

**Draft Dated July 19, 2023**  
**RESOLUTION No.**

**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 \$285,645.30 to defray the cost of street lighting in special lighting districts during the fiscal year 2024.**

**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 2024; 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**, Northwestern Energy has temporarily received permission from state authorities to increase electricity fees by 19%; and

**WHEREAS**, the current Street Lighting Improvement District has a fund balance that the City administration is recommending using a portion of this balance to offset the proposed fee increase to reduce the dramatic burden on district taxpayers; and

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

Total FY23 Street Lighting Bill (actual + estimated 3 mos.)	<b>\$342,232.55</b>
ADD: Administrative Support	<b>11,500.00</b>
ADD: <b>19%</b> Increase in NW Energy Rates	<b>65,024.21</b>

Subtotal:	<b>\$418,756.76</b>
SUBTRACT: Road District #1 support (10% of actual FY23 lighting bill)	<b>(34,223.26)</b>
SUBTRACT: 50% FY 21 conversion to LED savings	<b>(25,388.20)</b>
SUBTRACT: Support from fund balance	<b>(73,500.00)</b>
<b>TOTAL ASSESSMENTS FY 2024 (rounded)</b>	<b>\$285,645.30</b>

**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 July 29, 2023, and August 5, 2023; and

**WHEREAS**, the Missoula City Council conducted a public hearing on August 14, 2023, 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 2024, the City Council levies and assesses **\$285,645.30** 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, 2023, at 5:00 p.m.

**PASSED AND ADOPTED** this 21th day of August, 2023.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Martha L. Rehbein, CMC  
City Clerk

\_\_\_\_\_  
Jordan Hess  
Mayor