

RESOLUTION NO. 20-\_\_

A RESOLUTION REFERRING ORDINANCE NO. 20-\_\_\_\_, AMENDING THE CHARTER OF THE CITY OF BILLINGS TO PROVIDE FOR A PERMANENT, NON-CUMULATIVE MILL LEVY TO FUND PARKS, CEMETERIES, RECREATION, TRAILS, PUBLIC LANDS AND THE OPERATIONS, PROGRAMMING, MAINTENANCE, DEVELOPMENT, ACQUISITION, CAPITAL, PERSONNEL, AND RELATED EXPENSES OF THE FOREGOING, AND PRESENTING SUCH TO A VOTE OF THE PEOPLE AT AN ELECTION TO BE HELD ON \_\_\_\_\_, 2020.

**WHEREAS**, the Billings City Council adopted Ordinance 20-\_\_\_\_ amending the Charter of the City of Billings to provide for a non-cumulative, permanent mill levy to fund all of the City of Billings parks, cemeteries, recreation, trails, public lands, operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned; and,

**WHEREAS**, by law the ordinance must be submitted to a vote of the people; and,

**WHEREAS**, a majority of the electors voting on this question must approve the ordinance to amend the Billings City Charter; and,

**WHEREAS**, the ordinance should be referred to a vote of the people at a special mail ballot election to be held on \_\_\_\_\_, 2020.

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

1. **REFERENCE:** Ordinance Number 20-\_\_\_\_, being an ordinance amending the Charter of the City of Billings to provide for a permanent and not cumulative mill levy to fund parks, cemeteries, recreation, trails, public lands and the operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the foregoing, and referring the Charter amendment to a vote of the people at a special mail ballot election to be held \_\_\_\_\_, 2020. A full copy of Ordinance Number 20-\_\_\_\_ is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. **FORM OF BALLOT:** The form of the ballot shall be as provided by law and as

follows:

**Summary:** The purpose of this mill levy is to ask voters to approve or disapprove of a dedicated funding source for parks, cemeteries, recreation, public lands, trails and the operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the foregoing.

In fiscal year 2020 the Parks, Recreation, and Public Lands Department (PRPLD) received approximately \$6.3 million annually from two sources, the General Fund (\$4.3 million/21 mills) and Park District Number One (\$2.0 million). The City General Fund provides funding for the PRPLD along with many other City services. According to the Charter of the City of Billings, the General Fund is capped at 74 mills. If approved, funds currently allocated to PRPLD from the General Fund would become available to be allocated by City Council for other City services such as, Police, Fire, Code Enforcement, and Courts.

Upon approval of this levy City Council intends to address the dissolution of Park District Number One, and if dissolved the City will no longer collect assessments.

**Proposal:** On [City Council second reading] City Council passed ordinance 20-\_\_\_\_\_ referring this ballot to the voters for consideration. If approved by voters this levy would, provide a dedicated funding source to the Parks, Recreation, and Public Lands Department of up to 31 mills annually, which currently generates approximately \$6.3 million. If approved, the City Charter would read:

Section 1.06 Mill Levy to Fund Parks, Recreation, and Public Lands Department Expenses

In addition to the mill levies authorized by Sections 1.02, 1.03, 1.04, 1.05, and 1.05.1 of Article I, City Council may levy no more than thirty-one (31) mills for the purpose of funding the parks, cemeteries, recreation, public lands, trails, operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned.

Section 1.067 Construction. The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power stated in this article.

The effect of approval will authorize City Council to levy up to 31 mills for funding parks, cemeteries, recreation, public lands, trails, operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned and will impact property owners as described below.

The effect of disapproval will be to retain the funding for parks, cemeteries, recreation, public lands, trails and the operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned in the General Fund and retain Special Park District Number One created in 2011.

Shall the City be authorized to levy up to the following number of mills:

Approximately \$6,324,000 in FY 2021 (31 mills)

The property tax impact and increase on a home valued at \$100,000 is approximately \$41.58 per year in FY 2021. The impact on a home valued at \$200,000 is approximately \$83.70 for FY 2021.

The foregoing proposed mill levy would be permanent, not cumulative, commence in fiscal year 2021, and shall continue indefinitely in future fiscal years. This levy is in addition to any other mill levies authorized by City Charter or law.

- FOR** amending the City Charter to provide a mill levy for funding parks, cemeteries, recreation, public lands, trails, operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned as provided in Ordinance 20-\_\_\_\_\_.
- AGAINST** amending the City Charter to provide a mill levy for funding parks, cemeteries, recreation, public lands, trails, operations, programming, maintenance, development, acquisition, capital, personnel, and related expenses of the aforementioned as provided in Ordinance 20-\_\_\_\_\_.

3. **CERTIFICATION:** The City Clerk shall certify this resolution and Ordinance Number 20-\_\_\_\_\_ to the Yellowstone County Election Official as provided by law.

4. **EFFECTIVE DATE:** This resolution shall be effective upon adoption. **APPROVED AND PASSED** by the Billings City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF BILLINGS

By \_\_\_\_\_  
William A. Cole, Mayor

ATTEST:

\_\_\_\_\_  
Denise Bohlman, City Clerk