

**Affordable Housing Resident Oversight Committee  
Agenda**

**Date:** June 9, 2021, 6:00 PM

**Location:** ZOOM Webinar

**Members:** John Engen, Mayor, Lori Davidson, Missoula Housing Authority, Heidi West, City Council Designee, Paul Herendeen, Banking/Finance Representative, Laura Bird, Community Member, Katie Carlson, Housing/Real Estate Representative, Will Sebern, Community Member, Gerri Stiffarm, Community Member, Mistee Brown, Housing Nonprofit Representative, Christine Littig, Community Member

**Alternates:** Riley Jacobsen, Alternate 1, Bobbie Jo Weston, Alternate 2

**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: 861 1211 6145

Password: 199451, Press \*9 to raise your hand to be recognized for public comment, \*6 to mute and unmute

**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.*

*If anyone attending this meeting needs special assistance, please provide 48 hours advance notice by calling the Community Planning, Development & Innovation Office at 406-552-6630.*

**Pages**

**1. CALL TO ORDER**

**1.1. Land Acknowledgement**

*As recommended by Tony Incashola and Thompson Smith and the Séliš-Qłispé Cultural Committee and Emily Armstrong of the City of Missoula Community Development Division.*

“We, as members of the housing system in Missoula, acknowledge that we are in the homelands of the Salish and Kalispel people. Today, we offer our respect for their history and culture, for their ancient and continuing presence in this landscape, and for the path they have shown us in caring for this place for the generations to come.”

We recognize the ways in which systems of government have contributed to the disconnection of Indigenous peoples from these lands and their families, culture, and heritage. It is our responsibility as individuals and as a collective to acknowledge the white supremacist culture underlying our practices and to be accountable to demanding respect for tribal sovereignty and Indigenous cultures and the needs and perspectives of Indigenous peoples.

As the committee continues to acknowledge with deep gratitude this land may we also move toward action to redistribute power and resources to communities directly harmed by historical and current practices of colonization, to embrace conversations and behavior that lead to structural changes.

As an additional opportunity for action tonight, I want to share the Montana BIPOC Mutual Aid Fund. You can learn more about the mutual aid fund on Instagram <https://www.instagram.com/mt.bipoc.mutual.aid/?hl=en> and support the fund on Venmo @mtbipocaid

**1.2. Roll Call**

**2. APPROVAL OF MINUTES**

**3. INTRODUCTIONS & ANNOUNCEMENTS**

**4. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA**

**5. NON-ACTION ITEMS**

**5.1. Equity Building**

**5.2. Trust Fund Business**

**5.2.1. First Six Months Timeline**

**5.2.2. Draft By-Laws Review**

17

**5.3. Knowledge Building**

25

**6. ACTION ITEMS**

**7. REPORTS**

## 8. ADJOURNMENT

### 8.1. Plus/Delta

1. What went well today?
2. What can go differently for next time?

# Affordable Housing Resident Oversight Committee

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June Meeting

June 9, 2021



*As recommended by Tony Incashola and Thompson Smith and the **Séliš-Qłispé Cultural Committee** and Emily Armstrong of the City of Missoula Community Development Division*

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# Opportunity for Action

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Montana BIPOC Mutual Aid Fund

<https://www.instagram.com/mt.bipoc.mutual.aid/?hl=en>

Venmo: @mtbipocaid



# Committee Introductions

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- Share your
  - Name
  - Pronouns
  - Role on the committee
- How you'd like to be addressed (name, title, etc.)
- One curiosity, feeling or goal you have about the committee's dynamic/structure

# Norms

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- ❖ Respect for differing perspectives
- ❖ Step up/ Step Back
- ❖ Be & stay present
- ❖ If you're unsure, ask
- ❖ Strengths-based
- ❖ Accept loose ends
- ❖ Push ourselves
- ❖ Respect privacy of others

