

RESOLUTION NO. 16-_____

BY THE BOARD OF COMMISSIONERS OF THE COEUR D'ALENE URBAN RENEWAL AGENCY OF THE CITY OF COEUR D'ALENE, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COEUR D'ALENE URBAN RENEWAL AGENCY DOING BUSINESS AS IGNITE CDA, ACKNOWLEDGING RECEIPT OF ACCEPTING THE FIRST AMENDMENT TO THE RIVER DISTRICT REDEVELOPMENT PLAN WHICH FIRST AMENDMENT SEEKS TO DEANNEX CERTAIN PARCELS FROM THE EXISTING RIVER DISTRICT PROJECT AREA; AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR TO TAKE APPROPRIATE ACTION; PROVIDING FOR THE RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Coeur d'Alene Urban Renewal Agency d/b/a ignite cda, 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 29, Title 50, Idaho Code, as amended (hereinafter the "Act"), a duly created and functioning urban renewal agency for Coeur d'Alene, Idaho, hereinafter referred to as "Agency."

WHEREAS, by Resolution No. 97-151, dated August 5, 1997, the City Council (the "City Council") of the City of Coeur d'Alene, Idaho (the "City") created an urban renewal agency, pursuant to the Law;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the River District Redevelopment Plan (the "River District Plan") to redevelop a portion of the City, pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3155 on November 18, 2003, approving the River District Plan, and making certain findings;

WHEREAS, pursuant to Idaho Code § 50-2008(b), "any person or agency, public or private, may submit [an] urban renewal plan to an urban renewal agency;"

WHEREAS, the City seeks to amend the River District Plan to deannex certain parcels from the existing River District Project Area as described in the First Amendment defined below;

WHEREAS, the Agency has reviewed the financial impact of the deannexation on its
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allocation of revenue and has concluded the remaining allocation of revenue is sufficient to pay its operations, obligations and to continue to implement the terms of the River District Plan;

WHEREAS, the City has prepared the First Amendment to the River District Plan (the “First Amendment”), as set forth in Exhibit 1 attached hereto, identifying the parcels to be deannexed from the River District Project Area;

WHEREAS, the First Amendment amends the River District Plan, which contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the First Amendment is expected to be adopted by the City in accordance with the requirements of the Law and the Act, specifically, but not limited to the requirements set forth in Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to formally accept the First Amendment, as prepared by the City and as set forth in Exhibit 1 attached hereto, and to forward it to the Mayor and City, for adoption in accordance with the requirements of the Law and the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF IGNITE CDA, THE COEUR D’ALENE URBAN RENEWAL AGENCY:

Section 1. The above statements are true and correct.

Section 2. That the Agency specifically acknowledges receipt of and accepts the First Amendment, attached hereto as Exhibit 1, identifying the parcels to be deannexed from the existing River District Project Area.

Section 3. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code and the Act.

Section 4. The Chairman and the Executive Director of the Agency are hereby authorized and directed to take all steps necessary and convenient in partnership with the City to facilitate the City’s adoption of the First Amendment.

Section 5. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Coeur d’Alene Urban Renewal Agency d/b/a ignite cda, on June 8, 2016. Signed by the Chairman of the Board of Commissioners, and attested by the Executive Director, on June 8, 2016.

Coeur d’Alene Urban Renewal Agency
d/b/a ignite cda

By _____
Chairman

ATTEST:

By _____
Executive Director

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**FIRST AMENDMENT TO THE
RIVER DISTRICT REDEVELOPMENT PLAN**

URBAN RENEWAL PROJECT

COEUR D'ALENE URBAN RENEWAL AGENCY
(formerly d/b/a the Lake City Development Corporation and now d/b/a ignite cda)

CITY OF COEUR D'ALENE, IDAHO

Ordinance No. 3155
Adopted November 18, 2003
Effective November 26, 2003

**First Amendment to the
River District Redevelopment Plan**
Ordinance No. _____
Adopted July 13, 2016
Effective July __, 2016

BACKGROUND

This First Amendment (“First Amendment”) to the River District Redevelopment Plan (the “Plan”) deannexes certain parcels from the plan area/revenue allocation area created by the Plan commonly referred to as the “River District Project Area.” The scope of this First Amendment is limited to addressing the deannexation of certain parcels from the River District Project Area. It is important to note the deannexation of parcels from the River District Project Area does not change the termination date.

