

RESOLUTION NUMBER \_\_\_\_\_

**A RESOLUTION OF THE MISSOULA CITY COUNCIL TO ACCEPT A DONATED CONSERVATION EASEMENT OF THE TEN SPOON VINEYARD AND WINERY PROPERTY OF APPROXIMATELY 21.5 ACRES AND A PUBLIC PEDESTRIAN WALKWAY EASEMENT AS AN ADDITION TO THE CITY'S CURRENT OPEN SPACE NETWORK AND APPROVE EXPENDING UP TO \$40,000 OF 2018 OPEN SPACE BOND PROCEEDS TO PAY FOR ASSOCIATED DUE DILIGENCE, LEGAL, TRANSACTION AND OTHER PROJECT-RELATED COSTS.**

WHEREAS, in November 2018, 63% of Missoula County voters approved the Open Space Bond measure, which authorizes the Missoula County Commissioners to use the bond proceeds for the purposes of conserving, enjoying, and enhancing open-space land, to include providing public access to water and land; conserving agricultural lands, fish and wildlife habitat, and rivers, lakes, and streams; paying costs of purchasing land, easements, or other interests in land from willing landowners and of improvements and costs related to or serving lands acquired or designated as open space; and protecting scenic views, with \$7,500,000 of the \$15,000,000 total bond being allocated to the City of Missoula within the Missoula Planning Region;

WHEREAS, Article II, Section 2.1 of the May 20, 2020, Interlocal Agreement between the City of Missoula and the County of Missoula Related to Use of 2018 Open Space Bond Proceeds (Interlocal Agreement) establishes the general purposes of the open space bond;

WHEREAS, this project will carry out the purposes of the 2018 Open Space Bond by protecting 21.5 acres of open space in perpetuity; protecting agricultural resources and uses in the community; conserving open space land and wildlife habitat and corridors; protecting scenic views and landscapes; protecting water quality, providing public access across the property via a donated pedestrian walkway easement; and paying non-city or county personnel related transaction costs and other related project related costs;

Whereas, the City of Missoula adopted the 2019 Missoula Urban Area Open Space Plan ("Open Space Plan"), which updated the 2006 Open Space Plan and provides a vision for continuing to expand upon community open space and trail systems throughout the greater Missoula area;

WHEREAS, the 2019 Missoula Urban Area Open Space Plan depicts the areas of Mount Jumbo and the North Hills as cornerstones of Missoula's open space system. Cornerstone lands contain significant open space values and represent the highest priority areas for protection;

WHEREAS, Our Missoula City Growth Policy (2015) recognizes that a primary, character-defining feature of Missoula is its connection with natural and scenic resources and that outdoor recreation is an essential part of the Missoula community's character and way of life;

WHEREAS, the project will protect small-scale, community-based agricultural and educational resources;

WHEREAS, the Ten Spoon Vineyard and Winery property has scenic views of Rattlesnake Valley, surrounding mountain ranges and protected City open space lands, and the property is scenic in and of itself;

WHEREAS, the project is consistent with climate adaptation objectives;

WHEREAS, the project promotes and furthers the goals of managing growth by providing areas of respite and relief;

WHEREAS, the Ten Spoon Vineyard and Winery property corridor provides east-west passage between Mount Jumbo and Rattlesnake Creek and travel routes for a variety of wildlife species;

WHEREAS, public access to, and through, open spaces 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;

WHEREAS, on February 9<sup>th</sup>, 2023, the Open Space Advisory Committee unanimously passed a motion recommending the City of Missoula authorize the expenditure of up to \$40,000 from 2018 Open Space Bond funds for non-personnel costs associated with accepting a donated conservation easement and public pedestrian walkway easement to the City of Missoula as an addition to the open space lands network which protects agricultural lands, scenic vistas, open space and wildlife corridors associated with the property;

NOW THEREFORE, BE IT RESOLVED that the Missoula City Council accepts a donated conservation easement of the Ten Spoon Vineyard and Winery property of approximately 21.5 acres and a public pedestrian walkway easement as an addition to the city's current open space network, and approves expending up to \$40,000 of 2018 Open Space Bond proceeds to pay for associated due diligence, legal, transaction and other project-related costs.

PASSED AND ADOPTED this \_\_\_\_ day of March, 2023.

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Jordan Hess  
Mayor

(SEAL)