# Four Agreements of Courageous Conversations

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❖ Stay Engaged

❖ Speak Your Truth

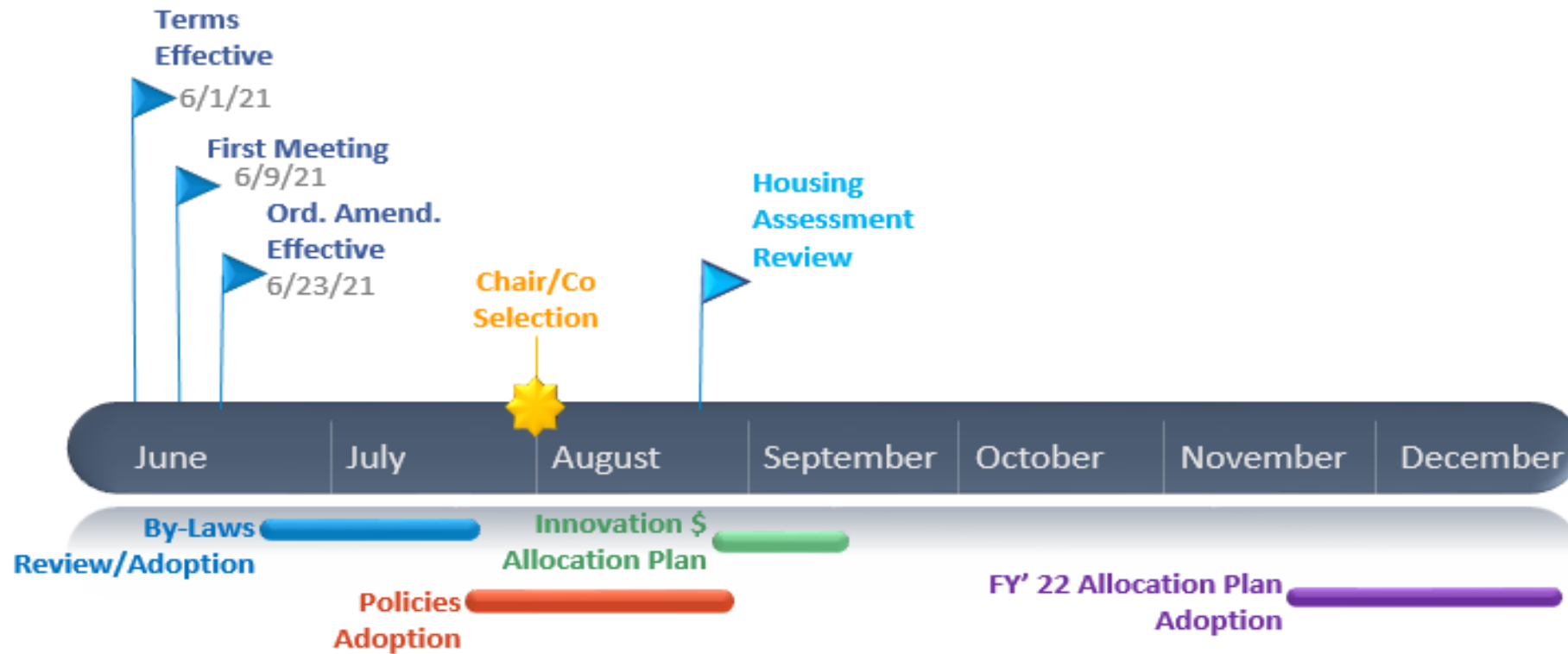
❖ Expect to Experience Discomfort

❖ Expect and Accept a Lack of Closure

# Committee Discussion

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What does commitment to equity look like within the Affordable Housing Trust Fund?



## Track and analyze progress for continuous improvement

- Regularly assess progress and adjust goals

## Align and leverage existing funding resources to support housing

- Establish an affordable housing trust fund
- Support new financing tools

## Reduce barriers and promote access to affordable homes

- Incentivize affordable housing development
- Support housing consumers
- Promote infill through backyard homes

## Partner to create and preserve affordable homes

- Preserve existing affordable housing
- Support affordable rental development
- Expand affordable homeownership options

# Trust Fund Overview

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- Adopted by Ordinance 3663 and Resolution in July 2020
- The Ordinance establishes outlines the
  - Purpose
  - Establishment
  - Uses of the AHTF
  - Administration
  - Affordable Housing Oversight Committee
- The Oversight Committee structure was amendment in May 2021 by Ordinance Amendment 3684

# Allowable Funding Activities

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- Land for the construction of affordable housing on that land
- Preservation of existing affordable housing
- Conversion or renovation of existing buildings into affordable housing
- Financing or infrastructure to support affordable housing projects
- Acquisition, development, construction, financing, operating, or owning affordable housing
- Up-front costs associated with permitting and development fees
- Consumer housing programs and services
- Provide loan guarantees to affordable housing projects
- Provide gap financing for affordable housing projects
- Administrative costs to operate the fund (not more than 8% of total revenue per year)

# Allowable Project Types

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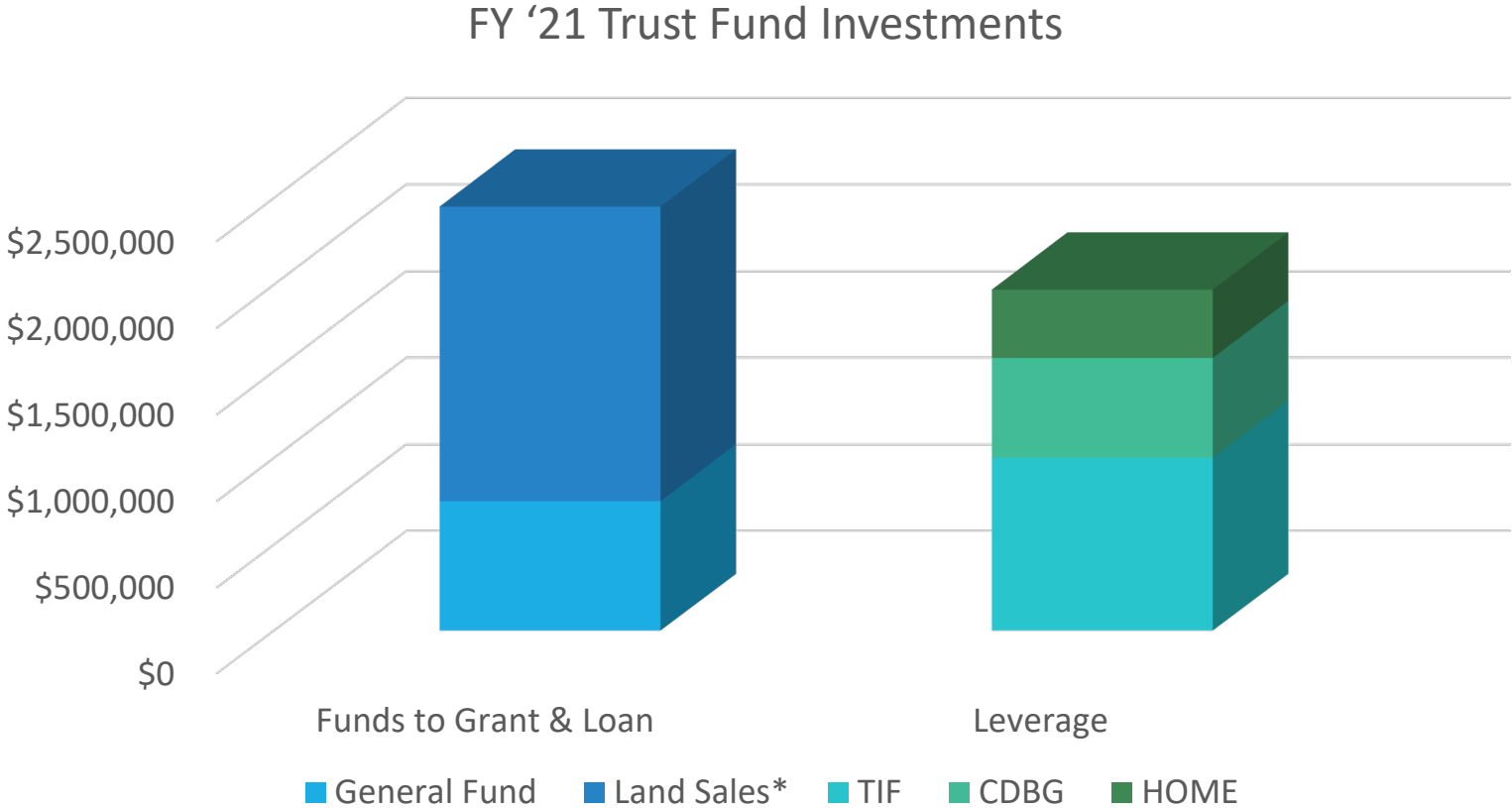
- ❖ Consumer Housing Service Programs
- ❖ Construction
  - ❖ Rental Homes
  - ❖ Homeownership
- ❖ Community Land Trusts
- ❖ Preservation
  - ❖ Mobile/Manufactured Home Preservation & Infrastructure Assistance
  - ❖ Accessory Dwelling Unit Programs
  - ❖ Small Repair Loans
- ❖ Multifamily Acquisition

# Allowable Revenue Sources

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- ❖ Annual General Fund allocation- \$100,000 minimum
- ❖ Revenue generated from the sale of City-owned land and assets that are not otherwise encumbered
- ❖ Grants
- ❖ Private donations, bequest or contributions
- ❖ Principal & interest payments made by borrowers to the City for outstanding AHTF loans
- ❖ Fines and penalties that may be imposed in the terms of any grant or loan made from the AHTF
- ❖ Other funds may be identified as suitable from time to time

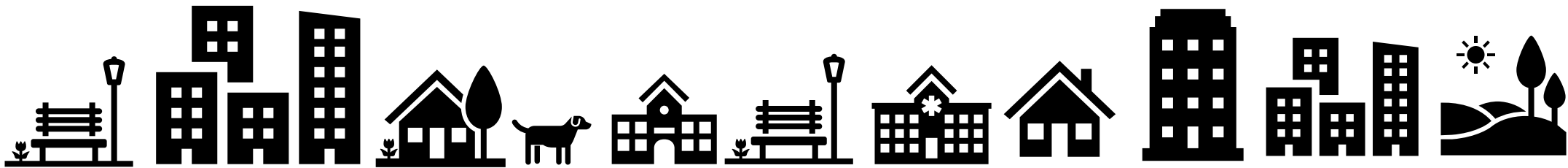
# Funding Levels & Leverage Opportunities



# Looking Ahead

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- Sustained, varied funding sources
- Supporting diverse projects
- Incentivizing affordable housing development with the tools & levers within reach
- Strengthening & building partnerships



# Adjournment

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Plus/Delta

- What went well today?
- What can go different for next time?

# Missoula Affordable Housing Resident Oversight Committee

Bylaws  
Revised May 2021

## Article I: Purpose

The purpose of the Missoula Affordable Housing Trust Fund Resident Oversight Committee is to guide the strategic direction of the Affordable Housing Trust fund and provide expert resident input on housing issues and allocation priorities for the fund. The Advisory Committee advises City of Missoula staff and leadership on:

- Development of goals and programs related to the use of Affordable Housing Trust Fund resources;
- Allocation priorities for the Affordable Housing Trust Fund resources.

## Article II: Authority, General Powers, and Duties

### **Section 1: Authority**

The Affordable Housing Resident Oversight Committee was created by the Missoula City Council as part of City Ordinance 3663, “An ordinance amending 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.”

### **Section 2: General Powers and Duties**

General powers and duties of the Affordable Housing Resident Oversight Committee are to work with City staff, leadership, and residents to analyze and understand current housing needs in the community and leverage the Affordable Housing Trust Fund to contribute to solutions to current housing challenges.

### **Section 3: Specific Powers and Duties**

Within the authority allowed and consistent with any and all city plans and policies adopted by the Missoula City Council, the Affordable Housing Resident Oversight Committee shall:

- Review the annual Housing Assessment Report and recommend any changes, updates, or additions to the report.
- Reflect on the findings of the annual Housing Assessment Report to determine emerging trends and needs in the Missoula community related to housing policy and the housing market.
- Review and make annual recommendations for funding priorities to city staff in the form of the annual Affordable Housing Trust Fund Allocation Plan.

- Consult with experts in areas such as finance, real estate, and affordable housing development to obtain advice on housing needs.
- Make recommendations to city staff for ordinances and regulations the board deems to be in the public's best interest for the purpose of carrying out the City's affordable housing objectives.
- Advise City staff as they develop programming and products for housing policy implementation.

**Section 4: Staffing and Administration**

The City of Missoula Community Development Division (formerly Office of Housing & Community Development) shall be the staff liaison to the Affordable Housing Resident Oversight Committee and shall provide staff assistance to the Affordable Housing Resident Oversight Committee.

**Section 5: Limitation of Powers**

The powers of the Affordable Housing Resident Oversight Committee are limited to these bylaws and the requirement to comply with all policies and practices of the City of Missoula and all State and Federal laws.

**Article III: Organization and Membership**

**Section 1: Organization**

1. There shall be ten regular members and two alternate members of the Resident Oversight Committee. All members shall be Missoula area residents. Three of the members shall serve ex officio (with full voting rights); and the remaining members shall be appointed by the Mayor, City Council and the Missoula County Board of Commissioners. The ex officio members shall include the mayor or designee, the president of the City Council or designee, and the executive director of the Housing Authority or designee.
2. The remaining members shall be selected and appointed by the Mayor with confirmation by City Council, City Council and the Missoula Board of County Commissioners, as follows. The Mayor will appoint two voting members and one alternate. City Council will appoint four voting members and one alternate and the Missoula Board of County Commissioners will appoint one voting member.
3. Membership will consist of at least: four community members, two who are currently receiving, or have received in the past two years, some form of housing assistance; one representative of a city nonprofit organization working in the field of housing; one professional in the field of housing or real estate; and one professional in the field of banking or finance.
4. The appointing bodies shall ensure, to the extent feasible, that the composition of the Committee reflects the diversity of the city.

**Section 2: Status of Alternates:**

1. Alternate members shall participate in the same capacity as a regular member. The chairperson shall call on alternates to vote in the absence or vacancy of another member. Alternate one shall be called to serve first, and Alternate two shall be called to serve second.

### **Section 3: Ethics and Conflicts of Interest**

1. A member of the Affordable Housing Resident Oversight Committee who may have a professional, financial, or personal interest in an item under consideration by the Affordable Housing Resident Oversight Committee shall declare the potential conflict of interest. The Affordable Housing Resident Oversight Committee shall determine whether a conflict exists and the determination shall be entered into the minutes of the meeting. If determined that a conflict exists, the member shall not participate in the vote taken on the item.
2. No member may disclose or use information acquired in the course of Affordable Housing Resident Oversight Committee duties to further personal interest, accept a gift of substantial value or a substantial economic benefit tantamount to a gift, acquire an interest in any business or undertaking which they have reason to believe may be directly and substantially affected as to its economic benefit by official action to be taken by the Affordable Housing Resident Oversight Committee.
3. All members of the Affordable Housing Resident Oversight Committee shall comply with Missoula Municipal Code section 2.88.070 "Conflicts of Interest."
4. Failure to comply with or fully disclose as required by this Article may be grounds for removal from the Affordable Housing Resident Oversight Committee for cause.

### **Section 3: Terms of Office**

Initial terms are staggered for regular and alternate members. One-third of members will serve a one-year term, one-third of members will serve a two-year term and one-third of members will serve a three-year term. After initial staggering all terms are three years. Terms begin after appointment and expire in alignment with the term limit. There are no limits on the number of terms a member can serve.

### **Section 4: Termination**

Membership on the Affordable Housing Resident Oversight Committee may be terminated by the member's resignation, by the member ceasing to reside in the Missoula area, or by the City Council acting in the best interests of the Affordable Housing Resident Oversight Committee upon recommendation of the Affordable Housing Resident Oversight Committee. The Committee may recommend termination of a member by a 2/3 vote if the member has missed three (3) consecutive regular meetings. The Chair will contact any member who has missed two (2) consecutive meetings and advise the member that a third consecutive absence may result in a recommendation for termination.

### **Section 5: Resignation**

A member's resignation from the Affordable Housing Resident Oversight Committee must be by written communication and addressed to the Committee Chair and staff. City staff will share the resignation with the appointing authority so the vacancy can be filled.

## **Section 6: Vacancies**

Vacancies shall be posted on the City of Missoula's Affordable Housing Resident Oversight Committee page and on the vacancies page to notify the community of the opportunity. Applicants must submit an application form, expressing their interests and qualifications in filling the vacancy to the City Clerk's office to be considered for appointment. The vacated seat will be appointed by the original appointing body.

## **Section 7: Compensation**

Members shall serve without compensation, except that reasonable expenses may be paid when travel or other activities occur as a result of Affordable Housing Resident Oversight Committee activities. All expenses must be within the budget and pre-approved by City staff.

## **Article IV: Committees**

### **Section 1: Standing Committees**

Standing committees composed of members may be created for purposes and terms approved by the Affordable Housing Resident Oversight Committee. Members will be appointed by the Chair. All meetings will be publicly noticed with agendas and minutes in accordance with Montana public participation and open meeting laws.

### **Section 2: Special Committees**

Special or ad hoc committees composed of Affordable Housing Resident Oversight Committee and non-Affordable Housing Resident Oversight Committee members may be created by the Affordable Housing Resident Oversight Committee for such special tasks as shall be needed or desirable for the purposes determined by the Affordable Housing Resident Oversight Committee. The Chair will appoint members. All meetings will be publicly noticed with agendas and minutes in accordance with Montana public participation and open meeting laws.

## **Article V: Officers and Duties**

### **Section 1: Officers**

The officers of the Affordable Housing Resident Oversight Committee shall consist of the Chair, the Vice Chair, and other such officers as may be determined by the Affordable Housing Resident Oversight Committee. The Chair shall be entitled to participate fully in discussing and voting motions before the Affordable Housing Resident Oversight Committee. Any Affordable Housing Resident Oversight Committee officer may be removed for cause upon a 2/3 vote of the body.

### **Section 2: Chair**

The Chair shall be selected from the Affordable Housing Resident Oversight Committee and shall preside at all meetings of the Affordable Housing Resident Oversight Committee. The Chair shall have the usual powers and duties customarily vested in the office of Chair and shall perform other duties as may be assigned to the Chair by the Affordable Housing Resident

Oversight Committee. The Chair shall be entitled to participate fully in discussing and voting motions before the Affordable Housing Resident Oversight Committee.

### **Section 3: Vice Chair**

The Vice Chair shall have the authority to act as the Chair in the Chair's absence.

### **Section 4: Elections**

Election of Officers will be held each year at the January meeting, or at a specific time designated by the Affordable Housing Resident Oversight Committee. The Officers will take office immediately upon election.

### **Section 5: Term of Office**

Officers shall serve for a one-year term, consecutive terms are not limited.

## **Article VI: Regular and Special Meetings**

### **Section 1: Regular Meetings**

Regular meetings of the Affordable Housing Resident Oversight Committee shall occur monthly for the first six months and will be adjusted as needed. Meetings will occur on Second Wednesday of the month from 6-8pm. Notice of date, time, location, and agenda will be published one week in advance of each meeting.

### **Section 2: Special Meetings**

Special meetings may be called by the Chair, by a simple majority of the Affordable Housing Resident Oversight Committee, or by the City Council with seven (7) days written notice. Notice of time, location, and agenda will be published one week in advance of the meeting.

### **Section 3: Quorum**

A quorum shall be a simple majority of voting members who must be present for the conduct of business. No action of the Affordable Housing Resident Oversight Committee may be taken unless authorized by a quorum present at a regular or special meeting.

### **Section 4: Voting**

Although a consensus of members is desired, questions at meetings of the Affordable Housing Resident Oversight Committee may be decided by simple majority of those present at the meeting. Each voting member is entitled to one (1) vote.

### **Section 5: Open Meeting Law and Public Participation**

All meetings shall be conducted in accordance with Montana State Open Meeting Law (MCA 2-3-201). Every agenda shall include an opportunity to public comment on non-agenda items, and public comment shall be taken prior to final votes.

### **Section 6: Meeting Minutes**

Minutes of meeting will be kept in accordance with 2-3-212 Montana Code Annotated. Minutes will be made available to the public in a timely manner.

### **Section 7: Records**

All records, including reports, correspondence, and finances are public records pursuant to Montana law and must be made available for inspection and copying by members of the public. A reasonable fee may be charged for copies and staff time in gathering the records.

## **Article VII: Conduct of Business**

### **Section 1: Order of Business**

The general order of business at a regular meeting of the Affordable Housing Resident Oversight Committee and, so far as applicable, at all other meetings, shall be as follows:

1. Call to order
2. Roll call, determination of quorum
3. Approval of prior meeting minutes
4. Public comment on non-agenda items
5. Financial Reports
6. Action Items
7. Informational Items
8. Committee Member Comments
9. Staff Comments
10. Announcement of Next Meeting Date/Time
11. Adjournment

### **Section 2: Participation by Electronic Means**

Affordable Housing Resident Oversight Committee members may participate in meetings via electronic means. Those members who participate by phone or other electronic means shall be provided access to agendas and all related documents and shall have all voting rights as members who are physically present at the meeting.

### **Section 3: Parliamentary Authority**

Robert's Rules of Order shall govern parliamentary matters except as expressly stated here in or agreed to by the Affordable Housing Oversight Committee members.

## **Article VIII: Communications**

### **Section 1: Personal Communications of Members**

Any individual member shall not sign written communications to others using the Affordable Housing Resident Oversight Committee name unless approved by the Affordable Housing Resident Oversight Committee.

### **Section 2: Informal Communications**

It is understood that informal communications between individual members of the Affordable Housing Resident Oversight Committee and members of the community on various issues affecting housing will occur from time to time. It is the expectation that Affordable Housing Resident Oversight Committee members will report the content of discussions and/or forward written communications that deal with specific projects being considered by the Committee to the rest of the Affordable Housing Resident Oversight Committee at the next regularly scheduled meeting in order to assure that the views expressed are known to the entire body.

### Article IX: Legal Assistance

The City Attorney shall be the legal advisor of the Affordable Housing Resident Oversight Committee, acting upon the request of the Office of Housing & Community Development.

### Article X: Amendments

Bylaw amendments may be introduced by any member of the Affordable Housing Resident Oversight Committee with proper notice at a regular or special meeting. All amendments proposed must be presented in writing before they are adopted. Adoption of or changes in bylaws are subject to the approval of the City Attorney and City Council. Bylaw changes require a simple majority vote of the members of the Affordable Housing Resident Oversight Committee.

### Article XI: City Policies

Committee members agree to comply with City of Missoula policies and procedures, including fiscal and personnel policies as they relate to the operation of the committee.

### Article XII: Severability

If any of these bylaws or any section, sentence, clause, phrase, or word of the application thereof in any circumstances be held to be contrary to the law, such portion is severable from the remainder of these bylaws and of the application of any such provision, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

Passed by the City Council of the City of Missoula, Montana, this ## day of MONTH, 2021.

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John Engen, Mayor

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Martha L. Rehbein  
City Clerk, CMC

DRAFT

ORDINANCE NUMBER 3663

**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.**

**Be it ordained that Chapter 3.24 Missoula Municipal Code is hereby established:**

**Chapter 3.24  
Affordable Housing Trust Fund**

Sections:

- 3.24.010 Purpose
- 3.24.020 Establishment
- 3.24.030 Definitions
- 3.24.040 Dedication
- 3.24.050 Use of Affordable Housing Trust Fund
- 3.24.060 Other Requirements
- 3.24.070 Affordable Housing Trust Fund Administration
- 3.24.080 Affordable Housing Citizen Oversight Committee

**3.24.010 Purpose**

It is the intent of the City Council to create an Affordable Housing Trust Fund (AHTF) as a permanent and annually renewable source of revenue to meet, in part, the housing needs of the City’s low- and moderate-income households. The Affordable Housing Trust Fund is intended to become a sustainable source of funding that can leverage other private and public investments to help address Missoulians’ housing needs in conformance with agreed-upon community housing goals and objectives. The purpose of the Affordable Housing Trust Fund Ordinance is to establish the fund, identify the initial sources of funds which shall be dedicated to the Affordable Housing Trust Fund, and to restrict allowable uses of the fund. The Affordable Housing Trust Fund is not intended to be the sole source of funding for affordable housing and any activity or project eligible for support from the Affordable Housing Trust Fund is expected to develop additional sources of funds.

**3.24.020 Establishment**

There is hereby established a fund to be known and denominated as the Missoula Affordable Housing Trust Fund. The Affordable Housing Trust Fund shall consist of funds identified in the Dedication section below and any other appropriations as determined from time to time by legislative action of the City Council. The City Finance Director shall maintain a separate Affordable Housing Trust Fund and any required related subsidiary funds.

**3.24.030 Definitions**

*Administrative Policies & Procedures – the administrative policies and procedures approved by a majority vote of at least five (5) of the nine (9) member the Citizen’s Oversight Committee that outline application, evaluation, and all other administrative policies and procedures associated with the Affordable Housing Trust Fund.*

*Affordable Housing – residential housing primarily for persons or households of low or moderate-income as defined by the administrative policies and procedures.*

*Allowable Uses – those uses for the Affordable Housing Trust Fund that are set forth in the Use of the Housing Trust Fund section below.*

*Consumer Housing Programs – programs and services provided to housing consumers to support them in meeting their housing needs and reaching their housing goals. These might include financial support or counseling and education programs.*

*Gap Financing* – a short-term or long-term loan for the purpose of meeting an immediate financial obligation.

*Match* – the dollar value of other resources committed to projects funded by the Affordable Housing Trust Fund. Each dollar committed to the project that is not generated from the Affordable Housing Trust Fund shall be considered as match.

*Infrastructure* – any basic physical structures, systems, and facilities needed for an affordable housing project.

### **3.24.040 Dedication**

- A. The following funds or revenues shall be dedicated to the Affordable Housing Trust Fund:
  - 1. Private Donations or contributions designated for the Affordable Housing Trust Fund;
  - 2. Principal and interest payments made by the borrowers to the City for outstanding Affordable Housing Trust Fund loans;
  - 3. Fines and penalties that may be imposed in the terms of any grant or loan made from the Affordable Housing Trust fund.
- B. The City shall annually place general fund dollars into the trust fund to support fund operations and to fund programs and projects.
- C. Revenue generated from the sale of City-owned land and assets that is not, by law or other City policy, dedicated to an existing enterprise fund or previously designated use will be dedicated to the Affordable Housing Trust Fund.
- D. The Affordable Housing Trust Fund may receive bequests, donations, or grants of money, property, or services or other advantages from any person, firm, corporation, or other public or private entity, including without limitation grants of funds or other property tendered to the trust.
- E. Other funds may be identified from time to time that are suitable and appropriate for allocation to the Affordable Housing Trust Fund. These may include ongoing, dedicated funding sources as well as one-time funding that is specifically approved by the governing body.

### **3.24.050 Use of the Affordable Housing Trust Fund**

The City may use the Affordable Housing Trust Fund for the following, in compliance with 7-1-4124(9) MCA:

- A. Grant or loan all or a portion of the costs of land for the construction of affordable housing on that land;
- B. Grant or loan all or a portion of the cost for the preservation of existing affordable housing;
- C. Grant or loan all or a portion of the costs of conversion or renovation of existing buildings into affordable housing;
- D. Grant or loan all or a portion of the costs of financing or infrastructure to support affordable housing projects;
- E. Grant or loan all or a portion of the costs of acquisition, development, construction, financing, operating, or owning affordable housing;
- F. Grant or loan all or a portion of the up-front costs associated with permitting and development fees;
- G. Grant or loan all or a portion of the costs associated with consumer housing programs and services;
- H. Provide loan guarantees to affordable housing projects;
- I. Provide gap financing for affordable housing projects;
- J. Pay the costs incurred by the city associated directly with the administration of the funds; provided, however, in no event shall the amount expended from the funds for such administrative expenses in any year exceed eight (8) percent of the amount of revenue received in the fund that year.

The City Council from time-to-time may authorize additional activities and support that may be funded through the Affordable Housing Trust Fund.

### 3.24.060 Other Requirements

Use of the Affordable Housing Trust Fund shall comply with the following:

- A. **Beneficiaries.** The beneficiaries of the housing shall be limited to households of low- or moderate-incomes. Lower or higher income requirements may be established for specific projects to meet community housing goals as detailed in “A Place to Call Home: Meeting Missoula’s Housing Needs.”
- B. **Match.** All projects and programs funded from the Affordable Housing Trust Fund shall have some committed match requirement. Sources of match may include other project financing, federal community development block grants, federal HOME investment funds, low-income housing tax credits and owner equity, or any other sources in accordance with the approved administrative policies and procedures. Financing and funding from other sources must be committed prior to the release of Affordable Housing Trust Fund funds.
- C. **Terms of the Loan.** Loan terms will vary with the type of development proposal. Loan terms and conditions will be outlined in the administrative policies and procedures, which may be amended and approved by a majority vote of at least five (5) of the nine (9) member the Citizen’s Oversight Committee from time to time.
- D. **Protection of Investment.** Projects funded by the trust fund must secure appropriate legal mechanisms identified to preserve affordability, as defined in the administrative policies and procedures.
- E. **Restriction.** Funds loaned or granted to an organization shall only be used for the activity or project for which the loan or grant was approved. The funds cannot be expensed (thereby reducing the amount of the asset on the organization’s balance sheet) except in cases where an unpreventable loss occurs and when approved by the governing body.

### 3.24.070 Affordable Housing Trust Fund Administration

- A. The Affordable Housing Trust Fund shall be administered under the direction of the Mayor. The administrative policies and procedures for the Affordable Housing Trust Fund shall be prepared by staff, and approved by majority vote of at least five (5) of the nine (9) member the Citizen’s Oversight Committee, and shall be periodically updated to respond to changing housing needs and market conditions.
- B. All funds shall be allocated in a manner consistent with the provisions of this section and administrative guidelines. Loans and grants shall be disbursed according to standard City procurement practices.
- C. Applications for funding shall be reviewed according to evaluation criteria contained within the administrative policies and procedures.
- D. The City department responsible for Affordable Housing Trust Fund administration, as designated by the Mayor, in conjunction with the City Chief Administrative Officer and City Finance Director, may establish and maintain a reserve fund account adequate to preserve the ability of the Affordable Housing Trust Fund to take maximum advantage of unforeseen opportunities in assisting housing and to ensure prudently against unforeseen expenses. The amount to be maintained in this reserve fund shall be determined by the administering department and City’s Chief Administrative Officer.

### 3.24.080 Affordable Housing Citizen Oversight Committee

A Citizen Oversight Committee will work on trust fund goals, strategy, and allocation of resources.

- A. There shall be nine (9) voting members and two (2) alternates of the Citizen Oversight Committee. Three voting members shall be the mayor or designee, the president of the City Council or designee, and the executive director of the Missoula Housing Authority or designee; two (2) voting members and one (1) alternate shall be appointed by the mayor; and three (3) voting members and one (1) alternate shall be appointed by the city council; one (1) voting member shall be appointed by the county commissioners.
- B. The membership must include at a minimum:
  - a. three community members, two of whose households are currently receiving, or have received in the past two years, some form of assistance in securing and/or maintaining their housing;
  - b. one representative of a city nonprofit organization working in the field of housing;
  - c. one professional in the field of housing or real estate; and

- d. one professional in the field of banking or finance.
- C. With initial appointment, terms of appointed voting and alternate members shall be staggered: one-third for a one-year term, one-third for a two-year term, and one-third for a three-year term. Thereafter, members shall be appointed for a term of three years, beginning on Jan. 1, or as soon as possible thereafter, and expire on Dec. 31.
- D. In the event of a member's inability to serve or resignation, the Mayor, Missoula City Council, or Missoula Board of County Commissioners shall appoint another person to serve for the remainder of the unexpired term. No term limits shall apply to the Citizen Oversight Committee membership. A committee member may be re-appointed to serve on the committee.
- E. The board will maintain diversity of race, economic condition, and expertise.
- F. The board will select its own chairperson and adopt its own bylaws.

**Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

**Effective date**

This ordinance will go into effect 30 days after adoption.

