



Helena Citizens' Council (HCC)
Minutes
Sept.28th, 2022 7:00-9:00PM
Zoom & In Person Room 326

Meeting was called to order by HCC Chair Cole Rosling at 7:00pm

Attendance: John Andrew, Patricia Bik, Diana Hammer, Nancy Perry, Ben Kuiper, Joe Lehman, Lowell Chandler, Paige Myers, Michael Monaco, Rachel Okapal, Dylan Klapmeier, Burt Federman, Cole Rosling, Ryan Schwochert, Erinn Donnell, Susan Smith, Heidi Friendlander, Elizabeth Maida-Gerhart, Susan Steffens, Chelly Hasquet, Bob Habeck, Peggy Benkelman (coordinator)

Excused: JR Andrew, Nolan Harris, TJ Lehman, Denise Roth Barber, Emily Mowers, Margaret Strachan.

Absent: Steve Allen

Guests: Andy Shirliff (Commissioner), Kara Snyder (Helena Housing Trust Fund), Dr. Gregory Thomas, Nigel Antony

A Quorum was established - yes

Approval of August 2022 Minutes –No changes, objections or abstentions. All were in favor. Minutes were approved.

Public Comment - none

Guest Speaker – Kara Snyder Helena Housing Trust Fund – Housing Coordinator

Please note: the Power Point Presentation is attached at the end of this document

Kara displays her Power Point presentation and discusses the slides:

- Overview of Fund
- Priorities
- Eligible Uses Beneficiaries
- Match Requirements
- Building Standards and Accessibility
- Continued Affordability
- Rental, Temporary & Transitional Housing
- Single Family Dwelling Unite Development
- Homebuyer Assistance
- Application Submission
 - Administrative Procedures
 - Advisory Board
 - Recipient Requirements

Application Process – Overview

1. Schedule
2. Goals & Funding Availability
3. Application content
4. Review Process

More Questions? Please contact:
Kara Snyder – Housing Coordinator
Ksnyder@helenamt.gov
406-447-8028

Kara Snyder opens the floor for questions:

Diana Hammer – District #1 – Is this Trust Fund modeled after programs from other cities? Kara S. says yes, Bend & Ashland OR, also Missoula and Bozeman MT, and Boulder, CO. Missoula has many more programs developed within their Fund. Bozeman lost a lot of income to their Fund with the loss of inclusionary zoning funds. Kara S. anticipates the Helena Housing Trust Fund will depend upon consulting with *Neighborworks MT*. That program has many policies and forms already in place.

Peggy Benkelman (HCC Coordinator) asks if Kara had time to look into how Air BnB's affect neighborhoods. Kara said that Helena doesn't do any tracking of rentals and there currently is no registration fee. Kara thought that maybe Missoula does have a registration fee for Air BnB's and that money goes into their trust fund.

Kara S. shows charts of short-term rentals increasing by 22% from 2019 (near 100) and now in 2022 there are 235. This information can be viewed on AirDNA.com. Kara S. will provide the links to Peggy B.

Diana Hammer – HCC District #1 asks how many units of housing need to be built to make a dent in the housing shortage. Kara S. says she doesn't have that information at her fingertips, but maybe Michael O'Neil from Helena Housing Authority does.

Heidi Friedlander – HCC District #6 asks if there is a sliding fee scale? How are the income guidelines set? Kara S. replies the income guidelines come from the State and County.

Lowell Chandler – HCC District #3 – Lowell asks if there are any built in incentives for multiple family dwellings vs single family dwellings. Kara says yes, but there are strict guidelines as far as development and completion timeline.

Bylaw Committee Updates – Bob Habeck – Review Policies and Procedures Document with full HCC Board

Bob H. gives short history of HCC. It was first a Citizen's Advisory Council in the late 1960's and then amended into the Helena City Charter in 1977, so the origins of the Council go way back. We need more clarity on how we run our meetings, and our documents may need updates and revisions, which is what we are doing here today. These policy documents are not legal or political in any way. Bob then notes what the proposed changes should do:

Proposed changes should:

- (1) Address spelling, grammar, and punctuation errors.
- (2) Minimize redundancy between the Charter - Bylaws - PS/GP documents.
- (3) Correct factual errors and/or potential legal questions.
- (4) Improve document clarity and interpretation.
- (5) Update processes and instructions that have changed.

