

CITY OF HELENA
SPECIAL CITY COMMISSION MEETING
July 24, 2020 – 4:00 P.M.
Zoom Online Meeting <https://zoom.us/j/7892346767>

Time & Place A Special City Commission meeting was held on Friday, July 24, 2020 at 4:00 p.m. via Zoom Online Meeting <https://zoom.us/j/7892346767>

Members Present Mayor Collins requested City Clerk Clayborn call roll call: City Attorney Jodoin, Commissioner Haladay, Commissioner Dean, Commissioner Logan, Commissioner O'Loughlin and Mayor Collins all responded present.

Pledge of Allegiance **(8:10)** Mayor Collins asked those persons present to please stand and join him in the pledge of allegiance.

Board Appointments (8:32)

A. Helena Public Arts Committee

Helena Public Arts
Committee

Appointment of Leah Cupino to a first term on the HPAC. Term will begin on January 1, 2021 and expire on December 31, 2024.

Motion (9:05) Commissioner Haladay moved the approval of Leah Cupino to a first term on the Helena Public Arts Committee. Term will begin on January 1, 2021 and will expire on December 31, 2024. Commissioner Dean seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (9:59)**

Consent Agenda (10:02)

A. Claims

City Manager Harlow-Schalk gave a report on the claims.

Motion (10:33) Commissioner Logan moved to approve Consent Agenda item A Claims. Commissioner Dean seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (11:08)**

Communications from (11:11) COMMUNICATIONS/PROPOSALS FROM CITY City Commissioners COMMISSIONERS

No comments or proposals were received from the Commission.

Report of the City Attorney

(11:26) City Attorney Jodoin had nothing to report.

Report of the City Manager

(11:36) City Manager Harlow-Schalk asked Director Ryan Leland to give an update on the changes in the transfer station hours.

A. **(11:51)** Changes to the Transfer Station Days of Operations

Staff Report

City Manager Rachel Harlow-Schalk provided an update that the City of Helena Solid Waste Transfer Station first closed on Sundays beginning in late March 2020 due to concerns over COVID-19. At that time, little was known around safety distancing and exposure duration making reduced contact, in general, the priority. The reason for Sunday closures was to separate crews, limit interaction with the public, and reduce the opportunity for the entire crew being exposed due to contact with the community.

The team implemented safe distancing and protective equipment measures and in late April, hours at the Station were extended to 10 hours per day (or 1 ½ additional hours per day) to accommodate the increased traffic during summer months. This schedule provided more open hours at the Station than the previous 7-day schedule, and led to very busy days on Saturdays. Trips per day entering the transfer station increased nearly 25% compared to 2019 and in one week peaked at an increase of 35%.

Increased trips entering the Station coupled with delays due to cash and credit card transactions, have begun to maximize capacity at the Station. Customers have been experiencing longer lines for entering the facility and unloading on the pit floor. Additionally, since March, the CDC revised their safe distancing definition to include not only one-time exposure, but cumulative exposure times. Close contact continues to be within 6 feet of an infected person, and now it includes a 15-minute duration with a cumulative total of more than 15 minutes in a 24-hour period. This may include multiple brief encounters with more than one person. The additional hours, increased traffic and reduction in days open may have resulted in even greater opportunity for exposure and outbreak. Yet, no outbreak has occurred due to protective measures implemented by the team.

Staff's objective is to make the Commission aware that operations at the Transfer Station will return to 7 days per week beginning Sunday, January 31, 2021. The operational hours will be 8:00 am to 4:15 pm for inbound traffic with all Transfer Station customers unloaded and leaving the facility by 4:30 pm. The timing of January 31, 2021 reflects the need to for the team to have sufficient lead-time to adjust their schedules. Additionally, the transfer station will enter an historic slow time of the year. It is important to note, though, that no matter the days of operation there will always be lines when visitors arrive at the same time. The team will not only be increasing outreach in the community to educate on hours of operation, but also information on how to stagger times to help visitors pick times that are less likely to result in long lines.

Discussion

(14:05) Commissioner Dean had follow-up questions for Director Leland. Commissioner Logan had follow-up discussion.

Report from HCC

(16:57) COMMUNICATIONS FROM THE HELENA CITIZENS COUNCIL

Dylan Klapmeier gave an update from the Helena Citizens Council.

- Discussion (19:21) Commissioner Dean had follow-up questions for Dylan Klapmeier. Commissioner Logan had follow-up questions.
- Regular Items (20:41)**
- A. CONSIDER A RESOLUTION OF INTENTION TO REDUCE THE MONTHLY WASTEWATER SERVICE LINE REPLACEMENT LOAN PROGRAM CHARGE AND TO ELIMINATE THE MONTHLY WATER AND WASTEWATER SERVICE LINE PROGRAM CHARGES ON JUNE 30, 2030; TO AMEND RESOLUTION NO. 20488; TO SET A PUBLIC HEARING FOR JANUARY 11, 2021
- Staff Report (21:16) Public Works Director Ryan Leland and Finance Director Sheila Danielson reported the City of Helena City Commissioners established residential Water and Wastewater Service Line Loan Programs for residents by adopting Resolution No. 20494, which amended Resolution No., 20488. This Resolution established a \$2.50 monthly fee to charge residential water accounts, and a \$6.47 monthly fee to charge residential wastewater accounts. There was no sunset date specified for these charges.
- Staff's recommendation is to reduce the Wastewater Service Line Loan charge from \$6.47 per month to \$2.50 per month; Establish a sunset date for both the water and wastewater service line loan program charges as June 30, 2030. Additionally, staff will continue to further assess program usage and accumulation of fund balance to support the loan programs in 2 years to bring further analysis of proposed sunset date for the loan programs.
- The advantage is that this will reduce fees assessed to rate payers. Potential water and wastewater service line loan program usage could increase, whereas the fund balances would not be able to support the increased request for loans.
- Staff recommends a motion to approve a Resolution of Intention to reduce the monthly Wastewater Service Line Replacement Loan Program charge and to eliminate the monthly Water and Wastewater Service Line Program charges on June 30, 2030; to amend Resolution No. 20488; to set a public hearing for January 11, 2021
- Discussion (23:39) Commissioner Haladay had follow-up discussion. Commissioner Logan had follow-up discussion.
- Public Comment (33:08) Mayor Collins opened the floor to public comment. No public comment was given.
- Motion (33:24) Commissioner Dean moved to approve a Resolution of Intention to Reduce the Monthly Wastewater Service Line Replacement Loan Program Charge and to Eliminate the Monthly Water and Wastewater Service Line Program Charges on June 30, 2030; to Amend Resolution No. 20488; to Set a Public Hearing for January 11, 2021.** Commissioner Haladay seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (34:10)**

B. (34:12) CONSIDER A SIDEWALK VARIANCE FOR 513 S. RALEIGH ST.

Staff Report

(34:21) Public Works Director Ryan Leland reported Bonnie Adee and Frank Crowley the owners of 513 S Raleigh are building a new house on the lot after removing the existing house and requesting a sidewalk variance from city code 7-4-2. The property is located along an undeveloped dirt section of S Raleigh St. that comes to a dead-end at the property. There are no sidewalks on this block of S Raleigh but there are sidewalks curb and gutter on a portion of 2nd Street. Staff requests the Commission consider the owners' request for a sidewalk variance to defer the installment of sidewalks along S. Raleigh until the adjacent street has been constructed to city standards.

Staff recommends a motion to approve, table, or deny the variance request for the deferral of sidewalks at 513 S Raleigh St.

Discussion

(35:53) Commissioner Haladay had follow-up questions and discussion. Mayor Collins had follow-up questions. Commissioner Dean had follow-up questions. Commissioner Logan had follow-up discussion.

Public Comment

(41:11) Mayor Collins opened the floor to public comment. No public comment was given.

Motion

(43:01) Commissioner Logan moved to approve a sidewalk variance for 513 S. Raleigh St. Commissioner Dean asked for a friendly amendment to the motion to include a condition upon the development of sidewalks and neighboring properties. Commissioner Logan did consider the amendment. Commissioner Dean seconded the amended motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted nay, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 3-1. (45:27)**

C. (45:40) CONSIDER AN ENLARGEMENT OF THE WASTEWATER SERVICE AREA FOR LOT 1A IN BLOCK 2 OF THE AMENDED PLAT OF THE JOSEPH COX ADDITION LOCATED ON SPARTA STREET.

Staff Report

(46:58) Public Works Director Ryan Leland reported that Lot 1A in Block 2 of the Amended Joseph Cox Addition is a platted undeveloped lot within city limits located on Sparta Street. The lot currently is adjacent to City water main but not City sewer main. Mike Sharp, Sheree Sharp, Louis P. Sharp, Janice Williams and Amanda Rushford, Owners, are requesting enlargement of the wastewater service area for Lot 1A in Block 2 of the Amended Joseph Cox Addition. The lots is currently not adjacent to City Sewer main and per City Code the mains will need to be extended across the frontage of the property. There are two options to be able to serve the property with sewer. One would be to extend the sewer in Sparta Street and the other would be to extend a sewer main from the main in Rodney Street. The main in Sparta Street would require a lift station for any building on the lot and the main from Rodney Street would require the main to be installed through an undeveloped platted alley between two existing residences.

Staff recommends a motion to conditionally approve the enlargement of the wastewater service area for Lot 1A in Block 2 of the Amended Plat of the Joseph Cox Addition located on Sparta Street with the condition of extending the sewer main across the frontage of the property on Sparta Street or alternatively extending sewer main from Rodney Street up to the property through the undeveloped alley.

- Discussion **(48:30)** No comments or questions from the Commission.
- Public Comment **(48:39)** Mayor Collins opened the floor to public comment. No public comment was given.
- Motion** **(49:00)** **Commissioner Dean moved to conditionally approve an Enlargement of the Wastewater Service Area for Lot 1A in Block 2 of the Amended Plat of the Joseph Cox Addition Located on Sparta Street with the condition of extending the sewer main across the frontage of the property on Sparta Street or alternatively extending sewer main from Rodney Street up to the property through the undeveloped alley.** Commissioner Haladay seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (49:50)**

D. **(49:56)** CONSIDER A RESOLUTION EXTENDING THE TIME PERIOD TO IDENTIFY OR CREATE AN ADVISORY BODY RELATED TO THE CIVIC CENTER BY JANUARY 2021 AND ESTABLISHING A STEERING COMMITTEE BY AMENDING RESOLUTION NO. 20585

- Staff Report **(50:15)** Parks, Recreation & Open Lands Director Kristi Ponozzo reported the Civic Center Steering Committee was assembled in early 2020 to operate for one year, with the expressed task of assisting the City with the Request for Proposal (RFP) process, and to help the City Commission identify or create an advisory body by January 2021 for the support of performance, visual and media arts and to provide programmatic oversight of the Civic Center venue. Because of the COVID-19 pandemic, the Civic Center Steering Committee was only able to meet and make progress on these tasks for the last few months.

The Civic Center Steering Committee has recommended to extend the Civic Center Steering Committee to no longer than the completion of their work with the RFP process and the assistance in identification of an advisory body. This requires amending the 2019 Resolution to extend the January 2021 deadline. Additionally, at the November 18th Commission Meeting, the Commission gave consensus instruction to the City Manager to draft a Resolution to extend the work of the Civic Center Steering Committee to complete identification of an advisory board and their work with the RFP process, specifically focusing the RFP work on exploring partnerships. The Commission also gave direction for the Civic Center Steering Committee to define what success looks like for the Civic Center and give an update to Commission in early 2021.

The steering committee will be able to complete their work and provide some recommendations to the Commission on clarity and direction for

future operations and programming at the Civic Center. City staff recommends a motion to approve the resolution.

Discussion

(51:55) Commissioner Logan had follow-up questions and discussion. Commissioner Haladay had follow-up discussion. Commissioner Dean had follow-up questions and discussion.

Motion

(1:11:51) Commissioner Dean moved to approve a Resolution with the amendment that the Steering Committee be given the opportunity to elect its leadership. Commissioner Logan seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted nay. **The motion carried, 3-1. (1:12:44)**

E. (1:12:54) CONSIDER THE APPROVAL OF THE HELENA OPEN LANDS MAJOR RECREATION PROJECTS FOR 2021

Staff Report

(1:13:02) Parks, Recreation & Open Lands Director Kristi Ponzio reported the City of Helena Parks, Recreation Open Lands Department and Helena Open Lands Management Advisory Committee hosted three virtual public involvement meetings this Fall in September, October, and November to solicit recreation major project proposals and feedback on major projects for the 2021 calendar year.

Guided by the newly adopted Helena Open Lands Recreation Chapter 7 public input process, the list of proposals includes projects identified by City staff and projects proposed by the public over the past three months.

The Parks Department proposed four open lands major projects, and is bringing three of those project forward. The Department received 16 proposals from the public, four of which the department is bringing forward. There were three comment periods associated with the public involvement process and the department received, compiled, and responded to comments throughout the process.

Initial proposed

projects: https://www.helenamt.gov/fileadmin/user_upload/Parks/Documents/Open_Lands_Documents/Open_Lands_General_Documents/Combined_Trail_Projects_2020-2021_Initial_Review.pdf

The final proposed projects have gone through public comment and project analysis. All analysis are posted on the website:

<https://www.helenamt.gov/parksdocuments>

Comments and

Responses: https://www.helenamt.gov/fileadmin/user_upload/Parks/HOL/MAC_General_Documents/2020-2021_Final_Project_Comments.pdf

The Parks Department proposes seven major projects for the upcoming year. Three of the projects are department proposals and four are proposals from the public. The proposed projects are here: https://www.helenamt.gov/fileadmin/user_upload/Parks/Documents/Open_Lands_Documents/Open_Lands_General_Documents/Final_Project_List_11102020.pdf

Additionally, the department proposes to form a working group to look at three projects proposed on the DeFord Trail in Davis Gulch: a project proposing an ADA reconstruction of the trail; a project proposing reconstruction of the Davis bike courses and access; and a city project proposing reconfiguration of parking along Davis. The working group would be composed of the three project proposers; a representative each from Helena Hikes, Helena Trails Alliance and Montana Bicycle Guild; a member of HOLMAC; and a city staff member from Community Development. The Parks Department will facilitate three meetings of the working group in January, February and March with a final recommendation from the group to the Parks Department in March. The that proposal will undergo project analysis and ultimately be brought before the Commission for final approval. Approving the major projects for 2021 will allow the Parks department to move forward on important projects for open lands access, sustainability, safety, and recreation opportunity for the community.

Staff recommends a motion to approve the Helena Open Lands Major Recreation Projects for 2021.

- Discussion **(1:15:42)** Commissioner Dean had follow-up questions and discussion. Commissioner Haladay had follow-up discussion.
- Public Comment **(1:21:33)** Mayor Collins opened the floor to public comment. No public comment was given.
- Motion** **(1:21:49)** **Commissioner Haladay moved to approve the Helena Open Lands Major Recreation Projects for 2021.** Commissioner Dean seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (1:22:14)**

F. **(1:22:59)** CONSIDER A RESOLUTION OF INTENTION TO ESTABLISH FEES TO BE CHARGED FOR THE BILL ROBERTS MUNICIPAL GOLF COURSE FOR THE 2021 SEASON

- Staff Report **(1:23:00)** Parks, Recreation & Open Lands Director Kristi Ponzozzo reported Golf Course Fees have to be updated every year per resolution. As directed, and as is consistent with Resident Discount Fees adopted broadly for all Parks and Recreation programs last year, these fees include the Tower Club resident discount program and two other new resident discount programs; a Family Pass (pool access included); and Half Season passes with resident discounts. Tower Club as proposed would include a 10% discount on all Pro Shop soft goods.

All other rates across the board are in a position to remain constant for 2021. We saw an increase in rounds this summer. That paired with the long-term effects of COVID, we've determined there is not a need, nor is there market tolerance for across the board rate increases. We do propose minimal increase to season passes. Passholders continue to be the largest users of the facility and are paying an effective rate that is far less than national averages. This yearly increase will be much more

palatable to the vast majority of our customers than a large increase every 3-4 years.

Staff's objective is to update Golf Fees and offer new pass programs including resident discounts. Golf fee increases have the potential to modestly increase revenue and offer resident discounts. If passed, the resolution would implement fee increases, that although modest, could discourage some use of the golf course.

Staff recommended a motion to approve a resolution of intention to establish fees to be charged for the Bill Roberts Municipal Golf Course for the 2021 season.

- Discussion **(1:24:31)** Commissioner Dean had follow-up questions and discussion.
- Public Comment **(1:24:40)** Mayor Collins opened the floor to public comment. No public comment was given.
- Motion** **(1:25:55)** **Commissioner Logan moved to approve a Resolution of Intention to establish fees to be charged for the Bill Roberts Municipal Golf Course for the 2021 season.**
- Discussion **(1:26:15)** Commissioner Haladay had follow-up discussion prior to the vote.
- Motion** **(1:27:28)** Commissioner Dean seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (1:27:37)**
- Public Hearings** **(1:27:42)**
- A. CONSIDER FINAL PASSAGE OF ORDINANCE NO. 3286 AMENDING CHAPTER 1 OF TITLE 5 OF THE HELENA CITY CODE BY REPEALING PART 3, POSSESSION OF FIREARMS PROHIBITED; EXCEPTIONS, IN ITS ENTIRETY AND ADOPTING 5-1-3 FIREARMS AND OTHER WEAPONS; DISCHARGE; IN ITS PLACE.
- Staff Report **(1:28:09)** City Attorney Thomas Jodoin reported Montana voters approved Legislative Referendum 130 ("LR-130") in November 2020. When the measure goes into effect on January 1, 2021, local government regulation of firearms will be far more limited than before. First, by way of amendments to § 7-1-111(9) and 45-8-351(2)(a), MCA, LR-130 wholly removes a local government's right to regulate the carrying of concealed weapons by persons who possess a valid concealed carry permit. Local governments will retain the right to forbid the carrying of a concealed firearm by a person who does not have a permit. Second, the changes to § 45-8-351(2)(a), MCA, will limit local government regulation of open carry to publicly owned and occupied buildings under the local government's jurisdiction.

The first change is not of great concern because § 5-1-3 currently excludes from its directives those people who possess a valid concealed carry permit. However, the second change presents a problem because

§ 5-1-3 will conflict with the amended version of § 45-8-351, MCA. Specifically, § 5-1-3 regulates the open carrying of firearms in the following places: (1) public assemblies; (2) City of Helena parks; (3) schools; and (4) all publicly owned buildings. This broad regulation of open carry will be forbidden when LR-130 goes into effect. As a result, the City must amend § 5-1-3 to bring the ordinance into compliance with changes to the Montana Code.

This is an item of first impression before the Commission and community conversations have not occurred because the changes to § 5-1-3 are dictated by the passage of LR-130. My office has engaged with the Helena Police Department to ensure the draft ordinance is understood and can be enforced by officers. Comparisons to other cities is not applicable because the City of Helena has a unique firearms regulation. There are no specific identified costs of this ordinance other than the general time it has taken my office to review LR-130, draft an ordinance and memo, and review with HPD which is estimated to be about 10 hours of total staff time. There are no expected long-term increase in costs associated with the change in regulation because HPD was already enforcing a more restrictive regulation.

This item was presented for initial discussion at December 2, 2020 administrative meeting. First passage was December 7, 2020 and set a public hearing date for December 21, 2020.

Staff's recommendation is to amend § 5-1-3 of the Helena City Code to bring it into compliance with amended versions of § 7-1-111(9) and 45-8-351(2)(a), MCA. The City's firearms ordinances will not conflict with changes to the Montana Code brought about by LR-130.

Staff recommended a motion to approve final passage of Ordinance No. 3286 amending Chapter 1 Of Title 5 Of The Helena City Code By Repealing Part 3, Possession Of Firearms Prohibited; Exceptions, In Its Entirety And Adopting §5-1-3 Firearms And Other Weapons; Discharge; In Its Place.

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| Discussion | (1:30:22) Commissioner Dean had follow-up discussion. Commissioner Haladay had follow-up discussion and questions. |
| Public Comment | (1:33:47) Mayor Collins opened the floor to public comment. No public comment was given. |
| Discussion | (1:34:04) Commissioner Dean had follow-up discussion. Commissioner Haladay had follow-up discussion and questions.

(1:35:08) Commissioner Haladay discussed that his preference would be to table this item until there is more specific information with regards to the law. Commissioner Dean asked for Manager Harlow-Schalks recommendations. Commissioner Logan had follow-up questions. |
| Public Comment | (1:44:28) Mayor Collins opened the floor to public comment. No public comment was given. |
| Discussion | (1:44:39) Commissioner Dean had follow-up discussion and questions to Manager Harlow-Schalk and City Attorney Jodoin. |

Motion (1:45:48) Commissioner Dean moved to table, until the January 11, 2021 Commission Meeting.

Public Comment (1:46:13) Mayor Collins opened the floor to public comment. No public comment was given.

Motion (1:46:38) Commissioner Dean moved to table until the January 11, 2021 Commission Meeting. Commissioner Haladay seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted nay. **The motion carried, 3-1. (1:47:06)**

B. (1:47:14) CONSIDER A RESOLUTION ESTABLISHING FEES TO BE CHARGED FOR SERVICES AND PROGRAMS OF THE CITY OF HELENA AND USE OF CITY FACILITIES TO BE KNOWN AS THE BOOK OF FEES AND CHARGES AND REPEAL ALL PREVIOUS RESOLUTIONS ADOPTING OR ESTABLISHING FEES.

Staff Report (1:47:33) Sheila Danielson, Finance Director and Chris Couey, Budget Analyst reported The City of Helena has been working on amending ordinances to remove the fee amounts to consolidate into one place for ease of access, for City employees and the Public. Ordinance #3177- Fee establishment Procedures and Resolution 20003. The process of updating new and increasing fees currently happens many times throughout the year amending many different resolutions and ordinances.

The City Commission approved a Resolution of Intention to establish the "Book of Fees and Charges" on November 23, 2020 and set a public hearing for December 21, 2020.

Staff's proposal is to consolidate Fees into the Book of Fees and Charges and have a central location to find all City Fees. These are reflected in Exhibit A with Appendix A. The advantage is to consolidate when fees are presented and adopted, increase revenue flow and to have all fees easily accessible to the public. Adoption of errors within fees as written are possible with the use of a consolidated Book especially since the city's accounting system does not provide sufficient reporting that removes hand entry of information. Human error coupled with a lack of agility to address changes in fees create a vulnerability to fee charges in the community.

