

EAGLE URBAN RENEWAL AGENCY
THE URBAN RENEWAL AGENCY OF THE CITY OF EAGLE

RESOLUTION NO. 18-003

BY THE BOARD OF COMMISSIONERS OF THE EAGLE URBAN RENEWAL
AGENCY OF EAGLE, IDAHO, A/K/A EURA:

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE EAGLE URBAN RENEWAL AGENCY OF EAGLE,
IDAHO, APPROVING THE AGREEMENT TO AMEND THE
MEMORANDUM OF UNDERSTANDING DATED JULY 7,
2015 ("MOU") BETWEEN THE EAGLE URBAN RENEWAL
AGENCY ("EURA") AND THE CITY OF EAGLE ("CITY") TO
DELETE CERTAIN PORTIONS OF THE MOU RELATED
TO THE MAINTENANCE OF ACHD RIGHT OF WAY
ADJACENT TO THE GOLDMAN PROPERTY;
AUTHORIZING THE EXECUTION OF THE AGREEMENT
BY THE CHAIRMAN OR VICE-CHAIRMAN AND
SECRETARY; AUTHORIZING ANY TECHNICAL
CHANGES TO THE AGREEMENT; AUTHORIZING THE
CHAIRMAN AND EURA STAFF TO TAKE ALL
NECESSARY ACTION REQUIRED TO IMPLEMENT THE
AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Eagle Urban Renewal Agency of the City of Eagle, Idaho, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal agency of the City of Eagle, Idaho, hereinafter referred to as the "EURA."

WHEREAS, the EURA, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code title 50, chapter 20, as amended and supplemented, and the Local Economic Development Act of 1988, being Idaho Code, Title 50, Chapter 29; as amended and supplemented (collectively the "Act");

WHEREAS, the EURA was established by Resolution No. 06-50 of the City Council of the City of Eagle, Idaho (hereinafter the "City Council"), adopted October 10, 2006;

WHEREAS, the City Council of the City of Eagle, Idaho (the "City"), on December 11, 2007, after notice duly published, conducted a public hearing on the Eagle Revitalization Plan (the "Revitalization Plan");

WHEREAS, following said public hearing the City adopted its Ordinance No. 592 on December 11, 2007, approving the Revitalization Plan and making certain findings;

WHEREAS, the EURA no longer has an obligation to provide the maintenance for the portions of the ACHD right of way adjacent to the Goldman property so there is no need to include those services in the MOU with the City;

WHEREAS, the Agreement to amend the MOU attached hereto as Exhibit A ("Agreement") reflects the desires of EURA and the above noted parties;

WHEREAS, in furtherance of the public purpose of EURA and its directives and initiatives, the Board of Commissioners finds it in the best public interest to approve and enter into the Agreement to amend the MOU in the form as attached hereto as *Exhibit A*.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF EAGLE, IDAHO, A/K/A THE EAGLE URBAN RENEWAL AGENCY, AS FOLLOWS:

Section 1: That the above statements are true and correct

Section 2: That the Board confirms and authorizes the execution of the Agreement to amend the MOU on the terms and conditions set forth in the attached Exhibit A, and that this Agreement to amend the MOU has been determined to be in the best interest of the EURA.

Section 3: That the Chairman and Secretary of EURA are hereby authorized to sign and enter into the Agreement.

Section 4: That the Chairman, Vice-Chairman, and Secretary of EURA are hereby authorized to execute all necessary documents required to implement the actions contemplated by the Agreement subject to representations by EURA staff and legal counsel that all conditions precedent to actions contemplated in the Agreement, and any necessary technical changes to the Agreement, or other

documents, are acceptable upon advice from EURA's legal counsel that said changes are consistent with the provisions of the Agreement.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Eagle Urban Renewal Agency, of Eagle, Idaho, on the 3rd day of July 2018.

Signed by the Chairman of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 3rd day of July 2018.

APPROVED:

By  _____
Chairman

ATTEST:

By  _____
Secretary

EXHIBIT A

**AMENDMENT TO MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF EAGLE AND THE EAGLE URBAN RENEWAL AGENCY**

AMENDMENT 7.3.2018

THIS AGREEMENT to amend the MEMORANDUM OF UNDERSTANDING dated July 7, 2015 is made by and between the City of Eagle, an Idaho municipal corporation ("City") and the Eagle Urban Renewal Agency, an independent public body corporate and politic of the State of Idaho ("Agency") ("MOU").

RECITALS

- A. The City and the Agency entered into the MOU to provide certain services to the Agency some of which included maintenance of the ACHD right of way adjacent to the Goldman property;
- B. Agency no has an obligation to maintain said ACHD right of way;
- C. Agency and City desire to amend their MOU to delete the portions of the MOU relating to maintaining the ACHD right of way adjacent to the Goldman Property as noted below;
- D. City and Agency desire to enter into this Agreement to amend the MOU on the terms set forth herein.

NOW, THEREFORE, it is understood between City and Agency that the MOU shall be amended as follows:

- 1. Section 2.3 Maintenance Services for ACHD Right of Way Adjacent to Goldman Property shall be deleted in its entirety.
- 2. Section 4.3 Maintenance Services for ACHD Right of Way Adjacent to Goldman Property shall be deleted in its entirety.

All other terms of the MOU are to remain in effect. This Agreement shall be effective the 3rd day of July 2018.

CITY OF EAGLE

By: Stan Ridgeway
Stan Ridgeway, Mayor

Date: 7-5-18

EAGLE URBAN RENEWAL AGENCY

By: Jason Pierce
Jason Pierce, Chairman

Date: 7-3-18

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann
City Clerk

ATTEST:

Ellen Smith
Ellen Smith
Secretary