THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

# Urban Renewal Agency
# Agenda

Monday, October 14, 2024, 12:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

**Commissioners:** Rudy Ashenbrener, Dan Brizee, Jan Rogers, JJ McBride, Dave McAlindin, Eric Smallwood, Jennifer Colvin

1) Confirmation of Quorum/Call Meeting to Order
2) Conflict of Interest Declaration
3) Consent Calendar
   a) **ACTION ITEM:** Request to approve 1) Minutes for the September 16, 2024, meeting; 2) September 2024 Financial Report, and 3) October 2024 Accounts Payable.
   By: Lorrie Bauer, Administrative Assistant
4) Reports/Updates
   a) Executive Director's Report
   By: Shawn Barigar, URA Executive Director
   b) **INFORMATIONAL:** Orchard Drive East Urban Renewal Project update on Gemini Business Park.
   By: Tyler Davis Jeffers, Summit Creek Development
5) Items of Consideration
   a) **ACTION ITEM:** Consider approval of the Schedule of Regular Meetings for 2025.
   By: Shawn Barigar, Executive Director
   b) **ACTION ITEM:** Consideration of a request to approve Resolution No. 2024-08 approving the Urban Renewal Plan for the Southwest Urban Renewal Project.
   By: Shawn Barigar, Executive Director
6) Public Input and Announcements
7) Upcoming Meeting(s)
   a) November 18, 2024, @ 12:00pm.
8) Executive Session
9) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lorrie Bauer (208) 735-7313 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Josh Palmer al teléfono (208) 735-7312.

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

# Urban Renewal Agency Minutes

Monday, September 16, 2024, 12:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

**Commissioners:** Rudy Ashenbrener, Dan Brizee, Jan Rogers, JJ McBride, Dave McAlindin, Eric Smallwood, Jennifer Colvin

## 1) Confirmation of Quorum/Call Meeting to Order

| | |
|---|---|
| Present: | Jennifer Colvin, Jan Rogers, Dave McAlindin, JJ McBride, Rudy Ashenbrener, Eric Smallwood, Dan Brizee |
| Absent: | None |
| Staff Present: | Shawn Barigar, Executive Director; Lorrie Bauer, Administrative Assistant; Parker Scherer, Assistant Finance Director; Jesse Schuerman, Staff Engineer; Jonathan Spendlove, Planning & Zoning Director; Travis Rothweiler, City Manager; Mitch Humble, Deputy City Manager; Breanna Howard, Finance Director; Ruth Pierce, City Council Liaison |

Chair Ashenbrener called the meeting to order at 12:00 PM. A quorum was present.

## 2) Conflict of Interest Declaration

None.

## 3) Consent Calendar

a) Request to approve 1) Minutes for the August 19, 2024, meeting; 2) August 2024 Financial Report, and 3) September 2024 Accounts Payable.
**MOTION:** Jan Rogers moved to approve the consent calendar as presented. Eric Smallwood seconded the motion. Roll call vote showed all members present voted in favor of the motion.

## 4) Reports/Updates

a) Executive Director's Report
Executive Director, Shawn Barigar, voiced his report as included in the agenda packet. Discussion ensued.

## 5) Items of Consideration

a) Consider approval of a First Amendment to the Lease for tenants of Agency-owned property located at 139 3rd Avenue South.
Executive Director, Shawn Barigar, introduced the request as included in the agenda packet. Discussion ensued.

**MOTION:** JJ McBride moved to approve the First Amendment to the Lease for tenants of Agency-owned property located at 139 3rd Avenue South. Dave McAlindin seconded the motion. Roll call vote showed all members present voted in favor of the motion.

b) Consideration of a request to amend the FY2024 budget by the amount of $226,000.00 and authorize publication of a public hearing notice.
Assistant Finance Director, Parker Scherer, explained the request as included in the agenda packet. Discussion ensued.
**MOTION:** Dave McAlindin moved to amend the FY2024 budget by the amount of $226,000 and authorized publication of a public hearing notice. Jan Rogers seconded the motion. Agency Special Council, Meghan Conrad, added the public hearing will be held on September 30, 2024, and that the public hearing notice will be published twice before that date. Roll call vote showed all members present voted, approved 7 to 0.

c) Discussion of guidelines and potential policy points for a Development Assistance Participation Program.
Executive Director, Shawn Barigar, introduced the discussion as included in the agenda packet. Meghan Conrad, Agency Legal Counsel, explained the "but for" test used as a factor in how to fund a project. Discussion ensued on different cap participation concepts and matrices other agencies are using. Possible eligible expenses were discussed. To what scope are they eligible was questioned for future discussion. The proposed application process was shared. Planning and Zoning Director, Jonathan Spendlove, shared that most impact fees are unique for parks and streets and explained with examples. Having a philosophy, some guidelines, and a strategy is important. Future discussions will be needed to move forward in the creation of this program.

**6) Public Input and Announcements**
None.

**7) Upcoming Meeting(s)**

Special Meeting - September 30, 2024
Regular Meeting - October 14, 2024, @ 12:00 pm.

**8) Adjournment**
**MOTION:** Eric Smallwood moved to adjourn. Jan Rogers seconded. Roll call vote showed all members present voted in favor of the motion. The meeting adjourned at 12:53 PM.

Lorrie Bauer, Administrative Assistant

## Urban Renewal Agency of the City of Twin Falls, ID
# Profit & Loss
### September 2024

| | Sep 24 |
|---|---|
| **Ordinary Income/Expense** | |
| **Income** | |
| **Contributions** | 119,153.60 |
| **Investment Income** | 18,545.66 |
| **Rental Income** | 4,358.33 |
| **Total Income** | 142,057.59 |
| **Gross Profit** | 142,057.59 |
| **Expense** | |
| **Debt Payments - Interest** | 253,275.00 |
| **Debt Payments - Principal** | 360,000.00 |
| **General Development Projects** | 20,430.89 |
| **Insurance Expense** | 4,522.00 |
| **Legal Expense** | 4,423.87 |
| **Office Expense** | 15.00 |
| **Prof. Dev.\Training** | 260.90 |
| **Professional Fees** | 77.50 |
| **RAA - South Washington** | 48,522.36 |
| **Utilities - Other** | 19.31 |
| **Total Expense** | 691,546.83 |
| **Net Ordinary Income** | -549,489.24 |
| **Other Income/Expense** | |
| **Other Income** | |
| **Transfers In** | 4,410,532.22 |
| **Transfers Out** | -4,410,532.22 |
| **Total Other Income** | 0.00 |
| **Net Other Income** | 0.00 |
| **Net Income** | **-549,489.24** |

## Urban Renewal Agency of the City of Twin Falls, ID
# P&L Over (Under) Budget - YTD
### October 2023 through September 2024

| | Oct '23 - Sep 24 | Budget | $ Over Budget | % of Budget |
|---|---|---|---|---|
| **Ordinary Income/Expense** | | | | |
| **Income** | | | | |
| **Contributions** | 119,153.60 | 221,588.00 | -102,434.40 | 53.8% |
| **Investment Income** | 295,856.20 | 45,900.00 | 249,956.20 | 644.6% |
| **Other Income** | 8,149.00 | 150,000.00 | -141,851.00 | 5.4% |
| **Property Taxes** | 5,048,729.22 | 4,704,352.00 | 344,377.22 | 107.3% |
| **Rental Income** | 48,399.96 | 53,800.00 | -5,400.04 | 90.0% |
| **Total Income** | 5,520,287.98 | 5,175,640.00 | 344,647.98 | 106.7% |
| **Gross Profit** | 5,520,287.98 | 5,175,640.00 | 344,647.98 | 106.7% |
| **Expense** | | | | |
| **Bond Trustee Fees** | 5,000.00 | 5,000.00 | 0.00 | 100.0% |
| **Community Relations & Website** | 0.00 | 5,000.00 | -5,000.00 | 0.0% |
| **Debt Payments - Interest** | 516,587.50 | 516,588.00 | -0.50 | 100.0% |
| **Debt Payments - Principal** | 725,000.00 | 725,000.00 | 0.00 | 100.0% |
| **Dues and Subscriptions** | 4,600.00 | 4,600.00 | 0.00 | 100.0% |
| **General Development Projects** | -4,569.11 | 500,000.00 | -504,569.11 | -0.9% |
| **Insurance Expense** | 5,608.00 | 2,172.00 | 3,436.00 | 258.2% |
| **Legal Expense** | 35,150.81 | 20,000.00 | 15,150.81 | 175.8% |
| **Management Fee** | 208,000.00 | 208,000.00 | 0.00 | 100.0% |
| **Meeting Expense** | 1,690.54 | 5,000.00 | -3,309.46 | 33.8% |
| **Miscellaneous** | 10,787.27 | 500.00 | 10,287.27 | 2,157.5% |
| **Office Expense** | 51.75 | 500.00 | -448.25 | 10.4% |
| **Prof. Dev.\Training** | 2,439.78 | | | |
| **Professional Fees** | 30,352.50 | 10,000.00 | 20,352.50 | 303.5% |
| **Property Maintenance** | 5,297.00 | | | |
| **Property Tax Expense** | 3,027.74 | 0.00 | 3,027.74 | 100.0% |
| **RAA - South Washington** | 48,522.36 | | | |
| **RAA 4-3 (Chobani)** | | | | |
| **Debt Pay. (Chobani) Interest** | 1,487,302.25 | 1,487,302.00 | 0.25 | 100.0% |
| **Debt Pay. (Chobani) Principal** | 1,969,000.00 | 2,193,000.00 | -224,000.00 | 89.8% |
| **RAA 4-3 (Chobani) - Other** | 50.00 | | | |
| **Total RAA 4-3 (Chobani)** | 3,456,352.25 | 3,680,302.00 | -223,949.75 | 93.9% |
| **Real Estate Purchase** | 0.00 | 0.00 | 0.00 | 0.0% |
| **Utilities - Other** | 67.75 | | | |
| **Total Expense** | 5,053,966.14 | 5,682,662.00 | -628,695.86 | 88.9% |
| **Net Ordinary Income** | 466,321.84 | -507,022.00 | 973,343.84 | -92.0% |
| **Other Income/Expense** | | | | |
| **Other Income** | | | | |
| **Transfers In** | 4,410,532.22 | 4,455,390.00 | -44,857.78 | 99.0% |
| **Transfers Out** | -4,410,532.22 | -4,455,390.00 | 44,857.78 | 99.0% |
| **Total Other Income** | 0.00 | 0.00 | 0.00 | 0.0% |
| **Net Other Income** | 0.00 | 0.00 | 0.00 | 0.0% |
| **Net Income** | **466,321.84** | **-507,022.00** | **973,343.84** | **-92.0%** |

THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

**Date:** Monday, October 14, 2024

**To:** Urban Renewal Agency of the City of Twin Falls

**From:** Shawn Barigar

**Executive Director's Report**

1. Much of our effort over the past few weeks since the last board meeting has been focused on the details of the proposed Southwest Urban Renewal Project Area, which is on the agenda for your consideration today. Around that work, we have continued to have conversations with potential developers about future interest in the Old Towne-2 area. We are reaching out to other developers in the Boise valley about the master plan for Old Towne-2 and hope to identify future opportunities with them.

2. With the completion of the marketing materials for the master plan, we will be updating our website over the next couple of months to share the vision and begin to showcase potential development properties.

3. The Redevelopment Association of Idaho and our legislative advisor are continuing to monitor the upcoming legislative session. We are hearing some rumblings that changes to the Urban Renewal Law may come forward. RAI will potentially know more following the November 5 election. I'll be forwarding legislative updates from RAI's legislative advisor as they come in for your information.

Attachments**:**

None

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

**Date:** Monday, October 14, 2024

**To:** Urban Renewal Agency of the City of Twin Falls

**From:**

**INFORMATIONAL**

**Request:**

Orchard Drive East Urban Renewal Project update on Gemini Business Park.

**Background:**

Tyler Davis-Jeffers will provide a presentation updating the Board on development of Gemini Business Park in the Orchard Drive East Urban Renewal Project Area.

**Approval Process:**

N/A

**Budget Impact:**

N/A

**Regulatory Impact:**

N/A

**Conclusion:**

**Attachments:**

None

THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

P.O. Box 1907 203 Main Avenue East Twin Falls, Idaho 83303-1907

## SCHEDULE OF REGULAR MEETINGS for 2025

Meetings are generally held on the 3rd Monday of each month, unless otherwise posted (*) and begin at 12:00 pm. Meetings are usually held at City Hall in the Council Chambers located at 203 Main Avenue East, Twin Falls, Idaho.

| | | |
|---|---|---|
| Wednesday, January 22* | Thursday, February 20* | Monday, March 17 |
| Monday, April 21 | Monday, May 19 | Monday, June 16 |
| Monday, July 21 | Monday, August 18 | Monday, September 15 |
| Monday, October 20 | Monday, November 17 | Monday, December 15 |

THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

**Date:** Monday, October 14, 2024

**To:** Urban Renewal Agency of the City of Twin Falls

**From:** Shawn Barigar, Executive Director

**ACTION ITEM**

**Request:**

Consideration of a request to approve Resolution No. 2024-08 approving the Urban Renewal Plan for the Southwest Urban Renewal Project.

**Background:**

The City and Agency commenced certain discussions concerning examination of an additional area within the City as appropriate for an urban renewal project. The first step in the establishment of a new plan and urban renewal/revenue allocation area was to define a potential geographic area for analysis as to whether conditions exist within it to qualify for redevelopment activities.

In June 2024, Phil Kushlan, Kushlan | Associates, was retained to review the study area and prepare an eligibility report. The area reviewed included the vicinity of Washington Street South, Orchard Drive West, Grandview Drive South, and South Park Avenue West in the Southwest area of the City. The Study Area encompasses 15 individual property parcels totaling approximately 352 acres. The Southwest Revenue Allocation Area (Proposed) Eligibility Report, dated August 19, 2024, was accepted by the Agency pursuant to Resolution No. 2024-06, dated August 19, 2024. The City Council adopted the Report, and made the findings of deteriorating conditions, pursuant to Resolution No.R-2024-008, dated August 26, 2024, and further directed the Agency to commence preparation of the urban renewal plan for the area studied.

The second step in the establishment of a new plan and urban renewal/revenue allocation area (the “Project Area”) is to prepare the urban renewal plan. An urban renewal plan must contain the following information with specificity:
(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) A statement listing 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 are repaid, upon all taxing districts levying taxes upon property on 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;
(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; and

(9) Any changes to an urban renewal plan as provided in subsections (2) and (6) of this section shall be noticed and shall be completed in an open public meeting.

Phil Kushlan, Kushlan | Associates, was retained to prepare the economic feasibility study, which analyzes the revenue projections over the duration of the Project Area, the infrastructure needs, the estimated infrastructure costs and makes a determination as to the economic feasibility of the Project Area. Based on conversations with Agency consultants and City staff, the non-exhaustive projected prioritized list of public improvement projects and estimated costs to be incurred in implementing the Plan in the Project Area totals $49,515,000. Such improvements include improvements to streets (including stormwater management), public utilities (water and sewer systems), pedestrian and bicycle facilities, property acquisition, irrigation system modifications, rail spur relocation, and electrical and gas improvements. The Project Area is projected to generate $56,373,230 in revenue allocation proceeds between 2025 and 2044, recognizing the Agency would receive revenues in 2045 after the formal termination of the revenue allocation area.

The consultant has determined the project to be economically feasible.

The Agency is in the process of obtaining the necessary agricultural operation consents from the owners of agricultural operations. To the extent a necessary consent is not obtained, the parcel will be removed from the Project Area prior to consideration of the Plan by the City Council. Additionally, two parcel included in the study area are in the process of requesting annexation into the City. Pending Council approval, the annexation process should be completed prior to adoption of the Plan. If not, the parcels will be removed from the area.

The combined base assessment rolls, together with the proposed base assessment roll of the proposed Southwest Project Area do not exceed 10% of the current assessed taxable value of the City.

If the Plan and Project Area are adopted on or before December 31, 2024, the Plan would have a base year of January 1, 2024 with a termination date of December 31, 2044, recognizing the Agency would receive its allocation of revenues in 2045.

If the Resolution adopting the Plan is approved by the Agency Board, the anticipated next steps are as follows:

Week of October 21: Formal transmittal of the Plan to the City and Planning Commission
November 1: Submit notice of public hearing to Times-News for publication
November 7: 1st notice publication and plan to be received by taxing districts
November 19: Planning and Zoning meeting
November 21: 2nd notice publication
December 9: City Council public hearing and 1st reading (readings may be consolidated)
December 16: City Council 2nd/3rd readings (if needed)

**Approval Process:**

Majority vote of the Board of Commissioners present at a meeting where quorum is present.

**Budget Impact:**

There is no budget impact at this time.

**Regulatory Impact:**

N/A

**Conclusion:**

Agency staff recommends adopting Resolution No. 2024-08 adopting the Urban Renewal Plan for the Southwest Urban Renewal Project, directing staff to make corrections to the Plan as discussed at the meeting, directing staff to finalize Plan Attachments, and directing staff to submit the Agency Resolution, Plan, and other information to the City to take appropriate action.

**Attachments:**

1. Southwest Plan
2. Southwest Plan Agency Resolution

**URBAN RENEWAL PLAN FOR THE**
**SOUTHWEST URBAN RENEWAL PROJECT**

**THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS**
**TWIN FALLS, IDAHO**

**Ordinance No. ________**
**Adopted _________**
**Effective _________**

TABLE OF CONTENTS

## Attachments

## 100 INTRODUCTION

This is the Urban Renewal Plan (the "Plan") for the Southwest Urban Renewal Project (the "Project") in the city of Twin Falls (the "City"), state of Idaho. Attachments 1 through 6 attached hereto (collectively, the "Plan Attachments") are incorporated herein and shall be considered a part of this Plan.

The term "Project" is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities contemplated by the term "Project." Such activities include both private and public development of property within the urban renewal area. The Southwest Project Area is also referred to as the "Project Area" or the "Revenue Allocation Area."

This Plan was prepared by the Board of Commissioners (the "Agency Board") of the Urban Renewal Agency of the City of Twin Falls (the "Agency"), its consultants, and staff, and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), and all applicable local laws and ordinances.

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

(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) A statement listing 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 are repaid, upon all taxing districts levying taxes upon property on 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.

(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.

This Plan includes the above information with specificity.

The proposed development and redevelopment of the Project Area as described in this Plan conforms to the City of Twin Falls 2016 Comprehensive Plan, *Grow with Us* (the "Comprehensive Plan"), adopted by the Twin Falls City Council (the "City Council") on November 7, 2016, as may be amended from time to time. The Agency intends to rely heavily on any applicable City design standards which may cover all or part of the Project Area.

The Identification and Proposed Location of Certain Public Improvements in the Project Area, as attached hereto as Attachment 5.5, sets forth a non-exhaustive projected prioritized list of certain public improvement projects; however, the location of public improvement projects within the Project Area and project prioritization will be driven by current market conditions, project buildout timeline, development opportunities providing for partnerships and efficient development and the annual budget. Identification of proposed public entity partnership opportunities does not bind those public entities to fund those projects; rather, public entity participation is driven by public entity annual budget appropriations. This information merely highlights the potential for partnership opportunity and serves as a reasonable guide to anticipated development, recognizing the challenges with identifying all projects over the duration of the Project Area.

**This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code § 50-2903A. Subject to limited exceptions as set forth in Idaho Code § 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream.**

**A modification shall not be deemed to occur when "[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency." Idaho Code § 50-2903A(1)(a)(i). Annual adjustments, as more specifically set forth in the Agency's annual budget, will be required to account for more/less estimated revenue and project timing, including the specific location and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code § 50-2903A.**

**Further, a modification shall not be deemed to occur when "[t]here is a plan amendment to support growth of an existing commercial or industrial project in an**

**existing revenue allocation area, subject to the provisions of section 50-2905A, Idaho Code." Idaho Code § 50-2903A(1)(a)(iv). The proposed development of the Project Area is primarily commercial and industrial projects. Any adjustment to the list of improvements and/or revenue stream to support growth of the proposed commercial and/or industrial projects is not a modification under Idaho Code § 50-2903A.**

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment 5.1, with the need for specificity as required by Idaho Code § 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code § 50-2905(1), (2), (5), (7) and (8). Attachments 5.1-5.5, together with the Plan narrative, meet the specificity requirement for the required plan elements set forth in Idaho Code § 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, establish the necessary infrastructure to support adjacent private investment, which in this case includes industrial and commercial facilities.

The purpose of the Law and Act will be attained through the implementation of the Plan. The master goals of this Plan are:

a. The installation and construction of public improvements, including new local, collector and arterial streets; improvements to existing roadways and intersections, including the installation of traffic signals, and including but not limited to improvements to State Highway 74/Washington Street South, Orchard Drive, Grandview Drive, North Road, Diamond Avenue, Highland Avenue and Park Avenue; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term "streetscapes" includes sidewalks, multi-use pathways, lighting, landscaping, benches, bike racks, wayfinding, public art and similar amenities between the curb and right of way line; installation and/or improvements to fiber optic facilities; improvements to public utilities including water and sewer system and facilities improvements, and fire protection systems; removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation canals and drainage ditches and laterals; installation and construction and/or improvement of storm drainage facilities;

b. The planning, design, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions, including underground gas lines and overhead transmission lines;

c. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing increased employment opportunities and economic growth;

d. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways;

e. The reconstruction and improvement of street corridors to allow traffic flows to move through the Project Area along with the accompanying utility connections, through the Project Area;

f. The provision of public service utilities, which may be sited outside the Project Area, but are necessary to the development of the Project Area, such as water system and facilities improvements, sewer system and facilities improvements, improvements to storm drainage facilities, and power and gas system and facilities improvements;

g. In conjunction with the City, 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;

h. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located;

i. The acquisition of real property to support development and/or redevelopment initiatives consistent with the Law and Act;

j. The funding of necessary public infrastructure to accommodate both public and private development.

### 101 General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is governed by its bylaws, as authorized by the Law, and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-1076, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

### 102 Provisions Necessary to Meet State and Local Requirements: Conformance with Idaho Code Sections 50-2008 and 50-2906

Idaho law requires that the City Council, by resolution, must determine a geographic area be a deteriorated area or a deteriorating area, or a combination thereof, and designate such area as appropriate for an urban renewal project prior to preparation of an urban renewal plan. A consultant, Kushlan | Associates, was retained to study a proposed project area (the "Study Area") and prepare an eligibility report. The Southwest Revenue Allocation Area Eligibility Report (the "Report") was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. 2024-06 on August 19, 2024, and thereafter submitted the Report to the City Council for its consideration.

The Study Area was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. R-2024-008 on August 26, 2024. With the adoption of Resolution No. R-2024-008, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by the Law and Act and directed the Agency to prepare an urban renewal plan.

Under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in Section 22-4502(2), Idaho Code, 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.

In accordance with the Law and Act, the necessary agricultural operation consents were obtained from the owners of the agricultural operation within the Project Area for property that has been used as an agricultural operation within the last three (3) years. Copies of the agricultural operation consents are attached hereto as Attachment 6.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. 2024-__ and submitted the Plan to the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission, by resolution, reported to the City Council that this Plan is in conformity with the City's Comprehensive Plan.

Pursuant to the Law and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in the *Times News*, a newspaper having general circulation in the City. The City Council adopted this Plan on ___________ __, ________, by Ordinance No. _____.

### 103 History and Current Conditions of the Area

The Project Area contains approximately 370.75 acres, inclusive of rights-of-way, and is generally located in the south-central part of the City. The Project Area is generally bounded on the east by a major north/south arterial, State Highway 74/Washington Street South, on the south by North Road, on the west by Grandview Drive, and on the north by portions of South Park Avenue West and Diamond Avenue. At the time of the Report two (2) parcels in the Study Area were proceeding with annexation into the City. At the time the City Council considers this Plan, all parcels in the Project Area will be within the city of Twin Falls city limits.

The Project Area is generally a mixture of commercially and industrially zoned properties. The majority of the acreage remains in agricultural use pending urban development. One (1) parcel is landlocked with no access to a public street. A significant deterrent to development is the transection of a gas pipeline through the Project Area.

The Project Area includes parcels that were located within the boundaries of the terminated Washington Street South revenue allocation area, which area did not develop as contemplated under that urban renewal plan and which area continues to meet the statutory conditions to warrant an urban renewal project. Continued assistance is necessary to support redevelopment activity in this area, particularly in light of the existing challenging market conditions and the desired goals to support commercial and industrial development projects in this geographic area. The Project Area continues to be an area in transition requiring continued support for desired development.

The Project Area lacks the public infrastructure necessary to properly serve economic development. While limited investment has been made on Washington Street South, full improvement to City standards has not occurred. There are no pedestrian facilities, including street illumination, or storm drainage facilities. The roadway improvements were not designed to accommodate the projected levels of commercial and industrial traffic contemplated in City planning documents. Similar deteriorating conditions exist with regard to the existing rights-of-way within the Project Area, including but not limited to: Orchard Drive, Grandview Drive, North Road, Diamond Avenue, Highland Avenue and Park Avenue. Currently, there is no street network west of Washington Street South to support commercial and/or industrial development in the Project Area.

Municipal water exists in Washington Street South; however, much of the Project Area is undeveloped vacant land. Once developed consistent with zoning designations, extensions will be necessary to serve the area and fire flows may need to be upgraded to adequately protect a more densely developed environment. Similarly, sewer service will need to be enhanced to serve development. Additionally, certain types of industrial development may cause significant demands upon the City's wastewater treatment facility located adjacent to the Snake River in the Snake River Canyon. It has been the City's policy to require pre-treatment of effluent prior to its being discharged into the City's collection system to ensure compliance with the environmental requirements of the permits issued by the State Department of Environmental Quality (DEQ). Generally, the lack of costly public infrastructure has resulted in the economic underdevelopment of the area.

The Plan proposes installation and improvements to public infrastructure and other publicly owned assets throughout the Project Area, as more specifically set forth in Attachments 5.1 and 5.5, creating the opportunity to support commercial and industrial economic development projects consistent with the City's Comprehensive Plan.

The Project Area is underdeveloped or vacant and is not being used to its highest and best use due to age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting; insanitary or unsafe conditions; diversity of ownership; and inadequate utility infrastructure needed to support industrial and commercial development within the Project Area. These conditions result in the economic underdevelopment of the area and substantially impair or arrest the sound growth of the City.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure and development impediment issues in this area. Revenue allocation financing should help to improve the situation. This Plan will help to deliver development outcomes with significant public benefit which the market will not otherwise deliver on its own. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, the contemplated commercial and industrial development projects create economic development opportunities that may generate new jobs in the Project Area and will increase the tax base, which in turn, could be a factor in lowering taxes, benefiting area residents long-term.

It is unlikely that individual developers or public partners will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation to help offset at least some of these costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support revitalization and development of the Project Area would not occur.

### 104 Purpose of Activities

Attachments 5.1 and 5.5 include the Twin Falls Southwest District Public Improvements List and a preliminary prioritized guide setting forth public improvements and projects identifying with specificity the proposed public improvements and projects contemplated in the Project Area, including the estimated costs of those improvements. The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

a. Change funding amounts from one Project to another.

b. Re-prioritize the Projects described in this Plan and the Plan Attachments.

c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.

d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.

e. Alter the location of proposed improvements set forth in Attachment 5.5 or as described in Attachment 5.1 to support development when it occurs. The information included in Attachment 5.5 presents a proposed, realistic development scenario, projected timeline, and location, recognizing the siting of improvements is difficult to project with any certainty where the improvements will not be sited until any future projects submit plans to the City for design review and permitting.

**The Agency intends to discuss and negotiate with any owner or developer of the parcels within the Project Area seeking Agency assistance during the duration of the Plan and Project Area**. During such negotiation, the Agency will determine the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish, by way of policy, its funding percentage or participation, which would apply to all developers and owners.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachments 5.1-5.5 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachments 5.1-5.5 are also prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long term goals, and commitments. As required by the Law and Act, the Agency will adopt more specific budgets annually. The projected timing of funding is primarily a function of market conditions and the availability of financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at given points in time within the planned 20-year period of the Plan and Project Area.

The Study (Attachments 5.1-5.5) has described a list of prioritized public improvements and other related activities with an estimated cost in 2024 dollars of approximately $49,500,000. This amount does not take into account inflationary factors, such as increasing construction costs, which would increase that figure depending on when the public entity, owner, developer and/or Agency is able to develop, construct or initiate those activities. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated $56,373,231 in revenue allocation proceeds if the Project Area is fully developed. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified in Attachments 5.1–5.5 and this Plan. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified in Attachments 5.1–5.5 and this Plan.

### 105 Open Land Criteria

This Plan contemplates Agency acquisition of property within the Project Area, in part, to support economic development/demonstration projects. The Project Area includes open land requiring the area meet the conditions set forth in Idaho Code § 50-2008(d). These conditions include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the definitions of deteriorated area or deteriorating area set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code § 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "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."

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code § 50-2008(d)(4)(2) apply. The parcel size, the deficient water and sewer systems and facilities to support future development; a deficient street system; deteriorating streetscapes, including curb, gutter, sidewalks, and storm drainage facilities; and lack of fire protection, are all conditions which delay or impair development in the Project Area. Further, the age or obsolescence of existing uses; a predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting; insanitary or unsafe conditions; diversity of ownership; and economic disuse are all conditions which delay or impair development of the open land areas and satisfy the open land conditions as more fully supported by the Southwest Revenue Allocation Area Eligibility Report, prepared by Kushlan | Associates, dated August 19, 2024.

This Plan anticipates Agency acquisition of property within the Project Area; however, the acquisition of specific parcels is unknown at this time. Should the Agency determine the need to acquire property as further set forth in Attachment 3, then the open land areas qualify for Agency acquisition and development.

## 200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Boundary Map of Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Legal Description of Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated. The Project Area does not intend to include right-of-way that is currently within unincorporated Twin Falls County.

## 300 PROPOSED REDEVELOPMENT ACTIONS

### 301 General

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, and to grow the economy in the Project Area. Implementation of the strategy includes, but is not limited to the following actions:

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 objectives of this Plan;

c. The engineering, design, installation, construction, and/or reconstruction of the transportation network within the Project Area, including all streets and streetscapes within the Project Area, with a focus on enhancements to State Highway 74/Washington Street South, Orchard Drive, Grandview Drive, North Road, Diamond Avenue, Highland Avenue and Park Avenue, and related pedestrian facilities, curb and gutter, intersection and rail crossing improvements, and traffic signals (if needed);

d. The engineering, design, installation, construction and/or reconstruction of sidewalks and related pedestrian facilities, curb and gutter and streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, way-finding, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including multi-use pathways with landscape buffers and public open spaces;

e. 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, including extension of the water distribution system, water capacity improvements, water storage upgrades, wastewater system improvements and upgrades, including extension of the wastewater collection system, lift station, and improvements, construction and/or reconstruction of pretreatment facilities, and upgrades to power, gas, fiber optics, communications and other such 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 projects to expand or increase capacity and to create redundancies in the system;

f. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation canals and drainage ditches and laterals; undergrounding or piping of 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, floodway and flood zone mitigation; and other public improvements that may be deemed appropriate by the Board;

g. The acquisition of real property for public right-of-way and streetscape improvements, utility undergrounding, extension, upgrades, and pedestrian facilities to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers for qualified developments, including economic development;

h. 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;

i. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, pedestrian facilities, utility undergrounding extension and upgrades, to 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;

j. The management of any property acquired by and under the ownership and control of the Agency;

k. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;

l. The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;

m. Provide assistance related to relocation of a rail spur to remove a site impediment to development and to encourage industrial and commercial development in an area with greater access to rail;

n. 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;

o. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;

p. The preparation and assembly of adequate sites for the development and construction of facilities for commercial, industrial, and governmental use;

q. In conjunction with the City, 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;

r. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;

s. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;

t. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to development and/or redevelopment exist;

u. To collaborate with stakeholders as contemplated by Attachment 5.5;

v. Agency participation in the remediation of any brownfield or other environmental conditions present in the Project Area; and

w. Other related improvements to those set forth above as further set forth in Attachments 5.1-5.5.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by Law and Act.

**302 Urban Renewal Plan Objectives**

Urban renewal activity is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: age or obsolescence of existing uses; a predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting; insanitary or unsafe conditions; diversity of ownership; economic disuse; and inadequate utility infrastructure needed to support desired development. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

a. Initiate simultaneous projects designed to revitalize and develop the Project Area. From street and utility improvements to significant new public or private development, the Agency plays a key role in creating the necessary momentum to get and keep things going.

b. Develop new commercial and industrial opportunities, as well as encourage other economic development opportunities for existing businesses.

c. Secure and improve certain public open space and recreational facilities in critical areas.

d. Initiate projects designed to encourage activity centers, and provide workforce transportation and mobility options.

Without direct public intervention, much of the Project Area could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area will be modified to the extent that underutilized, underdeveloped, and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to industrial and commercial uses. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the Project Area covered by the Plan, recognizing the primary commercial and industrial nature of the Project Area.

## 303 Participation Opportunities and Agreement

### 303.1 Participation Agreements

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner receives assistance from the Agency in the development and/or redevelopment of the property. The term "owner participation agreement" or "participation agreement" is intended to include all participation agreements with a property owner, including reimbursement agreements, grant agreements or other participation agreements. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure from future Agency acquisition subject to entering into an owner participation agreement. The Agency may also enter into owner participation agreements with other future owners and developers within the Project Area throughout the duration of this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and meets the conditions described below:

a. Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.

b. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.

c. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as to all applicable codes and ordinances of the City.

**<u>All owner participation agreements will address phasing issues, development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2044. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement</u>.**

In all participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area.

b. Subject to the limitations of the Law and the Act, providing incentives to property owners to encourage utilization and expansion of existing permitted uses during the transition period to prevent a decline in the employment base and a proliferation of vacant and deteriorated parcels in the Project Area during the extended redevelopment of the Project Area.

c. To accommodate improvements and expansions allowed by City regulations.

d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.

e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development.

**304 Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and Act.

The Agency intends to cooperate to the extent allowable with the City and the Twin Falls County Highway District (or the Idaho Transportation Department), as the case may be, for the engineering, design, installation, construction, and/or reconstruction of public infrastructure improvements, including, but not limited to water, sewer, storm drainage, electrical, natural gas, telecommunication, rail, or other similar systems and lines, streets, roads, curbs, gutters, sidewalks, walkways, public parking facilities and unoccupied auxiliary structures. The Agency shall also cooperate with the City and the Twin Falls County Highway District (or the Idaho Transportation Department) on various relocation, screening, or undergrounding projects and the providing of fiber optic capability. To the extent any public entity, including the City and/or the Twin Falls County Highway District, has funded certain improvements, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the

Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

This Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

## 305 Property Acquisition

### 305.1 Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan allows the Agency’s use of its resources for property acquisition. This Plan does not anticipate the Agency’s widespread use of its resources for property acquisition, except for the construction of public improvements or to dispose of real property to a qualified developer to incent certain types of development as permitted by the Law and Act.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property through a voluntary acquisition or the public entity’s involving of its eminent domain authority as limited by Idaho Code Section 7-701A.

The Agency is authorized by this Plan to acquire the properties for the uses identified in Attachment 3 hereto, including but not limited to property to be acquired for the extension or expansion of certain rights-of-way and utilities.

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to streets, streetscapes, intersection improvements, including the installation of traffic signals, water and sewer improvements, environmental remediation/site preparation, public parking, pedestrian facilities, irrigation canal improvements, relocation of a rail spur, and improvements and/or relocations to the power and gas systems. Further, the Agency may acquire real property to facilitate commercial and industrial economic development projects by assembling and disposing of developable parcels. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of commercial and industrial uses. The public improvements are intended to be dedicated to the City and/or other appropriate public entity, as the case may be, upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired. The open land areas qualify for Agency acquisition as further set forth in Section 105 of this Plan.

It is in the public interest and may be necessary, in order to eliminate the conditions requiring development and/or redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency or by the City with the Agency acting in an advisory capacity[1]to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

Under the provisions of the Act, the urban renewal plan "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." Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

#### 305.2 Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, for the purpose of developing the public improvements described in section 305.1.

### 306 Property Management

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented

[1] House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency's ability to exercise eminent domain.

or leased by the Agency pending its disposition for development and/or redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

### 307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits and shall coordinate with the various local, state, or federal agencies concerning relocation assistance.

### 308 Demolition, Clearance, and Site Preparation

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including rock removal and site preparation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, pedestrian walkways, public parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

### 309 Property Disposition and Development

#### 309.1 Disposition by the Agency

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho law, including Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

### 309.2 Disposition and Development Agreements

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Twin Falls County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.

b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.

c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).

d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan.

e. All new construction shall have a minimum estimated life of no less than twenty (20) years.

f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.

g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.

h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.

i. All disposition and development documents shall be governed by the provisions of Section 409 of this Plan.

j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

**The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 2044. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.**

### 309.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized under Idaho Code §§ 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachments 5.1-5.5, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### 310 Development Plans

All development plans (whether public or private) prepared pursuant to an owner participation agreement or disposition and development agreement, shall be submitted to the Agency Board for review and approval. All development in the Project Area must conform to those standards specified in Section 409 and all applicable City ordinances.

### 311 [Reserved]

### 312 [Reserved]

### 313 Participation with Others

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program ("CDBG"), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency's use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### 314 Conforming Owners

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

## 400 USES PERMITTED IN THE PROJECT AREA

### 401 Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, and as depicted on Attachment 4 and as set forth in the City's Comprehensive Plan and within the Twin Falls Zoning Code, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area will include commercial and industrial development as well as public and governmental uses. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

### 402 [Reserved]

### 403 Public Rights-of-Way

The Project Area contains existing maintained public rights-of-way included within the boundaries, as shown on Attachment 1, including but not limited to State Highway 74/Washington Street South, Orchard Drive, Grandview Drive, North Road, Diamond Avenue, Highland Avenue and Park Avenue. Any new roadways, including new arterials, collectors and/or local roads to be engineered, designed, installed, and constructed in the interior of the Project Area, including but not limited to the extension of Park Avenue and Highland Avenue, will be constructed in conjunction with any applicable policies and design standards of the City or Twin Falls County Highway District (and State and Federal standards, as the case may be) regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and other potential roadways described in Attachment 5.5, or described in Attachment 5.1.

Additional improvements to existing streets, alleys and easements may be created, improved, or extended in the Project Area as needed for development. Existing dirt roadways, streets, easements, and irrigation or drainage laterals or ditches may be improved, abandoned, closed, vacated, expanded, or modified as necessary for proper development of the Project Area, in accordance with any applicable policies and standards of the Idaho Transportation Department, the City or the Twin Falls County Highway District regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any development, maintenance, and future changes in the interior or exterior street layout shall be in accordance with the objectives of this Plan and the design standards of the City, Twin Falls County Highway District, or the Idaho Department of Transportation as may be applicable; and shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and

c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

### 404 Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code or Twin Falls County Code.

### 405 Development in the Project Area Subject to the Plan

All real property in the Project Area, under the provisions of either a disposition and development agreement or an owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

### 406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards

All construction in the Project Area shall comply with all applicable state laws, the Twin Falls City Code, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct development activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

### 407 [Reserved]

### 408 Nonconforming Uses

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

### 409 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Under a disposition and development agreement and an owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls will be implemented through the provisions of any owner participation agreement or disposition and development agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

## 500 METHODS OF FINANCING THE PROJECT

### 501 General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider a transfer or grant from the City, an inter-fund transfer from other urban renewal project areas or enter into a memorandum of understanding with any property owner and/or related entity to fund the establishment of the Project Area. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City or any other public agency, as properly budgeted, may expend money to assist the Agency in carrying out this Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

**502 Revenue Allocation Financing Provisions**

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2024. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. 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, acting by one or more resolutions adopted by its Board, is hereby 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 advance-funded by developers or owners, 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.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study, as defined in Section 502.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer/owner advanced funding of certain eligible public infrastructure improvements to be reimbursed pursuant to an owner participation agreement could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, the location of proposed public infrastructure improvements, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachments 5.1-5.5 to this Plan. This information necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs if the Board deems such adjustment necessary or convenient to effectuate the general objectives of the Plan in order to account for revenue inconsistencies, market adjustments, future priorities, developers/owners seeking Agency assistance pursuant to an owner participation agreement, and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. The Study incorporates estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds from another source.

The Agency may appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City or Agency, or from the Agency's other revenue allocation area, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Developer advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to any owner/developer or public entity for the cost of eligible public improvements pursuant to an owner participation agreement.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project. The Agency reserves the right to either pay for Project Costs from available revenue (pay-as-you-go basis) or borrow funds by incurring debt through notes or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

### 502.1 Economic Feasibility Study

Attachment 5.2 constitutes the Economic Feasibility Study for the Project Area as supported by Attachments 5.1, 5.3, 5.4 and 5.5 (collectively, the "Study"), prepared by Kushlan | Associates. The Study constitutes the financial analysis required by the Act and is based upon existing information from property owners, developers, the Agency, the City, and others.

### 502.2 Assumptions and Conditions/Economic Feasibility Statement

The information contained in the Study assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness (and all other loans or indebtedness), developer reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon other legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in the Study, and in Section 301, which will facilitate commercial and industrial economic development opportunities in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, the City staff, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay-as-you-go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The list of public improvements, or activities within the Study are prioritized by way of importance to the Agency, by feasibility based on estimated revenues to be received, amounts funded, and by timing of the proposed funding. The projected timing of funding is primarily a function of the availability of financial resources and market conditions but is also strategic, considering the timing of anticipated or projected private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given point in time within the duration of the Plan and Project Area.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected new developments, assessed value increases, and assumed tax levy rates as more specifically set forth in the Study. In projecting new construction, the Study considered parcels identified as expected to develop over the life of the Project Area, communications with potential developers and City staff. Based on a review of past general inflationary increases, the Study assumes land values will inflate at a rate of 6% per year through 2029 and then will inflate at 3% per year for the duration of the Project Area. Improvement values are estimated to inflate at a rate of 8% per year through 2029 and then will inflate at 4% per year for the duration of the Project Area. The Study projects new taxable development investment valued at $400,000,000 over the life of the Project Area.

The types of new construction expected in the Project Area are: commercial and industrial developments, as well as, other public facilities and improvements, including but not limited to streets, streetscapes, water and sewer improvements, power, gas and fiber optic improvements, relocation of a rail spur, environmental remediation/site preparation, public parking, and pedestrian/bike paths. The Project Area has potential for a significant increase in commercial and industrial growth due to the location of the Project Area. However, without a method to construct the identified public improvements such as main water and sewer lines, street infrastructure, and pedestrian amenities, development is unlikely to occur in much of the Project Area.

The financial analysis set forth in the Study has taken into account and excluded levies that do not flow to the Agency consistent with Idaho Code § 50-2908.

It is understood that application of certain exemptions, including the homeowner's exemption and Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

### 502.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Twin Falls County Assessor, the assessed taxable value for the City as of January 1, 2023[2], less homeowners' exemptions, is $6,406,571,903 (does not include State assessed operating property). Therefore, the 10% limit is $640,657,190.

[2] Due to the timing of the assessment process and creation of this Plan, the 2023 values have been used to establish compliance with the 10% limitation. Using the 2023 values, the total adjusted base values of the existing revenue allocation areas combined with the value of this Project Area is 3.977% of the total taxable value of the City. Even assuming an increase in values for 2024, the combined adjusted base values of the revenue allocation areas would not exceed 10% of the current assessed taxable value for the entire City.

The adjusted base assessed value of each of the existing revenue allocation areas[3], together with the assessed taxable value of the proposed Project Area, as of January 1, 2023, is as follows:

| | |
|---|---|
| Area 4-3 (Chobani) | $1,069,508 |
| Area 4-4 (Clif Bar) | $4,090,577 |
| Orchard Drive East | $483,366[4] |
| Old Towne-2 | $233,672,375 |
| Proposed Southwest | $15,260,739 |
| Total: | $254,576,565 |

The adjusted base values for the combined revenue allocation areas total $254,576,565, which is less than 10% of the City's 2023 taxable value.

### 502.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, by contract, or by other federal regulation. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources are contemplated in the Study, including proposed revenue allocation notes, annual revenue allocations, developer contributions, city contributions, interfund loan, and other financing sources as permitted by law. This 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.[5] Based on these funding sources, the conclusion is that the Project is feasible.

[3] Washington Street South terminated effective January 1, 2024. The revenue allocation area formerly included within the Washington Street South area is included within the boundaries of the proposed Project Area at the stepped up current taxable value..

[4] Pursuant to House Bill 560 enacted during the 2020 Legislative Session, and effective as of July 1, 2020, this Plan assumes any increase in value on the agricultural parcels will be allocated to the increment value.

[5] *See* Idaho Code § 50-2905.

The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activity and projects identified in the Plan. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to owner participation agreements and disposition and development agreements. The Agency may also re-prioritize projects in the project list pursuant to market conditions, project timing, funding availability, etc., as more specifically detailed in the annual budget.

The proposed timing for the public improvements may have to be adjusted depending upon the availability of funds and the Agency's ability to finance any portion of the Project. **Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code § 50-2903A.**

The Study lists those public improvements the Agency intends to construct or fund (directly or through reimbursement) through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements and projects will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner, and/or public entity, and Agency. The listing of public improvements and projects does not commit the Agency, City, or other public entity, to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency, City, or other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. The City has not committed to fund any public infrastructure improvements within the Project Area. Such decisions concerning capital improvement projects and/or other expenditures are made by the City annually pursuant to its budget and appropriation process. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of the proposed public infrastructure and other improvement projects in the Project Area are generally described in Attachments 5.1 and 5.5 and this Plan recognizing that the specific location of the projects will depend on the type and timing of development. The specific location of the improvements or the change in the location of the improvements identified in Attachment 5 or this Plan is technical and/or ministerial and does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development or redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. Where applicable, the Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in the Study first, in conjunction with private development within the Project Area generating the increment as identified in the Study.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

#### 502.5 [Reserved]

#### 502.6 Participation with Local Improvement Districts and/or Business Improvement Districts

Under the Idaho Local Improvement District ("LID") Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

#### 502.7 Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

#### 502.8 Impact on Other Taxing Districts and Levy Rate

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections set forth in the Study.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, then the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency may receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. The Study's analysis is premised upon the fact the proposed development and/or redevelopment would not occur but for the ability to use revenue allocation funds to fund certain significant public infrastructure improvements.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan or deannexation of area, the taxing entities will be able to include a percentage of the increment value on new construction roll for purposes of setting the following year's budget and revenue from such value is not limited to the eight percent cap set forth in Idaho Code § 63-802.

As the 2024 certified levy rates are not determined until late 2024, the 2023 certified levy rates have been used as a base to support the assumptions in the Study for purposes of the analysis. [6] Those taxing districts and levy rates are as follows:

[6] Due to the timing of the taxing districts' budget and levy setting process, certification of the 2024 levy rates did not occur until this Plan had been prepared and was in the process of being considered by the Agency. In order to provide a basis to analyze the impact on the taxing entities, the 2023 levy rates are used. Use of the 2023 levy rates provides a more accurate base than estimating the 2024 levy rates.

| Taxing Districts | Levy Rates: |
|---|---|
| City of Twin Falls | .004714041 |
| Twin Falls County | .002671258 |
| Twin Falls School District #411 - Tort | .000012520 |
| Twin Falls County Ambulance | .000111169 |
| Twin Falls County Pest Abatement District | .000063292 |
| College of Southern Idaho | .000705854 |
| Twin Falls Highway District | .000703461 |
| **TOTAL**[7] | 0.008981595 |

House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Twin Falls County Highway District levy.[8] This amendment will apply to this Project Area and provides: "[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways" will be allocated to the applicable highway district, which in this case is the Twin Falls County Highway District.

It is generally understood the City has, or will have, responsibility for the maintenance of the roads or highways in and around the Project Area, and therefore, the revenues from the Twin Falls County Highway District levies will be allocated to the Agency, without need of a further agreement.

The Study has made certain assumptions concerning the levy rate. For purposes of the Study, the estimated levy rate is projected to stay level for the life of the revenue allocation area[9]. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency will likely receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account. This is also the reason there is no impact to Twin Falls School District #411 (tort levy only).

[7] Net of voter approved bonds and levies.
[8] Senate Bill 1107, as amended in the Senate, effective July 1, 2021, made a corresponding amendment to Idaho Code Section 40-1415(3) to address the responsibility for funding certain urban renewal projects.
[9] Accurate projection of future levy rates is speculative. Due to the nature of the property uses within the Project Area and the development potential, holding the levy rate constant provides a sound basis to project future revenues.

### 503 Phasing and Other Fund Sources

Other sources of funds may include City, and other public entity parties, owner/developer participation, and financing. It is important to note this Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition. The City and/or other local government entity continues to be subject to statutory and constitutional budget and levy limitations. The City, Agency, and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

### 504 Lease Revenue and Bonds

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the "pass through" aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency's financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

### 505 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The line item of District Operating Expenses within the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

## 600 ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES

The City shall aid and cooperate with the Agency in carrying out this Plan in support of the Comprehensive Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City may include, but not be limited to, the following:

a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.

b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.

c. Imposition, wherever necessary, of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.

d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

e. Building code enforcement.

f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the development and/or redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

g. The undertaking and completing of any other proceedings necessary to carry out the Project.

h. Administration of Community Development Block Grant funds that may be made available for this Project.

i. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.

j. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

k. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code, or a business improvement district.

l. Joint funding of certain public improvements, subject to public entity annual appropriation, including but not limited to those identified in this Plan and Attachments 5.1-5.5 to the Plan.

m. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.

n. Transfer of real property or improvements upon Agency request.

o. Waiver of impact fees and permit fees as may be permitted by the law.

p. Contribute land for right-of-way improvements at no cost to support construction of the public improvements listed in this Plan.

**The foregoing actions, if taken by the City, do not constitute any commitment for financial outlays by the City.**

### 601 Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City.

## 700 ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

## 800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

Except for the nondiscrimination and nonsegregation 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 (20) years from the effective date of the Plan subject to modifications and/or extensions set forth in Idaho Code §§ 50-2904 and 50-2905(7). The revenue allocation authority will expire on December 31, 2044, except for any revenue allocation proceeds received in calendar year 2045, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2045 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2044.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1 in the year of termination. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2045, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located by the County Clerk in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

b. 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 Plan.

c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain 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. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City, depending on the nature of the asset.

## 900 PROCEDURE FOR AMENDMENT OR MODIFICATION

Modification of this Plan by City Council ordinance results in a reset of the base value for the year immediately following the year in which the modification occurred to include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream as more fully set forth in Idaho Code § 50-2903A subject to certain limited exceptions contained therein, including the exception to allow an amendment to support growth of an existing commercial or industrial project. I.C. § 50-2903A(1)(a)(iv). As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments, as more specifically set forth in the Agency's annual budget, will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not deemed a modification under Idaho Code § 50-2903A(1)(a)(i).

## 1000 SEVERABILITY

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

## 1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS

Under the Law, the Agency is required to file with the City and the State Controller's office, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include certain financial information required under Idaho Code § 67-1076. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in the local government registry portal, Idaho Code §§ 67-1076 and 50-2006(5)(c), State of Idaho Controller's Office, and Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission's plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Twin Falls County Board of County Commissioners.

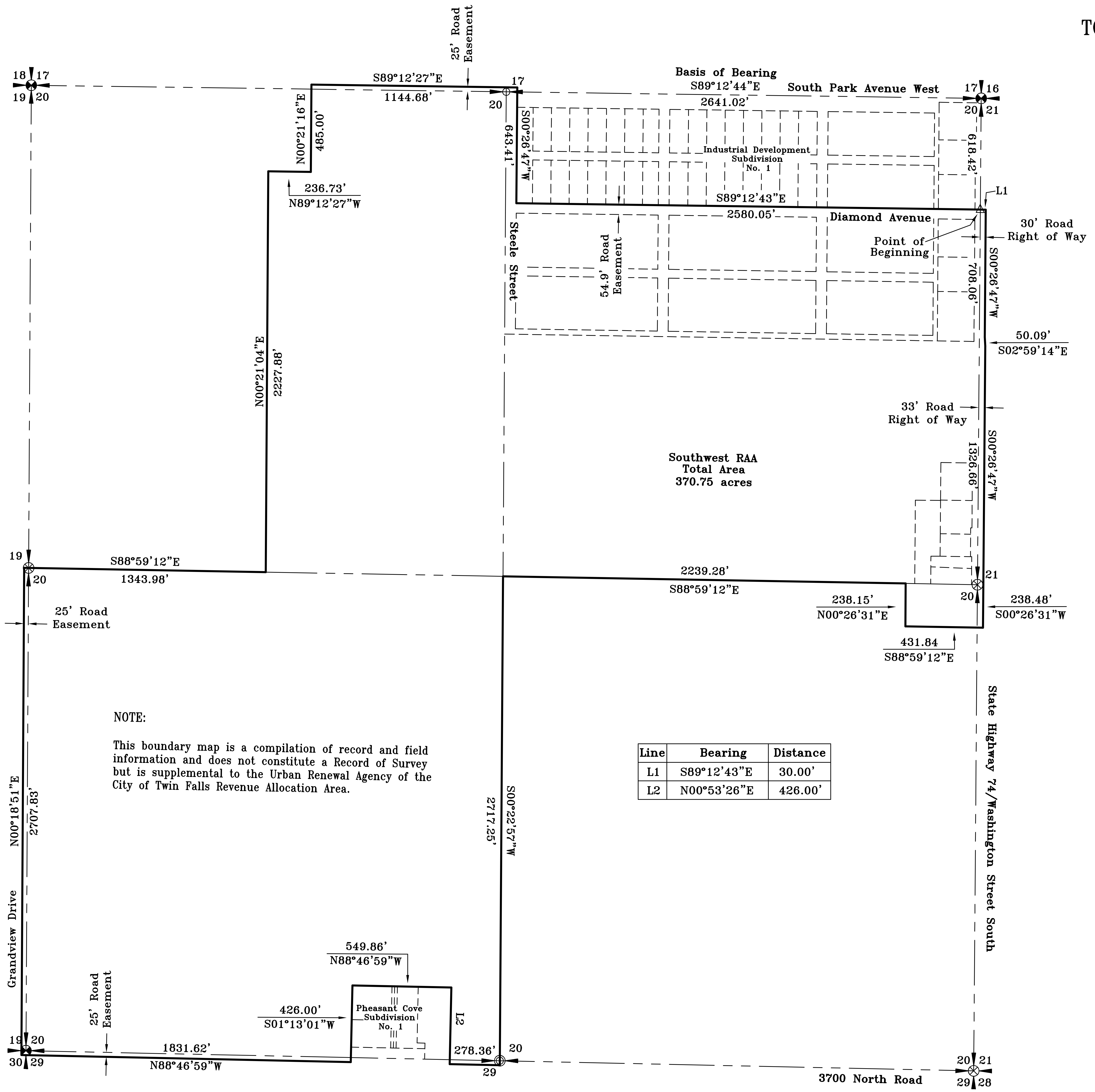
## 1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Boundary Map of Urban Renewal Project Area and Revenue Allocation Area

# PART OF SECTION 20
# TOWNSHIP 10 SOUTH, RANGE 17 EAST
# BOISE MERIDIAN
# TWIN FALLS COUNTY, IDAHO
# 2024




NOTE:

This boundary map is a compilation of record and field information and does not constitute a Record of Survey but is supplemental to the Urban Renewal Agency of the City of Twin Falls Revenue Allocation Area.

| Line | Bearing | Distance |
|---|---|---|
| L1 | S89°12'43"E | 30.00' |
| L2 | N00°53'26"E | 426.00' |

North
GARCIA LAND SURVEYING, LLC
South

GRAPHIC SCALE

400 0 200 400

( IN FEET )
1 inch = 400 ft.

# L E G E N D

| | |
|---|---|
| PARCEL BOUNDARY | |
| SECTION LINE | |
| LOT LINE | |
| FOUND 1/2" IRON ROD | ○ |
| FOUND 5/8" IRON ROD | ◎ |
| FOUND ALUMINUM CAP | ⊗ |
| FOUND BRASS CAP | |

GARCIA
LAND SURVEYING, LLC

ANNEXATION MAP

Urban Renewal Agency
Of The
City of Twin Falls

LOCATED IN: PART OF SECTION 20, TOWNSHIP 10 SOUTH, RANGE 17 EAST, B.M., TWIN FALLS COUNTY, IDAHO

DRAWN BY: JG

REVISIONS:

DATE: 9.11.2024

JOB NO.: 2463

SHEET NO.: 1 OF 1

Attachment 2

Legal Description of Urban Renewal Project Area and Revenue Allocation Area

**Urban Renewal Agency**
**of the City of Twin Falls**
**Southwest Area Taxing District Description**

TOWNSHIP 10 SOUTH RANGE 17 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO,

**SECTION 20:** A parcel of land located in said Section 20 and more particularly described as follows:

Commencing at the Northeast (NE) Corner of said Section 20 (Which lies South 89°12’44” East a distance of 2641.02 feet from the North (N1/4) Quarter Corner) Thence along the East boundary of said section 20, South 00°06’47” West for a distance of 618.42 feet to the **TRUE POINT OF BEGINNING**;

**Thence** South 89°12’43” East for a distance of 30.00 feet to the Easterly Right of Way of SH-74/Washington Street South;

**Thence** along the Easterly Right of Way of SH-74/Washington Street South;
South 00°26’47” West for a distance of 708.06 feet;

**Thence** continuing along the Easterly Right of Way of SH-74/Washington Street South;
South 02°59’14” East for a distance of 50.09 feet;

**Thence** continuing along the Easterly Right of Way of SH-74/Washington Street South;
South 00°26’47” West for a distance of 1326.66 feet;

**Thence** continuing along the Easterly Right of Way of SH-74/Washington Street South;
South 00°26’31” West for a distance of 238.48 feet;

**Thence** North 88°59’12” West for a distance of 431.84 feet;

**Thence** North 00°26’31” East for a distance of 238.15 feet;

**Thence** North 88°59’12” West for a distance of 2239.28 feet to a point center quarter of said section 20;

**Thence** South 00°22’57” West for a distance of 2717.25 feet to the Southerly roadway easement of 3700 North Road;

**Thence** along the Southerly roadway easement of 3700 North Road, North 88°46’59” West for a distance of 278.36 feet;

**Thence** North 01°13’01” East for a distance of 426.00 feet;

**Thence** North 88°46’59” West for a distance of 549.86 feet to Northwest corner of Pheasent Cove Subdivision No. 1;

**Thence** along the West boundary of Pheasent Cove Subdivision No. 1, South 01°13’01” West for a distance of 426.00 feet to a point on the Southerly roadway easement of 3700 North Road;

**Thence** along the Southerly roadway easement of 3700 North Road, North 88°46’59” West for a distance of 1831.62 feet to the Westerly roadway easement of Grandview Drive;

**Thence** along the Westerly roadway easement of Grandview Drive, North 00°18'51" East for a distance of 2707.83 feet;

**Thence** South 88°59'12" East for a distance of 1343.98 feet;

**Thence** North 00°21'04" East for a distance of 2227.88 feet;

**Thence** South 89°12'27" East for a distance of 236.73 feet;

**Thence** North 00°21'16" East for a distance of 485.00 feet to the Northerly roadway easement of South Park Avenue West;

**Thence** along the Northerly roadway easement of South Park Avenue West, South 89°12'27" East for a distance of 1144.60 feet;

**Thence** South 00°26'47" West along the Easterly roadway easement of Steele Street for a distance of 643.41 feet to a point the Northerly roadway easement of Daimond Avenue;

**Thence** along the Northerly roadway easement of Daimond Avenue, South 89°12'43" East for a distance of 2580.05 feet to the **TRUE POINT OF BEGINNING.**

**Parcel contains 370.75 acres**

Attachment 3

Private Properties Which May Be Acquired by the Agency

1. The Agency has not identified any particular parcel to be acquired for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:

   a) assemble with adjacent parcels to facilitate redevelopment;
   b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for redevelopment;
   c) reconfigure sites for development and possible extension of streets or pathways;
   d) assemble for future transfer to qualified developers to facilitate the development of mixed-use, residential, commercial, and retail areas; or
   e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, public parking, community facilities, parks, pedestrian/bike paths and trails, recreation access points, and other public facilities.

2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.

3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).

4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

Attachment 4

Map Depicting Expected Land Uses and Current Zoning Map
of the Project Area

Attachment 5

Economic Feasibility Study (including Attachments 5.1, 5.2, 5.3, 5.4 and 5.5)

## ATTACHMENT 5.1

### Public Improvements within the Revenue Allocation Area

This Attachment includes a projected list of proposed public works or improvements within the Twin Falls Southwest Project Area. The proposed improvements within the Project Area include improvements to streets, utilities, and other public rights-of-way amenities as well as, property acquisition, improvements to bicycle and pedestrian facilities, water facilities and system improvements, wastewater facilities and system improvements, stormwater management facilities, electric and natural gas facilities and system improvements, and irrigation system modifications.

The Twin Falls Southwest District Public Improvement List set forth below identifies needed investments in capital facilities by the Urban Renewal Agency of the City of Twin Falls (the "Agency" or "Twin Falls URA"). Capital facilities generally have long useful lives and significant costs. Some of the improvement projects contained in the Twin falls Southwest District Public Improvement List are also contained in the City of Twin Falls Capital Improvement Plan (CIP) and other planning documents. Some improvement projects included in the Twin Falls Southwest District Public Improvement List have evolved upon consideration of these and various other City plans and policies, including the Comprehensive Plan, and may have grant funding allocated. The Twin Falls Southwest District Public Improvement List is not an appropriation or approval of any specific project. The Twin Falls Southwest Plan covers the 20-year period 2024 to 2044. The operation of the Idaho property tax system will provide a year's revenue in 2045 after the formal termination of the Revenue Allocation Area (estimated at $6,000,000). This analysis does not recognize that income in determining economic feasibility.

The Project Area is estimated to generate $56,373,230 in tax increment revenue between 2025 and 2044. The fiscal analysis recognizes a sum of $49,515,000 for total capital and debt service costs as well as $1,695,624 for administrative/operating costs over the life of the Project Area. Total estimated expenditures, therefore, equal $51,260,324 leaving a significant positive program balance of $5,162,606 at the end of the term. See attached cash flow analysis for detailed estimates.

<u>Project Funding</u>

Secure funding includes revenue allocation resources and is money the Twin Falls URA is highly likely to receive. The funds may not be in the Twin Falls URA's possession at the beginning of the Plan period, but it is virtually certain that the Twin Falls URA will receive the funds. The Twin Falls URA may need to take specific actions to generate the funding, but those actions are within the Twin Falls URA's powers. Despite the high probability of secure funding, no project can proceed until a specific, enforceable funding plan is in place.

Potential funding is money that might be received by the Twin Falls URA. In every case the Twin Falls URA is eligible for the funding, and the source of funding exists under current law. However, each potential funding source requires one or more additional steps or decisions before the Twin Falls URA can obtain the resources, and the ultimate decision is outside of the Twin Falls URA's independent control. Grant funds are an example of potential funding.

Unfunded projects, or portions of projects lack secure or potential funding.

The amount of tax increment contributed to each project may vary. These projects will be funded in part from a variety of other revenue sources if available. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

The Plan proposes certain public improvements that will facilitate development and support rehabilitation in the Project Area. The investments are anticipated to be funded from a variety of financing methods and sources. The primary method of financing will be using tax increment revenue (i.e., incremental property taxes from the revenue allocation area). This Plan anticipates that the tax increment revenue may be used to pay for improvements on a pay-as-you-go basis, or through the issuance of bonds, Owner Participation Agreements (OPAs) or other reimbursement agreements, grants, or a combination of sources.

Other sources of funding for project may include, but are not limited to:

- Local Improvement District (LID)
- Business Improvement District (BID)
- Development Impact Fees
- Franchise Fees
- Grants from federal, state, local, regional agencies and/or private entities
- Other bonds, notes and/or loans
- Improvements and/or advance funding of projects by developers, property owners and/or public entities

The total project costs and the amount of tax increment contributed to each project are estimates. The estimated project costs and revenues are based on the Twin Falls URA's present knowledge and expectations supported by information from property owners, and City and Agency staff and consultants. The timing of each project and the availability of all revenue sources will determine the final combination of funding sources.

**Summary of Projects**

The following table summarizes the estimated total project costs to be incurred in implementing the Plan in the Project Area. Specific project funding will be reviewed by the Twin Falls Urban Renewal Board during the annual budget cycle.

| Twin Falls Southwest District Public Improvements List | |
|---|---|
| • **Streets** | $15,000,000 |
| • **Stormwater Management** | $ 7,000,000 |
| • **Water System Improvements** | $ 7,500,000 |
| • **Sewage System Improvements** | $10,000,000 |
| • **Pedestrian and Bicycle Facilities** | $ 1,000 000 |
| • **Property Acquisition** | $ 2,000,000 |
| • **Electric Power and Natural Gas** | $ 4,000,000 |
| • **Irrigation System Modifications** | $ 2,000,000 |
| • **Rail Spur Relocation** | $1,000,000 |
| **Total** | $49,500,000 |

A non-exhaustive projected prioritized list of certain public improvement projects is set forth in Attachment 5.5; however, the location of public improvement projects within the Project Area and project prioritization will be driven by current market conditions, project buildout timeline, development opportunities providing for partnerships and efficient development and the annual budget. Identification of proposed public entity partnership opportunities does not bind those public entities to fund those projects; rather, public entity participation is driven by public entity annual budget appropriations. This information merely highlights the potential for partnership opportunity.

**Cost of Improvements by Year (2025-2044)**

| Year | Secure Funding | Potential Funding | Unfunded | Total Project Liabilities |
|---|---|---|---|---|
| 2024 | $0 | $0.00 | $0.00 | $0 |
| 2025 | $10,571 | $50,000 | $0.00 | $11,057 |
| 2026 | $21,293 | $0.00 | $0.00 | $22,196 |
| 2027 | $ 34,239 | $0.00 | $0.00 | $23,424 |
| 2028 | $389,469 | $0.00 | $0.00 | $398,947 |
| 2029 | $ 1,871,088 | $0.00 | $0.00 | $1,870,000 |
| 2030 | $ 1,951,147 | $0.00 | $0.00 | $ 1,950,000 |
| 2031 | $ 2,034,399 | $0.00 | $0.00 | $ 2,030,000 |
| 2032 | $ 2,120,973 | $0.00 | $0.00 | $ 2,130,000 |
| 2033 | $ 2,490,001 | $0.00 | $0.00 | $2,490,000 |
| 2034 | $ 2,864,781 | $0.00 | $0.00 | $2,865,000 |
| 2035 | $ 2,984,543 | $0.00 | $0.00 | $2,990,000 |
| 2036 | $ 3,109,086 | $0.00 | $0.00 | $3,100,000 |
| 2037 | $ 3,508,600 | $0.00 | $0.00 | $3,500,000 |
| 2038 | $ 3,654,085 | $0.00 | $0.00 | $3,670,000 |
| 2039 | $ 3,805,378 | $0.00 | $0.00 | $3,800,000 |
| 2040 | $ 4,349,712 | $0.00 | $0.00 | $4,350,000 |
| 2041 | $ 4,528,809 | $0.00 | $0.00 | $4,530,000 |
| 2042 | $5,327,057 | $0.00 | $0.00 | $5,330,000 |
| 2043 | $ 5,545,224 | $0.00 | $0.00 | $5,550,000 |
| 2044 | $ 5,772,105 | $0.00 | $0.00 | $ 650,000 |
| Total | $56,373,230 | $50,000 | $0.00 | $ 51,260,624 |

*Note: Fund Balance of $5,252,606 remains at the termination of the Project as reflected in the attached cash flow analysis*

**ATTACHMENT 5.2**

**Economic Feasibility Study**

The Plan is economically feasible because the proposed development is consistent with the City's Comprehensive Plan, the amount of growth in the area is consistent with the growth projected in the Comprehensive Plan and the revenue from the proposed Project Area equals or exceeds the estimated costs of the projects to be funded by the Twin Falls URA.

The economic feasibility of the Plan is based on the following factors:

- The amount of development proposed in the proposed Project Area.
- The amount of tax revenue to be generated by the anticipated development.
- The amount of other funding received or contemplated to be received for the Twin Falls URA public improvement projects.
- The estimated cost of Twin Falls URA public improvement projects to be funded by the Twin Falls URA's tax increment revenue and other potentially available funds.

The following is a summary of the analysis and estimates of the factors used to determine the economic feasibility of Plan.

**Economic Feasibility Analysis**

**Summary:**

Over the course of the proposed Project Area, $56,373,230 of Tax Increment Revenue is anticipated to be generated. The Economic Feasibility Study assumes up to ten percent (10%) will be used annually for administration of the Project Area for a total of $1,695,624 (3.0% of total revenue) for administration and operating costs over the 20-year lifespan of the Project Area. Administrative expense has been capped at $100,000 annually for this analysis. Specific administrative costs will be subject to annual appropriations by the Agency Board of Commissioners

At the conclusion of the Project Area in 2044, the termination plan will submit any non-obligated surplus funds by September 30, 2045, to the County Treasurer to distribute to the taxing districts pro-rata according to their levy percentages.

The spreadsheet entitled "Twin Falls Southwest Revenue Allocation Area Cash Flow Analysis" gives a more detailed outlook on the revenues and expenses of the proposed Project Area.

The following assumptions were made in the formulation of the Economic Feasibility Analysis:

- Land Value Increase @ 6% / Year through 2029 then 3% thereafter.
- Improvement Value Increase @ 8% / Year through 2029 then 4% thereafter.
- Tax Rate remains constant.

- Total estimated cost of the Twin Falls Southwest District Public Improvements List over the life of the project: $49,515,000.
- Tax rate does not include levies excluded pursuant to Idaho Code 50-2908, such as voter approved bonds/levies after 2007, judgment levies or the School District Plant or supplemental levies excluded by law.

The Economic Feasibility Analysis shows that the project is 100% financially feasible and will generate adequate funds within the Project Area to fund the necessary capital improvements. The Agency has pursued outside funding sources to augment tax increment revenues and will consider issuing debt, advancing project schedules. The Agency is committed to closing the Project Area as soon as the projects are deemed completed and all infrastructure improvements are made, and financial obligations satisfied. This would result in a benefit to the overlapping taxing districts and taxpayers supporting those districts.

# Twin Falls Southwest Revenue Allocation Estimate
# September 2024

**6% annual increase in land value from initial year through 2029, then 3% and 8% annual increase in improvement value for from initial year through 2029, then 4%**

| Year | Land Value (+6% annually) for 5 years, then 3% | Initial Improvement Value (+8% annually for 5 years, then 4% | Total Assessed Value | Annual New Const. Value on tax roll | Cum. New Const Value + Inflation | Taxable Value | Increment Value (I - Base) | Levy Rate (-0%) | Tax Increment Yield | Admin Costs (10%) | Funding for Capital Projects / Debt Service |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **2024** | $ 2,315,600 | $ 12,945,139 | $ 15,260,739 | | $ - | $ 15,260,739 | | 0.009 | | | |
| **2025** | $ 2,454,536 | $ 13,980,750 | $ 16,435,286 | $ - | $ - | $ 16,435,286 | $ 1,174,547 | 0.009 | $ 10,571 | $ 1,057 | $ 9,514 |
| **2026** | $ 2,601,808 | $ 15,099,210 | $ 17,701,018 | $ - | $ - | $ 17,701,018 | $ 2,440,279 | 0.009 | $ 21,963 | $ 2,196 | $ 19,766 |
| **2027** | $ 2,757,917 | $ 16,307,147 | $ 19,065,064 | $ - | $ - | $ 19,065,064 | $ 3,804,325 | 0.009 | $ 34,239 | $ 3,424 | $ 30,815 |
| **2028** | $ 2,923,392 | $ 17,611,719 | $ 20,535,110 | $ 38,000,000 | $ 38,000,000 | $ 58,535,110 | $ 43,274,371 | 0.009 | $ 389,469 | $ 38,947 | $ 350,522 |
| **2029** | $ 3,098,795 | $ 19,020,656 | $ 22,119,451 | $ 160,000,000 | $ 201,040,000 | $ 223,159,451 | $ 207,898,712 | 0.009 | $ 1,871,088 | $ 100,000 | $ 1,771,088 |
| **2030** | $ 3,191,759 | $ 19,781,482 | $ 22,973,241 | $ - | $ 209,081,600 | $ 232,054,841 | $ 216,794,102 | 0.009 | $ 1,951,147 | $ 100,000 | $ 1,851,147 |
| **2031** | $ 3,287,512 | $ 20,572,742 | $ 23,860,254 | $ - | $ 217,444,864 | $ 241,305,118 | $ 226,044,379 | 0.009 | $ 2,034,399 | $ 100,000 | $ 1,934,399 |
| **2032** | $ 3,386,137 | $ 21,395,651 | $ 24,781,789 | $ - | $ 226,142,659 | $ 250,924,447 | $ 235,663,708 | 0.009 | $ 2,120,973 | $ 100,000 | $ 2,020,973 |
| **2033** | $ 3,487,721 | $ 22,251,477 | $ 25,739,199 | $ 31,000,000 | $ 266,188,365 | $ 291,927,564 | $ 276,666,825 | 0.009 | $ 2,490,001 | $ 100,000 | $ 2,390,001 |
| **2034** | $ 3,592,353 | $ 23,141,537 | $ 26,733,889 | $ 30,000,000 | $ 306,835,899 | $ 333,569,789 | $ 318,309,050 | 0.009 | $ 2,864,781 | $ 100,000 | $ 2,764,781 |
| **2035** | $ 3,700,123 | $ 24,067,198 | $ 27,767,321 | $ - | $ 319,109,335 | $ 346,876,657 | $ 331,615,918 | 0.009 | $ 2,984,543 | $ 100,000 | $ 2,884,543 |
| **2036** | $ 3,811,127 | $ 25,029,886 | $ 28,841,013 | $ - | $ 331,873,709 | $ 360,714,722 | $ 345,453,983 | 0.009 | $ 3,109,086 | $ 100,000 | $ 3,009,086 |
| **2037** | $ 3,925,461 | $ 26,031,081 | $ 29,956,542 | $ 30,000,000 | $ 375,148,657 | $ 405,105,200 | $ 389,844,461 | 0.009 | $ 3,508,600 | $ 100,000 | $ 3,408,600 |
| **2038** | $ 4,043,225 | $ 27,072,325 | $ 31,115,549 | | $ 390,154,604 | $ 421,270,153 | $ 406,009,414 | 0.009 | $ 3,654,085 | $ 100,000 | $ 3,554,085 |
| **2039** | $ 4,164,522 | $ 28,155,218 | $ 32,319,739 | $ - | $ 405,760,788 | $ 438,080,527 | $ 422,819,788 | 0.009 | $ 3,805,378 | $ 100,000 | $ 3,705,378 |
| **2040** | $ 4,289,457 | $ 29,281,426 | $ 33,570,884 | $ 43,000,000 | $ 464,991,219 | $ 498,562,103 | $ 483,301,364 | 0.009 | $ 4,349,712 | $ 100,000 | $ 4,249,712 |
| **2041** | $ 4,418,141 | $ 30,452,683 | $ 34,870,824 | $ - | $ 483,590,868 | $ 518,461,692 | $ 503,200,953 | 0.009 | $ 4,528,809 | $ 100,000 | $ 4,428,809 |
| **2042** | $ 4,550,685 | $ 31,670,791 | $ 36,221,476 | $ 68,000,000 | $ 570,934,503 | $ 607,155,979 | $ 591,895,240 | 0.009 | $ 5,327,057 | $ 100,000 | $ 5,227,057 |
| **2043** | $ 4,687,206 | $ 32,937,622 | $ 37,624,828 | $ - | $ 593,771,883 | $ 631,396,711 | $ 616,135,972 | 0.009 | $ 5,545,224 | $ 100,000 | $ 5,445,224 |
| **2044** | $ 4,827,822 | $ 34,255,127 | $ 39,082,949 | $ - | $ 617,522,758 | $ 656,605,707 | $ 641,344,968 | 0.009 | $ 5,772,105 | $ 100,000 | $ 5,672,105 |
| | | | | $ 400,000,000 | | | | | $ 56,373,231 | $ 1,645,624 | $ 54,727,607 |

**Assumptions:**

**Land Values inflate at 6% per year through 2029 then 3% thereafter**

**Improvement Values inflate at 8% per year through 2029 then 4% thereafter**

**Assumes no owner occupied structures eligible for Homeowner's Exemption**

**Property tax income available in the year after completion of construction**

**New construction values inflate on same basis as original improvement values**

**Administrative costs at 10% capped at $100,000 per year**

# Twin Falls Southwest Revenue Allocation Area
# Cash Flow Analysis

| | 2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030 | 2031 | 2032 | 2033 | 2034 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Beginning Balance** | $ - | $ - | $ 49,514 | $ 49,281 | $ 60,096 | $ 50,618 | $ 51,706 | $ 52,853 | $ 57,252 | $ 48,225 | $ 48,226 |
| **Source of Funds** | | | | | | | | | | | |
| **Total Revenue Allocation** | $ - | $ 10,571 | $ 21,963 | $ 34,239 | $ 389,469 | $ 1,871,088 | $ 1,951,147 | $ 2,034,399 | $ 2,120,973 | $ 2,490,001 | $ 2,864,781 |
| **Other Revenue (Start-up Loan)** | $ - | $ 50,000 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ - |
| **Total Funds Available** | $ - | $ 60,571 | $ 71,477 | $ 83,520 | $ 449,565 | $ 1,921,706 | $ 2,002,853 | $ 2,087,252 | $ 2,178,225 | $ 2,538,226 | $ 2,913,007 |
| | | | | | | | | | | | |
| **Use of Funds** | | | | | | | | | | | |
| **District Operating Expenses** | $ - | $ 11,057 | $ 22,196 | $ 23,424 | $ 38,947 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 |
| **Repay Start-up Loan** | $ - | $ - | $ - | $ - | $ - | $ 20,000 | $ 20,000 | $ 10,000 | $ - | $ - | $ - |
| **Capital/Debt Service Expenses** | | $ - | $ - | $ - | $ 360,000 | $ 1,750,000 | $ 1,830,000 | $ 1,920,000 | $ 2,030,000 | $ 2,390,000 | $ 2,765,000 |
| **Total Use of Funds** | $ - | $ 11,057 | $ 22,196 | $ 23,424 | $ 398,947 | $ 1,870,000 | $ 1,950,000 | $ 2,030,000 | $ 2,130,000 | $ 2,490,000 | $ 2,865,000 |
| **Ending Balance** | $ - | $ 49,514 | $ 49,281 | $ 60,096 | $ 50,618 | $ 51,706 | $ 52,853 | $ 57,252 | $ 48,225 | $ 48,226 | $ 48,007 |

| | 2035 | 2036 | 2037 | 2038 | 2039 | 2040 | 2041 | 2042 | 2043 | 2044 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Beginning Balance** | $ 48,007 | $ 42,550 | $ 51,636 | $ 60,236 | $ 44,321 | $ 49,699 | $ 49,411 | $ 48,220 | $ 45,277 | $ 40,501 | |
| **Source of Funds** | | | | | | | | | | | |
| **Total Revenue Allocation** | $ 2,984,543 | $ 3,109,086 | $ 3,508,600 | $ 3,654,085 | $ 3,805,378 | $ 4,349,712 | $ 4,528,809 | $ 5,327,057 | $ 5,545,224 | $ 5,772,105 | $ 56,373,230 |
| **Other Revenue (Start-up Loan)** | | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 50,000 |
| **Total Funds Available** | $ 3,032,550 | $ 3,151,636 | $ 3,560,236 | $ 3,714,321 | $ 3,849,699 | $ 4,399,411 | $ 4,578,220 | $ 5,375,277 | $ 5,590,501 | $ 5,812,606 | $ 56,423,230 |
| | | | | | | | | | | | |
| **Use of Funds** | | | | | | | | | | | |
| **District Operating Expenses** | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 100,000 | $ 1,695,624 |
| **Repay Startup Loan** | $ - | $ - | | | | | | | | | $ 50,000 |
| **Capital/Debt Service Expenses** | $ 2,890,000 | $ 3,000,000 | $ 3,400,000 | $ 3,570,000 | $ 3,700,000 | $ 4,250,000 | $ 4,430,000 | $ 5,230,000 | $ 5,450,000 | $ 550,000 | $ 49,515,000 |
| **Total Use of Funds** | $ 2,990,000 | $ 3,100,000 | $ 3,500,000 | $ 3,670,000 | $ 3,800,000 | $ 4,350,000 | $ 4,530,000 | $ 5,330,000 | $ 5,550,000 | $ 650,000 | $ 51,260,624 |
| **Ending Balance** | $ 42,550 | $ 51,636 | $ 60,236 | $ 44,321 | $ 49,699 | $ 49,411 | $ 48,220 | $ 45,277 | $ 40,501 | $ 5,162,606 | |

## ***Assumptions***

**10% of annual revenue allocation proceeds yield dedicated to Agency for District operating expenses, capped at $100,000/Yr.**

***Land Values will increase at an average of 6% per year through 2029 then at 3% over the remaining life of the District***

**Improvement Values will increase at an average of 8% per year through 2029 then at 4% thereafter over the remaining life of the District**

**Assumes no owner occupied structures eligible for Homeowner's Exemption**

**Property tax income available in the year after completion of construction**

**New construction values increase on same basis as the improvement values**

Attachment 5.5

Identification and Proposed Location of Certain Public Improvements in the Project Area

The following table summarizes the estimated total project costs for each project and defines a general timeline for when the improvements are anticipated. Specific project funding will be reviewed by the Agency Board during the annual budget cycle.

| **Twin Falls Southwest District Public Improvements** | | | | |
|---|---|---|---|---|
| | **Years 1-5** | **Years 6-10** | **Years 11-15** | **Years 16-20** |
| **Street Improvements** | **$ 11,242,000** | **$ 7,365,000** | **$ 2,465,000** | **$ 1,928,000** |
| *Including drainage, streetscape, pedestrian, and bicycle facility improvements; Includes arterial and collector streets, including but not limited to South Park Avenue, Washington Street, Park Avenue, Diamond Avenue, Steele Street, Orchard Drive, and Grandview Avenue; includes traffic signals on Washington Street.* | | | | |
| **Water System Improvements** | **$ 7,125,000** | **$ 375,000** | **$ -** | **$ -** |
| *Includes but is not limited to: distribution/water improvements and upgrades; booster station upgrades; water capacity improvements; water storage upgrades* | | | | |
| **Wastewater System Improvements** | **$ 10,000,000** | **$ -** | **$ -** | **$ -** |
| *Includes, but is not limited to: pretreatment facilities, sewer system capacity improvements of the Grandview Trunk Line and collector lines, and sewer lift station.* | | | | |
| **Utilities** | **$ 4,045,000** | **$ 1,725,000** | **$ 3,230,000** | **$ -** |
| *Including electricity, natural gas, surface water irrigation systems, rail spur relocation, and property acquistion for siting of utility improvements.* | | | | |
| | | | | |
| **TOTALS:** | **$ 32,412,000** | **$ 9,465,000** | **$ 5,695,000** | **$ 1,928,000** |

Attachment 6

Agricultural Operation Consents

RESOLUTION NO. 2024-08

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

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS, IDAHO, RECOMMENDING AND ADOPTING THE URBAN RENEWAL PLAN FOR THE SOUTHWEST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE APPROPRIATE ACTION; AUTHORIZING AND DIRECTING THE EXECUTIVE DIRECTOR AND SECRETARY OF THE AGENCY TO MAKE CERTAIN TECHNICAL CHANGES; PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council (the “City Council”) of the City of Twin Falls (the “City”) created the Urban Renewal Agency of the City of Twin Falls, Idaho, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), a duly created and functioning urban renewal agency for Twin Falls, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, by Resolution No. 909, dated July 19, 1965, the Board of Commissioners of the City created the Agency pursuant to the Law;

WHEREAS, on June 30, 1997, the City Council, by Resolution No. 1603, determined certain property to be a deteriorated area or a deteriorating area or a combination thereof and designated the area as appropriate for an urban renewal project to be known as Urban Renewal Area #4 (the “Area #4 Plan”). The Area #4 Plan has been amended several times;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for Urban Renewal Area #4-3 (the “RAA #4-3 Plan”) to redevelop a portion of the City within the boundaries of the Area #4 Plan, as amended, pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3022 on December 12, 2011, approving the RAA #4-3 Plan and making certain findings, including establishing the RAA #4-3 revenue allocation area (“RAA #4-3”);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for Urban Renewal Area #4-4 (the "RAA #4-4 Plan") to redevelop a portion of the City within the boundaries of the Area #4 Plan, as amended, pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3097 on June 1, 2015, approving the RAA #4-4 Plan and making certain findings, including establishing the RAA #4-4 revenue allocation area ("RAA #4-4);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Orchard Drive East Urban Renewal Project ("Orchard Drive East Plan") pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2022-024 on November 14, 2022, approving the Orchard Drive East Plan and making certain findings, including establishing the Orchard Drive East revenue allocation area ("Orchard Drive East Revenue Allocation Area");

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Old Towne-2 Urban Renewal Project ("Old Towne-2 Plan") pursuant to the Law and the Act;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. O-2023-014 on November 27, 2023, approving the Old Towne-2 Plan and making certain findings, including establishing the Old Towne-2 revenue allocation area ("Old Towne-2 Revenue Allocation Area");

WHEREAS, the above referenced urban renewal plans are collectively referred to as the Existing Urban Renewal Plans and their corresponding project areas are collectively referred to as the Existing Project Areas;

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 a deteriorating area, or a combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code § 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 a deteriorating area, or a combination thereof;

WHEREAS, based on inquiries and information presented, the Agency commenced certain discussions concerning examination of an additional area as appropriate for an urban renewal project;

WHEREAS, in 2024, the Agency authorized Kushlan Associates, to commence an eligibility study and preparation of an eligibility report of an area approximately 352.75 acres in size (excluding rights-of-way) and which is generally located west of Washington Street South and south of Diamond Avenue West. A portion of the area reviewed includes the area from the recently terminated Washington Street South revenue allocation area. Additionally, two (2) parcels are currently located within unincorporated Twin Falls County. The eligibility study area is commonly referred to as the Southwest area (the "Study Area");

WHEREAS, Idaho Code Section 50-2018(18) provides an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, voluntary annexation of the two (2) parcels within the Study Area located outside the City limits and within unincorporated Twin Falls County is in progress;

WHEREAS, though a portion of the Study Area lies outside the City limits, because that area is currently proceeding through the annexation process, no formal resolution from Twin Falls County, Idaho, has been requested. In the event annexation of that area has not been obtained by the time the City Council considers approval of a new urban renewal plan, it is anticipated the City would either seek to obtain an agreement with Twin Falls County, Idaho, as required by Idaho Code Section 50-2906(3), or remove the unincorporated area from the final boundary of the revenue allocation area;

WHEREAS, the Agency obtained the Southwest Revenue Allocation Area Eligibility Report, dated August 19, 2024 (the "Report"), which examined the Study 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(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define "deteriorating area" and "deteriorated area," many of the qualifying conditions necessary to be present in such an area are found in the Study Area, including:

a. age or obsolescence;
b. predominance of defective or inadequate street layout;
c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting;
d. insanitary or unsafe conditions;
e. diversity of ownership;
f. substantially impairs or arrests the sound growth of a municipality; and
g. results in economic underdevelopment of the area

WHEREAS, the Study Area is predominantly 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 Section 50-2903(8);

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

WHEREAS, the Report addresses the necessary findings concerning the eligibility of open land within the Study Area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

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, on August 19, 2024, adopted Resolution No. 2024-06 accepting the Report and authorizing the Chairman or Executive Director of the Agency to transmit the Report to the City Council, requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the City Council, by Resolution No. 2024-008, dated August 26, 2024, declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Study 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, under the Law and the Act, Idaho Code Sections 50-2903(8)(f) and 50-2018 (8) and (9), 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 Study Area includes parcels subject to such consent;

WHEREAS, the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Southwest Urban Renewal Project ("Southwest Plan") to develop and/or redevelop a portion of the City pursuant to the Law and the Act, as amended;

WHEREAS, pursuant to the Law and Act, the Southwest Plan proposes to create an urban renewal and revenue allocation area commonly known as the Southwest Project Area, which area is shown on the "Boundary Map of Urban Renewal Project Area and Revenue Allocation Area" and described in the "Legal Description of Urban Renewal Project Area and

Revenue Allocation Area," which are attached to the Southwest Plan as Attachments 1 and 2 respectively.

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 consultant have prepared the proposed Southwest Plan for the area previously designated as eligible for urban renewal planning;

WHEREAS, the Act authorizes the Agency to adopt revenue allocation financing provisions as part of an urban renewal plan;

WHEREAS, the Southwest Plan also contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, in order to implement the provisions of the Law and the Act, the Agency shall prepare and adopt the Southwest Plan and submit the Southwest Plan and recommendation for approval thereof to the City;

WHEREAS, as required by the Law and the Act, the Agency has reviewed the project information within the Southwest Plan concerning the use of revenue allocation funds and considered the Southwest Plan at the Agency Board meeting on October 14, 2024;

WHEREAS, the Southwest Plan will be tendered to the Planning and Zoning Commission and to the City for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the Southwest Plan shall include with specificity the following: (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) a statement listing 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 are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (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 Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date;

WHEREAS, it is necessary and in the best interests of the citizens of the City to recommend approval of the Southwest Plan and to adopt, as part of the Southwest Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Southwest Plan in order to (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Southwest Project Area due to the inability of existing financing methods to provide needed public improvements; (3) to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Southwest Project Area in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the Agency Board finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1 and 2 of the Southwest Plan is likely to increase as a result of initiation of urban renewal projects in accordance with the Southwest 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 this act, 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, the base assessment roll of the proposed Southwest Project Area, together with the base assessment roll values of the Existing Project Areas, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, the boundaries of the Southwest Project Area overlap the boundaries of the Twin Falls Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and therefore, the allocation of taxes shall be governed by Idaho Code Sections 50-2908(2)(a)(ii), (b) for the Southwest Project Area;

WHEREAS, Agency staff and consultants recommend the Agency Board accept the Southwest Plan and forward it to the City Council;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to formally adopt the Southwest Plan, as set forth in **Exhibit 1** attached hereto, and to forward it to the Mayor and City Council, and recommend its adoption, subject to certain conditions.

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

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

Section 2. It is hereby found and determined that the Southwest Project Area as defined in the Southwest Plan is a deteriorated area, a deteriorating area, or a combination thereof, as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law.

Section 3. That the Agency specifically adopts the Southwest Plan along with any changes discussed at the October 14, 2024, Agency Board meeting, including, but not limited to, finalization of the Attachments to the Southwest Plan, including but not limited to land use and zoning maps and the executed agricultural operation consents, confirmation of taxing district levy rates, confirmation of the affected taxing districts, updated list of projects, estimated location or siting of improvements, updated maps or legal description, and any modifications to the economic feasibility study previously prepared by Agency consultant, Kushlan | Associates.

Section 4. That the Agency recommends that the Southwest Plan, a copy of which is attached hereto as **Exhibit 1**, and incorporated herein by reference, be adopted by the City Council, including those sections, modifications, text, and/or insertion and/or replacement of Attachments as discussed at the October 14, 2024, Agency Board meeting.

Section 5. That the required agricultural operation consents will be obtained by the Agency and attached as Attachment 6 to the Southwest Plan prior to City Council consideration of the Southwest Plan.

Section 6. That Agency staff, prior to transmittal of the Southwest Plan to the City will include final Attachments to the Plan, including but not limited to the boundary map, legal description, properties which may be acquired by the Agency, the map depicting expected land uses and the current zoning map of the project area, the economic feasibility study, with all the attachments, and the agricultural operation consents.

Section 7: That the voluntary annexation process for the two (2) parcels included in the Report and currently located within unincorporated Twin Falls County shall be completed prior to consideration of the Southwest Plan by the City.

Section 8. That this Resolution constitutes the necessary action of the Agency under the Act, Idaho Code § 50-2905, recommending approval by the City and that the Southwest Plan includes with specificity the following: (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) a statement listing 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 are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (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 Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

Section 9. It is hereby found and determined that:

(a) The Southwest Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the commercial and industrial uses within the Southwest Plan and the need for public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the Southwest Plan.

(b) The Southwest Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the Southwest Project Area by private enterprises.

(c) To the extent necessary, the Southwest Plan provides a feasible method for relocation of any displaced families residing within the Southwest Project Area.

(d) The Southwest Project Area contains "open land" areas, or areas of agricultural operation, that the Agency may acquire any open land, that the Southwest Project Area is planned to be developed in a manner that will include primarily non-residential uses and that the "open land" criteria set forth in the Law and Act have been met.

(e) The portion of the Southwest Project Area which is identified for non-residential uses, the City Council may find it 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 City.

(f) The base assessment roll of the proposed Southwest Project Area, together with the base assessment roll values of the Existing Project Areas, do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.

(g) The Southwest Plan includes a revenue allocation provision, and the Agency has determined that the equalized assessed valuation of the revenue allocation area will likely increase as the result of the initiation of an urban renewal project.

Section 10. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code, and the Act.

Section 11. The Chair, Vice-Chair, or Executive Director and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed Southwest Plan for approval by the City Council, including but not limited to the preparation of the notice of public hearing on adoption of the revenue allocation financing provisions by the City and submittal of the Southwest Plan to the various taxing entities as required by Idaho Code § 50-2906.

Section 12. That the boundaries of the Southwest Project Area overlap the boundaries of the Twin Falls Highway District; however, the City has responsibility for the maintenance of roads or highways within the City limits, and therefore, the allocation of taxes shall be governed by Idaho Code Sections 50-2908(2)(a)(ii), (b) for the Southwest Project Area. A separate agreement for a different allocation is unnecessary.

Section 13. 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 Twin Falls, on October 14, 2024.

APPROVED AND EXECUTED by the Chair of the Board of Commissioners of the Agency and attested by the Secretary to the Board of Commissioners, on this 14th day of October 2024.

APPROVED:

By:____________________________________
Rudy Ashenbrener, Chair

ATTEST:

By:________________________________
Eric Smallwood, Secretary

EXHIBIT 1

URBAN RENEWAL PLAN FOR THE SOUTHWEST PROJECT AREA