

RESOLUTION NO. 14-03

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO, ADOPTING THE FINDINGS OF THE IDAHO FALLS REDEVELOPMENT AGENCY, THE URBAN RENEWAL AGENCY OF THE CITY OF IDAHO FALLS, IDAHO, ADOPTED BY RESOLUTION ON JULY 17, 2014, IN RESOLUTION NO. 2014-4; ACCEPTING THAT CERTAIN REPORT PREPARED FOR THE IDAHO FALLS REDEVELOPMENT AGENCY ON THE ELIGIBILITY FOR CERTAIN PROPERTY REFERRED TO AS THE EAGLE RIDGE AREA AS AN URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA AND JUSTIFICATION FOR DESIGNATING THE AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT SUBJECT TO CERTAIN CONDITIONS; FINDING A PORTION OF THE EAGLE RIDGE AREA INCLUDES CERTAIN PROPERTIES WITHIN THE UNINCORPORATED AREA OF BONNEVILLE COUNTY; FINDING AND DECLARING THE NEED FOR AN URBAN RENEWAL PROJECT FOR THE EAGLE RIDGE AREA; APPROVING CREATION OF THAT PORTION OF THE EAGLE RIDGE AREA LYING OUTSIDE OF THE CORPORATE BOUNDARIES OF THE CITY OF IDAHO FALLS AND WITHIN THE UNINCORPORATED AREA OF BONNEVILLE COUNTY; FINDING THAT THE JURISDICTIONAL BOUNDARIES OF THE CITY OF IDAHO FALLS AND BONNEVILLE COUNTY REMAIN THE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Idaho Falls Redevelopment Agency, an independent public body corporate and politic, authorized under the authority of 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 20, Title 50, Idaho Code, as amended (hereinafter the "Act"), is a duly created and functioning urban renewal agency for Idaho Falls, Idaho, hereinafter referred to as the "Agency."

WHEREAS, by Resolution dated July 6, 1966, the city of Idaho Falls created an urban renewal agency, pursuant to Chapter 47, Title 50, Idaho Code (now codified as Chapter 20, Title 50, Idaho Code);

WHEREAS, there are several existing urban renewal project areas in the city of Idaho Falls, one of which includes properties within the unincorporated area of Bonneville County, subject to a 2003 Intergovernmental Agreement between the city of Idaho Falls and Bonneville County;

WHEREAS, it became apparent to the Agency that additional property within and around Idaho Falls may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

WHEREAS, the Agency commenced certain discussions concerning examination of the new area as appropriate for an urban renewal project (the "Eagle Ridge Area");

WHEREAS, during 2014, the Agency authorized the commencement of an eligibility study and preparation of an eligibility report of an area located between I-15 and the Porter Canal south of Pancheri Drive and surrounding properties;

WHEREAS, the Agency has obtained an eligibility report (the "Report"), which examined an area in Idaho Falls, Idaho, in an area known as the Eagle Ridge Area for the purpose of determining whether such area was a deteriorating area and deteriorated area as defined by Idaho Code Sections 50-2018(9) and 50-2903(8);

WHEREAS, the Report dated July 2014 was submitted to the Agency;

WHEREAS, under the Idaho Urban Renewal Law, Section 50-2018(9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in section 22-4502(1), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, additional analysis concerning any agricultural operations and additional requests for consent of property owners who may have such agricultural operations within the past three (3) consecutive years continues;

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

WHEREAS, a portion of the Eagle Ridge Area includes certain properties within the unincorporated area of Bonneville County;

WHEREAS, the Agency accepted the Report by way of Resolution No. 2014-4 at the July 17, 2014, meeting of the Agency Board.

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2904, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, the proposed Eagle Ridge Area has no impact on jurisdictional boundaries of Bonneville County;

WHEREAS, on July 28, 2014, representatives of the Agency presented the Report to the Bonneville County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Eagle Ridge Area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO, AS FOLLOWS:

RESOLUTION NO. 14-03

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

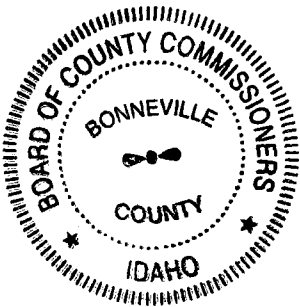
Section 2. That the findings of the Agency made on July 17, 2014, in Resolution No. 14-02, are hereby adopted by the Board of Bonneville County Commissioners.

Section 3. That there is a need for an urban renewal plan for the Eagle Ridge Area.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED this 6th day of August, 2014.

BOARD OF BONNEVILLE COUNTY COMMISSIONERS



Roger S Christensen
Roger Christensen, Chair

Lee Staker
David Radford
David Radford

ATTEST:

[Signature]
Deputy Clerk

4811-3160-3996, v. 1