



Item: Set Public Hearing for Resolution 9972 to Levy and Assess Special Improvement General Boulevard Maintenance District No. 3570

From: Judy Burg, Taxes and Assessments

Initiated By: Annual Assessment Process

Presented By: Melissa Kinzler, Fiscal Services Director

Action Requested: City Commission Set Public Hearing Date for Resolution 9972 to Levy and Assess Special Improvement General Boulevard Maintenance District No. 3750

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission set a Public Hearing date on Resolution 9972 for August 7, 2012 at 7:00 p.m. to levy and assess Special Improvement General Boulevard Maintenance District No. 3570.”

2. Mayor calls for a second, discussion, inquiries from the public, and calls the vote.

Staff Recommendation: Staff recommends the City Commission set a public hearing date for August 7, 2012.

Background: The Park and Recreation Department, Natural Resources – Boulevard Division is responsible for the care and maintenance of over 15,000 street trees located within the General Boulevard District. Services provided within the District are pruning, removal, planting, leaf pickup and streetscape design. The budget development process begins in January of each year when the Natural Resources – Boulevard Division receives its midyear financial reports. The midyear reports and subsequent reports are used to determine the current financial position of the department. Information is gathered regarding the actual and anticipated expenses, future projects, goals and objectives of the department. After calculating all factors pertinent to the operation of the Natural Resources – Boulevard Division, an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commissioners for approval. No recommendation for an increase is proposed for Fiscal Year 2013.

In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions, Section 7-12-4102, 7-12-4176 and

7-12-4179 M.C.A. authorizes the City Commission to create and assess the costs of work, improvements, and maintenance to the owners of property within the boundaries of such district.

As part of the annual budget development and adoption procedures, the Special Improvement General Boulevard Maintenance District Assessment Resolution must be submitted for City Commission action. A public notice and hearing is required prior to final passage of the assessment resolution.

Concurrences: Park and Recreation staff are responsible for the operation expenses of the Boulevard District Fund. Fiscal Services staff are responsible for assessing and collecting the revenues necessary to carry out the operations. The City Commissioners have received information regarding the condition of the District and the Boulevard District Fund operations during the annual Budget Process.

Fiscal Impact: Adoption of Resolution 9972 will allow the City to finance the costs of work, improvements and maintenance conducted each year in the Special Improvement Boulevard Maintenance District.

ASSESSMENT ANTICIPATED

The anticipated assessment amount for General Boulevard Maintenance for the next fiscal year is the amount reflected in the FY 2013 Budget. The General Boulevard Area assessment will remain the same as last fiscal year. This equates to an assessment of \$0.008985 per square foot, for a total of \$318,856 and will result in an assessment of \$67.39 for an average size lot of 7,500 square feet (7,500 sq ft x 0.008985 factor = \$67.39.)

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 9972 to Levy and Assess General Boulevard Maintenance; however, the reduction in services to trim, prune, spray and maintain the trees within the district would be harmful and devastating to the overall shelter and beauty provided by the street trees to the community.

Attachments/Exhibits: Resolution 9972 Draft
Legal Notice

Cc: Todd Semanski, City Forester

RESOLUTION 9972

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING BOULEVARDS IN THE GENERAL BOULEVARD DISTRICT NO. 3570 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

WHEREAS, the City Commission did create a General Boulevard Maintenance District No. 3570 by Resolution 3570 on January 2, 1946; and,

WHEREAS, the City Commission did amend and excluded Lots 8-14, Block 34 of Boston and Great Falls Addition from the boundaries of the General Boulevard District by Resolution 8132 on September 1, 1987 in accordance with MCA 7-12-4335; and,

WHEREAS, the City Commission intends to continue trimming, pruning, spraying, and otherwise maintaining the trees within said district; and,

WHEREAS, on July 17, 2012, the Commission of the City of Great Falls adopted its annual budget resolution in which the estimated costs of such maintenance within the General Boulevard Maintenance District No. 3570 are reflected at a total of THREE HUNDRED EIGHTEEN THOUSAND EIGHT HUNDRED FIFTY-SIX DOLLARS (\$318,856).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1 – Continuance

The City of Great Falls continues to trim, prune, spray and otherwise care for and maintains the trees in the General Boulevard Maintenance District.

Section 2 – Costs Assessed

The costs of said care and maintenance in the Boulevard Maintenance District No. 3570, totaling \$318,856 are hereby assessed upon the properties in said district and are hereby levied and assessed upon the property in said district for the fiscal year ending June 30, 2013. Each lot and parcel within the district is hereby assessed in proportion to its square footage and that the procedure for determining the square footage to be assessed is the total square footage as set forth in Exhibit "A" of Resolution 6202 passed by the Great Falls City Commission on July 22, 1968, and presently on file in the office of the City Clerk.

Section 3 – Assessments Due Date

These assessments are payable in two payments and will become delinquent at 5:00 o'clock p.m. on November 30, 2012 and May 31, 2013.

Section 4 – Assessment Hearing

On August 7, 2012 at 7:00 p.m., in the Commission Chambers of the Civic Center Building, Great Falls, Montana, the Commission did meet and hear all objections to the final adoption of this resolution.

Section 5 – Notice of Hearing

The City Clerk is hereby authorized and directed to provide for two publications of the Notice of Resolution for Assessment in accordance with Section 7-1-4127, MCA, preceding the assessment hearing.

PASSED by the Commission of the City of Great Falls, Montana, on this 7th day of August, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

James W. Santoro
City Attorney

NOTICE

NOTICE IS HEREBY GIVEN that the Great Falls City Commission in regular session on July 3, 2012, in the Commission Chambers, set a public hearing date for the regular Commission meeting on August 7, 2012, prior to acting upon Resolution 9972 entitled:

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING BOULEVARDS IN THE GENERAL BOULEVARD DISTRICT NO. 3570 OF THE CITY OF GREAT FALLS, MONTANA FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

Copies of the above-designated Resolution 9972, and the assessment list therein mentioned are available in the office of the City Clerk, Lisa Kunz, and can be obtained by calling 406-455-8451, by picking it up in the Civic Center Building, 2 Park Drive, Room 204, Great Falls, MT or from the City's website at www.greatfallsmt.net and are subject to inspection for a period of ten (10) days. The City Commission will hear objections to the final adoption of said Resolution 9972 or any part thereof and the assessments therein provided for when convened in regular session in the Commission Chambers on August 7, 2012, at 7:00 o'clock p.m., at which time and place the City Commission will consider Resolution 9972 for final adoption.

/s/ Lisa Kunz, City Clerk

Publication Date: July 13, 2012 & July 20, 2012.