

CITY OF MERIDIAN

RESOLUTION NO. 21-2299

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER

A RESOLUTION BY THE MAYOR AND THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, TO PROVIDE FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b) BETWEEN ADA COUNTY, IDAHO AND THE CITY OF MERIDIAN, IDAHO; PROVIDING FOR AREAS OUTSIDE THE CITY LIMITS TO BE INCLUDED WITHIN AN URBAN RENEWAL AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor (the “Mayor”) and City Council (“City Council”) of the city of Meridian, Idaho (the “City”) have the authority (pursuant to Idaho Code §50-302) to establish resolutions not inconsistent with the laws of the State of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, the City Council on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (“MDC”), authorizing MDC 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 (the “Act”) upon making the findings of necessity required for creating the MDC;

WHEREAS, there are currently three existing urban renewal/revenue allocation areas in the City;

WHEREAS, MDC obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Eligibility Report”), which examined an area of operation of the City, in an area known as the Linder District 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 or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

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

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency

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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 Eligibility Report included certain properties within unincorporated Ada County;

WHEREAS, the MDC Board also authorized the transmittal of the Eligibility Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution accepting the Eligibility Report and determining such area outside the boundaries of the City and within unincorporated Ada County to be a deteriorated area and/or a deteriorating area and finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Eligibility 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 Linder District Study Area;

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

WHEREAS, the City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Linder District Study Area described in the Eligibility 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 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 MDC to commence preparation of an urban renewal plan;

WHEREAS, the City and MDC have undertaken the planning process during 2021;

WHEREAS, MDC prepared the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan"), which Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the "Project Area" or "Revenue Allocation Area") to develop and/or redevelop a portion of the area designated as eligible for urban renewal planning pursuant to the Law and Act, as amended, located within the City, and 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;

WHEREAS, the area included in the Project Area is smaller than the area assessed in the Eligibility Report;

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

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

WHEREAS, the MDC 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 the City Clerk;

WHEREAS, the Mayor and the City Clerk took the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code Section 50-2906 and Idaho Code Section 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 and 40-1415;

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

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

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond the City's municipal boundaries and into unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners adopted Ordinance No. 932, the Transfer of Powers Ordinance, on December 7, 2021, which Ordinance authorized the Chair to sign and enter into the Intergovernmental Agreement for Roles and Responsibilities under Idaho Code Section 50-2906(3)(b) between Ada County and the City (the "Agreement");

WHEREAS, the Mayor and City Council deem it expedient and in the best interests of the City to establish and enter into the Agreement, to confirm the consent of Ada County under Idaho Code §50-2018(18), and to assure compliance with the Act and Law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, AS FOLLOWS:

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Section 1: That the above statements are true and correct.

Section 2: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code §50-2906(3)(b) (the “Agreement”), attached hereto as **Exhibit A**, is incorporated herein and made a part hereof by reference, and is hereby approved and accepted.

Section 3: That the Mayor is hereby authorized to sign and enter into the Agreement. A copy of this Resolution and the attached Agreement shall be held on file in the office of the City Clerk.

Section 4: This Resolution shall be in full force and effect upon the execution of this Resolution by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this day of _____ 2021.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this day of _____ 2021.

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

Exhibit A

**Intergovernmental Agreement for Roles and
Responsibilities Under Idaho Code Section 50-2906(3)(b)**

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