Staff recommends introducing a motion that tables the Book of Fees at this time.

Discussion (1:49:22) No comments or questions from the Commission.

Public Comment (1:49:28) Mayor Collins opened the floor to public comment. No public comment was given.

Motion (1:49:44) Commissioner Dean moved to table a Resolution establishing fees to be charged for services and programs of the City of Helena and use of city facilities to be known as the Book of

Fees and Charges and repeal all previous resolutions adopting or establishing fees.. Commissioner Haladay seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (1:50:08)**

C. **(1:50:14)** CONSIDER A RESOLUTION AMENDING THE REVISED FISCAL YEAR 2021 BUDGET FOR THE CITY OF HELENA, MONTANA BY AMENDING RESOLUTION NO. 20609 AND TRANSFERRING \$299,627.38 (AS OF 11/10/2020) FROM THE COMMUNITY RENEWAL FUND TO THE AFFORDABLE HOUSING TRUST FUND.

Staff Report

(1:50:41) Budget Analyst Chris Couey reported on the November 9, 2020 the City Commission approved the creation of an Affordable Housing Trust fund. The City Commission has expressed interest in transferring the proceeds from the sale of the property commonly referred to as “the old bus depot” and KCAP Park from the Community Renewal fund to the newly created Affordable Housing Trust fund.

These proceeds were received by the city in fiscal year 2020 and as such are currently in the fund reserve (fund balance). Increasing appropriations from reserves to complete this transfer requires a resolution amendment to the fiscal year budget as this transfer is not a designated use of the Community Renewal fund reserves. On November 23, 2020 the City Commission approved a Resolution of Intention to amend the fiscal year 2021 budget for the city of Helena, Montana by amending resolution no. 20609 to include appropriations for \$299,627.38 (as of November 10, 2020) and set a public hearing date for December 21, 2020.

Staff's objective is to receive public input and consider a resolution amending the revised Fiscal Year 2021 budget for the city of Helena, Montana by amending Resolution No. 20609 and transferring \$299,627.38 (as of November 10, 2020) from the Community Renewal Fund to the Affordable Housing Trust Fund.

This transfer provides the newly created Affordable Housing Trust Fund with initial funding without affecting any other currently scheduled purchases or projects. Transferring the reserves of this fund in full, coupled with the language for funding the Affordable Housing Trust Fund in the future through the sale of City property, will effectively eliminate the Community Renewal Fund. Currently, the Community Renewal Fund receives all or a portion of the sale of City properties that are not of enterprise fund origin or lack a clear lineage of ownership by any department. These guidelines were developed by city staff and relayed to the Commission but never adopted as an official City policy such as the Employee Handbook had been done. Without any officiality to those guidelines, the Affordable Housing Trust Fund would take precedence and the Community Renewal Fund would receive no further funding.

Staff recommends approval of a resolution amending the revised Fiscal Year 2021 budget for the City of Helena, Montana by amending Resolution No. 20609 and transferring \$299,627.38 (as of November 10, 2020) from the Community Renewal Fund to the Affordable Housing Trust Fund.

- Discussion (1:53:46) No comments or questions from the Commission.
- Public Comment (1:53:55) Mayor Collins opened the floor to public comment. No public comment was given.
- Motion** (1:54:06) **Commissioner Haladay moved to approve a Resolution amending the Revised Fiscal Year 2021 budget for the City of Helena, Montana by amending Resolution No. 20609 and transferring \$299,627.38 (as of 11/10/2020) from the Community Renewal fund to the Affordable Housing Trust fund.** Commissioner Dean seconded the motion. City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. (1:54:57)**
- Public Communications** (1:55:01) Mayor Collins opened the floor to public comment. No public comment was given.
- Adjournment** (1:55:45) There being no further business to come before the City Commission, the meeting adjourned at 7:51 p.m.

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DANNAI CLAYBORN

CLERK OF THE CITY COMMISSION