

RESOLUTION NO. 91-029

An ordinance establishing a Tax Increment Financing Industrial District to assist in financing necessary industrial infrastructure to encourage the attraction, growth, and retention of secondary value-adding industries; providing for definition of terms; establishing the costs which may be paid by Tax Increment Financing Industrial Districts; creating and approving the Missoula County Airport Industrial District; establishing the boundaries thereof; establishing January 1, 1991 as the base taxable year for the Missoula County Airport Tax Increment Financing Industrial District; providing for the repeal of all parts of ordinances and resolutions in conflict herewith; and providing for an effective date hereof.

WHEREAS, the Board of Commissioners of Missoula County is defined as a municipality for the purpose of an industrial district created pursuant to 7-15-4297 through 7-15-4299, M.C.A.; and

WHEREAS, the Board of Commissioners of Missoula County wishes to encourage the attraction and retention of secondary, value-adding industries; and

WHEREAS, secondary industries including warehousing, distribution and transportation industries and other value-adding industries require expensive infrastructure improvements which are beyond the available resources of Missoula County to provide; and

WHEREAS, the Board of Commissioners of Missoula County is authorized, pursuant to 7-15-4299, M.C.A., to create tax increment financing industrial districts; and

WHEREAS, the Board of Commissioners of Missoula County, Montana, has determined after hearings and public input that there is a need for an ordinance to create a tax increment financing industrial district in Missoula County and wishes to enact such an ordinance.

NOW, THEREFORE, BE IT RESOLVED that the following Ordinance shall be in full force and effect in Missoula County:

Section 1. Definitions. In this Ordinance the following terms have the meanings indicated below.

(a) "Industrial district" means a tax increment financing industrial District.

(b) "Industrial infrastructure development project" means a project undertaken within or for an industrial district that consists of any or all of the activities authorized by 7-15-4288, M.C.A..

(c) "infrastructure" means, acquisition, construction, and improvement of streets, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet public parking facilities, sewers, sewer lines, sewage treatment facilities, waterlines, waterways, water treatment facilities, public buildings, items of personal property to be used in connection with aforementioned improvements, and other related improvements.

(d) A "tax increment financing industrial district" means the Missoula County Airport Industrial District designated as such by the Missoula County Commissioners in accordance with the provisions of the "Tax Increment Financing Industrial Development Act".

(e) "Actual taxable value" means the taxable value of taxable property at any time, as calculated from the assessment roll last equalized.

(f) "Base taxable value" means the actual taxable value of all taxable property within a tax increment financing industrial district prior to the effective date of a tax increment financing provision. This value may be adjusted as provided in 7-15-4287 or 7-15-4293 M.C.A..

(g) "Incremental taxable value" means the amount if any, by which the actual taxable value at any time exceeds the base taxable value of all property within a tax increment financing industrial district.

(h) "Tax increment" means the collections realized from extending the tax levies, expressed in mills, of all taxing bodies which the tax increment financing industrial district or a part thereof is located, against the incremental taxable value.

(i) "Taxes" means all taxes levied by a taxing body against property on an ad valorem basis.

Section 2. Purpose. The purpose of this Ordinance is to create a tax increment industrial district known as Missoula County Airport Industrial Development District to stimulate industrial growth by providing a financial mechanism to provide the necessary infrastructure support.

Section 3. Costs which may be paid from tax increments. The tax increment received from the industrial district may be used to pay any costs incurred for an industrial infrastructure development project (in the district) including the following:

- (1) land acquisition
- (2) demolition and removal of structures
- (3) relocation of occupants
- (4) infrastructure
- (5) to prepare an industrial development plan
- (6) to organize, coordinate, and direct the administration of this ordinance

- (7) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of infrastructure development projects
- (8) acquisition of infrastructure-deficient areas or portions thereof
- (9) administrative costs associated with the management of the industrial district
- (10) assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself at its fair value
- (11) the compilation and analysis of pertinent information required to adequately determine the infrastructure needs of secondary, value-adding industries in the industrial district
- (12) the connection of the industrial district to existing infrastructure outside the industrial district
- (13) the provision of direct assistance to secondary, value-adding industries to assist in meeting their infrastructure and land needs within the industrial district
- (14) the tax increments received may be pledged for the payment of the principal of, premiums, if any, and interest on bonds which Missoula County may issue for the purpose of providing funds to pay for infrastructure development projects pursuant to Section 7-15-4290, M.C.A.

Section 4. Boundaries. The boundaries of the District are described in Exhibit "A" and the boundaries are shown on the map entitled "Boundaries of the Missoula County Airport Tax Increment Financing Industrial District", identified as Exhibit "B".

Section 5. Base Year. For the purpose of calculating the incremental taxable value each year for the life of the industrial district, the base taxable value shall be calculated as the taxable value of all property within the district as of January 1, 1991.

