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LEGISLATURE OF THE STATE OF IDAHO
Sixty-third Legislature Second Regular Session - 2016

IN THE _____

BILL NO. _____

BY _____

AN ACT

1 RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2007, IDAHO CODE, TO PROVIDE
2 FOR REIMBURSEMENT OF TELECOMMUNICATIONS SERVICE PROVIDERS BY URBAN RE-
3 NEWAL AGENCIES FOR RELOCATION OF FACILITIES AND TO DEFINE TERMS.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 50-2007, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 50-2007. POWERS. Every urban renewal agency shall have all the powers
9 necessary or convenient to carry out and effectuate the purposes and pro-
10 visions of this act, including the following powers in addition to others
11 herein granted:

12 (a) To undertake and carry out urban renewal projects and related ac-
13 tivities within its area of operation; and to make and execute contracts and
14 other instruments necessary or convenient to the exercise of its powers un-
15 der this act; and to disseminate slum clearance and urban renewal informa-
16 tion;

17 (b) To provide or to arrange or contract for the furnishing or repair
18 by any person or agency, public or private, of services, privileges, works,
19 streets, roads, public utilities or other facilities for or in connec-
20 tion with an urban renewal project; to install, construct, and reconstruct
21 streets, utilities, parks, playgrounds, off-street parking facilities,
22 public facilities, other buildings or public improvements; and any improve-
23 ments necessary or incidental to a redevelopment project; and to agree to
24 any conditions that it may deem reasonable and appropriate attached to fed-
25 eral financial assistance and imposed pursuant to federal law relating to
26 the determination of prevailing salaries or wages or compliance with labor
27 standards, in the undertaking or carrying out of an urban renewal project and
28 related activities, and to include in any contract let in connection with
29 such a project and related activities, provisions to fulfill such of said
30 conditions as it may deem reasonable and appropriate;

31 (c) In the event that a telecommunications service provider is required
32 to relocate its facilities:

33 (i) To accommodate an Idaho urban renewal agency project within its
34 area of operation as defined in subsection (b) of this section, an urban
35 renewal agency shall directly reimburse the telecommunications service
36 provider one hundred percent (100%) of the cost of relocation of its
37 facilities. The provisions of this subsection shall also apply to any
38 such facility relocation in the process of being conducted on the effec-
39 tive ate of this act.

40 (d) As used in this section:

41 (i) "Cost of relocation" includes the entire cost incurred by the
42 telecommunications service provider attributable to the relocation of

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1 the utility facility after deducting any salvage value derived from the
2 old utility facility.

3 (ii) "Telecommunications service provider" means any provider of
4 telecommunications services in the state of Idaho as defined in section
5 62-603(13), Idaho Code.

6 (e) Within its area of operation, to acquire by purchase, lease, op-
7 tion, gift, grant, bequest, devise, eminent domain or otherwise, any real
8 property or personal property for its administrative purposes, together
9 with any improvements thereon; to hold, improve, renovate, rehabilitate,
10 clear or prepare for redevelopment any such property or buildings; to mort-
11 gage, pledge, hypothecate or otherwise encumber or dispose of any real
12 property; to insure or provide for the insurance of any real or personal
13 property or operations of the municipality against any risks or hazards, in-
14 cluding the power to pay premiums on any such insurance; and to enter into any
15 contracts necessary to effectuate the purposes of this act: Provided how-
16 ever, that no statutory provision with respect to the acquisition, clearance
17 or disposition of property by public bodies shall restrict a municipality
18 or other public body exercising powers hereunder in the exercise of such
19 functions with respect to an urban renewal project and related activities,
20 unless the legislature shall specifically so state;

21 (ef) With the approval of the local governing body, (1) prior to ap-
22 proval of an urban renewal plan, or approval of any modifications of the
23 plan, to acquire real property in an urban renewal area, demolish and remove
24 any structures on the property, and pay all costs related to the acquisition,
25 demolition, or removal, including any administrative or relocation ex-
26 penses; and (2) to assume the responsibility to bear any loss that may arise
27 as the result of the exercise of authority under this subsection in the event
28 that the real property is not made part of the urban renewal project;

29 (eg) To invest any urban renewal funds held in reserves or sinking
30 funds or any such funds not required for immediate disbursement, in property
31 or securities in which savings banks may legally invest funds subject to
32 their control; to redeem such bonds as have been issued pursuant to section
33 50-2012, Idaho Code, at the redemption price established therein or to pur-
34 chase such bonds at less than redemption price, all such bonds so redeemed or
35 purchased to be canceled;

36 (fh) To borrow money and to apply for and accept advances, loans,
37 grants, contributions and any other form of financial assistance from the
38 federal government, the state, county, or other public body, or from any
39 sources, public or private, for the purposes of this act, and to give such
40 security as may be required and to enter into and carry out contracts or
41 agreements in connection therewith; and to include in any contract for
42 financial assistance with the federal government for or with respect to
43 an urban renewal project and related activities such conditions imposed
44 pursuant to federal laws as the municipality may deem reasonable and appro-
45 priate and which are not inconsistent with the purposes of this act;

46 (gi) Within its area of operation, to make or have made all surveys
47 and plans necessary to the carrying out of the purposes of this act and to
48 contract with any person, public or private, in making and carrying out such
49 plans and to adopt or approve, modify and amend such plans, which plans may
50 include, but are not limited to: (1) plans for carrying out a program of vol-

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1 untary compulsory repair and rehabilitation of buildings and improvements,
2 (2) plans for the enforcement of state and local laws, codes and regulations
3 relating to the use of land and the use and occupancy of buildings and im-
4 improvements and to the compulsory repair, rehabilitation, demolition, or
5 removal of buildings and improvements, and (3) appraisals, title searches,
6 surveys, studies, and other plans and work necessary to prepare for the un-
7 dertaking of urban renewal projects and related activities; and to develop,
8 test, and report methods and techniques, and carry out demonstrations and
9 other activities, for the prevention and the elimination of slums and urban
10 blight and developing and demonstrating new or improved means of providing
11 housing for families and persons of low income and to apply for, accept and
12 utilize grants of funds from the federal government for such purposes;

13 (~~h~~j) To prepare plans for and assist in the relocation of persons, in-
14 cluding individuals, families, business concerns, nonprofit organizations
15 and others displaced from an urban renewal area, and notwithstanding any
16 statute of this state to make relocation payments to or with respect to such
17 persons for which reimbursement or compensation is not otherwise made, in-
18 cluding the making of such payments financed by the federal government;

19 (~~i~~k) To exercise all or any part or combination of powers herein
20 granted;

21 (~~j~~l) In addition to its powers under subsection (b) of this section,
22 an agency may construct foundations, platforms, and other like structural
23 forms necessary for the provision or utilization of air rights sites for
24 buildings and to be used for residential, commercial, industrial, and other
25 uses contemplated by the urban renewal plan, and to provide utilities to the
26 development site; and

27 (~~k~~m) To use, lend or invest funds obtained from the federal government
28 for the purposes of this act if allowable under federal laws or regulations.