COUNCIL RESOLUTION NO. 17-60

A RESOLUTION ESTABLISHING THE ASSESSMENT FOR FISCAL YEAR 2018 ON THE PROPERTIES INCLUDED IN SPECIAL TOURISM BUSINESS IMPROVEMENT DISTRICT NO. 1, WHICH WAS ESTABLISHED IN 2011 FOR THE PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

WHEREAS, Title 7, Chapter 12, Part 11 MCA, authorizes local governments to create Tourism Special Improvement Districts (TBID) for the purpose of promoting tourism, conventions, trade shows and travel within the district; and

WHEREAS, the governing body of the City-County of Butte-Silver Bow, Montana (“governing body”) created a TBID in 2011, through the passage of Resolution 11-8, to be known, designated and numbered as Special TBID No. 1.; and

WHEREAS, through Resolution 11-8, the governing body established the boundaries of the TBID No. 1 and developed a listing of the properties to be assessed by the creation of the TBID No. 1; and

WHEREAS, through Resolution 11-8, the governing body authorized monies to be assessed and collected from eligible properties within the TBID No. 1 to be used for the purposes set forth above.
WHEREAS, through Resolution 11-8, the governing body determined that the assessments made by eligible property owners within the TBID No. 1 may be modified annually through the adoption of a Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA:

SECTION 1: The Council of Commissioners created, established and ordered Special TBID No. 1 in Butte-Silver Bow, Montana, in 2011 through the passage of Resolution 11-8.

SECTION 2: That the boundaries of said Special TBID No. 1 were designated and described and set forth on the map denoted as Exhibit “A”, attached and incorporated as part of Resolution 11-8.

SECTION 3: That the listing of the properties of said Special TBID No. 1, which will benefit, be benefitted by and assessed the costs of the Special TBID No. 1, were designated and listed on Exhibit “B”, attached and incorporated as part of Resolution 11-8.

SECTION 4: That Resolution 11-8 provided that the general character of the services to be performed by the Special TBID No. 1, included the marketing of the City-County of Butte-Silver Bow as the location for convention and trade shows that benefit local
tourism and the businesses providing lodging; the marketing of the City-County of Butte-Silver Bow, Montana to the travel industry; and the marketing of the City-County of Butte-Silver Bow, Montana to recruit major sporting events in order to promote local tourism and benefit the businesses providing lodging within the Special TBID No. 1.

SECTION 5: Following adoption of Resolution 11-8, the governing body passed an ordinance, codified as Chapter 2.90 in the Butte-Silver Bow Municipal Code providing that the Chief Executive appoint and the governing body approve the appointment of not less than five or more than seven owners of property or their assignees within the Special TBID No. 1 to comprise a Board of Trustees of Special TBID No. 1 and further providing that this Board of Trustees shall comply with all of the provisions of state law set forth in Sections 7-12-1121 through 7-12-1133 MCA, including providing a work plan and an annual budget to the governing body for the City-County of Butte-Silver Bow, Montana for each fiscal year.

SECTION 6: That through Resolution 11-8, the governing body required 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 Special TBID No. 1, be assessed an annual flat fee assessment of one dollar $1.00 per occupied room night as set forth in Section 7-12-1133(1)(c)MCA.

SECTION 7: That Resolution 11-8 provided that those assessments may be modified annually by adoption of a Resolution or adoption of the City-County’s budget.

SECTION 8: That the governing body has determined that the annual assessment for all the property owners within TBID No. 1 shall be $1.00 per occupied room night.

SECTION 9: That this Resolution shall be in full force and effect from and after passage and approval.

PASSED this 4th day of October, 2017.

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JOHN MORGAN
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS
APPROVED this 4th day of October, 2017.

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DAVE PALMER
CHIEF EXECUTIVE

ATTEST:

SALLY J. HOLLIS
CLERK AND RECORDER

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EILEEN JOYCE
COUNTY ATTORNEY

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SHERYL RALPH
CHAIRMAN, JUDICIARY COMMITTEE