

RESOLUTION 9987

A RESOLUTION LEVYING AN ASSESSMENT ON ALL PROPERTIES WITHIN THE GREAT FALLS TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) NO. 1307

WHEREAS, the City Commission of the City of Great Falls, is authorized to create and administer a business improvement district as provided by 7-12-1101 through 7-12-1151 M.C.A.; and,

WHEREAS, the City is authorized, more specifically by 7-12-1101 through 1144 M.C.A., to create a Tourism Business Improvement District to promote tourism, conventions, trade shows, and travel to the City of Great Falls; and,

WHEREAS, the City Commission received petitions signed by more than the minimum requirement of 60 percent of the owners of the property proposed to be included in the district, and are on file in the City Clerk's office; and,

WHEREAS, the City Commission conducted a public hearing to consider establishing the TBID as provided for in State Statute; and,

WHEREAS, on December 2, 2008, the City Commission approved Resolution 9792 creating the Tourism Business Improvement District No. 1307 in Great Falls, Montana for a duration of ten (10) years; and,

WHEREAS, a Board of Directors for the Tourism Business Improvement District has been appointed and said Board has developed and submitted a Work Plan and Proposed Budget to the City Commission of the City of Great Falls; and,

WHEREAS, the City Commission is required by 7-12-1132 (b) M.C.A. to conduct a public hearing to hear objections to the work plan and budget, and may modify as it considers necessary and appropriate; and,

WHEREAS, the City Commission of the City of Great Falls, is authorized to require all or any portion of the cost of funding all uses and projects for tourism promotion within Great Falls, as specified in the Great Falls TBID budget, be paid by the owners of the property embraced within the boundaries of such a district; and,

WHEREAS, the City Commission of the City of Great Falls, is authorized to annually assess and collect the entire cost of the district against the entire district using a method, which best ensures that the assessment on each lot or parcel is equitable in proportion to the benefits to be received as provided by 7-12-1133 M.C.A.

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

Section 1

That on August 7, 2012, the City Commission of the City of Great Falls held a public hearing on

any objections to the Work Plan and Proposed Budget with the understanding that approval of the two documents would necessitate the levying of an assessment on all the property in the district.

Section 2

That all parcels with hotels, with six 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 TBID. Stays by persons who are otherwise exempt from paying a transient occupancy tax (a.k.a lodging facility use tax), as provided in Sections 15-65-101 through 15-65-136 M.C.A, shall be exempt from the assessment.

The assessment formula recommended to the City Commission will be a flat fee of one dollar (\$1.00) per occupied room night as prescribed in Section 7-12-1133 (c) MCA.

The assessment requested for 2012/2013 is based on the above assessment formula and will generate approximately FOUR HUNDRED FOURTEEN THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$414,514) in assessment revenue.

Section 3

That, due to overwhelming support for a Tourism Business Improvement District and concurrence with the assessment formula, the City Commission of the City of Great Falls hereby approves the levying of the assessment as indicated on the assessment projection summary attached to this resolution as Exhibit "A"¹.

PASSED by the Commission of the City of Great Falls, Montana, on this 4th day of September, 2012.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(Seal of the City)

1 Exhibit not available online; on file in City Clerk's Office.

APPROVED FOR LEGAL CONTENT:

David Nielsen
Interim City Attorney