

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

A RESOLUTION OF THE BOARD OF COMMISSIONERS (“BOARD”) OF THE MOUNTAIN HOME URBAN RENEWAL AGENCY OF THE CITY OF MOUNTAIN HOME, IDAHO, (“AGENCY”) RELATING TO SURPLUS PERSONAL PROPERTY OWNED BY THE AGENCY, DECLARING CERTAIN REAL PROPERTY OWNED BY THE AGENCY AS SURPLUS PROPERTY, AND DECLARING THE AGENCY’S INTENT TO SELL, CONVEY, OR EXCHANGE SUCH PROPERTY; SCHEDULING A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Mountain Home Urban Renewal Agency of Mountain Home, 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 (hereinafter the “Law”) and the Local Economic Development Act, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the “Act”), a duly created and functioning urban renewal agency for Mountain Home, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, the City Council of the city of Mountain Home, Idaho (the “City”), on July 24, 2006, after notice duly published, conducted a public hearing on the Mountain Home Urban Renewal Plan (the “Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1448 on July 24, 2006, approving the Plan and making certain findings;

WHEREAS, the City Council of the City, on June 20, 2011, after notice duly published, conducted a public hearing on the Amended and Restated Urban Renewal Plan for the Mountain Home Urban Renewal Project (the “Amended and Restated Plan”);

WHEREAS, following said public hearing the City adopted its Ordinance No. 1566 on June 20, 2011, approving the Amended and Restated Plan and making certain findings;

WHEREAS, in furtherance of its statutory purposes, the Agency has the authority “[t]o acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property or personal property for its administrative purposes, together with any improvements thereon.” Idaho Code § 50-2007(c);

WHEREAS, in compliance with Idaho Code § 50-2010, the Agency acquired certain real property commonly referred to as the HUB property, including certain commercial buildings and improvements thereon located at 195 N. 2nd East, Mountain Home, Idaho (the “Property”);

WHEREAS, the Agency sought to initiate redevelopment of the Property to revitalize the area within the Amended and Restated Plan area, and to hopefully serve as a catalyst for redevelopment of other properties within the Amended and Restated Plan area;

WHEREAS, the Agency issued two Requests for Proposals (“RFP”) of the Property, the first in November of 2020 and a second in March of 2021. The first RFP was unsuccessful. Following the second RFP in March 2021, the Agency received six (6) proposals, and at a public meeting on June 8, 2021, selected a developer to develop the Property;

WHEREAS, following the execution of an Agreement to Negotiate Exclusively (“ANE”) between the Agency and the developer, both parties attempted to negotiate the terms of the disposition and development of the Property, but were ultimately unsuccessful in arriving at an agreement;

WHEREAS, on October 18, 2022, the Agency terminated the ANE via Resolution No. 2022-3 and ended further negotiations with the developer related to disposal of the Property, leaving the Agency to dispose of the Property by other means;

WHEREAS, Idaho Code requires urban renewal agencies to dispose of real property under reasonable competitive bidding procedures as it may designate or as specifically set forth in Idaho Code § 50-2011, which guides urban renewal agencies to “invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof”;

WHEREAS, Idaho Code § 50-2011 does not provide for the procedure that should be followed when an agency is unable to successfully dispose of the real property through the RFP process. However, Idaho Code §50-2011(b) does state that an agency may dispose of the real property under the RFP process or “under such reasonable competitive bidding procedures as it shall prescribe”;

WHEREAS, the Agency has determined that engaging in another RFP process would be unreasonable, unsuccessful, and unduly burdensome, considering the time and resources that have been put into attempting to dispose of the Property unsuccessfully;

WHEREAS, based on the inability to dispose of the Property by RFP, the Agency hereby desires to establish another process which complies with Idaho Code § 50-2011 and as established by Title 50, Chapter 14 for disposing of the Property;

WHEREAS, the Board finds that the Property is no longer of use to the Agency, and it is in the best interests of the Agency and the public to dispose of the Property, by using the process described herein for disposition of property providing for a public hearing, a live public auction, establishing a minimum price, and if no bids are received authorizing the sale of such property as the Agency deems in the best interest of Agency.

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

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

Section 2. That the Property as described above is of no further use to the Agency and the Board deems it in the best interest of the Agency to dispose of the Property.

Section 3: That the Agency has been unsuccessful in disposing of the Property by RFP despite multiple attempts to solicit responses, and one failed disposition negotiation.

Section 4: Pursuant to Idaho Code § 50-2011, the Agency establishes the following process and makes the following findings as outlined in Idaho Code, Title 50, Chapter 14:

- a. The Agency hereby declares its intent to sell the Property at live public auction pursuant to Idaho Code § 50-1403(1) based on its inability to dispose of the Property pursuant to an RFP.
- b. The Agency hereby intends to set the minimum declared value of the Property, pursuant to Idaho Code § 50-1402, at Two Hundred Thirty Thousand Dollars and Zero Cents (\$230,000.00), pursuant to the Appraisal Report dated September 8, 2023, prepared by Langston & Associates, Inc.
- c. The Agency shall hold a public hearing concerning the proposed sale of the Property on November 21st, 2023. The Agency hereby directs the Chair and Secretary to have notice of such public hearing published in the official newspaper of the City at least fourteen (14) days prior to the date of the hearing.
- d. At such public hearing, the Agency shall hear from any member of the public wishing to be heard on this matter and give consideration to such testimony.
- e. Following the public hearing, the Agency shall establish or confirm the minimum declared value for which the Property will be auctioned and shall set the date of public auction.
- f. Pursuant to Idaho Code § 50-1403(1) the Property shall be sold at an auction to the highest bidder and no bids shall be accepted for less than the minimum declared value as established or confirmed at the public hearing held by the Agency.
- g. If no bids are received, the Agency may sell the Property as it deems in the best interest of the Agency, as established by Idaho Code § 50-1403(1).

Section 5: The Chair, Vice-Chair, and Secretary of the Agency are hereby authorized

to take all action necessary or desirable to carry out the purposes of this Resolution, including without limitation, publishing notice of the public hearing on this matter.

Section 6: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Mountain Home Urban Renewal Agency of the city of Mountain Home, Idaho, on October 17th, 2023. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 17th day of October 2023.

APPROVED:

By R Valley
Chair of the Board

ATTEST:

By Skylar Jett
Secretary

4862-2365-2231, v. 2