

Draft dated 2/26/2021
RESOLUTION -----

A resolution of the Missoula City Council declaring certain water utility property to be managed, used, developed and maintained by the City Parks & Recreation Department as a part of the adjoining Ninkpata neighborhood park for purposes of expending funds and acquiring grants.

Whereas, many of the City's land use planning documents, including the 2004 Master Parks Plan, 2019 Open Space Plan update, 2016 Our Missoula General Comprehensive Land Use Plan, and the Farviews-Pattee Canyon Neighborhood parks and trails study, identify the importance of neighborhood parks; and

Whereas, public trails, parks, 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; and

Whereas, the City acquired the water utility in 2017 thereby transferring the lands formerly owned by Mountain Water Company to the City; and

Whereas, the City water utility's Facility Needs Study provides that the water reservoirs formerly located on the parcel shown on Exhibit A (the "Property") are no longer necessary and have been removed; and

Whereas, the City water utility currently desires to keep the Property as part of the utility portfolio, in case a future utility need is identified for this site, however the City water utility supports interim management, development, use and maintenance of the Property for public parks and recreation purposes until such time that a water utility need for the property is identified; and

Whereas, by providing for the City's Parks and Recreation Department to manage, use, develop and maintain the Property, the surrounding neighborhood will have access to a larger park site that generally meets important goals of slope, size, configuration and surveillance, while at the same time protecting the water utility asset; and

Whereas, in 2019 the Neighborhood Council and area residents, working with the City's Parks and Recreation Department, developed a Master Plan for an expanded Ninkpata Park, that has been formally adopted by the Missoula Parks and Recreation Board; and

Whereas, the Farviews/Pattee Canyon Neighborhood Council has expressed their support for this resolution and the development of this area as a park, which is the flattest parcel in their neighborhood, and thus most conducive to active play;

Now therefore, be it resolved that the Missoula City Council hereby designates the water utility parcel identified in Exhibit A as property that is to be managed, used, developed and maintained for the purposes of parks and recreation through its Parks & Recreation Department for a term of 20 years, from the date of this resolution, which may be automatically renewable for additional ten-year terms, unless prior to the expiration of any term the water utility provides notice to the Parks & Recreation Department that the term shall not be renewed;

Be it further resolved, that in the event the City water utility identifies a utility need for the Property at any time, the City Parks and Recreation Department and Water Utility will work cooperatively to meet the needs of the Utility, including the removal of park improvements if so needed.

PASSED AND ADOPTED this ____ day of _____, 2021.

ATTEST:

Martha L. Rehbein
Legislative Services Director/City Clerk

(SEAL)

APPROVED:

John Engen
Mayor

EXHIBIT A

Missoula Water Utility Property to be managed and used as a public parkland until needed for water delivery (Total 0.5 acres).

Geocode: 04-2200-34-3-03-10-0000 (0.5 AC);

Address: 227 E. Crestline Drive, Missoula, MT 59803

Legal: FAR VIEWS HOMESITES ADDITION # 01, S34, T13 N, R19 W, BLOCK F, Lot 16 - 17, T13-T14

Map:

