



Item: Resolution 10107 to Levy and Assess Special Improvement City Owned Residential Lighting District No. 1309

From: Judy Burg, Taxes and Assessments

Initiated By: Annual Assessment Process

Presented By: Melissa Kinzler, Fiscal Services Director

Action Requested: City Commission conduct public hearing and adopt Resolution 10107

Public Hearing:

1. Mayor conducts public hearing, calling three times each for proponents and opponents.
2. Mayor closes public hearing and asks the will of the Commission.

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (adopt/deny) Resolution 10107.”

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

Staff Recommendation: Staff recommends the City Commission adopt Resolution 10107 to levy and assess properties within the Special Improvement City Owned Residential Lighting District No. 1309.

Background: On July 19, 2005 the City Commission adopted Resolution No. 9506 creating the City’s Street Light Policy, which established a policy that the City own and operate any new street lighting districts request by property owners or developers as allowed by state.

Staff received signed petitions from Stone Meadows Inc. and Silver Stone Enterprises, developers of Stone Meadows Addition Phase II requesting the installation of eight (8) 100 watt HPS Semi-cut off Street Lights, however, it was determined by final design, the actual number of lights to be installed will be nine (9) 100 watt HPS Semi-cutoff street lights mounted on 20 foot steel poles with underground wiring in accordance with the City’s Street Lighting Policy. There are 28 individual properties within Stone Meadows Addition Phase II.

On March 3, 2015 the City Commission adopted Resolution No. 10055 which authorized the creation, installation and maintenance costs to be assessed for nine (9) 100 Watt HPS city-owned street lighting units in Stone Meadows Addition Phase II. A map of the district is attached for your review. City staff obtained quotes from all interested contractors and vendors willing to submit a quote for the installation of the roadway lighting, and the bid contract was awarded under separate action to Enterprise Electric Contractors, Inc. on June 2, 2015.

The City Commission also authorized the City to enter into a loan agreement with the Montana Board of Investments to fund the cost to install nine (9) 100 Watt HPS city-owned street lighting units with underground wiring in Stone Meadows Addition Phase II.

Concurrences: Representatives from the City's Public Works, Fiscal Services, Engineering and Planning Department work with the property owners and developers throughout the review and approval process of the lighting district creation and construction.

Fiscal Impact: Adoption of Resolution 10107 will allow the City to finance the cost of installation, operation and maintenance required each year within the City Owned Special Improvement Residential Lighting District No. 1309.

Installation:

Public roadway lighting for SLD No. 1309 will be installed sometime this summer as provided for in Resolution 10100, for a total assessable cost of FIFTY-EIGHT THOUSAND DOLLARS (\$58,000) plus annual interest. The special assessment for the installation cost of the improvements shall be payable over a term of 15 years.

Maintenance:

The ongoing annual energy and maintenance costs for said improvements were estimated to be TWO THOUSAND SEVEN HUNDRED SEVENTY-SEVEN AND 56/100 DOLLARS (\$2,777.56)

Alternatives: The City Commission could choose to deny the adoption of Resolution 10107; however, non-approval of debt assessments would result in a general obligation to repay the loan to the Montana Board of Investments rather than an obligation of the benefitting properties to repay. It would also deny the assessment necessary to fund expenses related to annual ongoing operation and maintenance of the district.

Attachments/Exhibits: Resolution 10107
Exhibit A - Map of Special Improvement City Owned Residential Lighting District No. 1309
Exhibit B – Estimated Installation Costs of Improvements
Exhibit C – Estimated Maintenance Costs of Improvements

RESOLUTION NO. 10107

**A RESOLUTION LEVYING AND ASSESSING PROPERTIES WITHIN
SPECIAL IMPROVEMENT CITY OWNED RESIDENTIAL LIGHTING
DISTRICT NO. 1309, STONE MEADOWS ADDITION, PHASE II**

WHEREAS, the City Commission of the City of Great Falls created Special Improvement Lighting District No. 1309, by Resolution 10055 duly passed on March 3, 2015, reference to which Resolution is hereby made, for installing and maintaining necessary public roadway lighting, as provided by 7-12-4301, MCA; and