As a result of the deannexation, in 2016 through the remaining years of the Plan, the Coeur d’Alene Urban Renewal Agency formerly d/b/a Lake City Development Corporation and now d/b/a ignite cda (the “Agency”) will cease receiving an allocation of revenues from the deannexed parcels. The increment value of the parcels deannexed from the River District Project Area shall be included in the net taxable value of the taxing district when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code. The Kootenai County Assessor’s Office maintains the value information, including the increment value, if any, included on the new construction roll for new construction associated with the deannexed parcels. The amount added to the new construction roll will equal the amount by which the December 31, 2015, increment value exceeds the incremental value as of December 31, 2006.

House Bill 606, effective July 1, 2016, amended the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) confirming that a plan amendment to the Plan does not result in a reset of the base assessment roll values: “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Further a plan amendment to accommodate a de-annexation in the revenue allocation boundary is also an identified exception to the base reset requirement. Idaho Code § 50-2903A(1)(a)(iii).

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan.
2. The following defined terms are amended throughout the Plan as follows:
 - (a) Delete “LCDC” and replace with “Agency.”
 - (b) Delete “Project Area” and replace with “Amended Project Area” except where specifically referenced in this First Amendment.

3 Amendment to Section 102.1 of the Plan.

(a) Section 102.1 entitled “CONFORMANCE WITH STATE OF IDAHO URBAN RENEWAL LAW OF 1965, AS AMENDED” is amended by adding a new paragraph to the end of the existing language as follows:

This First Amendment to the River District Redevelopment Plan (the “First Amendment”) deannexes certain parcels from the existing Project Area, resulting in an “Amended Project Area” as further described in Attachments 1 and 2. Pursuant to the Law, the City Council, having published due notice thereof, held a public hearing on the First Amendment. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted the First Amendment on July 13, 2016, pursuant to Ordinance No. _____.

4. Amendment to Section 200 of the Plan.

(a) Section 200 entitled “DESCRIPTION OF PROJECT AREA” is deleted and replaced as follows:

DESCRIPTION OF THE AMENDED PROJECT AREA

The boundaries of the Amended Project Area and of the Amended Revenue Allocation Area pursuant to the First Amendment are described in Attachment 1, which is attached hereto and incorporated herein by reference, and are shown on the Amended Project Area and Amended Revenue Allocation Area Boundary Map, attached hereto as Attachment 2 and incorporated herein by reference. **[Confirm removal of property not within City boundaries]**

5. Amendment to Section 302 of the Plan.

(a) Section 302 is amended by deleting the first sentence of the second paragraph and replacing it as follows:

The Amended Project Area consists of approximately **[insert #]** acres, with boundaries along the I-90 freeway on the north, Huetter Road on the west, Spokane River on the south, and Beebe Boulevard on the east, less the parcels deannexed pursuant to the First Amendment as shown on Attachments 1 and 2.

6. Amendment to Section 504 of the Plan.

(a) Section 504 is amended by adding a new sentence immediately following the end of the first sentence of the first paragraph as follows: Revenue allocation financing authority for the deannexed parcels pursuant to the First Amendment will be terminated effective January 1, 2016.

(b) Section 504 is amended by adding a new sentence following the first sentence of the fourth paragraph as follows: The estimated financial impact to the Agency as a result of the deannexation of certain parcels from the existing Project Area pursuant to the First Amendment is set forth in the Supplement to the Economic Feasibility Study for the River District Urban Renewal Area in Attachment 5A.

7. Amendment to Section 504.1 of the Plan.

(a) Section 504.1 is amended by adding a new sentence immediately following the end of the second sentence as follows: No modifications to the Study have been made as a result of this First Amendment; however, the estimated financial impact to the Agency as a result of the deannexation of certain parcels from the existing Project Area pursuant to the First Amendment is set forth in the Supplement to the Economic Feasibility Study for the River District Urban Renewal Area in Attachment 5A.

8. Amendment to Section 504.3 of the Plan.

(a) Section 504.3 is amended by adding a new sentence at the end of the paragraph as follows: The deannexation of parcels from the existing Project Area pursuant to the First Amendment will not change this analysis.

