

# Pocatello Development Authority

Board of Commissioners Meeting  
July 16, 2014 – 11:00 a.m.  
Paradise Conference Room

City of Pocatello  
911 North 7th Avenue  
Pocatello, Idaho 83205

An urban renewal agency for the City of Pocatello, Idaho

## 11:00 a.m.

Call to order by Ryan Ward, Chairman  
Acknowledge guests of the Board  
Disclosure of conflicts of interest  
Agenda; add or delete action or discussion items

## Action and Discussion Items:

### Agenda Item No. 1: Minutes.

Motion to approve and/or amend Minutes of May 21, 2014.

### Agenda Item No. 2: Financial Report.

Motion to approve and/or amend May and June 2014 Income and Expenses.

### Agenda Item No. 3: Payment Requests/Reimbursements.

Motion to approve payment to Idaho State Journal for publication fees incurred with the Notice of Hearing re: S. 5<sup>th</sup> Avenue URA in the amount of \$109.03.

### Agenda Item No. 4: Election.

Election to fill the unexpired commission seat previously held by Michael Orr. Said seat's term will expire May 1, 2015.

### Agenda Item No. 5: Positron Systems, Inc. Foreclosure Update by Attorney Craig Christensen.

Letter from Mr. Christensen, dated July 8, 2014, and Title Commitment attached.

### Agenda Item No. 6: Naval Ordnance District Update by John Regetz, Bannock Development Corp.

Swift's proposal for upgraded rail improvements at the Gateway West location.

### Items from staff:

### Items from Commission members:

### Upcoming Events:

*Should have  
brought plan*

Matters exist for discussion in an executive session as per I.C. §67-2345(1)(e)

*Motion: "I move that we enter into an executive session as per Idaho Code §67-2345(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the PDA may be in competition with other jurisdictions."*

**Adjourn.**

AGENDA ITEM

NO. 1

MINUTES

**POCATELLO DEVELOPMENT AUTHORITY MEETING MINUTES**  
**July 16, 2014**

**Members present:** Brian Blad, Larry Fisher, Michael Orr, Linda Tigert, John Regetz (ex officio), and Ryan Ward (Chair)

**Members absent:** Darlene Gerry, Cynthia Hill, and Russell Meyers

**Staff present:** Lonnie Crowell, Executive Director; Merrill Quayle, City Development Engineer; Dean Tranmer and Tiffany Olsen, City Legal Dept.; Joyce Stroschein and David Swindell, City Finance Dept.

**Chair Ryan Ward** called the meeting to order at 11:05 a.m.

Introductions, Conflicts, and Agenda: There were no guests in attendance, no conflicts with the Agenda items, nor were there any deletions to the Agenda. Board Commissioner Orr requested to add an agenda item to discuss the status of demolition on the former Albertson's building at Alameda/Yellowstone, an update on the Hoku matter, and the budget transfer money from the PDA to the City's General Fund.

**1. Action and Discussion Items:**

Agenda Item No. 1: Minutes. The Minutes of the regularly scheduled meeting of May 21, 2014 were reviewed. It was **MSC (B. Blad, L. Fisher)** to approve the Minutes as presented.

Agenda Item No. 2: Financial Report. **J. Stroschein** presented the Financial Report for the PDA for the months of May and June 2014. At the end of May, the Authority had cash on hand of \$7,799,248.35. The checking account balance was \$1,232,669.63, the savings account balance was \$4,245,574.04, and cash being held by Zions Trust amounted to \$2,321,004.68. The Authority recognized increased financial activity in the month of May as compared to April. The revenues totaled \$124,700 of which \$3,210 was interest earnings on cash invested and property taxes, and \$1,000 was payment received on the note receivable. The North Portneuf District received \$111,011 of the \$120,490 received in property tax revenue. Expenses for the month were limited to \$146.28 for lunch at the meeting and \$20,000 to Idaho Power for the Project Pipe Engineering Assessment and Construction Study. At the end of June, the Authority had cash on hand of \$7,940,770.28. The checking account balance was \$1,374,067.44, the savings account balance was \$4,245,678.73, and cash being held by Zions Trust amounted to \$2,321,024.11. The Authority recognized normal financial activity during the month of June receiving revenues totaling \$141,521 of which \$518 was interest earnings on cash invested and property taxes, and \$1,000 payment was on the note receivable. The North Yellowstone District received \$138,935 of the \$140,003 received in property tax revenue. There were no expenses during the month of June. Year to date revenues of \$1,055,300.81 are greater than expenses of \$253,741.37. The North Yellowstone District owns 67% of the net income amount of \$801,559.44. It was **MSC (B. Blad, L. Fisher)** to approve the Financial Report as presented.

Agenda Item No. 3: Payment Request/Reimbursements. **T. Olsen** presented a bill from the Idaho State Journal for payment in the amount of \$109.03 for the publication fees associated with the South 5<sup>th</sup> Avenue TIF Public Hearing. It was **MSC (B. Blad, L. Tigert)** to approve payment of \$109.03 to the Idaho State Journal.

Agenda Item No. 4: Election. Caroline Wight was nominated by the Mayor to fill the unexpired commission seat previously held by Michael Orr. It was **MSC (B. Blad, L. Fisher)** to fill the

unexpired commission seat with Caroline Wight. Her term as a Commissioner shall expire May 1, 2015.

Agenda Item No. 5: Positron Foreclosure Update by Attorney Craig Christensen. Mr. Christensen could not attend the PDA Meeting due to a conflicting Court date. At this time, Alliance Title has completed the Title Commitment and Christensen is in the process of scheduling a meeting with David Alexander (ISU's Attorney) to discuss an access issue to the property. However, several attempts via phone, email, text and personal visits to reach Mr. Alexander have all been unsuccessful. He will continue to proceed and provide updates as available.

Agenda Item No. 6: Naval Ordnance District Update by John Regetz, Bannock Development Corp: J. Regetz presented an email and proposal from Barbara Wischerath of Gateway West Industrial Center for improvements to the rail system at the Naval Ordnance Plant located within the Naval Ordnance Plant (NOP) TIF District. Said improvements are within the TIF District's Plan. The proposal is for the PDA to pay \$242,267.00 for upgrades, replacement of rail sections, and other improvements in order for the rail service to be usable by the Plant's existing tenants and be more marketable for future businesses. The work is to be performed by Balfour Beatty Rail, Inc. (BBR). Currently, the rail cars do not fit on the curved radii, rail widths, and there are several cross/switch upgrades that are necessary to improve the capabilities and function of the rail. To illustrate the problem, Regetz explained there was a derailment earlier in the month at this location due to the tight angles of the turns. There are two major businesses in the Plant that rely on the rail services, building no. 37 is occupied by Virginia Transformers and building no. 36 is occupied by ATCO, Inc. Regetz said there are leads for occupancy of buildings nos. 28 and 38. **D. Swindell** represented there are funds available for these improvements in the NOP TIF District. It was **MSC (M. Orr, B. Blad)** to reimburse Gateway West up to \$242,267.00 from the NOP District funds upon (1) verifying the rail work is completed (2) receiving qualified paid invoices from BBR; and (3) that in the event the Union Pacific Railroad would need the use of the rail system it would be able to navigate the rail system as designed by BBR. Direction was given to the Legal Department to prepare an Economic Grant Development Agreement in accordance with these terms and conditions.

Agenda Item No. 7: Status on Demolition of the former Albertson's Building (Alameda/Yellowstone): **M. Orr** inquired the status of demolition of the former Albertson's Building in which the developer was to provide L. Crowell an update for the PDA's next meeting. L. Crowell represented he wasn't aware he was supposed to contact the developer because the request to do so was not properly voted on. L. Crowell's update included that said Mountain States, the developer, is in the process of finalizing leases for the property and at that point Mountain States will give a demolition timeline. L. Crowell confirmed the easement for access issues have been resolved with Key Bank. It was **MSC (B. Blad, L. Tigert)** that L. Crowell shall contact the property owner/developer and receive in writing why the building has not been demolished and what the timeline is for demolition.

Agenda Item No. 8: Update on Hoku Matters: **M. Orr** inquired the status on the Hoku matters. **B. Blad** explained that JH Kelly is still working on marketing the location for a business to occupy. However, this marketing has not been fruitful and JH Kelly may end up dismantling the facility. **M. Orr** questioned the money mentioned in the last budget study session which was pledged to be transferred to the City's General Fund from the North Portneuf TIF District. **D. Swindell** explained there is currently approximately \$449,000 in the North Portneuf TIF District. The Plan authorized the TIF to reimburse the City for any expenditures (ex. \$1.3M spent on the Hoku land; monies spent for the Railroad Crossing, etc.) Also included in those expenditures is a loan from the City Sanitation Department for \$250,000. **D. Swindell** suggested perhaps it is time to cure that loan and pay the City Sanitation Department what it is owed. The remaining

\$200,000 could go to the City's General Fund to assist with the City's budget deficit or be available for economic development, whichever, but at the Council's decision. No action was taken by the Board since the Budget has yet to be approved by the City Council.

**2. Adjournment:**

There being no additional business and no matters for executive session, **it was MSC (M. Orr, L. Tigert)** to adjourn the meeting at 12:29 p.m.

By:   
\_\_\_\_\_  
Tiffany G. Olsen, Secretary

AGENDA ITEM

NO. 2

FINANCIAL

REPORTS

Pocatello Development Authority  
Balance Sheet by Class  
As of May 31, 2014

	<u>1-General Fund</u>	<u>2-Central Corridor</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordinance</u>	<u>6-North Portneuf</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>ASSETS</b>							
<b>Current Assets</b>							
<b>Checking/Savings</b>							
Checking Wells Fargo	113,298.96	204,083.16	56,358.67	297,732.09	449,350.53	111,846.22	1,232,669.63
Savings Wells Fargo	133,073.46	4,112,500.58	0.00	0.00	0.00	0.00	4,245,574.04
Zions 2004A Bnd Fnd 7110526A	0.00	0.00	0.97	0.00	0.00	0.00	0.97
Zions 2012 Bnd Fnd 7110526D	0.00	0.00	0.34	0.00	0.00	0.00	0.34
Zions Bnd Reserve Fnd 7110526B	0.00	0.00	677,517.99	0.00	0.00	0.00	677,517.99
Zions Rev Alloc Fnd 7110526	0.00	0.00	1,643,485.38	0.00	0.00	0.00	1,643,485.38
<b>Total Checking/Savings</b>	<b>246,372.42</b>	<b>4,316,583.74</b>	<b>2,377,363.35</b>	<b>297,732.09</b>	<b>449,350.53</b>	<b>111,846.22</b>	<b>7,799,248.35</b>
<b>Accounts Receivable</b>							
Notes Receivable	50,000.00	597,621.97	0.00	0.00	0.00	0.00	647,621.97
<b>Total Accounts Receivable</b>	<b>50,000.00</b>	<b>597,621.97</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>647,621.97</b>
<b>Other Current Assets</b>							
Accrued Interest Income	0.00	0.00	35.96	0.00	0.00	0.00	35.96
Property Tax Receivable	0.00	21,713.24	27,117.52	0.00	12,964.56	0.00	61,795.32
<b>Total Other Current Assets</b>	<b>0.00</b>	<b>21,713.24</b>	<b>27,153.48</b>	<b>0.00</b>	<b>12,964.56</b>	<b>0.00</b>	<b>61,831.28</b>
<b>Total Current Assets</b>	<b>296,372.42</b>	<b>4,935,918.95</b>	<b>2,404,516.83</b>	<b>297,732.09</b>	<b>462,315.09</b>	<b>111,846.22</b>	<b>8,508,701.60</b>
<b>TOTAL ASSETS</b>	<b>296,372.42</b>	<b>4,935,918.95</b>	<b>2,404,516.83</b>	<b>297,732.09</b>	<b>462,315.09</b>	<b>111,846.22</b>	<b>8,508,701.60</b>
<b>LIABILITIES &amp; EQUITY</b>							
<b>Liabilities</b>							
<b>Long Term Liabilities</b>							
Deferred Notes Receivable Rev	50,000.00	597,621.97	0.00	0.00	0.00	0.00	647,621.97
Deferred Tax Revenues	0.00	15,601.56	14,241.05	0.00	12,964.56	0.00	42,807.17
<b>Total Long Term Liabilities</b>	<b>50,000.00</b>	<b>613,223.53</b>	<b>14,241.05</b>	<b>0.00</b>	<b>12,964.56</b>	<b>0.00</b>	<b>690,429.14</b>
<b>Total Liabilities</b>	<b>50,000.00</b>	<b>613,223.53</b>	<b>14,241.05</b>	<b>0.00</b>	<b>12,964.56</b>	<b>0.00</b>	<b>690,429.14</b>
<b>Equity</b>							
Fund Balance	253,843.02	4,291,884.77	1,919,746.92	213,250.62	328,742.23	86,123.53	7,093,591.09
Opening Balance Equity	0.00	0.00	64,643.86	0.00	0.00	0.00	64,643.86
Net Income	-7,470.60	30,810.65	405,885.00	84,481.47	120,608.30	25,722.69	660,037.51
<b>Total Equity</b>	<b>246,372.42</b>	<b>4,322,695.42</b>	<b>2,390,275.78</b>	<b>297,732.09</b>	<b>449,350.53</b>	<b>111,846.22</b>	<b>7,818,272.46</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>296,372.42</b>	<b>4,935,918.95</b>	<b>2,404,516.83</b>	<b>297,732.09</b>	<b>462,315.09</b>	<b>111,846.22</b>	<b>8,508,701.60</b>

Pocatello Development Authority  
Profit & Loss by Class  
May 2014

	<u>1-General Fund</u>	<u>2-Central Corridor</u>	<u>3-North Yellowstone</u>	<u>6-North Portneuf</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>						
<b>Income</b>						
Interest Income	3.46	104.71	18.80	3,083.12	0.00	3,210.09
Loan Interest Income	0.00	174.50	0.00	0.00	0.00	174.50
Principal received on notes	0.00	825.50	0.00	0.00	0.00	825.50
Property Taxes	0.00	0.00	9,479.25	111,011.08	0.00	120,490.33
<b>Total Income</b>	<u>3.46</u>	<u>1,104.71</u>	<u>9,498.05</u>	<u>114,094.20</u>	<u>0.00</u>	<u>124,700.42</u>
<b>Gross Profit</b>	3.46	1,104.71	9,498.05	114,094.20	0.00	124,700.42
<b>Expense</b>						
Administrative	146.28	0.00	0.00	0.00	0.00	146.28
Professional Services						
Other Professional Services	0.00	0.00	0.00	0.00	20,000.00	20,000.00
<b>Total Professional Services</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,000.00</u>
<b>Total Expense</b>	<u>146.28</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>20,146.28</u>
<b>Net Ordinary Income</b>	<u>-142.82</u>	<u>1,104.71</u>	<u>9,498.05</u>	<u>114,094.20</u>	<u>-20,000.00</u>	<u>104,554.14</u>
<b>Net Income</b>	<u><u>-142.82</u></u>	<u><u>1,104.71</u></u>	<u><u>9,498.05</u></u>	<u><u>114,094.20</u></u>	<u><u>-20,000.00</u></u>	<u><u>104,554.14</u></u>

At month end the Authority had cash on hand of \$7,799,248.35. The checking account balance was \$1,232,669.63, the savings account balance was \$4,245,574.04, and cash being held by Zions Trust amounted to \$2,321,004.68

Pocatello Development Authority recognized increased financial activity during the month of May as compared to April. The Authority received revenues totaling \$124,700 of which \$3,210 was interest earnings on cash invested and property taxes, and \$1,000 was payment received on the note receivable. The North Portneuf District received \$111,011 of the \$120,490 received in property tax revenue.

Expenses for the month was limited to \$146.28 for lunch provided at the meeting and \$20,000 to Idaho Power for the Project Pipe Engineering Assessment and Construction Study.

Year to date revenues of \$913,778.88 (see page 3) are greater than expenses of \$253,741.37.  
North Yellowstone District owns 61.49% of the net income amount of \$660,037.51.

Pocatello Development Authority  
Profit & Loss by Class  
October 2013 through May 2014

	<u>1-General Fund</u>	<u>2-Central Corridor</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordinance</u>	<u>6-North Portneuf</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
Interest Income	27.06	820.80	245.29	0.00	3,083.12	0.00	4,176.27
Loan Interest Income	0.00	5,973.12	0.00	0.00	0.00	0.00	5,973.12
Principal received on notes	0.00	2,026.88	0.00	0.00	0.00	0.00	2,026.88
Property Taxes	0.00	21,989.85	621,883.42	84,481.47	117,525.18	55,722.69	901,602.61
<b>Total Income</b>	<u>27.06</u>	<u>30,810.65</u>	<u>622,128.71</u>	<u>84,481.47</u>	<u>120,608.30</u>	<u>55,722.69</u>	<u>913,778.88</u>
<b>Gross Profit</b>	27.06	30,810.65	622,128.71	84,481.47	120,608.30	55,722.69	913,778.88
<b>Expense</b>							
Administrative	1,597.66	0.00	0.00	0.00	0.00	0.00	1,597.66
Debt Service							
Interest	0.00	0.00	88,278.75	0.00	0.00	0.00	88,278.75
<b>Total Debt Service</b>	<u>0.00</u>	<u>0.00</u>	<u>88,278.75</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>88,278.75</u>
Dues and Memberships	1,750.00	0.00	0.00	0.00	0.00	0.00	1,750.00
Economic Grants Issued	0.00	0.00	122,014.96	0.00	0.00	0.00	122,014.96
Professional Services							
Engineering Services	0.00	0.00	0.00	0.00	0.00	8,500.00	8,500.00
Other Professional Services	4,150.00	0.00	5,950.00	0.00	0.00	21,500.00	31,600.00
<b>Total Professional Services</b>	<u>4,150.00</u>	<u>0.00</u>	<u>5,950.00</u>	<u>0.00</u>	<u>0.00</u>	<u>30,000.00</u>	<u>40,100.00</u>
<b>Total Expense</b>	<u>7,497.66</u>	<u>0.00</u>	<u>216,243.71</u>	<u>0.00</u>	<u>0.00</u>	<u>30,000.00</u>	<u>253,741.37</u>
<b>Net Ordinary Income</b>	<u>-7,470.60</u>	<u>30,810.65</u>	<u>405,885.00</u>	<u>84,481.47</u>	<u>120,608.30</u>	<u>25,722.69</u>	<u>660,037.51</u>
<b>Net Income</b>	<u><u>-7,470.60</u></u>	<u><u>30,810.65</u></u>	<u><u>405,885.00</u></u>	<u><u>84,481.47</u></u>	<u><u>120,608.30</u></u>	<u><u>25,722.69</u></u>	<u><u>660,037.51</u></u>

Pocatello Development Authority  
Balance Sheet by Class  
As of June 30, 2014

	<u>1-General Fund</u>	<u>2-Central Corridor</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordinance</u>	<u>6-North Portneuf</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>ASSETS</b>							
<b>Current Assets</b>							
<b>Checking/Savings</b>							
Checking Wells Fargo	113,298.96	206,545.41	195,294.23	297,732.09	449,350.53	111,846.22	1,374,067.44
Savings Wells Fargo	133,076.81	4,112,601.92	0.00	0.00	0.00	0.00	4,245,678.73
Zions 2004A Bnd Fnd 7110526A	0.00	0.00	0.97	0.00	0.00	0.00	0.97
Zions 2012 Bnd Fnd 7110526D	0.00	0.00	0.34	0.00	0.00	0.00	0.34
Zions Bnd Reserve Fnd 7110526B	0.00	0.00	677,523.66	0.00	0.00	0.00	677,523.66
Zions Rev Alloc Fnd 7110526	0.00	0.00	1,643,499.14	0.00	0.00	0.00	1,643,499.14
<b>Total Checking/Savings</b>	<u>246,375.77</u>	<u>4,319,147.33</u>	<u>2,516,318.34</u>	<u>297,732.09</u>	<u>449,350.53</u>	<u>111,846.22</u>	<u>7,940,770.28</u>
<b>Accounts Receivable</b>							
Notes Receivable	50,000.00	597,621.97	0.00	0.00	0.00	0.00	647,621.97
<b>Total Accounts Receivable</b>	<u>50,000.00</u>	<u>597,621.97</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>647,621.97</u>
<b>Other Current Assets</b>							
Accrued Interest Income	0.00	0.00	35.96	0.00	0.00	0.00	35.96
Property Tax Receivable	0.00	21,713.24	27,117.52	0.00	12,964.56	0.00	61,795.32
<b>Total Other Current Assets</b>	<u>0.00</u>	<u>21,713.24</u>	<u>27,153.48</u>	<u>0.00</u>	<u>12,964.56</u>	<u>0.00</u>	<u>61,831.28</u>
<b>Total Current Assets</b>	<u>296,375.77</u>	<u>4,938,482.54</u>	<u>2,543,471.82</u>	<u>297,732.09</u>	<u>462,315.09</u>	<u>111,846.22</u>	<u>8,650,223.53</u>
<b>TOTAL ASSETS</b>	<u>296,375.77</u>	<u>4,938,482.54</u>	<u>2,543,471.82</u>	<u>297,732.09</u>	<u>462,315.09</u>	<u>111,846.22</u>	<u>8,650,223.53</u>
<b>LIABILITIES &amp; EQUITY</b>							
<b>Liabilities</b>							
<b>Long Term Liabilities</b>							
Deferred Notes Receivable Rev	50,000.00	597,621.97	0.00	0.00	0.00	0.00	647,621.97
Deferred Tax Revenues	0.00	15,601.56	14,241.05	0.00	12,964.56	0.00	42,807.17
<b>Total Long Term Liabilities</b>	<u>50,000.00</u>	<u>613,223.53</u>	<u>14,241.05</u>	<u>0.00</u>	<u>12,964.56</u>	<u>0.00</u>	<u>690,429.14</u>
<b>Total Liabilities</b>	50,000.00	613,223.53	14,241.05	0.00	12,964.56	0.00	690,429.14
<b>Equity</b>							
Fund Balance	253,843.02	4,291,884.77	1,919,746.92	213,250.62	328,742.23	86,123.53	7,093,591.09
Opening Balance Equity	0.00	0.00	64,643.86	0.00	0.00	0.00	64,643.86
Net Income	-7,467.25	33,374.24	544,839.99	84,481.47	120,608.30	25,722.69	801,559.44
<b>Total Equity</b>	<u>246,375.77</u>	<u>4,325,259.01</u>	<u>2,529,230.77</u>	<u>297,732.09</u>	<u>449,350.53</u>	<u>111,846.22</u>	<u>7,959,794.39</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u>296,375.77</u>	<u>4,938,482.54</u>	<u>2,543,471.82</u>	<u>297,732.09</u>	<u>462,315.09</u>	<u>111,846.22</u>	<u>8,650,223.53</u>

Pocatello Development Authority  
**Profit & Loss by Class**

	June 2014			
	1-General Fund	2-Central Corridor	3-North Yellowstone	TOTAL
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest Income	3.35	495.53	19.43	518.31
Loan Interest Income	0.00	175.23	0.00	175.23
Principal received on notes	0.00	824.77	0.00	824.77
Property Taxes	0.00	1,068.06	138,935.56	140,003.62
<b>Total Income</b>	<u>3.35</u>	<u>2,563.59</u>	<u>138,954.99</u>	<u>141,521.93</u>
<b>Gross Profit</b>	<u>3.35</u>	<u>2,563.59</u>	<u>138,954.99</u>	<u>141,521.93</u>
<b>Net Ordinary Income</b>	<u>3.35</u>	<u>2,563.59</u>	<u>138,954.99</u>	<u>141,521.93</u>
<b>Net Income</b>	<u><u>3.35</u></u>	<u><u>2,563.59</u></u>	<u><u>138,954.99</u></u>	<u><u>141,521.93</u></u>

At month end the Authority had cash on hand of \$7,940,770.28. The checking account balance was \$1,374,067.44, the savings account balance was \$4,245,678.73, and cash being held by Zions Trust amounted to \$2,321,024.11.

Pocatello Development Authority recognized normal financial activity during the month of June . The Authority received revenues totaling \$141,521 of which \$518 was interest earnings on cash invested and property taxes, and \$1,000 was payment received on the note receivable. The North Yellowstone District received \$138,935 of the \$140,003 received in property tax revenue.

There were no expenses to report for the month of June.

Year to date revenues of \$1,055,300.81 (see page 3) are greater than expenses of \$253,741.37. North Yellowstone District owns 67% of the net income amount of \$801,559.44.

Pocatello Development Authority  
Profit & Loss by Class  
October 2013 through June 2014

	<u>1-General Fund</u>	<u>2-Central Corridor</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordinance</u>	<u>6-North Portneuf</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
Interest Income	30.41	1,316.33	264.72	0.00	3,083.12	0.00	4,694.58
Loan Interest Income	0.00	6,148.35	0.00	0.00	0.00	0.00	6,148.35
Principal received on notes	0.00	2,851.65	0.00	0.00	0.00	0.00	2,851.65
Property Taxes	0.00	23,057.91	760,818.98	84,481.47	117,525.18	55,722.69	1,041,606.23
<b>Total Income</b>	<u>30.41</u>	<u>33,374.24</u>	<u>761,083.70</u>	<u>84,481.47</u>	<u>120,608.30</u>	<u>55,722.69</u>	<u>1,055,300.81</u>
<b>Gross Profit</b>	30.41	33,374.24	761,083.70	84,481.47	120,608.30	55,722.69	1,055,300.81
<b>Expense</b>							
Administrative	1,597.66	0.00	0.00	0.00	0.00	0.00	1,597.66
Debt Service							
Interest	0.00	0.00	88,278.75	0.00	0.00	0.00	88,278.75
<b>Total Debt Service</b>	<u>0.00</u>	<u>0.00</u>	<u>88,278.75</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>88,278.75</u>
Dues and Memberships	1,750.00	0.00	0.00	0.00	0.00	0.00	1,750.00
Economic Grants Issued	0.00	0.00	122,014.96	0.00	0.00	0.00	122,014.96
Professional Services							
Engineering Services	0.00	0.00	0.00	0.00	0.00	8,500.00	8,500.00
Other Professional Services	4,150.00	0.00	5,950.00	0.00	0.00	21,500.00	31,600.00
<b>Total Professional Services</b>	<u>4,150.00</u>	<u>0.00</u>	<u>5,950.00</u>	<u>0.00</u>	<u>0.00</u>	<u>30,000.00</u>	<u>40,100.00</u>
<b>Total Expense</b>	<u>7,497.66</u>	<u>0.00</u>	<u>216,243.71</u>	<u>0.00</u>	<u>0.00</u>	<u>30,000.00</u>	<u>253,741.37</u>
<b>Net Ordinary Income</b>	<u>-7,467.25</u>	<u>33,374.24</u>	<u>544,839.99</u>	<u>84,481.47</u>	<u>120,608.30</u>	<u>25,722.69</u>	<u>801,559.44</u>
<b>Net Income</b>	<u><u>-7,467.25</u></u>	<u><u>33,374.24</u></u>	<u><u>544,839.99</u></u>	<u><u>84,481.47</u></u>	<u><u>120,608.30</u></u>	<u><u>25,722.69</u></u>	<u><u>801,559.44</u></u>

AGENDA ITEM

NO. 3

**IDAHO STATE PUBLISHING**

PO BOX 431  
POCATELLO ID 83204

(208) 232-4161

Fax(208) 233-1642

Advertising Invoice

1  Billing Period 07/2014		2  Advertiser/Client Name CITY OF POCATELLO	
23  Total Amount Due 109.03		*Unapplied Amount	3  Terms of Payment
21  Current Net Amount Due N/A		22  30 Days N/A	60 Days N/A
			Over 90 Days N/A
4  Page Number 1	5  Billing Date 07/02/14	6  Billed Account Number 835013	7  Advertiser/Client Number 104660

8  Billed Account Name and Address CITY OF POCATELLO P.O. BOX 4169 POCATELLO ID 83201		Amount Paid:  Comments:	
--	--	-------------------------------	--

Please Return Upper Portion With Payment

10  Date	11  Newspaper Reference	12 13 14  Description-Other Comments/Charges	15  SAU Size 16  Billed Units	17  Times Run 18  Rate	19  Gross Amount	20  Net Amount
07/02/14	1122247 L2	NOTICE OF PUBLIC HEARIN 07/02 ISJ <i>PDA S 5th Ave Urban Renewal Area</i>	2X 82.00 164.00	1 85.28	109.03	109.03
<p><b>VOID</b></p> <p>VENDOR # <u>679</u> DATE <u>7-3-14</u></p> <p>ACCT. # _____</p> <p>PROJ. # _____</p> <p>AMOUNT \$ <u>109.03</u></p> <p>DEPT. APPR _____</p> <p>BUDGET APPR _____</p> <p>GROUP # _____ TRANS # _____</p> <p><i>PDA Expense</i></p>						

**Statement of Account - Aging of Past Due Amounts**

Due date: 07/17/14

21  Current Net Amount Due	22  30 Days	60 Days	Over 90 Days	*Unapplied Amount	23  Total Amount Due
N/A	N/A	N/A	N/A		109.03

**IDAHO STATE PUBLISHING**

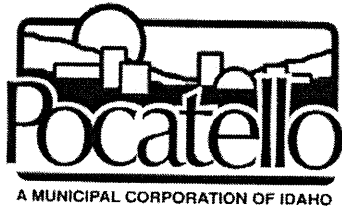
(208) 232-4161

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice Number		25  Advertiser Information			
1  Billing Period	6  Billed Account Number	7  Advertiser/Client Number	2  Advertiser/Client Name		
835013	07/2014	104660	104660	CITY OF POCATELLO	

# AGENDA ITEM

NO. 4



OFFICE OF THE MAYOR  
911 North 7th Avenue  
P. O. Box 4169  
Pocatello, Idaho 83205-4169  
  
(208) 234-6163  
Fax: (208) 234-6297  
www.pocatello.us

BRIAN C. BLAD  
Mayor

Pocatello City Council:  
  
STEVE BROWN  
CRAIG COOPER  
W. JAMES JOHNSTON  
GARY MOORE  
EVA JOHNSON NYE  
MICHAEL L. ORR

---

June 3, 2014

**MEMORANDUM**

TO: Pocatello Development Authority Chair, Executive Director & Secretary

FROM: Anne Nichols, CAP-OM  
Assistant to the Mayor

SUBJECT: Advisory Board Appointment

The deadline has passed for applications to fill the vacancy on the Pocatello Development Authority (PDA). After reviewing the applications we received, Mayor Blad is recommending the following individual to fill the vacancy: Caroline Wight.

After reviewing the attached applications and the Mayor's recommendation, let me know if you agree with the Mayor's recommendation. If you have a different recommendation or concern about the Mayor's recommendation, please let us know. The Mayor would appreciate knowing the reasons why you are recommending a different applicant.

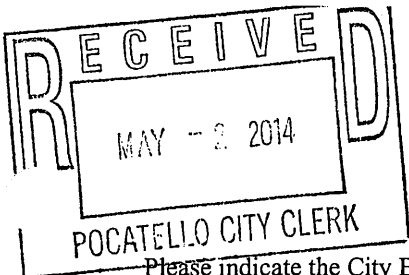
Once the final applicant is selected, the PDA Board should schedule a vote to approve the applicant at your next available meeting. As you know, mid-term vacancies are confirmed by the Board rather than the City Council per State Code 50-2006(b)(2). Following such a vote, our office will send a letter of appointment.

You can reach me at 234-6163 if you have any questions.

Attachment

cc: City Council Members

AN EQUAL OPPORTUNITY EMPLOYER  
VETERAN'S PREFERENCE



APPLICATION FOR PROSPECTIVE BOARD MEMBERS

Date: 5/2/14

Please indicate the City Board, Commission, or Committee to which you are applying:

Pocatello Development Authority

Name Caroline Wight

Address (Home) 405 S. 7th Ave Pocatello 83201

(Business) 2720 Bannock Highway Pocatello 83204

Phone Number 240-0184 226-2531 Years resided in city of Pocatello? ~ 27

Occupation/Title Teacher (American Falls High School) E-Mail caroliner@sd381.k12.id.us

Educational Background Bachelor's degree in Political Science from

University of Notre Dame, Teacher Certification ISU, TESOL Certificate ISU, Master's in Secondary Education Dec. 2014 from ISU

Please list your talents, skills or expertise that you feel would be useful to the board for which you are applying. Please check where applicable.

- Financial Skills [ ] Legal Skills [ ] Community Relations Skills [x]
Planning Skills [x] Evaluation Skills [x] Legislative/Political Skills [x]
Other Skills [x] Please describe Spanish-speaking

Approximately how many hours per month would you be able to spend on board activities? as needed

Are you willing to do fundraising, if applicable? Yes [x] No [ ]

Have you served on any other City Boards? Yes [ ] No [x] If yes, which board(s)?

More on back

Please list community contacts or affiliations which might relate to your role as a board member. Husband Corey Wight - Owner, Sand Trap

Bar Restaurant Catering, Government, ESL & Senior Project

Teacher @ American Falls High School where I work with

Mayor Marc Beitia (Joe Reams (father) former owner of Brennan Construction, Deb Reams (mother) owner, Mustard Seed Dreams in Old Town

Please state briefly why you would like to serve on the board and how your skills might make a positive contribution to the board. As a business owner (Sand Trap), teacher, and mother I want to see

Pocatello grow. In American Falls I work primarily with the Hispanic population, and my understanding of their growing population

should be considered in any city planning stages. Also my family & I spend lots of time on local trails, and I believe Pocatello's

Applications may be hand-delivered to the Mayor's Office at 911 North 7th Avenue, faxed to 234-6297, mailed to: Mayor's Office, City of Pocatello, P.O. Box 4169, 83205-4169 or e-mailed to anichols@pocatello.us.

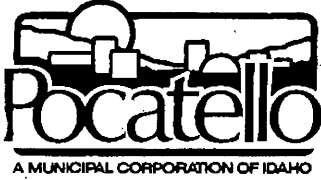
\*Note: You may also attach a letter with additional information if you desire.

recreation opportunities are world class and need to be capitalized.

Contacts & Affiliations

Pedal Feet Board Member (Husband)

Theresa Marchetti - Regulatory Compliance  
(mother-in-law) Manager, Benmore County Manager



OFFICE OF THE MAYOR  
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P.O. Box 4169  
Pocatello, Idaho 83205  
  
(208) 234-6163  
Fax: (208) 234-6297  
www.pocatello.us

BRIAN C. BLAD  
Mayor

Pocatello City Council:  
  
STEVE BROWN  
CRAIG COOPER  
W. JAMES JOHNSTON  
GARY MOORE  
EVA JOHNSON NYE  
MICHAEL L. ORR

July 22, 2014

Caroline Wight  
405 S. 7<sup>th</sup> Avenue  
Pocatello, Idaho 83201

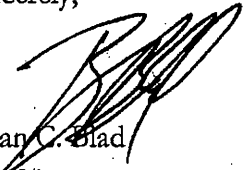
Dear Ms. Wight:

The Pocatello Development Authority Board of Directors (PDA) confirmed your appointment to the board at their July 16, 2014 meeting. Your term begins July 17, 2014 and will expire May 1, 2015.

Meetings are held at 11:00 a.m. on the third Wednesday of each month in the Paradise Conference Room, 911 North 7th Avenue. Tiffany Olsen serves as the secretary for PDA. Please feel free to call her at 234-6149 if you have any questions or need additional information.

We appreciate your interest in serving our community as a member of the Pocatello Development Authority. Thank you for helping to make Pocatello a great place to live.

Sincerely,

  
Brian C. Blad  
Mayor

/kg

Enclosures

cc: Anne Nichols, Assistant to the Mayor  
Lon Crowell, Executive Director  
Tiffany Olsen, Committee Secretary  
Ryan Ward, Committee Chair



OFFICE OF THE MAYOR  
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BRIAN C. BLAD  
Mayor

Pocatello City Council:

STEVE BROWN  
CRAIG COOPER  
W. JAMES JOHNSTON  
GARY MOORE  
EVA JOHNSON NYE  
MICHAEL L. ORR

July 22, 2014

Michael W. Seibert  
1665 Pocatello Creek Road  
Pocatello, Idaho 83201

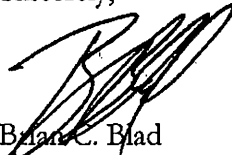
Dear Mr. Seibert:

We received your application as a prospective board member for the Pocatello Development Authority Board of Directors. After a lengthy review process, I regret to inform you that you were not selected as a member of the Board.

The selection process was very difficult, as all candidates were well qualified. However, due to your interest and the quality of your application, your name will be kept on file for one year in case of a resignation or other unanticipated occurrence. You are also welcome to reapply after your current application expires in April 2015.

Thank you for your civic spirit and willingness to become involved in City government.

Sincerely,



Brian C. Blad  
Mayor

/kg

cc: Anne Nichols, Assistant to the Mayor  
Lon Crowell, Executive Director  
Tiffany Olsen, Committee Secretary  
Ryan Ward, Committee Chair



OFFICE OF THE MAYOR  
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BRIAN C. BLAD  
Mayor

Pocatello City Council:

STEVE BROWN  
CRAIG COOPER  
W. JAMES JOHNSTON  
GARY MOORE  
EVA JOHNSON NYE  
MICHAEL L. ORR

July 22, 2014

Karl Pettit  
2327 Bruce Street  
Pocatello, Idaho 83201

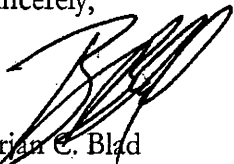
Dear Mr. Pettit:

We received your application as a prospective board member for the Pocatello Development Authority Board of Directors. After a lengthy review process, I regret to inform you that you were not selected as a member of the Board.

The selection process was very difficult, as all candidates were well qualified. However, due to your interest and the quality of your application, your name will be kept on file for one year in case of a resignation or other unanticipated occurrence. You are also welcome to reapply after your current application expires in December 2014.

Thank you for your civic spirit and willingness to become involved in City government.

Sincerely,



Brian C. Blad  
Mayor

/kg

cc: Anne Nichols, Assistant to the Mayor  
Lon Crowell, Executive Director  
Tiffany Olsen, Committee Secretary  
Ryan Ward, Committee Chair

## Olsen, Tiffany

---

**From:** Nichols, Anne  
**Sent:** Tuesday, June 03, 2014 11:37 AM  
**To:** Ryan Ward; Crowell, Lonnie; Olsen, Tiffany  
**Cc:** \_City.Council  
**Subject:** RE: PDA - recommendation

I forgot to mention. . . The Mayor met with Ms. Wight as he was concerned that she works in American Falls. She indicated that should she be appointed she plans to take the day off to make sure she is available for meetings. She has also discussed this with her supervisor who has approved.

Anne

---

**From:** Nichols, Anne  
**Sent:** Tuesday, June 03, 2014 11:36 AM  
**To:** Ryan Ward; Crowell, Lonnie; Olsen, Tiffany  
**Cc:** \_City.Council  
**Subject:** PDA - recommendation

Anne Nichols, CAP-OM  
Assistant to the Mayor



City of Pocatello, Idaho  
P. O. Box 4169  
Pocatello, Idaho 83205-4169  
(208) 234.6163  
(208) 234.6297 FAX

APPLICATION FOR PROSPECTIVE BOARD MEMBERS

Date: January 6, 013

Please indicate the City Board, Commission, or Committee to which you are applying:

Pocatello Development Authority

Name Karl Pettit

Address (Home) 2327 Bruce Street Pocatello 83201
Street City Zip Code

(Business) Street/Mailing Address City Zip Code

Phone Number 637-0260 232-6305 Years resided in city of Pocatello? 12 1/2
Home Business

Occupation/Title Pastor of Worship/Arts E-Mail karl@fbcpoky.com

Educational Background some college

Please list your talents, skills or expertise that you feel would be useful to the board for which you are applying. Please check where applicable.

Financial Skills [ ] Legal Skills [ ] Community Relations Skills [x]
Planning Skills [x] Evaluation Skills [x] Legislative/Political Skills [ ]
Other Skills [ ] Please describe

Approximately how many hours per month would you be able to spend on board activities? 5 -8

Are you willing to do fundraising, if applicable? Yes [x] No [ ]

Have you served on any other City Boards? Yes [ ] No [x] If yes, which board(s)?

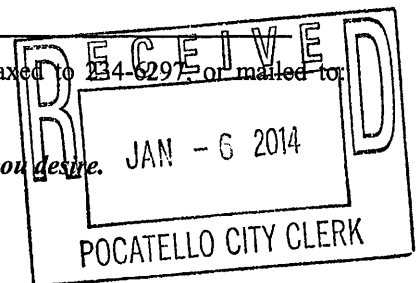
Please list community contacts or affiliations which might relate to your role as a board member.

First Baptist Church, Idaho Foodbank

Please state briefly why you would like to serve on the board and how your skills might make a positive contribution to the board. I am very interested/concerned with the development of our community and the lifestyle that we can offer to our citizens. I have many years in the retail business and leadership side of business that I believe can help shape this aspect of this great city. Additionally, I spend a lot of time talking and listening to business leaders about the state of business, where they are, what they need, etc. and believe that information can help create an exciting, viable future for Pocatello.

Applications may be hand-delivered to the Mayor's Office at 911 North 7th Avenue, faxed to 234-6297 or mailed to Mayor's Office, City of Pocatello, P.O. Box 4169, 83205-4169.

\*Note: You may also attach a letter with additional information if you desire.



APPLICATION FOR PROSPECTIVE BOARD MEMBERS

Date: April 28, 2014

Please indicate the City Board, Commission, or Committee to which you are applying:

POCATELLO DEVELOPMENT AUTHORITY

Name MICHAEL W. SEIBERT

Address (Home) 1665 POCATELLO CREEK ROAD POCATELLO, IDAHO 83201
Street City Zip Code

(Business) 1665 POCATELLO CREEK ROAD POCATELLO, IDAHO 83201
Street/Mailing Address City Zip Code

Phone Number 208-233-1665 208-681-4472 Years resided in city of Pocatello? 67
Home Business

Occupation/Title OWNER OPERATOR OUTBACK GOLF PARK; RETIRED QWEST-MANAGER

Email outbackgolf@cableone.com

Educational Background Associate of Technology - ISU
See Attached Professional Experience

Please list your talents, skills or expertise that you feel would be useful to the board for which you are applying. Please check where applicable.

Financial Skills [X] Legal Skills [ ] Community Relations Skills [X]
Planning Skills [X] Evaluation Skills [X] Legislative/Political Skills [ ]
Other Skills [X] Please describe EXCELLENT KNOWLEDGE OF OUR CITY OPERATIONS,

IDAHO URBAN RENEWAL CODES, REVENUE ALLOCATION AREAS, AND TIF PROCEDURES.

Approximately how many hours per month would you be able to spend on board activities? 20

Are you willing to do fundraising, if applicable? Yes [X] No [ ]

Have you served on any other City Boards? Yes [X] No [ ] If yes, which board(s)?

EIGHT YEARS OF SERVICE ON THE COMMUNITY DEVELOPMENT COMMISSION (PLANNING & ZONING)

Please list community contacts or affiliations which might relate to your role as a board member.

MATT HUNTER (CHAMBER) NORMAN HILL (CHAMBER)
STEPHANIE PALAGI (OLD TOWN)

Please state briefly why you would like to serve on the board and how your skills might make a positive contribution to the board. UTILIZE MY PLANNING AND ALTERNATIVE EVALUATION SKILLS TO BROADEN AND DIVERSIFY POCATELLO'S ECONOMIC BASE AND TO ASSIST WITH LONG TERM DEVELOPMENT OBJECTIVES OF OUR COMMUNITY.

Applications may be returned to the Mayor's Office at 911 North 7th Avenue, faxed to 234-6297, or mailed to: Mayor's Office, City of Pocatello, P.O. Box 4169, 83205-4169.

## PROFESSIONAL EXPERIENCE

### OUTBACK GOLF PARK

DESIGNED – CONSTRUCTED - OWNER OPERATOR

1996 – PRESENT

### QWEST COMMUNICATIONS

EASTERN IDAHO ENGINEER & PROJECT LEADER WIRE CENTER SALES

2000 -2002 (RETIRED)

### US S WEST COMMUNICATION

LEAD ENGINEER MANAGER NETWORK TECHNICAL SERVICES

1995 – 2000

### U S WEST COMMUNICATIONS

MANAGER EASTERN IDAHO NETWORK PLANNING AND ENGINEERING SERVICES

1994 – 1995

### U S WEST COMMUNICATIONS

MANAGER EASTERN IDAHO FACILITIES PLANNING & DESIGN

1984 - 1994

### MOUNTAIN BELL TELEPHONE CO.

ECONOMIC PLANNING AND BUDGET ADMINISTRATION SE IDAHO

1970 - 1984

AGENDA ITEM

NO. 5

CRAIG W. CHRISTENSEN, CHARTERED

414 SOUTH GARFIELD  
P.O. BOX 130  
POCATELLO, IDAHO 83204-0130  
Telephone: (208) 234-9353

Facsimile: (208) 234-9357

E-Mail: cwcc@ida.net

*Craig W. Christensen*  
*Attorney at Law*

*Admitted in Idaho and Utah*  
*Certified by the American*  
*Board of Certification*

July 8, 2014



Tiffany G. Olsen  
Paralegal/Assistant to the City Attorney  
City of Pocatello  
P. O. Box 4169  
Pocatello, ID 83205

Re: Pocatello Development Authority - Positron Systems,  
Inc./ISU

Dear Tiffany:

Pursuant to my e-mail sent to you today, enclosed herewith for your review, please find a copy of the Title Commitment and the plat maps which I have received from Alliance Title.

Best regards.

Sincerely,

A handwritten signature in cursive script that reads "Craig".

Craig W. Christensen

CWC:jh

CRAIG W. CHRISTENSEN, CHARTERED

414 SOUTH GARFIELD  
P.O. BOX 130  
POCATELLO, IDAHO 83204-0130  
Telephone: (208) 234-9353

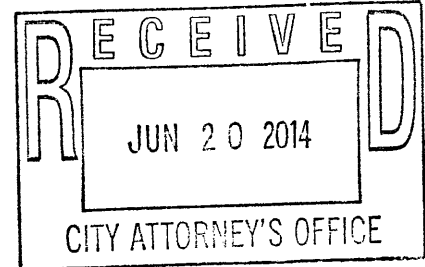
Facsimile: (208) 234-9357

E-Mail: cwcc@ida.net

*Craig W. Christensen  
Attorney at Law*

*Admitted in Idaho & Utah  
Certified by the American  
Board of Certification*

June 19, 2014



Kirk Bybee  
City of Pocatello  
P. O. Box 4169  
Pocatello, ID 83205

Re: City of Pocatello - Positron

Dear Kirk:

On June 11, 2014, Curtice Smith of Alliance Title provided to me the preliminary commitment for foreclosure. There are some issues and questions as to the taxes and a vesting deed. Curtice and I are in the process of putting together a meeting to discuss the concerns raised by the preliminary commitment.

One of the concerns is that the parties to be insured must acknowledge they have read paragraph 10 to Schedule B and that the title insurance policy, when issued, will not insure against the lack of a right of access to and from the land. Paragraph 10 specifically delineates the exception with regard to access.

The title company has reviewed the unrecorded lease and its terms but still feels comfortable with moving forward with the non-judicial foreclosure and its ability to issue a title policy at the conclusion of the proceeding.

As soon as Curtice and I have had an opportunity to visit and discuss the issues, I will advise.

Best regards.

Sincerely,

Dictated by Mr. Christensen and  
mailed without signature in his  
absence to avoid delay.

Craig W. Christensen

CWC:jh  
cc: Ryan Ward

## Olsen, Tiffany

---

**From:** Craig W. Christensen Chartered <cwcc@ida.net>  
**Sent:** Tuesday, July 08, 2014 3:17 PM  
**To:** Olsen, Tiffany  
**Subject:** RE: PDA Update - Positron

Tiffany

I have a trial scheduled in Boise on July 16, 17 and 18 so will be unable to attend the meeting. I met with Curtice Smith of Alliance Title on July 1, 2014 to review the underlying loan documentation and the status of the title insurance commitment. He provided to me plat maps showing the building and its location. It is obvious from the title commitment that there is no access to the facility other than through lands also owned by Idaho State University. By separate letter, I am forwarding to you copies of the plat maps and the title commitment.

Mr. Smith has requested that I supplement the initial information pertaining to the status of the loan in order to provide more up-to-date information as to the default and basis for the non-judicial foreclosure proceeding. I have made several attempts during the last few weeks to contact David Alexander, counsel for ISU, by telephone, e-mail, text message, and through stopping at his office so that we can further discuss the position of ISU as to a right-of-way to the building; however, I have been unsuccessful in speaking with him or meeting with him. Today I was able to speak with David Bagley, who also does work for ISU, regarding the access issue and the possibility of some type of a right-of-way agreement. I also left a message on the answering machine at Mr. Alexander's office at ISU and requested that they contact me so that we can schedule a specific date and time to meet to discuss the issue as to access. As soon as we have ISU on board, Curtice and I will initiate the non-judicial foreclosure proceeding.