Section 6. Term of the Tax Increment Financing Industrial District. The tax increment financing industrial district will terminate upon the later of:

- (a) the tenth year following the creation of the industrial district; or
- (b) the payment or provision for payment in full or discharge of all bonds for which the tax increment has been pledged and the interest thereon.

After termination of the tax increment financing provision, all taxes shall be levied upon the actual taxable value of the taxable property in the industrial district and shall be paid into

funds of the taxing bodies levying taxes within the industrial district.

Section 7. Effective Date. This Ordinance shall be in full force and effect thirty (30) days after its final passage and adoption by the Board of Commissioners of Missoula County, Montana.

Section 8. Conflict with other Ordinances and Resolutions. All parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

PASSED this 20th day of March, 1991.

BOARD OF COUNTY COMMISSIONERS

Ann Mary Dussayt
Ann Mary Dussayt, Chair

Barbara Evans
Barbara Evans, Commissioner

Janet Stevens
Janet Stevens, Commissioner

Approved as to Form and Content:

Michael W. Schmitt
Deputy County Attorney

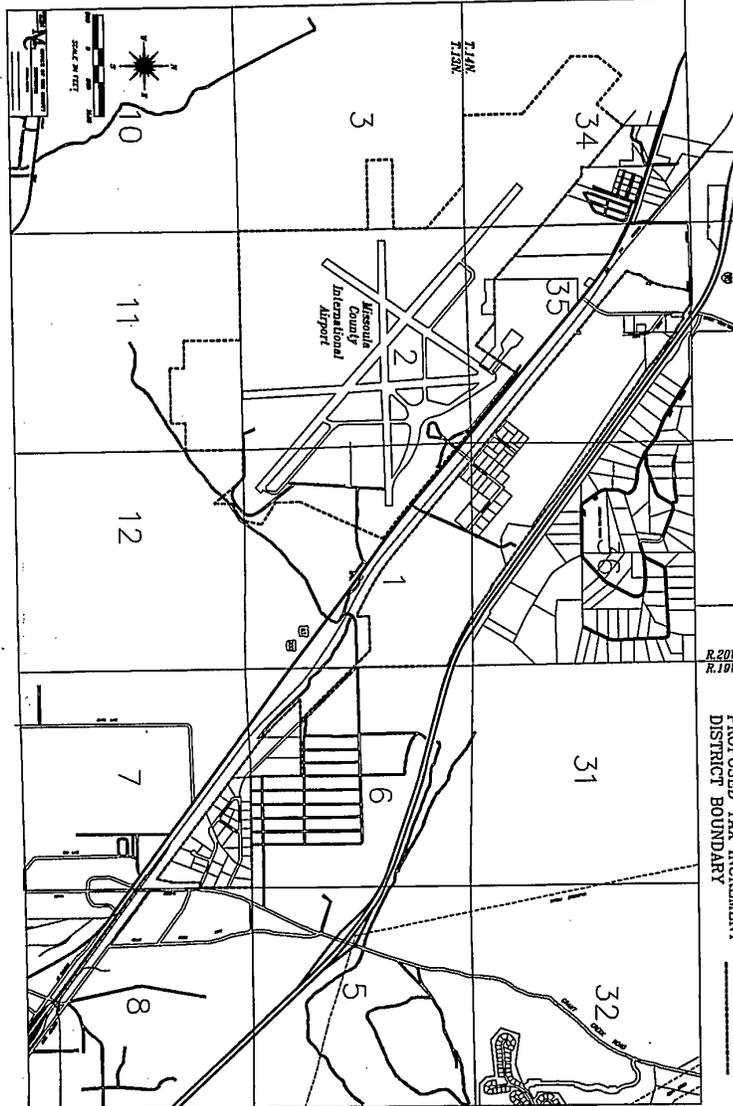
Attest:

Wendy Cronin
Clerk and Recorder



EXHIBIT A
PROPOSED TAX INCREMENT DISTRICT
SHORT DESCRIPTION

Two parcels of land located in Section 34, Section 35, the West one half and the Southeast one quarter of Section 36, Township 14 North, Range 20 West, the Southwest one quarter of Section 6 and the North one half of Section 7, Township 13 North, Range 19 West and also in the North one half and the Southwest one quarter of Section 1, Section 2, the Northeast one quarter of Section 3, the Northeast one quarter of Section 11 and the Northwest one quarter of Section 12, Township 13 North, Range 20 West, Principal Meridian Montana containing 1900 acres more or less and as shown on the attached Exhibit B.



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PROPOSED TAX INCREMENT DISTRICT BOUNDARY

EXHIBIT B

9104152

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 20 DAY OF Mar 19 91 AT 2:30 O'CLOCK P.M. AND IT IS RECORDED
 IN VOL. 326 OF THE RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 1514 FEE PAID
 RETURN TO Resolution file BY Jam. Lawrence WITNESS MY HAND, WENDY CROMWELL, COUNTY RECORDER
 ADDRESS Resolution file DEPUTY DOC REES