

City of Missoula

Committee of the Whole Agenda

Date: September 23, 2020, 1:15 PM - 1:45 PM

Location: ZOOM Webinar

Members: Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

Attend by computer:

[Join the meeting](#)

Attend by phone:

Cell phone users: 1-253-215-8782, 1-213-338-8477, or 1-267-831-0333

Landline users: 1-888-475-4499 or 1-877-853-5257

Webinar ID: 894 6044 2016

Password: 027222, Press *9 to raise your hand to be recognized for public comment

Watch the meeting:

[Web stream \(live or on demand\)](#), [YouTube](#), or Spectrum Cable Channel 190

For more ways to watch the meeting and submit public comment, see the Citizen Participation Guide.

Issues? Call the City Clerk 406-552-6078

Pages

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

1.2 Approval of the Minutes

1.2.1 Minutes from the June 24, 2020 meeting 1

1.2.2 Minutes from the June 17, 2020 meeting 3

1.2.3 Minutes from the June 10, 2020 1:00pm meeting 7

1.2.4 Minutes from the June 10, 2020 11:00am meeting 8

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 Mountain Line Mill Levy Request Bryan von Lossberg 12

Recommended motion:
Informational only

4. ADJOURNMENT

Missoula City Council Committee of the Whole Minutes

June 24, 2020

2:00 PM

Virtual Meeting: Live Stream and On Demand: <http://www.ci.missoula.mt.us/webcasts>

Watch Live on Cable TV Channel 190

YouTube Live Stream and On Demand:

<https://www.youtube.com/channel/UC5fnfMPFGSk8Gwq6F5UoqGg>

Live call in phone numbers: 1 (253) 215-8782 1 (888) 475-4499 (landlines only) Meeting ID: 960 049 3694

Members present: Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Gwen Jones, Julie Merritt, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

Members absent: Jordan Hess, Jesse Ramos

2. PUBLIC COMMENT

von Lossberg - Public comment.

Dennis Gordon, Ward 5 - Spoke about the Missoula War Veterans Statue vandalism. He is requesting that the council makes sure the vandals are brought to justice, fill in. Asked that council takes action

3. COMMITTEE BUSINESS

3.1 Affordable Housing Trust Fund Ordinance & Funding Commitments Resolution

von Lossberg - Follow-up meeting on Affordable Housing Trust Fund Ordinance and Funding Commitments Resolution. I'm going to turn this over to Montana.

Montana James, Community Development Manager - recapped some of the information from last week.

von Lossberg - Heidi, do you have comments?

West - Thank you Montana for your report. I think that housing as a human right is added to the resolution. I have questions about the MRAs participation in this. What is the role of the advisory committee.

Montana James - We are addressing financing and gap financing. We clarified that the grant can grant or loan funds. We added language about protections to the ordinance.

von Lossberg - At what date would you plan to provide the final version that will go to the public hearing?

Montana James - We would get it to the Clerk's office the Friday prior at noon.

von Lossberg - There is a lot that has been done already that will be brought together and submitted the Friday before the public hearing. There is still time afterwards for changes.

Harp - Thank you Montana for taking the lead on this. Heidi brought up some great input. How do we make sure the housing trust fund is apolitical and should not depend on who is in office?

von Lossberg - Thanks Heather, ultimately we pass language so lets work on that.

Sherrill - Some of my questions from last week were answered throughout the week and that is available on our engagement page. We are going to keep this thing going. Is this an endless timeline? Is there inflationary language in there?

Eran Pehan - We see this as a revolving trust fund. We don't have specific language on inflation in there.

West - Some of the other language was about the preservation of affordable housing.

von Lossberg - I am appreciative of Heidi and others work on this and thanks to staff for their engagement and incorporate changes.

Information Only--Public hearing scheduled 7/13/2020

4. ADJOURNMENT

2:27 PM

Missoula City Council Committee of the Whole Minutes

June 17, 2020

1:50 PM

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Members present: Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Julie Merritt, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

Members absent: Gwen Jones, Jesse Ramos

1. ADMINISTRATIVE BUSINESS

1.2 Approval of the Minutes

1.3 Announcement - City Council Meetings

City Council will not meet for two weeks in a row: Monday, June 29, 2020 and Monday, July 6, 2020.

von Lossberg - Made announcement

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 Engage Missoula Demonstration

Jessica Miller, Citizen Services Manager - Reviewed the new public engagement digital platform for citizens, Engage Missoula.

Montana James, Community Development Manager - Provided background on the platform.

Jessica Miller - Gave a demonstration of the platform.

Members present: Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Julie Merritt, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

Members absent: Gwen Jones, Jesse Ramos

3.2 Affordable Housing Trust Fund Ordinance & Funding Commitments Resolution

von Lossberg - This is from Eran Pehan and Montana James

Montana James, Community Development Manager, Office of Housing and Community Development - I will be reviewing our Affordable Housing Trust Fund. The four strategies in our approach towards affordable housing were reviewed. The implementation timeline was reviewed. Our first recommendation is establishing an affordable housing trust fund including researching best practices. The purpose is to create a reliable local trust fund. National affordable housing trust fund attributes were reviewed. The approach for Missoula was reviewed. The resolution and ordinance work together to solidify the purpose of the fund. A citizen advisory committee will be established to oversee the fund. The proposed ordinance was reviewed. The funding commitments resolution was also reviewed.

von Lossberg - Public Comment?

Denny Cunningham - local attorney - Thanks to Montana for a great presentation. I think that this is a great tool. People in criminal justice and medical professions are also excited about this. I think that the City should fund this completely from the general fund. I think the City should commit \$1 million each year to the trust fund.

West - I will start with the resolution, she has some suggested language. Housing is a healthcare issue. This housing trust fund will leverage Tax Increment Funding.

Montana James - No funds from TIF will go directly into the trust fund.

West - I would like this clarified. Had a question on funding mechanisms.

Eran Pehan - We are focusing on what is in our control. A voted on measure is not in our control.

West - Specific ordinance questions. Thinks the definition of affordable housings should be clarified and easier to find. I have a question on debt financing, could this be a grant?

Montana James - We are going to clarify that definition.

von Lossberg - I am going to take a caller and there are additional council members that want to comment. I want to schedule another COW meeting next week on this.

x3578 Heath McMillan - Homeward Project Director, Thank you for your work on this. I agree with Councilor West.

von Lossberg - Thanks. Amber.

Sherrill - I'm excited on where we are at with this. I have a question about TIF.

Montana James - Our request is that MRA creates set asides in their annual budget process for the trust fund.

Sherrill - That was my question.

von Lossberg - Can you follow-up.

Harp - All motions

von Lossberg - Amber?

Sherrill - How are we insuring that this housing remains affordable?

Montana James - We hope to clarify these processes defined through administrative rules. Some tools are trust indentures and deed restrictions.

Eran Pehan - Administrative policies and rules will guide this and define the affordability levels.

West - Who is eligible for grants vs loans need to be

von Lossberg - Next week COW

Moved by: Heather Harp

Conduct first reading, set a public hearing on July 13, 2020 and preliminarily adopt an ordinance amending Missoula Municipal Code Title 3 establishing Chapter 3.24 entitled "Affordable Housing Trust Fund" to create a funding mechanism for financing affordable housing in the City of Missoula.

AYES: (9): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Julie Merritt, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, and Heidi West

ABSENT: (3): Jordan Hess, Gwen Jones, and Jesse Ramos

Vote results: Approved (9 to 0)

Moved by: Heather Harp

Adopt a resolution supporting the creation and funding of the Affordable Housing Trust Fund to meet the urgent housing needs in the City of Missoula

ABSENT: (2): Gwen Jones, and Jesse Ramos

3.3 Commit matching grant funds to establish the Missoula Mobile Crisis Response Team

von Lossberg - This is from the Mayor.

Mayor - This is for a State grant for a mobile crisis team for folks experiencing mental health crisis. Eran please clarify the amount.

Eran Pehan - The math is incorrect.

Merritt - I'm chairing A&F you can have some time. I will make the recommended motion.

Vasecka - Will people be trained?

Mayor - They will be trained; no one will be put in harm's way.

Sherrill - I appreciate the on-call model. I think this is fabulous. Will we learn more later about the specifics on this?

von Lossberg - I am a supporter.

Mayor - If we are successful, we will be bring in others to talk to you about it in regards to the budget. If we are not successful in getting this grant, we think we can figure it out through other means.

Harp - I worked on the mental health aspect. We talked about crisis and having people to show-up that weren't Policy Department. This is promising work.

Moved by: Julie Merritt

Approve the commitment of up to \$150,000 in matching funds to support an application by Missoula County to the State of Montana to establish the Missoula Mobile Crisis Response Team.

AYES: (9): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Julie Merritt, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, and Heidi West

ABSENT: (3): Jordan Hess, Gwen Jones, and Jesse Ramos

Vote results: Approved (9 to 0)

4. ADJOURNMENT

3:12 PM

Missoula City Council Committee of the Whole Minutes

June 10, 2020

1:00 PM

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Members absent: Jesse Ramos

3. COMMITTEE BUSINESS

3.1 Water utility litigation update

Mayor Engen introduced Harry Schneider to present

Update: no opportunity to push forward due to COVID which works well for us as we receive more documents. The next available hearing date is in January 2021 in Missoula. Once the 3 person panel in Missoula was put together the original schedule had a Liability hearing in June 2020 then due to COVID and the unavailability of witnesses had to be rescheduled.

Expenses attributed to arbitration, time that attorneys and the 3 person panel have spent reviewing documents and meetings and tasks.

Natasha Jones indicated that we still need to finish doing depositions that were postponed during COVID

Mr. Schneider addressed why are we proceeding with the condemnation case. Carlisle refused to do what the City understood would happen. For

4. ADJOURNMENT

1:30pm

Missoula City Council Committee of the Whole Minutes

June 10, 2020

11:00 AM

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2. COMMITTEE BUSINESS

2.1 Police Department Update with Police Chief White

Mayor Engen - Introduced Police Chief White who was hired after a thoughtful process. The Missoula community was involved in the selection. He has a level of professionalism and respect for this community. In his 3 months on the job the Mayor and Chief have discussed the strengths and weaknesses of the Missoula Police Department.

Police Chief Jaeson White - Has been in law enforcement for 31 years. Peace officer is a noble calling. Take an oath to be there in people's time of need. He believes in community policing.

Enhanced training opportunities. Starting a mini academy, length of 3 weeks, mix of class room and practical experience for new officers coming to the Missoula Police department.

Will need to enhance our training budget in order to do additional training.

Goal is to be transparent to the public for better communication.

Missoula experience .3% use of force in 2019, national standard is 2%.

All officers are required to report use of force. Their supervisors also have to write a report. Both of these are forwarded up the chain of command.

Already rescheduled use of force training for the entire staff.

Gave details of when body cameras are required to be active.

Will be asking for additional funds for additional cameras so that Police Department will be able to have all officers on shift cameras.

von Lossberg - Stacie Anderson is the Chair and Julie Merritt is the Vice Chair for the Public Safety and Health Committee. I will also be taking comment from those who have joined us.

Anderson - Thank you everyone for joining us. Body cameras, currently 40, how do they get allocated per shift?

Chief White - Based on patrol function, active patrol first, school resource would not.

Anderson - Asked to explain about archiving data.

Chief White - Depending on type of incident determines length of storage. Automatically uploaded at the end of shift by wi-fi.

Anderson - What is the process for updating the use of force?

Chief White - Wanted to make the policy clearer and easier for officers to follow. Duty to intervene, ethical code, but it wasn't stated as such. Policy was lawful to begin with, we simply made it more clear.

Merritt - Asked if the Chief could publish the statistics to the Council as well as the public. She also asked if he could clarify when the Open Carry crosses the line to intimidation.

Chief White - Open carry is not illegal in Montana. There has to be overt acts or threat to meet intimidation. If that occurs, we would intervene.

Ka'au Ahina, Pacific Islander group leader - asked all groups to introduce themselves. The majority of the people in the groups here today are from out of state and are students. I would like information on the implicit bias training is given at the state training facility. Asked how much the training focus on race.

von Lossberg - Can the students from the campus groups introduce their selves?

Natasha Kalonde - Former President of the Black Student Union.

Bell - Treasurer of Black Student Union.

Elijah Fisher - Member of Black Student Union.

Isaac Laa - Treasurer for Pacific Islander Club.

Alexia Smith - Vice President Pacific Islanders Club.

Camila Kanaka - President Pacific Islanders Club.

Valeria Miranda - Latinx Student Union.

Christine Riesgo - Latinx Student Union.

Wilena Old Person - Native American Student Group.

Joseph Grady - Student advisory with Montana 10.

Chief White - Implicit bias training is provided at academy. strong part of it, but not exclusively.

Ka'au Ahina - Is there any more advance training coming up in addition to regular training?

Chief White - That is our goal.

Christine Riesgo - How much of your current implicit bias training focuses on race?

Chief White - That is a key component.

Jones - I think a big part of our jobs as City Council members is a conduit of communication. To the student groups, please reach out to us.

Ramos - I am a big supporter of the police department. Chief White, I think you were a good hire. How did police body cams play into the shooting last year and how could that situation been better dealt with?

Chief White - I do not have much knowledge of that situation as I was not here when it happened.

Ramos - Will you commit to work with the City Council on legislation?

Chief White - Yes.

Sherrill - Asked how the department deals with officer mental health care and if use of body cameras is part of the officer's annual review.

Chief White - In regards to mental health, we have post incident care, peer support, EAP, and Chaplin.

Community member - There are a few of us listening in and we were unsatisfied with your response about the militia. I have been harassed by them. I have had to come up with my own policing system because I have never felt protected by you.

Sherrill - I heard most of your answer, Chief White. About body cameras.... are they always turned on?

Chief White - The use of body cams is not tied to officer review. We will address inconsistencies of use.

Harp - There is a formality to our meetings that is not conducive to open dialogue. I ask that you wait until President von Lossberg can open the meeting up for comment again. Back to my question, what percentage of the overall training is race sensitivity?

Chief White - 4 hours out of 800 hours.

Harp - That is not coming close to what our law enforcement needs. There is funding available. Creating and using a mobile crisis team our community can benefit from?

Chief White - We currently have a grant to start a CIT training program with a non-peace officer that will include the police department. There is another grant opportunity for a mobile crisis team - we are looking into that.

West - Address the policies on strangleholds, issue warnings, exhaust all options before shooting, discourage shooting moving vehicle, etc.

Chief White - The ban on choke holds, that is not part of our use of force continuum. Deescalation is emphasized. Officers have to issue a warning before using force.

Becerra - The path to change starts with dialog. Police commission comprised of three members, what are their backgrounds and can this commission be expanded.

von Lossberg - I'm going to ask that we discuss this in a follow-up meeting.

x6294 Caroline Lauer - I would encourage us as we move into the budget that we move towards decriminalizing health issues and addressing housing.

4. ADJOURNMENT

12:21 PM



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

Committee: Committee of the Whole

Item: Mountain Line Mill Levy Request

Date: September 17, 2020

Sponsor(s): Bryan von Lossberg

Prepared by: Kirsten Hands

Ward(s) Affected:

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

Action Required:

No action required. Mountain Line will present information to the City Council on their mill levy request on the November, 2020 ballot.

Recommended Motion(s):

I move the City Council: [Click or tap here to enter text.](#)

Timeline:

| | |
|-----------------------------------|--------------------|
| Referral to committee: | September 21, 2020 |
| Committee discussion: | September 23, 2020 |
| Council action (or sets hearing): | N/A |
| Public Hearing: | N/A |
| Deadline: | N/A |

Background and Alternatives Explored:

N/A

Financial Implications:

Links to external websites: