

JEROME COUNTY COMMISSIONERS

Charles M. Howell
Chairman

A. Ben Crouch
Vice Chairman

John Crozier
Commissioner

Michelle Emerson
Clerk

REC'D JUN 29 2020

June 22, 2020

Alan Dornfest
State Tax Commission
PO Box 36
Boise, ID 83722
Alan.dornfest@tax.idaho.gov

☐ Email **AND**
☐ Mail

✓ Jeff Servatius
State Tax Commission
PO Box 36
Boise, ID 83722
Jeff.Servatius@tax.idaho.gov

Archie Keeton
State Tax Commission
PO Box 36
Boise, ID 83722
archie.keetoniii@tax.idaho.gov
State Tax Commission

Attn: Michelle Emerson
Jerome County Auditor
300 N. Lincoln
Jerome, Idaho 83338

☐ Hand Delivery

Attn: Michelle Emerson
Jerome County Recorder
300 N. Lincoln
Jerome, Idaho 83338

☐ Hand Delivery

Attn: Rick Haberman
Jerome County Assessor
300 N. Lincoln
Jerome, Idaho 83338

☐ Hand Delivery



JEROME COUNTY COMMISSIONERS

Charles M. Howell
Chairman

A. Ben Crouch
Vice Chairman

John Crozier
Commissioner

Michelle Emerson
Clerk

RE: Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area

Dear Jeff:

As provided for under Idaho Code Sections 50-2907 and 63-215, and Rule 225 of the Property Tax Administrative Rules IDAPA 35.01.03.225.02, you are being provided copies of the following recorded documents for filing:

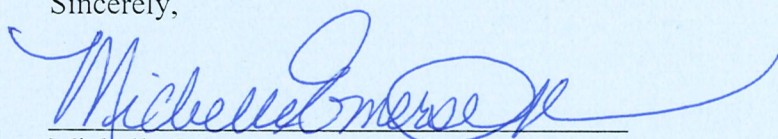
1. Jerome County Ordinance No. 2020-7 and Summary of Ordinance No. 2020-7 (without exhibits or attachments) approving the Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area (the "Crossroads Point Phase 2 Plan"), which plan contains a revenue allocation area. The Board of County Commissioners approved the Ordinance at its meeting of June 8, 2020. The Chair of the Board of County Commissioners signed the Ordinance on June 8, 2020. Publication of the Ordinance occurred on June 19, 2020.
2. A legal description of the boundary of the revenue allocation area.
3. A map showing the boundaries of the revenue allocation area.

Please file these documents in your official records.

Please be advised that the contact person for the Jerome County Urban Renewal Agency is Brent Tolman, Outwest Policy Advisors, 76 S. 222 W., Burley, Idaho 83318, 208.431.7356, brentjtolman@gmail.com.

Should you desire a copy of the entire Crossroads Point Phase 2 Plan and its attachments, copies can be obtained from County Clerk, 300 N. Lincoln, Jerome, Idaho, 83338, and/or are available on Jerome County Urban Renewal Agency's website: <https://www.jeromecountyid.us/318/Urban-Renewal-Plans>.

Sincerely,


Michelle Emerson, County Clerk

Enclosures

cc: Ryan P. Armbruster
Meghan S. Conrad
Marsha Martin
Michael Seib

4838-9785-0222, v. 1

Instrument # 2202710
JEROME COUNTY, JEROME, IDAHO
6-10-2020 04:21:47 PM No. of Pages: 12
Recorded for : JEROME COUNTY COMMISSIONERS
MICHELLE EMERSON Fee: 0.00
Ex-Officio Recorder Deputy *[Signature]*

Instrument # 2202937
JEROME COUNTY, JEROME, IDAHO
6-22-2020 02:06:55 PM No. of Pages: 116
Recorded for : JEROME COUNTY COMMISSIONERS
MICHELLE EMERSON Fee: 0.00
Ex-Officio Recorder Deputy *[Signature]*
ORDINANCE NO. 2020-7

BY THE COMMISSION:

REC'D JUN 29 2020

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE CROSSROADS POINT PHASE 2 URBAN RENEWAL PROJECT AREA, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Urban Renewal Agency of the county of Jerome, Idaho, also known as the Jerome County Urban Renewal Agency ("Agency") is an independent public body, corporate and politic, an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended and supplemented (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act");

WHEREAS, the County Commissioners of Jerome County, Idaho ("County"), on December 17, 2008, after notice duly published, conducted a public hearing on the Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the "Crossroads Plan");

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2008-10 on December 17, 2008, approving the Crossroads Plan and making certain findings;

WHEREAS, the County Commissioners on December 6, 2010, after notice duly published, conducted a public hearing on the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan (the "Amended Crossroads Plan");

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance 2010-12 on December 6, 2010, approving the Amended Crossroads Plan and making certain findings;

WHEREAS, the Amended Crossroads Plan project area is referred to herein as the "Existing Project Area";

WHEREAS, pursuant to Idaho Code § 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, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in § 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

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;

WHEREAS, based on inquiries and information presented by certain interested parties and property owners, the Agency commenced certain discussion concerning re-examination of an area currently within the Existing Project Area as appropriate for an urban renewal project;

WHEREAS, the Agency, at its board meeting on February 6, 2020, authorized Brent Tolman of Outwest Policy Advisors ("Consultant"), to re-examine an area in Jerome County known as Crossroads Point Phase 2 Project Area currently within the Existing Project Area and to prepare an eligibility report for an area about 234 acres in size and currently located within the boundaries of the Amended Crossroads Plan, which area may be subject to deannexation. The area is generally west of a line of longitude at approximately 114° 27' 15.00" W and east of 300 E and is bounded on the south by Interstate 84 and properties owned by ABC Agra considered as common areas for Phase 1 of Crossroads Point. The subject property is bounded on the north by adjacent properties owned by Kelly Sheldon, Manuel Avila, and Thomas Peters. The eligibility study area is commonly referred to as the Crossroads Point Phase 2 Area;

WHEREAS, the Agency obtained the Crossroads Point Phase 2 Eligibility Report, dated March 4, 2020 (the "Report"), which examined the Crossroads Point Phase 2 Area for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code §§ 50-2018(9) and 50-2903(8), which define a deteriorating area and a deteriorated area, many of the conditions necessary to be present in such an area are found in the Crossroads Point Phase 2 Area, *i.e.*;

- a. predominance of defective or inadequate street layout;
- b. outmoded street patterns;
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting;
- d. insanitary or unsafe conditions;
- e. deterioration of site and other improvements; and
- f. existence of conditions which endanger life or property by fire and other causes.

WHEREAS, the Crossroads Point Phase 2 Area includes open land or open area;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. *See*, Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code §§ 50-2018(9), 50-2903(8) and 50-2008(d) list the additional conditions applicable to open areas, which are the same or similar to the conditions set forth in the definitions of "deteriorating area" and "deteriorated area;"

WHEREAS, such additional conditions regarding open areas are present and are found in the Crossroads Point Phase 2 Area;

WHEREAS, under the Law and Act, Idaho Code Sections 50-2018(9) and 50-2903(8)(f), the definition of a deteriorated area and a deteriorating area shall not apply to any agricultural operation, as defined in Idaho Code Section 22-4502(2), absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Crossroads Point Phase 2 Area may include parcels subject to such consent;

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency Board, on March 5, 2020, adopted Resolution No. 2020-2 accepting the Report and authorized the Agency Chair or Vice-Chair to transmit the Report to the County Commissioners requesting its consideration for designation of an urban renewal area and requesting the County Commissioners to direct the Agency to prepare an urban renewal plan for the Crossroads Point Phase 2 Area, which plan may include a revenue allocation area as allowed by the Act;

WHEREAS, the County Commissioners, by Resolution No. 2020-18, dated March 16, 2020, declared the Crossroads Point Phase 2 Area described in the Report to be a deteriorated area or a deteriorating area as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, the Crossroads Point Phase 2 Area was located within the boundaries of the Existing Project Area;

WHEREAS, the County Commissioners, after notice duly published, conducted a public hearing on the First Amendment to the Amended and Restated Jerome County Crossroads Urban Renewal Project Urban Renewal Plan ("First Amendment");

WHEREAS, following said public hearing, the County Commissioners adopted its Ordinance No. 2020-6 on June 8, 2020, approving the First Amendment deannexing the Crossroads Point Phase 2 Area and making certain findings;

WHEREAS, the current assessed taxable value of the deannexed parcels is on the tax rolls;

WHEREAS, in order to implement the provisions of the Act and the Law, either the Agency may prepare a plan or any person, public or private, may submit such plan to the Agency;

WHEREAS, the Agency and its consultants have undertaken the planning process during 2020;

WHEREAS, the Agency prepared the Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area (the "Crossroads Point Phase 2 Plan") and the urban renewal area referred to as the Crossroads Point Phase 2 Area (the "Project Area" or "Revenue Allocation Area") for the area designated as eligible for urban renewal planning;

WHEREAS, the Project Area includes the parcels deannexed from the existing Project Area;

WHEREAS, the Act authorizes urban renewal agencies to adopt revenue allocation financing provisions as part of their urban renewal plans;

WHEREAS, the Crossroads Point Phase 2 Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several earlier Board meetings throughout 2020, and the Board meeting held on April 16, 2020;

WHEREAS, on April 16, 2020, the Agency Board passed Resolution No. 2020-6 proposing and recommending the approval of the Crossroads Point Phase 2 Plan;

WHEREAS, the Agency submitted the Crossroads Point Phase 2 Plan to the Chairman and Board of County Commissioners and County Clerk;

WHEREAS, the Chairman and Board of County Commissioners and County Clerk have taken the necessary action in good faith to process the Crossroads Point Phase 2 Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on May 18, 2020, the Jerome County Planning and Zoning Commission considered the Crossroads Point Phase 2 Plan and found that the Crossroads Point Phase 2 Plan is in all respects in conformity with the County of Jerome Comprehensive Plan and forwarded its findings to the Board of County Commissioners, a copy of which is attached hereto as Exhibit 1;

WHEREAS, the notice of public hearing of the Crossroads Point Phase 2 Plan was caused to be published by the County Clerk in the *Times News* on May 7 and 21, 2020, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of May 7, 2020, the Crossroads Point Phase 2 Plan was submitted to the affected taxing entities, available to the public, and under consideration by the County Commissioners;

WHEREAS, the County Commissioners during its regular meeting of June 8, 2020, held such public hearing as noticed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Crossroads Point Phase 2 Plan contains the following information with specificity which was made available to the general public and all taxing districts prior to the public hearing on June 8, 2020, the regular meeting of the County Commissioners, at least thirty (30) days but no more than sixty (60) days prior to the date set forth final reading of the ordinance: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and (8) a description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets;

WHEREAS, the Crossroads Point Phase 2 Plan authorizes certain projects to be financed by revenue allocation bonds, or loans and proceeds from revenue allocation;

WHEREAS, appropriate notice of the Crossroads Point Phase 2 Plan and revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the County, to adopt the Crossroads Point Phase 2 Plan and to adopt, as part of the Crossroads Point Phase 2 Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Crossroads Point Phase 2 Plan, in order to: encourage private development in the urban renewal area; prevent and arrest decay of the County due to the inability of existing financing methods to provide needed public improvements; encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Project Area in order to facilitate the long-term growth of their common tax base; encourage private investment within the County; and to further the public purposes of the Agency;

WHEREAS, the County Commissioners finds that the equalized assessed valuation of the taxable property in the 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 Crossroads Point Phase 2 Plan;

WHEREAS, under the Law and Act any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, under the Law and the Act (specifically §§ 50-2018(9) and 50-2903(8)(f)), a deteriorating area may not include an agricultural operation, as defined in Idaho Code § 22-4502(1), absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Agency obtained written consents concerning certain properties within the Project Area, which may have been deemed an agricultural operation, as stated above. A true and correct copy of the agricultural operation consents are included as Attachment 6 to the Crossroads Point Phase 2 Plan;

WHEREAS, the collective base assessment rolls of the Crossroads Point Phase 2 Project Area, together with the base assessment roll values of the Existing Project Area, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the County;

WHEREAS, the County Commissioners at its regular meeting held on June 8, 2020, considered the Crossroads Point Phase 2 Plan as proposed and made certain comprehensive findings.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: It is hereby found and determined that:

- (a) The Project Area as defined in the Crossroads Point Phase 2 Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Crossroads Point Phase 2 Plan are necessary in the interests of public health, safety, and welfare of the residents of the County.
- (c) There continues to be a need for the Agency to function in the County.
- (d) The Crossroads Point Phase 2 Plan conforms to the Jerome County Comprehensive Plan as a whole.
- (e) The Crossroads Point Phase 2 Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Crossroads Point Phase 2 Plan and the need for overall public improvements), and shows consideration for the health, safety, and welfare of any children, residents or businesses in the general vicinity of the urban renewal area covered by the Crossroads Point Phase 2 Plan.

