

## **RESOLUTION 10221**

### **A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION TO RE-CREATE A TOURISM BUSINESS IMPROVEMENT DISTRICT NO. 1307 FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY OF GREAT FALLS, MONTANA**

**WHEREAS**, pursuant to Section 7-12-1101, MCA, the City Commission of the City of Great Falls, is authorized to create and appoint a board to administer to a Tourism Business Improvement District; and

**WHEREAS**, the Tourism Business Improvement District No. 1307 in the City of Great Falls was originally created by Resolution 9792 on December 2, 2008; and

**WHEREAS**, Section 7-12-1141, MCA specifies that a Tourism Business Improvement District shall not be for a period longer than ten (10) years unless the duration of the district is extended in compliance with the provisions for the creation of the district; and

**WHEREAS**, in accordance with Section 7-12-1111 (1) MCA, the City Commission of the City of Great Falls has been presented with petitions signed, and on file with the City Clerk, by 83% of the owners which exceeds the statutorily required more than 60% of the area of the property to be included in a Tourism Business Improvement District; and

**WHEREAS**, in accordance with Section 7-12-1102 MCA, the City Commission of the City of Great Falls has determined that this purpose promotes tourism, conventions, trade shows, marketing and travel to the City of Great Falls and the proposed district provides special benefits to the properties located within the boundaries of said district.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1 - Intent to Re-Create Tourism Business Improvement District. The TBID proposes that the purpose for which the assessments collection shall be used are the statutory purposes set forth in Business Improvement District Law, Section 7-12-1101 through 7-12-1144, for the funding of uses and projects for tourism promotion within Great Falls as specified in the TBID Budget.

Section 2 – Petition. The City Commission has received petitions, referenced as Exhibit “A”, and on file with the City Clerk’s office, signed by more than 60% of the owners of the property proposed to be included in the district. The City Commission also intends to conduct a public hearing to consider re-creating the TBID as provided for in the State Statute.

Section 3 – Number of District. The District, if the same shall be re-created shall be known and designated as the Tourism Business Improvement District No. 1307 of the City of Great Falls, Montana.

Section 4 – Boundaries of District. The limits and boundaries of the District are the limits and boundaries of the City of Great Falls and are depicted on a map attached as Exhibit “B” hereto (which is hereby incorporated herein and made a part hereof.) A listing of each of the properties in the District is shown on Exhibit “C” hereto.

Section 5 – Benefited Property. The District and territory included within the limits and boundaries described in Section 4 and as shown on Exhibit “B” are hereby declared to be the TBID and the territory, which will benefit, be benefited by and will be assessed for the costs of the TBID as described in Section 1.

Section 6 – General Character of the Services to be Performed. The services to be performed shall be the funding of uses and projects for tourism promotion within Great Falls as specified in the Great Falls TBID budget. It includes the marketing of convention and trade shows that benefit local tourism and lodging businesses in Great Falls; the marketing of Great Falls to the travel industry in order to benefit local tourism and the lodging businesses located within Great Falls TBID; and the marketing of Great Falls to recruit major sporting events in order to promote local tourism and to benefit the lodging businesses within the Great Falls TBID.

Section 7 – Assessment Methods; Property to be Assessed. All parcels with hotels, with six (6) or more rooms, defined as any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes and includes any hotel, inn, motel, or other similar structure or portion thereof, within the boundaries of the district are to be assessed for the costs of operating the Tourism Business Improvement District. Stays by persons who are otherwise exempt from paying a transient occupancy tax (aka lodging facility use tax), as provided in Section 15-65-101 through Section 15-65-136 MCA, shall be exempt from the assessment.

Section 8 – Assessable Area. All lodging facilities, as defined in Section 7, that are within the District will be assessed for the costs of tourism promotion and operating the TBID. The assessment formula recommended to the City Commission for applicable

lodging facilities with 31-40 rooms (Land Use Code 154) and lodging facilities with over 40 rooms (Land Use Code 155) shall be subject to an annual flat fee assessment of \$2.00 per occupied room night. Another assessment formula recommended to the City Commission for applicable lodging facilities with 1-10 rooms (Land Use Code 151), 11-20 rooms (Land Use Code 152) and 21-30 rooms (Land Use Code 153) shall be subject to an annual flat fee assessment of \$1.00 per occupied room night as prescribed in Section 7-12-1133(f) MCA. The new assessment methods will begin on July 1, 2018.

Section 9 – Payment of Assessments. The assessments for the costs of maintaining the services provided by the TBID shall be payable, as prescribed in Section 7-12-1133 MCA.

Section 10 – Duration of District. The duration of the TBID shall be for a period of ten (10) years as prescribed in Section 7-12-1141 MCA. Upon receipt of petitions signed by the owners of more than 50% of the area of the property included in the district, the City Commission shall dissolve the district at the end of any fiscal year.

Section 11 – Public Hearing; Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution of intent, any owner of real property within the proposed District subject to assessment and taxation for the cost and expense of maintaining the TBID may make and file with the City Clerk until 5:00 p.m. D.S.M.T., on the expiration date of said 15-day period from December 8, 2017 through December 23, 2017, written protest against the proposed TBID, and this Commission will at a regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on February 6, 2018 at 7:00 p.m. in the Commission Chambers, located on the Second Floor of the Civic Center, 2 Park Drive, in Great Falls, Montana.

Section 12 – Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a Notice of the passage of this Resolution, attached as Exhibit “D”, in the *Great Falls Tribune*, a newspaper of general circulation in Cascade County on December 8, 2017 and December 15, 2017, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said Notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the proposed district listed in his or her name upon the last completed assessment roll for State, County, and school district taxes, at his or her last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the Commission of the City of Great Falls, Montana, on this 5<sup>th</sup> day of December, 2017.

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Bob Kelly, Mayor

ATTEST:

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Darcy Dea, Deputy City Clerk

(SEAL OF CITY)

APPROVED FOR LEGAL CONTENT:

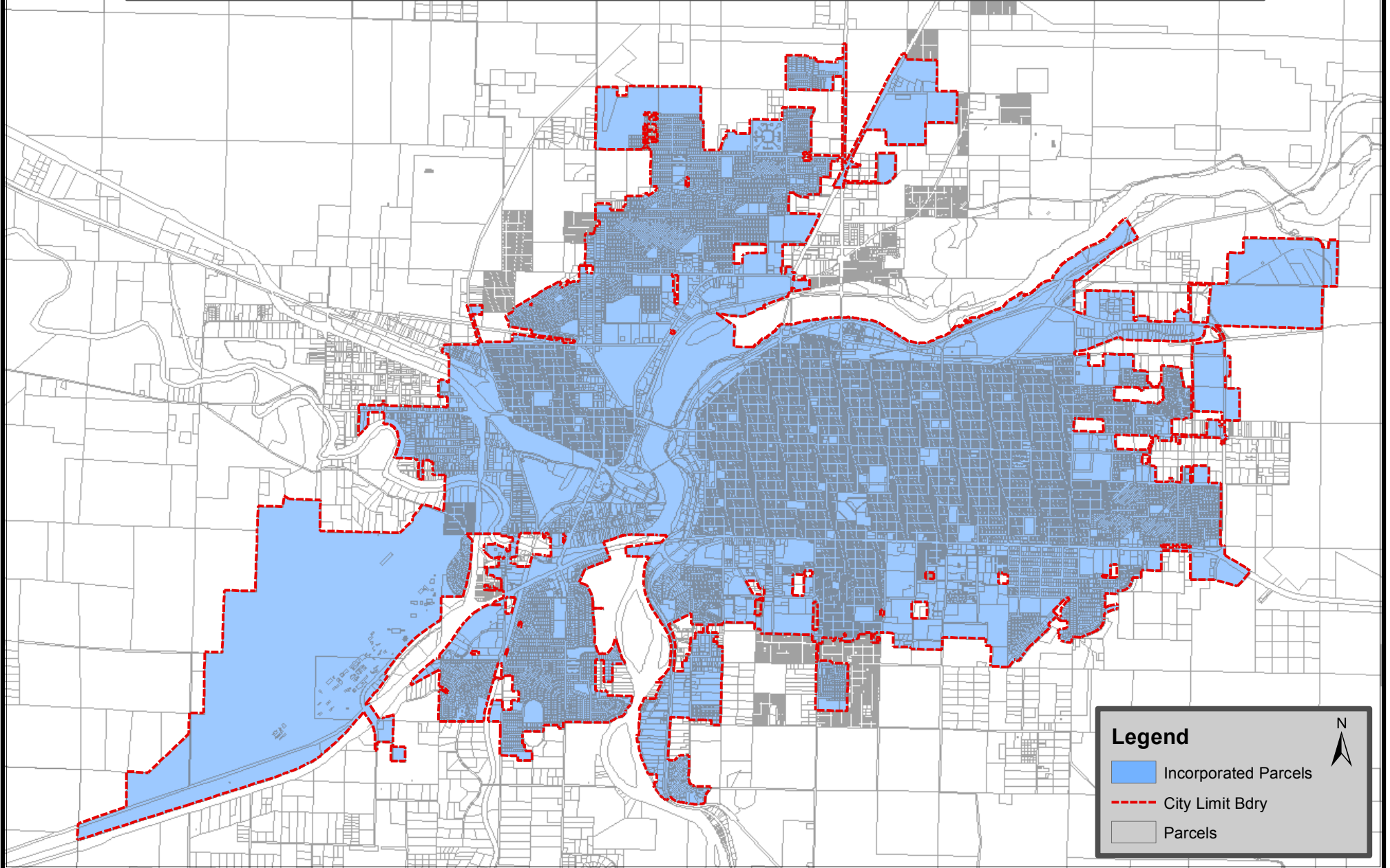
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Joseph P. Cik, Assistant City Attorney

**TOURISM BUSINESS IMPROVEMENT DISTRICT  
2018 RENEWAL  
PETITION/BALLOT PROCEEDINGS  
Resolution #10221 - Exhibit "A"**

			PETITION/BALLOT PROCESS				
	Property Owner	Lodging Facility	Parcel No.	2018	Total Sq.Ft.	Footprint %	Percentage
				Petition/Ballot Y/N/A			Needed > 60%
1	Shah Family Trust	Imperial Inn	122950	Y	15,000	0.74%	0.74%
2	Twedt Survivors Trust Etal	Mid-Town Motel	157350	Y	16,343	0.81%	0.81%
3	Josco Properties Inc	Greystone Inn	162050	Y	15,000	0.74%	0.74%
4	Mehta Properties Partnership	Royal Motel	185550	Y	22,500	1.11%	1.11%
5	Big Sky Development Ent	O'Haire Motor Inn	189075	Y	33,739	1.66%	1.66%
6	JJS World Enterprises LLC	Econolodge	191500	N	30,000	1.48%	0.00%
7	Arvon Block Development Venture LLC	Hotel Arvon	192200	Y	11,237	0.55%	0.55%
8	W2005/Fargo Hotels (Pool C) LPP	Great Falls Fairfield Inn	278000	N	52,500	2.59%	0.00%
9	Mehta Mark Etal	Central Motel	311500	Y	25,000	1.23%	1.23%
10	Forbes Properties Inc	Alberta Motel & Annex Court	314000	N	9,325	0.46%	0.00%
11	BRE ESA Properties LLC	Extended Stay America	526020	N	90,605	4.47%	0.00%
12	Great Falls Inn-Vestments LLC	La Quinta Inn & Suites	526040	Y	104,121	5.13%	5.13%
13	BRGF Enterprises LLC	Best Resting Great Falls Inn	716000	N	50,965	2.51%	0.00%
14	Great Falls Inn	Great Falls Inn	722415	N	18,584	0.92%	0.00%
15	Dhillon Hotels Inc	Holiday Inn	821600	Y	216,798	10.68%	10.68%
16	Corporation H Inc	Great Falls Comfort Inn	824600	Y	37,500	1.85%	1.85%
17	JK Great Falls LLC	Great Falls Holiday Inn Express	898060	Y	98,372	4.85%	4.85%
18	I15 Hotels LLC	Comfort Inn & Suites	898070	N	97,487	4.80%	0.00%
19	Russell Country Investors LLC	Hilton Garden Inn	972810	Y	153,374	7.56%	7.56%
20	Mehta Mukesh N	Plaza Inn	979200	Y	19,351	0.95%	0.95%
21	Kashmir Hospitality LLC	Super 8	979300	Y	66,429	3.27%	3.27%
22	Mehta Mukesh N	Western Motel a.k.a. Ski's	1047100	Y	26,964	1.33%	1.33%
23	Heritage Inn Inc	Best Western Heritage Inn	1083100	Y	265,805	13.10%	13.10%
24	Volk Roy D & Diane N	Motel 6	1083400	Y	146,606	7.22%	7.22%
25	<b>3 High Inc - Exempt</b>	<b>Airway Motel</b>	<b>1734800</b>	<b>N</b>	-	0.00%	0.00%
26	<b>Starlit Motel Inc - Exempt</b>	<b>Starlit Motel</b>	<b>1832800</b>	<b>N</b>	-	0.00%	0.00%
27	Coopers Troopers Limited Partnership	Days Inn	1861800	Y	191,228	9.42%	9.42%
28	West Bank Properties LLC	Staybridge Suites	1888950	Y	75,600	3.73%	3.73%
29	<b>Roy D &amp; Diane N Volk - Exempt</b>	<b>Crestview Inn &amp; Suites</b>	<b>1894100</b>	<b>N</b>	-	0.00%	0.00%
30	Great Falls Lodging Investors	Hampton Inn	1897650	Y	45,318	2.23%	2.23%
31	Great Falls Crystal Inn LLC	Crystal Inn	1900110	Y	93,464	4.61%	4.61%
32	<b>Malmstrom Inn &amp; Suites - Exempt</b>	<b>Malmstrom Inn &amp; Suites</b>	<b>NA</b>	<b>N</b>	-	0.00%	0.00%
<b>32</b>		<b>TOTALS</b>			<b>2,029,215</b>	<b>100%</b>	<b>83%</b>

