

CERTIFICATE AS TO ORDINANCE AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Great Falls, Montana (the "City"), hereby certify that the attached ordinance is a true copy of an ordinance entitled: "ORDINANCE APPROVING AN URBAN RENEWAL PROJECT (BUFFALO CROSSING PROJECT) AND ASSOCIATED INFRASTRUCTURE IMPROVEMENTS IN THE WEST BANK URBAN RENEWAL AREA AND AUTHORIZING USE OF TAX INCREMENT REVENUE FOR COSTS OF INFRASTRUCTURE IMPROVEMENTS" (the "Ordinance"), on file in the original records of the City in my legal custody; that the Ordinance was duly presented for first reading by the City Commission of the City at a regular meeting on October 15, 2019, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Ordinance has not as of the date hereof been amended or repealed.

WITNESS my hand and seal officially this \_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

I further certify that the Ordinance was duly adopted on second reading by the City Commission of the City at a regular meeting on November 5, 2019, and that the meeting was duly held by the City Commission and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Ordinance has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Ordinance at said meeting, the following Commissioner members voted in favor thereof: \_\_\_\_\_; voted against the same: \_\_\_\_\_; abstained from voting thereon: \_\_\_\_\_; or were absent: \_\_\_\_\_.

WITNESS my hand and seal officially this \_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
Lisa Kunz, City Clerk

ORDINANCE NO. 3209

ORDINANCE APPROVING AN URBAN RENEWAL PROJECT  
(BUFFALO CROSSING PROJECT) AND ASSOCIATED  
INFRASTRUCTURE IMPROVEMENTS IN THE WEST BANK  
URBAN RENEWAL AREA AND AUTHORIZING USE OF  
TAX INCREMENT REVENUE FOR COSTS OF  
INFRASTRUCTURE IMPROVEMENTS

BE IT ORDAINED by the City Commission (the “Commission”) of the City of Great Falls, Montana (the “City”), as follows:

Section 1. Recitals.

1.01. The Commission, pursuant to Amended Ordinance 2967, adopted on March 20, 2007 (the “Ordinance”), created its West Bank Urban Renewal Area (the “District”) and adopted the West Bank Urban Renewal Plan for the District (the “Plan”). The Plan, as adopted, contains a tax increment financing provision, all as set forth in the Ordinance in accordance with Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “Act”).

1.02. Holman Grain (the “Developer”) proposes to develop a 3.19 acre mixed-use commercial development in the District, consisting of six riverfront lots, renovation of the existing barrel-vault building on Lot 1 and multi-story buildings with commercial and office space on the lower levels and possible housing units on the upper levels on Lots 2-6, to be located at the Buffalo Crossing Addition, at 1 Bay Drive, Great Falls, Montana (the “Buffalo Crossing Project”).

1.03. The Developer has submitted an application for tax increment financing assistance with respect to certain qualified improvements associated with the Buffalo Crossing Project, consisting of demolition of existing buildings, relocation of overhead power utilities, construction and installation of public sidewalks, curbs and gutters, trail access and boulevard landscaping, and civil engineering fees related to the foregoing (collectively, the “Infrastructure Improvements”).

1.04. Pursuant to the Act and Resolution No. 10319, adopted October 15, 2019 (the “Resolution”), the City set forth its intention to designate and approve the Buffalo Crossing Project and the Infrastructure Improvements as an urban renewal project.

Section 2. Findings. The Commission hereby finds, with respect to the Buffalo Crossing Project and the Infrastructure Improvements as follows:

- (a) no persons will be displaced from their housing by the Buffalo Crossing Project or the Infrastructure Improvements;
- (b) the Plan, as modified to include the Buffalo Crossing Project and the Infrastructure Improvements, conforms to the comprehensive plan or parts thereof for the City as a whole;

- (c) the Plan, as modified to include the Buffalo Crossing Project and the Infrastructure Improvements, will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the District by private enterprise; and
- (d) a sound and adequate financial program exists for the use of tax increment revenue of the District to pay for costs of the Infrastructure Improvements, as more particularly described in the Resolution.

Section 3. Modification of Plan. This Commission hereby approves, ratifies and confirms modification of the Plan to designate the Buffalo Crossing Project and the Infrastructure Improvements as an urban renewal project within and under the Plan. All actions of this Commission heretofore taken with respect to the Buffalo Crossing Project and the Infrastructure Improvements, to the extent not inconsistent herewith, are hereby ratified and confirmed.

Section 4. Modification of Buffalo Crossing Project and Infrastructure Improvements. The Buffalo Crossing Project and/or the Infrastructure Improvements may be modified by the Commission if it determines by Resolution that an adjustment to the Buffalo Crossing Project and/or Infrastructure Improvements is required and in the best interest of the City.

Section 5. Effect. This Ordinance shall take effect from and after 30 days of its passage by the Commission.

Passed and adopted by the City Commission of the City of Great Falls, Montana, on this 5<sup>th</sup> day of November, 2019.

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Bob Kelly, Mayor

Attest:

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Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney