

RESOLUTION NO. 2015-02

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF MOSCOW, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF MOSCOW, IDAHO, AN URBAN RENEWAL AGENCY ORGANIZED UNDER THE LAWS OF THE STATE OF IDAHO, MAKING CERTAIN FINDINGS THAT REVENUES ARE SUFFICIENT TO COVER ALL ESTIMATED AGENCY EXPENSES FOR FUTURE YEARS FOR THE URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA COMMONLY KNOWN AS THE ALTURAS TECHNOLOGY PARK URBAN RENEWAL PROJECT; ESTIMATING THE REMAINING PROJECT OBLIGATIONS AND COSTS; RECOMMENDING TO THE CITY COUNCIL THAT THE REVENUE ALLOCATION PROVISION FOR THE ALTURAS TECHNOLOGY PARK URBAN RENEWAL PROJECT BE TERMINATED; RECOMMENDING FURTHER THAT THE CITY COUNCIL PASS AN ORDINANCE TERMINATING THE REVENUE ALLOCATION PROVISION FOR THE ALTURAS TECHNOLOGY PARK URBAN RENEWAL PLAN AND RETURNING THE REVENUE ALLOCATION AREA TO THE REGULAR TAX ROLL EFFECTIVE TAX YEAR 2015; PROVIDING FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES FOLLOWING TERMINATION; PROVIDING FOR PAYMENT OF CERTAIN EXPENSES FOR FISCAL YEARS 2016 AND BEYOND; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS the City Council of the City of Moscow, Idaho (the "City Council"), after notice duly published, conducted a public hearing on the City of Moscow, Idaho Research and Technology Park Urban Renewal/Competitively Disadvantaged Border Community Area Plan 1996 (the "Alturas Technology Park Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 96-12 on July 1, 1996, approving the Alturas Technology Park Plan and making certain findings;

WHEREAS the City Council, after notice duly published, conducted a public hearing on the Second Amended and Restated City of Moscow, Idaho Research and Technology Park Urban Renewal/Disadvantaged Border Community Area Plan 2005 (the "Amended and Restated Alturas Technology Park Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2005-18 on June 20, 2005, approving the Amended and Restated Alturas Technology Park Plan and making certain findings;

WHEREAS, the termination date for the revenue allocation area was set forth in the Amended and Restated Alturas Technology Park Plan, as December 31, 2015;

WHEREAS, the Amended and Restated Alturas Technology Park Plan, as authorized by Idaho Code § 50-2905(7) provides that the Agency shall receive revenue allocation revenues in the calendar year following the termination year, thus allowing the Agency to receive revenues in calendar year 2016;

WHEREAS, the identified physical improvements and/or projects have been substantially completed in the Amended and Restated Alturas Technology Park Plan;

WHEREAS, it appears there are remaining maintenance and marketing expenses related to the maintenance and sale of six building lots owned and held for sale/improvement by the Agency, ownership and sale as contemplated by the Amended and Restated Alturas Technology Park Plan, which will not be completed by the end of the Agency's current fiscal year ending September 30, 2015;

WHEREAS, Idaho Code § 50-2905(8) allows the Agency to retain assets after the termination date;

WHEREAS, most of the expenses from any remaining improvements to be completed under the Amended and Restated Alturas Technology Park Plan, are to be incurred and satisfied by the Agency's current fiscal year ending September 30, 2015, with the exception of the expenses of maintenance and marketing of the remaining six building lots owned by the Agency, which expenses will continue until such building lots are sold for private development. The Agency intends to expeditiously dispose of those lots as market conditions allow. An estimate of the remaining project costs and other administrative fees and costs are set forth in the Termination Plan attached hereto as Exhibit A. A preliminary Termination Budget is attached hereto as Exhibit B;

WHEREAS, the Agency intends to receive current or delinquent property taxes due to the Agency that were levied for calendar year 2014, or earlier;

WHEREAS, the Agency will have sufficient funds on deposit for payment of all final project costs and administrative fees;

WHEREAS, the Agency has reviewed the remaining improvements and/or projects and based on projected revenues and expenses of the Amended and Restated Alturas Technology Park Plan, has determined there are sufficient funds for payment of all final improvement costs and Agency expenses and has further determined the revenue allocation area can be terminated early, on or before December 31, 2015;

WHEREAS, pursuant to Exhibit A, the Agency estimates a surplus will be available for distribution on or before September 30, 2016, and which will be included in the Agency's 2016 fiscal year budget;

WHEREAS, a copy of the boundary map and legal description of the revenue allocation area are attached hereto as Exhibit C and Exhibit D, respectively.

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NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF MOSCOW, IDAHO, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2: That the Termination Plan attached hereto as Exhibit A is hereby approved and adopted by the Agency Board.

Section 3: That the revenue allocation area contained in the Amended and Restated Alturas Technology Park Plan and as more particularly described in Exhibits C and D, shall be terminated on or before December 31, 2015, consistent with the termination provisions set forth in the Act, allowing certain taxing entities to use the 2015 estimated assessed values above the adjusted base assessment roll for the Amended and Restated Alturas Technology Park Plan, for their budgetary purposes, and further, those certain taxing entities may, for their budgetary purposes, take into account the difference between the increment value as of December 31, 2006, and the 2015 increment value for the Amended and Restated Alturas Technology Park Plan, which difference shall be added to the 2015 new construction roll, pursuant to section 63-301A(3)(g), Idaho Code.

Section 4: That the Agency does not intend to take revenue allocation funds in calendar year 2016, generated from the 2015 assessed values, and the allocation of revenues under section 50-2908, Idaho Code, shall cease effective January 1, 2016.

Section 5: That all financial obligations have been provided for, and the outstanding obligations, if any, will be paid in full on or before September 30, 2015.

Section 6: That any current or delinquent property taxes due to the Agency that were levied for calendar year 2014, or earlier, whenever collected, shall be paid to the Agency;

Section 7: That any surplus will be distributed prior to the end of the Agency's 2016 fiscal year on or before September 30, 2016. Any surplus funds will be remitted to the Latah County Treasurer to be distributed to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See* I.C. 50-2909(4). Further, any other remaining funds in subsequent fiscal years received by the Agency from delinquent taxes after September 30, 2016, shall be disbursed in the same manner each fiscal year less any funds necessary for administrative expenses.

Section 8: That the Agency does hereby request that the Moscow City Council, pursuant to 50-2903(5), Idaho Code, adopt an Ordinance providing for the termination of the revenue allocation area in the Amended and Restated Alturas Technology Park Plan, to be effective on or before December 31, 2015, and declare that the tax year 2015 revenues from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2016, and should flow to the respective taxing districts pursuant to Idaho law.

Section 9: That a copy of this Resolution be sent to the Latah County Assessor's Office, the
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County Auditor/Recorder (together with a boundary map) and the Idaho State Tax Commission to provide notice of termination of the revenue allocation area in the Amended and Restated Alturas Technology Park Plan, as amended.

Section 10: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Moscow, Idaho, on July 22, 2015. Signed by the Chair of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on this 22 day of July, 2015.

APPROVED;

By:

John McCabe

John McCabe, Chair

ATTEST:

By:

Abraham Delli

Secretary



EXHIBIT A

URBAN RENEWAL AGENCY OF THE CITY OF MOSCOW, IDAHO TERMINATION PLAN FOR THE REVENUE ALLOCATION AREA SET FORTH IN THE CITY OF MOSCOW, IDAHO RESEARCH AND TECHNOLOGY PARK URBAN RENEWAL/COMPETITIVELY DISADVANTAGED BORDER COMMUNITY AREA PLAN 1996, AS AMENDED AND RESTATED IN 2005 BY THE SECOND AMENDED AND RESTATED CITY OF MOSCOW, IDAHO RESEARCH AND TECHNOLOGY PARK URBAN RENEWAL/DISADVANTAGED BORDER COMMUNITY AREA PLAN 2005.

The Moscow City Urban Renewal Agency (the "Agency") intends to terminate the revenue allocation area adopted at the time of the original adoption of the City of Moscow, Idaho Research and Technology Park Urban Renewal/Competitively Disadvantaged Border Community Area Plan 1996, as amended and restated in 2005 by the Second Amended and Restated City of Moscow, Idaho Research and Technology Park Urban Renewal/Disadvantaged Border Community Area Plan 2005. Urban Renewal Plan for the Alturas Technology Park Project Area in the city of Moscow, effective retroactively to January 1, 1996, and currently referred to as the Alturas Technology Park Urban Renewal Plan (the "Plan"). The termination date for the revenue allocation area was set forth in the Plan as December 31, 2015; however, the Agency is authorized by statute to receive revenues in the calendar year following the last year of the revenue allocation provision described in the Plan. Idaho Code § 50-2905(7). The Agency has reviewed the projected revenues and expenses of the Plan and has determined the revenue allocation area can be terminated early, by December 31, 2015, effective retroactively to January 1, 2015, as it relates to assessed values within the revenue allocation area. As a result, the Agency does not intend to take revenue allocation funds in calendar year 2016, generated from the 2015 assessed values, and the allocation of revenues under section 50-2908, Idaho Code, shall cease effective January 1, 2016. The Agency will continue to receive revenue allocation funds from delinquency tax payments in calendar year 2016 and beyond, generated from the 2014 assessed values, or earlier, and the tax payment due in July 2015, from 2014 assessed values.

The Agency expects most of the expenses from any remaining improvements to be completed under the Plan to be incurred and satisfied by the Agency's current fiscal year ending September 30, 2015, with the exception of expenses related to the maintenance and marketing of the remaining six building lots owned by the Moscow Urban Renewal Agency located in Alturas Technology Park. A site map depicting the six remaining lots is attached as Exhibit A-1. As authorized by Idaho Code § 50-2905(8), the Agency may retain assets beyond the revenue allocation termination date. The Agency intends to expeditiously dispose of these lots in accordance with Idaho Code § 50-2011 and as market conditions allow. The Agency intends to set aside \$45,000.00 for maintenance of those lots for a period of five years. Proceeds from the sale of those lots shall remain with the Agency. Additionally, there are administrative fees and costs due to termination that will be incurred during the Agency's next fiscal year. An estimate of the remaining expenses for maintenance, marketing and administrative fees and costs, including contingency is \$135,325.00. The Agency will have sufficient funds on deposit for payment of all anticipated final expenses, including any cost overruns, and administrative fees.

At this point, the Agency is anticipating there will be a surplus to be distributed prior to the end of the Agency's 2016 fiscal year, September 30, 2016. An estimate of the total surplus funds to
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be available for distribution on or before September 30, 2016, is \$767,044.00. Any available funds will be remitted to the Latah County Treasurer to be distributed to the Latah County taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

EXHIBIT A-1

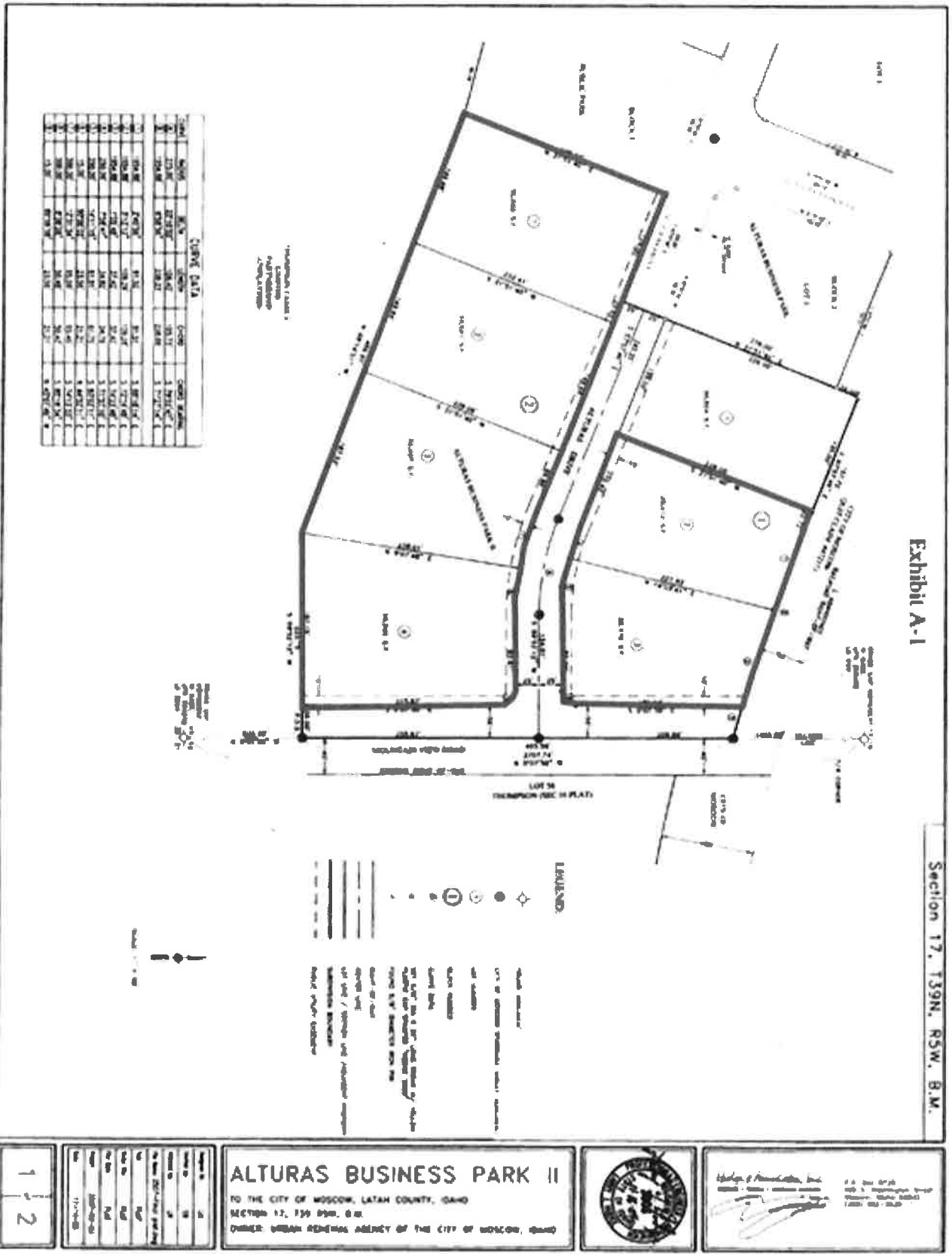


EXHIBIT B

Moscow Urban Renewal Agency			
Alturas Technology Park Urban Renewal District			
FY2016 District Termination Budget			
REVENUES			
Beginning Fund Balance Assigned			\$ 902,369
Tax Increment Revenue			\$ -
Total Revenues			\$ 902,369
EXPENDITURES			
Current			
Professional Services			\$ 10,000
Advertising and Marketing			\$ 4,000
Repairs and Maintenance			\$ 5,000
Other Administrative Expenses			\$ 31,325
Debt Service			
Principal Retirement			\$ -
Interest			\$ -
Capital Outlay			
Improvements			\$ -
Contingency			\$ 40,000
Total Expenditures			\$ 90,325
FUND BALANCES			
Ending Fund Balance Restricted*			\$ 45,000
			\$ 45,000
UNALLOCATED RESIDUAL INCREMENT			\$ 767,044
<small>*Ending fund balance restricted represents five years of anticipated maintenance (\$5,000 annually) and marketing (\$4,000 annually) service expenses for the remaining 6 Agency owned lots within Alturas Technology Park. Any unutilized funds will be distributed to the taxing districts upon sale of the lots.</small>			

EXHIBIT C

BOUNDARY MAP OF THE TERMINATING REVENUE ALLOCATION AREA

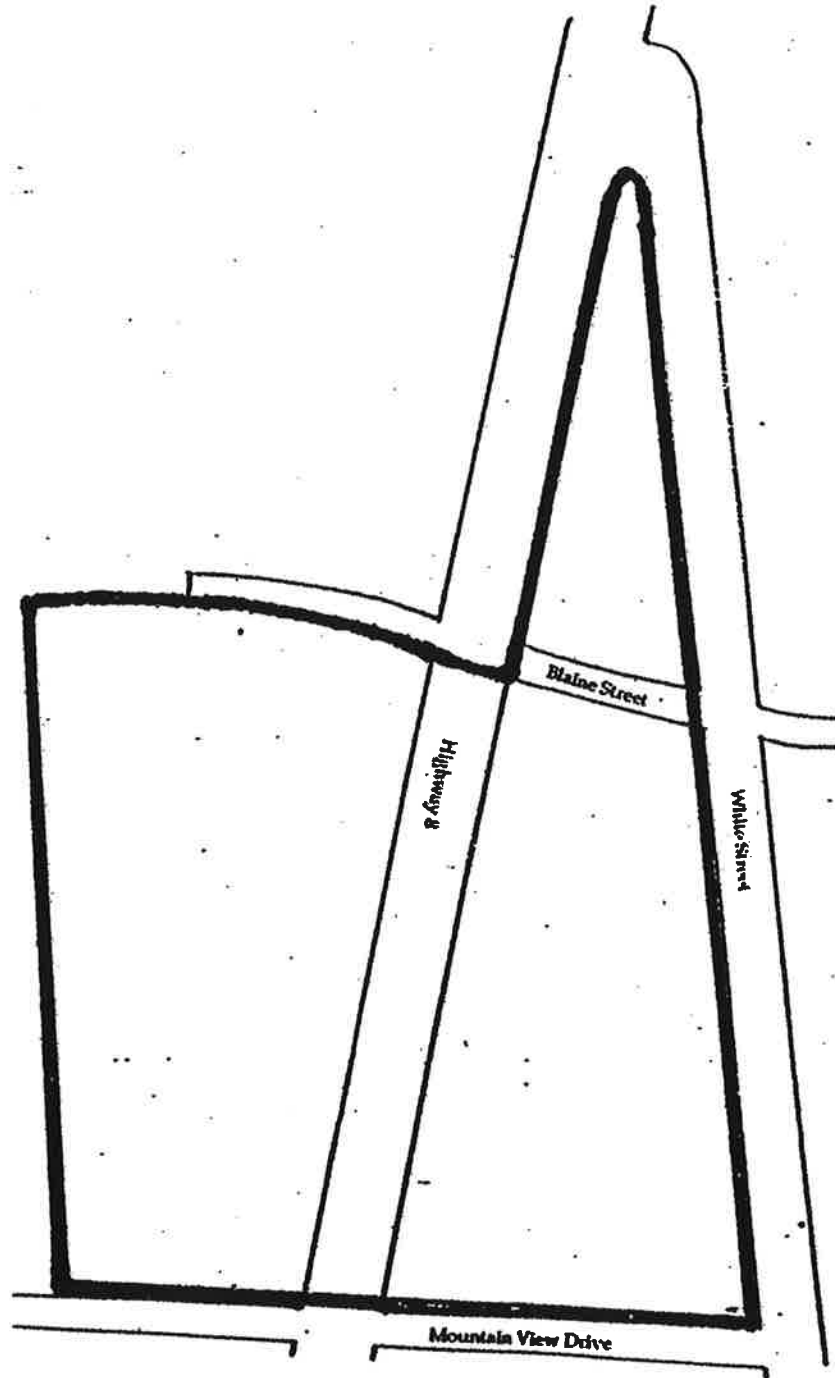


EXHIBIT D

LEGAL DESCRIPTION OF THE TERMINATING REVENUE ALLOCATION AREA

A parcel of land located in the southeast quarter of Section 17, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho, and being more particularly described as follows:

Beginning at the southeast corner of said southeast quarter of Section 17; thence $N0^{\circ}53'45''E$ 969.03 feet along the east line of said southeast quarter to the TRUE POINT OF BEGINNING; thence $N89^{\circ}06'15''W$ 321.63 feet; thence westerly 308.18 feet, along a curve concave to the north, said curve having a radius of 1441.41 feet, a central angle of $12^{\circ}15'00''$, and a chord bearing $N82^{\circ}58'45''W$ 307.59 feet; thence $N76^{\circ}51'15''W$ 178.16 feet; thence westerly 139.00 feet along a curve concave to the south, said curve having a radius of 744.05 feet, a central angle of $10^{\circ}42'14''$, and a chord bearing $N82^{\circ}12'22''W$ 138.80 feet; thence $S02^{\circ}26'31''W$ 30.00 feet radially from said curve; thence westerly 147.01 feet along a curve concave to the south, said curve having a radius of 714.05 feet, a central angle of $11^{\circ}47'46''$, and a chord bearing $S86^{\circ}32'38''W$ 146.75 feet; thence $S80^{\circ}38'45''W$ 392.99 feet to a point on the easterly right-of-way line of Blaine Street extended; thence $N09^{\circ}22'25''W$ 280.01 feet along said extended right-of-way line to the southeast corner of the Indian Hills Fourth Addition to the City of Moscow as shown on Instrument No.389444 on file with the Recorder's office of said Latah County; thence continuing $N09^{\circ}22'25''W$ 190.90 feet along the easterly right-of-way line of Blaine Street; thence northerly 299.50 feet along said right-of-way line and along a curve concave to the east, said curve having a radius of 547.95 feet, a central angle of $31^{\circ}19'00''$, and a chord bearing $N06^{\circ}17'05''E$ 295.78 feet; thence $N21^{\circ}56'35''E$ 132.40 feet along said right-of-way line to the south right-of-way line of Travois Way as shown on said plat; thence $N23^{\circ}05'39''E$ 60.00 feet along said Blaine Street right-of-way line to a point on the northerly right-of-way line of said Travois Way; thence $N23^{\circ}05'39''E$ 190.63 feet to the intersection point of the northerly right-of-way line of State Highway 8 and the easterly right-of-way line of Blaine Street; thence $N66^{\circ}54'15''W$ 1329.30 feet along said northerly highway right-of-way line to the southwest corner of Lot 9, Block 1 of the Arrowhead Addition No.1 to the City of Moscow as shown on the recorded plat thereof, said point also being on the southerly right-of-way line of White Avenue; thence northeasterly along said White Avenue right-of-way line, along a curve concave to the southeast, said curve having a radius of 160.00 feet, a central angle of $47^{\circ}23'08''$, and a chord bearing $N67^{\circ}07'36''E$ 128.59 feet; thence $S89^{\circ}10'50''E$ 2464.23 feet along said southerly right-of-way line to the westerly right-of-way line of Mountain View Road; thence $S0^{\circ}53'45''W$ 1302.07 feet along said westerly right-of-way line of Mountain View Road, said right-of-way line being parallel to and 36.00 feet westerly of (as measured perpendicularly) the easterly line of said Section 17, to a point on the southerly right-of-way line of the Burlington Northern Railroad; thence southeasterly 37.40 feet along said railroad right-of-way line, along a curve concave to the northeast, said curve having a radius of 1954.88 feet, a central angle of $01^{\circ}05'46''$, and a chord bearing $S73^{\circ}22'13''E$ 37.40 feet to the point of intersection with said easterly line of Section 17; thence $S0^{\circ}53'45''W$ 334.86 feet along said easterly line to the TRUE POINT OF BEGINNING.

Said parcel contains 62.1 acres, more or less.