

**AMENDMENT TO THE
NAMPA ECONOMIC DEVELOPMENT REDEVELOPMENT PLAN
BY THE NAMPA DEVELOPMENT CORPORATION**

The undersigned, constituting all of the members of the board of directors of the Nampa Development Corporation (the “**Corporation**”) and the members of the city council for the City of Nampa, Idaho (the “**City**”), take the following action pursuant to Section 900 of the Nampa Economic Development Redevelopment Plan (the “**Plan**”):

WHEREAS, in October of 2006, the City enabled the Corporation to develop and administer the Plan and in December of 2006, the City adopted ordinance number 3652 to approve the Plan; and

WHEREAS, the Corporation is the urban renewal district enabled by the City to implement the Plan and the Plan in its current version contains a revenue allocation financing provision that will cause a certain portion of the tax revenues of the School District 139, Canyon County, Idaho to be allocated to the Corporation for urban renewal purposes; and

WHEREAS, the City and the Corporation acknowledge that one of the consequences of the growth stimulated by the Plan will likely be a further increase in student enrollment in School District 139, which will further increase the demand on the existing revenues of School District 139; and

WHEREAS, the City and the Corporation recognize and understand the adverse effect of the Plan and revenue allocation financing on School District 139 and therefore seek to hold School District 139 harmless from the revenue impacts that the Plan would otherwise cause, which will better enable the School District 139 to provide the highest quality education to its students, both now and in the future.

THEREFORE IT IS RESOLVED, that the Plan be amended and restated to provide that School District 139 is held harmless from the application of the revenue allocation financing provision contained in the Plan through the rebate and remittance of all funds collected by the Corporation that would otherwise have been received by School District 139 through the application of its levies, thereby assuring that School District 139 receives the full amount of tax revenue derived from its levies. In order to accomplish this purpose, certain portions of the Plan shall be specifically amended and restated as follows:

1. Section 504, Paragraph 1 of the Plan is hereby amended to read:

The Corporation hereby adopts revenue allocation financing provisions as authorized by Chapter 29, Title 50, Idaho Code (the “**Act**”), effective retroactively to January 1, 2006. These revenue allocation provisions shall apply to all taxing districts in which the Project Area is located, except that the Corporation shall take all

actions necessary to assure that the revenue allocation financing provisions do not adversely affect School District 139, Canyon County, Idaho, as further described in Sections 504.5A and 504.5C below. The Corporation shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Corporation specifically finds that the equalized assessed valuation of property within the Project Area is likely to increase as a result of the initiation of the Economic Development Projects.

2. Section 504, Paragraph 3 of the Plan is hereby amended to read:

Upon enactment of an ordinance by the governing body of the City of Nampa, Idaho, finally adopting these revenue allocation financing provisions and defining the Project Area described herein as part of the Plan, there shall hereby be created a special fund of the Corporation into which the County Treasurer shall transmit allocated revenues as provided in Idaho Code Section 50-2908. The Corporation shall use such funds solely in accordance with Idaho Code Section 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such economic development projects as the Corporation may determine by resolution or resolutions of its Board of Directors, or for rebate payments pursuant to Sections 504.5A, 504.5B, 504.5C and 504.6 below.

3. The Plan is hereby amended to amend and restate Section 504.5 and to renumber such Section to be expressed in Subsections 504.5A, 504.5B and 504.5C, as follows:

Section 504.5A: Rebate to School District No. 139

Under the Act, the effect of adopting the revenue allocation financing provisions is that the County Treasurer is required to allocate the tax revenues that are generated from applying the levies of those taxing entities located within the revenue allocation area to the incremental increase in property values within the revenue allocation area above the base assessment roll to the Corporation for urban renewal purposes (this urban renewal financing mechanism is known as “**Revenue Allocation Financing**”). The Corporation intends for Revenue Allocation Financing to operate under the Plan as provided by the Act. However, the Corporation also hereby adopts as part of the Plan the agreement to return to School District No. 139 on a semi-annual basis the portion of tax revenues allocated to the Corporation under Revenue Allocation Financing that were

generated by applying School District No. 139's levies to the incremental increase in property values within the revenue allocation area. Notwithstanding any other provision of this Plan, and notwithstanding the provisions in the Act, including those dealing with the rebate or remittance of funds to other taxing entities as set forth herein, the Corporation shall rebate and remit all such tax revenue funds to School District No. 139 not later than February 15 and August 15 of each year.

Section 504.5B [Reserved – Nampa School Provisions]

Section 504.5C: Rebate of Other Revenue Allocation Funds

Subject to the provisions of Sections 504.5A and 504.5B, in any year during which the Corporation receives Revenue Allocation Financing proceeds, the Corporation, as allowed by law, shall return or rebate to the other affected taxing entities identified in Attachment 4 of this Plan any revenue allocation funds not previously pledged or committed for the purposes identified in this Plan. Subject to the provisions of Sections 504.5A and 504.5B, under the Plan, the Corporation must first apply all revenues for the payment of the projected costs of the urban renewal project identified and repayment of principal and interest on any moneys borrowed, indebtedness incurred, or bonds issued by the Corporation and maintain any required reserve for payments of such obligation or indebtedness. Only to the extent revenues of the Corporation exceed these obligations shall the Corporation consider any rebate or return of revenue allocation funds to the other affected taxing entities. Except as set forth in Sections 504.5A and 504.5B above, it is the intent of the Plan to pay off all bond indebtedness prior to rebate or return of revenue allocation funds and the Corporation may rebate such funds in a manner that corresponds to each taxing entity's relative share of the revenue allocation proceeds or on the basis of extraordinary service requirements generated by the Plan.

Attachment 4 describes the Corporation's Revenue Allocation Financing plan for the Plan. The Plan will be financed, in part, through Revenue Allocation Financing, which uses revenue allocation funds generated from the incremental growth in property values within the revenue allocation area as allowed by the Act. The Corporation anticipates that on an annual basis, funds allocated to the Corporation under Revenue Allocation Financing and other funds may be sufficient to satisfy the obligations

projected to be incurred by the Corporation, even though the entire amount of funds available to the Corporation are pledged for the term of any bonds or other debts incurred by the Corporation. Therefore, on an annual basis, the Corporation, will consider the rebate of funds, which funds, may not be revenue allocation funds, but other funds available to the Corporation.

4. Effective Date. This Amendment to the Plan shall be effective upon (i) passage and approval by resolution of the Corporation and ordinance of the City Council, and (ii) compliance with the other provisions of the Act (as defined in the Plan) for adoption of amendments to the Plan.

RESOLUTION NO. 07-1

A RESOLUTION OF THE NAMPA DEVELOPMENT CORPORATION PROPOSING AMENDMENTS TO THE NAMPA ECONOMIC DEVELOPMENT REDEVELOPMENT PLAN TO PROVIDE FOR REBATES OF REVENUES TO VALLIVUE SCHOOL DISTRICT NO. 139 AND NAMPA SCHOOL DISTRICT NO. 131.

THIS RESOLUTION, made on the date hereinafter set forth by the Nampa Development Corporation, 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 (hereinafter the "Law"), a duly created and functioning urban renewal Corporation for Nampa, Idaho, hereinafter referred to as the "Corporation."

WHEREAS, in December 2006, by adoption of Ordinance No. 3652 the City Council of the City of Nampa, Idaho approved the Nampa Economic Development Redevelopment Plan; and

WHEREAS, the Plan did not provide for rebates of the tax revenues to affected school districts except for situations involving rebates to all affected taxing entities; and

WHEREAS, the Nampa Development Corporation recognizes that strong education systems are critical elements necessary to foster economic development and the overall economic vitality of a community; and

WHEREAS, the Vallivue and Nampa School Districts provide quality educational opportunities to their students and can use additional funds to accomplish their educational objectives; and

WHEREAS, subsequent to adoption of the Plan, the Nampa Development Corporation has determined that the Plan can succeed without retaining all revenues generated within the tax revenue allocation area; and

WHEREAS, subsequent to adoption of the Plan the Nampa Development Corporation has determined that rebates of tax revenues to Vallivue School District No. 139 will not affect the ability of the Nampa Development Corporation to accomplish the objectives of the Plan and such rebates will allow Vallivue School District No. 139 to better meet the needs of the District; and

WHEREAS, after review of the viability of the Plan after rebates to Vallivue, the Nampa Development Corporation determined that a rebate of the tax revenue generated by the emergency fund levy of the Nampa School District No. 131 would not affect the ability of the Nampa Development Corporation to accomplish the objectives of the Plan.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE NAMPA DEVELOPMENT CORPORATION, AS FOLLOWS:

Section 1. The Nampa Economic Development Redevelopment Plan should be amended and the following amendments are proposed to the City Council of the City of Nampa for adoption:

Amend and restate Section 504.5 and to renumber such Section to be expressed in Subsections 504.5A, 504.5B and 504.5C as follows:

1. Section 504, Paragraph 1 of the Plan is hereby amended to read:

The Corporation hereby adopts revenue allocation financing provisions as authorized by Chapter 29, Title 50, Idaho Code (the "Act"), effective retroactively to January 1, 2006. These revenue allocation provisions shall apply to all taxing districts in which the Project Area is located, except that the Corporation shall take all actions necessary to assure that the revenue allocation financing provisions do not adversely affect School District 139, Canyon County, Idaho, as further described in Sections 504.5A and 504.5C below. The Corporation shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Corporation specifically finds that the equalized assessed valuation of property within the Project Area is likely to increase as a result of the initiation of the Economic Development Projects.

2. Section 504, Paragraph 3 of the Plan is hereby amended to read:

Upon enactment of an ordinance by the governing body of the City of Nampa, Idaho, finally adopting these revenue allocation financing provisions and defining the Project Area described herein as part of the Plan, there shall hereby be created a special fund of the Corporation into which the County Treasurer shall transmit allocated revenues as provided in Idaho Code Section 50-2908. The Corporation shall use such funds solely in accordance with Idaho Code Section 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such economic development projects as the Corporation may determine by resolution or resolutions of its Board of Directors, or for rebate payments pursuant to Sections 504.5A, 504.5B, 504.5C and 504.6 below.

3. Section 504.5A

Section 504.5A: Rebate to School District No. 139

Under the Act, the effect of adopting the revenue allocation financing provisions is that the County Treasurer is required to allocate the tax revenues that are generated from applying the levies of those taxing entities located within the revenue allocation area to the incremental increase in property values within the revenue allocation area above the base assessment roll to the Corporation for urban renewal purposes (this urban renewal financing mechanism is known as “**Revenue Allocation Financing**”). The Corporation intends for Revenue Allocation Financing to operate under the Plan as provided by the Act. However, the Corporation also hereby adopts as part of the Plan the agreement to return to School District No. 139 on a semi-annual basis the portion of tax revenues allocated to the Corporation under Revenue Allocation Financing that were generated by applying School District No. 139’s levies to the incremental increase in property values within the revenue allocation area. Notwithstanding any other provision of this Plan, and notwithstanding the provisions in the Act, including those dealing with the rebate or remittance of funds to other taxing entities as set forth herein, the Corporation shall rebate and remit all such tax revenue funds to School District No. 139 not later than February 15 and August 15 of each year.

4. Section 504.5B

Section 504.5B: Rebate to School District No. 131

Under the Act, the effect of adopting the revenue allocation financing provisions is that the County Treasurer is required to allocate the tax revenues, which are generated from applying the levies of those taxing entities located within the revenue allocation area to the incremental increase in property values within the revenue allocation area above the base assessment roll, to the Corporation for urban renewal purposes (this urban renewal financing mechanism is known as “**Revenue Allocation Financing**”). The Corporation intends for Revenue Allocation Financing to operate under the Plan as provided by the Act. However, the Corporation also hereby adopts as part of the Plan the agreement to return to School District No. 131 on a semi-annual basis the portion of tax revenues allocated to the Corporation under Revenue Allocation Financing that were generated by applying School District No. 131’s emergency fund levy (Idaho Code 33-805) to the incremental increase in property

values within the revenue allocation area. Notwithstanding any other provision of this Plan, and notwithstanding the provisions in the Act, including those dealing with the rebate or remittance of funds to other taxing entities as set forth herein, the Corporation shall rebate and remit all such tax revenue funds to School District No. 131 not later than February 15 and August 15 of each year. Provided further, that no such rebate shall be made if payment of the rebate would result in default under any bonds issued by the Corporation.

5. Section 504.5C

Section 504.5C: Rebate of Other Revenue Allocation Funds

Subject to the provisions of Sections 504.5A and 504.5B, in any year during which the Corporation receives Revenue Allocation Financing proceeds, the Corporation, as allowed by law, shall return or rebate to the other affected taxing entities identified in Attachment 4 of this Plan any revenue allocation funds not previously pledged or committed for the purposes identified in this Plan. Subject to the provisions of Sections 504.5A and 504.5B, under the Plan, the Corporation must first apply all revenues for the payment of the projected costs of the urban renewal project identified and repayment of principal and interest on any moneys borrowed, indebtedness incurred, or bonds issued by the Corporation and maintain any required reserve for payments of such obligation or indebtedness. Only to the extent revenues of the Corporation exceed these obligations shall the Corporation consider any rebate or return of revenue allocation funds to the other affected taxing entities. Except as set forth in Sections 504.5A and 504.5B above, it is the intent of the Plan to pay off all bond indebtedness prior to rebate or return of revenue allocation funds and the Corporation may rebate such funds in a manner that corresponds to each taxing entity's relative share of the revenue allocation proceeds or on the basis of extraordinary service requirements generated by the Plan.

Attachment 4 describes the Corporation's Revenue Allocation Financing plan for the Plan. The Plan will be financed, in part, through Revenue Allocation Financing, which uses revenue allocation funds generated from the incremental growth in property values within the revenue allocation area as allowed by the Act. The Corporation anticipates that on an annual basis, funds allocated to the Corporation under Revenue Allocation Financing and other funds may be sufficient to satisfy the obligations projected to be incurred by the Corporation, even though the entire amount of funds available to the Corporation are pledged for the

term of any bonds or other debts incurred by the Corporation.
Therefore, on an annual basis, the Corporation, will consider the
rebate of funds, which funds, may not be revenue allocation funds,
but other funds available to the Corporation.

Section 2. The City Council of the City of Nampa, Idaho is urged to submit the
foregoing Plan amendments to the Planning and Zoning Commission of the City of Nampa,
Idaho for review and recommendation as to its conformity with the general plan for the
development of the municipality as a whole. The City Council of the City of Nampa, Idaho is
also urged to conduct a public hearing, hold the record open for the thirty (30) day comment
period required for Plan amendments, and then to adopt an ordinance approving the Plan
amendments.

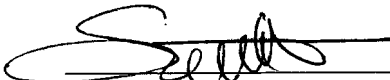
Section 3. That this Resolution shall be in full force and effect immediately upon its
adoption and approval.

ADOPTED AND APPROVED THIS 4th DAY OF September, 2007.



CHAIRMAN

ATTEST:



SECRETARY

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