

1. Name & office you are seeking: \*

Andrea Davis, Mayor of Missoula

## Private Property Rights

2. What does "support for the rights of private property owners" mean to you? \*

It means to uphold the law - outlined in both the U.S. and State of Montana constitutions. As local government, we need to ensure that actions we take are not taking away the rights of private property owners. Such as, if there is a public road expansion where right-of-way (ROW) is necessary to complete the job, then we need to purchase the ROW from the private property owners. Supporting private property rights means to acknowledge the rights of people to purchase, own and transfer property.

3. Can you think of an example when the city government should NOT fully recognize private property rights? \*

The two examples that come to mind are condemnation (eminent domain) or zoning/regulatory restrictions that limit economic potential of the private property owner. As mentioned previously, just compensation and due process are guaranteed through US and State constitutions. There's likely a range of perspective on "takings" when it comes to zoning regulations. For example, is any zoning considered a taking? Or, for example right now the City is undertaking a new zoning framework and while the vast majority of zones (when in place) will allow more home and commercial building opportunities than what is currently on the books, there is potential for a minimal number of zones to change from commercial to urban high residential as the area has never built out solely commercially and the urban high residential will accommodate neighborhood commercial. I interpret this zoning designation update to be aligning with community informed growth goals, while still recognizing private property rights.

## Housing Affordability, Availability & Non-discrimination

4. What are your thoughts about Accessory Dwelling Units? \*

Love them! I have lived in one, and I think ADU's are smart way to encourage "gentle density" increases in already established neighborhoods, utilizing existing infrastructure. In my role as Mayor, I am working with City departments to hash out some of the conflicts that exist for ADU development (for example, accommodating Fire Code and fire prevention) as we finalize code reform.

5. What are your thoughts about Short-Term Rentals? \*

My thoughts are that short-term rentals (STR) are a mixed-bag of considerations. Often they are blamed for the housing crisis, when in reality the number of STR's are a small percentage of overall housing stock. STR's can impact the quality of life of neighbors - but so can long-term rentals or even homeowners for that matter. It's important that we work with private property owners to find a balance that works for the community because housing stock is relatively static - and the public is making investments in either direct cost through taxes (i.e. tax payers in Missoula subsidize the cost of several kinds of building and permitting fees) or in accommodating changes to their quality of life when new development occurs. That said, our housing stock should not be as static as it traditionally has been with the implementation of the Unified Development Code. Missoula has started to regulate short term rentals by tracking the number and requiring registrations. I think that's helpful and we need to work with STR owners to be most effective. Missoula is fortunate in that this is not an issue tipping the scales for us. However, we need to continue to monitor and evaluate. I was just speaking with a community leader from the East coast who was explaining that their residential housing stock is largely STR's and that the majority of those are owned by an international corporation. This creates a whole host of issues for that community. There is reaction to this in some communities by requiring STR owners to be residents of the community. I think we all recognize that a home is more than a commodity.

6. What are your thoughts on market-rate housing and development? \*

My thoughts are that market-rate housing and development play a critical role in providing housing and commercial opportunities and expanding economic development by supporting our workforce (both with jobs and a place to call home and go to work).

7. What action can the City take to help with housing affordability and availability? \*

The City is uniquely positioned to create the land use and regulatory foundation for the private sector to respond by building and developing. We are the tail end of a three-year robust public process that informed a comprehensive Land Use Plan (adopted Dec. 2024) for the next 20 years, and code reform that is progressing for release later this summer. This significant action taken by the City is creating a forward-looking land use plan and zoning framework that cuts red tape and allows for more housing types to be built across all parts of our city. Evaluation is essential and we are working on developing a set of metrics to evaluate progress on permit-time reductions and types/locations of homes being built. The City is uniquely positioned to utilize the tool of Tax Increment Financing to support Workforce Housing (a range of incomes between 60% and 140% Area Median Income) and we will continue to use strategic land purchases to help make under-utilized properties ready for development that achieve housing and commercial goals of the community. The City has a policy to fund an Affordable Housing Trust Fund and that has proven to be challenging to get to a scale that makes real investment potential and we are undergoing a five year analysis of that policy now. I believe our market is and will continue to remain competitive and so there are some people that will only be able to afford rentals or homes for purchase through public private partnerships. We need both sets of solutions.

8. REALTORS® believe in fair housing policies, anti-discrimination and opportunity for all. What does “fair housing” mean to you, and can you give an example of it? \*

It means the opportunity for residents to obtain a home (rental or homeownership) free from discrimination. Sometimes this discrimination is obvious, and sometimes it's subtle. An example of a Fair Housing violation is when a landlord turns down a rental application because they learn the person is hispanic. That would be a Fair Housing violation against that person's ethnicity. In Montana, income is not a protected class but gender or familial status is - for example. The challenge with income not being a protected class is that people using a Section 8 vouchers can be turned down simply because they have that as a source for making rental payments. That said, the City has attempted to incentivize private property owners to develop ADUs and rent to Section 8 eligible occupants. Unfortunately, the economics of this incentive haven't panned out. Many people in our community face barriers that aren't covered protected classes (criminal record, income) and Fair Housing regulations are not necessarily applied to their situations however, we need to keep working towards solutions that get these folks housed.

## Infrastructure & Transportation

9. There are many planned infrastructure projects in Missoula. What is one that hasn't been addressed that you'd like to see and why? \*

As Mayor I have a back-stage perspective on the vast amount of projects that are various levels of planning and implementation. One project that would unlock substantial development potential and reduce the number of large truck traffic in the Northside neighborhood is a new interstate exchange near Coal Mine Road. It's not that this hasn't been "addressed" - it's more that this comes with an enormous price tag. And it's largely dictated by MT Dept of Transportation and the receipt of federal grant funds. On another scale, as more e-bikes are utilized in town, we need to address the use of them on commuter trails given the potential rate of speed. Another project that has been addressed, but has funding limitations, is city-wide traffic signal optimization. That would help significantly with congestion.

10. What are the biggest opportunities Missoula has in infrastructure and transportation when it comes to housing and growth demands? \*

Implementation of the "Our Missoula 2045 Land Use Plan" and the Uniform Development Code. This will enable street typologies that use existing and new infrastructure most economically. As a community we have invested in our transit system. A robust transit system relies on people in the seats. Our new zoning framework will allow for more transit oriented development that will allow us to build vertically given our geographic limitations to building horizontally. Additionally, this land use and code reform will produce more walkable neighborhoods that encourage smaller home development and commercial opportunities. Lastly, the master planned area west of Reserve called Sixtupgyn is an area we are seeing the greatest number of homes being permitted and built today and has substantial opportunity going forward. How we link our multi-modal transit systems to this area is tricky and necessary.

11. What is your position on connecting the City sewer and water to communities outside the current City limits? \*

Generally speaking we want people to connect to municipal systems because septic impacts water quality for our water shed and monitoring of single source systems like Missoula's waste water and wells impact water rights for municipal systems. Allowing people outside of City limits to connect to City utilities can impact the capacity of the utility systems and counter land use efforts of "focus inward."

## Economic Development

12. What do you see as the primary challenges in Missoula's Commercial Real Estate development? \*

In terms of market, there is not enough commercial office space of various sizes to meet demand. In terms of development, lack of adequate infrastructure - such as water, sewer, storm water, and dry utilities where land is available. For all development types, improving the City's permitting process will be beneficial.

13. Which stakeholders would you contact as trusted sources on topics of economic development? \*

I start with business consortium's such as Missoula Economic Partnership, Missoula Chamber of Commerce, Missoula Midtown Association, Destination Missoula, and Downtown Missoula Partnership. Real Estate and building consortium's such as Missoula Organization of Realtors and Missoula Building Industry Association are also valuable stakeholders. Additionally, individual business contacts from various industries are trusted sources to provide helpful feedback.

14. What is your definition of a "healthy real estate market" from both a commercial and residential point of view? \*

My definition is harmony - depending on circumstances but that the market is able to be responsive. Healthy is where people are able to thrive whether on the investor/developer/owner side or the owner/renter side. Having some vacancy rate is important in order to keep the balance between renters and owners. That varies depending on whether residential or commercial and size of property. Absorption rates need to be balanced so people aren't dealing with heavy carrying costs while at same time not witnessing price wars, catapulting the market in ways that are unsustainable. A healthy real estate market is where everyone can find their place in it.

## Taxation & Fiscal Responsibility

15. Share your thoughts on real estate property taxes and some options the city could explore to demonstrate fiscal responsibility that might alleviate property taxes. \*

The real estate property tax structure in our state is fundamentally broken. Simply because of demand in the last 3-4 years, people saw their property values surge and given the relative lack of supply + changing property tax type (i.e. decrease in Industry taxed properties), residential and small commercial are overly burdened. We have turned into a state that accommodates tourists and visitors make up a large portion of our state and community's business revenue. However, that comes at a tax cost to our residents. In a recent community wide survey the City conducted, over 70% of residents support a local option tourist tax if it directly reduced their property taxes. The City, like the County, and others all across Montana could go through the exercise of not increasing our budgets and still property owners would see property tax increases based on the state tax class rates and inflationary rise in property values. That all said, we advocated heavily for property tax reform in the 2025 session and while we saw some progress, we have more work to do in Montana. Despite demand for services growing, and population growing, the inflationary costs the City absorbs related to labor and materials (union and non-union staff/water pipes/asphalt/street sweepers, etc) have outpaced any increase in tax base of new growth. And despite this factor, we are still demonstrating fiscal responsibility through things such as: dissuading new bond projects requested by the general public, limiting staff growth, curtailing or stopping some programs previously funded with one-time money, pushing owned assets beyond their useful life, etc.

16. What would you do as an elected official to demonstrate fiscal discipline? \*

I have implemented a Cost of Living lens at the City and we are constantly looking for ways to reduce costs and reduce tax increases. In FY25, we saved over \$1.5M in the General Fund by changing Workman's Compensation insurance providers and other cost saving measures across departments. We are currently preparing the FY 26 budget and again, new requests are met with scrutiny and existing department budgets have all utilized a system of Project Inventories so we can evaluate the value of the program in relation to necessity, legal requirement, community demand, and fiscal sustainability. We are mindful of prioritizing what additional increases we ask to be supported by tax increases. This is all aimed at priority based budget methodology and it takes some time to it thoughtfully to reduce the disruption to residents. One example of something I did as Mayor was stop unnecessary sidewalk projects that cost too much in staff time and delivered too little value by asking our lower income neighborhoods (and individual property owners) to pick up the tab for sidewalks in areas that are experiencing growth (this was a cost sharing program, where the City picked up the majority of the cost but still, property owners were feeling the squeeze). This is trade-off and one I'm very conscious of. I realize we need to meet our connectivity and climate goals as well. Instead we are focusing our sidewalk improvements through grant funded projects, projects that use alternative funding sources (like gas tax) and important community corridors. Another example is the difficult but thoughtful decision to do a phased closure of the Johnson Street low-barrier temporary homeless shelter. This was funded with one-time monies these last several years and the City simply cannot sustain or absorb the annual operating budget of nearly \$2.0 million. We are conducting a housing sprint alongside the phased wind-down in order to help people connect with various positive housing solutions.

## Community Engagement & Governance

17. Share a few current community issues where you think collaboration with REALTORS® would benefit the greater community. \*

Code Reform! Help be ambassadors, educate and help with expectations related to changes that will come about from a more liberal code. In order to see the number of homes built that we are projecting to meet the need, we all need to embrace consistency, tolerance and abundance. However, we need community ambassadors. Additionally, REALTORS could collaborate to come up with out-of-the-box ideas to help contribute to the Affordable Housing Trust Fund to enable more affordable homeownership and/or rental opportunities. What about a voluntary contribution at the closing table of \$25? This has been demonstrated in other communities and local conversations have started with entities like the Missoula Community Foundation. Continue to support existing programs like Homeward's HomeOwnership Center. Help lead community clean-ups that help lift morale in areas that are experiencing blight.

18. What organizations in the community are your "go to" for building strategies in commercial development and housing? \*

Missoula Organization of Realtors, Missoula Building Industry Association, Missoula Economic Partnership, Chamber of Commerce, Homeward, Missoula Housing Authority, and NeighborWorks Montana.

19. Do you volunteer in the community, and if so, where? \*

Not at this time - I do Mayoring full-time + However, I look forward to a full, four-year term where I will be able to consider doing that again.

Please answer the prompt below:

20. Treasurer's Name, Address, Email Address & Phone Number \*

Barbara Berens, P.O. Box 1386, Missoula, MT 59806 (campaign address - please follow up if you are seeking Barbara's personal address). Barbaraberens@gmail.com and (406) 273-1243.

Please answer the following question below:

21. Will you accept PAC contributions?

☐ Yes

☒ No