

ORDINANCE NO. 1455

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; RECITING A BRIEF HISTORY OF THE EXPO URBAN RENEWAL PLAN APPROVED PURSUANT TO POST FALLS ORDINANCE 1011; DIRECTING TERMINATION OF THE EXPO URBAN RENEWAL REVENUE ALLOCATION AREA ESTABLISHED PURSUANT TO POST FALLS ORDINANCE 1011; AUTHORIZING CITY STAFF TO TAKE ALL STEPS TO IMPLEMENT THIS ORDINANCE; PROVIDE FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council did establish the Expo Urban Renewal Plan and its attendant Revenue Allocation Area by enactment of Post Falls Ordinance 990 on November 6, 2001 which was subsequently replaced with Ordinance 1011, passed November 7, 2002, in order to correct the legal description contained in Ordinance 990; and

WHEREAS, the Post Falls Urban Renewal Agency did undertake implementation of the improvements planned within the approved Expo Urban Renewal Plan; and

WHEREAS, the Post Falls Urban Renewal Agency did incur certain fiscal obligations in the course of implementing said Plan; and

WHEREAS, pursuant to Idaho Code §50-2903(5), the Agency adopted a Revenue Allocation Plan Budget for the Plan and corresponding Resolution No. 2021-04 on September 16, 2021 showing that the anticipated Agency revenues from revenue allocation financing would be insufficient to cover all estimated expenses related to the Plan by its termination date of November 6, 2021; and

WHEREAS, Idaho Code §50-2903(5) provides that an urban renewal agency shall “shall adopt a resolution advising and notifying the local governing body, the county auditor, and the state tax commission and 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 §50-2909, Idaho Code, should a surplus be determined to exist.”; and

WHEREAS, the Post Falls Urban Renewal Agency has adopted such a resolution (No. 2022 – 01) and has transmitted the same to the Post Falls City Council.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the city of Post Falls as follows:

SECTION 1. Consistent with Resolution No. 2022 – 01 of the Post Falls Urban Renewal Agency, the Revenue Allocation Area established by Post Falls Ordinance 1011 is hereby terminated effective upon the passage of this ordinance.

SECTION 2. Effective upon the satisfaction of all obligations of the Expo Center Revenue Allocation Plan, the remaining revenue allocation funds that are not needed to meet agency obligations should be distributed to affected taxing districts consistent with the provisions of Idaho law.

SECTION 3. The administrative staff of the City of Post Falls is hereby authorized and directed to take such action as may be necessary to implement the provisions of this ordinance and related provisions of state law.

SECTION 4. All provisions of the current Post Falls Municipal Code or ordinances of the City of Post Falls and parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause sentence, subsection, word, or part had

not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

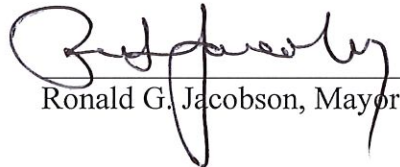
SECTION 6. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Post Falls, and upon such publication shall be in full force and effect.

PASSED under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Post Falls at a regular session of the City Council on May 17th 2022.

APPROVED, ADOPTED and SIGNED this 17th day of May, 2022.



ATTEST:



Ronald G. Jacobson, Mayor



Shannon Howard, City Clerk