

RESOLUTION NO. 14-10404

A RESOLUTION DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE A BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROVIDING CERTAIN SAFETY SERVICES AND MAINTAINING THE COMMON AREA IMPROVEMENTS AND OTHER PORTIONS OF IMPROVEMENTS MADE IN DOWNTOWN, CITY OF BILLINGS, MONTANA

BE IT RESOLVED by the City Council of the City of Billings (the "City"), Montana, as follows:

Section 1. Proposed Business Improvement District (B.I.D.); Intention to Create Business Improvement District. The B.I.D. proposes to maintain certain special improvements and safety services to benefit certain property located in the City of Billings, Montana. The purpose of this B.I.D. is to provide funding for the purposes and powers that will serve a public use; will promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of this state; and will be of special benefit to the property within the boundaries of any district created pursuant to the provisions of Montana Code annotated, Title 7, Chapter 12, Part 11, as amended.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as the Business Improvement District No. 0001 of the City of Billings, Montana.

Section 3. Boundaries and Benefit Zones of District. The limits and boundaries of the District are depicted on a map attached as "Exhibit A" hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on "Exhibit B" hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on "Exhibit C" hereto.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibit "A" are hereby declared to be the Business Improvement District and the territory which will benefit and be benefited by and will be assessed for a portion of the costs of the maintenance and services as described in Section 1.

Section 5. General Character of the Service and Maintenance to be performed. The general character of the maintenance and service includes public sidewalk sweeping, security and safety services, public sidewalk pedestrian passage management of snow accumulation and graffiti removal and abatement and maintaining other sidewalk furniture, equipment and improvements installed in the public areas NOT including city streets, private property or alleyways.

Section 6. Assessment Methods; Property To Be Assessed. All properties within the District are to be assessed for a portion of the costs of safety services and maintaining the sidewalk Public Area Improvements in Business Improvement District, as specified herein. And, pursuant to 7-12-1133 subsection (f), M.C.A. the District, in the first year, shall

have two assessment classifications known as the Safe Zone and the Clean and Safe Zone. The costs of maintaining the Improvements and providing safety services shall be assessed against the property in the District benefiting from the improvements and based upon the classification.

Section 7. Assessable Area. All properties in the District will be assessed for their classified and proportionate share of the costs of maintaining the activities of the Business Improvement District. The assessments to fund the work plan for the Clean and Safe Zone Classification, for the first year are to be a total amount derived by adding: \$0.0495 for each square foot of Lot as prescribed in Section 7-12-1133, subsection (b); AND \$0.0007020 per dollar of taxable value as prescribed in Section 7-12-1133, subsection (c); AND \$0.02288 per square foot of the building above the first floor as prescribed in Section 7-12-1133, subsection (d), M.C.A. And the assessments to fund the work plan for the Safe Zone Classification, for the first year are to be the total amount derived by one of the following methods: a single \$150 flat rate fee for all residential condominium properties proportionate to the percentage of unit ownership of the whole OR a \$150 flat rate fee divided by the number of taxcodes if the total ownership is less than 33,333 sq. ft. as prescribed in Section 7-12-1133, subsection (c), M.C.A. OR \$0.00249 per square foot of total area of all owned parcels within the classified area is more than 3 Million square feet, OR \$0.00319 per square foot of total area of all owned parcels within the classified area is more than 2 Million square feet and less than 3 Million square feet, OR \$0.00224 per square foot of total area of all owned parcels within the classified area is more than 1.1 Million square feet and less than 2 Million square feet, OR \$0.00450 per square foot of total area of all owned parcels within the classified area is more than 33,333 square feet and less than 1.1 Million square feet as prescribed in Section 7-12-1133, subsection (d), M.C.A.

Section 8. Payment of Assessments. The assessments for the costs of maintaining the services provided by the Business Improvement District shall be payable, as prescribed in Section 7-12-1133 subsection (e), M.C.A.

Section 9. Duration of District. The duration of the B. I. D. shall be for a period of 10 years as prescribed in Section 7-12-1141, M.C.A.

Section 10. 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, any owner of real property within the proposed District subject to assessment and taxation for the cost and expense of maintaining the Business Improvement District may make and file with the City Clerk until 5:00 p.m., M.T., on the expiration date of said 15-day period from October 31, 2014 through November 14, 2014, written protest against the proposed Business Improvement District, and this Council will at its next 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 Monday, November 24, 2014 at 6:30p.m., in the Council Chambers, located on the Second Floor of the City Hall-Police Department at 220 North 27th Street, in Billings, Montana.

Section 11. 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 in the Billings Times, a newspaper of general circulation in

the County on Thursday, October 30, 2014, and Thursday, November 6, 2014, 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 last-known address, on or before the same day such notice is first published.

Section 12. Effective Date: This resolution shall become effective on August 22, 2015.

APPROVED by the City Council of the City of Billings, Montana, this 27th of October, 2014.

The City of Billings



BY: Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin
Cari Martin, City Clerk

Exhibit A

Contiguous to and surrounding the current boundaries of BID No. 0001 the new boundary is described as follows:

Beginning at the centerline intersection of 6th Avenue North and North 32nd Street; Thence along said 6th Avenue North centerline in a northeasterly direction to the centerline intersection with the alley centerline between North 31st Street and North 30th Street; thence along said alley centerline in a northwesterly direction to the centerline intersection with 12th Avenue North; thence along said 12th Avenue North centerline in a northeasterly direction to the centerline intersection with North 30th Street; thence along said North 30th Street centerline in a northwesterly direction to the centerline intersection with the centerlines of Elevation Avenue and Grandview Boulevard; thence along said Grandview Boulevard centerline in a westerly direction to the centerline intersection with Locust Street; thence along said Locust Street centerline in a northerly direction to the centerline intersection with Poly Drive; thence along said Poly Drive Centerline in an easterly direction to the centerline intersection with North 27th Street;

thence along said North 27th Street centerline in a southeasterly direction to the centerline intersection of 10th Avenue North; thence along said 10th Avenue North centerline in a northeasterly direction to the centerline intersection with North 25th Street; thence along said North 25th Street centerline in a southeasterly direction to the centerline intersection with 9th Avenue North; thence along said 9th Avenue North centerline in a southwesterly direction to the centerline intersection with North 26th Street; thence along said North 26th Street centerline in a southeasterly direction to the centerline intersection with 7th Avenue North; thence along said 7th Avenue North centerline in a northeasterly direction to the centerline intersection with North 25th Street; thence along said North 25th Street centerline in a southeasterly direction to the centerline intersection with 6th Avenue North; thence along said 6th Avenue North centerline in a northeasterly direction to the centerline intersection with North 22nd Street; thence along said North 22nd Street centerline in a northwesterly direction to the centerline intersection with 8th Avenue North; thence along said 8th Avenue North centerline in a northeasterly direction to the centerline intersection with North 19th Street; thence along said North 19th Street centerline in a southeasterly direction to the centerline intersection with 6th Avenue North; thence along said 6th Avenue North centerline in a northeasterly direction to the centerline intersection with North 18th Street; thence along said North 18th Street centerline in a southeasterly direction to a point on the northerly right-of-way line of Burlington Northern – Montana Rail Link spur line; thence along said northerly right-of-way line of Burlington Northern – Montana Rail Link spur line in a southwesterly direction to the centerline intersection with North 20th Street; thence along said North 20th Street centerline in a northwesterly direction to the intersection of the projected southerly alley right-of-way line of the northeasterly/southwesterly alley of Blocks 262 and 263 of Billings Original Town, Recorded September 1, 1884, under Document No. 16312, Records of Yellowstone County; thence along said southerly alley right-of-way line in a southwesterly direction for an approximate distance of 570 feet to the projected alley centerline of the northwesterly/southeasterly alley of said Block 263; thence along said alley centerline in a southeasterly direction to a point on the southerly right-of-way line of Burlington Northern –

Montana Rail Link spur line, point also being the alley centerline of Block 14 of said Billings Original Town; thence along said the northerly line of Block 14 in a southwesterly direction to the northwesterly corner of Lot 13, of said Block 14; thence along the westerly line of said Block 14 to the centerline intersection with 4th Avenue North; thence along said 4th Avenue North Centerline in a northeasterly direction to the intersection of the projected east lot lines of Lots 1A – 12A, Block 38 of Amended Plat of a Portion of Lots 1 through 12, Block 38, Town Of Billings, Recorded November 1, 1973, under Document No. 947494, Records of Yellowstone County; thence along said east lot lines of Lots 1A – 12A in a southeasterly direction to the centerline intersection with 3rd Avenue North; thence along said 3rd Avenue North centerline in a southwesterly direction to the centerline intersection with North 22nd Street; thence along said North 22nd Street centerline in a southeasterly direction to the centerline intersection with 2nd Avenue North; thence along said 2nd Avenue North centerline in a northeasterly direction to the centerline intersection with North 20th Street; thence along said North 20th Street centerline in a southeasterly direction to the centerline intersection with 1st Avenue North; thence along said 1st Avenue North centerline in a northeasterly direction to the northwesterly/southeasterly alley centerline intersection of Block 118 of said Billings Original Town; thence along said alley centerline in a southeasterly direction to the southwesterly/northeasterly alley centerline of said Block 118; thence along said alley centerline in a southwesterly direction through said Block 118 and also Block 117 of said Billings Original Town to the centerline intersection with North 20th Street; thence along said North 20th Street centerline in a southeasterly direction to the centerline intersection with Montana Avenue; thence along said Montana Avenue centerline in a southwesterly direction to a point, said point being perpendicular to the most southeast lot corner of Lot 1, Block 115 of said Billings Original Town; thence along a line, said line being perpendicular to Montana Avenue centerline in a southeasterly direction to the most southeasterly corner represented by Tax Code Parcel D12271; thence along a line, said line being more or less parallel to the centerline of Montana Avenue in a southwesterly direction and encompassing said Tax Code Parcel D12271, and Tax Code Parcels D12017A, I00251A, D12017, and D12018 to the east right-of-way line of South 27th Street; thence along said east right-of-way line in a southeasterly direction to the most northwest lot corner represented by Tax Code Parcel D12514; thence along a line, said line being more or less parallel to the centerline of Minnesota Avenue in a northeasterly direction for an approximate distance of 1720 feet to a point, said point being perpendicular to the centerline of said Minnesota Avenue; thence along a line, said line being perpendicular to Minnesota Avenue in a southeasterly direction to the centerline intersection of Minnesota Avenue; thence along said Minnesota Avenue centerline in a northeasterly direction to the centerline intersection with South 21st Street; thence along said South 21st Street centerline in a southeasterly direction to a point on the east section line of Section 3, Township 1 South, Range 26 East, Yellowstone County Montana, P.M.M., thence along said west section line in a southerly direction to the centerline intersection with 8th Avenue South; thence along said 8th Avenue South centerline in a southwesterly direction to the centerline intersection with South 31st Street; thence along said South 31st Street centerline in a northwesterly direction to the centerline intersection with 6th Avenue South; thence along said 6th Avenue South centerline in a northeasterly direction to the centerline intersection with South 28th Street; thence along said South 28th Street centerline in a northwesterly direction to the centerline intersection with 5th Avenue South; thence along said 5th Avenue South centerline in a northeasterly direction to the alley centerline intersection of Block 183 of said Billings Original Town; thence along said alley centerline in a northwesterly direction through said Block 183 and

Block 169 of Billings Original Town to the centerline intersection with 3rd Avenue South; thence along said 3rd Avenue South centerline in a northeasterly direction to the centerline intersection with South 27th Street; thence along said South 27th Street centerline in a northwesterly direction to the centerline intersection with 2nd Avenue South; thence along said 2nd Avenue South centerline in a southwesterly direction to the centerline intersection with South 33rd Street; thence along said South 33rd Street centerline in a northwesterly direction to a point, said point being on the northerly right-of-way line of 1st Avenue South; thence along said northerly right-of-way line in a northeasterly direction to the southwest corner of Lot 1-A, Block 1 of Amended Plat of Lot 1, Block 1, Barnard Subdivision, Recorded October 27, 2010, under Document No. 3567881, Records of Yellowstone County; thence along the boundary of said Lot 1-A the following course, N 34°36'30" W for a distance of 143.00 feet, N 55°23'30" E for a distance of 277.00 feet, S 34°36'30" E for a distance of 12.00 feet, N 55°23'30" E for a distance of 58.00 feet to a point on the westerly right-of-way line of South 30th Street; thence N 55°23'30" E for a distance of 40.00 feet to the centerline of said South 30th Street; thence along said South 30th Street centerline in a northwesterly direction to the centerline intersection with Minnesota Avenue; thence along said Minnesota Avenue centerline in a northeasterly direction to a point, point being perpendicular to the most southwest lot corner represented by Tax Code Parcel D12019; thence along a line, said line being perpendicular to the centerline of Minnesota Avenue in a northwesterly direction to the most southwest lot corner represented by Tax Code Parcel D12019; thence along a line, said line being more or less parallel to the centerline of Minnesota Avenue in a northeasterly direction to a point, said point being on the west right-of-way line of South 27th Street; thence along said west right-of-way line in a northwesterly direction to the most southeast lot corner represented by Tax Code Parcel A29916; thence along a line, said line being more or less parallel to the centerline of Montana Avenue in a southwesterly direction to the centerline intersection with North 29th Street; thence along said North 29th Street centerline in a northwesterly direction to the centerline intersection with Montana Avenue; thence along said Montana Avenue centerline in a southwesterly direction to the centerline intersection with North 32nd Street; thence along said North 32nd Street centerline in a northwesterly direction to the centerline intersection with 6th Avenue North, said centerline intersection being the Point of Beginning, inclusive of all known tax codes in the expanded area herein.

BID 2014 Resolution



BID 0001 2014 assessments

Taxcode	Amount
A00001	\$ 150.00
A00004	\$ 29.21
A00005	\$ 75.00
A00006	\$ 75.00
A00007	\$ 150.00
A00008	\$ 75.00
A00009	\$ 75.00
A00010	\$ 150.00
A00011	\$ 126.04
A00016	\$ 188.96
A00041	\$ 126.04
A00042	\$ 176.42
A00042A	\$ 50.57
A00043	\$ 140.55
A00048	\$ 48.61
A00050	\$ 150.00
A00051	\$ 124.08
A00056	\$ 157.41
A00062	\$ 150.00
A00063	\$ 316.97
A00064	\$ 150.00
A00065	\$ 150.00
A00066	\$ 15.68
A00066A	\$ 78.80
A00067	\$ 94.48
A00068A	\$ 150.00
A00069	\$ 62.92
A00070	\$ 75.00
A00071	\$ 150.00
A00072	\$ 150.00
A00073	\$ 150.00
A00073A	\$ 150.00
A00073B	\$ 150.00
A00074	\$ 150.00
A00075	\$ 150.00
A00075B	\$ 150.00
A00196B	\$ 292.86
A00202	\$ 150.00
A00203	\$ 75.00
A00204	\$ 75.00

A00206	\$	75.00
A00207	\$	150.00
A00208	\$	22.37
A00209	\$	16.81
A00210	\$	16.81
A00211	\$	22.37
A00212	\$	50.00
A00213	\$	50.00
A00214	\$	50.00
A00215	\$	44.61
A00216	\$	89.35
A00217	\$	75.00
A00218	\$	75.00
A00219	\$	75.00
A00222	\$	75.00
A00223	\$	50.00
A00224	\$	50.00
A00225	\$	157.41
A00235	\$	157.41
A00236	\$	50.00
A00241	\$	75.00
A00242	\$	75.00
A00243	\$	150.00
A00244	\$	150.00
A00246	\$	75.00
A00247	\$	150.00
A00251	\$	189.00
A00252	\$	150.00
A00254	\$	150.00
A00255	\$	150.00
A00256	\$	150.00
A00257	\$	150.00
A00258	\$	623.14
A00260	\$	464.57
A00261	\$	1,651.74
A00262	\$	2,301.36
A00263	\$	1,198.70
A00264	\$	4,870.89
A00269	\$	1,073.89
A00270	\$	192.08
A00271	\$	10,813.85
A00273	\$	188.96
A00276	\$	31.56

A00277	\$	75.00
A00278	\$	75.00
A00279	\$	150.00
A00280	\$	150.00
A00282	\$	126.04
A00285	\$	188.96
A00290	\$	78.80
A00292	\$	150.00
A00342	\$	31.56
A00343	\$	47.24
A00344	\$	62.92
A00345	\$	47.24
A00346	\$	188.96
A00347	\$	75.00
A00348	\$	75.00
A00349	\$	108.01
A00351	\$	2,276.29
A00352	\$	4,169.13
A00357	\$	31.56
A00359	\$	150.00
A00360	\$	6,023.77
A00362	\$	284.25
A00363	\$	541.45
A00364	\$	1,872.59
A00365	\$	1,296.19
A00366	\$	3,429.68
A00367	\$	1,158.59
A00367A	\$	245.78
A00367B	\$	236.15
A00367C	\$	481.93
A00368	\$	3,570.91
A00372	\$	2,114.84
A00373	\$	646.79
A00374	\$	625.60
A00375	\$	2,963.18
A00376	\$	1,279.00
A00379	\$	31.56
A00382	\$	188.96
A00383	\$	137.98
A00389	\$	94.48
A00394	\$	75.00
A00395	\$	31.56
A00396	\$	31.56

A00397	\$	31.56
A00398	\$	150.00
A00399	\$	150.00
A00400	\$	150.00
A00401	\$	126.04
A00402	\$	31.56
A00406	\$	150.00
A00407	\$	150.00
A00408	\$	150.00
A00409	\$	150.00
A00410	\$	150.00
A00411	\$	150.00
A00412	\$	31.56
A00413	\$	31.56
A00414	\$	62.92
A00416	\$	50.00
A00417	\$	50.00
A00418	\$	50.00
A00419	\$	30.00
A00420	\$	30.00
A00421	\$	30.00
A00422	\$	150.00
A00423	\$	150.00
A00424	\$	30.00
A00425	\$	30.00
A00426	\$	150.00
A00429	\$	75.00
A00430	\$	75.00
A00431	\$	150.00
A00432	\$	150.00
A00433	\$	75.00
A00434	\$	75.00
A00435	\$	150.00
A00566	\$	188.96
A00566B	\$	150.00
A00567	\$	62.92
A00568	\$	126.04
A00569	\$	75.00
A00570	\$	75.00
A00571	\$	150.00
A00572	\$	150.00
A00573	\$	150.00
A00574	\$	150.00

A00576	\$	150.00
A00577	\$	37.50
A00578	\$	75.00
A00579	\$	150.00
A00580	\$	37.50
A00583	\$	37.50
A00584	\$	37.50
A00585	\$	37.50
A00586	\$	75.00
A00587	\$	75.00
A00588	\$	150.00
A00589	\$	75.00
A00590	\$	75.00
A00591	\$	75.00
A00592	\$	75.00
A00593	\$	75.00
A00594	\$	150.00
A00598	\$	150.00
A00599	\$	150.00
A00600	\$	150.00
A00601	\$	37.50
A00602	\$	37.50
A00603	\$	37.50
A00604	\$	37.50
A00605	\$	150.00
A00606	\$	75.00
A00607	\$	75.00
A00609	\$	150.00
A00610	\$	75.00
A00611	\$	908.68
A00612	\$	412.95
A00613	\$	1,224.74
A00616	\$	424.62
A00617	\$	211.88
A00618	\$	2,674.12
A00620	\$	6,827.80
A00624	\$	9,324.15
A00630	\$	2,850.44
A00630A	\$	412.95
A00631	\$	280.57
A00632	\$	211.88
A00633	\$	416.61
A00634	\$	635.99

A00635	\$	750.70
A00636	\$	875.01
A00637	\$	1,359.68
A00638	\$	585.27
A00639	\$	796.47
A00640A	\$	175.40
A00640B	\$	81.66
A00640C	\$	117.87
A00640D	\$	169.75
A00640E	\$	90.98
A00640F	\$	754.74
A00640H	\$	218.76
A00640I	\$	211.87
A00640J	\$	190.70
A00640K	\$	263.44
A00640L	\$	125.21
A00640N	\$	179.65
A00640O	\$	187.46
A00640P	\$	157.64
A00640Q	\$	146.30
A00640R	\$	132.83
A00640S	\$	165.88
A00640T	\$	132.40
A00640U	\$	107.58
A00640V	\$	161.81
A00641	\$	790.03
A00642A	\$	718.14
A00642B	\$	1,271.14
A00642C	\$	38.10
A00643	\$	1,027.03
A00644	\$	1,014.37
A00645	\$	1,233.75
A00647	\$	1,082.73
A00648	\$	436.44
A00648A	\$	414.97
A00649	\$	548.79
A00650	\$	654.50
A00651	\$	1,418.23
A00652	\$	150.00
A00653	\$	75.00
A00654	\$	75.00
A00655	\$	150.00
A00656	\$	150.00

A00658	\$	150.00
A00659	\$	150.00
A00660	\$	150.00
A00663	\$	31.56
A00664	\$	62.92
A00665	\$	150.00
A00667	\$	126.04
A00671	\$	75.00
A00673	\$	75.00
A00676	\$	31.56
A00677	\$	31.56
A00678	\$	31.56
A00679	\$	150.00
A00740	\$	150.00
A00741	\$	38.03
A00742	\$	64.30
A00744	\$	29.21
A00745	\$	150.00
A00746	\$	150.00
A00747	\$	47.24
A00748	\$	15.68
A00749	\$	150.00
A00753	\$	150.00
A00755	\$	150.00
A00756	\$	43.91
A00757	\$	31.56
A00758	\$	150.00
A00759	\$	150.00
A00760	\$	150.00
A00762	\$	150.00
A00763	\$	601.78
A00765	\$	357.77
A00766	\$	418.58
A00768	\$	544.69
A00769	\$	221.53
A00770	\$	352.24
A00771	\$	252.40
A00773	\$	150.00
A00774	\$	75.00
A00775	\$	761.82
A00776	\$	632.98
A00778	\$	680.85
A00780	\$	847.59

A00781	\$	698.58
A00782	\$	625.44
A00783	\$	693.21
A00786	\$	1,095.16
A00787	\$	3,938.87
A00789	\$	2,518.92
A00792	\$	1,041.16
A00794	\$	893.84
A00795	\$	6,727.88
A00796A	\$	372.94
A00796B	\$	262.89
A00796C	\$	110.65
A00796D	\$	198.41
A00796E	\$	112.04
A00796F	\$	212.14
A00796G	\$	99.31
A00796H	\$	57.31
A00796I	\$	55.52
A00796J	\$	57.71
A00796K	\$	37.61
A00796L	\$	51.94
A00796N	\$	50.75
A00796O	\$	57.31
A00796P	\$	55.52
A00796Q	\$	57.71
A00796R	\$	37.61
A00796S	\$	51.94
A00796T	\$	50.75
A00801A	\$	167.67
A00804	\$	15,324.10
A00806	\$	1,023.91
A00807	\$	345.35
A00808	\$	348.93
A00809	\$	267.52
A00810	\$	1,042.10
A00811	\$	387.38
A00812	\$	316.74
A00813	\$	789.72
A00814	\$	787.78
A00815	\$	1,108.40
A00816	\$	1,556.78
A00817	\$	1,067.46
A00818	\$	337.59

A00820	\$	844.43
A00821	\$	349.46
A00822	\$	366.52
A00823	\$	554.11
A00824	\$	789.22
A00825	\$	350.53
A00826	\$	1,339.29
A00827	\$	277.89
A00828	\$	564.05
A00830	\$	377.33
A00831	\$	377.71
A00832	\$	921.26
A00832A	\$	480.02
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