



**Item:** Set Public Hearing for Resolution 9767 to Levy Special Assessments on Properties within Special Improvement Lighting District – City-Owned Residential Lighting No. 1308

**From:** Judy Burg, Account Technician

**Initiated By:** Annual Assessment Process

**Presented By:** Coleen Balzarini, Fiscal Services Director

**Action Requested:** City Commission Set Public Hearing Date for Resolution 9767 to Levy Special Assessments on Properties within Special Improvement Lighting District – City-Owned Residential Lighting No. 1308

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**Suggested Motion:**

1. Commissioner moves:

“I move that the City Commission set a Public Hearing date on Resolution 9767 for September 16, 2008 at 7:00 p.m. to levy special assessments on properties within Special Improvement Lighting District – City-Owned Residential Lighting No. 1308.”

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

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**Staff Recommendation:** Staff recommends the City Commission order publication of the special assessment notice and set a public hearing date for September 16, 2008.

**Background:** Staff received a signed petition from the developer of Eagles Crossing Phase II and III Addition requesting installation of roadway lighting. The petition was for the installation of thirteen (13) 150 watt HPS street lighting units on 20 foot steel poles with underground wiring, which meets the requirements set forth in Resolution 9506 the City’s Street Light Policy for new roadway lighting districts.

July 17, 2007, the City Commission duly passed and adopted Resolution 9653 creating Special Improvement Lighting District – City-Owned Residential Lighting No. 1308. City Staff held a bid opening for all interested contractors and vendors willing to submit a bid for the installation of the roadway and the bid contract was awarded under separate action to United Electric at the commission meeting held on November 6, 2007.

On November 20, 2007, the City Commission adopted Resolution 9712, authorizing the City to enter into a loan agreement with the Montana Board of Investments up to \$46,600 to fund the cost to install the roadway lighting in Eagles Crossing Phase II and III. Property owners located within Special Improvement Lighting District – City-Owned Residential Lighting No. 1308 will have a special assessment for the installation cost of the improvements for a term not to exceed 15 years and will also have an ongoing annual maintenance assessment for the roadway lighting.

The budget development process begins in January of each year when the Fiscal Services Department receives their midyear financial reports. The midyear reports are used to determine the current financial position of Special Improvement Lighting District No. 1308, which is the basis for projecting future earnings and expenditures. The lighting district's assessed cost is based upon existing rates, cash balance and proposed increases provided by Southern Montana Electric Generation & Transmission Cooperative, Inc. and by Northwestern Energy. Information is gathered regarding the actual and anticipated expenses, goals and objectives of the lighting district. After determining financial factors pertinent to the operation of the Lighting District an assessment amount for the next fiscal year is calculated, proposed and presented to the City Commissioners for approval.

As part of the annual budget development and adoption procedures the Special Improvement Lighting District No. 1308 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:** Fiscal Services staff is responsible for the operational expenses and for assessing and collecting the revenues necessary to carry out the operations of the Special Improvement Lighting District No. 1308. The City Commissioners have received information regarding the operation of the district during the annual budget process.

**Fiscal Impact:** Adoption of Resolution 9767 will allow the City to fund the installation, operation and maintenance costs required to be made each year in the Special Improvement Lighting District No. 1308.

#### ASSESSMENT ANTICIPATED

The anticipated assessment amount for Special Improvement Lighting District No. 1308 for the next fiscal year is the amount projected through the creation process and the Budget Development Process. Fiscal Year 08/09 projects charges based on actual billings for the district and adjustments for cash balances from prior fiscal years.

Public roadway lighting for Special Improvement Lighting District No. 1308 has been completed as provided in Resolution 9652, for a total assessable cost of FORTY-SIX THOUSAND ONE HUNDRED FORTY-NINE DOLLARS and 73/100, (\$46,149.73.) The special assessment for the installation cost of the improvements shall be payable over a term not to exceed 15 years.

In addition, the ongoing annual energy and maintenance costs for said improvements for Fiscal Year 08/09 were determined to be FOUR THOUSAND FOUR HUNDRED NINE DOLLARS, (\$4,409.)

Resolution 9767 effectively places a lien on each property within the district for the proportionate share of the installation costs as well as assesses each property for the annual energy and maintenance costs.

**Alternatives:** The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 9767 to Levy and Assess Special Improvement Lighting Districts; however, the reduction in services to the community could be hazardous to the safety and welfare of the general public.

**Attachments/Exhibits:** Resolution 9767  
Notice of Public Hearing  
Boundary Map of Special Improvement Lighting District #1308