

IDAHO FALLS REDEVELOPMENT AGENCY
P.O. BOX 50220
IDAHO FALLS, IDAHO 83405-0220

March 24, 2011

Regular Meeting
Minutes

Council Chambers

Call to Order: Chair Barnes called the meeting to order at 4:08 p.m.

Members Present: Chair Bob Barnes, LaMar John, Linda Martin, and Lee Radford.

Members Absent: Tom Hally, Dave Radford, and Bob Utterbeck.

Also Present: Ryan Armbruster, legal counsel; Renée Magee, Agency executive director; Thane Sparks, Agency treasurer; Ida Hardcastle, council person; Karen Cornwell, council person; Greg Crockett, Idaho Falls Downtown Development Corporation (IFDDC); Debra Petty, recording secretary; and approximately two interested citizens.

Minutes: February 3, 2011. Lee Radford noted a correction to page 3, paragraph 4; 'Our' Hotel LLC should be 'R' Hotel LLC. **Lee Radford moved to approve the minutes of February 3, 2011, as amended. Motion seconded by LaMar John. Motion passed.**

Approval of Bills: Chair Barnes presented the finance report dated March 24, 2011. The following bills were presented to be paid: Taylor Crossing, development fees, \$40,225.00; Redevelopment Association of Idaho, start up and annual dues, \$550.00; M.O.B. LLC for parking lease through 9-30-11, \$4,900.00; Elam & Burke, \$3,414.69; and Donna Carlson, \$86.40 from the Snake River allocation fund; Rudd & Company, \$1,500.00 from the River Commons allocation fund; and Rudd & Company, \$500.00 from the Pancheri-Yellowstone allocation fund. **Lee Radford moved to approve the bills as read. Motion seconded by Linda Martin. Motion passed.**

Approval of Audit Report and Annual Report. **Lee Radford moved to approve the audit report and annual report and authorize Thane Sparks, treasurer, to send copies to the City Clerk and Legislative Council. Motion seconded by Linda Martin. Motion Passed.**

Update on Demolition of Brunt and Messick Properties. Magee stated demolition by Hawkeye Builders of Nampa, Idaho, of the Brunt and Messick properties begins March, 30, 2011. The site will be fenced and equipment mobilized. She informed Kent Lott, property manager, and instructed him to notify tenants to remove vehicles from the site. Notices were placed on vehicles. Police training will take place on the site March 29, 2011. The asbestos report was mailed to the EPA and the demolition is estimated to take 4 to 6 weeks.

Magee followed up on Tom Hally's request for estimates to relocate power and fiber optic lines underground in the alley between Park Avenue and on Legion Drive. The most costly is Legion Drive at \$82,000; the alley, \$76,000. The phone and cable companies use the same trench for relocation of lines and cost was estimated to be approximately \$30,000. Total cost of the project was estimated between \$200,000.00 and \$250,000.00. Barnes was concerned the gain did not justify the cost. Radford wanted to

know if the city will vacate the alley. Magee said, with vacation, there may be issues as to building code/property lines, maintenance of water/sewer lines, and routing of garbage trucks and other service vehicles.

Barnes would like Magee to obtain a more fixed cost for relocation of communication lines. She will contact phone and cable companies for cost per lineal foot. Armbruster suggested authorizing the chair and vice-chair to make a decision relocating utility lines in the alley and ratify the decision at the next meeting. Lee Radford asked for more discussion regarding Legion Drive and what would be gained. Magee said one pole has to be moved, but, due to condition of the pole, Idaho Falls power will absorb the cost. Lee Radford is not in favor of the additional expense to underground utilities or any delay in construction of the parking lot. **Lee Radford moved to design the parking lot without undergrounding of utility/communication lines in the alley and to have the city engineer move forward in the design of the lot without relocating or undergrounding alley utilities. Motion seconded by Lamar John. Motion passed.**

