

CERTIFICATE AS TO RESOLUTION 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 resolution is a true copy of Resolution No. 10367, entitled: “RESOLUTION OF INTENTION TO AMEND AND RESTATE THE DOWNTOWN URBAN RENEWAL PLAN FOR THE DOWNTOWN URBAN RENEWAL DISTRICT AND TO APPROVE THE CIVIC CENTER PROJECT AS AN URBAN RENEWAL PROJECT; AND CALLING FOR A PUBLIC HEARING THEREON” (the “Resolution”), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Commission of the City of Great Falls at a regular meeting on September 1, 2020 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notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commission Members voted in favor thereof: _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand officially this 1st day of September, 2020.

(SEAL)

City Clerk

RESOLUTION 10367

RESOLUTION OF INTENTION TO AMEND AND RESTATE THE DOWNTOWN URBAN RENEWAL PLAN FOR THE DOWNTOWN URBAN RENEWAL DISTRICT AND TO APPROVE THE CIVIC CENTER PROJECT AS AN URBAN RENEWAL PROJECT; AND CALLING FOR A PUBLIC HEARING THEREON

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

Section 1. Recitals.

1.01. Pursuant to Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “Act”), and Ordinance 3088, adopted by the Commission on May 15, 2012 (the “Ordinance”), the City has created the Downtown Urban Renewal District (the “District”) as an urban renewal area and approved the Downtown Urban Renewal Plan (the “Plan”) as an urban renewal plan for the District. The Plan provides for the segregation and collection of tax increment revenues with respect to the District in accordance with the provisions of the Act.

1.02. The City proposes to amend and restate the Plan in the form attached as Exhibit A hereto (the “Amended Plan”). The Amended Plan designates certain rehabilitation projects with respect to the City’s Civic Center, including the Convention Center and the Mansfield Center for the Performing Arts as urban renewal projects for the District, including renovation of the exterior façade; rehabilitation and restoration of landscaping and exterior asphalt; preservation and renovation of the Mansfield Center for the Performing Arts, including seating and architectural features; and rehabilitation and renovation of the Civic Center, including architectural features and upgraded lighting (collectively, the “Civic Center Project”). The Amended Plan also includes updated references to the City’s 2013 Growth Policy and the City’s 2013 Downtown Access, Circulation and Streetscape Plan as guidance for the urban renewal and revitalization efforts within the District.

1.03. The City’s Directors of Finance and Planning and Community Development (the “City Staff”) have jointly reviewed and evaluated the Amended Plan and made a report and recommendation (the “City Staff Report”) that the Amended Plan be approved, that the Civic Center Project be designated as an urban renewal project for the District and that tax increment revenues of the District be used to finance costs of the Civic Center Project.

1.04. On August 11, 2020, the City Planning Board (the “Planning Board”) received, reviewed and considered the City Staff Report and has made recommendation to the Commission to the effect that the Amended Plan conforms to the City’s Growth Policy adopted in accordance with Title 76, Chapter 1, that the Amended Plan be approved, that the Civic Center Project should be designated as an urban renewal project for the District and that tax increment revenues of the District be used to finance costs of the Civic Center Project.

1.05. The Act provides that a municipality may amend an urban renewal plan by ordinance pursuant to the procedures set forth in Sections 7-15-4212 through 7-15-4219 of the

Act. Prior to the approval of an urban renewal project, the Commission is required to conduct a public hearing and make certain findings set forth in the Act.

Section 2. Preliminary Findings. Based on the foregoing representations and subject to the public hearing called for herein, the Commission hereby finds as follows:

- (a) no persons will be displaced from their housing by the Civic Center Project;
- (b) the Amended Plan, including the Civic Center Project, conforms to the City's Growth Policy adopted in accordance with Title 76, Chapter 1;
- (c) the Amended Plan, including the Civic Center Project, 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 financing of the costs of the Civic Center Project using tax increment revenue of the District.

Section 3. Amendment of the Plan. If the Civic Center Project is approved as an urban renewal project, the City intends to issue tax increment revenue bonds in an aggregate principal amount sufficient to pay for the Civic Center Project, to fund a debt service reserve account, if applicable, and to pay costs of the issuance and sale of the bonds. The bonds would be payable solely from tax increment of the District. The payment terms of any such bonds (including principal amount, interest rates and maturity schedule) shall take into account the tax increment revenue of the District expected to be received by the City and available to pay debt service, and shall be set forth in a subsequent bond resolution to be presented to the Commission for approval.

