

**Draft Dated August 1, 2019
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 \$361,837.12 to defray the cost of street lighting in special lighting districts during the fiscal year 2020.

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 2020; 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, the Council has caused an estimate of \$361,837.12 to be made for the lighting costs in the districts noted above which includes an adjustment for the difference between the fiscal year 2019 estimated and actual costs, administrative support, and a projected 3.5% increase in power rates (see below); and

Total Actual/ FY19 Street Lighting Bill	\$374,533.19
SUBTRACT: 10% Road District 1 Support	37,455.32
ADD: 3% Administrative Support	11,629.89
Subtotal paid by lighting Districts	348,727.76
ADD: 3.5% Increase in NW Energy Rates	13,109.36
FY19 Total Assessment (rounded)	<u>\$361,837.12</u>

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, 2019 and August 21, 2019; and

WHEREAS, the Missoula City Council conducted a public hearing on August 26, 2019, 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 districts' 90% of 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 2020, the City Council hereby levies and assesses of \$361,837.12 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, 2019, at 5:00 p.m.

PASSED AND ADOPTED this 26th day of August, 2019.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor