

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)

This Intergovernmental Agreement is entered into this 7th day of December 2021, by and between Ada County, Idaho (the “County”) and the City of Meridian, Idaho (hereinafter, “Meridian”), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

RECITALS

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

WHEREAS, the Meridian City Council and Mayor of Meridian respectively on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation (the “Agency”), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the “Law”), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the “Act”) upon making the findings of necessity required for creating said Agency;

WHEREAS, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the “Study Area”);

WHEREAS, the Agency obtained an eligibility report entitled Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Report”), which examined the Study

Area, which area also included real property located within unincorporated Ada County, for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing the Chair, Vice-Chair, or Administrator of MDC to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct MDC to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

WHEREAS, appropriate notice of the Linder District Plan and revenue allocation provision contained therein has been given to the affected taxing districts and the public as required by Idaho Code § 50-2906;

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in

Exhibit 1, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

AGREEMENT

1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and

limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

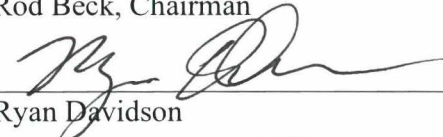
Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.

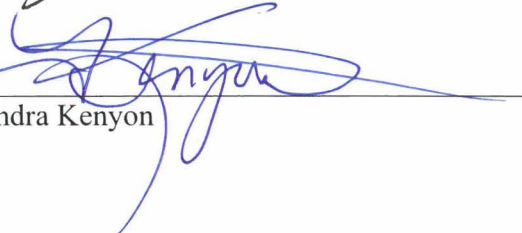
IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY:

BOARD OF ADA COUNTY
COMMISSIONERS

By 
Rod Beck, Chairman

By 
Ryan Davidson

By 
Kendra Kenyon

ATTEST:


Phil McGrane, Ada County Clerk
by **Katie Reed, Assistant Deputy Clerk**

CITY:

CITY OF MERIDIAN, IDAHO

By _____
Robert Simison, Mayor





ATTEST:

Chris Johnson, Meridian City Clerk

Exhibit 1

(Map of Properties Within Unincorporated Ada County)

Legend

-  Linder District
-  Existing URD
-  County Parcels
-  City Limits



Linder District

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021

0 500 1,000 Feet




Exhibit 2

(Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3

PARCEL NUMBER

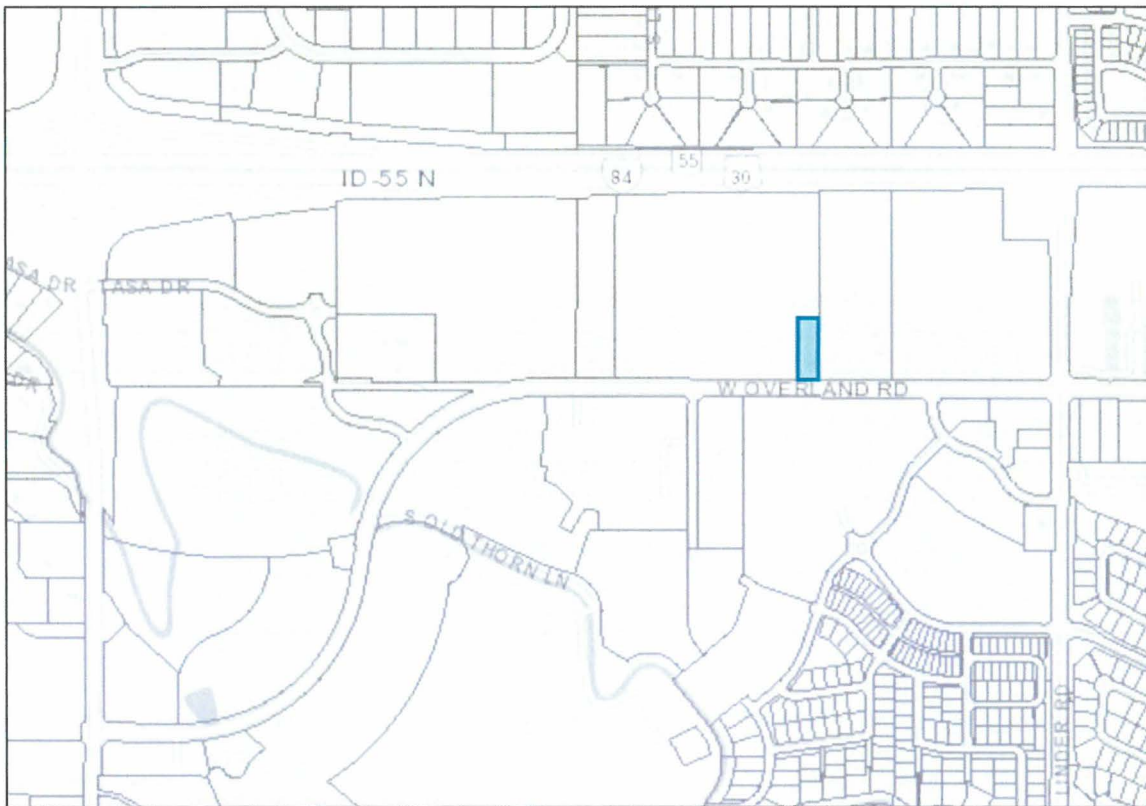
S1214438705

ADDRESS

2010 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #8705 @ SE COR SW4SE4
SEC 14 3N 1W
#438702



PARCEL NUMBER

S1214346705

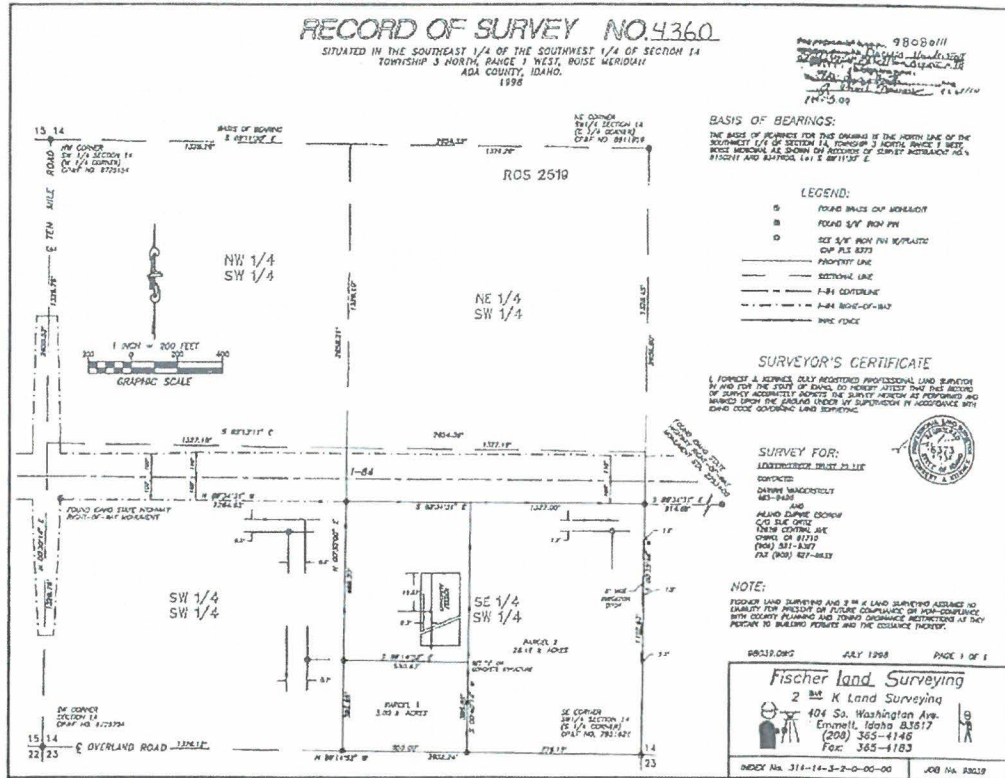
ADDRESS

West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #6705 N'LY & E'LY POR
SE4SW4 S OF INTERSTATE
SEC 14 3N 1W
PARCEL 2 R/S 4360 EXC R/W
#346072-B

