

RESOLUTION NO. 14-_____

A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 313 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF SECURING AND PROVIDING ENERGY AND MAINTENANCE FOR NEW STREETLIGHTING, SETTING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATED RATE FOR ENERGY AND MAINTENANCE THEREOF, AN APPROXIMATE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFORE FOR THE FIRST YEAR, AND THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COSTS.

WHEREAS, the City Council of the City of Billings, Montana, on the 14th day of July, 2014, passed Resolution 14-10376, a Resolution of Intention to Create a Special Improvement Lighting Maintenance District designated as No. 313, setting the hearing on the creation of said District and hearing of protests against the extent and creation of said District, or any matter pertaining thereto, and thereafter gave notice by publication and mailing, all as required by law, and at said hearing which was held at the time and place specified in said Notice, all protests were heard and considered; and

WHEREAS, the City Council finds that the protests are insufficient to stop the creation of said district, and the protests are overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

SECTION 1:

That the City Council of the City of Billings, Montana does hereby create a District, to be known and designated as Special Improvement Lighting Maintenance District No. 313, hereinafter called the District, for the purpose of securing and providing energy and maintenance for new street lights for lighting said District.

SECTION 2:

That the boundaries of the District are as set forth in Resolution of Intention No. 14-10376, hereinafter called the Resolution, on file in the office of the City Clerk of Billings, Montana, and by this reference is incorporated herein and made a part hereof.

SECTION 3:

That the City Council hereby finds and determines that each property described within the Resolution of Intent, are especially benefited and affected by said improvements, and each of the properties are hereby declared to be the property to be assessed for the cost and expense of the electrical energy for and maintenance of said District.

SECTION 4:

That the general character of the improvements to be made is hereby declared to be as described in the Resolution and is by this reference incorporated herein and made a part hereof.

SECTION 5:

Yellowstone Valley Electric Cooperative shall provide energy to all of the lights. The City of Billings intends to establish the approximate contract rate for supplying electrical energy as follows: \$2.75 per light per month, or approximately \$495 per year for the 15 lights initially being installed. Future energy costs shall be in accordance with the standard rates established by Yellowstone Valley Electric for customers within this service area. That Yellowstone Valley Electric Cooperative shall pay the initial costs of installing the light fixtures, poles, cables, and other equipment incidental to operating the lighting and shall provide normal maintenance and repairs to said equipment as part of the monthly rate for these lights. The installation costs shall be amortized over a period not to exceed 30 years, and at the end of such time all the light fixtures, poles, cables, and other equipment incidental to operating the lighting shall become the property of the City of Billings. The estimated annual cost of routine maintenance and the recovery of capital investment is \$33 per light per month, or approximately \$5,940 per year for the 15 lights initially being installed.

SECTION 6:

That based upon the above figures, the estimated annual cost of the District for the initial fifteen (15) lights, including City administrative costs, is the sum of \$7,376.28. The entire cost shall be paid by the owners of the property within said District listed as part of the initial phase in Exhibits "A" and "B," with each lot, parcel or piece of land to be assessed for that portion of the whole cost which its assessable area bears to the total assessable area exclusive of streets, avenues, alleys and Heritage Trail Park. The estimated cost per year for property owners is on the basis of approximately \$0.01325298 per square foot of lot area.

