

RESOLUTION NO. 17- 10619

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

**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 District; and

**WHEREAS**, the City of Billings created a Tourism Business Improvement District in 2007, which has an automatic termination date of September 30, 2017, and State law allows cities to renew districts by using procedures identical to their original formation; and

**WHEREAS**, Billings hotels have petitioned the City Council to renew 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 Billings Resolution No. 17-10614, 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 that are allowed by Title 7, Chapter 12, Part 11, MCA as amended and as specified in the Billings TBID work plan and 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 depicted on a map attached as “Exhibit A”, and as may be amended from time to time, which boundaries are designated and confirmed as the boundaries of the District.

**Section 4. Benefited Property**. The District and territory included within the limits and boundaries described in Section 3 are hereby declared to be the TBID and every hotel, 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 including any hotel, inn, motel, or other similar structure or portion thereof, within the District will be benefitted by the TBID.

**Section 5. General Character of the Services to be Performed.** The services to be performed shall be for the purposes that are allowed by Title 7, Chapter 12 Part 11 MCA, including the funding of all uses and projects for tourism promotion within Billings as specified in the Billings TBID work plan and budget. It includes the marketing of conventions and trade shows that benefit local tourism and lodging businesses in Billings; the marketing of Billings to the travel industry in order to benefit local tourism and the lodging businesses in Billings; and the marketing of Billings to recruit major events in order to promote local tourism and to benefit the lodging businesses within the Billings TBID.

**Section 6. Appointment of Board of Trustees.** Following 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 and their terms of office and the procedure for filling unexpired terms shall be in compliance with Section 7-12-1121, M.C.A., which supersedes Billings Montana Municipal Code Section 2-504 and 2-505.

**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.** The assessments to fund the work plan for each fiscal year are to be collected from all hotels, as defined in Section 4, with 6 or more rooms. The assessments may be modified annually by City Council resolution or adoption of the City budget. A listing of each of the properties in the District to be assessed is shown and labeled "Exhibit "B," attached hereto.

**Section 7. Assessments.** All hotels, as described in Section 4, with six (6) or more rooms, 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. All hotels meeting these qualifications shall be subject to an assessment of two dollars (\$2) per occupied room night, except that stays by persons who are otherwise exempt from paying a transient occupancy tax, also known as a lodging facility use tax, as provided in 15-65-101 through 15-65-136 MCA, shall be exempt from the assessment.

**Section 8. 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 and as established by the Billings City Council and collected by the Yellowstone County Treasurer.

**Section 9. 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 10. Effective Date.** This resolution shall be effective on October 1, 2017.

**APPROVED** by the Billings City Council this 8th day of May, 2017.



THE CITY OF BILLINGS:

By:

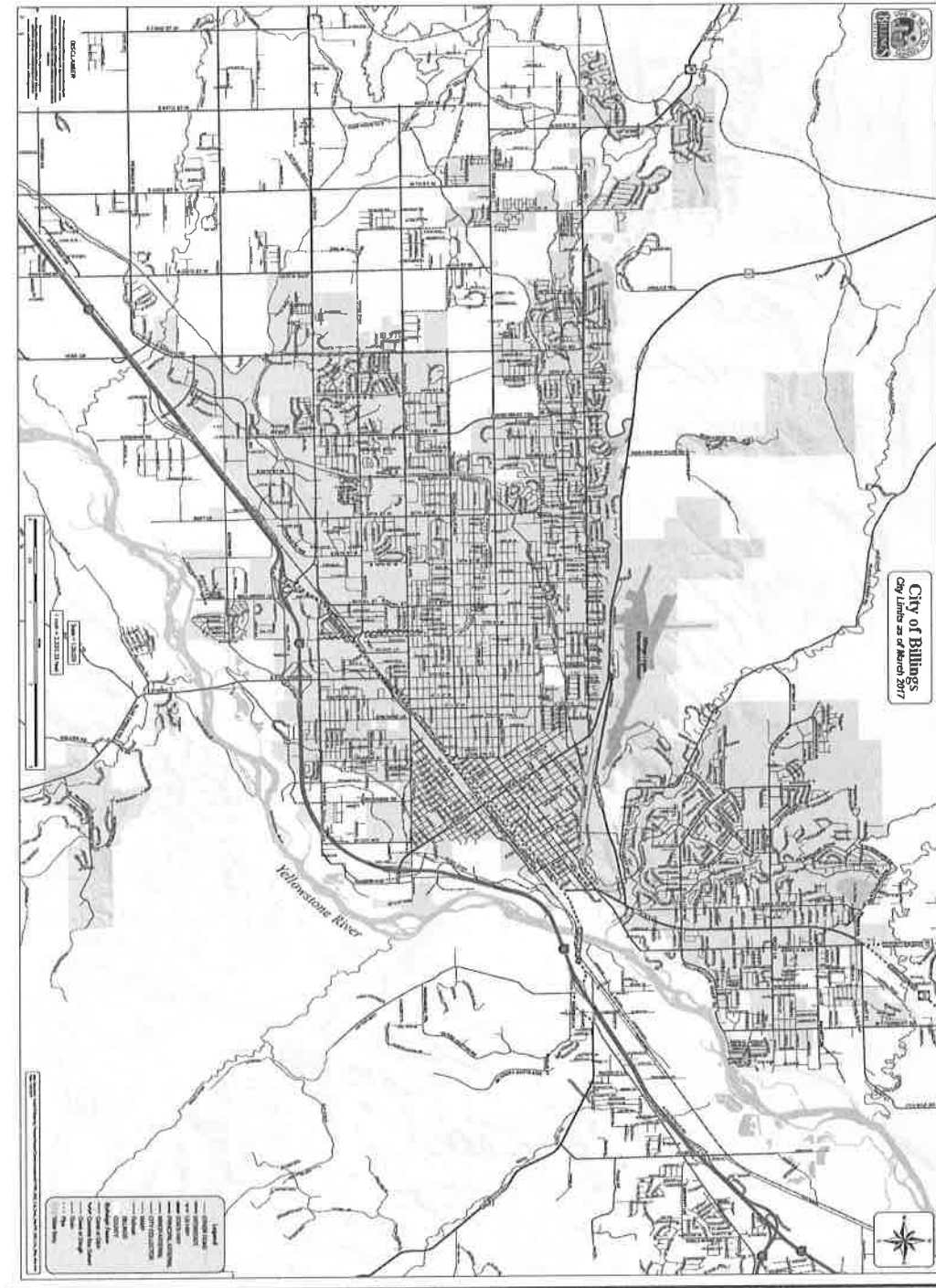
Thomas W. Hanel, Mayor

ATTEST:

By:

Denise R. Bohlman, City Clerk

**EXHIBIT A**  
**BILLINGS CITY LIMITS 4-2017**



**EXHIBIT B**  
**HOTELS TO BE ASSESSED IN BILLINGS TBID**

Property	Contact/Voting Member*	Property Address	Ownership Group
Baymont Inn & Suites	Nasima Khan	2030 Overland Avenue	Khan Organization LLC
Best Western Clock Tower Inn	Steve Wahrlich	2511 1st Avenue North	Clocktower Inn LLC
Best Western Kelly Inn	Joyce Bratland	4915 Southgate Drive	Kelly Midwest Ventures LLP
Big 5 Motel	John Newman	2601 4th Avenue North	Contract Buying Services Inc c/o Wayne Shawver
Big Horn Resort	Richard Todd	1801 Majestic Lane	Billings Ventures LLP
Boothill Inn & Suites	Shelli Mann	242 East Airport Road	Boltrell Family Investments LLP
Bourbon Street Hotel Tower III	LuAnne Pekovich	3420 First Avenue North	Greg and Becky Pekovich
Bourbon Street Hotel Towers I & II	LuAnne Pekovich	3314 1st Avenue North	Greg Pekovich
C'Mon Inn	Justin Manning	2020 Overland Avenue	Billco Investments LLCT Inc
Carlin Hotel	Susan Smith	2501 Montana Avenue	Computers Unlimited
Cherry Tree Inn	Douglas G. Kirby	823 North Broadway	Kirby Development Co Inc c/o Douglas Kirby
Comfort Suites	Phermy Bowers	4908 Southgate Drive	Khan Organization LLC
Country Inn & Suites	Michelle Breitwiser	231 Main Street	Billings Hospitality LLC
Days Inn	Robbie Schneider	843 Parkway Lane	Billings Hotel Investors LLC
Double Tree Inn by Hilton	LaRell Baldwin	27 North 27th Street	Makenna Hotel Investment LLC c/o Randy Meyer
Dude Rancher Lodge	Todd Graves	415 North 29th Street	Virginia Karlson c/o Gordon Graves
Econo Lodge	Shawna Smith	5425 Midland Road	Big Sky Hotels LLC c/o Stephen Cranston
Extended Stay America - Billings Westend	Troy Mginis	4950 Southgate Drive	BRE/ESA Portfolio LLC
Fairfield Inn	Beth Carrell	2026 Overland Avenue	F I Midwest Inn of Billings Inc c/o TMI Hospitality
Hampton Inn	Joe Studiner	5110 Southgate Drive	Billings Lodging Investors, c/o Ruby Erck
Hampton Inn & Suites	Stacy Lind	3550 Ember Lane	Brose Valley Lodging Investors c/o Dustin Williams
Highlights Inn Motel	Sam Quigley	1206 Main Street	CMYL Inc
Hilltop Inn	Ivah Collins	1116 North 28th Street	Hilltop Inn Limited Partnership
Hilton Garden Inn-Billings	Tina Wiser	2485 Grant Road	JWT Hospitality Group c/o Kevin Walsh
Holiday Inn Express & Suites	Keri Wilson	3431 Ember Lane	Billings Hospitality Inc
Home 2 Suites by Hilton	Boone Jones	2611 7th Ave N	7th Avenue Hospitality, LLC
Homewood Suites	Stacy Lind	3420 Ember Lane	Ember Lane Lodging Investors LLC
Howard Johnson Billings	Nasima Khan	1345 Mallowney Lane	Khan Organization LLC
Kelly Inn	Shinead Field	5610 South Frontage Road	Kelly Midwest Ventures LLP
La Quinta Inn & Suites	Gail Linnell	5620 S Frontage Rd	Kelly Midwest Ventures Limited Partnership
Lazy KT Motel	Korry Struckman	1403 1st Avenue North	Solo Holdings LLC
Ledgestone Hotel	Jennifer Benson	4883 King Ave East	Northern Lights Investments LLC c/o Kristine Tanaka
Lewis & Clark Inn	Mike Pekovich	1709 1st Avenue North	Greg and Becky Pekovich
Lexington Inn & Suites	Kacy Kleth	3040 King Avenue West	Father and Sons Hospitality LLC
Motel 6 North #115	Crystal Swanson	5353 Midland Road	G6 Hospitality Property LLC
Motel 6 South #178	Crystal Swanson	5400 Midland Road	G6 Hospitality Property LLC
My Place Hotel	Dalton Emig- Wahran	4770 King Ave East	RW Billings LLC
Northern Hotel	Mike Nelson	19 N. Broadway	Zootist Hotel LLC
Parkway Motel	John Stanley	4808 Underpass Avenue	MTSU LLC c/o Larery & Marlane Thiel Trustees
Picture Court Motel	Greg McFarland	5146 Laurel Road	Jovanovich Enterprises LLC c/o Greg McFarland
Quality Inn Homestead	Brian Ameson	2036 Overland Avenue	Billings Hospitality LLC
Radisson	Tony Contreaz	5500 Midland Road	Midland Holdings LLC c/o Inner Circle Investments
Red Lion Hotel and Convention Center	Ron Spence	1223 Mallowney Lane	BHCC II Inc c/o Ron or Jeff Muri
Residence Inn by Marriott	Ginny Hart	956 South 25th Street West	Lads Hospitality Associates LLC c/o David Veeder
Riversage Billings Inn	Vanda Bishop	880 North 29th Street	Riversage Billings Inn c/o Raymond Clark
Rodeway Inn	Usman Khan	1315 North 27th Street	Rimrock Hospitality LLC c/o Usman Khan
Sleep Inn Motel Billings	Janca Varela	4904 Southgate Drive	Khan Investments
Spring-Hill Suites by Marriott Billings	Wes Carter	1818 King Avenue West	Billings Hospitality Inc
Super 8 Lodge	Steven Hill	5400 Southgate Drive	Supertel LP
The Vegas Hotel	Tom Minor	2612 Belknap Avenue	Greg and Becky Pekovich
Towne Place Suites by Marriott	Becy Meidig	2480 Grant Rd.	Billings Hospitality LLC
Twin Cubs Motel	Bill Chilton	1818 Main Street	Wayne and Celia Chilton
Western Executive Inn	Faye Adams	3121 King Avenue West	Cindy Duncan
Western Inn	David Kahn	3311 2nd Avenue North	Kahn Real Estate LLC
Westwood Rimview Inn	Art Westwood	1025 North 27th Street	Hillcrest Inc c/o Art Westwood