

DRAFT RESOLUTION -----

A resolution of the Missoula City Council authorizing expenditure of up to \$26,050 of 2006 Open Space Bond funds towards the purchase of a conservation easement on the Hayden-Grass Valley property consisting of 287 acres owned by Carl Hayden, to be held by Five Valleys Land Trust.

Whereas, Section 76-6-104, M.C.A. defines open-space land as any land which is provided or preserved for: park or 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 Missoula County Commissioners passed Resolution Number 2006-093 placing a measure on the November 7, 2006, ballot providing the electorate in Missoula County with an opportunity to vote on a \$10,000,000 bond issue for open space acquisition and protection; and

Whereas, the 2006 Open Space Bond states that the purpose of the bond was to preserve, "...open space in Missoula County by: purchasing land, easements, and other interests in land from willing landowners for the following purposes: protecting the water quality of rivers, lakes and streams; protecting wildlife habitat; conserving working ranches, farms and forests; providing access along rivers, lakes and streams; managing for growth; providing open space and scenic landscapes; providing recreational and commuter trails; paying non-personnel related transaction costs associated with an approved project; [and paying] costs of initial clean-up and weed control associated with an approved project;" and

Whereas, the Missoula County electorate approved the Open Space Bond measure on November 7, 2006; and

Whereas, the City of Missoula adopted an Interlocal Agreement Between the City of Missoula and the County of Missoula Related to Open Space Bond Acquisition and Use of Open Space Bond Proceeds dated April 5, 2007, outlining the process for applying for and approving bond expenditures; and

Whereas, this project will carry out the purposes of the 2006 Open Space Bond by protecting water quality, protecting wildlife habitat, conserving working ranches and farms, managing for growth, protecting open space and scenic landscapes, and paying non-personnel related due diligence and other project-related costs; and

Whereas, the City of Missoula adopted the 2019 Missoula Urban Area Open Space Plan ("Open Space Plan"), which provides a vision for continuing to expand upon community open space systems throughout the greater Missoula area and identifies the "Clark Fork and Bitterroot Cornerstone," where the project is located, as a high-priority community open space and encourages the preservation of wildlife habitat, river and creek corridors, agricultural lands, and scenic viewsheds, all while protecting lands that help the City manage for growth; and

Whereas, the City of Missoula is guided by the three strategic decision-making lenses of Climate and Resilience, Equity, and Housing, and this project protects critical natural resources in the face of climate change, protects local watershed resources, prevents development in sensitive wildlife habitat, preserves local farm and ranch lands and existing agricultural soils, and protects local scenic views from Missoula Valley of the property and surrounding lands; and

Whereas, this project will carry out the purposes of the 2006 Open Space Bond by providing permanent protection of 287 acres of open space, conserving agricultural lands, fish and wildlife habitat, wetland and riparian areas, local streams, scenic views, and other important open space values; and

Whereas, the proposed conservation easement is consistent with City and County climate adaptation objectives, as it eliminates the threat of residential development in an environmentally sensitive area and helps protect LaValle Creek which is a tributary of the Clark Fork River, allowing for improved water quality and aquatic wildlife habitat; and

Whereas, on November 14, 2024, a quorum of the City Open Space Advisory Committee (OSAC) voted to recommend the use of up to, but not to exceed, twenty-six thousand and fifty dollars (\$26,050) of 2006 City-administered Open Space Bond Funds towards the acquisition of a conservation easement on the Hayden-Grass Valley property to be held by Five Valleys Land Trust, and this project is an eligible project for use of open space bond funds; and

Whereas, the Hayden-Grass Valley property has a deep tradition of agricultural use, and was home to some of the earliest homesteading in Missoula Valley; and

Whereas, a conservation easement on the Hayden-Grass Valley property will collectively, with the Kinney Conservation Easement west of Deschamps Lane, help protect over two miles of a perennial stretch of LaValle Creek; and

Whereas, the Hayden-Grass Valley property is part of what the local chapter of the Audubon Society and the National Audubon Society have designated as the Clark Fork River-Grass Valley Important Bird Area and one of continental significance; and

Whereas, as of the date of this resolution, the population of Missoula County and the City of Missoula has grown by 9.5% and 18.4%, respectively, since 2010 and continues to grow, creating an inherent need to protect open space for current and future residents; and

Whereas, the owner of the Hayden-Grass Valley property is donating the entire value of the conservation easement to Five Valleys Land Trust and this expenditure will be used for due diligence and other eligible project costs;

Now therefore, be it resolved that the Missoula City Council hereby authorizes expenditure of up to \$26,050 of 2006 Open Space Bond funds towards the purchase of a conservation easement on the Hayden-Grass Valley property consisting of 287 acres owned by Carl Hayden, to be held by Five Valleys Land Trust.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

APPROVED:

Claire Trimble
Legislative Services Director/City Clerk

Andrea Davis
Mayor

(SEAL)