

Missoula City Council Housing, Redevelopment, and Community Programs Committee Minutes

DRAFT

August 30, 2023

9:00 AM

Council Chambers (in person) or TEAMS (virtually)

Attend in person: City Council Chambers, 140 W Pine, Missoula MT

Members present: Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West

Members absent: Sierra Farmer

1. ADMINISTRATIVE BUSINESS

Committee Chair, Heidi West called the meeting to order at 9:01 a.m.

1.1 Roll Call

Rhea Sanders called the roll.

1.2 Approval of the Minutes

N/A

2. PUBLIC COMMENT

Kevin Farmer, a resident of Ward 6, submitted a petition pertaining to the economic development of the Johnson Street area. He mentioned the strong community support for the petition. He described the petition as highlighting the community's interest in the economic development of the Johnson Street area and their commitment to voicing their concerns and ideas.

3. COMMITTEE BUSINESS

3.1 MRA Recommended Workforce Housing Guidelines

Annie Gorski, Deputy Director of the Missoula Redevelopment Agency (MRA) presented information regarding the MRA's recommended workforce housing guidelines. If approved, Missoula would be the first city in Montana to utilize the new guidelines to further the city's housing goals. She highlighted historic MRA investments in housing. She outlined the areas in the Montana Code Annotated (MCA) that related to the use of Tax Increment Financing (TIF) and defined workforce housing. Ms. Gorski relayed the process the MRA utilized to develop the recommendations including an internal working group, soliciting stakeholder input, and identifying the housing needs of the area. She identified the funding gap to build workforce housing. She highlighted the program goals, the potential use of TIF funds in relation to workforce housing, the guidelines established for Affordable Housing Trust Fund (AHTF) contributions and other requirements found in the recommended guidelines. She emphasized that the guidelines align with the City Strategic Plan and urban renewal plans. She concluded by covering the next steps in the process. For more information, please see the attached video.

The Committee, Ms. Gorski and Dale Bickel, the Chief Financial Officer for the City of Missoula discussed the following:

- How the MRA determined the ten percent return to the AHTF and the need to balance furthering the city's housing goals without discouraging development. Ms. Gorski explained that ten percent is a common figure in similar programs across the country and a starting point to gauge the program's success.
- How the program would facilitate, prioritize, and balance work force housing alongside market rate housing.
- How the ten percent donation from the developer would look and whether their contributions to the AHTF would be tax deductible or not.
- How the program would align and promote climate friendly practices and potentially incentivize builders to incorporate climate-friendly practices into their projects, such as solar panels or energy-efficient construction methods.
- The importance of program flexibility and noted that the program could make a significant impact on affordable housing in the community.

Public Comment:

Kevin Hunt, a resident of Ward 1 emphasized the need to plan for a sustainable future. He raised concerns about the median income. He highlighted the need for strong policies to ensure the long-term viability of affordable housing and expressed concerns about the lack of metrics to address these issues.

Brandy Atanasoff, a resident of Ward 5 spoke in favor of the work that was underway to find solutions related to affordable housing. She raised concerns about the potential lack of structure and policies to protect affordable housing in the long term.

Matts Larson, a Missoula resident voiced concerns about workforce housing being built based on affordability metrics that may not align with Missoula's unique situation. He mentioned the challenge of enforcing affordable housing standards. He questioned the prioritization of commercial development by MRA and its impact on tax levies.

Jeffrey Oswald, a Missoula resident discussed the importance of integrating income levels within neighborhoods to foster community interaction and understanding. He highlighted the negative consequences of segregating income groups. He stressed the importance of reducing stressors on individuals and communities to promote well-being.

This was an information only item.

Chairperson West recessed the meeting for 10 minutes.

3.2 Pilot Project – Rotating Authorized Campsites Within Missoula City Limits

Councilwoman Jordan introduced her proposal as a one-year pilot project to address the issue of homelessness in Missoula by creating rotating authorized campsites. She emphasized the humane, cost-effective, and equitable aspects of the plan while addressing misconceptions. The proposal aimed to provide basic services and stability for the unhoused population while mitigating some of the safety and environmental impact of current encampments. She aimed to collect data and assess the impact on both housed and unhoused communities. She mentioned trends in homelessness, current conditions for the unhoused, sweep costs, proposal basics, cost effectiveness,

willingness of service providers to participate, equity and environmental responsibility. For further information, please watch the attached video.

