

RESOLUTION NO. 119

A RESOLUTION OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, SETTING FORTH POLICIES FOR THE DOVER URBAN RENEWAL DISTRICT; FINDING THAT IT IS IN THE BEST INTEREST OF THE CITY TO MAINTAIN SUCH LANDS AS ARE PRESENTLY IN THE DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK TO TAKE ALL NECESSARY ACTION TO ENFORCE THIS RESOLUTION; PROVIDING THAT THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the City of Dover (City) recognizes the contributions of the Dover Urban Renewal Agency (DURA) to the development of properties within the City; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the City to set policies for the relationship between the City of Dover and the Dover Urban Renewal Agency.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER AS FOLLOWS:

SECTION 1. The City is aware of the fact that DURA has obtained financing to develop and construct infrastructure within the City.

SECTION 2. The City is aware that Idaho Statutes will permit Cities to de-annex lands within urban renewal districts after July 1, 2016. Idaho House Bill 606.

SECTION 3. The City recognizes that de-annexation of the urban renewal district may cause DURA to be in breach of its loan covenants and financing agreements. Further, the City recognizes it is well established Idaho law that a legislature is prohibited from passing legislation that impairs existing contracts. *Straus v. Ketchen*, 54 Idaho 56 (1933) citing *In re Fidelity Bank of Orofino*, 35 Idaho 797 (1922).

SECTION 4. It will be a continuing policy of the City that the City will take no action to de-annex any lands within the DURA district so long as financing obligations exist.

SECTION 5. Any provision of any prior Resolution inconsistent with the provisions of this Resolution is hereby terminated to the extent of such inconsistency.

SECTION 6. This Resolution shall be effective upon its passage, approval and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this 9th day of June, 2016.

Ann Slater

MAYOR

(seal)

Michael Hutchings

CITY CLERK