Review of Purpose Statement within the Policies and Procedures Document - Discussion

Bob H. states the HCC only makes recommendations to the Helena City Commission – this role is clarified in the City Charter.

Lowell Chandler HCC District #3 says he hates to see the HCC limit who they can make recommendations to. He would like the HCC to feel it could recommend to City Advisory Boards and Committees. Lowell states how the HCC Daycare recommendation was re-routed to the Zoning Board where they may revise and take time before it reaches the Commission.

Rachel Opakal HCC District #4 – asks if the HCC recommendations are published/public. HCC coordinator says yes as soon as the HCC votes on a recommendation and approves it, it is posted on the HCC Webpage. It is also sent directly to the Mayor and Commissioners. Rachel O. says she like the wording of the Purpose section.

Susan Smith HCC District #6 – says she wants to better represent the variety of issues her constituents bring forward in her district.

Ben Kuiper HCC District #2 - Ben doesn't think it is appropriate to make recommendations to Boards or Department Heads.

Susan Steffens HCC District #7 – asks Bob H. if this has been the process to only recommend to the Commission in the past? Bob H. says yes.

Dylan Klapmeier HCC District #4 – says since HCC is part of city government, it makes sense for the HCC not to make recommendations outside of the city. It should stay within its purview.

Bob H. says the HCC could always cc key persons when we send the recommendation to the Commission. These key persons could be department heads and committee chairs. Lowell Chandler like this idea.

Both Cole Rosling and Michael Monaco want to leave in the word only in the Purpose Statement. With the addition of the wording: to include appropriate notifications, Lowell Chandler approves of then leaving in the word “only”.

Discussion about 2.5 – Member Issue Resolution

Pat Bik HCC District #1 – A change to active voice is more appropriate.

Susan Smith HCC District #6 – She is concerned, is there a due process? She doesn't want to see a situation where certain members are “ganging up” on people.

Bob Habeck replies that the Executive Committee has to follow the same rules of behavior. The inclusion of the city attorney may happen because the HCC does not get involved with legal action.

Further input to 2.5 results in the final wording of: *The Chair, in coordination with the Executive Committee, may investigate member behavior or activities that are found to be inconsistent with member expectations in 2.5 (IX) and take the appropriate action. Investigations with findings will involve the city attorney to ensure for appropriate legal procedures.*

Bob Habeck leads the HCC body through the rest of the document changes. No further questions or changes were asked about.

Motion: A motion was made by Diana Hammer to accept the updates of the Policies and Procedures document. The motion was seconded by Ben Kuiper. Chair Rosling asks if there are any further questions or discussions needed. The body has none. Chair Rosling calls for a vote – all present (21) voted in favor of the newly updated document. The motion passes.

Please note: the new document is attached to the minutes

Unfinished Business:

Districts to decide on their 5 most important areas of issues and concerns. Due to lack of time, this was once again moved to next month's meeting.

Reports of Officers, Boards, & Standing Committees

Officer Reports:

Chair- Cole Rosling – Cole R. mentions the HCC receiving racist/bigoted emails. Please don't engage or respond to them

Vice-Chair- Dylan Klapmeier – no new updates

Treasurer-Nolan Harris – excused from meeting, so no updates

Secretary – Diana Hammer – The new blue vests are in for HCC members to use while conducting outreach activities. You may want to participate in the Walk to School event and wear a vet.

Commission Attendees' Reports – One Minute

9/7 Susan Steffens: A lot of the meeting was closed due to litigation. The Helena Airport is recruiting to have American Airlines here. Discussion about the CCIP (Comprehensive Capital and Inventory Program). Fire department upgrades were also discussed.

9/12 Diana Hammer: New Commissioner Andy Shirliff was sworn in. Police Chief Petty was given an award. Efforts on Mt. Helena Fire were congratulated. There will be no change in water rates this year. Diana asked where the Daycare recommendation was in process. She also mentioned the HCC would like to be involved with the hiring of the new City Manager.

9/21 Chelly Hasquet: Commission discussed sidewalk improvements especially around schools. Fire Tower restoration was brought up. There were internal fund requests from various departments.

9/26 Nancy Perry: Emphasis on approving the guidelines for the Helena Housing Trust Fund was discussed. The crossroads at Mt. View Meadows will be annexed. Updating the Building Codes was mentioned.

