

RESOLUTION NO. 01-17776

RESOLUTION OF INTENTION REGARDING THE CITY COUNCIL'S PROPOSED USE OF ANY NEW REVENUES GENERATED BY THE RIGHT-OF-WAY RENTAL FEE – IF APPROVED BY THE VOTERS AND UPHELD BY THE MONTANA SUPREME COURT.

WHEREAS The City Council of the City of Billings adopted ordinance No. 00-5133 on October 10, 2000, and

WHEREAS said ordinance allows the collection of fees for the use of City rights of way, and

WHEREAS the voters of the City of Billings will vote to uphold or overturn said ordinance on November 6, 2001, and

WHEREAS The City estimates as much as \$6 Million annually may be generated from said fees, and

WHEREAS The City Council wishes to make known it's intent for the use of that money,

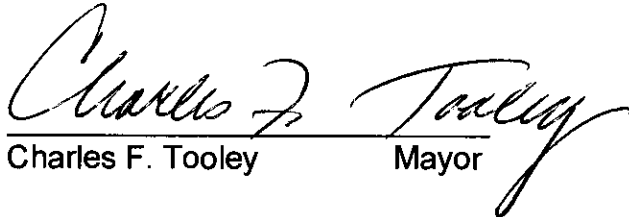
NOW THEREFORE BE IT RESOLVED By the City Council of the City of Billings that the intent of this City Council for the annual use of new moneys generated as a result of ordinance No. 5133 ~~shall be and~~ is as follows:

1. Public Safety Operations	<del>\$671,000</del>	\$1,650,000
2. Capital Project Funding	<del>\$2,000,000</del>	\$1,500,000
3. Park Maintenance Levels	<del>\$245,000</del>	\$ 250,000
4. Property Tax Reduction		\$2,000,000
5. Structural Deficit Reduction	<del>\$1,084,000</del>	REMAINDER

All as detailed on the attached EXHIBIT A.

PASSED AND ADOPTED by the City Council of Billings, Montana, this 22nd day of October, 2001.



  
Charles F. Tooley Mayor

Attest: Marita Herold

Marita Herold, CMC/AAE City Clerk

**EXHIBIT A**

## **PROPOSED USES OF RIGHTS OF WAY FEES**

<b><u>1. PUBLIC SAFETY OPERATIONS</u></b>	<b><u>\$674,000</u></b>	<b><u>\$1,650,000</u></b>
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a. <b>Police staffing</b>	<b>\$607,000</b>
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This would add 7 14 new police officer positions and related equipment, including 4 8 additional patrol cars, and ADDED VIA AMENDMENT: 2 civilian support positions.

The 7 14 officers would form a two new teams and result in 6 12 new officers on the street.

b. <b>Prosecutor</b>	<b><del>\$64,000</del></b>
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The addition of 7 14 new police officers will increase the need for prosecutors in the city attorney's office.

**ADDED VIA AMENDMENT:**

c. **Public Defender**

The addition of 7 14 new police officers will increase the need for public defenders in the city attorney's office.

<b><u>2. CAPITAL PROJECT FUNDING</u></b>	<b><u>\$2,000,000</u></b>	<b><u>\$1,500,000</u></b>
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These funds would be used for transportation improvement projects, SID contributions or incentives for major street improvements such as Shiloh, Bench, Grand, etc.

<b><u>3. PARK MAINTENANCE LEVELS</u></b>	<b><u>\$245,000</u></b>	<b><u>\$250,000</u></b>
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We would add 3 full-time and 4.5 season positions. These positions, with additional weed control, fertilizer and other supplies, will increase the level of park land maintenance improving the appearance and enjoyment of these important City facilities.

<b><u>4. PROPERTY TAX REDUCTION</u></b>	<b><u>\$2,000,000</u></b>
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Using \$2 Million of the ROW fee to reduce the General Fund Tax Levy would lower the rate in the general fund from 69.5 to 52 mills. This would be a 25% reduction in the general fund rate and a 17% reduction in the total City tax rate.

The total City tax rate would drop by 17.5 mills based on the current taxable value of 114,437,716, as certified by the State.

The reduction on a \$200,000 market value home would be \$124 per year.

<b><u>5. STRUCTURAL DEFICIT</u></b>	<b><u>\$1,084,000</u></b>	<b><u>REMAINDER OF ROW FEES</u></b>
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An estimated \$1,084,000 will be available to meet the current structural deficit of the General Fund.