- (f) The Crossroads Point Phase 2 Plan affords maximum opportunity consistent with the sound needs of the County as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(l), the Crossroads Point Phase 2 Plan provides a feasible method for relocation obligations of any displaced families residing within the Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Area and the Crossroads Point Phase 2 Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the County.
- (i) The Crossroads Point Phase 2 Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Crossroads Point Phase 2 Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any) land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8), does not include any agricultural operation for which the Agency has not received a written consent, or has not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 2: The County Commissioners find that the Project Area does include a substantial portion of open land, that the Agency may acquire any open land within the Project Area, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the County Commissioners finds that for the portions of the Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The County Commissioners find that the portion of the Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of County's Comprehensive Plan,

to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 4: The Crossroads Point Phase 2 Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the County Commissioners, the County Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the June 8, 2020, hearing, including, but not limited to, changes to the maps and legal descriptions contained in the Crossroads Point Phase 2 Plan, and incorporate changes or modifications, if any.

SECTION 5: No direct or collateral action challenging the Crossroads Point Phase 2 Plan 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 Crossroads Point Phase 2 Plan.

SECTION 6: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Jerome County Assessor, and to the appropriate officials of Jerome County Board of County Commissioners, Jerome Fire District, School District No. 261, Lifeline Ambulance, Jerome Highway District, Jerome Recreation District, Jerome Cemetery District, Jerome Water and Sewer District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Project Area.

SECTION 7: The County Commissioners hereby finds and declares that the Revenue Allocation Area as defined in the Crossroads Point Phase 2 Plan, the equalized assessed valuation of which the County Commissioners hereby determines is in and is part of the Crossroads Point Phase 2 Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Crossroads Point Phase 2 Plan.

SECTION 8: The County Commissioners hereby approves and adopts the following statement policy relating to the appointment of County Commissioners members as members of the Agency's Board of Commissioners: If any County Commissioners members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the County Commissioners, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Crossroads Point Phase 2 Plan, the County Commissioners recognizes that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds, notes or other obligations are outstanding, the County Commissioners will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2020, to the extent permitted by the Act.

SECTION 11: 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 determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 12: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 13: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

SECTION 14: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

APPROVED by the Chairman of the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

Charles M Howell
Charles Howell, Chairman

ATTEST:

Jane White, Deputy
Michelle Emerson, County Clerk

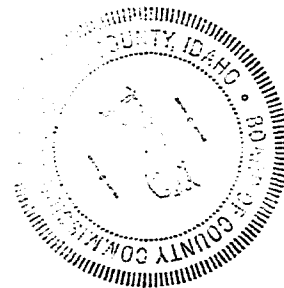


Exhibit 4

SUMMARY OF ORDINANCE NO. 2020-7

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE CROSSROADS POINT PHASE 2 URBAN RENEWAL PROJECT AREA, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE COUNTY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO THE COUNTY, AFFECTED TAXING ENTITIES, AND STATE OFFICIALS; PROVIDING SEVERABILITY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JEROME:

SECTION 1: It is hereby found and determined that:

- (a) The Project Area as defined in the Crossroads Point Phase 2 Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Crossroads Point Phase 2 Plan are necessary in the interests of public health, safety, and welfare of the residents of the County.
- (c) There continues to be a need for the Agency to function in the County.
- (d) The Crossroads Point Phase 2 Plan conforms to the Jerome County Comprehensive Plan as a whole.
- (e) The Crossroads Point Phase 2 Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Crossroads Point Phase 2 Plan and the need for overall public improvements), and shows consideration for the health, safety, and welfare of any children, residents or businesses in the general vicinity of the urban renewal area covered by the Crossroads Point Phase 2 Plan.
- (f) The Crossroads Point Phase 2 Plan affords maximum opportunity consistent with the sound needs of the County as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(1), the Crossroads Point Phase 2 Plan provides a feasible method for relocation obligations of any displaced families residing within the Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Area and the Crossroads Point Phase 2 Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the County.
- (i) The Crossroads Point Phase 2 Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Crossroads Point Phase 2 Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any) land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8), does not include any agricultural operation for which the Agency has not received a written consent, or has not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 2: The County Commissioners find that the Project Area does include a substantial portion of open land, that the Agency may acquire any open land within the Project Area, and that the Project Area is planned to be redeveloped in a manner that will include nonresidential uses. Provided, however, the County Commissioners finds that for the portions of the Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The County Commissioners find that the portion of the Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of County's Comprehensive Plan, to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the County.

SECTION 4: The Crossroads Point Phase 2 Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is, approved. As directed by the County Commissioners, the County Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the June 8, 2020, hearing, including, but not limited to, changes to the maps and legal descriptions contained in the Crossroads Point Phase 2 Plan, and incorporate changes or modifications, if any.

SECTION 5: No direct or collateral action challenging the Crossroads Point Phase 2 Plan 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 Crossroads Point Phase 2 Plan.

SECTION 6: Upon the effective date of this Ordinance, the County Clerk is authorized and directed to transmit to the County Auditor and Jerome County Assessor, and to the appropriate officials of Jerome County Board of County Commissioners, Jerome Fire District, School District No. 261, Lifeline Ambulance, Jerome Highway District, Jerome Recreation District, Jerome Cemetery District, Jerome Water and Sewer District, College of Southern Idaho, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map or plat indicating the boundaries of the Project Area.

SECTION 7: The County Commissioners hereby finds and declares that the Revenue Allocation Area as defined in the Crossroads Point Phase 2 Plan, the equalized assessed valuation of which the County Commissioners hereby determines is in and is part of the Crossroads Point Phase 2 Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Crossroads Point Phase 2 Plan.

SECTION 8: The County Commissioners hereby approves and adopts the following statement policy relating to the appointment of County Commissioners members as members of the Agency's Board of Commissioners: If any County Commissioners members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the County Commissioners, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Crossroads Point Phase 2 Plan, the County Commissioners recognizes that it has no power to control the powers or operations of the Agency.

SECTION 9: So long as any Agency bonds, notes or other obligations are outstanding, the County Commissioners will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 10: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2020, to the extent permitted by the Act.

SECTION 11: 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 determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 12: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 13: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

SECTION 14: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED by the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

APPROVED by the Chairman of the Board of County Commissioners of Jerome County, Idaho, on this 8th day of June 2020.

EXHIBITS TO THE ORDINANCE

- | | |
|-----------|---|
| Exhibit 1 | Planning and Zoning Commission Recommendation Finding the Crossroads Point Phase 2 Plan in Conformity with the Comprehensive Plan |
| Exhibit 2 | Notice Published in the <i>Times News</i> |
| Exhibit 3 | Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area |
| Exhibit 4 | Ordinance Summary |

SUMMARY OF CROSSROADS POINT PHASE 2 PLAN

The Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project Area ("Crossroads Point Phase 2 Plan") was prepared by the urban renewal agency of the county of Jerome, Idaho (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 Crossroads Point Phase 2 Plan provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Crossroads Point Phase 2 Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2020, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Plan are:

- a. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state and local regulations for storm water discharge and to support private development;
- b. The provision for participation by property owners and developers within the Project Area to achieve the economic development objectives of this Plan;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and related pedestrian facilities, intersection improvements and traffic signals;
- d. The engineering, design, installation, construction, and/or reconstruction of utilities (within and outside of the Project Area) including but not limited to improvements and upgrades to the water distribution system, booster system upgrades, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, gravity interceptor, and improvements and upgrades to power and gas facilities. Construction of utilities outside of the Project Area are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area, and include wastewater collection and sewer system improvements;
- e. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, bike racks, public art and similar amenities between the curb and right-of-way line; and other public improvements, including public open spaces that may be deemed appropriate by the Board;
- f. The acquisition of real property for public right-of-way improvements, pedestrian facilities, utility undergrounding and streetscape improvements to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments, including economic development;
- g. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;
- h. The demolition or removal of certain buildings and/or improvements for public rights-of-way, pedestrian facilities, utility undergrounding and streetscape improvements to encourage and enhance transportation and mobility options,

decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;

- i. The management of any property acquired by and under the ownership and control of the Agency;
- j. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- k. The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
- l. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- m. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- n. The preparation of sites, particularly related to basalt removal/remediation, for the development and construction of facilities for commercial, industrial and governmental use;
- o. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- p. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to development and/or redevelopment exist;
- q. In collaboration with property owners and other stakeholders, working with the County to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, multi-use pathways, parks and open space, and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- r. In conjunction with the County, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources; and
- s. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Crossroads Point Phase 2 Plan will be in conformance with zoning for the county of Jerome and the County of Jerome's Comprehensive Plan, as adopted by the County Commissioners, or as may be applicable. Land made available will be developed by private enterprises or public agencies as authorized by law. The Crossroads Point Phase 2 Plan identifies various public and private improvements which may be made within the Project Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is described as follows:

An area consisting of approximately 229 acres of undeveloped land generally located north of Interstate 84 and east of 300 East in unincorporated Jerome County. The area is more particularly described as follows:

A tract of land located in the South 1/2 of Section 10, the North 1/2 of Section 15 and the North 1/2 of Section 16, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of said Section 10;
THENCE North 89° 23' 33" West a distance of 363.72 feet along the southerly boundary of said Section 10 to the westerly boundary of Highway 93 ITD Project F2391;
THENCE North 89° 23' 33" West a distance of 2566.12 feet further along the southerly boundary of said Section 10 to the TRUE POINT OF BEGINNING;
THENCE North 0° 36' 27" East a distance of 2640.07 feet to a point on the northerly boundary of the S1/2 of said Section 10;
THENCE North 89° 22' 56" West a distance of 1026.89 feet along the northerly boundary of the S1/2 of said Section 10;
THENCE South 0° 43' 03" West a distance of 421.97 feet;
THENCE South 81° 20' 04" West a distance of 1340.85 feet to the west boundary of said Section 10 and the centerline of 300 East Road;
THENCE South 89° 03' 07" West a distance of 25.00 feet to the west right of way of 300 East Road;
THENCE South 0° 56' 53" East a distance of 2002.67 feet along the west right-of-way boundary of said 300 East Road to the south boundary of said Section 9;
THENCE South 89° 43' 07" West a distance of 2013.51 feet along the south boundary of said Section 9 to the northerly boundary of Interstate 84, Project I-80N-3 (11) 164;
THENCE South 61° 36' 38" East a distance of 129.40 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;
THENCE South 63° 43' 35" East a distance of 487.74 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;
THENCE South 64° 28' 10" East a distance of 3903.75 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;

THENCE North 0° 36' 27" East a distance of 1938.15 feet to the northerly boundary of said Section 15 and the TRUE POINT OF BEGINNING, containing 229 acres more or less.

**JEROME COUNTY URBAN RENEWAL AGENCY
CROSSROADS POINT PROJECT - PHASE 2**

A PORTION OF THE JEROME COUNTY URBAN RENEWAL AGENCY CROSSROADS POINT PROJECT IS SHOWN IN THIS MAP. THE MAP IS A PORTION OF THE JEROME COUNTY URBAN RENEWAL AGENCY CROSSROADS POINT PROJECT.

100 EAST ROAD

INTERSTATE 84

US HIGHWAY 93

PHASE 1

PHASE 2

BOUNDARY OF URA AREA - PHASE 2

PHASE 2 AREA

Section 300 discusses the proposed redevelopment actions, urban renewal plan objectives, participation opportunities and participation agreements, cooperation with public bodies, property acquisition, property management, relocation of persons, business concerns, and others displaced by the Project, demolition and clearance, and property disposition and development, development plans, personal property disposition, participation with others, and arts funding.

Section 400 discusses the type of land uses authorized in the Project Area; provides the real property in the Project Area is subject to the controls and requirements of the Crossroads Point Phase 2 Plan and construction shall comply with applicable federal, state and local laws and ordinances and Agency development standards; and provides design guidance for development.

Section 500 outlines the general description of the proposed financing methods. The Agency is authorized to finance the Project with revenue allocation funds, financial assistance

from the City (loans, grants, other financial assistance), state of Idaho, federal government, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, payments in lieu of taxes, local improvement district funding, community infrastructure district funding, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency adopts revenue allocation financing provisions authorized by the Act retroactively to January 1, 2020. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project. The Agency is authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

References Attachment 5, the Economic Feasibility Study, which constitutes the financial analysis required by the Act and is based upon existing information from property owners, developers, the Agency, County, and others. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes, annual revenue allocations, developer contributions, county contributions, and other funds are shown. The Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred. Based on these funding sources, the Study concludes that the project is feasible.

The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, Jerome County, Jerome Fire District, School District No. 261, Lifeline Ambulance, Jerome Highway District, Jerome Recreation District, Jerome Cemetery District, Jerome Water and Sewer District, and College of Southern Idaho, to finance their operations. The Crossroads Point Phase 2 Plan authorizes the Agency to sell revenue bonds to finance project costs, developer and/or public entity reimbursement and to use annual revenue allocations to pay the debt service.

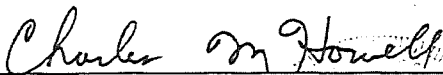
Sections 600 and 700 describe cooperative activities by the Agency with the City to carry out the Crossroads Point Phase 2 Plan.

Sections 800 – 1100 provides that the duration of the Crossroads Point Phase 2 Plan is for twenty (20) years; provides a termination process of the Crossroads Point Phase 2 Plan; provides the requirement of the Agency to prepare an annual report each year describing its activities during the previous year and to comply with certain other reporting requirements.

ATTACHMENTS TO THE CROSSROADS POINT PHASE 2 PLAN

- | | |
|--------------|--|
| Attachment 1 | Boundary Map of Crossroads Point Phase 2 Urban Renewal Project Area and Revenue Allocation Area |
| Attachment 2 | Legal Description of Crossroads Point Phase 2 Urban Renewal Project Area and Revenue Allocation Area |
| Attachment 3 | Properties Which May be Acquired by the Agency |
| Attachment 4 | Map Depicting Expected Land Uses and Current Zoning Map of the Project Area |
| Attachment 5 | Economic Feasibility Study |
| Attachment 6 | Agricultural Operation Consents |

This summary is approved by the Jerome County Board of County Commissioners at its meeting of June 8th, 2020.


Charles Howell, Chairman

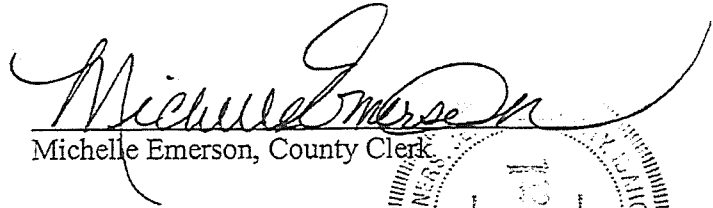
ATTEST:


Michelle Emerson, County Clerk
6-10-2020

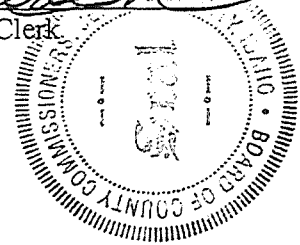


I, Michelle Emerson, County Clerk for the County of Jerome, Idaho, hereby declare and certify that in my capacity as County Clerk of the County of Jerome, pursuant to Idaho Code Section 31-715A of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same 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. 2020-7.

DATED this 18th day of June 2020.


Michelle Emerson, County Clerk

4813-5024-8124, v. 1



JEROME COUNTY, JEROME, IDAHO
6-22-2020 02:12:33 PM No. of Pages: 3
Recorded for : JEROME COUNTY COMMISSIONERS
MICHELLE EMERSON Fee: 0.00
Ex-Officio Recorder Deputy *Castens*

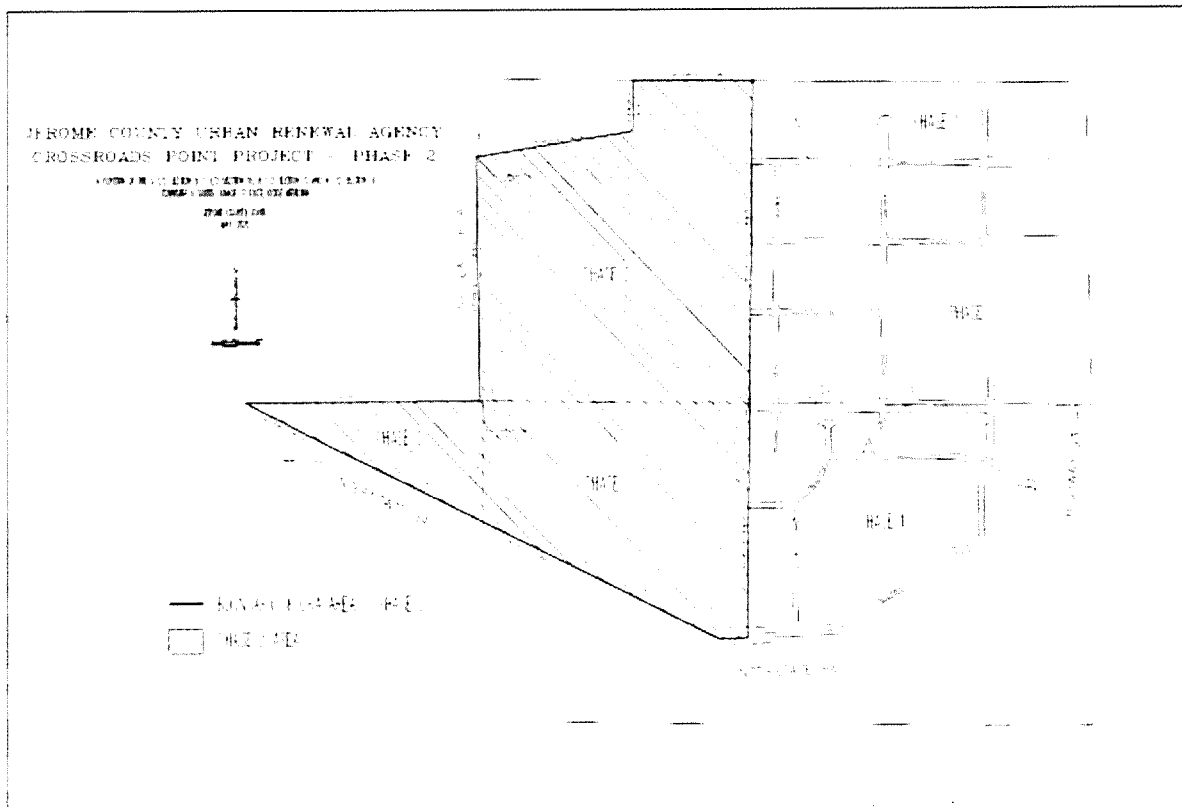
These documents are the boundary map and legal description for the Urban Renewal Project Area and Revenue Allocation Area for the Urban Renewal Plan for the Crossroads Point Phase 2 Urban Renewal Project, Jerome County Commissioner Ordinance No. 2020-7

[illegible]

(Seal)

4811-7873-7581, v. 1

Project Area and Revenue Allocation Area Boundary Map



Attachment 2

Legal Description of Project Area and Revenue Allocation Area

CROSSROADS POINT PROJECT PHASE 2 PROPERTY DESCRIPTION

229 +/- ACRE PARCEL

A tract of land located in the South 1/2 of Section 10, the North 1/2 of Section 15 and the North 1/2 of Section 16, Township 9 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of said Section 10;
THENCE North 89° 23' 33" West a distance of 363.72 feet along the southerly boundary of said Section 10 to the westerly boundary of Highway 93 ITD Project F2391;
THENCE North 89° 23' 33" West a distance of 2566.12 feet further along the southerly boundary of said Section 10 to the TRUE POINT OF BEGINNING;
THENCE North 0° 36' 27" East a distance of 2640.07 feet to a point on the northerly boundary of the S1/2 of said Section 10;
THENCE North 89° 22' 56" West a distance of 1026.89 feet along the northerly boundary of the S1/2 of said Section 10;
THENCE South 0° 43' 03" West a distance of 421.97 feet;
THENCE South 81° 20' 04" West a distance of 1340.85 feet to the west boundary of said Section 10 and the centerline of 300 East Road;
THENCE South 89° 03' 07" West a distance of 25.00 feet to the west right of way of 300 East Road;
THENCE South 0° 56' 53" East a distance of 2002.67 feet along the west right-of-way boundary of said 300 East Road to the south boundary of said Section 9;
THENCE South 89° 43' 07" West a distance of 2013.51 feet along the south boundary of said Section 9 to the northerly boundary of Interstate 84, Project I-80N-3 (11) 164;
THENCE South 61° 36' 38" East a distance of 129.40 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;
THENCE South 63° 43' 35" East a distance of 487.74 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;
THENCE South 64° 28' 10" East a distance of 3903.75 feet along the north boundary of said Interstate 84, Project I-80N-3 (11) 164;
THENCE North 88° 12' 24" East a distance of 240.82 feet along the northerly boundary of Interstate 84;
THENCE North 0° 36' 27" East a distance of 1938.15 feet to the northerly boundary of said Section 15 and the TRUE POINT OF BEGINNING, containing 229 acres more or less.