Livingston City Commission Agenda

August 04, 2020
5:30 PM
https://us02web.zoom.us/j/87236014692
Meeting ID:872 3601 4692 | Passcode: 706143 | Call In: (669) 900-6833

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1. Call to Order

2. Roll Call

5. Public Comment

Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)

6. Consent Items

A. **ACCEPT THE JUNE 2020 IMPACT FEE STUDY FOR THE CITY OF LIVINGSTON MONTANA. PG. 5**

B. **ACCEPT JUDGES MONTHLY REPORT JUNE 2020 PG. 79**

C. **APPROVE MINUTES FROM 7.21.2020 CITY COMMISSION MEETING PG. 81**

D. **RATIFY CLAIMS PAID 7/1/2020-7/15/2020 PG. 85**

7. Proclamations

8. Scheduled Public Comment

9. Public Hearings

A. **PUBLIC HEARING: VARIANCE REQUEST FROM CHRISTOPHER GONZALES, TO REDEVELOP AN EXISTING NON-CONFORMING UNDERSIZED LOT IN THE HIGHWAY COMMERCIAL ZONING DISTRICT FOR COMMERCIAL USES. PG. 96**

B. **RESOLUTION NO. 4908: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF $20,737,194 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2020, AND ENDING JUNE 30, 2021, (FY21), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND. PG. 103**

C. **RESOLUTION NO. 4909: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF $76,500 FOR FISCAL YEAR 2020-2021 AND LEVYING AND ASSESSING 100% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. PG. 106**

D. RESOLUTION NO. 4910: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF $73,100 FOR THE FISCAL YEAR 2020-2021 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT, AND CALLING FOR A PUBLIC HEARING. PG. 109

E. RESOLUTION NO. 4911: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING 100% OF THE COST FOR STREET MAINTENANCE AND IMPROVMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2020-2021 IN THE AMOUNT OF $1,028,707, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT. PG. 112

F. RESOLUTION NO. 4912: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM. PG. 114

10. Ordinances

11. Resolutions

A. RESOLUTION NO: 4914: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A BIG SKY ECONOMIC DEVELOPMENT TRUST FUND GRANT APPLICATION ON BEHALF OF 130 NF LLC, FOR THE LIVINGSTON MAIN HOTEL FEASIBILITY & ARCHITECTURAL PLANNING ADAPTIVE REUSE PROJECT. PG. 115

B. RESOLUTION NO. 4913: AUTHORIZING CM TO SIGN A REAL PROPERTY BUY-SELL AGREEMENT WITH ENGEL VöLKERS FOR THE PURCHASE OF THE VOYICH PROPERTY. PG. 130

12. Action Items

A. DISCUSS: SCHEDULE FINAL WORK SESSION FOR LIVINGSTON STRATEGIC PLAN. PG.

B. DISCUSS: FINANCIAL SUPPORT OF THE HRDC WARMING CENTER. PG.

C. DISCUSS/APPROVE/DENY: SETTING BALLOT LANGUAGE FOR NOVEMBER FOR THE RAILROAD CROSSING PROJECT. PG.

13. City Manager Comment

14. City Commission Comments

15. Adjournment

Calendar of Events

*August 11, 2020- Historic Preservation Committee Meeting 3:30pm

*August 12, 2020- City Conservation Board Zoom Meeting 5:00pm

https://zoom.us/j/633574467 Call-In Only: 1 669 900 6833 - Meeting ID: 315831554

*August 13, 2020- Zoning Commission Zoom Meeting 5:30pm

https://us02web.zoom.us/j/81756558053?pwd=LzZyd0NGdnRWaFlWMWE5WkRpZE5FQT09

Meeting ID: 817 5655 8053 | Pass Code: 282047 | Call in: 1-669-900-9128

*August 18, 2020- City Commission Zoom Meeting

Supplemental Material

Notice

- Public Comment: The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).

- Meeting Recording: An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.

- Special Accommodation: If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

File Attachments for Item:

ACCEPTING THE JUNE 2020 IMPACT FEE STUDY FOR THE CITY OF LIVINGSTON MONTANA.

DRAFT

Service Area Report and Impact Fee Study

Prepared for:

Livingston, Montana

June 5, 2020

TischlerBise
FISCAL | ECONOMIC | PLANNING

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EXECUTIVE SUMMARY

The City of Livingston, Montana, contracted with TischlerBise to document land use assumptions, prepare the Service Area Report, and update impact fees within the applicable service areas pursuant to Montana Code 7-6-16 (hereafter referred to as the "Enabling Legislation"). Governmental entities in Montana may assess impact fees to offset infrastructure costs to the governmental entity for public facilities needed to serve future development. For each public facility for which an impact fee is imposed, the governmental entity shall prepare and approve a service area report. The impact fees must (1) be reasonably related to and reasonably attributable to the development's share of the cost of infrastructure improvements made necessary by the new development and (2) may not exceed a proportionate share of the costs incurred or to be incurred by the governmental entity in accommodating the development.

Impact fees are one-time payments used to construct system improvements needed to accommodate future development, and the fee represents future development's proportionate share of infrastructure costs. Impact fees may be used for infrastructure improvements or debt service for growth-related infrastructure. In contrast to general taxes, impact fees may not be used for operations, maintenance, replacement, or correcting existing deficiencies.

This update of Livingston's Service Area Report and associated update to its impact fees includes the following public facilities:

1. Police
2. Fire/EMS
3. Transportation
4. Parks & Recreation
5. Water
6. Wastewater

Montana Impact Fee Enabling Legislation

The Enabling Legislation governs how impact fees are calculated for governmental entities in Montana.

Public Facilities

Under the requirements of the Enabling Legislation, impact fees may only be used for construction, acquisition, or expansion of public facilities made necessary by new development. "Public Facilities" means any of the following categories of capital improvements with a useful life of 10 years or more that increase or improve the service capacity of a public facility:

1. a water supply production, treatment, storage, or distribution facility;
2. a wastewater collection, treatment, or disposal facility;
3. a transportation facility, including roads, streets, bridges, rights-of-way, traffic signals, and landscaping;
4. a storm water collection, retention, detention, treatment, or disposal facility or a flood control facility;
5. a police, emergency medical rescue, or fire protection facility; and
6. other facilities for which documentation is prepared as provided in 7-6-1602 that have been approved as part of an impact fee ordinance or resolution by:
    a. a two-thirds majority of the governing body of an incorporated city, town, or consolidated local government; or
    b. a unanimous vote of the board of county commissioners of a county government.

Service Area Report

For each public facility for which an impact fee is imposed, the governmental entity shall prepare and approve a service area report. The service area report is a written analysis that must:

1. describe existing conditions of the facility;
2. establish level-of-service standards;
3. forecast future additional needs for service for a defined period of time;
4. identify capital improvements necessary to meet future needs for service;
5. identify those capital improvements needed for continued operation and maintenance of the facility;
6. make a determination as to whether one service area or more than one service area is necessary to establish a correlation between impact fees and benefits;
7. make a determination as to whether one service area or more than one service area for transportation facilities is needed to establish a correlation between impact fees and benefits;
8. establish the methodology and time period over which the governmental entity will assign the proportionate share of capital costs for expansion of the facility to provide service to new development within each service area;

9. establish the methodology that the governmental entity will use to exclude operations and maintenance costs and correction of existing deficiencies from the impact fee;
10. establish the amount of the impact fee that will be imposed for each unit of increased service demand; and
11. have a component of the budget of the governmental entity that:
    a. schedules construction of public facility capital improvements to serve projected growth;
    b. projects costs of the capital improvements;
    c. allocates collected impact fees for construction of the capital improvements; and
    d. covers at least a 5-year period and is reviewed and updated at least every 5 years.

Legal Framework

Both state and federal courts have recognized the imposition of impact fees as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. Land use regulations, development exactions, and impact fees are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring development is not detrimental to the quality of essential public services. The means to this end is also important, requiring both procedural and substantive due process. The process followed to receive community input (i.e. stakeholder meetings, work sessions, and public hearings) provides opportunities for comments and refinements to the impact fees.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an "essential nexus" between the exaction and the interest being protected (see Nollan v. California Coastal Commission, 1987). In a more recent case (Dolan v. City of Tigard, OR, 1994), the Court ruled that an exaction must also be "roughly proportional" to the burden created by development. However, the Dolan decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

There are three reasonable relationship requirements for impact fees that are closely related to "rational nexus" or "reasonable relationship" requirements enunciated by a number of state courts. Although the term "dual rational nexus" is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: "need," "benefit," and "proportionality." The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the Dolan case. Individual elements of the nexus standard are discussed further in the following paragraphs.

All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the capacity of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The Nollan decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on infrastructure needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific capital facilities, based on applicable level-of-service standards.

The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the Dolan case and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for capital facilities is measured in terms of relevant and measurable attributes of development (e.g. a typical housing unit's average weekday vehicle trips).

A sufficient benefit relationship requires that impact fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Impact fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the state enabling legislation requires that facilities funded with fee revenues be available exclusively to development paying the fees. In other words, benefit may extend to a general area including multiple real estate developments. Procedures for the earmarking and expenditure of fee revenues are discussed near the end of this study. All of these procedural as well as substantive issues are intended to ensure that new development benefits from the impact fees they are required to pay. The authority and procedures to implement impact fees is separate from and complementary to the authority to require improvements as part of subdivision or zoning review.

Capacity fees, which are calculated in a similar manner to development fees, are one-time payments used to fund capital improvements necessitated by future development. Because the calculation and use are similar to that of development fees, information about development fees is provided below. Development fees / capacity fees have been utilized by local governments in various forms for at least fifty years. Development fees/ capacity fees do have limitations, and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current levels of service in a community. Any community considering facility fees should note the following limitations:

- Fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Fees cannot be deposited in the City's General Fund. The funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and

Fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community

As documented in this report, the City of Livingston has complied with applicable legal precedents. Impact fees are proportionate and reasonably related to the capital improvement demands of new development. Specific costs have been identified using local data and current dollars. With input from City staff, TischlerBise identified service demand indicators for each type of infrastructure and calculated proportionate share factors to allocate costs by type of development. This report documents the formulas and input variables used to calculate the impact fees for each type of public facility. Impact fee methodologies also identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

Methodology

Impact fees for public facilities made necessary by new development must be based on the same level of service provided to existing development in the service area. There are four basic methodologies used to calculate impact fees. They examine the past, present, and future status of infrastructure. The objective of evaluating these different methodologies is to determine the best measure of the demand created by new development for additional infrastructure capacity. Each method has advantages and disadvantages in a particular situation and can be used simultaneously for different cost components. Additionally, impact fees for public facilities can also include a fee for the administration of the impact fee not to exceed five percent of the total impact fee collected.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of growth-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss basic methods for calculating impact fees and how those methods can be applied.

- **Cost Recovery** (past improvements) - The rationale for recoupment, often called cost recovery, is that future development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which future development will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place.

- **Incremental Expansion** (concurrent improvements) - The incremental expansion methodology documents current level-of-service standards for each type of public facility, using both quantitative and qualitative measures. This approach assumes there are no existing infrastructure deficiencies or surplus infrastructure capacity. Future development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate future development. An incremental expansion methodology is best suited for public facilities that will be expanded in regular increments to keep pace with development.

- **Plan-Based** (future improvements) - The plan-based methodology allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified

in a long-range facility plan and development potential is identified by a land use plan. There are two basic options for determining the cost per service demand unit: (1) total cost of a public facility can be divided by total service demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in service demand units over the planning timeframe (marginal cost).

Conceptual Impact Fee Calculation

In contrast to project-level improvements, impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire service area (usually referred to as system improvements). The first step is to determine an appropriate service demand indicator for the particular type of infrastructure. The service demand indicator measures the number of service units for each unit of development. For example, an appropriate indicator of the demand for parks is population growth and the increase in population can be estimated from the average number of persons per housing unit. The second step in the impact fee formula is to determine infrastructure improvement units per service demand unit, typically called level-of-service (LOS) standards. In keeping with the park example, a common LOS standard is improved park acres per thousand people. The third step in the impact fee formula is the cost of various infrastructure units. To complete the park example, this part of the formula would establish a cost per acre for land acquisition and/or park improvements.

Evaluation of Credits

A consideration of credits is integral to the development of a legally defensible impact fee. There are two types of credits that should be addressed in impact fee studies and ordinances. The first is a revenue credit due to possible double payment situations, which could occur when other revenues may contribute to the capital costs of infrastructure covered by the impact fee. This type of credit is integrated into the fee calculation, thus reducing the fee amount. As discussed further in the Law Enforcement chapter, a debt credit is used to offset future debt payments for the police substation.

The second type of credit is a site-specific credit for system improvements that have been included in the impact fee calculations. Policies and procedures related to site-specific credits for system improvements should be addressed in the ordinance that establishes the impact fees. However, the general concept is that developers may be eligible for site-specific credits only if they provide system improvements that have been included in the impact fee calculations. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees. Site-specific credits are addressed in the administration and implementation of the development fee program.

Figure 1 summarizes service areas, methodologies, and infrastructure cost components for each public facility.

Figure 1: Proposed Service Areas, Methodologies, and Cost Components

Public Facility	Service Area	Cost Recovery	Incremental Expansion	Plan-Based	Cost Allocation
Police	Citywide	N/A	Facilities, Vehicles and Equipment	N/A	Population, Vehicle Trips
Fire/EMS	Citywide	N/A	Facilities, Vehicles and Equipment	N/A	Population, Vehicle Trips
Transportation	Citywide	N/A	Streets, Improved Intersections	N/A	Average Daily Vehicle Trips
Parks and Recreation	Citywide	N/A	Park Land and Amenities	N/A	Population
Water	Citywide	Treatment Plant	N/A	Planned Supply and Distribution Projects	Gallons
Wastewater	Citywide	Treatment Plant	N/A	Planned Collection and Treatment Projects	Gallons

Current Impact Fees

Livingston's current impact fee schedule for residential and nonresidential development is shown below in Figure 2. Residential impact fees are assessed per housing unit based on the type of dwelling unit. Fees for nonresidential development are assessed per 1,000 square feet of floor area. Fees associated with the City of Livingston's water and wastewater utilities are assessed based on meter size and are applied to residential and nonresidential use equally.

Figure 2: Current Development Impact Fee Schedule

Residential Development	Development Fees per Unit				
Unit Type	Parks and Recreation	Transportation	Police	Fire/EMS	Total
Multi-Family	$145	$601	$132	$155	$878
Single Family (0-3 bedrooms)	$145	$601	$132	$155	$878

Nonresidential Development	Development Fees per 1,000 Square Foot				
Land Use Type	Parks and Recreation	Transportation	Police	Fire/EMS	Total
Industrial	$0	$437	$39	$26	$476
Commercial / Retail	$0	$1,393	$124	$84	$1,517
Office / Institutional	$0	$1,393	$124	$84	$1,517

Current Water/SewerUtility Fees

Meter Size	Water	Sewer
5/8"-3/4"	$1,040	$1,094
1"	$1,851	$1,947
1.25"	$2,880	$3,030
1.5"	$4,159	$4,376
2"	$7,392	$7,778
2.5"	$11,562	$12,165
3"	$16,636	$17,504
4"	$29,570	$31,114
6"	$66,543	$70,017
8"	$118,301	$124,477
10"	$184,844	$194,495

Source: City of Livingston, MT Development Impact Fee Schedule

Proposed Impact Fees

Figure 3 provides a schedule of the maximum allowable impact fees by type of land use for the City of Livingston. The fees represent the highest amount allowable for each type of applicable land use, which represents new growth's fair share of the cost for capital facilities. The City may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

The proposed non-utility impact fees for residential development will be assessed per housing unit, based on the type of unit. Proposed non-utility nonresidential impact fees will be assessed per 1,000 square feet of floor area. Fees associated with the City of Livingston's water and sewer utilities are assessed based on meter size and are applied to residential and nonresidential use equally.

Figure 3: Proposed Impact Fee Schedule

Residential Development	Development Fees per Unit				
Development Type	Parks and Recreation	Transportation	Police	Fire/EMS	Total
Multi-Family	$1,310	$1,852	$100	$914	$3,262
Single Family	$1,385	$1,006	$106	$966	$2,497

Nonresidential Development	Development Fees per Square Foot				
Development Type	Parks and Recreation	Transportation	Police	Fire/EMS	Total
Industrial	$0.00	$961	$35	$320	$996
Commercial / Retail	$0.00	$4,828	$175	$1,607	$5,003
Office / Institutional	$0.00	$1,887	$68	$628	$1,956

Meter Size	Water	Sewer
5/8"	$3,542	$4,506
3/4"	$3,542	$4,506
1"	$5,915	$7,525
1.5"	$11,794	$15,005
2"	$18,877	$24,017
3"	$37,789	$48,079
4"	$59,039	$75,116
6"	$118,043	$150,186
8"	$188,877	$240,307
10"	$625,705	$796,083

Difference Between Current and Proposed Impact Fees

Figure 4 shows the difference between the current and the proposed fees for residential and nonresidential development.

Figure 4: Difference between Current and Proposed Impact Fees

Residential Development	Development Fees per Unit				
Unit Type	Parks and Recreation	Transportation	Public Saftey	Fire/EMS	Fee Change
Multi-Family	$1,165	$1,251	($32)	$759	$2,384
Single Family	$1,240	$405	($26)	$811	$1,619

Nonresidential Developme	Development Fees per Square Foot				
Land Use Type	Parks and Recreation	Transportation	Public Saftey	Fire/EMS	Fee Change
Industrial	$0	$524	$35	$294	$520
Commercial / Retail	$0	$3,435	$175	$1,523	$3,486
Office / Institutional	$0	$494	$68	$544	$439

Meter Size	Water	Sewer	Fee Change
5/8"	$2,502	$3,412	$5,914
3/4"	$2,502	$3,412	$5,914
1"	$4,064	$5,578	$7,530
1.5"	$8,914	$11,975	$18,264
2"	$11,485	$16,239	$27,724
2.5"	$26,227	$35,914	#REF!
3"	$21,153	$30,575	$51,728
6"	$51,500	$80,169	$131,669
10"	$440,861	$601,588	$1,042,449

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using two, three, and four decimal places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

POLICE

The Police Service Area Report includes components for facilities. An incremental expansion methodology is used.

Service Area

Livingston's Police Department strives to provide uniform response times citywide as an integrated network. The service area for the Police Service Area Report is citywide.

Cost Allocation

For certain public facilities TischlerBise uses functional population to establish the relative demand for infrastructure from both residential and nonresidential development. As shown in Figure P1, functional population accounts for people living and working in a jurisdiction. Residents who do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents who work in Livingston are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents who work outside Livingston are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2015 functional population data, the resulting proportionate share is 72 percent residential and 28 percent nonresidential.

Figure P1: Functional Population

Demand Units in 2015			*Demand Hours/Day*	*Person Hours*	*Proportionate Share*
Residential					
Estimated Residents	7,038				
Residents Not Working		3,672	20	73,440	
Employed Residents		3,366			
Employed in Service Area		1,465	14	20,510	
Employed outside Service Area		1,901	14	26,614	
		Residential Subtotal		120,564	**72%**
Nonresidential					
Non-working Residents		3,672	4	14,688	
Jobs in Service Area		3,229			
Residents Employed in Service Area		1,465	10	14,650	
Non-Resident Workers (inflow Commuters)		1,764	10	17,640	
		Nonresidential Subtotal		46,978	**28%**
			TOTAL	167,542	**100%**

Source: U.S. Census Bureau 2015 Population Estimate; U.S. Census Bureau, OnTheMap 6.5 Application, 2015.

Service Demand Units

Police impact fees for residential development are calculated on a per capita basis, and then converted to an appropriate amount for based on a person per household (PPH). The PPH ratios are derived from 2013-2017 American Community Survey, 5-Year Estimates, published by the U.S. Census Bureau. Average number of persons, by dwelling unit is shown below in Figure P2.

Figure P2: Persons by Dwelling Type

2017 American Community Survey

Type of Structure	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single-Family Unit[1]	5,999	2,955	2.03	3,224	1.86	83.2%	8%
Multi-Family Unit[2]	1,179	614	1.92	650	1.81	16.8%	6%
TOTAL	7,178	3,569	2.01	3,874	1.85		8%

Source: TischlerBise analysis and calculation based on U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimates.

1. Includes detached, attached (townhouse), and manufactured units.

2. Includes duplexes, structures with two or more units, and all other units.

TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for police facilities. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial/retail developments, such as shopping centers, and lowest for industrial development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for police from nonresidential development, which is driven by the presence of people. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, police development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses.

Average weekday vehicle trip ends (VTE) for nonresidential development are from the 10th edition of the reference book, *Trip Generation* (2017), by the Institute of Transportation Engineers. A "trip end" represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet, and require an adjustment factor to avoid double counting each trip at both the origin and destination points. The trip generation rates and adjustment factors are shown in Figure P3.

With exception to commercial/retail development, the basic trip adjustment factor is 50 percent for nonresidential development. For commercial/retail development, the trip adjustment factor is less than 50 percent because retail uses attract vehicles as they pass by on arterial and collector roads. For an average size shopping center, the ITE (2017) indicates that on average 34 percent of the vehicles that enter a commercial/retail land use are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor (0.66 x 0.50 = 0.33) is 33 percent of the trip ends.

Multiplying ITE's ratio of trip ends per 1,000 square feet by the trip adjustment factor produces the number of average weekday vehicle trips generated per 1,000 square feet of development. For example, ITE's estimate of 4.96 average weekday trip ends per demand unit (Code 110) multiplied by the trip adjustment factor for Industrial uses (50 percent) yields 2.48 average weekday vehicle trips per 1,000 square feet.

Figure P3: Vehicle Trip Ends per Development Unit by Land Use Type

ITE Code	Type of Development	Demand Unit	Wkdy Trip Ends Per Dmd Unit[1]	Trip Adjustment Factor	Adjusted Trips
110	Industrial	1,000 Sq Ft	4.96	50%	2.48
820	Shopping Center (average size)	1,000 Sq Ft	37.75	33%	12.46
710	General Office (average size)	1,000 Sq Ft	9.74	50%	4.87

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Existing Conditions and Level-of-Service Standards

The first component of the Police impact fee is stations, and the incremental expansion methodology is used to calculate the stations component of the fee. Residential level-of-service standards are assessed based on the 2019 population, and nonresidential standards are assessed based on 2019 average weekday vehicle trips (see the Land Use Assumptions in Appendix A).

Livingston plans to expand its current inventory of police station space to serve demand from new development. Shown below in Figure P4, Livingston's current station includes 1,861 square feet of floor area. Functional population provides the proportionate share of demand for stations from residential and nonresidential development. Livingston's existing level of service for residential development is 0.177 square feet per person (1,861 square feet X 72 percent residential share / 7,552 persons). The nonresidential level of service is 0.048 square feet per vehicle trip (1,861 square feet X 28 percent nonresidential share / 10,825 vehicle trips). According to City staff, the estimated replacement cost for existing space is $220 per square foot. To determine the cost per service demand unit, these level-of-service standards are multiplied by the replacement cost per square foot ($220), producing a cost per service demand unit of $39.03 per person and $10.59 per vehicle trip.

Figure P4: Existing Level-of-Service Standards

Facility Components	*Square Footage*	*Cost per Square Foot**	*Replacement Cost*
Police Station Building	1,861	$220.00	$409,420
TOTAL	**1,861**	**$220.00**	**$409,420**

**City of Livingston*

Level-of-Service (LOS) Standards

Population in 2019	7,552
Nonresidential Vehicle Trip Ends in 2019	10,825
Residential Share	72%
Nonresidential Share	28%
LOS: Square Feet per Person	**0.177**
LOS: Square Feet per Vehicle Trip	**0.048**

Cost Analysis

Cost per Square Foot*	$220.00
LOS: Square Feet per Person	0.177
Cost per Person	**$39.03**
LOS: Square Feet per Vehicle Trip	0.048
Cost per Vehicle Trip	**$10.59**

Projected Service Demand Units and for Demand for Services

The anticipated Police facility need is based on the development projections contained in the Land Use Assumptions (see Appendix A). As shown in Figure P5, 10-year population growth equals 864 persons, and nonresidential development generates 1,258 additional vehicle trips during the same period. Using the 2019 level-of-service standards, future residential development is estimated to demand 153 additional square feet of stations (864 additional persons X 0.177 square feet per person) at a cost of approximately $33,700 (153 square feet X $220 per square foot). Future nonresidential development is estimated to demand 61 additional square feet (1,258 additional vehicle trips X 0.048 square feet per vehicle trip) at a cost of approximately $13,300 (61 square feet X $220 per square foot). The 10-year demand for stations equals 214 additional square feet at a cost of approximately $47,000.

Figure P5: Growth-Related Need for Facilities

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Police Station Space	0.177 Units	Per Person Persons	$220
	0.048 Units	Per Nonres. Trips	

	Need for Police Facilities					
	Year	Population	Nonres. Trips	Residential	Nonresidential	Total Units
Base	2019	7,552	10,825	1,340	521	1,861
Year 1	2020	7,635	10,945	1,355	527	1,881
Year 2	2021	7,718	11,067	1,369	533	1,902
Year 3	2022	7,803	11,189	1,384	539	1,923
Year 4	2023	7,888	11,313	1,399	545	1,944
Year 5	2024	7,974	11,438	1,415	551	1,965
Year 6	2025	8,060	11,565	1,430	557	1,987
Year 7	2026	8,148	11,693	1,446	563	2,008
Year 8	2027	8,237	11,822	1,461	569	2,030
Year 9	2028	8,326	11,952	1,477	575	2,053
Year 10	2029	8,417	12,084	1,493	582	2,075
	10-Yr Increase	864	1,258	153	61	214
	Growth-Related Expenditures =>			**$33,737**	**$13,325**	**$47,062**

Police Impact Fees

Revenue Credits

A revenue credit is not necessary for Police impact fees because there is no existing debt attributed to the current station space. A credit analysis is performed so as to avoid double payment – once through the payment of impact fees and again through the payment of property taxes.

Proposed Police Impact Fees

Figure P6 shows the proposed maximum supportable Police impact fees for residential and nonresidential development in Livingston. The cost per service demand unit is $39.03 per person and $14.02 per vehicle trip.

Residential fees are derived from the average number of persons per household and the total cost per person. For a single family residential unit, the fee is $106 ($52.11 per person X 2.03 persons per household).

Nonresidential fees are the product of the average number of nonresidential vehicle trip ends per 1,000 square feet of floor area (*Trip Generation,* ITE, 2017), nonresidential trip rate adjustment factors, and the total cost per vehicle trip. Commercial / Retail development will pay $175 per 1,000 square feet of floor

area ($14.02 per vehicle trip X 37.75 vehicle trip ends per 1,000 square feet X 33 percent trip rate adjustment).

Figure P6: Proposed Police Impact Fees

Fee Component	Cost per Person	Cost per Trip
Facilities	$39.03	$10.59
Development Fee Study	$13.08	$3.43
Total	**$52.11**	**$14.02**

Residential (per unit)

Unit Type	Persons per Household	Proposed Fee	Current Fee	Increase / Decrease
Single Family	2.03	**$106**	$132	($26)
Multifamily	1.92	**$100**	$132	($32)

Nonresidential (per 1,000 square feet)

Land Use Type	Avg Wkdy Veh Trip Ends	Trip Rate Adjustment	Proposed Fee	Current Fee	Increase / Decrease
Industrial	4.96	50%	**$35**	$39	($4)
Commercial / Retail	37.75	33%	**$175**	$124	$51
Office / Institutional	9.74	50%	**$68**	$124	($56)

Projected Police Impact Fee Revenue

Revenue projections assume implementation of the proposed Police impact fees and that future development is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure P7, Police fee revenue is expected to total approximately $62,800 over the next 10 years, compared to projected expenditures of $54,500.

Figure P7: Projected Police Impact Fee Revenue

Infrastructure Costs for Police Facilities

Fee Component	Growth Share *10-Year*
Facilities	$47,058
Development Fee Study	$7,509
Total Expenditures	**$54,567**

Police Impact Fee Revenue

		Multifamily	Single Unit	Industrial	Commercial/Retail	Office/Institutional
		$100 per unit	$106 per unit	$34.77 per 1000 sq. ft.	$174.65 per 1000 sq. ft.	$68.28 per 1000 sq. ft.
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2019	673	3,317	389	497	752
Year 1	2020	676	3,355	393	503	761
Year 2	2021	678	3,394	398	508	769
Year 3	2022	680	3,434	402	514	778
Year 4	2023	682	3,474	407	520	786
Year 5	2024	684	3,514	411	526	795
Year 6	2025	687	3,555	416	531	804
Year 7	2026	689	3,596	420	537	813
Year 8	2027	691	3,638	425	543	822
Year 9	2028	693	3,680	430	549	831
Year 10	2029	695	3,723	434	555	840
Ten-Year Increase		**22**	**406**	**45**	**58**	**87**
Projected Revenue		**$2,163**	**$42,990**	**$1,573**	**$10,097**	**$5,972**

Projected Development Fee Revenue	**$62,794**
Surplus/(Deficit)	**$8,227**

FIRE / EMS

The Fire Service Area Report includes components for facilities, apparatus and specialty equipment. The analysis uses an incremental expansion methodology, based on the existing level of service.

Service Area

Livingston's Fire Department strives to provide a uniform response time citywide, and its fire station operates as an integrated network. Depending on the number and type of calls, apparatus can be dispatched citywide from the station. As a result, the service area for the Fire Service Area Report is citywide.

Cost Allocation

Like the Police impact fee allocation, TischlerBise uses functional population to establish the relative demand for infrastructure from both residential and nonresidential development. As shown in Figure F1, functional population accounts for people living and working in a jurisdiction. Residents who do not work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents who work in Livingston are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents who work outside Livingston are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2015 functional population data, the resulting proportionate share is 72 percent residential and 28 percent nonresidential.

Figure F2: Fire/EMS Proportionate Share Factors

Demand Units in 2015			*Demand Hours/Day*	*Person Hours*	*Proportionate Share*
Residential					
Estimated Residents	7,038				
Residents Not Working		3,672	20	73,440	
Employed Residents		3,366			
Employed in Service Area		1,465	14	20,510	
Employed outside Service Area		1,901	14	26,614	
		Residential Subtotal		120,564	**72%**
Nonresidential					
Non-working Residents		3,672	4	14,688	
Jobs in Service Area		3,229			
Residents Employed in Service Area		1,465	10	14,650	
Non-Resident Workers (inflow Commuters)		1,764	10	17,640	
		Nonresidential Subtotal		46,978	**28%**
			TOTAL	167,542	**100%**

Source: U.S. Census Bureau 2015 Population Estimate; U.S. Census Bureau, OnTheMap 6.5 Application, 2015.

Service Demand Units

Fire impact fees for residential development are calculated on a per capita basis, and then converted to an appropriate amount for each housing unit type based on a persons per household (PPH) ratio. The PPH ratios are derived from 2013-2017 American Community Survey, 5-Year Estimates, published by the U.S. Census Bureau. Average number of persons, by dwelling unit is shown below in Figure P2.

Figure F2: Persons Per Household

2017 American Community Survey

Type of Structure	*Persons*	*Households*	*Persons per Household*	*Housing Units*	*Persons per Housing Unit*	*Housing Mix*	*Vacancy Rate*
Single-Family Unit[1]	5,999	2,955	2.03	3,224	1.86	83.2%	8%
Multi-Family Unit[2]	1,179	614	1.92	650	1.81	16.8%	6%
TOTAL	7,178	3,569	2.01	3,874	1.85		8%

Source: TischlerBise analysis and calculation based on U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimates.

1. Includes detached, attached (townhouse), and manufactured units.

2. Includes duplexes, structures with two or more units, and all other units.

TischlerBise recommends using nonresidential vehicle trips as the best demand indicator for fire service since the Department also provides emergency medical response. Trip generation rates are used for nonresidential development because vehicle trips are highest for commercial/retail developments, such as shopping centers, and lowest for industrial development. Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for police from nonresidential development, which is driven by the presence of people. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service, particularly emergency medical services. For example, if employees per thousand square feet were used as the demand indicator, fire development fees would be too high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses.

TischlerBise uses nonresidential vehicle trips as the nonresidential service. Average weekday vehicle trip ends (VTE) for nonresidential development are from the 10th edition of the reference book, *Trip Generation* (2017), by the Institute of Transportation Engineers. A "trip end" represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet, and require an adjustment factor to avoid double counting each trip at both the origin and destination points. The trip generation rates and adjustment factors are shown in Figure F3. The same ITE land use categories used to determine trips per 1,000 square feet in the previous chapter (see the Police impact fee chapter) were also used to determine vehicle trip generation per 1,000 square feet.

With exception to commercial/retail development, the basic trip adjustment factor is 50 percent for nonresidential development. For commercial/retail development, the trip adjustment factor is less than 50 percent because retail uses attract vehicles as they pass by on arterial and collector roads. For an average size shopping center, the ITE (2017) indicates that on average 34 percent of the vehicles that enter a commercial/retail land use are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor (0.66 x 0.50 = 0.33) is 33 percent of the trip ends.

Multiplying ITE's ratio of trip ends per 1,000 square feet by the trip adjustment factor produces the number of average weekday vehicle trips generated per 1,000 square feet of development. For example, ITE's estimate of 4.96 average weekday trip ends per demand unit (Code 110) multiplied by the trip adjustment factor for Industrial uses (50 percent) yields 2.48 average weekday vehicle trips per 1,000 square feet.

Figure F3: Vehicle Trip Ends per Development Unit by Land Use Type

ITE Code	Type of Development	Demand Unit	Wkdy Trip Ends Per Dmd Unit[1]	Trip Adjustment Factor	Adjusted Trips
110	Industrial	1,000 Sq Ft	4.96	50%	2.48
820	Shopping Center (average size)	1,000 Sq Ft	37.75	33%	12.46
710	General Office (average size)	1,000 Sq Ft	9.74	50%	4.87

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Existing Conditions and Level-of-Service Standards

Facilities

The first component of the Fire impact fee is facilities. The incremental expansion methodology is used to calculate the Facilities component of the Fire fees. Residential level-of-service standards are assessed based on the 2019 population, and nonresidential standards are assessed based on 2019 nonresidential vehicle trips (see the Land Use Assumptions in Appendix A).

As shown in Figure F4, Livingston has a total of 7,709 square feet of Fire facilities, which consist of a portion of the shared Park County station. The City intends to expand their station space as demand by future growth. The cost per square foot of original station construction is used to estimate the replacement cost of the Fire Department's existing facilities.

To determine the residential level-of-service standards, the total existing floor area is multiplied by the residential proportionate share (72 percent) and divided by the 2019 population (7,552), yielding 0.735 square feet of Fire facilities per person. Similarly, the nonresidential level of service standard is calculated by multiplying the total floor area by the nonresidential proportionate share (28 percent) and dividing by 2019 nonresidential vehicle trips (10,825), yielding 0.199 square feet per vehicle trip. The facilities cost is $183.73 per person (0.735 square feet per person X $250 per square foot) and $49.85 per trip end (0.199 square feet per trip end X $250 per square foot).

Figure F4: Existing Station Level-of-Service Standards

Facility Components	Square Footage	Cost per Square Foot*	Replacement Cost
Fire Station	7,709	$250.00	$1,927,250
TOTAL	**7,709**	**$250.00**	**$1,927,250**

**City of Livingston*

Level-of-Service (LOS) Standards

Population in 2019	7,552
Nonresidential Vehicle Trip Ends in 2019	10,825
Residential Share	72%
Nonresidential Share	28%
LOS: Square Feet per Person	**0.735**
LOS: Square Feet per Vehicle Trip	**0.199**

Cost Analysis

Cost per Square Foot*	$250.00
LOS: Square Feet per Person	0.735
Cost per Person	$183.73
Cost per Person	**$183.73**
LOS: Square Feet per Vehicle Trip	0.199
Cost per Vehicle Trip	$49.85
Cost per Vehicle Trip	**$49.85**

Apparatus & Equipment

The second component of the Fire impact fee is apparatus. The expansion methodology is used to calculate the apparatus component of the Fire fee. Residential level-of-service standards are assessed based on the 2019 population, and nonresidential standards are assessed based on 2019 nonresidential vehicle trip ends (see the Land Use Assumptions in Appendix A).

Figure F5 summarizes the City's fire apparatus and replacement costs. Livingston has a total of 12 apparatus with a total estimated replacement cost of $2.62 million, or $218,833 per unit. To derive the residential level-of-service standards, the total number of apparatus is multiplied by the residential proportionate share (72 percent) and divided by the 2019 population (7,552), yielding 0.0011 units per person. Similarly, the nonresidential level of service standard is calculated by multiplying the number of apparatus by the nonresidential cost share (28 percent) and dividing by 2019 nonresidential vehicle trip ends (10,825), yielding 0.0003 units per trip end. The apparatus cost is $250.34 per person (0.0011 units per person X $218,833 per unit) and $67.92 per trip (0.0003 units per trip X $218,833 per unit).

Figure F5: Existing Apparatus Level-of-Service Standards

Vehicle/Equipment	*Number of Units*	*Cost per Unit**	*Total Replacement Cost*
Engine	2	$703,000	$1,406,000
Pumper/Aerial	1	$445,000	$445,000
Rescue	2	$35,000	$70,000
Command Vehicle	3	$35,000	$105,000
Ambulance	4	$150,000	$600,000
Total	12		$2,626,000
Average Cost per Apparatus		**$218,833**	

Level-of-Service (LOS) Standards

Population in 2019	7,552
Nonresidential Vehicle Trip Ends in 2019	10,825
Residential Share	72%
Nonresidential Share	28%
LOS: Vehicles per Person	**0.0011**
LOS: Vehicles per Vehicle Trip	**0.0003**

Cost Analysis

Average Cost per Vehicle	$218,833
LOS: Vehicles per Person	0.0011
Cost per Person	**$250.34**
LOS: Vehicles per Vehicle Trip End	0.0003
Cost per Vehicle Trip	**$67.92**

**Source: City of Livingston, MT*

In addition to apparatus, Livingston Fire/EMS maintains a variety of life saving equipment including but not limited to cardiac monitors and defibrillators. Figure F6 summarizes the City's fire equipment and replacement costs. Livingston has a total of 9 defibrillators and cardiac monitors with a total estimated replacement cost of $312,962, or $34,774 per unit. To derive the residential level-of-service standards, the total number of units is multiplied by the residential proportionate share (72 percent) and divided by the 2019 population (7,552), yielding 0.0009 units per person. Similarly, the nonresidential level-of-service standard is calculated by multiplying the number of equipment units by the nonresidential cost share (28 percent) and dividing by 2019 nonresidential vehicle trip ends (10,825), yielding 0.0002 units per trip end. The equipment cost is $29.84 per person (0.0009 units per person X $34,774 per item) and $8.09 per trip (0.0002 units per trip X $34,774 per item).

Figure F6: Existing Fire/EMS Equipment Level-of-Service Standards

Vehicle/Equipment	*Number of Units*	*Cost per Unit**	*Total Replacement Cost*
Defibrillators	4	$21,991	$87,962
Cardiac Monitors	5	$45,000	$225,000
Total	9		$312,962
Average Cost per Item		**$34,774**	

Level-of-Service (LOS) Standards

Population in 2019	7,552
Nonresidential Vehicle Trip Ends in 2019	10,825
Residential Share	72%
Nonresidential Share	28%
LOS: Fire/EMS Equipment per Person	**0.0009**
LOS: Fire/EMS per Vehicle Trip	**0.0002**

Cost Analysis

Average Cost per Item	$34,774
LOS: Fire/EMS per Person	0.0009
Cost per Person	**$29.84**
LOS: Fire/EMS per Vehicle Trip End	0.0002
Cost per Vehicle Trip	**$8.09**

**Source: City of Livingston, MT*

Projected Service Demand Units and Demand for Services

To accommodate projected development over the next 10 years, Livingston will construct additional Fire facilities and purchase additional apparatus and equipment. The anticipated needs are based on the development projections contained in the Land Use Assumptions (see Appendix A).

Facilities

Shown in Figure F7, 10-year population growth equals 864 persons, and nonresidential vehicle trip growth equals 1,258 trip ends during the same period. Using the 2019 level-of-service standards, future residential development will demand 635 additional square feet of Fire facilities (864 additional persons X 0.735 square feet per person) at a cost of approximately $158,800 (635 square feet X $250 per square foot).

Future nonresidential development will demand 251 additional square feet (1,258 additional vehicle trip ends X 0.199 square feet per trip) at a cost of approximately $62,725 (251 square feet X $250 per square foot). The 10-year demand for growth-related Fire facilities equals 886 additional square feet at a cost of approximately $221,525.

Figure F7: Growth-Related Need for Fire Facilities

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq. Ft.
Fire Facilities	0.735 Square Feet	Person	$250
	0.199 Square Feet	Nonres Trip	

	Need for Fire Facilities					
	Year	Population	Nonres. Trips	Residential	Nonresidential	Total Square Feet
Base	2019	7,552	10,825	5,551	2,159	7,709
Year 1	2020	7,635	10,945	5,611	2,183	7,794
Year 2	2021	7,718	11,067	5,672	2,207	7,879
Year 3	2022	7,803	11,189	5,734	2,231	7,965
Year 4	2023	7,888	11,313	5,797	2,256	8,053
Year 5	2024	7,974	11,438	5,860	2,281	8,141
Year 6	2025	8,060	11,565	5,924	2,306	8,230
Year 7	2026	8,148	11,693	5,988	2,331	8,320
Year 8	2027	8,237	11,822	6,053	2,357	8,411
Year 9	2028	8,326	11,952	6,119	2,383	8,502
Year 10	2029	8,417	12,084	6,186	2,409	8,595
	10-Yr Increase	864	1,258	635	251	886
	Growth-Related Expenditures =>			$158,800	$62,725	$221,525

Apparatus

Shown in Figure F8, 10-year population growth equals 864 persons, and nonresidential vehicle trip growth equals 1,258 during the same period. Using the 2019 level-of-service standards, future residential development will demand approximately 1 additional apparatus (864 additional persons X .0011 units per person) at a cost of approximately $216,650 (0.99 units X $218,833 per unit). Future nonresidential development will demand 0.39 additional apparatus (1,258 additional trip ends X 0.0003 units per trip) at a cost of approximately $85,300 (0.39 units X $218,833 per unit). The 10-year demand for growth-related Fire apparatus equals 1.38 additional apparatus at a cost of approximately $302,000.

Figure F8: Growth-Related Need for Fire Apparatus

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Apparatus	0.0011 Units	Person	$218,833
	0.0003 Units	Nonres Trip	

	Need for Fire Apparatus					
	Year	Population	Nonres. Trips	Residential	Nonresidential	Total Apparatus
Base	2019	7,552	10,825	8.64	3.36	12.00
Year 1	2020	7,635	10,945	8.73	3.40	12.13
Year 2	2021	7,718	11,067	8.83	3.43	12.26
Year 3	2022	7,803	11,189	8.93	3.47	12.40
Year 4	2023	7,888	11,313	9.02	3.51	12.53
Year 5	2024	7,974	11,438	9.12	3.55	12.67
Year 6	2025	8,060	11,565	9.22	3.59	12.81
Year 7	2026	8,148	11,693	9.32	3.63	12.95
Year 8	2027	8,237	11,822	9.42	3.67	13.09
Year 9	2028	8,326	11,952	9.53	3.71	13.24
Year 10	2029	8,417	12,084	9.63	3.75	13.38
	10-Yr Increase	864	1,258	0.99	0.39	1.38
			Growth-Related Expenditures =>	$216,645	$85,345	$301,990

Equipment

Shown in Figure F9, 10-year population growth equals 864 persons, and nonresidential vehicle trip growth equals 1,258 during the same period. Using the 2019 level-of-service standards, future residential development will demand 0.74 additional pieces of Fire/EMS equipment (864 additional persons X .0009 units per person) at a cost of approximately $25,732 (0.74 units X $34,774 per unit). Future nonresidential development will demand 0.29 additional pieces of Fire/EMS equipment (1,258 additional trips X .0002 units per trip) at a cost of approximately $10,084 (0.29 units X $34,774 per unit). The 10-year demand for growth-related Fire/EMS equipment equals 1.03 additional cardiac monitors at a cost of approximately $35,800.

Figure F9: Growth-Related Need for Fire/EMS Equipment

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Fire/EMS Equipment	0.0009 Units	Person	$34,774
	0.0002 Units	Nonres Trip	

	Need for Fire/EMS Equipment					
	Year	Population	Nonres. Trips	Residential	Nonresidential	Total Units
Base	2019	7,552	10,825	6.5	2.5	9.00
Year 1	2020	7,635	10,945	6.6	2.6	9.10
Year 2	2021	7,718	11,067	6.6	2.6	9.20
Year 3	2022	7,803	11,189	6.7	2.6	9.29
Year 4	2023	7,888	11,313	6.8	2.6	9.40
Year 5	2024	7,974	11,438	6.8	2.7	9.50
Year 6	2025	8,060	11,565	6.9	2.7	9.61
Year 7	2026	8,148	11,693	7.0	2.7	9.71
Year 8	2027	8,237	11,822	7.1	2.8	9.82
Year 9	2028	8,326	11,952	7.1	2.8	9.92
Year 10	2029	8,417	12,084	7.2	2.8	10.03
	10-Yr Increase	864	1,258	0.74	0.29	1.03
			Growth-Related Expenditures =>	$25,732	$10,084	$35,816

Fire Impact Fees

Revenue Credits

A revenue credit is not necessary for Fire impact fees because 10-year growth-related expenditures exceed the impact fee revenue projected to be generated according to the Land Use Assumptions (see Figure F9). The City does not have any outstanding debt for Fire improvements that will be retired through property taxes.

Proposed Fire Impact Fees

Figure F9 shows the proposed maximum supportable Fire impact fees for residential and nonresidential development in Livingston. The cost per service demand unit is $475.80 per person and $128.99 per trip. Residential fees are derived from the average number of persons per household and the total cost per person. For a single family residential unit, the fee is $966 ($475.80 per person X 2.03 persons per household). Nonresidential fees are the product of the average number of vehicle trips per 1,000 square feet of floor area (*Trip Generation,* ITE, 2017) and the total cost per trip. Commercial / Retail development will pay $1,607 per 1,000 square feet of floor area ($128.99 per trip X 37.75 trips per 1,000 square feet X 33% trip rate adjustment).

Figure F10: Proposed Fire Impact Fees

Fee Component	*Cost per Person*	*Cost per Trip*
Facilities	$183.73	$49.85
Apparatus	$250.34	$67.92
Equipment	$29.84	$8.09
Development Fee Study	$11.89	$3.12
Total	**$475.80**	**$128.99**

Residential (per unit)

Unit Type	*Persons per Household*	*Proposed Fee*	*Current Fee*	*Increase / Decrease*
Single Family	2.03	**$966**	$155	$811
Multifamily	1.92	**$914**	$155	$759

Nonresidential (per 1,000 square feet)

Land Use Type	*Avg Wkdy Veh Trip Ends*	*Trip Rate Adjustment*	*Proposed Fee*	*Current Fee*	*Increase / Decrease*
Industrial	4.96	50%	**$320**	$26	$294
Commercial / Retail	37.75	33%	**$1,607**	$84	$1,523
Office / Institutional	9.74	50%	**$628**	$84	$544

Projected Revenue from Fire Impact Fees

Revenue projections assume implementation of the proposed Fire impact fees and that development over the next 10 years is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure F11, Fire fee revenue is expected to total approximately $565,174 over the next 10 years, compared to projected expenditures of $566,157.

Figure F11: Projected Fire Impact Fee Revenue

Fee Component	Growth Share *10-Year*
Facilities	$221,525
Apparatus	$301,990
Equipment	$35,816
Development Fee Study	$6,826
Total Expenditures	**$566,157**

Fire/EMS Development Fee Revenue

		Multifamily	Single Unit	Industrial	Commercial/Retail	Office/Institutional
		$914 per unit	$965.88 per unit	$112.22 per 1000 sq. ft.	$1,606.85 per 1000 sq. ft.	$628.17 per 1000 sq. ft.
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF
Base	2019	673	3,317	389	497	752
Year 1	2020	676	3,355	393	503	761
Year 2	2021	678	3,394	398	508	769
Year 3	2022	680	3,434	402	514	778
Year 4	2023	682	3,474	407	520	786
Year 5	2024	684	3,514	411	526	795
Year 6	2025	687	3,555	416	531	804
Year 7	2026	689	3,596	420	537	813
Year 8	2027	691	3,638	425	543	822
Year 9	2028	693	3,680	430	549	831
Year 10	2029	695	3,723	434	555	840
Ten-Year Increase		**22**	**406**	**45**	**58**	**87**
Projected Revenue		**$19,745**	**$392,519**	**$5,076**	**$92,893**	**$54,941**

Projected Development Fee Revenue	**$565,174**
Surplus/(Deficit)	**($983)**

TRANSPORTATION

The Transportation Service Area Report includes a plan-based component for planned road and traffic control improvements.

Service Area

The City of Livingston's transportation infrastructure functions as an integrated network. As a result, the service area for the Transportation Service Area Report is citywide.

Cost Allocation

Costs for Transportation are allocated to residential and nonresidential development based on average weekday person trips generated by type of development. Trip generation rates and trip adjustment factors are used to determine the proportionate impact of residential, commercial, industrial, office, and institutional development on Livingston's transportation network.

Service Demand Units

Average Weekday Person Trips are used as a measure of demand by land use. Average daily vehicle trips ends are from the reference book, *Trip Generation, 10th Edition*, published by the Institute of Transportation Engineers (ITE) in 2017. Shown below in Figure T1, the estimated number of vehicle trips is by dwelling type. For nonresidential development, vehicle trips are per 1,000 square feet of floor area, by land use.

Figure T1: Average Daily Vehicle Trips

Land Use	*ITE Codes*	*Vehicle Trip Ends*	*Adjustment Factor*
Residential (per housing unit)			
Single Family	210	8.10	59%
Multifamily	220	4.40	59%
Nonresidential (per 1,000 square feet)			
Industrial	110	4.96	50%
Commercial / Retail	820	37.75	33%
Office / Institutional	710	9.74	50%

1. Trip rates are customized for Livingston, MT.
2. Trip rates are from the Institute of Transportation Engineers (ITE) Trip Generation Manual (2017).

Trip Rate Adjustments

A vehicle trip end represents a vehicle entering or exiting a development (as if a traffic counter were placed across a driveway). Adjustment factors must be used when calculating vehicle trips in order to avoid double counting each trip, both at the origin and the destination. The basic trip adjustment factor is 50 percent. As discussed further below, the development impact fee methodology includes additional adjustments to make the fees proportionate to the infrastructure demand for particular types of development.

Commuter Trip Adjustment

Residential development has a trip adjustment factor of 59 percent to account for commuters leaving Livingston for work. According to the 2009 National Household Travel Survey, weekday work trips are typically 31 percent of production trips (i.e., all out-bound trips, which are 50 percent of all trip ends). Based on 2011-2015 ACS data, approximately 56 percent of residents commute outside of Livingston for work. In combination, these factors (0.31 x 0.50 x 0.56 = 0.09) support the additional nine percent allocation of trips to residential development.

Figure T2: Commuter Trip Adjustment for Livingston

Trip Adjustment Factor for Commuters [1]	
Employed Residents	3,366
Residents Working in Livingston	1,465
Residents Working Outside Livingston (Commuters)	1,901
Percent Commuting out of Livingston	**56%**
Additional Production Trips [2]	**9%**
Residential Trip Adjustment Factor	**59%**

1. U.S. Census Bureau, OnTheMap Application (version 6.1.1) and LEHD Origin-Destination Employment Statistics, 2015.
2. According to the National Household Travel Survey (2009), published in December 2011 (see Table 30), home-based work trips are typically 30.99 percent of "production" trips, in other words, out-bound trips (which are 50 percent of all trip ends). Also, LED OnTheMap data from 2015 indicate that 56 percent of Livingston's workers travel outside the city for work. In combination, these factors (0.3099 x 0.50 x 0.56 = 0.0875) account for 9 percent of additional production trips. The total adjustment factor for residential includes attraction trips (50 percent of trip ends) plus the journey-to-work commuting adjustment (9 percent of production trips) for a total of 59 percent.*
**http://nhts.ornl.gov/publications.shtml ; Summary of Travel Trends - Table "Daily Travel*

Adjustment for Pass-By Trips

For nonresidential development, the basic trip adjustment factor of 50 percent is applied to industrial, office/other services, and institutional categories. The commercial/retail category has a trip factor of less than 50 percent because this type of development attracts vehicles as they pass by on arterial and collector roads. For example, for an average size shopping center, the ITE (2017) indicates that on average 34 percent of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66 percent of attraction trips have the shopping center as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor (0.66 x 0.50 = 0.33) is approximately 33 percent of the trip ends.

Projected Service Unit Demand and Demand for Services

TischlerBise created an aggregate travel model to convert development projections units within Livingston to vehicle trips for known development projects that are likely to be constructed to full city buildout, many of which exceed the projections for the next ten years. This projected development was then converted to average daily vehicle trips based trip generation rates and trip adjustment factors convert projected development from Figure T1. As shown in Figure T3, there is an estimated 41,613 average daily vehicle trips ends in Livingston at buildout.

Figure T3: Projected Travel Demand at Buildout

		2019	Buildout	Increase
Development*	Single Family Units	3,312	5,781	**2,469**
	Multi-Family Units	678	733	**55**
	Industrial KSF	389	434	**45**
	Commercial KSF	497	555	**58**
	Office/Institutional KSF	752	840	**87**
Avg Wkday Vehicle Trips	Single Family Trips	15,827	27,626	**11,799**
	Multi-Family Trips	1,761	1,904	**143**
	Residential Trips	*17,587*	*29,530*	***11,942***
	Industrial Trips	965	1,077	**112**
	Commercial Trips	6,196	6,916	**720**
	Office/Institutional Trips	3,664	4,090	**426**
	Nonresidential Trips	*10,825*	*12,084*	***1,258***
	Total Vehicle Trips	**28,413**	**41,613**	**13,200**

**Based on projections from Northside Transportation Plan and TischlerBise projections*

Planned Street Improvements

Figure T4 contains planned transportation projects the City will construct over the next ten years. As shown in Figure T4, the estimated cost of these projects total $15,651,385. Since these planned projects will provide transportation capacity to all development within the City and will provide capacity for longer than a ten-year period, we have allocated to cost to total estimated trips at buildout, which is estimated at 41,613. This results in a cost per vehicle trip of $376.12. When the cost per vehicle trip ($376.12) is compared to the projected increase in average daily trips from Figure T3 (13,200), the estimated growth share of the planned transportation projects is $4,964,881.

Figure T4: Planned Street and Intersection Improvements

Project Description	Total Project Cost
Front Street Extension	$5,572,430
Meredith Ranch Road	$1,326,103
Underpass Bridge Structure	$3,921,500
Callender & 3rd Street Traffic Control	$11,145
Callender and F Street Traffic Control	$6,040
Park Street & I-90 Westbound Signal	$432,500
Chinook Street & C Street Intersection	$59,930
5th Street Reconstruction Front to Park	$278,510
Northside Improvements	$4,043,227
Total	**$15,651,385**

Cost Analysis

Citywide Vehicle Trips	41,613
Cost per Vehicle Trip	**$376.12**

Growth Share

Growth-Related Vehicle Trips	13,200
Cost per Vehicle Trip	**$4,964,881**

Transportation Impact Fees

Credits

A credit is not necessary for Transportation impact fees because the City does not have any outstanding debt for transportation improvements that will be retired through property taxes.

Proposed Transportation Impact Fees

Cost factors for planned road improvements and the impact fee study are summarized at the top of the Figure T5. Residential impact fees are expressed per housing unit. Nonresidential impact fees are expressed per 1,000 square feet (KSF) of floor area. The Transportation impact fees are calculated by multiplying the $376.12 cost per vehicle trip by the adjusted average daily vehicle trips per development unit for each land use type.

Figure T5: Proposed Transportation Impact Fees

Fee Component	*Cost per Trip*
Planned Road Improvements	$376.12
Development Fee Study	$11.46
Total	**$387.58**

Residential (per unit)

Unit Type	*Average Weekday Trips*	*Trip Adjustment Factor*	*Proposed Fee*	*Current Fee*	*Increase / Decrease*
Single Family	8.10	59%	**$1,852**	$601	$1,251
Multifamily	4.40	59%	**$1,006**	$601	$405

Nonresidential (per 1,000 square feet)

Land Use Type	*Average Weekday Trips*	*Trip Adjustment Factor*	*Proposed Fee*	*Current Fee*	*Increase / Decrease*
Industrial	4.96	50%	**$961**	$437	$524
Commercial / Retail	37.75	33%	**$4,828**	$1,393	$3,435
Office / Institutional	9.74	50%	**$1,887**	$1,393	$494

Projected Transportation Impact Fee Revenue

Revenue projections assume implementation of the proposed Transportation impact fees and that development over the next 10 years is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure T6, Transportation fee revenue is expected to total approximately $1.26 million over the next 10 years. As discussed previously, the growth share of planned improvements totals $4.9 million, which would be recovered during years 11-20.

Figure T6: Projected Transportation Impact Fee Revenue

Fee Component	CIP Cost
Planned Transportation Improvements	$15,651,385
Development Fee Study	$15,017
Total	$15,666,402

		Single-Family	Multi-Family	Industrial	Commercial	Office / Institutional
		$1,852 per unit	$1,006 per unit	$961.19 per SF	$4,828.22 per SF	$1,887.49 per SF
Year		Housing Units		KSF	KSF	KSF
Base	2019	3,317	673	389	497	752
Year 1	2020	3,355	676	393	503	761
Year 2	2021	3,394	678	398	508	769
Year 3	2022	3,434	680	402	514	778
Year 4	2023	3,474	682	407	520	786
Year 5	2024	3,514	684	411	526	795
Year 6	2025	3,555	687	416	531	804
Year 7	2026	3,596	689	420	537	813
Year 8	2027	3,638	691	425	543	822
Year 9	2028	3,680	693	430	549	831
Year 10	2029	3,723	695	434	555	840
Ten-Year Increase		406	22	45	58	87
10-year projected revenue =>		**$752,717**	**$21,747**	**$43,477**	**$279,122**	**$165,084**

Total Projected Revenues	**$1,262,147**
Total Expenditures	**$15,666,402**

PARKS AND RECREATION

The Parks and Recreation Service Area Report includes components for improving and developing existing park land and park amenities/facilities. There is no component for purchasing additional land. The analysis uses an incremental expansion methodology, based on the existing level of service.

Service Area

The City of Livingston provides parks and recreation facilities and services citywide. As a result, the service area for the Parks Service Area Report is citywide.

Cost Allocation

Costs for Parks are allocated to residential development only, on a per capita basis. Costs are not allocated to nonresidential development because these parks are overwhelmingly used by residents, not workers. For example, consider that a non-Livingston resident who commutes into the City for work is highly unlikely to recreate in Livingston's parks – instead, the individual will most likely return home and recreate at a park within in that community. Because the vast majority of Livingston's parks are used by residents, as opposed to workers, 100 percent of costs are allocated towards residential development.

Service Demand Units

Parks impact fees for residential development are calculated on a per capita basis, and then converted to an appropriate amount for each housing unit type based on persons per housing unit (PPH). The PPH were derived from 2017 estimates provided by the U.S. Census Bureau. Average PPH are shown in Figure P1.

Figure PR1: Persons per Household

2017 American Community Survey

Type of Structure	*Persons*	*Households*	*Persons per Household*	*Housing Units*	*Persons per Housing Unit*	*Housing Mix*	*Vacancy Rate*
Single-Family Unit[1]	5,999	2,955	2.03	3,224	1.86	83.2%	8%
Multi-Family Unit[2]	1,179	614	1.92	650	1.81	16.8%	6%
TOTAL	7,178	3,569	2.01	3,874	1.85		8%

Source: TischlerBise analysis and calculation based on U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimates.

1. Includes detached, attached (townhouse), and manufactured units.

2. Includes duplexes, structures with two or more units, and all other units.

Existing Conditions and Level-of-Service Standards

Park Amenities

The Parks impact fee is based on existing park amenities. The incremental expansion methodology is used to calculate the amenities component of the Parks fee. Residential level-of-service standards are assessed based on the 2019 population (see the Land Use Assumptions in Appendix A). As shown in Figure PR2, Livingston has a total of 243 park amenities.

The average cost of an amenity is $20,539. To derive the residential level-of-service standard for park amenities, the total existing number of amenities (243) is multiplied by the residential proportionate share (100 percent) and divided by the 2019 population (7,552), yielding 0.032 amenities per person. The level-

of-service standard is converted to a cost per person by multiplying it by the cost per amenity ($20,539), yielding a cost of $660.84 per person.

Figure PR2: Existing Park Amenity Level-of-Service Standards

Amenity	*Number of Units*	*Average Cost per Unit*	*Total Value*
Baseball/Softball Field	9	$5,438	$48,942
Tennis Court	6	$36,308	$217,848
Swings	6	$2,100	$12,600
Grill	4	$220	$880
Bleachers	8	$7,500	$60,000
Benches	63	$370	$23,310
Picnic Shelter	6	$14,000	$84,000
Dock/Boat Ramp	2	$25,000	$50,000
Picnic Table	74	$650	$48,100
Rock Climbing Structure	1	$3,500	$3,500
Playground (Large Wood)	1	$16,500	$16,500
Pool	1	$500,000	$500,000
Parking Lot (gravel)	12	$1,800	$21,600
Water Fountain	2	$4,240	$8,480
Horseshoe Pits	12	$400	$4,800
Restrooms (large)	1	$19,234	$19,234
Restrooms (vault)	11	$10,477	$115,247
Bandstand	1	$200,000	$200,000
Soccer Fieldhouse	1	$738,872	$738,872
Concession Stands	3	$8,000	$24,000
Soccer Fields	11	$185,000	$2,035,000
Skate Park	1	$368,929	$368,929
Basketball Court	2	$14,853	$29,707
Splash Park	1	$326,405	$326,405
Playgrounds	4	$8,250	$33,000
Total	**243**	**$2,498,047**	**$4,990,954**
Average Cost per Amenity		**$20,539**	

Level-of-Service (LOS) Standards

Population in 2019	7,552
LOS: Amenities per Person	**0.032**

Cost Analysis

Cost per Amenity*	$20,539
LOS: Amenities per Person	0.032
Cost per Person	**$660.84**

**City of Livingston*

In addition to amenities, parkland typically includes basic infrastructure including but not limited to irrigation and ornamental tree plantings for which the cost per acre was derived from three recent park improvement projects completed by the City of Livingston: Mike Web Park, and Phases I and II of Sacajawea Park. These three projects improved a total of 17.4 acres of park land at a cost of $65,751, or $3,779 per acre. To derive the residential level-of-service standard, the total existing developed park acreage (52.56 acres) is divided by the 2019 population (7,552), yielding 0.007 developed acres per person. The level-of-service standard is converted to a cost per person by multiplying it by the cost per developed acre ($3,779), yielding a cost of $26.30 per person.

Figure PR3: Existing Park Amenity Level-of-Service Standards

Park	*Improved Acres*
Band Shell	2.20
Depot Park	2.50
G Street Park	2.40
Jack Weimer Park	5.50
Mars Park	3.90
Mayors Landing*	2.00
M Street Park	1.90
Pool	0.33
Miles Park	16.50
Riverside Park	0.33
Sacajawea Park	15.00
Developed Acres	**52.56**

Level-of-Service (LOS) Standards

Population in 2019	7,552
LOS: Developed Acres per Person	**0.007**

Cost Analysis

Improvement Cost per Acre	$3,779
LOS: Developed Acres per Person	0.007
Cost per Person	**$26.30**

**City of Livingston*

Projected Service Unit Demand and Demand for Services

To accommodate projected development over the next 10 years, Livingston will develop existing vacant park lands and construct additional park amenities and facilities to serve future development.

Park Amenities

Shown in Figure PR4, 10-year population growth equals 864 persons. Using the 2019 level-of-service standards, future residential development will demand 28 park amenities (864 additional persons X 0.032 amenities per person) at a cost of approximately $571,217 (28 amenities X $20,539 per amenity).

Figure PR4: Growth-Related Need for Park Amenities

Type of Infrastructure	Level of Service		Demand Unit	Cost per Unit
Park Amenities	0.032	Units	Per Person	$20,539

	Need for Parks and Recreation Amenities		
	Year	Population	Total Units
Base	2019	7,552	243
Year 1	2020	7,635	246
Year 2	2021	7,718	248
Year 3	2022	7,803	251
Year 4	2023	7,888	254
Year 5	2024	7,974	257
Year 6	2025	8,060	259
Year 7	2026	8,148	262
Year 8	2027	8,237	265
Year 9	2028	8,326	268
Year 10	2029	8,417	271
	10-Yr Increase	864	28

Growth-Related Expenditures => **$571,217**

Park Land Development

Shown in Figure PR5, 10-year population growth equals 864 persons. Using the 2019 level-of-service standards, future residential development will demand slightly over 6 acres of improved park land (864 additional persons X 0.007 acres of improved park land per person) at a cost of approximately $22,732 (6.02 acres X $3,779 per acre).

Figure PR5: Growth-Related Need for Park Land Development

Type of Infrastructure	Level of Service		Demand Unit	Cost per Acre
Improved Park Land	0.007	Acres	per Person	$3,779

	Need for Park Land Development		
	Year	Population	Total Acres
Base	2019	7,552	52.56
Year 1	2020	7,635	53.13
Year 2	2021	7,718	53.71
Year 3	2022	7,803	54.30
Year 4	2023	7,888	54.89
Year 5	2024	7,974	55.49
Year 6	2025	8,060	56.10
Year 7	2026	8,148	56.71
Year 8	2027	8,237	57.32
Year 9	2028	8,326	57.95
Year 10	2029	8,417	58.58
	10-Yr Increase	864	6.02

Growth-Related Expenditures => **$22,732**

Parks and Recreation Impact Fees

Credits

A credit is not necessary for Parks and Recreation impact fees because 10-year growth-related expenditures exceed the impact fee revenue projected to be generated according to the Land Use Assumptions (see Figure PR7). The City does not have any outstanding debt for Parks and Recreation improvements that will be retired through property taxes.

Proposed Parks and Recreation Impact Fees

Figure PR6 shows the proposed maximum supportable Parks and Recreation impact fees for residential and nonresidential development in Livingston and includes an administration fee of five percent. The cost per service demand unit is $682.31 per person.

Residential fees are derived from the average number of persons per household by type and the total cost per person. For a single family residential unit, the fee is $1,385 ($682.31 per person X 2.03 persons per household).

Figure PR6: Proposed Parks Impact Fees

Fee Component	*Cost per Person*
Park Amenities	$660.84
Improved Park Land	$0.00
Development Fee Study	$21.47
Total	**$682.31**

Residential (per unit)

Development Type	*Persons per Household*	*Proposed Fees*	*Current Fee*	*Increase / Decrease*
Single Family	2.03	**$1,385**	$145	$1,240
Multifamily	1.92	**$1,310**	$145	$1,165

Projected Parks and Recreation Impact Fee Revenue

Revenue projections assume implementation of the proposed Parks and Recreation impact fees and that development over the next 10 years is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure PR7, Parks and Recreation fee revenue is expected to total approximately $563,000 over the next 10 years, compared to projected expenditures of approximately $603,000.

Figure PR7: Projected Parks and Recreation Impact Fee Revenue

Fee Component	Growth Share *10-Year*
Park Amenities	$571,217
Park Land Improvements	$22,732
Development Fee Study	$8,874
Total Expenditures	**$602,822**

Parks Development Fee Revenue

		Multifamily	Single Unit
		$1,310 per unit	**$1,385 per unit**
Year		Hsg Unit	Hsg Unit
Base	2019	673	3,317
Year 1	2020	676	3,355
Year 2	2021	678	3,394
Year 3	2022	680	3,434
Year 4	2023	682	3,474
Year 5	2024	684	3,514
Year 6	2025	687	3,555
Year 7	2026	689	3,596
Year 8	2027	691	3,638
Year 9	2028	693	3,680
Year 10	2029	695	3,723
Ten-Year Increase		**22**	**406**
Projected Revenue		**$28,314**	**$562,845**

POTABLE WATER

The water impact fees are derived using a plan-based approach based on the net capital cost per gallon of planned system improvements. As shown in Figure W1, the net capital cost is multiplied by a water demand factor per equivalent residential unit. Nonresidential fees are derived from capacity ratios (published by the American Water Works Association) according to the size of the new connection's water meter. The impact fee calculations use peak day demand factors. In Livingston, peak day water demand is approximately 2.34 times the average day demand.

Service Area

The City of Livingston provides water services citywide. As a result, the service area for the Potable Water Area Report is citywide.

Water Demand Analysis

Water used by residential and nonresidential customers is documented below based on data from the City's utility billing records from July 2017 through June 2018. The number of water customers and average daily water use for residential and nonresidential development is shown in Figure W1. In 2018 approximately 90% of connections were residential units, while 10% were nonresidential. Moreover, residential units accounted for approximately 73% of the water demand, compared to 27% for nonresidential development.

Water demand is based on gallons per connection per day. Based on the factors discussed above, the current demand for residential development for water service is 206 gallons per connection per day. For nonresidential connections, water demand averages 741 gallons per day. The average gallons per day per capita is 102, which is found by dividing the residential demand of 206 gallons per connection per day by the average persons per household standard of 2.01. (206/2.01=102). This is summarized in Figure W1. When the nonresidential connections are compared to employment in the City, there are currently 11.5 jobs per nonresidential connection. This factor will be used to project future nonresidential connections. The same ratio is developed for residential connections.

Figure W1: Potable Water Use and Customer Classification

Unit Type	Average Gallons per Day [1]	Connections [1]	Gallons per Connection per Day	Gallons Per Day Per Capita [2]
Residential	679,824	3,300	206	102
Nonresidential	256,264	346	741	
Total	936,087	3,646	257	

1. City of Livingston, MT water billing July 2017-June 2018.

2. Gallons per day per capita based on average persons per household of 2.01.

Jobs (2018)	3,988
Nonres. Connections	346
Jobs/Connection	11.5
2018 HU	3,948
2018 Res Connections	3,300
Connection/HU	0.84

Because the City's water system is designed to handle peak demand the Water impact fee will be based on peak demand, which was provided by the City. As shown in Figure W2, the City's peaking factor is 2.34, which results in peak day demand of 482 gallons per residential connection. For nonresidential connections, peak water demand averages 1,733 gallons per day.

Figure W2: Potable Water Peak Demand Use

Unit Type	Peak Gallons per Day [1]	Connections [1]	Gallons per Connection per Day	Gallons Per Day Per Capita [2]
Residential	1,590,788	3,300	482	227
Nonresidential	599,657	346	1,733	
Total	2,190,445	3,646	601	

1. Peak Daily Demand is baed on information provided by the City of Livingston.

2. Gallons per day per capita based on average persons per household of 2.01.

Peak Demand Factor	2.34

Projected Demand and Service Units

Future projections of water connections and peak day consumption are shown in Figure W3, divided between residential and nonresidential development. Water connection projections are derived from the connections per housing unit/job ratios in Figure W1 and the Land Use Assumptions (Appendix A). Over

the next 10 years, it is projected there will be an increase of 358 residential connections and 41 nonresidential connections.

Water consumption projections were derived using the Peak Gallons per Day per Connection ratios in Figure W2. As shown in Figure W3, this will result in an estimated additional 242,898 gallons of water consumption per day by 2029.

Figure W3: Projected Peak Day Water Demand

Year		Peak Gallons per Day	Residential Connections	Nonresidential Connections	Total Connections	Annual Increase		Cumulative Increase	
						Connections	Peak Gallons per Day	Connections	Peak Gallons per Day
Base	2019	2,190,445	3,335	350	3,685				
1	2020	2,213,513	3,369	354	3,723	38	23,068	38	23,068
2	2021	2,236,906	3,403	357	3,761	38	23,393	76	46,461
3	2022	2,260,781	3,439	361	3,800	39	23,875	115	70,337
4	2023	2,284,737	3,474	365	3,839	39	23,955	155	94,292
5	2024	2,308,773	3,509	369	3,879	39	24,036	194	118,328
6	2025	2,333,381	3,546	374	3,919	40	24,609	235	142,937
7	2026	2,357,858	3,582	378	3,959	40	24,476	275	167,413
8	2027	2,382,810	3,618	382	4,000	41	24,953	316	192,366
9	2028	2,407,837	3,655	386	4,041	41	25,027	357	217,393
10	2029	2,433,342	3,693	390	4,083	42	25,505	398	242,898
Total		242,898	358	41	398				

Source: TischlerBise, using Peak Day Demand factors and projected development

Water Capital Plan

Supply Projects

Figure W4 summarizes planned water supply projects for the City of Livingston. As shown in Figure W4, water supply projects total $1,250,000 and will increase supply capacity by 719,857 gallons per day. When compared to the total costs, this results in a $1.74 cost per gallon of capacity ($1,250,000 divided by 719,857 gallons).

Figure W4: Planned Supply Projects

Supply

Description	Capacity (GPD)	Cost
New Municipal Groundwater Well #7	719,857	$1,250,000

Total Cost	$1,250,000
Gallons of Capacity (GPD)	719,857
Cost per Gallon of Capacity	$1.74

Distribution Projects

Figure W5 summarizes planned distribution projects for the City of Livingston. As shown in Figure W5, water distribution projects total $30,905,000 and will increase capacity by 5,817,457 gallons per day. When compared to the total costs, this results in a $5.31 cost per gallon of capacity ($30,905,000 divided by 5,817,457 gallons).

Figure W5: Planned Distribution Projects

Distribution

Description	*Capacity (GPD)*	*Cost*
Park Street 10" Main and Railroad Crossing Replacement	5,817,457	$630,000
West Underpass Crossing Loop	5,817,457	$1,950,000
Bennett Street Loop Connection	5,817,457	$235,000
Green Acres Subdivision Connection	5,817,457	$290,000
Replace 4" Mains	5,817,457	$7,000,000
Replace 6" Mains	5,817,457	$19,000,000
Hospital Crossing Loop	5,817,457	$1,800,000

Total Cost	$30,905,000
Gallons of Capacity	5,817,457
Cost per Gallon of Capacity	$5.31

Water Impact Fee

Credits

A credit is not necessary for the Water impact fees because the City of Livingston does not presently have any outstanding debt for the water system.

Proposed Potable Water Impact Fees

Standards used to derive the water impact fee are shown in the boxed area of Figure W514. Water impact fees for nonresidential development are based on meter sizes and their respective capacity ratio relative to a 0.75-inch meter. The capacity ratios by meter size are from the American Water Works Association.

Figure W5: Proposed Water Impact Fees

Demand Indicators	
Residential Gallons per Average Day	482
Cost Factors per Gallon of Capacity	
Supply	$1.74
Distribution	$5.31
Development Fee Study	$0.30
Net Capital Cost Per Gallon	**$7.35**

Per Meter

			Impact Fees per Meter		
Meter Size (inches)		Capacity Ratio	Proposed Fees	Current Fee	Increase / Decrease
0.75	Displacement	1.00	**$3,542**	$1,094	$2,448
1.00	Displacement	1.67	**$5,915**	$1,947	$3,968
1.50	Displacement	3.33	**$11,794**	$4,376	$7,418
2.00	Compound	5.33	**$18,877**	$7,778	$11,099
3.00	Compound	10.67	**$37,789**	$17,504	$20,285
4.00	Compound	16.67	**$59,039**	$31,114	$27,925
6.00	Compound	33.33	**$118,043**	$70,017	$48,026
8.00	Compound	53.33	**$188,877**	$124,477	$64,400
10.00	Turbine	176.67	**$625,705**	$194,495	$431,210

*AWWA Manual of Water Supply Practices M-1, 7th Edition.

Projected Water Impact Fee Revenue

Revenue projections assume implementation of the proposed Water impact fees and that development over the next 10 years is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure W6, Water impact fee revenue is expected to total approximately $2.04 million over the next 10 years.

Figure W6: Projected Water Impact Fee Revenue

New Municipal Groundwater Well	$1,250,000
Distribution Projects	$30,905,000
Development Fee Study	$15,017
Total	**$32,170,017**

		Residential $3,542 per connection	Nonresidential $18,877 per 2" connection
Year		**Connections**	**Connections**
Base	2019	3,335	350
1	2020	3,369	354
2	2021	3,403	357
3	2022	3,439	361
4	2023	3,474	365
5	2024	3,509	369
6	2025	3,546	374
7	2026	3,582	378
8	2027	3,618	382
9	2028	3,655	386
10	2029	3,693	390
10-Year Increase		**358**	**41**
Projected Revenue		**$1,268,036**	**$773,957**

Total Projected Revenues	**$2,041,993**
Cumulative Net Surplus/ Deficit	**($30,128,024)**

SANITARY SEWER

The City of Livingston currently provides wastewater collection and treatment services for a population of 7,752. The City's sanitary sewer system was updated in 2018 at a cost of approximately $16.7 million due primarily to the original 1960's era treatment facility reaching its end of useful life and resulting inability to meet standards associated with the City's MPDES discharge permit. Work associated with the wastewater treatment facility included construction of new headworks complete with 2 new raw wastewater screens allowing for improved grit handling, new influent pumps with variable frequency drives, ventilation improvements, new primary and secondary clarifiers, an expanded 7,600 square foot control building, new UV disinfection, conversion from anaerobic to aerobic digestion and associated SCADA systems. In total the new facility has a Peak Day design capacity of 2.57 Million Gallons per Day (MGD). These expansions include excess capacity of approximately 820,000 gallon per day which will serve new development and which the City plans to have new development repay via development fees. Thus, the cost-recovery methodology is used to calculate this component of the Sanitary Sewer Impact Fees.

Sewer impact fees are based on planned improvements to the wastewater conveyance system. Sewer impact fees are assessed on both residential and nonresidential development as both types of development create a burden for additional wastewater facilities. To avoid potential double payment for system improvements, the one-time impact fees must be reduced to account for future debt obligations that may be covered by future rate revenue. As shown in Figure S1, the net capital cost is multiplied by a sewer demand factor per equivalent residential unit. Nonresidential fees are derived from capacity ratios (published by the American Water Works Association) according to the size of the new connection's meter size. The impact fee calculations use peak day demand factors. In Livingston, peak day sewer demand is approximately 2.8 times the average day demand.

Service Area

The City of Livingston provides Sanitary Sewer facilities and services citywide. As a result, the service area for the Sanitary Sewer Service Area Report is citywide.

Sewer Demand Analysis

Sewer flows from residential and nonresidential customers is documented below based on data from the City's utility billing records from July 2017 through June 2018. The number of sewer customers and average daily sewage flow for residential and nonresidential development is shown in Figure S1. In 2018 approximately 90% of connections were residential units, while 10% were nonresidential. Moreover, residential units accounted for approximately 59% of the sewer demand, compared to 41% for nonresidential development.

Sewer demand is based on gallons per connection per day. Based on the factors discussed above, the current demand for residential development for water service is 109 gallons per connection per day. For nonresidential connections, sewer demand averages 696 gallons per day. The average gallons per day per capita is 54, which is found by dividing the residential demand of 109 gallons per connection per day by the average persons per household standard of 2.01. (109/2.01=54). This is summarized in Figure S1. When the nonresidential connections are compared to employment in the City, there are currently 11.7 jobs per

nonresidential connection. This factor will be used to project future nonresidential connections. The same ratio is developed for residential connections.

Figure S1: Wastewater Average Daily Flow Factors

Unit Type	Average Gallons per Day [1]	Connections [1]	Gallons per Connection per Day	Gallons Per Day Per Capita [2]
Residential	345,723	3,167	109	54
Nonresidential	236,544	340	696	
Total	582,267	3,507	166	

1. City of Livingston, MT water billing July 2017-June 2018.

2. Gallons per day per capita based on average persons per household of 2.01.

Jobs (2018)	3,988
Nonres. Connections	340
Jobs/Connection	11.7
2018 HU	3,948
2018 Res Connections	3,167
Connection/HU	0.80

Because the City's sewer system is designed to handle peak flows the Sewer impact fee will be based on peak demand, which was provided by the City. As shown in Figure S2, the City's peaking factor is 2.8, which results in peak day demand of 144 gallons per residential connection. For nonresidential connections, peak water demand averages 1,948 gallons per day.

Figure S2: Sewer Water Peak Demand Use

Unit Type	Peak Gallons per Day [1]	Connections [1]	Gallons per Connection per Day	Gallons Per Day Per Capita [2]
Residential	968,025	3,167	306	144
Nonresidential	662,323	340	1,948	
Total	1,630,348	3,507	465	

1. Peak Daily Demand is based on data compiled by the City of Livingston.

2. Gallons per day per capita based on average persons per household of 2.01.

Peak Demand Conversion	2.8

Future projections of sewer connections and peak day flows are shown in Figure S3, divided between residential and nonresidential development. Sewer connection projections are derived from the connections per housing unit/job ratios in Figure S1 and the Land Use Assumptions (Appendix A). Over the next 10 years, it is projected there will be an increase of 358 residential connections and 41 nonresidential connections.

Water consumption projections were derived using the Peak Gallons per Day per Connection ratios in Figure S2. As shown in Figure S3, this will result in an estimated additional 157,554 gallons of water consumption per day by 2029.

Figure S3: Projected Peak Day Sewer Demand

Year		Peak Gallons per Day	Residential Connections	Nonresidential Connections	Total Connections	Annual Increase		Cumulative Increase	
						Connections	Peak Gallons per Day	Connections	Peak Gallons per Day
Base	2019	1,630,348	3,202	344	3,546				
1	2020	1,645,325	3,236	348	3,584	38	14,977	38	14,977
2	2021	1,660,503	3,270	351	3,622	38	15,178	76	30,155
3	2022	1,675,965	3,306	355	3,661	39	15,462	115	45,616
4	2023	1,691,498	3,341	359	3,700	39	15,533	155	61,149
5	2024	1,707,103	3,376	363	3,740	39	15,605	194	76,754
6	2025	1,723,041	3,413	368	3,780	40	15,938	235	92,692
7	2026	1,738,938	3,449	372	3,820	40	15,898	275	108,590
8	2027	1,755,118	3,485	376	3,861	41	16,180	316	124,770
9	2028	1,771,368	3,522	380	3,902	41	16,250	357	141,020
10	2029	1,787,902	3,560	384	3,944	42	16,534	398	157,554
Total		157,554	358	41	398				

Source: TischlerBise, using Peak Day Demand factors and projected development

Sewer Capital Plan

Collection Projects

Figure S4 summarizes planned sewer collection projects for the City of Livingston. As shown in Figure S4, water supply projects total $400,000 and will increase collection capacity by 850,000 gallons per day. When compared to the total costs, this results in a $0.47 cost per gallon of capacity ($400,000 divided by 850,000 gallons).

Figure S4: Planned Collection Projects

Collection

Description	Cip No.	Cost
Project 1	SW1233	$100,000
Project 2	SW1234	$100,000
Project 3	SW1237	$100,000
Project 4	SW1369	$100,000

Total Cost	$400,000
Gallons of Capacity	850,000
Cost per Gallon of Capacity	$0.47

Treatment Projects

Figure S4 summarizes planned treatment projects for the City of Livingston. As shown in Figure S5, the City's planned Reclamation Facility has an estimated cost of $16,740,000 and will increase treatment capacity by 850,000 gallons per day. When compared to the total costs, this results in a $19.69 cost per gallon of capacity ($16,740,000 divided by 850,000 gallons).

Figure S5: Planned Treatment Projects

Treatment

Description	*Capacity (GPD)*	*City Cost*
Water Reclamation Facility	850,000	$16,740,000

Total Cost	$16,740,000
Gallons of Capacity (GPD)	850,000
Cost per Gallon of Capacity	$19.69

Sanitary Sewer Impact Fees

Credits

Because the City has issued debt for recent and future sewer capacity expansions, a credit is included for future principal payments on outstanding debt. A credit is necessary since new residential and nonresidential development will pay the impact fee and will also contribute to future principal payments on this remaining debt through sewer rates. A credit is not necessary for interest payments because interest costs are not included in the impact fee.

City of Livingston staff provided outstanding debt. As shown in Figure S6, outstanding debt totals $10,782,466. Annual principal payments are divided by the projection of peak sewer demand in each year to determine a per gallon credit. For example, in Fiscal Year 20201, the total principal of $431,870 is divided by projected peak sewer demand of 1,660,503 gallons for a payment per gallon of $0.26. To account for the time value of money, annual payments per gallon are discounted using a net present value formula based on an average interest rate of 2.5%. The total net present value of future principal payments per gallon is $5.88. This amount is subtracted from the gross capital cost per gallon to derive a net capital cost per gallon.

Figure S6: Credit for Future Principal Payments on Existing Debt

Fiscal Year	Principal Payments*	Projected Peak Sewer Demand (Gallons)**	Total Credit per Gallon
2020	$501,620	1,645,325	$0.30
2021	$431,870	1,660,503	$0.26
2022	$442,238	1,675,965	$0.26
2023	$451,458	1,691,498	$0.27
2024	$461,029	1,707,103	$0.27
2025	$472,454	1,723,041	$0.27
2026	$482,899	1,738,938	$0.28
2027	$494,214	1,755,118	$0.28
2028	$504,848	1,771,368	$0.29
2029	$516,354	1,787,902	$0.29
2030	$528,881	1,802,160	$0.29
2031	$539,296	1,816,418	$0.30
2032	$552,997	1,830,675	$0.30
2033	$565,588	1,844,933	$0.31
2034	$578,202	1,859,191	$0.31
2035	$591,721	1,873,448	$0.32
2036	$604,494	1,887,706	$0.32
2037	$619,175	1,901,964	$0.33
2038	$632,879	1,916,222	$0.33
2039	$647,510	1,930,479	$0.34
2040	$664,358	1,944,737	$0.34
2041-2058	$4,536,931	2,087,314	$2.17
Total	**$10,782,466**	**299,412**	**$8.43**

Discount Rate	**2.5%**
Net Present Value	**$5.88**

**City of Livingston*

***After 2029, the projected sewer demand is the average annual from 2020 to 2029*

Sewer Impact Fees

Standards used to derive the sewer impact fee are shown in the boxed area of Figure S7. Nonresidential fees are based on water meter sizes and their capacity relative to a 0.75-inch meter. Capacity ratios convert the equivalent residential unit impact fee into a proportionate fee for larger meter sizes. The capacity ratios by meter size are from the American Water Works Association.

Figure S7: Proposed Sewer Impact Fees

Demand Indicators	
Residential Gallons per Average Day	306
Cost Factors per Gallon of Capacity	
Wastewater Treatment Plant Cost Recovery	$19.69
Collection System Expansion	$0.47
Development Fee Study	$0.46
Debt Offset	-$5.88
Total Capital Cost Per Gallon	**$14.74**

Per Meter

Residential Development			Development Fees per Meter		
Meter Size (inches)		Capacity Ratio*	Proposed Fees	Current Fee	Increase / Decrease
0.75	Displacement	1.00	**$4,506**	$1,094	$3,412
1.00	Displacement	1.67	**$7,525**	$1,947	$5,578
1.50	Displacement	3.33	**$15,005**	$4,376	$10,629
2.00	Compound	5.33	**$24,017**	$7,778	$16,239
3.00	Compound	10.67	**$48,079**	$17,504	$30,575
4.00	Compound	16.67	**$75,116**	$31,114	$44,002
6.00	Compound	33.33	**$150,186**	$70,017	$80,169
8.00	Compound	53.33	**$240,307**	$124,477	$115,830
10.00	Turbine	176.67	**$796,083**	$194,495	$601,588

*AWWA Manual of Water Supply Practices M-1, 7th Edition.

Projected Sewer Impact Fee Revenue

Revenue projections assume implementation of the proposed Sewer impact fees and that development over the next 10 years is consistent with the Land Use Assumptions described in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. As shown in Figure S8, Sewer impact fee revenue is expected to total approximately $2.5 million over the next 10 years.

Figure S8: Projected Sewer Impact Fee Revenue

Wastewater Treatment Plant	$16,740,000
Collection System Projects	$400,000
Development Fee Study	$15,017
Total	**$17,155,017**

		Residential $4,506 per connection	Nonresidential $24,017 per 1.5" connection
Year		**Connections**	**Connections**
Base	2019	3,201	344
1	2020	3,233	348
2	2021	3,266	352
3	2022	3,300	356
4	2023	3,334	360
5	2024	3,368	364
6	2025	3,403	368
7	2026	3,437	372
8	2027	3,473	376
9	2028	3,508	380
10	2029	3,544	385
10-Year Increase		**343**	**41**
Projected Revenue		**$1,545,558**	**$984,697**

Total Projected Revenues	**$2,530,255**
Cumulative Net Surplus/ Deficit	**($14,624,762)**

APPENDIX A: LAND USE ASSUMPTIONS

As part of our Work Scope, TischlerBise has prepared documentation on demographic data and growth projections that will be used in the City of Livingston Impact Fee Study. The data estimates and projections are used in the study's calculations and to illustrate the possible future pace of demands on the City's infrastructure. Furthermore, the technical memo demonstrates the history of development and base year development levels in the City of Livingston. The base year assumptions are used in the impact fee calculations to determine current levels of service.

The factors provide assumptions for the final impact fee analysis, and once finalized, this memo will become part of the final report.

This memo includes discussion and findings on:

- Population and Housing Characteristics
- Current population and housing unit estimates
- Residential projections
- Current employment and nonresidential floor area estimates
- Nonresidential projections
- Current and projected average daily vehicle trips
- Functional population

Please note, calculations throughout this report are based on an analysis conducted using Excel software. Results are discussed in the memo using one-and two-digit places (in most cases). Figures are typically either truncated or rounded. In some instances, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis)

Overview

The City of Livingston, Montana, retained TischlerBise to analyze the impacts of development on its capital facilities and to calculate impact fees based on that analysis. The population, housing unit, and job projections contained in this document provide the foundation for the impact fee study. To evaluate demand for growth-related infrastructure from various types of development, TischlerBise prepared documentation on demand indicators by type of housing unit, jobs and floor area by type of nonresidential development, and average weekday vehicle trip generation rates. These metrics (explained further below) are the demand indicators used in the impact fee study.

Impact fees are based on the need for growth-related improvements, and they must be proportionate by type of land use. The demographic data and development projections are used to demonstrate proportionality and to anticipate the need for future infrastructure. Demographic data reported by the U.S. Census Bureau, and data provided by Livingston's Department of Building, Planning and Code Enforcement,

are used to calculate base year estimates and annual projections for a 10-year horizon. Impact fee studies typically look out five to ten years, with the expectation that fees will be updated every three to five years.

Summary of Growth Indicators

Key development projections for Livingston's impact fee study are housing units and nonresidential floor area, summarized in Figure A1. These projections are used to estimate impact fee revenue and to indicate the anticipated need for growth-related infrastructure. Impact fee methodologies are designed to reduce sensitivity to development projections in the determination of the impact fee amounts. If actual development is slower than projected, impact fee revenue will decline, but so too will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, Livingston will receive more impact fee revenue, but it will also need to accelerate infrastructure improvements to keep pace with the actual rate of development.

Residential development projections use growth in housing units between 2010 and 2018 provided by Livingston's Department of Building, Planning and Code Enforcement and 2010 U.S. Census population figures. Housing unit projections through 2029 are used to project population growth over the same time period, and rely on average unit growth between 2016 and 2018 as a proxy. Nonresidential projections are based on employment estimates derived from the 2018 *ESRI's Business Summary Report.*[1], and Institute of Transportation Engineers employees per square foot factors. For 2019 and beyond, TischlerBise applies a 2018 job to population ratio of 0.54 (3,988 jobs/7,387 persons=0.54) which is held constant over the period. Based on these projections, development over the next ten years averages 43 residential units per year and 17,500 square feet of nonresidential floor area per year.

[1] ESRI Business Summary Reports provide demographic and business data for geographic areas from sources including directory listings such as Yellow Pages and business white pages; annual reports; 10-K and Securities and Exchange Commission (SEC) information; federal, state, and municipal government data; business magazines; newsletters and newspapers; and information from the US Postal Service. To ensure accurate and complete information, ESRI conducts annual telephone verifications with each business listed in the database.

Figure A1: Summary of Development Projections and Growth Rates

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	10-Year
Cumulative Increase	**Base Yr.**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**Increase**
Population												
HH Population	7,436	7,519	7,602	7,687	7,772	7,858	7,944	8,032	8,121	8,210	8,301	**864**
Group Quarters	116	116	116	116	116	116	116	116	116	116	116	**0**
Total Population	**7,552**	**7,635**	**7,718**	**7,803**	**7,888**	**7,974**	**8,060**	**8,148**	**8,237**	**8,326**	**8,417**	**864**
Single-Family Units	**3,317**	3,355	3,394	3,434	3,474	3,514	3,555	3,596	3,638	3,680	3,723	**406**
Multi-Family Units	**673**	676	678	680	682	684	687	689	691	693	695	**22**
Total Housing Units	**3,990**	**4,031**	**4,072**	**4,114**	**4,156**	**4,198**	**4,242**	**4,285**	**4,329**	**4,373**	**4,418**	**428**
Jobs												
Industrial	633	640	647	654	661	669	676	683	691	699	706	**74**
Commercial / Retail	1,165	1,178	1,191	1,204	1,217	1,231	1,244	1,258	1,272	1,286	1,300	**135**
Office/Institutional	2,233	2,258	2,283	2,308	2,333	2,359	2,385	2,412	2,438	2,465	2,492	**260**
Total Jobs	**4,030**	**4,075**	**4,120**	**4,166**	**4,212**	**4,259**	**4,306**	**4,353**	**4,401**	**4,450**	**4,499**	**468**
Nonresidential Floor Area (x 1,000)												
Industrial KSF	389	393	398	402	407	411	416	420	425	430	434	**45**
Commercial / Retail KSF	497	503	508	514	520	526	531	537	543	549	555	**58**
Office/Institutional KSF	752	761	769	778	786	795	804	813	822	831	840	**87**
Total Nonresidential KSF	**1,639**	**1,657**	**1,676**	**1,694**	**1,713**	**1,732**	**1,751**	**1,770**	**1,790**	**1,810**	**1,829**	**191**

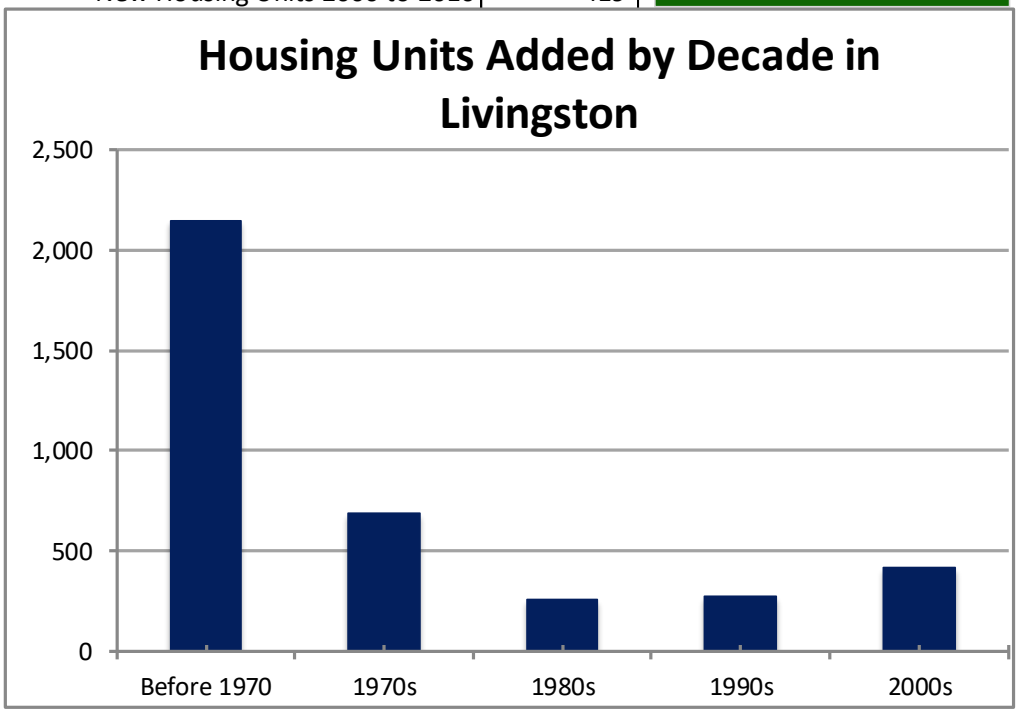
Residential Development

In 2000, the U.S. Census Bureau estimated Livingston's population at 6,851 with approximately 3,360 housing units. By the 2010 Census total population grew to approximately 7,044 persons and housing units increased to 3,779.

Figure A2: Historical Residential Construction

Census 2010 Population	7,044
Census 2010 Housing Units	3,779
Census 2000 Housing Units	3,360
New Housing Units 2000 to 2010	419

Livingston added an average of 42 housing units per year from 2000 to 2010.



Source: U.S. Census Bureau, Census 2010 Summary File 1, Census 2000 Summary File 1, 2013-2017 American Community Survey (for 1990s and earlier, adjusted to yield total units in 2000).

Housing permit data by housing type for the last ten years are shown in Figure A3. Livingston has only seen single-family and townhouse unit permits over the last ten years, however between 2005 and 2006 there were 43 multi-family units developed. Over the last five years, the number of single-family units have increased to an average of 33 units permitted annually.

Figure A3: Building Permit History – Livingston Growth Area

	Housing Mix	Permits	Avg. Annual Permits	
Type	2008-2018	2008-2018	5-Year	10-Year
Single & Townhouses	100%	237	33	26
Multi-Dwelling	0%	0	0	0
Total	100%	237	33	26

Source: City of Livingston, MT Building Permit Data

Persons per Household

According to the U.S. Census Bureau, a household is a housing unit occupied by year-round residents. Impact fees often use per capita standards and persons per housing unit (PPHU) or persons per household (PPH) to derive proportionate share fee amounts. **TischlerBise recommends that impact fees for residential development in Livingston be imposed according to the year-round number of persons per household.**

Persons per household (PPH) calculations require data on population and the types of units by structure. The 2010 Census did not obtain detailed information using a "long-form" questionnaire. Instead, the U.S. Census Bureau switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which has limitations due to sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses). For impact fees in Livingston, detached units and attached units (commonly known as townhouses, which share a common sidewall, but are constructed on an individual parcel of land) are included in the "Single-Family Unit" category. The second residential category includes duplexes and all other structures with two or more units on an individual parcel of land. This category is referred to as "Multi-Family" Unit. (Note: housing unit estimates from ACS will not equal decennial census counts of units. These data are used only to derive the custom PPH factors for each type of unit).

Figure A4 below shows the 2013-2017 5-year ACS estimates for Livingston. Single-family units averaged 2.03 persons per household (5,999 persons / 2,955 households). Multi-family units averaged 1.92 persons per household (1,179 persons / 614 housing units). In 2017, Livingston's housing stock averaged 2.01 persons per household. This PPH factor will be used in later calculations.

Figure A4: Persons per Household by Type of Unit

2017 American Community Survey

Type of Structure	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single-Family Unit[1]	5,999	2,955	2.03	3,224	1.86	83.2%	8%
Multi-Family Unit[2]	1,179	614	1.92	650	1.81	16.8%	6%
TOTAL	7,178	3,569	2.01	3,874	1.85		8%

Source: TischlerBise analysis and calculation based on U.S. Census Bureau, 2013-2017 American Community Survey, 5-Year Estimates.

1. Includes detached, attached (townhouse), and manufactured units.

2. Includes duplexes, structures with two or more units, and all other units.

Current Estimate of Population and Housing Units

The building permit data provided by Livingston's Planning Department for housing starts from 2010 through 2018 showed total growth of 211 units. TischlerBise was able to determine base year 2019 housing unit count by adding growth over this period to the 100 percent 2010 U.S. Census Summary File resulting in a total unit count of 3,990.

To determine the total number of housing unit by type in 2019, TischlerBise converted 2019 housing units by applying the 2017 ACS housing mix shown in Figure A4, 83 percent single-family and 17 percent multi-family. In 2019, Livingston is estimated to have 3,317 single-family units and 673 multi-family units. Based on Livingston's household projections, the City expects to add a baseline of 43 housing units per year over the next ten years of which it is estimated that 41 will be single-family and two will be multi family.

To derive base year 2019 population, TischlerBise converts the increase in housing units between 2010 and 2019 to household population by applying the 2017 ACS PPH factors shown in Figure A4 (211 single family housing units added x 2.03 persons per single family household = 428). The total growth in household population is then added to the 2010 U.S. Census count (7,044) resulting in a population of 7,436 residing in households and 116 in group homes for a total 2019 population of 7,552. The group quarters population is assumed to remain constant at 116 throughout the ten-year study period.

Projected Population and Housing Units

Reviewing building permit data for new housing starts from 2014 through 2018, yields an average annual number of 33 single family units which is a growth rate of 0.78 percent. Throughout this time period, building activity has shown a noticeable uptick over the past two years, averaging 49 single family units per year. After discussing with staff, this recent pace of growth, 1.03 percent, was believed to be more representative of future trends and when applied yields an average annual increase of 43 housing units per year. The housing unit projections serve as the basis for future population growth forecast. TischlerBise converts housing units to population by multiplying the annual increase in units by the 2017 ACS average PPH figure of 2.01. This number is added to the previous year's estimate of population. Housing unit type is estimated based on the average share of new units by type in Livingston between 2005 and 2018 which building permit data shows to be 94.7 percent single-family and 5.3 percent multi-family. For example, to

determine the number of single-family units in 2029, the increase in housing units between 2019 and 2029 (428) is multiplied by the single-family share of units (94.7%). This results in an increase of 406 single-family units. TischlerBise adds this increase to the 2019 number of housing units (406 new single-family units + 3,317 single-family units in 2019) which results in 3,723 single-family housing units in 2029.

These projections result in an estimated ten-year increase of 428 housing units, as shown in Figure A5. The annual increase in housing units is used to project future population growth based on 2017 ACS PPH factors derived in Figure A4. As previously discussed, the estimated group quarters population is held constant over the ten-year study period. This results in a ten-year increase of 864 persons.

Figure A5: Population and Housing Unit Projections

Multi Year Increments>>

	2019	2020	2021	2022	2023	2024	2029	10-Year Increase
Cumulative Increase	**Base Yr.**	**1**	**2**	**3**	**4**	**5**	**10**	
Population								
HH Population	7,436	7,519	7,602	7,687	7,772	7,858	8,301	**864**
Group Quarters	116	116	116	116	116	116	116	**0**
Total Population	**7,552**	**7,635**	**7,718**	**7,803**	**7,888**	**7,974**	**8,417**	**864**
Single-Family Units	**3,317**	3,355	3,394	3,434	3,474	3,514	3,723	**406**
Multi-Family Units	**673**	676	678	680	682	684	695	**22**
Total Housing Units	**3,990**	**4,031**	**4,072**	**4,114**	**4,156**	**4,198**	**4,418**	**428**

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2027-29	Average Increase
Annual Increase	**Base Yr.**	**1**	**2**	**3**	**4**	**5**	**10**	
Population		**83**	**83**	**84**	**85**	**86**	**90**	**86**
Housing Units		**41**	**41**	**42**	**42**	**42**	**45**	**43**

Nonresidential Development

In addition to data on residential development, the calculation of development impact fees requires data on nonresidential development. TischlerBise uses the term "jobs" to refer to employment by place of work. In Figure A6, gray shading indicates the nonresidential development prototypes used by TischlerBise to derive nonresidential floor area and average weekday vehicle trips ends.

The prototype for future Commercial/Retail development is an average-size Shopping Center (ITE 820). Commercial/Retail development (i.e. retail and eating / drinking places) is assumed to average 427 square feet per job. For future Industrial development, Light Industrial (ITE 110) is a reasonable proxy with an average of 615 square feet per job. For Office/Institutional development, General Office (ITE 710) is the prototype for future development, with an average of 337 square feet per job.

Figure A6: Nonresidential Service Units per Development Unit

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit[1]	Wkdy Trip Ends Per Employee[1]	Emp Per Dmd Unit	Sq Ft Per Emp
110	**Light Industrial**	**1,000 Sq Ft**	**4.96**	**3.05**	**1.63**	**615**
130	Industrial Park	1,000 Sq Ft	3.37	2.91	1.16	864
140	Manufacturing	1,000 Sq Ft	3.93	2.47	1.59	628
150	Warehousing	1,000 Sq Ft	1.74	5.05	0.34	2,902
710	**General Office (average size)**	**1,000 Sq Ft**	**9.74**	**3.28**	**2.97**	**337**
820	**Shopping Center (average size)**	**1,000 Sq Ft**	**37.75**	**16.11**	**2.34**	**427**

1. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Current Estimate of Nonresidential Floor Area and Employment

TischlerBise uses the 2018 *ESRI's Business Summary Report* to estimate the base year number of jobs. The number of jobs in Livingston in 2018 is estimated to be 3,988. The nonresidential floor area is estimated using ITE factors, as shown in Figure A6. 2018 estimated floor area totals 1.621 million square feet. Base year Commercial/Retail development accounts for approximately 491,904 square feet, Industrial development is approximately 384,375 square feet, Office/Institutional development totals approximately 745,107 square feet.

Figure A7: Estimated Nonresidential Floor Area and Employment

Nonresidential Category	*2018 Jobs [1]*	*Percent of Total Jobs*	*Sq. Ft. per Job*	*2018 Estimated Floor Area [2]*	*Jobs per 1,000 Sq. Ft. [2]*
Industrial[3]	625	15.7%	615	384,375	1.63
Commercial / Retail[4]	1,152	28.9%	427	491,904	2.34
Office/Institutional [5]	2,211	55.4%	337	745,107	2.97
TOTAL	**3,988**	**100%**		**1,621,386**	

1. Esri Business Summary for Livingston, MT, 2018.

2. Based on jobs and ITE 10th Edition (2017) multiplier.

3. Major sectors are Manufacturing and Transportation/Warehousing.

4. Major sectors are Accommodation and Food Services and Retail Trade.

5. Major sectors are Health Care, Educational Services and Public Administration.

Projected Nonresidential Floor Area and Employment

In 2018 Livingston is estimated to have had a total of 3,988 jobs and a household population of 7,387 yielding a jobs to population ratio of 0.54. Holding this ratio steady over a ten-year period and using average housing unit growth as the driver of population results in a projection of total employment growth in the year 2029 of 468 new jobs. Jobs are broken out and distributed forward looking basis proportionately to 2018 industry sector percentages with Office and Institutional occupying 55.4%, Commercial/Retail 28.9% and Industrial 15.7%. This methodology results in an estimated growth in employment of 260 new Office and Institutional jobs, 135 Commercial/Retail jobs, 74 Industrial jobs by

2029. TischlerBise uses ITE square foot per employee factors, as shown in Figure A6, to project the corresponding growth in nonresidential square footage over the same time period. For example, Commercial/Retail employment is projected to increase by 135 jobs between 2019 and 2029. TischlerBise applies the square foot per employee factor shown in Figure A6 to the increase in jobs to project the increase in Commercial/Retail square footage between 2019 and 2029 (135 jobs x 427 square feet per job), resulting in an increase of approximately 58,000 square feet of Commercial/Retail development. These calculations result in an estimated ten-year increase of 468 jobs and 191,000 square feet.

Figure A8: Employment and Nonresidential Floor Area Projections

Multi Year Increments>>

	2019	2020	2021	2022	2023	2024	2029	10-Year
Cumulative Increase	***Base Yr.***	***1***	***2***	***3***	***4***	***5***	***10***	***Increase***
Jobs								
Industrial	633	640	647	654	661	669	706	**74**
Commercial / Retail	1,165	1,178	1,191	1,204	1,217	1,231	1,300	**135**
Office/Institutional	2,233	2,258	2,283	2,308	2,333	2,359	2,492	**260**
Total Jobs	**4,030**	**4,075**	**4,120**	**4,166**	**4,212**	**4,259**	**4,499**	**468**
Nonresidential Floor Area (x 1,000)								
Industrial KSF	389	393	398	402	407	411	434	**45**
Commercial / Retail KSF	497	503	508	514	520	526	555	**58**
Office/Institutional KSF	752	761	769	778	786	795	840	**87**
Total Nonresidential KSF	**1,639**	**1,657**	**1,676**	**1,694**	**1,713**	**1,732**	**1,829**	**191**

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2027-29	Average
Annual Increase	***Base Yr.***	***1***	***2***	***3***	***4***	***5***	***10***	***Increase***
Jobs								
Industrial		7	7	7	7	7	8	**7**
Commercial / Retail		13	13	13	13	13	14	**14**
Office/Institutional		25	25	25	26	26	27	**26**
Total Jobs		**45**	**45**	**46**	**46**	**47**	**49**	**47**
Nonresidential Floor Area (x 1,000)								
Industrial KSF		4	4	4	4	4	5	**5**
Commercial / Retail KSF		6	6	6	6	6	6	**6**
Office/Institutional KSF		8	8	9	9	9	9	**9**
Total Nonresidential KSF		**18**	**18**	**19**	**19**	**19**	**20**	**19**

Demand Indicators by Dwelling Type

As an alternative to simply using national average trip generation rates for residential development, published by the Institute of Transportation Engineers (ITE), TischlerBise derived custom trip rates using local demographic data. Key inputs needed for the analysis (i.e. average number of persons and vehicles available per housing unit) are available from American Community Survey (ACS) data.

Average Weekday Vehicle Trips

Average Weekday Vehicle Trips are used as a measure of demand by land use. Vehicle trips are estimated using average weekday vehicle trip ends from the reference book, *Trip Generation, 10th Edition*, published by the Institute of Transportation Engineers (ITE) in 2017. A vehicle trip end represents a vehicle entering or exiting a development (as if a traffic counter were placed across a driveway). Adjustment factors must be used when calculating vehicle trips in order to avoid double counting each trip, both at the origin and the destination.

Trip generation rates are also dependent upon the average number of vehicles available per dwelling. Key independent variables needed for the analysis (i.e., vehicles available, housing units, households, and persons) are available from the U.S. Census Bureau American Community Survey (ACS). Figure A10 indicates an average of 1.73 vehicles per housing unit in Livingston.

Figure A10: Vehicles Available by Type of Housing Unit

		Households by Structure Type[2]			
	Vehicles Available[1]	Single-Family	Multi-Family	Total	Vehicles per HH by
Owner-occupied	4,874	2,307	58	2,365	2.06
Renter-occupied	1,299	648	556	1,204	1.08
TOTAL	**6,173**	**2,955**	**614**	**3,569**	**1.73**

	Persons in Households[3]	*Trip Ends*[4]	*Vehicles by Type of Unit*	*Trip Ends*[5]	*Average Trip Ends*	*Housing Units*[6]	*Trip Ends per Unit*	
							Livingston	*ITE*[7]
Single-Family	5,999	16,717	5,454	35,544	26,130	3,224	8.10	9.44
Multi-Family	1,179	2,619	719	3,128	2,873	650	4.40	5.44
TOTAL	**7,178**	**19,336**	**6,173**	**38,672**	**29,004**	**3,874**	**7.50**	

1. Vehicles available by tenure from Table B25046, American Community Survey, 2013-2017 5-Year Estimates.
2. Households by tenure and units in structure from Table B25032, American Community Survey, 2013-2017 5-Year Estimates.
3. Total population in households from Table25033, American Community Survey, 2013-2017 5-Year Estimates.
4. Vehicle trips ends based on persons using formulas from Trip Generation (ITE 2017). For single-family housing (ITE 210), the fitted curve equation is EXP(0.89*LN(persons)+1.72). To approximate the average population of the ITE studies, persons were divided by 10.8 and the equation result multiplied by10.8. For multi-family housing (ITE 221), the fitted curve equation is (2.29*persons)-81.02.
5. Vehicle trip ends based on vehicles available using formulas from Trip Generation (ITE 2017). For single-family housing (ITE 210), the fitted curve equation is EXP(0.99*LN(vehicles)+1.93). To approximate the average number of vehicles in the ITE studies, vehicles available were divided by 21.2 and the equation result multiplied by 21.2. For multi-family housing (ITE 221), the fitted curve equation is (3.94*vehicles)+293.58.
6. Housing units from Table B25024, American Community Survey, 2013-2017 5-Year Estimates.
7. Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Development Projections

Provided below is a summary of cumulative development projections used in the impact fee study. Base year estimates for 2019 are used in the impact fee calculations. Development projections are used to illustrate a possible future pace of demand for service units and cash flows resulting from revenues and expenditures associated with those demands. All 2019-2029 totals represent estimates as of January 1st of each year.

Figure A11: Development Projections Summary

Multi Year Increments>>

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	10-Year
Cumulative Increase	***Base Yr.***	***1***	***2***	***3***	***4***	***5***	***6***	***7***	***8***	***9***	***10***	***Increase***
Population												
HH Population	7,436	7,519	7,602	7,687	7,772	7,858	7,944	8,032	8,121	8,210	8,301	**864**
Group Quarters	116	116	116	116	116	116	116	116	116	116	116	**0**
Total Population	**7,552**	**7,635**	**7,718**	**7,803**	**7,888**	**7,974**	**8,060**	**8,148**	**8,237**	**8,326**	**8,417**	**864**
Single-Family Units	**3,317**	3,355	3,394	3,434	3,474	3,514	3,555	3,596	3,638	3,680	3,723	**406**
Multi-Family Units	**673**	676	678	680	682	684	687	689	691	693	695	**22**
Total Housing Units	**3,990**	**4,031**	**4,072**	**4,114**	**4,156**	**4,198**	**4,242**	**4,285**	**4,329**	**4,373**	**4,418**	**428**
Jobs												
Industrial	633	640	647	654	661	669	676	683	691	699	706	**74**
Commercial / Retail	1,165	1,178	1,191	1,204	1,217	1,231	1,244	1,258	1,272	1,286	1,300	**135**
Office/Institutional	2,233	2,258	2,283	2,308	2,333	2,359	2,385	2,412	2,438	2,465	2,492	**260**
Total Jobs	**4,030**	**4,075**	**4,120**	**4,166**	**4,212**	**4,259**	**4,306**	**4,353**	**4,401**	**4,450**	**4,499**	**468**
Nonresidential Floor Area (x 1,000)												
Industrial KSF	389	393	398	402	407	411	416	420	425	430	434	**45**
Commercial / Retail KSF	497	503	508	514	520	526	531	537	543	549	555	**58**
Office/Institutional KSF	752	761	769	778	786	795	804	813	822	831	840	**87**
Total Nonresidential KSF	**1,639**	**1,657**	**1,676**	**1,694**	**1,713**	**1,732**	**1,751**	**1,770**	**1,790**	**1,810**	**1,829**	**191**

APPENDIX B: LAND USE DEFINITIONS

Residential Development

As discussed below, residential development categories are based on data from the U.S. Census Bureau, American Community Survey. Livingston will collect development fees from all new residential units. One-time development fees are determined by site capacity (i.e. number of residential units).

Single-Family:

1. Single-family detached is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
2. Single-family attached (townhouse) is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.
3. Mobile home includes both occupied and vacant mobile homes, to which no permanent rooms have been added, are counted in this category. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.

Multi-Family:

1. 2+ units (duplexes and apartments) are units in structures containing two or more housing units, further categorized as units in structures with "2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments."
2. Boat, RV, Van, Etc. includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence.

Nonresidential Development

The proposed general nonresidential development categories (defined below) can be used for all new construction within Livingston. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per thousand square feet of floor area).

Commercial / Retail: Establishments primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Commercial / Retail* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters, hotels, and motels.

Industrial: Establishments primarily engaged in the production, transportation, or storage of goods. By way of example, *Industrial* includes manufacturing plants, distribution warehouses, trucking companies, utility substations, power generation facilities, and telecommunications buildings.

Office / Institutional: Establishments providing management, administrative, professional, or business services; personal and health care services; public and quasi-public buildings providing educational, social assistance, or religious services.

File Attachments for Item:

B. ACCEPT JUDGES MONTHLY REPORT JUNE 2020

LIVINGSTON CITY COURT
FINANCIAL REPORT

June 2020

Date PD Monthly Report Received from City of Livingston Finance Offic 7/21/2020

Tickets/Criminal Complaints Cleared: **48**

Dismissed-Plea Areement:	8	
Dismissed-Pretrial Diversion/Deferred:	4	
Dismissed-Miscellaneous:	4	
Paid-Bond Forfeit/Fine:	20	$5,580.00
Paid-Time Payments:	12	$6,018.33
Warrant Fees:		
	Total	$11,598.33
	Parking Tickets:	$1,485.00
	Total:	$13,083.33

Surcharges/Costs/Fees:

	MLEA Surcharge:		$310.00	
	TECH Surcharge:		$290.00	
	Victim/Witness Surcharge:		$647.00	
	MISD Surcharge:		$439.00	
	Court Costs:		$123.33	
	Public Defender Fee:	0		
	Public Defender Fee:	0	$ -	
102-410360-390	Jury Fees	0	$ -	
102-410360-390	Interpreter	0	$ -	
			Total	**($1,809.33)**

Total amount credited to City of Livingston General Fund: **$11,274.00**

I hereby certify that this is a true and correct statement of the amount of fines/fees/costs which were fully paid and credited with the Livingston City Court during the month of: **Jun-20**

Prepared by: _____ Date: 7/21/2020

Hon. Holly Happe
Livingston City Judge

File Attachments for Item:

C. APPROVE MINUTES FROM 7.21.2020 REGULAR CITY COMMISSION MEETING

LIVINGSTON MONTANA CITY COMMISSION MEETING MINUTES

Tuesday, June 23, 2020, 5:30 pm

Community Room, City-County Complex

1 Call to Order

2 Roll Call

* **Hoglund, Schwarz, Friedman, Mabie and Nootz were present.**

3 Public Comment

* **Sarah Stands made public comment (00:01:53)**
* **Hoglund made comments (00:04:50)**
* **Nootz made comments (00:05:30)**

4 Consent Items (00:07:50)

* **Nootz pulled item E for discussion and motioned to approve A through D, second by Mabie.**
* **Nootz notified she will abstain from voting on item E due to her husband being library director. Friedman motioned to pass item E, Seconded by Mabie.**
* **All in favor, motion passed 5-0.**

5 Proclamations

6 Scheduled Public Comments

7 Public Hearings (00:10:16)

A. The City of Livingston invites the public to comment on the construction costs of a sanitary sewer connection to the Civic Center and surrounding areas.

* **Kardoes gave opening statement**
* **Hoglund made comment (00:15:32)**

8 Ordinances

9 Resolutions (00:17:30)

A. Resolution No. 4901: A Resolution of the City Commission of the City of Livingston, Montana, giving notice that the City Commission has completed its preliminary budget in the amount of $20,737,194 for the fiscal year beginning on July 1, 2020, (FY21), that the Budget is on file and available for public inspection and on the internet at www.livingstonmontana.org and calling for a public hearing for approval of the final budget and making appropriations.

* **Kardoes gave opening statement**
* **Nootz made comments (00:19:57)**
* **Hoglund made comments (00:30:10)**
* **Mabie made comments (00:34:37)**
* **Shannon Holmes made comments (00:46:13)**
* **Schwarz made comments (00:55:26)**
* **Discussion around need for supporting additional outside entities, specifically funding HRDC warming center, Air Monitoring System, Housing Action Plan, Emergency clean air shelters, Anti-bias training, Law Enforcement Body Cams, MSU Extension funding personnel for COVID, designated Parks and Trails, etc.**
* **Johnathan Hettinger made public comment (01:17:14)**
* **Motion made by Mabie, seconded by Hoglund.**
  All in favor, motion passes 4-0.

B. **Resolution No. 4902: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to estimate the cost of maintaining lights and supplying electrical current to special improvement lighting district No. 20 in the amount of $76500 for fiscal year for 2020-2021 and levying and assessing 100% of the estimated costs against every parcel of property within said district for that part of the cost which hits accessible areas bears to the assessable area of the district. (01:22:15)**
    * **Kardoes gave opening statement**
    * **Friedman motioned to approve, Mabie seconded.**
    * **All in favor, motion passed 5-0.**

C. **Resolution No. 4903: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to modify special improvement lighting district No. 20 by replacing street lights and other appurtenances for therein and to levy and assess 100% of the estimated costs of $73,100 for fiscal year 2020-2021 against every parcel of property within said district for that part of the cost which is accessible area bears to the assessable area of the district, and calling for a public hearing. (01:25:50)**
    * **Kardoes gave opening statement**
    * **Mabie made comments (01:27:40)**
    * **Paige Fetterhoff made comments (01:28:01)**
    * **Friedman motioned to approve, Mabie seconded.**
    * **All in favor, motion passed 5-0.**

D. **Resolution No. 4904: A Resolution of the City Commission of the City of Livingston, Montana, of of it's intent to specify the assessment option for street maintenance and improvements District No. 1 for Fiscal Year 2020-2021 in an estimated amount of $1,028,707, levy and assess all property within the district. (01:32:38)**
    * **Kardoes gave opening statement**
    * **Nootz motioned, Mabie seconded.**
    * **All in favor, motion passed 5-0.**

E. **Resolution No. 4905: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to adjust all water rates for all customers of the City of Livingston Water System. (01:32:42)**
    * **Kardoes gave opening statement**
    * **Hoglund made comments (01:34:41)**
    * **Schwarz made comment (01:35:36)**
    * **Paige Fetterhoff made comment (01:36:14)**
    * **Shannon Holmes made comment (01:37:48)**
    * **Patricia Grabow made comment via chat (01:39:25)**
    * **Nootz made comments (01:43:27)**
    * **Friedman made motion, Mabie seconded**
    * **All in favor, motion passed 5-0.**

F. **Resolution No. 4906: A Resolution requesting distribution of Bridge and Road Safety and Accountability program funds. (01:46:43)**
    * **Kardoes gave opening statement**
    * **Paige Fetterhoff made public comment (01:47:00)**
    * **Shannon Holmes made comments (01:47:17)**
    * **Hoglund made comments (01:50:33)**

      Friedman made motion, Hoglund seconded.

      All in favor, motion passed 5-0.

G. Resolution No. 4907: A Resolution of the City Commission of the City of Livingston, Montana, accepting the bid submitted from Helena Insulation Inc./ and authorization for the City Manager to sign contract and for the City Manager to sign contract and execute fully. (01:52:14)

* **Kardoes gave opening statement**
* **Sarah Stands made comment (01:58:06)**
* **Patricia Grabow made comment (01:58:50)**
* **Hoglund made comments (02:00:11)**
* **Nootz made comments (02:03:56)**
* **Mabie made comments (02:05:59)**
* **Friedman made comments (02:09:14)**
* **Schwarz made comments (02:14:42)**

Friedman made motion, Hoglund seconded.
Motion Fails 1-4, Friedman in favor, all others opposed.

10 Action Items (02:22:49)

A. Discuss/Approve/Deny: Guidance to City Manager on Railroad Crossing Resolution

Kardoes gave opening statement

* **Nootz made comments (02:23:07)**
* **Hoglund made comments (02:25:40)**
* **Schwarz made comments (02:27:14)**
* **Mabie made comments (02:28:58)**
* **Friedman made comments (02:53:23)**

Schwarz motioned to extend the meeting, Mabie seconded. All in favor, motion passes. (02:57:57)

* **Johnathan Hettinger made public comments (03:01:27)**
* **Sarah Stands made public comments (03:01:52)**

11 City Manager Comments (02:58:50)

* **Will bring traffic study numbers and graphics at the next meeting**

12 City Commissioner Comments (03:00:45)

* **Nootz (03:00:47) reminded Schwarz to open Action Item A to Public Comment.**
* **Nootz motioned to have Warming Center Funding on future agenda as an action item, and an an action item for funding Parks and Trails, connectivity, Parks District by September meeting.**
* **Mabie (03:15:41)**
* **Friedman (03:17:45)**
* **Hoglund (03:24:10)**
* **Schwarz (03:26:10)**

13 Adjourned meeting (03:30:43) 9:00pm

File Attachments for Item:

D. RATIFY CLAIMS PAID 7/1/2020-7/15/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2M COMPANY, INC.							
781	2M COMPANY, INC.	20172909-00	PARTS	06/17/2020	256.72	256.72	07/07/2020
781	2M COMPANY, INC.	20178683-00	PARTS	06/30/2020	3,414.87	3,414.87	07/07/2020
781	2M COMPANY, INC.	20178688-00	PARTS	06/30/2020	982.39	982.39	07/07/2020
781	2M COMPANY, INC.	20178690-00	POP UP ROTOR	06/30/2020	470.25	470.25	07/07/2020
781	2M COMPANY, INC.	20178700-00	PARTS	06/30/2020	1,202.32	1,202.32	07/07/2020
Total 2M COMPANY, INC.:					6,326.55	6,326.55	
A-1 MUFFLER, INC.							
2	A-1 MUFFLER, INC.	68349	Replace Headlights on Harnesses	06/30/2020	222.00	222.00	07/07/2020
Total A-1 MUFFLER, INC.:					222.00	222.00	
ALADTEC, INC.							
3488	ALADTEC, INC.	2020-1612	Scheduling Softw	06/02/2020	2,628.17	2,628.17	07/07/2020
Total ALADTEC, INC.:					2,628.17	2,628.17	
ALL SERVICE TIRE & ALIGNMENT							
22	ALL SERVICE TIRE & ALIGNME	59419	TUBE	06/18/2020	15.00	15.00	07/07/2020
22	ALL SERVICE TIRE & ALIGNME	59421	TUBE	06/18/2020	15.00	15.00	07/07/2020
22	ALL SERVICE TIRE & ALIGNME	59503	Tire Repair	07/01/2020	15.00	15.00	07/14/2020
Total ALL SERVICE TIRE & ALIGNMENT:					45.00	45.00	
BEARTOOTH ENVIRONMENTAL, INC							
10001	BEARTOOTH ENVIRONMENTAL	2020_06_08	HAZMAT DISPOSAL	06/08/2020	725.00	725.00	07/07/2020
Total BEARTOOTH ENVIRONMENTAL, INC:					725.00	725.00	
BILLINGS CLINIC TRAINING CENTER							
3069	BILLINGS CLINIC TRAINING CE	17847	BLS eCard	06/29/2020	72.00	72.00	07/14/2020
Total BILLINGS CLINIC TRAINING CENTER:					72.00	72.00	
BIOBOT ANALYTICS, INC							
10001	BIOBOT ANALYTICS, INC	328B41F3-000	COVID 19 WASTEWATER EPIDE	06/25/2020	2,880.00	2,880.00	07/07/2020
Total BIOBOT ANALYTICS, INC:					2,880.00	2,880.00	
BRICENO, LUIS							
10001	BRICENO, LUIS	2020-_06	MEDIC CLASS	06/30/2020	868.20	868.20	07/07/2020
Total BRICENO, LUIS:					868.20	868.20	
BURTON PLANNING SERVICES, LLC.							
10001	BURTON PLANNING SERVICES,	19-112-9	LIVINGSTON GROWTH POLICY	07/02/2020	6,218.75	6,218.75	07/07/2020
Total BURTON PLANNING SERVICES, LLC.:					6,218.75	6,218.75	
CAROLINA SOFTWARE, Inc.							
3326	CAROLINA SOFTWARE, Inc.	76094	Waste Works Support	07/01/2020	500.00	500.00	07/07/2020
Total CAROLINA SOFTWARE, Inc.:					500.00	500.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
CARQUEST AUTO PARTS							
23	CARQUEST AUTO PARTS	1912-479181	SPARK PLUGS	07/09/2020	10.77	10.77	07/14/2020
	Total CARQUEST AUTO PARTS:				10.77	10.77	
CASELLE							
3763	CASELLE	103477	Support and Maint.	07/01/2020	3,566.00	3,566.00	07/07/2020
	Total CASELLE:				3,566.00	3,566.00	
CASHMAN NURSERY & LANDSCAPING							
10001	CASHMAN NURSERY & LANDS	427235	TREES SHADE TRI	06/25/2020	577.15	577.15	07/07/2020
	Total CASHMAN NURSERY & LANDSCAPING:				577.15	577.15	
CATHARINE, SUZANNE							
3722	CATHARINE, SUZANNE	2020_06_01	Windshield wiper fluid	06/01/2020	6.78	6.78	07/14/2020
	Total CATHARINE, SUZANNE:				6.78	6.78	
CENTRAL SERVICES DIVISION							
2571	CENTRAL SERVICES DIVISION	2021-05-051	TRANSACTION FEES	07/01/2020	588.90	588.90	07/14/2020
	Total CENTRAL SERVICES DIVISION:				588.90	588.90	
CHAPPELL'S BODY SHOP, INC.							
294	CHAPPELL'S BODY SHOP, INC.	463	Car wash cards	06/30/2020	30.00	30.00	07/14/2020
294	CHAPPELL'S BODY SHOP, INC.	464	Car wash cards	06/30/2020	20.00	20.00	07/14/2020
	Total CHAPPELL'S BODY SHOP, INC.:				50.00	50.00	
CHARGEPOINT							
10001	CHARGEPOINT	73595	CT4000-ASSURE5	04/20/2020	2,495.00	2,495.00	07/07/2020
	Total CHARGEPOINT:				2,495.00	2,495.00	
CITY OF LIVINGSTON							
2705	CITY OF LIVINGSTON	2020_06	COVID SUPPLIES	06/30/2020	180.51	180.51	07/07/2020
131	CITY OF LIVINGSTON	CR2020-001	Boond Conversion - G. Roberts	06/30/2020	690.00	690.00	07/02/2020
	Total CITY OF LIVINGSTON:				870.51	870.51	
COFFMAN'S PEAK ELECTRIC, LLC							
3491	COFFMAN'S PEAK ELECTRIC, L	1764	NEW SHOP	06/28/2020	3,782.00	3,782.00	07/07/2020
3491	COFFMAN'S PEAK ELECTRIC, L	1765	CHICOOK STREET LIGHTS	06/28/2020	360.00	360.00	07/14/2020
	Total COFFMAN'S PEAK ELECTRIC, LLC:				4,142.00	4,142.00	
COMDATA							
2671	COMDATA	20032439	BZR70	03/01/2020	147.60	147.60	07/14/2020
2671	COMDATA	20333690	BZR70	05/01/2020	28.65	28.65	07/14/2020
2671	COMDATA	20335498	CG74G-STREETS	07/01/2020	2,073.30	2,073.30	07/07/2020
2671	COMDATA	20335511	CG72S	07/01/2020	1,818.75	1,818.75	07/14/2020
2671	COMDATA	20335515	CG73P	07/01/2020	1,755.90	1,755.90	07/07/2020
	Total COMDATA:				5,824.20	5,824.20	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
COURTNEY LAWELLIN, PC							
10001	COURTNEY LAWELLIN, PC	2020_06_18	MEALS	06/18/2020	32.48	32.48	07/14/2020
	Total COURTNEY LAWELLIN, PC:				32.48	32.48	
D.W. BURNS PLUMBING & HEATING INC							
2501	D.W. BURNS PLUMBING & HEAT	18500	REPAIRED URINAL FLUSH VALV	06/24/2020	120.00	120.00	07/07/2020
	Total D.W. BURNS PLUMBING & HEATING INC:				120.00	120.00	
EARLE, RIKKI							
3835	EARLE, RIKKI	2020_06_29	POOL PARTY SUPPLIES	06/29/2020	82.81	82.81	07/07/2020
3835	EARLE, RIKKI	2020_06_30	POOL PARTY SUPPLIES	06/30/2020	34.50	34.50	07/07/2020
	Total EARLE, RIKKI:				117.31	117.31	
EMANUAL, ANDREW							
3010	EMANUAL, ANDREW	2020_06_19	TRAINING TRAVEL REIMBURSE	07/01/2020	132.78	132.78	07/14/2020
	Total EMANUAL, ANDREW:				132.78	132.78	
ENERGY LABORATORIES, INC.							
424	ENERGY LABORATORIES, INC.	322569	Effluent composite	06/24/2020	231.00	231.00	07/07/2020
424	ENERGY LABORATORIES, INC.	L1019	Effluent composite	07/08/2020	122.00	122.00	07/14/2020
	Total ENERGY LABORATORIES, INC.:				353.00	353.00	
EXEC U CARE SERVICES, INC.							
3298	EXEC U CARE SERVICES, INC.	2306	Civic Center	07/03/2020	2,823.91	2,823.91	07/14/2020
	Total EXEC U CARE SERVICES, INC.:				2,823.91	2,823.91	
FASTENAL COMPANY							
1276	FASTENAL COMPANY	MTBOZ186173	Supplies	06/30/2020	282.59	282.59	07/14/2020
	Total FASTENAL COMPANY:				282.59	282.59	
FISHER SAND AND GRAVEL							
2904	FISHER SAND AND GRAVEL	18185	Chips Crushed	06/13/2020	20,917.97	20,917.97	07/14/2020
	Total FISHER SAND AND GRAVEL:				20,917.97	20,917.97	
FOUR CORNERS RECYCLING, LLC							
2919	FOUR CORNERS RECYCLING,	4307	Recycling Fees	06/28/2020	4,879.50	4,879.50	07/14/2020
2919	FOUR CORNERS RECYCLING,	4307CM	Credit Memo	06/28/2020	1,286.50-	1,286.50-	07/14/2020
	Total FOUR CORNERS RECYCLING, LLC:				3,593.00	3,593.00	
FRONTLINE AG SOLUTIONS, LLC							
2516	FRONTLINE AG SOLUTIONS, LL	746776	MUFFLER AND PARTS	06/16/2020	239.52	239.52	07/07/2020
	Total FRONTLINE AG SOLUTIONS, LLC:				239.52	239.52	
GENERAL DISTRIBUTING COMPANY							
1845	GENERAL DISTRIBUTING COM	891561	Oxygen	06/30/2020	29.40	29.40	07/07/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	Total GENERAL DISTRIBUTING COMPANY:				29.40	29.40	
HUBER TECHNOLOGY							
3044	HUBER TECHNOLOGY	CD10019956	Maintenance cont	06/22/2020	1,300.00	1,300.00	07/07/2020
	Total HUBER TECHNOLOGY:				1,300.00	1,300.00	
IAFC MEMBERSHIP							
10000	IAFC MEMBERSHIP	63939	MEMBERSHIP PACKAGE	07/01/2020	285.00	285.00	07/07/2020
	Total IAFC MEMBERSHIP:				285.00	285.00	
IMAGE TREND, INC							
3704	IMAGE TREND, INC	123018	ANNUAL FEE	07/01/2020	4,808.00	4,808.00	07/07/2020
	Total IMAGE TREND, INC:				4,808.00	4,808.00	
INDUSTRIAL TOWEL							
102	INDUSTRIAL TOWEL	30995	City Complex	06/18/2020	36.00	36.00	07/07/2020
102	INDUSTRIAL TOWEL	32703	110 south b	07/03/2020	34.46	34.46	07/07/2020
	Total INDUSTRIAL TOWEL:				70.46	70.46	
INGRAM LIBRARY SERVICE							
1539	INGRAM LIBRARY SERVICE	44330611	1 Book	03/13/2020	13.89	13.89	07/14/2020
1539	INGRAM LIBRARY SERVICE	44330612	3 Books	03/13/2020	47.27	47.27	07/14/2020
1539	INGRAM LIBRARY SERVICE	44408419	1 Book	03/19/2020	35.04	35.04	07/14/2020
1539	INGRAM LIBRARY SERVICE	46046241	2 Books	05/29/2020	45.10	45.10	07/14/2020
1539	INGRAM LIBRARY SERVICE	CM43487460	CREDIT	01/10/2020	11.99-	11.99-	07/14/2020
	Total INGRAM LIBRARY SERVICE:				129.31	129.31	
J & H OFFICE EQUIPMENT							
1783	J & H OFFICE EQUIPMENT	587678	Copier Contract Fire & Rescue	07/06/2020	7.07	7.07	07/14/2020
1783	J & H OFFICE EQUIPMENT	587990	Civic Center Copier C250if	07/09/2020	66.59	66.59	07/14/2020
	Total J & H OFFICE EQUIPMENT:				73.66	73.66	
KARNATZ TREE SERVICE							
2001	KARNATZ TREE SERVICE	2020_06	Tree Removal - Ash	06/15/2020	675.00	675.00	07/07/2020
	Total KARNATZ TREE SERVICE:				675.00	675.00	
KEN'S EQUIPMENT REPAIR, INC							
1390	KEN'S EQUIPMENT REPAIR, IN	55366	410L	06/01/2020	4,174.40	4,174.40	07/14/2020
1390	KEN'S EQUIPMENT REPAIR, IN	55391	410L	06/02/2020	211.20	211.20	07/14/2020
1390	KEN'S EQUIPMENT REPAIR, IN	55396	8152C PETE	06/03/2020	722.50	722.50	07/14/2020
1390	KEN'S EQUIPMENT REPAIR, IN	55400	G2	06/10/2020	31.50	31.50	07/14/2020
1390	KEN'S EQUIPMENT REPAIR, IN	55412	G2	06/08/2020	185.90	185.90	07/14/2020
1390	KEN'S EQUIPMENT REPAIR, IN	55454	97 PETE	06/18/2020	84.20	84.20	07/14/2020
	Total KEN'S EQUIPMENT REPAIR, INC:				5,409.70	5,409.70	
KENYON NOBLE							
776	KENYON NOBLE	7773151	4X8 PLYWOOD	06/19/2020	35.90	35.90	07/07/2020
776	KENYON NOBLE	7774471	WASHER & BOLTS	06/20/2020	19.86	19.86	07/07/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	Total KENYON NOBLE:				55.76	55.76	
KNIFE RIVER							
8	KNIFE RIVER	686409	Cold Mix	06/15/2020	937.55	937.55	07/14/2020
	Total KNIFE RIVER:				937.55	937.55	
LEHRKIND'S COCA-COLA							
2830	LEHRKIND'S COCA-COLA	1758212	Water	07/01/2020	33.80	33.80	07/07/2020
2830	LEHRKIND'S COCA-COLA	1758213	Water	07/01/2020	24.75	24.75	07/07/2020
	Total LEHRKIND'S COCA-COLA:				58.55	58.55	
LILJEDAHL, RON							
3367	LILJEDAHL, RON	2020_06_29	Weed Control	06/29/2020	2,000.00	2,000.00	07/07/2020
	Total LILJEDAHL, RON:				2,000.00	2,000.00	
LIVINGSTON ACE HARDWARE - #122005							
26	LIVINGSTON ACE HARDWARE -	G61651	Supplies	05/26/2020	21.58	21.58	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G62938	LINE PRO CFE	05/27/2020	94.97	94.97	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G63282	STIHL HEX NUT	05/27/2020	1.49	1.49	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G63405	SQUARE PLUG	05/28/2020	12.95	12.95	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G63870	PRECISION TRX DRV SET	05/28/2020	24.99	24.99	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G67194	Supplies	06/01/2020	140.48	140.48	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G67227	Supplies	06/01/2020	56.25	56.25	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G67544	Supplies	06/01/2020	33.94	33.94	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G67577	BULB LED	06/01/2020	14.99	14.99	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G69050	Supplies	06/03/2020	37.57	37.57	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G69358	Supplies	06/03/2020	41.98	41.98	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G69862	Supplies	06/04/2020	31.53	31.53	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G71036	Supplies	06/05/2020	55.97	55.97	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G72999	SFASTNERS	06/08/2020	1.69	1.69	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G73162	FOLDING UTLTY CART	06/08/2020	69.99	69.99	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G73251	Supplies	06/08/2020	91.97	91.97	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G73313	BAG OF ICE	06/08/2020	5.96	5.96	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G73433	Supplies	06/08/2020	12.58	12.58	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G73796	Supplies	06/09/2020	47.52	47.52	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G74196	Supplies	06/09/2020	4.74	4.74	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G75003	LINE PRO CF3	06/11/2020	39.98	39.98	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G75370	PAINT SUPPLIES	06/11/2020	44.17	44.17	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G76153	Supplies	06/12/2020	105.07	105.07	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G76207	Supplies	06/12/2020	6.22	6.22	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G78934	Supplies	06/16/2020	76.10	76.10	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G79739	Paint Supplies	06/17/2020	11.48	11.48	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G80211	KEYRAFTER	06/18/2020	32.68	32.68	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G80228	Paint Supplies	06/18/2020	3.99	3.99	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G80571	Supplies	06/19/2020	48.35	48.35	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G80646	POTTING SOIL	06/19/2020	9.98	9.98	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G82591	PIPE CUTTER PVC	06/22/2020	21.99	21.99	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G82733	Supplies	06/22/2020	165.89	165.89	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G82957	BAG OF ICE	06/22/2020	5.96	5.96	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G82995	Supplies	06/22/2020	228.94	228.94	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G83000	CREDIT RETURN	06/22/2020	15.99-	15.99-	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G83304	Supplies	06/23/2020	22.56	22.56	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G84064	SGLV LTHR DRVR COWHIDE XL	06/24/2020	16.99	16.99	07/07/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
26	LIVINGSTON ACE HARDWARE -	G84310	Supplies	06/24/2020	27.94	27.94	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G84577	SDUCT TAPE	06/24/2020	25.17	25.17	07/07/2020
26	LIVINGSTON ACE HARDWARE -	G84788	Supplies	06/25/2020	59.97	59.97	07/07/2020
26	LIVINGSTON ACE HARDWARE -	X40370	ZONE MARK BLU 1 GAL	06/02/2020	49.98	49.98	07/07/2020
26	LIVINGSTON ACE HARDWARE -	X40831	STIHL AUTOCUT	06/08/2020	49.98	49.98	07/07/2020
26	LIVINGSTON ACE HARDWARE -	X40931	Supplies	06/09/2020	5.56	5.56	07/07/2020
	Total LIVINGSTON ACE HARDWARE - #122005:				1,846.10	1,846.10	
LIVINGSTON ENTERPRISE							
146	LIVINGSTON ENTERPRISE	167266	GROWTH POLICY MEETING	06/08/2020	117.00	117.00	07/07/2020
146	LIVINGSTON ENTERPRISE	167288	CITY CONSERVATION BOARD V	06/11/2020	210.00	210.00	07/07/2020
146	LIVINGSTON ENTERPRISE	167338	GROWTH POLICY MEETING	06/12/2020	22.75	22.75	07/07/2020
146	LIVINGSTON ENTERPRISE	167390	GREEN CAN PICKUP	06/17/2020	31.40	31.40	07/07/2020
146	LIVINGSTON ENTERPRISE	167397	GREEN CAN PICKUP	06/18/2020	31.40	31.40	07/07/2020
146	LIVINGSTON ENTERPRISE	167472	FAMERS MARKET	06/19/2020	60.00	60.00	07/07/2020
146	LIVINGSTON ENTERPRISE	167475	BUDGET WORKSHOP	06/19/2020	35.75	35.75	07/07/2020
146	LIVINGSTON ENTERPRISE	167484	UPDATED PUBLIC NOTICE	06/22/2020	26.00	26.00	07/07/2020
146	LIVINGSTON ENTERPRISE	167535	NOTICE OF PUBLIC WORKS SE	06/23/2020	32.50	32.50	07/07/2020
	Total LIVINGSTON ENTERPRISE:				566.80	566.80	
LIVINGSTON FIREFIGHTERS UNION							
234	LIVINGSTON FIREFIGHTERS U	163615	Union Dues - 11/2019	06/24/2020	700.00	700.00	07/02/2020
234	LIVINGSTON FIREFIGHTERS U	165911	Union Dues - 12/2018	06/24/2020	938.00	938.00	07/02/2020
234	LIVINGSTON FIREFIGHTERS U	87819	Station Equipment	06/24/2020	112.50	112.50	07/02/2020
	Total LIVINGSTON FIREFIGHTERS UNION:				1,750.50	1,750.50	
LIVINGSTON HEALTH CARE							
55	LIVINGSTON HEALTH CARE	2020_06_15	770142743 LAB TEST	06/15/2020	29.10	29.10	07/14/2020
55	LIVINGSTON HEALTH CARE	2020_07_08	Patient Supplies	07/08/2020	15.35	15.35	07/14/2020
55	LIVINGSTON HEALTH CARE	4247660	Patient Supplies	07/01/2020	41.12	41.12	07/07/2020
	Total LIVINGSTON HEALTH CARE:				85.57	85.57	
LOMCO, INC							
2563	LOMCO, INC	29371-01	MOB MILES	06/25/2020	2,072.50	2,072.50	07/07/2020
2563	LOMCO, INC	29669-01	HFMS-2	06/25/2020	1,336.64	1,336.64	07/07/2020
2563	LOMCO, INC	30046-01	HFMS-2	06/25/2020	827.64	827.64	07/07/2020
	Total LOMCO, INC:				4,236.78	4,236.78	
MARCOM							
3740	MARCOM	1910124	Colicorm	10/28/2019	176.00	176.00	07/14/2020
3740	MARCOM	1911052	Colicorm	11/15/2019	176.00	176.00	07/14/2020
3740	MARCOM	1912053	Colicorm	12/12/2019	176.00	176.00	07/14/2020
3740	MARCOM	2004062	Colicorm	04/23/2020	176.00	176.00	07/14/2020
	Total MARCOM:				704.00	704.00	
MEYER ELECTRIC AND GROUNDS REPAIR, LLC							
3812	MEYER ELECTRIC AND GROUN	328	REPLACE BREAKER	03/03/2020	280.11	280.11	07/14/2020
	Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:				280.11	280.11	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
MISC.							
99999	MISC.	2020_07_13	PRO TERM JUDGE JURY TRIAL	07/13/2020	12.76	12.76	
99999	MISC.	CR2020-001	Bond Release - G. Roberts	06/30/2020	810.00	810.00	07/02/2020
99999	MISC.	TK2019-0269	Bond Release - C. Hajostek	06/30/2020	310.00	310.00	07/02/2020
99999	MISC.	TK2019-0471	Bond Release - G. Smith	06/29/2020	1,170.00	1,170.00	07/02/2020
Total MISC.:					2,302.76	2,302.76	
MMIA - LIABILITY PROGRAM							
2727	MMIA - LIABILITY PROGRAM	F20/21 PROPE	FY20/21 PROPERTY PROGRAM	07/01/2020	80,551.50	80,551.50	07/14/2020
2727	MMIA - LIABILITY PROGRAM	FY20/21 LIABI	FY20/21 LIABILITY ASSESSMEN	07/01/2020	315,257.00	315,257.00	07/14/2020
Total MMIA - LIABILITY PROGRAM:					395,808.50	395,808.50	
MONTANA RAIL LINK							
112	MONTANA RAIL LINK	456048	Agreement 88742 - SEWER	07/01/2020	100.00	100.00	07/14/2020
112	MONTANA RAIL LINK	456229	Agreement 600286 - SEWER PIP	07/01/2020	100.00	100.00	07/14/2020
Total MONTANA RAIL LINK:					200.00	200.00	
MONTANA STATE - FIRE SERVICES TRAINING							
2631	MONTANA STATE - FIRE SERVI	34-154	Firefighter 2 Certification	06/30/2020	95.00	95.00	07/14/2020
Total MONTANA STATE - FIRE SERVICES TRAINING:					95.00	95.00	
MT WATERWORKS							
3016	MT WATERWORKS	32268	WALK BEHIND CONCRETE SAW	06/24/2020	4,410.00	4,410.00	07/07/2020
Total MT WATERWORKS:					4,410.00	4,410.00	
MUNICIPAL CODE CORPORATION							
3058	MUNICIPAL CODE CORPORATI	345989	Subscription	07/13/2020	150.00	150.00	07/14/2020
Total MUNICIPAL CODE CORPORATION:					150.00	150.00	
NORTHWEST PIPE FITTINGS, INC							
423	NORTHWEST PIPE FITTINGS, I	5337942-1	ELBOW	06/23/2020	56.66	56.66	07/07/2020
423	NORTHWEST PIPE FITTINGS, I	5345690	STOCK	06/30/2020	3,249.46	3,249.46	07/14/2020
423	NORTHWEST PIPE FITTINGS, I	5346709	STOCK	06/30/2020	1,139.35	1,139.35	07/14/2020
Total NORTHWEST PIPE FITTINGS, INC:					4,445.47	4,445.47	
NORTHWESTERN ENERGY							
151	NORTHWESTERN ENERGY	0708370-2_20	8th & Park Sprinklers	06/12/2020	6.18	6.18	07/07/2020
151	NORTHWESTERN ENERGY	0709877-5_20	200 E Reservoir (north side hill)	06/05/2020	799.78	799.78	07/07/2020
151	NORTHWESTERN ENERGY	0709880-9_20	200 River Drive - Pool	06/09/2020	151.41	151.41	07/07/2020
151	NORTHWESTERN ENERGY	0709881-7_20	229 River Drive - Civic Center	06/09/2020	750.61	750.61	07/07/2020
151	NORTHWESTERN ENERGY	0709882-5_20	229 River Drive - Pump Civic Cent	06/12/2020	5.33	5.33	07/07/2020
151	NORTHWESTERN ENERGY	0719271-9_20	601 Robin Lane - Well	06/08/2020	1,439.35	1,439.35	07/07/2020
151	NORTHWESTERN ENERGY	0719272-7_20	4 Billman Lane - Well	06/08/2020	1,766.41	1,766.41	07/07/2020
151	NORTHWESTERN ENERGY	0719358-4_20	Street Lights - Livingston	06/15/2020	3,622.09	3,622.09	07/07/2020
151	NORTHWESTERN ENERGY	0719373-3_20	229 River Drive	06/12/2020	7.80	7.80	07/07/2020
151	NORTHWESTERN ENERGY	0720113-0_202	229 River Drive - CC Building	06/09/2020	92.50	92.50	07/07/2020
151	NORTHWESTERN ENERGY	0720122-1_20	400 North M	06/12/2020	1.77	1.77	07/07/2020
151	NORTHWESTERN ENERGY	0802599-1_20	608 W Chinook	06/12/2020	46.90	46.90	07/07/2020
151	NORTHWESTERN ENERGY	0933715-5_20	710 W Callender	06/12/2020	42.25	42.25	07/07/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	Total NORTHWESTERN ENERGY:				8,732.38	8,732.38	
OUTHOUSE HEATING & PLUMBING							
3551	OUTHOUSE HEATING & PLUMBI	2963	BID TOTAL FOR ROUGH IN PHA	06/19/2020	800.00	800.00	07/14/2020
	Total OUTHOUSE HEATING & PLUMBING:				800.00	800.00	
PARK COUNTY							
272	PARK COUNTY	1159	COL G-TAC SERVICE - MAY	06/16/2020	8,057.39	8,057.39	07/07/2020
272	PARK COUNTY	2020_06_30	ANNUAL IT SERVICES CITY/CO	06/30/1930	6,500.00	6,500.00	07/07/2020
	Total PARK COUNTY:				14,557.39	14,557.39	
PAYDEN MEMORIAL FOUNDATION							
10001	PAYDEN MEMORIAL FOUNDATI	2020_07_02	REFUND EVENT CANCELLED	07/02/2020	50.00	50.00	07/07/2020
	Total PAYDEN MEMORIAL FOUNDATION:				50.00	50.00	
PCS MOBILE							
3667	PCS MOBILE	61115	Office Dock with US AC Adaptor	06/15/2020	402.42	402.42	07/14/2020
3667	PCS MOBILE	61160	Office Dock with US AC Adaptor	06/28/2020	402.42	402.42	07/14/2020
	Total PCS MOBILE:				804.84	804.84	
PRAETORIAN DIGITAL							
3810	PRAETORIAN DIGITAL	2511	Police One Academy	05/26/2020	2,160.00	2,160.00	07/14/2020
	Total PRAETORIAN DIGITAL:				2,160.00	2,160.00	
PROFESSIONAL SALES & SERVICE LC							
10001	PROFESSIONAL SALES & SERV	27866	SHIPPLING & HANDLING	06/24/2020	39.85	39.85	07/07/2020
	Total PROFESSIONAL SALES & SERVICE LC:				39.85	39.85	
REDSTONE LEASING							
3842	REDSTONE LEASING	2020_07_01	Lease 22 OF 60	07/01/2020	203.07	203.07	07/07/2020
	Total REDSTONE LEASING:				203.07	203.07	
RIVERSIDE HARDWARE LLC							
3659	RIVERSIDE HARDWARE LLC	105283	SAFETY GLASS RETRACTOR	06/19/2020	10.47	10.47	07/07/2020
3659	RIVERSIDE HARDWARE LLC	105610	SEALANT	06/22/2020	5.39	5.39	07/07/2020
3659	RIVERSIDE HARDWARE LLC	105618	HEATER/FAN ELECTRIC	06/22/2020	19.79	19.79	07/07/2020
3659	RIVERSIDE HARDWARE LLC	106154	WIRE	06/26/2020	4.99	4.99	07/07/2020
3659	RIVERSIDE HARDWARE LLC	106373	KEY BLANK	06/29/2020	2.00	2.00	07/07/2020
	Total RIVERSIDE HARDWARE LLC:				42.64	42.64	
ROCKY MOUNTAIN INFORMATION							
2419	ROCKY MOUNTAIN INFORMATI	25853	RMIN Membership	07/01/2020	50.00	50.00	07/14/2020
	Total ROCKY MOUNTAIN INFORMATION:				50.00	50.00	
RUBBERCYCLE, LLC							
10001	RUBBERCYCLE, LLC	94500	ACCESSAMAT 36X36X3 NB	06/19/2020	4,490.00	4,490.00	07/07/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	Total RUBBERCYCLE, LLC:				4,490.00	4,490.00	
SAFETRAC							
3143	SAFETRAC	29830	CDL Services	07/01/2020	465.00	465.00	07/14/2020
	Total SAFETRAC:				465.00	465.00	
SECURE WARRANT							
3797	SECURE WARRANT	90	Annual Subscription	06/05/2020	1,800.00	1,800.00	07/14/2020
	Total SECURE WARRANT:				1,800.00	1,800.00	
SNYDER INDUSTRIES INC							
3827	SNYDER INDUSTRIES INC	345562	BLACK 300 GAL TUBS	06/19/2020	9,464.35	9,464.35	07/14/2020
	Total SNYDER INDUSTRIES INC:				9,464.35	9,464.35	
STAFFORD ANIMAL SHELTER							
1439	STAFFORD ANIMAL SHELTER	JUNE2020	Boarding, Vaccines, Euthanasia	07/01/2020	1,315.00	1,315.00	07/14/2020
	Total STAFFORD ANIMAL SHELTER:				1,315.00	1,315.00	
STORY DISTRIBUTING							
3353	STORY DISTRIBUTING	66950	Diesel 500G	06/18/2020	820.50	820.50	07/14/2020
3353	STORY DISTRIBUTING	67603	Diesel 750G	06/25/2020	1,200.75	1,200.75	07/14/2020
	Total STORY DISTRIBUTING:				2,021.25	2,021.25	
SWANDALL LAW PLLC							
10000	SWANDALL LAW PLLC	2020_06_24	PRO TEM JUDGE	07/06/2020	37.50	37.50	07/14/2020
	Total SWANDALL LAW PLLC:				37.50	37.50	
T & E THE CAT RENTAL STORE							
533	T & E THE CAT RENTAL STORE	B2858701	CATERPILLAR 930BT3.0GP	06/25/2020	6,895.00	6,895.00	07/07/2020
	Total T & E THE CAT RENTAL STORE:				6,895.00	6,895.00	
TEAR IT UP L.L.C.							
2999	TEAR IT UP L.L.C.	44847	Shredding City Attorney	06/21/2020	49.04	49.04	07/14/2020
	Total TEAR IT UP L.L.C.:				49.04	49.04	
THOMSON REUTERS - WEST							
2823	THOMSON REUTERS - WEST	842589166	Information Charges	07/01/2020	303.50	303.50	07/07/2020
	Total THOMSON REUTERS - WEST:				303.50	303.50	
TOWN & COUNTRY FOODS - LIVINGSTON							
2595	TOWN & COUNTRY FOODS - LI	2020_06_20	Station Supply	06/20/2020	6.00	6.00	07/14/2020
	Total TOWN & COUNTRY FOODS - LIVINGSTON:				6.00	6.00	
UPS STORE #2420, THE							
292	UPS STORE #2420, THE	2020_07_08	Postage	07/08/2020	15.24	15.24	07/14/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
	Total UPS STORE #2420, THE:				15.24	15.24	
UTILITIES UNDERGROUND LOCATION							
3472	UTILITIES UNDERGROUND LO	65089	Excavation Notifications	06/30/2020	248.06	248.06	07/07/2020
	Total UTILITIES UNDERGROUND LOCATION:				248.06	248.06	
WESTERN EMULSIONS, INC.							
2963	WESTERN EMULSIONS, INC.	10433384	HFMS-2	06/22/2020	14,504.00	14,504.00	07/07/2020
2963	WESTERN EMULSIONS, INC.	10-433385	HFMS-2	06/22/2020	14,068.00	14,068.00	07/07/2020
2963	WESTERN EMULSIONS, INC.	CM 10-433784	CREDIT	06/23/2020	4,404.00-	4,404.00-	07/07/2020
	Total WESTERN EMULSIONS, INC.:				24,168.00	24,168.00	
WHISTLER TOWING, LLC							
3237	WHISTLER TOWING, LLC	27885	TOW OLDSMOLBILE	06/23/2020	225.00	225.00	07/07/2020
	Total WHISTLER TOWING, LLC:				225.00	225.00	
WISPWEST.NET							
2087	WISPWEST.NET	571319	Civic Center	07/01/2020	50.12	50.12	07/07/2020
	Total WISPWEST.NET:				50.12	50.12	
WITMER PUBLIC SAFETY GROUP,INC.							
2629	WITMER PUBLIC SAFETY GRO	65456	FINELINE BARRICADE TAPE	05/13/2020	57.94	57.94	07/07/2020
	Total WITMER PUBLIC SAFETY GROUP,INC.:				57.94	57.94	
	Grand Totals:				578,994.69	578,994.69	

Dated: _____

Mayor: _____

City Council: _____

_____

_____

_____

_____

_____

City Recorder: _____

File Attachments for Item:

PUBLIC HEARING: VARIANCE REQUEST FROM CHRISTOPHER GONZALES, TO REDEVELOP AN EXISTING NON-CONFORMINGUNDERSIZED LOT IN THE HIGHWAY COMMERCIAL ZONING DISTRICT FOR COMMERCIAL USES.

July 21, 2020

STAFF REPORT

VARIANCE – BURNS

Background

Christopher Gonzales, owner of property located at 316 W. Callender, described as the E 38' of Lot 23-26, Block 59, of the Livingston Original Townsite, is requesting a variance to redevelop an existing non-conforming lot in the Highway Commercial (HC) zoning district. They are requesting to be allowed to redevelop the existing 3,800 square foot lot for commercial uses, the minimum lot size in the HC district is 6,000 square feet. There is an existing building on the property which CADASTRAL states was constructed in 1900, that the applicant has stated is in disrepair.

Findings of Fact

Livingston Municipal Code***** stipulates that the following questions shall be considered by the City in making decisions regarding variance requests:

1) Are there special conditions and circumstances existing which are peculiar to the land, the lot, or something inherent in the land which causes hardship and which are not applicable to other lands in the same district?

   Yes. The existing lot does not meet the minimum required lot size and therefore a variance must be applied for prior to redevelopment of the property. Lots meeting the required minimum lot size would not be required to receive a variance prior to development of the Lot.

2) Will a literal interpretation of the provisions of this ordinance deprive the applicant of the rights commonly enjoyed by other tracts in the same district?

Yes. The lot cannot be redeveloped in any way without a variance, depriving the applicant of uses of the property which are allowed to all lots meeting the minimum lot size in the same district.

3) Will granting this variance confer on the applicant any special privilege that is denied by this ordinance to other land in the same (zoning) district?

   No. The applicant must meet all of the other requirements of the ordinance, including but not limited to: allowed uses, setbacks, building height, and design standards.

4) Will the granting of this variance request be in harmony with the general purpose and intent of this ordinance?

   Yes. The ordinance intends to allow properties to be developed consistently with the allowed uses and requirements of the ordinance. The intent of the minimum lot size requirement is to insure that future lots meet the needs of the HC district, not to prevent the development of existing lots.

Public Hearing

Staff Recommendation

Based on the Findings of Fact section of this staff report, the City Zoning Administrator feels that it is appropriate for the City Commission to **approve** this variance request.

Jim Woodhull
City Zoning Administrator

APPLICATION FOR VARIANCE

1. Location of the property for which the Special Exception is requested.

Addition **Livingston Original Townsite, S 13, T02S, R09E, Block 59, E 38', Lots 23-26**

Street **316 W. Callender**

Present Zoning **Highway Commercial**

2. Applicant

Name **Christopher Gonzales**

Address **P.O. Box 550, Bozeman, MT 59771**

Phone Number **(406) 586-2680**

3. Property Owner(s):

Name **Worldmaster Corp.**

Address **P.O. Box 550, Bozeman, MT 59771**

Phone Number **(406) 586-2680**

4. Present use of land: **Commercial**

5. Proposed use of land: **Commercial**

6. When do you propose to start construction or operation of this project? **To Be Determined**

7. If appropriate, when do you propose to complete construction? **To Be Determined**

I certify that the foregoing information is true and accurate to the best of my knowledge.

J. Christopher Gonzales

Applicant J. Christopher Gonzales, Pres.

June 18, 2020

Date

1) The following questions must be answered fully and submitted with the completed application:

A. What reasons prevent you from using this property in conformance with the zoning Ordinance requirements?

The property for which the variance is requested is zoned Highway Commercial and is 3,800 square feet. It currently has an existing structure which has been in use for commercial purposes since it was acquired in 1991. Table 30.42 of the Livingston Municipal Code stipulates that a 6,000 square foot minimum lot size is required for lots zoned Highway Commercial. Accordingly, the size of this lot is non-conforming.

Section 30.6 under Chapter 30, Article VI, par. C states that it is the intent "...to permit these non-conformities to continue until they are removed, but not to encourage their survival. Further, the intent of this chapter is that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district."

Given the above provisions, property improvements and reconfiguration would not be allowed. Furthermore, should the building be demolished in the future, no re-development or reconstruction would be allowed. This is an undue restriction on property use.

This Variance Application requests that the Board of Adjustments consider and allow the redevelopment of this 3,800 square foot property in accordance with the Municipal Code provisions for lots zoned Highway Commercial (HC).

B. How will the public interest be served if this application is granted?

The current condition of the existing building has much deferred maintenance that needs to be addressed. The existing building has no redeeming historical or architectural features. If the existing building were to be demolished instead and the property redeveloped, this would be an upgrade to the existing property and the neighborhood.

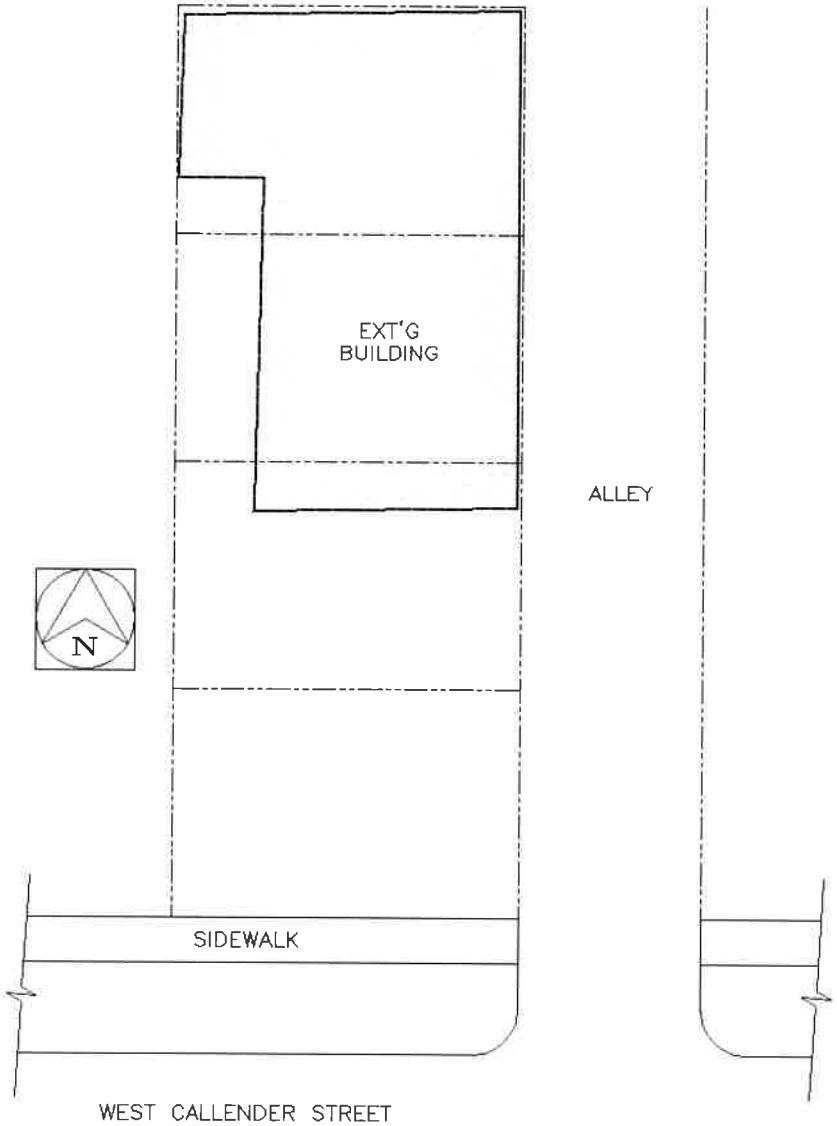
Redevelopment is the kind of reinvestment the city needs to modernize its stock of viable commercial property. A rebuilding of this kind would add to the economic viability and livability of downtown Livingston. The property assessed value would increase. The aesthetics of the site would improve.

C. What special conditions and circumstances exist which are peculiar to the land, the lot or something inherent in the land which causes hardship, and which are not applicable to other lands in the same district?

This 3,800 square foot lot is within two blocks of the Library and Post Office. It is within walking distance to downtown. The lot has West Callender frontage and alley access.

D. How would a literal interpretation of the provisions of this ordinance deprive the applicant of rights commonly enjoyed by other tracts in the same district?

A literal interpretation of the Municipal Code provisions is a hardship. It disallows any redevelopment of the lot and effectively results in a taking of property.

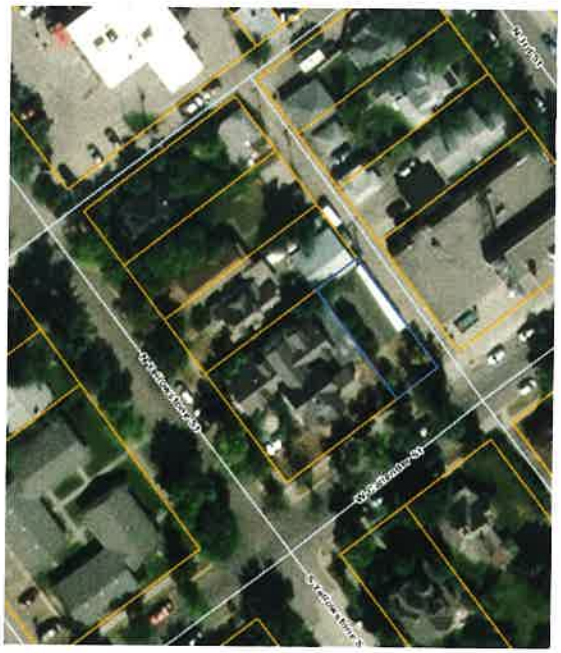


LEGAL DESCRIPTION

THE EASTERLY THIRTY-EIGHT (38) FEET OF LOTS NUMBERED TWENTY-THREE (23), TWENTY-FOUR (24), TWENTY-FIVE (25) AND TWENTY-SIX (26) IN BLOCK NUMBERED FIFTY-NINE (59) OF THE ORIGINAL TOWNSITE OF THE CITY OF LIVINGSTON ACCORDING TO THE OFFICIAL RECORD THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER, PARK COUNTY, MONTANA.

OWNER	WORLDMASTER CORP. C/O CHRISTOPHER GONZALES P.O. Box 550, Bozeman, MT 59771
PROJECT	SITE PLAN 316 W. CALLENDER
DATE	6/18/2020

Vicinity Map



Aerial

File Attachments for Item:

B. RESOLUTION NO. 4908 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF $20,737,194 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2020, AND ENDING JUNE 30, 2021, (FY21), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND.

RESOLUTION NO. 4908

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF $20,737,194 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2020, AND ENDING JUNE 30, 2021, (FY21), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND.

WHEREAS, the City Manager has presented the City Manager's Preliminary Budget recommendation for Fiscal Year 2020-2021 in the amount of $20,737,194 to the City Commission as required by 7-6-4020 Montana Code Annotated (MCA); and

WHEREAS, the City Commission has considered the proposed Preliminary Budget for Fiscal Year 2020-2021, and made revisions, reductions, additions and changes thereto as deemed appropriate, and has established spending limits at the level of appropriation detailed in Exhibit A and incorporated into this Resolution by this reference as though fully set forth herein; and

WHEREAS, a copy of the completed Preliminary Budget for Fiscal Year 2020-2021 has been placed for public inspection in the office of the Finance Officer located at 110 South B Street, Livingston, Montana, and on the City of Livingston's web page at www.livingstonmontana.org; and

WHEREAS, pursuant to 7-6-4001 et seq. MCA, and following legal notice as required by 7-6-4021, MCA, on August 4th,2020, the City Commission conducted a public hearing on the proposed budget at which time any taxpayer or resident of the City was given the opportunity to be heard for or against any part of the proposed preliminary budget for FY2020-2021; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, as follows:

That the Final Budget for FY 2020-2021 in the amount of $20,737,194 and the legal spending limits at the level of appropriations detailed in Exhibit A, which is attached hereto and incorporated herein by reference are hereby established pursuant to 7-6-4030, MCA.

BE IT FURTHER RESOVLED that the City Manager is hereby authorized pursuant to 7-6-4031, MCA, to transfer appropriations between items within the same fund.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 4th day of August, 2020.

DOREL HOGLUND
Chairperson

ATTEST:

FAITH KINNICK
Recording Secretary

APPROVED AS TO FORM:

COURTNEY LAWELLIN
City Attorney

EXHIBIT A to Resolution No. 4908

CHANGES IN FUND BALANCE/WORKING CAPITAL					
Fund #	Fund Name	Projected Beginning Fund Balance June 30, 2020	Budgeted Revenues	Budgeted Expenditures	Projected Ending Fund Balance June 30, 2021
GENERAL FUND					
1000	General Fund	1,823,781	6,384,249	6,397,369	1,810,661
SPECIAL REVENUE FUNDS					
2190	Comprehensive Liability	18,380	-	-	18,380
2220	Library	287,931	714,817	667,031	335,717
2300	Communications/Dispatch Services	97,463	989,149	986,968	99,644
2310	Tax Increment District - Downtown	343,916	432,812	468,725	308,003
2372	Permissive Health Levy	1	535,158	534,358	801
2397	CDBG Economic Dev Revolving	616,580	31,010	647,590	-
2399	Impact Fees - Fire	7,676	9,660	11,000	6,336
	Impact Fees - Transportation	270,899	56,494	259,453	67,940
	Impact Fees - Police	19,134	21,599	33,000	7,733
	Impact Fees - Parks	19,638	11,890	27,000	4,528
	Unassigned	-	1,000	-	1,000
2400	Light Maintenance	84,602	150,150	198,800	35,952
2500	Street Maintenance	333,081	1,091,226	1,055,266	369,041
2600	Sidewalks	(127,845)	53,980	73,300	(147,165)
2650	Business Improvement District	1	42,700	42,700	1
2700	Park Improvement SRF	70,532	-	-	70,532
2750	Law Enforcement Joint Equipment	6,516	30	6,546	-
2820	Gas Tax	107,091	496,797	497,300	106,588
	TOTAL SPECIAL REVENUE FUNDS	**2,155,596**	**4,638,472**	**5,509,037**	**1,285,031**
DEBT SERVICE FUNDS					
3002	2016 Fire Truck GOB	18,787	55,876	55,644	19,019
3003	2000 Fire Truck GOB	4,796	-	-	4,796
3200	West End Tax Increment District	330,346	139,689	299,169	170,866
3400	SID Revolving	24,247	120	-	24,367
3550	SID 179 - West End	23,467	34,633	32,381	25,719
3955	SID 180 - Carol Lane	(5,230)	3,513	-	(1,717)
	TOTAL DEBT SERVICE FUNDS	**396,413**	**233,831**	**387,194**	**243,050**
CAPITAL PROJECT FUNDS					
4010	Capital Improvement	8,475	40	8,515	-
4020	Library Capital Improvement	25,097	-	-	25,097
4099	Railroad Crossing Levy	26,085	4,876	30,961	-
	TOTAL CAPITAL PROJECT FUNDS	**59,657**	**4,916**	**39,476**	**25,097**
ENTERPRISE FUNDS					
5210	Water	938,960	1,606,854	1,436,731	1,109,083
5310	Sewer	1,196,180	2,584,491	2,686,103	1,094,568
5410	Solid Waste	71,663	2,338,884	2,249,671	160,876
5510	Ambulance Services	731,654	2,166,428	2,030,113	867,969
	TOTAL ENTERPRISE FUNDS	**2,938,457**	**8,696,657**	**8,402,618**	**3,232,496**
PERMANENT FUNDS					
8010	Perpetual Cemetery	245,403	4,000	1,500	247,903
	TOTAL ALL FUNDS	**7,619,307**	**19,962,125**	**20,737,194**	**6,844,238**

File Attachments for Item:

C. RESOLUTION NO. 4909 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF $76,500 FOR FISCAL YEAR 2020-2021 AND LEVYING AND ASSESSING 100% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT.

RESOLUTION NO. 4909

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF $76,500 FOR FISCAL YEAR 2020-2021 AND LEVYING AND ASSESSING 100% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT.

WHEREAS, the City of Livingston has created Special Improvement Lighting District No. 20 for the purpose of providing for general public health, safety and welfare by lighting streets for vehicular and pedestrian safety and as a deterrent to criminal activity; and

WHEREAS, the estimated costs of maintaining lights and supplying electrical current for Lighting District No. 20 for Fiscal Year 2020-2021 is $76,500; and

WHEREAS, the City hereby levies and assesses 100% of the costs for maintaining the lights and supplying electrical current against each parcel of land within said district for that part of the cost which its assessable area bears to the assessable area of the district which such parcel is located exclusive of streets, avenues, alleys and public places; and

WHEREAS, the City Commission finds that all parcels of property located within the district will benefit from maintaining lights and supplying electrical current for Lighting District No. 20; and

WHEREAS, a list of all parcels of property to be assessed within said district which contain the name of each parcel owner and the amount to be levied and assessed thereon is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Livingston, Montana, as follows:

That Special Improvement Lighting District No. 20 is defined as including each and every parcel of property located in the City of Livingston, including all annexations thereto.

BE IT FURTHER RESOLVED that the City Commission hereby levies and assess for Fiscal Year 2020-2021 100% of the cost of maintaining and supplying electrical current for Special Lighting District No. 20 is in the amount of $76,500 against each and every parcel of land within said district for that part of the cost which its assessable area bears to the assessable area of the entire district exclusive of streets, avenues, alleys and public places, all as set forth in the list of all parcels of property in said district which contains the name of each parcel owner and the amount levied thereon. A copy of said list is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 4th day of August, 2020.

DOREL HOGLUND
Chairperson

ATTEST:

FAITH KINNICK
Recording Secretary

APPROVED AS TO FORM:

COURTNEY LAWELLIN
City Attorney

File Attachments for Item:

D. RESOLUTION NO. 4910 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF $73,100 FOR THE FISCAL YEAR 2020-2021 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT, AND CALLING FOR A PUBLIC HEARING.

RESOLUTION NO. 4910

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF $73,100 FOR FISCAL YEAR 2020-2021 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT, AND CALLING FOR A PUBLIC HEARING.

WHEREAS, the City of Livingston has created Special Improvement Lighting District No. 20 for the purpose of providing for general public health, safety and welfare by lighting streets for vehicular and pedestrian safety and as a deterrent to criminal activity; and

WHEREAS, pursuant to 7-12-4351, MCA, it is the intent of the City Commission to make a modification to Street Lighting District No. 20 by replacing existing street lights; and

WHEREAS, it is the intent to replace street lights in conjunction with the street improvements plans where necessary and/or desirable; and

WHEREAS, the City hereby levies and assesses 100 percent of the estimated costs of $73,100 for replacing street lights against each parcel of land within said district for Fiscal Year 2020-2021 for that part of the cost which its assessable area bears to the assessable area of the district which such parcel is located exclusive of streets, avenues, alleys and public places; and

WHEREAS, the City Commission finds that all parcels of property located within the district will be benefitted from replaced street lights; and

WHEREAS, a list of all parcels of property to be assessed within said district which contain the name of each parcel owner and the amount to be levied and assessed thereon is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Livingston, Montana, as follows:

That Special Improvement Lighting District No. 20 is defined as including each and every parcel of property located in the City of Livingston, including all annexations thereto.

BE IT FURTHER RESOLVED that the City Commission hereby modifies Special Improvements Lighting District by replacing lights and appurtenances therein and hereby levies and assesses, for Fiscal Year 2020-2021, 100% of the cost of replacing street lights in the amount of $73,100 against each and every parcel of land within said district for that part of the cost which its assessable area bears to the assessable area of the entire district exclusive of streets, avenues, alleys and public places, all as set forth in the list of all parcels of property in said district which contains the name of each parcel owner and the amount levied thereon. A copy of said list is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 4th day of August, 2020.

DOREL HOGLUND
Chairperson

ATTEST:

FAITH KINNICK
Recording Secretary

APPROVED AS TO FORM:

COURTNEY LAWELLIN
City Attorney

File Attachments for Item:

E. RESOLUTION NO. 4911 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING 100% OF THE COST FOR STREET MAINTENANCE AND IMPROVMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2020-2021 IN THE AMOUNT OF $1,028,707, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT.

RESOLUTION NO. 4911

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING 100% OF THE COST FOR STREET MAINTENANCE AND IMPROVMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2020-2021 IN THE AMOUNT OF $1,028,707, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT.

WHEREAS, in 1994, pursuant to 7-12-4401 *et seq.* Montana Code Annotated (MCA), the City of Livingston enacted Ordinances Nos. 1778 and 1779 which authorized the creation of street maintenance districts and by providing the method of doing the maintenance and of paying for the maintenance; and

WHEREAS, the City created Street Maintenance District No. 1 which encompassed the entire jurisdictional limits of the City of Livingston; and

WHEREAS, pursuant to 7-12-4405 MCA, the City Commission enacted Ordinance Nos. 1877, 1890 and 1973 authorizing the City to improve streets, avenues and alleys within the maintenance district so that the maintenance would be of a durable and continuing benefit; and

WHEREAS, the City's will levy and assess 100 percent of the costs for improvements and maintenance of streets and alleys against each parcel of land within said district for that part of the cost which its assessable area bears to the assessable area of the district which such parcel is located exclusive of streets, avenues, alleys and public places; and

WHEREAS, the City Commission finds that all parcels of property located within the district will be benefitted from said street and alley improvements and maintenance as all residents of the City use said public ways; and

WHEREAS, a list of all parcels of property to be assessed within said district which contain the name of each parcel owner and the amount to be levied and assessed thereon is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana; and

WHEREAS, pursuant to 7-12-4427, MCA, the City Commission will meet on August 4th, 2020, at 5:30 p.m. to hear all objections which may be made to such assessment or any part thereof and may adjourn from time to time for that purpose and may by resolution modify such assessment in whole or in part.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Livingston, Montana, as follows:

That Street Maintenance District No. 1 is defined as including each and every parcel of property located in the City of Livingston, including all annexations thereto.

BE IT FURTHER RESOLVED that the City Commission herby levies and assesses for Fiscal Year 2020-2021 100% of the cost of improving and maintaining streets and alleys in Street Maintenance District No. 1 in the amount of $1,028,707 against each and every parcel of land within said district for that part of the cost which its assessable area bears to the assessable area of the entire district exclusive of streets, avenues, alleys and public places, all as set forth in the list of all parcels of property in said district which contains the name of each parcel owner and the amount levied thereon. A copy of said list is on file and open for public inspection in the office of the City of Livingston, 414 East Callender Street, Livingston, Montana.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 4th day of August, 2020.

_____
DOREL HOGLUND - Chairperson

ATTEST:

_____
FAITH KINNICK
Recording Secretary

APPROVED AS TO FORM:

_____
COURTNEY LAWELLIN
City Attorney

File Attachments for Item:

F. RESOLUTION NO. 4912 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM.

RESOLUTION NO. 4912

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM.

WHEREAS, the City of Livingston operates water facilities and services as enterprise funds, i.e. that the cost of providing the services to the general public on a continuing basis are financed or recovered through user charges and are not supported by the general tax levy; and

WHEREAS, 69-7-101 *et seq.* Montana Code Annotated (MCA), authorizes increases in utility rates when deemed necessary by the City Commission; and

WHEREAS, the costs of providing water services, improving infrastructure, and meeting bonded debt coverage continues to rise necessitating a rate increase; and

WHEREAS, a 1.88% increase in the connection fee and 5.63% increase in the usage rate, will result in a monthly increase of approximately 24¢ to $1.84, depending on the amount of water consumed by the customer all as set forth in Exhibit A, which is attached hereto and incorporated by this reference as though fully set forth herein; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, as follows:

The City Commission of the City of Livingston, Montana hereby increases the water connection fee 1.88% and water usage rate 5.63% for its customers to become effective for water usage starting August 2020, to be billed in September 2020.

BE IT FURTHER RESOLVED that Notice, attached hereto as Exhibit B and incorporated herein by reference, be published in accordance with law, and a copy of this Resolution be mailed to the Montana Consumer Counsel as required by 69-7-111(5) MCA.

BE IT FURTHER RESOLVED that Notice, attached hereto as Exhibit C, and incorporated herein by reference be mailed to each customer in accordance with law.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 4th day of August, 2020.

DOREL HOGLUND - Chairperson

ATTEST:

FAITH KINNICK
Recording Secretary

APPROVED AS TO FORM:

COURTNEY LAWELLIN
City Attorney

Exhibit A to Resolution No. 4912

Residential Rates
(based on a standard 5/8" meter)

Water Minimum Charge $ 13.00 per month, plus $3.00 per 1000 gallons

Gallons	Current	3%	Difference
0	$ 12.76	$ 13.00	$ 0.24
1000	$ 15.60	$ 16.00	$ 0.40
2000	$ 18.44	$ 19.00	$ 0.56
3000	$ 21.28	$ 22.00	$ 0.72
4000	$ 24.12	$ 25.00	$ 0.88
5000	$ 26.96	$ 28.00	$ 1.04
6000	$ 29.80	$ 31.00	$ 1.20
7000	$ 32.64	$ 34.00	$ 1.36
8000	$ 35.48	$ 37.00	$ 1.52
9000	$ 38.32	$ 40.00	$ 1.68
10000	$ 41.16	$ 43.00	$ 1.84

Commercial Rates

METER SIZE	GALLONS	BASE CHARGE	PER 1000 GALLONS
3/4"	Up to 7,000	$34.00	$3.00 for usage above 7,000 gallons
1"	Up to 15,000	$58.00	$3.00 for usage above 15,000 gallons
1 1/2"	Up to 25,000	$88.00	$3.00 for usage above 25,000 gallons
2"	Up to 42,000	$139.00	$3.00 for usage above 42,000 gallons
3"	Up to 60,000	$193.00	$3.00 for usage above 60,000 gallons
4"	Up to 100,000	$313.00	$3.00 for usage above 100,000 gallons
6"	Up to 275,000	$838.00	$3.00 for usage above 275,000 gallons

Exhibit B – Public Notice

Notice is hereby given that the Livingston City Commission will conduct a public hearing in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on August 4th, 2020, at 5:30 p.m. on **Resolution No. 4905,** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT'S INTENT TO ADJUST RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM**, resulting in an increase of approximately 24¢ to $1.84 for residential customers, depending on the amount of water consumed by the customer. All interested persons are invited to attend the public hearing, to make comments or make objections thereto. For additional information contact the City of Livingston Finance Department at 110 South B Street, Livingston, MT, 59047, or by phone at 222-1142.

Please publish three (3) times at least 6 (six) days apart, with the first publication being no more than 28 days prior to the hearing and the last being no less than 3 days prior to the hearing. In addition, please mail a copy to the Consumer Counsel in Helena.

Exhibit C- Public Notice Mailing

COMBINED NOTICE OF PUBLIC HEARINGS ON PROPOSED RATE INCREASES FOR WATER EFFECTIVE AUGUST 2020

Notice is hereby given that the City Commission of Livingston, Montana, will conduct a public hearing on Resolution 4905 in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on August 4th, 2020, at 5:30 p.m. of its intent to increase the water connection fee in the amount of 1.88% and the usage rate 5.63% (approximately 24¢ to $1.84 for residential customers, depending on the amount of water consumed by the customer). The public is invited to attend and comment on the proposed rate increases. For further information, contact the City of Livingston Finance Department at 110 South B Street, Livingston, MT, 59047, or by phone at 222-1142.

Please mail at least 7 days and no more than 30 days prior to the hearing to each customer including an estimate of the amount the customer's average bill will increase.

Water Minimum Charge $ 13.00 per month, plus $3.00 per 1000 gallons

Gallons	Current	Proposed	Difference
0	$ 12.76	$ 13.00	$ 0.24
1000	$ 15.60	$ 16.00	$ 0.40
2000	$ 18.44	$ 19.00	$ 0.56
3000	$ 21.28	$ 22.00	$ 0.72
4000	$ 24.12	$ 25.00	$ 0.88
5000	$ 26.96	$ 28.00	$ 1.04
6000	$ 29.80	$ 31.00	$ 1.20
7000	$ 32.64	$ 34.00	$ 1.36
8000	$ 35.48	$ 37.00	$ 1.52
9000	$ 38.32	$ 40.00	$ 1.68
10000	$ 41.16	$ 43.00	$ 1.84

File Attachments for Item:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A BIG SKY ECONOMIC DEVELOPMENT TRUST FUND GRANT APPLICATION ON BEHALF OF 130 NF LLC, FOR THE LIVINGSTON MAIN HOTEL FEASIBILITY & ARCHITECTURAL PLANNING ADAPTIVE REUSE PROJECT.

RESOLUTION NO. 4914

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A BIG SKY ECONOMIC DEVELOPMENT TRUST FUND (BSTF) GRANT APPLICATION ON BEHALF OF 130 NF, LLC, FOR THE LIVINGSTON MAIN HOTEL FEASIBILITY & ARCHITECTURAL PLANNING ADAPTIVE REUSE PROJECT.

****

WHEREAS, the City of Livingston is applying to the Montana Department of Commerce for a Big Sky Economic Development Trust Fund (BSFT) grant on behalf of 130 NF, LLC., for an adaptive re-use project of the existing historic Main Hotel building located at 130 North F Street in Livingston, the new owners of this building and will be acting as developers of the property; and

WHEREAS, the 1910 building was most recently used as apartments but closed in March of 2015. The goal of this project is to bring this historic building back to life by conducting feasibility and architectural planning to determine the best and highest use of the building. Due to the building's proximity to the core of downtown, it is believed that upgrading the 3 story building to a mixed-use space could greatly fill the need for affordable work-force housing in Livingston with the ground level floor to possibly offer space for commercial uses; and

WHEREAS, 130 NF LLC intends to begin renovation August 15, 2020, if the grant is awarded, with a targeted completion date of March 15, 2021.

WHEREAS, the grant request is for $25,000 and will be used for professional and engineering fees and costs associated with rehabilitating the building. If awarded, funds will be matched by 130 NF, LLC as indicated in the commitment letter attached hereto and incorporated herein as "Exhibit B". Funds will be administered by Park Local Development Corporation on behalf of the City of Livingston; and

WHEREAS, the redevelopment of the historic Main hotel into residential and retail space will greatly benefit our local economy. Local community and business leaders of the east corridor have expressed the need for continued east end improvements redevelopment and the continuation of that forward momentum that creates the desired positive image they have worked so hard to improve on. Exterior photos of the building in its current state are attached hereto and incorporated hereby as "Exhibit C".

WHEREAS, the City of Livingston has the legal jurisdiction and authority to apply for funds through the BSFT grant program on behalf of 130 NF LLC and it appears to be in the best interests of the City of Livingston inhabitants thereof, that the City apply for the BSTF grant funding on behalf of 130 NF LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISISON OF THE CITY OF LIVINGSTON, MONTANA;

1) The City of Livingston agrees to comply with all of the regulations, statutes, terms and conditions described in the BSTF application guidelines.
2) The City Manager is hereby authorized to sign and submit an application to the Montana Department of Commerce for BSTF grand funding for job creating projects on behalf of 130 NF LLC.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, THIS _____ DAY OF _____, 2020.

_____
DOREL HOGLUND- CHAIR

ATTEST:

_____
FAITH KINNICK
Recording Secretary

APPROVED TO AS FORM:

_____
COURTNEY JO LAWELLIN
City Attorney

PARKLOCAL
DEVELOPMENT CORPORATION

Big Sky Trust Fund Economic Development Planning Grant Application

Project: Livingston Main Hotel Feasibility and Architectural Planning

Applicant: City of Livingston

Assisted Business: 130 NF, LLC

Grant Administration: Park Local Development Corporation

Project Proposal:
The proposed project is the renovation and adaptive reuse of the existing historic Main Hotel building located at 130 North F St in Livingston. The Main is a three-story, 9,425 square foot structure built in or around 1933 and operated as a hotel for most of this century. Due to the building's proximity to the downtown core, this investment will evaluate an upgraded, mixed-use facility serving Livingston's workforce housing needs and demand for commercial use. The project goal is to bring this important building back to life by conducting feasibility and architectural planning to determine the best and greatest use of the building.

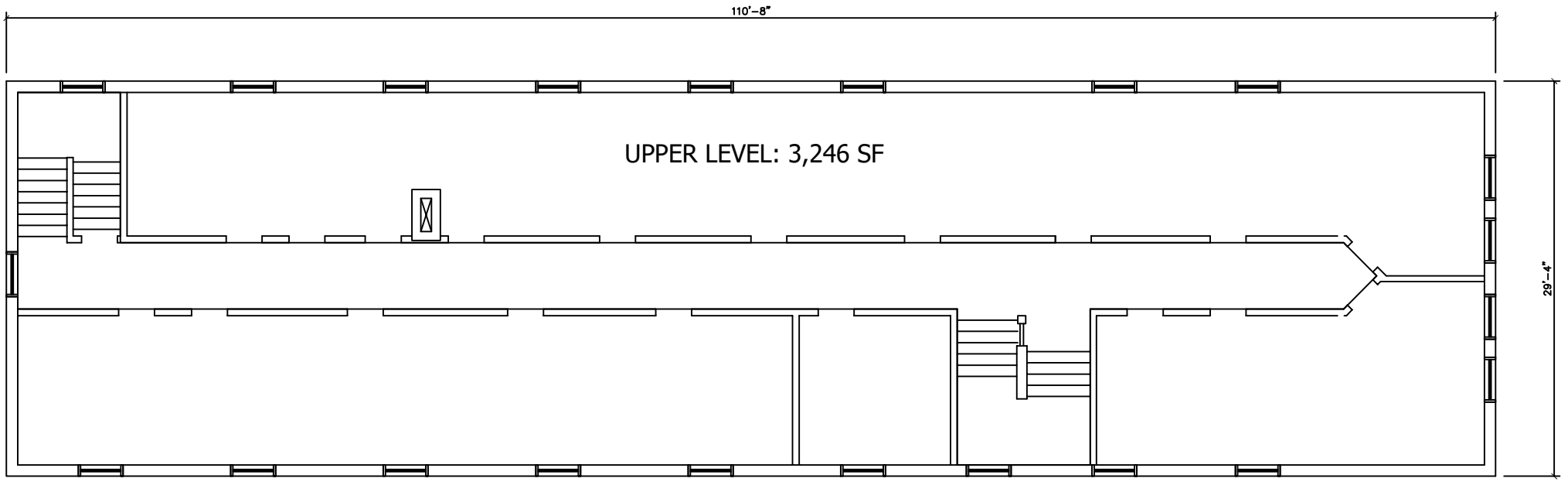
Rental units are anticipated to be 1 bed/1 bath studio-style apartments in the 240-315 square foot range. Preliminary estimated rent is $500-550 per month.

Grant Award and Project Budget:
Up to $25,000 to assist 130 NF, LLC with the completion of a Preliminary Architectural Report (PAR) in Livingston, Montana. Up to $2,000 or 8% for eligible administrative expenses. A cash match of $42,182.00 will be provided by 130 NF, LLC, resulting in total project planning project of $67,182.00.