***Tourism Business Improvement District No. 1307  
Map of District Boundaries  
Resolution 10221 – Exhibit "B"***



**TOURISM BUSINESS IMPROVEMENT DISTRICT  
LIST OF PROPERTIES WITHIN THE DISTRICT  
RESOLUTION #10221 - EXHIBIT "C"**

	PROPERTY OWNER	BUSINESS NAME	PARCEL NO.	SUB DIV	LOT	BLOCK	PROPERTY ADDRESS
1	Shah Family Trust	Imperial Inn	122950	GFO	13-14	255	601 2nd Ave N
2	Twedt Survivors Trust Etal	Mid-Town Motel	157350	GFO	5-6	307	526 2nd Ave N
3	Josco Properties	Greystone Inn	162050	GFO	8-9	317	621 Central Ave
4	Mehta Properties Partnership	Royal Motel	185550	GF1	1-3	355	1300 Central Ave
					W/2 Lot 10 & Lots		
5	Big Sky Development Ent	O'Haire Motor Inn	189075	GFO	11-14	361	17 7th St S
6	JJS World Enterprises LLC	Econolodge	191500	GFO	4-7	366	220 Central Ave
					E1/2 Lot 4 - All of		
7	Arvon Block Development Venture LLC	Hotel Arvon	192200	GFO	Lot 5	368	116 1st Ave S
8	W2005/Fargo Hotels (Pool C) LPP	Great Falls Fairfield Inn	278000	GF1	1- 7	513	1000 9th Ave S
9	Mehta Mark Etal	Central Motel	311500	GF5	11-14	603	715 Central Ave
					Lot 8 - E15' & E15' OF W35' OF N80'		
10	Forbes Properties Inc.	Alberta Motel & Annex Court	314000	GF5	Lot 9	607	1101 Central Ave W
11	BRE ESA Properties LLC	Extended Stay America	526020	BBP	3	1	800 River Dr S
12	Great Falls Inn-Vestments LLC	La Qunita Inn & Suites	526040	BBP	5	1	600 River Dr S
13	BRGF Enterprises LLC	Best Resting Great Falls Inn	716000	COW	1	1	5001 River Dr N
14	Great Falls Inn	Great Falls Inn	722415	DE2	2	1	1400 28th St S
15	Dhillon Hotel Inc	Holiday Inn	821600	G15	15	1	1100 5th St S
16	Corporation H LLC	Great Falls Comfort Inn	824600	G15	10	2	1120 9th St S
17	JK Great Falls LLC	Great Falls Holiday Inn Express	898060	GMP	7AA	1	1625 Market Place Dr
18	I15 Hotels LLC	Comfort Inn & Suites	898070	GMP	8	1	1801 Market Place Dr
19	Russell Country Investors LLC	Hilton Garden Inn	972810	HGI	2	1	2520 14th St SW
20	Mehta Mukesh N	Plaza Inn	979200	HL1	5, 6, 7	1	1224 10th Ave S
21	Kashmir Hospitality LLC	Super 8	979300	HL1	8-14	3	1214 13th St S
22	Mehta Mukesh N	Western Motel a.k.a. Ski's	1047100	LIN	11-19	2	2420 10th Ave S
23	Heritage Inn Inc	Best Western Heritage Inn	1083100	MNT	2-7	1	1700 Fox Farm Rd
24	Volk Roy D & Diane N	Motel 6	1083400	MNT	1	2	2 Treasure State Dr
25	<b>3 High Inc - EXEMPT</b>	<b>Airway Motel</b>	<b>1734800</b>	<b>UNA</b>	<b>1</b>	<b>8</b>	<b>1800 14th St SW</b>
26	<b>Starlit Motel Inc - EXEMPT</b>	<b>Starlit Motel</b>	<b>1832800</b>	<b>WGF</b>	<b>W40' 4 &amp; 5-12</b>	<b>34</b>	<b>1521 1st Ave NW</b>
