

**Missoula City Council Committee of the Whole Minutes --DRAFT**

**June 5, 2024**

**3:30 PM**

**Council Chambers (in person) or TEAMS (virtually)**

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

**Members present: Amber Sherrill, Stacie Anderson, Mirtha Becerra, Bob Campbell, Daniel Carlino, Sierra Farmer, Gwen Jones, Kristen Jordan, Eric Melson, Mike Nugent, Jennifer Savage, Sandra Vasecka**

**Also attending: Andrea Davis, Mayor, Ryan Sudbury, City Attorney, Dale Bickell, Chief Administrative Officer, and Anneliese Brown, Legislative Services Specialist**

**1. ADMINISTRATIVE BUSINESS**

**1.1 Roll Call**

**1.2 Approval of the Minutes**

**1.2.1 Minutes from May 22, 2024**

The minutes were approved as submitted.

**2. PUBLIC COMMENT**

Janna Richter, Ward 3, provides public comment on Johnson Street Shelter and LUP meeting funding discussion.

Karl Spitzmacher provides public comment on the current state of Missoula.

Mattityahu Yahuchanan provides public comment on the social climate of Montana, billionaire spending, and the urban camping ordinance.

**3. COMMITTEE BUSINESS**

**3.1 Resolution addressing the City of Missoula's approach to urban camping and to adopt recommendations from the Urban Camping Work Group**

Amber Sherrill sets ground rules for discussion around urban camping topic. No clapping, no booing, three minutes public comment, address the chair, no threats, and no cursing. She wants to hear from everyone including differing opinions.

Amber introduces the resolution.

Mayor Davis provides background on the situation, emergency declaration passed by former mayor Jordan Hess, and how to update current regulations in Missoula. She discusses the Urban Camping Working Group and collaborations between different representatives in that process. The working group did not have an opportunity to vet

recommendations, and this will be the opportunity for those recommendations to be vetted at this point.

Mayor Davis provides a presentation on the Urban Camping Working Group, Johnson Street Warming Shelter, the modular bathrooms and showers project, the Authorized Camping Site in 2022, Houselessness Programs, Housing Solutions, and Commitment and Intentions. She welcomes the public to leave comments on the Engage Missoula website. Our current ordinance in place states there is no camping anywhere, but we have not been enforcing that. Mayor Davis speaks to the terms urban camping, crisis, or survival camping and shares details about the Urban Camping Working Group goals and outcomes.

Amber Sherrill provides comment based on topics in the Mayor's presentation. Including authorized campsites, supportive services, lockers and sharps containers, parking permit program, and abatement in extreme weather. She discusses details of buffer zones and other places camping prohibition will not be enforced. She discusses determining a balance for all and allowing crisis camping from 8PM - 8AM being deemed an appropriate middle ground for all parties with varying concerns.

Mirtha Becerra provides comments in hopes for a good discussion that moves us forward.

Gwen Jones provides comment on participating in the Urban Camping Working Group, people in the community share common goals, good discussion with a lot of thought and work, and discusses the issue being a balancing act. It will not be perfect or please everyone, but this is the first phase of this process.

Mike Nugent provides comment. He states his council email and voicemail were busier today than ever before. He corrects the following misunderstandings including that bathrooms and showers *are* available at Johnson Street Shelter and available to everyone and not just people staying there, as confirmed earlier by the Poverello Center. There is no complete ban on camping in Missoula with this resolution and/or ordinance. He discusses 402 new beds for income restricted individuals between the Trinity Project and Villagio, and the mobile support team is fully funded. This community has taken numerous steps to help people. We are trying to strike a balance by imposing buffer zones, and Council must find ways to walk a path on both sides.

Stacie Anderson states what the working group showed is there isn't one solution. The City has limited resources and it is difficult to help everyone, we have to try to do the most good for the most amount of people, there is no singular solution, we would love to make sure no one is ever unhoused again, but that is not capable for City Council. The mobile support team is a good example of a creative success. She is happy to take the steps and there are many more to come.