I hope this will give the information you need to provide to the board.

aig

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**From:** Olsen, Tiffany [mailto:tolsen@pocatello.us]  
**Sent:** Monday, July 07, 2014 11:37 AM  
**To:** 'Craig W. Christensen Chartered'  
**Subject:** PDA Update - Positron

Good Morning Mr. Christensen:

I am in the process of preparing the PDA's Agenda for July 16<sup>th</sup>. I see in your email to Kirk dated June 11, you were hoping to commence proceedings by the end of June. Would you like to attend our meeting and give a formal update to the Board? In the event you cannot attend, can you provide your status in writing and I can incorporate the same into our Agenda packet materials?

I look forward to hearing from you soon.

Thank you,  
Tiffany Olsen  
PDA Secretary

*Tiffany G. Olsen*  
Paralegal/Assistant to the City Attorney  
City of Pocatello  
1 North 7th, P.O. Box 4169  
Pocatello, ID 83205  
Telephone: (208) 234-6149

## Olsen, Tiffany

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**From:** Bybee, Kirk  
**Sent:** Friday, June 13, 2014 2:56 PM  
**To:** Olsen, Tiffany; Sampson, Lynette  
**Subject:** FW: Positron

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**From:** Craig W. Christensen [mailto:cwcc@ida.net]  
**Sent:** Wednesday, June 11, 2014 8:02 PM  
**To:** Bybee, Kirk  
**Cc:** 'Craig W. Christensen Chartered'; Janie Harris  
**Subject:** Positron

Kirk, good evening. Today I was provided with a copy of the Alliance Title Company preliminary title commitment needed to initiate the non-judicial foreclosure sale of the subject real property. Curtice and I are going to get together next week to finalize the background documentation and facts and coordinate the foreclosure proceedings. There are a number of requirements with which we will need to satisfy in order to coordinate and finalize the non-judicial foreclosure sale. There still appears to be a question of "access" to the real property. I will keep you advised. I think we will be able to finalize and commence proceedings by the end of next week. I will forward a copy of the e-mail and attached commitment to you for your review and incorporation of terms into your analysis. Hope all is going well! I will talk to you soon.

Craig

## Olsen, Tiffany

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**From:** Bybee, Kirk  
**Sent:** Friday, June 13, 2014 2:56 PM  
**To:** Olsen, Tiffany  
**Cc:** Sampson, Lynette  
**Subject:** FW: 232351: NNA Alvin Ricken Road, Pocatello, ID 83201: Pocatello Development Authority, an urban renewal agency formed under the laws of the State of Idaho: Commitment  
**Attachments:** Commitment 2006 For Foreclosure\_Snapshot\_3.pdf

-----Original Message-----

**From:** Craig W. Christensen [mailto:cwcc@ida.net]  
**Sent:** Wednesday, June 11, 2014 8:13 PM  
**To:** Bybee, Kirk  
**Cc:** 'Craig W. Christensen Chartered'; Janie Harris  
**Subject:** FW: 232351: NNA Alvin Ricken Road, Pocatello, ID 83201: Pocatello Development Authority, an urban renewal agency formed under the laws of the State of Idaho: Commitment

Kirk, I am forwarding to you the Curtice Smith e-mail and attached commitment for your review. Have a great week!  
Craig

--Original Message-----

**From:** Curtice Smith [mailto:curtice\_smith@alliancetitle.com]  
**Sent:** Wednesday, June 11, 2014 12:47 PM  
**To:** Craig W. Christensen, Craig W. Christensen, CHTD  
**Subject:** 232351: NNA Alvin Ricken Road, Pocatello, ID 83201: Pocatello Development Authority, an urban renewal agency formed under the laws of the State of Idaho: Commitment

Hi Craig,

Attached is the preliminary commitment for file number 232351 to base the Non-Judicial foreclosure on. At your convenience, let's get together and review what I have found, as well as to finish filling out the default information sheet for our Boise office. I have hyperlinked the following items within the commitment so that you may pull up actual copies of the documents:

- Taxes
- Vesting deed
- Map
- Homeowners Association Covenants, Conditions, and Restrictions (CCRs) – if applicable

To access these additional documents, open the commitment and click on the hyperlinks which are in blue font and underlined for easy identification.

Thank you for the opportunity to serve you. Your business is appreciated!

Curtice Smith | Title Department Manager | Alliance Title & Escrow Corp.  
2350 Via Caporatti Drive | Pocatello, ID | 83201

.is message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited.

Customer Reference No.  
Underwriter: Chicago Title Insurance Company

## ALTA Plain Language Commitment Form

### INFORMATION

The Title Insurance Commitment is a legal contract between you and the Company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

*Note: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.*

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT. YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, contact your title officer, Curtice Smith

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### TABLE OF CONTENTS

AGREEMENT TO ISSUE POLICY

SCHEDULE A

1. Commitment Date
2. Policies to be Issued, Amounts and Proposed Insureds
3. Interest in the Land and Owner
4. Description of the Land

SCHEDULE B-I -- REQUIREMENTS

SCHEDULE B-II -- EXCEPTIONS

CONDITIONS

Customer Reference No.  
Underwriter: Chicago Title Insurance Company

## TITLE INSURANCE COMMITMENT

BY

Chicago Title Insurance Company

### AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of the Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-I.

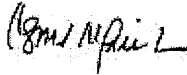
The Exceptions in Schedule B-II.

The Conditions.

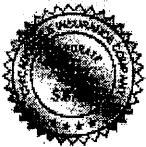
This Commitment is not valid without SCHEDULE A and Sections I and II of SCHEDULE B.

CHICAGO TITLE INSURANCE COMPANY

By:



President



By: 

Secretary

Issued by: Alliance Title & Escrow Corp.

By: 

Authorized signer

Customer Reference No.  
Underwriter: Chicago Title Insurance Company

**SCHEDULE A**

Order No.: 232351  
Your Reference No.:  
Loan No.:

1. Commitment date: May 29, 2014 at 7:30 A.M.

2. Policy or Policies to be issued:

(a) ALTA Owner's Policy  Standard Coverage  Extended Coverage  
(6-17-06)

Amount: \$400,000.00  
Premium: \$1,574.00

Proposed Insured:

**Pocatello Development Authority, an urban renewal agency formed under the laws of the State of Idaho**

(b) ALTA Loan Policy  Standard Coverage  Extended Coverage  
(6-17-06)

Amount:  
Premium: \$0.00

**Endorsements:**

Proposed Insured:

3. LEASEHOLD interest in the Land described in this Commitment is owned, at the Commitment Date, by:

**Positron Systems, Inc.**

4. The Land referred to in this Commitment is described as follows:

**A parcel of land located in the Southwest ¼ of Section 30, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, described as follows:**

**Commencing at the West ¼ of Section 30, being marked by a Bannock County Monument as indicated in the Corner Perpetuation and Filing record instrument number 575624,  
Thence South 89°26'48" East, along the Latitudinal centerline to the West 1/16 corner on the Latitudinal centerline being marked by a Bannock County Monument as indicated in the Corner Perpetuation and Filing record instrument number 97015769, a distance of 1181.84 feet;  
Thence continuing along the Latitudinal centerline South 89°26'48" East a distance of 999.50 feet;  
Thence South 00°33'12" West a distance of 207.06 feet to the TRUE POINT OF BEGINNING**

**Thence South 54°44'09" East a distance of 157.32 feet;  
Thence North 40°39'21" East a distance of 55.59 feet;**

Customer Reference No.

Underwriter: Chicago Title Insurance Company

**Thence North  $33^{\circ}35'57''$  West a distance of 144.21 feet;**

**Thence South  $54^{\circ}27'51''$  West a distance of 80.64 feet;**

**Thence South  $38^{\circ}02'24''$  West a distance of 31.22 feet to the TRUE POINT OF BEGINNING**

Customer Reference No.  
Underwriter: Chicago Title Insurance Company

## SCHEDULE B - SECTION I

### REQUIREMENTS

In order to foreclose the Deed of Trust recorded as Instrument no 20409858 in the records of Bannock County, ID, the following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Documents satisfactory to us creating the interest in the Land and/or the Mortgage to be insured must be signed, delivered and recorded.
- d. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the Land or who will make a loan on the Land. We may then make additional requirements or exceptions.
- e. The provisions of Title 45, Chapter 15 of the Idaho Code must be strictly followed when foreclosing a Deed of Trust including, but not limited to, personal service of the notice of sale on occupants of the property and proper mailing, publication, and posting of the notice as required by statute.

Our review of the public records reveals that the following persons or entities are entitled to receive a copy of the notice of sale in accordance with the statutory requirements:

PDA Director  
c/o City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

Idaho State University  
c/o Ken Prolo, Financial Vice President  
Campus Box 8410  
Pocatello, ID 83209

Positron Systems, Inc.  
c/o Steve Bolen, President  
6151 N. Discovery Way  
Boise, ID 83713

Pioneer Title Company of Bannock County  
135 N Arthur Ave  
Pocatello, ID, US, 83204

Customer Reference No.

Underwriter: Chicago Title Insurance Company

- f. If there is a federal tax lien against the estate or interest covered herein, or a federal tax lien attaches to the estate or interest at least thirty (30) days prior to the scheduled sale date, written notice of the sale must be given to the District Director of the Internal Revenue Service in accordance with the Federal Tax Lien Act of 1966, as amended.
- g. With respect to the Servicemember's Civil Relief Act (108 P.L. 189; 117 Stat. 2835; 2003 Enacted H.R. 100) you must provide the Company with either an affidavit of non-military service or a written waiver from the servicemember who is entitled to the protection of the act.
- h. The parties to be insured herein must acknowledge that they have read Paragraph 10, Schedule B; and that the title insurance policy, when issued will not insure against the lack of a right of access to and from the land.

Customer Reference No.

Underwriter: Chicago Title Insurance Company

Note No. 1: Upon completion of the foreclosure process, the following exception will appear in the policy, if issued:

“The right of any interested party to sue or to petition to have set aside or modify or to contest the foreclosure sale and deed pursuant thereto or deed-in-lieu thereof, through which title to the land described herein is derived.”

