

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Missoula, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. _____ entitled: "**Resolution of Intention to Amend the North Reserve-Scott Street Urban Renewal Plan for the North Reserve-Scott Street Urban Renewal District to Include Additional Property in the District; 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 Council of the City on May 9, 2022, and that the meeting was duly held by the City Council 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notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.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 Council members voted in favor thereof: _____
_____; voted against the same: _____; abstained from voting thereon: _____
_____; or were absent: _____.

WITNESS my hand and seal officially this 9th day of May, 2022.

(SEAL)

City Clerk

RESOLUTION NO. _____

Resolution of Intention to Amend the North Reserve-Scott Street Urban Renewal Plan for the North Reserve-Scott Street Urban Renewal District to Include Additional Property in the District; and Calling for a Public Hearing Thereon.

BE IT RESOLVED by the City Council (the “Council”) of the City of Missoula, Montana (the “City”), as follows:

Section 1. Recitals and Authorizations.

1.01. The Council, pursuant to Ordinance No. 3534 (the “Ordinance”) adopted on August 24, 2014, created the North Reserve - Scott Street Urban Renewal District (the “District”) and adopted an 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. The Act authorizes a municipality to 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, and Chapter 5 of the Plan states that, “The City Council may modify and amend the Plan, including modifications and amendments to designate and approval certain urban renewal projects, by enacting an ordinance providing for and setting forth the modification and amendment.” Chapter 1 of the Plan supports the inclusion of newly annexed properties into the District.

1.03. On July 20, 2015, by Ordinance No. 3550, the City Council modified the boundaries of the District boundary to include certain property that had been annexed into the City.

1.04. Diversified Plastics, Inc. (“Diversified Plastics”), owns certain property located at 3721 Grant Creek Road, Missoula, Montana 59808, the legal description of which is set forth on Exhibit A hereto (the “Diversified Plastics Property”). The Diversified Plastics Property was annexed into the City in December 2021, and subsequently Diversified Plastics approached the Missoula Redevelopment Agency (MRA) with interest in being added to the District.

1.05. The MRA found that the Diversified Plastics property is contiguous with the boundaries of the District and the redevelopment of the Property is consistent with the Plan. The MRA recommends that the Plan be amended in order to modify the District boundaries to include the Diversified Plastics Property.

Section 2. Determination of Blight.

2.01. On October 28, 2013, the Council directed the MRA to conduct a study to determine the existence of blight within the North Reserve - Scott Street urban area generally focusing on the area bounded on the north by Interstate 90, on the south by the south side of the Montana Rail Link railroad tracks and yard, on the west by North Reserve Street, and on the east by Scott Street. The study area included the Diversified Plastics Property .

2.02. The MRA conducted a study and prepared a Statement of Blight dated March 2014 to document the existence of blight in the North Reserve - Scott Street urban area and, in its opinion, found that blight (as defined in Section 7-15-4206(2) of the Act) exists in the North Reserve - Scott Street area, and in particular found:

- (a) substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or nonresidential;
- (b) inappropriate or mixed uses of land or buildings;
- (c) defective or inadequate street layout;
- (d) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (e) unsanitary or unsafe conditions; and
- (f) diversity of ownership.

2.03. The Council, pursuant to Resolution No. 7865 adopted on April 7, 2014, confirmed the findings of the MRA and declared that blight exists within the North Reserve - Scott Street urban area under the definition contained in Section 7-15-4206(2) of the Act and that the rehabilitation and redevelopment of that general area in accordance with the Act is necessary, desirable and in the interest of the public health, safety and welfare of the residents of the City.

Section 3. Public Hearing. A public hearing is hereby called and shall be held on Monday, May 23, 2022 at 7:00 p.m. in the Council Chambers, on the determination of blight with respect to the Diversified Plastics Property and the proposed amendment of the Plan to modify the boundaries of the District to include the Diversified Plastics Property.

Section 7. Notice. Notice of the public hearing shall be published in the *Missoulian* on May 15, 2022 and May 22, 2022, in substantially the form attached as Exhibit B hereto (which is incorporated by reference and made a part hereof).

Section 8. Reading of Ordinance. The first reading of the Ordinance substantially in the form attached as Exhibit C hereto (the "Ordinance") shall occur at the public hearing called for herein. The second reading of the Ordinance shall occur at the Commission's regular meeting on May 23, 2022 and it is the Commission's intention that the Ordinance will be voted upon at such meeting.

PASSED AND APPROVED by the City Council of the City of Missoula, Montana, this
9th day of May, 2022.

Mayor

Attest: _____
City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF DIVERSIFIED PLASTICS PROPERTY

S08, T13 N, R19 W, ACRES 0.64, PARCEL 1 IN NW4

S08, T13 N, R19 W, ACRES 1.53, PARCEL 2 IN NW4

S08, T13 N, R19 W, ACRES 1.15, PARCEL 3 IN NW1/4

EXHIBIT B

NOTICE OF PUBLIC HEARING ON AMENDING THE NORTH RESERVE-SCOTT STREET URBAN RENEWAL PLAN FOR THE NORTH RESERVE-SCOTT STREET URBAN RENEWAL DISTRICT TO INCLUDE ADDITIONAL PROPERTY IN THE DISTRICT

NOTICE IS HEREBY GIVEN that the City Council (the “Council”) of the City of Missoula, Montana (the “City”), will hold a public hearing on Monday, May 23, 2022 at 6:00 p.m., at the Council Chambers, 140 West Pine, Missoula, Montana, regarding the modification of the City’s North Reserve – Scott Street Urban Renewal Plan (the “Plan”) in order to include three parcels located at 3721 Grant Creek Road (the “Property”) within the boundaries of the North Reserve-Scott Street Urban Renewal District (the “District”):

- i. S08, T13 N, R19 W, ACRES 0.64, PARCEL 1 IN NW1/4
- ii. S08, T13 N, R19 W, ACRES 1.53, PARCEL 2 IN NW1/4
- iii. S08, T13 N, R19 W, ACRES 1.15, PARCEL 3 IN NW1/4.

