

IDAHO FALLS REDEVELOPMENT AGENCY

P.O. BOX 50220

IDAHO FALLS, ID 83405

October 17, 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 Brent Thompson

Members Absent: Teri Gazdik, Dave Radford.

Also Present: Brad Cramer; Ryan Armbruster Esq. (via telephone); and interested citizens.

1. Modifications to Agenda: Cramer has an engagement letter for the audit from Rudd and Company that he received today. Cramer explained that since the Board will not meet in November there needs to be action taken on the engagement letter with Rudd and Company today so there is a need for a motion to amend the agenda to add the letter as an action item. Armbruster stated that the change in the statute in 2018 allows you to make the motion and add the item, but not act on the item, unless there is an “emergency” and a declaration needs to be referenced. Armbruster believes a motion to amend the agenda to add an action item to approve the engagement letter received from Rudd and Company today, because the audit needs to be completed by January 2020 and cannot wait until the next scheduled Board meeting to authorize the engagement.

Thomas Halley moved to accept the letter from Rudd and Company regarding the audit, and because of scheduling of future Board meetings there would not be time to deal with the matter at a later date, and so it meets the Idaho Code regarding an emergency, Kirk Larsen seconded the motion and it passed unanimously.

2. Minutes September 19, 2019: Kirk Larsen moved to approve the minutes for September 19, 2019, Chris Harvey seconded the motion and it passed unanimously

3. Approval of Expenditures and Financial Report. Lee Radford presented the Finance Report dated October 17, 2019. The following bills were presented to be paid from the River Commons Revenue Allocation Fund: Rebecca Thompson, \$70.00 for transcription of Minutes; Elam and Burke \$2,225.95 for legal; EICRMP \$2,336 for liability insurance; Redevelopment Association of Idaho \$2,650 for annual commitment. The Following Bills were presented to be paid from the Jackson Hole Junction Revenue Allocation Fund: Elam and Burke, \$140.00 for legal services.

Brent Thompson moved to approve the Financial Report dated October 17, 2019, Thomas Halley seconded the motion and it passed unanimously.

4. Yellowstone Streetscape Upgrades. Cramer indicated that they are trying to come to a resolution on design of the Streetscape and they have discussed width of driveways and whether there is support from other owners. Cramer stated that Berry Oil is present as well as Public Works.

Matt Berry, Berry Oil. Berry indicated that they had discussed the dilemma with their semi-trucks that are 95’ long and pulling in and out of a 50’ entrance. Berry explained and had a video of how the trucks come into the yard and park closest to the building. Berry indicated that he has cones set up at the 50’ between orange and green code and the truck cannot swing out far enough to get out of the property without clipping the front of the other truck. Berry indicated that the ability to turn at an angle puts you

into oncoming traffic without a lot of space. Berry stated that 80' entrance would accommodate the needs of Berry and the RV company.

Cramer explained that the 50' entrance is proposed, and Berry is asking for 80' entrance on one entrance.

Berry stated that the design currently proposes 4 50' entrances, and he is requesting 3 50' entrances and 1 80' entrance. Berry does not believe that the larger RV's towing vehicles as well as his semi-trucks will be functional using 50' driveways.

Larsen asked if there is much car (customer) traffic. Berry stated that there is a lot of car traffic. Berry indicated that they will be giving up some of their entrances.

Berry showed a video of how the trucks have to go into two lanes of traffic to back in.

Berry showed a picture of the entrances and the landscape.

L. Radford had Berry walk through his property and Lorin Walker is available to walk through his property. L. Radford indicated that they received letters from all 3 property owners.

Berry showed that it is a good idea to do the project. Berry stated that he believes that the projects that could be done, it will beautify the frontage of Yellowstone and make the City look better. L. Radford had Berry show the access points on this property currently. Larsen asked how big the current cuts are. Berry stated that they are 44' (south), and the large one is 120' without a curb, the rest are between 44' and 42'.

L. Radford wants the information of what it the project is going to look like, and he would like Public Works walking through the property.

Lorin Walker. Walker had some questions about continuing to the west. Cramer stated that the District does go to the west of the road, and it intentionally went to the west to build the road, and the main idea of the district was to get a road that came along the west end and curved along the end back towards Pancheri, but most of that is not controlled publicly. Cramer shows where the District ends on the south, but the area with Amcor is not included in the District. Walker asked about going west with road and sidewalk. Radford stated that no buildings were built to generate revenue, so the additional revenue is from the hotel and a small portion was used to build the hotel and the rest has been saved, but it is not enough to build the road. Walker asked if it is all a public road. Cramer indicated that there is private property and not much beyond Walker's property is public and is controlled privately. Walker stated that if there were sufficient funds, to do more than what is shown, and that entire area could eventually be refurbished and renewed, and it would show future intent. Walker stated that on Berry's property they are looking at one 80' curb cut and, in the future, it might make sense to have another 80' cut for other industrial uses to avoid running over landscaping.

L. Radford asked what is happening on Walker's piece for the proposal.

Public Works showed the proposed new driveways on Walker's property. Public Works stated that this has to get past ITD. Public Works stated that at a certain point they cannot sell it to ITD anymore.

L. Radford asked for the access to Berry. Public Works showed the access points on Berry Oil property. Public works showed it would have pavers with brush, or tree, or some type of landscaping. Public Works stated that the 3" pavers are sturdier to hold up to truck traffic. L. Radford asked if there are 3 entrances on Burggraaf property. Burggraaf is ok with two evenly spaced entrances on his property.

Walker stated that he has 209' of frontage on his property.

Thompson asked why they are being involved in the logistics of the 80' driveway and they are only wanting to look at whether it's a good investment. Thompson asked if Public Works cares if they go to 80'. Public Works stated that their policy and the City Engineer because of the truck traffic was willing to go to 50' because he didn't think ITD would sign off. Thompson stated they should ask ITD to get a blessing or condemnation and then go from there. Thompson stated that if ITD is ok then the City should be otherwise you are hindering existing business. L. Radford stated that it is not up to the Agency to decide the widths. L. Radford stated that once you get a certain width is there a purpose to make the changes and will it impede the business more than help. L. Radford stated that they need to decide what is best for taxpayers.

Halley stated that his thinking is as a City to make accommodation based on safety and ITD could take that into consideration for their approval. Halley stated that it is a safety question. Halley stated that something that is landscaped is attractive, but not at the expense of safety. Halley stated that if the area is safer it will be an attraction to the investors.

Larsen stated that if they are talking about trucks like a truck stop, what is ITD's comparison for that situation. Larsen stated that there might be another standard for large trucks to be applied.

Berry stated that the south entrance is shy of 50' because they have a larger swing but coming back out south, they don't have the angle coming back out. Berry stated that the left-hand turn will give you the swing needed to get into the 50' entrance. Berry had a driver with him to discuss the need for driveways.

L. Radford stated that he questions if the access points are that wide, does the landscaping actually make sense.

Cramer stated that they want to bid as soon as they can and build in the spring. Cramer stated that the last estimate was 600-700,000 which would spend the majority of the fund. Cramer stated that it is important to decide what they want to support. Cramer stated that the widths are part of the access management plan. L. Radford stated that whatever width is allowed do they want to put the money in.

Mayor Rebecca Casper. Casper stated that Public Works is considering applying for a TAP Grant through transportation. Casper stated that they have applied for TAP Grants and this location is being considered for the sight and will do sidewalk from Pancheri to a certain point south. Casper stated that they are looking at a safety point of view and toward Haven there are people walking where there is no sidewalk. Casper stated that if the Board is interested in partnering TAP looks kindly toward it. Casper is unsure when the grants come forward.

L. Radford asked about timing. Cramer stated that this District closes at the end of this year. Cramer stated that they have spending authority through September 30, 2020. Cramer stated that whatever isn't spent gets turned back to taxing entity.

Armbruster added that it is important to complete the project by September 30, 2020. Armbruster stated that they would need to have it in the bids by the first quarter to do the tentative closeout budget.

Thompson stated that Berry is are willing to give up 3 entrances in exchange for 4 and it is their mission to promote business in the actions they take. Thompson stated that accepting the reduction in the curb cuts will promote the business. Thompson stated that there is more benefit in looking at the reduction of entrances versus giving up 30' on one driveway. Thompson stated the first step is to get it accepted by ITD

Halley stated that they can get an estimate of what they will have next year so there might be more revenue than they think after revenues next year. Halley stated that this would be the top year of the revenue stream.

Armbruster stated that from timing and agreement there needs to be a commitment from the Agency to move forward with the city to approve or appropriate the amount for the project, and the form would be similar to the form on Broadway so they can continue to do the approval process.

L. Radford asked Public works if the 600,000 includes the underground. Public works stated that if the power doesn't go underground there will be 8' in the plant strip and an 8' walkway which is more than you'd need if the power goes underground. If power is underground you can go to 6' plant strip and 8' right walkway, but 100,000 is ballpark. L. Radford understood that the right of way would be given.

Cramer stated that they have discussed purchasing an easement.

Matt Berry stated that if he can't get 80' then he doesn't want anything.

L. Radford indicated that everyone still paid the same tax rate, and if the money was returned it goes to all the tax entities and people in this District did not pay more tax because of this District. Halley explained that it is kind of like a taxpayer savings account that is being leveraged for economic growth and valuing increase of what it would be without, so that is the increment increase. Berry thanked Radford and Halley for the clarification because he thought it was the people in the district that had paid the money in. L. Radford stated that an easier way to think of it, is all the taxes to pay the County and City, including Police, Fire, etc., and the 1.5% you'd pay for those things, you haven't for the last 10 years, instead that money went to this fund and that hurts the City because they didn't get the money for those things from the District. L. Radford stated that is why the question becomes is it better for them to let the money go back to the taxpayers who paid it or is it a better deal for the taxpayers that the money is used to enhance the area.

L. Radford agrees it would be great to have a sidewalk.

Harvey indicated that he is generally supportive of the project even if there is an 80' access into Berry. Harvey stated that if the sidewalk can look the way it is designed to look it would be great for the area. Harvey stated that if today they are only authorizing a not to exceed amount, he would propose that it be whatever is left in the Panchari/Yellowstone fund and would support putting the power lines underground as well with the project. Harvey stated that if they are authorizing a proposal and scope today that would be supported. Harvey stated that if they cannot get a proposal that works for the property owners, then that could be reconsidered at a future time.

Larsen believes they don't have enough information to say whether they think it is the right thing to do. Larsen believes it would be better to get things nailed down a little bit. L. Radford agreed that there is not enough information at this point to determine if Berry even wants the project or not. Larsen agreed that Berry makes a good point that if he cannot get the 80' then he'd rather not do it, and other Board members have questioned whether spending the money will generate economic development and if there isn't then it might be better put back to the tax base.

Thompson would hate to see the project hinder economic growth. Thompson wants to find the answer as the first step.

Halley stated there are a lot of variables including the whole area and it will be dependent upon what ITD says, but it is an entrance to the City and sometimes in areas where you invest for growth, there is risk,

but value and growth normally don't happen without risk, and if ITD can give an assurance that Berry can have the 80' access then the project should move forward.

Harvey stated that he had similar concerns with the Broadway improvements and questioned whether it would enhance the economic value of the area, and that has been very successful in beautifying the area and making it conducive to future development and has improved the property values in the area. Harvey stated that he would like to authorize the amount and then wait to receive proposals and specifics and then vote on those specifics.

L. Radford likes the sidewalk and thinks it would help but is wondering if once you cut that many access points will it do much good. L. Radford was disappointed when they did Yellowstone for the lack of landscaping and it wasn't a good expenditure. L. Radford stated that Burggraaf property and Walker property makes sense because it has a lot of landscape.

Harvey asked Armbruster what the motion needs to include. Armbruster stated at this point because it is in a very fluid state, the motion is to authorize Agency staff and Armbruster to continue to work with the City to prepare a draft construction agreement to bring back to the Agency and attempt to put in the agreement the conditions that have been discussed, including ITD agrees that the submittal is acceptable. Armbruster stated that if they Agency is not comfortable with the design then the agreement doesn't have to be agreed. Harvey asked if a number needs to be added to the agreement. Armbruster stated that there doesn't need to be a number specifically and that can be filled in when they are closer to knowing what the project will look like.

Chris Harvey moved to authorize Agency staff and legal counsel to move forward with preparing a proposal and agreement for the sidewalk improvements as discussed, Brent Thompson seconded the motion.

Larsen moved to amend the motion to include the stipulation that ITD approve the access points, Brent Thompson seconded the amended motion.

Cramer asked if the motion includes undergrounding the power.

Harvey amended the motion to include that the power would be undergrounded, Brent Thompson seconded the motion.

The motion as amended passed unanimously.

5. Memorial Plaque at Bonneville Hotel. Cramer stated that there is a question whether the Board feels comfortable expending monies for a plaque honoring Renee Magee out of fund from other Districts because the Snake River District is closed, but the plaque would be to honor her service to the Agency as a whole. Cramer stated the plaque would be approximately \$2500-\$3000 and The Housing Company doesn't have the budget for it.

L. Radford believes they could find people to donate, and it would take some effort to pull the money together. Halley believes they should get donations and contribute. Cramer stated that they have planned all along to have it located in the building so there is space, but Cramer was unsure of the lead time and will find out. Cramer stated that the challenge of the donations will be that it is supposed to be a secret if they are soliciting donations. L. Radford stated that they cannot do something as an Agency, but if people want to put it together that is a different situation. Thompson asked if they can do it with funds from other Districts. Armbruster stated that Renee's efforts went beyond the boundaries of the Snake River Area and it would be an appropriate contribution of the Agency and it can come out of a different project

area. Thompson believes that is the most straight forward route. L. Radford asked if they would take it from River Commons. Thompson suggested taking it from each District. Cramer stated that Jackson Hole Junction only has \$700 unallocated. L. Radford believes it would be River Commons and Pancheri Yellowstone. Larsen wants to support Renee but struggles with this idea. L. Radford believes its more of an honor if they do it with outside funds. Thompson stated that the logistics would be hard.

L. Radford determined that they would address the Memorial Plaque in a different way. Halley suggested he could set up a separate checking account and get donations. L. Radford stated they would talk about that privately.

9. Rudd & Company Audit Engagement Letter. L. Radford stated that the engagement letter is stating the audit will be \$7800 which is consistent with last year.

Larsen moved to accept the Engagement Letter from Rudd and Company, Brent Thompson seconded the motion and it passed unanimously.

10. RAI and Legislative Update. Armbruster stated that next Monday at 9:00 the Ad Hawk Committee on property taxes at the State House will have its first organizational meeting. Armbruster stated that there will be presentations from the Association of Idaho Cities, the Idaho Association of Counties, as well as the Tax Commission. Armbruster stated that the genesis is the concern of increased assessments, increased taxes that are being generated and received by local government.

Next Regular Meeting: December 19, 2019

Thomas Halley moved to adjourn the meeting, Kirk Larsen seconded the motion and it passed unanimously.

Respectfully Submitted: Beckie Thompson