WHEREAS, the costs of the improvements will be paid from the proceeds of a Montana Board of Investments Intercap Loan as approved by the City Commission, which is to be payable primarily from special assessments to be levied against the properties located within Stone Meadows Addition Phase II, map of district attached as Exhibit "A," which properties will be specifically benefited by the improvements; and,

WHEREAS, improvements as outlined in the Resolution of Intent, have not been completed at this time. A bid for the design and installation at a estimated total assessable cost of FIFTY-EIGHT THOUSAND DOLLARS (\$58,000) was awarded by the City Commission on June 2, 2015; and,

WHEREAS, the City Commission has and does hereby find, fix and determine that each and every said lots or parcels of land within said improvement lighting district will be specifically benefited by all of the improvements; and,

WHEREAS, the properties are to be assessed for the improvements in proportion to which its area bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 10054, Resolution of Intent to Create Special Improvement Lighting District No. 1309, Exhibit C; and,

WHEREAS, the properties in said Special Improvement Lighting District No. 1309 are to be assessed for the ongoing maintenance costs of said improvements in proportion to which its area

bears to the area of the district improved, as determined by the square foot method, and further as provided more particularly and set forth in Resolution 10054, Resolution of Intent to Create Special Improvement Lighting District No. 1309, Exhibit D; and,

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

Section 1 – Installation Costs Assessed

The cost of the improvements made from the proceeds of the Montana Board of Investments Intercap Loan are to be repaid from special assessments to be levied against the properties within Stone Meadows Addition Phase II, which properties will be specifically benefited by the public roadway lighting improvements. Therefore, there is levied an assessment upon the properties in said Special Improvement Lighting District No. 1309, for the sum of FIFTY-EIGHT THOUSAND DOLLARS (\$58,000) payable with interest over a term of fifteen (15) years.

Section 2 – Maintenance Costs Assessed

The costs of the ongoing annual maintenance, energy and administrative costs are to be payable from assessments to be levied against the properties within Stone Meadows Addition Phase II, which properties will be specifically benefited by the public roadway lighting. The annual costs in Special Maintenance Lighting Districts and are submitted annually for public hearing and City Commission action.

Section 3 – Assessment Method

The description of each lot or parcel of land within said Special Improvement Lighting District which is hereby upon and assessed with the name of the current owner of record and the amount of each partial payment to be made in Special Improvement Lighting District No. 1309, is as set out in Special Assessment List for installation costs attached as Exhibit “B”, and for maintenance costs attached as Exhibit “C”, which said lists are incorporated herein and made a part of this Resolution by this reference.

Section 4 – Assessment Due Date

The installation assessments are payable in two semi-annual payments, and will become delinquent at 5:00 o'clock p.m. on November 30, 2015 through 2030 and May 31, 2016 through 2031. The ongoing annual maintenance assessments are payable in two semi-annual payments and will become delinquent at 5:00 o'clock p.m. on November 30th of each year and May 31st of each year.

Section 5 – Maintenance Fund

The above-described assessments are to be deposited into funds known as “Special Improvement Lighting District No. 1309 Fund SILD 1309” for the installation costs referred to in Section 1, and “Special Maintenance Lighting District No. 1309 Fund – SMLD 1309” for the maintenance costs referred to in Section 2, and from which all eligible expenses will be paid.

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

THAT, the City Commission did meet and hear objections to the final adoption of this resolution at 7:00 o'clock p.m., August 4, 2015 in the Commission Chambers of the Civic Center Building, Great Falls, Montana.

THAT , this resolution, together with the attached assessment lists, shall be kept on file in the office of the City Clerk of the City of Great Falls.

THAT, said City Clerk authorized and directed, to publish twice, with at least 6 days separating each publication in a newspaper published in the City of Great Falls, Montana, a notice signed by said City Clerk stating that this Resolution, levying the special assessments to defray the cost of installation and maintenance of said Special Improvement Lighting District is subject to inspection in the Clerk's office, 2 Park Drive, Great Falls, Montana. Said notice shall state the time and place at which objections to the final adoption of this Resolution will be heard by the City Commission.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the above-entitled and foregoing Resolution be, and the same is hereby adopted, and the special assessments therein provided for, and the same are hereby levied and assessed accordingly.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 4th day of August, 2015.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

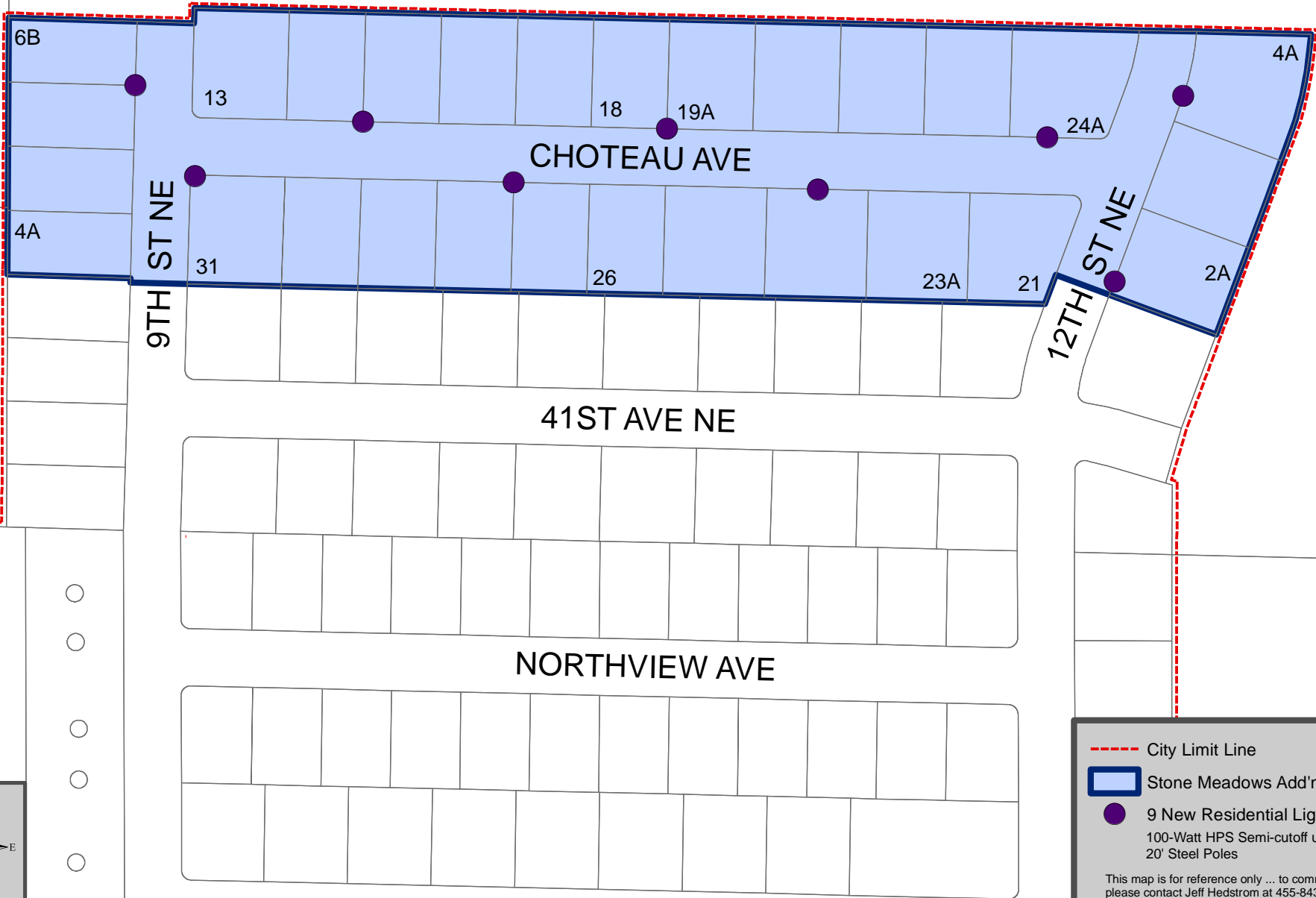
(Seal of the City)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

Resolution 10107 - Exhibit A

SLD - #1309 - Stone Meadows Addition Phase 2



--- City Limit Line

Stone Meadows Add'n

● 9 New Residential Lights
100-Watt HPS Semi-cutoff units,
20' Steel Poles

This map is for reference only ... to comment
please contact Jeff Hedstrom at 455-8437.

RESOLUTION 10107 - EXHIBIT "B"

SPECIAL IMPROVEMENT LIGHTING DISTRICT 1309 INSTALLATION COSTS

Total Construction Costs: \$ 58,000.00

Improvements: **NINE (9) 100 WATT HPS UNITS ON 20 FOOT STEEL POLES
WITH UNDERGROUND WIRING RESIDENTIAL STREET LIGHTING**

15 Year Assessment

Beginning Nov: 2015

Ending May: 2030

Variable Interest Rate: 3.25%

Total Square Footage Cost: 0.199082846

PARCEL	LOT	BLOCK	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
1476225	21	2	Stone Meadows Ph II	Stone Meadows Inc.	11,631	2,315.53	154.37	75.25	229.62
1476227	23A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	2,436.77	162.45	79.20	241.65
1476228	24A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	2,436.77	162.45	79.20	241.65
1476229	25A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	2,436.77	162.45	79.20	241.65
1476230	26	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	1,829.97	122.00	59.47	181.47
1476231	27	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	1,829.97	122.00	59.47	181.47
1476232	28	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	1,829.97	122.00	59.47	181.47
1476233	29	2	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	1,829.97	122.00	59.47	181.47
1476234	30	2	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	1,829.97	122.00	59.47	181.47
1476235	31	2	Stone Meadows Ph II	Stone Meadows Inc.	11,457	2,280.89	152.06	74.13	226.19
1476236	4A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,755	1,742.97	116.20	56.65	172.84
1476237	5A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,842	1,760.29	117.35	57.21	174.56
1476238	6A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,973	1,786.37	119.09	58.06	177.15
1476256	6B	3	Stone Meadows Ph II	Stone Meadows Inc.	9,060	1,803.69	120.25	58.62	178.87
1476239	13	4	Stone Meadows Ph II	Hess, Kenneth W & Traci R	11,456	2,280.69	152.05	74.12	226.17
1476240	14	4	Stone Meadows Ph II	Oliver, James T & Mary A	9,192	1,829.97	122.00	59.47	181.47
1476241	15	4	Stone Meadows Ph II	Schmechel, James P.	9,192	1,829.97	122.00	59.47	181.47
1476242	16	4	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	1,829.97	122.00	59.47	181.47
1476243	17	4	Stone Meadows Ph II	Stone Meadows Inc.	9,192	1,829.97	122.00	59.47	181.47
1476244	18	4	Stone Meadows Ph II	Stone Meadows Inc.	9,192	1,829.97	122.00	59.47	181.47
1476245	19A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	2,063.89	137.59	67.08	204.67
1476246	20A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	2,063.89	137.59	67.08	204.67
1476247	21A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	2,063.89	137.59	67.08	204.67
1476248	22A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	2,063.89	137.59	67.08	204.67
1476249	23A	4	Stone Meadows Ph II	Stone Meadows Inc.	13,809	2,749.14	183.28	89.35	272.62
1476251	2A	5	Stone Meadows Ph II	Stone Meadows Inc.	11,718	2,332.85	155.52	75.82	231.34

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15 Year Assessment

Beginning Nov: 2015

Ending May: 2030

Variable Interest Rate: 3.25%

Total Square Footage Cost: 0.199082846

PARCEL	LOT	BLOCK	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	TOTAL ASSESSMENT	PRINCIPAL PER YEAR	ANNUAL INTEREST	1st Year TOTAL ANNUAL PYMT
1476252	3A	5	Stone Meadows Ph II	Stone Meadows Inc.	11,718	2,332.85	155.52	75.82	231.34
1476253	4A	5	Stone Meadows Ph II	Stone Meadows Inc.	13,809	2,749.14	183.28	89.35	272.62
					291,336	<u>\$58,000.00</u>	<u>\$3,866.67</u>	<u>\$1,885.00</u>	<u>\$5,751.67</u>

RESOLUTION 10107 - EXHIBIT "C"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1309 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING \$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE	2,525.05	ASSESSMENT BASED ON 12 MONTHS -
10% ADMINISTRATION FEE	<u>252.51</u>	ANNUAL ASSESSMENT FOR AN AVERAGE
TOTAL ANNUAL COST TO THE DISTRICT =	\$ 2,777.56	10,405 SQ.FT. LOT IS \$99.20
 ANNUAL SQUARE FOOT COST =	 0.009533854	

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	ANNUAL COST
1476225	21	2	Stone Meadows Ph II	Stone Meadows Inc.	11,631	110.89
1476227	23A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	116.69
1476228	24A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	116.69
1476229	25A	2	Stone Meadows Ph II	Stone Meadows Inc.	12,240	116.69
1476230	26	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	87.64
1476231	27	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	87.64
1476232	28	2	Stone Meadows Ph II	Stone Meadows Inc.	9,192	87.64
1476233	29	2	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	87.64
1476234	30	2	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	87.64
1476235	31	2	Stone Meadows Ph II	Stone Meadows Inc.	11,457	109.23
1476236	4A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,755	83.47
1476237	5A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,842	84.30
1476238	6A	3	Stone Meadows Ph II	Stone Meadows Inc.	8,973	85.55
1476256	6B	3	Stone Meadows Ph II	Stone Meadows Inc.	9,060	86.38
1476239	13	4	Stone Meadows Ph II	Hess, Kenneth W & Traci R	11,456	109.22
1476240	14	4	Stone Meadows Ph II	Oliver, James T & Mary A	9,192	87.64
1476241	15	4	Stone Meadows Ph II	Schmechel, James P.	9,192	87.64
1476242	16	4	Stone Meadows Ph II	Silver Stone Enterprises Inc	9,192	87.64
1476243	17	4	Stone Meadows Ph II	Stone Meadows Inc.	9,192	87.64
1476244	18	4	Stone Meadows Ph II	Stone Meadows Inc.	9,192	87.64
1476245	19A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	98.84
1476246	20A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	98.84
1476247	21A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	98.84
1476248	22A	4	Stone Meadows Ph II	Stone Meadows Inc.	10,367	98.84

RESOLUTION 10107 - EXHIBIT "C"

SPECIAL MAINTENANCE LIGHTING DISTRICT 1309 ANNUAL ASSESSMENT

9 - 100 WATT HPS ON 20' STEEL POLES WITH UNDERGROUND WIRING \$ 2,525.05

COST OF OPERATION AND ROUTINE MAINTENANCE	2,525.05	
10% ADMINISTRATION FEE	<u>252.51</u>	
TOTAL ANNUAL COST TO THE DISTRICT =	<u>\$ 2,777.56</u>	

ASSESSMENT BASED ON 12 MONTHS -
ANNUAL ASSESSMENT FOR AN AVERAGE
10,405 SQ.FT. LOT IS \$99.20

ANNUAL SQUARE FOOT COST = 0.009533854

PARCEL	BLOCK	LOT	SUB-DIVISION	NAME	SET UP AREA (SQUARE FEET)	ANNUAL COST
1476249	23A	4	Stone Meadows Ph II	Stone Meadows Inc.	13,809	131.65
1476251	2A	5	Stone Meadows Ph II	Stone Meadows Inc.	11,718	111.72
1476252	3A	5	Stone Meadows Ph II	Stone Meadows Inc.	11,718	111.72
1476253	4A	5	Stone Meadows Ph II	Stone Meadows Inc.	13,809	131.65
					<u>291,336</u>	<u><u>\$2,777.56</u></u>