

**Draft Dated July 21, 2022
RESOLUTION**

A resolution of the Missoula City Council levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within all special lighting districts of the City of Missoula, Montana, in the amount of \$269,457.00 to defray the cost of street lighting in special lighting districts during the fiscal year 2023.

WHEREAS, the City Council of the City of Missoula has passed and adopted resolutions creating Special Lighting Districts numbered 8, 12, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 in pursuant to Resolution Numbers 1100, 1491, 2052, 2086, 2090, 2102, 2108, 2139, 2179, 2229, 2230, 2469, 2703, 2749, 2750, 2751, 2760, 2775, 2893, 2930, 2946, 2959, 2960, 3120, 3121, 3155, 3576, 3900, 3976, 3977, 3978, 4243, 4575, 5028 and 5729, and subsequently discontinuing Special Lighting District number 51 in pursuant Resolution Number 8083 and increased the boundaries of Special Lighting District number 18 pursuant to Resolution Number 8300, which designate the streets to be lighted in Missoula's Special Lighting Districts during fiscal year 2022; and

WHEREAS, the City Council has, in accordance with said resolutions, made provision for the lighting of the streets situated in said Special Lighting Districts; and

WHEREAS, Section 7-12-4321 Montana Code Annotated provides that the portion of the entire cost and expense of erecting, supplying electrical current for, and maintaining said Special Lighting Districts, as shall be determined by the City Council, shall be borne by the property situated within the same Special Lighting Districts; and

WHEREAS, the Mayor's executive budget includes an appropriation from Road District Number 1 to cover 10% of the costs of Street Lighting Districts, leaving 90% of the costs to the respective Street Lighting Districts; and

WHEREAS, during fiscal year (FY) 2021, Northwestern Energy installed LED lighting in many of the lighting fixtures in the City's lighting district reducing energy consumption and the amount billed; and

WHEREAS, the Public Works and Mobility Department has mapped lighting fixtures in the City's lighting districts and found gaps in street lighting from house to house and block to block; and

WHEREAS, during fiscal year 2022, the Public Works and Mobility department determined that the savings resulting from conversion to LED lighting in each individual lighting district was not sufficient to address gaps in lighting and therefore recommends the savings accrued in 2021 be used to reduce lighting district assessments; and

WHEREAS, for fiscal year 2023, City administration is recommending that the savings totaling \$50,776.40 that was accrued in fiscal year 2021 be split with 50% being used to reduce assessments in fiscal year 2023 and the remaining 50% being used to reduce assessments in fiscal year 2024 as shown in the following chart:

Total Actual FY22 Street Lighting Bill	\$298,258.07
ADD: Administrative Support	11,500.00
ADD: 5% Increase in NW Energy Rates	14,912.91
Subtotal:	\$324,670.91
SUBTRACT: Road District #1 support (10% of actual FY22 lighting bill)	29,825.82
SUBTRACT: 50% FY 21 conversion to LED savings	25,388.20
TOTAL ASSESSMENTS FY 2023 (rounded)	\$269,457.00

WHEREAS, the City Clerk has given notice of the Missoula City Council's intention to conduct a public hearing regarding a resolution levying and assessing the lots, pieces and parcels of land located Special

Lighting Districts in the *Missoulian*, a newspaper printed and published in the City of Missoula, Montana on August 14, 2022, and August 21, 2022; and

WHEREAS, the Missoula City Council conducted a public hearing on August 29, 2021, and offered an opportunity for citizens to appear and comment on the proposed assessments for Special Lighting Districts; and

WHEREAS, the County of Missoula bills the lots, pieces and parcels of land located in Street Lighting Districts on behalf of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that for the purpose of defraying the lighting costs on the certain streets in the City of Missoula, Montana, situated in Special Lighting Districts of the City of Missoula, Montana, for the fiscal year 2023, the City Council levies and assesses \$269,467.00 for all street lighting districts as shown on Exhibit A with each of the lots, pieces and parcels of land being assessed as provided in the resolutions creating and/or amending said districts.

BE IT FURTHER RESOLVED, that the assessments for Street Lighting Districts are now due and payable to Missoula County of the County of Missoula, Montana and will become delinquent on November 30, 2022, at 5:00 p.m.

PASSED AND ADOPTED this 29th day of August 2022.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor