

RESOLUTION NO. 2018-66
Adopting Findings re: Parcels Outside the City Limits of Post Falls
to be Included in the Post Falls Technology Urban Renewal District

WHEREAS, the Post Falls Urban Renewal Agency (PFURA), an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended (hereinafter the "Law") and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (hereinafter the "Act"), is a duly created and functioning urban renewal agency for Post Falls, Idaho, hereinafter referred to as the "Agency."

WHEREAS, the Agency is a duly created and appointed urban renewal agency under the laws of the State of Idaho with the authority to recommend the expansion of a deteriorated or deteriorating area found to exist by the City Council of the City of Post Falls;

WHEREAS, there are several existing urban renewal project areas in the city of Post Falls;

WHEREAS, it became apparent to the Agency that additional property within and adjacent to Post 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 "Post Falls Technology Urban Renewal District" or "Post Falls Technology URD");

WHEREAS, the Post Falls City Council did on March 21, 2002, in Resolution No. 2002-13, find that deterioration existed in a described area of east Post Falls, and

WHEREAS, the Post Falls City Council did on April 5, 2005, by Resolution 2005-06, declare a described area adjacent to the East Post Falls Urban Renewal District to be deteriorated and/or deteriorating, and a competitively disadvantaged border community area, hereinafter referred to as the expanded deteriorating area, and

WHEREAS, the Agency was asked to declare an expanded deteriorating area pursuant to the Request for Status of Deterioration prepared by Brad Marshall of J-U-B Engineers, Inc. on June 4, 2018, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the parcels requested to be included in the expanded deteriorating area are shown in the graphic attached hereto as Exhibit B; and

WHEREAS, on June 12, 2018, in Resolution No. 2018-03, the Agency made the following findings and recommendation:

Section 1. The Agency hereby makes the following findings:

- a. That the expanded deteriorating area and additional expanded deteriorating area do in fact exist.
- b. That the rehabilitation, conservation, redevelopment, or a combination thereof, of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City for the reasons set forth in the Eligibility Report.
- c. That the proposed boundaries of the newly proposed urban renewal district described in Exhibit B includes the expanded deteriorating area and the additional expanded deteriorating area.
- d. That a declaration of the expanded deteriorating area and additional expanded deteriorating area is necessary in order to create such newly proposed urban renewal district as required by Idaho law.

Section 2. The Post Falls Urban Renewal Agency does hereby recommend that the City Council declare the expanded deteriorating area and the additional expanded deteriorating area to be deteriorating or deteriorated pursuant to the Idaho Urban Renewal Law and Local Economic Development Act in order to accommodate the newly proposed urban renewal district described in Exhibit B. This resolution shall be effective upon its passage.

WHEREAS, under the Idaho Urban Renewal Law, Subsection 50-2018(9), Idaho Code, the definition of a deteriorating area shall not apply to any agricultural operation as defined in Subsection 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, the owners of the affected parcels have given written consent to the inclusion of those parcels within the areas declared to be deteriorated or deteriorating so as to allow them to be annexed into the Post Falls Technology URD; and

WHEREAS, Subsection 50-2018(18), Idaho Code, 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 Post Falls Technology URD includes certain parcels currently located within the unincorporated area of Kootenai County which are in the process of annexation into the City of Post Falls or are expected to seek annexation into the City of Post Falls in the near future;

WHEREAS, pursuant to Section 50-2008, Idaho Code, 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, Section 50-2904, Idaho Code 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, on July 10, 2018, representatives of the Agency and the City of Post Falls presented this proposal to the Kootenai County Board of Commissioners, and requested that the Board consider adopting the Agency's findings with respect to those parcels in the proposed Post Falls Technology URD that are currently located in the unincorporated area of Kootenai County; and

WHEREAS, the proposed Post Falls Technology URD would have no impact on jurisdictional boundaries of Kootenai County;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Kootenai County, Idaho, as follows:

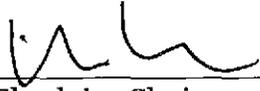
- Section 1. That the above statements are true and correct.
- Section 2. That there is a need for an urban renewal plan for the Post Falls Technology URD.
- Section 3. That the findings of the Agency made on June 12, 2018, in Resolution No. 2018-03, are hereby adopted by the Kootenai County Board of Commissioners with respect to those parcels depicted in Exhibit B hereto which are currently located in the unincorporated area of Kootenai County.
- Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Fillios and seconded by Commissioner Bingham, the following vote was recorded:

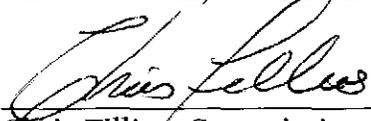
Commissioner Bingham:	Aye
Commissioner Fillios:	Aye
Chairman Eberlein:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the 17th day of July, 2018.

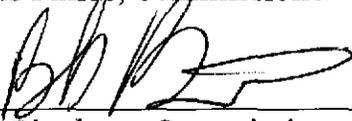
**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Marc Eberlein, Chairman



Chris Fillios, Commissioner



Bob Bingham, Commissioner

ATTEST
JIM BRANNON, CLERK

By: 
Deputy Clerk



C: City of Post Falls, Post Falls Urban Renewal Agency, Resolution File