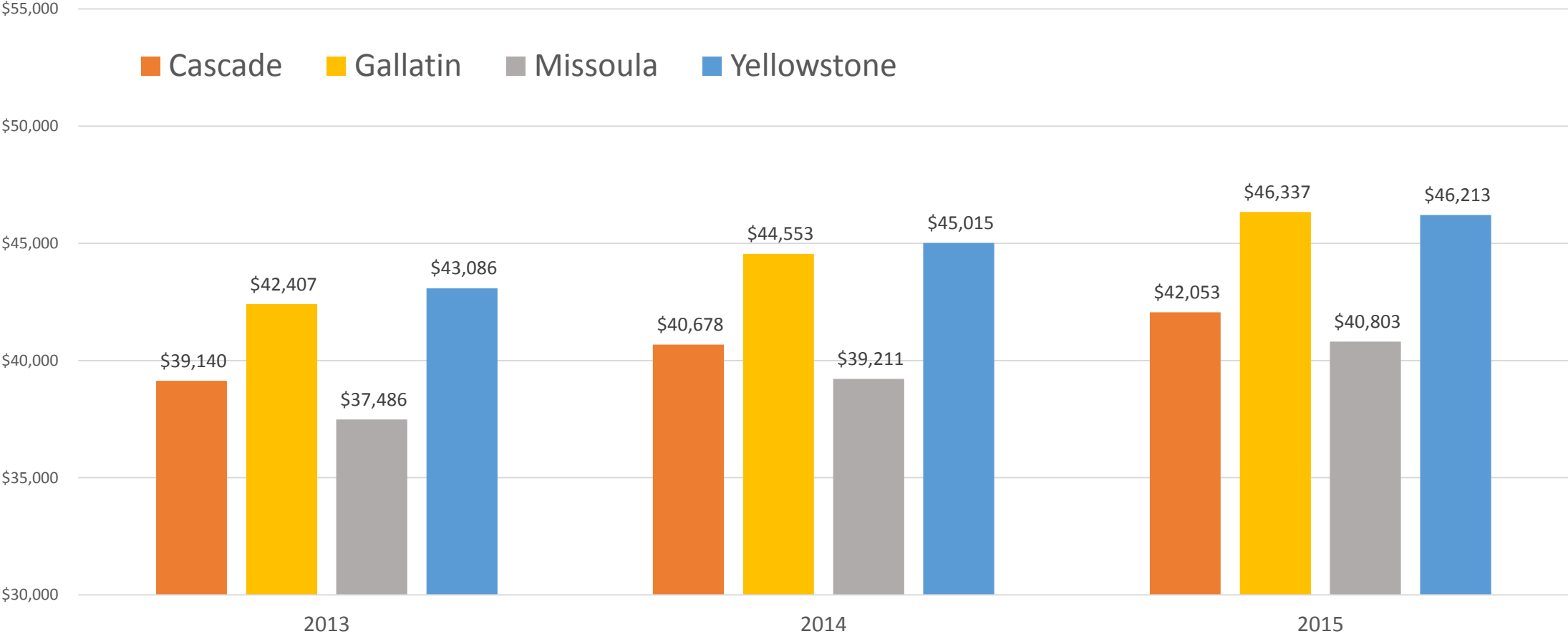


Between 2012 and 2015 Missoula's per capita personal income rose about \$1,800

Missoula per capital income has remained between 95-97% of MT per capita income since 2012

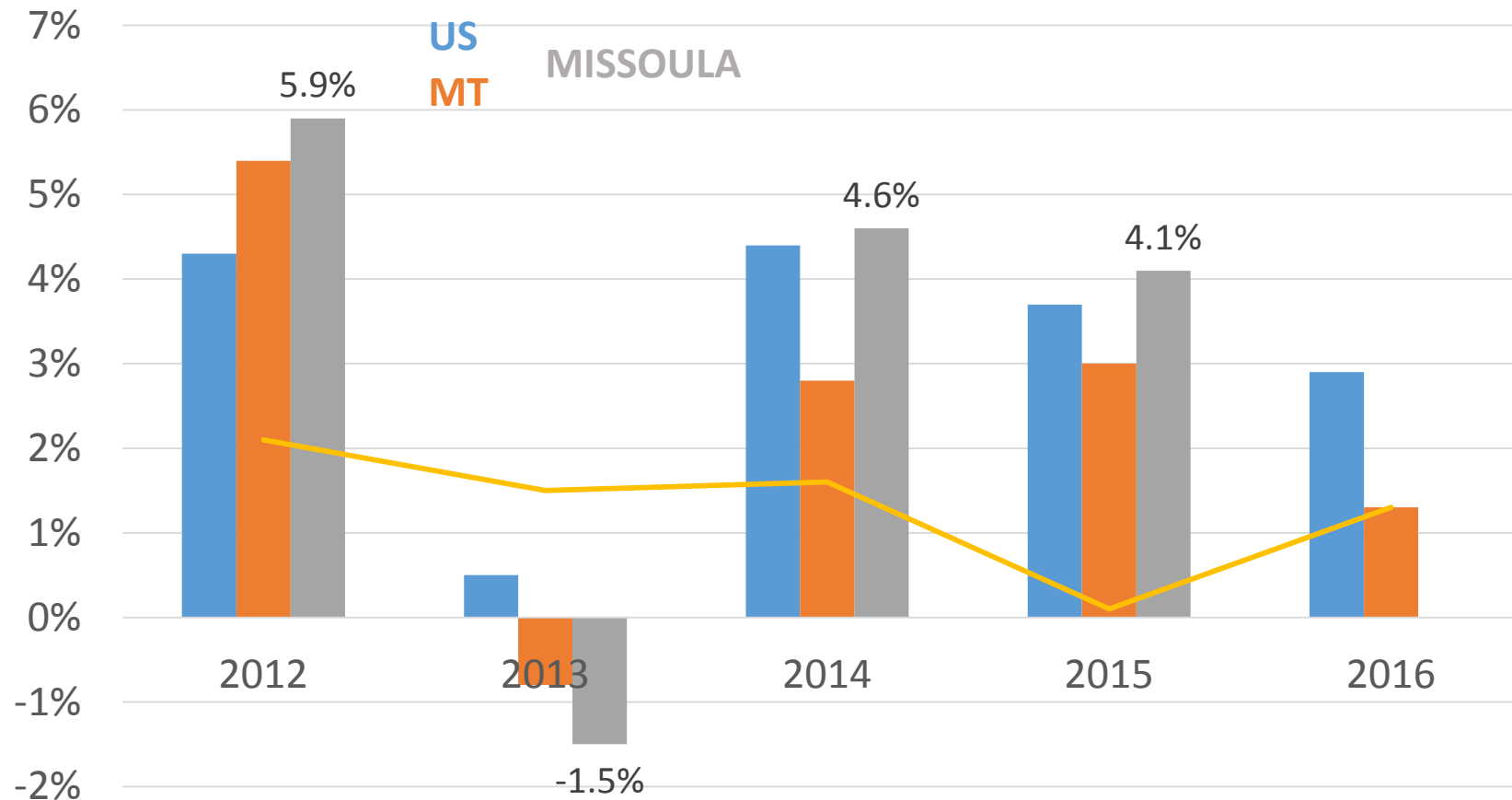
Source: US Bureau of Economic Analysis, from www.bea.gov

Personal Income Growth County Comparison



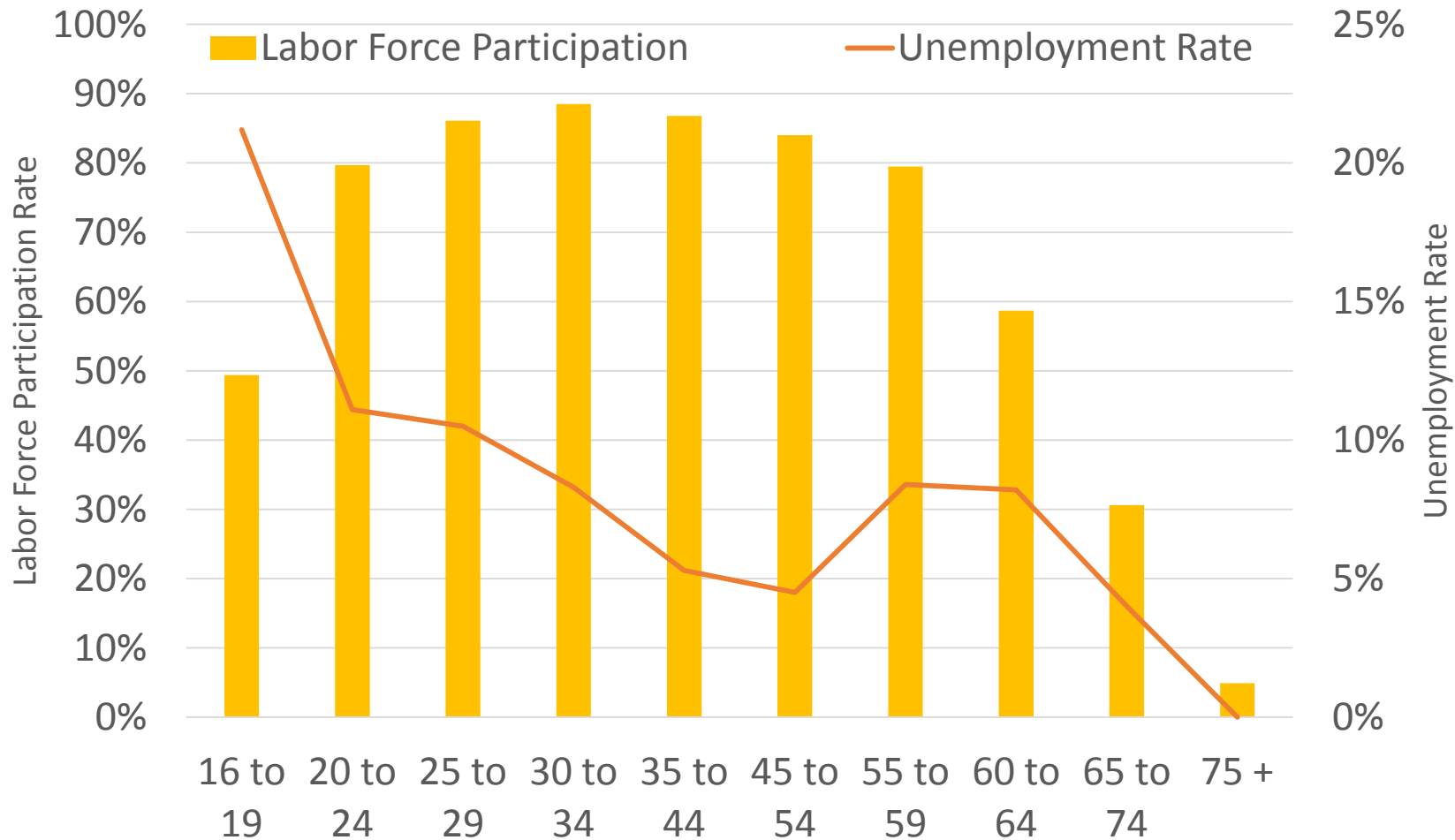
Missoula's per capita personal income lags behind other Montana metropolitan areas

Real Income Growth

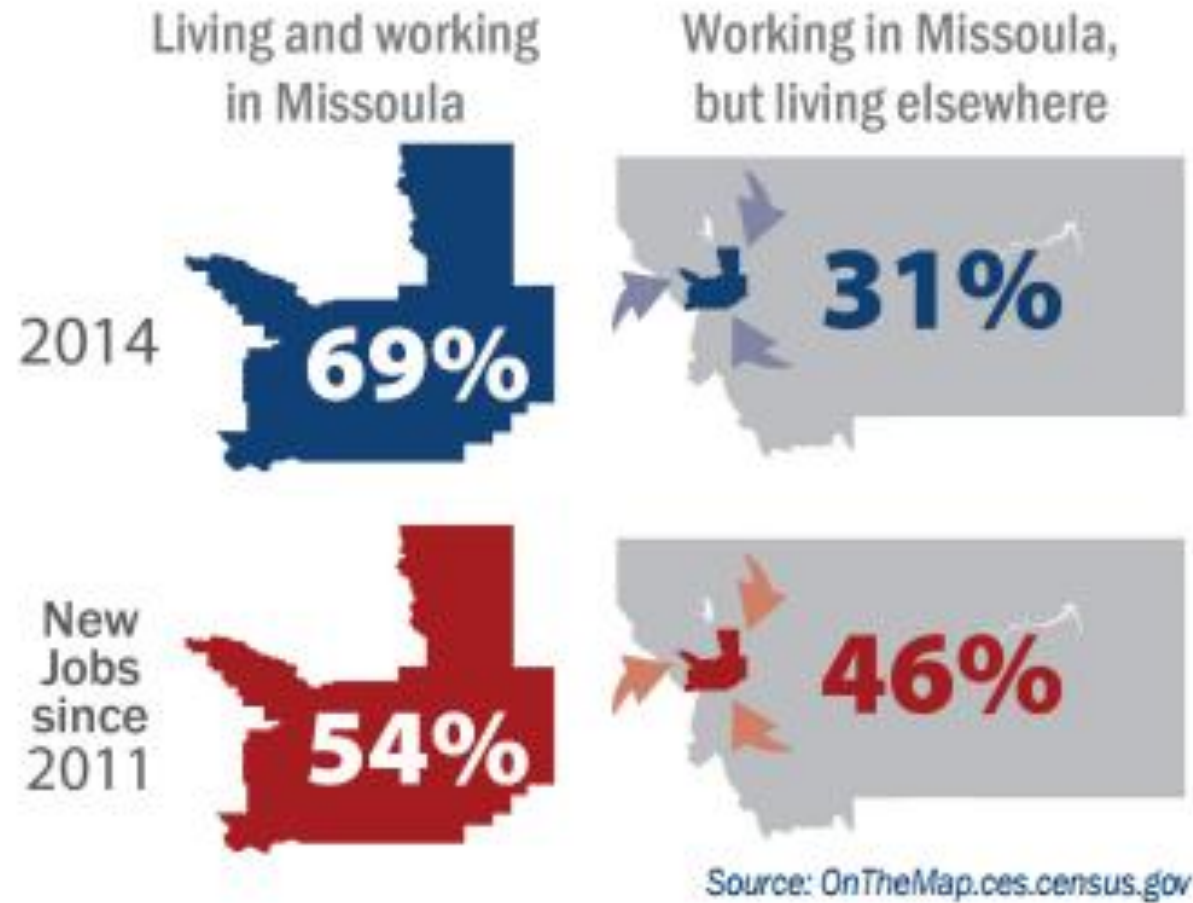


From 2011-2015 Missoula was 119th out of 382 Metropolitan Areas in the U.S. for personal income growth

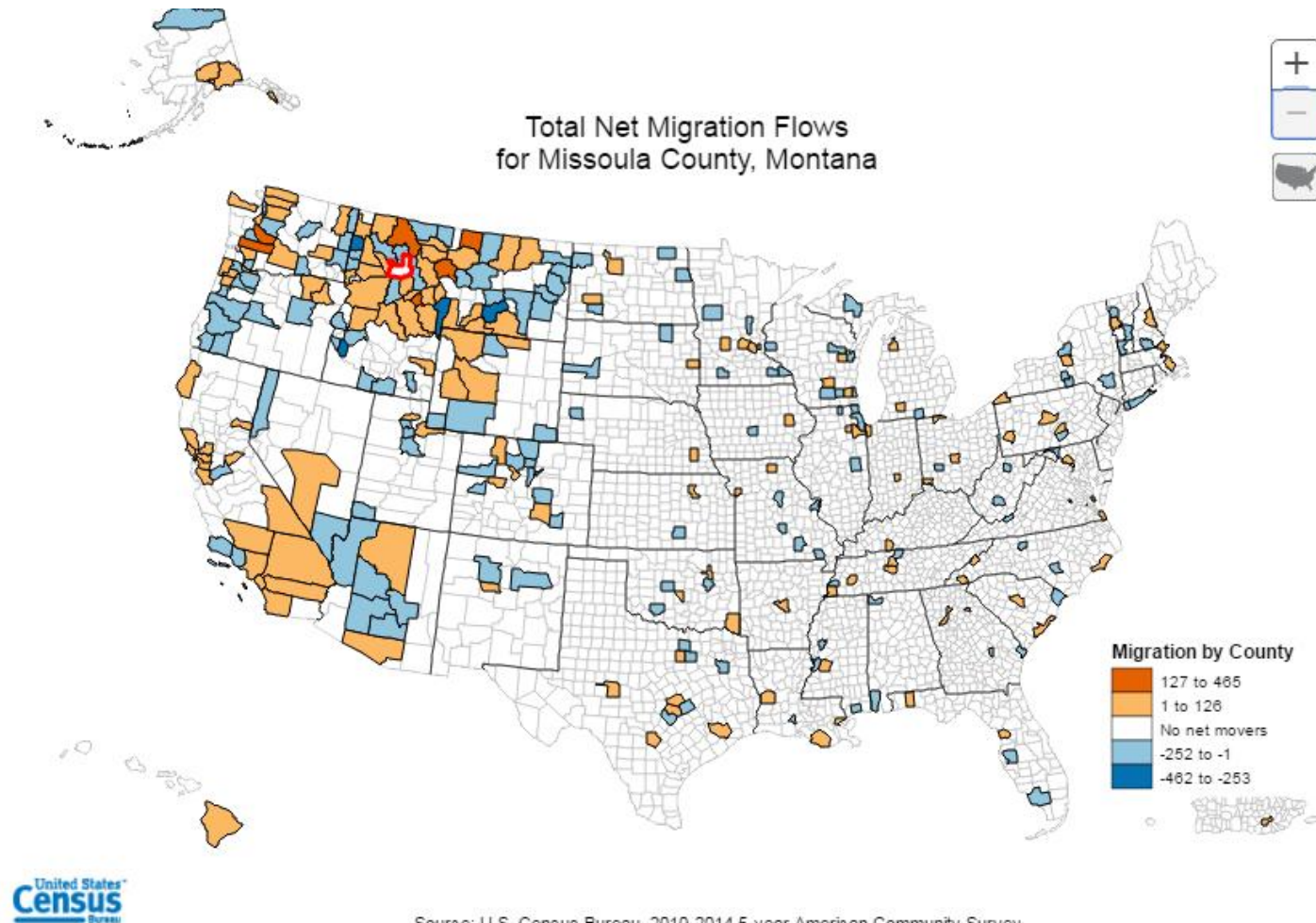
Labor Force Participation by Age



Workers from Outside Missoula County

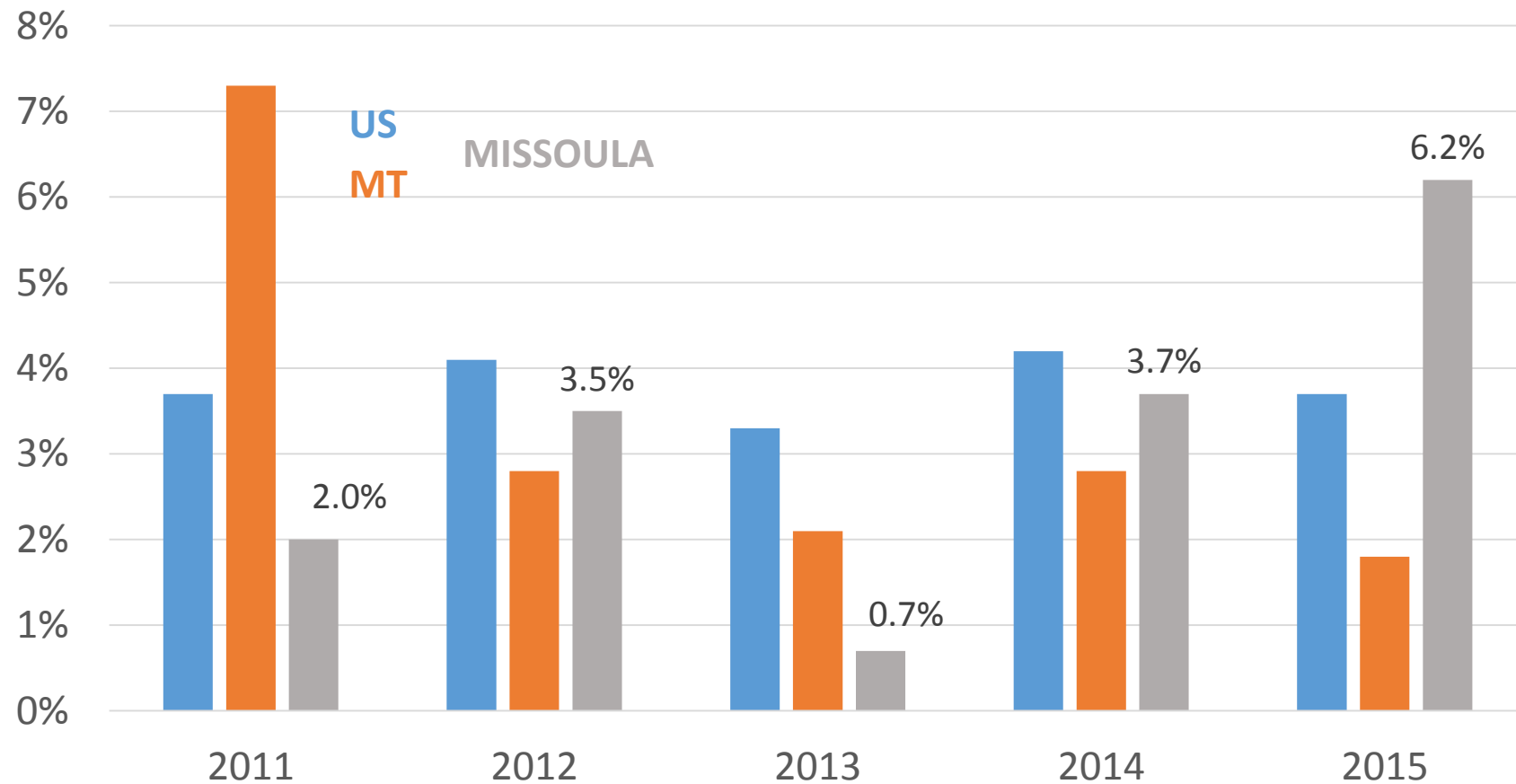


New Workers from Migration?



Missoula Averaged a net of +357 people per year

Growing Momentum in GDP Growth



In 2015 Missoula was 81st out of 382 Metropolitan Areas for per capita real GDP growth

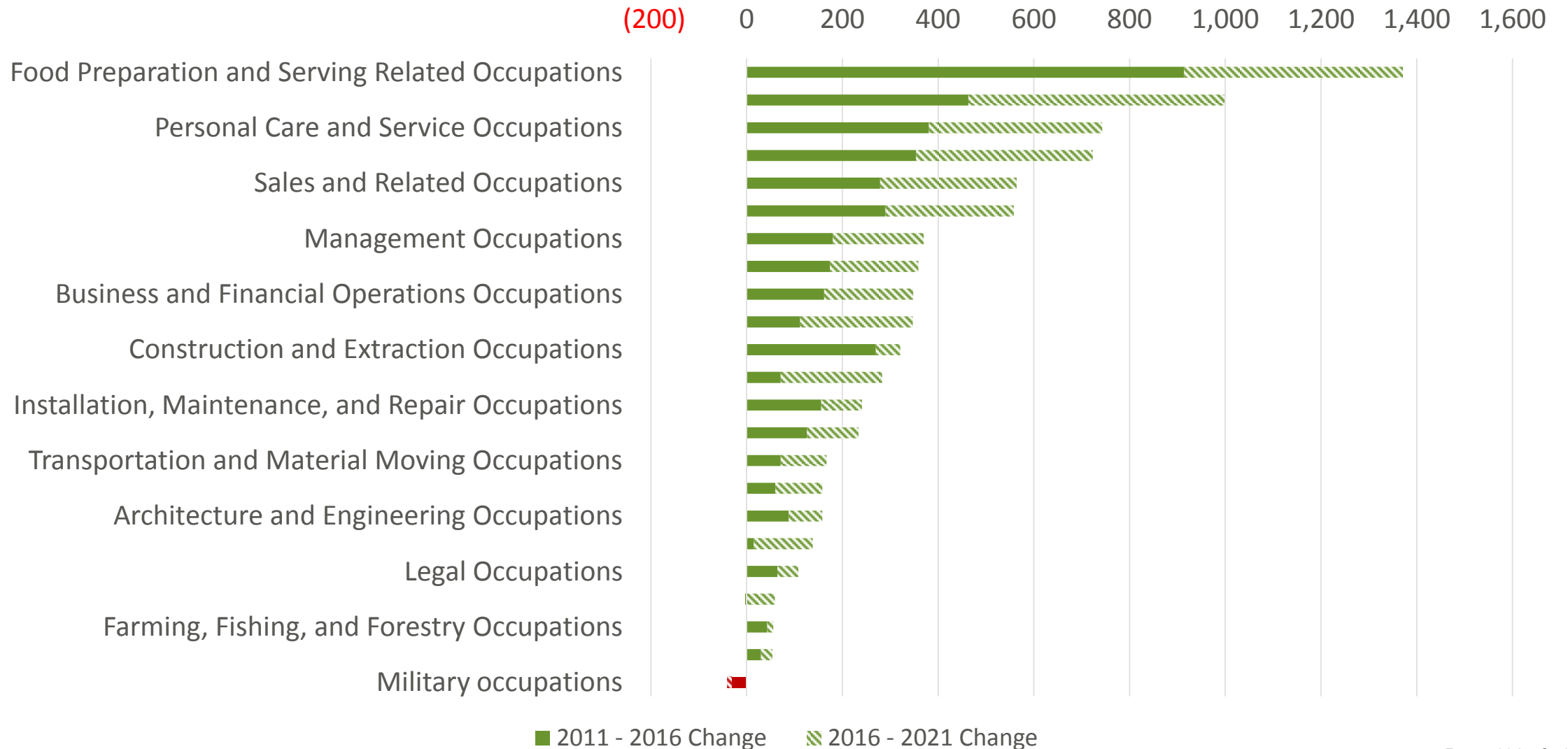
Highlights

- Missoula's economy is doing well.
 - Unemployment rates are low, but not the lowest in the state
- Personal income is growing faster than the state and nation, but remains overall lower than other MT metro areas
 - In the top third fastest growth among US metro areas 2011-2015
- GDP is growing faster than the state as well
 - In the top quarter fastest growing among US metro areas in 2015

Specific Industry Employment Changes, 2011-2016

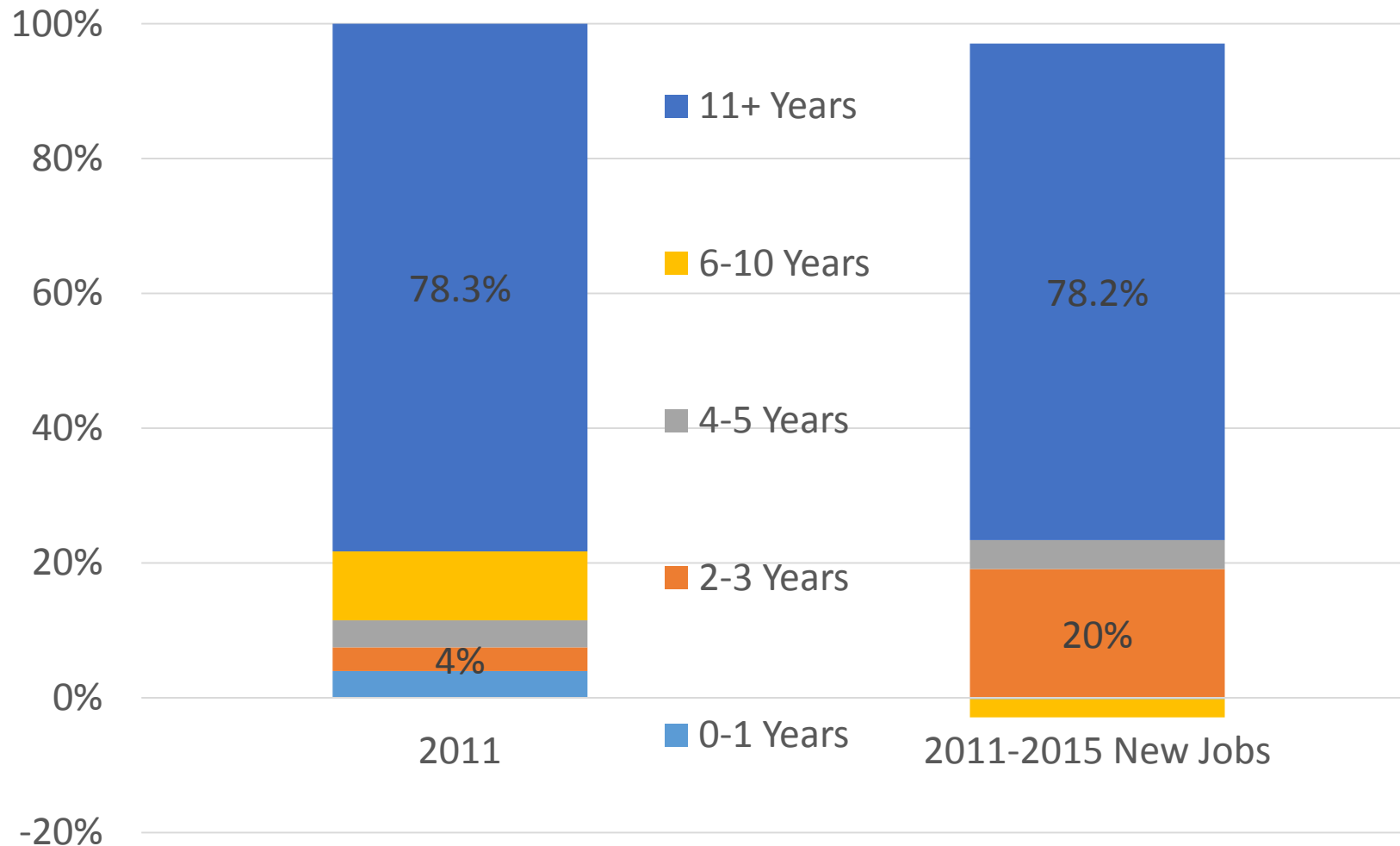
Top 10 Job Adding Industries: Missoula County	Jobs Added	Job Growth	Average Annual Wage
Food Services and Drinking Places	913	20%	\$15,236.00
Ambulatory Health Care Services	858	27%	\$52,936.00
Specialty Trade Contractors	225	17%	\$42,744.00
Accommodation	196	16%	\$22,620.00
Religious, Grantmaking, Civic, Professional,	186	14%	\$26,884.00
Motor Vehicle and Parts Dealers	178	19%	\$47,216.00
Insurance Carriers & Related Activities	175	26%	\$60,996.00
Merchant Wholesalers, Nondurable Goods	166	26%	\$44,512.00
Food and Beverage Stores	163	14%	\$22,204.00
Construction of Buildings	142	29%	\$44,200.00

Historic and Projected Growth, 2017



Growth of Young Businesses

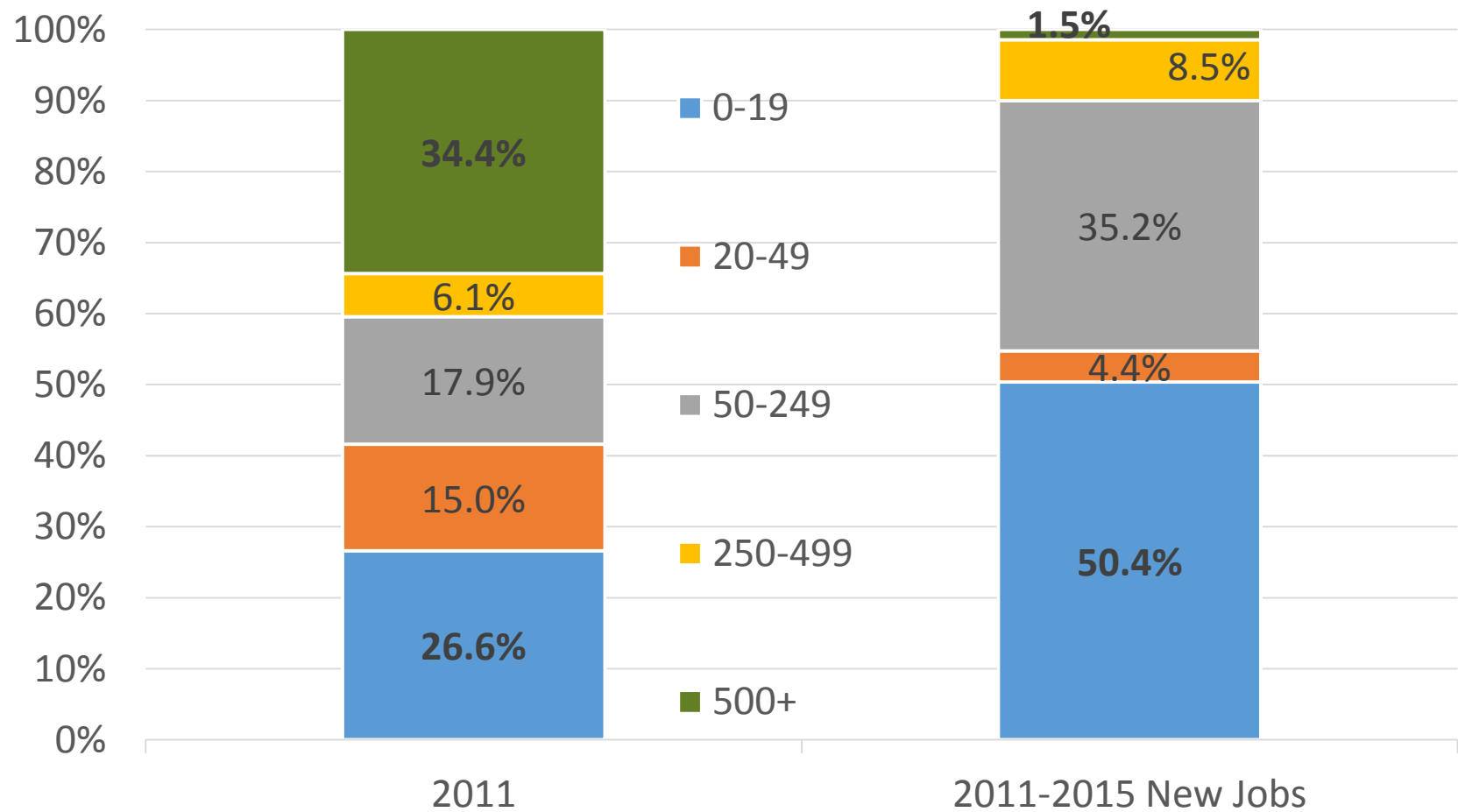
Even though companies 2-3 years old were only 4% of total employment they added 20% of new jobs



Source: Quarterly Workforce Indicators (QWI) accessed at www.qwiexplorer.ces.census.gov

Small and Medium Size Firms Adding Jobs

Companies with fewer than 20 employees created 50% of new jobs between 2011-2015



Source: Quarterly Workforce Indicators (QWI) accessed at www.qwiexplorer.ces.census.gov

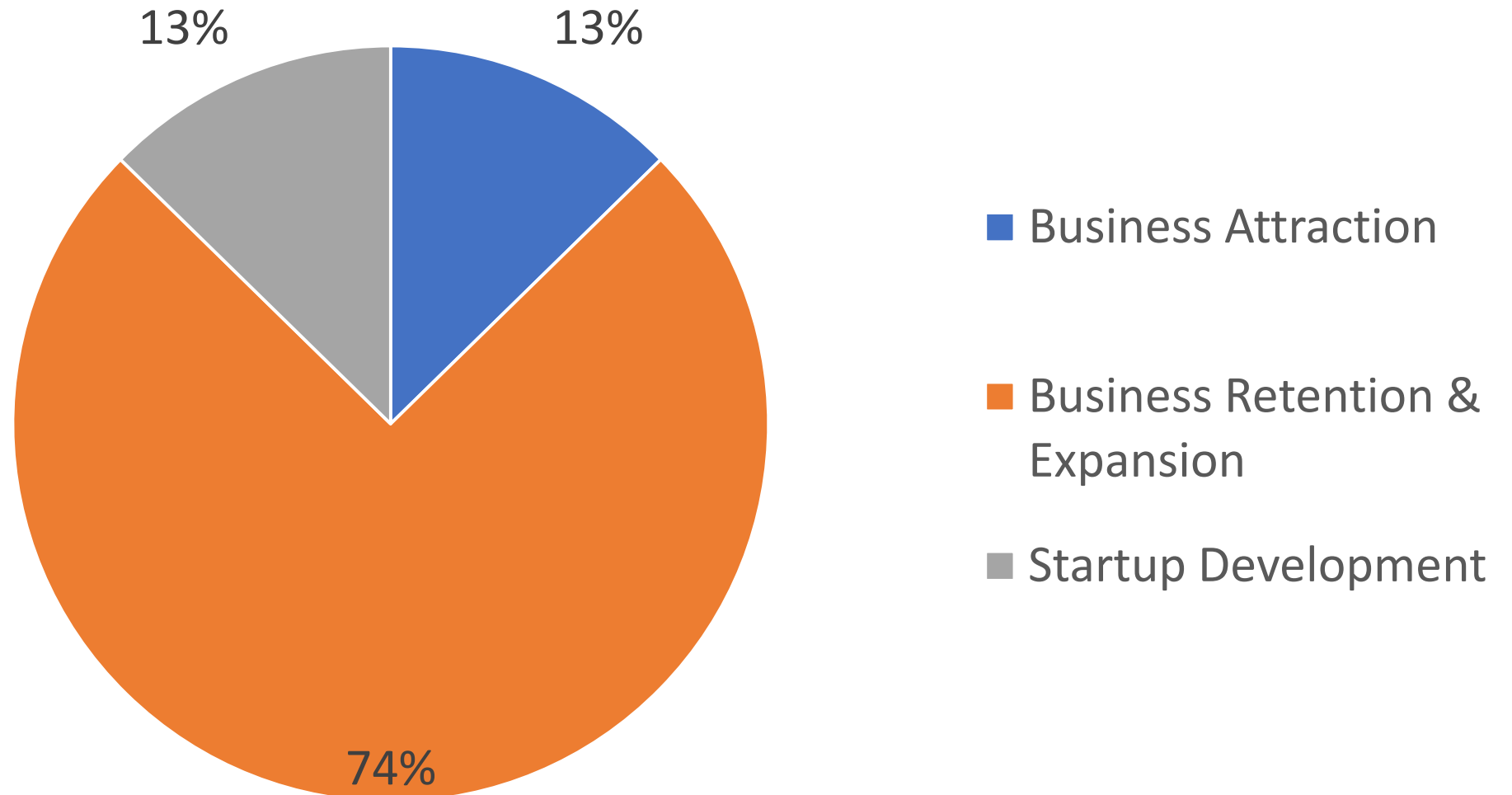
Real Estate

- \$248.7 million in building permits (1,529 total) issued in 2016
 - Stockman Bank \$16.2 million
 - Southgate Mall Carmike Theater \$7.9 million
 - Missoula County Public Schools \$12 million
 - Grizzly Champions Center \$10 million

MEP Activities 2016-2017

- MEP assisted 79 companies (July 2016 – June 2017)
- 5 site relocation visits from businesses outside MT
- 53 companies assisted with business retention and expansion
- Applied to leverage more than \$2 million in state and federal incentive grants for job creation, business planning and training

MEP Economic Development Activities 2016-2017



Grant Activity

- MEP took over BREDD's portfolio of Big Sky Economic Development Trust Fund grants in July 2016
- BREDD had 6 job creation and 6 planning grants totaling \$2.4 million in assistance in July
- Since July, MEP has submitted 20 new grant applications requesting a total of \$2MM to help Missoula companies create more than 275 new jobs and assist 7 businesses with expansion planning
- BREDD and Missoula County have leveraged more than \$7.5 million in grants to assist Missoula businesses since the BSTF program began

Community Leadership and Outreach

- MonTec Board
- Missoula Downtown Association Board
- Missoula Midtown Association Board
- Missoula Chamber of Commerce Board
- UM School of Business Administration Advisory Board
- John Ruffato Business Startup Challenge
- United Way of Missoula County Campaign Committee
- Montana Economic Developers Association Board
- UM President Search Committee



Planning, Events and Speaking Engagements

- Innovate Montana Symposium
- Market Montana Symposium
- Seeley Lake Resource Team
- Last Best Conference Planning Team
- Quest Montana Marketing Analytics Forum
- MEDA Rotunda Day
- City of Missoula Community Needs Assessment
- Hellgate Venture Network
- One Million Cups
- Development Community Meetings
- Montana High Tech Business Alliance Member Receptions
- Montana High Tech Business Alliance – Kauffman Foundation Entrepreneurship Event
- Missoula Chamber Shared Resource Guide
- Ignite MT
- Missoula Sunrise Rotary Club
- Montana Tech Tour
- Missoula Chamber – State of the Community
- BBER Economic Outlook Seminar
- Leadership Missoula
- USDA Small Business Resource Conference
- Innovate UM
- Masters of Science in Business Analytics – Cohort Presentation
- City Club Missoula
- Missoula Design Standards Forum

Strategic Initiatives

- Air Service Revenue Guarantee



- Missoula Workforce Study

- Missoula Housing Study



Sources

- Chris Bradley, Economist, Montana Department of Labor & Industry
- US Census Bureau
- US Bureau of Labor Statistics
- US Bureau of Economic Analysis
- Thomas P. Miller & Associates, Missoula State of the Workforce (preliminary)

Item Information




Title:		Missoula Economic Partnership Update	
Item #:		Status:	Held in Committee
Type:		#:	COW
Version:	10 th	Sponsor:	Bryan von Lossberg
Meeting Date:	1/1/2050	Ward:	All
Meeting Type:	COW Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				10/17/2016	City Council
2nd			Held in committee	10/19/2016	COW
3rd			Held in committee	1/11/2017	COW
4th			Held in committee	4/12/2017	COW
5th			Held in committee	7/26/2017	COW
6th			Held in committee	11/1/2017	COW
7th			Held in committee	1/17/2018	COW
8th			Held in committee	5/23/2018	COW
9th			Held in committee	5/8/2019	COW
 10th			Held in Committee	1/1/2050	COW Referrals Held in Committee

Vote Records

No voting recorded

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Land Use and Planning

Agenda item title: Urban Fringe Development Area Yearbook: 10-Year Lookback

Date: Sept 12, 2018

Sponsor: Development Services

Prepared by: Garin Wally, GIS Analyst/Planner

Ward(s) affected: All

Action Required: None

Informational Presentation: Presentation of the Urban Fringe Development Area Yearbook that discusses 2016 and 2017 data as well as a look at data collected over the past ten years. The presentation will cover recent growth in infrastructure, residential building construction, entitled lots, subdivisions, parks and open space, and transit, bike, and pedestrian infrastructure.

Timeline:

Referred to committee:	Sept 13, 2018
Committee discussion:	Sept 19, 2018

Background:

The Urban Fringe Development Area project (UFDA) was initiated in 2007 to envision where the next 15,000 new residential units would develop within the Missoula Urban Services Area. Maps and documents within UFDA provide the public and decision makers with growth pattern information including new residential units and new or maintained infrastructure. The project resulted in a Growth Policy Amendment and Map passed by both City and County governing bodies in 2008. The 2035 City Growth Policy references the UFDA material and encourages the continued monitoring of residential growth, infrastructure, and associated impacts. Annually, staff has created a yearbook depicting development patterns, urban growth metrics and impacts of that growth. Similar to other UFDA reports, this year's report will focus on 2016 and 2017, but also includes an assessment of data collected over the past ten years.

After acquiring and analyzing ten years of data, our next step is to take a look forward by considering past trends and updating datasets and methods. The end goal of this "look-forward" is to consider the Growth Policy's "Focus Inward" goals in producing a map and other information that will show development capacity, capability, and suitability; a map of where, can, and should development occur.

Financial Implications:
None

Links:
[2016-2017 UFDA Yearbook](#)

Item Information



Title:		Our Missoula Development Guide - Looking Forward	
Item #:		Status:	Held in Committee
Type:		#:	Land Use & Planning
Version:	3 rd	Sponsor:	Garin Wally, GIS Analyst/Planner
Meeting Date:	1/1/2050	Ward:	Ward 1, Ward 2, Ward 3, Ward 4, Ward 5, Ward 6
Meeting Type:	PAZ Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

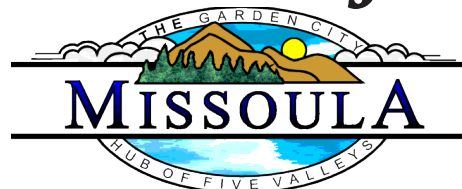
Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				9/17/2018	City Council
2nd			Held in committee	9/19/2018	PAZ
▶ 3rd			Held in Committee	1/1/2050	PAZ Referrals Held in Committee

Vote Records

No voting recorded



Urban Fringe Development Area Project



**2016 - 2017 UFDA Yearbook
& 10-Year Review**

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<i>Summary.....</i>	<i>4</i>
<i>Quick Facts</i>	<i>4</i>
<i>Residential Building Permits</i>	<i>5</i>
<i>Multi-Dwelling.....</i>	<i>7</i>
<i>Subdivision & Entitled Lots.....</i>	<i>9</i>
<i>Townhome Exemptions.....</i>	<i>11</i>
<i>10-Year Development Review.....</i>	<i>13</i>
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<i>Natural Resource Impacts.....</i>	<i>19</i>
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<i>Transportation Infrastructure</i>	<i>21</i>
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<i>Sewer & Water Infrastructure</i>	<i>24</i>
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Scott Street Village. Photo by Garin Wally

Introduction

In 2007, the Office of Planning and Grants, now Development Services (est 2013), embarked on an annual process of updating community planning information with an emphasis on determining how the community should accommodate housing needed for the expected approximate increase in population over the next 20 years. It was expected that about 15,000 residential units would be needed. The result was the Residential Allocation Map that was incorporated through amendment into the City and County Growth Policy and the commitment to track residential development activity through the Urban Fringe Development Area Yearbook (UFDA).

This UFDA Yearbook contains the annual reports for 2016 and 2017 jointly, but also reviews trends over the past ten years. Like the earlier reports, this yearbook informs community policy primarily pertaining to housing, population, development, acquisitions, and infrastructure for the Missoula Urban Services Area, and tracks potential residential development opportunities through the Residential Allocation Map.

The Planning Division of Development Services is using the ten-year observations to inform a reset of the residential allocations with a look toward guiding residential development for the next ten years. The upcoming UFDA “look-forward” will specifically identify areas with beneficial development potential based on the 2035 Our Missoula Growth Policy objectives. By considering capacity for growth together with areas identified as suitable through Growth Policy objectives, the forthcoming composite map will better identify development potential expected by the Residential Allocation Map. This will in turn advise and help coordinate city planning for infrastructure, annexation and other city and agency services going forward.



Construction. Photo by Garin Wally

Credits:

Maps and Analysis were produced by Garin Wally:
(406) 552-6631 or gwally@ci.missoula.mt.us

The UFDA Project Manager is Tom Zavitz:
(406) 552-6632 or tzavitz@ci.missoula.mt.us

This project could not be possible without the on-going support of the various agencies that contribute valuable data and insight.

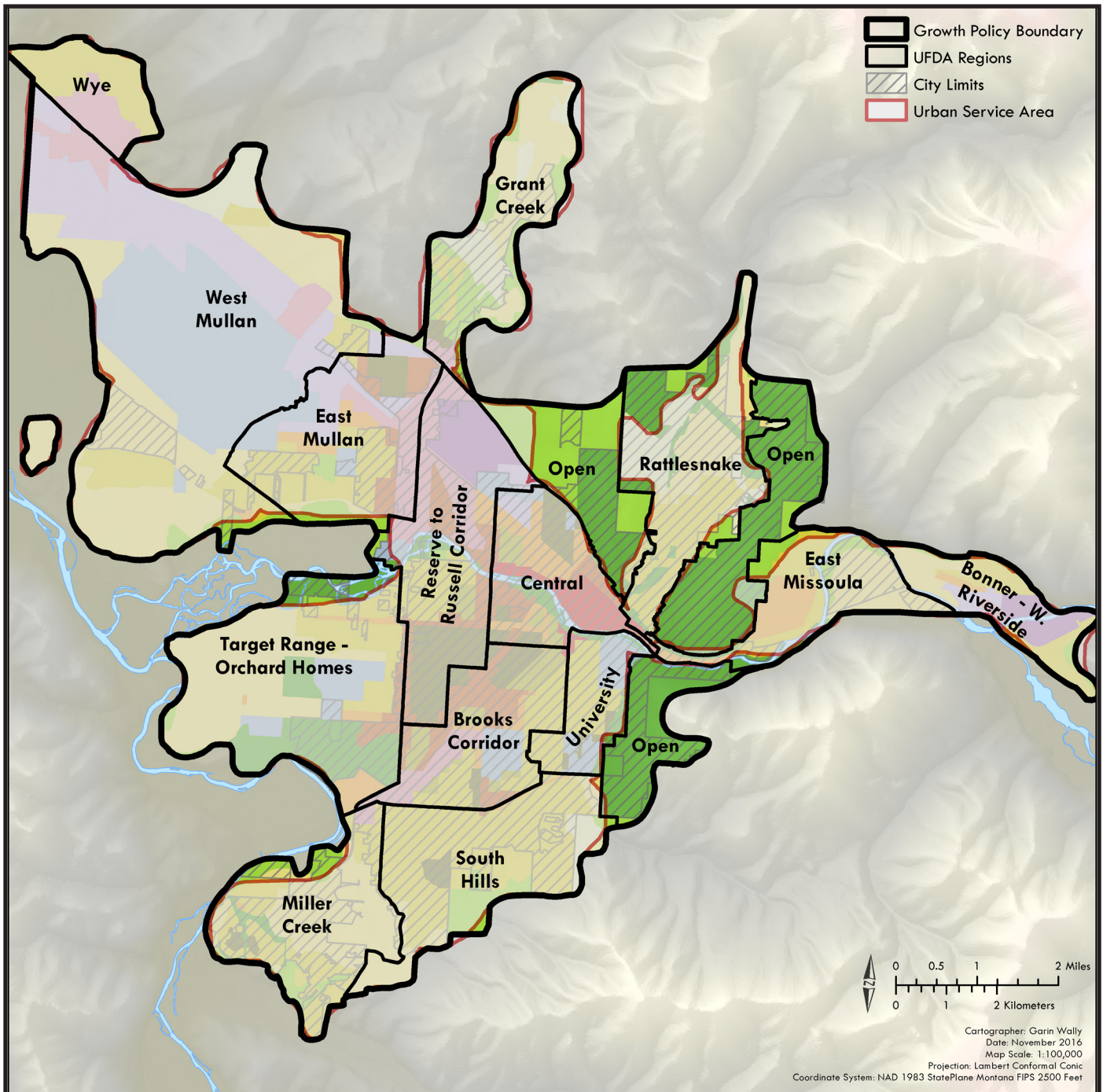
Past and current UFDA materials can be accessed at:

<http://www.ci.missoula.mt.us/1526/UFDA>



Tollefson Apartments. Photo by LM

UFDA Boundary & Regions



Previous UFDA Yearbooks have used the Urban Services Area (URSA, 33,000 acres) as the UFDA project study area. Beginning in 2015, the boundary was adjusted for consistency with the Growth Policy Boundary (40,253.25 acres) used for the Our Missoula 2035 City Growth Policy document and Future Land Use Designation Map.

The UFDA "Regions" are divisions of the study area that are used for analyzing the area's development patterns; they have no relation to Neighborhood Council Districts or other neighborhood associations. These areas were

also updated to match boundaries defined by the Census, improving their ability to properly capture underlying demographic information such as population. The "Open" regions (4,283 acres) were added to fill most of the gap between the previous UFDA boundary and the Growth Policy boundary. The City should expect minimal development in these Open regions as their land use designations are predominantly Open and Resource, and Parks and Open Lands.

Summary

The original Urban Fringe Development Area Project Update and Staff Recommendation estimated a baseline count of 38,568 existing dwelling units in 2007. Since then we have added 4,905 units bringing us a new baseline of about 43,473 dwelling units.

Population was estimated from dwelling units using an average of 2.2 persons per household and a 3% vacancy rate (Missoula Organization of Realtors).

Dwelling Unit Estimates per Year

Year	Est Dwellings	Growth Rate
2007	38,568	X
2008	38,903	0.87%
2009	39,101	0.51%
2010	39,407	0.78%
2011	39,945	1.37%
2012	40,233	0.72%
2013	40,779	1.36%
2014	41,295	1.27%
2015	41,828	1.29%
2016	42,623	1.90%
2017	43,473	2.01%
Average	491 / year	1.21%

Quick Facts

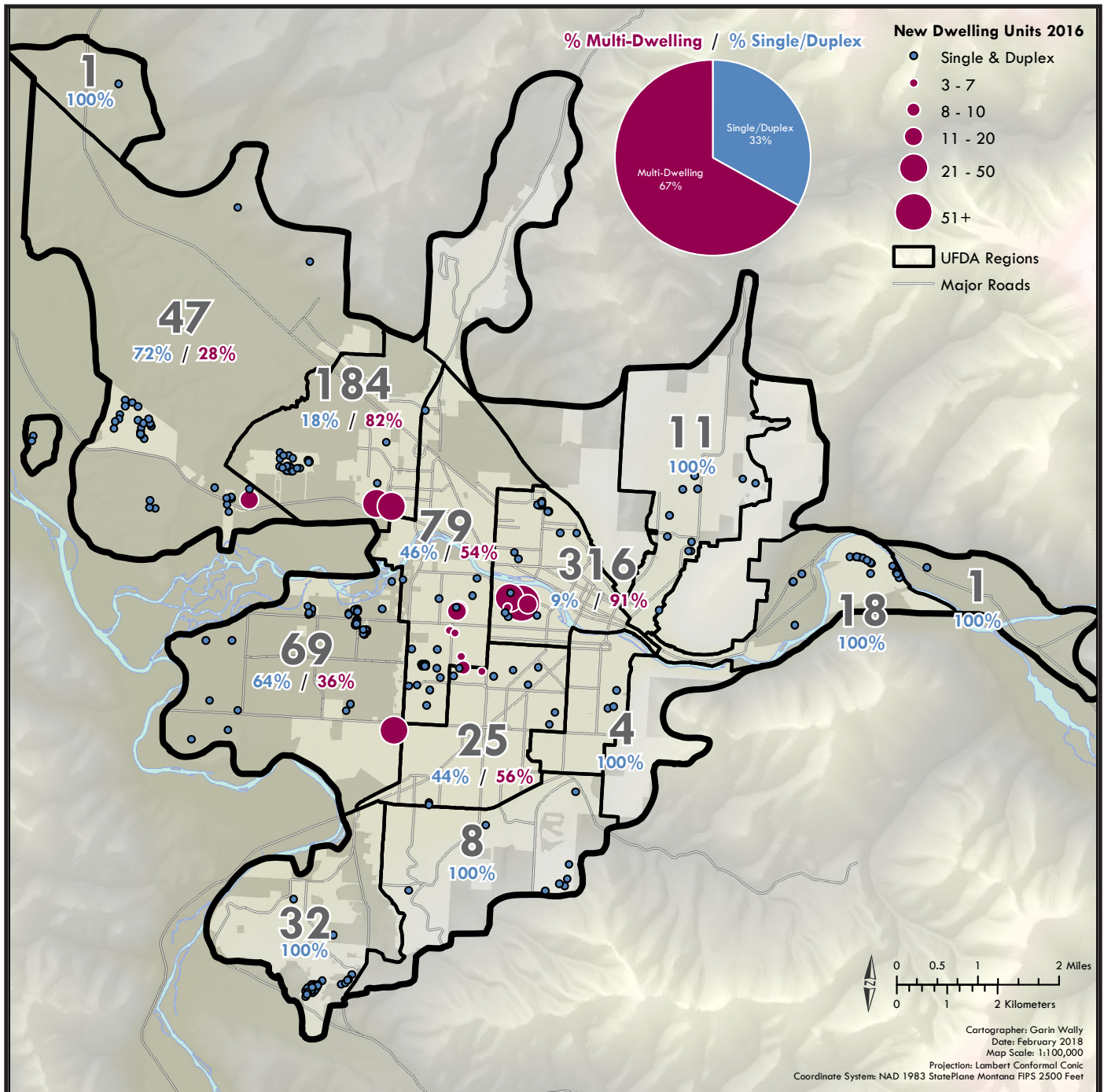
- UFDA Study Area (see page 4): 40,253 Acres
- Est. Population: 92,700
- Est. Housing Units: 43,473
- Est. Gross Density: 1.0 Dwelling Unit per Acre
- Est. Net Density: 2.39 du/ac
- Annual Growth Rate of Dwellings: 1.21%
- 1,645 new residential units added in 2016-2017
- 4,905 residential units added since 2008
- 491 units added per year over a ten-year average
- New Major Subdivisions ('16 & '17): 1 City, 1 County
- Updated Entitled Lot Reserve: 4,241 lots/units



Scott Street Village. Photo by Garin Wally

Residential Building Permits

2016



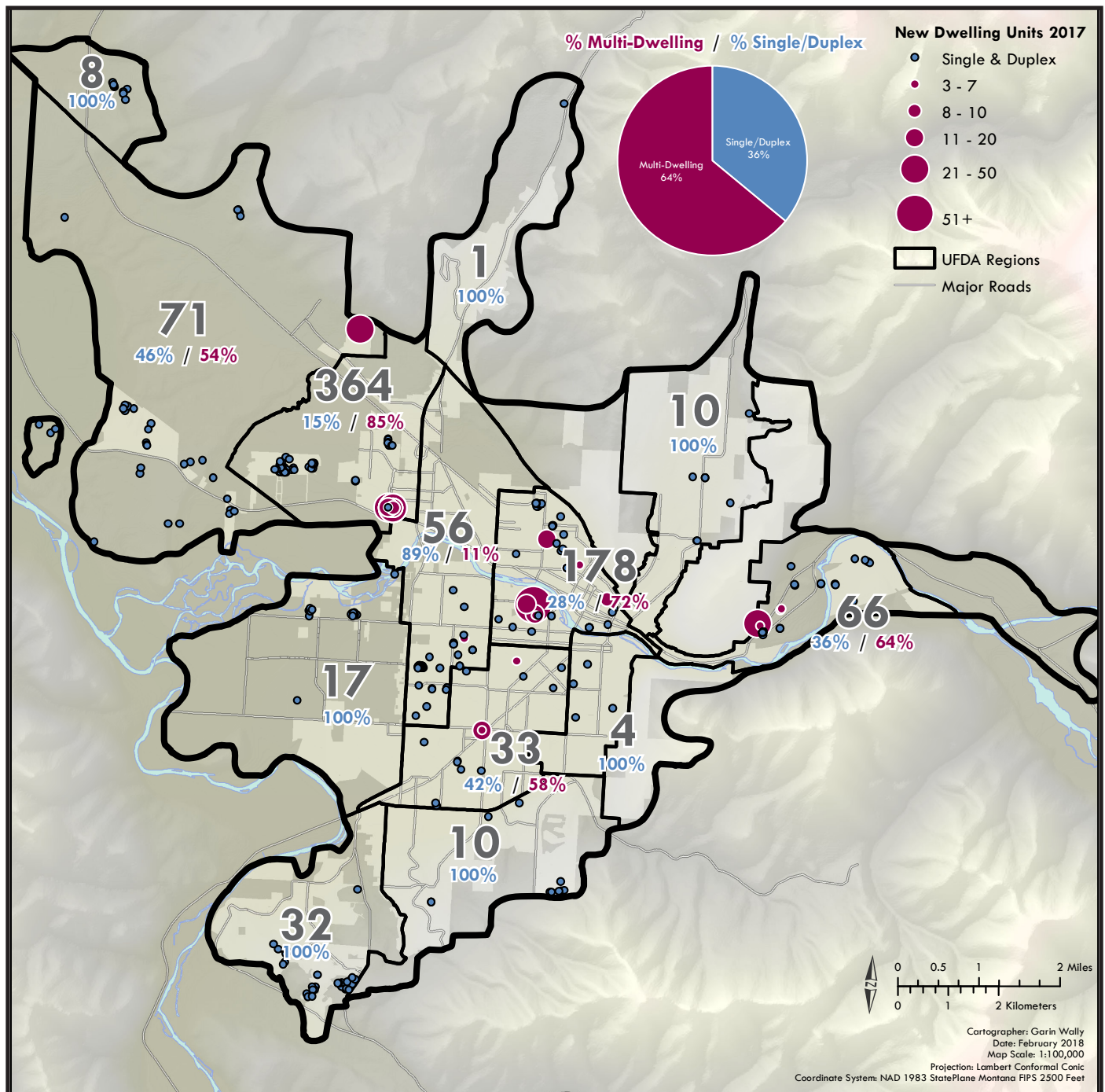
In 2016, the City issued residential building permits for 221 single dwellings, 18 duplex units, and 532 units in 20 multi-dwelling developments. The County issued permits for 24 single dwellings. A total of 795 new units were permitted: 771 units in the City and 24 in the County.

Calendar year 2016 saw the total market value of construction reach \$248.7 million. This surpassed the previous year's by \$64.7 million.

The three largest projects in 2016 were the new ROAM student housing project at 305 E Front St (162 units), Cambium Place at 945 Wyoming St (69 units), and buildings 1-3 of the Halling Farms project on Clark Fork Lane (114 units).

Residential Building Permits

2017



In 2017, the City issued residential building permits for 232 single dwellings, 28 duplex units, and 502 units in 28 multi-dwelling developments. The County issued permits for 44 single dwellings, 2 duplex units, and 42 units in a multi-dwelling project in East Missoula. A total of 857 new units were permitted: 769 units in the City and 88 in the County.

The three largest projects in 2017 were 9 buildings of the Halling Farms project / Tollefson Apartments on Clark Fork Lane and Mullan Road (216 units), The Sawyer

Student Living building at 775 Wyoming St (57 units), and Potter Park Apartments (38 units).

Calendar year 2017 saw the total market value of construction reach \$277 million. This surpassed the high value in 2016 by another \$28.3 million.

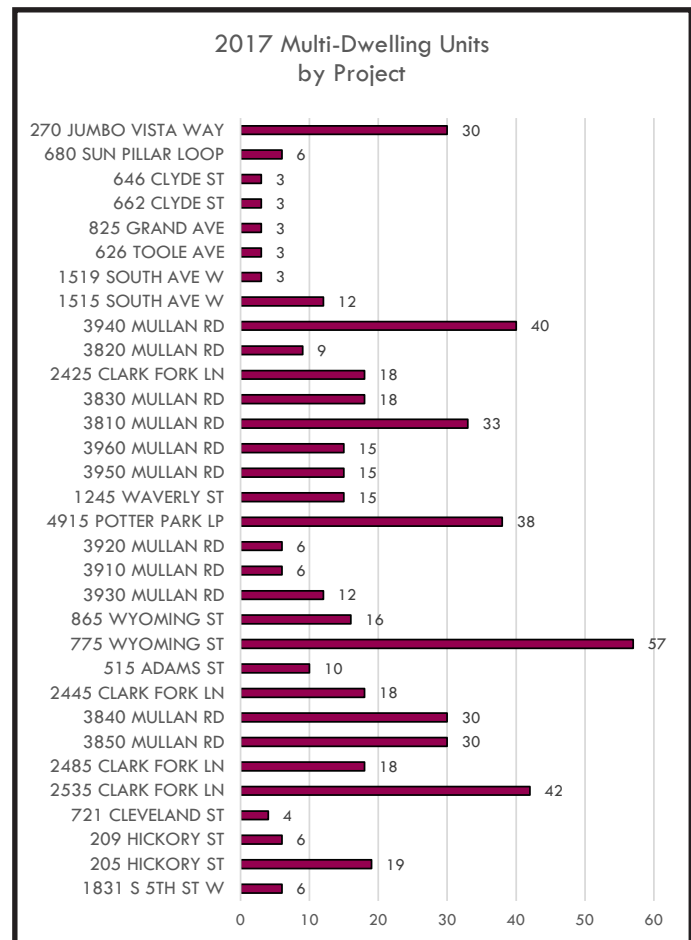
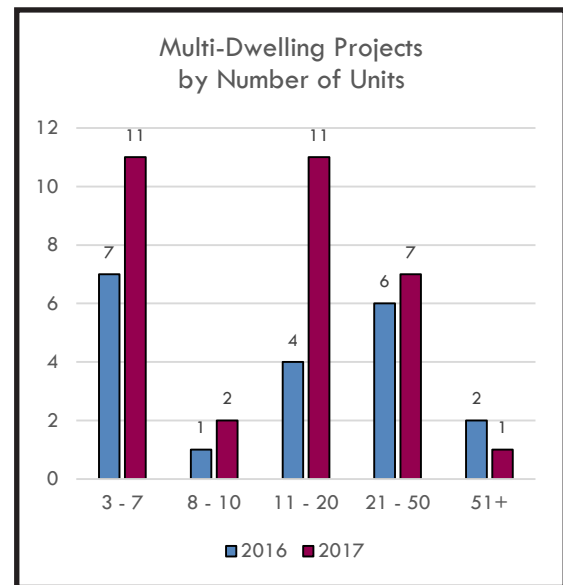
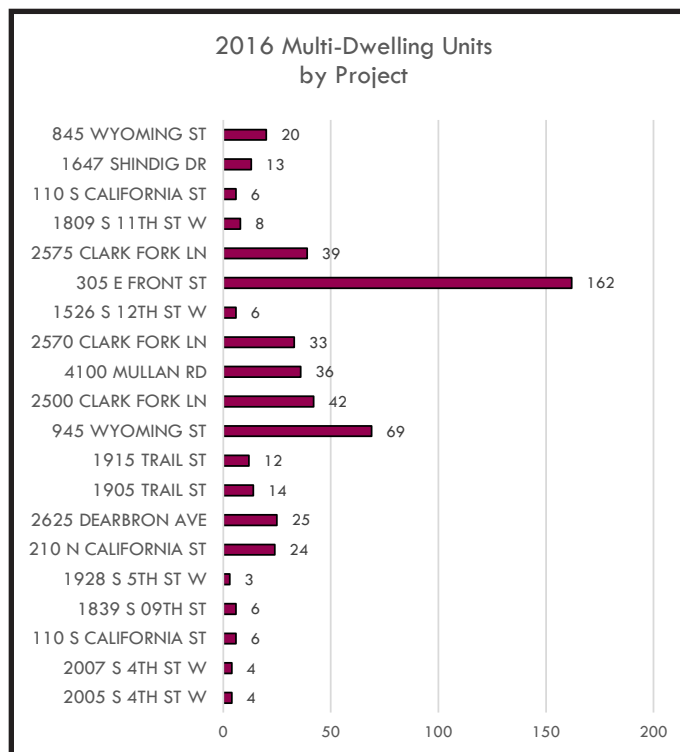
Residential development in the City has continued at a steady pace. Due to a few large projects in East Missoula in 2017, the number of developed units in the County (88) was nearly twice the average (36 per year).

Multi-Dwelling

In 2016, multi-dwelling projects had an average of 27 units per project and an average of 40 dwelling units per acre (DUAC). In 2017, multi-dwelling projects had an average of about 17 units per project and about 23 units per acre. Further development of the “Old Sawmill District” has focused the majority of multi-dwelling construction to the City Core.

One major project of note is the 162-unit (101 DUAC) ROAM student housing and mixed use project located on Front Street (cover photo).

Between 2008 and 2017, eight major new affordable multi-dwelling projects were developed, providing a total of 299 dwelling units. This is approximately 6% of the total new dwelling units for the area. This only accounts for new multi-dwelling development, while other efforts to address housing affordability have also taken place including improvements to existing income-qualifying rentals, continued issuance of housing vouchers, efforts to address homelessness, retaining the current stock of income-qualifying rentals, and private-developer efforts to address work-force housing. A plan to address Missoula’s housing needs is underway through the Office of Housing and Community Development. This, and future UFDA projects will help to inform those ongoing efforts.



Multi-Dwelling



69 unit Cambium Place (34 DUAC). Photo by Garin Wally



10 unit Spruced Lofts (77 DUAC) on Spruce and Adams. Photo by Garin Wally



57 unit The Sawyer Student Living (65 DUAC). Photo by Garin Wally



Polley's Square Buildings C and D. Photo by Garin Wally

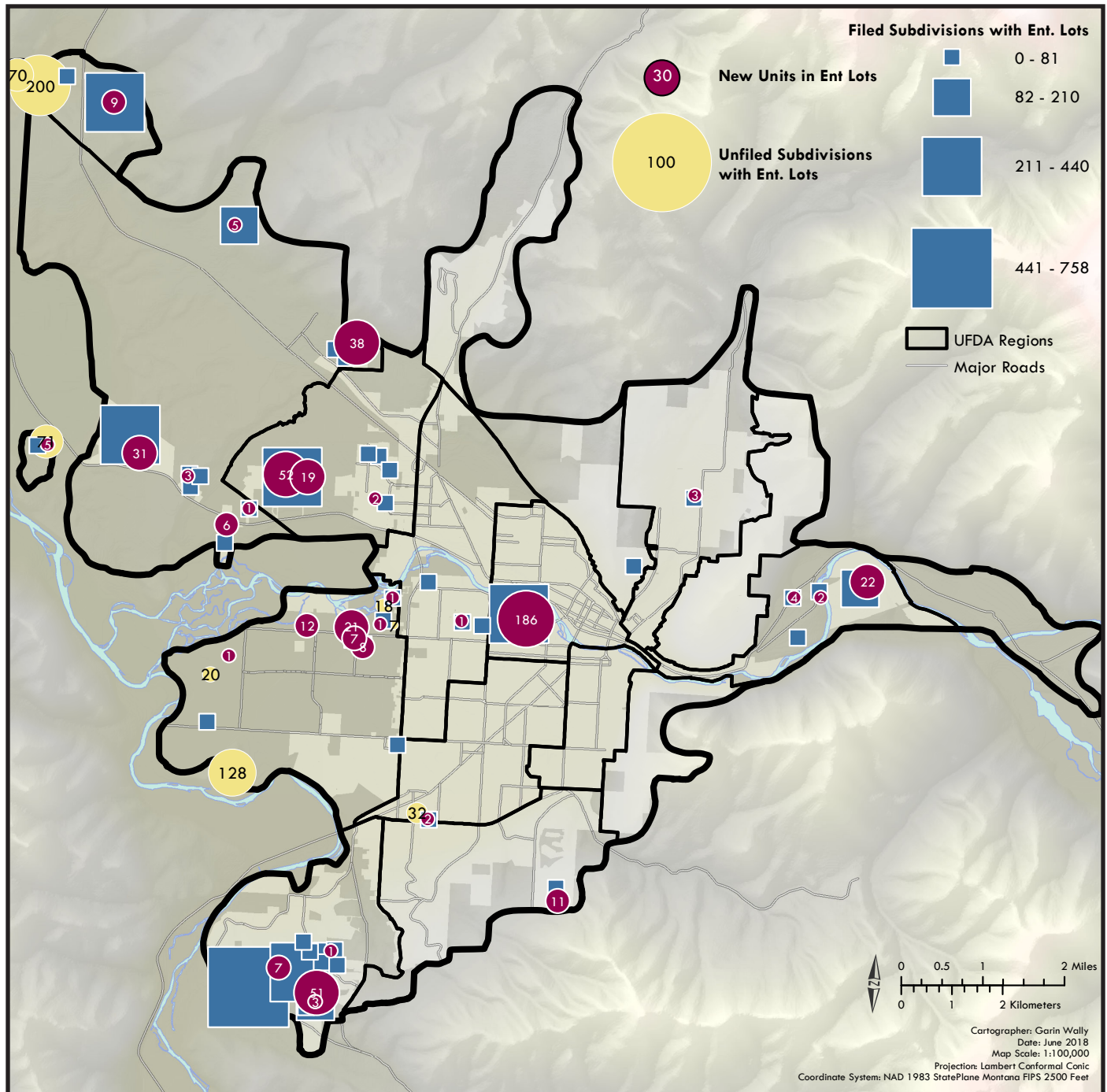


12 unit apts on South and Brooks (9 DUAC). Photo by Garin Wally



Tollefson Apartments. Photo by LM

Subdivision & Entitled Lots

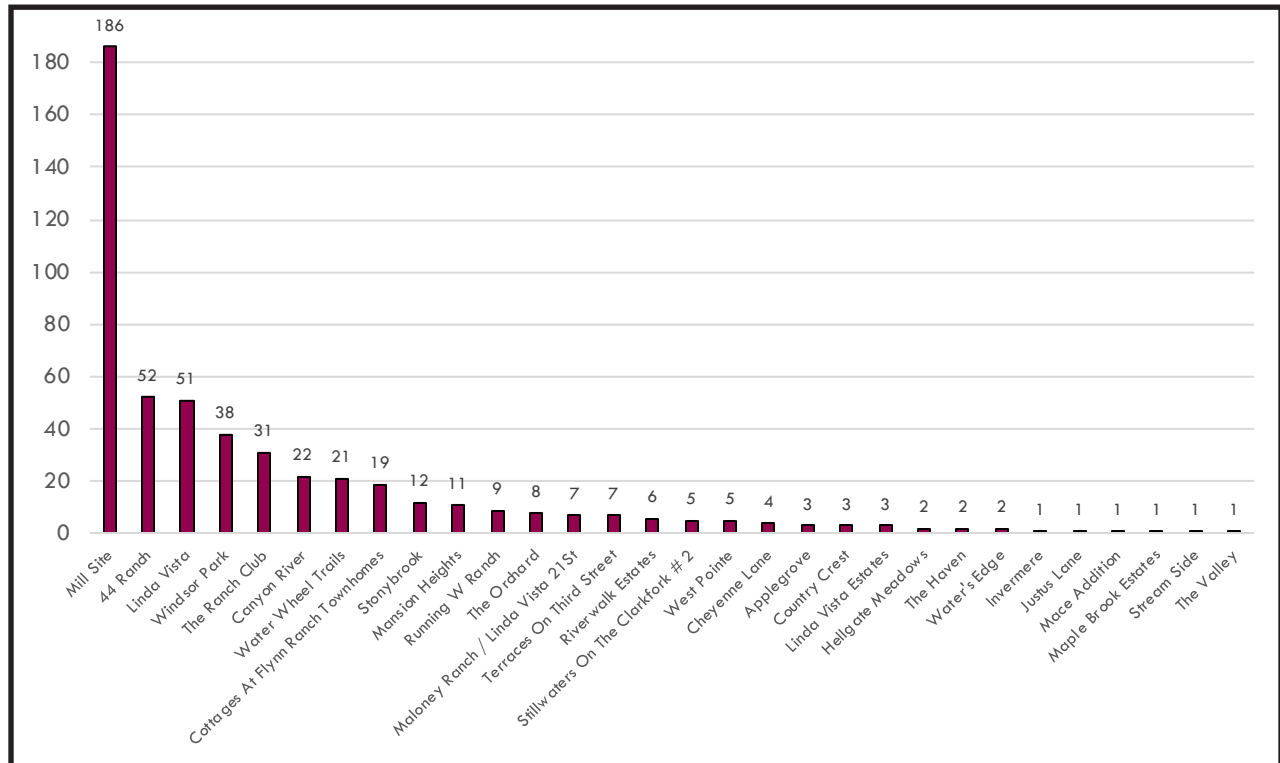


Entitled Lots consist of platted and expected residential lots and dwelling units planned for in preliminarily approved major subdivisions. Development is imminent for some, while other entitled lots exist only in future phases that have not yet been filed. If phases expire, the number of lots expected in that phase is dropped from the count. Lots where building permits are filed are also removed. The total undeveloped lots or units, and the remaining vacant and unplatted lots or units represent the updated count of Entitled Lots.

Three subdivisions expired in 2016-2017 dropping their lots or units from the count. Those subdivisions were Southern Hills (47 lots; South Hills region), and Clark Fork Terrace #1 and #2 (38 and 33 lots; East Missoula region). Two new major subdivisions came online: Spurgin Ranch (20 lots; Target Range - Orchard Homes region) in the County, and Cowboy Flats (32 lots; Brooks Corridor region) in the City. Development that occurred on Entitled Lots includes 264 units built in 2016 (33% of development), and 251 units built in 2017 (30% of development).

Subdivision & Entitled Lots

Units Developed on Entitled Lots per Subdivision



It has been a consistent pattern that approximately one third of development occurs on Entitled Lots, as shown in the past two years.

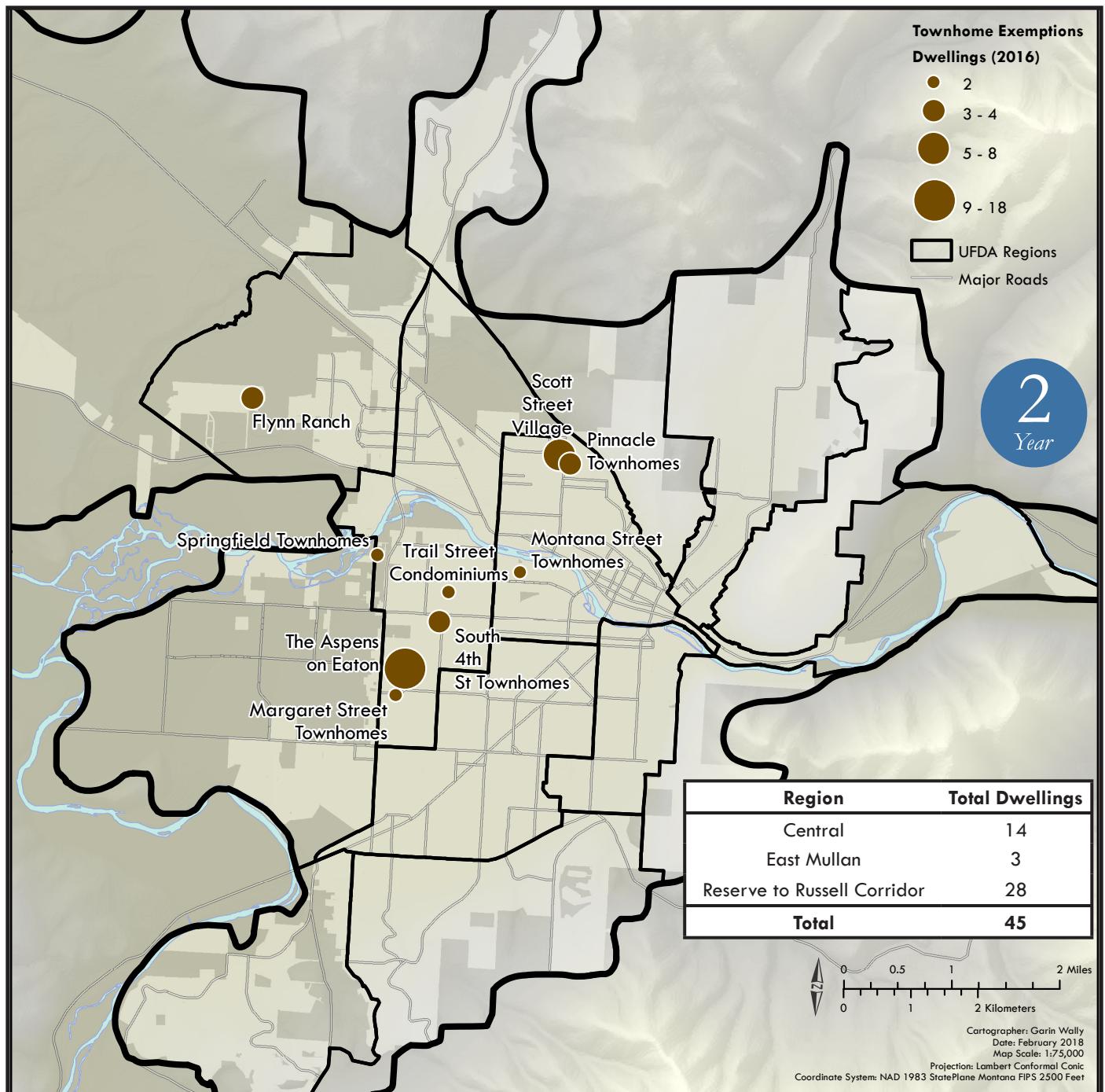
Considering these changes, the current estimate of Entitled Lots is about 4,241, with 546 of those in subdivisions that have not yet filed any phases (8 subdivisions). The majority of entitled lots from unfilled subdivisions (489) are in the County.

Remaining Entitled Lots by Region

Region	New Units	Remaining
Brooks Corridor	2	34
Central	186	385
East Missoula	28	183
East Mullan	73	619
Miller Creek	62	1417
Rattlesnake	3	105
Reserve to Russell Corridor	1	107
South Hills	11	34
Target Range - Orchard Homes	51	222
West Mullan	89	556
Wye	9	579
Total	515	4241

Townhome Exemptions

2016



In 2011, the state legislature passed House Bill #460 which allowed fee-simple development to occur without subdivision review in the same way that traditional condominium projects do not require subdivision review. In zoned areas, this allows the creation of unit ownership parcels, in effect allowing an alternative to the typical subdivision review process.

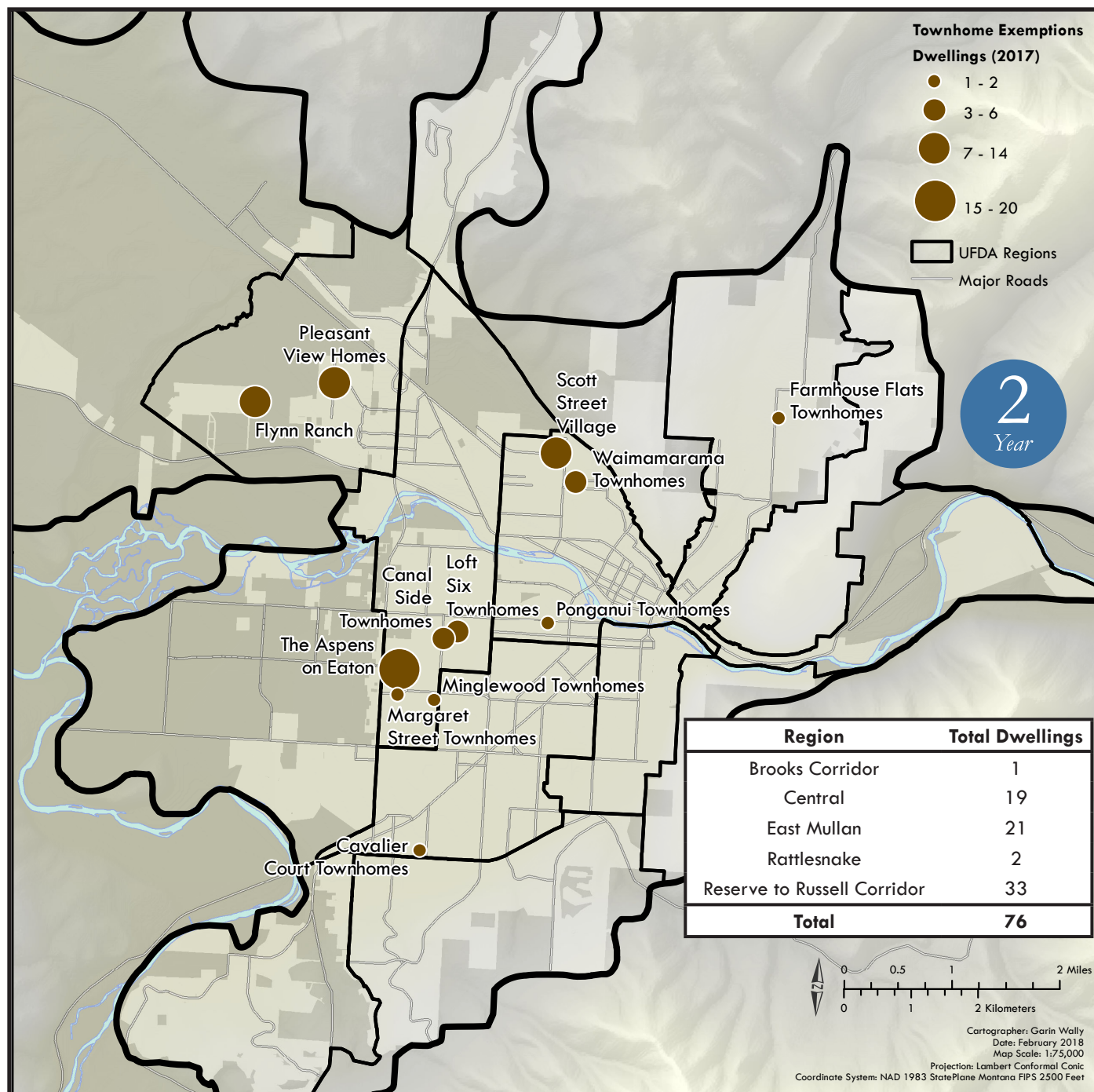
In April of 2016 Missoula created and adopted Townhome Exemption Development (TED) regulations which allowed residential TED developments by-right

or conditionally approved depending on the size of development; developments of five or fewer are allowed by-right. Because the TED review process is faster and less expensive than subdivision review, TED development is expected to increase and potentially replace most subdivision projects in the future.

Missoula saw 45 TED units constructed in 2016 and 76 in 2017. The Aspens on Eaton and the Scott Street Village developments saw the highest number constructed in the past two years with Flynn Ranch and Pleasant View

Townhome Exemptions

2017



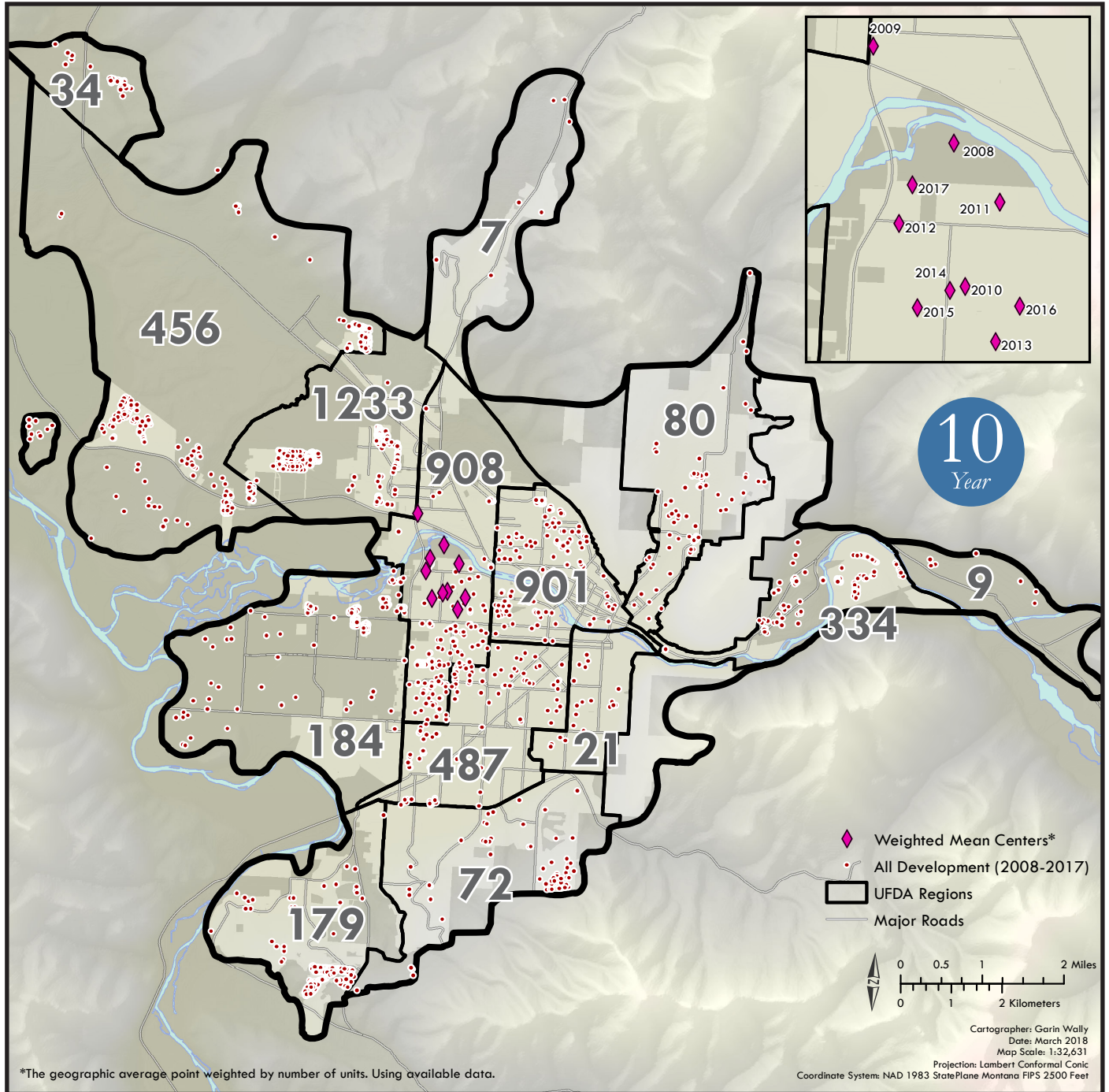
Homes also seeing significant numbers of units developed.

It is expected that this type of development pattern will continue to rise in popularity as developers realize the benefit of its streamlined approval process.

TED projects are being proposed in core areas of the city as a method of establishing home ownership opportunities on smaller infill parcels as well as some places along the edges of the city where developers are using the TED to explore new building types such as "patio homes." The

typical housing types associated with TED projects are 2-unit attached townhouses and small lot single dwellings.

10-Year Development Review



The map above shows the 4,905 new residential units permitted over the past ten years. Also shown are the Weighted Mean Centers, or the geographic average point per year which is weighted by the number of units per point. Imagine if the Growth Policy boundary was a wooden board and new dwelling units were weights on the board, the mean centers are where the board would balance if suspended by string. They help depict the pattern of development over the past ten years. For example, the Weighted Mean Centers will drift to the north-west if development intensity continued in the East

Mullan region and wasn't balanced out by development to the south-east.

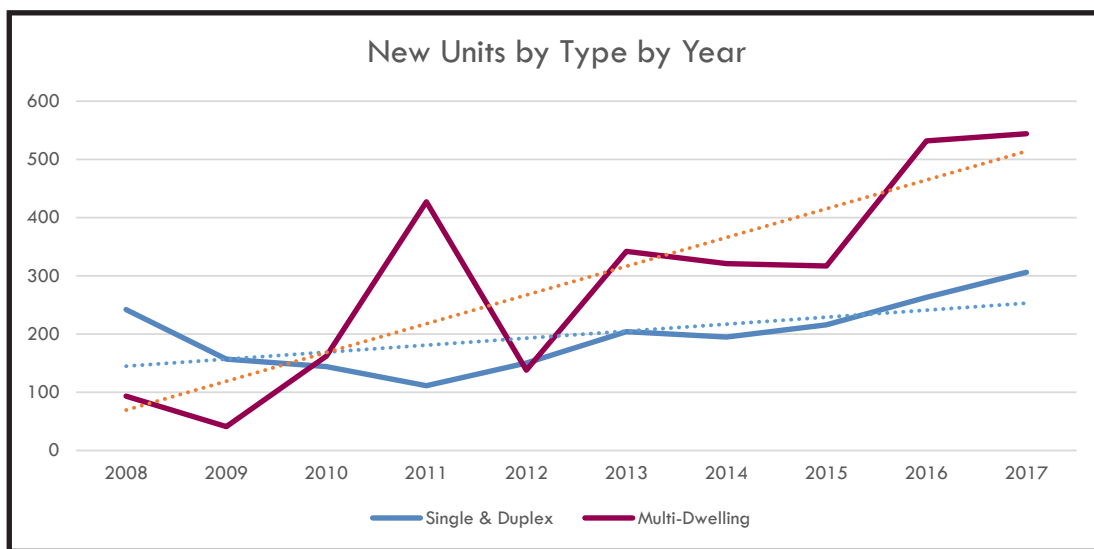
Despite significant fluctuations in the numbers, types, and locations of permitted residential units over the past ten years, the Weighted Mean Centers of residential development have remained tightly clustered in the River Road neighborhood in the Reserve to Russell Corridor region. These mean centers provide one potential method to objectively measure development patterns as the City continues to pursue its "Focus Inward" policy.

10-Year Development Review

Development by Type

Development by Type by Year

Year	Single-Dwelling	%	Duplex	%	Multi-Dwelling	%	Total by Year
2008	220	65.7%	22	6.6%	93	27.8%	335
2009	149	75.3%	8	4.0%	41	20.7%	198
2010	122	39.9%	22	7.2%	162	52.9%	306
2011	97	18.0%	14	2.6%	427	79.4%	538
2012	138	47.9%	12	4.2%	138	47.9%	288
2013	196	35.9%	8	1.5%	342	62.6%	546
2014	183	35.5%	12	2.3%	321	62.2%	516
2015	204	38.3%	12	2.3%	317	59.5%	533
2016	245	30.8%	18	2.3%	532	66.9%	795
2017	276	32.5%	30	3.5%	544	64.0%	850
Total by Type	1830		158		2917		4905
	40.5%				59.5%		



Trends in the Missoula home building market over the past ten years reflect the effects of the 2008 U.S. banking crisis and resulting recession-recovery in two ways. First, because credit (mortgages) for home buyers became difficult to obtain, the market for multi-dwelling units like apartments began to outpace the demand for single dwelling units. In Missoula the change meant that the percentage of building permits for multi-dwelling units doubled to two-thirds of all residential building permits while the percentage of single dwelling building permits fell to about one third of all residential building permit levels. Since the recession bottomed in 2009 these rates have remained steady as the economy recovered.

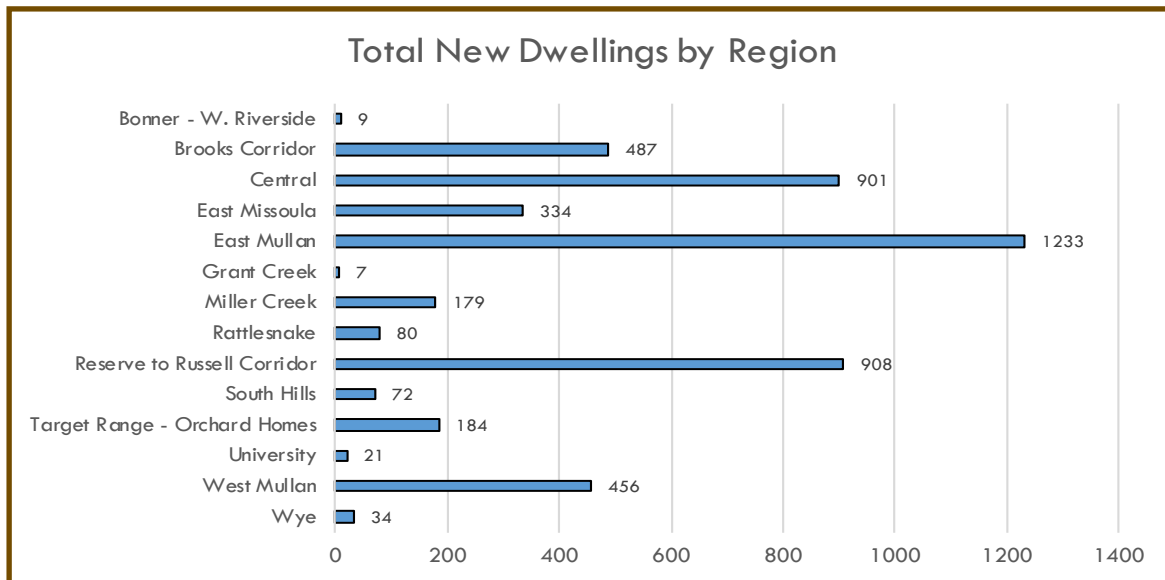
Overall, the total of multi-dwelling and single dwelling building permits issued has varied year to year, but have been increasing at an average rate of about 15 - 20% per year since 2009. In 2009, permits were issued for 198 units. In 2017, after eight years of economic recovery, the City and County issued permits for 850 residential dwelling units within the UFDA area, of which 544 were multi-dwelling units. All told, there were 4,905 new dwelling units constructed in the Urban Service Area in the past ten years.

10-Year Development Review

Development by Region

Development by Region by Year

Region	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	10-Year Avg	5-Year Avg	Total by Region
Bonner - W. Riverside	1	1	2	1	0	0	2	1	1	0	1	1	9
Brooks Corridor	24	9	62	66	23	109	115	21	25	33	49	61	487
Central	22	6	85	14	71	32	70	107	316	178	90	141	901
East Missoula	23	9	5	123	10	7	14	59	18	66	33	33	334
East Mullan	104	37	34	247	46	53	105	59	184	364	123	153	1233
Grant Creek	0	2	1	1	1	0	1	0	0	1	1	0	7
Miller Creek	4	2	3	1	10	28	30	37	32	32	18	32	179
Rattlesnake	11	3	5	7	2	12	14	5	11	10	8	10	80
Reserve to Russell Corridor	72	62	64	20	58	258	83	156	79	56	91	126	908
South Hills	11	5	4	5	7	4	11	7	8	10	7	8	72
Target Range - Orchard Homes	14	5	6	8	14	8	19	24	69	17	18	27	184
University	1	2	2	1	1	0	2	4	4	4	2	3	21
West Mullan	48	51	31	42	35	35	47	49	47	71	46	50	456
Wye	0	4	2	2	10	0	3	4	1	8	3	3	34
Total City	303	175	289	499	257	546	484	456	771	762	454	604	4542
Total County	32	23	17	39	31	0	32	77	24	88	36	44	363
Total by Year	335	198	306	538	288	546	516	533	795	850	491	648	4905



Over a quarter of residential development over the past ten years has occurred in the East Mullan region, adding an average of 123 new units per year. Meanwhile, the Bonner - W. Riverside, Grant Creek, University, and Wye regions each constitute less than 1% of the past ten years of development, and average one to three new units per year.

The Miller Creek region saw the most drastic change over time averaging only four units per year in the first five years of tracking by UFDA and then averaging 32 units per year in the last five years of UFDA tracking. The Central region has also seen a sharp increase over time, mostly due to a few large projects.

10-Year Development Review

New Units by Administration by Year

Year	City	County
2008	303	32
2009	175	23
2010	289	17
2011	499	39
2012	257	31
2013	546	NA
2014	484	32
2015	456	77
2016	771	24
2017	762	88
Total	4542	363

Multi-Dwelling Projects by Number of Units

Year	3 - 7	8 - 10	11 - 20	21 - 50	51 +
2008	6	1	2	2	0
2009	5	2	0	1	0
2010	7	0	3	3	0
2011	7	4	7	4	1
2012	5	0	4	2	0
2013	8	2	1	0	3
2014	14	4	2	4	1
2015	6	0	5	5	1
2016	7	1	4	6	2
2017	11	2	11	7	1
Total	76	16	39	34	9
5-Year Avg	9.2	1.8	4.6	4.4	1.6
10-Year Avg	7.6	1.6	3.9	3.4	0.9

The past two years have experienced an accelerated level of residential development. In particular, 2016 saw two projects of over 50 units each, and six 21 to 50-unit projects, second only to 2017 (seven projects) which also witnessed an impressive eleven 11 to 20-unit projects. This recent frequency of large projects is likely behind the observed development boom, yet the rental vacancy rate remains low at 3% for 2017 (Missoula Organization of Realtors Report 2018, pg. 10).

The number of projects in the 8 to 10 unit range have consistently fallen short of the 3 - 7 and 11 - 20 ranges. This may suggest a shortage of this middle-housing development type.

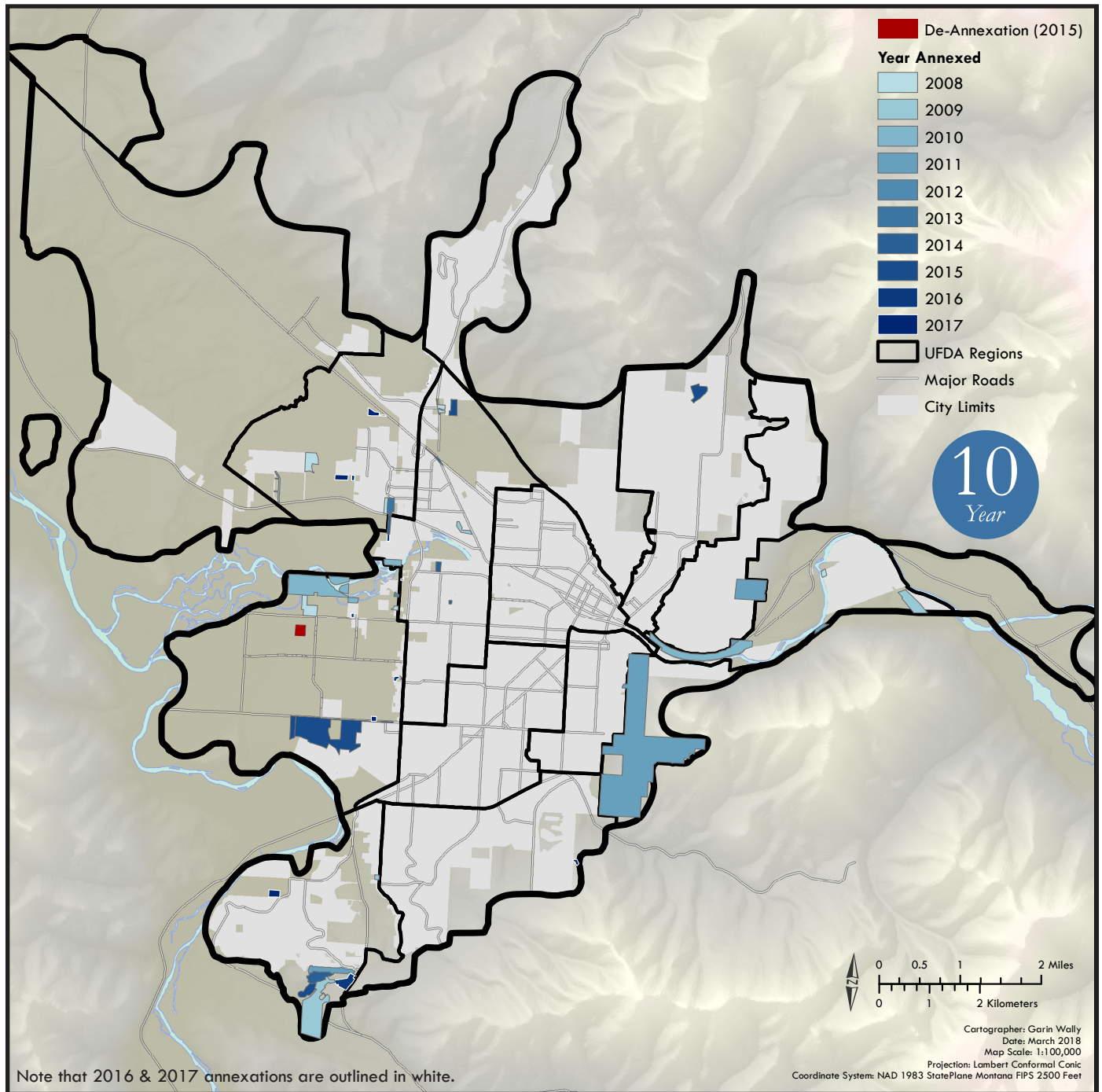


Old Fence and Lilac. Photo by Emy Scherrer

The density of multi-dwelling projects has varied between 9 DUAC and 101 DUAC over the past ten years. In recent years, the density of multi-dwelling development has increased on average and made better use of zoning capacities. For example, the ROAM student housing project (101 DUAC) maximizes the no minimum density provision of the Central Business District zone.

Missoula County's development within the UFDA area is up as well. Over nine years (no data for 2013), the County permitted an average of 40 units per year, constructing twice the average in 2017. Multi-dwelling projects in the East Missoula region account for this high number of County units.

Annexation

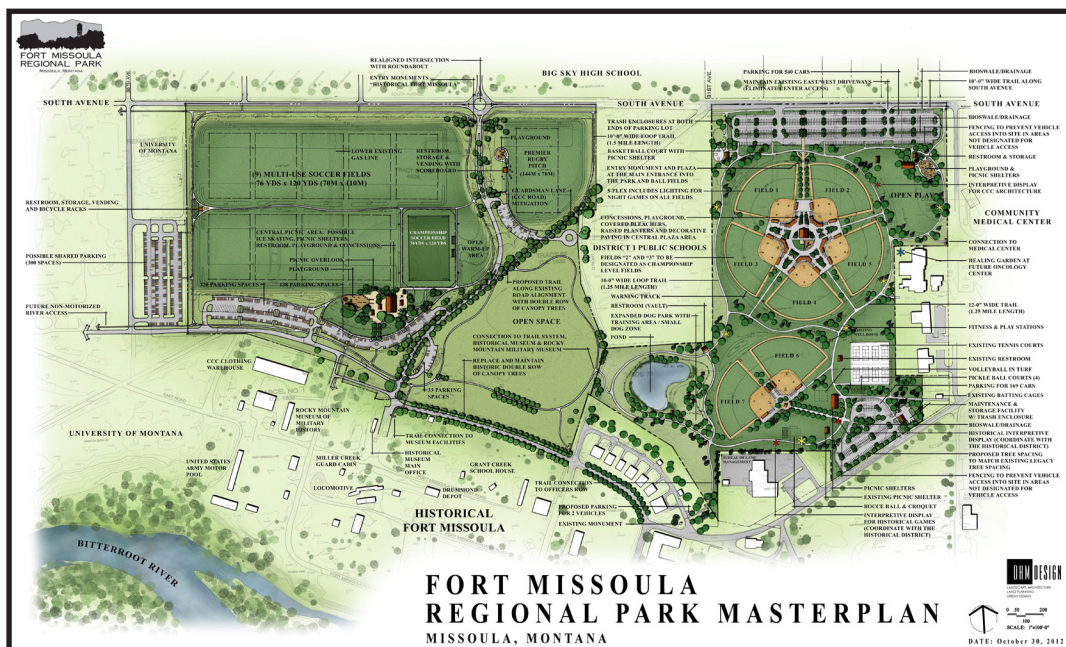


Over the past ten years, 41 annexations have added 1,355 acres to the city limits. The largest three additions were annexed as open space around Mount Sentinel (654.5 acres, 2011), at the Fort Missoula Regional Park (148.5 acres, 2015), and at Tower Street Open Space (122.5 acres, 2010).

The Target Range - Orchard Homes, Reserve to Russell Corridor, and East Mullan have seen the most annexations by number, but the largest in area have been in Missoula's open space areas. There is a slight upward trend in the

Region	Annexations	Acres
East Missoula	2	30.0
East Mullan	8	53.1
Miller Creek	7	177.1
Open	2	727.4
Rattlesnake	1	17.3
Reserve to Russell Corridor	9	37.1
South Hills	1	1.9
Target Range - Orchard Homes	11	311.1
Total	41	1355.0

Annexation



Fort Missoula Regional Park Masterplan of the 148.5-acre 2015 annexation.

Annexations by Year

Year Annexed	Number of Annexations	Acres	Total Units Built on Land Annexed '08-'17
2008	6	54.2	195
2009	7	146	3
2010	2	195.4	115
2011	2	678	55
2012	1	1.5	1
2013	1	9.9	216
2014	5	31.8	28
2015	5	190.1	39
2016	6	22.2	23
2017	6	25.9	2
Total	41	1355.0	677
10-Year Average	4	135.5	68
5-Year Average	5	55.98	62

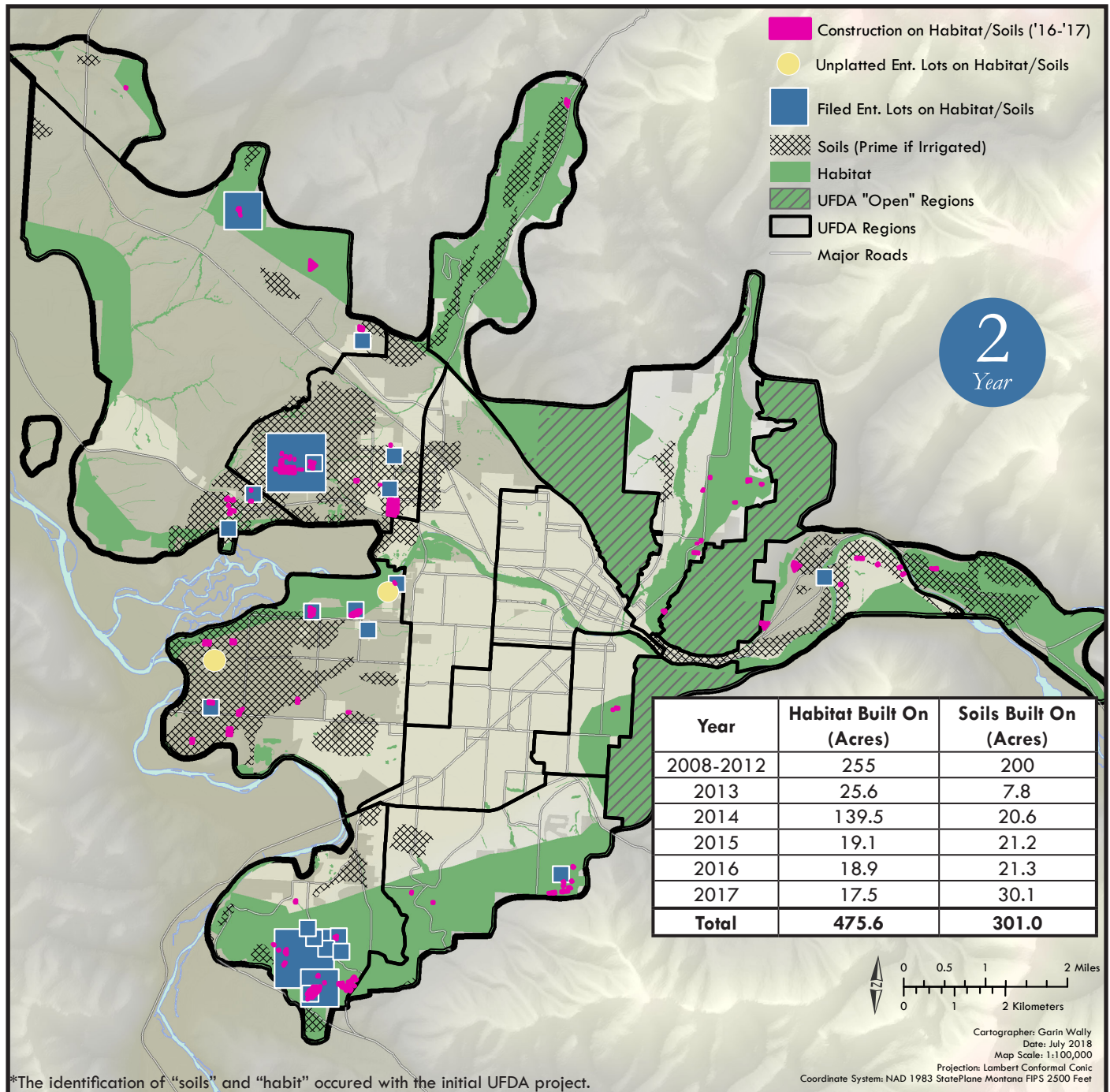
number of annexations per year, but a slight downward trend in acreage.

There have been 667 new units built on land annexed since 2008. An average of 68 new residential units per year are built on land annexed in the last ten years. This accounts for almost 14% of the total average new residential units per year (491 per year).

The City is developing an annexation strategy to better evaluate decisions on when and whether to annex new

property into City jurisdiction. The observations and recommendations from UFDA will be an important factor in any such strategy development.

Natural Resource Impacts



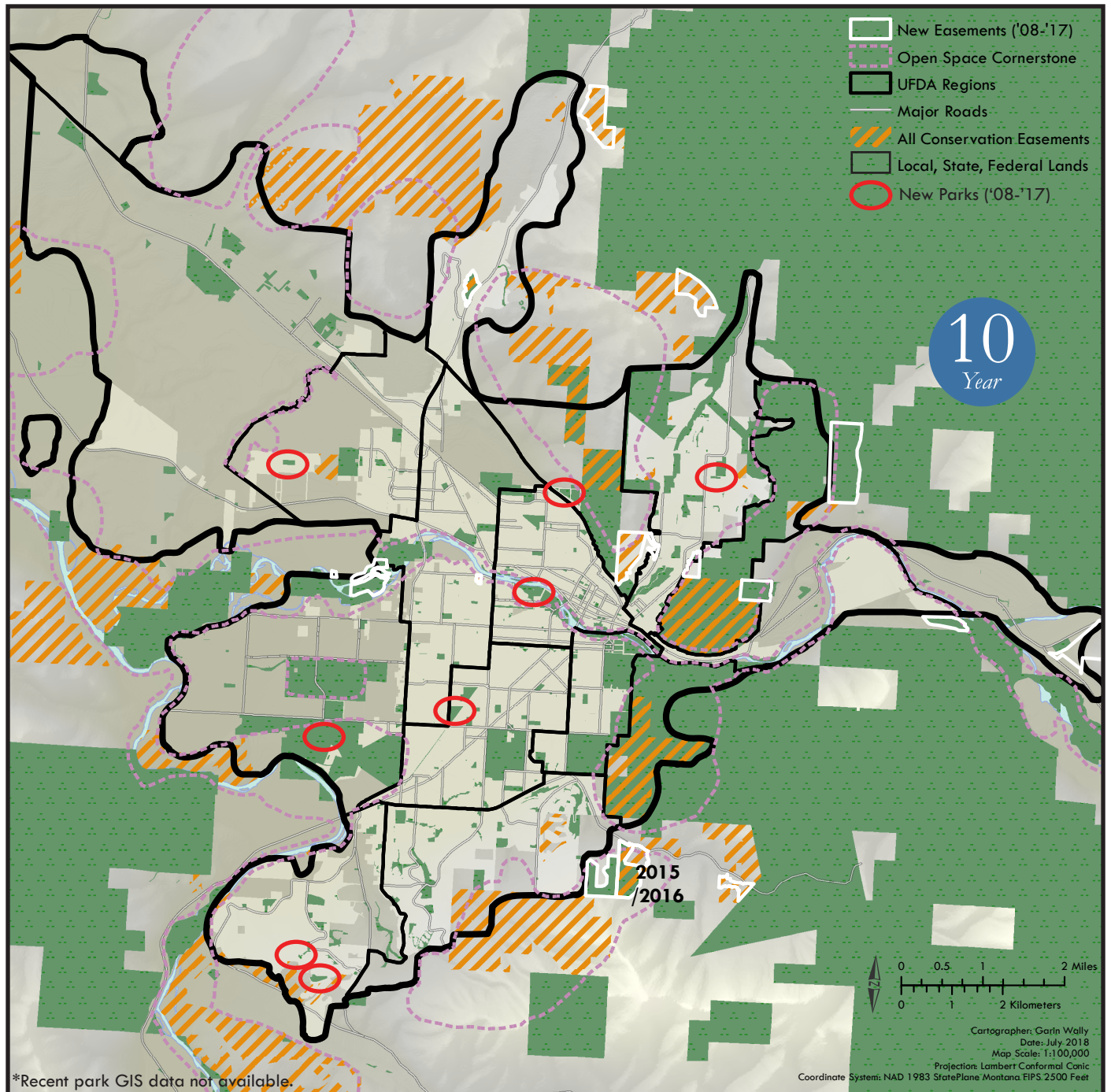
The map above depicts large areas around the edges of the city that have been defined as wildlife habitat or have soils defined as prime if irrigated. Currently there are 1,245 filed entitled lots and 38 unplatted entitled lots in either of these areas. Most of those entitled lots are in Miller Creek and East Mullan.

In 2016 and 2017, about 88 acres of these lands were impacted by 698 residential units permitted in the City and 55 in the County. These 753 new residential units equate to about 45% of residential development.

Over the past ten years, a total of about 776 acres have been impacted. Impacts to these lands are considered in the subdivision review process and conditions established to mitigate anticipated impacts.

The Our Missoula Growth Policy recognizes prime soils with an Urban Agriculture overlay that encourages cluster development to help conserve valuable soil. The objectives and actions further reflect the city's commitment to focus development inward and to protect air, soil, water, and natural areas to the greatest extent possible.

Parks & Conservation



Since 2008, 571 acres of Conservation Easements were established. These areas are shown in the map above as highlighted in white. The UFDA area now has a total of 10,632 acres of Conservation Easements (including nearby areas shown on map).

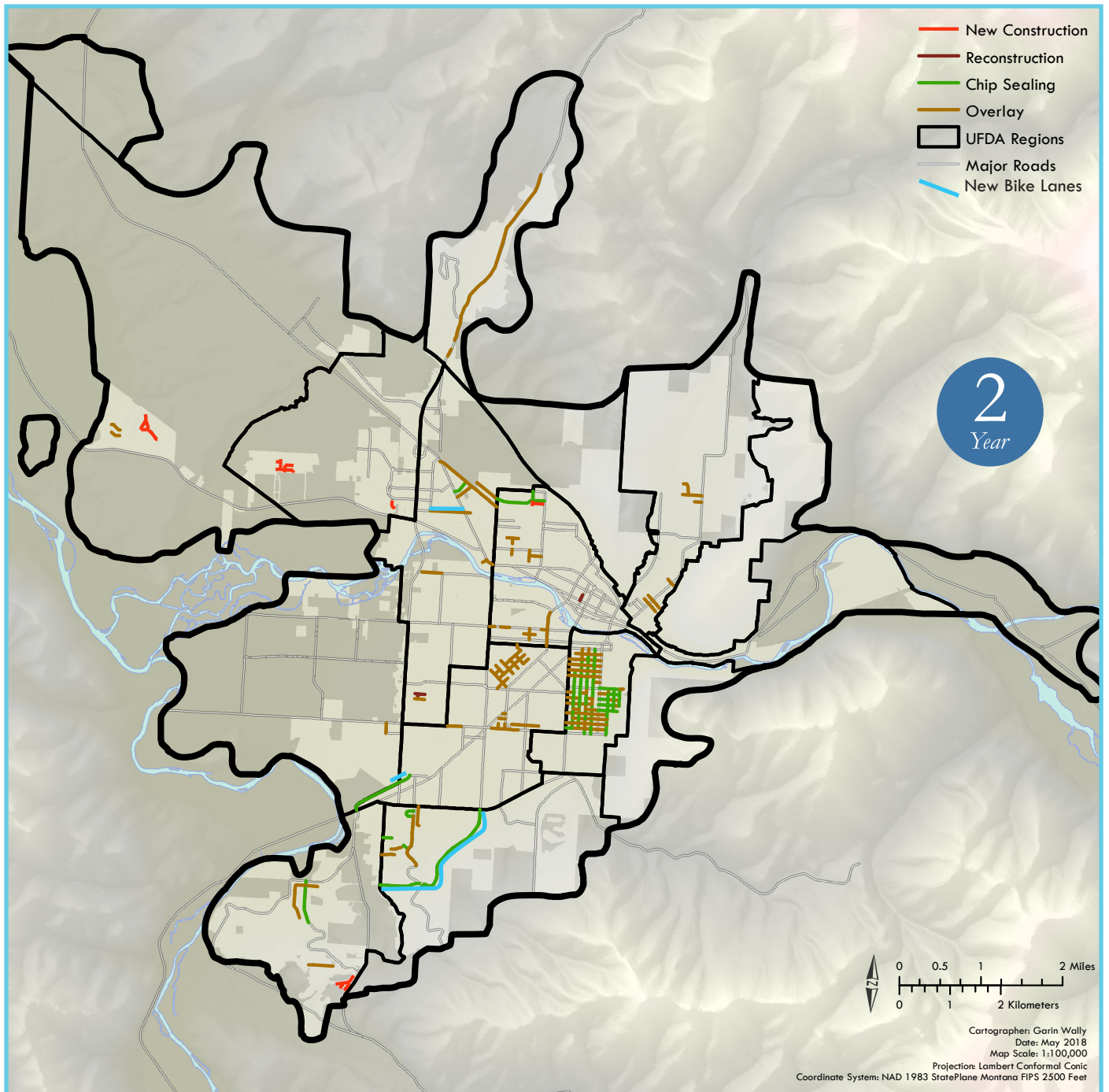
In 2016, the South Hills Spur acquisition added 86.79 acres adjacent to the Barmeyer easement added to the system in 2015. In 2017, the 10.6 acre Kolendich-Grove Street project was annexed and 4.28 acres of it will be

acquired by the City as future parkland extends the trail system.

Over the 2016 - 2017 timeframe about 9.7 acres of parks were acquired. These include Syringa Park (2 acres), Orange Street Triangles (0.27 acres), Jeffrey Park (2.9 acres), and the new MRL Park (4.5 acres).

Over ten years, about 248 acres of new city parks and open space have been added for a total of about 1,465 acres of parkland.

Transportation Infrastructure



During 2016 and 2017, 31.21 miles of roads were constructed or repaired. Of these, 1.98 miles were new roads; 0.25 miles were reconstructed; 10.14 miles were chip & sealed; and 18.84 miles were overlaid. Over 105 miles of road have been constructed or repaired over the past ten years.

Major additions to the bike network in 2016 and 2017 include the completion of the Missoula to Lolo Trail (~50 miles, mostly in the county), South Reserve Pedestrian Bridge, and Hillview Way reconstruction project. Bike

lanes were striped on about ½ mile of Palmer St between Broadway and Reserve.

The Bicycle Facilities Master Plan, adopted in early 2017, recommends utilizing low-stress local streets for the bike network in addition to constructing bicycle facilities on and along main corridors for motor vehicles.

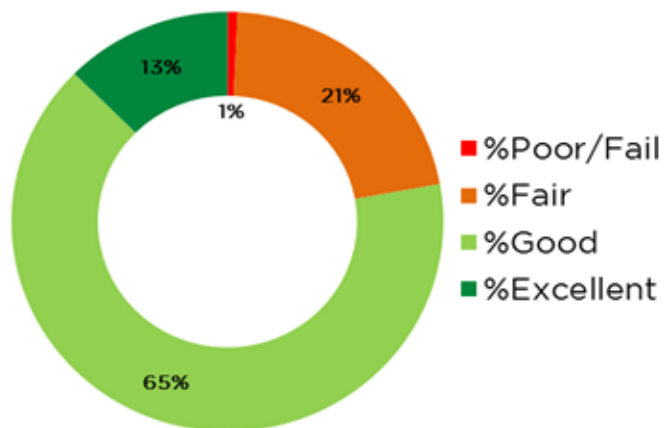
Within the first year of operation (April 28, 2017 through April 27, 2018), the South Reserve Pedestrian Bridge was used by 41,396 people. About two-thirds of these were

Transportation



Mountain Line Bus. Photo by Garin Wally.

Condition Rating for All Sidewalks in Missoula



Miles of Existing Sidewalk per UFDA Region

Region	Existing (Mi)	Missing (Mi)
Bonner - W. Riverside	0.9	*
Brooks Corridor	95.4	15.7
Central	59.3	22.5
East Missoula	7.5	3.4
East Mullan	33.8	5.1
Grant Creek	4.2	12.6
Miller Creek	30.0	17.1
Rattlesnake	18.1	37.3
Reserve to Russell Corridor	59.0	35.6
South Hills	39.0	36.7
Target Range - Orchard Homes	12.6	10.1
University	42.1	1.8
West Mullan	35.3	0.7
Wye	1.2	*
Total	438.4	198.6*

cyclists, and daily use averaged 114 people per day.

The Bitterroot Trail Extension Project was completed in early July after the acquisition of the new MRL Park. The project has been nicknamed the “Golden Spike” as this project completed the final missing link in the 50-mile stretch of trail connecting downtown Missoula and Hamilton, Montana.

The Missoula Planning Organization (MPO) is undertaking a Pedestrian Facilities Master Plan that will comprehensively describe needs and priorities. As a part of that project, the MPO and City Engineering staff developed a rating system for the assessment of sidewalk

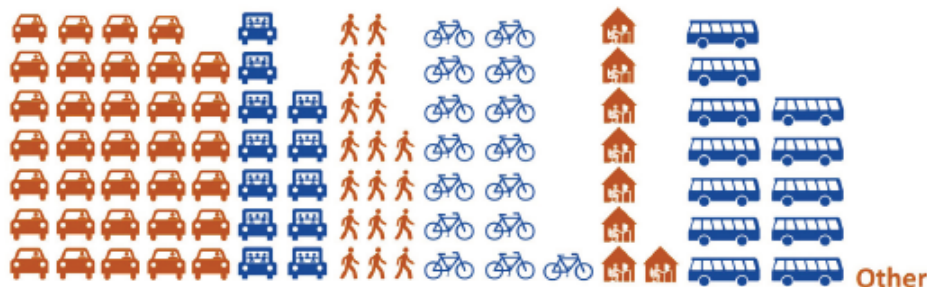
conditions. Sidewalk condition ratings are assigned to entire block faces using values between one (“Failing”) to ten (“New Sidewalk”). So far, nearly 420 miles of existing sidewalks have been mapped and evaluated with almost 200 miles considered missing. Only 1% of assessed blocks had an average rating of ‘Poor’ or ‘Failing’, and 65% averaged ‘Good’ or ‘Very Good’. This will be covered in detail in the forthcoming Pedestrian Facilities Master Plan.

* Missing sidewalk estimates in the County are incomplete or can include shared-use facilities.

Transportation

Long Range Transportation Plan Mode Shift Goal

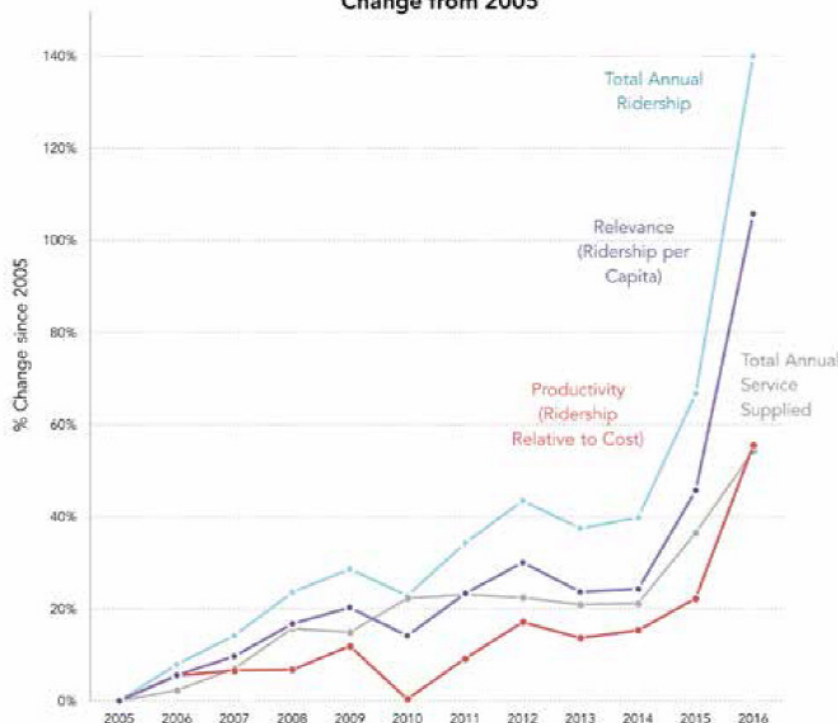
Ambitious Mode Shift



- Reduces drive-alone commute share to **34% by 2045**
- **20,000 less** drive-alone commute trips in 2045
- Generally triples bike, walk, and transit shares by 2045
- Small increase to carpool and work from home

Mountain Line Ridership 2005-2016

Service, Ridership, Productivity and Relevance:
Change from 2005



Transporation System Scenario (from LRTP)

Roadway - \$47.6M

\$\$\$\$\$\$\$\$\$\$\$\$

Fewer roadway capacity/expansion projects; emphasis on complete streets

Non-Motorized - \$21.9M

\$\$\$\$\$

Expand investment in active modes; additional connections, intersection improvements and regional facilities.

Transit - \$15.2M

\$\$\$

Additional investment in capital bus purchases to support Phase III (add BOLT service on Brooks St, SC Mall TC)

Other - \$13M

\$\$\$

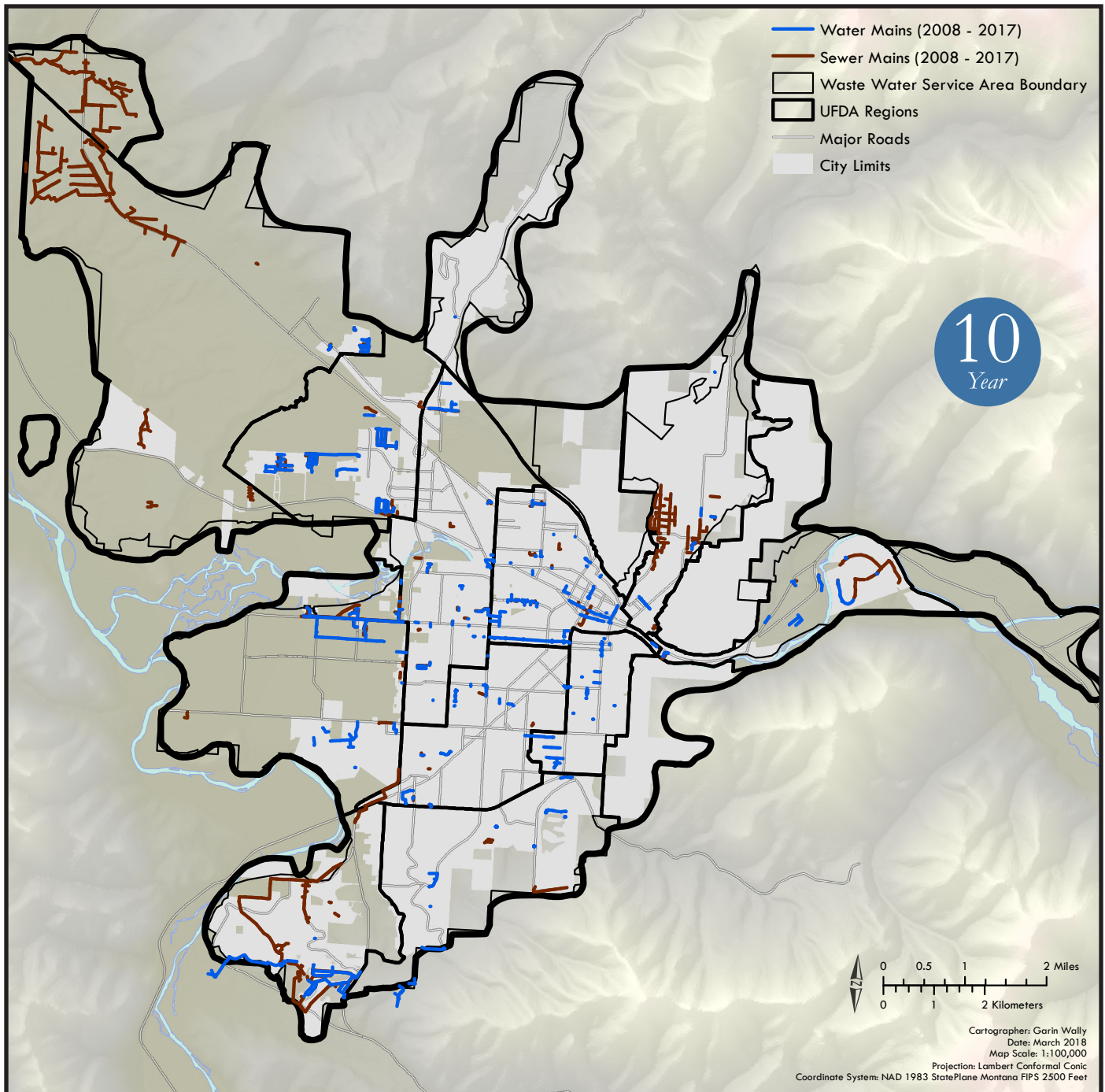
Funding for ITS, Transportation Options (MIM, Bike/Ped/Missoula-Ravalli TMA) and CTSP priority safety improvements

In 2017, the Missoula Planning Organization (MPO) approved the Activate Missoula 2045 Long Range Transportation Plan (LRTP). The Plan recommends that the community set an Ambitious Mode Shift Goal, which would reduce single occupancy vehicle transportation from 70% to 34% of all transportation trips, and follow the transportation system scenario (above) that allocates discretionary funding to each transportation category. The Plan considers funding, project prioritization, and recommends the update and adoption of a Sidewalk Master Plan (2006, never adopted), and the development

of a Missoula Trails Master Plan to work as complements to the Bicycle Facilities Master Plan.

Mountain Line ridership rose from 1.4 million in the 2016 fiscal year to 1.6 million in 2017. Since the start of the Zero-Fare program in 2015, ridership has experienced a 70% increase. The pilot project has been renewed for another three years due to the support of 20 partner organizations. This extension of Zero-Fare will last through 2020.

Sewer & Water Infrastructure

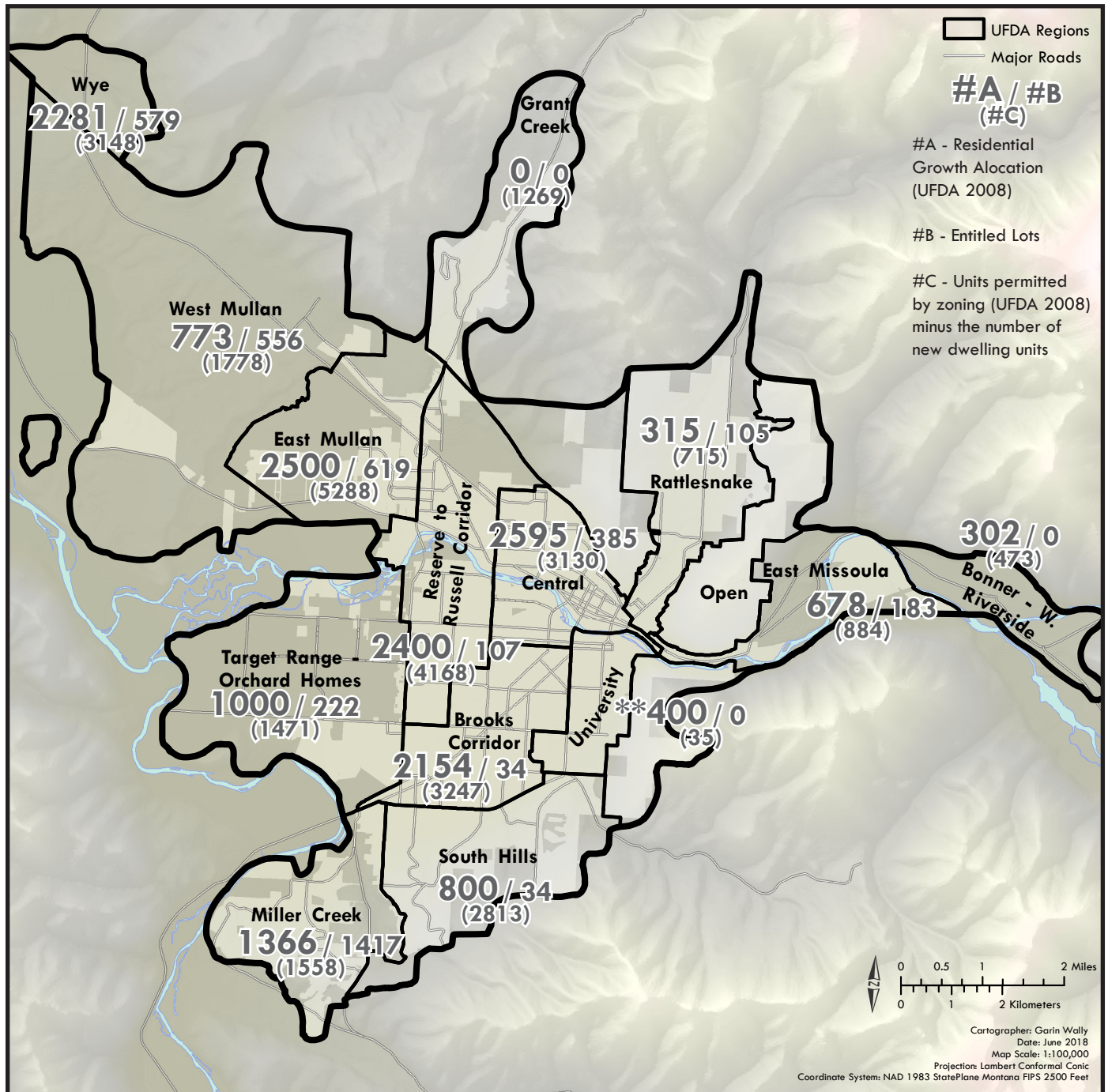


Over 141,690 feet of water main and over 216,800 feet of sewer main were installed between 2008 and 2017. In 2016 and 2017, 29,060 feet of sewer was added, and 29,952 feet of water main was installed.

The City assumed ownership of the water system on June 23, 2017, setting the stage for closer coordination among the municipal water, wastewater and storm drainage objectives in planning and system improvements.

In early 2018, the Public Works Department began Facility Planning projects for the Water, Wastewater and Storm Water Utilities. Final reports for the various utilities will be complete on separate schedules between late summer 2018 and spring 2019. The effort includes the development or upgrade of computer models for the water distribution and wastewater collection systems. Population projections were prepared by Development Services and utilized as a common baseline for all these studies.

Residential Allocation



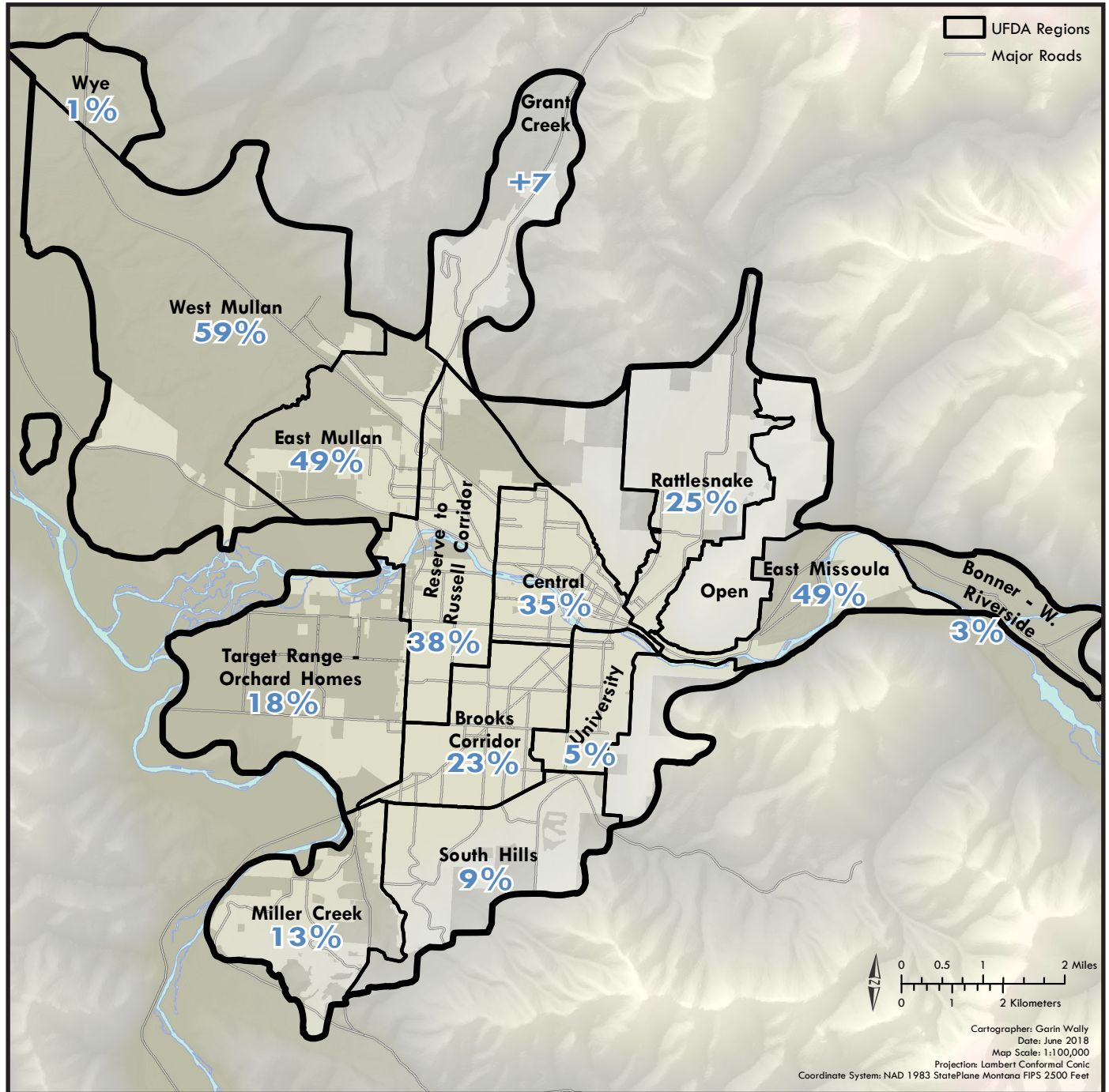
The first Residential Allocation Map in the UFDA Growth Policy Amendment adopted in 2008 was intended to guide how the next 15,000 housing units would be allocated in the Urban Service Area. That map has since been the baseline for annually updating entitled lots (#B) and remaining capacity by zoning in 2007 (#C) per region. The 2008 allocation (#A) remain constant. The Our Missoula 2035 City Growth Policy references this map (Map 7 Community Profile).

Of the original 15,000 units expected over a 20-year

horizon, only 4,905 dwelling units were permitted in the past ten years. Despite a recent increase in residential development, the last ten years developed only 32.7% of the projected units in the 20-year timeframe set in 2007.

While the present allocation numbers provide a dynamic look at developing areas in and around Missoula, the forthcoming Opportunities Map will further define areas with significant capacity for new housing by combining growth policy goals and objectives with desired local circumstances.

Residential Allocation Progress

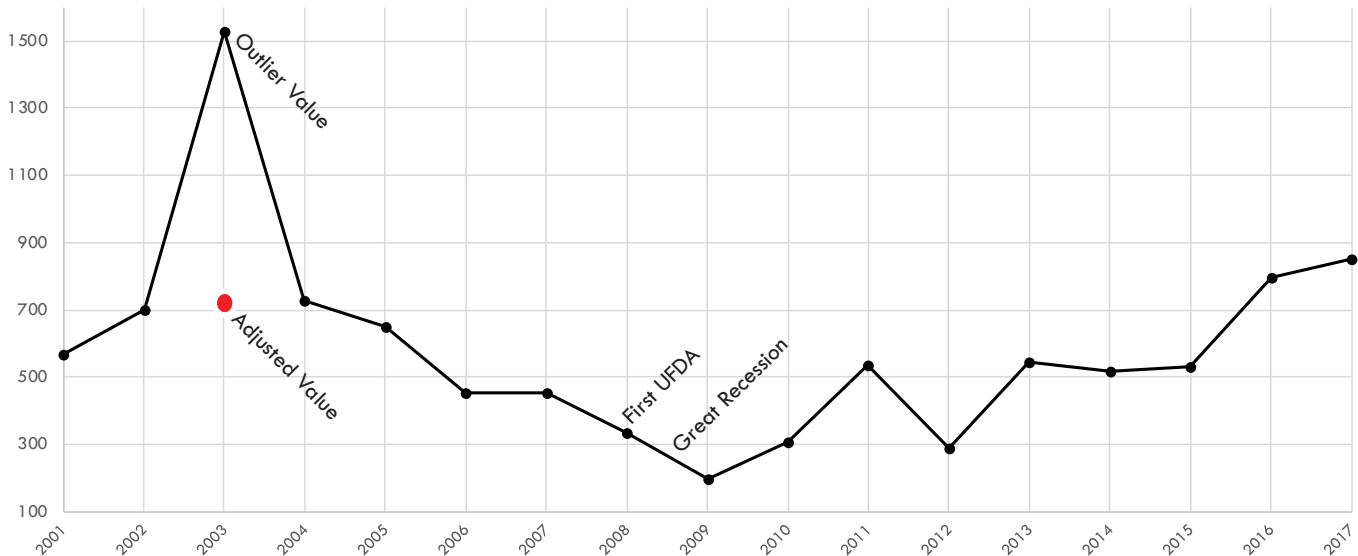


The Residential Allocation Progress map above summarizes progress made toward each region's original housing unit allocation. The percentages shown are the number of units permitted divided by the 2008 allocation.

Theoretically, at this halfway point, each region would have reached nearly 50% of the allocation. The original 2008 allocations were likely higher than they should have been, and the following page analyzes why.

Ten Years of Development

Total DU Built by Year
(17 years)



Building Permit Activity Projections

The 2018 UFDA yearbook assesses housing supply and the potential supply of residential land in the Missoula area through ten years of development data. The development data can also be used to track the progress of the Focus Inward goals of the Growth Policy by monitoring the number and location of residential units anticipated in the 2008 yearbook.

In 2008, the UFDA report projected that the Urban Service Area would need 15,000 housing units over the next 20 years, or about 750 units per year. Those 15,000 were allocated across the UFDA regions according to available entitled lots and zoning potential. In 2018, halfway through the 20-year horizon, 4,905 residential units have been permitted compared to the 7,500 units projected. There are a number of reasons that the 2008 projection was higher than the number of units built.

First, the 2008 estimate assumed that the population of the Urban Service Area would experience annual growth of about 2%. In fact, the annual population growth rate has been healthy, but closer to 1.2 to 1.5%.

Second, the 15,000-unit estimate was slightly overestimated. An average of 727 housing units per year were permitted in the Urban Services Area during the seven years from 2001 to 2007. That average was used to calculate the 20-year projection, although it was skewed by an outlier that occurred in 2003 when an unusually high 1,500 units were permitted. If this outlier

were more aligned with the building activity before and afterward, it could be adjusted to 713 and cause the adjusted annual average to fall from 727 to 610 units per year. When this adjusted average is projected forward ten years, it produces an adjusted estimate of 6,100 units expected by 2018; closer to the 4,905 units observed and reducing the deficit from 2,595 to 1,195 dwelling units (slightly less than two years of development).

Third, only 991 dwelling units were permitted when Missoula felt the most impact of the Great Recession (2008-2010). During this period, approximately 1,000 dwelling units were not realized.

Adjusting the previous projection and recognizing the potential effects of the recession on development narrows the divide between projected and actual dwelling units. Overall, these projections assume that supply will adjust to meet demand; however, a tightening housing market in Missoula over recent years suggests that housing starts have not kept pace with the demands of a growing population.

The Urban Services Area is experiencing increasing rates of construction: 491 units per year on average over ten years, 648 over the past five years, and 822 over the past two years (2016 and 2017). This may represent the start of a new trend, or that supply is catching up with demand.

Summary

Entitled Lots and Subdivision

Residential development occurred on entitled lots throughout the last ten years at the rate of 30 to 33% per year with the remaining development occurring on non-subdivided parcels. Because much of the residential development was multi-dwelling constructed on non-subdivided parcels, the number of allocated units based on entitled lots did not prove to be an accurate predictor of multi-dwelling residential development. Other indicators will be explored in the forthcoming look-forward.

Subdivision activity, which creates entitled lots, slowed considerably over the ten-year period with no subdivisions approved in 2010, and 2012 through 2016. Much of this slowdown may be attributed to the recession and its lingering effects, and more recently to the newly available Townhome Exemption Development option, which has become an alternative to the traditional subdivision method of creating entitled residential lots not included in our current Entitled Lots count.

There was some correlation between predicted allocation of dwelling units and the location of new development across the UFDA areas limited mostly to the central areas of the City and East Mullan. Other areas such as the Wye, Bonner, the South Hills and Miller Creek developed at much slower rates than expected for reasons that are currently unclear. More attention should be given to this disparity in the look-forward.

Geographic Distribution of Development

Nearly half of the units added between 2008 and 2017 were built in areas west of Reserve Street, particularly the East Mullan area, which alone added 1,233 new units, although much of this area is on prime agricultural soils. The Mullan regions contain most of the developable green fields in the area and provide much of the single dwelling development. The remaining units were added throughout the City east of Reserve Street but concentrated in the Central, Brooks, and Reserve to Russell Corridor areas. Not surprisingly, most of this centrally located development was multi-dwelling.

Multi-Dwelling Zoning Availability

There is a lack of land specifically zoned for multi-dwelling developments within the City limits. This may be resulting in larger multi-dwelling developments to occur on commercially zoned lands. The effects of this on commercial development opportunity are not yet known.

We also tend to under-develop density on sites that allow multi-dwelling zoning, which is why we see so much remaining capacity within existing zoning areas. Only recently are we seeing an increase in development that maximizes capacity.

Infrastructure

Because infrastructure and annexation has tended to follow private development in a piecemeal manner, there remains a significant element of inefficiency with regard to provision of infrastructure and utilities. In addition, much of the residential development outside of City limits either lacks infrastructure that meets City standards or exists at densities that make it difficult for the City to support improvement upon annexation.

With the recent acquisition of the water utility, the City can move forward with enhanced, proactive coordination of infrastructure.

If economic conditions continue as they have for the past few years, and regulatory conditions such as the Townhome Exemption Development and lack of multi-dwelling zoned lands also continue, the community should expect single dwelling development pressure in the agricultural county lands west of Reserve Street. Large multi-dwelling development is also expected to continue along commercial corridors within the development area with 3-8 unit infill development continuing in the central residential areas of the City.

Taking cues from the Focus Inward goals of the Our Missoula 2035 Growth Policy, patterns of development observed over the previous ten years of UFDA reporting, and the continuing regulatory environment, the next iteration of the UFDA development yearbook should better identify locations where housing (including affordable housing) can be efficiently developed. Criteria such as proximity to services and adequate infrastructure should be considered while at the same time avoiding promotion of costly low-density development and development that impacts natural resources. A composite map of these features will be featured in the look-forward.



UFDA 2016-17

And Ten Year Lookback

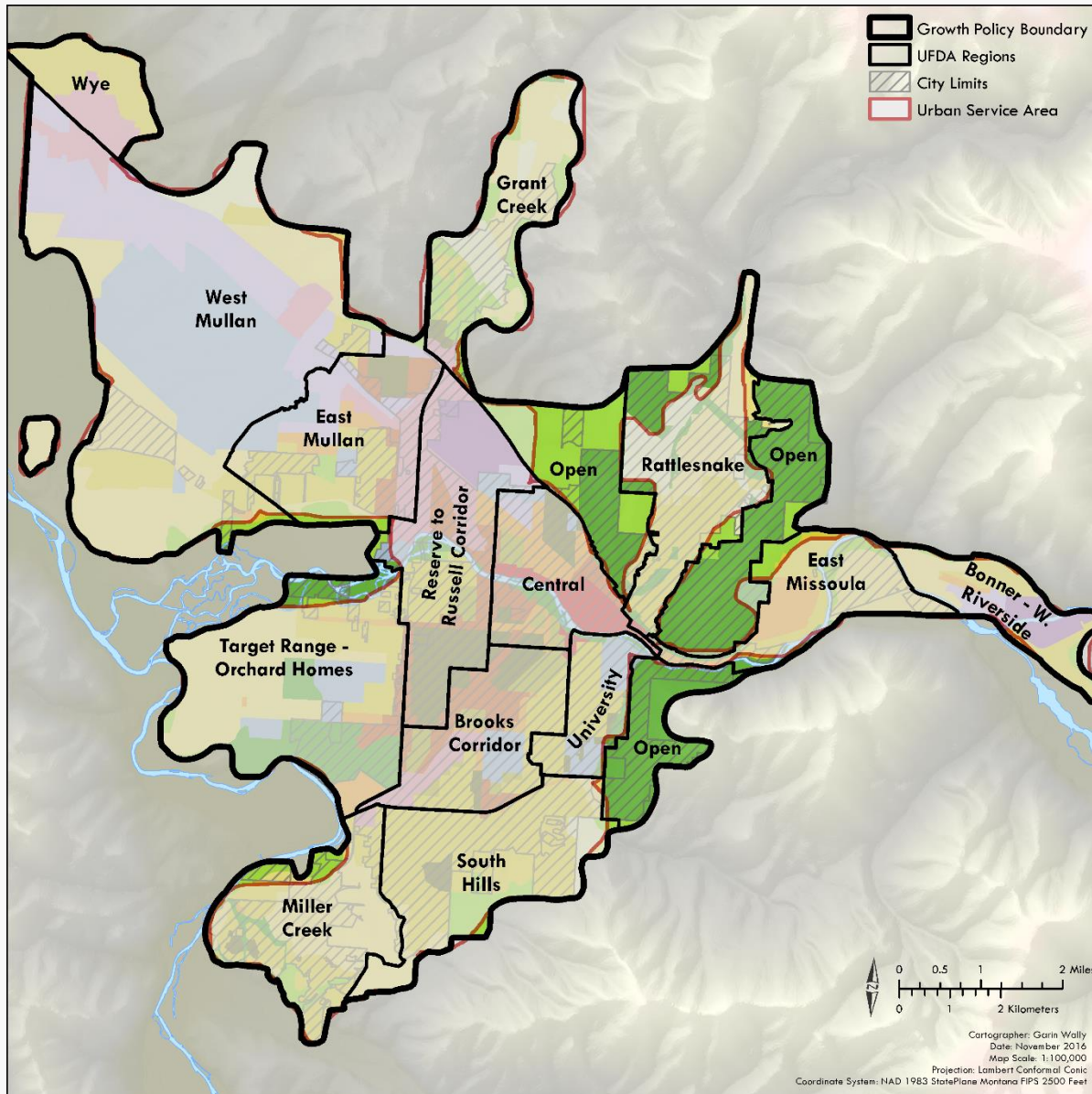
Update to Land Use & Planning

Garin Wally
Development Services
September 19, 2018



- First UFDA report in 2008
- It estimated that the area would develop 15,000 new dwellings in 20 years
- This 2018 yearbook marks the half-way point
- Analyzes two and ten year trends

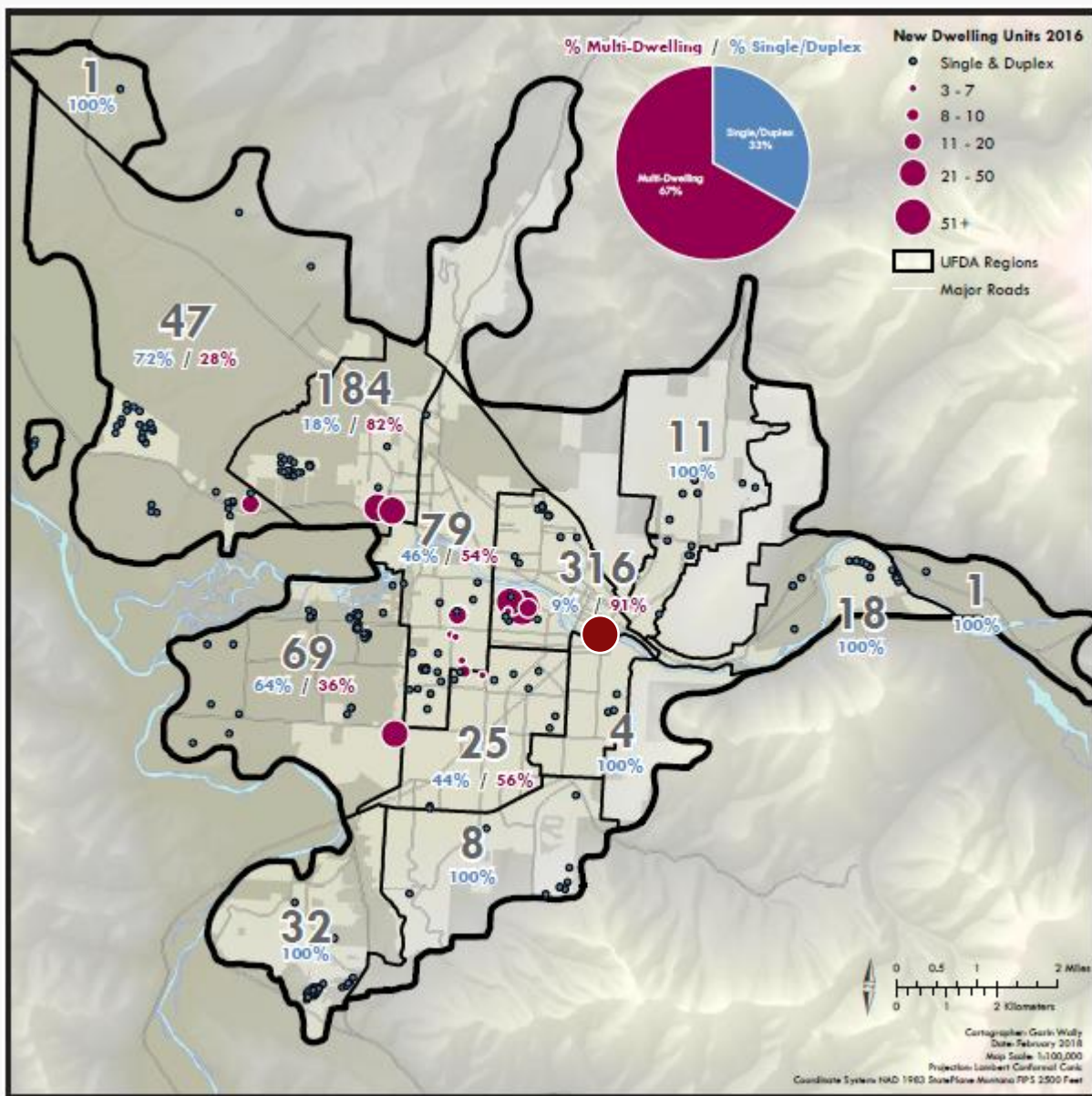
UFDA Study Area Regions



Study Area Metrics 2018

- Area:
 - 40,253 acres
- Est. Housing Units:
 - 43,473
- Est. Population:
 - 92,700
- Est. Density:
 - 1.1 units/ac
 - 2.3 people/ac
- New Dwelling Units / Year:
 - 491 units

Residential Building Permits '16



771 new units in the City
24 in the County

795 total new units

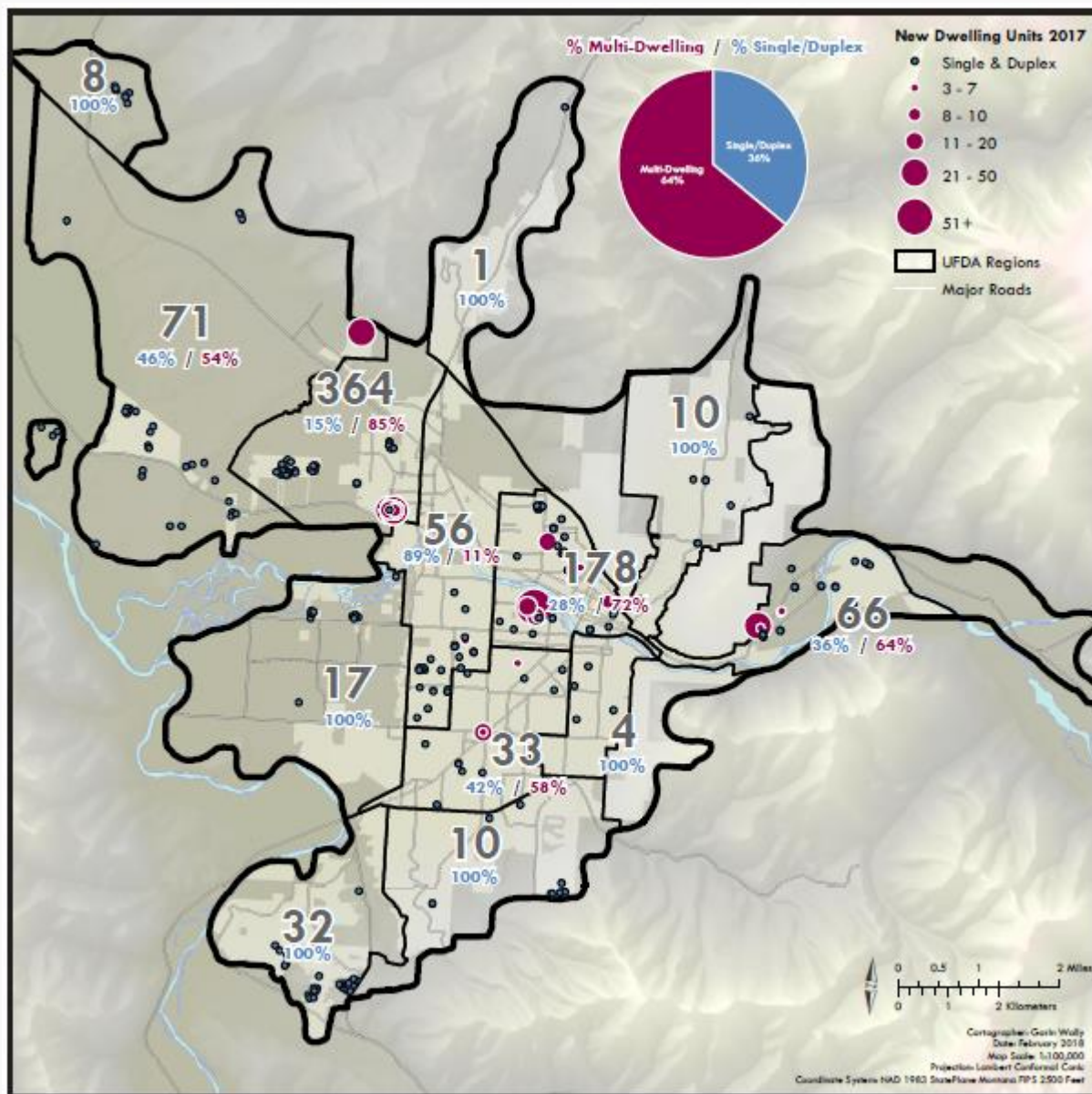
- Single-dwelling: 221
- Duplex: 18
- Multi-dwelling: 532
 - 20 projects
 - 27 units / project (avg)
 - 40 units / acre (avg)
 - 30% was ROAM

Major Projects

- ROAM (162 units)
- Halling Farms (114 units)
- Cambium Place (69 units)

45 / 795 were TED units

Residential Building Permits '17



769 new units in the City
88 in the County

857 total new units

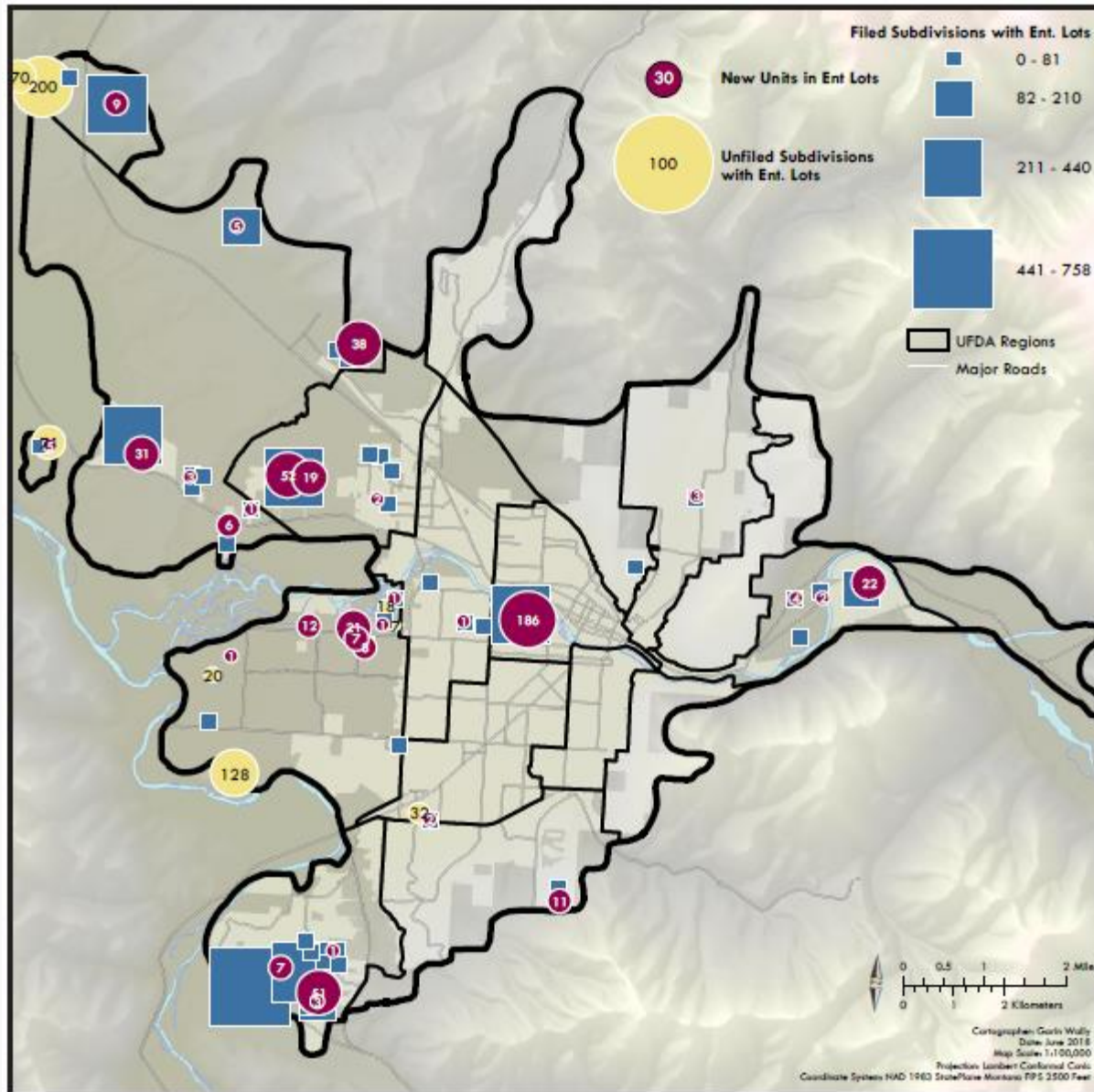
- Single-dwelling: 276
- Duplex: 30
- Multi-dwelling: 544
 - 28 projects
 - 17 units / project (avg)
 - 23 units / acre (avg)
 - 10% was The Sawyer

Major Projects

- Halling Farms / Tollefson Apts (216 units)
- The Sawyer Student Living (57 units)
- Potter Park Apts (38 units)

76 / 857 were TED units

Entitled Lots ('16 - '17)



Entitled Lot Reserve: 4,241

Down from a high of about 5,800

8 subdivisions, composed of 546 lots, haven't filed any phase to date.

Expired:

- Southern Hills (47 lots)
- Clark Fork Terrace # 1 (38 lots)
- Clark Fork Terrace # 2 (33 lots)

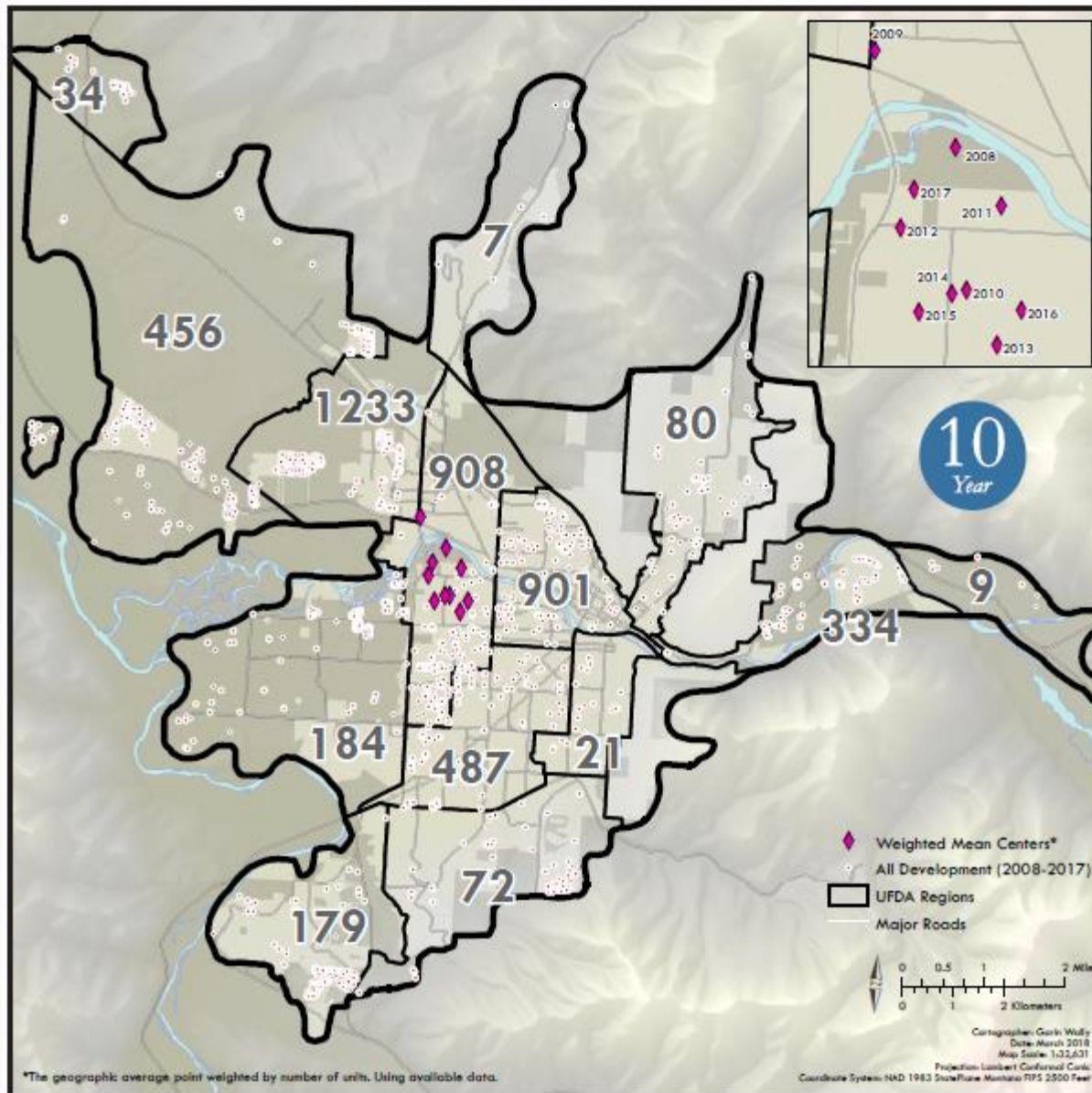
New Subdivisions:

- Spurgin Ranch (20 lots)
- Cowboy Flats (32 lots)

Consistent pattern that ~1/3 of annual development occurs on Ent. Lots:

- 2016: 264 units (33%)
- 2017: 251 units (30%)

Ten Years of Development



Total Units Built: 4,905

4,542 units in the City
363 in the County.

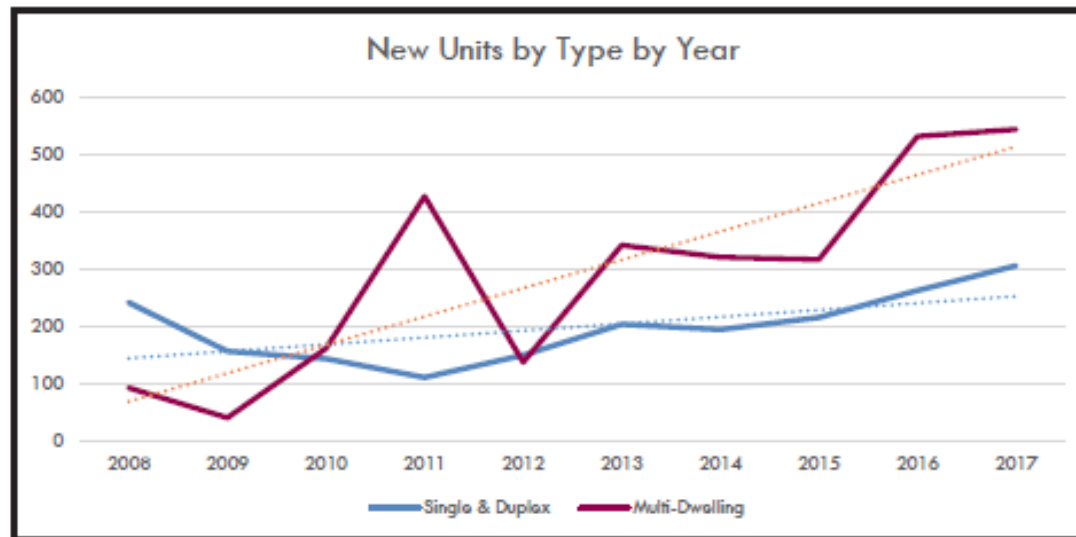
- Single-dwelling: 1,830
- Duplex: 158
- Multi-dwelling: 2,917
- Affordable Units: 299 (6%)

Development by Type

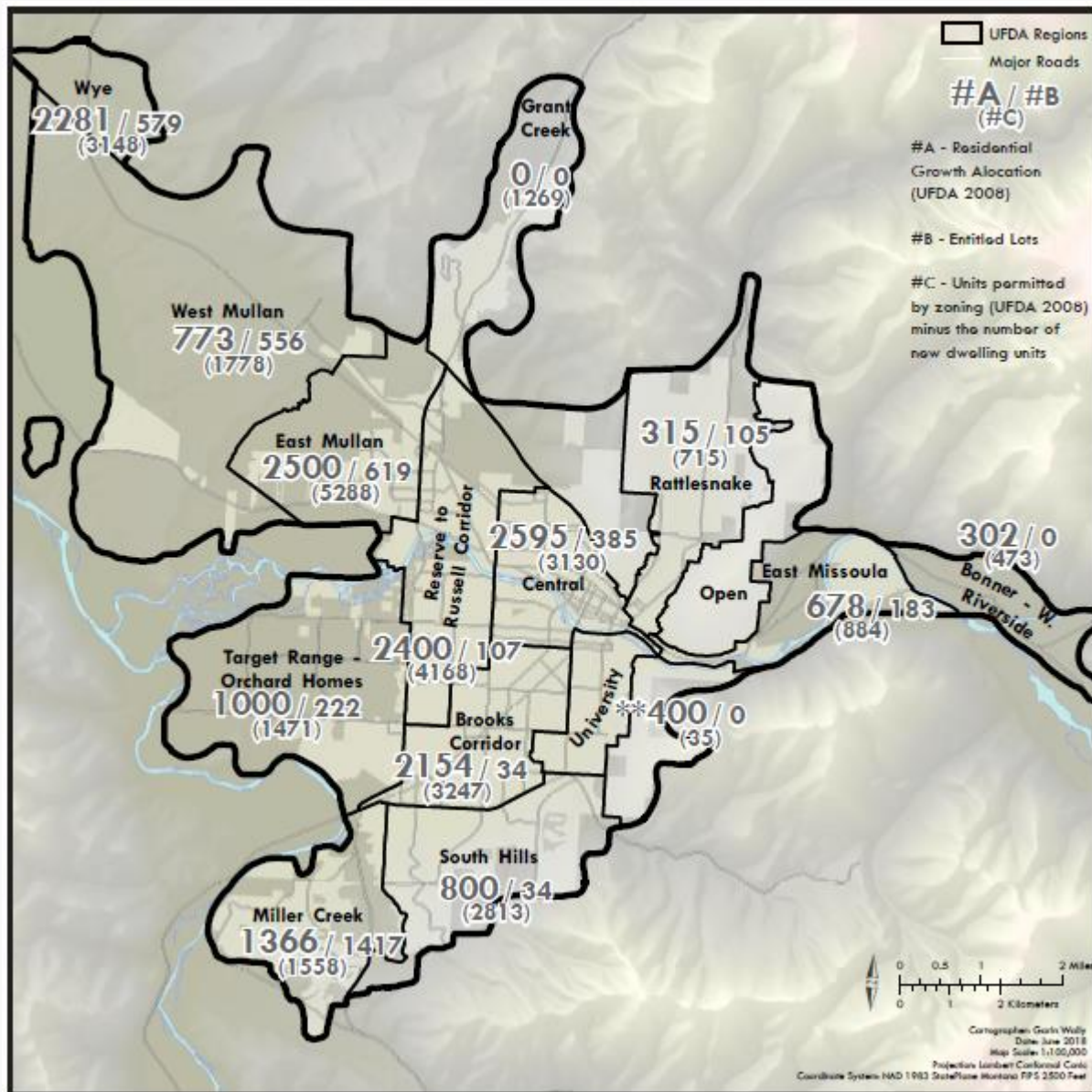


Development by Type by Year

Year	Single-Dwelling	%	Duplex	%	Multi-Dwelling	%	Total by Year
2008	220	65.7%	22	6.6%	93	27.8%	335
2009	149	75.3%	8	4.0%	41	20.7%	198
2010	122	39.9%	22	7.2%	162	52.9%	306
2011	97	18.0%	14	2.6%	427	79.4%	538
2012	138	47.9%	12	4.2%	138	47.9%	288
2013	196	35.9%	8	1.5%	342	62.6%	546
2014	183	35.5%	12	2.3%	321	62.2%	516
2015	204	38.3%	12	2.3%	317	59.5%	533
2016	245	30.8%	18	2.3%	532	66.9%	795
2017	276	32.5%	30	3.5%	544	64.0%	850
Total by Type	1830		158		2917		4905
	40.5%				59.5%		

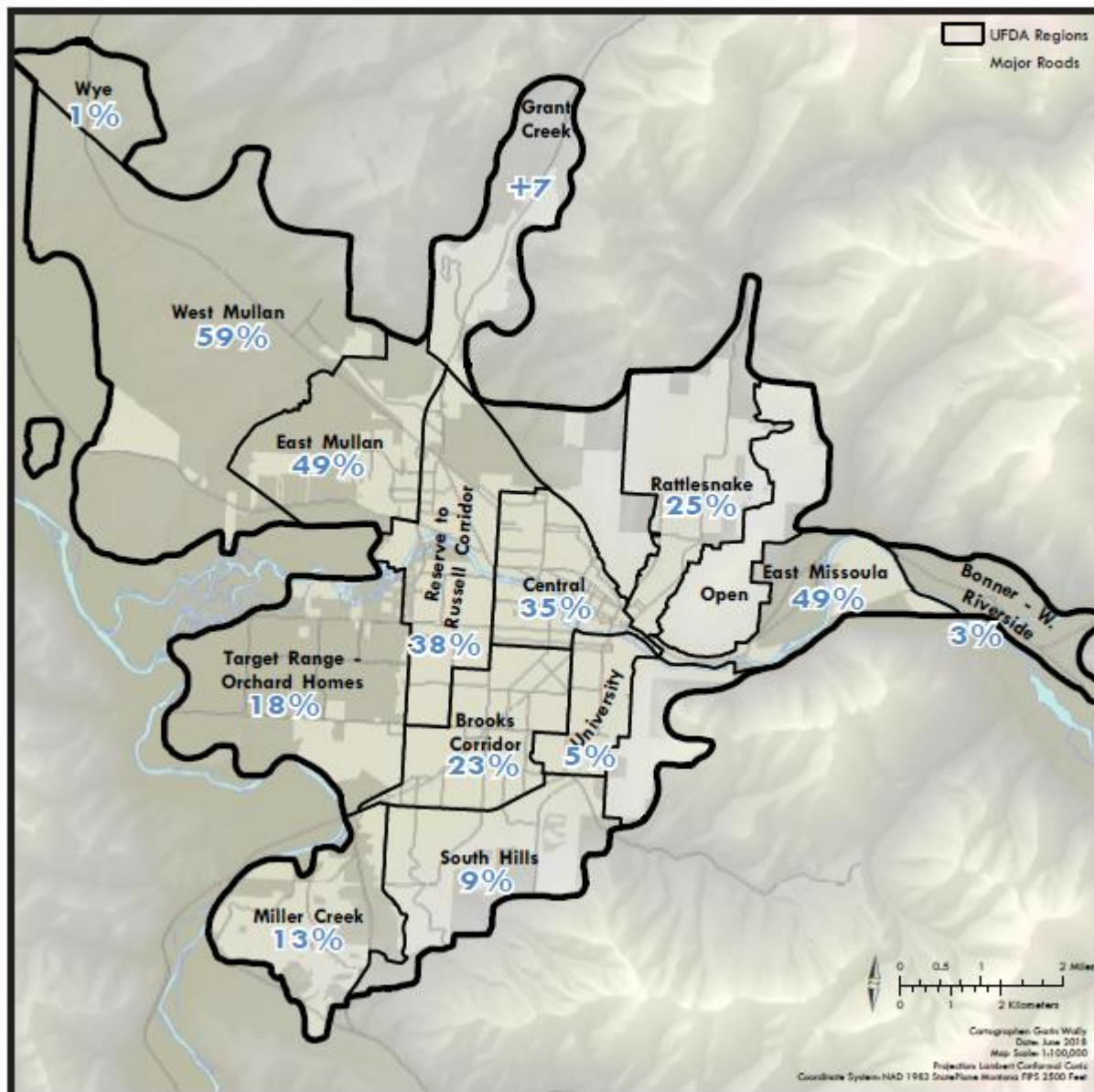


Residential Allocation



- Allocated 15,000 units over 20 yrs
- Units built over 10 years: 4,905
- #A is the original allocation
- #B is the number of Ent. Lots
- #C is the 2008 zoning capacity reduced by the number of developed units
- Development could occur anywhere within a region

Residential Allocation Progress



Should we be half-way?

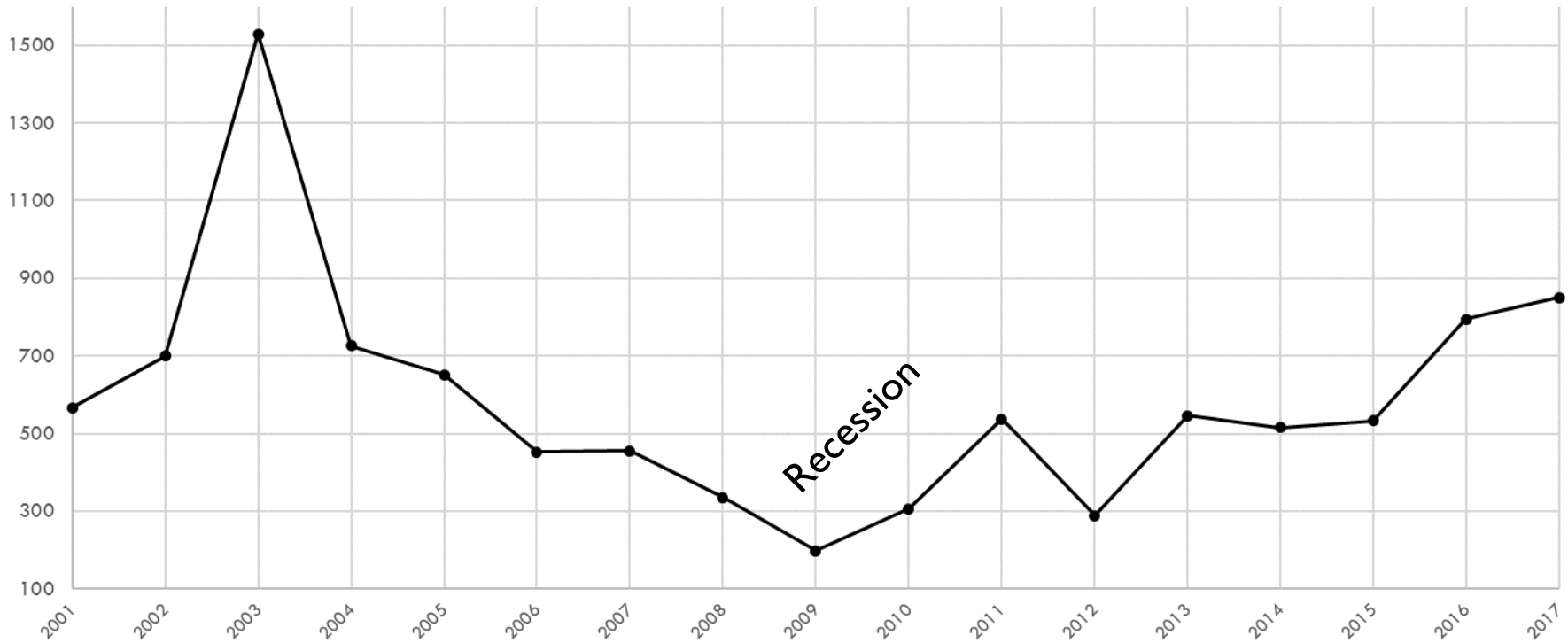
Interesting observations:

- West Mullan developed its Entitled Lots faster than Miller Creek
- The Wye and Bonner – W. Riverside developed much slower than expected

In Larger Context



Total DU Built by Year
(17 Years)



In looking-forward, the next iteration of UFDA will:

- Consider improvements to methods
 - Reset and update base layers and underlying datasets
- Track TEDs vs subdivisions
- Improve the usefulness of the Residential Allocation Map
 - Better locate development potential in sub-areas of the UFDA regions
 - To inform housing, annexation, and other planning efforts

Next Steps: “Opportunities” Map



Goal: Produce a map or series of maps showing:

- Capability – Where can development occur?
 - Locate the physical and social constraints to development
- Capacity – Where is there room for development?
 - Vacancy vs Existing Units
 - Land Use
 - Zoning
- Suitability – Where should development occur?
 - Utilize Growth Policy actions and goals
 - Near existing infrastructure, services, etc.