27	Coopers Troopers Limited Partnership	Days Inn	1861800	WW4	1	1	101 14th Ave NW
					Tr 3, COS #4750, IN SESW, IN Lot		
28	West Bank Properties LLC	Staybridge Suites	1888950		7, Mark 2		201 3rd St NW
29	<b>Volk Roy D &amp; Diane N - EXEMPT</b>	<b>Crestview Inn &amp; Suites</b>	<b>1894100</b>		<b>In SENW Mark 5B</b>		<b>502 13th Ave S</b>
					Imps Only on State Land		
30	Great Falls Lodging Investors	Hampton Inn	1897650				2301 14th St SW
31	Great Falls Crystal Inn LLC	Crystal Inn	1900110	FJT	1	1	3701 31st St SW
32	<b>Malmstrom Inn &amp; Suites - EXEMPT</b>	<b>Malmstrom Inn &amp; Suites</b>	<b>NA</b>				<b>7028 4th Ave N</b>

**LEGAL NOTICE**

**EXHIBIT "D"**

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of December, 2017 the City Commission of the City of Great Falls, Montana adopted Resolution 10221 entitled:

**A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION TO RE-CREATE A TOURISM BUSINESS IMPROVEMENT DISTRICT NO 1307 FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY OF GREAT FALLS, MONTANA**

Resolution No. 10221 is on file in the office of the City Clerk, (406) 455-8451, Civic Center, 2 Park Drive, Great Falls, Montana, to which reference is hereby made for a full description of the boundaries of said district.

The City Commission of the City of Great Falls, Montana, has determined that this purpose promotes tourism, conventions, trade shows and travel to the City of Great Falls and provides special benefit to the properties located within the boundaries of said district.

The City Commission of the City of Great Falls, Montana, will be in session on the 6<sup>th</sup> day of February, 2018 at 7:00 pm, in the Commission Chambers, Civic Center, 2 Park Drive, Great Falls, Montana, at which time and place the City Commission will hear objections to the intent to re-create said Tourism Business Improvement District. Any person or persons, who are owners of any property within said Tourism Business Improvement District, who shall, within 15 days after the first publication of this notice have delivered to the City Clerk of the City of Great Falls, a protest in writing against the proposed re-creation of said Tourism Business Improvement District, shall have the right to appear at said meeting in person or by counsel, and show cause, if any there be, why such an improvement district should not be re-created.

Publication Date: December 8, 2017 and December 15, 2017.