SURVEY RECORD



PARCEL NUMBER

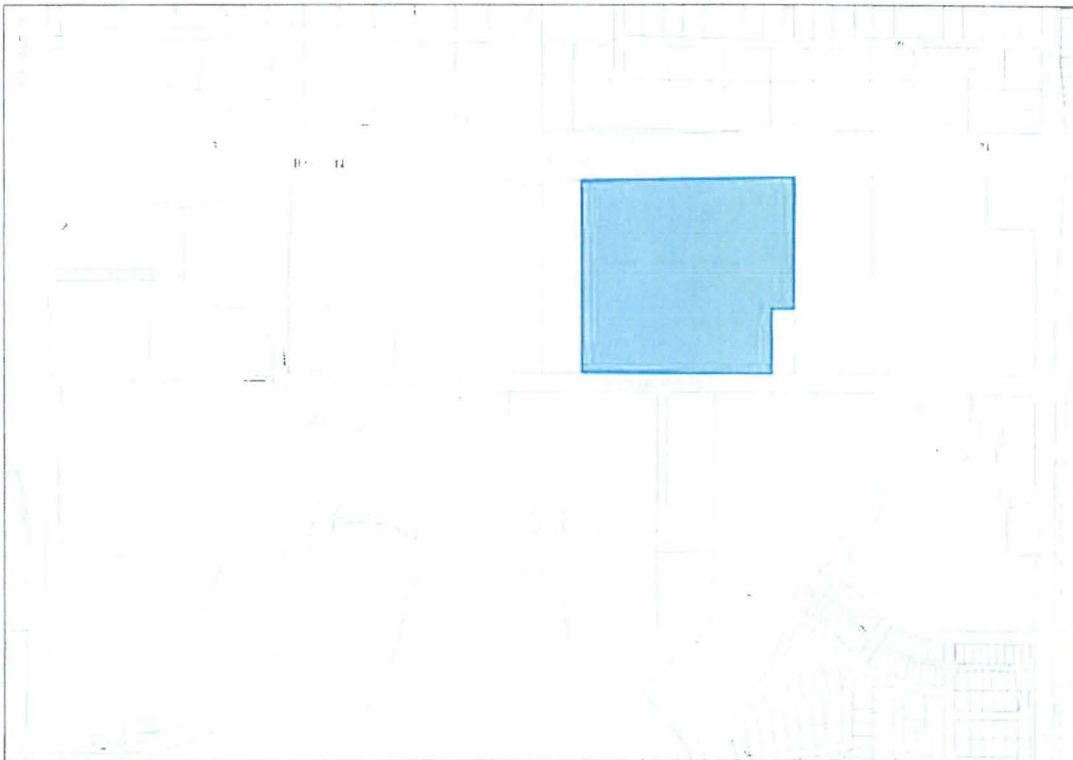
S1214438600

ADDRESS

2090 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #8600 OF SW4SE4
SEC 14 3N 1W
#438423-B