Magee referenced the letter dated March 24, 2011, signed by Bob Barnes to the Idaho Professional Building Owners Association. It informs the association the Agency is moving forward with plans for the public parking lot as well as the date demolition begins at the location. Final plans for the parking lot will be forwarded to the owners for informational purposes. Barnes said the association was willing to have the agency resurface, stripe, and maintain their lot but not open any of the spaces for public use. This is not acceptable. Magee said the easement on the lot is not exclusive and available to all parties. Armbruster said the agreement is not well worded and offers no real leverage for either side. The larger question is whether they will find the amount of traffic through the parking lot an infringement. Radford believes fencing their lot is not a necessary expense and Martin believes it an impediment.

Update on Memorial Drive and Associated Parking Issues. Magee stated the scope of work proposed by Pierson Land Works includes review by IFDDC but not the Redevelopment Agency. Armbruster believes the city has a responsibility to keep the agency informed and would like IFRA added to Task 2. Magee will ask the city to change the scope of work to add review by the Agency as well as IFDDC.

Informal Request by Roger Christensen, County Commissioner. Magee said she was informally approached by Roger Christensen regarding the design of the parking lot on Legion Drive. There are storm water issues on the site. He is wondering if the Agency will consider assistance with replacement of curb/gutter, sidewalk, and handicapped ramps. Magee walked the site with Doug Moser, city construction inspector, and roughly estimated the costs to be a maximum of \$26,000. Sidewalks and curbs and gutter do need to be replaced for storm water management. The Agency members discussed the possibility of using the city program for curb and gutter replacement. Magee replied funds in the program only address part of the issue and are quickly depleted. The county is willing to fund the parking lot without assistance and is trying to comply with city ordinances. This project has been driven by reconstruction of Memorial Drive. Lee Radford concurs with Magee concerning the construction of the lot by the county and does not believe the request unreasonable. **Lee Radford moved to approve financing by the Agency for the replacement of curb/gutter and sidewalks as outlined in the**

memorandum dated March, 24, 2011, contingent on completion of the project by the county. Motion seconded by Linda Martin. Motion passed.

Legislative Update. Armbruster said twelve bills were introduced in the House related to urban renewal agencies. Although a number of them were defeated, House Bill 95, 96, 97 and 110 found their way to the Senate. These bills address issues related to nomination of agency members countywide, opt out provisions for urban renewal plans, preapproval of any agency debt by 2/3 vote of county residents, and annual rebates to taxing districts. Armbruster said House Bill 110 is an attempt to provide early public hearings in a process and there is very little objection to the bill. There is some confusion in the wording as to when this hearing should take place and the purpose. This bill may die. He will continue to monitor its progress.

House Bill 95, initiated by the Meridian Redevelopment Agency, mandates a number of requirements for a new urban renewal district. Primarily, a simple majority vote of the electorate is required to approve a new urban renewal district. They are working with the Senate on an amendment to clarify the process. It may be necessary to have a public hearing for approval of the annual plan, and the process for planning and zoning commissions review will go from 30 days to 60 days for approval of an urban renewal plan. It will no longer be possible to expand the area of an urban renewal district. The plan may be updated provided the area of the district is not expanded, and there will be a limitation on the life of an agency to 20 years down from 24 years.

Armbruster said another bill addresses action by the agency for misconduct by a member. The agency will have authority by majority vote to remove any member for neglect of duty or misconduct in office. Currently this is a role of the city council. Vacancies by resignation or removal are filled by the agency: expiration of term vacancies are still the responsibility of city council. Armbruster replied to a concern expressed by Hardcastle and stated he believes proposals for amending the urban renewal legislation will return next year.

Armbruster noted another bill in the House will eliminate eminent domain to create a greenbelt. House Bill 281 creates amendments to public records laws. Micron is presenting a bill creating an exemption from public record laws for personal property since it believes it is inappropriate proprietary information. Some agencies relying heavily on personal property assessment for valuation could be impacted.

The meeting adjourned at 5:25 p.m.

Debra Petty, Recording Secretary