

RESOLUTION NUMBER

A RESOLUTION TO EXTEND THE DURATION OF THE MISSOULA DOWNTOWN BUSINESS IMPROVEMENT DISTRICT FOR A PERIOD OF 10 YEARS.

WHEREAS, pursuant to 7-12-1101, et seq., MCA, the City of Missoula is authorized to create and extend the duration of business improvement districts; and,

WHEREAS, the Missoula City Council adopted Resolution 6898 on April 4, 2005, establishing the Missoula Downtown Business Improvement District; and

WHEREAS, in accordance with 7-12-1111 (1) MCA, the City of Missoula has been presented with petitions requesting renewal of the district that are signed by more than the statutorily required 60%, of the area of the property to be included in the Business Improvement District, the exterior boundaries of which are shown on the attached Exhibit "A" and which by this reference is made a part hereof; and,

WHEREAS, the aforementioned petition requests that the City of Missoula create a business improvement district for a period of ten (10) years, pursuant to Section 7-12-1141, MCA; and

WHEREAS, the proposed district as shown in Exhibit A meets the requirements of 7-12-1111 MCA because it complies with applicable zoning regulations, and the district does not include areas that are zoned primarily residential; and

WHEREAS, pursuant to 7-12-1112 MCA, the Missoula City Council adopted Resolution 8398 announcing its intention to extend the duration of the Business Improvement District and set a public hearing on the matter for December 16, 2019; and

WHEREAS, pursuant to 7-12-1112 MCA, the City Clerk caused notice to be published on December 1 and 8, 2019, the *Missoulian*, a local newspaper of general circulation, announcing the adoption of Resolution 8398. The City Clerk mailed a notice on November 29, 2019, to every owner of real property within the proposed district listed on the last-completed assessment roll for state, county, and school district taxes, at the owner's last-known address, describing the general purpose of the district and stating that protests against the creation of the district would be accepted until 5 p.m. on December 16, 2019, The notice stated the Missoula City Council would conduct a public hearing on December 16, 2019, in City Council Chambers, 140 W. Pine St., Missoula, MT at 7:00 p.m. to hear and consider all protests that may be made against the extension of the district. The letter included the notice that was published in the newspaper, referred to the resolution of intention on file with the Missoula City Clerk, which includes a map of the proposed boundaries of the district; and

WHEREAS, the City Clerk office has received letters in protest of the district as follows:

	Owners	Taxable Value	Estimated BID assessment
Number protesting	13	\$293,096	\$10,553.28
Total number aggregated	445	\$10,171,311	\$397,718.87
Percent of total	2.92%	2.88%	2.65%

WHEREAS, the Missoula City Council conducted a public hearing on the creation of the Business Improvement District on December 16, 2019, at 7 p.m. and provided any property owner or their agent and any citizen an opportunity to comment either for or against the creation of the Business Improvement District; and

WHEREAS, in accordance with 7-12-1114 MCA, protests do not exceed the following statutory requirements for the creation of a business improvement district:

- (a) owners of property within the proposed district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of property within the district;
- (b) not less than 50% of the owners of property within the district; or
- (c) owners of property within the proposed district having projected assessments, when aggregated, representing not less than 50% of the total projected assessments for property within the district; and

NOW THEREFORE BE IT RESOLVED, the Missoula City Council hereby finds the business improvement district will promote the health, safety, prosperity, security and general welfare of the inhabitants of the City of Missoula and the proposed district, the people of the state of Montana, and provides special benefit to the property located within the boundaries of said proposed district, and aids in tourism, promotion and marketing within the district, thus the Missoula City Council hereby extends the duration of the Downtown Business Improvement District for a period of ten (10) years.

BE IT FURTHER RESOLVED, the annual assessments for all properties, except those owned by the United States Federal Government, located within the district and are hereby initially established as follows and may be amended in accordance with 7-12-1133 MCA:

Type of Property	Zone 1	Zone 2
All property not referred to below	\$200 flat fee plus 2.5% of the property's taxable value	\$150 flat fee plus 2.0% of the property's taxable value
Land owned by the United States Federal Government	Exempt	Exempt
City (except parkland) land Missoula County land Missoula Parking Commission land	\$200 plus \$.035 cents per square foot	\$150 plus \$.035 cents per square foot
City park land	\$200 plus \$.015 cents per square foot	\$150 plus \$.015 cent per square foot
Properties zoned primarily residential (Zoning district letter begins with "R" under the City's zoning ordinance, Title 20)	Exempt	Exempt
Properties for which the property taxpayer has qualified for property tax assistance as provided by 15-6-134 and 15-6-193, MCA.	Exempt	Exempt
Residential storage units identified as separate taxable parcels	Exempt	Exempt
City and State public rights-of-way or parcels located in the river	Exempt	Exempt

BE IT FURTHER RESOLVED the district will continue to be governed by the Business Improvement District Board of Trustees in accordance with 7-12-1121 MCA comprised of 7 owners of property within the district to include designated representatives from the following:

1. Representative of Zone 1
2. Representative of Zone 2
3. Representative of Property south of the Clark Fork River

4. Large Property Representative (greater than 20,000 square feet)
5. Small Property Representative (less than 20,000 square feet)
6. Representative from the City of Missoula
7. One additional Representative

PASSED AND ADOPTED this _____ day of _____, 2020.

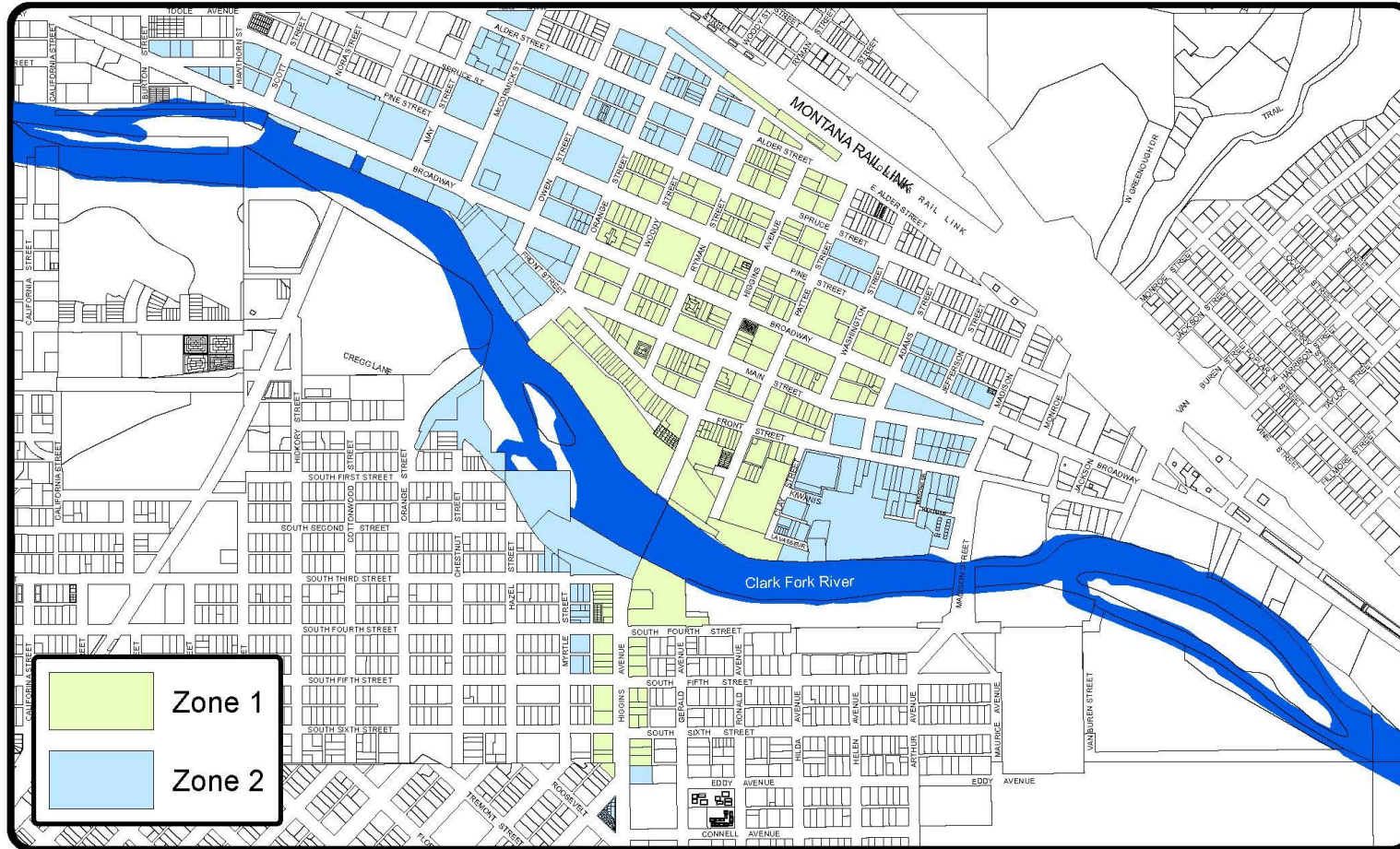
ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor

MISSOULA Business Improvement District 2020



Prepared by: Tod Gass
Missoula Redevelopment Agency
Date: November 6, 2019