

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20544

**A RESOLUTION OF INTENTION TO SPECIFY THE ASSESSMENT OPTION FOR THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEARS 2020 AND 2021 AND LEVY AND ASSESS ALL PROPERTY WITHIN THE DISTRICT**

**WHEREAS**, § 7-12-4102, MCA, authorized the City Commission to create special improvement districts;

**WHEREAS**, Resolution No. 19439, passed on January 29, 2007, created the Open Space Maintenance District No. 1 ("District") to protect, maintain, preserve, restore, and care for the City of Helena's open space lands and natural parks;

**WHEREAS**, § 7-12-4179, MCA, requires the City Commission to pass and finally adopt a resolution specifying the special improvement district assessment option and levying and assessing all the property within the special district;

**WHEREAS**, § 7-12-4161, MCA, authorized the City Commission to assess the properties within the District using any combination of the assessment options provided by statute;

**WHEREAS**, the property in the District must be assessed to defray the cost of open space maintenance;

**WHEREAS**, the City Commission has estimated, as near as practicable, the cost of maintenance and improvements within the District for fiscal years 2020 and 2021;

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**WHEREAS,** it appears to be in the best interest of the City of Helena and the inhabitants thereof that certain public property within the District be excluded from the assessment; and

**WHEREAS,** the exclusion of the impervious area for private streets within licensed mobile home parks would be consistent with the City's policy to promote all types of affordable housing.

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

**Section 1.** It is the intention of the Helena City Commission to establish the assessment option for the District for fiscal years 2020 and 2021, and levy and assess all property within the District.

**Section 2.** That to defray the cost of maintenance and improvements within the District, it is the intent of the City Commission to specify the assessment option and levy assessments for each class of property as follows:

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	<b>CURRENT FY2019</b>	<b>PROPOSED FY2020</b>	<b>PROPOSED FY2021</b>
Base assessment	\$17.78	\$20.00	\$20.00
Additional assessment for lots/properties with more than 2,222 sq. ft. of impervious area	\$0.00332	\$0.006310	\$0.006310

All assessments are annual. A fifty percent (50%) assessment reduction will be applied for lots or parcels of land that qualify for the State of Montana Property Tax Assistance Program under Title 15, Chapter 6, MCA.

**Section 3.** For purposes of this resolution the following definitions apply:

A. "Impervious area" is the developed part of a lot or parcel that is impermeable to storm water infiltration, excluding:

1. all rights-of-way and publicly owned streets, runways, and taxiways;
2. all privately-owned streets within licensed mobile home parks; and
3. City-owned stormwater facilities, water storage reservoirs, and public utility sites.

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B. "Single parcels" are those parcels that are combined under common ownership and use and are assigned a single state-issued property ID number.

**Section 4.** 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 5.** 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