Note No. 2: If a federal tax lien is shown in Schedule B – Section 2, or if a federal tax lien is shown in any date down to this commitment the following exception will appear as an exception in any policy issued following the completion of a non-judicial foreclosure sale of a Deed of Trust or other lien against the land:

“The right of the United States to redeem the Land within 120 days from the date of the Trustee’s Sale, held on the date shown below as provided for under the Federal Tax Lien Act of 1966, as amended”

Note No. 3: As of the date hereof there are no matters against Pocatello Development Authority, an urban renewal agency formed under the laws of the State of Idaho which would appear as exceptions in the policy to issue, except as shown herein.

Note No. 4: We find the following activity regarding transfer of title to subject property:

Deed :

Grantor: Bannock County

Grantee: Idaho State College of Pocatello

Recorded: May 11, 1948

Instrument No.: Book 103 Page 171

Note No. 5: Taxes, including any assessments collected therewith, for the year shown below:

Amount: \$0.00

Year: 2013

Parcel No.: RPCPP111005

Taxes include the following exemptions: None

Note No. 6: In the event this transaction fails to close and this commitment is cancelled a fee will be charged complying with the state insurance code.

Note No. 7: According to the available County Assessor's Office records, the purported address of said land is:

NNA Alvin Ricken Road, Pocatello, ID 83201

Note No. 8: We would like to take this opportunity to thank you for your business, and inform you that your Title Officer is Curtice Smith, whose direct line is (208) 232-6163, and your Escrow Officer is , whose direct line is .

**A copy of our Privacy Policy is available on our website at [www.alliancetitle.com/About/Privacy-Policy](http://www.alliancetitle.com/About/Privacy-Policy) or via email, or paper format upon request. Please contact your Title Officer if you would like to request a copy of our Privacy Policy.**

Customer Reference No.  
Underwriter: Chicago Title Insurance Company

## SCHEDULE B - SECTION II

### EXCEPTIONS

**Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.**

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Taxes, including any assessments collected therewith, for the year 2014 which are a lien not yet due and payable.
8. An easement for the purpose shown below and rights incidental thereto as set forth in document:  
Granted To: Intermountain Gas Company  
Purpose: Public Utilities  
Recorded: January 27, 1958  
Instrument No.: 329067
9. All minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.
10. Notwithstanding Paragraph 4 of the covered risks of this policy, this policy does not insure against loss arising by reason of any lack of a right of access to and from the land.
11. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein:  
Lessor: Idaho State University  
Lessee: Positron Systems, Inc.  
Disclosed by: Deed of Trust  
Recorded: May 12, 2004  
Instrument No.: 20409858
12. A Deed of Trust to secure an indebtedness in the amount shown below.  
Amount: \$400,000.00  
Trustor/Grantor: Positron Systems, Inc.  
Trustee: Pioneer Title Company  
Beneficiary: Pocatello Development Authority  
Dated: March 25, 2004  
Recorded: May 12, 2004  
Instrument No.: 20409858

**END OF SCHEDULE B**

## CONDITIONS

### 1. DEFINITIONS

(a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting your title according to the state statutes where your land is located.

### 2. LATER DEFECTS

The Exceptions in Schedule B - Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attach between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B - Section I are met. We shall have no liability to you because of this amendment.

### 3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

### 4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

Comply with the Requirements shown in Schedule B - Section I

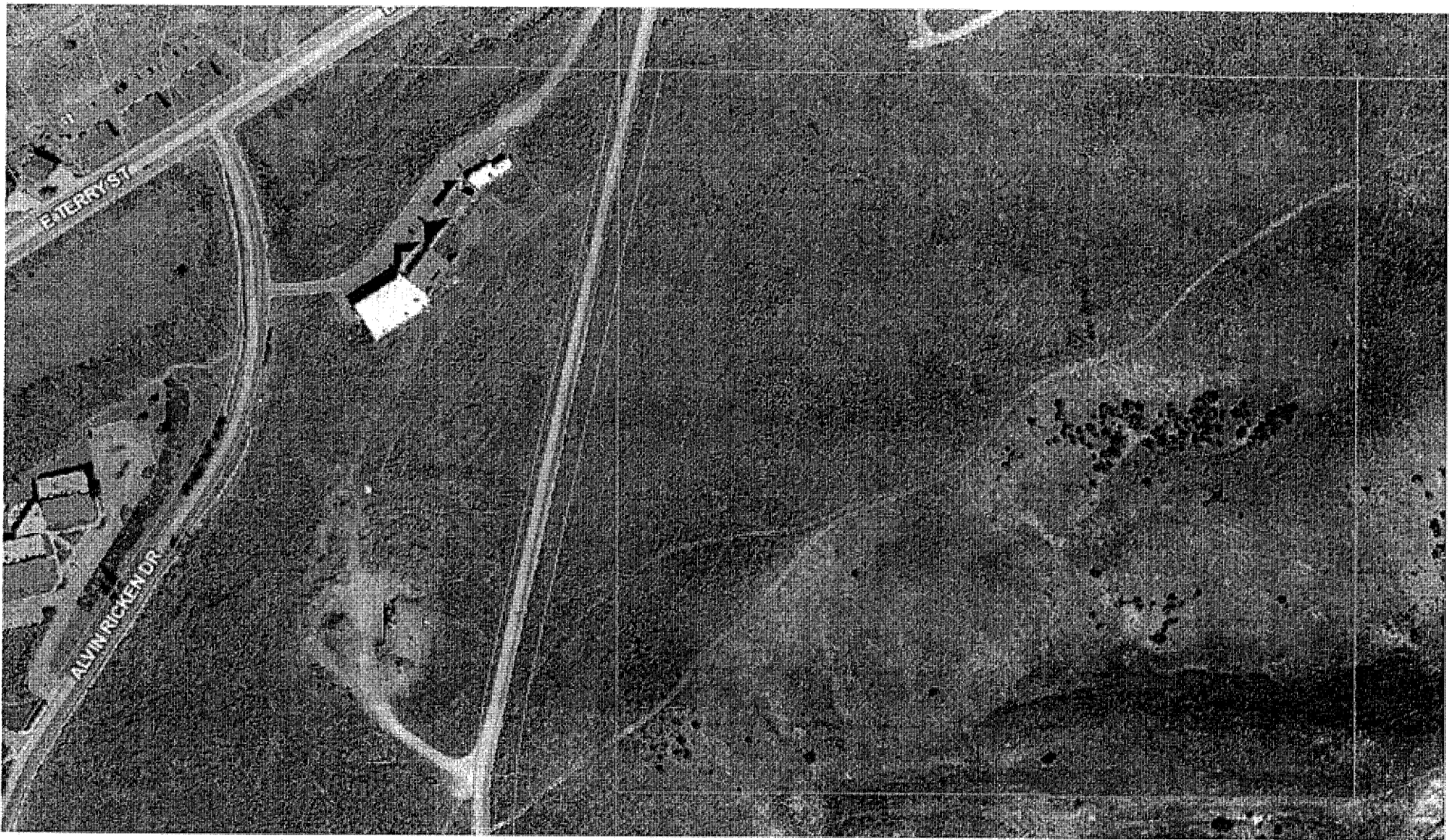
or

Eliminate with our written consent any Exceptions shown in Schedule B - Section II.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

### 5. CLAIMS MUST BE BASED ON THIS COMMITMENT

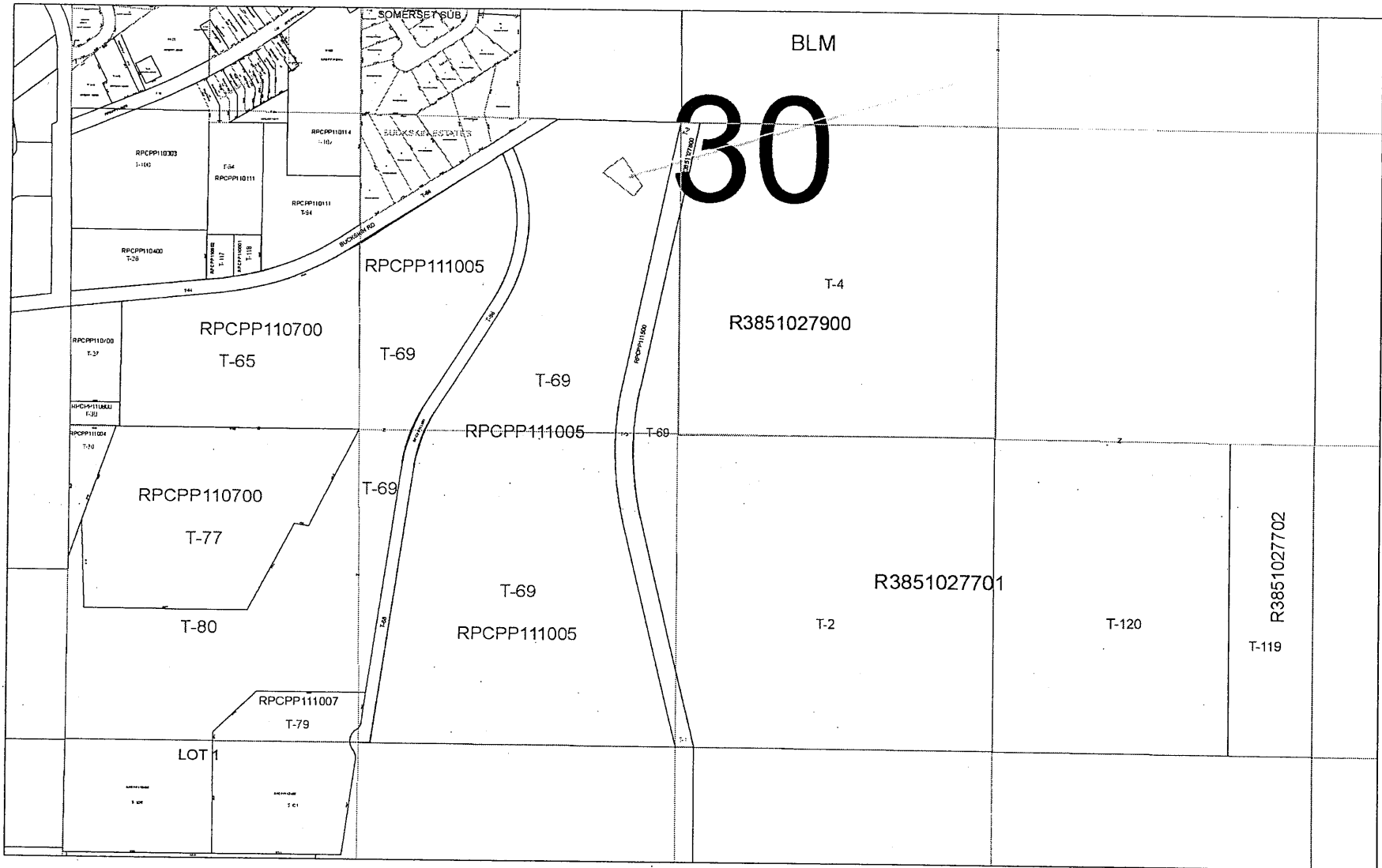
Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.



  
**ALLIANCE**  
TITLE & ESCROW CORP.

**NNA Alvin Ricken Road  
Pocatello, ID 83201**

THIS MAP IS FURNISHED AS AN ACCOMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF

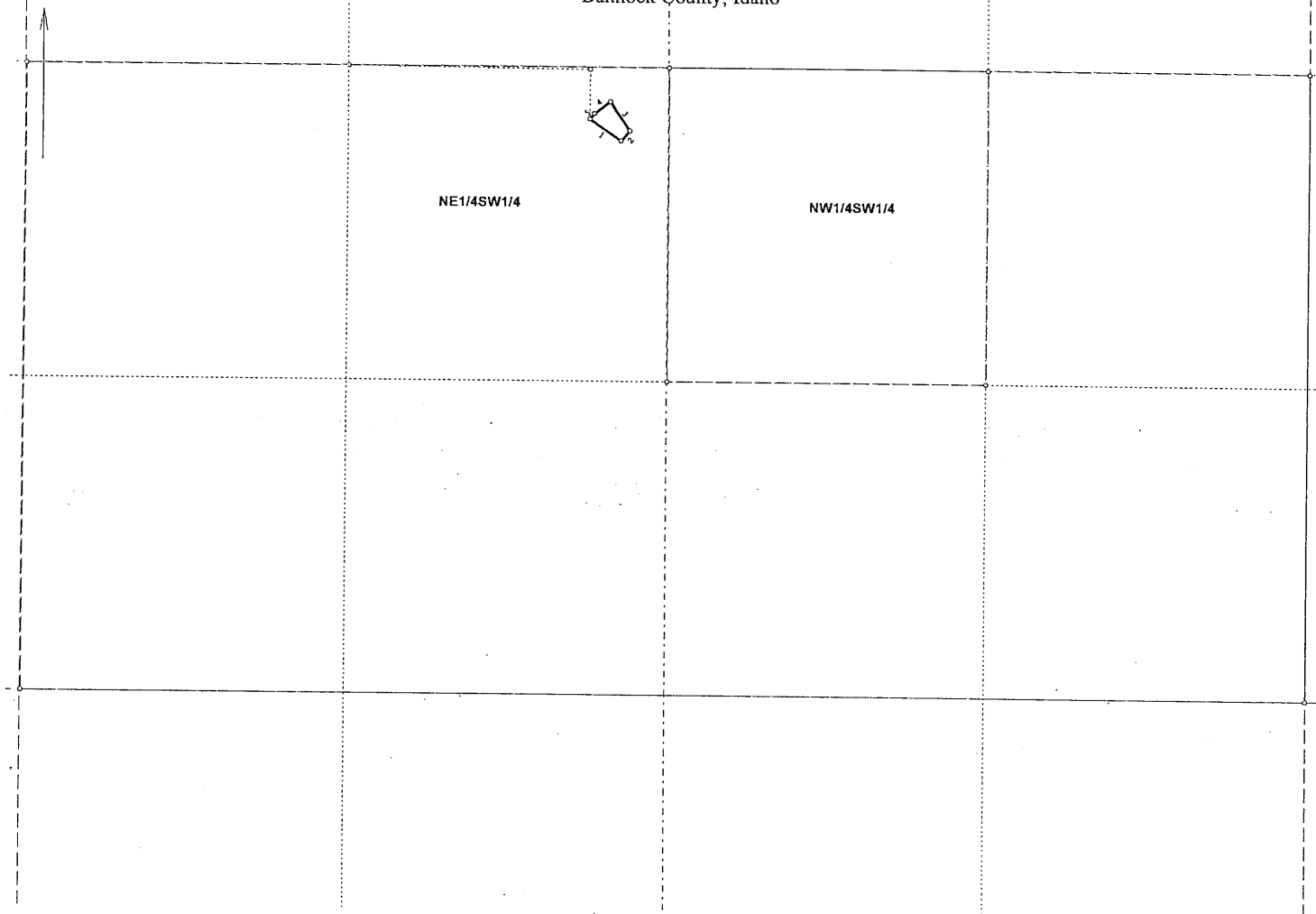


**ALLIANCE**  
TITLE & ESCROW CORP.

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South 1/2 of Section 30, Township 6 South, Range 35 East  
Bannock County, Idaho



**ALLIANCE**  
TITLE & ESCROW CORP.

**NNA Alvin Ricken Road  
Pocatello, ID 83201**

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**NW1/4SW1/4**



**ALLIANCE**  
TITLE & ESCROW CORP.

**NNA Alvin Ricken Road  
Pocatello, ID 83201**

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# AGENDA ITEM

NO. 6

**From:** "Mike Hansen" <MHansen@BBIIUS.COM>  
**To:** swiftproperties@optonline.net  
**Cc:** "Charles Hubbard" <CHubbard@BBIIUS.COM>  
**Date:** 06/12/2014 07:32:06 PM  
**Subject:** Gateway West proposal  
**Attachments:** image001.jpg (5KE), image002.jpg (4KB),  
BBR Proposal Gateway West 6-11-4.pdf (227KB)

Earl

BBR is pleased to submit the following proposal for rail upgrades at your Pocatello facility. If you have any questions please feel free to contact me at your convenience.

Kind Regards,

**Mike Hansen**

**Area Operations Manager**

**Balfour Beatty Rail.**

**mhansen@bbiius.com**

**(801) 557-2642 Mobile**

**(801) 532-4322 Office**

**(801) 532-3924 Fax**

**Balfour Beatty**

**Rail**

A Division of Balfour Beatty Infrastructure Inc.

**ZERO HARM**  
MAKE SAFETY PERSONAL

**ZERO HARM | Make Safety Personal**

 Please consider the environment before printing this e-mail

Pocatello ID. 83201

RE: 2014 Rail Upgrades

Balfour Beatty Rail (BBR) is pleased to submit the following proposal for new track construction at your Pocatello ID. facility. BBR will supply all necessary labor, equipment, parcel material and supervision to complete the following:

**Scope of work**

**Surfacing, 5,700 TF**

- BBR will surface line, regulate consisting of a 2 inch lift to remove surface deviations perform any QAQC behind surfacing set on finished track .  
Lump sum Cost: \$ 15,675.00 (\$2.75 per track ft.)

**Surfacing, Turnout: 10 ea.**

- BBR will surface line, regulate Turnouts consisting of a 1 inch lift to remove surface deviations perform any QAQC behind surfacing set on finished track .  
Lump sum Cost \$ 25,000.00 (\$2,500.00 ea.)

**Ballast Placement 1000 Tons**

- BBR will install owner supplied ballast track and Turnout surfacing from a designated stock pile accessible by rail for distribution.  
Lump sum Cost \$ 6,750.00(\$6.75 per ton)

**Crosstie Replacement 800 ea.**

- BBR will remove and replace defective crosstie reinstall tie plates and spike to industry standards reinstall rail anchors. BBR will provide new 7x9x8 hardwood IG crossties and all required spike.  
Lump sum Cost: \$95,600.00 (\$119.50ea.)

**Switch Timber Replacement 158 ea.**

- BBR will remove and replace defective switch timbers reinstall tie plates and spike to industry standards reinstall rail anchors. BBR will provide new 7x9x9 thru 7x9x17 ft. Hardwood's switch timber 10.3 MBF and all required spike.  
Lump sum Cost: \$ 56,722.00 (\$ 359.00 ea.)

**Repair Wide Gauge north of Building 37**

- Remove spikes install plug reset gauge to industry standard  
Lump sum Cost \$ 4,600.00

**Stock Rail – Compromise joint bars**

- Replace 4 ea. Stock rail 2 90 RA 2 100 RE
- Replace 2 set of 110 to 90 RA joint bars  
Lump sum Cost \$ 10,500.00

**Service Turnouts 10 ea.**

- BBR will service adjust and install any required material (transit clip, frog, heel block bolts cotter pins) to meet FRA track standards.  
Lump sum Cost \$ 7,200.00 (\$720.00 ea.)

**Switch Stand**

- BBR will install 1 new switch stand with connecting rod adjust as needed.  
Lump sum Cost \$ 1,300.00

**Welding Grinding**

- Grinding Stock rail. 6  
Lump sum Cost: \$ 780.00 (\$130.00 ea.)
- Rebuild points 8  
Lump sum Cost: \$ 3,600.00 (\$450.00 ea.)
- Rail end mismatches/ chips 8  
Lump sum Cost: \$ 1,040.00 (\$130.00ea.)

**Mobilization**

Lump sum Cost \$ 13,550.00

*To/Al-*

242,267.00

**Clarifications:**

- All material is subject to prior sale, material pricing is good for 15 days.
- This price reflects rail car delivery
- Any additional work can be performed on a T&M basis.
- This price reflects owner supplied ballast
- This quote is contingent on suitable terms and conditions.

*Note*

We look forward to working with you on this project. If you have any questions, please contact me at your convenience.

Respectfully,

*Mike Hansen*

Mike Hansen  
Area Operations Manager  
mhansen@bbrius.com

Please note: Balfour Beatty Rail, Inc. and Fru-Con Construction, LLC. have become divisions of Balfour Beatty Infrastructure, Inc. and have merged under its name as a single legal entity as of Jan. 1, 2014.  
\*\*\*\* Confidentiality Notice \*\*\*\*

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