

Resolution 8330

A resolution of the Missoula City Council preliminarily approving the FY20 conservation and stewardship of open space lands mill levy budget and directing the Mayor and staff to prepare for July 1, 2019 implementation of the preliminarily approved budget including capital funds

WHEREAS, in 1969 the Montana Legislature first passed the Open-Space Land and Voluntary Conservation Easement Act, § 76-6. Parts 1 & 2 M.C.A. (“Open Space Act”), and at the time of enactment, the legislature found the rapid growth and spread of urban development are creating critical problems of service and finance for the state and local governments; population spread and development are disrupting and altering the remaining natural areas, biotic communities, and geological and geographical formations and thereby providing the potential for the destruction of scientific, educational, aesthetic, and ecological values; the present and future rapid population spread throughout the state of Montana into its open spaces is creating serious problems of lack of open space and overcrowding of the land; to lessen congestion and to preserve natural, ecological, geographical, and geological elements, the provision and preservation of open-space lands are necessary to secure park, recreational, historic, and scenic areas and to conserve the land, its biotic communities, its natural resources, and its geological and geographical elements; and

WHEREAS, § 76-6-104, M.C.A., defines open-space land as any land which is provided or preserved for: park and recreational purposes; conservation of land or other natural resources; historic or scenic purposes; or assisting in the shaping of the character, direction, and timing of community development; and

WHEREAS, the City Council, per Resolution 8279 (Exhibit A) called for and held a City special election in conjunction with the general election on November 6, 2018, for the purpose of voting on the following question: “For the purpose of paying a portion of the costs of stewardship and conservation of open-space lands that are managed as natural areas, including care and maintenance of, improvements to, and acquisition of interests in such open-space lands, shall the City Council of the City of Missoula, Montana be authorized to levy permanently up to 4 mills per year, currently raising approximately \$500,000 annually?”; and

WHEREAS, through the November 6, 2018, election, 62% of City of Missoula residents voted to approve the conservation and stewardship of open space lands mill levy, and

WHEREAS, the City of Missoula (the “City”) first engaged in open space planning in the late 1960s and land use policies related to open space preservation and maintenance dating back to Missoula’s first comprehensive plan, which was adopted in 1968 by the City and Missoula County (the “County”) and called upon the community to “expand and equitably distribute areas for open spaces, parks, recreational and cultural facilities within the urban area and preserve mountainous areas and water courses in the Planning Area for future generations;” and

WHEREAS, since then, the City of Missoula has through citizen engagement routinely updated open space plans and through citizen support continuously

implemented those plans via the primary funding mechanisms of voter supported Open Space Measures including two City of Missoula Open Space Measures in 1981 and 1995, and in conjunction with the County of Missoula via two more Open Space Measures in 2006 and 2018; and

WHEREAS, open space land provides significant benefits to Missoula including ecosystem services such as clean air and water, health and wellness, education, recreation, relief from congestion and overcrowding, etc. and these benefits are available to all; and

WHEREAS, public open spaces, trails and parks are community assets that promote social equity and are available to all citizens regardless 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; and

WHEREAS, it is recognized that the provision and preservation of these important open space lands require repairs, replacement, renovation, and stewardship to maximize the potential and value to the community and to assure goals of the Open Space Act are met; and

WHEREAS, the City, following extensive public process, has adopted numerous plans which support the benefits of a variety of open-space land types, including the 2004 Master Parks and Recreation Plan for the Greater Missoula Area, the 2016 Long Range and Active Transportation Plans, and plans that provide guidance for conservation and stewardship of these lands including the 2015 Urban Forest Management Plan, the 2010 Conservation Lands Management Plan, and the 2014 Parks/Open Space/Trails Asset Management Plan; and

WHEREAS, a perpetual conservation and responsible stewardship mill levy allows for future acquisition of important open space parcels as well as certainty for long range planning for necessary improvements, stewardship, and management of open space conservation lands; and

WHEREAS, conservation lands, natural areas and parklands require restoration, stewardship, mitigation following major events, and improvements to ensure the lands remain a valuable asset to be enjoyed by all citizens; and

WHEREAS, the City has identified through the aforementioned adopted plans, the need to address not only protection of open-space lands, but also the daily maintenance and long term stewardship of these open space lands; and

WHEREAS, the June 2018 Parks, Recreation, Open Space, and Trails Citizen Survey affirms strong support for the conservation and stewardship of open space lands; and

WHEREAS, set forth on Exhibit B is the FY20 preliminary Conservation and Stewardship of open space lands Mill Levy budget to meet the many goals and objectives necessary in caring for these open space lands; and

WHEREAS, the budget, in general amounts, goals, and benefits has been shared with stakeholders and at public meetings including the Conservation Lands advisory committee, the

Open Space Advisory Committee, and the Parks and Conservation Committee of City Council for input; and

WHEREAS, at the March 12, 2019 regular meeting of the City Parks and Recreation Advisory Board, the Board was reviewed the Conservation and Stewardship of Open Space Lands Mill Levy and following discussion and consideration of comments, unanimously voted to fully support the proposed budget and encourage City Council to do the same; and

WHEREAS, due to strong support as demonstrated in the November 2018 election, the City wishes to be responsive by implementing the Conservation and Stewardship of open space lands Mill Levy FY20 budget as soon as practical acknowledging the final actual value of the mill may not be provided by the State of Montana until August 2019;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the City Council of the City of Missoula adopt this resolution preliminarily approving the FY20 Conservation and Stewardship of Open Space Lands Mill Levy budget and directing the Mayor and staff to prepare for July 1, 2019 implementation of the preliminarily approved budget including capital funds; and

BE IT FURTHER RESOLVED, the approval of the Conservation and Stewardship of Open Space Lands Mill Levy shall provide for and allow the accumulation of capital funds derived from the Mill Levy and held within the Conservation and Stewardship of Open-Space Lands Fund, for the purposes of major restoration of open space lands, mitigation of open space lands when damaged, capital outlay of equipment to support efforts in the area of conservation and stewardship, the ability to acquire future open space parcels per citizen input and adopted plans, and the ability to bond for qualifying projects and capital improvements.

PASSED AND ADOPTED this 8th day of April, 2019

ATTEST:

/s/ Martha L. Rehbein

Martha L. Rehbein, CMC
City Clerk

APPROVED:

/s/ John Engen

John Engen
Mayor

(SEAL)