First reading and preliminary adoption on the 22nd day of June, 2020, by a vote of :

AYES: (12): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, Alderperson von Lossberg, and Alderperson West

Second and final reading and on the 20th day of July, 2020, by a vote of:

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, Alderperson von Lossberg, and Alderperson West

NAYS: (2): Alderperson Contos, and Alderperson Vasecka

ABSENT: (1): Alderperson Ramos

ATTEST:

/s/ Martha L. Rehbein

\_\_\_\_\_  
Martha L. Rehbein, CMC  
City Clerk

APPROVED:

/s/ John Engen

\_\_\_\_\_  
John Engen  
Mayor

(S E A L)

RESOLUTION NUMBER 8440

**A Resolution Supporting the Creation and Funding of the Affordable Housing Trust Fund to meet the Urgent Housing Needs in the City of Missoula.**

WHEREAS, the right to live in security, peace, and dignity has been recognized by the United Nations in the Universal Declaration of Human Rights, securing housing as a fundamental human right; and

WHEREAS Missoula is located on the ancestral land of the Salish, Kootenai, and Pend d'Oreille people, who were forced from the Missoula valley by white settlers; and

WHEREAS Missoula's non-discrimination ordinance prohibits discriminatory practices in the areas of employment, public accommodations, and housing on the basis of race, color, national origin, ancestry, religion, creed, sex, age, marital or familial status, physical or mental disability, sexual orientation, gender identity or gender expression. (City of Missoula ORDINANCE NUMBER 3428)

WHEREAS, housing cost burden, as defined by the U.S. Department Housing & Urban Development and U.S. Census data, is the most common housing problem that both renters and homeowners in Missoula experience; and

WHEREAS Black, Indigenous, and other People of Color are disproportionately housing cost burdened and face barriers to access safe and affordable housing in Missoula. (City of Missoula, Montana 2019-2023 Consolidated Plan for HUD-Funded Programs for Federal Fiscal Years 2019-2023 Section NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2))

WHEREAS Black, Indigenous, and other People of Color make up almost eight percent of the population in Missoula, and are disproportionately represented in several income groupings at the 80% AMI level or below. (City of Missoula, Montana 2019-2023 Consolidated Plan for HUD-Funded Programs for Federal Fiscal Years 2019-2023NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2))

WHEREAS, people with disabilities face barriers and difficulties acquiring housing; and

WHEREAS, previously incarcerated residents face additional barriers and difficulties in acquiring housing; and

WHEREAS, the median home sales price has increased steadily for the past several years and is above \$300,000 in 2020 according to the Missoula Organization of Realtors, making homeownership increasingly out of reach for many Missoulians; and

WHEREAS, fifty-three percent of Missoulians are renters based on the most recent U.S. Census data, who face a competitive rental market with increasing rental costs in homes that are aging and tend to have high energy and heating costs; and

WHEREAS, research by the Robert Wood Johnson Foundation has shown that nationwide a 10% increase in households severely cost-burdened by housing results in 29,000 more children in poverty, 86,000 more people who face food insecurity, and 84,000 more people in poor health; and

WHEREAS, a healthy housing market includes home types for all Missoulians, no matter what life stage they are in or resources they have at their disposal; and

WHEREAS, the comprehensive city-wide housing policy, “A Place to Call Home” was passed by the Missoula City Council on June 25, 2019, supporting the creation of an Affordable Housing Trust Fund; and

WHEREAS, the city housing policy aligns with the values and goals set out in the Our Missoula Growth Policy, Reaching Home: Missoula’s 10-Year Plan to end Homelessness, the City of Missoula strategic plan, and a number of other adopted city plans; and

WHEREAS, the city housing policy, drafted in collaboration with thousands of Missoulians through community groups, private sector partnerships, and public engagement, acknowledges that due to the costs associated with development of housing at this moment in time, it is no longer possible to develop affordable homes with private money or public subsidy alone; and

WHEREAS nationally, for every dollar invested in a local affordable housing trust fund, the community is able to leverage \$6.00 in private and public funds; and

WHEREAS, we know that our community is stronger when everyone can afford their home and that home is the nexus of community vitality, and having a stable, decent, accessible, and affordable home allows Missoulians to prosper, recreate, and engage in their community fully;

NOW THEREFORE BE IT RESOLVED, that City Council supports the creation and funding of the Affordable Housing Trust Fund from General Fund dollars, in the amount of no less than \$100,000 annually, and requests the Mayor and staff prioritize aligning additional financial resources as appropriate into projects and programs that support A Place to Call Home, including:

- Tax Increment Financing funds, which have historically been used to support eligible affordable housing projects, in the amount of at least \$1 million annually, made available through the MRA budget; and
- Applicable federal funds administered by the City, including federal entitlement funds from the U.S. Department of Housing & Urban Development; and
- Park and open space funds as available into projects that meet mutual goals of A Place to Call Home and Parks and Recreation, Open Space, and related adopted Plans; and
- Transportation and road district funds as available into projects that meet mutual goals of A Place to Call Home and adopted transportation plans; and
- Infrastructure funds for projects that meet mutual goals of A Place to Call Home and adopted infrastructure plans; and
- Private-sector funds as available through strategic partnerships facilitated by the City; and
- Continued investigation into other methods to capitalize the Affordable Housing Trust Fund at a level of \$10 million within five years of the adoption of this resolution. A funding level of \$10 million would allow the trust fund to meet annual community housing and program goals fully.

**This resolution shall become effective upon adoption.**

Passed by the City Council of the City of Missoula, Montana, this 20th day of July, 2020.

/s/ John Engen  
John Engen, Mayor

/s/ Martha L. Rehbein

Martha L. Rehbein  
City Clerk, CMC

(S E A L)