Project Economic Impact Statement:
The redevelopment of the Main Hotel into retail and residential space has the significant likelihood of providing sustainable and equitable development outcomes. The project will benefit current economic development efforts by attracting and expanding businesses and providing much needed housing opportunities. Once redeveloped, it will provide a positive influence for commerce and development adjacent to and within Livingston.

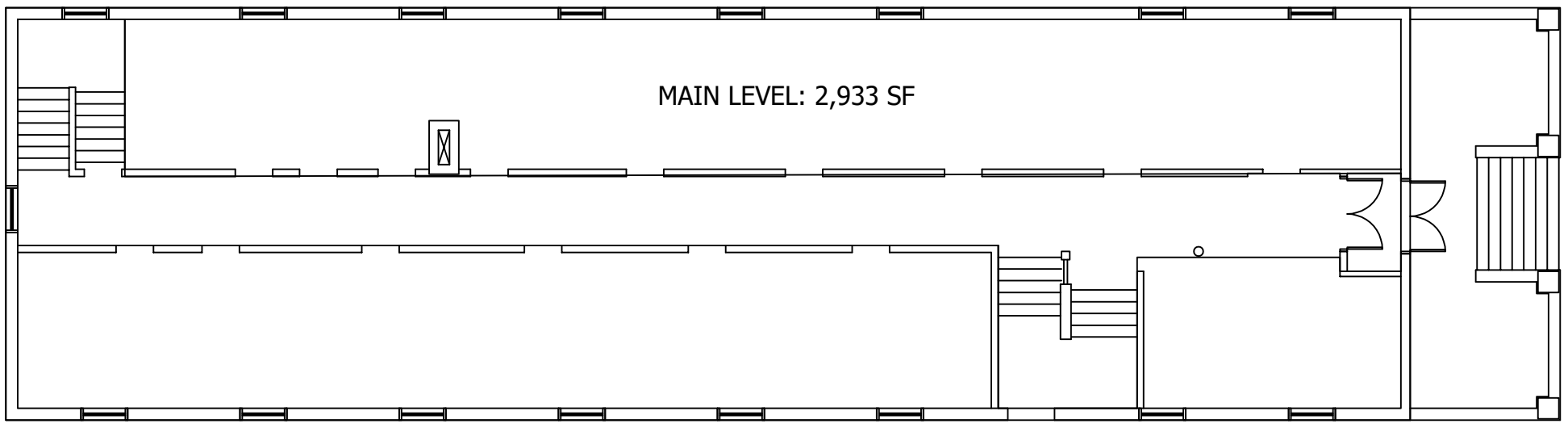
East end corridor redevelopment and improvement of blighted areas are a high priority of local economic development efforts, community and business leaders, Park County, City of Livingston, and several east end business and property owners.

The project is estimated to created six part-time jobs, including a building manager, maintenance manager, and four retail space employees.



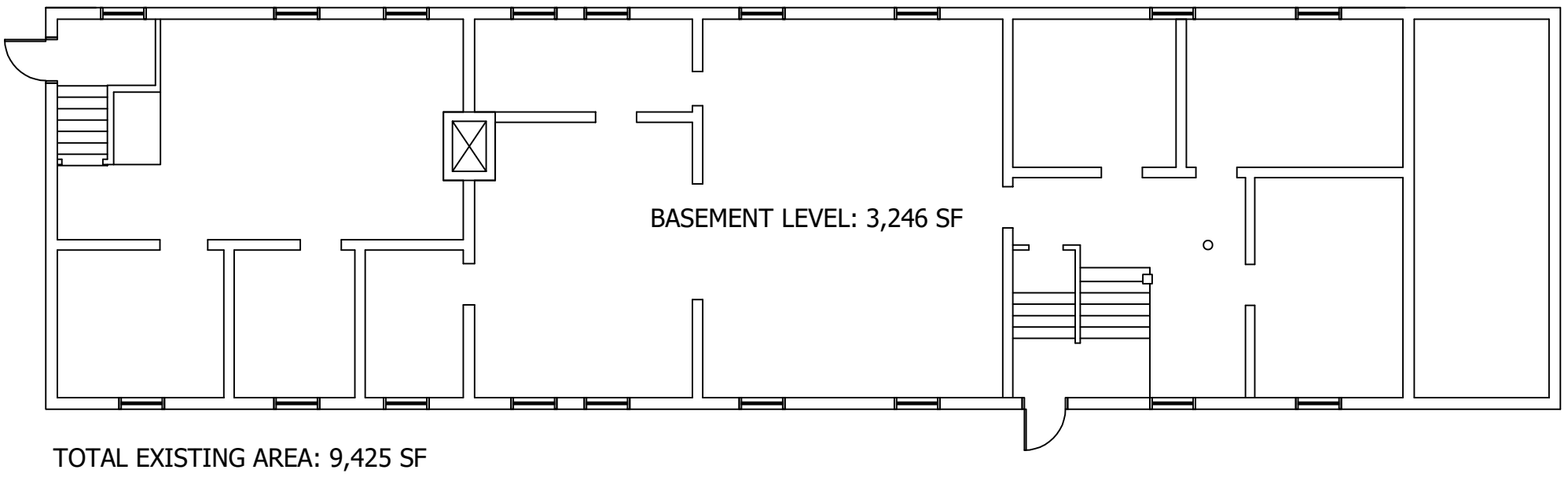
MAIN STREET HOTEL / EXISTING UPPER FLOOR PLAN

SCALE: NOT TO SCALE 06/16/2020



MAIN STREET HOTEL / EXISTING MAIN FLOOR PLAN

SCALE: NOT TO SCALE 06/16/2020



TOTAL EXISTING AREA: 9,425 SF

MAIN STREET HOTEL / EXISTING BASEMENT FLOOR PLAN

SCALE: NOT TO SCALE 06/16/2020

June, 17 2020

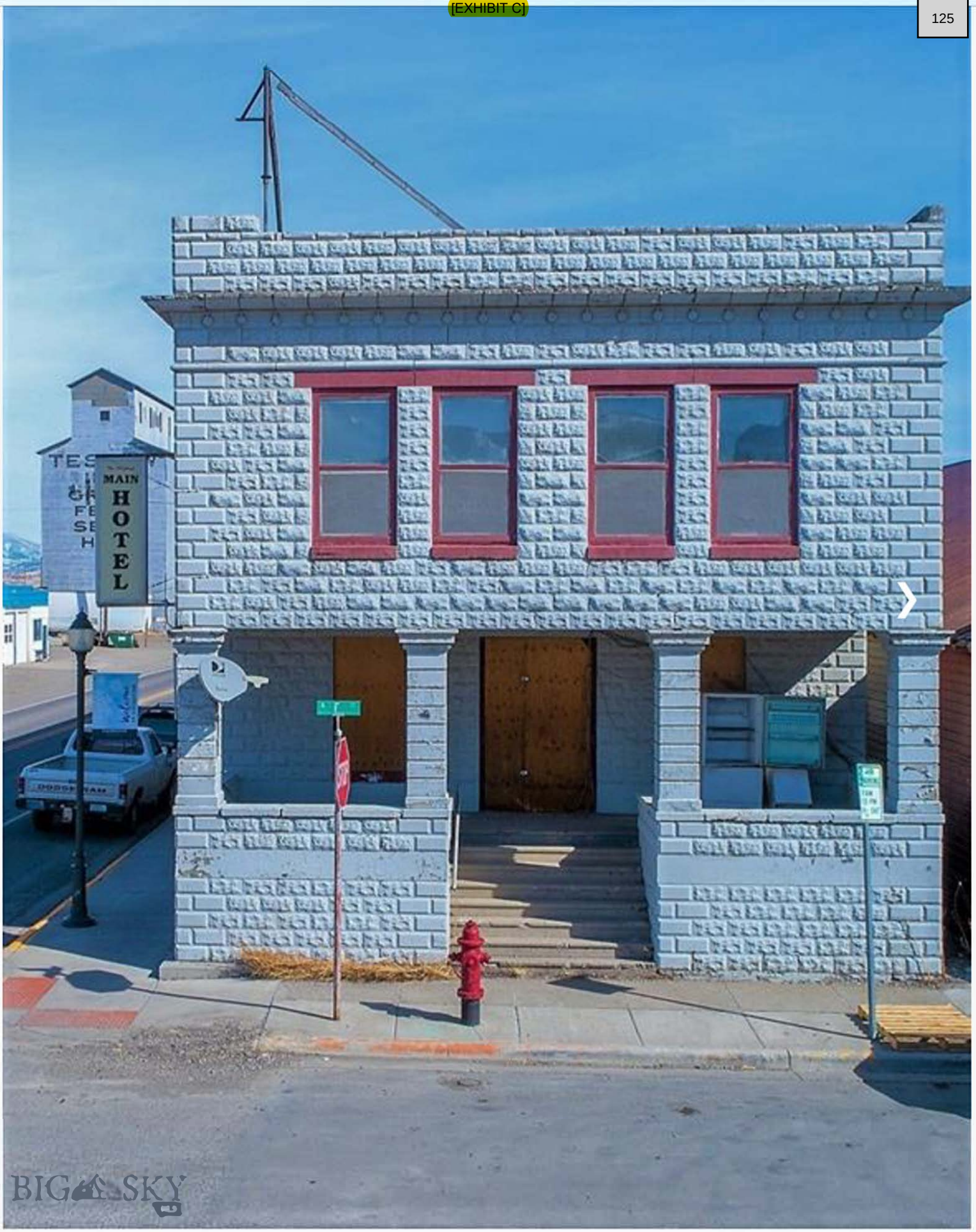
Dear Big Sky Trust Fund,

This letter to inform you that I Ryan Short a managing member of 130 NF LLC am committed to match the $25,000 BSTF grant dollars requested. This money is available for immediate use and sitting in a business account in Glacier Bank. This commitment is subject to final approval from the Montana Dept. of Commerce for the grant program.

If you require any additional information, please don't hesitate to contact me on any details to be provided!

Thanks,

Ryan Short
130 NF LLC


MAIN
HOTEL
BIG SKY

Listing Id: 342878


SHOP
LOCAL

d: 342878

e: $279,500

File Attachments for Item:

B. RESOLUTION NO. 4913: AUTHORIZING CM TO SIGN A REAL PROPERTY BUY-SELL AGREEMENT WITH ENGLE VOLKERS FOR THE PURCHASE OF THE VOYICH PROPERTY.

RESOLUTION NO. 4913

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A REAL PROPERTY BUY-SELL AGREEMENT WITH ENGLE VOLKERS FOR THE PURCHASE OF VOYICH PROPERTY.

****

WHEREAS, the City of Livingston desires to build an additional rail crossing that will serve the northwest side of the City; and

WHEREAS, The Voyich property, described as S23, T02 S, R09 E, C.O.S. 2314RB, PARCEL 4, has become available for purchase for a price of $699,000.00; and the City of Livingston has an interest in purchasing the property for water, sewer, and street right-of-ways; and

WHEREAS, the Livingston City Commission approved the purchase of adjacent land to the current property via Resolution No. 4621 in November of 2015; which is now known as the Star Road facility; and

WHEREAS, The City Administration has determined the purchase could be paid for in cash with funds derived equally from street, water and sewer impact fees (see fiscal note incorporated herein an attached hereby as "Exhibit A");

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISISON OF THE CITY OF LIVINGSTON, MONTANA;

The City Manager is hereby authorized to enter into a Real Property Buy-Sell Agreement.

PASSED AND ADOPTED, by the City Commission of the City of Livingston this_____ day of _____, 2020.

_____

DOREL HOGLUND- CHAIR

ATTEST:

_____

FAITH KINNICK
Recording Secretary

APPROVED TO AS FORM:

_____

COURTNEY JO LAWELLIN
City Attorney

CITY OF LIVINGSTON FISCAL NOTE

Ordinance #
Resolution # 4913

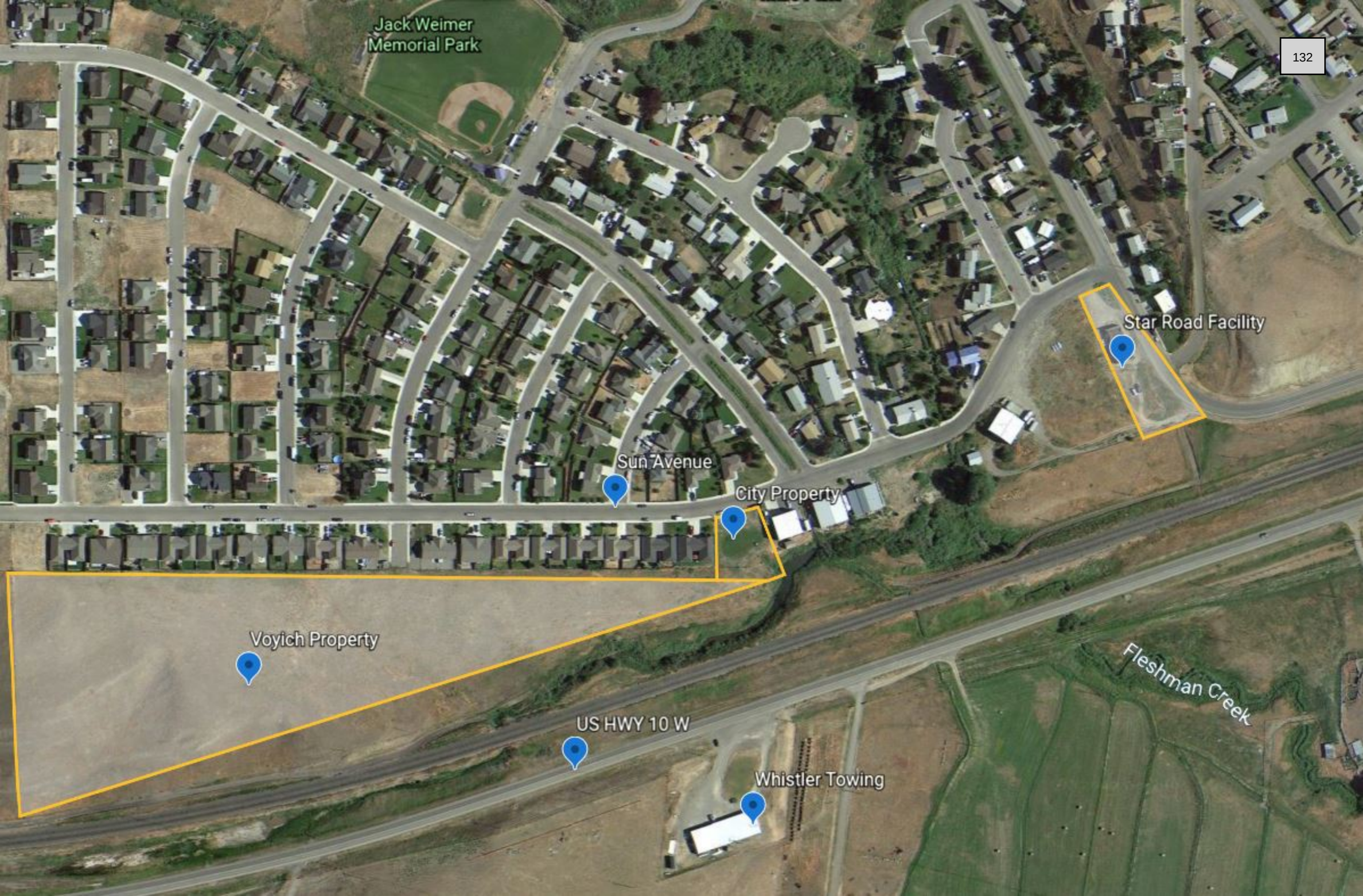
Fiscal Analysis Assumptions

• It is anticipated that the City has the opportunity to purchase the Voyich property in cash for a future railroad crossing from the following funding sources:

Costs by Object	FY 21	FY 22	FY 23
Personnel	$ -	$ -	$ -
Operating			
Capital	699,000		
Debt Service			
Total Costs	$ 699,000	$ -	$ -

Funding Source	FY 21	FY 22	FY 23
Transportation Impact Fees	$ 233,000		$ -
Water Fund	233,000		-
Sewer Fund	233,000		-
			-
			-
Total	$ 699,000	$ -	$ -

Signature *Paige M. Fetterhoff*
Date 7/29/2020


Jack Weimer Memorial Park
Star Road Facility
Sun Avenue
City Property
Voyich Property
US HWY 10 W
Whistler Towing
Fleshman Creek

File Attachments for Item:

B. DISCUSS FINANCIAL SUPPORT OF THE HRDC WARMING CENTER.

Background Information on HRDC Warming Center

- Pilot Program during 2019-2020 winter season
- Desired opening date of 1 Nov
- Estimated Cost is $90,000 per season
- One-time grants in 2019-2020 from United Way and PCCF covered $16,000
- Unsure of plan for 2020-2021, no funding currently secured

File Attachments for Item:

C. DISCUSS/APPROVE/DENY: SETTING BALLOT LANGUAGE FOR NOVEMBER FOR THE RAILROAD CROSSING PROJECT.

RESOLUTION NO.

A RESOLUTION OF THE CITY COMMISSION SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF LIVINGSTON, MONTANA, THE QUESTION OF A MILL LEVY TO FUND THE CONSTRUCTION OF A SEPARATED GRADE RAIL CROSSING AND ITS ATTENDANT INFRASTRUCTURE IN A PRINCIPAL AMOUNT NOT TO EXCEED $_____ MILLION DOLLARS ($) FOR THE PURPOSE OF FINANCING AND PAYING THE COSTS ASSOCIATED WITH THE SEPARATED GRADE RAIL CROSSING; AND TAKING CERTAIN OTHER ACTIONS WITH RESPECT THERETO.

RECITALS

WHEREAS, a Montana city or town is authorized pursuant to Montana Code Annotated, Section 15-10-425, as amended, to impose a mill levy for various purposes that benefit the public in the city or town; and

WHEREAS, a Montana city or town is authorized pursuant to Montana Code Annotated, Section 15-10-425, as amended, to impose a mill levy upon approval of the electorate of the Montana city or town, provided that such indebtedness will not cause the total indebtedness of the city to exceed statutory limitations; and

WHEREAS, the City Commission of the City has determined that need exists for a separated grade crossing to serve the City and its resident and that the citizen electorate has the right to determine whether they will be taxed for the purpose of funding the construction of the separated grade crossing and its attendant infrastructure; and

WHEREAS, pursuant to Montana Code Annotated, Section 13-19-104, the mill levy election may be conducted by a mail ballot election; and

WHEREAS, the City Commission has determined that a mail ballot election, conducted in accordance with the provisions of Montana Code Annotated Title 13, Chapter 9, Patts 1-3 (the "Mail Ballot Act"), may be necessary to promote the best interests of the city and the City's electors; and

WHEREAS, pursuant to this resolution, the City is notifying the County Clerk and Recorder of Park County, as Election Administrator (as defined below) of the City's intent to have the electorate determine if a mill levy should be imposed in conjunction with the general election to be held by mail ballot on November 3, 2020; and

WHEREAS, the notification by the City to the Election Administrator of the City's intention to hold the Election under Montana Code Annotated Section 13-1-405, is not less than eighty-five (85) days prior to the date of the proposed election;

and

WHEREAS, the Election Administrator, will prepare a ballot election plan relating to the mill levy, and the Election Administrator shall submit the Ballot Plan to the Montana Secretary of State as required by law; and

WHEREAS, the City Commission has determined that it is necessary and desirable to submit to the electors of the City the question of imposing a mill levy in an original aggregate principal amount not to exceed $_____ (the "Levy") for the purpose of constructing a separated grade crossing and its attendant infrastructure; and

WHEREAS, it is the judgment of the City Commission that the sum of _____ and No/100 Dollars ($_____), along with other funds of the City, if necessary, is estimated to be necessary to construct the crossing and attendant infrastructure; and

WHEREAS, it is the judgment and determination of the City Commission that the levy imposed will be taxable semiannually over a term not to exceed twenty (20) years and shall be redeemable as determined as by the City Commission.

NOW, THEREFORE, BE IT RESOLVED By the City Commission of the City as follows:

I. Calling Election. This City Commission has determined that there shall be submitted to the electors of the City the question of whether or not the City Commission shall be authorized to impose a mill levy in order to construct a separated grade rail crossing and its attendant infrastructure. The ballot question shall be on the imposition of a mill levy in an original aggregate principal amount no to exceed _____ Dollars ($_____). The City Commission hereby calls a special City election (the "Election") to be held on Tuesday, November 3, 2020, in conjunction with the general election, for the purpose of voting on the imposition of the mill levy.

The date of the Election is not less than eighty-five (85) days after the passage of this resolution. The term of the Levy will be taxable during a term of not more than twenty (20) years and imposed semiannually with other property taxes.

2. Ballots. The ballot language for the Election should be in substantially the form attached to this resolution as EXHIBIT B and shall be used for the Tuesday, November 3, 2020 Election. The Election Administrator is hereby requested to prepare suitable ballots for use in the Election as prescribed by Montana law.

3. Estimated Costs. The cost of the mill levy to fund the construction of a separated grade rail crossing, along with other funds dedicated for their funding, is estimated not to exceed _____ Dollars ($_____) .

4. Debt Limitations. The imposition of the mill levy in an original aggregate amount not to exceed _____ and No/100 Dollars ($_____), along with outstanding general obligation indebtedness of the City, will not cause the City to exceed the City's limitation on statutory indebtedness..

5. Resolution on File with Election Administrator. The Clerk of the Commission is hereby directed to file a copy of this resolution, including the ballot language, with the Election Administrator.

6. Notice of Election. The Election Administrator is hereby authorized and requested to cause notice of the call and holding of the Election to be given by publishing notice at least once a week for the two (2) consecutive weeks before the Election in *Livingston Enterprise*, the official newspaper of the City and a newspaper of general circulation in the City as required by Montana Code Annotated, Section 13-1-108.

7. Conduct of Election. All qualified electors of the City shall be entitled to vote at the Bond election. The Election Administrator is hereby authorized and requested to give notice of the close of registration and thereafter to prepare printed lists of the electors in the City entitled to vote in the election in the City and to conduct the election pursuant to the Ballot Plan. The Election Administrator is hereby authorized and directed to promptly give notice of the call and details of this special election to the Election Administrator.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, THIS _____ DAY OF _____, 2020.

_____

DOREL HOGLUND- CHAIR

ATTEST:

_____

FAITH KINNICK
Recording Secretary

APPROVED TO AS FORM:

_____

COURTNEY JO LAWELLIN
City Attorney

EXHIBIT A

FORM OF BALLOT

CITY OF LIVINGSTON, MONTANA
MILL LEVY SEPARATED GRADE CROSSING ELECTION

NOVEMBER 3, 2020

INSTRUCTIONS TO VOTERS: Fill in the oval before the words "FOR IMPOSITION OF MILL LEVY FOR SEPARATED GRADE CROSSING" if you wish to vote for the mill levy issue. If you are opposed to the mill levy issue fill in the oval before the before the words "AGAINST IMPOSITION OF MILL LEVY FOR SEPARATED GRADE CROSSING".

MILL LEVY FOR SEPARATED GRADE CROSSING

Shall the Livingston City Commission be authorized to impose an additional approximately _____(mills) mill levy on all taxable property within the City Limits of Livingston to fund the construction of a separated grade crossing and the attendant infrastructure therefore, at _____(location). Subject to the taxation being limited for the mill levy in order to raise the additional amount of _____($ amount) in, but not to exceed, twenty (20) years and taxable as determined by the City Commission for the separated grade crossing.

The impact of the election on a home in the City limits valued for tax purposes as $100,00 in terms of actual dollars in additional property taxes that would be imposed would be $_____ and for a home valued for property tax purposes at $200,000 is $_____ with those values if the Mill levy was to pass.

Currently the residents inside the City of Livingston pay nothing for rail crossings.

FOR IMPOSITION OF MILL LEVY FOR SEPARATED GRADE CROSSING - (YES)

AGAINST IMPOSITION OF MILL LEVY FOR SEPARATED GRADE CROSSING - (NO)

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being duly qualified and acting recording officer of City of Livingston, Park County, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: " **A RESOLUTION OF THE CITY COMMISSION SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF LIVINGSTON, MONTANA, THE QUESTION OF A MILL LEVY TO FUND THE CONSTRUCTION OF A SEPARATED GRADE RAIL CROSSING AND ITS ATTENDANT INFRASTRUCTURE IN A PRINCIPAL AMOUNT NOT TO EXCEED $_____ MILLION DOLLARS ($) FOR THE PURPOSE OF FINANCING AND PAYING THE COSTS ASSOCIATED WITH THE SEPARATED GRADE RAIL CROSSING; AND TAKING CERTAIN OTHER ACTIONS WITH RESPECT THERETO.**"
(the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission at a regular meeting on August 4, 2020, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following City Commission members voted in favor thereof

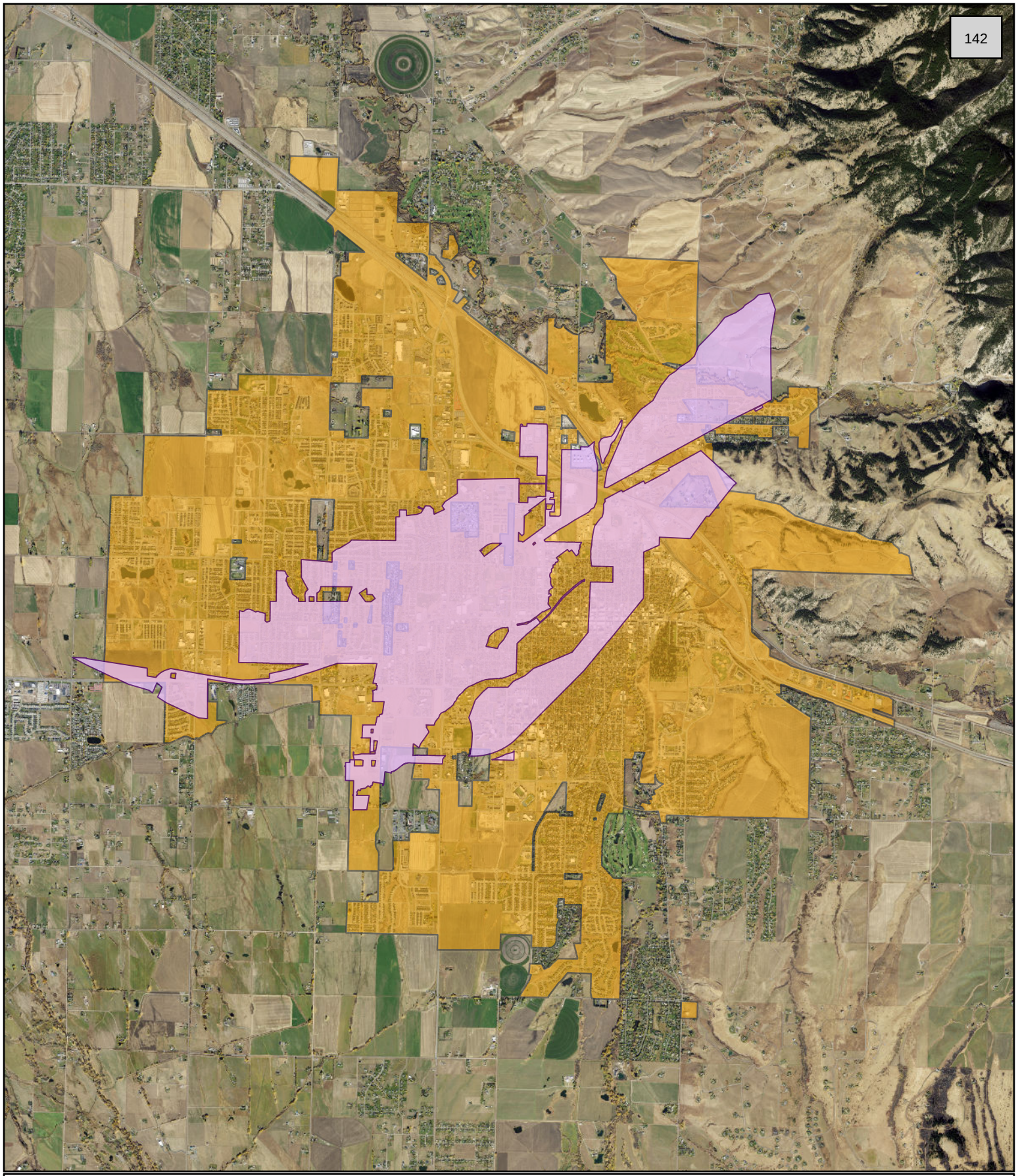
voted against the same:

abstained from voting thereon:

or were absent:

WITNESS my hand officially this 4th Day of August 2020.

