



Community Development Department

DATE: January 23, 2024

FROM: Ben Ehreth, Community Development Director

ITEM: Authorize the renewal of Bismarck's Renaissance Zone program.

REQUEST:

Authorize the renewal of Bismarck's Renaissance Zone program by issuing a resolution and entering into a Memorandum of Agreement with the North Dakota Division of Community Services to continue the Renaissance Zone program for a period of one year.

BACKGROUND INFORMATION:

The Bismarck Board of City Commissioners directed staff to pursue renewal of the Renaissance Zone Program during the April 25, 2023, regular meeting. The necessary community support to renew the program has been obtained, and the North Dakota Division of Community Services has approved Bismarck's request to renew the project, subject to taking the requested actions. The resolution and agreement are attached to this memo.

RECOMMENDED CITY COMMISSION ACTION:

Adopt the attached resolution for the re-establishment of a Renaissance Zone in the City of Bismarck and enter into the related Memorandum of Agreement.

STAFF CONTACT INFORMATION:

Daniel Nairn, Planning Manager, 701-355-1854, dnairn@bismarcknd.gov

ATTACHMENTS:

1. Renaissance MOA and Resolution

**RENAISSANCE ZONE
MEMORANDUM OF AGREEMENT**

Between
The North Dakota Division of Community Services
and
The City of Bismarck

This Memorandum of Agreement between the North Dakota Division of Community Services (DCS) and the City of Bismarck, effective January 4, 2024, continues a Renaissance Zone for the City (see attached map) pursuant to N.D.C.C. ch. 40-63, for a period of one year. The Renaissance Zone Program Guidelines and the City’s Development Plan as submitted and approved by DCS are binding as if those items were set out at length in this Memorandum of Agreement.

The City agrees that it will fulfill its responsibilities under the Renaissance Zone Program Guidelines. The City further agrees that it will follow its Development Plan as submitted to DCS, that it will provide all requested information to DCS, and that it will meet its obligations under N.D.C.C. ch. 40-63. If the City does not fulfill these requirements, or if the City fails to make adequate progress after the DCS provides 90 days written notice that its progress has been inadequate, then DCS may take action against the City. This action may include canceling Renaissance Zone approval for future projects as outlined in Part X, Paragraph 16, of the Program Guidelines.

If N.D.C.C. ch. 40-63 is amended or repealed by the Legislative Assembly, all changes will apply to the Renaissance zone or to this Memorandum of Agreement automatically on the effective date of the legislation. Any changes to the Development Plan, or to any other matter, required by any legislative changes, must be made in writing signed by both parties. The failure of the parties to agree to any changes required by legislation before the effective date of the legislation will automatically terminate Renaissance Zone approval without further action by DCS, unless DCS waives the termination in writing. Any project or investment completed before the effective date of any legislative changes is grandfathered under the prior law unless the new law requires otherwise.

Maria Effertz, Director
Division of Community Services

Mike Schmitz, Mayor
City of Bismarck

Date

Date

**A RESOLUTION FOR THE RE-ESTABLISHMENT OF A RENAISSANCE
ZONE IN THE CITY OF BISMARCK**

WHEREAS, the City of Bismarck recognizes the need to encourage investment within a defined geographic area of its jurisdiction that needs to be revitalized, and

WHEREAS, the Renaissance Zone Act (North Dakota Century Code (N.D.C.C.) ch. 40-63 authorizes cities to apply to the Division of Community Services (DCS) for the designation of an area within their respective political boundaries as a Renaissance Zone and, as a precondition of such application, to enact a resolution that provides within the designated and approved Renaissance Zone state income tax and local property tax exemptions, historical tax credits, and, if applicable, reinstatement of a previously expired or terminated Renaissance Zone, which resolution will be contingent upon DCS approval of the application, and

WHEREAS, enactment of such exemptions and credits will result in improving the economic, physical, and social conditions with the proposed Renaissance Zone, and

NOW, THEREFORE, BE IT RESOLVED by the City of Bismarck, that, contingent upon DCS approval of the city's Renaissance Zone application, the city will approve the tax exemptions and credits provided for in the Renaissance Zone Act.

ENACTED by the City Commission of the City of Bismarck, North Dakota, this day of _____ 2023.

ATTEST: _____

BY: _____