

CITY OF BOISE

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=26 BONNIE OBERBILLIG
BOISE CITY

2018-077501
08/16/2018 11:03 AM
NO FEE



Ordinance NO. ORD-26-18

BY THE COUNCIL

CLEGG, LUDWIG, MCLEAN, SANCHEZ,
THOMSON AND WOODINGS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOISE CITY, IDAHO, APPROVING THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN, 30TH STREET AREA, URBAN RENEWAL PROJECT, WHICH FIRST AMENDMENT SEEKS TO DEANNEX CERTAIN PARCELS FROM THE EXISTING 30TH STREET PROJECT AREA; WHICH FIRST AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; APPROVING THE SUMMARY OF THE ORDINANCE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 1154 the City Council (“City Council”) and Mayor of the city of Boise City, Idaho (“City”) created an urban renewal agency, the Boise Redevelopment Agency, now known as Capital City Development Corporation (“Agency”), authorizing it to transact business and exercise the powers granted by 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”), upon making the findings of necessity required for creating said Agency;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the “30th Street Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 6868 on December 4, 2012, approving the 30th Street Plan and making certain findings;

WHEREAS, the 30th Street Plan project area is referred to herein as the “Existing Project Area;”

WHEREAS, the Agency seeks to amend the 30th Street Plan Area to deannex certain parcels from the Existing Project Area as described in the First Amendment defined below;

WHEREAS, the Agency has reviewed the financial impact of the deannexation on its 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 30th Street Plan;

WHEREAS, the Agency, in coordination with the City, has prepared the First

CITY OF BOISE

Amendment to the 30th Street Plan (the “First Amendment”), as set forth in Exhibit 1 attached hereto, identifying the parcels to be deannexed from the Existing Project Area;

WHEREAS, the First Amendment amends the 30th Street Plan, which contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, on June 11, 2018, the Agency Board passed Resolution No. 1556 proposing and recommending approval of the First Amendment;

WHEREAS, the Agency submitted the First Amendment to the Mayor and City;

WHEREAS, the Mayor and City Clerk have taken the necessary action to process the First Amendment;

WHEREAS, as of June 15, 2018, the First Amendment was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, notice of the public hearing of the First Amendment was caused to be published by the City Clerk in the *Idaho Statesman* on June 15 and 29, 2018, a copy of said notice being attached hereto as Exhibit 2;

WHEREAS, as required by Idaho Code Section 50-2906, the First Amendment was made available to the general public and all taxing districts at least thirty (30) days prior to the July 17, 2018, regular meeting of the City Council;

WHEREAS, appropriate notice of the First Amendment and the impact on the revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Sections 50-2008 and 50-2906;

WHEREAS, at a meeting held July 9, 2018, the Boise City Planning and Zoning Commission considered the First Amendment and found that the First Amendment is in all respects in conformity with Boise’s Comprehensive Plan, *Blueprint Boise*, as amended; a copy of the Planning and Zoning Commission Findings and Recommendations is attached hereto as Exhibit 3;

WHEREAS, the City Council at its regular meeting held on July 17, 2018, held a public hearing and considered the First Amendment as proposed, and made certain comprehensive findings;

WHEREAS, it is necessary, and in the best interests of the citizens of the City to adopt the First Amendment;

WHEREAS, the First Amendment amends a pre-July 1, 2016, urban renewal plan containing a revenue allocation financing provision, and therefore, pursuant to Idaho Code Section 50-2903(4), there is no reset of the base assessment roll to the current values for the remaining Existing Project Area; and

CITY OF BOISE

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the Existing Project Area is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the 30th Street Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE:

SECTION 1: The First Amendment attached hereto as Exhibit 1 and made a part hereof, is hereby approved. As directed by the City Council, the City Clerk may make certain technical corrections or revisions in keeping with the information and testimony presented at the July 17, 2018, hearing, and incorporate changes or modifications, if any.

SECTION 2: No direct or collateral action challenging the First Amendment shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the First Amendment.

SECTION 3: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of Ada County Board of Commissioners, Ada County Highway District, Ada County Emergency Medical Services, Independent School District of Boise No. 1, City of Boise, Mosquito Abatement District, College of Western Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundary of the deannexed area, and a map indicating the boundaries of the parcels to be deannexed from the Existing Project Area.

SECTION 4: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2018, to the extent permitted by the Law and the Act, with the remaining Existing Project Area maintaining its base assessment roll as of January 1, 2012.

SECTION 5: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 6: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with. First reading July 17th, 2018, second and third readings July 24th, 2018.

SECTION 7: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 8: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

CITY OF BOISE

SECTION 9: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

ADOPTED by the Council of Boise City, Idaho, on July 24, 2018.

APPROVED by the Mayor of the Boise City, Idaho, on July 24, 2018.

APPROVED:



David H. Bieter, Mayor



ATTEST:



Lynda Lowry, Ex-Officio City Clerk

Exhibit 1

**FIRST AMENDMENT TO THE URBAN RENEWAL PLAN,
30TH STREET AREA, URBAN RENEWAL PROJECT**

**FIRST AMENDMENT TO THE
URBAN RENEWAL PLAN
30TH STREET AREA
URBAN RENEWAL PROJECT**

**URBAN RENEWAL AGENCY OF BOISE CITY
(also known as Capital City Development Corporation)**

BOISE, IDAHO

**Ordinance No. 6868
Adopted December 4, 2012
Effective December 15, 2012, publication**

**First Amendment
Ordinance No. ORD-26-18
Adopted July 24, 2018
Effective July 24, 2018, publication**

BACKGROUND

This First Amendment (“First Amendment”) to the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the “Plan”) deannexes certain parcels from the plan area/revenue allocation area created by the Plan commonly referred to as the “30th Street Project Area,” adopted by Boise City Council Ordinance No. 6868, on December 4, 2012. The scope of this First Amendment is limited to addressing the deannexation of certain parcels from the 30th Street Project Area. It is important to note the deannexation of parcels from the 30th Street Project Area does not change the termination date set forth in the Plan.

As a result of the deannexation, in 2018 through the remaining years of the Plan, the Urban Renewal Agency of Boise City, Idaho also known as Capital City Development Corporation (the “Agency”) will cease receiving an allocation of revenues from the deannexed parcels. The increment value of the parcels deannexed from the 30th Street 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 Ada 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, 2017, increment value exceeds the increment 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 to the current year’s equalized assessed 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 deannexation 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 “Project Area” and replace with “Amended Project Area” except where specifically referenced in this First Amendment.

(b) Delete references to Attachment 1 entitled "Boundary Map of 30th Street Urban Renewal Project Area and Revenue Allocation Area" and replace with Attachment 1 entitled "Boundary Map of 30th Street Amended Project Area and Amended Revenue Allocation Area."

(c) Delete references to Attachment 2 entitled "Description of 30th Street Urban Renewal Project Area and Revenue Allocation Area" and replace with Attachment 2 entitled "Description of 30th Street Amended Project Area and Amended Revenue Allocation Area."

3 Amendment to Section 102.1 of the Plan.

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

e. This First Amendment to the Plan (the "First Amendment") deannexes certain parcels from the existing Project Area, resulting in an "Amended Project Area" as further described and shown in Attachments 1 and 2.

f. In accordance with the Law, the First Amendment was submitted to the Planning and Zoning Commission of the City. After consideration of the First Amendment, the Commission filed a statement or resolution with the City Council stating that the First Amendment is in conformity with the Comprehensive Plan, as amended.

g. 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 24, 2018, pursuant to Ordinance No. ORD-26-18

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 are shown on the Amended Project Area and Amended Revenue Allocation Area Boundary Map, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Description of the Amended Project Area and

Amended Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

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:

Following de-annexation of certain parcels, the Amended Project Area and Amended Revenue Allocation Area consists of approximately 213 acres, west of the Boise Central Business District and adjacent to the Westside Downtown and River Myrtle-Old Boise Urban Renewal Project Areas.

6. Amendment to Section 404 of the Plan.

(a) Section 404 is amended by deleting the first sentence of the first paragraph and replacing it as follows:

The Amended Project Area contains primary public streets including but not limited to Fairview Avenue, Main Street, Idaho Street, Stewart Avenue, 23rd Street, 27th Street, 30th Street Extension (or as renamed by local government).

7. 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, 2018.

(b) Section 504 is amended by adding a new sentence at the end of the fourth paragraph as follows: No modifications to the analysis set forth in Attachment 5 have been made as a result of the First Amendment.

8. 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 paragraph as follows: No modifications to the Study have been made as a result of this First Amendment.

9. 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.

10. 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 reduce the amount of revenue generated by revenue allocation.

(b) Section 504.4 is amended by adding a new sentence at the end of the third paragraph as follows: The deannexation of parcels from the existing Project Area pursuant to the First Amendment does not materially reduce revenue allocation and the Project continues to be feasible.

11. Amendment to Section 800 of the Plan.

(a) Section 800 is amended by adding a new sentence at the end of the first paragraph as follows: The deannexation of parcels from the existing Project Area has no impact on the duration of this Plan.

12. Amendment to Attachment 1 of the Plan.

(a) Attachment 1 entitled "Boundary Map of 30th Street Urban Renewal Project Area and Revenue Allocation Area" is deleted and replaced with Attachment 1 entitled "Boundary Map of 30th Street Amended Project Area and Amended Revenue Allocation Area," attached hereto.

13. Amendment to Attachment 2 of the Plan.

(a) Attachment 2 entitled "Description of 30th Street Urban Renewal Project Area and Revenue Allocation Area" is deleted and replaced with Attachment 2 entitled "Description of 30th Street Amended Project Area and Amended Revenue Allocation Area," attached hereto.

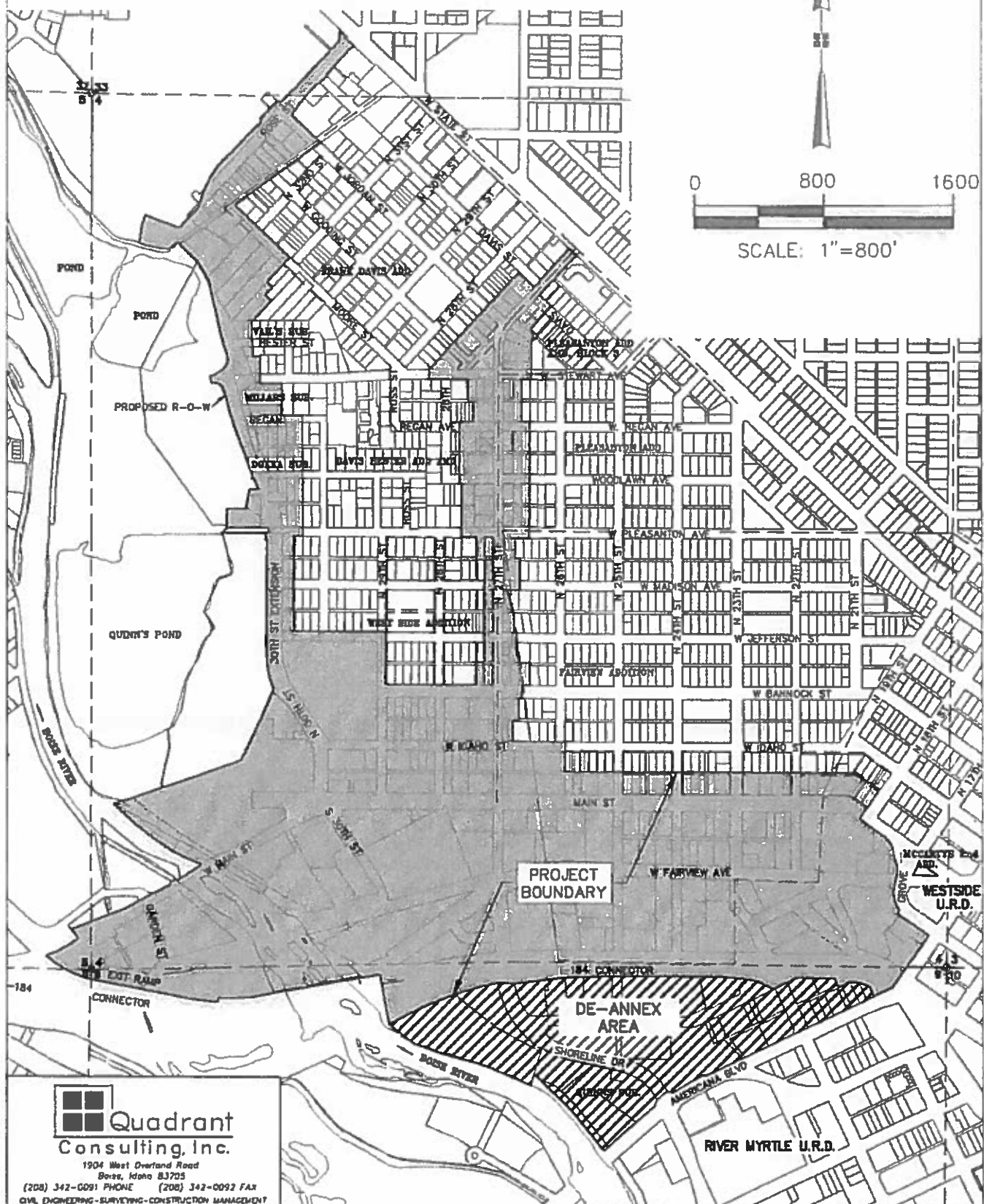
14. 30th Street Plan Remains in Effect. Except as expressly modified in this First Amendment, the Plan and the Attachments thereto remain in full force and effect.

30TH STREET PROJECT BOUNDARY
AND PROPOSED DE-ANNEXATION AREAS

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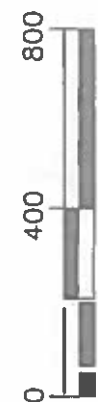
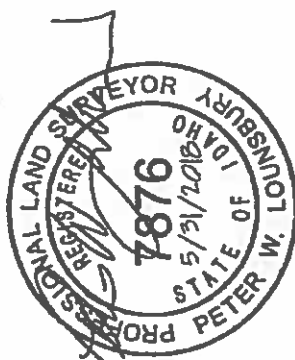
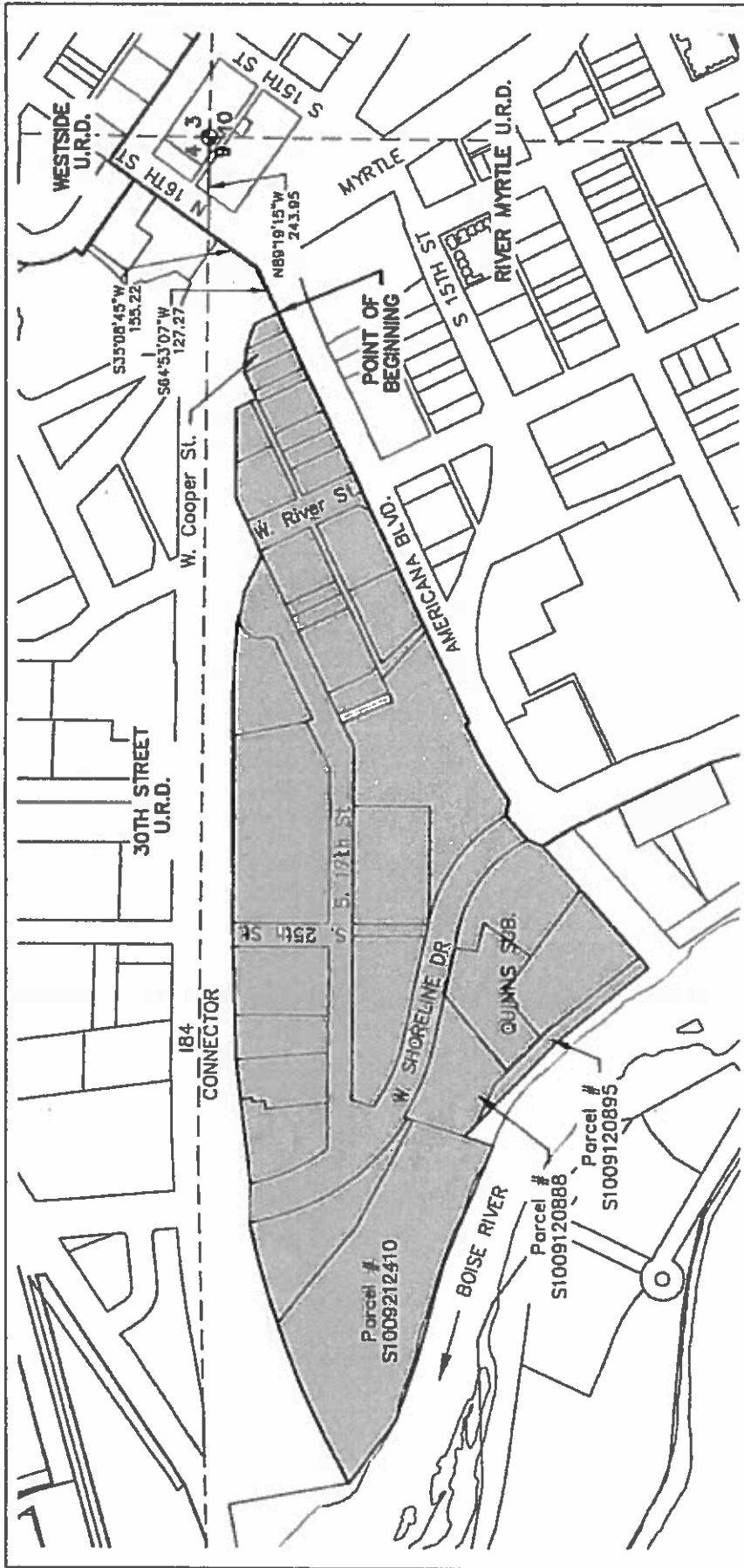


SCALE: 1"=800'



**Quadrant
Consulting, Inc.**

1904 West Overland Road
Boise, Idaho 83705
(208) 342-0091 PHONE (208) 342-0092 FAX
CIVIL ENGINEERING-SURVEYING-CONSTRUCTION MANAGEMENT



SCALE: 1" = 400'

EXHIBIT B DE-ANNEXATION OF A PORTION OF THE 30TH STREET URBAN RENEWAL DISTRICT	
DATE: MAY 31, 2018	JOB NO. 204-26
30TH_STREET DE-ANNEX Exhibit B.dwg	

Quadrant Consulting, Inc.
 1804 West Overland Road
 Boise, Idaho 83705
 (208) 312-0091 PHONE (208) 342-0092 FAX
 CMA, INCORPORATED-SUBCONTRACTOR

May 31, 2018

**DE-ANNEXATION OF A PORTION OF THE
30th STREET URBAN RENEWAL PROJECT
BOISE, IDAHO**

A tract of land being a portion of Section 9, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho. Said tract of land being more particularly described by record information as follows:

Commencing at the Section Corner common to Sections 3, 4, 9, and 10, of Township 3 North, Range 2 East, Boise Meridian, thence North $89^{\circ}19'15''$ West 243.95 feet along the Section line common to said Sections 4 and 9 to a point on the Northwesternly Right-of-Way of South 16th Street, thence along said Northwesternly Right-Of-Way South $35^{\circ}08'45''$ West 155.22 feet, to a point on the Northerly Right-Of-Way of South Americana Boulevard, thence along said Northerly Right-Of-Way South $64^{\circ}53'07''$ West 127.27 feet to the **POINT OF BEGINNING**; thence continuing along said Northerly Right-Of-Way the following ten courses:

South $64^{\circ}53'07''$ West 529.56 feet, thence
South $64^{\circ}46'49''$ West 624.15 feet, thence
North $25^{\circ}13'11''$ West 10.00 feet, thence

223.77 feet along a curve to the left, said curve having a radius of 1453.37 feet, a delta angle of $8^{\circ}49'18''$ and a chord bearing and distance of South $60^{\circ}22'26''$ West 223.55 feet, thence

North $78^{\circ}33'11''$ West 39.05 feet, thence
South $48^{\circ}31'19''$ West 81.55 feet, thence
South $21^{\circ}07'46''$ West 43.42 feet, thence

49.31 feet along a curve to the left, said curve having a radius of 1453.37 feet, a delta angle of $1^{\circ}56'38''$ and a chord bearing and distance of South $49^{\circ}14'05''$ West 49.31 feet, thence

South $48^{\circ}46'52''$ West 328.48 feet, thence

South $47^{\circ}04'24''$ West 36.29 feet, thence leaving said Northerly Right-of-Way of South Americana Boulevard and following the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009120895 the following three courses:

North $34^{\circ}10'58''$ West 10.16 feet, thence
North $38^{\circ}44'57''$ West 299.96 feet, thence
North $45^{\circ}30'09''$ West 290.31 feet to a point being on the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009120888, thence along said parcel boundary

North 45°30'09" West 40.85 feet, thence leaving said parcel boundary and following the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009212410, thence along said parcel boundary

South 18°14'11" West 77.63 feet to the North bank of the Boise River, thence along said North bank

North 67°00'24" West 327.52 feet, thence
North 74°29'51" West 265.41 feet, thence
North 69°37'10" West 162.42 feet, thence
North 52°58'21" West 200.10 feet to the Southerly Right-Of-Way of the I-84 Connector, thence along said Southerly Right-Of-Way

North 63° 50' 42" East 186.94 feet, thence

528.69 feet along a curve to the right, said curve having a radius of 2267.00 feet, a delta angle of 13° 21' 43" and a chord bearing and distance of North 71° 23' 27" East 527.49 feet, to a point on the Westerly Right-Of-Way of West Shoreline Drive thence

South 89° 10' 40" East 103.05 feet to a point on the Easterly Right-Of-Way of West Shoreline Drive, thence continuing along said Southerly Right-Of-Way of the I-84 Connector

North 83° 20' 00" East 38.76 feet, thence
North 83° 21' 41" East 178.95 feet, thence
North 83° 23' 17" East 100.42 feet, thence
North 88° 20' 14" East 288.62 feet to a point on the Westerly Right-Of-Way of South 25th Street, thence

North 89° 55' 36" East 60.00 feet to a point on the Easterly Right-Of-Way of South 25th Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector

North 89° 55' 36" East 586.07 feet, thence
South 84° 53' 49" East 185.40 feet, thence
South 78° 32' 03" East 77.97 feet, thence
South 63° 34' 34" East 101.53 feet, thence

North 64° 46' 56" East 12.83 feet to a point on the Westerly Right-Of-Way of West River Street, thence

North 64° 55' 58" East 80.00 feet to a point on the Easterly Right-Of-Way of said West River Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector.

North 64° 55' 58" East 66.63 feet, thence
South 89° 31' 57" East 229.76 feet, thence



South 25° 31' 47" East 57.82 feet, thence
North 64° 37' 51" East 74.80 feet to a point on the Westerly Right-Of-Way of West Cooper
Street, thence

South 85° 12' 57" East 57.70 feet to a point on the Easterly Right-Of-Way of West Cooper
Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector.

South 70° 38' 00" East 70.49 feet, thence

South 25° 04' 06" East 66.02 feet to the **POINT OF BEGINNING.**

Said Tract contains 35.4 acres, more or less.

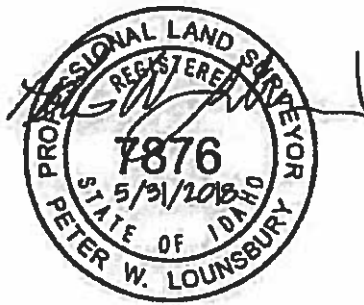


Exhibit 2

NOTICE PUBLISHED IN THE *Idaho Statesman*, June 15 and 29, 2018

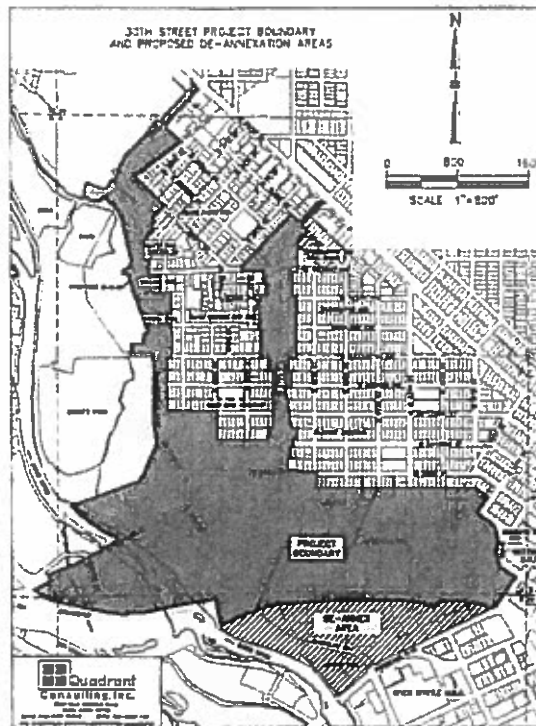
**NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE
CITY COUNCIL OF THE CITY OF BOISE CITY, IDAHO
TO CONSIDER THE FIRST AMENDMENT TO THE
URBAN RENEWAL PLAN, 30TH STREET AREA, URBAN RENEWAL PROJECT
OF THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, ALSO KNOWN AS
CAPITAL CITY DEVELOPMENT CORPORATION**

NOTICE IS HEREBY GIVEN that the City Council ("City Council") of the City of Boise City, Idaho ("City") will hold, during its regular meeting, a public hearing at Boise City Hall, 3rd Floor, Maryanne Jordan Council Chambers, Boise, Idaho, 83702 on Tuesday, July 17, 2018, at 6:00 p.m. to consider for adoption the First Amendment ("First Amendment") to the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the "Plan"), concerning the existing 30th Street Urban Renewal Project Area ("Project Area") of the Urban Renewal Agency of Boise City, Idaho, also known as Capital City Development Corporation ("Agency"). The general scope and objective of the First Amendment is the deannexation of certain parcels from the boundaries of the existing Project Area. The proposed reduction in the boundary of the existing 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 1, 2012, to be allocated to the Agency for urban renewal purposes. The Agency has specifically acknowledged receipt of, reviewed and recommended adoption of the First Amendment. The City Council will also be considering the first reading of an Ordinance to adopt the First Amendment at the meeting scheduled for July 17, 2018, at 6:00 p.m., and will also be considering the second and third readings of an Ordinance to adopt the First Amendment at the meeting scheduled for July 24, 2018, at 12:00 p.m.

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

The parcels to be deannexed from the existing Project Area are contained within a triangle shaped area generally bounded by the I-84 Connector to the north, Americana Boulevard to the south and the Boise River to the west.

The deannexation of certain parcels from the existing Project Area is also depicted in the map below with the deannexed parcels marked by crosshatch.



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, 150 N. Capitol Boulevard, Boise, Idaho 83702, 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 (July 17, 2018, at 6:00 p.m.), all persons interested in the above matters may appear and be heard. Written comments will also be accepted. Comments should be directed to the Boise City Clerk. Written comments should be submitted prior to the hearing date.

DATED this 11th day of June 2018

Lynda Lowry, Ex-Officio City Clerk

Publication date: June 15 and 29, 2018.

Exhibit 3

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF
BOISE, IDAHO, RELATING TO THE FIRST AMENDMENT TO THE URBAN RENEWAL
PLAN 30TH STREET AREA, URBAN RENEWAL PROJECT FOR THE URBAN RENEWAL
AGENCY OF BOISE CITY, IDAHO, ALSO KNOWN AS THE CAPITAL CITY
DEVELOPMENT CORPORATION**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BOISE, IDAHO, RELATING TO THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN 30TH STREET AREA, URBAN RENEWAL PROJECT FOR THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, ALSO KNOWN AS THE CAPITAL CITY DEVELOPMENT CORPORATION

WHEREAS, the Urban Renewal Agency of Boise City, Idaho, also known as Capital City Development Corporation, the duly constituted and authorized urban renewal agency of the city of Boise, Idaho (hereinafter "Agency") has submitted a proposed First Amendment to the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the "First Amendment") to the city of Boise and the Boise City Council, and the Mayor has referred the First Amendment to the Boise Planning and Zoning Commission for review and recommendations concerning the conformity of said First Amendment with the Boise's Comprehensive Plan, *Blueprint Boise*, as amended ("Comprehensive Plan"); and

WHEREAS, the staff of the Planning and Zoning Commission has reviewed the First Amendment and has determined that it is in all respects in conformity with the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Commission met on July 9, 2018, to consider the First Amendment; and

WHEREAS, the Planning and Zoning Commission has reviewed said First Amendment in view of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BOISE, IDAHO:

Section 1. That the First Amendment, submitted by the Agency and referred to this Commission by the City Council for review, is in all respects in conformity with the Comprehensive Plan.

Section 2. That the Director of the Planning and Zoning Commission by and hereby is authorized and directed to provide the Boise City Council with a certified copy of this Resolution relating to said First Amendment.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the city of Boise, Idaho, this 9th day of July, 2018.

APPROVED:  Chair, Planning and Zoning Commission	ATTEST:  Planning Director
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Exhibit 4
CITY OF BOISE CITY

SUMMARY OF ORDINANCE NO. 26-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOISE CITY, IDAHO, APPROVING THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN, 30TH STREET AREA URBAN RENEWAL PROJECT, WHICH FIRST AMENDMENT SEEKS TO DEANNEX CERTAIN PARCELS FROM THE EXISTING 30TH STREET PROJECT AREA; WHICH FIRST AMENDMENT AMENDS A PLAN THAT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND OTHER TAXING ENTITIES; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE:

SECTION 1: The First Amendment (the “First Amendment”) to the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the “Plan”), is attached to Ordinance No. 26-18 as Exhibit 1 and made part of the Ordinance and is approved. The City Clerk may make certain technical corrections or revisions in keeping with the information and testimony presented at the July 17, 2018, hearing. A Summary of the First Amendment is set forth below. The full text of the Ordinance, the First Amendment and the Plan is available at the offices of the City Clerk, City Hall, 150 N. Capitol Boulevard, Boise, Idaho 83702, between the hours of 8:00 o’clock a.m. and 4:00 o’clock p.m., Monday through Friday, exclusive of holidays.

SECTION 2: No direct or collateral action challenging the First Amendment shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the First Amendment.

SECTION 3: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of Ada County Board of Commissioners, Ada County Highway District, Ada County Emergency Medical Services, Independent School District of Boise No. 1, City of Boise, Mosquito Abatement District, College of Western Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundary of the deannexed area, and a map indicating the boundaries of the parcels to be deannexed from the Existing Project Area.

SECTION 4: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication, and shall be retroactive to January 1, 2018, to the extent permitted by the Law and the Act, with the remaining Existing Project Area maintaining its base assessment roll as of January 1, 2012.

SECTION 5: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 6: At least one-half, plus one of the City Council members finding good cause, the City Council hereby dispenses with the rule that this Ordinance be read on three different days; two readings of which shall be in full, and have hereby adopted this Ordinance, having considered it at two readings.

SECTION 7: The Summary of this Ordinance, a copy of which is attached to Ordinance No. 26-18 as Exhibit 4, is hereby approved.

SECTION 8: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 9: SAVINGS CLAUSE: This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the Council of the City of Boise, Idaho, this 24th day of July 2018.

APPROVED by the Mayor of the City of Boise, Idaho, this 24th day of July 2018.

EXHIBITS TO THE ORDINANCE

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| Exhibit 1 | First Amendment to the Urban Renewal Plan, 30 th Street Area, Urban Renewal Project |
| Exhibit 2 | Notice Published in the <i>Idaho Statesman</i> , June 15 and 29, 2018 |
| Exhibit 3 | A Resolution of the Planning and Zoning Commission for the City of Boise, Idaho, Relating to the First Amendment to the Urban Renewal Plan 30 th Street Area, Urban Renewal Project for the Urban Renewal Agency of Boise City, Idaho, Also Known as the Capital City Development Corporation |
| Exhibit 4 | Ordinance Summary |

SUMMARY OF FIRST AMENDMENT

The First Amendment to the Plan was prepared by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), and all applicable laws and ordinances and was approved by the Agency. The First Amendment

seeks to deannex certain parcels from the Existing Project Area. The First Amendment being considered for adoption contains a previously adopted revenue allocation financing provision pursuant to the Act that will continue to cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation on the parcels remaining in the Existing Project Area as shown on the original base assessment roll as of January 1, 2012, for the original 2012 Project Area, that will continue to be allocated to the Agency for urban renewal purposes.

The general scope and objective of the First Amendment is the deannexation of certain parcels from the boundaries of the Existing Project Area.

The First Amendment shall deannex the following parcels from the Existing Project Area:

The parcels to be deannexed from the existing Project Area are contained within a triangle shaped area generally bounded by the I-84 Connector to the north, Americana Boulevard to the south and the Boise River to the west.

The legal description of the area to be deannexed is as follows:

A tract of land being a portion of Section 9, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho. Said tract of land being more particularly described by record information as follows:

Commencing at the Section Corner common to Sections 3, 4, 9, and 10, of Township 3 North, Range 2 East, Boise Meridian, thence North $89^{\circ}19'15''$ West 243.95 feet along the Section line common to said Sections 4 and 9 to a point on the Northwesternly Right-of-Way of South 16th Street, thence along said Northwesternly Right-Of-Way South $35^{\circ}08'45''$ West 155.22 feet, to a point on the Northerly Right-Of-Way of South Americana Boulevard, thence along said Northerly Right-Of-Way South $64^{\circ}53'07''$ West 127.27 feet to the POINT OF BEGINNING; thence continuing along said Northerly Right-Of-Way the following ten courses:

South $64^{\circ}53'07''$ West 529.56 feet, thence
South $64^{\circ}46'49''$ West 624.15 feet, thence
North $25^{\circ}13'11''$ West 10.00 feet, thence

223.77 feet along a curve to the left, said curve having a radius of 1453.37 feet, a delta angle of $8^{\circ}49'18''$ and a chord bearing and distance of South $60^{\circ}22'26''$ West 223.55 feet, thence

North $78^{\circ}33'11''$ West 39.05 feet, thence
South $48^{\circ}31'19''$ West 81.55 feet, thence
South $21^{\circ}07'46''$ West 43.42 feet, thence

49.31 feet along a curve to the left, said curve having a radius of 1453.37 feet, a delta angle of 1°56'38" and a chord bearing and distance of South 49°14'05" West 49.31 feet, thence

South 48°46'52" West 328.48 feet, thence

South 47°04'24" West 36.29 feet, thence leaving said Northerly Right-of-Way of South Americana Boulevard and following the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009120895 the following three courses:

North 34°10'58" West 10.16 feet, thence

North 38°44'57" West 299.96 feet, thence

North 45°30'09" West 290.31 feet to a point being on the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009120888, thence along said parcel boundary

North 45°30'09" West 40.85 feet, thence leaving said parcel boundary and following the boundary of a parcel of land identified as Ada County Assessor Parcel Number S1009212410, thence along said parcel boundary

South 18°14'11" West 77.63 feet to the North bank of the Boise River, thence along said North bank

North 67°00'24" West 327.52 feet, thence

North 74°29'51" West 265.41 feet, thence

North 69°37'10" West 162.42 feet, thence

North 52°58'21" West 200.10 feet to the Southerly Right-Of-Way of the I-84 Connector, thence along said Southerly Right-Of-Way

North 63° 50' 42" East 186.94 feet, thence

528.69 feet along a curve to the right, said curve having a radius of 2267.00 feet, a delta angle of 13° 21' 43" and a chord bearing and distance of North 71° 23' 27" East 527.49 feet, to a point on the Westerly Right-Of-Way of West Shoreline Drive thence

South 89° 10' 40" East 103.05 feet to a point on the Easterly Right-Of-Way of West Shoreline Drive, thence continuing along said Southerly Right-Of-Way of the I-84 Connector

North 83° 20' 00" East 38.76 feet, thence

North 83° 21' 41" East 178.95 feet, thence

North 83° 23' 17" East 100.42 feet, thence

North 88° 20' 14" East 288.62 feet to a point on the Westerly Right-Of-Way of South 25th Street, thence

North 89° 55' 36" East 60.00 feet to a point on the Easterly Right-Of-Way of South 25th

Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector

North 89° 55' 36" East 586.07 feet, thence
South 84° 53' 49" East 185.40 feet, thence
South 78° 32' 03" East 77.97 feet, thence
South 63° 34' 34" East 101.53 feet, thence

North 64° 46' 56" East 12.83 feet to a point on the Westerly Right-Of-Way of West River Street, thence

North 64° 55' 58" East 80.00 feet to a point on the Easterly Right-Of-Way of said West River Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector.