_____
Clerk of the Commission



N

Livingston City Limits

Bozeman City Limits

0 1 2 Miles

Livingston City Limit vs. Bozeman City Limit

City of Livingston
Incorporated 1889

Click anywhere below for full study

TRANSPORTATION STUDY UPDATE

LIVINGSTON, MONTANA

Prepared for

CITY OF LIVINGSTON

Prepared by

MARVIN & ASSOCIATES
1300 North Transtech Way
Billings, MT 59102

September 1, 2017

MARVIN & ASSOCIATES

N

Meredith Ranch Rd
Fleshmam Cr Rd
190
380
Star Road
Sunrise Drive
1400
690
Sun
Montana Street
1020
N 8th Street
600
N 5th Street
3120
3460
6200
1050
8200
Front Street
2540
130
4700
11500
US Highway 10
9000
S 7th Street
Park Street
12700
13800
3900
2200
Loves Lane
Interstate 90
Westside Road
4280
4300
4600
2900
2200
100
600
200
PFL Rd
Livingston

Peak Hour Turning Movement Volumes (Typical)

Average Weekday Traffic (Typical)

Figure 2.
Key Intersection & Street Traffic Volumes 2018

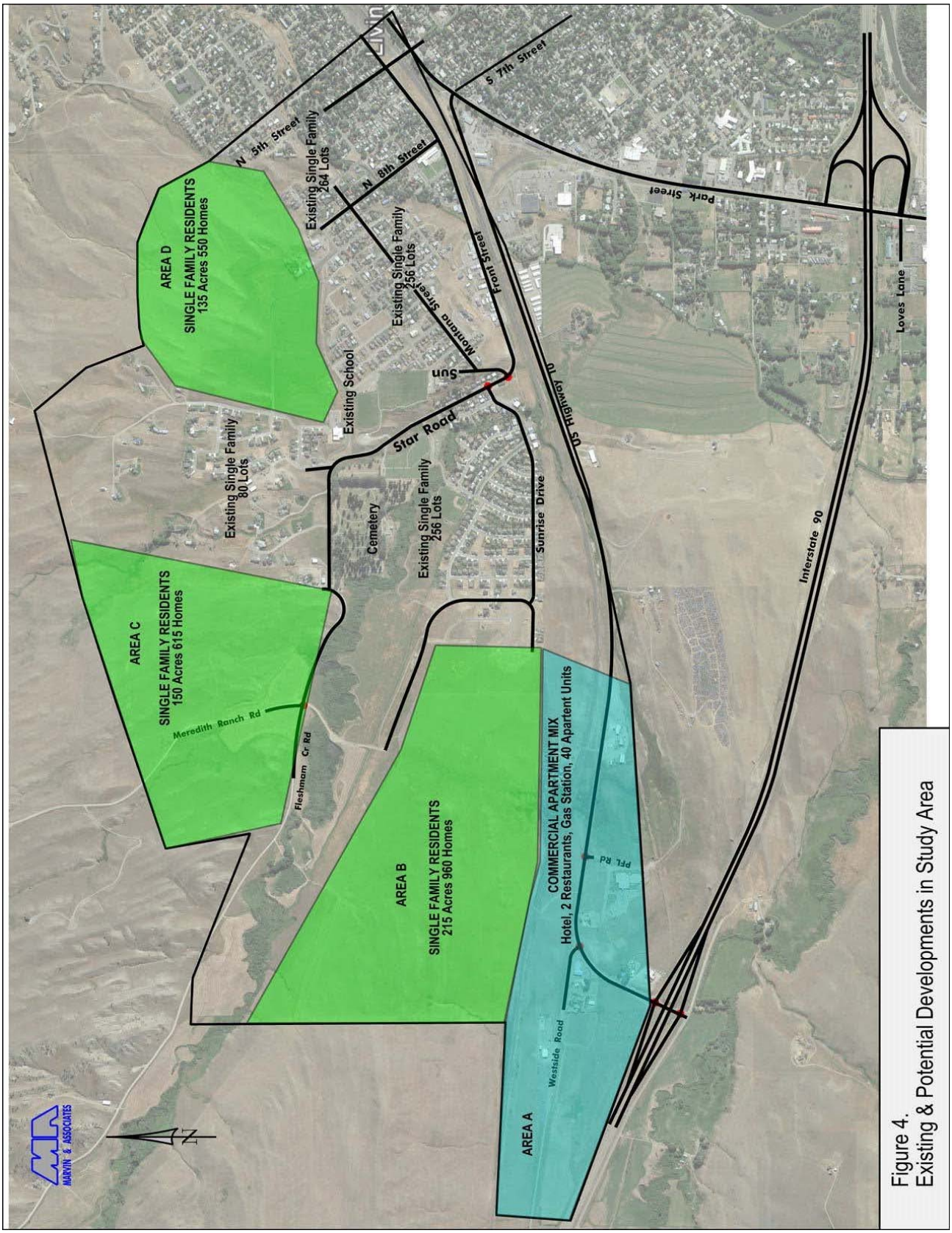


Figure 4.
Existing & Potential Developments in Study Area

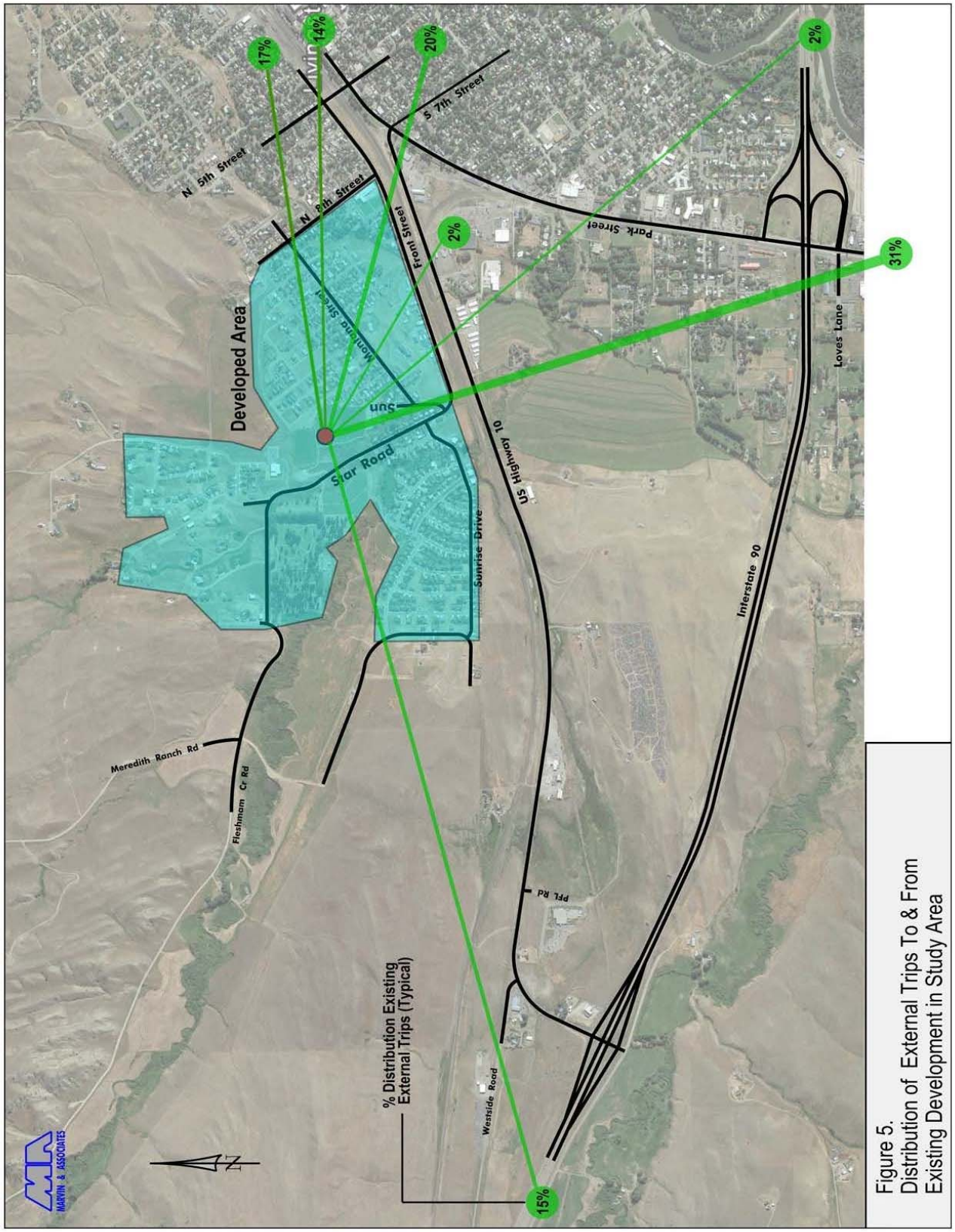


Figure 5.
Distribution of External Trips To & From Existing Development in Study Area

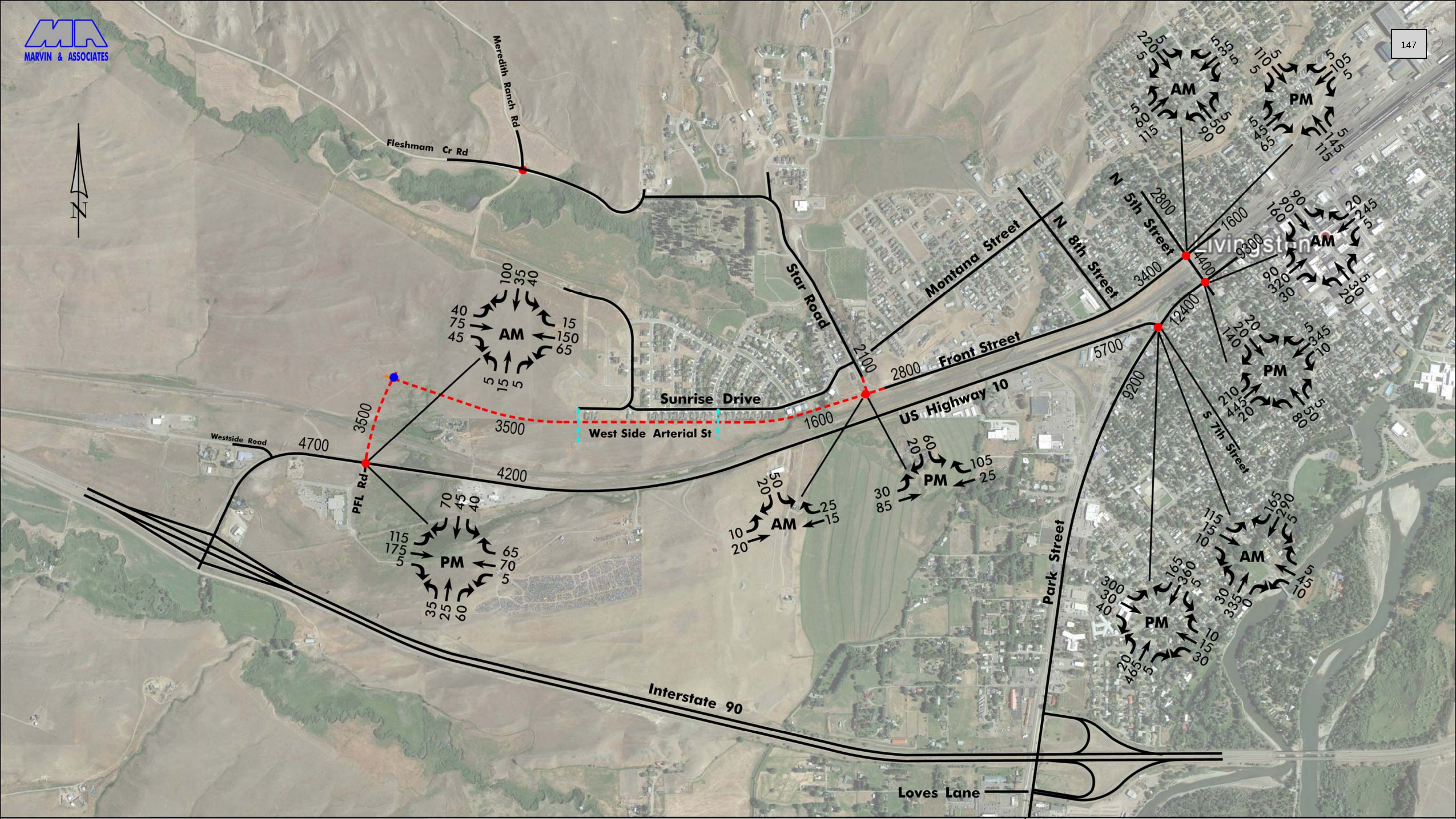


Figure 6.
Initial Traffic Projections at Key Intersections & Streets - Construction of Westside Arterial & At-grade RXR Crossing

LEGEND

- Existing Arterial
- Existing Local Street
- Proposed Arterial
- Proposed Collector
- Proposed Local Connect
- Alternative Connection
- Proposed Bike/Ped Path

Study Area Boundary

Meredith Ranch Rd

Fleshmam Cr Rd

North Town Collector

Sun Street Closure Alternatives

B

A

Summit St

Montana Street

N 8th Street

N 5th Street

Star Road

Underpass Road

Sun

N 11th St

N 12th St

Front Street

Callender Street

S 7th Street

Lewis Street

Clark Street

Geyser Street

Sunrise Drive

West Side Arterial St

Westside Road

US Highway 10

RAILROAD

PFL Rd

Elkhorn Lane

Potential Arterial Connection
For Future Development If Necessary

Park Street

Interstate 90

Loves Lane

0 1,000 2,000 3,000

Scale in Feet

Figure 7.
Northside Livingston Proposed Future Street & Path System

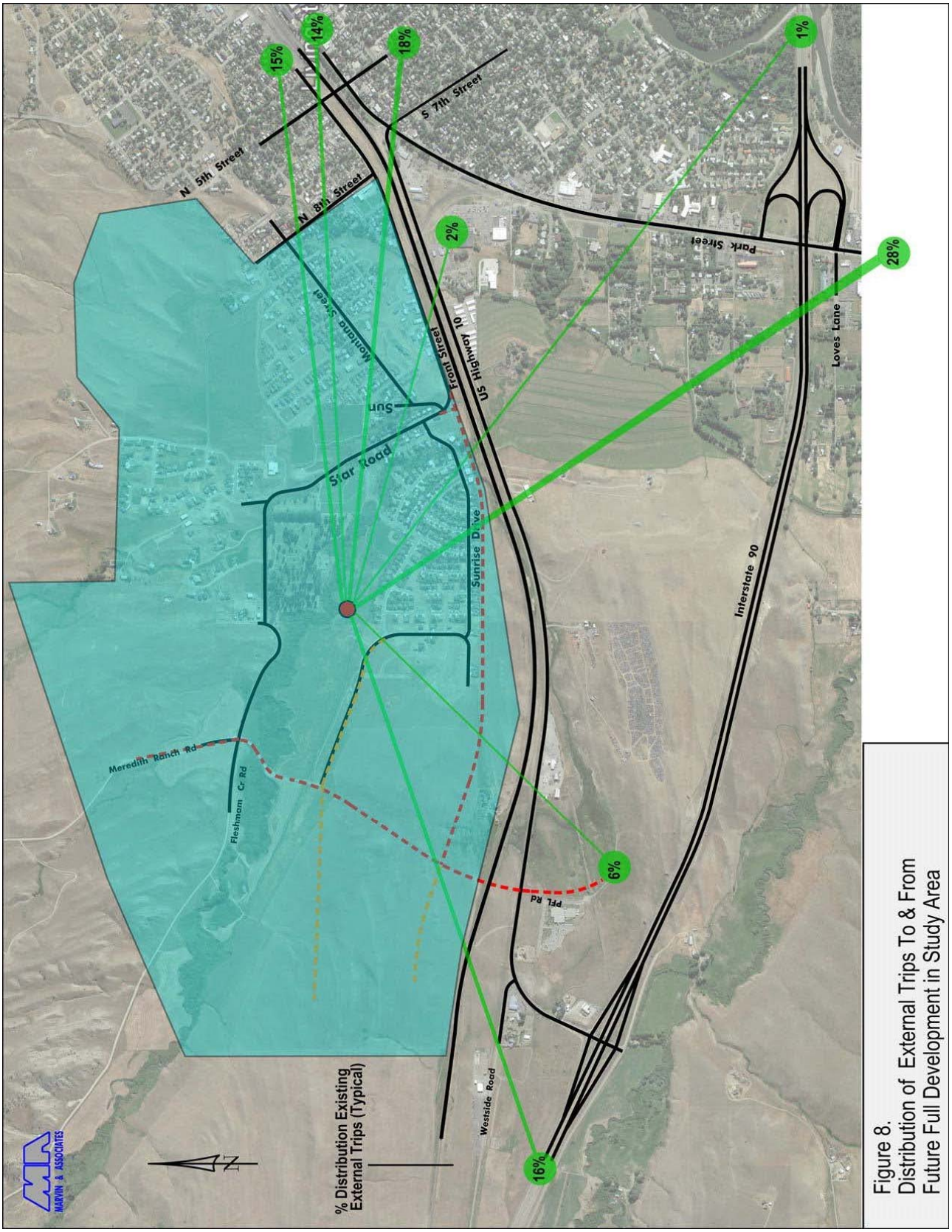


Figure 8.
Distribution of External Trips To & From
Future Full Development in Study Area

MARVIN & ASSOCIATES

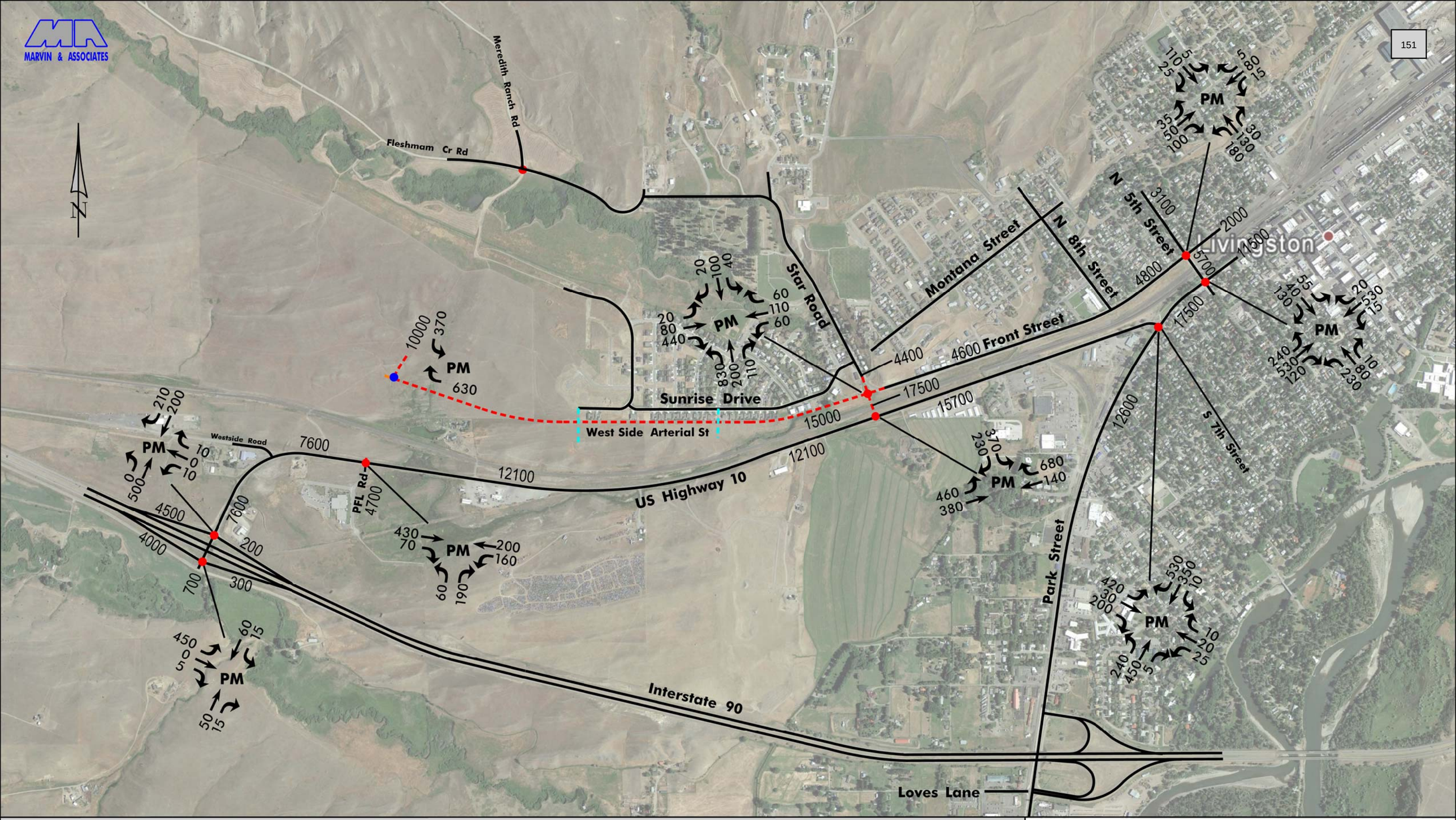
Meredith Ranch Rd
Fleshmam Cr Rd
Underpass Road
Star Road
Montana Street
N 8th Street
N 5th Street
Front Street
Sunrise Drive
West Side Arterial St
US Highway 10
Westside Road
PFL Rd
Park Street
S 7th Street
Interstate 90
Loves Lane
Livingston

Peak Hour Turning Movement Volumes (Typical)

Average Weekday Traffic (Typical)

Figure 9.
Future Traffic Projections at Key Intersections & Streets - Full Development Within Study Area On Proposed Street System

MARVIN & ASSOCIATES



Peak Hour Turning Movement Volumes (Typical)

97 → 212 ←
41 ↓ PM ↑ 66
2 ↱ ↰ 2

4600
Average Weekday Traffic (Typical)

Figure 10.
Star Road Underpass Alternative
Future Traffic Projections at Key Intersections
Full Development Within Study Area

Sender	Comments	Opinion		Location				Funding			
		In Favor	Opposed	Star Rd.	No. Lights Rd.	PFL Way	Hwy 10 W.	Mill Levy	SID	Developer	Grants
Mary Ackermann	It is my opinion that the proposed crossing is too far away from the properties that it would service on the north side. Additionally it is too close to a curve for east bound traffic to safely turn north and west bound traffic to safely turn south. If the proposal is designed to access lands for future development, I suggest the developer pay 90% of the associated costs as part of the development expenses. Thank you for the opportunity to speak up.	X		X	X					X	
Jo Newhall	As you move forward with discussions and planning for a railroad crossing please keep in mind the small town character of Livingston. Walking and biking to all services and neighborhoods should be possible and encouraged. Please look at all routes with this concept as the priority before a decision is made. The present plan of extending PFL Road for the crossing feels very much like encouragement of urban sprawl. I also believe it is paving a road for easy access to Bozeman services instead of Livingston services. Thank you for all the time and concern that you each contribute for the benefit of present and future Livingston citizens!			X	X						
Justin Dalby	My name is Justin Dalby, I live on Northern Lights Road in Livingston. I have see the plan to PFL Way with an extension of Front Street. I think this plan is excellent, with the growth of the new subdivisions on the West Side of town, this is smart, forward thinking move for our great city. Thank you very much!	X				X	X	X	X		
Thomas Goltz	For the record, I am opposed to a new over or under tracks passage to the developing subdivisions to Livingston's north. This will only bring more. Keep our town tight, with a focused downtown.		X								
Greg Leighty	In what ways is a Special Improvement District funding source appropriate for our community? The railroad crossing benefits everyone in the community including the north side businesses.							X			
Dick Murphy	I consider it a no Brainerd. The crossing is a necessity the city needs in order to grow. The projected location I think is appropriate.	X				X	X	X	X		
Todd Mott	Greetings, Thank you for taking on the burden of figuring this issue out. I am glad to see progress being made. I support a crossing somewhere to the west of town, but not sure what the best solution would be. Really seems like the growth is happening toward the west and maybe a crossing even further out that doesn't bring traffic through residential areas might be worth looking into. I would be interested to know if this option has been explored right near the highway depts, and the turn that takes you down hill toward I-90. I live in the North. We are on 5th St. near the end. Below Montana Street. Some days with the crossing are really tough. It would be interesting to know what the expenses are for different proposals. If they are available I would be glad to have a look. Or is there just one option being considered. I apologize for not being the best informed on all the issues at play here. I have been out of town on wildland fires as I work for the forest service and travel for my work. As a first response, that is my main issue with our current situation. Public safety and access/egress issues. Timeliness for first responders to do their jon etc... Not sure if you are looking at an underground crossing but that would make it possible to cross if there was a train. It buys the first responders options. Just a thought, Maybe we can get the train drivers to limit the time on the horn after 10pm and before 6 am, one guy just loves to blow for 30 seconds x 3 at 330 and of course it wakes up half the town near the tracks. Just my 2 pecos. Feel free to return an email if you have things to share.	X			X	X					
John Lowell	There is no doubt that Livingston has needed another railroad crossing for many years - that's not contested by anyone. 1) Mike Kardoes proposes putting the crossing out by Printing For Less which would be handy for folks going west on I-90, or coming in from Bozeman. However, it would not make much sense to alleviate the congestion in town every day. A much better spot would be to extend Star Road where it bends and turns into West Front Street. Extend Star Road over the tracks and connect with Highway 10. You'd save millions as opposed to what you're planning on spending to extend Front Street all the way out to PFL, and it would help the traffic congestion. 2) Re: Special Improvement District - It seems very unfair to charge people who live on the north side of the tracks more money through taxes because you feel that they will use it the most. People move throughout the town freely all day/night. Raising taxes on the folks who live on the north side is ludicrous. If that's to be the case, then people who live on the south side should be charged a toll if they want to use the crossing. Come on, Mike. You know that everyone will use that crossing. And, I might only use it once a month - who knows? Will my taxes be prorated by how many times I use it? A Special Improvement District for the north side is a really bad idea. Our taxes were raised just recently. Why don't you apply for a grant, like the one that Ed Meece lost a few years ago?	X	X	X							X

Nancy Jurvarkainen	I'd like to weigh in on the funding of the new proposed RR crossing and how it should be funded. I am in agreement with those in our community that the cost of this crossing should be shared by all. The crossing problem goes way back in this community and all of the community should share in the solution. I do not agree with a SID for the Northside for any amount. Question/comment concerning the failing septic system at the Civic Center: When the Civic Center is connected to the city sewer system, how will this affect the possible build of a Recreation Center near this same area? I am wholly in favor of the new Rec Center as are many in this community. If the Civic Center is no longer needed (or moved), it's my hope that any work done now is done with the Rec Center in mind. Which I am sure it will be considered but I just wanted to put in my thoughts. Thanks for all everyone is doing to move our small community forward ~ the challenges have to be immense!	X						X			
Steve Koontz	I have a couple of questions: A. Why didn't the SID include any houses on the East side of Main St? B. What is the median value of the house that you are using for your calculations? C. If this fails at the ballot box, could parts of it still be done? Like Front St. extension and the sewer/water extensions? D. Does the levy and the SID include the same number of houses? E. Are the numbers based on the existing homes as outlined? If there is a future building boom how will the value of the new houses affect the levy and SID amounts? Personally, I think that the SID and mill levy would have a better chance of passing if the overpass was closer to down town, at the Whistler's towing garage. It would be more usable for more people. Then for the Bozeman traffic, the City could add a grade crossing at the property that it owns out by Print For Less. At that location trains never stop and a grade crossing is seldom obstructed for more than five minutes. Unfortunately I have been working in Red Lodge and unable to attend the meetings. Thanks for all your efforts on this.	X	X	X				X	X		
Steve Koontz	One more thing, On the slide entitled, 'What choices do we have?' the third choice is $1.5M for engineering. This should be deleted. Hire Dick Anderson to do a Design Build project. It would save money and go much faster.										
Andrew Field	I have liked the idea of a grade-separated crossing on the West end since Mike first showed us the concept at a town hall meeting at PFL. It would make it that people travelling from North of the tracks to and from Bozeman would not have to pour into the congestion, and clear the way for some further, well-managed growth North of the tracks, which is the only place where there is significant land. Like others, I have some misgivings about growth in our town, but if we don't plan for it, it will be unplanned. What we do not want to happen, which has occurred in many towns and cities, is to lock down growth of residential construction. That results in skyrocketing prices, which prices families and working people out of the market, and we would end up with nothing but rich out-of-staters, part-timers, and AirBNB rentals. That would not be good for the character of the community, nor for the businesses and service providers in town.	X			X	X					
Jack Luther	I recall a demonstration several years ago given by George Denton, who I was led to believe was a civil engineer. We went to exit 340 on I-90 and, along with several commissioners and the city manager, looked at an overpass at that location We then went to the Star Road/Front Street area where he demonstrated what an overpass would look like at that location. At that time it was the preferred location for the separated grade crossing. At a later commission meeting, at the request of the city manager, the commission voted to purchase a property at the Star/Front location because it would be needed in the future for the crossing. My wife and I attended Mr. Kardoes' separated grade crossing meetings, both the initial one last November, and two of the three in June and July this year. In the November meeting 1.6 million had been spent at that point studying which included the $250,000 for right of way at the Star/Front location. In November the cost estimate for the extension of arterial road, water, and sewer was $23.5 million. The June and July presentations by Mr. Kardoes had little mention of the Star/Front location and instead focuses on his idea of a crossing at the PFL/Hwy10 location. Of the slides in those presentations only two showed locations, both way out west, none of the Star/Front locations. Little wonder them that the preliminary votes for location showed 55% for Star/ Northern Lights and 37% for PFL/Hwy 10 while post presentation votes were reversed, with 40% voting for Star/Front and 54% for PFL?Hwy 10. Why is Mr Kardoes so focused on having the crossing way out west? I believe its because 4 of 6 areas in the growth study ripe for development are in, or would be served, by infrastructure improvements made by the PFL?Hwy 10 option. Why should the people of the city pay for the developers benefit? Estimated cost for the separated grade crossing at PFL/Hwy 10 in November were $23.5 million, in July the estimated cost had dropped to $15 million. Estimated cost for an overpass at Star/Front location...under $5.5 million. Why not do what would now benefit the folks on the north side, do it for less cost and let the future development out west pay its way later? Another point to ponder. The distance from the intersection of Park and 5th Streets is 2.3 miles to the proposed crossing at Hwy 10. For those who would use the crossing at that point, would you really drive an additional 4.6 miles to come downtown to Livingston to get a haircut, visit the doctor, open the store,or to take the kids to school? And then repeat it to go home? I wouldn't.										

Bill Gibson	First, let me state that I find it puzzling that the city manager was going to recommend to the commission a course of action on the RR crossing before the public comment period had expired. I recall a newspaper article a couple of weeks ago where he was quoted in the paper as saying that, plus there was an Action Item, discuss/approve/deny, on page 79 of the commission July 21 Agenda going into great detail wherein he was going to recommend funding the project on the west end with a combination mill levy and SID. With regard to funding, This is a city wide project that is going to benefit everyone who lives in this town, regardless of where they live. One example: people from all over town use the ball fields on the north side. I believe there are at least two churches on the north side also. I can think of other examples. I strongly believe that the only fair way to fund this project is for all property owners to pay through a city wide mill levy of 15 million dollars. It is the only fair way to spread the costs. Suggesting a combination of a 12 million dollar mill levy and a 3 million dollar SID amounts to nothing more than double taxation of a large part of the NW side town based on the assumption that they will use the new crossing more than other residents on the south or east side. Granted, there are some in that part of town who will use it more frequently, but not all. SIDs that I have seen levied on people usually have a much narrower scope than this proposal, e.g., for street repairs, for lighting, etc. The RR crossing SID proposal casts an unbelievably wide net based on what appears to be an erroneous assumption that people who live in the SID area go to Bozeman every day to work. I submit that most people who live in the SID area don't go over there anymore frequently than do those who live elsewhere in town. If you put a mill levy and an SID on part of the town it amounts to a grossly unfair financial hit on the part of the town subject to the SID. Most taxpayers aren't paying attention, but when they get their first property tax bill reflecting a mill levy plus an SID, they will really pay attention. But, too late. It almost looks like the city management is trying to sell this project through a divide and conquer strategy. Tax the south and east and some of the north side at a lesser rate in order to buy votes. But, pound the people who happen to live in a part of town because they might use the crossing more frequently. My suggestion to the commission: vote for the crossing, but fund it with a city-wide mill levy. Forget the SID -- it is unfair and a double taxation.	X						X			
Katherine Dunlap	We have been looking at another RR crossing in this town since I moved here in June of 2002 - that's a long time! That said, we haven't yet completed the most current growth policy. I think this will be hugely important to coordinate the two. There may be information in the GP that would be meaningful in considering what kind of crossing and where. So please, let's not be hasty (we certainly haven't so far) - let's let the growth policy inform this process.		X								
Karliee Valeriano	Regarding the railroad crossing. While I do think it would be extremely helpful to have another crossing for the many residents on the north side of town, the cost to put one in by PFL way is considerable since the road has to be extended so far. It seems that it would be less expensive and just as helpful to put a crossing by the old Weimers Craft Center where the road already comes very near the railroad. This would help residents not only cross the railroad, but it would be handy both to downtown and getting on the highway. It would also cost considerably less since the road would not have to be extended very much.	X	X	X							
Spencer Lawley	I'm writing to you as a Livingston area resident, who has lived on both sides of the tracks in my time here, and I'd ask that you wait for the completion of the growth policy update before initiating a ballot measure regarding the rail crossing. As you know, this update is sorely needed and has garnered deep involvement from the community. It would be premature to solidify such a large project in one direction so early in the process.		X								
PCEC	See attached		X								
Wendy Weaver	Please consider postponing the discussion to place the railroad crossing on a ballot proposal until the update to the city's growth policy is complete. The assumptions you are using from the transportation study prematurely dictate where Livingston should grow instead of determining where growth should go through a public growth policy process. I think it is very shortsighted to place a railroad crossing near Printing For Less without understanding what the new growth policy is and where growth should occur and will encourage sprawl that is not conducive to alternative transportation nodes and access to services.		X								

Lori Ryker	I am providing my comments regarding the proposed RR crossing. I firmly believe that a ballot proposal for this infrastructure project should be set aside until after the City's Growth Policy is complete. I moved to Livingston in 1998, first living on Yellowstone Street. I witnessed the pressure put on the 5th street crossing first hand as the northwest side of Livingston developed with new houses. I could understand the desire then as I see it even more now with more houses built in this area in the past 20 years. However, this development is not what I would professionally call "planned" development in the best interest of a whole community, but more a product of builder generated appropriation for income and profit (speculative development). As Livingston will most certainly feel the pressure from Bozeman in the future, as it can already be seen and felt today, the community must consider where and how we want the Livingston to grow and how this growth should interrelate to the county and its conditions and quality of life. Bozeman has struggled over the past 5-plus years from allowing rampant development that was not previously considered in critical terms to overall quality of growth and life experience - not to mention the effects of this growth upon the environment we love and the wildlife that calls this place home. For instance, the effects can be seen not only in the sprawl across Gallatin County to the North and West, but also in the city's struggle to keep up with the need to add multiple traffic circuits to accommodate this unbridled growth. This is infrastructure following speculative development, not planned development providing a plan for the future.We have the opportunity to learn from Bozeman's troubles and also recognize the growth that Livingston will experience in the next 20 years due to Bozeman's rapid expansion. We need to consider the degree and direction of our desired development and how the infrastructure the City installs can encourage or discourage unplanned growth, not only in residences, but in the commercial sprawl at intersections and along linear roads that do not add to the overall quality of the City as a whole. While most of us hope that Livingston will never become a Bozeman, we can also more strongly encourage the city we would like to live in by making the best plans for the future that consider a longer vision plan. For these reasons and others, I ask that the city of Livingston postpone their ballot proposal for the new Railroad crossing until the Growth Policy is complete.		**X**		