

## **Missoula City Council Committee of the Whole Minutes**

**February 17, 2021**

**12:00 PM**

**ZOOM Webinar**

**Members present:** Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

### **1. ADMINISTRATIVE BUSINESS**

#### **1.2 Approval of the Minutes**

##### **1.2.1 Minutes from the February 3, 2021 meeting**

The minutes were approved as submitted.

### **2. PUBLIC COMMENT**

### **3. COMMITTEE BUSINESS**

#### **3.1 Affordable Housing Citizen Oversight Appointment Subcommittee**

von Lossberg - This item was not referred through the Council agenda two weeks ago so the first motion, suspending the Council rules, allows us to take up the item. Any questions?

Contos - What are we doing?

von Lossberg - Voting on this allows us to take up the next item. As I am the item sponsor, I'm asking Gwen Jones to chair this item.

Jones - I'm happy to chair.

von Lossberg - This is an item to create a sub-committee to take up the appointments to the Affordable Housing Citizen Oversight Appointment Subcommittee. The Council has appointments to this meeting body as well as the Mayor and the County Commissioners. Emily Harris-Shears is here. She was hired to facilitate this. We received 43 applications. Emily is reviewing them. In the interest of doing these interviews well, I don't think all twelve of us need to conduct the 43 interviews. Emily has estimated time frames. With review of applications and interviews this is going to take a few weeks. In consultation with other colleagues, I would like to establish a sub-committee of the Committee of the Whole to work as a interview and appointment subcommittee. I propose it to be three people. There is interest in one of the County Commissioners to join this subcommittee as well. The subcommittee will bring a recommendation back to the whole Council at Committee of the Whole to make the appointments. I think this will make a more accessible and welcoming interview process. I would like to recommend the following people serve on this subcommittee. The President can either serve on the oversight committee or recommend someone to serve for them. I have asked Heidi to

serve in my place on the oversight committee. I discussed participation on the subcommittee with Julie Merritt, Mirtha Becerra and Gwen Jones and they are all willing to serve, conduct the interviews and bring us back a slate of appointments. Questions?

Sherrill - How many appointments do we each have? I like the plan. Heidi and I did this with the Local Food Policy Board. Having done a lot of interviews, this made it intimate and I think this is good.

von Lossberg - Emily if you can help me... The Council has three voting members and on alternate. The County has one voting member. I want to clarify that the County Commissioner will only be participating for recommendations back to the County body.

Emily Harris-Shears - The Mayor is two voting members and on alternate.

Jones - Let the record show that Anderson is present.

Ramos - I was wondering why Heather and Heidi weren't recommended.

von Lossberg - I am planning on appointing Heidi in my place on the oversight committee. She brings a wealth of experience around this topic. With Heather, I appreciate her work with Habitat. I don't want to touch on any conflicts. I think it is best for Heather to concentrate on her work in her space.

Harp - I appreciate that. I don't know if there is going to be a potential conflict. With what we are trying to lay out, I think that Mirtha, Gwen and Julie will do a great job in this role.

von Lossberg - I will make the motion then go back to chair.

Hess - The LUP subcommittee worked really well. This is going to be 15-plus hours of interviews. It is going to be a lot of work. I appreciate you serving. I appreciate Heather's remarks and I think this will be a team effort.

Merritt - Thanks for the opportunity. I think it is key we get good people on this committee.

West - I wholly support this process. I think the smaller group is better for the interviewees.

Vasecka - With Heather's background, I think she would be pivotal in this role. How can we put this to a vote to make it more fair?

Jones - You can make an amendment to the motion. We can ask Heather Harp if she has interest first.

Harp - My work at Habitat is all consuming. If there are people who are willing to do this work, I fully support that. If we are going to make a dent, it requires more than Habitat to make progress.

Vasecka - I rescind.

Sherrill - I appreciate all of the conversation on this. It is going to be a heavy lift. I appreciate Heather's comments. I want to thank all that are willing to do it.

Jones - I'm happy to serve on this. Forty-three applicants is a lot. This is a better use of everyone's time. I appreciate the time and thought that Bryan von Lossberg put in to this with staff, Emily Harris-Shears and Montana James.

Becerra - Thank you for the opportunity. We are breaking ground when it comes to setting up this group. I'm sure that all of us will do our best and be diligent with all of the applications to move forward with this endeavor.

von Lossberg - Thanks for the discussion. We are fortunate to have Emily Harris-Shears on staff to administer the trust fund. She has great experience. She has done great work getting the application open and closed. I just wanted to thank her.

**Moved by:** Jordan Hess

Suspend the City Council Rule 22 to take up the item. *(Requires two-thirds of those present and voting.)*

AYES: (11): Mirtha Becerra, John Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, and Heidi West

ABSENT: (1): Stacie Anderson

**Vote results: Approved (11 to 0)**

**Moved by:** Bryan von Lossberg

Establish a subcommittee of the Committee of the Whole to recommend Council appointments consistent with the provisions of the Affordable Housing Trust Fund Ordinance (Ord. 3663) to the Affordable Housing Citizen Oversight Committee. The subcommittee shall be comprised of three members of Council, which shall be Gwen Jones, Mirtha Becerra and Julie Merritt.

