

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROPRIATING, ON A CONTINGENT BASIS, CITY SALES TAX PROCEEDS DERIVED FROM CITY ORDINANCES 3560 AND 4380, TO THE MINOT PARK DISTRICT, FOR THE UPGRADING, REMODELING OR CONSTRUCTION OF COMMUNITY FACILITIES AS PERMITTED UNDER SECTION 1 OF ORDINANCE 4380.

WHEREAS, the City of Minot and the Minot Park District are either a home rule political subdivision, political subdivision, or a board or institution of the State of North Dakota, legally authorized to enter into joint powers agreements or other agreements for the sharing or undertaking of certain powers or functions;

WHEREAS, the City of Minot has adopted and implemented a city sales tax ordinance which permits the proceeds generated from such sales tax to be expended to upgrade, remodel and construct community facilities within the City of Minot, North Dakota;

WHEREAS, the City of Minot has subsequently received from the Minot Park District a request for financial assistance for improvements and enhancements to the big cat exhibit at Roosevelt Park Zoo, a community facility located in Minot, North Dakota, which is under the control of the Minot Park District;

AND WHEREAS, the City of Minot conducted a public hearing for the request from the Minot Park District on August 7, 2017, and subsequently determined that the Council would authorize or grant, subject to certain contingencies being met, the request from the Minot Park District.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:

- §1: The City of Minot shall appropriate the sum of one million dollars (\$1,000,000.00) to provide financial assistance to the Minot Park District for improvements and enhancements to the big cat exhibits at the Roosevelt Park Zoo, a community facility located in Minot, North Dakota. The awarding of these funds is contingent upon full compliance of all of the following conditions: (1) the execution and acceptance of a joint powers agreement between the City of Minot and the Minot Park District; (2) a yearly determination by the Minot City Finance Director that adequate funding exists in the city sales tax fund to defray the construction and completion costs of the city's share of the Northwest Area Water Supply Project, and further, that adequate funds have been received and exist in the city sales tax fund to award the request of one million dollars (\$1,000,000.00) to the Minot Park District for expenditures incurred for the improvement and enhancement of the big cat exhibits at the Roosevelt Park Zoo located in Minot, North Dakota; and (3) prior to disbursement of any monies, the Minot Park District shall raise an additional five hundred thousand dollars for the improvement and enhancement of the big cat exhibits at the Roosevelt Park Zoo and shall provide proof to the City Finance Director no later than December 31, 2018. Should all of the foregoing

contingencies not be met, the City is not obligated, and the City Finance Director shall not disburse, the one million dollar (\$1,000,000.00) sum requested.

§2: This Ordinance shall be in effect from the later date of either its passage and approval by the Minot City Council, or from the completion and execution dates indicated in the Joint Powers Agreements described herein.

PASSED FIRST READING:

PASSED SECOND READING:

ATTEST:

APPROVED:

Kelly Matalka, City Clerk

Chuck Barney, Mayor