

RESOLUTION NO. 04-18204

A RESOLUTION OF THE BILLINGS, MONTANA CITY COUNCIL
ADOPTING GENERAL GUIDELINES AND STANDARD
PROCEDURES FOR SPECIAL IMPROVEMENT DISTRICTS FOR
CITY STREETS

WHEREAS, the City Council has heard testimony, on a case by case basis, from affected citizens that the City's policies regarding the creation and terms of Special Improvement Districts for roadway construction and reconstruction are inequitable and are inconsistently applied; and

WHEREAS, the Council formed a Special Improvement District Subcommittee in July of 2004 to review current procedures and develop a consistent policy for future SIDs; and

WHEREAS, the Special Improvement District Subcommittee has met several times and has examined possible methods to resolve citizen concerns about equity and consistency, and the Subcommittee has proposed standard procedures for Special Improvement Districts, to include General Guidelines, a policy for residential and collector street Special Improvement Districts, and a policy for arterial street Special Improvement Districts; and

WHEREAS, adoption of this policy will effectively address the concerns raised by the testimony the Council has heard concerning equity and consistency in City Special Improvement District procedures.

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

That the procedures proposed by the City Council Subcommittee on Special Improvement Districts, now makes and adopts the following

City of Billings
Policy for

Roadway Special Improvement Districts

Purpose:

The City of Billings is establishing a consistent Policy for the development of Special Improvement Districts. The Policy shall address the physical items to be assessed, properties eligible for assessment, and responsibilities for tasks. The Policy is in conformance with Billings City Council Resolution 87-15592 and M.C.A. 7-12-4102.

Policy:

General Guidelines:

- The establishment of all Special Improvement Districts (SID) will conform to the policies and practices established in Resolution No. 87-15592 of the City of Billings.
- Only those properties that are physically addressed to the street being improved would be assessed for the SID costs.
- The maximum street improvements a property contained in an SID could be assessed for would be the half (1/2) street standard as defined in the Subdivision Regulations, Chapter 23-601 for the length of the property. Commercial and residential property will be assessed by the following improvements:
 - The residential half street standard:
 - 16.5 feet of asphalt and base
 - concrete curb and gutter
 - 5 foot concrete sidewalk or the equivalent cost of a multi – use trail
 - The Commercial half street standard:
 - 22 feet of asphalt and base
 - concrete curb and gutter

- 5 foot concrete sidewalk or the equivalent cost of a multi – use trail
- The SID costs will include but not limited to financial services charges, bond fees, design, project administration, and construction.
- The scheduling of Special Improvement District projects will be subject to City Council approval in the Capital Improvement Program and capital funding availability.

Residential & Collector Streets SID Policy

- New streets: If the **residential or collector** street is new, the adjacent property owners will be responsible for the cost of developing to the residential street standards as described in the General Guidelines.
- Existing street: The adjacent property owner will be responsible for the development of the residential street section that is not complete. (Example: if the street does not have curb gutter and sidewalk, the adjacent property owner would be responsible for these improvements. The adjacent property owner would not be responsible for the construction of the asphalt surface if it exists.)

Arterial Streets SID Policy

- New streets: If the **arterial** street is new, the adjacent property owners will be responsible for the cost of developing to the residential street standards as described in the General Guidelines.
- Existing street: The adjacent property owner will be responsible for the development of the residential street section that is not complete. (Example: if the street does not have curb gutter and sidewalk, the adjacent property owner would be responsible for these improvements. The adjacent property owner would not be responsible for the construction of the asphalt surface if it exists.)
- Reconstruction of existing streets: If the street currently exists to City standards, the City of Billings will fund all improvement costs for reconstruction and / or widening of the facility.

General Procedures for Special Improvement Districts

Phase	Responsible Agency	Brief Description
Initialization	Public Works Dept.	This phase covers the initialization of the SID from inception to development of request for creation.
Creation	Public Works Dept.	Development of preliminary SID data, notification of property owners, preliminary cost estimate and creation of SID documents.
Council Approval	Public Works Dept. Legal Dept. Administrative Services Dept.	Creation of Council Resolution and City Council approval of SID creation.
Design	Public Works Dept.	Development of construction plans, final cost estimate, bid documents.

Phase	Responsible Agency	Brief Description
SID Bonds	Administrative Services Dept.	Award of bonds, printing of bonds registering of bonds and final closing of bond sale.
Bid SID	Public Works Dept.	Bid and select contractor.
Construction	Public Works Dept.	Construction phase of project.
SID Principal Spread	Administrative Services Dept. Public Works Dept.	Spreading of principal based on bids and notifying taxpayers of payment amounts.
Spreading principal and interest charges.	Administrative Services Dept.	Determination of cash flow requirements, spreading principal and interest charges and merging the per bib assessments with the SID assessment file.

APPROVED AND PASSED by the City Council of the City of Billings, this 12th day of October, 2004.



THE CITY OF BILLINGS:

BY: Charles F. Tooley
Charles F. Tooley MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC CITY CLERK
Deputy City Clerk