



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

Committee: Public Works

Item: Right-of-Way Dedication Agreement Amendment with Rocky Mountain Beverage of Montana, LLC

Date: September 23, 2021

Sponsor(s): Jeremy Keene

Prepared by: Katie Emery

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input checked="" 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 type="checkbox"/> N/A

Action Required:

Approve a First Amendment to the Agreement to Dedicate Right-of-Way with Rocky Mountain Beverage of Montana, LLC for the Mullan BUILD Project.

Recommended Motion(s):

I move the City Council: Approve and authorize the Mayor to sign a First Amendment to the Agreement to Dedicate Right-of-Way with Rocky Mountain Beverage of Montana, LLC for the Mullan BUILD Project.

Timeline:

Referral to committee:	September 27, 2021
Committee discussion:	September 29, 2021
Council action (or sets hearing):	October 4, 2021
Public Hearing (if required):	N/A
Deadline:	N/A

Background and Alternatives Explored:

The City entered into a Right-of-Way Agreement with Rocky Mountain Beverage of Montana, LLC (RMB) on April 9, 2021 to secure the public rights-of-way and easements necessary to construct the Mullan BUILD Project, as well as specific improvements and cost sharing to be included in the Project. Due to the delay in construction of the Project, an amendment is required to allow RMB to construct a portion of Mary Jane Boulevard in order to serve the Veteran's Administration Clinic currently under construction.

As part of the Original Agreement, RMB constructed \$51,395 of improvements, which will be deducted from the \$134,293 remaining in the Subdivision Improvements Agreement. This amendment allows for partial construction of Mary Jane Boulevard between West Broadway and Veterans Way to allow access to the VA Clinic. The remaining \$82,898 of the Subdivision Improvement Agreement will be applied toward construction of these improvements. In addition, the City will contribute \$50,000 toward these improvements, which reflects the estimated total cost based on current Mullan BUILD Project estimates.

Financial Implications:

The City's financial obligations for the Mullan BUILD Project were established in the FY22 CIP. The City's \$50,000 cost contribution will be paid from the current FY22 CIP.

Links to external websites:

<https://www.mullanbuild.com/>