Council Questions:

Daniel Carlino states it would be great if the Urban Camping Working group could have looked over the resolution and asks who wrote it. He asks if any unhoused community members involved in drafting the process.

Amber Sherrill answers that sponsor's along with legal and staff wrote the resolution.

Daniel Carlino asks why don't we direct city staff to implement services instead of researching them?

Amber Sherrill advises investigation before action is needed.

Daniel Carlino asks where are the places people can camp?

Amber Sherrill answers City property outside of the buffer zones and she does not have a map of those places.

Daniel Carlino asks how people and law enforcement will know what is outside of the buffer zones?

Amber Sherrill answers no one is going to take a ruler, but people can estimate, and service providers will understand parameters as well.

Sandra Vasecka asks who will be enforcing the buffer zones and how will property owners be able to contact enforcers?

Amber Sherrill answers it will be a complaint-based system and there will not be people out enforcing regulations.

Sandra Vasecka asks if reporters will use the urban camping reporting forms on the website?

Mayor Davis responds that the form is on the website, there is some work to be done, and those doing enforcement now are staff out in the field. When there is behavior that is either criminal in nature, or if there is a safety concern is when police and other responders will come to a site. They will not be the first line of enforcement. She speaks to language in the resolution around measurements and using visuals to identify them.

Kristen Jordan asks why the unhoused were not consulted in drafting the resolution? She asks how the resolution represents the Urban Camping Working Group, and suggests it is criminalizing.

Mike Nugent answers that we are the elected policy makers and a group got together and took in all the information and drafted the resolution.

Kristen Jordan provides comment and again asks why were the unhoused not consulted when we wrote the resolution.

Amber Sherrill advises we just gave the best answer to that question and legislation was written by Council people.

Stacie Anderson advises she sat through the Urban Camping Working group and took in the feedback, conversations, and information. It did not result in a resolution as they were not able to get to that point, but all the feedback was used in the lens this resolution was drafted through. The information used by the sponsors came from all the working group sessions.

Kristen Jordan asks how the resolution written by five members of council represents all members of their Urban Camping Working Group.

Amber Sherrill advises we were informed by what we heard at the Urban Camping Working Group.

Kristen Jordan asks how prioritizing summer camps programs is prioritized over the unhoused community's ability to camp.

Amber Sherrill does not share that opinion, as we are trying to share common spaces.

Bob Campbell questions why Municipal Court was not involved in the Urban Camping Working Group, wonders what their input was with the resolution, and how they feel about their role in enforcement should any be necessary.

Mayor Davis advises Judge Coolidge chose not to provide opinion in the fifth of five working groups based on the fact he feels his representation as the judicial branch of government should not weigh into the legislative elements. The resolution was not reviewed by Municipal Court as that is not a general course of action for any law that is brought forward. Judge Coolidge was not comfortable providing feedback and was not required to do so.

Gwen Jones provides comment and asks if there is there any kind of timeframe in terms of an RFP. What is a timeframe that is reasonable to report back to council?

Mayor Davis advises we are in the middle of budget season, wants to start conversations immediately and be able to identify what something like that would cost, we will have to go after some third-party funding for certain things and that will bring a different kind of timeline on things. She is willing to bring progress reports on a monthly basis to put as much information as possible into the budget process. The safe parking program will lean on private party partners to open up their private parking lots for people in vehicles to sleep.

Daniel Carlino asks how it will work for those who cannot move all of their belongings during the 8AM to 8PM ban.

Amber advises Johnson Street will still be open and Meadowlark will take families.

Mirtha Becerra adds there is a provision for storage facilities in the resolution.

Mike Nugent adds the service provider community does a really good job and they will try to find a solution.

Amber Sherrill adds this is a complaint-based system.

Sandra Vasecka makes the motion on the floor.

Amber Sherrill sets an expectation for courtesy when providing public comments.

#### Public Comment

Mark Losh, CEO, Missoula Area Chamber of Commerce, provides comments on businesses, property crime, impacts, and requests increasing the buffer zone to 300 feet to protect the river.

Laurel Hess, Ward 3, concerned about the 8AM to 8PM restriction and inquires as to what it accomplishes. Where are they going to go? They have no transportation. This will eventually push people into more conflict with the larger community. She hopes we can provide services to people that need them.

Dylan Kato, board member of Missoula Midtown Association, provides comment on the challenges faced by those experiencing homelessness and impacts on the community. He hopes that buffer zones around schools, parks, trails, and shelters will provide a safe and welcoming environment.

Courtney Zehring thanks council and the mayor for their work on urban camping working groups, points out Andrea Davis has dedicated her entire life to environmental stewardship and housing the unhoused. Advises in Grants Pass the 8AM-8PM no camping restrictions are used and was derived to fire response and safety. She discusses environmental impact and the amount of trash removed from river, and she supports buffer zones.

Karl Spitzmacher provides comment on his emails, rules, regulations, and irresponsibility.

Janna Richter, they/them pronouns, Ward 3, provides comment on fines, jail, courts, service-oriented solutions. They advise this resolution falls short and is unclear, is complicated for the courts, would like a map of where people can be, safe parking spaces, and storage sites. Does not provide tangible timelines and makes it unclear as to where people can and cannot go. They request a list of changes to be made to resolution.

Mark Anderlik, Ward 6, provides comment and does not think this is a workable resolution. He supports Councilor Jordan's research, states we need to find money and make changes, and to rethink the justice system. What is the justice system really accomplishing? Money could be better spent, and the way we do law enforcement is a piece of puzzle.

Josh Decker, Ward 1, provides comment that the resolution is going to be discretionary and is going to be unworkable. Challenges the environmental argument due people floating the river during the summer producing a massive amount of litter. He thanks Council for making a decision prior to the Supreme Court ruling on Johnson vs. Grants Pass which he believes will not be upheld and a 100% camping ban will be back on the table soon.

Chris Foster provides comment that this problem will be with us for a long time, urges Council to keep in mind the principle of justice in terms of causes of homelessness and unintended consequences. He discusses former Mayor Engen's 2012 Reaching Home project, causes of homelessness is poverty, wages not keeping up with costs, and the cost burden of renters and homeowners spending more than 30% of their income on housing. He discusses economic injustice, that affordable housing needs to be connected to living wage, the normalization of homelessness and we are just making it part of daily lives and believes if it is our intention to house the homeless, then we should house the homeless.

Brad Karlson provides public comment that he was in the working group, this resolution goes against everything he recommended against, discusses a map he created, this turns into a banishment, compliance issues, and he discusses problems with bears and other wildlife. He challenges Council to take all of their daily belongings to work with them.

David Quattrocchi, currently a Community Organizer with Partnership Health Center and Missoula Public Health, speaks in the capacity of a health care equity worker. Discusses

diverse needs within the community and rejects the idea of competing interests in public space based on health equity. He provided further public comment on worsening overdose rates, camping abatements, exacerbating health risks, sanitation, and prioritizing supportive housing.

Mike Nugent clarifies are you (David Quattrocchi) speaking for yourself or on behalf of the Health Department?

Amber Sherrill requests public commentor to return to the microphone to provide his answer.

David Quattrocchi advises no he is not speaking on behalf of the entire health department, only of himself.

Stuart Robertson discusses his meetings with people living on the trails and shares some of their stories, potential issues he foresees with buffer zones, and believes we are abandoning our community in favor of tourist dollars. He discusses increasing prices, unaffordable housing, and moral bankruptcy. He reads a letter he found on the trail from a father to his son.