Committee members and city staff engaged in a dialogue to better understand the implications and challenges of the proposal. The discussion and questions revolved around the proposed homeless encampment project, its potential impact, its feasibility, lessons learned from previous initiatives, and considerations related to data collection, city-owned or private property usage, potential operating costs, and liability concerns associated with inviting individuals to camp on city-owned property (if that is what was decided). They illuminated capacity constraints or priority shifts necessary for city staff to implement the proposed camping program. They discussed that the work toward ensuring everyone has a place to sleep aligns with the city's Justice, Equity, Diversity, and Inclusion (JEDI) goals.

Ryan Sudbury, City of Missoula Attorney provided insights into the complexity of addressing liability issues related to such a proposal and suggested alternative approaches. He discussed liability and public duty doctrine in relation to the current situation. Dale Bickel, the Chief Administrative Officer for the City of Missoula added to the liability discussion highlighting while the city has insurance through the Montana Municipal Interlocal Authority, there could be exceptions where coverage does not apply and emphasized the liability risk if the proposed camping areas are not safe. Councilwoman Jordan clarified that her proposal did not include security or regular staffing due to budgetary constraints. She acknowledged the city and county are actively involved in addressing homelessness but maybe lacking designated camp areas. Eran Pehan, Director of Community Planning, Development and Innovation discussed lessons learned from the previous authorized campsite (ACS) experience. She highlighted operational costs, the need for staff presence at campsites, the importance of non-governmental entities managing such programs, and the challenges of managing larger campsite populations. City staff described their ongoing efforts to address homelessness, including operating the Johnson Street Emergency Facility, developing a permanent housing strategy, working with providers, and connecting homeless individuals with resources.

They discussed the pros and cons of the harm reduction strategy. Donna Glockler, the Parks and Recreation Director provided general information regarding the perceived reduction of camping in the winter when all shelters are operational. Councilwoman Jordan clarified the default approach is to explore all city-owned properties for suitable locations and that park space would only be considered if it met the necessary criteria. Jeanna Miller, Environmental Health Supervisor described the regulatory requirements for establishing campgrounds on public or private land. She highlighted the need for compliance with state laws and rules for campgrounds, including management and supervision, water and wastewater requirements, and a point person responsible for addressing issues. She expressed concern about the process of closing a campsite and the potential return of occupants to a closed site without the proper amenities.

The committee, Ms. Pehan and Jill Bonny, Executive Director of the Poverello Center discussed budgetary aspects of running authorized campsites, the need for clear expectations and requirements of potential service providers as well as the importance of adequate oversight and support.

Various committee members asked questions and expressed their concerns about the potential liability the city might face in different scenarios related to homelessness. They

discussed the need for collaboration with service providers and finding effective solutions to address the houselessness issue. There were also considerations about the timing of implementing solutions and the expiration of emergency ordinances. Committee members expressed varying levels of support and concerns about the proposal, and there was a recognition that the current situation also presented challenges.

Councilman Nugent made the motion to ask staff to come back with limited information on what land the city has that would be large enough to fill the need and continue discussing the item in committee. After further discussion he withdrew the motion.

Public comment:

Gwen Nicholson, a resident of Ward 1 commented in favor of the proposal. They commented on moving toward long-term solutions and the necessity of short-term solutions to build a foundation. They spoke about the benefits of the proposal including equity and addressing liability as well as the need for direct collaboration with people in the unhoused community.

Kevin Hunt, a resident of Ward 1 commented on the difference between designating camp sites and rotating zones where there would be no anti-camping enforcement. He spoke about the potential formation and make up of a citizen task force, including the possibility to be park hosts for the camp areas, citizen patrols and so forth.

A citizen requested that the unhoused be involved in the process. They suggested an active camp in each ward and capping the numbers on the camps. They provided security, camp make-up and other suggestions,

Heather Hicks, spoke in favor of the proposal and asked the committee to seek feedback from those with lived experiences.

A citizen of Ward 5 spoke against the idea of militia or volunteer security groups being brought into the homeless population for protection. They suggested creating a talking point as a group to address this concern.

Andie Housal, a resident of Ward 2 spoke in favor of the proposal. They questioned the intentions behind the committee members' questions regarding the proposal. They called for the committee and staff to listen to the unhoused. They emphasized that punitive policing of the unhoused is unnecessary.

Jeffrey Oswald spoke in favor of the proposal and expressed his perspective on homelessness and the role of the police. He emphasized the experiences and emotions of sleeping unhoused without protection. He went on to explain that the proposed camp sites could help alleviate these experiences by providing a starting point where homeless individuals can feel safe and comfortable.

Keving Farmer, a resident of Ward 6, spoke in support of the proposal and mentioned liability as a big issue and the perception that the city is doing nothing. He encouraged the committee to think in a creative way to find solutions.

Mark Anderlecht, a resident of Ward 6 spoke in favor of the proposal. He commented on the emergency ordinance expiration and that the no camping ordinance is unconstitutional. He called for a moratorium to stop the sweeps and the need to include the unhoused in the process.

Paul Kim, a Ward 1 resident who works for the ACLU of Montana. He relayed his desire to engage in a legal dialog between the city attorney and the attorneys that work in his organization to ensure the city is compliant with the law and protect the civil liberties of the homeless community.

Matts Larson, a resident of Ward 3, talked about selective enforcement. He mentioned the land located near South Gate Mall as a camping option and the banned email list from the city.

David Quattrocchi, a community organizer and health worker at Partnership Health Center and Missoula Public Health spoke in support of the proposal as it would offer stability, allow service providers access to those living unhoused and the unhoused an opportunity to engage with service providers. He mentioned the proposal meets the equity lens.

Chloe Runs Behind, a community organizer at Forward Montana commented in favor of the proposal. They compared the current safety issues and potential safety issues mentioned regarding the proposal. She requested the unhoused be consulted throughout the process and suggested potential operating parameters for the proposed camp sites.

Katie Leggy of the Homeless Outreach Team spoke in favor of the proposal. She mentioned the need for a good foundation as well as a solution that allows providers to locate individuals and provide needed assistance and services.

Committee Chair West held the time in committee for further discussion. There was no vote. She recessed the meeting; it reconvened at 12:06 p.m.

Direct City Administration to identify 12 locations, two in each ward, that are city or private (in partnership with the landowner) property to be used as designated, rotating camping sites. This will require staff to establish and maintain contracts for services including toilets, sharps containers, and trash.

3.3 A resolution of the City Council Commit to Master Planning the Johnson Street Center Property and Completing Demolition and Site Preparation of Appropriate Buildings Within Three Years

Councilman Nugent introduced the item and highlighted the objectives of the resolution.

The committee discussed the pros and cons of making a friendly amendment to the resolution.

Councilwoman Jones made the accepted recommended friendly amendment as follows: Approve a resolution of the city council committing the city to commencing the Johnson Street Property master planning process within one year with the goal of completing demolition and site preparation of appropriate buildings within three years.

The committee discussed the potential concerns of demolition not completed within the timeline goal.

Councilman Carlino called for a friendly amendment as follows: Be it further resolved; the City of Missoula commits to choosing at least one new suitable site for shelter to replace the community need that the Johnson Street Shelter currently fills within one year of the date of adoption. The sponsors of the resolution did not accept his friendly amendment

explaining that city staff were already in the planning process which includes identifying another solution and that the proposed friendly amendment may put too much of a contingency on the process.

Dale Bickel noted that staff had a presentation that would provide context to the resolution.

Councilwoman Sherril made the recommended motion including the friendly amendment made by councilwoman Jones to: Approve a resolution of the city council committing the city to commencing the Johnson Street Property master planning process within one year with the goal of completing demolition and site preparation of appropriate buildings within three years.

Committee Chair West held the item in committee for further discussion.

Public comment:

Kevin Farmer, a resident of Ward 6, mentioned the Johnson Street property as part of the Midtown economic plan and the potential to earmark some funds to from the future development of the Johnson Street area to go toward houseless programs. He highlighted that business owners and residents in the Franklin to the Fort neighborhood want the economic development that was promised in the economic plan.

Matts Larson, a Missoula resident spoke in favor of councilman Carlino's friendly amendment. He mentioned the city does not fund priorities and their delay tactics.

Committee Chair West held the item in committee for further discussion. There was no vote.

Approve a resolution of the city council committing the city to commencing the Johnson Street Property master planning process within one year and completing demolition and site preparation of appropriate buildings within three years.

4. ADJOURNMENT

The meeting was adjourned at 1:26 p.m.