



Item: Resolution 9784, Intent to Create Special Improvement Lighting District - City-Owned Residential Lighting District No.1305, Watertower Park Addition

From: Martha Capps, Operations Supervisor

Initiated By: TD Development

Presented By: Coleen Balzarini, Fiscal Services Director

Action Requested: City Commission Adopt Resolution 9784

Suggested Motion:

1. Commissioner moves:

“I move the City Commission (adopt/deny) Resolution 9784 and set a public hearing for the creation of Special Improvement Lighting District – City-Owned Residential Lighting District No.1305 for December 16, 2008”

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

Staff Recommendation: Staff recommends the City Commission adopt Resolution 9784 and set a public hearing for the creation of Special Improvement Lighting District – City-Owned Residential Lighting District No.1305 for December 16, 2008.

Background: The City Commission adopted Resolution 9506 creating the City’s Street Light Policy on July 19, 2005. This resolution established the City’s policy to own and operate any new street lighting districts, within City limits, requested by property owners or developers, as allowed by MCA 7-12-4301, 7-12-4329, and 7-12-4333. These authorize the City to create lighting districts and to assess the cost of installing and/or maintaining the district to the property owners within the boundaries of such district.

On March 26, 2008, staff received a signed petition, as shown on Exhibit A of the Resolution, from TD Development, the owner and developer of Watertower Park Addition, requesting the installation of street lights in the newly annexed subdivision. The petition requests the installation of four 100 watt HPS Semi-cut off Street Light units mounted on 20-foot steel poles with underground wiring in accordance with the City’s Street Lighting Policy. There are 16 individual properties anticipated within Watertower Park Addition. The signed petition meets all requirements as set forth in the policy for new street light districts. Property owners have 15 days after the date of the first publication of the Legal Notice or written notification as shown on

Exhibits E and F, respectively, of the Resolution, to make a written protest against the proposed creation of the Special Improvement Lighting District.

Concurrences: Representatives from the City's Public Works, Fiscal Services, Engineering and Planning Department work with the property owner and developer throughout the review and approval process

Fiscal Impact: The special assessment for the installation costs of the improvements shall be payable over a term not to exceed fifteen years. The estimated assessment for construction, exclusive of annual interest of 5% will be \$104.17 for an average sized lot of 13,541 square feet; and as shown on Exhibit C of the Resolution. Property owners have the right to prepay the assessment as provided by law.

The ongoing estimated annual maintenance assessment will be \$67.40 for an average sized lot of 13,541 square feet. The maintenance costs include energy, transmission, distribution, and other ongoing related costs; and as shown on Exhibit D of the Resolution.

Alternatives: The City Commission could choose to not set the public hearing and thereby deny the adoption of Resolution 9784 to Create Special Improvement Lighting District No.1305.

Attachments/Exhibits: Resolution 9784 w/ Exhibits

- A – Copy of Customer Petition
- B - Map of Proposed Lighting District No.1305
- C – Estimated Installation Costs of the Improvements
- D – Estimated Maintenance Costs of the Improvements
- E – Letter to Property Owners within Proposed Lighting District No. 1305
- F – Legal Notice for Publication

Cc: David Dobbs, City Engineering
Jason Handl, City Engineering
TD Development, Developer
Brad Kauffman, GPD Engineering