PARCEL NUMBER

S1214449021

ADDRESS

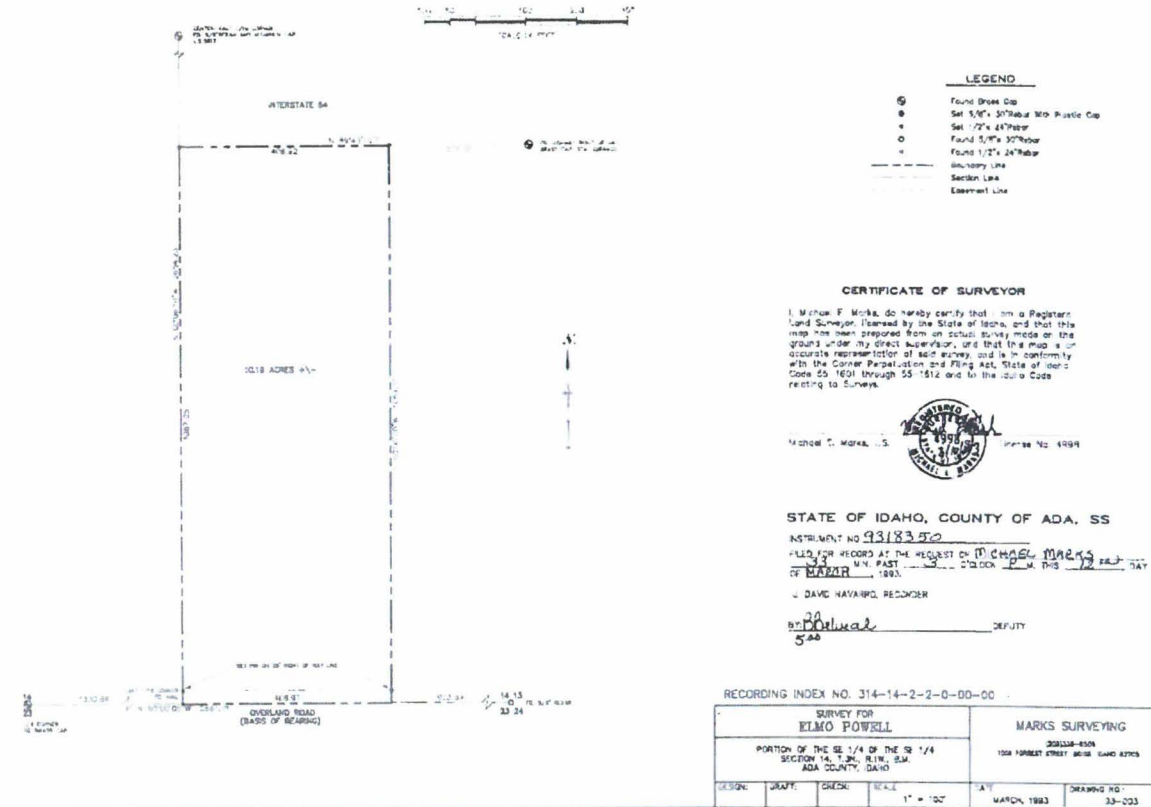
1940 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #9021 OF SE4SE4
SEC 14 3N 1W
R/S 2412 EXC R/W
#449020-B

SURVEY RECORD

RECORD OF SURVEY NO. 2412



- LEGEND**
- ⊙ Found Iron Cap
 - ⊖ Set 1/2" 30"Radius W/O Plastic Cap
 - ⊕ Set 1/2" 44"Radius
 - Found 3/8" 30"Radius
 - ⊖ Found 1/2" 24"Radius
 - Survey Line
 - - - Section Line
 - - - Easement Line

CERTIFICATE OF SURVEYOR

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Repealation and Filing Act, State of Idaho, Code SS 1601 through 55-1612 and to the Idaho Code relating to surveys.

Michael F. Marks, L.S. License No. 1099

STATE OF IDAHO, COUNTY OF ADA, SS

INSTRUMENT NO. 9318350
FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS REG. SURV.
OF ADA COUNTY, IDAHO, THIS 12 DAY
OF MARCH, 1983.

DAVE HAYWARD, RECORDER
By Elmo Powell DEPUTY
500

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR ELMO POWELL				MARKS SURVEYING	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T. 36. N. 13. E. 21. W. ADA COUNTY, IDAHO				202338-4508 1000 HARBEST STREET, 2000 S. GARDEN SPRING	
DESIGN	DRAWN	CHECK	SCALE	DATE	DRAWING NO.
			1" = 100'	MARCH, 1983	33-003

PARCEL NUMBER

S1214346905

ADDRESS

2960 West Dutch Farm Road, Meridian, Idaho

DESCRIPTION

PAR #6905 @ SW COR SE4SW4
SEC 14 3N 1W
PARCEL 1 R/S 4360 EXC R/W
#346610-B

SURVEY RECORD

