

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20753

### A RESOLUTION OF INTENTION TO SPECIFY THE ASSESSMENT OPTION FOR THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2023, 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 benefited 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 year 2023;

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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 in order to prioritize affordable housing options in the city; 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 year 2023, 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:

	<b>CURRENT FY2022</b>	<b>PROPOSED FY2023</b>
Base assessment	\$20.00	\$20.00
Additional assessment for lots/properties with more than 2,222 sq. ft. of impervious area	\$0.006310	\$0.00801

All assessments are annual. A fifty percent (50%) assessment

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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. If an increase occurs in the number of benefited lots, tracts, or parcels within the boundaries of the district, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in MCA §7-12-4162(3)(b).

**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.

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

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hearing on this matter on August 22, 2022, in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. and via Zoom Meeting at webinar ID: <https://zoom.us/j/92797897907> 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 Clerk of the Commission is authorized and directed to cause notice of the passage of this resolution of intention as provided in §7-12-4177, MCA.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 25<sup>th</sup> DAY OF JULY, 2022.**

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DANNAI CLAYBORN

CLERK OF THE COMMISSION