

RESOLUTION NO. **03- 17970**

A RESOLUTION RELATING TO CERTAIN IMPROVEMENTS ALONG ST. ANDREWS DRIVE (W.O. 03-02, #1); DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO ORDER IN THE PROGRAM FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS UNDER THE MISCELLANEOUS/DEVELOPER-RELATED PROGRAM.

WHEREAS, the City is granted the power pursuant to M.C.A. 7-14-4109 to order certain improvements without creation of a special improvement district and certain sections of curb and gutter, sidewalks, drive approaches, alley approaches and/or appurtenant features have deteriorated, settled and cracked, or none exist, or some of the foregoing do not exist; and

WHEREAS, the safety and convenience of the public require installation, construction, reconstruction, repair or replacement of curbs and gutters, sidewalks, drive approaches, alley approaches, and/or appurtenant features or combinations thereof; and

WHEREAS, said improvements should be ordered as provided by law.

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

1. **INTENTION TO ORDER IN.** It is the intention of the Council to order the installation, construction, reconstruction, or replacements of certain curbs, gutters, sidewalks, drive approaches, alley approaches and appurtenant improvements in certain locations, which improvements and locations are more fully described in Exhibits "A" attached hereto, under the next available Miscellaneous/Developer-Related Improvements project, or Work Order 03-02, #1.
2. **AFFECTED PROPERTIES.** All properties, which will be required to pay any portion of the costs of the improvements identified herein, are listed and the owners of those properties are identified on Exhibit "B" attached hereto.
3. **ESTIMATED COSTS.** The estimated assessed costs of the proposed improvements, including construction costs, incidental expenses, engineering fees, legal fees, administrative fees and bond issuance costs, but exclusive of interest charges, will be \$26,200.00, as described below:

Construction Costs (w/contingencies)	\$21,350.00
Engineering & Administration	\$ 2,620.00
Bond Revolving Fund (5%)	\$ 1,310.00

Bond Discount Costs (3.5%) \$ 920.00
TOTAL ASSESSED COSTS \$26,200.00

Estimated unit costs for construction only, not including engineering, legal, administrative and bond costs as follows:

<u>Removal and Replacement of:</u>	<u>Unit Price:</u>
Remove and Replace Sidewalk	\$ 4.70/sq. ft.
Remove and Replace Curb and Gutter	\$22.00/lin. ft.
Remove and Replace Drive Approach	\$ 5.50/sq. ft.
Remove and Replace Alley Approach	\$ 5.50/sq. ft.
Street Reconstruction	\$20.00/sq. yd.

<u>New Construction:</u>	
New Sidewalk	\$ 3.70/sq. ft.
New Curb and Gutter	\$16.00/lin. ft.
New Drive Approach	\$ 4.50/sq. ft.
New Alley Approach	\$ 4.50/sq. ft.
Street Reconstruction	\$20.00/sq. yd.

The actual cost to be assessed against any benefited property will be determined by the actual amount of work done adjacent to the property.

4. **ASSESSMENT OF COSTS.** All costs of constructing the curbs, gutters, sidewalks, and drive approaches, including engineering, administrative and bond costs, will be assessed against the properties which are adjacent to the improvements installed. Assessments will be levied against 12 separate lots, parcels, or tracts.
5. **PERIOD OF ASSESSMENT.** The assessments for all improvements and costs shall be paid in not more than twelve (12) annual installments, plus interest, provided however, that payment of one-half of each annual installment, plus interest, may be deferred to May 31 of the year following the assessment.
6. **PASSAGE OF RESOLUTION.** Upon passage of this resolution, these proposed improvements, as described in Exhibit "A", shall be included in the Resolution of Intent for Work Order 03-02, #1, 2003 Miscellaneous Developer/Related Improvements, which will be presented to the City Council for approval on March 24, 2003.

PASSED by the City Council and APPROVED this 10th day of March, 2003.

CITY OF BILLINGS:

BY: _____
Charles F. Tooley MAYOR

ATTEST:

Marita Herold, CMC/AAE CITY CLERK

RE: St. Andrews Drive Improvements, WO 03-02, #1