

IDAHO FALLS REDEVELOPMENT AGENCY

P.O. BOX 50220

IDAHO FALLS, ID 83405

September 19, 2019

Regular Meeting Minutes

Council Chambers

Call to Order: Lee Radford called the meeting to order at 12:00.

Members Present: Lee Radford, Kirk Larsen, Thomas Halley, Chris Harvey.

Members Absent: Brent Thompson, Teri Gazdik, Dave Radford.

Also Present: Kerry Beutler; Ryan Armbruster Esq. (via telephone); and interested citizens.

1. Modifications to Agenda: None.

2. Minutes August 15, 2019: Thoma Halley moved to approve the minutes for August 15, 2019, Kirk Larsen seconded the motion and it passed unanimously

3. Approval of Expenditures and Financial Report. Lee Radford presented the Finance Report dated September 19, 2019. The following bills were presented to be paid from the Snake River Revenue Allocation Fund: Rebecca Thompson, \$70.00 preparation of Minutes; Elam and Burke, \$3,238.90 for legal; Idaho Falls Downtown Development Corporation, \$57,570.65 (Streetscape), and \$80,198.00 (Parking Infrastructure); Clocktower, LLC., \$10,811.00 for Culver's improvement; Unitarian Universalist Church, \$1,200.00 for parking; City of Idaho Falls, \$44,480.00 for Administrative Services; JM Concrete \$5,550.00 for additional irrigation. The Following bills were presented to be paid from River Commons Revenue Allocation Fund: City of Idaho Falls, \$8,400.00 for Administrative Services. The Following bills were presented to be paid from the Pancheri Yellowstone Revenue Allocation Fund: Elam and Burke, \$60.00 for legal services; City of Idaho Falls, \$2,800.00 for Administrative Services. The Following Bills were presented to be paid from the Jackson Hole Junction Revenue Allocation Fund: Elam and Burke, \$40.00 for legal services.

Kirk Larsen asked if the Culvers improvement is finished. Mark Hagedorn indicated that it is a finished product and Brad has likely reviewed the bills. Kirk Larsen indicated that the project doesn't look finished. Beutler stated that Cramer did not give direction or indicate there was any outstanding things on the project. L. Radford suggested approving the Finance Report, but hold the check made payable to Clocktowers, LLC until Brad Cramer can authorize it.

Kirk Larsen moved to approve the Financial Report dated September 19, 2019, and hold the check to Clocktowers, LLC until Brad Cramer authorizes it. Chris Harvey seconded the motion and it passed unanimously.

4. Payment of Surplus Funds in the Snake River District to the Taxing Entities. Armbruster indicated that City Council has approved the Termination Ordinance and it needs to be published and then recorded. Armbruster stated that they are now ready to sign off on a letter to Bonneville County enclosing the final reconciliation of the amount to be disbursed which is \$1,380,000.00. Armbruster stated that the letter and check will be delivered to the County Clerk and then copies will be sent to all of the other taxing entities including Scott Hall, Deputy Prosecuting Attorney, Board of County Commissioners, Assessor, Treasurer, County Ambulance, County Road and Bridge, CEI, Idaho Falls School District #91, Flood Control District 1, and Fire District 1, as well as the Idaho State Tax

Commission. Armbruster stated that they are ready to move forward. Armbruster reminded the Commission that there is a reserved amount of \$150,000 for the project related to Dr. Lee's medical office and some modest reconciliation of dollars by virtue of when the accounts are being closed out.

L. Radford is excited to close out the District and return over \$1 million to the taxing entities.

Mark Hansen, County Treasurer. Hansen understands that a check or money wire will be sent to the County. Hansen questioned the details and breakdown of the funds and indicated the more detail provided would be helpful, including taxing districts that are involved.

Armbruster indicated that they have done the best to confirm with the appropriate records that the taxing districts listed are the ones that overlay this revenue allocation area, and they are listed.

Hansen indicated that they will get the check and look at the levies of the various taxing districts and then calculate by % of the whole. Hansen asked if it will be by check or wire.

Mark Hagedorn indicated that when they go to the bank and close out the account, leaving the remaining \$150,000 in the bank for Dr. Lee, then they will cut a check to the County and walk it to the Clerk's office. Hagedorn stated that they are happy to help with calculations.

L. Radford stated that this District has gone one for 28 years and it takes cooperation between the County Assessor, County Treasurer, and County Commissioners to work through the Districts. L. Radford stated that they continue to receive requests for funds, but they cannot make any more exceptions at this point and they are done with this District. L. Radford had some questions on the Streetscapes and wanted some information from Catherine Smith regarding the overages. Mark Hagedorn stated that there were overages with JM Concrete when they were running the irrigation lines due to the need to cut additional concrete and those overages will be paid from City Funds. Mark Hagedorn stated there was an overage on the Downtown presentation, however they stuck to the Contract with the Agency and will have to cover the overage.

Kirk Larsen moved to authorize Brad Cramer and Mark Hagedorn to complete the two transmittal letters and disburse the check to the County, Thomas Halley seconded the motion and it passed unanimously.

L. Radford suggested having an announcement when the check is delivered and divided so the public can know how much money was returned to the taxing entities.

5. Execution of Promissory Note for Eagle Ridge District. Beutler stated that the Developer with Eagle Ridge District has submitted invoices and receipts to this office for review and they have been reviewed and there is a spreadsheet breaking down the eligible costs that were submitted, totaling \$1.5 million and the maximum allowed under the OPA was \$1.7 million. Beutler stated that staff needs to begin the process of executing the promissory note and drawing up the documents to begin payments back to the Eagle Ridge District.

Armbruster stated that there was a Promissory Note attached to the agreement in 2015 and there have been some complications in terms of repayment of the Costs advance for planning. Armbruster stated that the purpose for today is to allow Mark Hagedorn, Brad Cramer, Kerry Beutler, and himself to prepare the note, fill in the blanks, and authorize the chair to sign the note.

L. Radford clarified that these costs were incurred several years ago. Beutler agreed that it has been awhile since the work was completed.

Kirk Larsen moved to authorize staff to prepare the Promissory Note and authorize Chair and Secretary to execute the note, Thomas Halley seconded the motion and it passed unanimously.

6. Execution of Promissory Note for Jackson Hole Junction. Armbruster stated that this agreement doesn't have a note, and everything is contained in the actual reimbursement agreement. Armbruster stated that they will prepare a form that will simply summarize the provisions in the agreement that sets out the maximum amount, the payment dates for the Agency, etc. Armbruster stated that the motion is to authorize Brad Cramer to move forward to prepare the form and have the form signed by the Chair. Armbruster stated that the note process is much more complicated and without an interest component there is no real reason to have a note as opposed to confirming the amount that will be repaid and confirming the payment date and percentage of the tax increment coming off the particular site.

Beutler stated there is a spreadsheet that was submitted with the invoices and receipts and the OPA not to exceed amount is \$4 million and they have submitted documentation for a total of eligible expenses of \$5.8 million.

Halley indicated that this will end what the Agency will participate in.

Larsen asked about the projects in the area.

Ryan Greigerson, Morgan Construction/Jackson Hole Junction. Greigerson stated that they have spent the last 1.5 years putting in improvements underground and above ground and landscaping is almost done. Greigerson stated that the roads, sidewalks, and bike path are in place. Greigerson stated that it appears that Stafford Smith is also improving his portion of South Fork Boulevard so they are hoping that will warrant the stop light in the future. Greigerson stated that the costs have been expended and the qualifying expenses are \$5.8 million. Greigerson stated that the hotel is under construction and has one more floor (total of 4) to finish construction and anticipate opening May (ish) 2020. Greigerson stated there is a medical building that is slated to start soon. Greigerson stated that they are in talks with a convenient store and a movie theater/entertainment user with preliminary conversations. Greigerson stated that they have talked with restaurant users which will fall in line if they can make the move theatre happen. Greigerson stated that it is moving slower than they would have hoped.

L. Radford stated that they are looking mid 2021 before any money comes in to start making payments.

Halley asked if they have moved all the dirt off the area. Greigerson indicated that there might be fill brought back in for each individual project.

Larsen asked who pays for the stoplight. Greigerson indicated it would be his company and Stafford Smith to split the costs and their responsibility to see that it gets taken care of. Greigerson is excited for the stop light and will make the development that much better.

L. Radford asked about the earth work and HK hauling dirt to another location that would benefit the new park. Greigerson stated that they agreed with the City to transport all of the excess rock materials that were blasted to the Heritage Park location. Greigerson stated that would create excess cost in hauling from Jackson Hole Junction to that site versus the original location and Greigerson is unsure if those numbers are part of the overall submission. Greigerson stated that there was less in material than originally estimated which was frustrating to the City.

Radford confirmed that the invoices have been reviewed. Beutler confirmed that that the invoices and eligible costs have been reviewed and are accurate.

L. Radford was concerned of the lack of Board Members present to vote and suggested postponing the vote. Armbruster stated that there is a quorum present so the majority of the quorum would be an appropriate action. L. Radford stated that he never agreed with this, but he will do what he is told. L. Radford stated that the basalt was \$820,000 which is the maximum of what he was willing to do, but that discussion was had already.

Thomas Halley moved to approve the authorization of the execution of the Promissory Note for the Jackson Hole Junction District, Chris Harvey seconded the motion. L. Radford called for roll call: Larsen, yes; Halley, yes; Harvey, yes; L. Radford, no. Motion passes 3-1.

7. Yellowstone Streetscape Upgrades.

Kent Fugal, City Public Works. Fugal passed out the current concept of the Yellowstone Streetscape including the proposed sidewalk in relation to the road. Fugal stated they looked at different options and conflicts with the power poles and this was determined to be the preferred option on the design. Fugal stated that since they put this concept together they've had discussions with Idaho Falls Power about putting the power underground and eliminating the power poles, which would allow the sidewalk to move closer to the street and lessen the encroachment to the private property and would also decrease the cost with the pavers. Fugal shows the proposed driveway locations. Fugal indicated they are proposing that the first property on the north will have one driveway directly off Yellowstone as that property also has access from the shared driveway to the west. Fugal stated there is a total of 4 driveways across the Berry Oil property, and the property to the south of Berry Oil will have one drive approach. Fugal passed out a cost estimate. Fugal stated that these are rough quantities because this is a rough design. Fugal stated that they are using quantities and amounts from recent bidding this year. Fugal stated that they have a bases bid of \$607,930.00 if it is built according to the concept drawing. Fugal stated that they estimate the relocation of the overhead power to underground would be approximately \$100,000 for a total of \$707,930.00, however if they did do underground power it would reduce the paver quantity. Fugal stated that since this is based on a very preliminary design they have tried to account for contingencies and added engineering cost for design and construction inspection for a grand total of \$884,912.50.

Harvey asked if there are Pacific Corp lines that would need to be coordinated. There are communication lines as well as Idaho Falls Power and they have agreed that they could put all lines in the same trench, and they are unsure if there is Rocky Mountain power on the line as well.

Larsen asked if they have talked to the landowners along Yellowstone. Fugal stated that they have had conversations and the right of way agent contacted them last year about the concept and what would be needed in terms of easement. Fugal stated that they have met with Matt Berry from Berry Oil who will be the most impacted by this project. Fugal stated they have discussed with Matt Berry driveway locations as he is not thrilled with the concept, and Matt Berry would like something that Fugal feels is too far of a departure from the Access Management standards. Fugal believes the concept as shown is a workable plan and there is room for tweaking. Larsen asked if there is need for easements. Fugal showed the existing right of way line and all the way along the project there would need to be a permanent easement for the sidewalk.

Harvey asked if the south end is still in the District and asked if there was clarification. Fugal stated that the right of way was in the District and once they looked closer it appeared that the District boundary did job around on the corner on the south side with the anticipation that there would be needed improvements. Fugal believes the improvements as illustrated are all within the District.

Radford asked about the Greenscape and what the green boxes on the illustration represent. Fugal stated that trees are the green boxes and the rest of the strip between the curb and sidewalk would be decorative pavers. Radford asked about the Access Management issue. Fugal indicated that BMPO Access Management Plan calls for accesses spaced 660' apart and that is unworkable with the existing uses. Fugal stated that they have attempted to arrive at Access spacing that is an improvement over what is out there today. Fugal stated that they are still providing reasonable access to the properties. Radford asked what the Berry Oil Company wanted for access. Fugal stated that the Berry's were hoping for one of the drive approaches to be 270' of continuous drive approach, and from a traffic safety standpoint that cannot happen. Fugal stated that the City standard is 40' on the driveway width, but in trying to accommodate the number of trucks going in and out of Berry Oil, they have agreed to let the driveways be 50' and the spacing of the driveways will be 150' between the driveways. Fugal stated that Berry Oil had 7 existing driveways and this concept will give them 4 with 50' drive approaches.

Matt Berry, Berry Oil. Berry stated that he did want a large access with the 100' trucks coming in and out and the large RVs. Berry stated that they had discussed having 100' spaces and not 150' spaces. Berry agrees that the 50' driveways will be fine. Berry asked if they could have extra space on one entrance. L. Radford asked about Berry Oil and the business and will this change impact his business. Berry stated that it will change the view of his property, as right now it looks like an old run-down industrial area and is a cattle trail from the Haven with very little lighting and his drivers have been hit on by prostitutes and he doesn't like that image. Berry stated that they have recently made their fueling station available for all public, not just commercial cards so that will change their traffic. Berry stated that their office is the offices for the wholesale division, and they park all their transports. Berry stated they do bulk oil that they sell out of the warehouse on the angling portion on the north side. Berry stated that the RV business is different and in the winter times it is pretty slow, but from March until October it is a parking fiasco taking care of RVs. Berry stated they are trying to mitigate some of the problem with the property they own on the backside and try to get the new owner to move the RVs to the back instead of having a traffic jam up front. Berry feels like they've paid money in for the District and they would like to see some improvements done in the District.

Radford commended Berry on his efforts in learning about redevelopment and giving input on the proposal. Berry stated that the proposal is fine, he only worries about the 50' space where the semi-trucks park because currently they come in and out in an order and have to back in with 7-8 semis stacked in. Berry believes if the curb is only 50' wide the first truck comes in the last guy would have to snake his way back through a 50' embankment and he is afraid the landscaping would get ruined by a truck trying to back in. Berry asked if they could take one entrance and make it 80' that is right by the sign pole.

Fugal stated that they are sensitive to Berry's needs and they could make a small allowance on one of the driveways and they can take an area that is concerned for off tracking they could do heavier pavers like what is on the truck aprons on the round-about that are intended to take the load. Radford asked if they were planning summer 2020 construction. Fugal agreed that they'd like to get the agreement in place so they can provide the services and get a bid over the winter so its ready for spring construction.

L. Radford wants to know if spending all the money the District has is going to increase the taxable value of the District and increase the property taxes for the community. L. Radford stated that there are good things in extending the pedestrian way and making the entrance into the City better. L. Radford is concerned that having this many cut-out will diminish what is trying to be accomplished and is the project really worth it. L. Radford would like more buy in from more members that are absent.

Kirk Larsen wanted time to study and have a committee. Kirk Larsen wants to make sure that long term this will make good sense.

Chris Harvey had similar concerns about the Broadway Streetscape and whether that would provide value from a property tax standpoint and he has been so impressed, and it was a terrific project and helped the area. Harvey is more bullish in the streetscape type improvements because of the Broadway. Harvey stated that this is an area that is a major thorough-fare and a big street and less desirable aspects to the area. Harvey stated that the meeting about this area he asked for them to look into the power line issue and appreciates the numbers for power line removal and the burying of those lines will improve the visual and reduce the pavers that are required. Chris Harvey is the committee for this project.

Halley asked if the improvements will make development happen. Halley stated that they haven't seen the development in the area that they had hoped for.

Matt Berry indicated that the other owners own everything in that area (Burggraaf and Walker). L. Radford believes this could get someone interested in the area but won't change the current business.

Halley stated that they either go ahead with this project or close the area. Armbruster stated that this District will begin to close out the Spring of 2020 and the funds will be available until September of 2020.

L. Radford wants to continue this issue until next month and have more input from other Board members.

Harvey asked if they were intending to have an October meeting. L. Radford asked Kent Fugal if the project was authorized in November if it would keep it on schedule. Fugal indicated it would make it tougher and they would like to get this bid as early in the winter as possible so they can get it going early in the construction season. Armbruster stated they can skip the November meeting and have the October meeting.

L. Radford asked Matt Berry if he could get more property owners interested in the project and voice their opinion to the Board. Berry stated that he'd talked to Lorin Walker and he hasn't showed to any of the meetings and Burggraaf's live in Salt Lake. Berry indicated he would reach out to the property owners and let them know when the next meeting is scheduled. L. Radford stated that even an email acknowledging the benefit to their property from the other property owners would help the Board in the analysis of this project. Berry confirmed that the next meeting will be October 17, 2019 at noon.

Chris Harvey moved to continue the action on the Yellowstone Streetscape Upgrades until the October 17, 2019 meeting, Thomas Halley seconded the motion and it passed unanimously.

8. Project Updates. L. Radford indicated that the Bonneville is moving along and they had talked about doing a memorial on the Bonneville for the former executive director, but it was not included in the contractors budget and it would be approximately \$3000 and there is a question of whether to go forward and use funds from another District to do that.

9. RAI and Legislative Update. Armbruster stated that RAI is having a meeting next Thursday and it has a large agenda and they are gearing up for Legislative Session. Armbruster will write an overview report for the October meeting.

Catherine Smith, IFDDC. Smith explained the overages on the corner projects. Smith explained that the Idaho Falls Downtown Development Board will cover the overages out of savings. Smith stated that the total budget for the corner project was \$320,000 and the total project cost was \$342,996.35 and the overages came as follows: \$8,750 in expenses for watering the trees to keep them alive while the project

was in motion as Parks and Recreations was not comfortable taking care of the trees until the project was complete, so IFDDC hired their landscaper to water the trees at the cost of \$100/time; The increase in steel boxes for the trees as \$50/piece and that accounted for \$2,850 of the overage; There was a \$2,000 expense for bark that was not figured in, but they identified that the tree wells would need to be filled so there was not a tripping hazard, and the landscaper came in with the material at cost and donated the labor to install he bark; There was \$5,500 in sand overage due to the varying depths of the planter boxes. Smith stated that without the watering they would have been \$14,000 over budget which is low considering the scope of the project and the complexity, and including the watering cost, there was a total over budget amount of \$22,900.

Next Regular Meeting: October 17, 2019

Thomas Halley moved to adjourn the meeting, Chris Harvey seconded the motion and it passed unanimously.

Respectfully Submitted: Beckie Thompson