North 64° 55' 58" East 66.63 feet, thence
South 89° 31' 57" East 229.76 feet, thence
South 25° 31' 47" East 57.82 feet, thence
North 64° 37' 51" East 74.80 feet to a point on the Westerly Right-Of-Way of West Cooper Street, thence

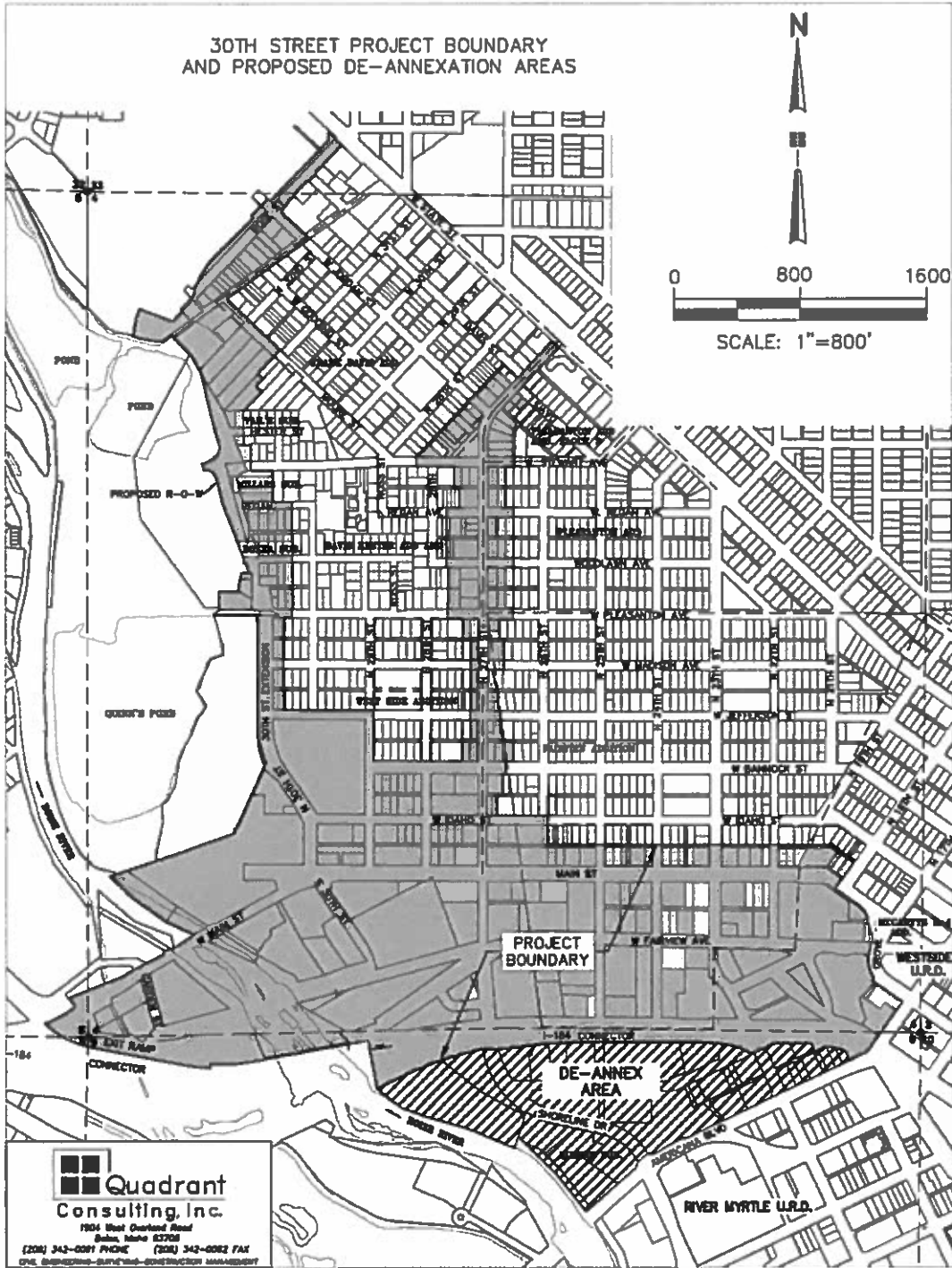
South 85° 12' 57" East 57.70 feet to a point on the Easterly Right-Of-Way of West Cooper Street, thence continuing along said Southerly Right-Of-Way of the I-84 Connector.

South 70° 38' 00" East 70.49 feet, thence

South 25° 04' 06" East 66.02 feet to the POINT OF BEGINNING.

Said Tract contains 35.4 acres, more or less.

The deannexation of certain parcels from the Existing Project Area is also depicted in the map below with the deannexed parcels marked by crosshatch:



ATTACHMENTS TO THE FIRST AMENDMENT

- Attachment 1 Boundary Map of 30th Street Amended Project Area and Amended Revenue Allocation Area
- Attachment 2 Description of 30th Street Amended Project Area and Amended Revenue Allocation Area

The full text of Ordinance 26-18 is available at the offices of the City Clerk, 150 N. Capitol Boulevard, Boise, Idaho, 83702.

This summary is approved by the Boise City Council at its meeting of July 17, 2018.

APPROVED:



David H. Bieter
MAYOR

ATTEST:



Lynda Lowry
EX-OFFICIO CITY CLERK

I, Christine Starr, Deputy City Attorney for the city of Boise, Idaho, hereby declare and certify that in my capacity as Deputy City Attorney of the city of Boise, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 26-18.

DATED this 17th day of July 2018.



Deputy City Attorney
Boise, Idaho