Urban Fringe Development Area Yearbooks @
<http://www.ci.missoula.mt.us/1526/UFDA>

Garin Wally, GIS Analyst / Planner

gwally@ci.missoula.mt.us

September 19, 2018

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: LUP

Agenda item title: MCPB update to the LUP committee

Date: 6/03/16

Sponsor/Contact: John DiBari

Prepared by: John DiBari

Ward(s) affected: All

Action Required: No

Periodically a member of the Missoula Consolidated Planning Board attends a Land Use and Planning committee meeting to provide an update of planning board actions, as well as to share concerns and issues the planning board may have regarding exiting land use policy, regulations, ordinances, etc. The update also provides an opportunity for the planning board to discuss with the committee issues related to growth and development in our community.

Timeline:

Referred to committee: 6/3/16

Committee discussion: 6/8/16

Public hearing (if necessary):

Deadline:


Background and Alternatives Explored:

Financial Implications:

None

Item Information




Title:		MCPB update to the LUP committee	
Item #:		Status:	Held in committee
Type:		#:	LUP
Version:	22 th	Sponsor:	John DiBari
Meeting Date:	1/16/2019	Ward:	Ward 1, Ward 2, Ward 3, Ward 4, Ward 5, Ward 6
Meeting Type:	PAZ	Video:	 View Video
Attachments:			

Text

 [Show Text](#)

 [Referral - MCPB update.docx](#)

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st			Ongoing	6/13/2012	PAZ
2nd			Held in committee	6/20/2012	PAZ
3rd			Held in committee	6/27/2012	PAZ
4th			Held in committee	7/11/2012	PAZ
5th			Held in committee	7/18/2012	PAZ
6th			Held in committee	8/8/2012	PAZ
7th			Held in committee	8/15/2012	PAZ
8th			Held in committee	8/22/2012	PAZ
9th			Held in committee	9/5/2012	PAZ
10th			Held in committee	9/12/2012	PAZ
11th			Held in committee	9/19/2012	PAZ
12th			Held in committee	9/26/2012	PAZ
13th			Held in committee	10/10/2012	PAZ
14th			Held in committee	11/14/2012	PAZ
15th			Held in committee	11/28/2012	PAZ
16th			Held in committee	12/5/2012	PAZ
17th			Held in committee	12/12/2012	PAZ
18th			Held in committee	12/19/2012	PAZ
19th			Held in committee	1/27/2016	PAZ
20th			Held in committee	6/8/2016	PAZ
21th			Held in committee	2/15/2017	PAZ
 22th			Held in committee	1/16/2019	PAZ

Vote Records

No voting recorded



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Land Use and Planning

Item: Appointments to the Design Review Board

Date: December 5, 2019

Sponsor(s): Kelly Elam

Prepared by: Kelly Elam

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input checked="" type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

Appoint four regular members ____, ____, ____, ____ for the terms beginning January 1, 2020 and ending on December 31, 2022, and appoint one alternate to finish the term beginning immediately and ending on December 31, 2020.

Recommended Motion(s):

I move the City Council: Appoint four members ____ (graphic artist), ____ (at large), ____ (alternate), and ____ for the terms beginning January 1, 2020 and ending on December 31, 2022, and appoint one vacant alternate position to finish the term beginning immediately and ending on December 31, 2020.

Timeline:

Referral to committee:	December 9, 2019
Subcommittee interviews:	January 22, 2020
10:20	Bryan Topp (architect, at large, alternate)
10:35	Break
10:55	Donald Briggs
11:10	Matt Loomis
11:25	Maria Chestnut
11:40	Karen Slobod (phone interview)
11:55	Scott Osteen
LUP:	January 29, 2020
Council action:	February 3, 2020
Public Hearing:	N/A
Deadline:	N/A

Background and Alternatives Explored:

The committee has four regular positions and one alternate position to fill on the Design Review Board. There are a number of designated professional positions on the Design Review Board. This time, the committee must appoint three of the five applicants to fill the following positions:

- 1 graphic artist
- 1 at large representative (Title 20 reads: "No more than one member shall represent the community at large and not be from the above listed professions" meaning

the Council may appoint someone who does OR doesn't meet the list of professional qualifications)

- 1 alternate who votes in the absence of a regular member

Jacque Walawander, Maria Chesnut, Matt Loomis, Brandon Prinzing regular member terms expire on December 31, 2019. Jacob Zander held an alternate position and resigned. Jacque Walawander did not reapply. There are several designated professional positions on the Design Review Board.

The following members are reapplying:

Maria Chestnut (at large)

Matt Loomis (at large)

Brandon Prinzing (not eligible due to residency outside the City)

New applicants:

Scott Osteen (architect, at large)

Karen Slobod (graphic designer, at large)

Donald Briggs (architect, at large)

Bryan Topp (architect, at large, alternate)

All regular member terms begin January 1, 2020 and end on December 31, 2022. The alternate position finishes Jacob Zander's position and begins immediately and ends on December 31, 2020.

Current board members (expiring positions highlighted)

Members	Start of Term	End of Term
Maria Chesnut	July 1, 2018	Dec. 31, 2019
Brandon Prinzing	July 1, 2018	Dec. 31, 2019
Vacant, (Alternate)	April 1, 2019	Dec. 31, 2020
Kyle Gauthier (Civil Engineer) (Vice Chair)	Feb. 25, 2019	Dec. 31, 2020
Heather McMilin (Architect, Developer)	Feb. 25, 2019	Dec. 31, 2020
Jacque Walawander	July 1, 2018	Dec. 31, 2019
Matt Loomis (Chair)	July 1, 2018	Dec. 31, 2019
Ryan Smith (Landscape Architect/Urban Designer)	Feb. 25, 2019	Dec. 31, 2020

Membership

The Design Review Board must consist of seven regular members and one alternate member, all of whom reside in the city, who shall represent the following four categories:

At least two members shall be from these design and planning professions:

- (1) Licensed architect;
- (2) Licensed landscape architect;
- (3) Urban planner;

(4) Urban designer.

At least one member shall be from these construction and building fields:

- (1) Licensed civil engineer;
- (2) Licensed contractor;
- (3) Builder/Developer.

At least one member shall represent the profession of graphic design, signage or wayfinding.

No more than one member shall represent the community at large and not be from the above listed professions.

All individuals who seek appointment to the DRB should have a demonstrated interest in the design of the community and be motivated by a desire to serve fellow members of the community. Members of the board should be persons who, as a result of their training and experience, are qualified to analyze and interpret architectural and landscape drawings and site plans.

The alternate member serves in the absence or vacancy of any regular board member.

Financial Implications:

None

Links to external websites:

[Design Review Board](#)

Print

Application Form--Design Review Board - Submission #20193

Date Submitted: 11/19/2019

Name:*

Brandon Prinzing

Email:

bprinzing@lab-inds.com

Daytime Phone:*

4067215530

Alternate Contact Phone:

4064938204

Street Address:*

3300 Pattee Canyon Rd.

City, State:*

Missoula

Zip:*

59803

Is your street address the same as your mailing address?*

☒ Yes☐ No

Mailing Address:*

City, State:*

Missoula, MT

Zip:*

Which position(s) are you applying for?*

Please check all membership criteria that apply:☒ Member☐ Alternate

How long have you been a city resident?

5 years

In which ward do you reside?

I don't know ▼

Are you a U.S. citizen?*

☒ Yes☐ No

Are you registered to vote?*

☒ Yes☐ No

Current Occupation:*

Architect

Current Employer:*

self (LAD Industries)

If you'd like, you can attach a resume or other document for the City Council to consider.

 No file chosen

Note: Maximum file upload is 4 MB

Briefly describe your educational background:*

I have a Bachelor's and Master's degree in Architecture from Montana State University ('03 and '04)

List of community service experience:*

-I have served on the Design Review Board for several years now.
-I have volunteered as a TBall coach for Mt. Sentinel LL
-Volunteered at my kids' school (Lewis and Clark Elementary)

What is your interest in serving on this board, commission, or committee?*

As an architect, I am definitely interested in being a part of the design community and making sure buildings built in our city are well designed and well built.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee?*

I am interested and sort of skilled in graphic design. My wife is a graphic designer, so it's always been 'in house.' I also have construction experience which gives me a well-rounded skill set.

My website: www.lab-inds.com

Please provide two references.**Reference 1****Name:***

Frank Scariano

Phone:**Address:***

2016 Strand Ave.

City, State:*

Missoula

Zip:*

59801

Reference 2

Name:*

Bob Marshall

Phone:

4062146670

Address:*

241 W Main St

City, State:*

Missoula, MT

Zip:*

59802

Print

Application Form--Design Review Board - Submission #20205

Date Submitted: 11/20/2019

Name:*

Bryan Topp

Email:

bryantopp@cushingerrell.com

Daytime Phone:*

4064519103

Alternate Contact Phone:

Street Address:*

10 Russell Park West

City, State:*

Missoula, MT

Zip:*

59801

Is your street address the same as your mailing address?*

☒ Yes☐ No

Mailing Address:*

City, State:*

Missoula, MT

Zip:*

Which position(s) are you applying for?*

Please check all membership criteria that apply:☒ Member☒ Alternate

How long have you been a city resident?

3 years 6 months

In which ward do you reside?

4

Are you a U.S. citizen?*

☒ Yes☐ No

Are you registered to vote?*

☒ Yes☐ No

Current Occupation:*

Architect

Current Employer:*

Cushing Terrell

If you'd like, you can attach a resume or other document for the City Council to consider.

 No file chosen

Note: Maximum file upload is 4 MB

Briefly describe your educational background:*

I graduated high school in Jackson, WY in 2003 and enrolled in the 5 year Masters in Architecture program at Montana State University. I graduated from MSU in 2008 with my Masters in Architecture.

List of community service experience:*

I am a Missoula Architecture + Design Board member. We work with other non-profits on occasion to help facilitate architecture related events and discussions. I've also volunteered with Habitat for Humanity, the Missoula Food Bank, Five Valleys Land Trust, Historic Preservation events, and the Clark Fork River Cleanup.

What is your interest in serving on this board, commission, or committee?*

I am interested in being an active participant in my community and helping our community maintain a higher level of design excellence as we grow and evolve. I also believe the need to allow for unique and creative interpretation and exploration of design ideas within the design vision and goals of the community.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee?*

Yes. I am a licensed Architect in the State of Montana and Wyoming. I have over 11 years working as a design professional and licensed Architect. During this tenure, I have been through many design review board in many different jurisdictions. This experience has allowed me to see different design standards and guidelines and their interpretations in different communities. I believe this gives me the knowledge and background to be able to interpret how the standards and guidelines apply to different design solutions.

I also have a diverse background with experience working on different project types including single family residential, multi-family residential, retail, commercial, education, hospitality, and industrial architecture with diverse clients. Ultimately, client service is the number one priority, and I see this board as an opportunity to help serve the people of the community that are working towards a common goal of creating a better community.

Please provide two references.**Reference 1****Name:***

Todd Schaper

Phone:

Address:*

6811 Alisha Drive

City, State:*

Missoula, MT

Zip:*

59803

Reference 2

Name:*

Alison Vasarella

Phone:

4065798082

Address:*

501 N. Weaver Street

City, State:*

Belgrade, MT

Zip:*

59714

Print

Application Form--Design Review Board - Submission #20167

Date Submitted: 11/15/2019

Name:*

Donald Gene Briggs

Email:

briggsarch@gmail.com

Daytime Phone:*

4065313635

Alternate Contact Phone:**Street Address:***

2528 Old Ranch Road Unit B

City, State:*

Missoula

Zip:*

59808

Is your street address the same as your mailing address?*☒ Yes☐ No**Mailing Address:*****City, State:***

Missoula, MT

Zip:***Which position(s) are you applying for?****Please check all membership criteria that apply:*☒ Member☐ Alternate**How long have you been a city resident?**

4 years

In which ward do you reside?

-- Select One --

Are you a U.S. citizen?*☒ Yes☐ No**Are you registered to vote?***☒ Yes☐ No

Current Occupation:*

Architect

Current Employer:*

Briggs Architecture + Design, Inc.

If you'd like, you can attach a resume or other document for the City Council to consider.

Resume - Architect.pdf

Note: Maximum file upload is 4 MB

Briefly describe your educational background:*

Bachelor of Architecture - University of Arkansas 1982
Continuing Education as required by AIA and state jurisdictions.

List of community service experience:*

Habitat For Humanity
Alternate on Board of Adjustments City of Missoula

What is your interest in serving on this board, commission, or committee?*

For all of my professional life as an employee and firm president I have been dedicated to creating and promoting good design. Building and community design should be appropriate for it's place and demographics with an objective to enhance the lives of citizens and visitors while at the same time provide a foundation for the future. By serving on the Design Review Board, I believe because of my experience, passion and talent that I can objectively review designs and assist with establishing policies that will enhance the design climate in the Missoula area.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee?*

As mentioned above I am dedicated and passionate about promoting good design. In the past I have been fortunate to have lived in different regions of the country, designed buildings in those regions and seen a lot of creative developments as well as being a part of teams that designed for these communities. Many of my projects have been custom homes and resort developments that placed me in a position to relate to private clients, teams members, governing authorities, various stake holders and coordinate with consultants.

Please provide two references.**Reference 1****Name:***

Andy Tison

Phone:**Address:***

234 Blue Lane

City, State:*

Hamilton, MT

Zip:*

59840

Reference 2

Name:*

Alice Harball

Phone:

406-363-7761

Address:*

353 Wyant Lane

City, State:*

Hamilton, MT

Zip:*

59840

Don Briggs, AIA

Architect

CONTACT

Ph: 406.531.3635

E-mail: briggsarch@gmail.com

Website: briggsarchitecture.com

AREAS OF EXPERTISE

- Artistic design sketching and architectural renderings
- Site Assessment
- Master Planning
- Client engagement, service and representation
- Construction Administration
- Consultant Coordination
- Project Management
- Leadership Development/Mentorship:
 - Ability to recognize and nurture leadership potential in others
 - Enthusiasm for the profession
 - Dedication to sharing skills, knowledge and expertise
 - Champion of lifelong learning

EDUCATION

UNIVERSITY OF ARKANSAS
Bachelor of Science in Architecture
Graduated 1982

LICENSING JURISDICTIONS

- Missouri
- Wisconsin
- Washington
- Montana

PROFILE

Owner and lead architect of Briggs Architecture + Design with 35 years' experience in the design and project management of custom residences, ranches and resort developments in Missouri, Oklahoma, Wisconsin, Wyoming, Washington, Colorado, Michigan and Montana.

EXPERIENCE

President and Principal Architect Briggs Architecture + Design

November 1993 - Present

Portfolio and details of career accomplishments available on Briggs Architecture website

Corporate Architect Bass Pro Shop

Springfield, Missouri

July 1988 - November 1993

- Designed and managed the development of Big Cedar Lodge and Resort in southwest Missouri.
- Designed Tracker Marine's sport boat manufacturing plant
- Designed and managed the structures related to the retail expansion of Bass Pro Shop
- Designed custom residence of John L. Morris, President of Bass Pro

Turner Fox Associates and Architectural Resources

Tulsa, Oklahoma

July 1982 - July 1986

Pre-Licensing Internship

APPLICATION FOR THE DESIGN REVIEW BOARD

PLEASE NOTE: ALL APPLICATIONS ARE INCLUDED IN COUNCIL PACKETS AND ARE PUBLISHED ON THE CITY WEBSITE.

Applications are due by Wednesday November 20, 2019 at 5 pm.

Please return your completed application and attachments to the City Clerk's Office, 435 Ryman, Missoula, 59802

BOARD POSITION YOU ARE APPLYING FOR:	
Please check all membership criteria that apply. Member <input type="checkbox"/> Alternate <input type="checkbox"/>	
APPLICANT CONTACT INFORMATION	
Name: Karen Slobod	E-mail: karenslobod@gmail.com
Physical Address/City/State/ZIP: 4 carriage way	Phone Number: 406 240 9608
Mailing Address/City/State/ZIP (if different): Missoula, MT 59802	IN WHICH WARD DO YOU RESIDE? <u>1</u> (1-6) or N/A
BACKGROUND & EXPERIENCE (You may attach a separate sheet to this form.)	
Are you a citizen of the U.S.A. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Are you a registered voter? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
How long have you resided in the city? 15 years	
How long have you resided in Montana? 15 years	
Describe your educational background. B of A from UC Davis, California College of Art, and Art Center, MFA from U of M	
Current Occupation: Graphic Designer	Current Employer: Articulture Design Farm Owner
Previous community service:	
Probono for Home Resource, NMCDC, Missoula Historic Preservation Commission, Missoula Planning Board	
What is your interest in serving on this board?	
As a designer I've worked with architects, developers and planners on projects for BART (Bay Area Rapid Transit), Ventura City, PBS/Mills Corporation / LAX, and Film / Production studios in LA and the San Francisco area. From these experiences I've seen the benefits of good planning and design first hand —how quality of life improves for folks in communities where smart planning accompanies growth.	
Do you have special knowledge, interest or experience that would qualify you for a position on this board?	
I'm a signage/way finding/branding specialist and I have a broad range of skills related to design review. See website: adesignfarm.com	
I'll be giving a couple of talks at the ZACC later this year:	
Revitalizing Cities: Using Smart Planning to bring new life to urban centers What's making cities like Portland, Austin and Berlin thrive? We'll take a look at New Urbanism tools and design trends that are acting as engines for economic and urban renewal.	
Retail Frontage Design Retail and eaterie strategies for storefront and interior design. Including: cladding, lighting, colorway, branding, signage and architectural design trends.	
PERSONAL REFERENCES	
Name: patricia thornton	Daytime Phone: 406 529 1803

Address: ZACC Zootown Arts Community Center : 216 W Main St, Missoula, MT 59802

Name: Becky Douglas Heritage Timber

Daytime Phone: 406 546 1417

Address: 27341 Blixit Creek Rd, Bonner, MT 59823

Print

Application Form--Design Review Board - Submission #20163

Date Submitted: 11/15/2019

Name:*

Maria Chesnut

Email:

mchesnut@m-m.net

Daytime Phone:*

4065424828

Alternate Contact Phone:

Street Address:*

730 Blaine St

City, State:*

Missoula

Zip:*

59801

Is your street address the same as your mailing address?*

☒ Yes☐ No

Mailing Address:*

City, State:*

Zip:*

Missoula, MT

Which position(s) are you applying for?*

Please check all membership criteria that apply:

☒ Member☐ Alternate

How long have you been a city resident?

12 years

In which ward do you reside?

3

Are you a U.S. citizen?*

☒ Yes☐ No

Are you registered to vote?*

☒ Yes☐ No

Current Occupation:*

Structural Engineer

Current Employer:*

Morrison Maierle

If you'd like, you can attach a resume or other document for the City Council to consider.

 No file chosen

Note: Maximum file upload is 4 MB

Briefly describe your educational background:*

Bachelors of Science in Civil Engineering - Duke University
Masters of Science in Structural Civil Engineering - Princeton University

List of community service experience:*

Design Review Board (current), Impact Fee Committee (current), Home Resource Board of Directors (previous), Paxson Elementary PTA (current), Missoula Food Bank Kids Table Delivery (Current)

What is your interest in serving on this board, commission, or committee?*

I have served on the board for 1 term thus far. I am interested in further time on the board as the Design Excellence requirements begin to take additional root. I have been in the building design profession as a structural engineer since 2003, and in Missoula since 2006. I appreciate being a part of this community.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee?*

As mentioned above, I am a structural engineering design professional in this community. I have also served on this board for one term.

Please provide two references.**Reference 1****Name:***

Arian Bloomfield

Phone:**Address:***

1055 Mount Ave

City, State:*

Missoula, MT

Zip:*

59801

Reference 2

Name:*

Chad Taylor

Phone:

4065424837

Address:*

1055 Mount Ave

City, State:*

Missoula, MT

Zip:*

59801

Print

Application Form--Design Review Board - Submission #20146

Date Submitted: 11/13/2019

Name:*

Matt Loomis

Email:

mattdloomis@gmail.com

Daytime Phone:*

4065311400

Alternate Contact Phone:

Street Address:*

6315 Andrea Ln

City, State:*

Missoula

Zip:*

59803

Is your street address the same as your mailing address?*

☒ Yes☐ No

Mailing Address:*

City, State:*

Missoula, MT

Zip:*

Which position(s) are you applying for?*

Please check all membership criteria that apply:☒ Member☐ Alternate

How long have you been a city resident?

16.5 Years

In which ward do you reside?

5

Are you a U.S. citizen?*

☒ Yes☐ No

Are you registered to vote?*

☒ Yes☐ No

Current Occupation:*

Self-Employed

Current Employer:*

Loomis Ventures, Inc.

If you'd like, you can attach a resume or other document for the City Council to consider.

 No file chosen

Note: Maximum file upload is 4 MB

Briefly describe your educational background:*

I graduated from Missoula Big Sky High School and attended the University of Montana for two stints, eventually graduating in 2007. While I don't possess any further degrees, I continually strive to learn as much as possible, especially in regards to the areas and causes around me.

List of community service experience:*

I have served on Missoula's Design Review Board since 2010, chairing the Board since 2011. I have also served on the following Boards and Commissions: Franklin to the Fort Neighborhood Council, Missoula Downtown Association, Missoula County Fairgrounds Advisory Committee, Missoula Fair Committee, and the American Cancer Society Relay for Life Leadership Team. I have also helped with numerous community organizations over the years, like Parks and Recreation, youth sports, area schools, the Food Bank, Downtown Master Plan planning, Title 20 rewrites, and more.

What is your interest in serving on this board, commission, or committee?*

My interest stems from my father's background as a Coastal and Urban Planner. While that wasn't my calling, I was always intrigued by public process, zoning, and making things fit into place. I've realized that sometimes exceptions need to be made; sometimes planning and design is not simply "one size fits all". Having a citizen-led group working with those who are trying to work with existing zoning - but need a little leeway - for their project is sometimes very necessary to get a complete and final project that all (or sometimes most) can be happy with.

My general desire - like many - for Missoula to stay looking "nice", as well as penchant for fairness has aided me in this role so far.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee?*

My ten years on the Design Review Board (with nine as Chair), I feel, greatly qualifies me on its own. I have extensive knowledge of public process, Parliamentary Procedure, Robert's Rules of Order, and how to involve all opinions in a hearing, which has become very helpful and invaluable. My general knowledge of building design, sign technology, zoning, planning, urban design standards, and Missoula's Title 20 assists me in every hearing that comes before the DRB.

Please provide two references.**Reference 1****Name:***

Linda McCarthy

Phone:

Address:*

218 Main St. Suite C

City, State:*

Missoula, MT

Zip:*

59802

Reference 2

Name:*

Micki Frederickson

Phone:

406-728-9288

Address:*

2505 S. Russell St.

City, State:*

Missoula, MT

Zip:*

59801

Kelly Elam

From: noreply@civicplus.com
Sent: Monday, November 18, 2019 5:22 PM
To: Kelly Elam; Marty Rehbein
Subject: Online Form Submittal: Application Form--Design Review Board

Application Form--Design Review Board

Design Review Board Application

Contact Information

Name: Scott Osteen
Email: sosteen@ae.design
Daytime Phone: 406.721.5643
Alternate Contact Phone: *Field not completed.*
Street Address: 3923 Heritage Way
City, State: Missoula, MT
Zip: 59802

Is your street address the same as your mailing address? Yes

Position

Which position(s) are you applying for? Member

How long have you been a city resident? 2 years, 3 months

Background

In which ward do you reside? 1

Are you a U.S. citizen? Yes

Are you registered to vote? Yes

Current Occupation: Architect/ Associate

Current Employer: A&E Design

If you'd like, you can attach a resume or other document for the City Council to consider. *Field not completed.*

Briefly describe your educational background: I attended Arizona State University, College of Architecture and Environmental Design from Fall 1997 through Spring 2005. Studied Architecture, Anthropology, Art History.

List of community service experience: My most notable community service has been my tenure at the Desert Botanical Garden in Phoenix, Arizona. I started as a volunteer back in 2011 on the Monarch Council, which is their young professionals volunteer group, and eventually became a full fledged member of their Board of Trustees. I participated in a great variety of different projects for the Garden, ranging in areas from volunteer recruitment and fundraising, to strategic planning of special initiatives, and I even designed a few architectural projects on a pro bono basis.

What is your interest in serving on this board, commission, or committee? I believe that the overall quality of the buildings that we create and preserve here in Missoula, especially in our downtown core, have a direct effect on our economic viability, health and well being, and richness of cultural landscape. In short, I think that good design has a direct effect on our success and happiness as Missoulians, and I want to work to help elevate our shared design standard and enhance our built environment as much as possible, for the good of all who live and visit Missoula.

Do you have any special knowledge, interest, or experience that would qualify you for a position on this board, commission, or committee? As an Architect, I have a very keen interest in preserving and enhancing the built environment of my community. I have studied architecture, art, and design most of my life. I have seen and worked through several major downtown transformations in my career, and am very passionate about change and evolution in communities as they relate to urban planning and design.

References

Please provide two references.

Reference 1

Name: Chris Martison - 406.721.5643

Phone: 406.721.5643

Address: 222 N. Higgins Ave.

City, State: Missoula, MT

Zip: 59802

Reference 2

Name: Ken Schutz

Phone: 480.941.1225

Address: 1201 N. Galvin Pkwy.

City, State: Phoenix, AZ

Zip: 85008

(Continued)

Email not displaying correctly? [View it in your browser.](#)

Scott Osteen

3923 Heritage Way, Missoula MT 59802
sosteen@ae.design

Registered Architect, Arizona, 63618
American Institute of Architects 38716803

objective:

I am a highly experienced Architect and project manager seeking community volunteer opportunities. While relatively new to Missoula, I have grown rapidly in my love for the cultural fabric of our community, and am looking to use my talents however possible to help enhance the overall design quality of our built environment.

core competencies:

project management
project architecture
architectural design & detailing
construction documentation
construction administration
BIM and BIM management
sustainable design
team leadership
commercial and residential building
systems design & coordination
design presentation drawings
all current building codes, accessibility

Revit	14 years	master level
Autocad	21 years	master level
Adobe CC	15 years	expert level
Hand rendering	22 years	master level

Sketchup, Microsoft Office, Bluebeam,
Procore, CMiC, Newforma, Kahua,
Autodesk BIM 360, other common design
software packages.

education:

Casa Grande Union High School
Casa Grande Arizona
Graduated May 1996

Arizona Western College
Yuma Arizona
Fall 1996- Spring 1997
Football Scholarship

Arizona State University
Tempe Arizona
Fall 1997- Spring 2005
College of Architecture and Environmental
Design

community:

September 2019
Trout Unlimited Volunteer
Missoula Montana
Marshall Creek fish screen project

March 2011—August 2017
Desert Botanical Garden Trustee
Phoenix Arizona
Committees: Monarch Council (chair)
Education, Research, Collections & Horti-
culture, Operations, Dinner on the Desert,
as well as various volunteer projects

June 2016—August 2017
Spaces of Opportunity Volunteer
Phoenix Arizona
marketing/ fundraising

December 2014—January 2016
Valley Permaculture Alliance Volunteer

professional experience:

August 2017 – Present
A&E Design Associate/ Project Manager
Missoula Montana

Over the past two years at A&E, I have been taking a leadership role on some of our firm's largest and most complex projects. While my primary role is in project management, I also focus heavily on strategic planning, overall design & quality management, and mentoring younger staff on code compliance, constructability & detailing, budget management, and accessibility. Notable projects include:

- **Missoula International Airport, Missoula Montana**
Includes a new airport terminal to replace the existing terminal building. \$88 million budget, 210,000sf
Project Manager
- **Rocky Mountain Laboratories Building B, Hamilton Montana**
New laboratory building. \$55 million budget, 81,000sf
Project Manager

March 2016 – August 2017
RSP Architects Project Architect
Tempe Arizona

As a Project Architect at RSP, I enjoyed a fantastic growth opportunity as a project manager, project architect, designer, and team leader. My experience included project leadership roles, business development & marketing, and mentoring. Notable project:

- **Arizona State University Payson Campus, Payson Arizona**
Includes a campus master plan, a 72,000sf academic building, and two student housing buildings (312 total beds), \$64 million budget
Project Architect

January 2011 – March 2016
DWL Architects + Planners, Inc. Project Manager
Phoenix Arizona

- **Terminal Three Modernization Project at Phoenix Sky Harbor International Airport, \$500 million budget.**
BIM Director/ Project Manager
- **Chicago Cubs Spring Training, Mesa Arizona, \$100 million budget**
Project Architecture/ Production Team Lead

March 2007– January 2011
Scott Osteen Projects, LLC Owner
Phoenix Arizona

December 2004 – March 2007
Synectic Design, Inc. Project Manager
Tempe Arizona

March 2003 - May 2004
Fifer Design Studio Project Manager
Mesa Arizona

September 2001 – October 2002
Shill- Judd- Richards & Johnson Architects Production
Mesa Arizona

August 1998 – May 2000
Abell & Associates Architects Production
Tempe Arizona

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Safety and Health

Item: Missoula Aging Services Initiatives and Services – Susan Kohler

Date: October 14, 2015

Prepared by: Kirsten Hands

Initiated by: Jon Wilkins

Action Required:

No action, discussion only.

Recommended Motion:

No motion, discussion only

Timeline:

Referral to committee:	10/05/2015
Committee discussion:	10/14/2015

Background and Alternatives Explored:

Susan Kohler of Missoula Aging Services will present the initiatives of and the services provided by the organization.

Financial Implications:

None

Links to external websites:

None

— EST. 1982 —

MISSOULA *aging* SERVICES

— WE'RE PROUD *of* OUR YEARS —

**City Council Presentation
Presented By: Susan Kohler
CEO**

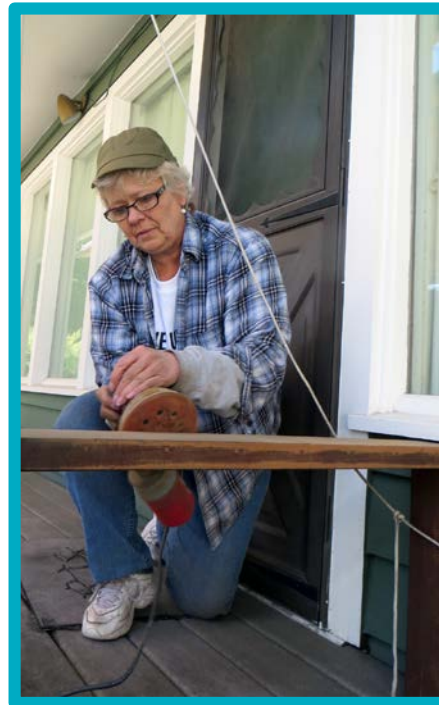
Mission



*The mission of Missoula Aging Services is
to promote the **independence,**
dignity and health
of older adults and those who care for them.*

We Accomplish Our Mission Through...

Education • Services • Volunteerism • Advocacy



MISSOULA *aging* SERVICES

Why Focus On Helping Individuals Stay in Their Homes?

- It is exactly **what older adults and individuals with disabilities want**.
- In most cases, it **costs much less** than institutional care.
- It **reduces and/or delays** both further **disability and/or chronic disease**.
- It is **preventive in nature** and builds on natural supports and strengths of the individual.
- It helps individuals **remain vital community members**.

Resource Center

- Information Assistance and Referrals
- Medicare/Medicaid Counseling
- Personalized Consultations
- Educational Classes and Materials.
- Ombudsman Services
- Caregiver supports



In-Home Services

- Respite/Homemaking
 - Sliding Scale
- Care Transitions
 - Demonstration project through CMS
 - Community Hospital and St. Patrick Hospital
- Veterans Direct Home and Community Based Services

Community Engagement Programs

- **Nutrition Program**
Meals on Wheels, Supplement, Congregate, Farmers Market and Rural Sites
- **Senior Corp Programs:**
RSVP, Foster Grandparents and Senior Companions



Community Engagement Programs

- SMP – Statewide
 - Prevention of Fraud and abuse of Medicare.
 - Volunteer Coordinator
 - Internal support of programs.

Property Tax Relief

- Older people are often cited during debates about property taxes, bonds, and levies.
- When voters make their decision about bonds like those on November's ballot, they should take into account whether they qualify for property tax relief.

Property Tax Relief

- Older people having difficulty affording their property taxes should look into property tax relief programs.
- The Resource Center at Missoula helps older adults and persons with disabilities to find out whether they qualify and apply for property tax relief.

Tax Relief Programs: 2EC

The 2EC tax credit:

- Rent and property tax credit for older Montanans.
- Up to \$1,000 of rent or property tax.
- Can be filed for up to five previous tax years.
- Renters as well as homeowners can receive the credit.

Tax Relief Programs: 2EC

To be eligible for the 2EC tax credit:

- At least one person in household 62 or older as of December 31 of tax year.
- Gross household income under \$45,000.
- Residing in Montana at least nine months.
- Rented or owned a home for at least six months.

Tax Relief Programs: PTAP

Property Tax Assistance Program (PTAP) reduces property tax by a percentage, using this table:

2016 Income Guidelines For Property Tax Assistance Program		
Single Person	Married or Head of Household	Percent Multiplier
\$0 - \$8,413	\$0 - \$11,217	80%
\$8,414 - \$12,900	\$11,218 - \$19,630	50%
\$12,901 - \$21,032	\$19,631 - \$28,043	30%

*The Federal Poverty Level is \$11,700 in an individual, \$15,930 for a family of 2, slightly higher than the 80% limit

Tax Relief Programs: PTAP

Example: A person with a disability who receives SSI benefits has an annual income of \$8804. Their total property tax would be reduced 50%.

2016 Income Guidelines For Property Tax Assistance Program		
Single Person	Married or Head of Household	Percent Multiplier
\$0 - \$8,413	\$0 - \$11,217	80%
\$8,414 - \$12,900	\$11,218 - \$19,630	50%
\$12,901 - \$21,032	\$19,631 - \$28,043	30%

Tax Relief Programs: MDV

Montana Disabled Veteran Or Spouses Of Montana Disabled Veterans (MDV)

- Available for 100% disabled veterans
- Available to surviving spouses of veterans who died on active duty or due to service-connected disability.

Tax Relief Programs: MDV

2016 Income Guidelines For MDV Program

Single Person	Married or Head of Household	Surviving Spouse	Percent
\$0 - \$37,404	\$0 - \$44,885	\$0 - \$31,170	100%
\$37,405 - \$41,145	\$44,886 - \$48,626	\$31,171 - \$34,911	80%
\$41,146 - \$44,885	\$48,627 - \$52,366	\$34,912 - \$38,651	70%
\$44,886 - \$48,626	\$52,367 - \$56,107	\$38,652 - \$42,392	50%

Property Tax Relief

Whether or not individuals qualify for property tax relief, the Resource Center at Missoula Aging Services can connect them with resources to help them pay for:

- Healthcare
- Long-term care
- Housing
- Food
- Energy

Questions?

We're proud of our years!



MISSOULA *aging* SERVICES

Contact Us

(406) 728-7682

www.missoulaagingservices.org



Thank you!

EST. 1982

MISSOULA *aging* SERVICES

WE'RE PROUD *of* OUR YEARS

Missoula Aging Services: 02/22/2017

- MAS is in the early stages of developing our FY2018 budget. We will begin the **3rd year of our Four Year Strategic Plan.**
- During FY2017, MAS implemented initiatives related to meeting the growing demand for information and emerging needs to address Elder Justice in a more direct way.
- MAS implemented a **Resource Call Center** staffed with 3.5 FTE. The Call Center is the gateway to all other programs and services in the agency. The Call Center allows MAS to holistically approach clients with multiple needs with one stop support navigating the senior and long term care system.
- **Elder Justice**, elder & disability law, legal document resources, financial exploitation, guardianships, elder abuse and family mediation, to name a few, are emerging issues that MAS has developed programming around. MAS has launched an Elder Justice Legal Service supported in part by volunteer attorneys, elder law interns and through referrals to practicing attorneys to address these areas of growing concern.
- **Care Transitions**, a program putting the eyes and ears in the home after a patient is discharged from hospitals or clinics, addresses the social determinants of health. Studies show that behaviors, social and economic factors and physical environment impact 80% of physical health. Tools used include a review of discharge plans and medications, and, connection with community resources to improve nutrition, economics, housing and more. MAS Care Transitions is recognized as one of the most successful models in the nation by CMS.
- **Veterans Direct Home and Community Based Services** is a successful Veterans Choice program offered by 3 Area Agencies in Aging in Montana to date. This powerful program offers qualified veterans the opportunity hire their own caregivers and determine their own care to meet their care needs at home and avoid costly Nursing Home care. MAS acts as the Coordinators of Care, the liaison with the VA and the Fiscal Agent to support the employer/employee responsibilities.

T 406.728.7682 F 406.728.7687

337 Stephens Ave | Missoula, MT 59801

MISSOULAAGINGSERVICES.ORG

- Expanding our **Congregate Dining** program to reach underserved areas beginning with East Missoula.
- **FY2018 Budget** includes 50 full and part time employees. MAS is funded by Federal, State, City and County governments, clients and fund raising activity. Governmental revenue is 65% of the budget, program revenue @ 20% and Fundraising activity is 15%.
- The FY2018 Revenue and Expense budget will be approximately **\$4,293,000**. This represents an increase of 5% over FY2017 budget. The FY2018 budget represents an additional 3.75 FTE staff and market based increases to wages and benefits.
- The FY2018 MAS budget does not include any Federal or State cuts to spending. The Federal government is still operating under a Continuing Resolution as congress has not passed their FY17 budget yet. The State of Montana budget for the 17-18 biennium will not be known until the Legislative session closes in April. These are uncertain times for any agency that relies on governmental support for programing.
- For this reason, MAS accumulates Reserves or Savings, over the course of time, to compensate for the uncertainty of governmental funding sources and the loss of grants and to develop new programs addressing critical community needs.
- **Program Development: Fiscal Agent services.** MAS will propose to all Area Agencies on Aging to become their Fiscal Agent for the **Veterans Choice** program. One of the barriers to program expansion across the state is the complexity of managing the budgets for the Veteran employer when dedicated staff and expertise is not in place. MAS developed the expertise, procedures and processes necessary to efficiently comply with all of the regulations.
- **Program Development: Fiduciary Services.** In high demand is the need for financial services for people with difficulty managing their income. A **Fiduciary, or Representative Payees**, help elders and adults with cognitive concerns, pay their bills and manage their finances in a way that supports their independence and protects them from exploitation. Fees are generated from SS, VA, Medicaid and private pay.
- **Program Development: Housing insecurity for seniors.** In its early stages of development, addressing housing issues is one of the most important issues facing low-income seniors. This initiative will have many facets and include community wide partners to begin to address the critical need.

Dear Friends,

You continue to make a tremendous, positive impact in the lives of older adults - **thank you!** This is our report to you, our supporters, and we are thankful for the opportunity to capture the highlights of the past year, present some compelling statistics and share Claire's story with you.

Thanks to you, Missoula Aging Services was able to serve 34,208 people in fiscal year 2016, including the statewide Senior Medicare Patrol program. We added staff in the Seeley Lake area, increased community education, advocated for older adults, and provided a **whopping 100,329 Meals on Wheels**. A new Call Center was launched, and 987 phone calls were returned by the end of the day during the two-month Medicare Open Enrollment window. The Community Care Transitions program helped keep 863 newly discharged patients from returning to the hospital, and the Veteran-Directed Care program empowered 53 veterans to continue living at home. Plus **47 Foster Grandparents provided 39,751 hours of mentoring to 250 school children** suffering from abuse and neglect, troubled teens and children with disabilities.

These substantial impacts are made possible with **your help** and the dedication of more than 600 vibrant older adult volunteers.

As we embark upon a new fiscal year, we recognize that **our work would not be possible without you and others with good hearts like yours.** We would not be able to meet the needs of the growing number of older adults in Missoula County without people like you, many foundations, businesses and government funding. Thank you for your generosity and support!

Warm regards,

Susan Kohler
Susan Kohler, MAS CEO

Jonathan Weisul
Jonathan Weisul, MD
Governing Board Chair



MISSION
TO PROMOTE THE independence, dignity and health OF OLDER ADULTS AND THOSE WHO CARE FOR THEM.

PROGRAMS

Community Engagement

- Farmers' Market Coupon Program
- Liquid Nutritional Supplements
- Meals on Wheels
- Rural Nutrition Sites: Condon, Seeley Lake, Lolo
- Senior Congregate Dining
- Volunteer Programs: RSVP, Foster Grandparents & Senior Companions
- Montana SMP

In-Home Services

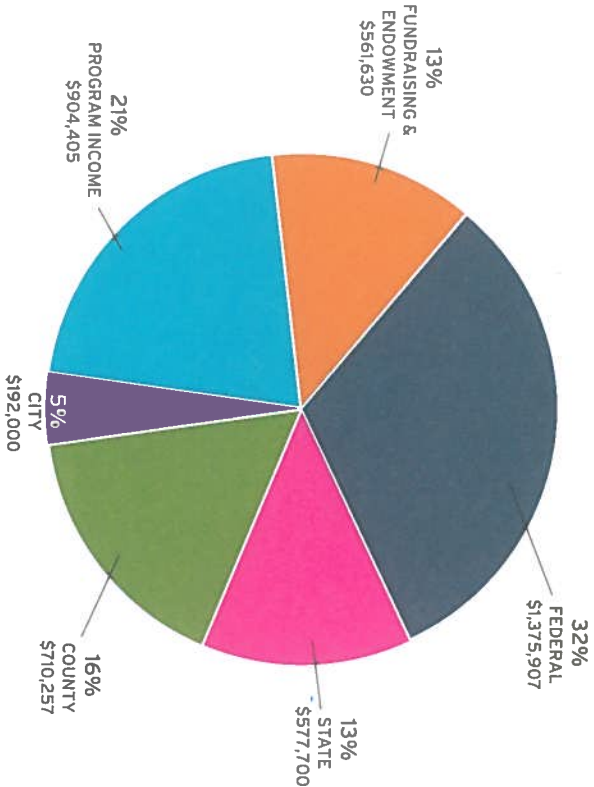
- Community Care Transitions Program
- Family Caregiver Support
- Respite & Homemaking Services
- Veteran-Directed Care Program

Resource Center

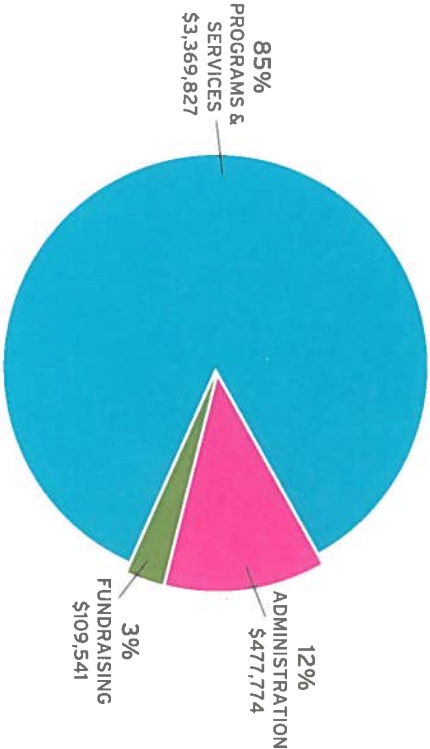
- Information, Assistance & Referrals
- Long-term Care Ombudsman Program
- Medicare & Medicaid Counseling
- Options for Better Aging
- Resource Center
- Transportation Options

FISCAL YEAR 2016

FY 2016 REVENUE \$4,321,899



FY 2016 EXPENSES \$3,957,142



Missoula Aging Services' complete Audited Financial Report and IRS Form 990 can be found at missoulaagingservices.org on the About Us page.

Programs of Missoula Aging Services are funded in part by the Administration for Community Living, the Corporation for National and Community Service, Montana Department of Health and Human Services, Missoula County, City of Missoula, the United Way of Missoula County, Center for Medicare & Medicaid Services and Veterans Administration.



\$459,047 saved on Medicare prescription drug plans through staff consultations

Mas

MISSOULA aging SERVICES

Mission

Missoula Aging Services promotes the independence, dignity and health of older adults and those who care for them.



"Five days a week a friendly person comes to see me, this brightens my life."

--Meals on Wheels client



337 Stephens Ave.
Missoula, MT 59801

T (406) 728-7682 F (406) 728-7687



MISSOULAAGINGSERVICES.ORG

PROGRAMS & SERVICES

fast facts

FISCAL YEAR 2016

Adult Services & Resources

MAS is an **Aging and Disability Resource Center** and so much more. Older adults, their families and caregivers are empowered through volunteer opportunities, services and education to remain living independently at home for as long as possible.

17,506 clients were served in Missoula County during FY 2016.

Senior Congregate Dining serves Missoula County residents who receive support at fixed sites in the following communities: Missoula, Seeley Lake, Lolo, Condon, Arlee and Alberton.

50,542 congregate meals were served last year.

Family Caregiver Support assists family members or others who provide unpaid in-home or distance care to older adults. Certified resource specialists help caregivers access services and can connect long-distance caregivers to services in communities across the country. A monthly support group for caregivers and semi-annual training titled "Powerful Tools for Caregivers" are offered by trained facilitators.

4,692 hours of respite were provided to caregivers.

Meals on Wheels serves housebound older adults and people with disabilities in Missoula County. Rural sites include Condon and Seeley Lake. Liquid nutritional supplements are also available.

101,329 Meals on Wheels were delivered by 100 volunteers to 800 housebound individuals.

Ombudsman Program Certified local ombudsmen work to protect resident rights of those whose home is a long-term care facility by helping them understand and exercise their right to good care. Ombudsmen are impartial mediators who investigate resident concerns and may provide information, suggest solutions and advocate for change on behalf of residents.

Ombudsmen made 1,352 visits to residents in nursing homes & assisted living facilities.

The Resource Center provides referrals, information and assistance for older adults and their caregivers, including adult children seeking referrals to services locally or from a distance. A database of more than 400 service sites is continually updated. Free packets are available on topics such as long-term care, estate planning, Medicare and Medicaid. A lender's library is available, plus free access to the internet.

\$459,047 were saved on Medicare prescription drug plans through staff consultations.

fast facts

2016 FISCAL YEAR

"This organization consistently exceeds my expectations. I have turned to them time and again for assistance with a wide variety of issues and have always received kind, compassionate, expert help."

--MAS Client



Susan Kohler,
Chief Executive
Officer

Adult Services & Resources *(continued)*

The Farmers' Market Coupon Program provides older adults who meet income guidelines with vouchers to purchase fresh, locally grown fruit and vegetables at local markets.

485 seniors were served through the Farmers' Market Program.

Montana SMP (Senior Medicare Patrol), funded by the Administration on Aging, is a statewide program which engages trained volunteers to help reduce Medicare and Medicaid waste, fraud and abuse.

16,700 Medicare beneficiaries were educated by Montana SMP.

Transportation Options Missoula Aging Services actively works on solutions to transportation issues. Assistance includes a contract with the city bus service's special or para-transit system, and support for Opportunity Resources' Sunday service. Senior Companions and Caring Companions also help with transportation needs.

26,081 rides to older adults and people with disabilities were provided last year.

Senior Corps

Foster Grandparent volunteers provide special care, attention and academic guidance to children of all ages in 25 Missoula County schools, agencies and pre-schools.

47 Foster Grandparents provide 39,751 hours of mentoring to 250 children with disabilities, troubled teens or children suffering from abuse and neglect.

Senior Companions assist older adults and people with disabilities with daily tasks such as grocery shopping, arranging for transportation and socialization for isolated individuals. These friendships often make the difference between living at home and moving to a nursing home prematurely.

38 Senior Companions gave 30,136 hours serving 173 clients.

Both Foster Grandparents and Senior Companions must meet income guidelines to receive a tax-free stipend in return for 15-40 hours of volunteer service each week.

RSVP members use their experiences to help address critical needs in our community.

414 volunteers served 31,949 hours with over 100 public, private and governmental agencies.

Item Information



Title:		Missoula Aging Services, Initiatives and Services Update - Susan Kohler	
Item #:		Status:	Held in Committee
Type:		#:	PS&H
Version:	5 th	Sponsor:	Gwen Jones
Meeting Date:	1/1/2050	Ward:	Ward 1, Ward 2, Ward 3, Ward 4, Ward 5, Ward 6
Meeting Type:	PSH Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				10/5/2015	City Council
2nd			Held in committee	10/14/2015	PSH
3rd			Held in Committee	1/27/2016	PSH
4th			Held in committee	2/22/2017	PSH
▶ 5th			Held in Committee	1/1/2050	PSH Referrals Held in Committee

Vote Records

No voting recorded

City Council
City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Safety and Health

Item: Health Department Update

Date: 1/17/18

Sponsor: Michelle Cares

Prepared by: Michelle Cares

Ward(s) affected: All

Action Required:

None

Recommended Motion(s):

None

Timeline:

Referral to committee: 1/3/18

Committee discussion: 1/17/18

Time Requested During Committee: 30 minutes

Background and Alternatives Explored:

"Please accept this referral request to slate a "Health Department Update" on the Public Safety and Health Committee on January 17. I expect it will take a half hour. Thank you. EL

Ellen Leahy, RN, MN, MPH
Director & Health Officer"

I (Michelle Cares) asked Ellen the following but she is on vacation so I'm not sure we'll have any material to review. Stay tuned! **"Do you plan to have a presentation? Can you send it in by the Thursday prior (1/11/18)?** The committee generally appreciates having material to review prior so they can be prepared to ask better questions so I hope you will have something."

Financial Implications:

None.

Links to external websites:

<https://www.missoulacounty.us/directory/health-department>

**Health Department Update
Public Safety and Health Committee
January 17, 2018**

Following are the topics the department proposes to bring to the attention of City Council Public Safety and Health Committee in summary fashion. Council's interest for more in-depth review of these and other topics could follow at a subsequent meeting.

- 1) Changes in Management Team**
- 2) New Board Members**
- 3) Move of Missoula Forum to Health Department**
- 4) Effect of State Budget Cuts on Dept's Capacity to Serve Citizens**
- 5) Community Health Assessment 2018**
- 6) Wildfire Event Adaptation Planning**
- 7) Upcoming Proposal for Revising City Smoking Ordinance**
- 8) Current Quality Improvement Projects**
- 9) Reaccreditation Efforts and Timeline**

Resolution

A resolution of the Missoula City-County Board of Health to the Missoula City Council, the Mayor of Missoula and the Missoula County Commissioners recommending revisions to the Missoula Smoking Ordinance

WHEREAS, Environmental tobacco smoke contains over 7,000 chemicals and is a known carcinogenⁱ; and,

WHEREAS, The Surgeon General of the United States has declared that smoking is the largest preventable cause of premature death and disability in the United States; breathing environmental tobacco smoke is a cause of disease, including lung cancer, stroke, asthma and heart disease, in nonsmokers; and,

WHEREAS, the vapor from alternative smoking devices (electronic cigarettes) can contain harmful and potentially harmful substances, including nicotine, heavy metals, volatile organic compounds and cancer-causing agents that can be inhaled by bystandersⁱⁱ; and,

WHEREAS, the Food and Drug Administration, in 2016, deemed e-cigarette products to be subject to the Food, Drug and Cosmetic Act,ⁱⁱⁱ and,

WHEREAS, in 1999, Missoula was the first community in Montana to adopt an ordinance to reduce non-smoker's exposure to tobacco smoke that applies in the City and in the five-mile zone beyond city limits; and,

WHEREAS, in 2005, the Montana State Legislature adopted provisions in the Montana Clean Indoor Air Act that are more stringent than Missoula's current ordinance^{iv}; and,

WHEREAS, more recently, the advent and expansion of electronic cigarette use has occurred; and,

WHEREAS, Missoula's Parks and Recreation Department desires to codify long-standing policy prohibiting smoking in public parks into ordinance for the protection of citizens using these amenities; and,

WHEREAS, the Missoula City-County Health Department desires to codify long-standing policy guiding the construction of smoking shelters into ordinance to clearly and consistently guide businesses in construction and use of allowable smoking shelters; and,

WHEREAS, several Montana localities have adopted ordinances that address smoking in outdoor public places and use of e-cigarette in public places in response to evolving tobacco delivery methods, science on health effects of tobacco use; and public expectations for limiting unwanted exposure to these harmful substances; and,

WHEREAS, statutory duties of the Missoula City-County Board of Health include "ameliorat[ing] conditions of public health importance"^v; and,

NOW, THEREFORE BE IT RESOLVED that the Missoula City-County Board of Health recommends that the City of Missoula revise Missoula Municipal Code Title 8.37 as follows:

- Delete or amend provisions that are less stringent than the Montana Clean Indoor Air Act,
- Incorporate the Health Department's policy on smoking shelter requirements,
- Add use of e-cigarettes to the definition of smoking,
- Prohibit smoking in certain outdoor public spaces, and
- Provide managers of other outdoor public spaces the ability to restrict smoking; and
- Clarify enforcement procedures and penalties for violations of the ordinance,

BE IT FURTHER RESOLVED that, upon the City Council's adoption of an ordinance so revised, the Missoula City-County Board of Health, recommends the Missoula County Commissioners and Missoula Mayor join the Health Board acting to apply the ordinance to a five-mile zone outside city limits pursuant to 7-4-4306 (MCA) for the protection of public health.

PASSED AND ADOPTED this 17th day of January, 2018

Ross Miller, Chair

ⁱ The Centers for Disease Control and Prevention

ⁱⁱ https://www.cdc.gov/tobacco/basic_information/e-cigarettes/index.htm (1-15-18)

ⁱⁱⁱ <https://federalregister.gov/a/2016-10685> (1-14-18)

^{iv} Montana Code Annotated, Title 50, Chapter 40

^v 50-2-116(1)(f) MCA

Item Information




Title:		Health Department update	
Item #:		Status:	Held in Committee
Type:		#:	PSH
Version:	22 th	Sponsor:	Michelle Cares
Meeting Date:	1/1/2050	Ward:	Ward 1, Ward 2, Ward 3, Ward 4, Ward 5, Ward 6
Meeting Type:	PSH Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st			Held in committee	6/13/2012	PSH
2nd			Held in committee	6/20/2012	PSH
3rd			Held in committee	6/27/2012	PSH
4th			Held in committee	7/25/2012	PSH
5th			Held in committee	8/29/2012	PSH
6th			Held in committee	9/12/2012	PSH
7th			Held in committee	9/19/2012	PSH
8th			Held in committee	9/26/2012	PSH
9th			Discuss	10/10/2012	PSH
10th			Held in committee	10/31/2012	PSH
11th			Held in committee	11/28/2012	PSH
12th			Held in committee	12/5/2012	PSH
13th			Held in committee	12/12/2012	PSH
14th			Held in committee	1/9/2013	PSH
15th			Discuss	5/14/2014	PSH
16th			Held in committee	10/29/2014	PSH
17th			Held in committee	2/4/2015	PSH
18th			Held in committee	8/12/2015	PSH
19th			Held in Committee	1/27/2016	PSH
20th			Held in committee	7/26/2017	PSH
21th			Held in committee	1/17/2018	PSH
 22th			Held in Committee	1/1/2050	PSH Referrals Held in Committee

Vote Records

No voting recorded



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Safety and Health

Item: Review of Sequential Intercept Mapping Report and Next Steps

Date: July 31, 2019

Sponsor(s): Michelle Cares

Prepared by: Michelle Cares

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input checked="" type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

Participate in meeting! No additional action required at this time.

Recommended Motion(s):

I move the City Council: N/A

Timeline:

Referral to committee:	July 31, 2019
Committee discussion:	8/7/2019
Council action (or sets hearing):	N/A
Public Hearing:	N/A
Deadline:	N/A

Background and Alternatives Explored:

On April 23, 2019 about 30 people came together to create our communities newest Sequential Intercept Model (SIM) map. We will review the background, action items and criminal justice system plans moving forward.

Materials:

Missoula Co MT SIM Report
Missoula Co, MT SIM Map- Final
PowerPoint Presentation – *anticipate uploading to eScribe on 8/6*

Presentation:

Michelle Cares, City Council Member
Erin Kautz, Grants Administrator III
Kristen Jordan, CJCC project director (CJCC = Criminal Justice Coordinating Council)

We anticipate additional folks in attendance to be available for Q&A

Presentation: ~20 minutes

Q&A: ~10 minutes

A Sequential Intercept Model mapping is a workshop to develop a map that illustrates how people with behavioral health needs come in contact with and flow through the criminal justice system. Through the workshop, facilitators and participants identify opportunities for linkage to services and for prevention of further penetration into the criminal justice system.

The Sequential Intercept Mapping workshop has three primary objectives:

1. Development of a comprehensive picture of how people with mental illness and co-occurring disorders flow through the criminal justice system along six distinct intercept points: (0) Mobile Crisis Outreach Teams/Co-Response, (1) Law Enforcement and Emergency Services, (2) Initial Detention and Initial Court Hearings, (3) Jails and Courts, (4) Reentry, and (5) Community Corrections/Community Support.
2. Identification of gaps, resources, and opportunities at each intercept for individuals in the target population.
3. Development of priorities for activities designed to improve system and service level responses for individuals in the target population

Financial Implications: N/A

Links to external websites: N/A

Sequential Intercept Model Mapping Report for Missoula County, MT

Prepared by: Policy Research, Inc.

Ashley Krider, MS, Senior Project Associate

Regina Huerter, MA, Senior Project Associate

April 23-24, 2019

Delmar, NY



Sequential Intercept Model Mapping Report for Missoula County, MT

Final Report
June 2019

Ashley Krider, MS, Senior Project Associate
Regina Huerter, MA, Senior Project Associate

Policy Research, Inc.



ACKNOWLEDGEMENTS

This report was prepared by Ashley Krider and Regina Huerter of Policy Research, Inc. Policy Research wishes to thank Missoula County Courthouse for hosting the workshop and to Erin Kautz, Grants Administrator for Missoula County, for offering opening remarks. Support for the workshop was provided to Missoula County by the John D. and Catherine T. MacArthur Foundation through the Safety and Justice Challenge.

RECOMMENDED CITATION

Policy Research. (2019). *Sequential intercept model mapping report for Missoula County*. Delmar, NY: Policy Research, Inc.

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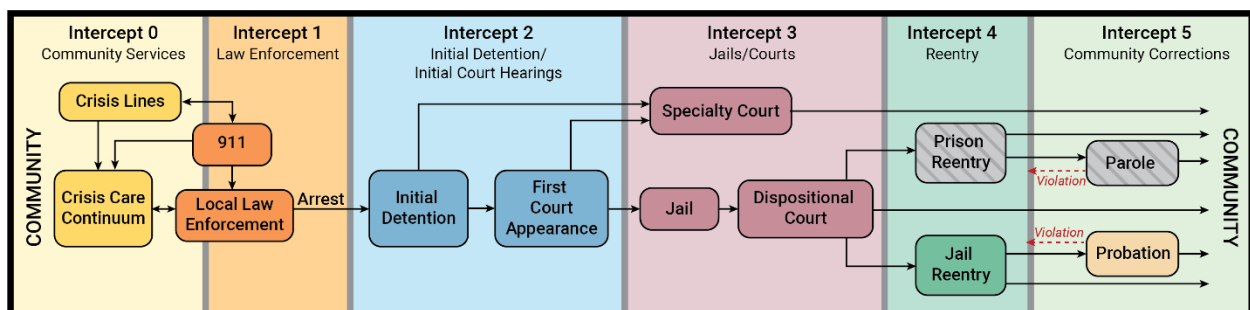
BACKGROUND

The Sequential Intercept Model, developed by Mark R. Munetz, M.D. and Patricia A. Griffin, Ph.D.,¹ has been used as a focal point for states and communities to assess available resources, determine gaps in services, and plan for community change. These activities are best accomplished by a team of stakeholders that cross over multiple systems, including mental health, substance abuse, law enforcement, pretrial services, courts, jails, community corrections, housing, health, social services, peers, family members, and many others.

A Sequential Intercept Model mapping is a workshop to develop a map that illustrates how people with behavioral health needs come in contact with and flow through the criminal justice system. Through the workshop, facilitators and participants identify opportunities for linkage to services and for prevention of further penetration into the criminal justice system.

The Sequential Intercept Mapping workshop has three primary objectives:

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3. Development of priorities for activities designed to improve system and service level responses for individuals in the target population



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¹ Munetz, M., & Griffin, P. (2006). A systemic approach to the de-criminalization of people with serious mental illness: The Sequential Intercept Model. *Psychiatric Services*, 57, 544-549.

AGENDA



Sequential Intercept Mapping

Missoula, MT

April 23, 2019

AGENDA

8:30 Registration

9:00 Opening

- Welcome and Introductions
- Overview of the Workshop
- Workshop Focus, Goals, and Tasks
- Collaboration: What's Happening Locally

What Works!

- Keys to Success

The Sequential Intercept Model

- The Basis of Cross-Systems Mapping
- Six Key Points for Interception

Cross-Systems Mapping

- Creating a Local Map
- Examining the Gaps and Opportunities

Establishing Priorities

- Identify Potential, Promising Areas for Modification Within the Existing System
- Top Five List
- Collaborating for Progress

Wrap Up

- Review

4:30 Adjourn

There will be a 15 minute break mid-morning and mid-afternoon.

There will be break for lunch at approximately noon.