Jill Bonny, Executive Director of the Poverello Center, wanted to address some concerns, the onus is on the people in crisis, and they don't have a home to try to figure it out, people will be pushed out of the community when they have nowhere left to go, it is forest fire season, and people will be making fires to stay warm. She thanks council for the working group, it gave the opportunity to create new relationships and strengthen relationships and points out the group that worked on buffer zones did not have a community representative. She questions what enforcement will look like, what will happen to those caught camping in a buffer zone, expresses concerns about the HOT Team relationships with people and people feeling like they are being asked to leave after they have made connections with the HOT Team. Speaks to SJ Howell's email containing proposed amendments to the resolution and encourages Council to take a look at the email.

Sage Bennett, Ward 3, asks if anyone taken a tour of Johnson Street Shelter, the YWCA is limited space, the Poverello doesn't always provide housing for families, and Johnson Street Shelter has no privacy. They ask why are housed children more important than unhoused children. They state this will cause trauma for unhoused children and feels wealthier classes are being prioritized in Missoula.

John Rhoades, Ward 6, provides public comment on fairness, putting the cart before the horse, council has not instructed Mayor where people can be, and that the resolution going in wrong direction.

Council takes a five-minute break to reset recording equipment.

William Schenck, Ward 3, provides public comment on intangible timelines, a priority disparity within the resolution, what measures are in place to prevent enforcement that defaults to individuals paying fines, and law enforcement.

Grant Kier, President and CEO of Missoula Economic Partnership, he is incredibly grateful for the candor, appreciates ideas are complicated, and at end of Urban Camping Working Group we produced the best thoughts of the group. The ordinance reflects many things included, and not included, in the working group, and our organization

continues to be willing to work with everyone in that room. Speaks to his level of trust with those in the room, and the time in the working group was not spent in the vain, and his organization will keep working with groups and people.

Alessandro Mitchell, Ward 6, provides public comment concerning the need for the new ordinance and new services to be implemented concurrently. He speaks to moving every day for those living outside is not feasible, the Centralized Housing Fund through the United Way, Community Care Team with Partnership Health, the Coordinated Entry with the supposed 40 contact points, the Montana Continuum of Care Coalition, and the Montana Coalition to Solve Homelessness. Suggests an audit be done of the Federal Funds involving HUD (Department of Housing and Urban Development) and shifting those funds to more effective means. He speaks to the concept of credit unions and how businesses should pool a fund to put back in their community.

Shira Wolf-Camplin, Ward 6, a social worker that does not speak on behalf of Providence. She speaks to not being in favor of the resolution, working at the largest hospital in this community, the public health crises will be exacerbated if this resolution passes, and people come to the hospital or to law enforcement when they have nowhere else to go. She states everyone comes to the hospital when they are need, but they cannot serve everyone in the community as it continues to grow, and public health issues continue to be exacerbated.

Lara Salazar, CEO at Partnership Health Center, thanks City Council and the Mayor for the Urban Camping Working Group and finding a way to meet everyone's needs. She discusses less punitive methods of response to improve the lives of people in the community concerning drug use, needles, and mental health outbursts in public. She is excited about innovation and working together. She is excited about the intention to explore ways to respond to these issues, but in the meantime, we should consider a different way in the short term while we figure out the long term, which is to provide housing for all. She discusses the Medicaid redetermination impacting her organization by \$1.6 million, the Trinity Project, nonprofits, city/county staff, and grants.

Ren Parker, provides public comment on creating a ban without creating a solution, can't think about a place she could go even in times she is not in duress, the resolution is vague, people writing the laws are not in touch with people involved with the courts, she is worried about people with ill intentions abusing the vagueness in the resolution, and states we should make the resolution more clear so it is not abused by those enforcing it.

Amber Sherrill advises the room there is a meeting scheduled in City Council Chambers at 6:00PM, and we will stop public comment at 5:55PM.

#### Public Commentors Online

David Whitestone provided comment on attending a couple of the Urban Camping Working Groups, the working groups not having much representation for people on the streets, many people on the streets don't want to rejoin society but also do not want to cause harm to society, speaks to tourism and money, and world climate. He speaks to opening up community housing such as if homeowners could open a portion of their property to a person with a tent and asks why we need an institution as a buffer between community members.

