



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

Committee: Public Works

Item: Mullan BUILD Right-of-Way Agreements

Date: April 26, 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 agreements with multiple property owners related to right-of-way for the Mullan BUILD Project.

Recommended Motion(s):

I move the City Council: **Motion No. 1:** Approve and authorize the Mayor to sign a Right-of-Way Agreement with Shannon R. Luikart for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project. **Motion No. 2:** Approve and authorize the Mayor to sign an Agreement and Grant Possession with Flynn Family Limited Partnership for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project. **Motion No. 3:** Approve and authorize the Mayor to sign a Right-of-Way Agreement with Flynn Family Limited Partnership for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project. **Motion No. 4:** Approve and authorize the Mayor to sign an Agreement to Dedicate Right-of-Way with Rocky Mountain Beverage of Montana, LLC for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project. **Motion No. 5:** Approve and authorize the Mayor to sign a Right-of-Way Agreement with HEH, LLC for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project. **Motion No. 6:** Approve and authorize the Mayor to sign a Right-of-Way Agreement with Edgell 1, LLC for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project.

Timeline:

Referral to committee:	May 3, 2021
Committee discussion:	May 5, 2021
Council action (or sets hearing):	May 10, 2021
Public Hearing:	N/A
Deadline:	N/A

Background and Alternatives Explored:

On July 1, 2019, City Council approved and adopted a resolution supporting Missoula County's application for the Better Utilizing Investments to Leverage Development (BUILD) Grant for projects in the Mullan Rd. to Broadway area west of Reserve St. The grant application was successful, and the project was awarded \$13 million by the U.S. Department of Transportation.

The City of Missoula, in partnership with Missoula County, intends to construct transportation improvements and public utility improvements with a federal BUILD Grant and other local funding sources included in the Mullan BUILD Project. These agreements secure the public rights-of-way and easements necessary to construct the project as required by Federal regulations, as well as any specific improvements and cost sharing to be included in the Project.

Financial Implications:

No cost in regards to the establishment of these agreements. The City's financial obligations for the Mullan BUILD Project were established in the FY21 CIP.

Links to external websites:

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