

KOOTENAI COUNTY, IDAHO
RESOLUTION NO. 2020-34

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KOOTENAI COUNTY, IDAHO, ACKNOWLEDGING AND ACCEPTING THAT PORTION OF THE BOUNDARY OF THE WEST RATHDRUM REVENUE ALLOCATION AREA LYING WITHIN UNINCORPORATED KOOTENAI COUNTY, SPECIFICALLY TWO SEGMENTS OF GREENSFERRY ROAD; ACKNOWLEDGING THAT PORTION OF GREENSFERRY ROAD LYING WITHIN UNINCORPORATED KOOTENAI COUNTY LOCATED WITHIN THE REVENUE ALLOCATION AREA DOES NOT GENERATE REVENUE ALLOCATION PROCEEDS TO THE RATHDRUM URBAN RENEWAL AGENCY; AUTHORIZING THE CHAIR TO SIGN SUCH OTHER AND FURTHER DOCUMENTS AS MAY BE NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND DIRECTING COUNTY ASSESSOR STAFF TO FINALIZE THE MAP AS RECOGNIZED BY THE STATE TAX COMMISSION.

WHEREAS, that this Resolution is adopted to acknowledge and accept that portion of the boundary of the West Rathdrum Revenue Allocation Area established pursuant to Rathdrum City Council Ordinance No. 583, dated November 13, 2019, lying within unincorporated Kootenai County, and specifically two segments of Greensferry Road as illustrated in Exhibit 1;

WHEREAS, the Urban Renewal Plan for the West Rathdrum Project (the "Plan") includes the use of revenue allocation funds, in part, to improve Greensferry Road, as well as the intersection between Greensferry Road and Lancaster Road;

WHEREAS, the City of Rathdrum (the "City") undertook several annexations in and around Greensferry Road during 2018 and 2019, which changed the jurisdictional boundaries in that area;

WHEREAS, the West Rathdrum Revenue Allocation Area boundary map and legal description were widely distributed and discussed with Kootenai County staff, including the County Assessor, the State Tax Commission and City staff as early as August 2019;

WHEREAS, as of October 10, 2019, the Plan, including the proposed boundary map and legal description were distributed to the affected taxing entities, including the County;

WHEREAS, the Rathdrum City Council, following published notice, held a public hearing on Plan on November 13, 2019;

WHEREAS, following adoption of the Plan by Ordinance No. 583, dated November 13, 2019, the Rathdrum City Council published the summary of the ordinance, followed by recording Ordinance No. 583, as well as the boundary map and legal description on December 5, 2019;

WHEREAS, the recorded map and legal were transmitted to the affected taxing districts, including the County, and the County Assessor, on December 5, 2019;

WHEREAS, on December 17, 2019, the Agency and Kootenai County officials received

a letter from the State Tax Commission approving and recognizing the boundary map and legal description;

WHEREAS, in late February 2020, the Deputy County Assessor notified the State Tax Commission and Agency of the inclusion of the two segments of Greensferry Road lying within unincorporated Kootenai County;

WHEREAS, the two segments of Greensferry Road lying within unincorporated Kootenai County and within the West Rathdrum Revenue Allocation Area do not have any taxable value and do not generate any revenue allocation proceeds to the Agency;

WHEREAS, the Agency and Rathdrum City Council did not intend to create a multi-jurisdictional project area and the inclusion of land within unincorporated Kootenai County into the West Rathdrum Revenue Allocation Area was inadvertent and unintentional;

WHEREAS, since discovery of this issue staff from Kootenai County, the Deputy County Assessor, the City and the Agency have worked diligently to coordinate a resolution to this issue;

WHEREAS, it is desirable and in the best public interests to seek a reasonable resolution and accommodation;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, IDAHO:

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

Section 2: That the Board of County Commissioners acknowledge and accept that the inclusion of two segments of Greensferry Road, currently lying within unincorporated Kootenai County, and located within the West Rathdrum Revenue Allocation Area, as shown on Exhibit 1, was an inadvertent and unintentional error justifying an administrative solution.

Section 3: That the Board of County Commissioners acknowledge and accept that the two segments of Greensferry Road lying within unincorporated Kootenai County and within the West Rathdrum Revenue Allocation Area has no taxable value and does not generate revenue allocation proceeds to the Rathdrum Urban Renewal Agency.

Section 4: That the Board of County Commissioners, based on the circumstances, directs the Deputy County Assessor to finalize the map consistent with the mapping provided by the State Tax Commission;

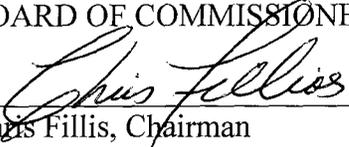
Section 5: That the Board of County Commissioners expressly acknowledges the two segments of Greensferry Road, currently lying within unincorporated Kootenai County, and within the West Rathdrum Revenue Allocation Area are subject to the Kootenai County Comprehensive Plans and the Zoning and Development Codes, as may be applicable, as well as the Plan.

Section 6: That the Board of County Commissioners authorizes the Chair to sign such other and further documents as may be necessary to carry out the intent of this Resolution.

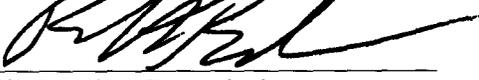
Section 7: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS,
KOOTENAI COUNTY, IDAHO, this 31st day of March, 2020.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS


Chris Fillis, Chairman


Leslie Duncan, Commissioner


Bill Brooks, Commissioner

ATTEST:
JIM BRADY

By:

