

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20534

### A RESOLUTION OF INTENTION TO APPROVE THE WORK PLAN AND BUDGET FOR THE BUSINESS IMPROVEMENT DISTRICT AND TO LEVY AN ASSESSMENT ON ALL PROPERTY WITHIN THE DISTRICT FOR FISCAL YEAR 2020

**WHEREAS,** Resolution No. 19766, passed August 9, 2010, created a Business Improvement District ("District") to promote the health, safety, prosperity, security, and general welfare of the inhabitants of the City of Helena and the proposed district;

**WHEREAS,** pursuant to §7-12-1132, MCA, the Board of Trustees for the District must present to the City Commission a work plan and budget for the ensuing fiscal year;

**WHEREAS,** a work plan and budget for the fiscal year 2020 was submitted to the City Commission by the Board of Trustees for the District on May 11, 2019; and

**WHEREAS,** in order to defray the costs of the work plan and budget, it is necessary for the City of Helena to levy an assessment on all property within the District.

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

**Section 1.** That it is the intention of the Helena City Commission to approve the work plan and budget, as submitted by the District and attached hereto as Exhibit "A," and levy an

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assessment upon all property within the District for the fiscal year 2020 to defray the costs of said work plan and budget. The City Commission finds that the benefits derived by each lot or parcel are disproportional, and therefore pursuant to §7-12-1133(1)(f), MCA, intends to set rates for each classification based on the criteria below. The assessment rates for lots or parcels within each classification are proposed as follows:

A. 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, plus;
2. \$0.02 per square foot of land area of assessed property, plus;
3. 2.00% of the taxable value of assessed property.

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

B. 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-

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public entities ("public property"):

1. \$400 per public property.

Excluded from the assessment are public properties that are vacant with no habitable improvements and public parks and squares.

**Section 2.** The Helena City Commission will hold a public hearing on this matter on August 26, 2019, in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. at which time all interested parties may appear and express their views of approval or disapproval on the proposed assessment option and amounts of assessments proposed to be levied.

**Section 3.** The City Clerk is hereby directed to publish the notice of the above-referenced public hearing on the proposed assessment option and the amounts of assessments proposed to be levied in accordance with state law and city ordinances, and to make a copy of the notice and this resolution available for public inspection in the clerk's office.

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PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF  
HELENA, MONTANA, THIS 15<sup>th</sup> DAY OF JULY, 2019.

/S/ WILMOT COLLINS  
MAYOR

ATTEST:

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION