

**2022-055083**

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CHRIS YAMAMOTO

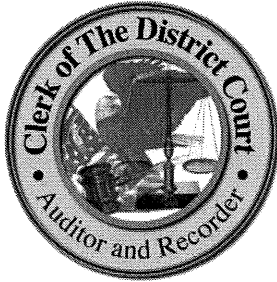
CANYON COUNTY RECORDER

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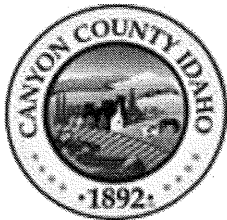
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ORDINANCE

CITY OF CALDWELL



**Canyon County  
Recorder's Office  
Document  
Cover Sheet**



ORD 3483

**ORDINANCE NO. 3483**

**BILL NO. 89**

**AN ORDINANCE ENACTED BY THE CALDWELL CITY COUNCIL TERMINATING THE REVENUE ALLOCATION ARE OF THE CALDWELL EAST URBAN RENEWAL PROJECT AND PROVIDING FOR THE WINDING UP OF THE CALDWELL EAST URBAN RENEWAL PLAN; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.**

**RECITALS**

**WHEREAS**, the Caldwell Urban Renewal Agency (the “CURA”) is a duly constituted urban renewal agency operating under the laws of the State of Idaho; and,

**WHEREAS**, in 1998, the City of Caldwell adopted, by ordinance number 2260, the Urban Renewal Plan for the Caldwell East Urban Renewal Project (the “Plan”); and,

**WHEREAS**, the Plan has been administered by the Caldwell Urban Renewal Agency (the “Agency”); and,

**WHEREAS**, the Plan provided that it would be effective for sixteen (16) years from the date of its adoption, to terminate on December 31, 2014; and,

**WHEREAS**, the Plan was amended in 2002 and 2003, which amendments did not impact the duration of the Plan; and,

**WHEREAS**, the Plan was amended in 2005, which amendment modified Section 800 of the Plan, which section is titled “Duration of This Plan”; and,

**WHEREAS**, the Plan was amended for a final time in 2014, which amendment modified Section 800 of the Plan, which section titled “Duration of This Plan,” the final version of said section reading as follows:

Except for the nondiscrimination and non-segregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan shall be effective for twenty-four (24) years from the original date of adoption of this Plan by the City of Caldwell through December 21, 2022 provided, however, that the revenue from property taxes shall be restricted to collection of taxes assessed for the twenty-three (23) year period commencing with the 1999 assessment through the 2022 assessment.

; and,

**WHEREAS**, the Plan is terminating, pursuant to the terms thereof, on the 21<sup>st</sup> day of this month (December 21, 2022); and,

**WHEREAS**, the Agency will receive revenue from the 2022 assessment in the year 2023, as provided for in the Plan and as acknowledged in Idaho Code 50-2905; and,

**WHEREAS**, the Agency has prepared a budget that sets forth the remaining projects to be accomplished pursuant to the plan and the revenue available to accomplish said projects; and,

**WHEREAS**, a summary table of said budget is attached hereto as Exhibit A; and,

**WHEREAS**, the Agency has sufficient revenue to cover all outstanding bond debt, as well as to accomplish certain remaining projects set forth in the Plan; and,

**WHEREAS**, the Agency does not intend to retain any real property after the termination of the Plan; and,

**WHEREAS**, the revenue collected from the 2022 assessment will be received by the agency and applied to the projects programmed for said funds, which projects are set forth in Exhibit A; and,

**WHEREAS**, the Agency has recommended, by **Resolution No. 2022-55** that the Plan have its full duration, which duration terminates on December 21, 2022.

**WHEREAS**, the Agency has determined that tax revenues for the 2022 assessment year, to be collected in 2023, are sufficient to cover all estimated expenses for the current year, for 2023, and for all future years, and has recommended, by **Resolution No. 2022-55**, that the Plan terminate upon December 21, 2022.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Caldwell, County of Canyon, State of Idaho:

**Section 1.** That the revenue allocation area provisions of the plan shall terminate on December 21, 2022, concurrent with the termination date of the Urban Renewal Plan for the East Urban Renewal Project.

**Section 2.** The Agency shall receive revenue for the 2022 assessment year, which revenue shall be received in 2023.

**Section 3.** The Agency shall distribute any surplus of revenue collected, should a surplus exist after final receipt of the 2022 assessment revenue and expenditure on the projects set forth in Exhibit A, pursuant to Idaho Code 50-2909.

**Section 4.** This Ordinance shall be filed with the office of the county recorder and with the Idaho state tax commission as provided in Idaho Code § 63-215.

**Section 5.** This ordinance shall be in full force and effect as of December 21, 2022.

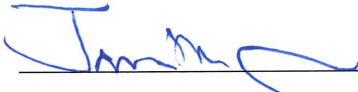
**Section 6.** This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

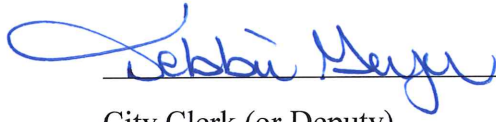
**Section 7.** All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed, as of the effective date hereof.

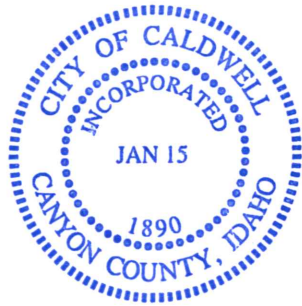
PASSED BY THE COUNCIL OF THE CITY OF CALDWELL, IDAHO, this 20<sup>th</sup> day of December, 2022.

APPROVED BY THE MAYOR OF THE CITY OF CALDWELL, IDAHO, this 20<sup>th</sup> day of December, 2022.

ATTEST:

  
\_\_\_\_\_  
Mayor Jarom Wagoner

  
\_\_\_\_\_  
City Clerk (or Deputy)



**ORDINANCES OF THE CITY OF CALDWELL  
NOTICE OF ADOPTION AND SUMMARY OF  
ORDINANCE NO. 3483**

**AN ORDINANCE ENACTED BY THE CALDWELL CITY COUNCIL TERMINATING THE REVENUE ALLOCATION ARE OF THE CALDWELL EAST URBAN RENEWAL PROJECT AND PROVIDING FOR THE WINDING UP OF THE CALDWELL EAST URBAN RENEWAL PLAN; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH.**

**Sections 1 through 3:** Allows the Caldwell East Urban Renewal Project to terminate on December 21, 2022; acknowledges that 2022 assessment revenue will be received in 2023, and directs that any surplus shall be distributed pursuant to Idaho Code § 50-2909.

**Section 4:** Directs that the ordinance shall be filed with the office of the county recorder and with the Idaho state tax commission as provided in Idaho Code § 63-215.

**Sections 5 through 6:** Provides that this ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law; provides for severability; repeals conflicting ordinances, resolutions, and orders.

Ordinance No. 3483 provides an effective date, which shall be on the 21<sup>st</sup> day of December, 2022. Ordinance No. 3483 was passed by the Council and approved by the Mayor on the 20<sup>th</sup> day of December, 2022. The full text of the Ordinance is available at Caldwell City Hall, 411 Blaine Street, Caldwell, Idaho 83605. The Mayor and City Council approved the foregoing summary on the 20<sup>th</sup> day of December, 2022, for publication on the 27<sup>th</sup> day of December, 2022, pursuant to Idaho Code § 50-901A.

Mayor Jarom Wagoner

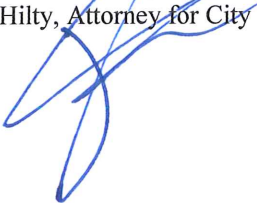
ATTEST:      Debbie Geyer, City Clerk

STATEMENT OF LEGAL ADVISOR

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No.3483 and provides adequate notice to the public as to the contents of such ordinance.

DATED this 20<sup>th</sup> day of December, 2022.

Mark Hilty, Attorney for City of Caldwell



**RESOLUTION NO. 2022 – 55**

**A RESOLUTION OF THE CALDWELL URBAN RENEWAL AGENCY, CITY OF CALDWELL, CANYON COUNTY, IDAHO, ACKNOWLEDGING AND DETERMINING THAT INCREMENT REVENUE WILL BE RECEIVED IN 2023 FOR THE 2022 ASSESSMENT YEAR BASED UPON THE 2022-2023 BUDGET OF THE URBAN RENEWAL AGENCY; DETERMINING THAT THE REVENUE FOR THE 2022 ASSESSMENT YEAR WILL BE SUFFICIENT TO COVER ALL ESTIMATED EXPENSES FOR THE CURRENT YEAR AND ALL FUTURE YEARS; RECOMMENDING THAT THE CALDWELL EAST URBAN RENEWAL PLAN TERMINATE UPON ITS NATURAL TERMINATION DATE; RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE, AS DESCRIBED IN IDAHO CODE § 50-2903, ALLOWING FOR THE TERMINATION OF THE CALDWELL EAST URBAN RENEWAL PLAN AND ASSOCIATED INCREMENT FINANCING PROVISION.**

**WHEREAS**, the Caldwell Urban Renewal Agency (the “CURA”) is a duly constituted urban renewal agency operating under the laws of the State of Idaho; and,

**WHEREAS**, the CURA adopted an urban renewal plan in 1998 called the Urban Renewal Plan Caldwell East Urban Renewal Project (the “Plan”); and,

**WHEREAS**, said plan was amended in 2014 by that certain “2014 Amendment to the Urban Renewal Plan for the Caldwell East Urban Renewal Project Including Workable Program/Implementation Plan”; and,

**WHEREAS**, said amendment provided that the duration of the plan would be as follows:

Except for the nondiscrimination and non-segregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan shall be effective for twenty-four (24) years from the original date of adoption of this Plan by the City of Caldwell through December 21, 2022 provided, however, that the revenue from property taxes shall be restricted to collection of taxes assessed for the twenty-three (23) year period commencing with the 1999 assessment through the 2022 assessment; and,

**WHEREAS**, the agency has adopted a budget for the fiscal year 2022-2023 pursuant to Idaho Code Title 50, §§ 50-2001 et seq., and 50-2901 et seq.; and,

**WHEREAS**, the agency has determined in said budget that revenue from the 2022 assessment year, which shall be received in 2023, is necessary to complete all of the projects in the Plan; and,

**WHEREAS**, the agency has determined in said budget that, with the foregoing revenue, the agency will have sufficient monies to cover all estimated expenses for the current year and all future years; and,

WHEREAS, the agency has determined that the Plan shall have the full duration set forth in the plan documents and the amendments thereto; and,

WHEREAS, the agency desire to recommend that the city council of the City of Caldwell adopts an ordinance terminating the Caldwell East Urban Renewal Plan on December 21, 2022.

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

1. That the Agency determines that the Plan shall have its full duration and the agency shall receive the 2022 assessment revenue, which shall be received in the 2023 calendar year, to complete the projects of the Plan.
2. That the Agency determines that the revenue to be received in 2023 from the 2022 property tax assessment will provide the Agency with sufficient revenue to cover all estimated expenses of the Agency for the current year, for 2023, and for all future years, which revenue and expenses are set forth in Exhibit A, attached hereto.
3. That the Agency determines that the Urban Renewal Plan for the Caldwell East Urban Renewal Project should terminate on December 21, 2022, which is its natural termination date as set forth in said Plan.
4. That the Agency recommends that the Caldwell City Council adopt an ordinance, as described in Idaho Code § 50-2903, allowing and providing for the termination of the Caldwell East Urban Renewal Project and associated increment financing provision.
5. That the Agency intends, by the foregoing, that the revenue collected in Canyon County for assessment year 2023, which revenue is received by the taxing districts in 2024, shall not be directed to the Caldwell Urban Renewal Agency, and that the increment value of the real property currently within the Plan area should be added back to the real property roll for the taxing authorities for the 2023 assessment.
6. This resolution shall be sent to the Caldwell City Council, to the County Auditor, and to the State Tax Commission.

ADOPTED AND APPROVED THIS 19<sup>th</sup> day of December, 2022.

  
CHAIRMAN

ATTEST:

  
SECRETARY



**URA CURRENT PROJECT LIST**

**URA Projects - Other Taxing Districts**

	Amount Budgeted		Remaining	URA To Approve and Obligate Remaining Funds for projects listed below	
	Amount Budgeted	Remaining		Unobligated via Contract	Funding - if not from URA and approved by City Council
Ustick Road Widening Participation (Canyon Hwy Dist #4 Increment Project)	3,100,000	2,996,000	\$	-	-
Indiana: Ustick to Caldwell High School (Caldwell School District Increment Project)	663,617	500,000	\$	-	-
Canyon Hill to Sacajawea (Caldwell School District Increment Project) - HAWK	360,000	155,237	\$	-	-
County Fairgrounds (Canyon County Increment Project)	2,477,811	1,456,553	\$	-	-
<b>URA Projects - City of Caldwell</b>	<b>Amount Budgeted</b>	<b>Remaining</b>		<b>Unobligated via Contract</b>	
Luby Park: Pickleball Construction / Rehab	811,350	589,062	\$	-	-
Parking (Wildman lot across from Bldg. 621) - improvements/602 Cleveland	54,944	18,845	\$	-	-
Demo and cleanup of Bernet Machine	125,000	56,329	\$	56,329,000	-
Plaza Extension Festive Street (Arthur)- downtown	3,277,473	3,251,056	\$	3,215,093,000	-
Hotel Site Improvements - deChase	3,241,043	897,261	\$	-	-
213-215-217 Kimball - Norman Complex	442,242	100,000	\$	100,000,000	-
Ustick Bridge Eastside Extension / I-84 to Middleton (60% URA)	214,161	169,672	\$	-	-
Ustick Road Widening	6,871,182	5,408,482	\$	-	-
21st Avenue Parking Lot	2,542,919	288,539	\$	-	-
Paving — Centennial Boulevard median	426,822	405,000	\$	-	-
Frontage Improvements - Franklin Road (Blue Bird Car Wash)	129,653	129,653	\$	-	-
Compactor Relocation / 812 Main Street	200,000	167,778	\$	-	-
Parking — Wolfe Field	99,106	98,379	\$	-	-
Vineyard Public Space - Kimball and 9th Street Alley	532,710	532,710	\$	485,790,000	-
Alley Improvements	550,000	550,000	\$	-	-
<b>PRIORITY PROJECTS</b>	<b>Amount Budgeted</b>	<b>Remaining</b>		<b>Unobligated via Contract</b>	<b>Funding - if not from URA and approved by City Council</b>
Florida & Ustick Roundabout	1,600,000	1,600,000	\$	0	Street Dept (F05)
6th Avenue Pedestrian Bridge Upgrades	50,000	50,000	\$	0	Gen Fund (F01)
Luby Park: Irrigation System	300,000	300,000	\$	300,000	Capital Imp Fund (F50)
<b>REQUESTS PENDING</b>	<b>Amount Budgeted</b>	<b>Remaining</b>		<b>Unobligated via Contract</b>	<b>Funding - if not from URA and approved by City Council</b>
TVCC Remodel	35,000	35,000	\$	-	Gen Fund (F01)
Underground Power (Alley)	250,000	250,000	\$	250,000,000	Capital Imp Fund (F50)
Ustick Widening - Indian Creek Bridge	1,300,903	1,300,903	\$	1,300,903,000	Street Dept (F05)
Downtown Signage - Wayfinding	245,000	245,000	\$	245,000,000	Gen Fund (F01)
Wolfe Field - Hitting Facility	0	0	\$	-	Wolfe Field Capital Imp Fund (F56)
Foundation - Rice House	154,200	154,200	\$	-	Gen Fund (F01)
<b>Total Remainin Project Cost to Date</b>		<b>21,705,658</b>	<b>\$</b>	<b>5,953,115.00</b>	

Pending Review at Special Meeting