

RESOLUTION NO. HURA 2013-3

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF HAILEY, IDAHO A/K/A/ HAILEY URBAN RENEWAL AGENCY:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF HAILEY, IDAHO A/K/A THE HAILEY URBAN RENEWAL AGENCY, ACCEPTING THAT CERTAIN REPORT ON ELIGIBILITY FOR CERTAIN PROPERTY REFERRED TO AS THE GATEWAY DISTRICT AS AN URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA AND JUSTIFICATION FOR DESIGNATING THE AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AUTHORIZING THE CHAIR OR EXECUTIVE DIRECTOR TO TRANSMIT THE REPORT AND THIS RESOLUTION TO THE CITY COUNCIL OF THE CITY OF HAILEY REQUESTING ITS CONSIDERATION FOR DESIGNATION OF AN URBAN RENEWAL AREA AND SEEKING FURTHER DIRECTION FROM THE COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Hailey, Idaho, also known as the Hailey Urban Renewal Agency, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal agency for Hailey, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, the Agency, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code, Title 50, Chapter 20, as amended and supplemented (“Law”);

WHEREAS, on or about January 25, 2010, by Resolution No. 2010-02 the City Council (“City Council”) of the city of Hailey (“City”) found that deteriorating areas exist in the City; therefore, for the purposes of the Law, the City Council created an urban renewal agency pursuant to Chapter 20, Title 50, Idaho Code, authorizing it to transact business and exercise the powers granted by the Law and Act upon making the findings of necessity required for creating said Agency;

WHEREAS, pursuant to Resolution No. 2010-02, the Mayor, with the advice and consent of the City Council, appointed a Board of Commissioners of the Agency;

WHEREAS, Hailey Ordinance No. 1081, adopted April 11, 2011, amends Hailey Municipal Code by adding a new Chapter 2.40, entitled Hailey Urban Renewal Agency, and, among other things, established a three to nine member board of commissioners for the Hailey Urban Renewal Agency;

RESOLUTION NO. HURA 2013-3

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WHEREAS, on or about June 13, 2011, by Resolution No. 2011-15, the City Council amended Resolution No. 2010-02 to include a map of the deteriorated or deteriorating areas as designated as existing within the City of Hailey by Resolution No. 2010-02;

WHEREAS, the Agency, has retained Kushlan and Associates, LLC (“Kushlan”) to study the area in question and to prepare an eligibility report (the “Report”), which would examine the designated urban renewal area for the purpose of determining whether such area is a deteriorating area and deteriorated area as defined by Idaho Code, Section 50-2018(9) and 50-2903(8)(b);

WHEREAS, Kushlan has completed the study and identifies the area contained in the Report, and describes a potential project area, and provides additional information concerning the proposed project area;

WHEREAS, the Report dated March \_\_\_\_, 2013, has been submitted to the Agency, a copy of which is attached hereto as Exhibit A;

WHEREAS, under the definition of “Deteriorating area” found in Idaho Code subsection 50-2018(9), a deteriorating area cannot include any agricultural operation as defined by Idaho Code section 22-4502(1) absent consent of the property owner except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the proposed project area has not been used for agricultural operations within the last three (3) years;

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 50-2906, 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;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF HAILEY, IDAHO, A/K/A/ HAILEY URBAN RENEWAL AGENCY, AS FOLLOWS:

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

Section 2. That there are one or more areas within the City which are deteriorating or deteriorated areas as defined by Idaho Code, Sections 50-2018(9) and 50-2903(8)(b).

Section 3. That one such area is an area which includes property generally bounded by 3<sup>rd</sup> Ave. and Idaho State Highway 75 to McKercher Blvd and Idaho State Highway 74, now commonly referred to as the Gateway District.

Section 4. That the rehabilitation, conservation, and redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, and welfare of the residents of the City.

Section 5. Based on the Report, including any changes or modifications discussed and approved at the Board's April 5, 2013, meeting, the Agency makes the findings that:

a. The area is determined to be a deteriorating area as defined by Idaho Code, Section 50-2018(9) and a deteriorated area as defined by Idaho Code, Section 50-2903(8)(b);

b. The area is determined to be appropriate for an urban renewal project.

Section 6. That the Chair of the Board of Commissioners or the Executive Director is hereby authorized to transmit the Report to the City Council requesting that the City Council:

a. Determine whether the area identified in the Report qualifies as an urban renewal project and justification for designating the area, as appropriate, for an urban renewal project;

b. If such designation is made, whether the Agency should proceed with the preparation of an Urban Renewal Plan for the area, which Plan may include a revenue allocation provision as allowed by law.

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

PASSED By the Urban Renewal Agency of the city of Hailey, Idaho, on April 5, 2013. Signed by the Chair of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on April 5, 2013.

HAILEY URBAN RENEWAL AGENCY

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Chair

ATTEST:

By \_\_\_\_\_  
Secretary