Amber Sherrill advises she will take two more public comments in the order the hands were raised.

Jennie Vader, Ward 6, urges city council to vote no on the resolution, and thanks Daniel Carlino and Kristen Jordan for asking critical questions and pushing for the voices of the unhoused. She is disappointed in the time and effort of City Council members and business owners have spent on drawing the line of where people can and can't be. She hoped the working group would have been more productive with more solutions. She challenges all of Council to imagine their own lives or kid's lives without shelter. States the MRL (Montana Rail Link) park is being used by the unhoused community and is not only for use by the housed community.

Clayton Shaya provides public comment on Johnson Street Shelter and the current climate within the community, we are not being provided a map of where we can be and calls for vocal protest.

Amber Sherrill advises we are an hour over our meeting time, there are still people waiting online to provide public comment, we do not have an outreach communication plan at this time. This resolution is a policy directive not an ordinance which is an important distinction as we are not talking about enforcement and that would take place following an ordinance. She states Johnson Street Shelter is not full so there is still space for those seeking shelter. Amber Sherrill states due to the next scheduled meeting, we will have amendments and a full discussion beyond what has been discussed here and moves to Call the Question.

Daniel Carlino calls for a Point of Order.

Amber Sherrill addresses Daniel Carlino's call for a Point of Order and there is no debate on Calling the Question, advises he will have an opportunity to make comment on Monday night, and due to the next meeting, she will Call the Question.

Daniel Carlino calls for a Point of Order to take a vote on calling the question.

Amber Sherrill calls for rollcall vote to Call the Question.

The motion to Call the Question passes with 7 Yes and 5 No votes. The motion passes.

Amber Sherrill advises due to the time constraint on this meeting Daniel Carlino's Amendments will be heard on Monday night.

Kristen Jordan calls for a Point of Order citing we are not ready to take a vote as there are amendments to be made and calls for a motion to amend.

Amber Sherrill redirects the discussion back to the motion to Call the Question that was just passed and that we are calling the question on what is on the floor.

Kristen Jordan advises she will not be voting, makes excited utterances, and leaves Council Chambers.

Daniel Carlino calls for a Point of Order and questioning why we are making a policy vote since this meeting has gone over in time and suggests keeping the item in committee for another week.



Mirtha Becerra advises there is a Historic Preservation Committee meeting scheduled for this time in Council Chambers.

Amber Sherrill advises we have already passed the motion to Call the Question.

Stacie Anderson advises a council member must be recognized by the Chair in order to speak.

Amber Sherrill reiterates the statement. She states she has had conversations with Daniel about his amendments and agrees with Daniel about some of those amendments, but we are going to vote on the item and his amendments can be made on Monday night.

A roll call vote is taken on the motion to approve the resolution.

The motion passes with 9 Yes, 1 No, 1 Abstained, and 1 Absent.

The item moves to Committee Reports on the City Council Agenda on Monday night.

**Moved by:** Sandra Vasecka

Approve a resolution addressing the City of Missoula's approach to urban camping and to adopt recommendations from the Urban Camping Work Group.

AYES: (9): Amber Sherrill, Stacie Anderson, Mirtha Becerra, Bob Campbell, Sierra Farmer, Gwen Jones, Eric Melson, Mike Nugent, and Sandra Vasecka

NAYS: (1): Daniel Carlino

ABSTAIN: (1): Jennifer Savage

ABSENT: (1): Kristen Jordan

**Vote results: Approved (9 to 1)**

**Moved by:** Amber Sherrill

Calling the Question.

AYES: (7): Amber Sherrill, Stacie Anderson, Mirtha Becerra, Bob Campbell, Sierra Farmer, Gwen Jones, and Mike Nugent

NAYS: (5): Daniel Carlino, Kristen Jordan, Eric Melson, Jennifer Savage, and Sandra Vasecka

**Vote results: Approved (7 to 5)**

#### 4. **ADJOURNMENT**

The meeting adjourns at 6:00 PM.