

RESOLUTION NO. 2016-9

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL, IDAHO ADOPTING A FUNDING PROGRAM TO INCENTIVIZE PRIVATE PARTICIPATION IN CERTAIN CITY OF CALDWELL, IDAHO LOCAL BUSINESS IMPROVEMENT DISTRICTS ESTABLISHED PURSUANT TO IDAHO CODE §50-1703A AS PART OF THE AGENCY'S REHABILITATION PROGRAM AND PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

THIS RESOLUTION is made on the date hereinafter set forth by the Urban Renewal Agency of the City of Caldwell, Idaho an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Agency Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning Urban Renewal Agency for Caldwell, Idaho, hereinafter referred to as the "Agency."

WHEREAS, on or about October 19, 1998 the City of Caldwell, Idaho ("City") through its Mayor and City Council, passed Resolutions 88-98 and 89-98 creating an urban renewal agency, pursuant to Chapter 20, Title 50, Idaho Code; and

WHEREAS, there was prepared for the Agency, and adopted according to law, the Caldwell East Area Workable Program/Implementation Plan and Urban Renewal Plan for the Caldwell East Urban Renewal Project, which have from time to time been amended according to law, (collectively the "Plan"); and

WHEREAS, pursuant to the Plan the Agency has created a Rehabilitation Program to advise, encourage, and assist in the rehabilitation, renovation and conservation of property in the Project Area not owned by the Agency"; and

WHEREAS, with respect to the Rehabilitation Program, the Plan at Section 311.1 provides that:

"[w]ith revenue allocation funds and other funding sources available to it...the Agency will implement a program of voluntary repair and rehabilitation of buildings within the revenue allocation area.... The goal of the Rehabilitation Program is to bring buildings in the area up to the general safety, aesthetic, thematic and other standards set forth in the City's building code or neighborhood development plans or studies through building code enforcement and by providing to property owners incentives to remodel, repair, replace, and/or rehabilitate their buildings."

WHEREAS, in May 2010, the City adopted the Downtown Caldwell Framework Master Plan ("Framework Master Plan") to provide a guide for the cohesive and well-organized development of the downtown area; and

WHEREAS, the Framework Master Plan includes a series of artistic building elevations depicting a common architectural/aesthetic theme for the exteriors of rehabilitated downtown properties; and

WHEREAS, Idaho Code §50-1703A authorizes the City to create a local business improvement district, funded in the same manner as an LID, “for the purpose of constructing and financing the cost and expense of improvements to the exterior portions of business buildings to bring business buildings within the district into conformity with the architectural theme adopted by the city;” and

WHEREAS, together the Agency’s Plan Rehabilitation Program, the Framework Master Plan’s guidance on a cohesive redevelopment aesthetic, and the financing mechanism available to the City and private property owners in the form of a local business improvement district can and should work together to help achieve the rehabilitation purposes of the Rehabilitation Program.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL, IDAHO:

Section 1: The Agency shall make funds available for its Rehabilitation Program to incentivize voluntary private participation in certain City local business improvement districts by reducing “the percentage of the cost to be assessed against each lot and parcel within the district” as provided in Idaho Code §50-1703A(5)(d).

Section 2: Local business improvement districts eligible for funding must be located in that portion of the Revenue Allocation Area and Project Area bounded by the UPRR right-of-way on the northeast, South 10th Ave on the southeast, Indian Creek on the southwest, and South 5th Ave. on the northwest.

Section 3: Local business improvement districts eligible for funding must be established for the purpose of constructing building façade improvements that are aesthetically consistent with the Framework Master Plan and Chapter 10, Article 12 of the Caldwell City Code as determined by the design review process set forth in the Caldwell City Code.

Section 4: Local business improvement districts eligible for funding must result in significant improvement to the property, eradication of blight and meet the general safety, quality and other construction standards set forth in the City’s building codes and applicable ordinances.

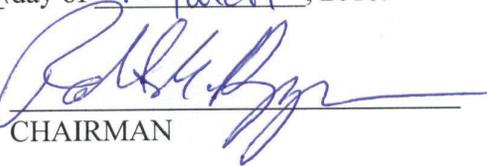
Section 5: Agency may condition funding upon assurances that the façade improvements are pursued for, and will be used in good faith for, economic development and elimination of blight. Funding conditions may require reimbursement if private participation is primarily for improving properties for resale or otherwise speculating in real estate.

Section 6: The Agency's financial participation in the local business improvement district shall be established at the time of, and in conjunction with, the Petition presented to the City Council pursuant to Idaho Code §50-1703A(5). Financial participation may vary from one district to another depending upon the availability of funds and the size and scope of the district and improvements. The objective of funding shall be as follows:

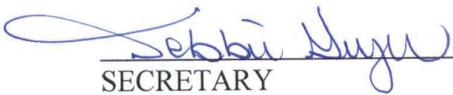
- A. To pay thirty-five percent (35%) of the cost estimated in the Petition to be assessed against each lot and parcel within the local business improvement district, and
- B. To pay any interest on deferred assessments provided the principal is timely paid by the responsible party; and
- C. To pay or otherwise assure that all costs necessary to the formation of the local business improvement district are paid without assessment to participating property owners.

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

ADOPTED AND APPROVED THIS 14th day of March, 2016.


CHAIRMAN

ATTEST:


SECRETARY