The commission discussed a request to demolish an historic structure, located within the historic district of Rodney Street, located at 320 East Broadway:

The County Historic Preservation Officer, Pam Attardo, explained that the house was built for Cornelius Hedges. Rebuilding or rehabilitating the house would be very expensive, but it would cost \$130,000 less to rehabilitate than to rebuild. The owner wants to replace it with a new 8-unit apartment building. People called in to object to the proposed apartments. They don't want a building so big to replace this house. Another person thought the new units would be too expensive for current residents in the Rodney Street corridor. The owner admitted that he could build a new building other places in Helena, instead of demolishing this building.

The Commission voted not to demolish the house.

Coordinator Report – Peggy Benkelman – I put together part of our new display in a glass covered wall display in the City/County Bldg. The HCC will soon have a display cabinet underneath the wall display where members of the public can take brochures and other informative pamphlets.

Committee Updates:

Outreach – Emily Mowers (excused) Diana H. says the doorhangers distribution has been moved to later in February after elections.

HOLMAC – TJ Lehman – The Committee summarized the fire on Mt. Helena. The Fire impacted 1000 trees and removal of them will begin immediately. The Lower Davis mountain bike trail is having some cosmetic work done. There are several openings on the HOLMAC – they also need a chair

Civic Center – tabled until further notice

HPAC – Paige Myers – The Women's Mural replacement options were discussed. There may be paintings in the Tunnels in Centennial Park.

Non-Motorized Travel – Lowell Chandler – There will be new turn lanes both into the Golf Course and into the neighborhood area to the west.

Transp. Coordinating Committee – Joe Lehman – meeting had issues with members logging in and finding the correct room. Joe L. will forward info to Peggy B. for distribution.

Water Quality – Diana Hammer – This Committee had a presentation about stream and private well water quality. Diana can forward the report to you if you are interested.

Citizen Conservation Board – Denise Roth Barber (excused) Diana Hammer says the Board has 4 openings.

Library Board – Paige Myers – The L&C Library is updating its disruptive patron policy. Concealed weapons will be permitted but no open carry weapons. There have been about 10 disruptive incidents per month at the library. Billings now has armed guards at their library. These new updates will be on the library's website soon.

Golf – Ryan Schwochert – Commissioner Reed did make a motion to withdraw bond payment monies – no one seconded her motion. Commissioner Reed also brought up the idea of utilizing the Public Land the Golf Course is on for public housing.

Fire Department – Liz Gerhart – she will be attending the 2nd meeting which is Sept. 29th where they will discuss their master plan.

New Business – Growing Friends – tree planting around Helena
Specific District Issues/Concerns/Ideas

Effects and Future Effects of Air BnB's on neighborhood homes
Outreach Committee on specific District issues & concerns

Paige Myers makes a motion to adjourn the meeting, Dylan Klapmeier seconds. Meeting adjourned.

Adjourn 9:05PM

Next Meeting October 26th from 7-9:00PM on Zoom and in person Room 326



Helena Citizens' Council

Purpose Statement and Guiding Principles

September 28, 2022

1.0 Purpose Statement

The purpose of the Helena Citizens' Council (HCC or Council) is to: (1) review and recommend actions relating to the annual budget; and (2) make recommendations relating to the future development of the city. The HCC only makes recommendations to the Helena City Commission and may include appropriate notifications.

2.0 Guiding Principles

The Guiding Principles are based on Article IV of the City Charter (Charter) and HCC Bylaws. The Charter and Bylaws guide HCC activities that support the Purpose Statement.

2.1 Upholding the Charter and Bylaws

HCC will uphold, in a consistent manner, the Charter, Bylaws, and all statutes, regulations, and legal policies applicable to elected officials. Within the bounds of these laws and regulations, HCC will strive to make recommendations that balance with a commitment to community benefit.

2.2 Working for the Future Development of the City

HCC recognizes its actions are intended to provide for the health, safety, and welfare of Helena residents, including a sense of well-being and community satisfaction. HCC recognizes Helena residents value a quality environment and community and encourages all members to share responsibility for protecting and sustaining our community. HCC encourages innovative thinking and seeks practical, long-term solutions that serve the public interest.

2.3 Disclosing Conflicts of Interest

HCC members understand that avoiding conflicts of interest is paramount to conducting our duties in an ethical and professional manner. Members who have an actual or perceived conflict of interest shall disclose and abstain from voting on issues or official recommendations. Specifically, the standard of conduct is to avoid any conflicts of interest between the business of the council and members for personal, professional, and/or business gain.

