CITY OF
REXBURG
America's Family Community

RESOLUTION NO. 2015 - 13

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG TO PROVIDE FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b) BETWEEN THE CITY OF SUGAR CITY, IDAHO AND THE CITY OF REXBURG, IDAHO; PROVIDING FOR AREAS OUTSIDE THE CITY LIMITS OF THE CITY OF REXBURG AND WITHIN THE CITY LIMITS OF THE CITY OF SUGAR CITY TO BE INCLUDED WITHIN AN URBAN RENEWAL AREA AS SUGAR CITY CONSENTS AND AS ACKNOWLEDGED BY MADISON COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council of the city of Rexburg have the authority (pursuant to Idaho Code §50-302) to establish resolutions not inconsistent with the laws of the state of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, Idaho Code Section 50-2018(18) 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, the area considered within the North Interchange Area Urban Renewal Eligibility Report, dated June 10, 2014 (the "2014 Eligibility Report") included certain properties within Sugar City and certain properties within unincorporated Madison County;

WHEREAS, the 2014 Eligibility Report was submitted to the Sugar City City Council and the Madison County Board of County Commissioners, and both the Madison County Board of County Commissioners and the Sugar City City Council were asked to adopt a resolution finding the need for an urban renewal project for the proposed North Interchange Area;

WHEREAS, the Sugar City City Council adopted the Agency's findings concerning the proposed North Interchange Area by adopting Resolution No. 2014-2 on July 24, 2014;

WHEREAS, the Madison County Board of County Commissioners adopted the Agency's finding concerning the proposed North Interchange Area by adopting Resolution No. 375 on July 28, 2014;

WHEREAS, the Rexburg City Council, by Resolution No. 2014-16, dated August 20, 2014, declared the North Interchange Area described in the 2014 Eligibility Report to be a deteriorated or deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that both the Sugar City City Council and the Madison County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, preparation of the urban renewal plan was delayed in order to obtain the required property owner consents for agricultural property included within the North Interchange Area;

WHEREAS, during that time it further become apparent that additional property adjacent and contiguous to the North Interchange Area, as described in the 2014 Eligibility Report, may be deteriorating or deteriorated and should be examined as to whether such area is eligible for urban renewal planning purposes;

WHEREAS, the Agency, during 2015, authorized the Consultant and Richard Horner, the Agency Chairman, to review such additional areas within unincorporated Madison County and Rexburg adjacent and contiguous to the North Interchange Area and requested preparation of a supplemental eligibility report for such areas;

WHEREAS, the Agency obtained The North Interchange Area Urban Renewal Supplemental Eligibility Report, dated June 4, 2015 (the "2015 Supplemental Eligibility Report"), which examined additional property within unincorporated Madison County and Rexburg that is adjacent and contiguous to the North Interchange Area as described in the 2014 Eligibility Report, for the purposes of determining whether such areas are deteriorating areas or deteriorated areas as defined by Idaho Code Sections 50-2018(9) an 50-2903(8);

WHEREAS, the Agency accepted the 2015 Supplemental Eligibility Report by way of Resolution No. 2015-2 at the June 4, 2015, meeting of the Agency Board;

WHEREAS, the proposed additional areas adjacent and contiguous to the North Interchange Area as described in the 2015 Supplemental Eligibility Report included certain properties within unincorporated Madison County;

WHEREAS, the Madison County Board of County Commissioners was asked to adopt a resolution finding the need for an urban renewal project for the proposed additional areas adjacent and contiguous to the North Interchange Area;

WHEREAS the Madison County Board of County Commissioners adopted the Agency's findings concerning the proposed additional areas adjacent and contiguous to the North Interchange Area as set forth in the 2015 Supplemental Eligibility Report by adopting Resolution No. 392 on June 15, 2015;

WHEREAS, on June 17, 2015, the Rexburg City Council passed Resolution 2015-10

determining the North Interchange Area to be deteriorated or deteriorating and directed the Agency to prepare an urban renewal plan for the North Interchange Area;

WHEREAS, the Agency Board on September 3, 2015, passed Resolution 2015-4 proposing the North Interchange Urban Renewal Plan;

WHEREAS, the Mayor and Rexburg City Council have deemed it expedient and in the best interests of the city of Rexburg to establish and enter into an Intergovernmental Agreement for Roles and Responsibilities under Idaho Code §50-2906(3)(b), and to confirm the consent of the Sugar City City Council and as acknowledged by Madison County Board of County Commissioners under Idaho Code §50-2018(18) between Sugar City and the city of Rexburg.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, as follows:

Section 1: Pursuant to Idaho Code §50-301, et seq., the Mayor and City Council hereby adopt the Intergovernmental Agreement for Roles and Responsibilities under Idaho Code §50-2906(3)(b) (the "Agreement"), and to confirm the consent of the Sugar City City Council and as acknowledged by the Madison County Board of County Commissioners under Idaho Code §50-2018(18) between the Sugar City City Council and the Rexburg City Council, a copy of the Agreement is attached hereto, and by this reference incorporated herein. A copy of this Resolution and the attached Agreement shall be held on file in the office of the City Clerk.

Section 2: This Resolution shall be in full force and effect upon the execution of this Resolution by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF REXBURG, IDAHO, this day of 4th day of November, 2015.

APPROVED BY THE MAYOR OF THE CITY OF REXBURG, IDAHO, this day of 4th day of November, 2015.

Richard S. Woodland, Mayor

ATTEST:

Blair D. Kay, City Clerk