AYES: (12): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, and Heidi West

**Vote results: Approved (12 to 0)**

### **3.2 Ward boundaries**

von Lossberg - This next item is our every two-years ward boundary adjustment. Neil are you going to kick off?

Neil Pennanen, GIS - This process happens every two years. We look at whether or not changes needs to be made. Every 10-years this is based on census data in the interim years we use estimates. We do not have the 2020 census data yet. We are using the building permit estimation technique. We look at building permits to estimate population growth. The changes over the last decade were reviewed. This year changes need to be make to wards 2, 3 , 4 and 5. We have to maintain a relative population of + or - 3% of ward averages and not seat current Council representatives out of their wards. A map with residential permits issued for 2019 and 2020 was reviewed. There are more multi-

dwelling units in ward 2. We have 36,600 housing units an increase of 1,013 since this last was done. The average population per ward is 13,063. A map with the preferred option for shifting populations to come into alignment was presented. Populations will shift in wards 2, 3, 4, 5, and 6 to come into alignment.

Merritt - Can you put the map back up of the ward 2 to ward 6 change. That does not go as far west as the 44 condos. That makes sense. It was odd to me when we extended Ward 6 across the river, but that is where we need to go.

Harp - Can you put the map back up for ward 3 and ward 4. The white blocks will remove from four into three. This neighborhood butts up to the hillside, can we add that last block to the East?

Neil Pennanen - I did look at that block, but it is part of one census block which made it tricky. I do see where you are coming from, but I don't see a clean way to do that.

Harp - How about if we went toward Kent?

Neil Pennanen - I looked at that also. In this preferred scenario we are moving 170 people. That next block is 360 people which then effects ward 4 and ward 5 so this movement of one block follows our conservative philosophy.

Harp - When do we get the census numbers for 2020?

von Lossberg - I hear in the news that there was a 6-month delay tacked on. What I'd like to do is set the public hearing. I would prefer process wise that you follow-up with Neil and the department and when we take final action we can make changes per amendment. I would like to fully investigate changes as we go through the public hearing process.

Contos - I was curious why we need to keep an equal population in these wards.

von Lossberg - It is historic practice for us to do this. There is not a state statute, but we have a practice of doing these every two year.

Neil Pennanen - That is my understanding of it as well. There are not standards with the state. There are things in State Statute that talk to practical distribution. Mr. Nugent?

Jim Nugent, City Attorney - It is the law from courts across the nation. The City Charter says that the each ward shall be generally equal in shape and population. It is not an interpretation but it is required by the courts.

von Lossberg - The plus or minus 3% is what we have established.

Nugent - Courts have determined that as an acceptable margin.

West - I'm guessing there is a limit to how often we can adjust these.

Neil Pennanen - The timeline we are following is the opening of the filing date for elections. The wards need to be set before then. This will be the ward boundaries for the next two years.

Becerra - Thanks. Can we take a look again at the ward 6 chomping of ward 2? How far North does this going?

Neil Pennanen - Union Pacific is to the North.

Becerra - That would include Brooklyn apartments?

Neil Pennanen - No, they are outside of the area.

von Lossberg - The motion is to set the public hearing. There is more opportunity for discussion.

Jones - We have a goal of equalizing within a 3% range, then we have a long-term plan to look at all of this once we get our census numbers. We will set ourselves up once we have the new census data. I think it is better to be more conservative now and make bigger changes later.

Hess - I was going to highlight what Mr. Nugent highlighted. This process has been every 2-years since I've been on Council. This is a pretty good baseline to me. I look forward to looking at this once we have census data.

Sherrill - I'm happy to support this as well. I look at this map shifting north-west. Are we thinking about this when we shift wards around? At what point do we add another ward?

von Lossberg - It would require a change to our charter to add wards. Neil - the first question?

Neil Pennanen - I think that there are some constraints as to where Wards can move following geographic boundaries. Ward 6 moved across the river a couple of years ago. As growth continues, there are more possibilities for the way things can change.

von Lossberg - The short answer is yes. Neil did give consideration to the changes.

Vasecka - The residents that change wards will receive written notice?

von Lossberg - Does someone know the answer to that? Neil or Dale? We can pin that and get an answer.

Anderson - I understand that we will continue to represent the wards as they are at today until the end of the year. When new Council members are onboarded in January, that is when the new ward boundaries will go into effect.

Jim Nugent - The Charter does say that the Council can determine the number of the wards by ordinance. State law says a first class city must have between 4 and 10 wards.

von Lossberg - Thanks for that Jim.

Anderson - A good thing to point out... Billings only has five wards. There is nothing that says how big a ward needs to be. This highlights the growth of Missoula. I appreciate the work that Neil has done.

von Lossberg - We are at the hour with a motion on the floor. Public comment?

**Moved by:** Gwen Jones

Set a public hearing for March 8, 2021, and preliminarily adopt an ordinance amending Title 1, Chapter 1.16 entitled "Election Wards" revising and updating ward boundaries based on new population statistics.

AYES: (12): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, and Heidi West

**Vote results: Approved (12 to 0)**

**4. ADJOURNMENT**

1:01 PM