



**Item:** Set Public Hearing for Resolution 10047 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 10047 to Levy and Assess Special Improvement General Boulevard Maintenance District No. 3750

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission set a Public Hearing date on Resolution 10047 for August 5, 2014 at 7:00 p.m. to levy and assess Special Improvement General Boulevard Maintenance District No. 3570.”

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

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**Staff Recommendation:** Staff recommends the City Commission set a public hearing date for August 5, 2014.

**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, and streetscape design.

Since adoption of Resolution 3570 which created the District, the Natural Resources Division has been assigned additional duties including but not limited to Christmas light installation and leaf pick-up. The Division is having extraordinary difficulty performing all functions while meeting the intent of the original resolution.

The Natural Resources Division has identified over 1,200 trees in need of immediate pruning. The trees present safety hazards (and potential insurance exposure). Lack of trimming also significantly affects the health of the tree. Proper maintenance will prevent potential hazards and tree replacement.

Leaf pick-up is estimated to cost over \$28,000. Leaf pick-up occurs during prime tree trimming season and lasts almost five weeks. While the cost of leaf pick-up is not the primary issue, the concern is having the time to perform all of the expected services. This year's proposed assessment will be used by the City to focus on tree trimming. The City will provide disposal sites for residents who will need to dispose of leaves themselves.

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 2015.

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 Boulevard District and the Natural Resources Fund operations during the annual budget process.

**Fiscal Impact:** Adoption of Resolution 10047 will allow the City to finance the costs of work, improvements and maintenance conducted each year in the Special Improvement Boulevard Maintenance District.

The Natural Resources Division not only serves the Boulevard District, but the City's golf courses, street islands, and parks. The Division typically receives a substantial contribution from the General Fund to address these services. The contribution and the Boulevard District assessment does not provide enough funding for equipment replacement as currently structured.

#### *ASSESSMENT ANTICIPATED*

The anticipated assessment amount for General Boulevard Maintenance for the next fiscal year is the amount reflected in the FY 2015 Budget. The General Boulevard Area assessment will remain the same as last fiscal year. This equates to an assessment factor of \$0.008985 per square foot, for a total of \$318,856 and will result in an annual 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 10047 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.

The Commission could choose to *raise* the assessment to cover other services such as leaf-pickup costs (through additional personnel or outside contracting) but staff believes the impact of that full assessment would not generate support from residents within the District. Assuming the cost for leaf pick-up is approximately \$28,000, the revised assessment would be increased to \$346,856 and will result in an annual assessment of \$73.27 for an average size lot of 7,500 square feet.

**Attachments/Exhibits:** Resolution 10047  
Map of General Boulevard District  
Legal Notice

## **RESOLUTION 10047**

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, 2014 AND ENDING JUNE 30, 2015.

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 15, 2014, 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, 2015. 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, 2014 and May 31, 2015.

### Section 4 – Assessment Hearing

On August 5, 2014 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 AND ADOPTED by the Commission of the City of Great Falls, Montana, August 5, 2014.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

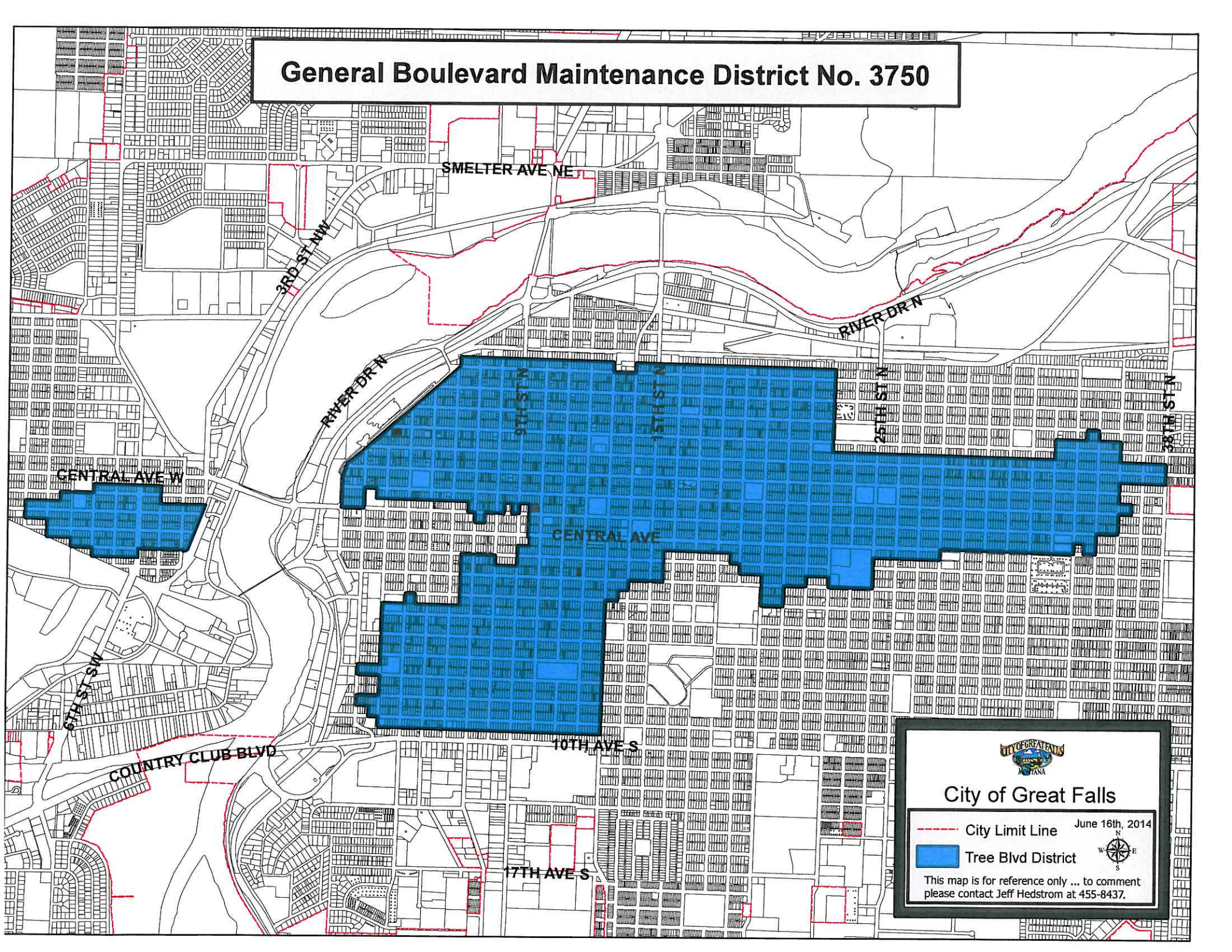
(Seal of the City)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

# General Boulevard Maintenance District No. 3750



City of Great Falls

--- City Limit Line June 16th, 2014  
[Blue Box] Tree Blvd District  
This map is for reference only ... to comment please contact Jeff Hedstrom at 455-8437.



PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that Resolution 10047 – 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, 2014 and ending June 30, 2015 – will be brought before the Great Falls City Commission for public hearing in the Commission Chambers, Civic Center Building, 2 Park Drive South, Great Falls, Montana on Tuesday, August 5, 2014, at 7:00 o'clock p.m. Any interested person may appear and speak for or against said Resolution 10047 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting.

/s/ Lisa Kunz  
City Clerk

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DO NOT PUBLISH BELOW THIS LINE:  
Publication Dates: July 11 & 18, 2014.