Sequential Intercept Mapping

Missoula, MT

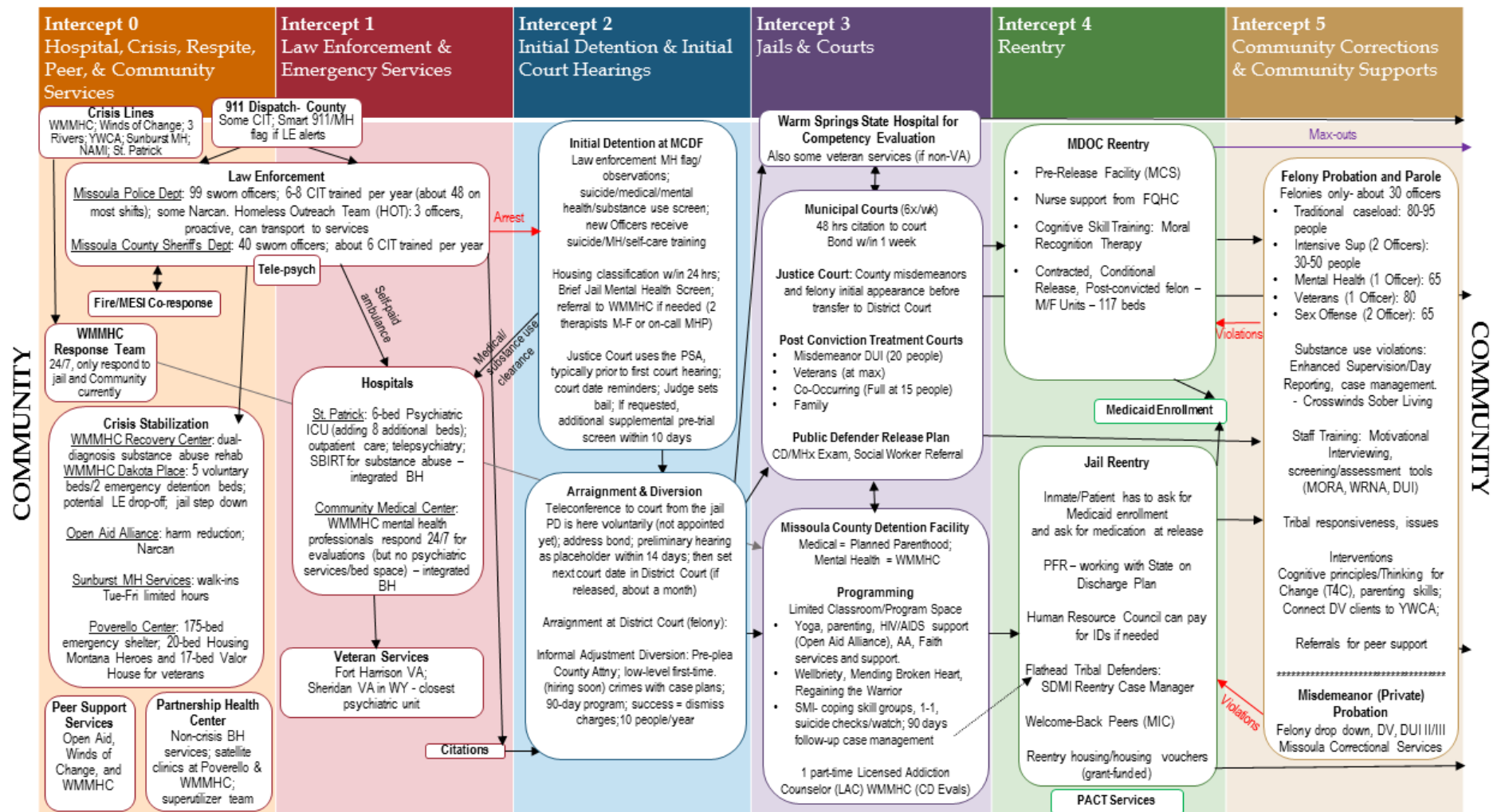
April 24, 2019

AGENDA

- 8:30** **Registration and Networking**
- 9:00** **Opening**
- Remarks
 - Preview of the Day
- Review**
- Day 1 Accomplishments
 - Local County Priorities
 - Keys to Success in Community
- Action Planning**
- Finalizing the Action Plan**
- Next Steps**
- Summary and Closing**
- 12:00** **Adjourn**

There will be a 15 minute break mid-morning.

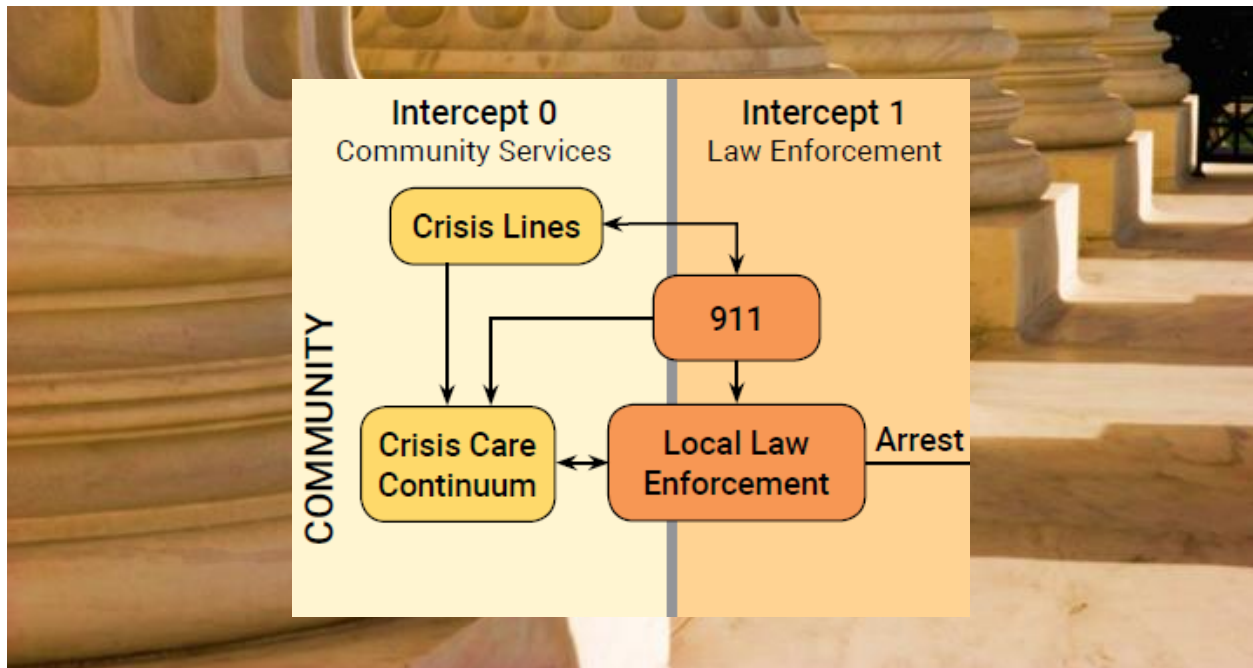
SEQUENTIAL INTERCEPT MODEL MAP FOR MISSOULA COUNTY, MT





RESOURCES AND GAPS AT EACH INTERCEPT

The centerpiece of the workshop is the development of a Sequential Intercept Model map. As part of the mapping activity, the facilitators work with the workshop participants to identify resources and gaps at each intercept. This process is important since the criminal justice system and behavioral health services are ever changing, and the resources and gaps provide contextual information for understanding the local map. Moreover, this catalog can be used by planners to establish greater opportunities for improving public safety and public health outcomes for people with mental and substance use disorders by addressing the gaps and building on existing resources.



INTERCEPT 0 AND INTERCEPT 1

RESOURCES

Crisis Call Lines/Community Resources

- Western Montana Mental Health Center (WMMHC) has a 24/7 crisis line available to all callers.
- Winds of Change has a crisis line for clients only.
- 3 Rivers Mental Health Center has a crisis line for clients only.
- Sunburst Mental Health Services has a crisis line.
- The YWCA operates a victims' call line.
- Some individuals call the NAMI line, although this often goes to a voicemail and is not ideal in crises. NAMI also has a [resource guide](#).
- Project Tomorrow Montana has a mental health/suicide resource card, listing several call lines.
- Women's Opportunity and Resource Development, Inc. (WORD) also has a four-page local resource guide [on their website](#).
- The Providence St. Patrick Urgent Mental Health Clinic's Youth Crisis Diversion Project helps fill the gap in services for youth.
- 2-1-1- is utilized for resource sharing Monday through Friday, 9am-5pm.

9-1-1/Dispatch

- Some dispatch staff have received Crisis Intervention Team (CIT) training.

- There is a mental health flag that can be placed through dispatch if they are alerted to the issue.
- There is a local CIT coordinating group, which is educating service providers around requesting CIT officers.
- SMART 9-1-1 allows citizens to opt-in to be flagged as needing a response from a CIT-trained officer.

Healthcare

- Medicaid expansion will continue through 2025.
- Providence St. Patrick Hospital has a six-bed Psychiatric ICU, and is adding eight additional beds. They provide outpatient psychiatric care, medication management, and psychiatric consultations, as well as telepsychiatry and Screening, Brief Intervention, and Referral to Treatment (SBIRT) for substance abuse.
 - St. Patrick and Partnership Health Center have a shared electronic medical records (EMR) system.
 - St. Patrick uses a “Diversion Contract” as a cross-system approach with individuals who are high utilizers of services.
- WMMHC mental health professionals respond 24/7 to Community Medical Center to conduct evaluations, but the hospital has no psychiatric services or bed space.
- Area hospitals have a protocol for linking veterans to services. They may connect to Fort Harrison for inpatient treatment, fly the individual to Wyoming for the Sheridan VA’s psychiatric unit, or refer non-VA eligible veterans to Warm Springs for services.
- The Health Department has both Prescription Drug and DUI Taskforces.

Law Enforcement and First Responders

- The Poverello Center has a Homeless Outreach Team (HOT) with three staff members who proactively outreach with individuals in the community. They have specific resources for veterans and can provide transportation to services in some cases.
 - Businesses can also call the HOT to respond.
 - The Missoula Downtown Association’s Downtown Ambassador does not provide crisis services, but will call the HOT, if needed.
 - There is one Missoula Police officer to serve the Business Improvement District (BID). This officers is proactive and responds to calls, with flexibility in the response. A second BID position has been approved but not yet filled.
- The goal is to have one CIT officer available on each shift. The Poverello Center reported that a CIT officer is available and responds when requested about 90% if the time.
- The Missoula Urban Indian Health Center has mental health services available, which law enforcement can connect to.

Crisis Services

- WMMHC
 - The WMMHC Recovery Center offers dual-diagnosis substance abuse rehab. They have a VA contract for beds for veterans. Services include residential, outpatient, residential detoxification, outpatient methadone/buprenorphine or Vivitrol, outpatient day treatment or partial hospitalization, and regular outpatient treatment.
 - The WMMHC Response Team operates 24/7 but currently only responds to the jail and Community Medical Center, although they are exploring alternatives.
 - The WMMHC Dakota Place has five voluntary beds and a two-bed emergency detention unit, meant to serve law enforcement for drop-offs, and ultimately walk-ins. It can be used as a jail step-down program and provides medication support and assessment for up to five days, which can then be extended.
- Open Aid Alliance offers a clean needle exchange, Narcan, Fentanyl testing, family education, and other harm reduction services.
- Partnership Health Center provides non-crisis integrated behavioral health services during regular business hours. It has satellite clinics at Poverello and WMHHC, as well as a “super utilizer” care team. They share an electronic medical records (EMR) system with WMMHC.
- The Union Gospel Mission provides non-crisis long-term services for individuals who are homeless in particular.
- Sunburst Mental Health Services provides mental health and chemical dependency services Tuesday through Friday. Drop-in immediate services are provided if available.
- The University of Montana has its own crisis intervention team to meet the needs of students.

Housing

- A “Homelessness and Housing Instability in Missoula” [report](#) was issued in 2010.
- Missoula is in Phase Three of their [10-Year Plan to End Homelessness](#) (2012-2022). They are now using a vulnerability assessment (the VI-SPDAT); and the Poverello Center, 2-1-1, the YWCA, and the Salvation Army are all access points.
- The Poverello Center is a 175-bed adult emergency shelter and service center. They have a zero tolerance policy. They also have transitional housing (up to two years) with case management for eligible veterans through the Housing Montana Heroes (20-bed) and Valor House (17-bed) programs.
- Crosswinds Sober Living has 12 beds.
- The Salvation Army provides a winter warming shelter (although this is probably not permanent).

Peer Support

- WMMHC, Winds of Change, and the Open Aid Alliance offer peer support services.

GAPS

Crisis Call Lines

- It would be helpful to have a substance use version of the Project Tomorrow Montana resource card.
- St. Patrick Hospital has a crisis line but receives many voicemails because staff are busy seeing clients. They receive about 3,000 to 4,000 calls per year, about 90% of which lead to assessment. Calls are returned, but the time delays are inconsistent.
- The 2-1-1 line also lacks staffing to answer in real time.

9-1-1/Dispatch

- There is not much mental health training provided to dispatch, other than some CIT-trained staff. It is unclear if dispatch is asking mental health questions during calls, and if the information is being passed on, if so.

Healthcare

- If law enforcement needs to call an ambulance to transport someone to the hospital, the individual receives a bill for those services.
- The operation and purpose for the additional city ambulance was unclear.
- Some of the emergency departments will refuse services for individuals with behavioral health issues, and law enforcement must wait to provide security in these cases.

Law Enforcement and First Responders

- The Missoula Police Department is short about 10 officers currently.
- Missoula Police Department officers carry naloxone (Narcan), but the cold temperatures frequently render the nasal medication unusable. There is resistance to equipping officers with injectable naloxone.
- Some people are cited and released, but they can get caught in the “revolving door” without engagement in services, particularly when in need of detox. Access to detox services is reportedly based on prior authorization.
- Fire and MESI (EMS) co-respond with law enforcement in some cases.

Crisis Services

- The WMMHC Dakota Place emergency detention unit has been understaffed to date, although action is being taken to remedy these issues so that it is a viable diversion option for law enforcement. They also require medical clearance for non-clients.
- There is a population that has serious mental illness, but does not rise to the level of involuntary commitment acuity. These individuals are often high utilizers of services.

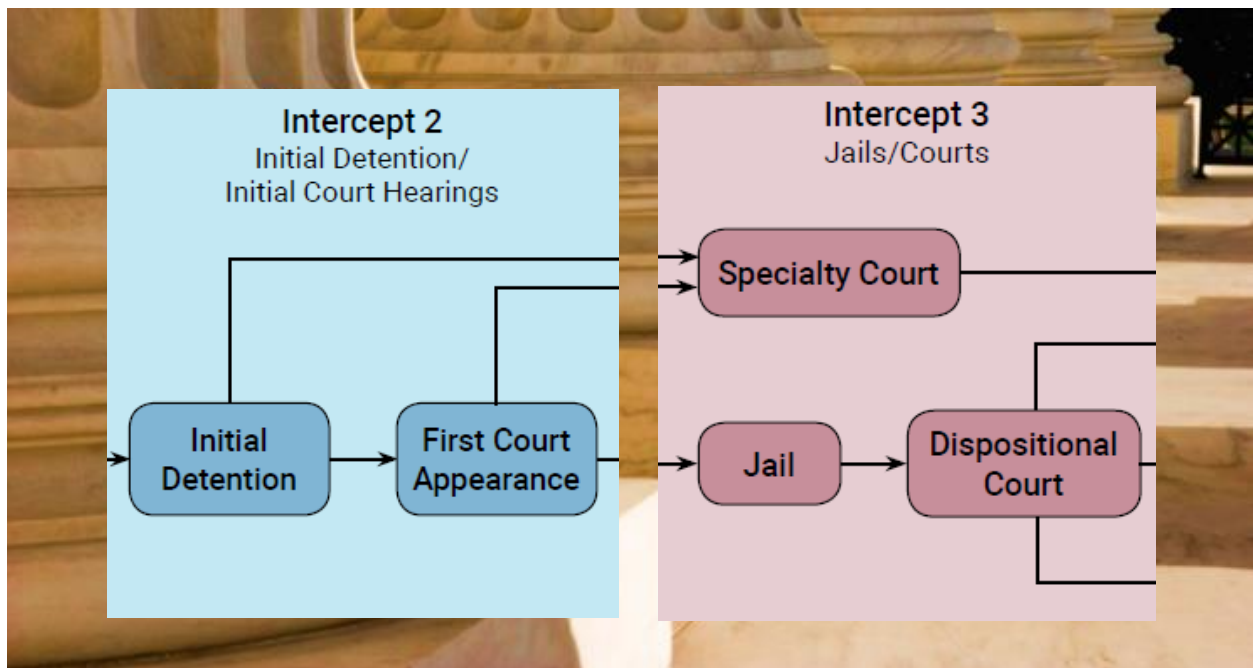
- There are limited detox beds and a waitlist at the WMMHC Recovery Center.
- Partnership Health Center has full service capacity.
- There is no psychiatric bed management system to determine what is available locally.
- Medical clearance was raised as a barrier several times during the SIM.
- There is a lack of community-based mental health services and support available in real time, and in particular services accessible to law enforcement.
- Conversations to expand co-responder services are taking place in a variety of agencies. Coordination and collaboration is needed.
- There is a gap in mobile crisis response services that are able to respond anywhere.
- Shelter providers can reportedly observe potential crisis situation arising, but have to wait until the acute crisis occurs to access services. Shelter beds are limited and non-traditional hours are not available in most cases.
- Early intervention crisis services are not generally available.
- There are several gaps around opioid and drug issues.
 - It is difficult to access Medication-Assisted Treatment (MAT) and some providers are reportedly more reliable than others.
 - There are Federal opioid-related funding streams that are not being maximized.
 - Law enforcement should have access to the injectable form of Narcan.
 - Resources to prevent and address fentanyl and methamphetamine are lacking.
 - There is a lack of daytime treatment intervention for DUIs.
 - Psycho-social education is not available across methadone and buprenorphine providers.

Housing

- There is a general education gap regarding the Housing First model, particularly with Program for Assertive Community Treatment (PACT) teams and the Mental Health Center.
- Accessing behavioral health services, and in particular housing, is generally difficult for individuals convicted of sex offenses.
- Citations and fines can be barriers to accessing housing.

Collection and Sharing of Data

- There is a lack of data tracking around CIT calls.
- There is a data gap around potential diversion to detox, instead of jail.



INTERCEPT 2 AND INTERCEPT 3

RESOURCES

Booking

- The Brief Jail Mental Health Screen is administered at classification, within 24 hours of booking. When need is indicated, additional services are offered.

Jail Structure and Personnel

- There is training on suicide, mental health, and self-care provided to new Detention Officers.
- About six Detention Officers are trained in CIT each year.

Jail Services

- The jail's new medical provider is Planned Parenthood. According to the [Jail Diversion Master Plan Update](#) (April 2018), this provider will improve access to prescription medications through an alternate formulary and add four hours a week of a medical provider specially trained in the diagnostics and prescribing of psychiatric medications for complex cases and provide a healthcare navigator who also performs reentry assistance through coordinating community resources for inmates upon release.
- Behavioral health staff are available on an on-call basis during off-hours.
- The jail has a new telepsychiatry program (within the last few weeks).
- An FQHC dentist does in-reach at the jail.

- Jail programming is group-based unless for individuals with serious mental illness (SMI). It includes case management with up to 90-day follow-up after reentry, peer supports, yoga, parenting classes, HIV testing through the Open Aid Alliance, Alcoholics Anonymous (AA), and Native American cultural programming.
- Community providers are able to perform education and in-reach as “professional visiting.”

Pretrial Services

- Justice Court uses the Public Safety Assessment (PSA), typically prior to first court hearing. At times, there are requests to have pre-trial (Missoula Correctional Services) conduct a pre-trial report. Court date reminders are used.
- There is a pre-plea prosecutor-led diversion program at arraignment at District Court that is currently being developed. The program would review low-level first-time felonies and misdemeanors and create case plans. The diversion program is 90 days and charges are dismissed if the individual is successful. The program has a service goal of 10 people per year, and is similar to the existing program in Billings.
- The Public Defender’s Office has a Social Worker (and potentially a second) to help refer clients to resources. She receives referrals from attorneys and conducts a psycho-social interview and system navigation.
- Discretion exists regarding desired timelines around court processes.

Problem-Solving Courts

- There are multiple Treatment Courts in Missoula County. Most are 18 months in length.
 - The grant-funded Family Drug Treatment Court began in 2017.
 - The Co-Occurring Treatment Court (2004) has a caseload of 15 and is at capacity.
 - The Veterans Treatment Court (2011) is full, with a grant to expand to 25 clients. It has about a 33% recidivism rate over 48 months.
 - The grant-funded Misdemeanor DUI Court (in Justice Court) began in March 2019 and has four clients, with a capacity of up to 20.
 - There is also a Youth Drug Court.
 - District Court (Judge Halligan) is interested in adding a felony Drug Court
- The defense and prosecution discuss the potential appropriateness of Treatment Courts.

Data Collection and Sharing

- Data is accessible for ORs, bond, and releases to pretrial.
- Through Missoula County’s MacArthur Safety and Justice Challenge Innovation Fund, they created the Native Outreach Project (NOP) from January 2017-March 2018, which sought to address the disproportionate representation of Native Americans in the local jail by instituting culturally relevant prerelease programming for incarcerated people and awareness training for jail staff.

GAPS

Booking

- The medical/suicide/mental health/substance use screen used has been developed internally, and may not be as valid as possible.
- On occasion, an individual needs medical clearance prior to booking into the jail, but the hospital won't accept the person due to behavioral/behavioral health issues, so law enforcement must wait at the hospital until the individual is stabilized.

Jail Structure and Personnel

- Roughly 46% of individuals at MCDF are held at the jail's contracted 144-bed community corrections facility (Missoula Assessment and Sanction Center, or MASC). These individuals are currently ineligible for diversion services; however they can receive assistance enrolling in Medicaid, if they request it.

Jail Services

- There is no bond review/jail population review team currently.
- The jail has a limited formulary, although this may change with the new provider (Planned Parenthood).
- Jail programming is voluntary, and space is limited.
- The jail's Narcotics Anonymous (NA) was twice "unsuccessful."
- There is no acute medical/mental health/detox care at the jail. Individuals with significant detox or mental health needs are sent to the local emergency room or the State Hospital.
- Over-the-counter medication is used to manage withdrawal symptoms, as opposed to buprenorphine.

Competency

- There is a "months-long" wait for competency evaluation at Warm Springs State Hospital.
- Competency evaluation and restoration is rarely pursued for individuals charged with misdemeanors, as the City Attorney must pay for evaluation and treatment in this case. Charges are often dismissed, but these individuals cycle through the justice system repeatedly.
- Generally, judges must mandate involuntary medication with individuals who are involuntary committed. Even when this is done, only Warm Springs will forcibly administer medication.

Pretrial Services

- The PSA information is sent from the jail to the state, who generally returns the PSA score within 24 hours. SIM participants noted that there are challenges with moving to

the risk-based pretrial process, as a supplement to judicial discretion and the previous tool(s). Linkage to services is also a concern.

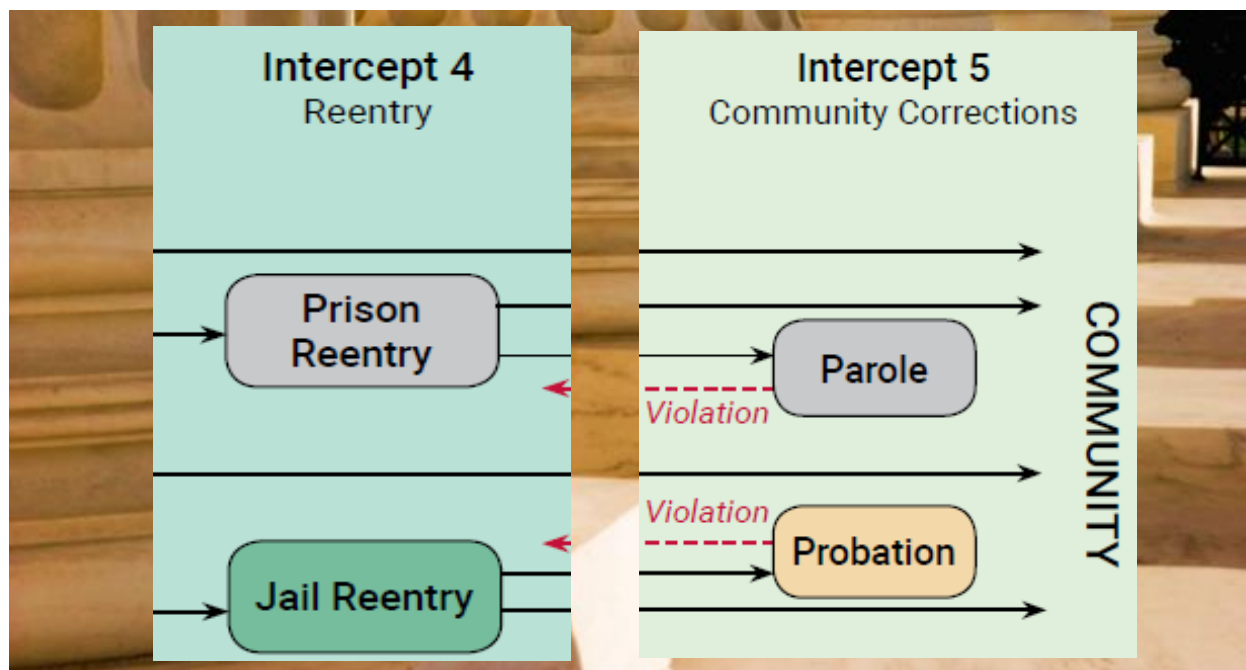
- There is little and inconsistent behavioral health screening at pretrial.
- Cash bonds are being used. Bail is still used as part of pretrial.
- There are a high number of failures to appear (FTAs), especially in Municipal Court. The court requires defendants to attend every court hearing, and there are many.
- Case processing, especially moving a client from Justice Court to District Court, is confusing, and can take over a month to complete. There is a recognition of the issue and work to address the process.
- Commonly, a requirement of inpatient treatment prior to issuing a guilty plea results in multiple continuances. This process relies on the Public Defender's Office to connect to treatment.
- There is only one Social Worker serving the Public Defender's Office, and utilization of this role is inconsistent.

Problem-Solving Courts

- Courts often require chemical dependency evaluations, and the responsibility for obtaining evaluations lies with the Public Defender's Office.
 - Unless for felony DUI charges, the Public Defender's Office does not consider Treatment Courts a viable option, as they are post-conviction models.
- There may be fidelity issues with some of the Treatment Courts.
- The Veterans Treatment Court is part of sentencing, and may lack standardization.

Data Collection and Sharing

- There is a lack of data on individuals who are incarcerated and were previously homeless.
- While Native Americans constitute 3% of the total county population, 14-18% of individuals incarcerated in MCDF are Native American.
- There is a need to examine data around "failures to appear" and make system adjustments to approve outcomes.



INTERCEPT 4 AND INTERCEPT 5

RESOURCES

Jail Services

- Probation will request individuals' remaining medication at discharge, if they are part of the mental health caseload.
- For individuals with serious mental illness, the grant-funded jail case manager can provide up to 90 days of follow-up after reentry.
- Group homes can request up to 30 days of medication from the jail.
- Sometimes the jail case manager will transport individuals to the group home or Dakota Place, if available.
- Detention Officers provide resource information at reentry.
- A mental health notification can be placed on individuals' booking sheets.

Community Reentry

- The Tribal Defenders Office does in-reach into the prison for tribal members, and assistance with reentry services.
- The Missoula Interfaith Collaborative has an advocacy group for returning citizens, the Welcome Back program. The program has a housing focus and offers peer support services.
- Partners for Reintegration (PFR) is a coalition of service providers, stakeholders, and returning citizens, providing general reentry advocacy, outreach, and education. The

group has a collaboration at the prison to develop case plans. They also an online resource guide focused on reentry.

- A reentry council is being explored.
- There is a new reentry housing grant for individuals charged with felonies at DOC.
- Partnership Health Center has a nurse embedded at the Missoula Prerelease Center. The Prerelease Center houses 117 individuals convicted of felonies.
- Missoula DOC has a [reentry initiative site](#) that provides resources. They are part of a Montana Reentry Initiative Task Force.
- The Human Resource Council has funding for identification post-incarceration, and can use a booking photo if necessary.
- There is some ad hoc transportation coordination between community providers.

Probation and Parole

- Probation and Parole has a conditional prerelease program, which helps to create plans with individuals before they go before the Parole Board. Probationers are sent to DOC for treatment, which includes Moral Reconciliation Therapy (MRT) and life skills training.
 - Graduated sanctions are used within Probation and Parole, utilizing a grid.
- Missoula Correctional Services handles Misdemeanor Probation for those from the Municipal and Justice Courts. They have received risk need training and utilized graduated sanctions.

GAPS

Jail Services

- There are no reentry services generally for the population without a serious mental illness.
- Individuals must request their remaining medication at discharge (up to one month), and many are released without this.
- There are no tribal-specific tools utilized for needs assessment.

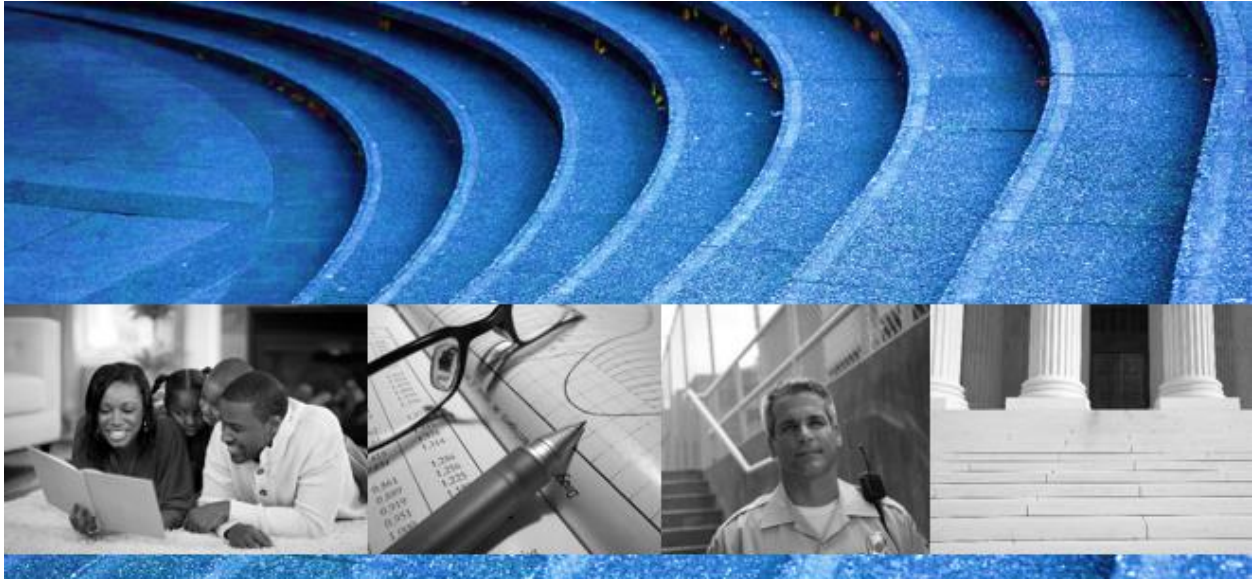
Community Reentry

- There is a lack of community provider notification when an individual is discharged from jail.
- The Prerelease Center has a capacity issue.
- There is a transportation services gap generally.

Probation and Parole

- Probation and Parole Officers spent a lot of time in the office due to paperwork, instead of out in the field. Tools used are electronic, and there are not laptops available for all officers.

- There are no mental health staff embedded at Probation and Parole, although there is a potential contract with Western Montana Addiction Services, Turning Point to do evaluations.
- There are discrepancies around the amount of necessary revocations pursued through the Missoula Correctional Services Misdemeanor Probation program. There is no revocation grid used, as within Felony Probation, and there is disagreement about standardization and efficacy.



PRIORITIES FOR CHANGE

The priorities for change are determined through a voting process. Workshop participants are asked to identify a set of priorities followed by a vote where each participant has three votes. The voting took place on April 23, 2019. The top three priorities are highlighted in italicized text.

1. *Increase deflection from the justice system at Intercept 0- 19 votes*
 - a. *Add a second BID staff person (officer or non-officer/social worker)*
 - b. *Look at co-response and mobile crisis team models*
 - c. *Access to crisis services for law enforcement drop-off*
 - d. *Increase the collaboration with other first responders (Fire/EMS) at Intercept 0- 1 vote*
2. *Communication, coordination, information sharing, and data across systems- 16 votes*
 - a. *Cross-training between criminal justice, primary care, and behavioral health systems- 1 vote*
 - b. *Develop a relationship with the state hospital, especially around discharge- 1 vote*
3. *Increase timely access to chemical dependency evaluations and process- 10 votes*
4. Increase the court process efficiency (in process)- 7 votes
5. Build a relationship with state Medicaid- 5 votes
6. Increase CIT officer training and capacity- 3 votes
7. Expand pre-trial diversion for people with mental illness- 3 votes
8. Fill the gap in services/case management between fitness to proceed and involuntary commitment- 3 votes
 - a. Navigation, both prior to and after this stage
9. Expand access to medication at the jail and across systems/continuity of care- 1 vote

10. Expand accessible transportation, especially to court dates- 1 vote
11. Increase the continuum of housing for this population, including the working poor- 1 vote
12. Increase buy-in and education about the move to a risk-based assessment at pre-trial

ACTION PLANS

Priority Area #1: Increase deflection from the criminal justice system at Intercept 0

Objective	Action Step	Who	When
Hire a second BID person	Meet with SW Dept. about MSW Practicum at MPD- pilot	Theresa, Randy, Charlie, Kate Chapin	Fall 2019
	<ul style="list-style-type: none"> -Student would research models, pros/cons of second person being contracted with a MH agency or MPD and create a proposal -Student would gather stats -Student will also look at sustainability of current BID position and review job description -Stipend for practicum position 	MPD, BID, ?	May 2020
Increase access to crisis service center and/or mobile	Facilitate a meeting of appropriate stakeholders (people who currently aren't at the table)	CJCC lead, Erin Kautz, WMMHC, PHC, St. Patrick's, MPD, County Commissioner, U of M	June 2019
Increase law enforcement officer training around community resources and outreach best practices	Ask Chief to block out four hours of new officer training for "Community Resource and Outreach"	Randy	Today (4/24/19)

Expand CES efforts to LEO, Probation and Parole, and P.D.O. (Housing First focus)	Check with Implementation Team regarding concerns/questions around MOUs and HMIS access	Theresa	May 6
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Priority Area #2: Increase timely access to chemical dependency (CD)/mental health evaluation and process

Objective	Action Step	Who	When
Comprehensive list of CD/MH evaluators	List of: funding/billing, sources, providers, addresses, hours, services	Erin Kautz, with help from the PD SW	By June 1
Full-time LAC for Public Defender	Find funding	Jennifer Streano (PD)	By June 1
Full-time LAC(s) at jail, or dual-licensed MSW LAC	Budget/grant	Cola Rowley and Erin Kautz	By September
Communicate with all judges regarding issues with obtaining CD evaluations	Agenda item for next judges meeting- deadline, challenges (revocations, timelines, & barriers), and leniency	Tim DeFors, Amy McGhee (JP judges)	By May 5
Explore peer network utilization	OPD to use MT Peer for transportation, etc.	Jennifer Streano	By July 1

Priority Area #3: Communication, coordination, information sharing, and data across systems

Objective	Action Step	Who	When
MAH (meeting after hours)	<p>Monthly meetings at facilities:</p> <ul style="list-style-type: none"> -An open house, discussing population serves and vectors of referral/entry, myth-busting, mock entry/resolution (simulation), discussing data/concerning issues, create list of talking point guidelines 	<p>Each agency</p> <p>Coordination: Jenny, Erin Kautz/Leah F</p> <p>1st: Poverello, YWCA, Winds of Change</p> <p>2nd: County Attorney, Public Defender, Judiciary</p>	Monthly (end of day- 4-6pm?)
Mental health MDT	<p>Determine information sharing (CONNECT, HMIS, etc.)</p> <p>Further explore mobile response (crisis/long-term)</p> <p>Reduce barriers to data sharing created by HIPAA, CIIA, and MT statute</p> <p>Create an advisory group</p> <p>Create a group that can look at case-specific information/situations for problem solving</p> <p>Create an ROI</p>	Suzy B (sent out general survey)	By May 30

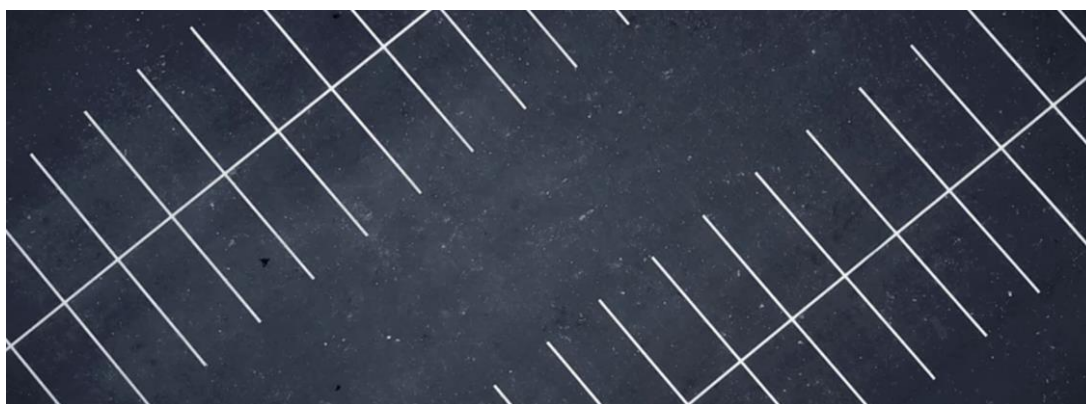
	Orientation		
Better utilize current systems (HMIS, case conferencing)	Grow partnerships	Theresa Williams, Elise	ASAP
Collect data	<p>Establish who/what/wants/timing</p> <p>Examine trends/gaps/areas of improvement</p> <p>Patient/client perceptions/focus groups</p> <p>Create a general questionnaire of all desired information</p>	<p>Data analyst</p> <p>Focus groups/students- Drew</p>	After MDT formation (after June)
Create a referral document/resource	Myth busting (added question to general survey)	Suzy B (send out survey)	By May 30
Secondary trauma/self-care focus		Andy Laue?	
Examine funding options for coordinator position in behavioral health and manage MDT		Drew and Erin	



QUICK FIXES/LOW-HANGING FRUIT

While most priorities identified during a Sequential Intercept Model mapping workshop require significant planning and resources to implement, quick fixes are priorities that can be implemented with only minimal investment of time and little, if any, financial investment. Yet quick fixes can have a significant impact on the trajectories of people with mental and substance disorders in the justice system.

- The Missoula Downtown Ambassador can be engaged and educated regarding local resources for this population.
- The Social Worker at the Public Defender's Office and shelter/housing/service providers can meet together and establish a process for information sharing. The Social Worker already has access to the HMIS database and St. Patrick Hospital has been engaged.
- Probation and Parole can be included in the coordinated entry meetings.



PARKING LOT

Some gaps identified during the Sequential Intercept Mapping are too large or in-depth to address during the workshop. These issues are listed below.

- The restrictive HUD definition of homelessness makes it difficult to find housing for those reentering the community from jail.



RECOMMENDATIONS

Cross-Intercept Recommendations

1. ESTABLISH STANDARDIZED METRICS AND DATA SHARING ACROSS AGENCIES TO IMPROVE DATA-INFORMED DECISION-MAKING

A data-informed process is essential to identify system gaps and resource utilization. It can help us understand returns on our investments and improve outcomes. Individualized data is necessary to identify and stratify potential populations for alternative processing and inform strategies to build a more responsive system. Unfortunately, all too often criminal justice and other data systems are transactional or operational in nature, making them "data rich but analysis poor" with reporting functions limited to boilerplate reports. Also, stakeholders across all disciplines have their data systems, each with unique individual identifiers making data matching very limited.

SIM participants identified several areas where data was lacking, and was necessary to inform policy and practice. In particular:

a) Data regarding CIT and HOT response efforts. Tracking and analyzing this data can result in allocation of personnel and related supportive resources. Data can inform use of services and identify gaps in services. Data can also provide key information about the needs of vulnerable populations.

b) Data that informs discussions about client population needs and service/provider outcomes for those living with mental health and substance use disorders.

- Use data to inform detox needs and determine how many individuals would benefit from detox, rather than jail.
- Analyze service gaps to identify and sort the population and related needs, and to create intervention strategies and outcomes.

c) Data regarding court and case-processing

- Use observation data, including time-stamp information from arrest to closure, to create a case processing benchmark. Create alternatives and track outcomes.

- In particular, examine individuals released and detained pre-trial, failures to appear/warrants, and sentenced populations.
- Include race and ethnicity as well as gender and age in all data analyses.

SIM Participants identified Priority Area #2: communication, coordination, information sharing, and data across systems. Additional information related to this recommendation can be found in Recommendation #5.

Definitions

Define key terms to improve accurate data collection, and create productive and focused discussions on issues and needs. Example behavioral health and criminal justice terms include: mental health/illness, crisis, substance use disorder, pre-arrest, diversion, pre-trial, technical violation, recidivism and others. The Stepping Up initiative provides [an example](#).

Review [Montana state statutes](#) such as Title 33 and Title 53 for mental health and billing definitions.

Understand Current Data Collection

Review existing current data usage and data systems including: fields/variables collected (or available but not used); data entry and integrity; data duplication within and across systems/disciplines; information-sharing practices, especially exporting and importing data; data storage for analysis and to create trends; data platforms; ability to make modifications to data systems; and overall capacity and report functions.

Sharing Data

Answering the question “why should we track and share data” is an important place to start. National data and information-sharing expert, John Petrila, Vice President of Adult Policy at Meadows Mental Health Policy Institute, suggests interested parties answer the following questions:

- WHY do you want to share the information? To identify a target population? Geographic area? Evaluate program outcomes? Improve services? Data trends and analytics?
- WHAT types of information is needed to share? Identifying or non-identifying?
- WHO do you want to share it with? HIPAA covered entities v. business entities.
- WHO decides what, how, and with whom information can be shared?

Answering these questions will help shape an “information sharing framework.” In addition:

- Are trends, interventions, costs, and outcomes tracked for specific populations?
- Are standard data fields across systems and disciplines defined and used?

At the very least, track data points [recommended by Stepping Up](#).

Developing data and information strategies can seem overwhelming. More detailed information is available from PRA/PRI upon request.

TIPS:

- Create a data dictionary that includes *shared definitions* and *defined terms* to ensure there is a standard definition of what populations/issues you are trying to understand; learn from each system how that data point is collected, entered, coded, and stored.
- Determine standard identifiers to match populations. Sometimes the best you will have is "name and date of birth."
- Add an "opt-out" clause to release of information about information collection for data sharing (as appropriate) and analysis purposes.
- Rather than tackle the entire system, start with integrating two or three parts of one system – such as pre-trial and detention/jail data, or emergency department, mobile crisis and triage center.
- Track *population-specific* data across a sample of cases to create a case-flow process by race/ethnicity, gender and age, identify areas of redundancy such as screening and assessments, unnecessary wait times, disparity and access to services. Include average time stamps between processes by type and level of offense, pre-trial and bond eligibility including holds (parole, other jurisdictions, and federal), time from eligibility to time of release, release volume by time of day and day of the week, sentencing outcomes, revocations by reason and results, diversion utilization and outcomes, and program and jail program access, capacity, and utilization.
- Work with state Human Services and Medicaid to understand what data would be helpful to collect to demonstrate resource needs.
- Develop a case-process flow analysis and data including race/ethnicity, gender, age, time to process each step, level of offense and risk, bond eligibility and status, the average length of stay for the general population, and for someone with a mental illness or a substance use disorder.
- Use data to understand trends. To the degree possible, use both charge-based and individual-based data and look historically at issues such as repeat offenders, common offense locations, system processing, and access to services. Historical data can reflect trends and target or illuminate issues.
- If possible, overlay access and utilization of mental health and substance use treatment and medication. Include failures to appear and lengths of stay in jail.
- Track racial and ethnic disparity across all programs. Examine criteria, acceptance, successful completion rates, and technical violations.
- Track technical violation data to understand the impact on jail and improve the use of sanctions and incentives.

Stepping Up Key Data Points:

- 1) Number of non-duplicated and duplicated people booked into jail; the number of people with serious mental illness (SMI) booked into jail
- 2) The number of non-duplicated and duplicated persons connected to treatment – by police, while in jail, from jail to community services, under court orders and probation
- 3) Length of time persons spend in jail
- 4) The number of persons returning to jail with a new offense, and by a technical violation, duplicated and non-duplicated

- Add cost measures to the analysis.

Increase the common understanding of information sharing

Increase cross-system knowledge of HIPAA, 42 CFR Part 2, and HMIS for mental health, substance use, and homelessness information sharing. Educate stakeholders on information and data sharing between protected entities, between protected and non-protected entities, and between non-protected entities.

Current State Laws Regarding Information Sharing	
Montana DPHHS	Website
Guidance on Applicable Federal Law	
HIPAA.com	Website
Health Information Privacy Portal: Source: U.S. Department of Health and Human Services; Questions on HIPAA, maintained by HHS/Office of Civil Rights ; HIPAA and law enforcement ; mental and behavioral health	Website
<i>Frequently Asked Questions: Applying the Substance Abuse Confidentiality Regulations to Health Information Exchange.</i> Source: Substance Abuse and Mental Health Services Administration (updates on 42 CFR Part 2)	PDF
<i>Disclosure of Substance Use Patient Records: How Do I Exchange Part 2 Data?</i> Source: Office of the National Coordinator for Health Information Technology	PDF
<i>Information Sharing in Criminal Justice-Mental Health Collaborations</i> by John Petrila and Hallie Fader-Towe	Article Link
Homeless Management Information System	
HUD Exchange Homeless Management Information System Guide and Tools	Website
McKinney-Vento Homeless Assistance Act Source: HUD Exchange	PDF
Information Sharing Guidance	
<i>Opportunities for Information Sharing to Enhance Public Safety Outcomes</i> Source: IJIS Institute, Urban Institute	PDF
<i>Prioritizing Justice-to-Health Exchanges Task Team Final Report</i> Source: Bureau of Justice Assistance	Website
<i>Corrections and Reentry: Protected Health Information Privacy Framework for Information Sharing.</i> Source: American Probation and Parole Association	PDF
<i>A Comparative Analysis of HL7 and NIEM: Enabling Justice-Health Data Exchange</i> Source: National Consortium for Justice Information and Statistics	PDF
<i>Information Sharing in Criminal Justice-Mental Health Collaborations: Working with HIPAA and Other Privacy Laws</i>	PDF
<i>When is consent required?</i>	Website
<i>Mental Health Information Systems.</i> Source: World Health Organizations	Website

Data-sharing technology

Terms such as interface, integrated, and interoperability are used interchangeably; however, they may have different meanings. Refer to this [quick guide](#) on the differentiation between the terms. In many cases, levels of data integration can be achieved, but the ability to interface

systems is a tremendous leap forward. Interoperability, especially across disciplines, is often challenging and not necessary to improve system coordination and outcomes. A motto to keep in mind is "don't let great get in the way of good."

Across the United States, information on data-sharing is growing with a good deal of success. Some models to consider:

- [Crisis Intervention Team \(CIT\) Methods for Using Data to Inform Practice: A Step-by-Step Guide](#)
- In Johnson County, the data hub is built on a system called [My Resource Connection](#) (MyRC)
- [Camden County Coalition of Healthcare Providers](#) has done extensive work in data gathering and sharing

Open source technology can reduce system reliance on closed, proprietary systems. Open source consortiums like the Open Justice Broker's Consortium (OJBC) ([PDF](#) and [Website](#)) specialize in cross-system data. OJBC began their work in Hawaii to connect human service and criminal justice data systems; members are also in Pima County (AZ), Adams County (CO), and the States of Michigan, Massachusetts, Maine, and Vermont. In each case, the new county or state can benefit from the other systems' work, resulting in expediting the process and reducing costs.

Adams County (CO) offers the following lessons learned:

- Start with a survey to develop and document a unified vision, mission, and goals.
- Establish a governance structure to set policy and technical priorities, from what kind of data makes sense to share to who will have access and where it will reside.
- Set up the necessary protections, from data sharing and management control agreements to intergovernmental agreements and rules of access.
- Use project charters to align stakeholders, researchers, and technologists behind a unified set of goals and expectations for projects in development.
- Use justice information sharing standards provided by the National Information Exchange Model (NIEM) and Global Reference Architecture (GRA).
- Map data, build database and develop research, sharing, and analytics tools.
- Use local universities to help map your data tracking and information system. Some universities have specific departments that partner with counties and states. The Harvard School of Law, Government Performance Lab, and [Code for America](#) can be helpful partners in developing strategies and connection to others who are doing similar work.

Telling your story through internal and external dashboards

Dashboard indicators can show prevalence, demographics, and case characteristics of adults with mental and substance use disorders who are arrested, passing through the courts, booked into the jail, sentenced to prison, and placed on probation. Tools like Microsoft [PowerBI](#) are free and relatively easy to use. Louisville (KY) and [Denver \(CO\)](#) are among the jurisdictions with robust jail dashboards.

Mental health dashboards can monitor wait times, bed and service utilization in hospitals, crisis stabilization and other mental health service providers. The publication [Data-Driven Justice Playbook: How to Develop a System of Diversion](#) provides information on the development of data-driven strategies and use of data to develop programs and improve outcomes. See also the *Data Analysis and Matching* publications in the Resources section.

2. INCREASE CONTINUITY OF HEALTH CARE BETWEEN THE EMERGENCY ROOM AND JAIL

Convene a working group made up of local hospitals, the Sheriff's Department, and other care providers to discuss definitions, terms, conditions, and thresholds for "Medical Assessment" and "Medically Cleared."

The process of medical clearance to be accepted into jail is a common issue. [The National Commission on Correctional Health Care \(NCCHC\)](#) and the [CHC Guidelines](#) provide good information about standards of care.

Review Correctional Care Standards: J-A-01 Access to Care and J-E-02 Receiving Screening and important standard J-D-05 Hospital and Specialty Care. Following is information gleaned from the NCCHC CorrectCare response:

- Is the level of care needed available in the jail facility? If the jail has an infirmary, what scope of care is available? Is there a sheltered housing area where the inmate can receive the necessary services? What is the jail medical and mental health staffing pattern?
- Does the ER physician know what level of care is available at the jail? A visit to the jail and an exchange of information about its health staffing and capabilities are essential to good planning between jail and ER health administrators and physicians.
- Is the ER physician thinking about return to jail as a return to home care? Would the hospital send the patient home? Does the inmate-patient simply need observation that could be done by minimally trained correctional officers, or does he or she need nursing care that is (or is not) available on-site?

In addition, consider blending resources and using the integrated health center for minor abrasions, stitching, and other minor medical issues rather than more expensive levels of care prior to being detained. The Bexar County (TX) Sobering Center is a model.

3. HOMELESS AND HOUSING INTERVENTION STRATEGIES

Create a comprehensive housing inventory. Include program, location, target population, eligibility criteria, type, services, funding support, capacity, and availability.

- [Types of housing to inventory](#): hotels/lodging that accept justice-involved individuals, group homes, board and care homes, and nursing care facilities. Emergency shelters, rapid rehousing, Permanent Supportive Housing, Housing First, supported housing/partial rent subsidies, transitional housing, affordable rental housing, and homeownership Include landlord liaisons/support and intervention services, housing operated by disability and mental health providers and half-way houses. Also

consider how dependent care, institutional care, home-based services such as FACT, FUSE and ACT, halfway houses, and respite care can support specific populations needs.

Communities around the country have begun to develop more formal approaches to housing development, including use of the Housing First model.

- The [100,000 Home Initiative](#) identifies critical steps for communities to take to expand housing options for persons with mental illness.
- The Corporation for Supportive Housing FUSE Resource Center describes [supportive housing initiatives for super-utilizers](#) (frequent users) of jails, hospitals, healthcare, emergency shelters, and other public systems.
- [Camden New Jersey](#) has developed a promising collaboration of healthcare, social service, and law enforcement services to address their “complex care” populations that have frequent contact with their hospitals and, sometimes, police. They have been showing success in reducing repeated contact and improving health.

Work with homeless service providers and triage systems to improve coordination and access to shelter and housing providers.

- Address shelter/housing criteria that limit or exclude individuals with criminal justice, or mental health or substance use issues. Work collaboratively to improve access and physical state of the accommodations to promote safety and stabilization.
- Prioritize and coordinate access to housing, especially Housing First and Permanent Supportive Housing models. Access to "coordinated housing" results from client scores such as the Vulnerability Index and Service Prioritization Decision Assistance Tool (VI-SPDAT).
- Diversify housing options such as transitional, supportive, and supported housing. Improve the ability of shelters to connect persons with longer-term housing services. Discussions with shelter providers and persons who have experienced homelessness could result in expanded thinking and repurposing of some of the shelter beds.
- Review current housing/zoning codes to understand what rules or statutes preclude sex offenders from living in the area. Shared Living Arrangements (SLA) have been shown to increase accountability for sex offenders and reduce recidivism among sex offenders.
- Similar to Permanent Supportive Housing, consider combining affordable housing with access to supportive services to increase housing stability.
- Programs that promote housing, life skills, and employment (such as The Doe Fund Ready to Work, TOSA, and Delancey St) creates alternatives to jail/prison and include housing, employment, and life-skills training.
- Landlord liaison and navigation increase the likelihood that landlords will accept individuals with justice system involvement and who have higher needs.
- Develop financial support, including Housing Transition Services and Housing and Tenancy Sustaining Services to support move in, make deposits, and address any damage and repair costs.
- Utilize various housing funding streams available at the state, county and federal level:
 - State and Federal housing vouchers and public housing options, Veterans Affairs Supportive Housing (VASH), Family Unification Program (FUP), Emergency Solutions

Grants (ESG), Home Purchase Assistance Program (HPAP), Tenant-based Rental Assistance (TBRA), Permanent Supportive Housing (PSH) and PHS Bonus, PSH Shelter Plus Care (PSH(S+C))

- Coordinate with your local HUD CoC - Continuum of Care
 - Understand the U.S. Department of Housing and Urban Development (HUD) definitions to access various housing options.
 - Understand HUD rules and compare to local housing authority rules
 - Work to prioritize criminal justice housing under your CoC and housing authority.
- The following resources may help inform strategy development. See also *Housing* under Resources below.
 - GAINS Center. [Moving Toward Evidence-based Housing Program for Person with Mental Illness in Contact with the Justice System](#)
 - [Housing Toolbox for Massachusetts Communities](#)
 - Connect Our Future [Community Based Housing Strategies](#)
 - [Housing Development Toolkit](#)
 - Stefancic, A., Hul, L., Gillespie, C., Jost, J., Tsemberis, S., and Jones, H. (2012). Reconciling Alternative to Incarceration and Treatment Mandates with a Consumer Choice Housing First model: A Qualitative study of Individuals with Psychiatric Disabilities. *Journal of Forensic Psychology Practice*, 12, 382–408.
 - Tsemberis, S. (2010). *Housing First: The Pathways Model to End Homelessness for People with Mental Illness and Addiction*. Center City, MN: Hazelden Press.
 - Stefancic, A., Henwood, B. F., Melton, H., Shin, S. M., Lawrence-Gomez, R., and Tsemberis, S. (2013). Implementing Housing First in Rural Areas: Pathways Vermont, *American Journal of Public Health*, 103, 206–209.
 - [Shifting the Focus from Criminalization to Housing](#)
 - Lehman, M.H., Brown, C.A., Frost, L.E., Hickey, J.S., and Buck, D.S. (2012). Integrated Primary and Behavioral Health Care in Patient-Centered Medical Homes for Jail Releases with Mental Illness. *Criminal Justice and Behavior*, published online.
 - [Built for Zero](#) (formerly Zero: 2016) Coordinated by Community Solutions.
 - [U.S. Department of Housing and Urban Development](#) (HUD)
 - [National Alliance to End Homelessness](#)
 - [Supportive Housing Program](#)
 - [Federal Medical Assistance Percentages](#) (FMAP)

4. CREATE A COMPREHENSIVE BEHAVIORAL HEALTH SCREENING STRATEGY: IMPROVE POPULATION SCREENING AND IDENTIFICATION

SIM participants identified the need to “increase timely access to chemical dependency (CD)/mental health evaluation and process” as a Priority Area and Action Plan #2. In addition to focusing on chemical dependency for court action, the county may want to consider moving toward using a *behavioral health screening suite* (BHSS) (brief mental health, substance use, and trauma screening; basic demographic information; and consent to administer and share the

screens), to improve screening coordination, improve data collection and analysis based on coordinated screening.

For example, in under 20 minutes the [Brief Jail Mental Health Screen](#) (BJMHS), TCUDS-V, and PC-PTSD-5 could be used as the BHSS. The BHSS screens could be administered by detox, crisis stabilization centers, homeless outreach, and others as the initial point of contact, and the information passed on to the next level of care, such as hospitals, county detention/jail medical staff, pre-trial, courts, treatment providers who would do the next level of *assessment* – or more specific screening as indicated by the BHSS tools. Screening outcomes could be entered into a database as jointly agreed by the stakeholders for the purposes of analysis, planning, and developing population-specific services.

[This Stepping Up article](#) outlines the importance of universal mental health screening at jail. Similar outcomes and rationale for using BHSS in intercepts 0-1 apply.

Medication-Assisted Treatment (MAT)

Jails and prisons are increasingly utilizing Medication Assisted Treatment (MAT) at the point of reentry. The American Society of Addiction Medicine has established a [National Practice Guideline](#) to provide information on evidence-based treatment for opioid use disorder.

- The American Academy of Addiction Psychiatrists has established a clinical support system for providers, including prescribers working with justice-involved individuals. Education and training are available through the following [web-portal](#).
- The National Sheriffs' Association and the National Commission on Correctional Health Care have established promising [practices and guidelines](#) for jail-based Medication-Assisted Treatment.
- Several curricula can be helpful to use within the facility. See [Jail-Based Substance Abuse Treatment Literature Review](#) for details.
 - General cognitive curricula such as Thinking for a Change (TFC) and Moral Reconation Therapy (MRT) are effective, but can be lengthy to administer.
 - The [SMART Recovery curriculum](#) is shorter in length to administer. [InsideOut](#) is a SMART Recovery program for substance abuse treatment in correctional settings.
- The [Matrix Model](#) is a curriculum for persons suffering from methamphetamine use disorder.
- Hill, R. (2015). [Evidence-based practices for treatment of methamphetamine dependency: A review](#). Guelph, ON: Community Engaged Scholarship Institute.

Developing (MAT) protocols in the jail and community

Review your current Medication-Assisted Treatment (MAT) processes in the community and jail. Many jails are only giving Vivitrol or Suboxone to women who are pregnant.

- Ensure support, especially peer support, to help persons maintain MAT and their recovery.
- MAT strategies can be used across the justice system. Some examples include treatment on demand, post-emergency co-responder follow-up, access to methadone, buprenorphine, and Vivitrol, harm reduction/syringe exchange, and first responders carrying naloxone and jail release with naloxone.

- Consider a collective impact process to bring together harm reduction, prevention, treatment, and enforcement strategies. The work needs to include process, and individual, policy, and place-based strategies.
- A full jail/criminal justice facility MAT for opioid use disorder includes:
 - Screening for use and withdrawal ([Clinical Opiate Withdrawal Scale](#), or COWS)
 - Withdrawal management on Buprenorphine
 - Maintenance dosing and induction on Methadone and Buprenorphine paired with appropriate psychoeducational classes
 - Peer support in the facility and upon release
 - Inmates leaving with Naloxone (Narcan)
- Approximately 1% of the over 3000 county jails are offering a full spectrum of MAT protocols. Dr. Rai at [Denver County Jail](#) is open to discussing their model, which provides all levels of MAT: maintenance, induction, withdrawal management, psych/social education, and Narcan at release. In addition, see [Jail-Based Medication-Assisted Treatment: Promising Practices, Guidelines, and Resources for the Field](#), October 2018, National Sheriffs' Association, National Commission on Correctional Health Care.

Trauma-informed curricula such as Seeking Safety, TREM, and M-TREM are essential to offer as trauma is often underpinning substance use disorders.

- [Seeking Safety](#) is a non-clinical curriculum.
- Basic post-traumatic stress disorder screening tools:
 - The [Abbreviated PCL-C](#) is a shortened version of the PTSD Checklist-Civilian version.
 - The [Primary Care PTSD Screen for DSM-5](#) (PC-PTSD -5) is a quick but comprehensive trauma screen designed for use in primary care settings.

Clients with cognitive impairment often go undetected but may fail to comply with justice demands and fail to comprehend forms of treatment due to their impairments. Screening for cognitive impairment is important.

- Traumatic Brain Injury
 - The [Ohio State University \(OSU\) Traumatic Brain Injury \(TBI\) Identification Method](#) (OSU TBI-ID) is a standardized procedure for eliciting a person's lifetime history of TBI via a 3-5 minute structured interview.
 - SAMHSA's [TIP 57: Trauma-Informed Care in Behavioral Health Services](#) helps professionals understand the impact of trauma.
- Cognitive Impairment:
 - The [Cognitive Failures Questionnaire](#) (CFQ) was developed to assess the frequency with which people experienced cognitive failures, such as absent-mindedness, in everyday life.
 - [Mini-Mental State Examination \(MMSE\)](#)
 - The [Saint Louis University Mental Status Examination](#) (SLUMS) is a brief oral/written exam given to people that suspected of having dementia or Alzheimer's disease.

Intercept-Specific

5. IMPROVE INTENSITY AND AVAILABILITY OF CARE; DEVELOP A COORDINATED CRISIS AND CRISIS SERVICE DELIVERY CONTINUUM

Location, access, and availability of resources is challenging in a jurisdiction as geographically large as Missoula County. Location of services, hours of operation, transportation, treatment match, and costs are just some of the barriers needed to be addressed within the county. Access and availability of services is also limited due to siloed funding and eligibility criteria, and in part, capacity due to staffing and trained workforce availability. Furthermore, consider client need and treatment levels as individuals with lower needs may be inadvertently engaging in a higher level of treatment services.

Maximize capacity and availability of services: Think coordination and collaboration! The following two models may be helpful to consider: 1) the "Hub and Spoke," where acute services are centralized and less acute services are available across geographic locations; or 2) "Pie" where replication of services occurs in each "slice of the pie." A robust service delivery model is based on a continuum of service options with a variety of services and intensity, and adoption of the "air traffic control (ATC)" model where there are intentional hand-offs between services and providers and removal of barriers to access services. Care coordination and access to services is limited when siloed funding streams and criminal justice criteria such as "felony" or "misdemeanor" are the basis for access versus client need. It is important to consider virtual telehealth and telepsychiatry, peer support, and co-location of resources as options to maximize and leverage resources.

Improve identification of mental health issues at the earliest time: a) Train dispatch/call takers in Mental Health First Aid (MHFA) or CIT; b) Utilize standardized mental health-related 9-1-1/dispatch questions (see box) and track the data for analysis; c) Standardize key information about callers' mental health information relayed from dispatch to first responders; and d) Similar to Harris County (TX), consider embedding a licensed clinician in 9-1-1 call centers to help manage and triage behavioral health calls.

Suggested 9-1-1 Behavioral Health Questions:

Does this call involve anyone with mental health issues? If No, proceed with routine call processing.

If "Yes", ask the following questions:

- Does the individual appear to pose a danger to him/herself or others?
- Does the person possess or have access to weapons?
- Are you aware of the person's mental health or substance use history?

Improve access, availability, and capacity of programs and resources within the county. If not already completed, inventory existing programs including eligibility criteria, exclusions, capacity, utilization, hours of operation, numbers served, client demographics, client engagement and treatment outcomes, treatment match (intensity, duration, and frequency) to client needs, barriers to access and availability, and funding. Geo-code/map service locations to identify gaps

across the county. Look also for opportunities to co-locate programs and services to maximize access and availability.

Explore implementing a universal screening process to identify clients for services at the earliest point in time. Access to appropriate treatment should be based on client treatment needs and occur regardless of offense status or related eligibility due to funding streams.

Coordinate with providers to understand the use of screening and assessments, and the referral process. Determine if referrals are following the assessed needs of the client. Explore continuity of care regardless of what system the client is in, or will be involved with. Determine and address funding and program siloes and their disparate impact on communities of color.

Consider using "outcome-based contracts" and standardized reviews of core treatment providers.

Create follow-up to crisis services. Law enforcement can address immediate issues; however, access and availability of options that can increase client stabilization are crucial. Generally, individuals with high-needs require comprehensive services: health, legal, housing, positive social connections, transportation, integrated primary health, substance use, and mental health care. See Recommendation #6 below for an exploration of deflection and diversion strategies.

6. MAXIMIZE, AND INCREASE COUNTY-WIDE DEFLECTION AND DIVERSION STRATEGIES

SIM participants prioritized the need to “Increase deflection from the criminal justice system at Intercept 0” and began developing Action Plan #1.

Increase Deflection and Diversion Strategies

The ability to increase client stabilization through community-based alternative services and processes is at the heart of criminal justice deflection and diversion strategies. Law enforcement-based deflection requires system and public support for police to use their discretion, and immediate access to services, without barriers. In general, "deflection" occurs pre-arrest or with a citation, and refers to law enforcement utilizing non-criminal justice supports without any official criminal justice action. "Diversion" may be pre- or post-arrest, or pre-or post-booking. Diversion refers to alternative criminal justice action. For example: police deescalating an individual, using clinical co-responders, taking an individual to a triage center, sobering center, or emergency department is seen as deflection; the addition of a citation, or involvement of other criminal justice stakeholders, and offering an alternative to traditional case processing such as specialty/treatment court, deferred prosecution or judgement, or Law Enforcement Assisted Diversion (LEAD) are diversion strategies.

Document Deflection and Diversion Actions Taken to Understand Trends, Costs, and Populations

The importance of documenting "deflection" and "diversion" actions taken by law enforcement cannot be overstated. At the very least, documentation should note if the action taken was: de-escalation, hospitalization, transportation to services/where, referral to services; citation, arrest and detained. In addition, client demographic and location information should be tracked.

- Determine how to identify or “flag” repeat/frequent individuals for law enforcement to promote proactive action.
- Track the total number of dispatch calls to persons with behavioral health issues and sort by actions: de-escalation, citation issued, arrested/detained, deflected/diverted, and “No Probable Arrest,” “Probable Misdemeanor Arrest,” or “Probable Felony Arrest.”
- Establish costs of various actions to determine the return on deploying multiple strategies.

DEFLECTION

The following strategies can improve immediate support for an individual, improve access to services, and appropriate service match.

Increase Coordination and Access to Crisis Services, Especially Psychiatric Beds

Strategies should be developed to streamline access to beds and increase the capacity of hospital resources.

- Explore the development and use of a *bed registry* across the crisis triage and the hospital networks to track bed availability.
- Improve discharge planning and "release-to-supports" to enhance stabilization and continuity of care including medication, housing, care navigation, and emotional supports.
- Coordinate with county and state crisis call centers and lines.
 - Call crisis call lines, review websites, billboards, and public information about crisis services to understand the consumers’ experience and advocate for changes and updates as necessary. Colorado Crisis Services can serve as a resource regarding their robust statewide referral database.
- Address the churn effect of persons repeatedly coming through the process without different results, and remove “constriction” issues where the system becomes clogged due to limitations in moving persons to the next step.
- Periodically, conduct a case review of responses to crisis notification, and process and outcomes of deflection and diversion cases. Review the match of client risk and need to services. Based on the information received, formalize referral processes and forms, and increase knowledge of what services do and do not offer.
 - Review any existing contracts or agreements to understand current expectations.
- Commit to having dedicated services and "slots" for justice-involved persons with medium-to high-risk and needs. Address concerns of service providers in accepting higher-risk offenders. Routinely address issues and make adjustments.

Clinical Co-Response Strategies

SIM participants expressed the need for a clinical co-response model, and the need for additional BID Homeless Outreach Officer resources. A combined approach, including braided funding across provider groups, can make this possible.

Joint clinical mental health and law enforcement/first responder response is known as "co-responder" or “clinical co-response.” Although co-response strategies vary from community to community, the general framework entails a licensed clinician who rides along with law enforcement, or is requested to arrive at the scene of a mental health crisis. Once law

enforcement has secured the scene, the co-responder assists law enforcement in determining the best clinical course of action, including de-escalating the crisis, establish a warm hand-off to services, and providing proactive follow-up to improve the likelihood of long-term services engagement. Some law enforcement departments have specific co-response teams or units. In some cases, regular patrol requests a co-responder, while other departments have officers and co-responders proactively working specific areas known for "high-need" calls.

Regardless of the model, to be effective, community-based crisis response must be adequately staffed to respond promptly to crisis calls. Communities are coordinating mobile crisis/co-response team responses with law enforcement especially during peak call hours and co-locating services or embedding clinicians in police district headquarters. It is important to: a) Ensure and formalize coordination, access to services, communication, consistency, data collection, and standards within the clinical co-response and specialized first responder position(s); b) Improve the ability of co-response and specialized first responder teams to identify clients that utilize multiple crisis teams to identify common system issues related to accessing services and to improve coordination; c) Create standards of work where appropriate, such as client release of information, core intake information, standard data points, and tracking; and d) Improve overall understanding of mental health by providing Mental Health First Aid (MHFA) training as a core and supplemental training to law enforcement, dispatch, and community members.

Often co-response services are augmented by providing telephone or videoconference consultation to law enforcement. The [Crisis Now report](#) offers a comprehensive overview of crisis services and a crisis framework. Some states with advanced crisis frameworks include Colorado, Texas, New York, Virginia, and California. Also consider the viewpoints and experiences of individuals with lived experience and family members when designing deflection and diversion programs.

- Explore the use of virtual crisis response strategies such as video conferencing and telehealth to support law enforcement officers and other first responders responding to crises. Use of video conferencing to expand access to the mental health consultation is increasingly being used to connect law enforcement with mental health professionals. Counties with varying populations, from large counties (e.g., Harris County, TX), medium counties (Lancaster County, NE), and lesser populated counties (Yuma County, AZ), have employed this technology to improve response times of mental health co-responders.
- Additional crisis response strategies for consideration:
 - Expand CIT training and coordinate across each of the law enforcement entities and 9-1-1 call takers in the surrounding municipalities.
 - Offer Mental Health First Aid (MHFA) training to 9-1-1/Dispatch call takers, first responders including EMS/Fire and other justice system stakeholders.
 - Increase coordination with Probate Court regarding guardianship and outpatient commitment.
 - Explore using a Social Impact Bond. Reference the [Urban Institute report](#) on Denver's (CO) experience with expansion of Supportive Housing.

- Explore a county or state tax to ensure funding and increase the availability of services. Some of the counties with a tax include Bernalillo County (NM) and Denver (CO).

Crisis Stabilization Unit/Beds

Crisis Stabilization Units (CSU) are a valuable resource, however without cross-system coordination, comprehensive services, and low- or no-barrier access and availability for law enforcement, law enforcement utilization will be poor at best. CSU design and development includes, but is not limited to: design, services and licensure; staff and staffing pattern; food service; capital and operational funding; coordination and expectations between hospitals, detox, law enforcement, and other provider systems; and other operational considerations. Develop standards of work and agreements including response times, program criteria and eligibility, hours of operation, metrics and data collection, public-facing messaging, employee training, and client forms including release of information.

Across the country, many Crisis Stabilization Unit models have been developed and are worth reviewing. Consider talking with Harris County (TX), King County (WA), Pima County (AZ), and Colorado for models. Also, see the aforementioned [Crisis Now report](#).

7. IDENTIFY “FAMILIAR FACE” HIGH UTILIZER POPULATIONS TO HELP MANAGE COSTS, REDUCE UNNECESSARY UTILIZATION OF SERVICES WHILE INCREASING INDIVIDUAL STABILIZATION

The following is information addressing the “familiar face,” or high utilizer population. It is an extension of data and information, and deflection and diversion strategies.

Differentiate between a) identifying a “familiar face” population (which, at some level, is static); b) understanding the [reasons](#) for frequent use of jail, behavioral health, and medical services; and c) using information to inform strategies to proactively identify people at risk to be “familiar faces,” and develop interventions to improve outcomes for those who are high system utilizers.

General High Utilizer Identification Process

While other data sets can be used, court data includes citations, detention/jail, and failure to appear information. Sort the data identifying individuals rather than charge types; finalize any cleaning of the data and share the identified list (name and date of birth at a minimum) with first responders: police, fire, EMS, hospital, detox, criminal justice (sheriff, courts, prosecution, defense), supportive and public services (park and recreation, library), homeless providers, Medicaid, mental health providers, and other agencies who can compare the list utilizers of their services.

Thinking in terms of a Venn diagram, develop cross-discipline and cross-system strategies to improve outcomes for this highly-vulnerable population.

- Determine data points and seek agreements to analyze and share data at the aggregate and individual level.
- Map current system flow, frequency, and costs for various populations.

- Define, identify, stratify, and create strategies to meet the needs of various high-utilizing populations. Some populations to consider are:
 - Emergency services such as fire, EMS and emergency rooms for non-emergency issues
 - Calls for police services which involve mental health or intellectual disability
 - Individuals repeatedly evaluated as incompetent to stand trial, who are charged with low level, non-violent offenses
 - Repeated use of withdrawal management and police contact
 - Repeated overdose of substance use disorders resulting in emergency care and the use of naloxone (Narcan)
 - Repeated technical violators of probation services
 - Failures to appear and high court utilization for low-level offenses
 - Parents whose child abuse/neglect was substantiated and who are frequently arrested or cited for charges related to substance use or mental health disorders
- Track strategy outcomes and impact
- Track outcomes of police contact. The importance of documenting pre-booking actions including citation, arrest, hospitalization, de-escalation, and referral, cannot be overstated.
 - Determine how to flag individuals for police so they can initiate the deflection or diversion process.
 - Create a baseline and track by deflection and diversion strategy.
 - Fairfax (VA) and Miami-Dade County (FL) law enforcement use a simple check-box to document actions taken.
 - Track the total number of dispatch calls to persons with behavioral health issues and sort by actions: arrest, deflect/divert, or “No Probable Arrest,” “Probable Misdemeanor Arrest,” and “Probable Felony Arrest.”
 - Track the percentage and type of calls that specialized police units/officers are responding to and prioritize calls, if necessary.
- Develop a dashboard to track the prevalence, demographics, and case characteristics of adults with mental and substance use disorders who are being arrested, passing through the courts, booked into the jail, sentenced to prison, placed on probation. Systems such as [Microsoft Power BI](#) allow flexibility in presenting the information.
 - A mental health dashboard can also be developed to monitor wait times in hospitals for people in mental health crises and transfer times from the emergency department to inpatient units or other services to determine whether procedures can be implemented to improve such responses. These dashboard indicators can be employed by a county planning and monitoring council to identify opportunities for programming and to determine where existing initiatives require adjustments.

8. INCREASE COURT CASE PROCESSING EFFICIENCY, REDUCE FAILURE TO APPEAR OF INDIVIDUALS

The SIM discussion identified a high number of failures to appear (FTAs), especially in Municipal Court, and delays in moving clients from Justice Court to District Court. It was also noted that

work is being done to improve case processing from Justice Court to District Court. This is critical as the amount of time defendants are detained due to system processing is several weeks.

For Municipal Court, consider, mapping the current process and either consolidating case processing into fewer court hearings, or determine what hearings really require a defendant to appear in person, or at all. Consider use of technology as a way to appear virtually.

Examine the feasibility and need for alternatives to detention and pre-adjudication diversion options for people with mental disorders at Intercept 2. Defendants with mental disorders remanded to pretrial detention often have worse public safety outcomes than defendants released to the community pending disposition of their criminal cases.

Proportional Responses

Consider proportional responses based on the severity of a defendant's criminal risk and behavioral health treatment needs.

- Defendants with pending cases are released to pre-trial services as an alternative to detention. These may be cases with moderate criminal risk but where the individuals would benefit from community-based services that are not available while in pretrial detention and pretrial failure can be avoided.
- A deferred prosecution approach with a low-risk defendant who is directed to participate in a short-term community-based treatment program. Successful completion of the program results in dismissal of the charges while failure results in remand to custody and continuation of the criminal case. The [Milwaukee County \(WI\) Pre-trial Diversion program](#) offers diversion opportunities using restorative justice and other accountability models.
- Consider a competency court docket, such as was established by the Seattle Municipal Court, to reduce time spent in jail during the competency process. Refer to the journal article by [Finkle and colleagues \(2009\)](#) and the [2013 report](#) on the Seattle Municipal Court Mental Health Court, which houses the competency docket.
- Explore implementing a detention Population Review Team (PRT) process similar to the one in [Lucas County \(OH\)](#). Weekly meetings are held with the prosecutor, public defender, jail representatives, mental health professionals, and others when appropriate. The team reviews a list of individuals in pre-trial custody to determine why a person is detained and if he or she can be safely released before trial or have his/her case resolved quickly. For example, some individuals are released to mental health services as part of pre-trial conditions. In other situations, if the case during the ordinary course of action would result in a plea, the plea offers expedited rather than waiting to set a trial date.
- Consider including peers at initial court appearances. They can encourage treatment engagement and adherence to pre-trial terms and conditions, and assist with Medicaid applications and general outreach and navigation.



RESOURCES

Competency Evaluation and Restoration

- SAMHSA's GAINS Center. [*Quick Fixes for Effectively Dealing with Persons Found Incompetent to Stand Trial.*](#)
- Finkle, M., Kurth, R., Cadle, C., and Mullan, J. (2009) [*Competency Courts: A Creative Solution for Restoring Competency to the Competency Process.*](#) *Behavioral Science and the Law*, 27, 767-786.

Crisis Care, Crisis Response, and Law Enforcement

- Substance Abuse and Mental Health Services Administration. [*Crisis Services: Effectiveness, Cost-Effectiveness, and Funding Strategies.*](#)
- International Association of Chiefs of Police. [*Building Safer Communities: Improving Police Responses to Persons with Mental Illness.*](#)
- Suicide Prevention Resource Center. [*The Role of Law Enforcement Officers in Preventing Suicide.*](#)
- Saskatchewan Building Partnerships to Reduce Crime. [*The Hub and COR Model.*](#)
- Bureau of Justice Assistance. [*Engaging Law Enforcement in Opioid Overdose Response: Frequently Asked Questions.*](#)
- International Association of Chiefs of Police. [*Improving Police Response to Persons Affected by Mental Illness: Report from March 2016 IACP Symposium.*](#)
- International Association of Chiefs of Police. [*One Mind Campaign.*](#)

- Optum. [In Salt Lake County, Optum Enhances Jail Diversion Initiatives with Effective Crisis Programs.](#)
- The [Case Assessment Management Program](#) is a joint effort of the Los Angeles Department of Mental Health and the Los Angeles Police Department to provide effective follow-up and management of selected referrals involving high users of emergency services, abusers of the 911 system, and individuals at high risk of death or injury to themselves.
- National Association of Counties. [Crisis Care Services for Counties: Preventing Individuals with Mental Illnesses from Entering Local Corrections Systems.](#)
- [CIT International.](#)
- National Action Alliance for Suicide Prevention: Crisis Services Task Force. [Crisis now: Transforming services is within our reach.](#) Washington, DC: Education Development Center, Inc.

Data Analysis and Matching

- Data-Driven Justice Initiative. [Data-Driven Justice Playbook: How to Develop a System of Diversion.](#)
- Urban Institute. [Justice Reinvestment at the Local Level Planning and Implementation Guide.](#)
- The Council of State Governments Justice Center. [Ten-Step Guide to Transforming Probation Departments to Reduce Recidivism.](#)
- New Orleans Health Department. [New Orleans Mental Health Dashboard.](#)
- Pennsylvania Commission on Crime and Delinquency. [Criminal Justice Advisory Board Data Dashboards.](#)
- Corporation for Supportive Housing. *Jail Data Link Frequent Users: A Data Matching Initiative in Illinois* (See Appendix 3)
- Vera Institute of Justice. [Closing the Gap: Using Criminal Justice and Public Health Data to Improve Identification of Mental Illness.](#)

Housing

- Alliance for Health Reform. [*The Connection Between Health and Housing: The Evidence and Policy Landscape.*](#)
- Economic Roundtable. [*Getting Home: Outcomes from Housing High Cost Homeless Hospital Patients.*](#)
- 100,000 Homes. [*Housing First Self-Assessment.*](#)
- Urban Institute. [*Supportive Housing for Returning Prisoners: Outcomes and Impacts of the Returning Home-Ohio Pilot Project.*](#)
- Corporation for Supportive Housing. [*NYC FUSE – Evaluation Findings.*](#)
- Corporation for Supportive Housing. [*Housing is the Best Medicine: Supportive Housing and the Social Determinants of Health.*](#)
- Corporation for Supportive Housing. [*Guide to the FUSE Model.*](#)

Information Sharing

- American Probation and Parole Association. [*Corrections and Reentry: Protected Health Information Privacy Framework for Information Sharing.*](#)
- Legal Action Center. [*Sample Consent Forms for Release of Substance Use Disorder Patient Records.*](#)
- Council of State Governments Justice Center. [*Information Sharing in Criminal Justice-Mental Health Collaborations: Working with HIPAA and Other Privacy Laws.*](#)

Jail Inmate Information

- NAMI California. [*Arrested Guides and Inmate Medication Forms.*](#)

Medication Assisted Treatment (MAT)

- American Society of Addiction Medicine. [*The National Practice Guideline for the Use of Medications in the Treatment of Addiction Involving Opioid Use.*](#)
- American Society of Addiction Medicine. [*Advancing Access to Addiction Medications.*](#)
- National Commission on Correctional Health Care and the National Sheriffs' Association. [*Jail-Based Medication-Assisted Treatment: Promising Practices, Guidelines, and Resources for the Field.*](#)

- Substance Abuse and Mental Health Services Administration. [*Federal Guidelines for Opioid Treatment Programs.*](#)
- Substance Abuse and Mental Health Services Administration. [*Medication for the Treatment of Alcohol Use Disorder: A Brief Guide.*](#)
- Substance Abuse and Mental Health Services Administration. [*Clinical Guidelines for the Use of Buprenorphine in the Treatment of Opioid Addiction \(Treatment Improvement Protocol 40\).*](#)
- Substance Abuse and Mental Health Services Administration. [*Clinical Use of Extended Release Injectable Naltrexone in the Treatment of Opioid Use Disorder: A Brief Guide.*](#)

Mental Health First Aid

- [Mental Health First Aid.](#)
- Illinois General Assembly. *Public Act 098-0195: [Illinois Mental Health First Aid Training Act.](#)*
- Pennsylvania Mental Health and Justice Center of Excellence. [*City of Philadelphia Mental Health First Aid Initiative.*](#)

Peers

- SAMHSA's GAINS Center. [*Involving Peers in Criminal Justice and Problem-Solving Collaboratives.*](#)
- SAMHSA's GAINS Center. [*Overcoming Legal Impediments to Hiring Forensic Peer Specialists.*](#)
- NAMI California. [*Inmate Medication Information Forms*](#)
- [Keya House.](#)
- [Lincoln Police Department Referral Program.](#)

Pretrial Diversion

- CSG Justice Center. [*Improving Responses to People with Mental Illness at the Pretrial State: Essential Elements.*](#)
- National Resource Center on Justice Involved Women. [*Building Gender Informed Practices at the Pretrial Stage.*](#)

- Laura and John Arnold Foundation. [The Hidden Costs of Pretrial Diversion](#).

Procedural Justice

- Legal Aid Society. [Manhattan Arraignment Diversion Program](#).
- Center for Alternative Sentencing and Employment Services. [Transitional Case Management for Reducing Recidivism of Individuals with Mental Disorders and Multiple Misdemeanors](#).
- Hawaii Opportunity Probation with Enforcement (HOPE). [Overview](#).
- American Bar Association. [Criminal Justice Standards on Mental Health](#).

Reentry

- SAMHSA's GAINS Center. [Guidelines for the Successful Transition of People with Behavioral Health Disorders from Jail and Prison](#).
- Community Oriented Correctional Health Services. [Technology and Continuity of Care: Connecting Justice and Health: Nine Case Studies](#).
- The Council of State Governments. [National Reentry Resource Center](#).
- Bureau of Justice Assistance. [Center for Program Evaluation and Performance Management](#).
- Washington State Institute of Public Policy. [What Works and What Does Not?](#)
- Washington State Institute of Public Policy. [Predicting Criminal Recidivism: A Systematic Review of Offender Risk Assessments in Washington State](#).

Screening and Assessment

- Center for Court Innovation. [Digest of Evidence-Based Assessment Tools](#).
- SAMHSA's GAINS Center. [Screening and Assessment of Co-occurring Disorders in the Justice System](#).
- STEADMAN, H.J., SCOTT, J.E., OSHER, F., AGNESE, T.K., AND ROBBINS, P.C. (2005). [Validation of the Brief Jail Mental Health Screen](#). PSYCHIATRIC SERVICES, 56, 816-822.
- The Stepping Up Initiative. (2017). [Reducing the Number of People with Mental Illnesses in Jail: Six Questions County Leaders Need to Ask](#).

Sequential Intercept Model

- Munetz, M.R., and Griffin, P.A. (2006). [Use of the Sequential Intercept Model as an Approach to Decriminalization of People with Serious Mental Illness](#). *Psychiatric Services*, 57, 544-549.
- Griffin, P.A., Heilbrun, K., Mulvey, E.P., DeMatteo, D., and Schubert, C.A. (2015). [The Sequential Intercept Model and Criminal Justice](#). New York: Oxford University Press.
- SAMHSA's GAINS Center. [Developing a Comprehensive Plan for Behavioral Health and Criminal Justice Collaboration: The Sequential Intercept Model](#).

SSI/SSDI Outreach, Access, and Recovery (SOAR)

Increasing efforts to enroll justice-involved persons with behavioral disorders in the Supplement Security Income and the Social Security Disability Insurance programs can be accomplished through utilization of SSI/SSDI Outreach, Access, and Recovery (SOAR) trained staff. Enrollment in SSI/SSDI not only provides automatic Medicaid or Medicare in many states, but also provides monthly income sufficient to access housing programs.

- Information regarding [SOAR for justice-involved persons](#).
- The online [SOAR training portal](#).

Transition-Aged Youth

- National Institute of Justice. [Environmental Scan of Developmentally Appropriate Criminal Justice Responses to Justice-Involved Young Adults](#).
- Harvard Kennedy School Malcolm Weiner Center for Social Policy. [Public Safety and Emerging Adults in Connecticut: Providing Effective and Developmentally Appropriate Responses for Youth Under Age 21 Executive Summary and Recommendations](#).
- Roca, Inc. [Intervention Program for Young Adults](#).
- University of Massachusetts Medical School. [Transitions RTC for Youth and Young Adults](#).

Trauma-Informed Care

- SAMHSA, SAMHSA's National Center on Trauma-Informed Care, and SAMHSA's GAINS Center. [Essential Components of Trauma Informed Judicial Practice](#).
- SAMHSA's GAINS Center. [Trauma Specific Interventions for Justice-Involved Individuals](#).

- SAMHSA. [*SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach.*](#)
- National Resource Center on Justice-Involved Women. [*Jail Tip Sheets on Justice-Involved Women.*](#)

Veterans

- SAMHSA's GAINS Center. [*Responding to the Needs of Justice-Involved Combat Veterans with Service-Related Trauma and Mental Health Conditions.*](#)
- Justice for Vets. [*Ten Key Components of Veterans Treatment Courts.*](#)

APPENDICES

Appendix 1 Sequential Intercept Mapping Workshop Participant List

Appendix 2 Texas Department of State Health Services. *Mental Health Substance Abuse Crisis Services Redesign Brief*.

Appendix 3 Corporation for Supportive Housing. *Jail Data Link Frequent Users: A Data Matching Initiative in Illinois*.

Appendix 4 Dennis, D., Ware, D., and Steadman, H.J. (2014). Best Practices for Increasing Access to SSI and SSDI on Exit from Criminal Justice Settings. *Psychiatric Services*, 65, 1081-1083.

Appendix 5 100,000 Homes/Center for Urban Community Services. *Housing First Self-Assessment: Assess and Align Your Program and Community with a Housing First Approach*.

Appendix 6 Remington, A.A. (2016). *Skyping During a Crisis? Telehealth is a 24/7 Crisis Connection*.

Appendix 7 SAMHSA. *Reentry Resources for Individuals, Providers, Communities, and States*.

Appendix 1

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Appendix 2

Crisis Services

The Department of State Health Services (DSHS) funds 37 LMHAs and NorthSTAR to provide an array of ongoing and crisis services to individuals with mental illness. Laws and rules governing DSHS and the delivery of mental health services require LMHAs and NorthSTAR to provide crisis screening and assessment. Newly appropriated funds enhanced the response to individuals in crisis.

The 80th Legislature

\$82 million was appropriated for the FY 08-09 biennium for improving the response to mental health and substance abuse crises. A majority of the funds were divided among the state's Local Mental Health Authorities (LMHAs) and added to existing contracts. The first priority for this portion of the funds was to support a rapid community response to offset utilization of emergency rooms or more restrictive settings.

Crisis Funds

- **Crisis Hotline Services**
 - Continuously available 24 hours per day, seven days per week
 - All 37 LMHAs and NorthSTAR have or contract with crisis hotlines that are accredited by the American Association of Suicidology (AAS)
- **Mobile Crisis Outreach Teams (MCOT)**
 - Operate in conjunction with crisis hotlines
 - Respond at the crisis site or a safe location in the community
 - All 37 LMHAs and NorthSTAR have MCOT teams
 - More limited coverage in some rural communities

\$17.6 million dollars of the initial appropriation was designated as community investment funds. The funds allowed communities to develop or expand local alternatives to incarceration or State hospitalization. Funds were awarded on a competitive basis to communities able to contribute at least 25% in matching resources. Sufficient funds were not available to provide expansion in all communities served by the LMHAs and NorthSTAR.

Competitive Funds Projects

- **Crisis Stabilization Units (CSU)**
 - Provide immediate access to emergency psychiatric care and short-term residential treatment for acute symptoms
 - Two CSUs were funded
- **Extended Observation Units**
 - Provide 23-48 hours of observation and treatment for psychiatric stabilization
 - Three extended observation units were funded
- **Crisis Residential Services**
 - Provide from 1-14 days crisis services in a clinically staffed, safe residential setting for individuals with some risk of harm to self or others
 - Four crisis residential units were funded
- **Crisis Respite Services**

- Provide from 8 hours up to 30 days of short-term, crisis care for individuals with low risk of harm to self or others
- Seven crisis respite units were funded
- **Crisis Step-Down Stabilization in Hospital Setting**
 - Provides from 3-10 days of psychiatric stabilization in a psychiatrically staffed local hospital setting
 - Six local step-down stabilization beds were funded
- **Outpatient Competency Restoration Services**
 - Provide community treatment to individuals with mental illness involved in the legal system
 - Reduces unnecessary burdens on jails and state psychiatric hospitals
 - Provides psychiatric stabilization and participant training in courtroom skills and behavior
 - Four Outpatient Competency Restoration projects were funded

The 81st Legislature

\$53 million was appropriated for the FY 2010-2011 biennium for transitional and intensive ongoing services.

- **Transitional Services**
 - Provides linkage between existing services and individuals with serious mental illness not linked with ongoing care
 - Provides temporary assistance and stability for up to 90 days
 - Adults may be homeless, in need of substance abuse treatment and primary health care, involved in the criminal justice system, or experiencing multiple psychiatric hospitalizations
- **Intensive Ongoing Services for Children and Adults**
 - Provides team-based Psychosocial Rehabilitation services and Assertive Community Treatment (ACT) services (Service Package 3 and Service Package 4) to engage high need adults in recovery-oriented services
 - Provides intensive, wraparound services that are recovery-oriented to address the child's mental health needs
 - Expands availability of ongoing services for persons entering mental health services as a result of a crisis encounter, hospitalization, or incarceration

Appendix 3

Jail Data Link Frequent Users A Data Matching Initiative in Illinois

Overview of the Initiative

The Corporation for Supportive Housing (CSH) has funded the expansion of a data matching initiative at Cook County Jail designed to identify users of both Cook County Jail and the State of Illinois Division of Mental Health (DMH).

This is a secure internet based database that assists communities in identifying frequent users of multiple systems to assist them in coordinating and leveraging scarce resources more effectively. Jail Data Link helps staff at a county jail to identify jail detainees who have had past contact with the state mental health system for purposes of discharge planning. This system allows both the jail staff and partnering case managers at community agencies to know when their current clients are in the jail. Jail Data Link, which began in Cook County in 1999, has expanded to four other counties as a result of funding provided by the Illinois Criminal Justice Information Authority and will expand to three additional counties in 2009. In 2008 the Proviso Mental Health Commission funded a dedicated case manager to work exclusively with the project and serve the residents of Proviso Township.

Target Population for Data Link Initiatives

This project targets people currently in a county jail who have had contact with the Illinois Division of Mental Health.

- **Jail Data Link – Cook County:** Identifies on a daily basis detainees who have had documented inpatient/outpatient services with the Illinois Division of Mental Health. Participating agencies sign a data sharing agreement for this project.
- **Jail Data Link – Cook County Frequent Users:** Identifies those current detainees from the Cook County Jail census who have at least two previous State of Illinois psychiatric inpatient hospitalizations and at least two jail stays. This will assist the jail staff in targeting new housing resources as a part of a federally funded research project beginning in 2008.
- **Jail Data Link – Expansion:** The Illinois Criminal Justice Information Authority provided funding to expand the project to Will, Peoria, Jefferson and Marion Counties, and the Proviso Mental Health Commission for Proviso Township residents.

Legal Basis for the Data Matching Initiative

Effective January 1, 2000, the Illinois General Assembly adopted **Public Act 91-0536** which modified the Mental Health and Developmental Disabilities Administrative Act. This act allows the Division of Mental Health, community agencies funded by DMH, and any Illinois county jail to disclose a recipient's record or communications, without consent, to each other, for the purpose of admission, treatment, planning, or discharge. No records may be disclosed to a county jail unless the Department has entered into a written agreement with the specific county jail. Effective July 12, 2005, the Illinois General Assembly also adopted **Public Act 094-0182**, which further modifies the Mental Health and Developmental Disabilities Administrative Act to allow sharing between the Illinois Department of Corrections and DMH.

Using this exception, individual prisons or jails are able to send their entire roster electronically to DMH. Prison and jail information is publically available. DMH matches this information against their own roster and notifies the Department of Corrections Discharge Planning Unit of matches between the two systems along with information about past history and/or involvement with community agencies for purposes of locating appropriate aftercare services.

Sample Data at a Demo Web Site

DMH has designed a password protected web site to post the results of the match and make those results accessible to the Illinois Department of Corrections facility. Community agencies are also able to view the names of their own clients if they have entered into a departmental agreement to use the site.

In addition, DMH set up a demo web site using encrypted data to show how the data match web site works. Use the web site link below and enter the User ID, Password, and PIN number to see sample data for the Returning Home Initiative.

- <https://sisonline.dhs.state.il.us/JailLink/demo.html>
 - UserID: cshdemo
 - Password: cshdemo
 - PIN: 1234

Program Partners and Funding Sources

- **CSH's Returning Home Initiative:** Utilizing funding from the Robert Wood Johnson Foundation, provided \$25,000 towards programming and support for the creation of the Jail Data Link Frequent Users application.
- **Illinois Department of Mental Health:** Administering and financing on-going mental health services and providing secure internet database resource and maintenance.
- **Cermak Health Services:** Providing mental health services and supervision inside the jail facility.
- **Cook County Sheriff's Office:** Assisting with data integration and coordination.
- **Community Mental Health Agencies:** Fourteen (14) agencies statewide are entering and receiving data.
- **Illinois Criminal Justice Authority:** Provided funding for the Jail Data Link Expansion of data technology to three additional counties, as well as initial funding for three additional case managers and the project's evaluation and research through the University of Illinois.
- **Proviso Township Mental Health Commission (708 Board):** Supported Cook County Jail Data Link Expansion into Proviso Township by funding a full-time case manager.
- **University of Illinois:** Performing ongoing evaluation and research

Partnership Between Criminal Justice and Other Public Systems

Cook County Jail and Cermak Health Service have a long history of partnerships with the Illinois Department of Mental Health Services. Pilot projects, including the Thresholds Justice Project and the Felony Mental Health Court of Cook County, have received recognition for developing alternatives to the criminal justice system. Examining the systematic and targeted use of housing as an intervention is a logical extension of this previous work.

Managing the Partnership

CSH is the primary coordinator of a large federal research project studying the effects of permanent supportive housing on reducing recidivism and emergency costs of frequent users of Cook County Jail and the Illinois Department of Mental Health System. In order to facilitate this project, CSH funded the development of a new version of Jail Data Link to find the most frequent users of the jail and mental health inpatient system to augment an earlier version of Data Link in targeting subsidized housing and supportive mental health services.

About CSH and the Returning Home Initiative

The Corporation for Supportive Housing (CSH) is a national non-profit organization and Community Development Financial Institution that helps communities create permanent housing with services to prevent and end homelessness. Founded in 1991, CSH advances its mission by providing advocacy, expertise, leadership, and financial resources to make it easier to create and operate supportive housing. CSH seeks to help create an expanded supply of supportive housing for people, including single adults, families with children, and young adults, who have extremely low-incomes, who have disabling conditions, and/or face other significant challenges that place them at on-going risk of homelessness. For information regarding CSH's current office locations, please see www.csh.org/contactus.

CSH's national *Returning Home Initiative* aims to end the cycle of incarceration and homelessness that thousands of people face by engaging the criminal justice systems and integrating the efforts of housing, human service, corrections, and other agencies. *Returning Home* focuses on better serving people with histories of homelessness and incarceration by placing them to supportive housing.



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Appendix 4



SSI/SSDI Outreach, Access and Recovery

for people who are homeless

January 2013

Best Practices for Increasing Access to SSI/SSDI upon Exiting Criminal Justice Settings

Dazara Ware, M.P.C. and Deborah Dennis, M.A.

Introduction

Seventeen percent of people currently incarcerated in local jails and in state and federal prisons are estimated to have a serious mental illness.¹ The twin stigmas of justice involvement and mental illness present significant challenges for social service staff charged with helping people who are incarcerated plan for reentry to community life. Upon release, the lack of treatment and resources, inability to work, and few options for housing mean that many quickly become homeless and recidivism is likely.

The Social Security Administration (SSA), through its Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) programs, can provide income and other benefits to persons with mental illness who are reentering the community from jails and prisons. The SSI/SSDI Outreach, Access and Recovery program (SOAR), a project funded by the Substance Abuse and Mental Health Services Administration, is a national technical assistance program that helps people who are homeless or at risk for homelessness to access SSA disability benefits.²

SOAR training can help local corrections and community transition staff negotiate and integrate benefit options with community reentry strategies

for people with mental illness and co-occurring disorders to assure successful outcomes. This best practices summary describes:

- The connections between mental illness, homelessness, and incarceration;
- The ramifications of incarceration on receipt of SSI and SSDI benefits
- The role of SOAR in transition planning
- Examples of jail or prison SOAR initiatives to increase access to SSI/SSDI
- Best practices for increasing access to SSI/SSDI benefits for people with mental illness who are reentering the community from jails and prisons.

Mental Illness, Homelessness, and Incarceration

In 2010, there were more than 7 million persons under correctional supervision in the United States at any given time.³ Each year an estimated 725,000 persons are released from federal and state prisons, 125,000 with serious mental illness.⁴ More than 20 percent of people with mental illness were homeless in the months before their incarceration compared

¹ Bureau of Justice Statistics. (2006). *Mental health problems of prison and jail inmates*. Washington, DC: U.S. Department of Justice, Office of Justice Programs

² Dennis, D., Lassiter, M., Connelly, W., & Lupfer, K. (2011) Helping adults who are homeless gain disability benefits: The SSI/SSDI Outreach, Access and Recovery (SOAR) program. *Psychiatric Services*, 62(11)1373-1376

³ Guerino, P.M. Harrison & W. Sabel. *Prisoners in 2010*. NCJ 236096. Washington DC: U.S. Department of Justice, Bureau of Justice Statistics, 2011.

⁴ Glaze, L. *Correctional populations in the U.S. 2010*, NCJ 236319. Washington D.C.: U.S. Department of Justice, Bureau of Justice Statistics 2011

with 10 percent of the general prison population.⁵ For those exiting the criminal justice system, homelessness may be even more prevalent. A California study, for example, found that 30 to 50 percent of people on parole in San Francisco and Los Angeles were homeless.⁶

Mental Health America reports that half of people with mental illness are incarcerated for committing nonviolent crimes, such as trespassing, disorderly conduct, and other minor offences resulting from symptoms of untreated mental illness. In general, people with mental illnesses remain in jail eight times longer than other offenders at a cost that is seven times higher.⁷ At least three-quarters of incarcerated individuals with mental illness have a co-occurring substance use disorder.⁸

Homelessness, mental illness, and criminal justice involvement create a perfect storm, requiring concerted effort across multiple systems to prevent people with mental illness from cycling between homelessness and incarceration by providing them the opportunity to reintegrate successfully into their communities and pursue recovery.

To understand the interplay among mental illness, homelessness, and incarceration, consider these examples:

- In 2011 Sandra received SSI based on her mental illness. She was on probation, with three years remaining, when she violated the terms of probation by failing to report to her probation officer. As a result, Sandra was incarcerated in a state prison. Because she was incarcerated for more than 12 months, her benefits were terminated. Sandra received a tentative parole month of

September 2012 contingent on her ability to establish a verifiable residential address. The parole board did not approve the family address she submitted because the location is considered a high crime area. Unfortunately, Sandra was unable to establish residency on her own as she had no income. Thus, she missed her opportunity for parole and must complete her maximum sentence. Sandra is scheduled for release in 2013.

- Sam was released from prison after serving four years. While incarcerated, he was diagnosed with a traumatic brain injury and depression. Sam had served his full sentence and was not required to report to probation or parole upon release. He was released with \$25 and the phone number for a community mental health provider. Sam is 27 years old with a ninth grade education and no prior work history. He has no family support. Within two weeks of release, Sam was arrested for sleeping in an abandoned building. He was intoxicated and told the arresting officer that drinking helped the headaches he has suffered from since he was 14 years old. Sam was sent to jail.
- Manuel was arrested for stealing from a local grocery store. He was homeless at the time of arrest and had a diagnosis of schizophrenia. He was not receiving any community mental health services at the time. Manuel has no family. He was sent to a large county jail where he spent two years before being arraigned before a judge. His periodic acute symptoms resulted in his being taken to the state hospital until he was deemed stable enough to stand trial. However, the medications that helped Manuel's symptoms in the hospital weren't approved for use in the jail, and more acute episodes followed. Manuel cycled between the county jail and the state hospital four times over a two-year period before being able to stand before a judge.

Based on real life situations, these examples illustrate the complex needs of people with serious mental illnesses who become involved with the justice system. In Sandra's and Sam's cases, the opportunity to apply for SSI/SSDI benefits on a pre-release basis would have substantially reduced the period of incarceration, and in Manuel's case, access to SSI immediately upon release would have decreased the likelihood he would return to jail. But how do we ensure that this happens?

⁵ *Reentry Facts*. The National Reentry Resource Center. Council of State Governments Justice Center. Retrieved December 6, 2012, from <http://www.nationalreentryresourcecenter.org/facts>

⁶ California Department of Corrections. (1997). *Preventing Parolee Failure Program: An evaluation*. Sacramento: Author.

⁷ Mental Health America. (2008). *Position Statement 52: In support of maximum diversion of persons with serious mental illness from the criminal justice system*. Retrieved from <http://www.mentalhealthamerica.net>.

⁸ Council of State Governments. (2002). *Criminal Justice/ Mental Health Consensus Project*. Lexington, Kentucky: author.

Incarceration and SSA Disability Benefits

Correctional facilities, whether jails or prisons, are required to report to SSA newly incarcerated people who prior to incarceration received benefits. For each person reported, SSA sends a letter to the facility verifying the person's benefits have been suspended and specifying the payment to which the facility is entitled for providing this information. SSA pays \$400 for each person reported by the correctional facility within 60 days. If a report is made between 60 and 90 days of incarceration, SSA pays \$200. After 90 days, no payment is made.

The rules for SSI and SSDI beneficiaries who are incarcerated differ. Benefits for SSI recipients incarcerated for a full calendar month are suspended, but if the person is released within 12 months, SSI is reinstated upon release if proof of incarceration and a release are submitted to the local SSA office. SSA reviews the individual's new living arrangements, and if deemed appropriate, SSI is reinstated. However, if an SSI recipient is incarcerated for 12 or more months, SSI benefits are terminated and the individual must reapply. Reapplication can be made 30 days prior to the expected release date, but benefits cannot begin until release.

Unfortunately, people who are newly released often wait months before their benefits are reinstituted or initiated. Few states or communities have developed legislation or policy to insure prompt availability of benefits upon release. Consequently, the approximately 125,000 people with mental illness who are released each year are at increased risk for experiencing symptoms of mental illness, substance abuse, homelessness, and recidivism.

SSDI recipients are eligible to continue receiving benefits until convicted of a criminal offense and confined to a penal institution for more than 30 continuous days. At that time, SSDI benefits are suspended but will be reinstated the month following release.

Role of Transition Services in Reentry for People with Mental Illness

Since the 1990s, the courts have increasingly acknowledged that helping people improve their mental health and their ability to demonstrate safe and orderly behaviors while they are incarcerated enhances their reintegration and the well-being of the communities that receive them. Courts specializing in the needs of people with mental illness and or substance use disorders, people experiencing homelessness, and veterans are designed to target the most appropriate procedures and service referrals to these individuals, who may belong to more than one subgroup. The specialized courts and other jail diversion programs prompt staff of various systems to consider reintegration strategies for people with mental illness from the outset of their criminal justice system involvement. Transition and reintegration services for people with mental illness reflect the shared responsibilities of multiple systems to insure continuity of care.

Providing transition services to people with mental illness within a jail or prison setting is difficult for several reasons: the quick population turnover in jails, the distance between facilities and home communities for people in prisons, the comprehensive array of services needed to address multiple needs, and the perception that people with mental illness are not responsive to services. Nevertheless, without seriously addressing transition and reintegration issues while offenders remain incarcerated, positive outcomes are far less likely upon release and recidivism is more likely.

Access to Benefits as an Essential Strategy for Reentry

The criminal justice and behavioral health communities consistently identify lack of timely access to income and other benefits, including health insurance, as among the most significant and persistent barriers to successful community reintegration and recovery for people with serious mental illnesses and co-occurring substance use disorders.

Many states and communities that have worked to ensure immediate access to benefits upon release have focused almost exclusively on Medicaid. Although access to Medicaid is critically important, focusing on this alone often means that needs for basic sustenance and housing are ignored. Only a few states (Oregon, Illinois, New York, Florida) provide for Medicaid to be suspended upon incarceration rather than terminated, and few states or communities have developed procedures to process new Medicaid applications prior to release.

The SOAR approach to improving access to SSI/SSDI. The SSI/SSDI application process is complicated and difficult to navigate, sometimes even for professional social service staff. The SOAR approach in correctional settings is a collaborative effort by corrections, behavioral health, and SSA to address the need for assistance to apply for these benefits. On average, providers who receive SOAR training achieve a first-time approval rate of 71 percent, while providers who are not SOAR trained or individuals who apply unassisted achieve a rate of 10 to 15 percent.⁹ SOAR-trained staff learn how to prepare comprehensive, accurate SSI/SSDI applications that are more likely to be approved, and approved quickly.

SOAR training is available in every state. The SOAR Technical Assistance Center, funded by SAMHSA, facilitates partnerships with community service providers to share information, acquire pre-incarceration medical records, and translate prison functioning into post-release work potential. With SOAR training, social service staff learn new observation techniques to uncover information critical to developing appropriate reentry strategies. The more accurate the assessment of factors indicating an individual's ability to function upon release, the easier it is to help that person transition successfully from incarceration to community living.

The positive outcomes produced by SOAR pilot projects within jail and prison settings around the country that link people with mental illness to benefits upon their release should provide impetus for more correctional facilities to consider using this approach as a foundation for building successful transition or

reentry programs.¹⁰ Below are examples of SOAR collaborations in jails (Florida, Georgia, and New Jersey) and prison systems (New York, Oklahoma, and Michigan). In addition to those described below, new SOAR initiatives are underway in the jail system of Reno, Nevada and in the prison systems of Tennessee, Colorado, Connecticut, and the Federal Bureau of Prisons.

SOAR Collaborations with Jails

Eleventh Judicial Circuit Criminal Mental Health Project (CMHP). Miami-Dade County, Florida, is home to the highest percentage of people with serious mental illnesses of any urban area in the United States – approximately nine percent of the population, or 210,000 people. CMHP was established in 2000 to divert individuals with serious mental illnesses or co-occurring substance use disorders from the criminal justice system into comprehensive community-based treatment and support services. CMHP staff, trained in the SOAR approach to assist with SSI/SSDI applications, developed a strong collaborative relationship with SSA to expedite and ensure approvals for entitlement benefits in the shortest time possible. All CMHP participants are screened for eligibility for SSI/SSDI.

From July 2008 through November 2012, 91 percent of 181 individuals were approved for SSI/SSDI benefits on initial application in an average of 45 days. All participants of CMHP are linked to psychiatric treatment and medication with community providers upon release from jail. Community providers are made aware that participants who are approved for SSI benefits will have access to Medicaid and retroactive reimbursement for expenses incurred for up to 90 days prior to approval. This serves to reduce the stigma of mental illness and involvement with the criminal justice system, making participants more attractive “paying customers.”

In addition, based on an agreement established between Miami-Dade County and SSA, interim housing assistance is provided for individuals applying for SSI/SSDI during the period between application and

⁹ Dennis et al., (2011). *op cit.*

¹⁰ Dennis, D. & Abreu, D. (2010) SOAR: Access to benefits enables successful reentry, *Corrections Today*, 72(2), 82–85.

approval. This assistance is reimbursed to the County once participants are approved for Social Security benefits and receive retroactive payment. The number of arrests two years after receipt of benefits and housing compared to two years earlier was reduced by 70 percent (57 versus 17 arrests).

Mercer and Bergen County Correctional Centers, New Jersey. In 2011, with SOAR training and technical assistance funded by The Nicholson Foundation, two counties in New Jersey piloted the use of SOAR to increase access to SSI/SSDI for persons with disabilities soon to be released from jail. In each county, a collaborative working group comprising representatives from the correctional center, community behavioral health, SSA, the state Disability Determination Service (DDS), and (in Mercer County only) the United Way met monthly to develop, implement, and monitor a process for screening individuals in jail or recently released and assisting those found potentially eligible in applying for SSI/SSDI. The community behavioral health agency staff, who were provided access to inmates while incarcerated and to jail medical records, assisted with applications.

During the one year evaluation period for Mercer County, 89 individuals from Mercer County Correction Center were screened and 35 (39 percent) of these were deemed potentially eligible for SSI/SSDI. For Bergen County, 69 individuals were screened, and 39 (57 percent) were deemed potentially eligible. The reasons given for not helping some potentially eligible individuals file applications included not enough staff available to assist with application, potential applicant discharged from jail and disappeared/couldn't locate, potential applicant returned to prison/jail, and potential applicant moved out of the county or state. In Mercer County, 12 out of 16 (75 percent) SSI/SSDI applications were approved on initial application; two of those initially denied were reversed at the reconsideration level without appeal before a judge. In Bergen County which had a late start, two out of three former inmates assisted were approved for SSI/SSDI.

Prior to this pilot project, neither behavioral health care provider involved had assisted with SSI/SSDI applications for persons re-entering the community from the county jail. After participating in the pilot project, both agencies remain committed to continuing

such assistance despite the difficulty of budgeting staff time for these activities.

Fulton County Jail, Georgia. In June 2009, the Georgia Department of Behavioral Health and Developmental Disabilities initiated a SOAR pilot project at the Fulton County Jail. With the support of the facility's chief jailer, SOAR staff were issued official jail identification cards that allowed full and unaccompanied access to potential applicants. SOAR staff worked with the Office of the Public Defender and received referrals from social workers in this office. They interviewed eligible applicants at the jail, completed SSI/SSDI applications, and hand-delivered them to the local SSA field office. Of 23 applications submitted, 16 (70 percent) were approved within an average of 114 days.

SOAR benefits specialists approached the Georgia Department of Corrections with outcome data produced in the Fulton County Jail pilot project to encourage them to use SOAR in the state prison system for persons with mental illness who were coming up for release. Thirty-three correctional officers around the state received SOAR training and were subsequently assigned by the Department to work on SSI/SSDI applications.

SOAR Collaborations with State and Federal Prisons

New York's Sing Sing Correctional Facility. The Center for Urban and Community Services was funded by the New York State Office of Mental Health, using a Projects for Assistance in Transition from Homelessness (PATH) grant, to assist with applications for SSI/SSDI and other benefits for participants in a 90-day reentry program for persons with mental illness released from New York State prisons. After receiving SOAR training and within five years of operation, the Center's Community Orientation and Reentry Program at the state's Sing Sing Correctional Facility achieved an approval rate of 87 percent on 183 initial applications, two thirds of which were approved prior to or within one month of release.

Oklahoma Department of Corrections. The Oklahoma Department of Corrections and the Oklahoma Department of Mental Health collaborated

to initiate submission of SSI/SSDI applications using SOAR-trained staff. Approval rates for initial submission applications are about 90 percent. The Oklahoma SOAR program also uses peer specialists to assist with SSI/SSDI applications for persons exiting the prison system. Returns to prison within 3 years were 41 percent lower for those approved for SSI/SSDI than a comparison group.

Michigan Department of Corrections. In 2007 the Michigan Department of Corrections (DOC) began to discuss implementing SOAR as a pilot in a region where the majority of prisoners with mental illnesses are housed. A subcommittee of the SOAR State Planning Group was formed and continues to meet monthly to address challenges specific to this population. In January 2009, 25 DOC staff from eight facilities, facility administration, and prisoner reentry staff attended a two-day SOAR training. The subcommittee has worked diligently to develop a process to address issues such as release into the community before a decision is made by SSA, the optimal time to initiate the application process, and collaboration with local SSA and DDS offices.

Since 2007, DOC has received 72 decisions on SSI/SSDI applications with a 60 percent approval rate in an average of 105 days. Thirty-nine percent of applications were submitted after the prisoner was released, and 76 percent of the decisions were received after the applicant's release. Seventeen percent of those who were denied were re-incarcerated within the year following release while only two percent of those who were approved were re-incarcerated.

Park Center's Facility In-Reach Program. Park Center is a community mental health center in Nashville, Tennessee. In July 2010, staff began assisting with SSI/SSDI applications for people with mental illness in the Jefferson County Jail and several facilities administered by the Tennessee Department of Corrections, including the Lois M. DeBerry Special Needs Prison and the Tennessee Prison for Woman. From July 2010 through November 2012, 100 percent of 44 applications have been approved in an average of 41 days. In most cases, Park Center's staff assisted with SSI/SSDI applications on location in these facilities prior to release. Upon release, the individual is accompanied by Park Center staff to the local SSA

office where their release status is verified and their SSI/SSDI benefits are initiated.

Best Practices for Accessing SSI/SSDI as an Essential Reentry Strategy

The terms jail and prison are sometimes used interchangeably, but it is important to understand the distinctions between the two. Generally, a jail is a local facility in a county or city that confines adults for a year or less. Prisons are administered by the state or federal government and house persons convicted and sentenced to serve time for a year or longer.

Discharge from both jails and prisons can be unpredictable, depending on a myriad of factors that may be difficult to know in advance. Working with jails is further complicated by that fact that they generally house four populations: (1) people on a 24-48 hour hold, (2) those awaiting trial, (3) those sentenced and serving time in jail, and (4) those sentenced and awaiting transfer to another facility, such as a state prison.

Over the past several years, the following best practices have emerged with respect to implementing SOAR in correctional settings. These best practices are in addition to the critical components required by the SOAR model for assisting with SSI/SSDI applications.¹¹ These best practices fall under five general themes:

- Collaboration
- Leadership
- Resources
- Commitment
- Training

Collaboration. The SOAR approach emphasizes collaborative efforts to help staff and their clients navigate SSA and other supports available to people with mental illness upon their release. Multiple collaborations are necessary to make the SSI/SSDI application process work. Fortunately, these are the same collaborations necessary to make the overall transition work. Thus, access to SSI/SSDI can become

¹¹ See <http://www.prainc.com/soar/criticalcomponents>.

a concrete foundation upon which to build the facility's overall discharge planning or reentry process.

- **Identify stakeholders.** Potential stakeholders associated with jail/prisons include
 - ✓ Judges assigned to specialized courts and diversion programs
 - ✓ Social workers assigned to the public defenders' office
 - ✓ Chief jailers or chiefs of security
 - ✓ Jail mental health officer, psychologist, or psychiatrist
 - ✓ County or city commissioners
 - ✓ Local reentry advocacy project leaders
 - ✓ Commissioner of state department of corrections
 - ✓ State director of reintegration/reentry services
 - ✓ Director of medical or mental health services for state department of corrections
 - ✓ State mental health agency administrator
 - ✓ Community reentry project directors
 - ✓ Parole/probation managers
- **Collaborate with SSA to establish prerelease agreements.** SSA can establish prerelease agreements with correctional facilities to permit special procedures when people apply for benefits prior to their release and will often assign a contact person. For example, prerelease agreements can be negotiated to allow for applications to be submitted from 60 to 120 days before the applicant's expected release date. In addition, SSA can make arrangements to accept paper applications and schedule phone interviews when necessary.
- **Collaborate with local SOAR providers to establish continuity of care.** Given the unpredictability of release dates from jails and prisons, it is important to engage a community-based behavioral health provider to either begin the SSI/SSDI application process while the person is incarcerated or to assist with the individual's reentry and assume responsibility for completing his or her SSI/SSDI application following release. SOAR training can help local corrections and community transition staff assure continuity of care by determining and coordinating benefit options and reintegration strategies for people with mental illness. Collaboration among service

providers, including supported housing programs that offer a variety of services, is key to assuring both continuity of care and best overall outcomes post-release.

- **Collaborate with jail or prison system for referrals, access to inmates, and medical records.** Referrals for a jail or prison SOAR project can issue from many sources – intake staff, discharge planners, medical or psychiatric unit staff, judges, public defenders, parole or probation, and community providers. Identifying persons within the jail or prison who may be eligible for SSI/SSDI requires time, effort, and collaboration on the part of the jail or prison corrections and medical staff.

Once individuals are identified as needing assistance with an SSI/SSDI application, they can be assisted by staff in the jail or prison, with a handoff occurring upon release, or they can be assisted by community providers who come into the facility for this purpose. Often, correctional staff, medical or psychiatric staff, and medical records are administered separately and collaborations must be established within the facility as well as with systems outside it.

Leadership. Starting an SSI/SSDI initiative as part of transition planning requires leadership in the form of a steering committee, with a strong and effective coordinator, that meets regularly. The Mercer County, New Jersey SOAR Coordinator, for example, resolves issues around SSI/SSDI applications that are brought up at case manager meetings, oversees the quality of applications submitted, organizes trainings, and responds to concerns raised by SSA and DDS.

The case manager meetings are attended by the steering committee coordinator who serves as a liaison between the case managers and steering committee. Issues identified by case managers typically require additional collaborations that must be approved at the steering committee level. Leadership involves frequent, regular, and ad hoc communication among all parties to identify and resolve challenges that arise.

It is essential that the steering committee include someone who has authority within the jail or prison system as well as someone with a clinical background who can assure that the clinical aspects of implementation are accomplished (e.g., mental status

exams with 90 days of application, access to records, physician or psychologist sign off on medical summary reports).

Resources. Successful initiatives have committed resources for staffing at two levels. First, staff time is needed to coordinate the overall effort. In the Mercer County example above, the steering committee coordinator is a paid, part-time position. If there is someone charged with overall transition planning for the facility, the activities associated with implementing assistance with SSI/SSDI may be assumed by this individual.

Second, the staff who are assisting with SSI/SSDI applications need to be trained (typically 1-2 days) and have time to interview and assess the applicant, gather and organize the applicant's medical records, complete the SSA forms, and write a supporting letter that documents how the individual's disability or disabilities affect his or her ability to work. Full-time staff working only on SSI/SSDI applications can be expected to complete about 50-60 applications per year using the SOAR approach. Assisting with SSI/SSDI applications cannot be done efficiently without dedicated staffing.

Finally, our experience has shown that it is difficult for jail staff to assist with applications in the jail due to competing demands, staffing levels, skill levels of the staff involved, and staff turnover. Without community providers, there would be few or no applications completed for persons coming out of jails in the programs with which we have worked. Jail staff time may be best reserved for: (1) identifying and referring individuals who may need assistance to community providers; (2) facilitating community provider access to inmates prior to release from jail; and (3) assistance with access to jail medical records.

Commitment. Developing and implementing an initiative to access SSI/SSDI as part of transition planning requires a commitment by the jail or prison's administration for a period of at least a year to see results and at least two years to see a fully functioning program. During the start up and early implementation period, competing priorities can often derail the best intentions. We have seen commitment wane as new administrations took office and the department of corrections commissioner changed. We have seen

staff struggle without success to find time to assist with applications as part of the job they are already doing. We have seen many facilities, particularly state departments of corrections, willing to conduct training for staff, but unwilling or unable to follow through on the rest of what it takes to assist with SSI/SSDI applications.

Training. Training for staff in jails and prisons should include staff who identify and refer people for assistance with SSI/SSDI applications, staff who assist with completing the applications, medical records staff, and physicians/psychologists. The depth and length of training for each of these groups will vary. However, without the other elements discussed above in place, training is of very limited value.

Training in the SOAR approach for jail and prison staff has been modified to address the assessment and documentation of functioning in correctional settings. Training must cover the specific referral and application submission process established by the steering group in collaboration with SSA and DDS to ensure that applications submitted are consistent with expectations, procedures are subject to quality review, and outcomes of applications are tracked and reported. It is important that training take place after plans to incorporate each of these elements have been determined by the steering committee.

Conclusion

People with mental illness face extraordinary barriers to successful reentry. Without access to benefits, they lack the funds to pay for essential mental health and related services as well as housing. The SOAR approach has been implemented in 50 states, and programmatic evidence demonstrates the approach is transferable to correctional settings. Acquiring SSA disability benefits and the accompanying Medicaid/Medicare benefit provides the foundation for reentry plans to succeed.

For More Information

To find out more about SOAR in your state or to start SOAR in your community, contact the national SOAR technical assistance team at soar@prainc.com or check out the SOAR website at <http://www.prainc.com/soar>.

Appendix 5

Housing First Self-Assessment

Assess and Align Your Program and Community
with a Housing First Approach

**100,000
HOMES**



HIGH PERFORMANCE SERIES

The 100,000 Homes Campaign team identified a cohort of factors that are correlated with higher housing placement rates across campaign communities. The purpose of this High Performance Series of tools is to spotlight best practices and expand the movement's peer support network by sharing this knowledge with every community.

This tool addresses Factor #4: *Evidence that the community has embraced a Housing First/Rapid Rehousing approach system-wide.*

The full series is available at: <http://100khomes.org/resources/high-performance-series>

Housing First Self-Assessment

Assess and Align Your Program with a Housing First Approach

A community can only end homelessness by housing every person who is homeless, including those with substance use and mental health issues. Housing First is a proven approach for housing chronic and vulnerable homeless people. Is your program a Housing First program? Does your community embrace a Housing First model system-wide? To find out, use the Housing First self-assessments in this tool. We've included separate assessments for:

- Outreach programs
- Emergency shelter programs
- Permanent housing programs
- System and community level stakeholder groups

What is Housing First?

According to the National Alliance to End Homelessness, Housing First is an approach to ending homelessness that centers on providing homeless people with housing as quickly as possible – and then providing services as needed. Pioneered by **Pathways to Housing** (www.pathwaystohousing.org) and adopted by hundreds of programs throughout the U.S., Housing First practitioners have demonstrated that virtually all homeless people are “housing ready” and that they can be quickly moved into permanent housing before accessing other common services such as substance abuse and mental health counseling.

Why is this Toolkit Needed?

In spite of the fact that this approach is now almost universally touted as a solution to homelessness and Housing First programs exist in dozens of U.S. cities, few communities have adopted a Housing First approach on a systems-level. This toolkit serves as a starting point for communities who want to embrace a Housing First approach and allows individual programs and the community as a whole to identify where its practices are aligned with Housing First and what areas of its work to target for improvement to more fully embrace a Housing First approach. The toolkit consists of four self-assessments each of which can be completed in under 10 minutes:

- **Housing First in Outreach Programs Self-Assessment** (to be completed by outreach programs)
- **Housing First in Emergency Shelters Self-Assessment** (to be completed by emergency shelters)
- **Housing First in Permanent Supportive Housing Self-Assessment** (to be completed by supportive housing providers)
- **Housing First System Self-Assessment** (to be completed by community-level stakeholders such as Continuums of Care and/or government agencies charged with ending homelessness)

How Should My Community Use This Tool?

- **Choose the appropriate Housing First assessment(s)** – Individual programs should choose the assessment that most closely matches their program type while community-level stakeholders should complete the systems assessment
- **Complete the assessment and score your results** – Each assessment includes a simple scoring guide that will tell you the extent to which your program or community is implementing Housing First
- **Share your results with others in your program or community** – To build the political will needed to embrace a Housing First approach, share with other stakeholders in your community
- **Build a workgroup charged with making your program or community more aligned with Housing First** - Put together a work plan with concrete tasks, person(s) responsible and due dates for the steps your program and/or community needs to take to align itself with Housing First and then get started!
- **Send your results and progress to the 100,000 Homes Campaign** – We'd love to hear how you score and the steps you are taking to adopt a Housing First approach!

Who Does This Well?

The following programs in 100,000 Campaign communities currently incorporate Housing First principles into their everyday work:

- **Pathways to Housing** – www.pathwaystohousing.org
- **DESC** – www.desc.org
- **Center for Urban Community Services** – www.cucs.org

Many other campaign communities have also begun to prioritize the transition to a Housing First philosophy system-wide. Campaign contact information for each community is available at <http://100khomes.org/see-the-impact>

Related Tools and Resources

This toolkit was inspired the work done by several colleagues, including the National Alliance to End Homelessness, Pathways to Housing and the Department of Veterans Affairs. For more information on the Housing First efforts of these groups, please visit the following websites:

- **National Alliance to End Homelessness** – www.endhomelessness.org/pages/housingfirst
- **Pathways to Housing** – www.pathwaystohousing.org
- **Veterans Affairs (HUD VASH and Housing First, pages 170-182)** - http://www.va.gov/HOMELESS/docs/Center/144_HUD-VASH_Book_WEB_High_Res_final.pdf

For more information and support, please contact Erin Healy, Improvement Advisor - 100,000 Homes Campaign, at ehealy@cmtysolutions.org

Housing First Self-Assessment for Outreach Programs

1. Does your program receive real-time information about vacancies in Permanent Supportive Housing?

- **Yes** = 1 point
- **No** = 0 points

Number of Points Scored:

2. The entire process from street outreach (with an engaged client) to move-in to permanent housing typically takes:

- More than 180 days = 0 points
- Between 91 and 179 days = 1 point
- Between 61 and 90 days = 2 points
- Between 31 and 60 days = 3 points
- 30 days or less = 4 points
- Unknown = 0 points

Number of Points Scored:

3. Approximately what percentage of chronic and vulnerable homeless people served by your outreach program goes straight into permanent housing (without going through emergency shelter and transitional housing)?

- More than 75% = 5 points
- Between 51% and 75% = 4 points
- Between 26% and 50% = 3 points
- Between 11% and 25% = 2 points
- 10% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

4. Indicate whether priority consideration for your program's services is given to potential program participants with following characteristics. Check all that apply:

- ☐ Participants who demonstrate a high level of housing instability/chronic homelessness
- ☐ Participants who have criminal justice records, including currently on probation/parole/court mandate
- ☐ Participants who are actively using substances, including alcohol and illicit drugs Participants who do not engage in any mental health or substance treatment services
- ☐ Participants who demonstrate instability of mental health symptoms (NOT including those who present danger to self or others)

Checked Five = 5 points

Checked Four = 4 points

Checked Three = 3 points

Checked Two = 2 points

Checked One = 1 point

Checked Zero = 0 points

Total Points Scored:

To calculate your Housing First Score, add the total points scored for each question above, then refer to the key below:

Total Housing First Score:

If you scored: 13 points or more

- ✓ Housing First principles are likely being implemented ideally

If you scored between: 10 – 12 points

- ✓ Housing First principles are likely being well-implemented

If you scored between: 7 – 9 points

- ✓ Housing First principles are likely being fairly well-implemented

If you scored between: 4 - 6 points

- ✓ Housing First principles are likely being poorly implemented

If you scored between: 0 – 3 points

- ✓ Housing First principles are likely not being implemented

Housing First Self-Assessment For Emergency Shelter Programs

1. Does your program receive real-time information about vacancies in Permanent Supportive Housing?

- **Yes** = 1 point
- **No** = 0 points

Number of Points Scored:

2. Approximately what percentage of chronic and vulnerable homeless people staying in your emergency shelter go straight into permanent housing without first going through transitional housing?

- More than 75% = 5 points
- Between 51% and 75% = 4 points
- Between 26% and 50% = 3 points
- Between 11% and 25% = 2 points
- 10% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

3. Indicate whether priority consideration for shelter at your program is given to potential program participants with following characteristics. Check all that apply:

- ☐ Participants who demonstrate a high level of housing instability/chronic homelessness
- ☐ Participants who have criminal justice records, including currently on probation/parole/court mandate
- ☐ Participants who are actively using substances, including alcohol and illicit drugs Participants who do not engage in any mental health or substance treatment services
- ☐ Participants who demonstrate instability of mental health symptoms (NOT including those who present danger to self or others)

Checked Five = 5 points

Checked Four = 4 points

Checked Three = 3 points

Checked Two = 2 points

Checked One = 1 point

Checked Zero = 0 points

Total Points Scored:

To calculate your Housing First Score, add the total points scored for each question above, then refer to the key below:

Total Housing First Score:

If you scored: 10 points or more

- ✓ Housing First principles are likely being implemented ideally

If you scored between: 6 – 9 points

- ✓ Housing First principles are likely being fairly well-implemented

If you scored between: 3 - 5 points

- ✓ Housing First principles are likely being poorly implemented

If you scored between: 0 – 2 points

- ✓ Housing First principles are likely not being implemented

Housing First Self-Assessment for Permanent Housing Programs

1. Does your program accept applicants with the following characteristics:

a) Active Substance Use

- Yes = 1 point
- No = 0 points

b) Chronic Substance Use Issues

- Yes = 1 point
- No = 0 points

c) Untreated Mental Illness

- Yes = 1 point
- No = 0 points

d) Young Adults (18-24)

- Yes = 1 point
- No = 0 points

e) Criminal Background (any)

- Yes = 1 point
- No = 0 points

f) Felony Conviction

- Yes = 1 point
- No = 0 points

g) Sex Offender or Arson Conviction

- Yes = 1 point
- No = 0 points

h) Poor Credit

- Yes = 1 point
- No = 0 points

i) No Current Source of Income (pending SSI/DI)

- Yes = 1 point
- No = 0 points

<u>Question Section</u>	<u># Points Scored</u>
Active Substance Use	
Chronic Substance Use Issues	
Untreated Mental Illness	
Young Adults (18-24)	
Criminal Background (any)	
Felony Conviction	
Sex Offender or Arson Conviction	
Poor Credit	
No Current Source of Income (pending SSI/DI)	
Total Points Scored in Question #1:	

2. Program participants are required to demonstrate housing readiness to gain access to units?

- No – Program participants have access to housing with no requirements to demonstrate readiness (other than provisions in a standard lease) = **3 points**
- Minimal – Program participants have access to housing with minimal readiness requirements, such as engagement with case management = **2 points**
- Yes – Program participant access to housing is determined by successfully completing a period of time in a program (e.g. transitional housing) = **1 point**
- Yes – To qualify for housing, program participants must meet requirements such as sobriety, medication compliance, or willingness to comply with program rules = **0 points**

Total Points Scored:

3. Indicate whether priority consideration for housing access is given to potential program participants with following characteristics. Check all that apply:

- ☐ Participants who demonstrate a high level of housing instability/chronic homelessness
- ☐ Participants who have criminal justice records, including currently on probation/parole/court mandate
- ☐ Participants who are actively using substances, including alcohol and illicit drugs (NOT including dependency or active addiction that compromises safety)
- ☐ Participants who do not engage in any mental health or substance treatment services
- ☐ Participants who demonstrate instability of mental health symptoms (NOT including those who present danger to self or others)

Checked Five = 5 points

Checked Four = 4 points

Checked Three = 3 points

Checked Two = 2 points

Checked One = 1 point

Checked Zero = 0 points

Total Points Scored:

4. Indicate whether program participants must meet the following requirements to ACCESS permanent housing. Check all that apply:

- ☐ Complete a period of time in transitional housing, outpatient, inpatient, or other institutional setting / treatment facility
- ☐ Maintain sobriety or abstinence from alcohol and/or drugs
- ☐ Comply with medication
- ☐ Achieve psychiatric symptom stability
- ☐ Show willingness to comply with a treatment plan that addresses sobriety, abstinence, and/or medication compliance
- ☐ Agree to face-to-face visits with staff

Checked Six = 0 points

Checked Five = 1 points

Checked Four = 2 points

Checked Three = 3 points

Checked Two = 4 points

Checked One = 5 point

Checked Zero = 6 points

Total Points Scored:

To calculate your Housing First Score, add the total points scored for each question above, then refer to the key below:

Total Housing First Score:

If you scored: 21 points or more

- ✓ Housing First principles are likely being implemented ideally

If you scored between: 15-20 points

- ✓ Housing First principles are likely being well-implemented

If you scored between: 10 – 14 points

- ✓ Housing First principles are likely being fairly well-implemented

If you scored between: 5 - 9 points

- ✓ Housing First principles are likely being poorly implemented

If you scored between: 0 – 4 points

- ✓ Housing First principles are likely not being implemented

Housing First Self-Assessment For Systems & Community-Level Stakeholders

1. Does your community set outcome targets around permanent housing placement for your outreach programs?

- Yes = 1 point
- No = 0 points

Number of Points Scored:

2. For what percentage of your emergency shelters does your community set specific performance targets related to permanent housing placement?

- 90% or more = 4 points
- Between 51% and 89% = 3 points
- Between 26% and 50% = 2 points
- 25% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

3. Considering all of the funding sources for supportive housing, what percentage of your vacancies in existing permanent supportive housing units are dedicated for people who meet the definition of chronic and/or vulnerable homeless?

- 90% or more = 4 points
- Between 51% and 89% = 3 points
- Between 26% and 50% = 2 points
- 25% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

4. Considering all of the funding sources for supportive housing, what percentage of new supportive housing units are dedicated for people who meet the definition of chronic and/or vulnerable homeless?

- 90% or more = 4 points
- Between 51% and 89% = 3 points
- Between 26% and 50% = 2 points
- Between 1% and 25% = 1 point
- 0% (we do not dedicate any units to this population) = 0 points
- Unknown = 0 points

Number of Points Scored:

5. Does your community have a formal commitment from your local Public Housing Authority to provide a preference (total vouchers or turn-over vouchers) for homeless individuals and/or families?

- Yes, a preference equal to 25% or more of total or turn-over vouchers = 4 points
- Yes, a preference equal to 10% - 24% or more of total or turn-over = 3 points
- Yes, a preference equal to 5% - 9% or more of total or turn-over = 2 points
- Yes, a preference equal to less than 5% or more of total or turn-over = 1 point
- No, we do not have an annual set-aside = 0 points
- Unknown = 0 points

Number of Points Scored:

6. Has your community mapped out its housing placement process from outreach to move-in (e.g. each step in the process as well as the average time needed for each step has been determined)?

- Yes = 1 point
- No = 0 points

Number of Points Scored:

7. Does your community have a Coordinated Housing Placement System or Single Point of Access into permanent supportive housing?

- Yes = 1 point
- Partial = ½ point
- No = 0 points

Number of Points Scored:

8. Does your community have a Coordinated Housing Placement System or Single Point of Access into permanent subsidized housing (e.g. Section 8 and other voucher programs)?

- Yes = 1 point
- Partial = ½ point
- No = 0 points

Number of Points Scored:

9. Does your community have different application/housing placement processes for different populations and/or different funding sources? If so, how many separate processes does your community have?

- 5 or more processes = 0 points
- 3-4 processes = 1 point
- 2 processes = 2 points
- 1 process for all populations = 3 points

Number of Points Scored:

10. The entire process from street outreach (with an engaged client) to move-in to permanent housing typically takes:

- More than 180 days = 0 points
- Between 91 and 179 days = 1 point
- Between 61 and 90 days = 2 points
- Between 31 and 60 days = 3 points
- 30 days or less = 4 points
- Unknown = 0 points

Number of Points Scored:

11. Approximately what percentage of homeless people living on the streets go straight into permanent housing (without going through emergency shelter and transitional housing)?

- More than 75% = 5 points
- Between 51% and 75% = 4 points
- Between 26% and 50% = 3 points
- Between 11% and 25% = 2 points
- 10% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

12. Approximately what percentage of homeless people who stay in emergency shelters go straight into permanent housing without first going through transitional housing?

- More than 75% = 5 points
- Between 51% and 75% = 4 points
- Between 26% and 50% = 3 points
- Between 11% and 25% = 2 points
- 10% or less = 1 point
- Unknown = 0 points

Number of Points Scored:

13. Within a given year, approximately what percentage of your community's chronic and/or vulnerable homeless population who exit homelessness, exits into permanent supportive housing?

- More than 85% = 5 points
- Between 51% and 85% = 4 points
- Between 26% and 50% = 3 points
- Between 10% and 24% = 2 points
- Less than 10% = 1 point
- Unknown = 0 points

Number of Points Scored:

14. In a given year, approximately what percentage of your community's chronic and/or vulnerable homeless population exiting homelessness, exits to Section 8 or other long-term subsidy (with limited or no follow-up services)?

- More than 50% = 4 points
- Between 26% and 50% = 3 points
- Between 10% and 25% = 2 points
- Less than 10% = 1 point
- Unknown = 0 points

Number of Points Scored:

15. Approximately what percentage of your permanent supportive housing providers will accept applicants with the following characteristics:

a) Active Substance Use

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

b) Chronic Substance Use Issues

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

c) Untreated Mental Illness

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

d) Young Adults (18-24)

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

e) Criminal Background (any)

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

f) Felony Conviction

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

g) Sex Offender or Arson Conviction

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

h) Poor Credit

- Over 75% = 5 points
- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

i) No Current Source of Income (pending SSI/DI)

- Over 75% = 5 points

- 75%-51% = 4 points
- 50%-26% = 3 points
- 25%-10% = 2 points
- Less than 10% = 1 points
- Unknown = 0 points

<u>Question Section</u>	<u># Points Scored</u>
Active Substance Use	
Chronic Substance Use Issues	
Untreated Mental Illness	
Young Adults (18-24)	
Criminal Background (any)	
Felony Conviction	
Sex Offender or Arson Conviction	
Poor Credit	
No Current Source of Income (pending SSI/DI)	
Total Points Scored in Question #17:	

To calculate your Housing First Score, add the total points scored for each question above, then refer to the key below:

Total Housing First Score:

If you scored: 77 points or more

- ✓ Housing First principles are likely being implemented ideally

If you scored between: 57 – 76 points

- ✓ Housing First principles are likely being well-implemented

If you scored between: 37 – 56 points

- ✓ Housing First principles are likely being fairly well-implemented

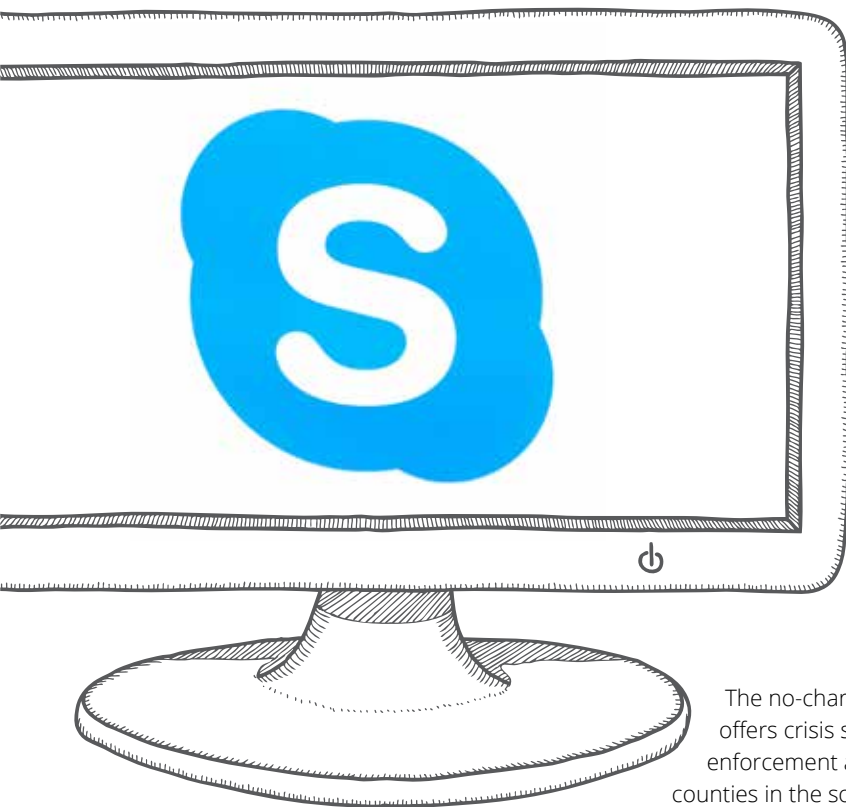
If you scored between: 10 – 36 points

- ✓ Housing First principles are likely being poorly implemented

If you scored under 10 points

- ✓ Housing First principles are likely not being implemented

Appendix 6



SKYPING DURING A CRISIS?

Telehealth is a 24/7 Crisis Connection

Arnold A. Remington

Program Director, Targeted Adult Service
Coordination Program

When Nebraska law enforcement officials encounter people exhibiting signs of mental illness, a state statute allows them to place individuals into emergency protective custody. While emergency protective custody may be necessary if the person appears to be dangerous to themselves or to others, involuntary custody is not always the best option if the crisis stems from something like a routine medication issue.

Officers may request that counselors evaluate at-risk individuals to help them determine the most appropriate course of action. While in-person evaluations are ideal when counselors are readily available, officers often face crises in the middle of the night and in remote areas where mental health professionals are not easily accessible.

The Targeted Adult Service Coordination program began in 2005 to provide crisis response assistance to law enforcement and local hospitals dealing with people struggling with behavioral health problems. The employees respond to law enforcement calls to provide consultation, assistance in recognizing a client's needs and help with identifying resources to meet those needs.

The no-charge service program offers crisis services to 31 law enforcement agencies in 15 rural counties in the southeast section of the Cornhusker state.

Six months ago, the program offered select law enforcement officials a new crisis service tool: telehealth. The Skype-like technology makes counselors available 24/7, even in remote rural parts of the state. Officers can connect with on-call counselors for face-to-face consultations through secure telehealth via laptops, iPads or Toughbooks in their vehicles.

The technology, which is in use in select jails and police and sheriff departments, is proving to be a win-win for both law enforcement officers and clients. Officers no longer have to wait for counselors to arrive for consultations. In rural communities, it is too common for officers to wait for up to two hours for counselors traveling from long distances.

Telehealth also supports the Targeted Adult Service Coordination program's primary goal of preventing individuals from being placed under emergency protective custody. The program maintains an 82 percent success rate of keeping clients in a home environment with proper supports. The technology promotes faster response times that mean more expedient and more appropriate interventions for at-risk individuals, particularly those in rural counties.

So far, the biggest hurdle has been getting law enforcement officers to break out of

their routines and adopt the technology. Some officers still want in-person consultations, a method that is preferable when counselors are available and nearby. But when reaching a counselor is not expedient and sometimes not even possible, telehealth can play an invaluable role.

Police officers' feedback on telehealth has been mainly positive. Officers often begin using the new tool after hearing about positive experiences from colleagues. As more officers learn that they can contact counselors with a few keystrokes from their cruisers, telehealth will continue to grow. The Targeted Adult Service Coordination program plans to expand the technology next year by making it available to additional police and sheriff departments.

Telehealth has furthered the Targeted Adult Service Coordination program's goal of diverting people from emergency protective custody and helping them become successful, contributing members of the community. This creative approach to crisis response provides clients with better care and supports reintegration and individual autonomy.

Appendix 7



KEY ISSUE: REENTRY

REENTRY RESOURCES FOR INDIVIDUALS, PROVIDERS, COMMUNITIES, AND STATES

LEARN ABOUT SAMHSA REENTRY RESOURCES FOR:

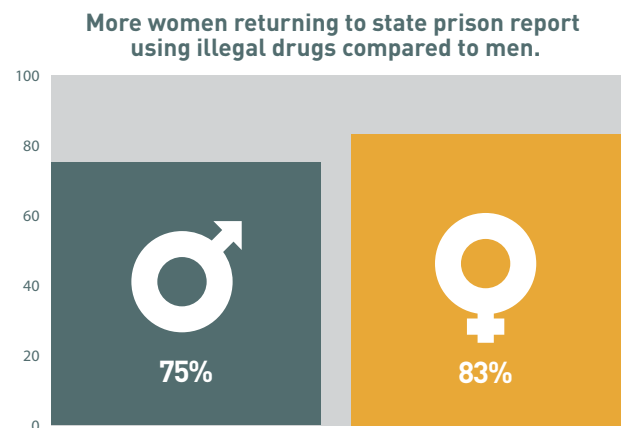
- Behavioral Health Providers & Criminal Justice Practitioners
- Individuals Returning From Jails & Prisons
- Communities & Local Jurisdictions
- State Policymakers

AT A GLANCE

Individuals with mental and substance use disorders involved with the criminal justice system can face many obstacles accessing quality behavioral health service. For individuals with behavioral health issues reentering the community after incarceration, those obstacles include a lack of health care, job skills, education, and stable housing, and poor connection with community behavioral health providers. This may jeopardize their recovery and increase their probability of relapse and/or re-arrest. Additionally, individuals leaving correctional facilities often have lengthy waiting periods before attaining benefits and receiving services in the community. Too often, many return to drug use, criminal behavior, or homelessness when these obstacles prevent access to needed services.

The Office of National Drug Control Policy reports:

- More than 40% of offenders return to state prison within 3 years of their release.
- 75% of men and 83% of women returning to state prison report using illegal drugs.



ISSUE DATE 4.1.16

Behavioral health is essential to health.

Prevention works.

Treatment is effective.

PEOPLE RECOVER.

SAMHSA efforts to help meet the needs of individuals with mental and substance use disorders returning to the community, and the needs of the community include:

- Grant programs such as the Offender Reentry Program (ORP) that expand and enhance substance use treatment services for individuals reintegrating into communities after being released from correctional facilities.
- Actively partnering with other federal agencies to address the myriad of issues related to offender reentry through policy changes, recommendations to U.S. states and local governments, and elimination of myths surrounding offender reentry.
- Providing resources to individuals returning from jails and prisons, behavioral health providers and criminal justice practitioners, communities and local jurisdictions, and state policymakers.

At federal, state and local levels, criminal justice reforms are changing the landscape of criminal justice policies and practices. In 2015, federal efforts focused on reentry services and supports for justice-involved individuals with mental and substance use disorders have driven an expansion of programs and services.

Reentry is a key issue in SAMHSA's Trauma and Justice Strategic Initiative. This strategic initiative addresses the behavioral health needs of people involved in - or at risk of involvement in - the criminal and juvenile justice systems. Additionally, it provides a comprehensive public health approach to addressing trauma and establishing a trauma-informed approach in health, behavioral health, criminal justice, human services, and related systems.

SAMSHA RESOURCES

This key issue guide provides an inventory of SAMHSA resources for individuals returning from jails and prisons, behavioral health providers and criminal justice practitioners, communities and local jurisdictions, and states.



RESOURCES FOR BEHAVIORAL HEALTH PROVIDERS AND CRIMINAL JUSTICE PRACTITIONERS

GAINS Reentry Checklist for Inmates Identified with Mental Health Needs (2005)

This publication provides a checklist and template for identifying and implementing a successful reentry plan for individuals with mental and substance use disorders. http://www.neomed.edu/academics/criminal-justice-coordinating-center-of-excellence/pdfs/sequential-intercept-mapping/GAINSReentry_Checklist.pdf

Quick Guide for Clinicians: Continuity of Offender Treatment for Substance Use Disorder from Institution to Community

Helps substance abuse treatment clinicians and case workers to assist offenders in the transition from the criminal justice system to life after release. Discusses assessment, transition plans, important services, special populations, and confidentiality. <http://store.samhsa.gov/product/Continuity-of-Offender-Treatment-for-Substance-Use-Disorder-from-Institution-to-Community/SMA15-3594>

Trauma Informed Response Training

The GAINS Center has developed training for criminal justice professionals to raise awareness about trauma and its effects. "How Being Trauma-Informed Improves Criminal Justice System Responses" is a one-day training for criminal justice professionals to:

- Increase understanding and awareness of the impact of trauma
- Develop trauma-informed responses
- Provide strategies for developing and implementing trauma-informed policies



This highly interactive training is specifically tailored to community-based criminal justice professionals, including police officers, community corrections personnel, and court personnel. <http://www.samhsa.gov/gains-center/criminal-justice-professionals-locator/trauma-trainers>

SOAR TA Center

Provides technical assistance on SAMHSA's SSI/SSDI Outreach, Access and Recovery (SOAR), a national program designed to increase access to the disability income benefit programs administered by the Social Security Administration (SSA) for eligible adults who are experiencing or are at risk of homelessness and have a mental illness, medical impairment, and/or a co-occurring substance use disorder. <http://soarworks.prainc.com/>

RESOURCES FOR INDIVIDUALS RETURNING FROM JAILS AND PRISONS

SAMHSA's Behavioral Health Treatment Locator

Search online for treatment facilities in the United States or U.S. Territories for substance abuse/addiction and/or mental health problems. <https://findtreatment.samhsa.gov/>

Self-Advocacy and Empowerment Toolkit

Find resources and strategies for achieving personal recovery goals. <http://www.consumerstar.org/resources/pdf/JusticeMaterialsComplete.pdf>

Obodo

Find resources and information and make connections in your community. Users set up profiles, add photos, bookmark resources and interests, and can email other members. <https://obodo.is/>

SecondChanceResources Library

Find reentry resources and information. <http://secondchanceresources.org/>

Right Path

Resources and information for persons formerly incarcerated, and the people who help them (parole officers, community service staff, family and friends). <http://rightpath.meteor.com/>

RESOURCES FOR COMMUNITIES AND LOCAL JURISDICTIONS

Establishing and Maintaining Medicaid Eligibility upon Release from Public Institutions

This publication describes a model program in Oklahoma designed to ensure that eligible adults leaving correctional facilities and mental health institutions have Medicaid at discharge or soon thereafter. Discusses program findings, barriers, and lessons learned. <http://store.samhsa.gov/product/Establishing-and-Maintaining-Medicaid-Eligibility-upon-Release-from-Public-Institutions/SMA10-4545>

Providing a Continuum of Care and Improving Collaboration among Services

This publication examines how systems of care for alcohol and drug addiction can collaborate to provide a continuum of care and comprehensive substance abuse treatment services. Discusses service coordination, case management, and treatment for co-occurring disorders. <http://store.samhsa.gov/product/Providing-a-Continuum-of-Care-Improving-Collaboration-Among-Services/SMA09-4388>

A Best Practice Approach to Community Reentry from Jails for Inmates with Co-occurring Disorders: The APIC Model (2002)

This publication provides an overview of the APIC Model, a set of critical elements that, if implemented, are likely to improve outcomes for persons with co-occurring disorders who are released from jail. <http://homeless.samhsa.gov/resource/a-best-practice-approach-to-community-re-entry-from-jails-for-inmates-with-co-occurring-disorders-the-apic-model-24756.aspx>

Guidelines for the Successful Transition of People with Behavioral Health Disorders from Jail and Prison (2013)

This publication presents guidelines that are intended to promote the behavioral health and criminal justice partnerships necessary to successfully identify which people need services, what services they need, and how to match these needs upon transition to community-based treatment and supervision. <https://csgjusticecenter.org/wp-content/uploads/2013/12/Guidelines-for-Successful-Transition.pdf>

SAMHSA's Offender Reentry Program

Using grant funding, the program encourages stakeholders to work together to give adult offenders with co-occurring substance use and mental health disorders the opportunity to improve their lives through recovery. <http://www.samhsa.gov/grants/grant-announcements/ti-15-012>

Bridging the Gap: Improving the Health of Justice-Involved People through Information Technology

This publication is a review of the proceedings from a two-day conference convened by SAMHSA in 2014. The meeting aimed to address the problems of disconnected justice and health systems and to develop solutions by describing barriers, benefits, and best practices for connecting community providers and correctional facilities using health information technology (HIT). <http://www.vera.org/samhsa-justice-health-information-technology>

RESOURCES FOR STATE POLICYMAKERS

Behavioral Health Treatment Needs Assessment for States Toolkit

Provide states and other payers with information on the prevalence and use of behavioral health services; step-by-step instructions to generate projections of utilization under insurance expansions; and factors to consider when deciding the appropriate mix of behavioral health benefits, services, and providers to meet the needs of newly eligible populations. <http://store.samhsa.gov/shin/content//SMA13-4757/SMA13-4757.pdf>

Medicaid Coverage and Financing of Medications to Treat Alcohol and Opioid Use Disorders

This publication presents information about Medicaid coverage of medication-assisted treatment for opioid and alcohol dependence. Covers treatment effectiveness and cost effectiveness as well as examples of innovative approaches in Vermont, Massachusetts, and Maryland. <http://store.samhsa.gov/product/Medicaid-Coverage-and-Financing-of-Medications-to-Treat-Alcohol-and-Opioid-Use-Disorders/SMA14-4854>

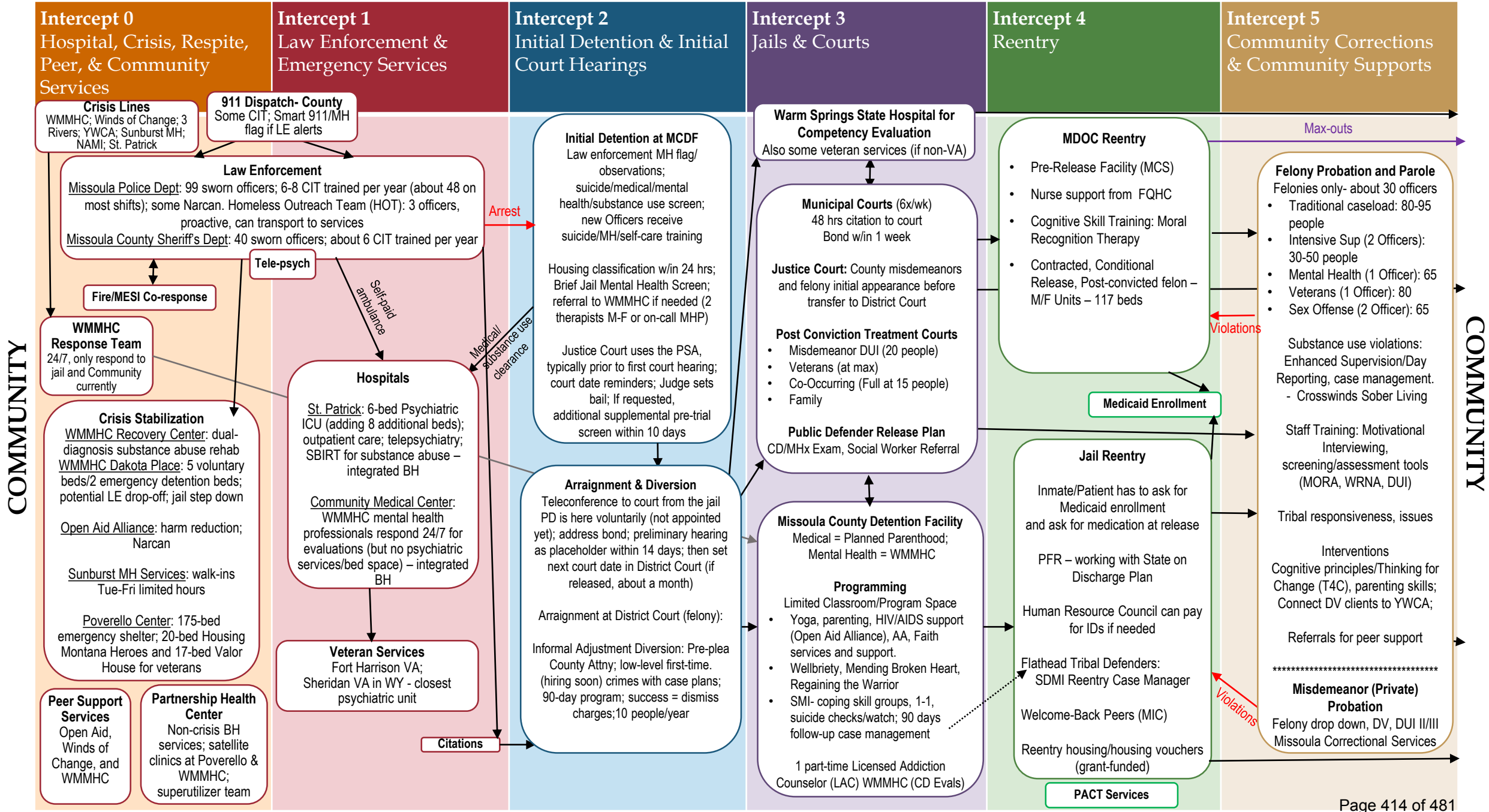


All publications are available
free through SAMHSA's store
<http://store.samhsa.gov/>



SAMHSA TOPICS

Alcohol, Tobacco, and Other Drugs ■ Behavioral Health Treatments and Services ■ Criminal and Juvenile Justice ■ Data, Outcomes, and Quality
Disaster Preparedness, Response, and Recovery ■ Health Care and Health Systems Integration ■ Health Disparities ■ Health Financing
Health Information Technology ■ HIV, AIDS, and Viral Hepatitis ■ Homelessness and Housing ■ Laws, Regulations, and Guidelines
Mental and Substance Use Disorders ■ Prescription Drug Misuse and Abuse ■ Prevention of Substance Abuse and Mental Illness
Recovery and Recovery Support ■ School and Campus Health ■ Specific Populations ■ State and Local Government Partnerships
Suicide Prevention ■ Trauma and Violence ■ Tribal Affairs ■ Underage Drinking ■ Veterans and Military Families ■ Wellness ■ Workforce



CRIMINAL JUSTICE COORDINATING COUNCIL

Strategic Plan: 2019/2020

Statement of Purpose

Missoula County has been studying the status and possible improvements to the justice systems, including funding a Jail Diversion Master Plan and becoming the recipient of the MacArthur Foundation's Safety and Justice Challenge grant. These, and other efforts have been contributed to by multiple agencies of the State, County and local and Tribal governments who share responsibilities for the effective administration of the criminal justice systems within Missoula County.

Other non-governmental entities also play a critical role in the County's justice system, including, but not limited to victim advocacy, service groups, community treatment providers, and health providers.

In order to best meet the goal of improving criminal justice systems, while protecting the safety of the citizens of the County and improving the social justice, it is necessary that these various allied entities coordinate their efforts and work together to evaluate and identify evidence-based programs and services that will improve our justice system.

On October 25, 2018 Missoula County formed a Criminal Justice Coordinating Council (CJCC) to provide a vehicle for all stakeholders to provide an ongoing forum for leaders from the criminal justice agencies, general governments and communities in Missoula County to discuss and prioritize justice and public safety issues, and to coordinate resources to address issues in the most data-guided, cost-effective, and equitable ways possible.

The CJCC will draw upon expertise from local, State, federal, and Tribal agencies, community-based service agencies, victim services, and individuals to develop recommendations and strategies for accomplishing this mission.

The goal of the CJCC is to facilitate systemic changes in the County's entire justice system through a shared commitment and collaboration amongst agencies; while evaluating and promoting continuous improvements within the justice system; all the while, strengthening communication amongst justice agencies to eliminate redundant services and maximize available resources.

On November 5, 2018 Missoula City Council approved a Resolution supporting the mission of the CJCC and believes that the CJCC should work collaboratively to enhance services, improve social justice, strengthen public safety, maximize available resources, and recommend strategies that will reduce crime and increase the public's confidence in the entire criminal justice system in Missoula County.

The Board of County Commissioners intends that the CJCC operate as an independent council and that its members elect their chair and establish such by-laws as they deem necessary.

Strategies:

Strategy One- Safely reduce jail populations:

Goal One: Create Jail Review Team

KPI 1: Establish membership, scope, and schedule of the Jail Review Team.

Goal Two: Implement the Calibrate Program at Missoula County Attorney's Office.

KPI 2: Hire a Calibrate Program Coordinator and establish reporting guidelines, including frequency and content.

Goal Three: Ensure the accurate and consistent use, by all stakeholders, of the Public Safety Assessment (PSA) Tool.

KPI 3: Develop a Missoula-specific Decision-Making Framework (DMF) that is responsive to Missoula's issues and populations.

KPI 4: Expand the use of a PSA tool to Municipal and District courts.

KPI 5: Work with Flathead Reentry Program to incorporate its culturally specific assessment tool.

Goal Four: Reduce time from preliminary hearing to arraignment for District Court.

KPI 6: Develop forms and tools to support revised process from 30 days to 14 days.

Goal Five: Develop case processing efficiencies.

KPI 7: Implement a Differentiated Case Management Plan.

KPI 8: Reduce time from preliminary hearing to arraignment.

Goal Six: Implement front-end jail diversion with prosecution.

KPI 9: Hire a Calibrate Program Coordinator.

KPI 10: Begin accepting clients into the program by September 2019.

Goal Seven: Implement the outcomes from the Sequential Intercept Mapping (SIM) exercise.

KPI 11: Hire a mental health professional to assist with issues identified in the SIM.

Strategy Two - Address racial and ethnic disparities within Missoula County's criminal justice system:

Goal Eight: Provide relevant trainings to professionals working within the criminal justice system.

KPI 12: Provide an Implicit Bias Training.

KPI 13: Provide two trainings regarding historical trauma.

Goal Nine: Support the Native American Liaison position.

KPI 14: Coordinate access to inmates.

KPI 15: Purchase Wellbriety workbooks and other relevant materials.

KPI 16: Identify and begin facilitating cultural programs in the Missoula County Correctional Facility.

KPI 17: Facilitate and enhance collaborations between the Native American Liaison, Missoula Urban Indian Health Center and other service providers.

Strategy Three - Build Data-gathering capacities and interagency collaborations related to criminal justice:

Goal Ten: Stock-take of databases used by relevant criminal justice and social service agencies.

KPI 18: Build alliance, establish MOUs and legally share data, when possible and in agreement with data owners.

KPI 19: Create a Data Analysis Expert Working Group to support the CJCC.

Goal Eleven: Collect specific data relevant to identified strategies.

KPI 20: Validate the PSA DMF with Missoula-specific data quarterly and readjust the DMF accordingly.

KPI 21: Work with relevant stakeholders to establish racial and ethnic data gathering mechanisms within systems that are already being used.

KPI 22: Collect data relevant to the time it takes to assign counsel through the Public Defender's Office.

KPI23: Develop data tracking system for the Calibrate program and monitor effectiveness.

KPI 24: Track race/ethnicity of community members who enter the criminal justice system at all intercepts.

Strategy Four – Enhance Community engagement regarding criminal justice reforms and resources:

Goal Twelve: Create community engagement subcommittee that will advise the CJCC.

KPI 25: Work with an existing group and/or identified community leaders from all niches to create an effective engagement strategy regarding the CJCC.

Goal Thirteen: Ensure the CJCC Department follows communications best practices.

KPI 26: Ensure timely release of CJCC meeting agendas and minutes to relevant City and County entities.

Strategy Five - Enhance communication and collaboration between criminal justice system stakeholders:

Goal Fourteen: Ensure the CJCC and Expert Working Groups have relevant stakeholder representation.

KPI 27: Annual review of CJCC voting members, CJCC non-voting members, Expert Working Groups, and Expert Working Group membership to ensure a dynamic and relevant criminal justice reform response.

KPI 28: Ensure all stakeholders have had formal training in the PSA and the DMF within the current Strategic Plan time period.

Missoula County Criminal Justice Coordinating Council Bylaws

Article I: Name

The name of this council is the Missoula County Criminal Justice Coordinating Council, referred to as the CJCC in the following Bylaws.

Article II: Authority

The CJCC was created in 2018 in response to two resolutions. The first is Resolution 2018-148 of the Missoula County Commission. The second is Resolution 8305 of Missoula City. Missoula County and Missoula City criminal justice officials agree to work together to accomplish the goals and objectives of the CJCC, as set forth below.

Article III: Purpose

Section 1: Mission

The principal mission of the CJCC is to use a data-driven approach to study Missoula County's adult and juvenile criminal justice system; identify challenges; raise public awareness; consolidate efforts; and formulate policy, plans, and programs to improve the system. The CJCC is committed to the coordinated planning of innovative corrections programs that reflect the County's desire for safety and cost effectiveness and to assess successes and shortcomings.

Section 2: Guiding Principle

The CJCC will actively work to ensure data-driven criminal justice improvements, including improvement of the local criminal justice system, maximizing available resources, and protecting the safety of citizens.

Section 3: Strategic Plan

The CJCC members shall be responsible for the implementation of the CJCC Strategic Plan.

Section 4: Recommendations

The CJCC will serve as the central planning body for the adult and juvenile criminal justice system and will make recommendations to public policy boards and elected and appointed officials regarding pressing issues within our justice system.

Article IV: Members

Section 1: Voting Members:

Revised 8/7/2019

There are 20 voting members of the CJCC. Voting membership is by position.

1. District Court Judge
2. One Missoula County Commissioner appointed by a quorum of the commissioners
3. The Missoula County Undersheriff
4. Municipal Judge for the City of Missoula
5. One Justice of the Peace for Missoula County
6. A representative from the Office of the Public Defender
7. A member of the Missoula City Council appointed by a quorum of the council
8. Chief of the Missoula Police Department
9. Missoula County Detention Facility Commander
10. A representative from the City Attorney's Office
11. A representative from the County Attorney's Office
12. Bureau Chief, Probation and Parole Division
13. Mayor for the City of Missoula
14. Indian Law Attorney
15. Executive Director of the Missoula Urban Indian Health Center
16. Director of Missoula County Crime Victim Advocate Program
17. Director of Housing and Community Development
18. Executive Director of Partnership Health Center
19. CPS/ Department of Public Health and Human Services Representative
20. Youth Court, Chief JPO

Commented [KJ1]: Need to identify how/who will be representative and for how long, same with Justices, County Commissioners and City Council Representatives.

Commented [KJ2]: No person has been confirmed as at this edit.

Section 2: At-Large Members

The CJCC shall consist of at least three but not more than five at-large members to serve as representatives. Any CJCC member may nominate an at-large member and a majority of the quorum of the CJCC shall make the final selection. At-large members serve two-year terms, renewable for one consecutive term.

Section 3: Non-Voting Members

1. Clerk of District Court
2. Native American Liaison from the Missoula Urban Indian Health Center

Revised 8/7/2019

3. Executive Director of Missoula Correctional Services
4. A representative from the local chapter of ACLU Montana

Article V: Meetings

Section 1: Regular Meetings

CJCC meetings will be held the **third week (day TBD)** of August, October, December, February, April and June, beginning **at XXX am/pm** for the duration of 1.5 hours. The meeting schedule can be changed by a majority vote of members.

Commented [KJ3]: CJCC members to decide on length of meeting, day and times of future meetings.

Section 2: Designees

CJCC members may designate one chief staff person to represent them, count toward a quorum, and vote at CJCC meetings. Any member wishing to appoint a designee is to identify the designee, via email, to the Chair of the CJCC and the CJCC Manager prior to the designee representing the member at a meeting. Designees can only be changed by notifying the CJCC Chair and Manager in writing.

Section 3: Quorum

A quorum is a majority of voting members present. Designees may count toward a quorum.

Section 4: Convening Special Meetings

The Chair of the CJCC may convene a special meeting. A quorum is required.

Section 5: Staff Support

The CJCC will be coordinated by the CJCC Manager, hired by the county. Additional staff support will be provided by the CJCC Department as required and with the approval of the CJCC Manager.

Duties to include:

- Keep Council members informed of matters pertinent to their responsibility
- Support the creation of the agenda for all CJCC meetings and Executive Committee meetings and ensure distribution to members
 - Call out for agenda items will occur two weeks before an upcoming meeting
 - Chair to decide which items to place on the final agenda
 - Final agenda to be sent to members 2 days before meeting
 - Post agendas and meeting minutes on City and County websites
- Ensure meeting minutes are taken and distribution to members

Revised 8/7/2019

- Meeting minutes will be sent to members for comment and approval at next scheduled CJCC
- Final meeting minutes to be approved at next CJCC meeting
- Ensure the function of the Expert Working Groups (EWG) in the following manner:
 - Establish EWG meeting schedules.
 - Set the agenda for all EWG meetings and ensure distribution to members.
 - Ensure the preparation of meeting minutes and distribution to members.

Article VI: Officers- Chair and Vice-Chair

Section 1: Officers

The officers of the CJCC shall be the Chair and Vice-Chair. An individual may not hold more than one office at a time. Officers must be voting members of the CJCC.

Section 2: Elections

The first Chair of the CJCC will be a District Court Judge and will serve a one-year term. The first Chair shall choose the first Vice-Chair, from the voting membership, who will serve a one-year term. At the last regular scheduled CJCC meeting of the financial year, the CJCC shall elect one of its members as Chair and one member as Vice-Chair. Elections of officers shall occur by a majority vote of the CJCC when a quorum is present.

Commented [KJ4]: Term to be confirmed by the CJCC

Section 3: Terms of Office

The officers' terms shall begin at the closing of the meeting at which officers were elected and are one year in length. Officers may be elected to serve no more than three consecutive full terms; serving part of a term will not count the same as a full term.

Commented [KJ5]: Term to be confirmed by the CJCC

Section 4: Powers and Duties

It shall be the Chair's responsibility to:

- Preside at each of the meetings of the Council and Executive Committee
- Select EWG Chairs, to be selected from the current CJCC's member list
- Sign communications on behalf on the CJCC
- Represent the CJCC at governmental, community or other meetings

It shall be the Vice Chair's responsibility to:

- Carry out all duties of the Chair in the Chair's absence

Revised 8/7/2019

- In the event of a vacancy in the position of Chair, preside as Chair until such time as a new chair is elected

Section 5. Vacancies

A vacancy in any office resulting from death, resignation, removal, disqualification, or any other reason shall be filled by an interim appointment of the CJCC at the next regularly scheduled meeting until the next date for election of officers as specified by these Bylaws.

Article VII: Voting

Each CJCC voting member has one vote. Designees may vote on behalf of a voting member if they have been identified by the voting member in written correspondence addressed to the CJCC Chair and CJCC Manager, as outlined in Article V, Section 2.

Article VIII: Executive Committee

Section 1: Purpose.

The Executive Committee shall provide oversight of the CJCC and execute the duties below:

- Advance the mission and goals of the CJCC
- Prioritize initiatives and strategies of the CJCC
- Ensure the development, implementation, and monitoring of the Strategic Plan
- Oversee the activities and direction of the subcommittees
- Organize the election of officers

Section 2: Members

The Executive Committee shall consist of the CJCC Chair and Vice-Chair, and three to five of the following CJCC members:

- District Court Judge
- One Missoula County Commissioner
- The Missoula County Sheriff
- A representative from the Office of the Public Defender
- Chief of the Missoula Police Department
- A representative from the City Attorney's Office
- A representative from the County Attorney's Office

Specific members of the Executive Committee will be the same as those serving as voting members, following term limits and appointments as described above.

Commented [KJ6]: Once decided by the CJCC

Section 3: Designees

Members of the CJCC may designate an individual from within her/his agency or department to represent the member at Executive Committee meetings. The designee must be able to speak on behalf of the voting member and have the authority to vote on behalf of the voting member in the member's absence. Any member wishing to appoint or change a designee shall identify the designee to the Chair in writing.

Section 4: Meetings

Executive Committee meetings shall occur bi-monthly on the designated off months of the CJCC meetings at locations and times as scheduled by the Chair. The Chair, or a majority of the Executive Committee members, may call special meetings. Any CJCC member may attend an Executive Committee meeting or special meeting.

Article IX: Expert Working Groups

Section 1: Creation

Upon a motion by a voting member, the CJCC by majority vote, may request the creation of a standing or ad hoc *Expert Working Groups* (EWG) to address issues or facilitate the Council's activities. A non-exhaustive list of potential EWGs include Data Analysis, Pre-release/needs assessment, Jail Review Team, Community Outreach Committee, and a Racial and Ethnic Disparity Committee.

Section 2: Member Selection

Upon creation of an EWG, a majority of the CJCC shall appoint at least one voting or non-voting member to act as a CJCC EWG Liaison. An EWG will include others from the local criminal justice system, its related service providers, stakeholders, and/or experts. CJCC members may make recommendations to the CJCC EWG Liaison regarding non-CJCC members of the EWGs.

Section 3: Officers

The CJCC Chair shall appoint the CJCC EWG Liaison of an EWG at her/his discretion.

Subsection C.1. Authority and Duties.

The CJCC EWG Liaison shall have full authority to carry out the duties as specified below:

- Preside at meetings of the EWGs

- Work in conjunction with the CJCC Manager to schedule meetings, set agendas, take meeting minutes and publicly post agendas and meeting minutes
- Keep EWG members informed of matters pertinent to their responsibility
- Report EWG activities and progress to the CJCC Chair, Vice-Chair, Executive Committee, and the CJCC

Section 4: Meeting Times

These EWGs shall meet every other month, alternating with months the CJCC meets. These months are: July, September, November, January, March, and May. Time and date to be determined by members of each EWG.

Section 5: Member Resignation

A EWG member may resign at any time from the group upon providing written notice to the EWG Chair and CJCC Chair and CJCC Manager.

Section 6: Member Removal

Any member of the EWG who is not a member of the CJCC may be removed by a two-thirds majority vote of the members present at a scheduled EWG meeting. The EWG Chair(s) shall notify the CJCC Chair in writing of any EWG member removal.

Article X: Miscellaneous Articles

Section 1: Acknowledgment of Country

Each CJCC meeting is to begin with an acknowledgment of country by the Chair. To acknowledge the traditional territory is to recognize its longer history, reaching beyond colonization and the establishment of European colonies, as well as its significance for the Indigenous peoples who lived and continue to live upon this territory, and whose practices and spiritualities were tied to the land and continue to develop in relationship to the land and its other inhabitants today (www.usdac.us).

The acknowledgment shall be read as follows:

“I would like to acknowledge that this meeting is being held on the traditional homelands of the Salish and Pend d’Oreille [Kalispel] and to acknowledge those Tribes’ contributions to area both historically and currently.”

Section 2: Amendment of Bylaws

Proposed amendments to the Bylaws are to be included on the agenda of a regularly scheduled Executive Committee meeting. If approved by the Executive Committee, the proposal will be forwarded to the CJCC at a regularly scheduled meeting for approval. Any action in response to the proposed change in the Bylaws taken by the CJCC becomes effective immediately.

Section 3: Public Participation and Open Meetings

All meetings of the CJCC and its subcommittees are open to the public in accordance with Section 2-3-203(1), MCA. Meetings of the CJCC may be closed in accordance with 2-3-203(3) to discuss matters relating to individual privacy if the chairperson determines the demands of individual privacy clearly exceed the merits of public disclosure. The right of individual privacy may be waived by the person about whom the matter pertains, and in that event, the meeting must be open. A meeting may be closed to discuss strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the CJCC unless the only parties are public bodies.

At least two days prior to each month's meeting, the agenda will be posted at <https://www.missoulacounty.us/government/civil-criminal-justice/criminal-justice-coordinating-council/>.

In accordance with Section 2-3-103, MCA, an item allowing public comment will be included on each month's agenda. Public comment will be heard during this time on any public matter that is not on the agenda of the meeting and that is within the jurisdiction of the CJCC.

Section 4: Parliamentary Authority

Robert's Rules of Order, revised, governs all CJCC meetings except in instances of conflict between the *Rules of Order* and the Bylaws or a provision of law.

Missoula Diversion Project – Safety and Justice Challenge
18-1805-153061-CJ
Updated Implementation Plan and Strategies
March 2019

Missoula County remains committed to data-driven jail reform to reduce the local jail population by 18% through a coordinated approach to criminal justice reform. With assistance from the Justice Management Institute (JMI) and the JFA Institute, Missoula facilitated a Stress Test in February of 2019 to identify the areas that can make the most impact locally. From this exercise, Missoula was able to focus on strategies that will address the key drivers of the jail population to reduce jail admissions and the average length of stay for inmates.

Missoula County proposes five strategies to address key drivers of the local jail population: (1) Implement a Differentiated Case Management Plan (DCM); (2) Implement front-end diversion with prosecution; (3) Increase use of Public Safety Assessment (PSA) tool; (4) Provide outreach and education about indigenous cultures and racial disparities; and (5) Implement Sequential Intercept Mapping recommendations.

Strategy One - Develop Case Processing Efficiencies

Overall impact - Shortening the time cases are processed in District Court by an average length of 45 days will shorten the average LOS for those with felony charges from an average LOS of 88 to 58. Based on JFA's analysis 68% of the jail population is defendants with felony charges awaiting trial. That is 133 of the baseline of 196. $133 * 45 / 365 = 16.39$.

Initiative One: Implement a Differentiated Case Management Plan (DCM)

Rationale – DCM provides a structured and proactive approach to caseload management to drive the early and appropriate resolution of most cases not requiring a trial, while preserving adjudication time and court and public resources for those cases that do require a trial. DCM is characterized by the early differentiation of cases entering the justice system in terms of the nature and extent of resources they will require. Each case is assigned to the appropriate case track that allows for the performance of pretrial tasks and allocates the appropriate level of judicial and other system resources, minimizing processing delays. Missoula will benefit from DCM by ensuring cases are resolved as quickly as possible.

Implementation Timeline – July 2019-November 2019

- Provide short training with all the judges about differentiated case management - July 2019
- Individual meetings with the district judges and the justice court judges to learn about each judge's current docketing practices - July 2019
- Meeting of the district court judges to discuss parameters of a DCM plan - July 2019
- Draft of felony DCM plan, August – September 2019
- Meeting of the district judges to finalize felony DCM plan - September 2019
- Draft of misdemeanor DCM plan, September – October 2019
- Meeting of justice court judges to review the draft misdemeanor DCM plan - October 2019
- Finalize DCM plans, October – November 2019

Budget - \$10,000 to bring expert judge for consultation on caseload management

Missoula Diversion Project – Safety and Justice Challenge
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Initiative Two: Create a Jail Review Work Group

Rationale – Currently, there is no collective oversight of the jail population. Jail administration work to move people through faster but could benefit from a collaborative effort to review who is in the jail. The Jail Review Work Group will review defendants in pretrial custody who may be appropriate for release and also review case processing issues for people who aren't appropriate for release, but whose cases seem to be lagging in the courts.

Implementation Timeline – June 2019-October 2019

- Conduct planning meeting of Jail Review Work Group to determine scope and process - July 2019
- Develop forms and tracking tools - August 2019
- Hold follow-up meeting to finalize forms and process - September 2019
- Hold first Jail Review Work Group meeting - October 2019

Budget – No additional funding.

Initiative Three: Reduce time from preliminary hearing to arraignment

Rationale – Defendants in felony cases appear in Justice Court for their Initial Appearance. After Initial Appearance Justice Court sets a preliminary hearing date for 10 days after the Initial Appearance (prior to the Stress Test the preliminary hearing was set 14 days out). Arraignments in District Court are currently set for 30 days after the preliminary hearing date. The goal is to reduce that to two weeks for in-custody defendants. Additionally, District Court and Justice Court clerks will review how an arraignment date may be able to be set when the defendant is present for Initial Appearance which would assist with several court efficiencies as well as provide a date certain for defendants who are released to return to court.

Implementation Timeline – April 2019-July 2019

- Conduct a meeting with clerks of both Justice Court and District Court to review the current process and develop a revised process - April 2019
- Develop forms and tools to support the revised process – May/June 2019
- Develop a system to track days between preliminary hearing and felony arraignments - June 2019
- Begin revised process of docketing arraignment hearings - July 2019

Budget – No additional funding. Data analyst will track.

Initiative Four: Reduce time for assignment of defense counsel

Rationale – From the Stress Test exercise many participants felt that assignment of counsel could occur quicker by the Office of the Public Defenders. Although there is currently no data outlining how long this takes, the anecdotal view was that there is often a delay in counsel assignment. Delays in assignment can delay case processing and plea negotiation. It will be important to get some baseline

Missoula Diversion Project – Safety and Justice Challenge
18-1805-153061-CJ
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March 2019

data to determine the current average length of time for counsel assignment and then work with the Office of the Public Defender to develop a new system that expedites the process.

Implementation Timeline – June 2019-October 2019

- Assist Office of Public Defenders in developing a tracking system for assignment of counsel, including conflict counsel – June/July 2019
- Assess the current process to determine if any efficiencies can be made - August 2019
- Implement recommended improvements to assignment of counsel - September – October 2019

Budget –No additional funding.

Strategy Two - Implement front-end jail diversion with prosecution

Rationale – The Diversion Coordinator will be housed in the County Attorney’s office and is based on an existing plan developed with a 2017 technical assistance grant from the American Prosecutors Association and the Bureau of Court Innovation. To divert 20 non-violent misdemeanor and first-time felony offenders from the criminal justice system each year, participants will commit to mitigating behaviors and choices that result in encounters with the system. If requirements of the plan are met, no charges are filed and no time is served.

Impact –Missoula County expects to divert 20 individuals a year through this program, decreasing the average length of stay in jail. If the average LOS is 17 days (without counting the MASC population), then diverting those 20 people a year would equal a reduction of 1. $17 \times 20 / 365 = 0.93$. However, there is also the hope that this will reduce future recidivism, which cannot be calculated.

Implementation Timeline – May 2019-September 2019

- Contract with a Diversion Coordinator - May – July 2019
- Develop data tracking system for the diversion program - August 2019
- Begin accepting defendants into the program - September 2019

Budget – \$95,940 (Diversion Coordinator housed in County Attorney’s office)

Strategy Three - Increase use of Public Safety Assessment (PSA) tool

Rationale – Missoula was selected to be one of five pilot locations to implement the Public Safety Assessment (PSA) pretrial risk assessment and companion Decision Making Framework (DMF) by the Montana Supreme Court and received assistance from the Arnold Foundation for implementation. The PSA and DMF are intended to provide an assessment of risk of pretrial crime, including new violent crime, and failure to appear along with a release recommendation. The PSA and DMF were implemented in June 2018 and analysis since implementation has not taken place. In addition, the local stakeholders have not fully embraced the PSA and DMF for risk-based decision making. In order to increase stakeholder buy-in, the new data analyst will complete a risk profile and preliminary analysis of outcomes for failure to appear, new criminal activity, and new violent criminal activity. The PSA will also be used to analyze the longer ALOS for African-American inmates identified in the JFA analysis.

Missoula Diversion Project – Safety and Justice Challenge
18-1805-153061-CJ
Updated Implementation Plan and Strategies
March 2019

Missoula would like to incorporate the culturally specific assessment tool used by the Flathead (Reservation) Re-entry Program.

Impact – At this time it is unknown how much more effective release decisions will impact the jail population as there is no analysis yet of the PSA assessment tool's decision-making impact. However, the hope is that with more use and monitoring, the ADP can be reduced by 10 people by placing more people on OR or pretrial supervision.

Implementation Timeline – July 2019-December 2019

- Conduct quality assurance test on use of the PSA - July 2019 and on going
- Educate Missoula County stakeholders about risk-based decision making, pretrial risk assessments, and the PSA - July – September 2019
- Expand use of the PSA to bond review hearings in District Court and Municipal Court, October – December 2019
- Work with Flathead Reentry Program to incorporate its culturally specific assessment tool, January – March 2020

Budget – No additional funding.

Strategy Four - Provide outreach and education about indigenous cultures and racial disparities

Initiative One: Continue cultural programming in Missoula County Detention Facility (MCDF)

Rationale – To address disparities in the Missoula County criminal justice system, Missoula County plans to contract with the Missoula Urban Indian Health Center to employ a Cultural Liaison will be a resource for Native American inmates while incarcerated and during the transition back to the community. This person will also continue cultural programming in the Missoula County Detention Facility (MCDF), through weekly wellbriety groups (a culturally-based support group that encourages sobriety through connection to culture and overall well-being), Regaining the Warrior (a series designed for men to help reclaim their role and identity in relation to their family, community, and their traditional way of life), and Mending Broken Hearts (a series that addresses grief, loss, and trauma from a cultural perspective, in particular addressing unresolved grief and intergenerational trauma).

Impact – Impact is difficult to determine. The hope is that the cultural liaison, by exploring underlying causes of criminal behavior, may be able to reduce the likelihood that a defendant recidivates.

Implementation Timeline – March 2019 – May 2019

- Contract for Cultural Liaison position - March 2019
- Coordinate access to inmates and complete jail training - April 2019
- Purchase Wellbriety Workbooks and other relevant materials - April 2019
- Identify and begin facilitating cultural programs in MCDF - May 2019

Budget – \$106,600 (Cultural Liaison position)

Missoula Diversion Project – Safety and Justice Challenge
18-1805-153061-CJ
Updated Implementation Plan and Strategies
March 2019

Initiative Two: Offer trauma-informed training to participating agencies

Rationale – Missoula plans to provide outreach and education about racial disparities in the criminal justice system to local service providers and criminal justice agencies. This will be accomplished by contracting with the University of Montana’s National Native Children’s Trauma Center to provide historical trauma trainings to participating agencies.

Impact – There will be no impact on the jail population.

Implementation Timeline – August 2019 – May 2020

- Contract with University of Montana's National Native Children's Trauma Center to provide Trauma Awareness Trainings to participating agencies - August 2019
- Coordinate and deliver first training – October 2019
- Review evaluations and content from first offering and adjust the training, if necessary – November 2019
- Coordinate and deliver second training - March 2020
- Evaluate the second training – May 2020

Budget – \$3640 (Contracted service through the University of Montana National Native Children’s Trauma Center)

Initiative Three: Offer implicit bias training for local law enforcement

Rationale – To best address the training needs of law enforcement, Missoula will contract with Fair and Impartial Policies, a technical assistance provider, to offer implicit bias training for local law enforcement.

Impact – There will be no impact on the jail population.

Implementation Timeline – November 2019 – March 2020

- Contract with trainer(s) to offer implicit bias training for local law enforcement - November 2019
- Coordinate and deliver training – February 2020
- Evaluate the training – March 2020

Budget – \$5500 (contracted service with Fair and Impartial Policies for an implicit bias training)

Strategy Five - Implement Sequential Intercept Mapping Recommendations

Rationale – In Missoula County’s initial proposal, funding was allocated for additional behavioral health services in the jail to provide post-booking stabilization. At the Stress Test, there was a discussion about potential other needs for those funds, like a licensed addictions counselor in the Public Defender’s office. To help ensure that the funds will be best utilized, Missoula County is hosting a Sequential Intercept Mapping (SIM) workshop in April 2019. The priorities identified at the SIM will guide the way these funds are allocated.

Impact – TBD

Missoula Diversion Project – Safety and Justice Challenge
18-1805-153061-CJ
Updated Implementation Plan and Strategies
March 2019

Implementation Timeline – April 2019-December 2019

- Conduct Sequential Intercept Mapping - April 23-24, 2019
- Determine next steps for behavioral health needs for Missoula County - May 2019
- Submit revised budget for earmarked funds for next steps to the MacArthur Foundation - May 2019
- Implement strategy(ies) - June – December 2019

Budget – \$178,738

Additional Budgetary Information

As outlined in the budget, remaining funds will be used for a data analyst (\$169,644), equipment, software and hardware (\$49,255), travel (\$72,800), and meeting expenses (\$7,883). As noted, Missoula is scheduled to have a Sequential Intercept Mapping workshop April 23-24, 2019, which will help give clarification for the biggest need for behavioral health services. Missoula County has received approval from the MacArthur Foundation to create a line item in the budget that will be allocated to this strategy, although the actual positions are yet-to-be-determined.

Missoula County has also begun the work of creating a Criminal Justice Coordinating Council (CJCC) and has hard funded a CJCC Manager, who will be the Project Director for the Safety and Justice Challenge work. This allows more funds to be allocated to strategies and provides local oversight of the work. This funding has also given the CJCC a starting point for continuing future work after the MacArthur funding ends.

Through these strategies, Missoula County intends to reduce the jail population by 18% and ensure that sustainable systems are in place to continue this work in the future.

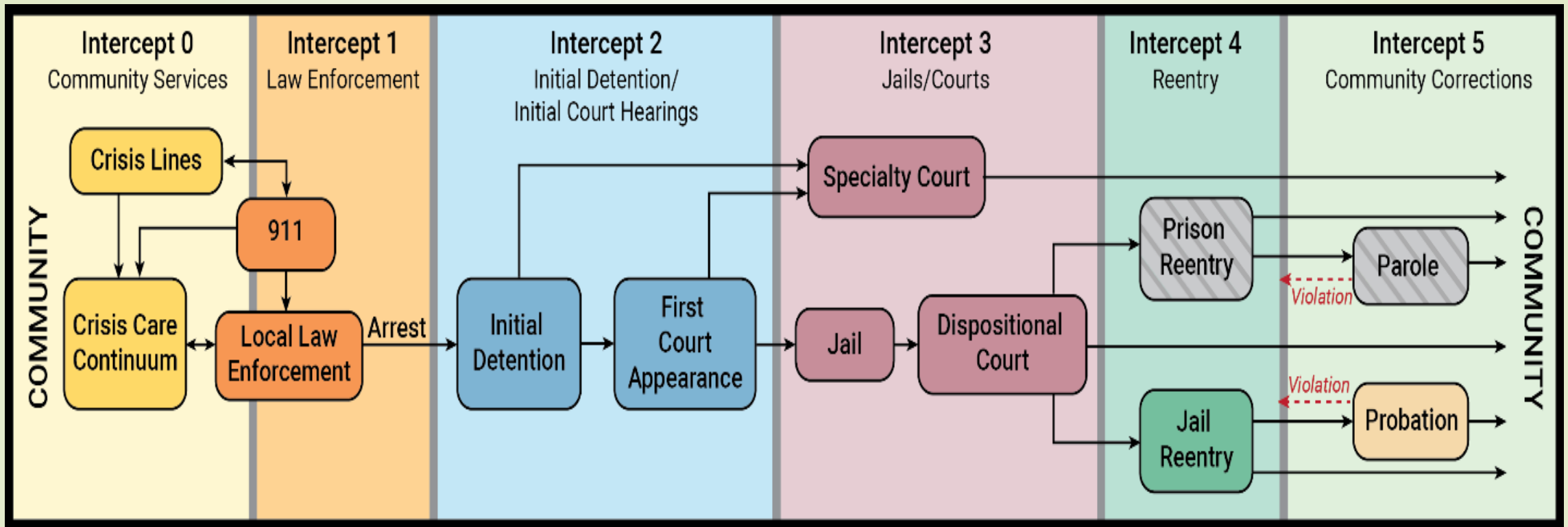


Missoula Sequential Intercept Mapping

Presentation to Missoula City Council – August 7, 2019



What is Sequential Intercept Mapping (SIM)?




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Identifies different places, or intercepts, that people with behavioral health needs interact and move through the criminal justice system.



Missoula hosted first SIM in 2015

- Priority Area 1 – Expand the Crisis Care Continuum
- Priority Area 2 – Expand Peer Support Services for Justice Involved Persons



Since 2015...

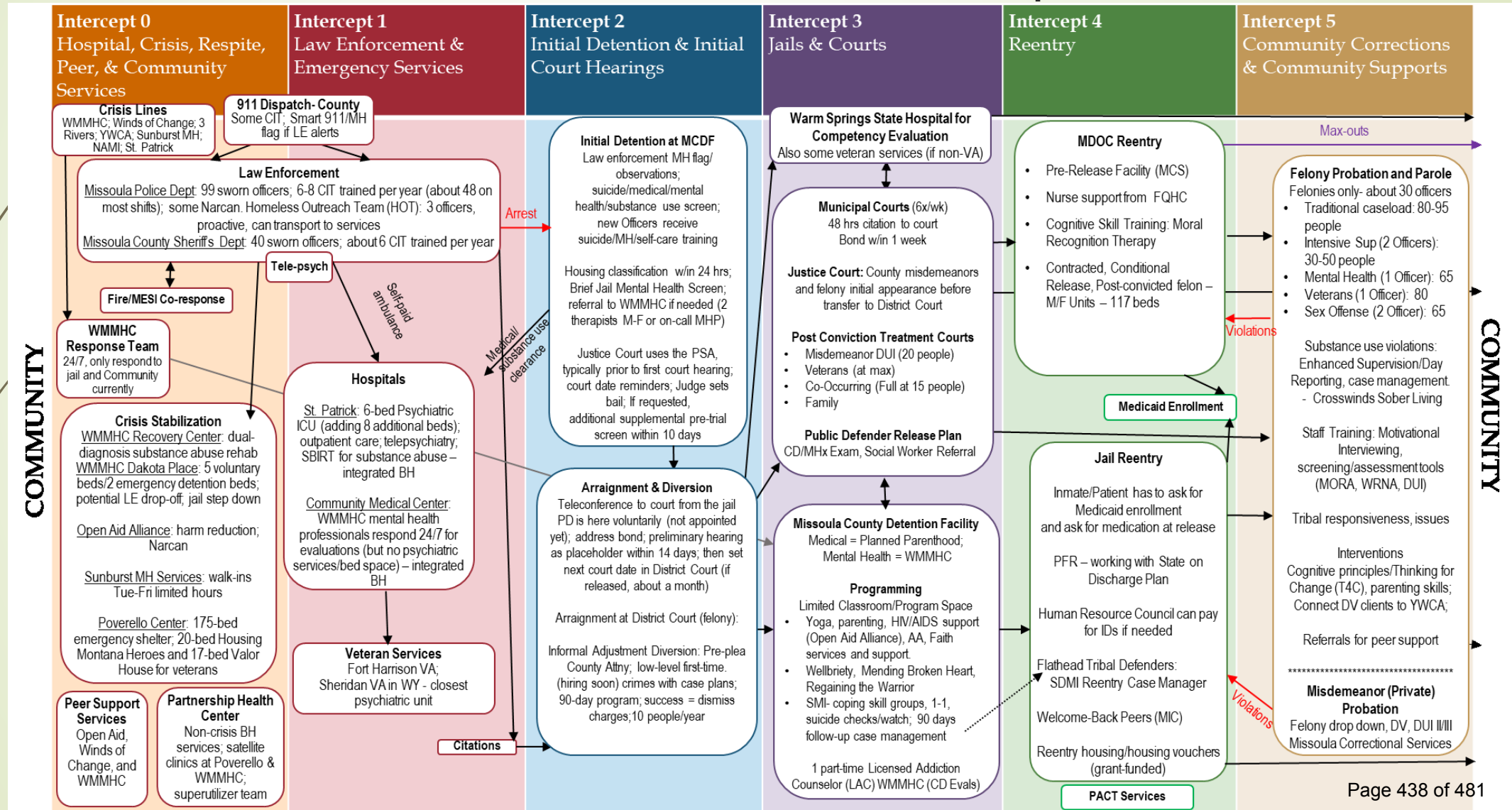
- Jail Diversion Master Plan
- MacArthur Foundation Safety and Justice Challenge funding
- FUSE
- Creation of Criminal Justice Coordinating Council



Missoula hosted second SIM in April
2019...



Missoula SIM Map





Missoula hosted second SIM in April 2019

- Priority Area 1 – Increase deflection from the criminal justice system at Intercept 0
- Priority Area 2 – Increase timely access to chemical dependency (CD)/mental health evaluation and process
- Priority Area 3 – Communication, coordination, information sharing, and data across systems



Next Steps-

- Criminal Justice Coordinating Council Department(CJCC)

- What is the CJCC?

A CJCC “is an inclusive term applied to informal and formal committees that provide a forum where many key justice system agency officials and other officials of general government may discuss justice system issues” (nicic.gov)

- First Meeting (open to the public):

August 13th from 10-12 in the County Public Meeting Room- basement of Administration Building



Who is on the CJCC?

- 
- District Court Judge
 - Justice of the Peace
 - Municipal Court Judge
 - County Commissioner
 - City Council Member
 - Undersheriff
 - Chief of Police
 - Public Defender
 - County Attorney
 - City Attorney
 - Jail Commander
 - Bureau Chief- Probation and Parole
 - Mayor of Missoula
 - Indian Law Attorney
 - ED of Missoula Urban Indian Health Center
 - Director of Crime Victim Advocate Program
 - Director of City Housing and Community Development
 - ED of Partnership Health Center
 - Missoula Correctional Services
 - MUIHC Native American Liaison
 - Clerk of District Court



Implementation:

- Recommendations from the SIM
- MacArthur Strategies
 - Identified with the assistance of a MacArthur facilitator with key Missoula stakeholders
- CJCC Strategic Plan
 - To be approved at first meeting
- CJCC ByLaws
 - To be approved at first meeting
- Other Criminal Justice Reforms identified by the CJCC
 - CJCC is permanent and will continued to work on reforms in perpetuity



More information:

- CJCC County Website:

- <https://www.missoulacounty.us/government/civil-criminal-justice/criminal-justice-coordinating-council/>

- Not yet live- eta by 8.9.19

- MacArthur Foundation, Safety and Justice Challenge website:

- <http://www.safetyandjusticechallenge.org/>

- Sign up for their email updates!



For more information:

<https://www.missoulacounty.us/government/civil-criminal-justice/jail-diversion-efforts>

Or contact:



Kristen Jordan, kjordan@missoulacounty.us, 258-4917

Erin Kautz, ekautz@missoulacounty.us, 258-4904



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Safety and Health

Item: Relationship Violence Services (RVS) Quarterly Update

Date: January 30, 2020

Sponsor(s): Stacie Anderson;#491;#Julie Merritt

Prepared by: Shantelle Gaynor

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input checked="" type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

Set aside time on the agenda for a presentation by representatives for the Missoula City-County Department of Relationship Violence Services

Recommended Motion(s):

I move the City Council: None-discussion only

Timeline:

Referral to committee:	February 10, 2020
Committee discussion:	February 12, 2020
Council action (or sets hearing):	NA
Public Hearing:	NA
Deadline:	NA

Background and Alternatives Explored: Relationship Violence Services will attend PSH as a continuation of their quarterly progress updates. RVS currently has the following programs in their department:

- Crime Victim Advocacy (CVA)
- JUST Response
- Healthy Relationships Project
- Rural Outreach Programs

Financial Implications: None

Links to external websites: <https://www.missoulacounty.us/RVS>



City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: All Committees

Item: Review items held in City Council committees

Date: January 21, 2020

Sponsor(s): Marty Rehbein

Prepared by: same

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input checked="" type="checkbox"/> N/A

Action Required:

Committee action only

Recommended Motion(s):

I move the City Council: No motion—review held items and identify those that can be removed and/or assigned a new sponsor.

Timeline:

Referral to committee:	January 27, 2020
Committee discussion:	TBD
Council action (or sets hearing):	n/a
Public Hearing:	n/a
Deadline:	n/a

Background and Alternatives Explored:

City Council rule 21, J includes a requirement for committee chairs to review items that are held in committee to determine if any of them can be removed or if they should be assigned a new sponsor (because the former sponsor is no longer on City Council. Here is a link to the items that are currently held in committee and the Council rule. The committee's decision is final. The committee's recommendation does not need to be forwarded to the City Council for a vote. Here is a link to the items that are currently held in committee and below it is the City Council rule:

<https://pub-missoula.escribemeetings.com/Meeting.aspx?Id=4246ac10-d9dd-4e57-8a3a-5552afab4dd6&Agenda=Agenda&lang=English>

J. Removing agenda items from the committee schedule

When a committee makes a recommendation to the City Council, the item shall be removed from the committee schedule, unless the committee desires to hold the item in committee for further discussion. At the last committee meeting in January, and periodically, the committee chair shall review the items referred to their committee to determine if any of them may be removed. If the chair identifies an item to be removed, they shall contact the person who made the referral to see if they are willing to withdraw the referral. If the referring party concurs, a note to remove the item from the committee schedule shall be made in the committee report. If the referring party does not concur, any member of the committee may make a motion to remove the referral from the committee schedule. A majority vote of the committee is

required to remove the referral. The item may not be re-referred to the committee until three (3) months have elapsed after the date when the committee took action to remove the item. If the person who made the referral is no longer on the Council, the item shall automatically be removed unless a sitting council person agrees to sponsor the referral.

Financial Implications:

n/a

City of Missoula, Montana
Item to be Referred to City Council Committee

Committee: Public Works

Item: Discussion of Traffic Control Devices Including Marked Crosswalks
Administrative Rule

Date: December 10, 2015

Sponsor: Kevin Slovarp, Development Services City Engineer

Prepared by: Kevin Slovarp, Development Services City Engineer

Wards affected: All

Action Required:
None.

Recommended Motion:
None.

Timeline:

Referral to committee:	December 14, 2015
Committee discussion:	December 16, 2015
Council acts to set hearing:	NA
Public Hearing:	NA
Deadline:	NA

Background and Alternatives Explored:

City staff desires to formalize in the form of an administrative rule the policy and procedure to handle requests for the installation or removal of traffic control devices including marked crosswalks within the city limits. Requests for traffic control devices including painting crosswalks generally are received from citizens but requests are also received from City Council members and City Administration. This rule outlines the procedure for processing these requests for a traffic control device and following through with the requesting citizen, City Council member or City Administration staff.

A draft copy of this rule was sent to traffic engineering experts working for consulting firms within the City of Missoula. These experts provided comments that were included in this draft administrative rule.

Financial Implications:

Materials for and installation of traffic control devices are generally paid for through the operations budget of Traffic Services (general fund).

Attachments:

Traffic Control Devices Including Marked Crosswalks Administrative Rule (DRAFT)



Development Services Department Administrative Rule No. _____

Traffic Control Devices Including Marked Crosswalks

Adopted: _____

Revised: _____

DEFINITIONS:

Crosswalk: (1) that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the roadway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles to the center line; (2) any portion of a roadway at an intersection or elsewhere distinctly indicated as a pedestrian crossing by pavement marking lines on the surface, which might be supplemented by contrasting pavement texture, style, or color.

Note: Part (1) of the definition above refers to both unmarked and marked crosswalks and part (2) refers to marked crosswalks.

Montana Department of Transportation's Sign Catalog: Functions as a supplement to the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD). Most of the signs in this catalog can be found in the MUTCD, which specifies the application and location of each sign. Signs unique to Montana are marked with an asterisk.

MUTCD: Manual on Uniform Traffic Control Devices that is approved by the Federal Highway Administrator as the National Standard in accordance with Title 23 U.S. Code, Sections 109(d), 114(a), 217, 315, and 402(a), 23 CFR 655, and 49 CFR 1.48(b)(8), 1.48(b)(33), and 1.48(c)(2).

Note: The MUTCD is periodically updated. For the purposes of this administrative rule, the current version of the MUTCD is being used/referenced.

School Zone: A designated roadway segment approaching, adjacent to, and beyond school buildings or grounds, or along which school related activities occur.

Standard: For the purposes of this administrative rule, a standard is a statement of required, mandatory, or specifically prohibitive practice regarding a traffic control device.

Traffic Control Devices: All signs, signals, markings, and other devices used to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, highway, pedestrian facility, bikeway, or private road open to public travel by authority of a public agency or official having jurisdiction, or, in the case of a private road, by authority of the private owner or private official having jurisdiction. (Excluding atypical signs as provided for in Public Works Administrative Rule 500.)

Warrants: Adopted criteria for evaluation of a particular site and/or usage of a particular type of traffic control device prior to installation of said device.

PURPOSE:

1. Define and discuss traffic control devices, their use, benefit, effectiveness, and guidelines.
2. Outline the policy and procedure for staff handling requests for the installation or removal of traffic control devices including marked crosswalks within the city limits.
3. Additionally, this policy identifies school zones as areas of special concern that require in-depth analysis to assure the effectiveness of any traffic control device(s) to be used, including marked crosswalks.

GENERAL DISCUSSION:

1. Traffic control devices including marked crosswalks promote safety and efficiency by providing for the orderly movement of all road users on streets, highways, bikeways, and private roads open to public travel.
2. Traffic control devices including marked crosswalks notify road users of regulations and provide warning and guidance needed for effective and efficient operation of all elements of the traffic stream in a manner intended to minimize the occurrences of conflicts and crashes.
3. To be effective, traffic control devices including marked crosswalks, should be placed and operated in a consistent manner. A standard device used where it is not appropriate will reduce the effectiveness of the device at those locations where the device is needed and appropriate. Overusing a traffic control device leads to loss of credibility of the device and should not be used indiscriminately.
4. School Zones:
 - a. The purpose of a consistent approach to school area marked crosswalks and traffic control devices assures the use of similar controls for similar situations, which promotes appropriate and consistent behavior on the part of motorists, pedestrians, and bicyclists.
 - b. Regardless of the school location, the best way to achieve effective traffic control is through the application of policies, practices, and standards developed through current guidelines, engineering judgment and/or studies.
 - c. Procedures and devices that are not consistent might cause confusion among pedestrians and other road users, prompt wrong decisions, and contribute to conflicts and crashes. To achieve consistency of traffic control devices including marked crosswalks in school areas, comparable traffic situations need to be treated in a consistent manner.
5. Reasons for Painting a Crosswalk:
 - a. To call attention to motorists that a location has a higher pedestrian use (typically considered 50 pedestrians per hour), and where additional caution is necessary to enhance the safety of all users at that crosswalk location.
 - b. To channel pedestrians to the most used and safest location (perceived and/or actual) for crossing a street and at places where motorists can and should expect higher pedestrian use.
 - c. To meet motorists expectations regarding those locations where pedestrians frequently cross.
 - d. To encourage pedestrians to use a marked crosswalk, thereby increasing frequency of use and ultimately its effectiveness.
 - e. To keep street paint minimized to those locations where most needed so that the safety of the painted locations is not diminished.
 - f. If a crosswalk is approximately one quarter (1/4) mile from another marked crosswalk on collector/arterial corridors that also demonstrates a recognized need.
6. Marking a crosswalk should consider the number of vehicular lanes, presence of a center median, the distance from the nearest signalized or controlled intersection(s), pedestrian volumes and delays, the average daily traffic, speed of vehicles, geometry, lighting and other factors.

APPLICABILITY: This policy applies to the staff of the Development Services and Public Works Departments responsible for the design, selection, installation and removal of the City's traffic control devices and applying city standards relating to traffic control devices within new development.

POLICY: City staff will follow the standards, guidelines and recommendations provided in the Manual of Uniform Traffic Control Devices specifically when planning the installation or removal of any traffic control device including marked crosswalks. In addition, the MDT's Sign Catalog is available as a quick reference and includes signs that are unique to Montana (Sign Catalogue examples comply with requirements outlined in the MUTCD).

SECTION 1: Citizen Requests

1. After receiving a citizen request to install or remove a traffic control device or marked crosswalk, staff shall place the item on the agenda for the weekly Traffic Services Team meeting. The Team will take the following actions:
 - a. Consult the MUTCD to identify any existing design or location standards that could potentially apply to the device.
 - b. Arrange to obtain the following:
 - i. The accident history of the subject site; then
 - ii. Review existing conditions at the site; and
 - iii. Identify the other traffic control devices in the surrounding area to determine consistency and compatibility of the request as it pertains to existing devices; and
 - iv. Evaluate the status of ADA compliance; and
 - v. Review the current right-of-way improvement projects planned for the future in case the site is included in an upcoming project; and
 - vi. Obtain traffic counts, if needed; then
 - vii. Identify alternative devices and/or any additional devices that may address the situation at the site in a more appropriate and/or compliant way.
 - c. Formulate a decision to: (1) approve as requested; (2) approve with modifications; (3) refer for an engineered solution or (4) deny the request.
2. If denied, notify the citizen of the Team's decision and fully explain the reasons for denial. In the event the citizen does not accept the Team's decision, contact the Chief Administrative Officer (CAO) for advice on the best way to proceed.
3. If an engineered solution is necessary to address significant problems at the site, notify the citizen that the Team is making a referral to the City Engineering Division to add the project to the City's Capital Improvement Project or Maintenance Project list. Inform the citizen as to a reasonable timeline for resolution considering the number and prioritized ranking of projects on the list.
4. If the decision is to install a new device as requested, prepare a sketch or drawing depicting the device's appearance and dimensions and identify the potential best placement within the public right-of-way to achieve the intended purpose. Notify the citizen requesting the device to discuss the solution and inform of next steps. The next steps are as follows:
 - a. Notify the owners of private property adjacent to the site about the installation and provide the sketch or drawing for their understanding.
 - b. If there is a general consensus of the owners, proceed with the installation.
 - c. If there are problems encountered, return the issue to the Team to discuss resolutions to the concerns.
 - d. In the event there is no alternative, contact the CAO for further advice about the best way to proceed and notify the requestor of the delay.
5. If the decision is to remove an existing device as requested, notify the owners of adjacent private property and follow the steps outlined in Item 4 above excluding the sketch or drawing. Notify the citizen requesting removal of the device to discuss the solution.

6. If the evaluation indicates that another device or additional devices would provide better travel direction and solve the issue more appropriately, follow all of the steps outlined in Item 4 above including a sketch or drawing. Notify the citizen requesting the device to discuss the solution.

SECTION 2 – Ward Representative and Administration Requests

1. Follow all steps outlined in Section 1 above. In addition:
 - a. Maintain ongoing contact with the Ward representative or CAO as the Team proceeds through the actions.
 - b. Provide a final summary of all findings and include the decision of the Team as well as the potential schedule for completion.
 - c. If the decision was to deny the request, provide a full explanation of the reasons for denial.

SECTION 3 – Record of the Requests and Results

1. All contact with the requestor and the Team's efforts are to be kept electronically and/or by hardcopy and maintained in a file for historical reference.
2. The records may be destroyed 2 years after the complaint has been resolved. This disposal schedule meets the requirement for complaints outlined in City Administrative Rule No. 16 Montana Local Government Records Committee Schedule No. 8.

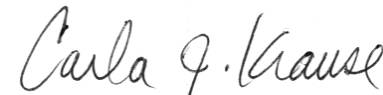
Recommended by:

Kevin Slovarp, P.E., City Engineer

Reviewed by:

John Wilson, P.E., Public Works Director

Drafted by:



Carla Krause, Special Services Administrator

Approved by:

Mike Haynes, Development Services Director



SUMMARY OF DEVELOPMENT SERVICES ADMIN RULE TRAFFIC CONTROL DEVICES INCLUDING MARKED CROSSWALKS

Kevin Slovarp, City Engineer
Development Services
December 16, 2015



Introduction

Administrative Rule – Traffic Control Devices Including Marked Crosswalks

- This Administrative Rule Includes
 - Definitions
 - Purpose
 - General Discussion
 - Method to Process Requests

Background

- Previous discussions with citizens, City Council, and Administration
- Review of MUTCD and State Law
- Review of Admin Rule by PW Director, Engineering Staff, and local traffic engineering experts

Definitions

- Crosswalk
 - Locations
 - Types (unmarked vs. marked)
- MUTCD – Manual on Uniform Traffic Control Devices
 - Guidelines for signs, marking crosswalks, school zones, etc.
- Traffic Control Devices
 - Types
 - What they regulate
 - Location

Purpose

- Discuss benefit, effectiveness and guidelines used for removal or installation
- Outline a policy and procedure for staff handling of requests for traffic control devices
- Identification of school zones as areas of special concern that require in-depth analysis

General Discussion

- Traffic control devices:
 - Promote safety and efficiency
 - Provide for orderly movement of all road users
 - Notify road users of regulations
 - Provide warning and guidance
 - Minimize the occurrences of conflicts and crashes
 - Should be utilized / operated in a consistent manner
 - Inappropriate use can result in reduced effectiveness
 - Overuse leads to loss of credibility

General Discussion, cont.

- School Zones:
 - Consistency promotes appropriate behavior of road users
 - Effectiveness is achieved through consistent use developed from appropriate guidelines, engineering judgment and/or studies
 - Inconsistent use might cause confusion among all road users and contribute to conflicts and crashes

General Discussion, cont.

- Reasons for Marking a Crosswalk:
 - Call attention to motorists that a location has a higher pedestrian use (typically considered 50 pedestrians per hour)
 - Where additional caution is necessary to enhance the safety of all users
 - Channel pedestrians to the most used and safest location for crossing a street
 - To meet motorists expectations where pedestrians frequently cross
 - Encourage pedestrians to use a marked crosswalk to increase frequency of use and its effectiveness
 - Minimize painted locations so that the awareness and safety of the painted locations is not diminished
 - Marked crosswalk at approximate 1/4 mile intervals on collector/arterial roadways with a recognized need

Method to Process Requests

- Citizen Requests:
 - Place item on the agenda for the weekly Traffic Services Team meeting.
 - The Team will take the following actions:
 - Review MUTCD, state law, municipal code, etc.
 - Obtain accident history, review existing conditions, identify other devices in the surrounding area to determine consistency and compatibility, evaluate ADA compliance, review planned improvement projects, traffic counts (if needed), and identify appropriate alternatives that may be more appropriate for the situation.
 - Formulate a decision to approve, approve with modifications, refer for an engineered solution or deny.

Method to Process Requests, cont.

- If denied, then notify the citizen and fully explain the reasons. If necessary, contact CAO for advice on how to proceed.
- If engineering solution is necessary, then notify the citizen that the Team is adding the project to the CIP or maintenance project list.
- If approved, then prepare a drawing/sketch depicting appearance, dimensions, and location to achieve intended purpose. Notify the citizen to discuss the solution and inform of next steps. Next Steps include:
 - Notify the owners of private property adjacent to installation
 - If there is general consensus of the adjacent property owners, then proceed with installation
 - If there are problems encountered, return the issue to the Team to discuss resolutions to concerns
 - If no resolutions, then contact CAO for advice on how to proceed and notify the citizen of the delay.

Method to Process Requests, cont.

- Request from Ward Representatives and Administration:
 - Follow all steps outlined in the Citizen Requests, and
 - Maintain ongoing contact with the Ward representative or CAO as the Team proceeds through the steps
 - Provide a final summary of all findings
 - Provide a schedule for completion
 - If denied, then provide a full explanation of the reason for denial.

Questions / Comments

- Currently a draft rule
- Would like to adopt (sign) after the first of the year

Item Information



Title: Traffic Control Devices Including Marked Crosswalks Administrative Rule			
Item #:		Status:	Held in Committee
Type:		#:	PW
Version:	5 th	Sponsor:	Jordan Hess
Meeting Date:	1/1/2050	Ward:	
Meeting Type:	PW Referrals Held in Committee	Video:	No Video Available
Attachments:			

Text

No Text Available

History

Version	Item #	Type	Status	Meeting Date	Meeting Type
1st				12/14/2015	City Council
2nd			Held in committee	12/16/2015	PW
3rd			Held in committee	1/6/2016	PW
4th			Held in Committee	1/27/2016	PW
▶ 5th			Held in Committee	1/1/2050	PW Referrals Held in Committee

Vote Records

No voting recorded

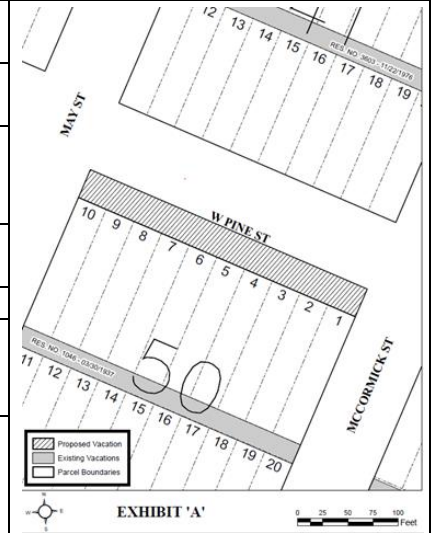


DEVELOPMENT SERVICES

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

STREET VACATION REFERRAL

Agenda item:	St. Patrick's Hospital W. Pine Street Right-of-Way Vacation Between May and McCormick Streets
Report Date:	September 19, 2019
Location of request:	The southerly 33 feet of the W. Pine Street right-of-way between May and McCormick Streets.
Applicant:	St. Patrick Hospital Corp. (Phil Lafata – owner's designated representative)
Representative:	Jeff Smith, PE with WGM Group, Inc.
Case Planner:	Mary McCrea, Planning Supervisor
Report Reviewed & Approved By:	Mary McCrea, Planning Supervisor with review by City Engineering and Aaron Wilson, Transportation Planning Manager
Growth Policy:	The applicable regional plan is the <i>2035 Our Missoula: City Growth Policy</i> , which recommends a land use designation of Urban Center.



SCHEDULE AND RECOMMENDED MOTIONS

Public Works (PW) Committee:	September 25, 2019
PW recommended motion:	Adopt a resolution of intention to vacate the southerly thirty-three (33) feet of the W. Pine Street right-of-way between May and McCormick Street adjacent to property legally described as Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 N, Range 19 W, P.M.M., as shown in Exhibit A, and subject to the conditions of approval and set a public hearing for October 28, 2019.
Public Hearing (P/H):	October 28, 2019
P/H recommended motion:	(Adopt/Deny) a resolution to vacate the southerly thirty-three (33) feet of the W. Pine Street right-of-way between May and McCormick Street adjacent to property legally described as Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 N, Range 19 W, P.M.M., as shown in Exhibit A, and subject to the conditions of approval.

I. CONDITIONS OF APPROVAL

1. The developer shall prepare and file easements in the location of existing utility lines currently located within the portion of the W. Pine Street right-of-way to be vacated, subject to review and approval of the affected utility companies, Missoula Water, and the City Engineer. The easements shall be filed within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.
2. The developer shall prepare plans for and relocate existing utility lines into the remaining W. Pine Street right-of-way, within one hundred and twenty (120) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, subject to review and approval of the affected Utility companies, Missoula Water and the City Engineer. Building permits for structures within the vacated right-of-way shall not be approved until existing utility lines are relocated and the easements are vacated.
3. The developer shall provide a Revised W. Pine Street Conceptual Layout within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, to show the southerly 33 feet of W. Pine Street right-of-way vacated, moving the southerly sidewalk, boulevard, curb, gutter and drive lanes to the south and adding the additional 7 feet of roadway to the north side, subject to review and approval of the City Engineer.
4. The developer shall enter into an agreement with the City of Missoula that stipulates St. Patrick's Hospital Corp. will pay for construction and maintenance of the round-about and if the round-about does not function appropriately at this intersection as determined by the City Engineer, St. Patrick's Hospital Corp. will pay to remove the round-about and restore this intersection to meet typical engineering road standards, subject to review and approval of the City Attorney and the City Engineer. The Agreement will be filed with the County Clerk and Recorder within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.

II. PROJECT SUMMARY

Background & Introduction

St. Patrick's Hospital Corp., represented by Phil Lafata, owner's designated representative and Jeff Smith, WGM Group, Inc., request to vacate the southerly thirty-three (33) feet of the W. Pine Street right-of-way between May and McCormick Streets. The applicant's purpose for the right-of-way vacation is to facilitate construction of a proposed parking structure and medical office building on the block south of W. Pine Street between May and McCormick Streets.

The applicant states the parking structure will provide approximately five hundred (500) new off-street parking spaces for hospital patients, visitors, and employees, and will reduce the hospital's parking demand on the existing on-street parking inventory in the neighborhood. The building geometry necessary to create a parking structure layout that allows for this large number of parking spaces requires that the building extend north into the existing W. Pine Street right-of-way.

The original submittal packet requested vacation of the southerly forty (40) feet of W. Pine Street between May and McCormick Streets. The applicant received comment from John Olson with CenturyLink, informing them that relocation of CenturyLink high density cables would create significant delays for the hospital project. The applicant's representative, Jeff Smith of WGM Group, Inc., informed DS Staff that they would like to limit the right-of-way vacation to the southerly thirty-three (33) feet of W. Pine Street between May and McCormick Streets in order to maintain the existing location of the CenturyLink facilities.

Property Information

General:

1. This is a request from Phil Lafata, St. Patrick's Hospital Corp. designated representative, to vacate the southerly thirty-three (33) feet of the W. Pine Street right-of-way between May and McCormick Streets.
2. The full legal description of the area to be vacated is: the southerly thirty-three (33) feet of the W. Pine Street right-of-way between May Street and McCormick Street adjacent to property legally described as Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 N, Range 19 W, P.M.M.

3. If vacated, the street square footage will be permanently added to Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 N, Range 19 W.
4. The zoning of the subject property is C1-4 Neighborhood Commercial /DE-D Design Excellence Downtown – Outer Core Overlay. Medical office use and a parking structure are permitted in the C1-4 zoning district.
5. The Our Missoula City Growth Policy 2035 is the applicable regional plan and recommends an Urban Center land use designation for the subject property.

Utilities:

6. Northwestern Energy commented that they currently own facilities in area proposed to be vacated and requested a 10 foot wide utility easement for their natural gas main pipeline be reflected/recorded to protect their access rights. Upon completion of the natural gas main pipeline relocation, the easement could be extinguished.
7. Staff recommends a condition of approval requiring the developer to prepare and file easements in the location of existing utility lines currently located within the portion of the W. Pine Street right-of-way to be vacated, subject to review and approval of the affected utility companies, Missoula Water, and the City Engineer.
8. Missoula Water commented that the City has plans to abandon the existing 6 inch water main from 1914 in W Pine Street from McCormick Street to the railroad tracks and replace it with a new 12 inch main. The exact alignment of the proposed water main is not yet determined but it will not be the same alignment as the existing main. Missoula Water plans to bid the water main replacement project this winter and construct the new main in the spring of 2020.
9. The applicant will need to coordinate relocation of utilities with Missoula Water so that the relocated natural gas main pipeline is not near the proposed alignment of the new water main.
10. Staff recommends a condition of approval requiring the developer to prepare plans for and relocate existing utility lines into the remaining W. Pine Street right-of-way, subject to review and approval of the affected Utility companies, Missoula Water and the City Engineer. Building permits for structures within the vacated right-of-way shall not be approved until existing utility lines are relocated and the easements are vacated.
11. John Olson with CenturyLink requested that the original request to vacate the southerly 40 feet of the W. Pine Street right-of-way be revised to vacate the southerly 33 feet of the W. Pine Street right-of-way between May and McCormick Streets in order to keep their existing high density cables in their current location within the right-of-way.
12. Jeff Smith with WGM Group, Inc., requested to revise their request to accommodate the current location of the CenturyLink high density cables.
13. Staff recommends a condition of approval requiring the developer to revise the W. Pine Street layout to show the southerly 33 feet of W. Pine Street right-of-way vacated, moving the southerly sidewalk, boulevard, curb, gutter and drive lanes to the south and adding the additional 7 feet of roadway to the north side as a parallel parking lane, subject to review and approval of the City Engineer.

Proposed Development

14. The applicant's purpose for the right-of-way vacation is to facilitate construction of a proposed parking structure and medical office building on the block south of W. Pine Street between May and McCormick Streets.
15. The applicant states the parking structure will provide approximately five hundred (500) new off-street parking spaces for hospital patients, visitors, and employees, and will reduce the hospital's parking demand on the existing on-street parking inventory in the neighborhood.
16. The building geometry necessary to create a parking structure layout that allows for this large number of parking spaces requires that the building extend north into the existing W. Pine Street right-of-way.
17. The Air Program at the Missoula City-County Health Department did not express concerns regarding the right-of-way request. The Air Program requests that when the project is finalized, consideration for bike and pedestrian traffic be incorporated into the final design.
18. Development Services Transportation Division reviewed the request with a big picture look at traffic circulation and parking in the immediate area adjacent to the St. Patrick's Hospital Corp. campus. Transportation staff wanted the applicant and City Council to be aware of future near-term changes to Spruce Street which will result

in upgrades to Spruce Street including restriping to add bike lanes. Under the current Spruce Street configuration and curb-to-curb street width, there is currently insufficient width to accommodate the addition of bike lanes while still maintaining vehicle parking on both sides of the roadway.

19. Development Services Transportation Division noted that the W. Pine Street right-of-way vacation will result in the loss of thirty-six (36) on-street parking spaces on W. Pine Street between May and McCormick Streets. Additional on-street parking spaces will be lost along Spruce Street adjacent to the St. Patrick's Hospital property with the future changes to Spruce Street to add bike lanes, however parking pressures will be greatly relieved through St. Patrick's Hospital Corp. construction of a new structured parking facility.
20. Development Services Transportation Division provided the following reasons for the future near-term changes to Spruce Street:
 - a. Spruce St is a high priority project in the City and MPO's transportation plans. It is the 5th highest ranking non-motorized project in the Long Range Transportation Plan.
 - b. In the Long Range Transportation Plan, the Bicycle Facilities Master Plan, and in the draft Downtown Master Plan, Spruce Street between Orange St and Toole Ave is identified as a primary bicycle corridor requiring dedicated bicycle facilities.
 - c. Between the years of 2007-2017, there were three (3) identified bicycle crashes, all occurring between McCormick and May. The three (3) crashes led to two (2) serious/incapacitating injuries and one (1) possible injury. Given estimated bicycle volumes on Spruce Street, this indicates a potential safety issue with the current configuration.
 - d. The City's 2016 Complete Streets Policy calls for the following: "When there are conflicting needs among users and modes, the following prioritization will apply: (1) above all, safety is paramount, followed by mobility; (2) among modes, pedestrians shall come first city-wide, followed by the next most vulnerable types of users; and finally (3) seek balance among all modes involved.
 - e. Due to the crash trend and severity of injury to people on bikes, the limited right-of-way width of Spruce Street, and identified mobility need, the Complete Streets Policy supports that priority should be given to providing safe and comfortable bicycle facilities along Spruce Street.
 - f. Administrative Rule 415 requires the consideration of bicycle facilities on arterials and collectors designated as bike lanes or bike routes. The rule further requires the prioritization of bike lanes on these streets, and includes evaluation of "is there on-street parking which can be removed or reconfigured to make room for bike lanes?"
 - g. Spruce Street is functionally classified as a collector and is designated as a bike route. There is currently parking on both sides of Spruce Street between Orange and Toole (excepting the south side of the street between McCormick and Owen).
 - h. Bike lanes were precluded from previous restriping projects in part due to the need to maintain on-street parking near St. Patrick's Hospital Corp. campus.
 - i. The draft Missoula Downtown Master Plan update includes a recommendation that the City examine expansion of the Parking Commission jurisdiction to include the area between Orange St, Toole/Railroad, and W. Broadway. Expansion of the Parking Commission district could work in conjunction with planned St. Patrick's Hospital expansion and construction of structured parking to significantly reduce demand for on-street parking. Expansion of the district could include metered parking on W. Pine Street and McCormick Street.
 - j. Long-term improvements to Spruce Street could include reconstruction to a complete street within a wide right-of-way of 90 feet to 100 feet that would include sidewalks, boulevards, bike lanes, parking and travel lanes, however no funding has been identified for these improvements.
21. Development Services Transportation Division commented that the W. Pine Street right-of-way does not impact planned improvements to Spruce Street directly. However, the need and demand for on-street parking often results in the public or adjacent property owners opposing implementation of the City's area transportation, facilities, and other master plans. The loss of on-street parking on W. Pine Street and in the future on Spruce Street should not prevent the installation or striping of bicycle facilities on Spruce Street, especially since there is

a demonstrated need for these important public health and safety improvements. Improvements to Spruce Street rely on a shift in parking from public on-street to private off-street structured lots and if the W. Pine Street right-of-way vacation is approved, it should be done with the understanding that it may further compound availability of public on-street parking once Spruce Street projects are implemented in the future. However, safety and long range planning goals should prioritize installation of a bike lane as soon as feasible and that parking will be provided through the new parking structure rather than on street.

22. The conceptual W. Pine Street layout includes a round-about at the intersection of W. Pine Street and McCormick Street. The round-about is smaller than typical engineering design for a round-about. The City Engineer is comfortable with the installation of the round-about to see whether this round-about design can function appropriately at this intersection, however the City Engineer requires the owner to install and maintain the round-about and pay for the cost to remove the round-about if the City Engineer determines it does not function well.
23. The City Engineer recommends a condition of approval requiring St. Patrick's Hospital Corp. enter into an agreement with the City of Missoula that stipulates St. Patrick's Hospital Corp. will pay for construction and maintenance of the round-about and if the round-about does not function appropriately at this intersection as determined by the City Engineer, St. Patrick's Hospital Corp. will pay to remove the round-about and restore this intersection to meet typical engineering road standards.

Statutory Requirements:

24. Section 7-14-4114(1) of Montana Code Annotated states that City Council may discontinue a street or alley or any part of a street or alley in a city or town, if it can be done without detriment to the public interest.
25. The St. Patrick's Hospital Corp. representative has submitted Petition #9984 in support of this vacation request.

III. AGENCY COMMENT

Northwestern Energy:

Mike Cassidy comment: Northwestern Energy currently owns facilities in this proposed vacation area in the form of a natural gas main pipeline. We would respectfully request that our 10' wide easement for this pipeline be reflected/recorded in the amended plat in order to protect our access rights. It should be noted that Northwestern Energy and St. Patrick Hospital are working together to relocate this existing natural gas main pipeline into the Pine Street right of way that will remain after this partial vacation. Upon completion of the main pipeline relocation, the requested easement could be extinguished.

Missoula Water:

Ross Mollenhauer comment: Missoula Water plans to abandon the existing 6" water main from 1914 in Pine St from McCormick Street to the railroad tracks and replace it with a new 12" main. The exact alignment of the proposed water main is not yet determined but will not be the same alignment as the existing main. It is likely that the alignment of the new water main will be approximately 8' south of the northern telephone lines. After reviewing the existing utilities in the vacated ROW, it looks as though Northwestern Energy will need to relocate their existing gas main that is currently within the vacated portion of the ROW. Missoula Water asks that this gas main not be relocated near the proposed alignment of our new water main. Missoula water plans to bid the water main replacement project this winter and construct this new main in the spring of 2020.

Century Link:

John Olson comment: CenturyLink would like to propose that the 40' right-of-way vacate be adjusted to a 33' along the southern edge of Pine St. in order to keep our existing facilities within right-of-way. At 40' this will have an impact on a number of high density cables that, if required to relocate, would create significant delays for the hospital project.

City Fire:

Adam Sebastian comment: The Missoula Fire Department has no concerns with the proposed right-of-way vacation request.

City-County Health Department – Air Program:

Ben Schmidt comment: The Air Program at the Missoula City-County Health Department has no concerns or comments for the ROW vacancy on W. Pine ST. The Air Program does request that when the project is finalized, that consideration for bike and pedestrian traffic be incorporated into the final design.

IV. EXHIBITS:

Exhibit A—Map of Area to be Vacated
Resolution of Intention to Vacate W. Pine Street
Petition # 9984

Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802-4297

Resolution Number _____

A resolution closing and vacating public right-of-way being the southerly 33 feet of West Pine Street between May and McCormick Streets adjacent to Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 North, Range 19 West, P.M.M., as shown in Exhibit A, and set a public hearing on October 28, 2019.

Be it resolved by the City Council of the City of Missoula, Montana.

SECTION I. THAT it is the intention of the City Council of the City of Missoula, Montana, to close and vacate all that portion of right-of-way described below and shown on attached Exhibit A, subject to the four (4) conditions of approval noted in Section II:

The southerly 33 feet of West Pine Street between May and McCormick Streets adjacent to Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 North, Range 19 West, P.M.M.

SECTION II. THAT the vacated right-of-way will revert to and combine with adjacent private property upon vacation approval and shall attach to the adjacent properties and the titled owners in accordance with Section 70-16-202 of the Montana Code Annotated as follows:

Lots 1 – 10, Block 50 of W.J. McCormick's Addition on file and of record in Missoula County, Montana, located in Section 21, Township 13 North, Range 19 West, P.M.M.

FURTHER, that the vacation is contingent upon the following four (4) conditions of approval for the vacation:

1. The developer shall prepare and file easements in the location of existing utility lines currently located within the portion of the W. Pine Street right-of-way to be vacated, subject to review and approval of the affected utility companies, Missoula Water, and the City Engineer. The easements shall be filed within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.
2. The developer shall prepare plans for and relocate existing utility lines into the remaining W. Pine Street right-of-way, within one hundred and twenty (120) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, subject to review and approval of the affected Utility companies, Missoula Water and the City Engineer.
3. The developer shall revise the W. Pine Street layout within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, to show the southerly 33 feet of W. Pine Street right-of-way vacated, moving the southerly sidewalk, boulevard, curb, gutter and drive lanes to the south and adding the additional 7 feet of roadway to the north side as a parallel parking lane, subject to review and approval of the City Engineer.

4. The developer shall enter into an agreement with the City of Missoula that stipulates St. Patrick's Hospital Corp. will pay for construction and maintenance of the round-about and if the round-about does not function appropriately at this intersection as determined by the City Engineer, St. Patrick's Hospital Corp. will pay to remove the round-about and restore this intersection to meet typical engineering road standards, subject to review and approval of the City Attorney and the City Engineer. The Agreement will be filed with the County Clerk and Recorder within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.

WHEREAS, the City Council adopted on the 7th day of October, 2019 Resolution No. 8383 declaring the City Council's intention to close and vacate said right-of-way herein described; and

WHEREAS, the City Council heard, on the 28th day of October, 2019 hear all matters pertaining to the proposed closing and vacation of said right-of-way as herein described; and

WHEREAS, the property intended to be vacated is subject to any and all utility easements over and across said property in accordance with Section 7-14-4115 of the Montana Code Annotated to continue the installation, maintenance, and repair of any and all public utilities. The property owners benefiting from the vacated right-of-way assume all risk for the installation, placement or construction of any improvement over any easement in which a municipal utility is located and the City shall in no way be liable for any damage to those improvements occasioned by the repair and maintenance of any utilities.

FURTHER, in the event the conditions are not met, this vacation approval shall be withdrawn, the vacation will be declared null and void and the right-of-way shall be returned to public use.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Missoula, Montana, that the aforesaid right-of-way as herein before described, be and the same is, hereby closed and vacated subject to the four conditions of approval noted herein and subject to any utility easements over and across said property to continue the installation, maintenance, and repair of any and all public utilities. The property owners benefiting from the vacated right-of-way assume all risk for the installation, placement or construction of any improvement over any easement in which a municipal utility is located and the City shall in no way be liable for any damage to those improvements occasioned by the repair and maintenance of any utilities.

PASSED by the City Council of Missoula, Montana, and approved by the Mayor this 28th day of October, 2019.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor

(SEAL)

Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802

PETITION NO. 9984
BEFORE THE CITY COUNCIL
OF THE
CITY OF MISSOULA

PETITION TO VACATE PUBLIC RIGHTS-OF-WAY

COME NOW the undersigned and respectfully petition the City Council of the City of Missoula to consider vacating the herein described public rights-of-way.

The petitioner hereby:

1. Agrees to comply with any conditions described in the resolution that vacates the herein described public rights-of-way; and
2. Recognizes the fact that non-compliance will result in the vacation becoming null and void and reverting to public right-of-way.

Petitioners have prepared a submittal package describing the particulars of the request according to Missoula Municipal Code 12.04 and have attached the same to this petition for City Council review.

Dated this 27 day of August, 2019.

DESCRIPTION OF RIGHTS-OF-WAY SUBJECT TO THIS PETITION:

Those certain public rights-of-way within the City of Missoula, being the southerly 40-feet of the 102 foot wide public right-of-way known as Pine Street from the easterly right-of-way line of May Street to the westerly right-of-way line of McCormick Street, located in the Northeast 1/4 of Section 21, Township 13 North, Range 19 West, P.M.,M. The said public rights-of-way to be vacated are specifically shown on the attached exhibit entitled "Proposed Vacated Rights-of-Way Exhibit" and by this reference incorporated herein.

PETITIONER SIGNATURE:

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 27 day of August, 2019.

St. Patrick Hospital Corporation

By:

Kirk Boplovic Authorized Official of St. Patrick Hospital Corporation

By:

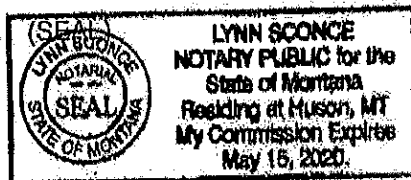
KIRK BOPLOVIC

ACKNOWLEDGMENT

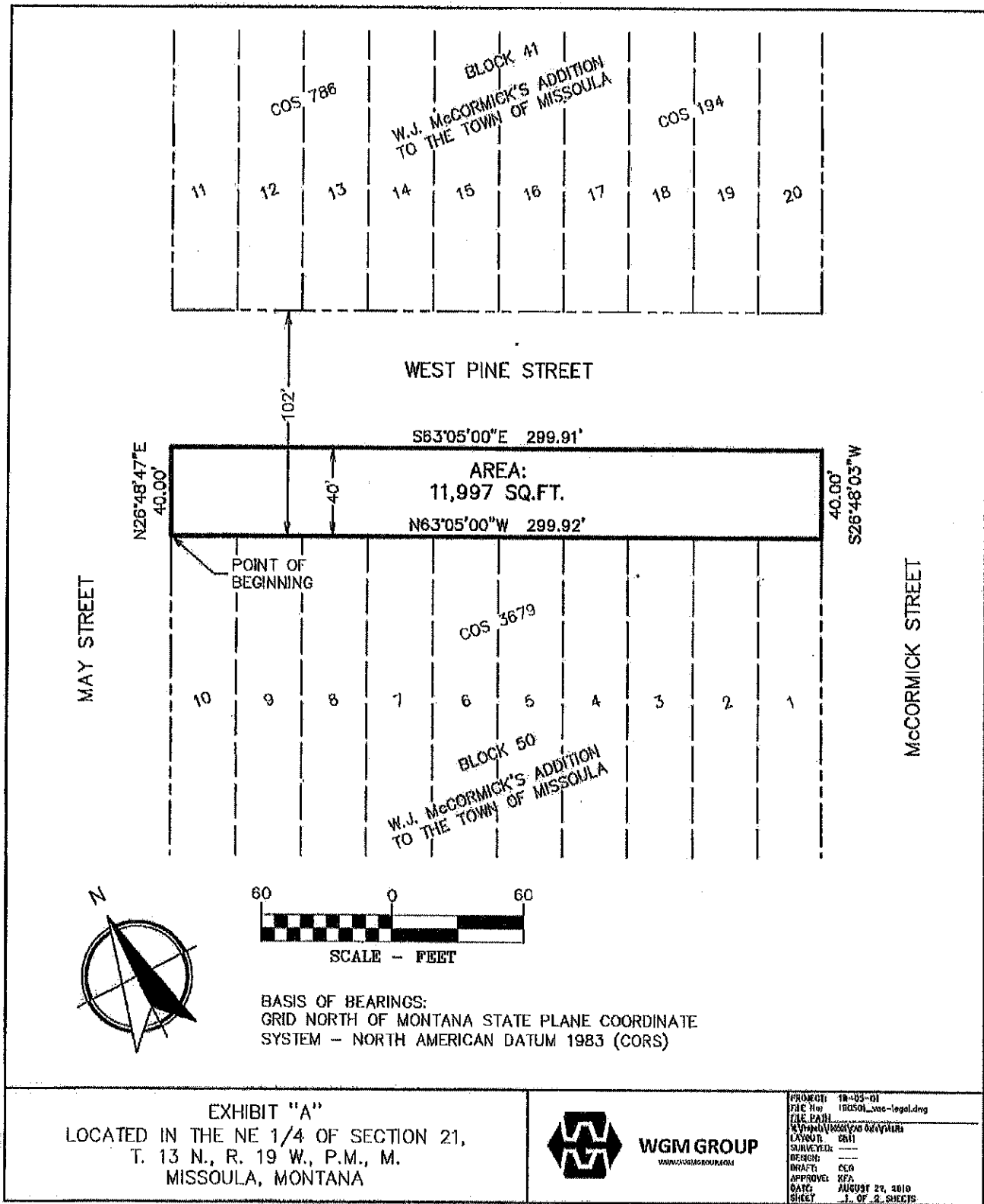
STATE OF MONTANA)
) ss.
COUNTY OF MISSOULA)

KIRK BOPLOVIC

On the 2nd day of May, 2016, before me personally appeared Name, to be personally known, who being by me duly sworn did say he an Authorized Official of St. Patrick Hospital Corporation, the company that executed the within Instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



Lynn Sconce
Printed Notary Name LYNN SCONCE
Notary Public for the State of MONTANA
Residing at MUSON, MT
My Commission Expires: MAY 15, 2020



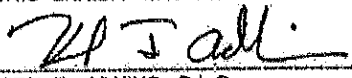
LEGAL DESCRIPTION *****

A TRACT OF LAND BEING A PORTION OF THE WEST PINE STREET RIGHT-OF-WAY ADJOINING BLOCK 50 OF W.J. McCORMICK'S ADDITION TO THE TOWN OF MISSOULA, A RECORDED SUBDIVISION OF MISSOULA COUNTY, MONTANA; LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 13 NORTH, RANGE 19 WEST, PRINCIPAL MERIDIAN, MONTANA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID BLOCK 50; THENCE N 26°48'47" E ALONG THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MAY STREET, 40.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 40.00 FEET, MEASURED AT RIGHT ANGLES, NORTHEASTERLY OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST PINE STREET; THENCE S 63°05'00" E ALONG SAID PARALLEL LINE, 299.91 FEET TO A POINT ON THE NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY RIGHT-OF-WAY LINE OF McCORMICK STREET; THENCE S 26°48'03" W ALONG LAST SAID NORTHEASTERLY PROLONGATION, 40.00 FEET TO THE MOST EASTERLY CORNER OF SAID BLOCK 50; THENCE N 63°05'00" W ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF WEST PINE STREET, 299.92 FEET TO THE POINT OF BEGINNING; CONTAINING 11,997 SQUARE FEET, MORE OR LESS.

SURVEYOR'S STATEMENT *****

THIS EXHIBIT WAS PREPARED UNDER MY SUPERVISION.


KIRK F. ADKINS, P.L.S.
MONTANA LICENSE NO. 16734LS
FOR WGM GROUP, INC.

08/22/2019
DATE



UNLESS SIGNED, SEALED, AND DATED, THIS IS A PRELIMINARY OR UNOFFICIAL DOCUMENT AND CANNOT BE RELIED UPON IN WHOLE OR PART.

EXHIBIT "A"
LOCATED IN THE NE 1/4 OF SECTION 21,
T. 13 N., R. 19 W., P.M., M.
MISSOULA, MONTANA



WGM GROUP
WWW.WGMGROUP.COM

PROJECT: 18-09-01
FILE NO: 180901-009-192040p
FILE PATH: W:\180901\180901-009-192040p
LAYOUT: 3/12
SURVEYED: ---
DESIGN: ---
DRAWN: CEO
APPROVED: KFA
DATE: AUGUST 22, 2019
SHEET: 2 OF 2 SHEETS

MAY ST

RES. NO. 3603 - 11/22/1976

33'

W PINE ST

33'

MCCORMICK ST

RES. NO. 1046 - 03/30/1937

Proposed Vacation

Existing Vacations

Parcel Boundaries

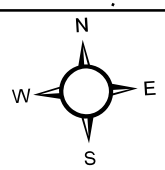
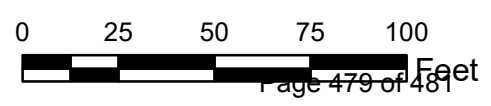


EXHIBIT 'A'



Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802-4297

Resolution Number _____

A resolution declaring it to be the intention of the City Council of the City of Missoula, Montana, to close and vacate public right-of-way being the southerly 33 feet of West Pine Street between May and McCormick Streets adjacent to Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 North, Range 19 West, P.M.M, as shown in Exhibit A, and set a public hearing on October 28, 2019.

Be it resolved by the City Council of the city of Missoula, Montana.

SECTION I. THAT Petition #9984 requested vacation of the southerly 40 feet of the West Pine Street right-of-way, however due to the existing location of CenturyLink high density cables and request by CenturyLink that the cables remain in place and not be relocated, the petitioner revised their request to vacate only the southerly 33 feet of the West Pine Street right-of-way between May and McCormick Streets.

SECTION II. THAT it is the intention of the City Council of the City of Missoula, Montana, to close and vacate all that portion of right-of-way described below and shown on attached Exhibit A, subject to the four (4) conditions of approval noted in Section III:

The southerly 33 feet of West Pine Street between May and McCormick Streets adjacent to Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 North, Range 19 West, P.M.M.

SECTION III. THAT the vacated right-of-way will revert to and combine with adjacent private property upon vacation approval and shall attach to the adjacent properties and the titled owners in accordance with Section 70-16-202 of the Montana Code Annotated as follows:

Lots 1 – 10, Block 50 of W.J. McCormick's Addition on file and of record in Missoula County, Montana, located in Section 21, Township 13 North, Range 19 West, P.M.M.

FURTHER, that the vacation is contingent upon the following four (4) conditions of approval for the vacation:

1. The developer shall prepare and file easements in the location of existing utility lines currently located within the portion of the W. Pine Street right-of-way to be vacated, subject to review and approval of the affected utility companies, Missoula Water, and the City Engineer. The easements shall be filed within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.
2. The developer shall prepare plans for and relocate existing utility lines into the remaining W. Pine Street right-of-way, within one hundred and twenty (120) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, subject to review and approval of the affected Utility companies, Missoula Water and the City Engineer. Building permits for structures within the vacated right-of-way shall not be approved until existing utility lines are relocated and the easements are vacated.

3. The developer shall revise the W. Pine Street layout within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula, to show the southerly 33 feet of W. Pine Street right-of-way vacated, moving the southerly sidewalk, boulevard, curb, gutter and drive lanes to the south and adding the additional 7 feet of roadway to the north side as a parallel parking lane, subject to review and approval of the City Engineer.
4. The developer shall enter into an agreement with the City of Missoula that stipulates St. Patrick's Hospital Corp. will pay for construction and maintenance of the round-about and if the round-about does not function appropriately at this intersection as determined by the City Engineer, St. Patrick's Hospital Corp. will pay to remove the round-about and restore this intersection to meet typical engineering road standards, subject to review and approval of the City Attorney and the City Engineer. The Agreement will be filed with the County Clerk and Recorder within sixty (60) days of approval of the Resolution to Vacate, or the right-of-way vacation is null and void and will revert back to the City of Missoula.

SECTION IV. THAT the City Council will, at its regular meeting to be held on the 28th day of October, 2019 at the hour of 7:00 P.M., in the City Council Chambers at 140 West Pine Street, Missoula Montana, hear all matters pertaining to the proposed vacation as set out in Section II above.

THAT the property intended to be vacated is subject to any and all utility easements over and across said property in accordance with Section 7-14-4115 of the Montana Code Annotated to continue the installation, maintenance, and repair of any and all public utilities. The property owners benefiting from the vacated right-of-way assume all risk for the installation, placement or construction of any improvement over any easement in which a municipal utility is located and the City shall in no way be liable for any damage to those improvements occasioned by the repair and maintenance of any utilities.

SECTION V. THAT this resolution be noticed and notice of the hearing concerning the vacation of the medians as described herein be given as provided by law.

PASSED by the City Council of Missoula, Montana, and approved by the Mayor this 7th day of October, 2019.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor

(SEAL)