9. Amendment to Section 504.4 of the Plan.

(a) Section 504.4 is amended by adding a new sentence at the end of the second paragraph as follows: The deannexation of parcels from the existing Project Area pursuant to the First Amendment will impact the amount of revenue generated by revenue allocation as set forth in Attachment 5A.

(b) Section 504.4 is amended by adding a new sentence at the end of the third paragraph as follows: Based on the findings set forth in Attachment 5A pursuant to the First Amendment the conclusion is the deannexation of certain parcels from the existing Project Area pursuant to the First Amendment does not change the analysis and the Project continues to be feasible.

10. Amendment to Attachment 1 of the Plan.

(a) Attachment 1 entitled “Description of the Project Area and Revenue Allocation Area Boundaries” is deleted and replaced with Attachment 1 entitled “Description of the Amended Project Area and Amended Revenue Allocation Area Boundaries,” attached hereto.

11. Amendment to Attachment 2 of the Plan.

(a) Attachment 2 entitled “Project Area – Revenue Allocation Area Boundary Map” is deleted and replaced with Attachment 2 entitled “Amended Project Area-Amended Revenue Allocation Area Boundary Map,” attached hereto.

12. Amendment to Plan to add new Attachment 5A.

(a) The Plan is amended to add new Attachment 5A entitled “Supplement to the Economic Feasibility Study for the River District Urban Renewal Area,” attached hereto.

13. River District Redevelopment Plan Remains in Effect. Except as expressly modified in this First Amendment, the Plan and the Attachments thereto remain in full force and effect.

NOTICE OF SPECIAL MEETING AND PUBLIC HEARING BY THE
CITY COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO
TO CONSIDER THE FIRST AMENDMENT TO THE
RIVER DISTRICT REDEVELOPMENT PLAN
OF THE COEUR D'ALENE URBAN RENEWAL AGENCY,
DOING BUSINESS AS IGNITE CDA

NOTICE IS HEREBY GIVEN that the City Council of the City of Coeur d'Alene will hold, during its special meeting, a public hearing in City Council Chambers, _____, Coeur d'Alene, Idaho, 83814 on Wednesday, July 13, 2016, at _____ o'clock p.m., to consider for adoption the First Amendment ("First Amendment") to the River District Redevelopment Plan (the "Plan"), concerning the existing River District Project Area of the Coeur d'Alene Urban Renewal Agency d/b/a ignite cda ("Agency"). The general scope and objective of the First Amendment is the deannexation of certain parcels from the boundaries of the existing River District Project Area. The proposed reduction in the boundary of the existing River District Project Area is hereinafter described. The boundary includes both urban renewal and revenue allocation areas. The First Amendment being considered for adoption contains a previously adopted revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will continue to cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 2003, to be allocated to the Agency for urban renewal purposes. The Agency has specifically acknowledged receipt of, reviewed and took the necessary action on the First Amendment. The City Council will also be considering the first through third readings of an Ordinance to adopt the First Amendment. The three readings of the Ordinance to adopt the First Amendment are scheduled for July 13, 2016, at _____.

The First Amendment to the Plan shall deannex the following parcels from the existing Lake District Project Area:

[Create description of area coming out; consider including parcel ID numbers]

The deannexation of certain parcels from the existing River District Project Area is also depicted in the map below with the deannexed parcels shaded in _____.

[INSERT boundary MAP designating which parcels are coming out]

Copies of the proposed First Amendment are on file for public inspection and copying for the cost of duplication at the office of the City Clerk, City Hall, _____, Coeur d'Alene, Idaho 83814, between the hours of 8:00 o'clock a.m. and 4:00 o'clock p.m., Monday through Friday, exclusive of holidays.

The hearing will be held in a handicapped accessible facility. All information presented in the hearing shall also be available upon advance request in a form usable by persons with

hearing or visual impairments, individuals with other disabilities may receive assistance by contacting the City 24 hours prior to the hearing.

At the hearing date, time and place noted above, all persons interested in the above matters may appear and be heard. Written comments will also be accepted. Comments should be directed to the Coeur d'Alene City Clerk. Written comments should be submitted prior to the hearing date.

DATED this _____ day of June, 2016.

Renata McLeod, City Clerk

Publication date: June 11 and 18, 2016.

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