

ADMINISTRATION AND FINANCE COMMITTEE
CITY COUNCIL CHAMBERS
140 WEST PINE STREET
MISSOULA MONTANA
August 25, 2010 1:05pm

Members present: Pam Walzer, acting as Chair; Ed Childers; Renee Mitchell; Jason Wiener; Dick Haines; Lyn Hellegaard; Roy Houseman; Dave Strohmaier; Jon Wilkins; Bob Jaffe.

Members absent: Stacy Rye.

Others present: John Hendrickson, Dan Jordan, Mike Barton, Jackie Corday, Don MacArthur, Genevieve Jessop Marsh, Lavac Means, John Newman, Dee Andersen.

I. Administrative Business

A. Approve committee minutes dated: [August 18, 2010](#)-approved as submitted.

B. Public Comment on items not listed on the agenda-None

II. Consent Agenda

A. Approve claims (accounts payable). -Consent Agenda (Brent Ramharter)

Motion: The committee recommends the City Council approve claims \$\$599,644.4 (Detailed claims) 9/7/10

B. Disposition of excess city owned parcels (memo).—Regular Agenda (Bob Jaffe) (Referred to committee: 07/26/10) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council authorize the Mayor to direct staff to identify the appropriate City owned parcels for disposal, with a recommended disposal process, and to identify any costs associated therewith.

Link for Discussion:

- [City Attorney Legal Opinion](#)

Bob Jaffe proposed that staff begin the preliminary work that would bring this proposal back to Council for further action. He said out of all of the properties there may only be a handful that would be eligible to sell or lease. The parcels will need to be surveyed and there are some competing interests for these lots, but before the decisions can be made on what to do, the first step is to direct staff to begin.

Mike Barton, OPG, said his staff has identified 2 dozen parcels and said that there hasn't been a great deal of work done with these properties. We have been approached about the possibility about some of them being developed residentially. He said there has been a task force associated with Garden City Harvest and the Parks Department for developing parameters for community gardens on City owned property. We would like to entertain proposals.

Marilyn Marler said she doesn't sit on this committee but supported this concept.

Jon Wilkins asked if they have an estimated cost to start this.

Mr. Barton said some preliminary work has been done but we don't know if they all need surveying. It depends on what you would like to do with these lots. To sell or rent them they will need to be legally defined. It would be similar to listing your property.

Mr. Wilkins would like to know where the money is going to come from and how much money it is going to cost. He would like a detailed list of the properties. He said some of these lots are

extremely sloped and he doesn't see how these are worth anything to anyone, you certainly couldn't build on them.

Mr. Jaffe said he became interested in this issue from the affordable housing angle. In a lot of other communities the City has provided land for housing. In our case we don't have much land. Now council needs to give a directive to get it underway

Ed Childers said anything that is park land; we have a procedure available for that. Property they we own that is not right of way, would have to be sold at competitive rates. If the City holds on to the land and let housing be built-he would like to know what the costs would be to figure it out. He said we really don't have much money to spend on this.

Ms. Walzer wanted to point out Mr. Nugent's legal opinion letter attached to the agenda. She said the state requirement for the City to dispose of land takes a 2/3 vote of the Council to sell or lease. We can donate or sell land at a reduced rate for affordable housing. One of the biggest challenges in constructing affordable housing is the cost of land. We could donate land to a non-profit or for-profit organization with the stipulation that it be used permanently for affordable housing.

John Newman, OPG, said survey's cost from \$600-\$3000 depending on if any significant work is needed to be done to clear the title. The Phase 1 environmental site assessments are \$1800-\$2200 each.

Ms. Walzer asked if those assessments are done to make sure the site is clean and there are not any environmental concerns with the property.

Mr. Newman said yes and added that the consultants would give package deals on 6 surveys or more.

Mr. Barton said out of the 24 parcels maybe 8-10 are suitable for residential. Another couple of sites could be suitable for gardens. If you want to dispose of this land a super majority is required. The fundamental question is, is this something you really want to do?

Dan Jordan, Public Works, said the list everyone is looking at was done in 2008. It started when we made England Boulevard, we purchased some adjacent lots and when we didn't use the adjacent parcels several of the homeowners wanted to know if they were available purchase.

Ms. Marler pointed out that if the land is sold the buyer would have to share closing costs.

Mr. Jordan said he thinks only a couple of the parcels need surveying. Most are already legally described.

Mr. Jaffe said when we looked at the proposals for development; one of the considerations is that, if they were to be sold, they could become added to the tax roles instead of the City having to mow them.

Lynn Hellegaard commented if you are looking to partner with an agency like Missoula Housing Authority or any number of non-profits they don't pay property taxes.

Mr. Jaffe said if they become land trust houses the improvements would become taxable.

Mr. Wilkins moved to authorize staff to get a cost estimate and bring it back to Council for further discussion.

Mr. Barton suggested a recommendation of which properties have potential for use, which 12 would fall under that criteria.

Mr. Wilkins asked if they become community gardens don't we retain the land and lease it.

Ms. Walzer said even to lease it we have to have a 2/3 vote.

Mr. Childers said he didn't realize we have 20 acres of contiguous north of Rogers Street

Mr. Jordan said that the Street Division uses for material storage.

Mr. Jaffe said he was hoping to move forward and has concerns it will stall; he discussed the wording of the motion. Do we have language for a motion? He also requested it include a report back from staff.

Mr. Barton said a report back from staff would include the Parks Department OPG and Public Works as we all have some interest in this. Let's assume Council would like to explore how to dispose of these lots and by dispose of, he means sell, lease or donate. If you do want to pursue disposal we can also come back with how to effect that disposal.

Ms. Walzer worked up a formal motion as follows: *The committee authorizes the Mayor to direct staff to identify the appropriate City owned parcels for disposal, with a recommended disposal process, and to identify any costs associated therewith.*

Public Comment:

Genevieve Jessop Marsh, Garden City Harvest, said she worked with the task force Mr. Barton mentioned, which includes Parks and Recreation, the City, the Office of Neighborhoods and County Parks. We have worked for about a year on how to score and evaluate sites for potential garden space. We examined Park land, right of way and lots on your list. Gardens would be a great use for this land. We are providing food for low income Missoulians. We do like to do them in low income areas and the Ivy Marshall Lot would perfect for a garden. Some statistics from our other gardens; 78% of our gardeners are low income, 94% said they saved significant amounts of money on grocery bills annually and 20% said they wouldn't have enough food with out a garden.

Jackie Corday, Parks and Recreation, said she has been working on this committee for a year and they are getting very close to bringing a proposal to City Council to lease some of these sites that have been identified by Garden City Harvest. It will probably be ready in October.

Don Mac Arthur, MMS, said his team did a little research on these parcels. There are about 9 that would make good sites for affordable housing. On Dakota street there are some parcels and we did some preliminary sketches. We didn't have any idea that Garden City Harvest was also interested and would not want to be in a dispute with them over any of these parcels. If the costs for surveying are significant it can be passed on to the new owners.

John Hendrickson, MBIA, said his organization is in support of this proposal. These costs to survey can be recouped over time. The proceeds from City land and Parks land could pay for the special districts. If any lots are buildable they could represent about \$80,000 per parcel. He said the community gardens are a great idea for these weed lots. It's good for the community and would lower the budget as the City would not have to mow them. He said MMIA is a non-profit and spent hundreds of hours building a student house. We would be happy to take ownership of a parcel in order to build similar homes.

Upon a voice vote, the motion passed unanimously

III. Held in committee

- A.** Approve claims. (Ongoing) (Consent Agenda)
- B.** Approve journal vouchers. (Ongoing) (Consent Agenda)
- C.** Approve budget transfers. (Ongoing) (Consent Agenda)

- D. An ordinance amending the municipal code as it relates to bike licensing. ([A&F](#)) (Returned from council floor: 12/15/08)
- E. Implications of establishing maintenance districts. ([memo](#)) – Regular Agenda (Bob Jaffe) (Referred to committee: 05/11/09)
- F. Clarify position of council member who also serves on the board of a non-profit agency that has dealings with the city. ([memo](#)) – Regular Agenda (Ed Childers) (Referred to committee: 07/20/2009)
- G. [Resolution](#) of the Missoula City Council establishing a tourism business improvement district consisting of non-contiguous lands within the City of Missoula for the purpose of aiding tourism, promotion and marketing within the district. ([Exhibit A](#)) ([Exhibit B](#)) ([memo](#)) ([A&F](#)) (Returned from Council floor: 10/05/09)
- H. Review the FY 2011-15 capital improvement projects (CIP). ([memo](#)) – Regular Agenda (Brentt Ramharter) (Referred to committee: 04/19/2010)
- I. Amend Council rules to change the Council's regular meeting schedule to two meetings per month ([memo](#)).—Regular Agenda (Marty Rehbein) (Referred to committee: 06/07/10)

IV. Adjournment

The meeting adjourned at 2:00pm

Respectfully submitted,

Dee Andersen

Administrative Secretary