

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20645

A RESOLUTION OF INTENTION TO AMEND RESOLUTION NO. 19818 THAT CREATED SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 222 TO ALTER THE BOUNDARIES BY ADDING SIXTEEN STREETLIGHTS AND TO REMOVE PROPERTY IN SILD NO. 222 IN THE CITY OF HELENA, MONTANA

WHEREAS, § 7-12-4301, et seq., MCA, allows the City of Helena to create special improvement lighting districts and alter the boundaries thereof;

WHEREAS, on March 14, 2011, the City Commission considered and passed Resolution No. 19818 that created Special Improvement Lighting District No. 222 in the City of Helena;

WHEREAS, on July 25, 2011, the City Commission considered and passed Resolution No. 19856 that amended the boundaries of Special Improvement Lighting District No. 222 to include five (5) additional street lights;

WHEREAS, on June 23, 2014, the City Commission considered and passed Resolution No. 20085 that amended the boundaries of Special Improvement Lighting District No. 222 to include five (5) additional street lights;

WHEREAS, on July 27, 2015, the City Commission considered and passed Resolution No. 20190 that amended the boundaries of Special Improvement Lighting District No. 222 to include seventeen (17) additional street lights;

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WHEREAS, on February 26, 2018, the City Commission considered and passed Resolution No. 20430 that amended the boundaries of Special Improvement Lighting District No. 222 to include eight (8) additional street lights;

WHEREAS, the City of Helena now has before it a petition from R and D Partners, requesting further alteration of the boundaries of Special Improvement Lighting District No. 222 to include three additional phases to Crossroads at Mountain View Meadows; specifically:

- Lots 1-18 in Block 39 and Lots 22 and 23 in Block 46 of Craftsman Village Phase 4 of the Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3321782 (7 lights).
- Lot 2A in Block 43 of the Amended Plat of Craftsman Village Phase 1, of the Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3368415, Lot 21 in Block 44 of Craftsman Village Phase I of the Crossroads at Mountain View Meadows as shown on Certificate of Survey No. 3200059, and Lots 22-26 in Block 44 of the Craftsman Village Phase 5 of the

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Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3321786 (9 lights).

WHEREAS, the sixteen (16) additional lights on both sides of Bella View Street, Jeanette Rankin Street, Swift Current Street, and Twilight Avenue have been installed;

WHEREAS, R and D Partners has also requested to further alter the boundaries of Special Improvement Lighting District No. 222 to remove 11.012 acres of property from the District, known as Tract 2-A-2 as shown on Certificate of Survey No. 3206220, and shown on Exhibit "A" attached hereto;

WHEREAS, pursuant to Section 7-12-4354, MCA, a major modification of an existing special improvement lighting district is the addition of properties or lights if the addition increases the average assessments within the district by more than three percent (3%);

WHEREAS, the above petitions would result in a thirty-seven percent (37%) increase in the average assessments within the district;

WHEREAS, pursuant to 7-12-4351, MCA, the Helena City Commission may make a major modification after adopting a

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resolution of intention to do so either by motion of the Commission or upon presentation of a petition signed by the owners or agents of at least ten percent (10%) of the property interest within the district; and

WHEREAS, it appears to be in the best interests of the City of Helena, and the inhabitants thereof, specifically the inhabitants of Special Improvement Lighting District No. 222, that Resolution No. 19818 be amended again to alter the boundaries of the District to include all the property benefitted by the additional sixteen (16) lights and to exclude Tract 2-A-2 as shown on Certificate of Survey No. 3206220, all as shown on Exhibit "A" attached hereto.

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

Section 1. That it is the intention of the Commission of the City of Helena, Montana to amend Resolution No. 19818 that created Special Improvement Lighting District No. 222 ("District") in the City of Helena, for the purpose adding sixteen (16) additional streetlights in said lighting district and including twenty-seven (27) additional properties benefitted thereby in the District more specifically described as the following:

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- a. Lots 1-18 in Block 39 and Lots 22 and 23 in Block 46 of Craftsman Village Phase 4 of the Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3321782 (7 lights); and
- b. Lot 2A in Block 43 of the Amended Plat of Craftsman Village Phase 1, of the Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3368415, Lot 21 in Block 44 of Craftsman Village Phase I of the Crossroads at Mountain View Meadows as shown on Certificate of Survey No. 3200059, and Lots 22-26 in Block 44 of the Craftsman Village Phase 5 of the Crossroads at Mountain View Meadows, as shown on Certificate of Survey No. 3321786 (9 lights).

Section 2. The general character of the improvements to be made in the additional area is the installation and maintenance of an additional sixteen (16) lighting units with underground wiring, fiberglass or metal poles with 16-foot mounting heights, and Lexington Colonial luminaries with 42-watt light emitting diode.

Section 3. It is also the intention of the Commission of the City of Helena, Montana to amend Resolution No. 19818 the District

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in the City of Helena, for the purpose altering the boundaries of the District to remove 11.012 acres of property from the District, known as Tract 2-A-2 as shown on Certificate of Survey No. 3206220, and shown on Exhibit "A."

Section 4. The total estimated cost of maintaining said improvements, supplying electrical energy, and administration thereof for the sixteen (16) additional lights is **\$7,396.08** and the estimated costs for the enlarged District and removal of property is **\$50,703.53**, with the estimated cost being \$0.0256 per square foot of property owned, said amount to be paid by the property owners.

Section 5. The Helena City Commission shall hold a public hearing of this proposed amendment of Resolution No. 19818, via Zoom Meeting at webinar ID: <https://zoom.us/j/97173910717> at **6:00 p.m. on the 3rd day of May, 2021.** At such time, all protests that may be made against the proposed amendment of Resolution No. 19818 for Special Improvement District No. 222 shall be heard.

Section 6. The Clerk of the City Commission is hereby directed to give notice of the passage of this resolution of intention by publishing the notice of passage pursuant to § 7-1-

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4127, MCA. Further, a copy of said notice must be mailed to each person, firm or corporation having property within the special improvement lighting district.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 5th DAY OF APRIL, 2021.**

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DANNAI CLAYBORN

CLERK OF THE COMMISSION