

Billings City Administrator Weekly Report

June 13, 2025

- 1. BMVP VISTA Alum Christian Soto Received Service Award** - Christian Soto served with the Billings Metro VISTA Project (BMVP) from July 2017 to July 2018. The goal of his *Veterans Holistic Health Services* project was to increase access to healthcare / crisis services and to promote cost savings through the coordination of discounted goods and services. During his service term, Christian worked closely with veteran organizations on a Military Child Care Assistance Program, a Veterans Success Symposium, and the Trauma in Montana Symposium. However, his service in Billings was JUST THE BEGINNING. Not only did he serve two more VISTA terms, one in Boston, Massachusetts, and another in Buffalo, New York, he earned his law degree and is now an Excelsior Fellow with the New York State Department of Health's Division of Legal Affairs. And, his volunteering spirit continues to this day. Here's a link to his award announcement https://www.servicyearalliance.org/christian_soto_awardee
- 2. Planning News** - The Billings MPO is developing a feasibility study for proposed improvements to the 21st Street Underpass. The 21st Street underpass is one of two grade-separated railroad under crossings that link downtown Billings to the industrial and residential areas south of the railroad (13th Street being the only other grade-separated crossing). Additionally, there are grade-separated under and over crossings at 6th Street and Montana Avenue in central Billings. The 21st Street crossing is unique because it is the only grade-separated crossing that serves the central downtown area — making it one of the critical railroad crossings in Billings. However, there are significant limitations to the current use of the 21st Street underpass including:
 - Lack of vertical clearance for large vehicles (current clearance is 8 ft.)
 - Narrow lanes without shoulders.
 - Lack of bicycle lanes or other options for bicycles.
 - Narrow, dark, debris prone sidewalks for pedestrians.
 - Periodic roadway drainage problems.
 - Steep existing roadway grades on both approaches to the underpass.
- 3. USDA Forest Service Letter** - Attached please find the letter to the USDA Forest Service regarding the request for ADR and appeal of termination of Grant Number 24-DG-11010013-002.
- 4. Park & Rec Update** – See the attached Amend Recreation Center Weekly updates for June 13th.
- 5. Parks & Recreation News** – Please see the attached REC 2U schedule for summer 2025.

North Park Adult Exercise Equipment Installed –



Finished North Park playground equipment –



Finished Sacajawea playground equipment -



Finished Spray Feature at Rose Pool –



6. **2025 Council Meeting Schedule** – Please review the attached draft agendas and provide any feedback regarding the order of business, modification of agenda items, or other changes to the consent or regular agendas. City code requires a specific order of business as it relates to certain items on meeting agendas, e.g., placement of public hearings first on the regular agenda, so your feedback will be incorporated with those code requirements in mind. ([BMCC 2-214](#)) Work session agendas are more flexible and can also easily be modified by the mayor with the consensus of Council during those informal meetings.
7. **Next Week's Meetings/Task Forces**
 - a. Westend Task Force, Tuesday, June 17th 7:00 PM, Connections Church, 56th Street W. and Grand.
 - b. Southside Task Force, Thursday, June 19th 6:30 PM, Hope Center, 425 S. 28th.



June 13, 2025

USDA Forest Service

ATTN: John Crockett, Deputy Chief of State, Private & Tribal Forestry
1400 Independence Avenue, SW
Washington, DC 20250-0003

Re: Request for ADR and appeal of termination of Grant Number 24-DG-11010013-002

Title: Billings Urban Forestry Grant

Dear Mr. Crockett:

I am writing to appeal termination of this grant and request Alternate Dispute Resolution procedures in accordance with the attached termination letter dated April 22, 2025 from Daniel McBride, Director, Private & Tribal Forestry, Regions 1 & 4.

The Department of Interior awarded this grant to Montana's largest city in February 2024. The grant would make it possible for the City of Billings to plant hundreds of boulevard trees in several targeted areas of the city, in particular the East Billings Urban Renewal District (EBURD), a mixed industrial/commercial/residential area in the center of our city that is an asphalt-desert with only 6% canopy cover.

In reliance on the grant award, Billings already publicized the grant to the public, hired additional staff, and began the grant implementation process. Termination of the grant without just cause will unfairly deep-six an absolutely awesome project that, if allowed to proceed, will transform the core of our city and attract millions of dollars of private investment.

The April 22, 2025 letter did not describe any basis for terminating the Billings Urban Forestry Grant except to wrongly say that the grant provides funding for programs "that promote or take part in DEI initiatives or other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights laws; that conflict with the Department's policies and priorities; that are not free from fraud, abuse, or duplication."

Nope. Not even close. Planting hundreds of much-needed boulevard trees in the center of our city is not discriminatory; does not violate Federal civil rights laws; does not conflict with Department policies (unless the Department opposes trees); or involve fraud or abuse. Having already awarded the grant to Billings, the Department cannot suddenly terminate it based only on a shotgun blast of empty allegations. Providing a canned laundry list of possible grounds that might apply is no justification. Instead, it only highlights the arbitrary, capricious, and legally-fraught nature of the termination decision.

The April 22, 2025 termination letter says that the first step in the appeal process is for the parties to pursue Alternative Dispute Resolution procedures that may include conciliation, facilitation, mediation, and fact finding. The purpose of this letter is to ask that the Department restore the subject grant award to the City of Billings, or, failing that, request commencement of the ADR process so the Department will have an opportunity (and obligation) to describe the factual basis for its termination decision and the City of Billings will have a chance to rebut the Department's conclusion.

Please respond by either confirming the grant has been restored or providing further information about how the parties can best pursue the ADR process. Although I would appreciate being cc'd on any future correspondence, your primary point of contact with the City of Billings should be the director of the Billings Parks, Recreation, and Public Lands Department, Gavin Woltjer (woltjerg@billingsmt.gov, 406-657-8373).

Very truly yours,



William A. Cole, Mayor
coleb@billingsmt.gov

cc: *Daniel McBride, Director State, private & Tribal Forestry, Regions 1 & 4*
Jacob Biar, Urban & Community Program Manager FS-SPTF Regions 1 & 4
Sarah Fusselman, Grants management Specialist F-SPTF Regions 1 & 4
Chris Kukulski, City Administrator, City of Billings
Gavin Woltjer, Director Parks, Recreation & Public Lands Dept, Billings
Gina Dahl, City Attorney, City of Billings
Keith Robinson, President, East Billings Urban Renewal District
Representative Troy Downing, Montana District 2



United States
Department of
Agriculture

Forest
Service

Region 1
Northern Region
PO Box 7669
Missoula, MT 59807

Region 4
Intermountain Region
324 25th Street, Suite 5301
Ogden, UT 84401

File Code: 1580
Date: April 22, 2025

City of Billings
210 N 27th ST
Billings, Montana 59101-1938

Re: Grant Number 24-DG-11010013-002

Title: Inflation Reduction Act Urban and Community Forestry Billings Urban Forestry Grant for Disadvantaged Areas

Dear City of Billings,

This letter provides notice that the United States Department of Agriculture is terminating your federal award, 24-DG-11010013-002 Inflation Reduction Act Urban and Community Forestry Billings Urban Forestry Grant for Disadvantaged Areas, in accordance with the terms and conditions of your award, which include applicable regulations relating to termination. *See 2 C.F.R. §§ 200.340-343.*

It is a priority of the Department of Agriculture to eliminate discrimination in all forms throughout the United States. The Secretary of Agriculture has determined, per the Department's obligations to the Constitution and laws of the United States, that priority includes ensuring that the Department's awards do not support programs or organizations that promote or take part in diversity, equity, and inclusion ("DEI") initiatives or any other initiatives that discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Such DEI policies and practices can violate both the letter and purpose of Federal civil rights laws and conflict with the Department's policy of maximizing and promoting American agriculture, ensuring a safe, nutritious and secure food supply, enhancing rural prosperity, and protecting our National Forests. In addition to complying with the letter and spirit of the civil rights laws, it is vital that the Department assess whether all awards are free from fraud, abuse, and duplication, as well as to assess whether current awards are in the best interests of the United States.

Termination. The award specified above provides funding for programs that promote or take part in DEI initiatives or other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights laws; that conflict with the Department's policies and priorities; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. The award is therefore inconsistent with, and no longer effectuates, Department priorities. *See 2 C.F.R. § 200.340(a)(4).* Pursuant to, among other authorities, 2 C.F.R. §§ 200.339-343, which are applicable to your award, the Department hereby terminates award No. 24-DG-11010013-002 in its entirety effective April 22, 2025.

Closure. You must submit all final reports and a final payment request no later than 120 calendar days after the date of this notice. You will be reimbursed for costs incurred up to the date of this notice that are determined to be consistent with 2 C.F.R. § 200.343, *Effects of suspension or termination.* Any open balance remaining 120 days after the date of this notice will be unavailable for payment.

If you do not submit all reports in accordance with the terms and conditions of the Federal award within one (1) year of the effective termination date, Forest Service must proceed to close out the award with the information available. In these circumstances, in accordance with 2 C.F.R. § 200.344, Forest Service must report your material failure to comply with the terms and conditions of the award in SAM.gov using the Contractor Performance Assessment Reporting System (CPARS). In this way, failure to submit timely and accurate final reports may affect your future funding.

Recipients are required by Federal regulation to retain all Federal award records consistent with 2 C.F.R. § 200.334. *Including the following payments made to the recipient, \$24,327.99.* Termination of the agreement does not affect a Federal agency's or a pass-through entity's right to disallow costs and recover funds based on a later audit or other review. In addition, termination does not affect a recipient's obligation to return any funds due as a result of later refunds, corrections, or other transactions, including final indirect cost rate adjustments (refer to 2 C.F.R. § 200.345).

Appeal Process. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution (ADR) procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

Should the parties be unable to resolve the issue of controversy through ADR, then the Signatory Official will make the decision. A written copy of the decision will be provided to the Cooperator.

Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, the Cooperator appeals the decision to the Forest Service's Deputy Chief, State, Private, and Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.

A decision under this provision by the Deputy Chief, SPTF, is final. The final decision by the Deputy Chief, SPTF, does not preclude the Cooperator from pursuing remedies available under the law.

If you have questions, contact your Forest Service Program Contact at Jacob Biar email: jacob.biar@usda.gov and Sarah Fusselman sarah.fusselman@usda.gov.

Sincerely,

/s/Daniel McBride
DANIEL MCBRIDE
Director, State, Private & Tribal Forestry, Regions 1 & 4

CC: *William Cole, Mayor, City of Billings*
Gayle Lam, Urban Forestry Grant Technician, City of Billings
Jacob Biar, Urban & Community Program Manager FS-SPTF R1 & R4
Kamie Vaux, Supervisory Grants Management Specialist FS-SPTF R1 & R4
Sarah Fusselman, Grants Management Specialist FS-SPTF R1 & R4.



Amend Recreation Center: Weekly Update

6/13/2025

VP-Eastern District:	Jason Hubbard	jhub@langlas.com
Project Manager:	Rachel Guisti	rachelb@langlas.com
SR. Project Superintendent:	Lane Huffman	lhuffman@langlas.com
Field Engineer:	Si Ryan	sir@langlas.com

Progress Summary: Week of June 9th

- Castlerock (Utility Contractor) is installing water line through the Site



2685 Gabel Road Billings, MT 59102 P 406.656.0629 F 406.656.1088
4555 Valley Commons Drive Bozeman, MT 59718 P 406.585.3420 F 406.585.4110
4852 Kendrick Place Missoula MT, 59808 P 406.215.1356 F 406.926.2005
101 E. Park Street Butte, MT 59701 P 406.490.2824



- Langlas: Quality Control, shooting in corners of building, Locating Fire Riser
- Good Earth Works (Irrigation Contractor): Fixed the broke 2" line that feed the east fields
- Weave: Cleaning off building pad to prep for footings.



Schedule: Upcoming week of June 16th

- Start laying out and digging for footings

2685 Gabel Road Billings, MT 59102 P 406.656.0629 F 406.656.1088
4555 Valley Commons Drive Bozeman, MT 59718 P 406.585.3420 F 406.585.4110
4852 Kendrick Place Missoula MT, 59808.P 406.215.1356 F 406.926.2005
101 E. Park Street Butte, MT 59701 P 406.490.2824

free!

REC 2U

Cost Free To ALL!

Age All Ages Welcome

Days	Location	Time	Date
Monday	Hawthorne Park	10:00am-11:30am	June 16-August 18
	Castle Rock Park	1:00-2:30pm	
Tuesday	South Park	10:00am-11:30am	June 17-August 19
	Optimist Park	1:00-2:30pm	
Wednesday	Veterans Park	10:00am-11:30am	June 18-August 20
	Terry Park	1:00-2:30pm	
Thursday	Rose Park	10:00am-11:30am	June 19-August 21
	Yellowstone Family Park	1:00-2:30pm	
Friday	Pioneer Park	10:00am-12:00pm	June 20-August 22

There will be no Rec2U on Thursday, July 3rd or Friday, July 4th

Back again for summer 2025, Billings Parks & Recreation is excited to expand on Rec2U even further this year, highlighting new parks and being available Monday - Friday! Throughout most of June, July, & August you can join us around the Magic City for a variety of yard games, sports, arts & crafts, board games, and so much more. It is a free program and no signup is necessary!

Show up at the designated parks at the listed times and have some fun. Kids of all ages are welcome with plenty of fun activities to be enjoyed by everyone! A snack and water will be provided.

get outside &
PLAY!

UPCOMING DRAFT AGENDAS FOR COUNCIL / LEADERSHIP

Please review the draft agendas below and provide any feedback regarding the order of business, modification of agenda items, or other changes to the consent or regular agendas. City code requires a specific order of business as it relates to certain items on meeting agendas, e.g., placement of public hearings first on the regular agenda, so your feedback will be incorporated with those code requirements in mind. ([BMCC 2-214](#)) Work session agendas are more flexible and can also easily be modified by the Mayor with the consensus of Council during those informal meetings.

Thank you for your feedback!

June 16, 2025– WORK SESSION

Closed Executive Session 4:30 P.M. – 5:30 P.M.

1. Bicycle and Pedestrian Advisory Committee Annual Presentation (Elyse Monat)
2. Discussion: Development of the FY26 UPWP Transportation Planning Projects (Lora Mattox)
3. Northwest Energy Rate Discussion

June 23, 2025 REGULAR BUSINESS

CONSENT:

1. BID AWARD: WO 25-28: Safe Routes to School Projects
2. BID AWARD: WO 25-99: City of Billings Signal Upgrade
3. Addendum 1 to Park 1 Retail Contingency Notice with TD Properties
4. Amendment 2 - Amend Park Rec Campus and Courts Building GMP Langlas & Associates
5. Amendments to MOUS for Urban Renewal Districts to extend the term
6. Contract with Pine Cove Consulting for Access Control and Camera Upgrade/ Billings Public Library
7. Contract for Professional Engineering Services - W.O. 25-36: Rimrock Road
8. FY26 Landfill Use Agreement with Yellowstone County
9. Commercial Non-Aviation Ground Lease for Use as a Communications Equipment Site with Network Information Systems
10. Donations to Library
11. Grant Funds for Fire Station 5 Interior Remodel
12. 2025 HIDTA Award
13. Preliminary Major Plat – Clearwater Estates, 2nd Filing
14. Preliminary Major Plat - 44 West Subdivision
15. Resolution ordering improvements for WO 25-02: Missing Sidewalk program
 - a. Bid Award: WO 25-02: Missing Sidewalk Program

REGULAR: Do not add anything else

2. PH and Special Review 1000 – 840 Shiloh Crossing Blvd.
3. PH and 1st Rdg ORD Zone Change 1066 – 828 (aka 844) Grand Avenue
4. PH and RES Adopting Wastewater Retail Rates
5. Joint PH and RES
 - a. Setting Annual TBID Assessment
 - b. Setting Annual BID1 Assessment
6. PH and RES Approving FY25 Budget Amendments

7. PH and RES approving and adopting FY26 Preliminary Budget

July 7, 2025– WORK SESSION

1. Big Sky Senior Services – Adult Resource Alliance (Erika Purington)
2. Billings PCE Superfund Site (? Roger Hoogerheide, EPA Project Manager) *Preferred Date or July 21st*
3. **Urban Renewal District Oversight and Management** (Also on 7/23 but CC interest in moving this early??)
4. Transportation Alternatives Grant
5. Public Art Policy (Elyse Monat)

July 14, 2025 REGULAR BUSINESS

CONSENT:

1. Bid Award: Fire Station 5 Interior Remodel
2. Purchase of 30 Mobile Data Terminals (MDTs)
3. Wilson Park LWCF Conversion
4. FY26 Unified Planning Work Program
5. Amendment 4 with Mead and Hunt Contract for Air Service Consulting Services for FY26
6. Compensation Agreement with LC Properties, LLC
7. Fire Station 5 Interior Remodel General Contractor Services
8. Warranty Deed – COS 2007, Amended Tract 2A-1
9. Perpetual Right-of-Way Easement for Multi-Use Trail from Griffin Automotive Enterprises, Inc.
10. 2nd/Final Rdg Ord. - Zone Change 1066-828 (aka 844) Grand Ave

REGULAR:

2. PH and RES Annexing Mirco Circle, Annexation 25-03
3. PH and 1st Reading ORD – Zone Change 1066
4. PH and 1st Reading ORD Amending BMCC 22-408, Right of Way Obstructions
5. PH and 1st Reading ORD Amending BMCC 24-601, Bicycle Parking
6. Tax Increment Assistance – Downtown Billings Partnership - 4 Montana Avenue Pedestrian Crossing Flashing Beacons
7. Downtown Billings Partnership - Tax Increment Assistance - Masonic Temple Building
8. **RES Establishing a Procedure for the Disposition of Unclaimed Property (Not submitted into routing in AQ)**

July 21, 2025– WORK SESSION

1. Billings PCE Superfund Site (? Roger Hoogerheide, EPA Project Manager)
2. SBBURD Expansion Analysis Update
3. Urban Renewal District Oversight and Management (Maybe move up to July 7 WS??)
4. Montana's 69th Legislative Session Wrap-Up Presentation (Jessica Fust)

July 28, 2025 REGULAR BUSINESS

CONSENT:

1. BID AWARD: Big Ditch Trail Extension

REGULAR:

1. Second/Final Reading Ordinance amending Section 24-601, BMCC parking of bicycle
2. Second/Final Reading Ordinance amending Section 22-408, BMCC right-of-way obstructions

August 4, 2025– WORK SESSION

1. Snow Plowing Update

August 11, 2025 REGULAR BUSINESS

CONSENT:

- 1.

REGULAR:

August 18, 2025– WORK SESSION

August 25, 2025 REGULAR BUSINESS

CONSENT:

- 1.

REGULAR:

2. PH and RES Setting Annual Levies for Fiscal Year 2025
3. PH and RES Setting PMD Annual Assessments for Fiscal Year 2026
4. PH and RES Road Maintenance District No. 6
- 5.

September 2, 2025 (Tues.) – WORK SESSION

September 8, 2025 REGULAR BUSINESS

CONSENT:

- 1.

REGULAR:

September 15, 2025– WORK SESSION

Executive Session 4:30 P.M. – 5:30 P.M.

September 22, 2025 REGULAR BUSINESS

CONSENT:

1.

REGULAR:

October 6, 2025– WORK SESSION

October 13, 2025 REGULAR BUSINESS

CONSENT:

1.

REGULAR:

October 20, 2025– WORK SESSION

October 27, 2025 REGULAR BUSINESS

CONSENT:

1. *Council Meeting Schedule for December

REGULAR:

November 3, 2025– WORK SESSION

November 10, 2025 REGULAR BUSINESS

CONSENT:

1.

REGULAR:

November 17, 2025– WORK SESSION

November 24, 2025 REGULAR BUSINESS

CONSENT:

1.

REGULAR:

December 1, 2025– WORK SESSION
Executive Session 4:30 P.M. – 5:30 P.M.

December 8, 2025 REGULAR BUSINESS

CONSENT:

REGULAR:

December 15, 2025– WORK SESSION

December 22, 2025 REGULAR BUSINESS

CONSENT:

1.

REGULAR:

CLERK'S NOTES

*Annual Items shown in Blue

January (First Work Session) after an election: Swearing in of new Councilmembers and Nominations and Elections of Deputy Mayor Pro Tempore

January: Amend Park Development Council Proposed Budget

January: Beartooth RC&D MOU

February or March: Legislative Updates (ODD years only)

March: Budget Calendar

March: Council Priorities

September: City Administrator's Annual Review

October: TRP, ERP and CIP

October: Council Holiday Schedule for December

November (First Regular Business Meeting) after an election: Nominations and Elections of Deputy Mayor

DRAFT