

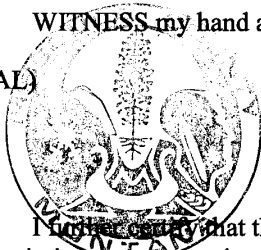
A0711201807
Resolution 2018-114
Ordinance 114

CERTIFICATE AS TO ORDINANCE AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the Missoula County, Montana (the "County"), hereby certify that the attached ordinance is a true copy of an Ordinance entitled: "ORDINANCE ESTABLISHING AUTHORITY TO LEVY ASSESSMENTS TO PAY COSTS OF MISSOULA COUNTY FAIRGROUNDS SPECIAL DISTRICT" (the "Ordinance"), on file in the original records of the County in my legal custody; that the Ordinance was duly presented for first reading by the Board of County Commissioners at a meeting on July 11, 2018 and that the meeting was duly held by the Board of County Commissioners 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notice of such meeting given as required by law; and that the Ordinance has not as of the date hereof been amended or repealed.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 11th day of July, 2018.

(SEAL)



Tyler R. Gernant
County Clerk and Recorder/Treasurer

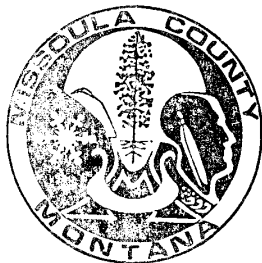
I further certify that the Ordinance was duly adopted by the Board of County Commissioners at a meeting on July 11, 2018, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Ordinance has not as of the date hereof been amended or repealed.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 Commissioners voted in favor thereof:

David Strohmeier, Jean Curtiss; voted against
the same: N/A; abstained from voting thereon:
N/A; or were absent: Nicole Rowley.

WITNESS my hand and seal officially this 11th day of July, 2018.

(SEAL)



Tyler R. Gernant
County Clerk and Recorder/Treasurer

Resolution 2018-114

ORDINANCE NO. 114

ORDINANCE ESTABLISHING AUTHORITY TO LEVY
ASSESSMENTS TO PAY COSTS OF MISSOULA COUNTY
FAIRGROUNDS SPECIAL DISTRICT

BE IT ORDAINED by the Board of County Commissioners (the "Board") of Missoula County, Montana (the "County") as follows:

Section 1. Recitals.

1.01. The Act. Pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10, as amended (the "Act"), local governments are authorized to create special districts whenever the public convenience and necessity may require. Under the Act, a "special district" may be authorized by law to perform a single function or a limited number of functions, including but not limited to fair districts. The Act further authorizes the entity administering a special district to, among other things, implement a program and order improvements designed to fulfill the purposes of the special district, and to borrow money by the issuance of general obligation bonds or revenue bonds for the lease, purchase, and maintenance of land, facilities and buildings and the funding of projects. The governing body of a local government creating a special district is required by the Act to make assessments or impose fees for the costs of the special district, and to levy such assessments against the benefited lots or parcels of land within the special district.

1.02. Creation of the Missoula County Fairgrounds District. On March 22, 2018, following an initial public hearing, the Board adopted Resolution No. 2018-029 (the "Resolution of Intention"), declaring it to be the intention of the Board to create a special district for the purpose of undertaking, operating and maintaining improvements to the County fairgrounds (the "Fairgrounds") and financing the costs thereof and incidental thereto through the issuance of special district bonds. On May 24, 2018, following publication and mailing of notice of a public hearing as required by the Act, the Board held a second public hearing and then proceeded to adopt Resolution No. 2018-099, creating the Missoula County Fairgrounds District (the "District").

1.03. The Improvements. The District was created to provide a flexible and transparent method of financing certain improvements to the Fairgrounds, generally consisting of designing, engineering and constructing repairs and improvements to water, sewer and dry utility infrastructure; construction and installation of trails and pathways; construction and installation of permanent and movable internal and perimeter fencing and walls; streetscaping, landscaping and lighting; repair, renovation, reconstruction and equipping of various existing facilities, including the Culinary Building, the Commercial Building and the mid-century buildings; construction, installation and equipping of new facilities, including a learning center and insectarium, maintenance shop, livestock center, rodeo arena, ice rinks, an exhibit center and concessions; related site grading, deconstruction and demolition; and related improvements and costs (collectively, the "Improvements"). The County is currently proceeding with an initial phase of the Improvements, generally consisting of repairs and improvements to water and sewer infrastructure and related improvements.

1.04. The Bonds. The County plans to issue revenue bonds in one or more series (collectively, the "Bonds") under the Act and in accordance with the provisions of Title 7, Chapter 7, Part 25, or Title 7, Chapter 7, Part 44, M.C.A., to fund all or a portion of the costs of the Improvements. The Bonds shall be payable from assessments against the property in the District.

Section 2. The Assessments. Pursuant to the Act and in accordance with Section 7-7-4424, Montana Code Annotated, the Board hereby authorizes the County to levy special district assessments for the District. Pursuant to Section 7-11-1024 of the Act, the County shall make assessments for the costs and expenses of the District based upon a budget determined by the Board. The Board will include in the budget for each year an amount necessary to pay debt service on any outstanding Bonds and to pay any other costs of the District as may be necessary or desirable. The County is the only owner of property in the District, and the County will pay the assessments to be levied with respect to the District from revenues derived from the Fairgrounds Mills (as defined in the Resolution of Intention), and/or such other sources of revenues as the County may identify and pledge in the bond resolution relating to a series of Bonds. Revenue derived from assessments levied in the District will be revenue from the Improvements for which the Bonds are issued under Section 7-7-2501, Montana Code Annotated, and will be collected by the County in amounts sufficient for the District to be "self-supporting" under Section 7-7-4424, Montana Code Annotated. The amount of assessments levied under this Ordinance will be determined from time to time by subsequent resolutions of the County.

Section 3. 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 July 11, 2018.

ADOPTED this 11th day of July, 2018.


Chair, Board of County Commissioners

Attest: 
County Clerk and Recorder/Treasurer