Section 4. Conditional Approval. The findings and representations in this Resolution are preliminary and subject to testimony presented at the public hearing. In adopting the Resolution and making the preliminary findings contained herein, the City in no way assumes any liability or responsibility for the construction and financing of the Civic Center Project.

Section 5. Public Hearing. A public hearing is hereby called and shall be held on October 6, 2020 at 7:00 p.m. in the Commission Chambers at 2 Park Drive South, Great Falls, Montana regarding the Amended Plan, including the designation of the Civic Center Project as an urban renewal project and the use of tax increment revenues of the District to finance costs of the Civic Center Project.

Section 6. Notice. Notice of the public hearing shall be published in the *Great Falls Tribune* on September 27 and October 4, 2020, in substantially the form attached as Exhibit B hereto (which is incorporated by reference and made a part hereof).

Section 7. Reading of Ordinance. The first reading of the Ordinance substantially in the form attached as Exhibit C hereto (the "Ordinance") shall occur at the Commission's regular meeting on September 1, 2020 and the second reading of the Ordinance shall occur at the Commission's regular meeting on October 6, 2020, and it is the Commission's intention that the

Ordinance will be voted upon at the conclusion of the second reading.

Passed and adopted by the City Commission of the City of Great Falls, Montana, on this 1st day of September, 2020.

Bob Kelly, Mayor

Attest:

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

EXHIBIT A

AMENDED PLAN

EXHIBIT B

NOTICE OF PUBLIC HEARING ON AMENDMENT AND RESTATEMENT OF CITY OF GREAT FALLS DOWNTOWN URBAN RENEWAL PLAN AND APPROVAL OF THE CIVIC CENTER PROJECT AS AN URBAN RENEWAL PROJECT

NOTICE IS HEREBY GIVEN that Ordinance 3222 titled “Ordinance Approving the Amended and Restated Urban Renewal Plan for the Downtown Urban Renewal District and Approving the Civic Center Project as an Urban Renewal Project” will be brought before the Great Falls City Commission for a public hearing on October 6, 2020 at 7:00 p.m. in the Commission Chambers Room 206, Civic Center Building, 2 Park Drive South, Great Falls, Montana. Any interested person may appear and speak for or against said Ordinance 3222 or submit in writing any comments to the City Clerk prior to or during the Commission Meeting. Documents pertaining to this agenda item are posted on the City’s website at <https://greatfallsmt.net> under “Meetings,” and are on file for public inspection during regular office hours at the City Clerk’s Office, 2 Park Drive South, Room 204, Great Falls, MT, or contact us at (406) 455-8451.

The Amended Plan will designate certain rehabilitation projects with respect to the City’s Convention Center and the Mansfield Center for the Performing Arts (collectively, the “Civic Center”) as urban renewal projects for the District, including renovation of the exterior façade; rehabilitation and restoration of landscaping and exterior asphalt; preservation and renovation of the Mansfield Center for the Performing Arts, including seating and architectural features; and rehabilitation and renovation of the Civic Center, including architectural features and upgraded lighting (collectively, the “Civic Center Project”). The Commission has preliminarily determined that tax increment revenues of the District may be used to finance costs of the Civic Center Project. The Amended Plan also includes updated references to the City’s 2013 Growth Policy and the City’s 2013 Downtown Access, Circulation and Streetscape Plan as guidance for the urban renewal and revitalization efforts within the District.

Due to the COVID-19 health concerns, the format of the City Commission meeting may be modified to accommodate Commission member attendance in person, via a remote location/virtual meeting method, or to appear telephonically. In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), modifications have also been made for public participation. Public participation is welcome in the following ways:

- **Attend in person.** Refrain from attending in person if you are not feeling well. The City will require social distancing at the meeting, and may limit the number of persons in the Commission Chambers according to applicable health guidelines.
- **Provide public comments via email.** Comments may be sent via email before 12:00 PM on Tuesday, October 6, 2020, to: commission@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name and either the address or whether the commenter is a City resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item

- and before final vote on the matter; and, will be so noted in the official record of the meeting.
- Call-in. The public may call in during specific public comment periods at 406-761-4786. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to customary time limits. We ask for your patience in the event there are technical difficulties.

/s/ Lisa Kunz, City Clerk

Publication Dates: September 27, 2020
 October 4, 2020

EXHIBIT C

ORDINANCE