



Item: Resolution 9860 to Levy and Assess Properties for Unpaid Utility Services
From: Martha Capps, Operations Supervisor
Initiated By: Annual Assessment Process
Presented By: Coleen Balzarini, Fiscal Services Director
Action Requested: City Commission conduct public hearing and adopt Resolution 9860

Public Hearing:

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

Suggested Motion:

1. Commissioner moves:

“I move that the City Commission (adopt /deny) Resolution 9860.”

2. Mayor calls for a second, discussion, and calls for the vote.
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Staff Recommendation: Staff recommends the City Commission adopt Resolution 9860 and levy and assess properties for unpaid utility services.

Background: Sections 7-12-4611 and 4612, Section 7-13-128, Section 7-13-4309, M.C.A., and City of Great Falls Municipal Codes 8.32.332 and 13.26.060 authorize the City Commission to assess lienable charges against a property to which utility services were furnished and for which payment is delinquent. Properties in the City of Great Falls which had utility services provided to them prior to June 30, 2009, but remain unpaid, are subject to the City’s right to tax the property for the amount owed. The Fiscal Services Department reviews the accounts annually and notifies property owners of the delinquent charges and the right to tax the property. The legal owners of the properties, as listed on Exhibit A of the Resolution, were last notified in a letter dated July 2, 2009 that unless these charges were paid within 30 days, they would be levied as a tax against the lot or parcel. These properties also receive the normal monthly billing statements. A final letter stating the date and time of the Public Hearing was sent to the Owners of the property with charges remaining unpaid on August 19, 2009. This tax will appear on the property tax bill received from Cascade County.

Concurrences: Public Works is responsible for the operation of the Utility System. Fiscal Services Staff are responsible for billing and collecting the revenues necessary to carry out the operations.

Fiscal Impact: Adoption of Resolution 9860 will allow the City to collect delinquent utility service charges in the amount of \$15,149.48. Any payments received prior to the charges being forward to the Cascade County Treasurer will be removed from the assessment listing.

Alternatives: The City Commission could choose to deny the adoption of Resolution 9860; however, the charges for the utility services provided to the applicable properties will remain unpaid, and the operational revenue may not meet the operational expenses of the utility systems. This would require utility service rates to be increased for all customers.

Attachments/Exhibits: Resolution 9860