A copy of the proposed ordinance and a map of the Property and the District are on file with the City of Missoula’s City Clerk, at 435 Ryman Street, Missoula, Montana.

Any interested persons may appear and will be heard or may file written comments with the City Clerk prior to the hearing.

Dated: May 9, 2022.

/s/ Martha L. Rehbein
City Clerk

Publication Dates: May 15, 2022
May 22, 2022

EXHIBIT C

CERTIFICATE AS TO ORDINANCE AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Missoula, Montana (the "City"), hereby certify that the attached ordinance is a true copy of an Ordinance entitled: "**Ordinance Amending the North Reserve-Scott Street Urban Renewal Plan for the North Reserve-Scott Street Urban Renewal District to Include Additional Property in the District**" (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 Council of the City at a regular meeting on May 9, 2022 and that the meeting was duly held by the City Council 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 9th day of May, 2022.

(SEAL)

City Clerk

I further certify that the Ordinance was duly adopted by the City Council of the City at a regular meeting on May 23, 2022, and that the meeting was duly held by the City Council 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 Council members voted in favor thereof: _____; voted against the same: _____; abstained from voting thereon: _____; or were absent: _____.

WITNESS my hand and seal officially this 23rd day of May, 2022.

(SEAL)

City Clerk

Ordinance No. _____

Ordinance Amending the North Reserve-Scott Street Urban Renewal Plan for the North Reserve-Scott Street Urban Renewal District to Include Additional Property in the District

BE IT ORDAINED by the City Council (the “Council”) of the City of Missoula, Montana (the “City”) as follows:

Section 1. Recitals.

1.01. On October 28, 2013, the Council directed the Missoula Redevelopment Agency (the “MRA”) to conduct a study to determine the existence of blight within the North Reserve - Scott Street urban area generally focusing on the area bounded on the north by Interstate 90, on the south by the south side of the Montana Rail Link railroad tracks and yard, on the west by North Reserve Street, and on the east by Scott Street.

1.02. The MRA conducted a study and prepared a Statement of Blight dated March 2014 to document the existence of blight in the North Reserve - Scott Street urban area and, in its opinion, found that blight (as defined in Section 7-15-4206(2) of the Act (as hereinafter defined)) exists in the North Reserve - Scott Street area.

1.03. The Council, pursuant to Resolution No. 7865 adopted on April 7, 2014, confirmed the findings of the MRA and declared that blight exists within the North Reserve - Scott Street area under the definition contained in Section 7-15-4206(2) of the Act and that the rehabilitation and redevelopment, or combination therefore, of that general area in accordance with Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “Act”) is necessary, desirable and in the interest of the public health, safety and welfare of the residents of the City.

1.04. The Council, pursuant to Ordinance No. 6534 (the “Ordinance”) adopted on August 24, 2014, created its North Reserve - Scott Street Urban Renewal District (the “District”) and adopted an 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 the Act. The boundaries of the District were previously modified by an amendment to the Plan as set forth in Ordinance No. 3550, approved by the Council on July 20, 2015.

1.05. The City approved annexation of the property located at 3721 Grant Creek Road in December 2021 described in Exhibit A hereto, which is adjacent to and contiguous with the boundaries of the District (the “Property”).

1.06. On May 9, 2022, the Council declared its intention to amend the Plan in order to modify the boundaries of the District to include the Property, and has given notice and conducted a public hearing with respect thereto. The Act provides that a municipality may amend an urban renewal plan by ordinance in accordance with the Act, following a duly noticed public hearing.

Section 2. Finding of Blight. The Council hereby reconfirms its findings in Resolution No. 7865 adopted on April 7, 2014, that the North Reserve – Scott Street area (which includes

the Property) is blighted within the meaning of Section 7-15-4206(a) of the Act and that the rehabilitation and redevelopment, or combination therefore, of that general area in accordance with the Act is necessary, desirable and in the interest of the public health, safety and welfare of the residents of the City.

Section 3. Modification of the District Boundaries. The Council hereby modifies the boundaries of the District as defined by the Ordinance to include the Property.

Section 4. Conformity with the Plan and Growth Policy. For redevelopment purposes, the Property is comparable to adjacent contiguous land within the boundaries of the original District, and the redevelopment of the Property is consistent with the Plan and the City's growth policy and is zoned for use in accordance therewith. All goals, objectives and statements within the Plan regarding the District shall hereinafter include the Property.

Section 5. Tax Increment Authorization. The Plan contains a provision for the use of tax increment financing for the District. The provision for the use of tax increment financing for the District shall be expanded to include the Property and be administered pursuant to Section 7-15-4282 through 7-15-4292 of the Act.

Section 6. Conflict with Other Ordinances and Resolutions. All parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 7. Codification. This Ordinance is not to be codified in the Missoula Municipal Code.

Section 8. Effective Date. The effective date is thirty (30) days after final adoption of this Ordinance on second reading. This Ordinance shall be in full force and effect on June 22, 2022.

ADOPTED this 23rd day of May, 2022.

Mayor

Attest: _____
City Clerk

EXHIBIT A TO ORDINANCE

PROPERTY TO BE INCLUDED IN THE DISTRICT

S08, T13 N, R19 W, ACRES 0.64, PARCEL 1 IN NW4

S08, T13 N, R19 W, ACRES 1.53, PARCEL 2 IN NW4

S08, T13 N, R19 W, ACRES 1.15, PARCEL 3 IN NW1/4