



CITY OF BILLINGS

RON TUSSING, MAYOR

P.O. BOX 1178
BILLINGS, MONTANA 59103
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September 19, 2007

Billings Hotel or Motel Guest:

Greetings:

On August 27th the Billings City Council approved Resolution No. 07-18593 that created Tourism Business Improvement District (TBID) No. 0002. The district's purpose is to promote tourism in and around Billings, thereby helping to support and grow business opportunities for the city's hotels and motels.

Effective on October 1, 2007, all hotels and motels with six (6) or more rooms will be assessed \$.75 per occupied room night. Stays by guests that are exempt from the transient occupancy or lodging facility use tax are also exempt from the TBID assessments.

Resolution No. 07-18594 appoints the district Board of Trustees. This Board will govern the operations of the district, including developing an annual work plan and budget.

Please feel free to contact Assistant City Administrator Bruce McCandless at 657-8222 if you have questions about the district's creation or operation.

Sincerely,

Ron Tussing
Mayor

Billings Pride:
City-wide

RESOLUTION NO. 07-18593

A RESOLUTION CREATING A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR THE
PURPOSE OF PROMOTING TOURISM, CONVENTIONS, TRADE SHOWS AND TRAVEL TO THE
CITY OF BILLINGS, MONTANA

WHEREAS, the 2007 Montana Legislature and the Governor approved legislation that allows local governments to create Tourism Business Improvement Districts, effective October 1, 2007; and

WHEREAS, a Tourism Business Improvement District will increase tourist trips and promote and benefit the tourism and lodging industry in Billings; and

WHEREAS, a Tourism Business Improvement District will provide funding that will promote the health, safety, prosperity, security, and general welfare and will convey a special benefit to the properties within the boundaries of the Tourism Business Improvement District;

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

Section 1. Creation of Tourism Business Improvement District (T.B.I.D.); In accordance with its stated intention contained in Billings Resolution No. 07-18578 the City Council hereby creates a Tourism Business Improvement District (TBID) for the purpose of promoting and marketing Billings and creating special benefit for the lodging businesses in the city. The assessments collected shall be used for the purposes set forth in Business Improvement District Law, Montana Code Annotated Section 7-12-1101 through 7-12-1144 as amended and as specified in the Billings Tourism Business Improvement District budget.

Section 2. Number of District. The District shall be known and designated as the Tourism Business Improvement District No. 0002 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are the limits and boundaries of the City of Billings as may be amended from time to time, which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District to be assessed, as of this date, is shown on Exhibit "A," attached hereto.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 are hereby declared to be the Tourism Business Improvement District and the territory which will benefit from the assessments that are collected from within the District. The hotels or lodging facilities, as defined in Section 8, are specially benefited by the activities and operations of the District.

Section 5. General Character of the Services to be Performed. The services to be performed shall be all uses and projects for tourism promotion within Billings as specified in the Billings Tourism Business Improvement District budget. It includes, but is not limited to, marketing convention and trade shows that benefit local tourism and lodging businesses in Billings; marketing Billings to the travel industry in order to benefit local tourism and the lodging businesses located within the Billings Tourism Business Improvement District; and marketing Billings to recruit major sporting events in order to promote local tourism and to benefit the lodging businesses within the Billings Tourism Business Improvement District.

Section 6. Appointment of Board of Trustees. Upon adoption of this Resolution, the Mayor, with the approval of the City Council, shall appoint not less than 5 or more than 7 owners of property or their assignees within the T.B.I.D. to comprise the Board of Trustees of the District. The members of the Board shall be appointed in compliance with Section 7-12-1121, M.C.A.

Section 7. Powers and Duties of Trustees. The appointed Trustees shall have the powers and duties set out in Sections 7-12-1121 through 7-12-1133, M.C.A. and any other applicable laws, ordinances or regulations. At a time determined by the City Council, the Board of Trustees shall submit to the City Council for approval a work plan and budget for the ensuing fiscal year. The City Council may modify the work plan and budget as it considers necessary and appropriate.

Section 8. Property To Be Assessed. All hotels, defined as any structure, or any portion of any structure, which are occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and including any hotel, inn, motel, or other similar structure or portion thereof, with six (6) or more rooms that are within the District are to be assessed for the costs of operating the Tourism Business Improvement District.

Section 9. Assessments. All hotels, as defined in Section 8, that are within the District will be assessed for their proportionate share of the costs of maintaining the activities of the Tourism Business Improvement District as prescribed in Section 7-12-1133(2)(c) M.C.A. The assessments to fund the work plan for the first fiscal year are to be collected from all hotels with 6 or more rooms within the boundaries of the district and all such hotels shall be subject to an assessment of seventy five cents (\$0.75) per occupied room night. 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 MCA, shall be exempt from the assessment. The assessments may be modified annually by adoption of a resolution or adoption of the City's budget.

Section 10. Payment of Assessments. The assessments for the costs of maintaining the services provided by the Tourism Business Improvement District shall be payable, as prescribed in Section 7-12-1133(2)(c) M.C.A.

Section 11. Duration of District. The duration of the Tourism Improvement District shall be for a period of 10 years as prescribed in Section 7-12-1141, M.C.A. Upon receipt of a petition signed by the owners of more than 50% of the area of the property included in the district, the governing body shall terminate the district at the end of any fiscal year.


Section 12: Effective Date. The effective date for this resolution and the date upon which the District is created shall be October 1, 2007.

APPROVED by the City Council of the City of Billings, Montana this 27th day of August, 2007.



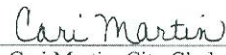
THE CITY OF BILLINGS:

By:


Ron Tussing, Mayor.

ATTEST:

By:


Cari Martin, City Clerk

RESOLUTION 07-18594

A RESOLUTION CREATING A BOARD OF TRUSTEES FOR
BILLINGS TOURISM BUSINESS IMPROVEMENT DISTRICT
NO.0002, APPOINTING THE INITIAL TRUSTEES AND
SPECIFYING THE POWERS AND DUTIES OF THE BOARD

WHEREAS, the Billings City Council created Business Improvement District No. 0002 on August 27, 2007 by approving Resolution No. 07-18593, and

WHEREAS, according to Montana State Code 7-12-1121 MCA, a Board of Trustees must be created to govern the District and five (5) to seven (7) Trustees must be appointed to govern any Business Improvement District, and

WHEREAS, the Yellowstone County Lodging Association submitted names of seven (7) proposed Trustees for appointment to the Board of Trustees, all of whom are property owners, or their assignees, within the District, and

WHEREAS, Mayor Ron Tussing recommends that the Billings City Council create the Board of Trustees and confirm the appointment of seven (7) Trustees named below.

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

Section 1. Business improvement District No. 0002 Board of Trustees: The Business Improvement District No. 0002 Board of Trustees is hereby created. There shall be seven (7) Trustees.

Section 2. Board Appointments: The initial Board of Trustees for Business Improvement District No. 0002 shall be as follows and their terms shall be as shown. All terms begin September 1, 2007. After the initial term, all subsequent Trustees shall be appointed to four (4) year terms, except that a vacancy occurring during a term will be filled for the unexpired term. The unexpired term shall be filled in the same manner as other vacancies. The initial Board Chair shall be Chris Ervin, who shall serve a one (1) year term. Subsequent Chair persons shall serve one (1) year terms as Chair and shall be selected by the Board.

<u>Trustee Name</u>	<u>Initial Term</u>
Chris Ervin	1 Year
Erin Kennedy	2 Years
Chris Walters	2 Years
Cheri Milne	3 Years
Chris Johnson	3 years
Stephen Wahrlich	4 Years
Shelli Mann	4 Years

Section 3. Powers and Duties of Trustees: The appointed Trustees shall have the powers and duties set out in Sections 7-12-1121 through 7-12-1133, M.C.A. and any other applicable laws, City ordinances or regulations. The Board of Trustees shall submit to the City Council for approval, a work plan and budget for the ensuing fiscal year, no later than the 1st day of May preceding the beginning of the fiscal year for which the work plan and budget apply. The City Council may modify the work plan and budget as it considers necessary and appropriate.

APPROVED by the City Council of the City of Billings, Montana this 27th day of August, 2007.



THE CITY OF BILLINGS:

By: Ron Tussing
Ron Tussing, Mayor

ATTEST:

By: Cari Martin
Cari Martin, City Clerk