

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 20737

A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR THE BUSINESS IMPROVEMENT DISTRICT AND LEVYING AN ASSESSMENT ON ALL PROPERTIES WITHIN THE DISTRICT FOR FISCAL YEAR 2023

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, Resolution No. 20589, passed January 13, 2020, re-created the District for another ten (10) year period;

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 2023 was submitted to the City Commission by the Board of Trustees for the District on March 23, 2022;

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; and

WHEREAS, a public hearing on this resolution was held by the City Commission on May 23, 2022, in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. and via Zoom

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Meeting at webinar ID: <https://zoom.us/j/91707939424>.

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

Section 1. The Helena City Commission approves the work plan and budget, as submitted by the District and attached hereto as Exhibit "A," and levies an assessment upon all properties within the District for the fiscal year 2023 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. \$425 per assessed property, plus;
2. \$0.03 per square foot of land area of assessed property, plus;
3. 3.00% of the taxable value of assessed property.

Excluded from the assessment are lots, tracts, or parcels

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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-public entities ("public property"):

1. \$425 per public property.

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

Section 2. If a property is not chargeable for the assessment described above by reason of state or federal law, said property shall be exempt from the assessment.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 23rd DAY OF MAY, 2022.



MAYOR


ATTEST:

CLERK OF THE COMMISSION

