



Item: Set Public Hearing for Resolution 9973 to Levy and Assess Special Improvement Portage Meadows Maintenance District No. 1195

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 9973 to Levy and Assess Special Improvement Portage Meadows Maintenance District No. 1195

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission set a Public Hearing date on Resolution 9973 for August 7, 2012 at 7:00 p.m. to levy and assess Special Improvement Portage Meadows Maintenance District No. 1195.”

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: In February 1977, Resolution 6913 created Special Improvement Maintenance District 1195 for the purpose of maintaining the Green Belt of the Portage Meadows Addition. In July 1977 and again in July 1991, the City of Great Falls amended the boundaries of the district to include areas completed by further development. In order to legally provide for the necessary assessment support, State laws require City Commission hearings and passage of authorizing resolutions. Sections 7-12-4102, 7-12-4176 and 7-12-4179 M.C.A. authorize the City Commission to assess the costs of expendable material costs, snow removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning costs. The assessment also includes the costs of overhead and equipment cost and usage for the Portage Meadows Green Belt. Assessments for each year may be reviewed on an annual basis and may be revised according to the following formula: cost plus ten percent (10%) divided by the total square feet of all of the lots within said district times the square feet of each lot. No recommendation for an increase is proposed for Fiscal Year 2013.

As part of the annual budget development and adoption procedures, the Special Improvement Portage Meadows 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 Portage Meadows District Fund. Fiscal Services Staff are responsible for assessing and collecting the revenues necessary to carry out the operations.

Fiscal Impact: Adoption of Resolution 9973 will allow the City to finance the cost of repairs and maintenance required each year in the Special Improvement Portage Meadows Maintenance District.

ASSESSMENT ANTICIPATED

The anticipated assessment amount for Portage Meadows for the next fiscal year is the amount reflected in the FY 2013 Budget. The Portage Meadows Area assessment will remain the same as last fiscal year. This equates to an assessment of \$0.055827 per square foot, for a total of \$46,992 and will result in an assessment of \$251.28 for an average lot of 4,501 square feet (4,501 sq ft x 0.055827 factor = \$251.28.)

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 9973 to Levy and Assess Special Improvement Portage Meadows Maintenance District; however, the City agreed to provide the services when the land area was donated to the City. The proposed assessment will allow for the recovery of costs incurred providing those services.

Attachments/Exhibits: Resolution 9973 Draft
Legal Notice

Cc: Giles Salyer, Park Maintenance Supervisor

RESOLUTION 9973

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING THE GREEN BELT PARK OF PORTAGE MEADOWS ADDITION IN THE CITY OF GREAT FALLS ON ALL REAL ESTATE IN SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 1195 FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

WHEREAS, the City Commission did create and amend Special Improvement Maintenance District No. 1195 by Resolutions 6913, 6980, and 8426 on February 15 and July 17, 1977, and July 16, 1991 respectively; and,

WHEREAS, the City Commission intends to continue maintaining the Green Belt Park of Portage Meadows addition 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 cost of such maintenance within said district at a total of FORTY-SIX THOUSAND NINE HUNDRED NINETY-TWO DOLLARS (\$46,992).

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 care for and maintain the Green Belt Park in Special Improvement Maintenance District No. 1195.

Section 2 – Costs Assessed

The costs of said care and maintenance in the district, totaling \$46,992 are hereby assessed upon the properties in said district.

The costs per property and the property list for Special Improvement District No. 1195 are set forth in the records of the City Clerk of the City of Great Falls. Said property is generally identified as each lot or parcel of land within Portage Meadows Additions #1, #2, and #3, excluding Blocks 4, 5, and 6 of Portage Meadows #1 Addition.

Assessments for each year may be reviewed on an annual basis and may be revised in amount according to the following formula: cost plus ten percent (10%) divided by the total square feet of all of the lots within said district times the square feet of each lot. Costs shall be for expendable material costs, snow removal labor, water, mowing labor, fertilizer costs and labor, aerification labor, and tree pruning costs.

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

The City Commission will hear objections to the final adoption of this resolution at 7:00 p.m., August 7, 2012, in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

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 9973 entitled:

A RESOLUTION LEVYING AND ASSESSING THE COST OF MAINTAINING THE GREEN BELT PARK OF PORTAGE MEADOWS ADDITION IN THE CITY OF GREAT FALLS ON ALL REAL ESTATE IN SPECIAL IMPROVEMENT MAINTENANCE DISTRICT NO. 1195 FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

Copies of the above-designated Resolution 9973 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 9973 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 9973 for final adoption.

/s/ Lisa Kunz, City Clerk

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