

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19761

A RESOLUTION OF INTENTION TO LEVY AN ASSESSMENT AND TO APPROVE THE WORK PLAN AND BUDGET FOR THE BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2011

WHEREAS, pursuant to Title 7, chapter 12, part 11, MCA, the City of Helena is considering the creation of a Business Improvement District on August 9, 2010; and,

WHEREAS, pursuant to §7-12-1132, MCA, the Board of Trustees of said Business Improvement District are to present to the City of Helena Commission a work plan and budget for the fiscal year ensuing from the creation of the Business Improvement District; and,

WHEREAS, the said work plan and budget was submitted to the Helena City Commission by the Board of Trustees of the Helena Business Improvement District on May 10, 2010; and,

WHEREAS, in order to fund said Business Improvement District, it is necessary for the City of Helena to levy an assessment on all property within said Business Improvement District.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. That it is the intention of the City of Helena, Montana, to approve the work plan and budget and levy an assessment upon all property within the Business Improvement District for fiscal year 2011.

Section 2. That the Commission of the City of Helena, Montana, will be in session in the Commission Chambers at the City-County Administration Building, 316 N. Park Ave., in Helena, MT, on the 23rd day of August, 2010, at 6:00 p.m. for a public hearing at which time and place the said Commission will hear objections to the work plan and budget. Said work plan and budget are on file with the Clerk of the City Commission and interested persons are free to inspect and copy the same.

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Section 3. It is the intention of the City of Helena to levy an assessment on all property within said Business Improvement District. The City Commission finds that the benefits derived by each lot or parcel are disproportional, and therefore pursuant to §7-12-1133, MCA, sets classification criteria with rates set for each classification. The assessment for lots or parcels within each classification is as follows:

Private Property

For each lot, tract or parcel or group of lots, tracts or parcels aggregated for a single residential or commercial use, including accessory parking, and owned privately (“assessed property”):

1. \$400 per assessed property.
2. \$0.02 per square foot of land area of assessed property.
3. 2.00% of the taxable value of assessed property.

Excluded are lots, tracts or parcels that are vacant with no habitable improvements and not used for commercial purposes.

Public Property

For each lot, tract or parcel or group of lots, tracts or parcels aggregated for a single use, including accessory parking, and owned by a public entity, such as federal, state, county, city, school district and quasi-public entities (“public property”):

1. \$400 per public property.

Excluded are public entity-owned lots, tracts or parcels that are vacant with no habitable improvements and public parks and squares.

Section 4. The Helena City Commission will consider levying the assessment at the public hearing in the Commission Chambers at the City-County Administration Building, 316 N. Park Ave., in Helena, MT, on the 23rd day of August, 2010, at 6:00 p.m.

Section 5. Notice of the passage of this Resolution of Intention shall be given by publishing as required in §7-12-4106 MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official

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newspaper of the City of Helena.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 26th DAY OF JULY, 2010.**

/S/ James E. Smith

MAYOR

ATTEST:

/S/ Debbie Havens

CLERK OF THE COMMISSION