2.4 Member Issue Resolution

The Chair, in coordination with the Executive Committee, may investigate member behavior or activities that are found to be inconsistent with member expectations in 2.5 (IX) and take the appropriate action. Investigations with findings will involve the city attorney to ensure for appropriate legal procedures.

2.5 HCC Meetings

- I. HCC conducts its meetings using Parliamentary Procedure to accomplish its business discussions and recommendations. The Chair is responsible for running the monthly meetings.
- II. The Executive Committee will consider and approve monthly agenda items for which there is potential for action. An “Action” is defined as a recommendation to the City Commission. Time may also be provided for informational presentations when approved by the Executive Committee in advance of the meeting.
- III. The Executive Committee will encourage the Council's attention to items of concern from its membership by including “New Business” on each meeting agenda. Each unscheduled “New Business” item will be granted five minutes for presentation and discussion. Unscheduled “New Business” items that have used the allotted five minutes and need further discussion, must be scheduled at a future meeting under “Unfinished Business.”
- IV. To address more complex issues, the Chair may create an ad hoc committee to gather information for presentation to the Council.
- V. The scope of HCC will focus only on issues allowed by the Charter and Bylaws.
- VI. HCC members are expected to attend all monthly meetings, in addition to attending other administrative meetings, to the greatest extent possible. Members must notify the Coordinator and Chair of any anticipated absence.
- VII. Each HCC member is asked to attend at least one City Commission meeting each year.
- VIII. HCC members should advance topics of interest from their respective Districts. This may include, but is not limited to, reporting citizen complaints to the Council and/or facilitating discussions to address neighborhood issues.
- IX. HCC members are expected to actively engage in discussion, debate and voting in meetings; contributing dialog in a mindful and constructive way; listening carefully; challenging others sensitively; and avoiding negative behaviors.
- X. HCC members are expected to acknowledge final HCC majority or consensus positions or recommendations. HCC members are also expected to participate in the collective decision making and accept the majority decision of the Council.

2.6 Working with the Public

- I. HCC respects and encourages public input in all aspects of its work. HCC will provide the public with information on its positions, recommendations, and any other necessary information.

- II. HCC members are expected to be fully informed of community issues and should actively solicit public opinion by hosting or attending neighborhood meetings, returning phone calls, etc.
- III. HCC members are expected to become knowledgeable of city government processes, organization, and staff structure.
- IV. HCC members are expected to provide phone numbers, street addresses, email addresses, and other contact information so the residents of Helena can contact members regarding public concerns.
- V. HCC members are expected to act professionally and to represent themselves and the council appropriately at all meetings and other public forums.

2.7 HCC Member Expectations

- I. Voting memberships on boards, committees, or other organizations require representation by designated HCC members. Those members are expected to present a monthly report summarizing the meetings or activities, either during the monthly meeting if action needs to be taken by the Council, or by email to keep members informed.
- II. Non-voting memberships on any board or committee are encouraged, but entirely voluntary and dependent upon member interest.
- III. The Secretary and Coordinator will work together to encourage members to volunteer to represent the Council on all boards and/or committees where HCC has a voting membership. The Secretary and Coordinator will assist, as necessary, members to report to the Council on their actions.
- IV. In addition to monthly HCC meetings, members are encouraged to attend any city and administration meetings that are necessary or relevant to an ongoing committee, issue, or interest of HCC.
- V. HCC members are encouraged to participate in one external Board or Committee of interest and are expected to attend the meetings of their chosen boards. All external Board and Committee meetings require a brief (2-3 minute) written or oral report that can be presented at the following HCC monthly meeting.

2.8 Reaching Potential with our Members

HCC members are our most important asset. The Executive Committee empowers members to exercise professional judgment in carrying out their duties. HCC encourages the use of member expertise to find solutions to any challenges facing the city.



Affordable Housing Trust Fund (HAHTF)

HAHTF Overview

- Purpose – “supporting and expanding the supply of housing for lower income, senior citizens, persons with disabilities, homeless, and others with special needs” – Res. No. 20630
- Sources of funding (approximately \$2.1 million currently in HAHTF)
 - Proceeds from the sale of certain City property
 - \$100k set aside annually from the general budget
 - Principal and interest payments from the loans
- Beneficiaries – low to moderate income (within 80% AMI, can go up to 120% with Advisory Board recommendation and Commission approval)
- Match – 5:1, shelter/temporary housing projects can negotiate down to 3:1 with sufficient justification and rationale
- TIF funds – 10% of TIF funds are set aside for affordable housing projects within each district

Priorities

- Projects that maximize the utilization of outside financing (non-HAHTF matching funds).
- Projects that do not duplicate existing services or funding options and that leverage partnerships with other organizations and agencies.
- Projects that are sponsored by organizations or agencies able to demonstrate the staff capability, capacity, and experience necessary to successfully implement the proposed project.
- Projects that are clearly defined and realistic in scope, location, need, budget, and goals.
- Projects that utilize a proven, effective strategy.
- Projects that further the City of Helena’s strategic goals and objectives and demonstrate consistency with adopted planning efforts.
- Projects that will not require ongoing investments of HAHTF funds.
- Projects that will have a sustainable long-term impact.
- Projects that further the City’s environmental and sustainability goals and objectives. Promote energy efficiency and the use of renewable energy in new and existing development, minimizing impacts on natural resources and the environment.
- The length of time a project will maintain its affordability.

Program Guidelines Overview

Eligible Applicants and Activities

Eligible applicants include non-profit, for-profit and public organizations who will own, develop, and/or sponsor eligible activities

Eligible activities must add, improve or support permanent, transitional, and/or temporary housing. Activities could include construction, rehabilitation, acquisition, or financing of affordable housing projects or programs.

Eligible Uses

- Donate, provide, or pay all or a portion of the costs of land for the construction of affordable housing on that land;
- Donate, provide, or pay all or a portion of the costs of conversion or renovation of existing buildings into affordable housing;
- Provide or pay all or a portion of the costs of financing of infrastructure to support affordable housing projects;
- Provide or pay all or a portion of the costs of acquisition, development, construction, financing, operating, or owning affordable housing;
- Pay all or a portion of the up-front costs associated with permitting, plan reviews, and water and wastewater system development fees;
- Provide or pay all or a portion of the costs associated with consumer housing programs and services;
- Provide loan guarantees to affordable housing projects;
- Provide gap financing for affordable housing projects; and
- Pay the costs incurred by the City of Helena associated directly with the administration of the funds; provided, however, in no event shall the amount expended from the funds for such administrative expenses in any year exceed eight (8%) of the amount of revenue received in the fund that year.

Beneficiaries

HAHTF-assisted projects must serve low to moderate income households within Helena

Within 80% AMI (\$55k for HH of 1, \$78k for HH of 4)

With Advisory Board recommendation and approval by City Commission, could go up to 120% AMI (\$82k for HH of 1, \$118k for HH of 4)

Match Requirement

- 5:1 match ratio
- Shelters and/or temporary housing may request reduction to 3:1 match
- Match may include: funding from other sources, value of donated land or property supported by a third-party appraisal, donated infrastructure/site preparation/construction materials, donated professional services, labor, etc.

Building Standards and Accessibility

- All construction and rehabilitation work must conform with current building codes and zoning ordinances
- All projects must comply with the Fair Housing Act
- All new construction and any rehabilitation projects that replace or expose interior walls and doors must incorporate visibility standards such as the examples below:
 - 36" doors for all living areas
 - Outlets mounted not less than 18" above floor covering
 - Reinforced walls in certain areas for later installation of grab bars

Rental, Temporary, Transitional Housing

- **Rent Limits** – in the absence of a primary funding source with rent limits, the least restrictive limits established by either the Montana LIHTC or HOME program will be required - \$923/month for a 2-bedroom unit
- **Financing Structure**
 - Permanent Loans up to \$400k, at least 1% interest rate and non-permanent housing can qualify for partial loan forgiveness
 - Construction Loans up to \$1 million, at least 1% interest rate and non-permanent housing can qualify for partial loan forgiveness
- **Mixed use and/or Mixed Income** - at least 50% of housing units must house low-to-moderate income households

Continued Affordability

* Affordability will be ensured through use of a deed restriction, land use agreement, or covenant

Time Period	HAHTE Investment
20 Years	<\$30,000 Acquisition and/or rehabilitation
25 Years	\$30,001 - \$100,000 Acquisition and/or rehabilitation
30 Years	\$100,001 - \$400,000 Acquisition and/or rehabilitation
35 Years	\$400,001 - \$1,000,000 Acquisition and/or rehabilitation and all conversion and new construction projects

Single Family Dwelling Unit Development

- **Cost Limits** – Cannot exceed purchase price limits set by Montana Housing (L&C County currently at \$349,525)
- **Mixed Use and/ Mixed Income** – at least 50% of housing units must house low-to-moderate income households
- **Financing Structure/Requirements** – Non-Land Trust Development
 - City staff will assess each project to determine that the loan is no more than what is necessary and that the sources and uses are reasonable
- **Financing Structure/Requirements** – Land Trust Development
 - Financing Terms – potential for grants as the land trust model ensures affordability in perpetuity

Homebuyer Assistance

The applicant must submit a proposal that details the operation of the program, as well as:

- Processes used to determine beneficiary eligibility
- Compliance with HAHTF requirements
- How the applicant will manage and repay HAHTF funds
- Documented match funds

Advisory Board

7 Members representing real estate, finance, architecture or engineering, lived experience of housing insecurity, and non-profit housing providers

Members will serve a three-year term on a volunteer basis and cannot serve more than two consecutive terms

The Advisory Board will finalize program documents, review applications and make recommendations to the Commission

Periodically review program documents to address changing needs

Application Submission & Admin Procedures

Submission:

- Applications will be considered twice a year
- A non-refundable fee of \$200 will be due upon submission
- Will be using a shared OneDrive folder with each applicant

Admin Procedures:

1. City staff review for eligibility and completeness
2. Applicants present projects to City staff and Advisory Board
3. Advisory Board makes recommendations to the City Commission
4. City Commission makes final award and funding decisions

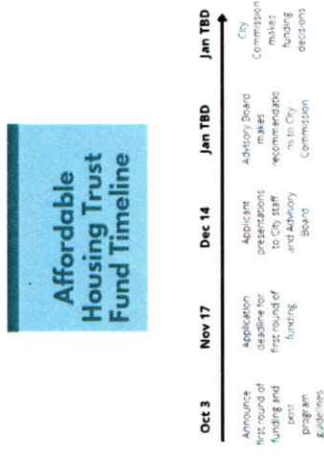
Recipient Requirements

- Written Agreements
 - Loan Agreement with terms and conditions
 - Deed Restriction to secure investment for the period of affordability
- Ongoing Compliance, Recordkeeping, Reporting
 - The Applicant must maintain records and complete annual reports to the City throughout the entire period of affordability
 - More frequent and detailed reporting will be required during the construction phase of a project

Application Process Overview

Application Schedule

- Two application cycles per year, one in the fall and one in the spring
- Fall Timeline:

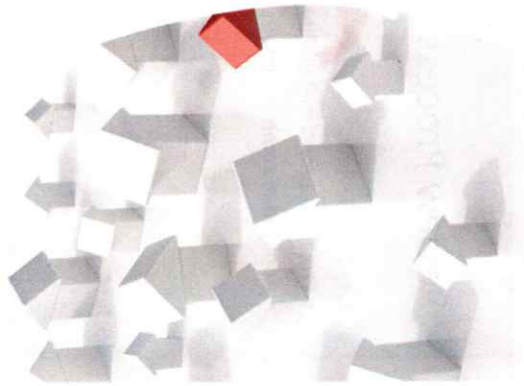


HAHTF Goals and Funding Availability

- Reiterates purpose of fund: To add, improve or support permanent, transitional, and/or temporary housing.
- \$100k withheld to address unanticipated housing-related emergencies
- When the application round is announced, this section will include the total amount of funding available for projects

Application Contents

- Project description
- Applicant information: resumes and descriptions of qualifications and relevant experience
- Project financials, including descriptions of any assumptions used
- Evidence of sufficient market demand for project or program
- Implementation schedule
- Relocation plan, if applicable
- Narrative or 3rd party reports addressing environmental concerns



Review Process

City Staff Review:

- Project or program eligibility
- Application completeness

Advisory Board Review:

- Criteria in Application
- Evaluation Guide
- Ranking Applications
- Passing recommendations along to the Commission

Questions?

Please contact the City's Housing Coordinator:

- Kara Snyder
- 406.447.8028
- ksnyder@helenamt.gov