

# Pocatello Development Authority

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

**Board of Commissioners Meeting** *An urban renewal agency for the City of Pocatello, Idaho*  
**February 20, 2019 – 11:00 a.m.**  
**Paradise Conference Room – Pocatello City Hall**

## Call to Order and Acknowledgment of Guests

**Agenda Item No. 1:** Disclosure of Conflicts of Interest

**Agenda Item No. 2:** Fiscal Year 2018 Audit Report – [ACTION ITEM]

**Agenda Item No. 3:** Minutes – [ACTION ITEM]

Motion to approve and/or amend the Executive Session Meeting Minutes of December 19, 2018, and the Regular and Executive Session Meeting Minutes of 1/16/19.

**Agenda Item No. 4:** Financial Report – [ACTION ITEM]

Motion to approve and/or amend the January 2019 Income and Expense Report.

**Agenda Item No. 5:** Payment Requests/Reimbursements – [ACTION ITEM]

- a. Elam & Burke for January services on Northgate TIF (general fund)
- b. Elam & Burke for January services on Philbin Road/Hoku property (North Portneuf District)
- c. Melanie Gygli in the amount of \$26.73 for lunch meeting supplies (general fund)
- d. Idaho State Publishing in the amount of \$67.63 for publication of annual report hearing notice (general fund)

**Agenda Item No. 6:** Requests for Grants and/or Loans – [ACTION ITEM]

- a. BGS Holdings
- b. Treasure's Building
- c. Wilson & Gorney/Monarch

**Agenda Item No. 7:** Requests for Disbursements under Previously Approved Grants and Loans – [ACTION ITEM]

- a. Michael Snyder
- b. BGS Holdings LLC
- c. Simmons Surgical LLC

**Agenda Item No. 8:** Adoption of Records Retention Policy and Designation of Records Custodian [ACTION ITEM]

**Agenda Item No. 9:** 2018 Annual Report of the Pocatello Development Authority

- a. 2018 Annual Report
- b. Public Comment will be taken concerning the 2018 Annual Report

**Agenda Item No. 10:** Review/Approval of Revised Engagement Letter with Matt Parks as legal counsel for PDA with respect to the Hoku Property Disposition [ACTION ITEM]

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**Agenda Item No. 11: Reports and Updates**

- a. Northgate TIF Plan
- b. Petersen Inc.
- c. Jim Dandy Brewing Lighting Project

**Agenda Item No. 12: Discussion of Adoption/Amendment of Agency Policies re: Grants and Loans [ACTION ITEM]**

**Executive Session: Matters may exist for discussion in an executive session as per I.C. §74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the PDA may be in competition with other jurisdictions and I.C. §74-206(1)(d & f) to communicate with legal counsel for the PDA to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated and to consider records that are exempt from disclosure.**

**Upcoming Events/Information:**

**Adjourn.**

**POCATELLO DEVELOPMENT AUTHORITY  
MEETING MINUTES  
February 20, 2019**

**Chairman Scott Smith** called the meeting to order at 11:05 a.m.

**Members present:** Mayor Brian Blad (arrived approximately 11:15 a.m.), Matt Bloxham, Chad Carr, Jim Johnston (left the meeting approximately 12:30 p.m.), Rob Lion, Thomas Ottaway, Scott Smith, Terrel Tovey, and Scott Turner

**Members excused/absent:** Thomas Ottaway

**Others present:** Melanie Gygli, Interim Executive Director; Joyce Stroschein, Treasurer; Jared Johnson, City Attorney; Merril Quayle, Public Works Development Engineer; John Regetz, Bannock Development Corporation (ex officio); Tiffany Olsen, Bannock County; Laura Hamilton (Treasure's building); Dane Simmons (Simmons Surgical); Steve Wright and Sterling Davie (BGS/Off The Rails Brewery); Ali Gorny and Tiffani Wilson (Monarch Building)

**Agenda Item No. 1: Conflicts of Interest.** No conflicts were disclosed.

**Agenda Item No. 2: Minutes.** The minutes of the Executive Session of December 19, 2018 and the Regular and Executive Session of January 16, 2019 were considered. It was then **MSC (J. Johnston, R. Lion)** to approve the minutes as presented.

To accommodate those present, the Chair moved to Agenda Item No. 5; items 2 and 4 will be completed when Stroschein is present.

**Agenda Item No. 5: Payment Requests/Reimbursements.** The following invoices were reviewed for payment: 1) Elam & Burke in the amount of \$5,957.54 for January services on the Northgate TIF project and 2) Elam & Burke in the amount of \$1,266.45 for January services on the Hoku property; 3) Idaho State Publishing in the amount of \$67.63 for publication of the notice of hearing on the annual report; and 4) Melanie Gygli in the amount of \$26.73 for soda and water for meetings. It was then **MSC (J. Johnston, M. Bloxham)** to approve the payment requests.

**Agenda Item No. 7: Request for Grant/Loan Disbursements.**

- a. **Snyder:** **Gygli** reviewed the request for grant funds submitted by Michael Snyder for roof repairs on the building at 141 North Main. The contractor obtained the correct permit and the project has been completed. The total funding request is \$39,000. Following discussion, it was **MSC (S. Turner, J. Johnston)** to authorize release of the funds.
- b. **BGS Holdings:** **Gygli** reviewed the request for loan funds submitted by BGS Holdings (Off The Rails Brewery). The request is for \$58,301.99, including \$33,125.55 for the roof and \$25,176.44 for architectural services. Upon review, the request is consistent with the work that has been completed on both the roof and the architectural services. Following discussion, it was **MSC (M. Bloxham, T. Tovey)** to authorize release of the funds.
- c. **Simmons Surgical:** **Gygli** reviewed the request for loan and grant funds submitted by Simmons Surgical. The grant request is for \$9,806.72 and the loan request is for \$11,929.11. Upon review, the requests are

consistent with the work that has been completed. Following discussion, it was **MSC (M. Bloxham, J. Johnston)** to authorize release of the funds.

**Agenda Item No. 6: Request for Grants and/or Loans.**

- a. **BGS Holdings:** **Gygli** briefly introduced the request, for an additional \$24,000 in grant funding. **Sterling Davie** explained they now have firmer numbers for the rehab work they are doing. Some items have been less expensive, some more, and they have made adjustments accordingly. But in the end, they still need additional funding. Board members commented that the amount already approved in grant and loan funds may exceed the Board's willingness or capacity to grant; additional loan funds may be possible. In response to questions from Board members, Davie stated they have worked with private lenders but there is no further lending available. They are open to having this money be a loan rather than a grant and would be willing to return later if need proves out, if that is the Board's preference. It was then **MSC (J. Johnston, R. Lion)** to deny the request for an additional \$24,000 in grant funds for this project.
- b. **Treasure Johnston:** **Gygli** briefly introduced the request, for grant funds to facilitate roof repairs. Laura Hamilton, representing Treasure Johnston, owner of the building at 149 North Main, explained the need for roof repair or replacement. The roof is leaking and the encroaching water is nearing the HVAC and electrical systems. She presented an estimate from Wilson Roofing for a repair (\$4,200.00) or replacement (\$27,384.00). A patch was done in the last year, but it has already failed and her merchandise is at risk. Board members expressed their desire to know the building owner's commitment to and intent for use of the building for the long term before investing PDA funds. **Tovey** noted Idaho Power in the past has had a rebate program for reflective roof treatments (he will have the information forwarded to Gygli to send to Hamilton). Board members discussed the option of providing grant or loan funds for the repair amount. Hamilton stepped out of the building to call the owner to see how she wants to proceed.
- c. **Wilson & Gorny/Monarch Building:** **Smith** briefly introduced the request, noting that the amount of funds requested is beyond the PDA's ability to provide. **Wilson and Gorny** outlined their proposal for restoration of the building, providing an estimate from A&E Engineering for the structural analysis and a project description for the "Monarch Building and Butterfly House." They have engineering reports stating that the façade is intact and are working on a detailed structural analysis for the remainder, but need help to move this process along. Work on the façade is their first focus and will include restoring what was lost, including the parapet, windows, awnings, and doors. They are license contractors and would hire assistance where needed. What they hope for from the PDA is \$100,000 for the structural analysis and façade work.

**Blad** explained that the City Council set a deadline of 4/11/19 by which time Wilson and Gorny must provide a structural analysis of the building. If the building is determined to be sound, a specific timeline for needed work is required. If not sound, demolition may be the next step. Discussion ensued regarding the proposal and the need to have the structural issues addressed, a firmer estimate of what it will cost to accomplish the project, and a more specific timeline before the PDA can commit funds. Also, the PDA is not meant to be the first lender, rather coming in after private financing and outside investors. **Wilson and Gorny** explained the need to address the engineering has required them to shift funds from other areas. The kind of projects they prefer is to pick deteriorated properties for redevelopment. They are currently working on an 8-plex near Pocatello High School.

**Smith** noted the PDA is supportive of the project in concept, but until structural issues are resolved and a firm timeline and cost estimate is presented, consideration of this request would be premature.

- b. **Hamilton** stated she was unable to contact the building owner, but left her a message. Board members continued discussion, including options for a grant or loan, and whether for the patch or the replacement option, and the need for the building owner to participate in any needed work. **Blad** moved to approve a loan for \$4,200 with the option to convert to a grant if the owner does not want to accept a loan. **Motion died** for lack of a second. It was then **MSC (B. Blad, J. Johnston)** to approve a five-year loan for \$27,384.00, with the first year at 0 percent interest and no payments for the first year, and prime plus 1 percent and quarterly payments for years two through five. The owner has 30 days in which to accept the loan. Should the owner not accept the loan, the owner can return to the Board to further discuss the request.

**Agenda Item No. 8: Adoption of Records Retention Policy and Designation of Records Custodian.** **Gygli** presented a draft resolution adopting a policy of retention of the Board's records and designating the Executive Director as primary custodian and the Treasurer as secondary custodian. This is needed to bring the Board into compliance with Idaho Code. Following discussion, it was **MSC (J. Johnston, R. Lion)** to adopt the policy as presented and authorize signing of the Resolution 2019-2.

The Board took a five-minute break.

**Agenda Item No. 9: 2018 Annual Report of the Pocatello Development Authority.**

- a. Idaho Code requires that each urban renewal agency prepare an annual report and hold a public hearing to allow comments on that report.
- b. **Smith** opened the public hearing, calling for comments in favor of, neutral to, and opposed to the report. There being no comments offered, he closed the public hearing. He reported that he and Carr attend the City Council's work session on 2/14/19, and presented the report to them. The report went well, though one Council member expressed concerns about the impact of the proposed Northgate TIF district.

**Agenda Item No. 10: Review Approval of Revised Engagement Letter with Matt Parks as Legal Counsel for DPA With Respect to the Hoku Property Disposition.** **Gygli** explained Matt Parks left the Elam & Burke law firm. In discussions with Meghan Conrad, it seems the best course to continue working with Parks through the completion of this process. After review of the proposed engagement letter, it was **MSC (T. Tovey, S. Turner)** to authorize the Chair to sign the engagement letter with Matt Parks.

**Agenda Item No. 11: Reports and Updates.**

- a. **Northgate TIF Plan:** **Gygli** reported that the Chubbuck City Council will consider an intergovernmental agreement and transfer of power ordinance at their meeting of 2/20/19 and Bannock County will do the same at the Commission meeting on 2/26/19. The Pocatello City Council will hold a public hearing and consider an enacting ordinance at either their 4/4/19 or 4/18/19 meeting.
- b. **Petersen Inc.:** **Gygli** reported that Petersen Inc. remains in compliance with the terms of their economic development agreement, with 65 employees and an average salary of \$23.27/hour (63 employees making over \$14.00/hour), where 50 employees making at least \$14.00/hour is required.

- c. Jim Dandy Lighting Project: **Gygli** reported preliminary estimates to install three “Old Town” streetlights is \$42-45,000; the PDA approved \$15,000.00 for this project. This is due to the required extension of electrical infrastructure. Commission members asked that this be a topic for discussion and possible action at the March meeting, with a map of where the Old Town lights are now and where they could be placed if the infrastructure is extended.

**Agenda Item No. 4: Financial Report.** **J. Stroschein** presented the financial report for the month of January 2019. At the end of the reporting period, the Authority had cash on hand of \$7,320,393.48. The checking account balance was \$4,015,245.03, the savings account was \$25.00, and cash held by Zions Trust amounted to \$3,305,123.45. The Authority recognized financial activity during the month of January as follows: revenue totaled \$904,350.53, of which \$6,062.29 was interest earnings on cash invested and property tax interest, \$750.00 was rental income from the Positron facility, and \$897,538.24 in property taxes, including the North Yellowstone District (\$732,450.46), Naval Ordnance Plant District (\$101,210.18), North Portneuf District (\$9,970.51), and the Airport District (\$54,607.09). Expenses totaled \$64,101.35, including \$132.74 for the January lunch meeting, debt service interest of \$50,165.95 for North Yellowstone, and legal services related to the Northgate TIF and North Portneuf property of \$4,520.72. Stroschein explained Zions is in the redemption process for the North Yellowstone District bonds, with a closing date of 3/15/19. After that, the TIF closure process will begin.

Following discussion, it was then **MSC (B. Blad, T. Tovey)** to approve the January 2019 financial reports as presented.

**Agenda Item No. 2: Fiscal Year 2018 Audit Report.** **Stroschein** reviewed the Fiscal Year 2018 audit as prepared by Deaton & Company. She covered the audit report, management discussion and analysis, and the financial statements. This is a clean audit, with no concerns noted. One procedural change that staff will make is to have the Executive Director review bank statements, rather than the Chair. This is for both ease of process and because the Executive Director is more involved on a day-to-day basis with the operations of the PDA.

Following review and discussion, it was **MSC (B. Blad, T. Tovey)** to accept the report.

**Adjournment:**

Agenda Item No. 12 was postponed to the March meeting. There being no further business, the meeting adjourned at 12:55 p.m.

By: Melanie Gygli  
Melanie Gygli, Interim Executive Director/Secretary

Pocatello Development Authority  
Balance Sheet by Class  
As of January 31, 2019

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	6-North Portneuf	7-Pocatello Regional Airport	TOTAL	
<b>ASSETS</b>							
<b>Current Assets</b>							
<b>Checking/Savings</b>							
ICCU Checking	1,148,985.24	1,004,451.73	970,299.58	336,972.18	554,536.30	4,015,245.03	
ICCU Savings	25.00	0.00	0.00	0.00	0.00	25.00	
Zions 2012 Bnd Fnd 7110526D	0.00	179.30	0.00	0.00	0.00	179.30	
Zions Bnd Reserve Fnd 7110526B	0.00	682,393.58	0.00	0.00	0.00	682,393.58	
Zions Rev Alloc Fnd 7110526	0.00	2,622,550.57	0.00	0.00	0.00	2,622,550.57	
<b>Total Checking/Savings</b>	<b>1,149,010.24</b>	<b>4,309,575.18</b>	<b>970,299.58</b>	<b>336,972.18</b>	<b>554,536.30</b>	<b>7,320,393.48</b>	<b>3,305,123.45</b>
<b>Accounts Receivable</b>							
Accounts Receivable	1,500.00	0.00	0.00	0.00	0.00	1,500.00	
<b>Total Accounts Receivable</b>	<b>1,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,500.00</b>	
<b>Other Current Assets</b>							
Accrued Interest Income	23,932.63	4,424.57	173.37	66.68	100.00	28,697.25	
Property Tax Receivable	0.00	98,168.01	0.00	201,165.23	0.00	299,333.24	
<b>Total Other Current Assets</b>	<b>23,932.63</b>	<b>102,592.58</b>	<b>173.37</b>	<b>201,231.91</b>	<b>100.00</b>	<b>328,030.49</b>	
<b>Total Current Assets</b>	<b>1,174,442.87</b>	<b>4,412,167.76</b>	<b>970,472.95</b>	<b>538,204.09</b>	<b>554,636.30</b>	<b>7,649,923.97</b>	
<b>Other Assets</b>							
Inventory - Leasehold	424,779.00	0.00	0.00	0.00	0.00	424,779.00	
Note Receivable	76,000.00	0.00	0.00	0.00	0.00	76,000.00	
<b>Total Other Assets</b>	<b>500,779.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500,779.00</b>	
<b>TOTAL ASSETS</b>	<b>1,675,221.87</b>	<b>4,412,167.76</b>	<b>970,472.95</b>	<b>538,204.09</b>	<b>554,636.30</b>	<b>8,150,702.97</b>	
<b>LIABILITIES &amp; FUND BALASNCE</b>							
<b>Liabilities</b>							
<b>Current Liabilities</b>							
<b>Other Current Liabilities</b>							
Acct Payable	18,311.63	0.00	0.00	6,964.31	0.00	25,275.94	
Security Deposit	0.00	0.00	0.00	200,000.00	0.00	200,000.00	
<b>Total Other Current Liabilities</b>	<b>18,311.63</b>	<b>0.00</b>	<b>0.00</b>	<b>206,964.31</b>	<b>0.00</b>	<b>225,275.94</b>	
<b>Total Current Liabilities</b>	<b>18,311.63</b>	<b>0.00</b>	<b>0.00</b>	<b>206,964.31</b>	<b>0.00</b>	<b>225,275.94</b>	
<b>Long Term Liabilities</b>							
Deferred Interest Receivable	23,632.57	0.00	0.00	0.00	0.00	23,632.57	
Deferred Notes Receivable Rev	76,000.00	0.00	0.00	0.00	0.00	76,000.00	
Deferred Tax Revenues	0.00	10,399.03	0.00	201,025.90	0.00	211,424.93	
<b>Total Long Term Liabilities</b>	<b>99,632.57</b>	<b>10,399.03</b>	<b>0.00</b>	<b>201,025.90</b>	<b>0.00</b>	<b>311,057.50</b>	
<b>Total Liabilities</b>	<b>117,944.20</b>	<b>10,399.03</b>	<b>0.00</b>	<b>407,990.21</b>	<b>0.00</b>	<b>536,333.44</b>	
<b>Fund Balance</b>							
Fund Balance	1,931,837.57	3,590,235.69	868,662.92	136,330.61	499,607.73	7,026,674.52	
Net Income	-374,559.90	811,533.04	101,810.03	-6,116.73	55,028.57	587,695.01	
<b>Total Fund Balance</b>	<b>1,557,277.67</b>	<b>4,401,768.73</b>	<b>970,472.95</b>	<b>130,213.88</b>	<b>554,636.30</b>	<b>7,614,369.53</b>	
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>1,675,221.87</b>	<b>4,412,167.76</b>	<b>970,472.95</b>	<b>538,204.09</b>	<b>554,636.30</b>	<b>8,150,702.97</b>	

Pocatello Development Authority  
Profit & Loss by Class  
January 2019

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	6-North Portneuf	7-Pocatello Regional Airport	TOTAL
<b>Ordinary Income/Expense</b>						
<b>Income</b>						
Interest Income	252.72	5,450.46	186.19	66.51	106.41	6,062.29
Personal Property tax replace	0.00	23,003.35	6,043.21	404.91	0.00	29,451.47
Property Taxes	0.00	709,447.11	95,166.97	8,865.60	54,607.09	868,086.77
Rental Income	750.00	0.00	0.00	0.00	0.00	750.00
<b>Total Income</b>	<b>1,002.72</b>	<b>737,900.92</b>	<b>101,396.37</b>	<b>9,337.02</b>	<b>54,713.50</b>	<b>904,350.53</b>
<b>Gross Profit</b>	<b>1,002.72</b>	<b>737,900.92</b>	<b>101,396.37</b>	<b>9,337.02</b>	<b>54,713.50</b>	<b>904,350.53</b>
<b>Expense</b>						
Administrative	132.74	0.00	0.00	0.00	0.00	132.74
<b>Debt Service</b>						
Interest	0.00	50,165.95	0.00	0.00	0.00	50,165.95
<b>Total Debt Service</b>	<b>0.00</b>	<b>50,165.95</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>50,165.95</b>
Economic Grants Issued	9,281.94	0.00	0.00	0.00	0.00	9,281.94
<b>Professional Services</b>						
Other Professional Services	3,474.50	0.00	0.00	0.00	0.00	3,474.50
Professional Services - Other	0.00	0.00	0.00	1,046.22	0.00	1,046.22
<b>Total Professional Services</b>	<b>3,474.50</b>	<b>0.00</b>	<b>0.00</b>	<b>1,046.22</b>	<b>0.00</b>	<b>4,520.72</b>
<b>Total Expense</b>	<b>12,889.18</b>	<b>50,165.95</b>	<b>0.00</b>	<b>1,046.22</b>	<b>0.00</b>	<b>64,101.35</b>
<b>Net Ordinary Income</b>	<b>-11,886.46</b>	<b>687,734.97</b>	<b>101,396.37</b>	<b>8,290.80</b>	<b>54,713.50</b>	<b>840,249.18</b>
<b>Net Income</b>	<b>-11,886.46</b>	<b>687,734.97</b>	<b>101,396.37</b>	<b>8,290.80</b>	<b>54,713.50</b>	<b>840,249.18</b>

At month end the Authority had cash on hand of \$7,320,393.48. The checking account balance was \$4,015,245.03, the savings account was \$25.00, and cash being held by Zions Trust amounted to \$3,305,123.45.

Pocatello Development Authority recognized above normal financial activity during the month of January. The Authority received revenues totaling \$904,350.53 of which \$6,062.29 was interest earnings on cash invested and property tax interest. Rental income from the Positron Facility was received in the amount of \$750.00. Property tax was received for the North Yellowstone District in the amount of \$732,450.46, the Naval Ordnance District received \$101,210.18, the North Portneuf District received \$9,270.51, the Airport District received \$54,607.09. Total property tax received \$897,538.24.

Expenses paid for the month totaled \$64,101.35. The administrative expenses were \$132.74 for the lunch meeting. debt service interest payment \$50,165.95. Economic grant \$9,281.94, Legal services related to the Northgate project, the North Portneuf property and general support questions was \$4,520.72.

Year to date revenues of \$1,032,361.90 (see page 3) are greater than expenses of \$444,666.89 so overall net increase in reserves is \$587,695.01.

Pocatello Development Authority  
Profit & Loss by Class  
October 2018 through January 2019

	<u>1-General Fund</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordnance</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	1,125.71	31,089.05	599.85	288.77	421.48	33,524.86
Personal Property tax replace	0.00	23,003.35	6,043.21	404.91	0.00	29,451.47
Property Taxes	0.00	807,606.59	95,166.97	9,004.92	54,607.09	966,385.57
Rental Income	3,000.00	0.00	0.00	0.00	0.00	3,000.00
<b>Total Income</b>	<u>4,125.71</u>	<u>861,698.99</u>	<u>101,810.03</u>	<u>9,698.60</u>	<u>55,028.57</u>	<u>1,032,361.90</u>
<b>Gross Profit</b>	4,125.71	861,698.99	101,810.03	9,698.60	55,028.57	1,032,361.90
<b>Expense</b>						
Administrative	844.16	0.00	0.00	278.41	0.00	1,122.57
<b>Debt Service</b>						
Interest	0.00	50,165.95	0.00	0.00	0.00	50,165.95
<b>Total Debt Service</b>	<u>0.00</u>	<u>50,165.95</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>50,165.95</u>
Dues and Memberships	1,350.00	0.00	0.00	0.00	0.00	1,350.00
Economic Grants Issued	333,698.53	0.00	0.00	0.00	0.00	333,698.53
<b>Professional Services</b>						
Other Professional Services	42,792.92	0.00	0.00	14,490.70	0.00	57,283.62
Professional Services - Other	0.00	0.00	0.00	1,046.22	0.00	1,046.22
<b>Total Professional Services</b>	<u>42,792.92</u>	<u>0.00</u>	<u>0.00</u>	<u>15,536.92</u>	<u>0.00</u>	<u>58,329.84</u>
<b>Total Expense</b>	<u>378,685.61</u>	<u>50,165.95</u>	<u>0.00</u>	<u>15,815.33</u>	<u>0.00</u>	<u>444,666.89</u>
<b>Net Ordinary Income</b>	<u>-374,559.90</u>	<u>811,533.04</u>	<u>101,810.03</u>	<u>-6,116.73</u>	<u>55,028.57</u>	<u>587,695.01</u>
<b>Net Income</b>	<u><b>-374,559.90</b></u>	<u><b>811,533.04</b></u>	<u><b>101,810.03</b></u>	<u><b>-6,116.73</b></u>	<u><b>55,028.57</b></u>	<u><b>587,695.01</b></u>

# Fred Meyer

What's on your list today?

Now Hiring!

Apply at [jobs.fredmeyer.com](http://jobs.fredmeyer.com)

800 Yellowstone Ave.  
208-239-4000

YOUR CASHIER WAS Mary

4900002891	DIET COKE 12	5.89 B
SC 1000005514	Soda Savings	1.00-B
4900002890	COKE CLASSIC	5.89 B
SC 1000005514	Soda Savings	1.00-B
7800008316	DR PEPPER DT	5.89 B
SC 1000005514	Soda Savings	1.00-B
1200080996	MOUNTAIN DEW	5.89 B
1 @ 3/10.00		
1111079068	FDMY WATER	3.34 B
SC 10000034614	Save .50 Wat	0.50-B
1 @ 3/10.00		
1111079068	FDMY WATER	3.33 B
REWARDS CARD	*****1407	
TAX		1.61
TAX EXEMPTION		1.61-
**** BALANCE		26.73

Pocatello ID 83201  
 VISA CREDIT Purchase  
 \*\*\*\*\*3478 - C  
 REF#: 13051D TOTAL: 26.73  
 AID: A0000000031010  
 IC: D471EF871DECD4C6

VISA	26.73
EXEMPTED SALES AMT	26.73
CHANGE	0.00

TOTAL NUMBER OF ITEMS SOLD = 6  
 Fred Meyer Savings \$ 3.50  
 Total Coupons \$ 3.50  
 Total Savings (11 Percent) \$ 3.50

02/09/19 11:52AM 260 10 59 2267696  
 \*\*\*\*\*

You just earned 26 Rewards Points!  
 Total Rewards Points: 44  
 Current Cycle Runs 1/1/19 - 3/31/19

\*\*\*\*\*

Your Rewards Rebate  
 balance is \$5.04

Rebates must be used by 4/20/19

\*\*\*\*\*

February Fuel

Fuel Points Earned Today: 26

Total February Fuel Points: 179

\*\*\*\*\*

Rewards or Fuel Program Questions?

Details at [www.fredmeyer.com/rewards](http://www.fredmeyer.com/rewards)

or Contact us at 1-866-518-2686

Monday-Friday 5AM to 9PM PST

\*\*\*\*\*

SAVE THIS RECEIPT FOR REFUNDS  
 OR ADJUSTMENTS

Thank you for participating in  
 Fred Meyer Community Rewards  
 You requested Fred Meyer donate to  
 Neighborworks Pocatello



9102026070101000591902091152

THANK YOU FOR CHOOSING FREDDY'S!

[www.fredmeyer.com](http://www.fredmeyer.com)

2/11/19

Reimburse Melanie Gygli  
 for water/soda for meetings

**IDAHO STATE PUBLISHING**

PO BOX 431  
POCATELLO ID 83204

(208) 232-4161

Fax(208) 233-1642

Advertising Invoice

1  Billing Period 02/2019		2  Advertiser/Client Name CITY OF POCATELLO, PLANNING AN	
23  Total Amount Due 364.83		*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 02/12/19	6  Billed Account Number 1150444	7  Advertiser/Client Number 313345

8  Billed Account Name and Address PLANNING AND DEVELOPMENT CITY OF POCATELLO PO BOX 4169 POCATELLO ID 83205-4169		Amount Paid:  Comments:  <i>PDA</i>	
--	--	---	--

Please Return Upper Portion With Payment

10  Date	11  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
02/12/19	1863350 L2	LN25920 - PUBLIC HEARI * * NOTICE OF PUBLIC H 02/05/12 ISJ	2X 55.00 110.00	2 107.25	118.50	118.50
02/12/19	1866024 L2	LN2945 NOTICE OF FILIN POCATELLO DEVELOPMENT 02/12 ISJ	2X 47.00 94.00	1 48.88	67.63	67.63
02/12/19	1866483 L3	LN25950 HEARING WIRELES * * NOTICE OF PUBLIC H 02/12 ISJ	3.0X42.00 126.00	1 67.20	87.95	87.95
02/12/19	1866521 L3	LN25951 BREDDING/WALDROB * * NOTICE OF PUBLIC H 02/12 ISJ	3.0X45.00 135.00	1 72.00	90.75	90.75

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

Due date: 02/27/19

21  Current Net Amount Due N/A	22  30 Days N/A	60 Days N/A	Over 90 Days N/A	*Unapplied Amount	23  Total Amount Due 364.83
-----------------------------------	--------------------	----------------	---------------------	-------------------	--------------------------------

**IDAHO STATE PUBLISHING**

(208) 232-4161

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice Number 1150444		25  Advertiser Information			
1  Billing Period 02/2019	6  Billed Account Number 313345	7  Advertiser/Client Number 313345	2  Advertiser/Client Name CITY OF POCATELLO, PLAN		

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

**ELAM & BURKE**  
ATTORNEYS AT LAW

Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177678

Billing Atty - RPA

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002  
JANUARY 31, 2019  
Invoice # 177678

\*\*\* INVOICE SUMMARY PAGE \*\*\*

PROFESSIONAL FEES	1,256.50
COSTS ADVANCED	9.95
TOTAL INVOICE	1,266.45

**ELAM & BURKE**

ATTORNEYS AT LAW

251 East Front Street, Suite 300  
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Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177678

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From JANUARY 7, 2019 Through JANUARY 31, 2019

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002

1/07/19	MSC	.40	Review communication from Celtic Life re response to RFP. Follow up internally re same.	86.00
1/08/19	MSC	.10	Follow up on responses to RFP and note action moving forward.	21.50
1/11/19	MCP	3.30	Draft resolution approving selection of Solargise for development of the Hoku property. Review agenda and materials re Hoku disposition. Legal analysis re impact of pending litigation on sale of property to Solargise. Review Celtic Life documentation re potential claims against Agency. Asses potential claims against Agency by VA Metals or Solargise based on nullification of documents or defect in title.	660.00
1/15/19	RPA	.20	Address status of complaint, service, and process for answer by the Agency.	43.00
1/16/19	MCP	1.20	Prepare for PDA board meeting by reviewing agenda, disposition and development agreement, and Celtic Life complaint and public comment to the proposed disposition to Solargise.	240.00
1/16/19	MSC	.20	Review and assess next steps.	43.00
1/16/19	MSC	.80	[NO CHARGE] Attend executive session concerning litigation and discussion concerning selection of	

PAGE 1

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
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Telephone 208 343-5454  
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Tax Id No. 82-0451327

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002  
JANUARY 31, 2019  
Invoice # 177678

Solargise as successful respondent.  
1/16/19 RPA .20 Follow up on response strategy and status of 43.00  
complaint.  
1/18/19 MCP .60 Draft email to Fahd Riaz re closing and open 120.00  
meeting lawsuit filed by Celtic Life.

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Armbruster, Ryan P. Shareholder	215.00	.40	86.00	.00	.00
Parks, Matthew C. Associate	200.00	5.10	1,020.00	.00	.00
Conrad, Meghan S. Shareholder	215.00	.70	150.50	.80	172.00
		6.20	1,256.50	.80	172.00

COSTS ADVANCED

Westlaw (MCP search: 12/7/18) 9.95

TOTAL COSTS ADVANCED 9.95

INVOICE TOTAL 1,266.45

**ELAM & BURKE**  
ATTORNEYS AT LAW

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Post Office Box 1539  
Boise, Idaho 83701  
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Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177679

Billing Atty - RPA

RE: Special Counsel General

CLIENT/MATTER: 09212-00003  
JANUARY 31, 2019  
Invoice # 177679

\*\*\* INVOICE SUMMARY PAGE \*\*\*

PROFESSIONAL FEES	129.00
COSTS ADVANCED	.00
TOTAL INVOICE	129.00

PAGE 3

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

RE: Special Counsel General

CLIENT/MATTER: 09212-00003  
JANUARY 31, 2019  
Invoice # 177679

COSTS ADVANCED

TOTAL COSTS ADVANCED .00

INVOICE TOTAL 129.00

**ELAM & BURKE**  
ATTORNEYS AT LAW

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Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177679

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From JANUARY 16, 2019 Through JANUARY 31, 2019

RE: Special Counsel General

CLIENT/MATTER: 09212-00003

1/16/19 MSC .60 Review USP material and draft follow up email 129.00  
communication to Ms. Gygli concerning use of  
revenue allocation funds to assist with the  
proposed property acquisition and redevelopment  
of a former school site.

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Conrad, Meghan S. Shareholder	215.00	.60	129.00	.00	.00
		.60	129.00	.00	.00

**ELAM & BURKE**  
ATTORNEYS AT LAW

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Fax 208 384-5844

Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177677

Billing Atty - RPA

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

JANUARY 31, 2019

Invoice # 177677

\*\*\* INVOICE SUMMARY PAGE \*\*\*

PROFESSIONAL FEES	2,240.00
COSTS ADVANCED	3,717.54
TOTAL INVOICE	5,957.54

PAGE 5

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
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Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JANUARY 31, 2019

Invoice # 177677

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From JANUARY 2, 2019 Through JANUARY 31, 2019

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

1/02/19	MSC	.20	Review follow up email communication from Ms. Gygli re timing of Chubbuck City Council review of the intergovernmental agreement and impact on schedule.	40.00
1/02/19	RPA	.20	Address schedule for approval of the plan and other steps for completion of the process.	40.00
1/07/19	MSC	.20	Review and follow up on multiple email communications with Ms. Gygli concerning upcoming meeting and issues impacting Northgate approval.	40.00
1/08/19	MSC	.10	Follow up with Ms. Gygli concerning timing and next steps.	20.00
1/09/19	MSC	.10	Review scope of proposed project and draft follow up response re same.	20.00
1/10/19	MSC	.20	Follow up with consultant concerning plan adoption status.	40.00
1/10/19	RPA	.20	Follow up on schedule and remaining tasks for plan approval.	40.00
1/11/19	RPA	.20	Address conflict of interest issues for property disposition and agency position on participation.	40.00
1/12/19	MSC	2.00	Work on revising the draft IGA re Bannock County. Work on drafting the IGA re Chubbuck.	400.00
1/13/19	MSC	4.30	Work on drafting, reviewing and revising the	860.00

PAGE 1

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

RE: Northgate Plan

CLIENT/MATTER: 09212-00001  
JANUARY 31, 2019  
Invoice # 177677

Pocatello City Council resolution approving the IGA. Work on drafting, reviewing and revising the Bannock County transfer of powers ordinance. Work on finalizing the IGA re Chubbuck. Work on drafting, reviewing and revising the Pocatello City Council Resolution approving the IGA re Chubbuck. Work on drafting, reviewing and revising the Chubbuck City Council transfer of powers ordinance. Draft email communication to Ms. Gygli concerning documents, process for moving forward and status of pending tasks.

1/14/19	RPA	.30	Review status of documents, intergovernmental agreement, and schedule for approval of the plan documents.	60.00
1/15/19	MSC	1.40	Conference call with Melanie Gygli to discuss process and timeline concerning adoption and approval of intergovernmental agreements. Work on revising the draft documents incorporating comments from Ms. Gygli. Draft email communication to Ms. Gygli concerning revised documents and current understanding of the timeline.	280.00
1/15/19	RPA	.20	Review emails concerning changes to various documents and approval process schedule.	40.00
1/16/19	RPA	.20	Review emails concerning changes to documents and schedule for approval of the proposed plan.	40.00
1/17/19	MSC	.10	Review and follow up with Ms. Gygli concerning draft map exhibit to the intergovernmental agreements.	20.00
1/22/19	MSC	.30	Review email communication from Ms. Gygli including comments from the Pocatello City Attorney to the draft intergovernmental agreements and corresponding resolutions/ordinances. Follow up with Ms. Gygli	60.00

PAGE 2

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

RE: Northgate Plan

CLIENT/MATTER: 09212-00001  
JANUARY 31, 2019  
Invoice # 177677

			signing off on changes and advising on property tax rule rejection.	
1/24/19	MSC	.10	Review and respond to email communication concerning attendance at the Chubbuck Board Meeting; review and follow up on response re same.	20.00
1/25/19	RPA	.10	Update status of intergovernmental agreement and position of Chubbuck.	20.00
1/29/19	MSC	.20	Review and respond to email communication with Ms. Gygli concerning RAA boundary.	40.00
1/30/19	MSC	.50	Review email communication from Jared Johnson concerning whether city council's consideration of the ordinance is legislative or quasi-judicial. Analyze factors for quasi-judicial role. Draft email communication to Mr. Johnson re thoughts on the issue.	100.00
1/31/19	MSC	.10	Review follow up response from city attorney re scope of city council review and meeting next week. Draft reply re same.	20.00

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Armbruster, Ryan P. Shareholder	200.00	1.40	280.00	.00	.00
Conrad, Meghan S. Shareholder	200.00	9.80	1,960.00	.00	.00
		11.20	2,240.00	.00	.00

**ELAM & BURKE**  
ATTORNEYS AT LAW

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Fax 208 384-5844

Tax Id No. 82-0451327

RE: Northgate Plan

CLIENT/MATTER: 09212-00001  
JANUARY 31, 2019  
Invoice # 177677

COSTS ADVANCED

Kushlan Associates (November fees)	3,437.30
Visa (Fairfield Inn - lodging - Pocatello meeting) WRITE OFF PER MSC!	280.24
TOTAL COSTS ADVANCED	3,717.54
INVOICE TOTAL	5,957.54

ba

**Gygli, Melanie**

---

**From:** Stephen Wright <wrigstep@gmail.com>  
**Sent:** Thursday, February 14, 2019 1:16 PM  
**To:** Gygli, Melanie  
**Subject:** Fwd: PDA grant request

Melanie, I am working on the building. Do you think will work for the request?

----- Forwarded message -----

**From:** **squeek Davie** <[squeek\\_d@hotmail.com](mailto:squeek_d@hotmail.com)>  
**Date:** Thu, Feb 14, 2019, 1:00 PM  
**Subject:** PDA grant request  
**To:** Stephen Wright <[wrigstep@gmail.com](mailto:wrigstep@gmail.com)>

Dear PDA.

As the owners of Off The Rails Brewery located at 228 South Main we are requesting a grant for \$24,000 to go towards plumbing of the building. The total cost for plumbing is \$29,500. The grant funding will insure modern, up to date plumbing in this historic building in Downtown Pocatello. The plumbing (pipes) and are in terable condition from the years of being used by a Chinese restaurant and is in need to being replaced. We are requesting this funding because we have incurred larger then expected cost to replace the roof and electrical cost. This funding will insure that we can complete the remodel of this building.

Thank you for your support,

Sterling Davie,  
Partner "Off The Rails Brewery"

**POCATELLO DEVELOPMENT AUTHORITY (PDA)  
Preliminary Application for use of Tax Increment Financing**

Application:

Name: Treasure Johnston (owner) (Laura Hamilton - <sup>tenant</sup>) Date: 2-7-19

Mailing Address: 3400 Crestwood Ln. Idaho Falls ID 83404

Work Phone: \_\_\_\_\_ Cell Phone: (208) 680-6331 E-Mail: treasuresbrida@yahoo.com  
(tenant contact - (208) 479-8246)

Project Description: A new roof - please see bid for complete scope of work.

Project Location: 149 North Main St. Pocatello

Is this project currently in an urban renewal area? \_\_\_\_\_ Yes  No

Is the project currently in a revenue allocation area? \_\_\_\_\_ Yes  No

If you answered 'no' to both questions above, please describe the "deteriorated or deteriorating" conditions associated with this location:

The current roof has deteriorated and is leaking severely. The leaks are expanding quickly & are now approaching the mechanicals & electrical

Current Assessed Value of Project Location: 121,900.00

Estimated Construction Value of Project: 27,384.00

Number of jobs created by this project: 2 existing Wage range of jobs: n/a

Employee Benefits? \_\_\_\_\_ Yes  No If yes, please describe: n/a

Time frame for job creation: there is an existing business at this location

Construction start date for project: dependent weather and funding Anticipated completion date: dependent weather and funding

Briefly describe other public benefit(s) associated with this project: Maintains a historic building in Old Town Pocatello. Allows the building to continue being "certable"

Does this project compete with other, already established businesses? How? No

The current tenant is established & has been in business 13 years

Is this project currently subject to a competitive bid process? Please explain:

No

Are there other applicants that may be interesting in applying for PDA assistance for this same project? Please explain: No

Relationship of named applicant to the project: Building owner (and tenant)

Type of Assistance Requested

(check all that apply):

- Public Infrastructure (water, sewer, street, etc.).
- Public Facility (building, park, parking lot, etc.).
- Match for other funding.
- Inspections, tests, surveys, appraisals, etc.
- Property Acquisition.
- Structure Demolition and Clearance.
- Other? Please Specify Building roof improvements

Amount of Assistance Requested: 27,384<sup>00</sup>

Form of Assistance Requested:

- Grant of Funds.
- Loan of Funds.
- Reimbursement for Approved Expenditures.
- Pay-As-You Go.
- Bonding.
- Other? Please specify \_\_\_\_\_

Other helpful information? Please list: A new roof is important to protect the existing structure and allow the continued use of a historic building on the 100 block of Old Town main street.

Return completed application to:

PDA Executive Director  
City of Pocatello  
P O Box 4169  
Pocatello ID 83205



617 S. 2nd Avenue ~ P.O. Box 6049  
Pocatello, ID 83201  
Phone: 208-233-1996  
Fax: 208-233-2167

*Serving Southeastern Idaho for over 20 Years*

To: \_\_\_\_\_ Date: 1/28/2019  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

---

---

**PROJECT: 149 N Main**

**SCOPE OF WORK: WE PROPOSE TO FURNISH LABOR AND MATERIAL IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AS FOLLOWS:**

**New roof.....**

1. Remove top roof and haul away
2. Install ½" fan fold over existing bottom roof
3. Mechanically fasten 60 mil TPO membrane over fan fold
4. Flash walls, pipes, drains

**Total: \$ 27,384.00**

\*\*This includes a 2 year workmanship warranty and a 10 year manufacturer's integrated warranty from GAF.

**Temporary repairs- 30' x 30'....**

1. Install TPO membrane over existing roof on back and tie in at BUR roof

**Total: \$ 4,200.00**

Note: Repairs should work for a while. No guarantee.

**CONDITIONS**

It is understood and agreed that we shall not be held liable for any loss, damage or delays occasioned by fire, strikes, or material stolen after delivery upon premises, lockouts, acts of God, or the public enemy, accidents, boycotts, material shortages, disturbed labor conditions, delayed delivery of materials from Seller's suppliers, force majeure, inclement weather, floods, freight embargoes, causes incident to national emergencies, war, or other causes beyond the reasonable control of Seller, whether of like or different character, or other causes beyond his control. Prices quoted in this contract are based upon present prices and upon condition that the proposal will be accepted within thirty days. Also, general conditions which are standard for specialty contractors in the construction industry apply. If any decking work needs to be done (i.e. repair or replacement) there will be an additional charge.

**TERMS: HALF DOWN WITH BALANCE DUE ON COMPLETION.**

**SUBMITTED: ACCEPTED:**

By \_\_\_\_\_

60

**POCATELLO DEVELOPMENT AUTHORITY (PDA)  
Preliminary Application for use of Tax Increment Financing**

**Application:**

**Name:** Tiffani Wilson & Ali Gorny **Date:** January 14, 2019

**Mailing Address:** 670 Willard Ave Pocatello, Idaho 83201

**Work Phone:** 208-317-3603 **Cell Phone:** 406-249-2438 **E-Mail:** TiffandAli@EnduranceHI.com

**Project Description:** Revitalization & stabilization of a listed building on the National Register of Historic Places in the Pocatello Downtown Historical District.

Architecture, engineering, & construction for building facade improvements (brick repair, storefront, windows & doors), structural eval & stabilization/seismic retrofit/roof, utility upgrades to meet local code requirements for use (separate sewer line from adjacent buildings, new electrical tie in, & firewater tie in).

**Project Location:** Monarch Building (236 - 244 W Center St, Pocatello, Idaho)

Is this project currently in an urban renewal area?  Yes  No

Is the project currently in a revenue allocation area?  Yes  No

If you answered 'no' to both questions above, please describe the "deteriorated or deteriorating" conditions associated with this location:

\_\_\_\_\_  
\_\_\_\_\_

**Current Assessed Value of Project Location:** \$35,000

**Estimated Construction Value of Project:** \$500,000

**Number of jobs created by this project:** 20 **Wage range of jobs:** \$15k to \$120k

**Employee Benefits?**  Yes  No **If yes, please describe:** \_\_\_\_\_  
N/A

**Time frame for job creation:** Immediately for engineering & architecture jobs. Construction jobs to follow by 3 months.

**Construction start date for project:** April 2019 **Anticipated completion date:** December 2019 +

**Briefly describe other public benefit(s) associated with this project:** \_\_\_\_\_

The Monarch Building caught fire in 2014, resulting in a high level of associated blight on West Center Street. The public & area business owners have expressed concern on this matter because the Monarch Bldg is highly visible from the Center Street underpass. These improvements will immediately eliminate blight, & reduce any associated safety risks to the public & nearby businesses. These improvements will also improve the publics first impression of the Downtown Historical District as they drive/walk thru the Center Street Underpass. In tum, contributing to the revitalization of downtown & encouraging more members of the community to spend time downtown. Without these improvements, the Monarch Building will continue to deteriorate, potentially putting the public at risk. These improvements will also be a stepping stone to create an outlet for science-based programs, students, & the public. Functionally, the Monarch Building will become a butterfly exhibit & hotel, open to the public. The butterfly exhibit will be one of its kind in Pocatello & offer a new form of education & entertainment for the public. Thru the Monarch Mapper program & the collaboration of ZIZS & ISU, Monarch butterflies will be tagged and tracked on GPS monitors inside the Monarch Bldg. Monarch butterflies are a native Idaho species & surrounding Pocatello is the Curlew National Grassland - a known Monarch butterfly breeding location. Once the butterfly exhibit is operating, all net proceeds will be donated to the Zoo Idaho Zoological Society (ZIZS). ZIZS is a 501(c)3 that supports the animals at Zoo Idaho. This was approved by ZIZS on February 13, 2018.

Does this project compete with other, already established businesses? How? \_\_\_\_\_

This project does not compete with any other projects.

Is this project currently subject to a competitive bid process? Please explain:

N/A

Are there other applicants that may be interesting in applying for PDA assistance for this same project? Please explain: \_\_\_\_\_

N/A

Relationship of named applicant to the project: Owner of property & business

**Type of Assistance Requested**

(check all that apply):

- Public Infrastructure (water, sewer, street, etc.).
- Public Facility (building, park, parking lot, etc.).
- Match for other funding.
- Inspections, tests, surveys, appraisals, etc.
- Property Acquisition.
- Structure Demolition and Clearance.
- Other? Please Specify \_\_\_\_\_

Amount of Assistance Requested: \$500,000

Form of Assistance Requested:

- Grant of Funds.
- Loan of Funds.
- Reimbursement for Approved Expenditures.
- Pay-As-You Go.
- Bonding.
- Other? Please specify \_\_\_\_\_

Other helpful information? Please list: \_\_\_\_\_

Monarch Building is located inside an Opportunity Zone, which is a new community development program established by Congress to encourage long-term investments in low-income urban and rural communities.

Return completed application to:

PDA Executive Director  
City of Pocatello  
P O Box 4169  
Pocatello ID 83205

# Pocatello Development Authority

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

*An urban renewal agency for the City of Pocatello, Idaho*

TO: Pocatello Development Authority, Board of Commissioners  
FROM: Melanie Gygli, Interim Executive Director *MG*  
Merril Quayle, Public Works Development Engineer *MB*  
DATE: February 20, 2019  
SUBJECT: Michael Snyder – Issuance of Grant Funds

As part of the Economic Development Grant Agreement with Michael Snyder, the Board provided grant funds of \$75,000.00 for costs related to repair of the roof and façade for the building at 141 North Main.

A request for payment in the amount of \$39,000.00 has been submitted for completion of the roof portion of the project. Proper permits for the work were obtained and it has been completed. It is our determination that the fund request is appropriate for payment.



Payments will be made as follows:

Michael Snyder: \$11,000.00  
Wilson Roofing: \$28,000.00

# Pocatello Development Authority

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

*An urban renewal agency for the City of Pocatello, Idaho*

TO: Pocatello Development Authority, Board of Commissioners  
FROM: Melanie Gygli, Interim Executive Director   
Merril Quayle, Public Works Development Engineer   
DATE: February 20, 2019  
SUBJECT: BGS Holdings – Issuance of Loan Funds

As part of the Economic Development Loan Agreement with BGS Holdings, the Board approved loan funds of up to \$200,000.00 for costs related to a variety of work on the building at 228 South Main.

A request for payment in the amount of \$58,301.99 has been submitted for the following items:

1. Completion of the roof replacement, \$33,125.55
2. Architectural services, \$25,176.44

The necessary permit for the roof work was obtained and the work has been completed. Architectural services are partially complete; this represents a portion of the anticipated total.



It is our determination that the fund request is appropriate for payment. Payment should be made as follows:

1. Sterling Davie (reimbursement for roof), \$33,125.55
2. Myers-Anderson (architectural services), \$25,176.44

# Pocatello Development Authority

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

*An urban renewal agency for the City of Pocatello, Idaho*

TO: Pocatello Development Authority Board of Directors  
FROM: Melanie Gygli, Interim Executive Director   
Merril Quayle, Public Works Development Engineer   
DATE: February 20, 2019  
SUBJECT: Simmons Surgical – Issuance of Grant Funds

As part of the Economic Development Loan & Grant Agreements with Simmons Surgical, the Board provided grant funds of \$75,000.00 for costs related to restoration of the hardwood floors, original skylights, original ceiling, and façade and storefront, along with associated plans and demolition, for the building at 312 West Center.

Dane Simmons, representing Simmons Surgical, has submitted a request for \$9,806.72 covering a portion of the demolition, hardwood floor restoration, ceiling restoration, and façade and storefront restoration. On Friday, February 15, 2019, the work was inspected and we determined the fund request is proportionate to the work that has been done.

With this request, the total drawn on this grant will be \$19,088.66; remaining to be drawn is \$55,911.34.

Please make a check payable to Simmons Surgical in the amount of \$9,806.72.

# Pocatello Development Authority

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

*An urban renewal agency for the City of Pocatello, Idaho*

TO: Pocatello Development Authority Board of Directors  
FROM: Melanie Gygli, Interim Executive Director *MG*  
Merril Quayle, Public Works Development Engineer *MQ*  
DATE: February 20, 2019  
SUBJECT: Simmons Surgical – Issuance of Loan Funds

As part of the Economic Development Loan & Grant Agreements with Simmons Surgical, the Board provided loan funds of \$125,000.00 for costs related to necessary repairs and add facilities to create a surgical skills training suite and an Air BnB-type lodging room in the building at 312 West Center.

Dane Simmons, representing Simmons Surgical, has submitted a request for \$11,929.11 covering project management, building permit, flooring trim and finish, carpet, and related materials. On Friday, February 15, 2019, the work was inspected and we determined the fund request is proportionate to the work that has been done.

With this request, the total drawn on this loan will be \$11,929.11; remaining to be drawn is \$113,070.89.

Please make a check payable to Simmons Surgical in the amount of \$11,929.11.

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF POCATELLO, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF POCATELLO, IDAHO, ALSO KNOWN AS THE POCATELLO DEVELOPMENT AUTHORITY, APPROVING GUIDELINES THAT IDENTIFY THE GENERAL SUBJECT MATTER OF ALL PUBLIC RECORDS MAINTAINED BY THE AGENCY; IDENTIFYING THE PHYSICAL LOCATION OF ANY SUCH PUBLIC RECORDS; DESIGNATING A CUSTODIAN TO RECEIVE PUBLIC RECORDS REQUESTS AND AN ALTERNATE CUSTODIAN; AUTHORIZING THE CHAIR, VICE-CHAIR, AND/OR EXECUTIVE DIRECTOR TO TAKE APPROPRIATE ACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Idaho Code §74-119 requires the Urban Renewal Agency of Pocatello, Idaho, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), a duly created and functioning urban renewal agency for Pocatello, Idaho (the "Agency"), to adopt guideline that identify the general subject matter of all public records maintained by the Agency, including the physical location of such records; and

WHEREAS, Idaho Code §74-119 further requires the Agency to designate a custodian to receive public records request and an alternate custodian to help members of the public who want to request public records; and

WHEREAS, the Agency has not formally adopted any guidelines, but complies with the requirements set forth in Chapter 1, Title 74, Idaho Code (the "Public Records Act"), concerning custody, retention, and disclosure of public records; and

WHEREAS, the "Agency Board and Agency staff has prepared formal guidelines (the "Guidelines") as required by Idaho Code §74-119, and as set forth in full below; and

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to approve and adopt the Guidelines.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF POCATELLO, IDAHO, AS FOLLOWS:

Section 1. That the above statements are true and correct.

Section 2. That the Guidelines set forth below are hereby approved and adopted by the Agency.

#### GUIDELINES UNDER THE PUBLIC RECORDS ACT

1. The subject matter of the public record kept or maintained by the Agency is related to the implementation of urban renewal plans, projects undertaken under any urban renewal plans, documents concerning strategic planning for new project areas, and general records including, but not limited to, agendas, minutes, agreements, financing documents, e-mail communications and other correspondence, audit, financial records, and annual reports.

2. The physical location of the public records kept or maintained by the Agency are:
  - a. Executive Director of the Pocatello Development Authority  
City of Pocatello Planning & Development Services  
911 North 7<sup>th</sup> Avenue  
Pocatello ID 83201
  - b. Treasurer of the Pocatello Development Authority  
City of Pocatello Finance Department  
911 North 7<sup>th</sup> Avenue  
Pocatello ID 83201
3. That the Board's Executive Director is designated as the primary records custodian to receive public records requests for the Agency.
4. That the Board's Treasurer is designated as the alternate records custodian to receive public records requests for the Agency.

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

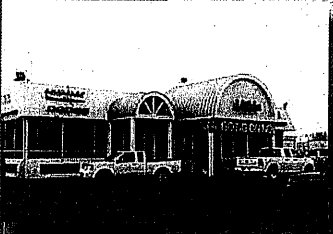
PASSED by the Pocatello Development Authority of the City of Pocatello, Idaho, on February 20, 2019. Signed by the Chair of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on February 20, 2019.

APPROVED:

By: \_\_\_\_\_  
Scott Smith, Chair

ATTEST:

By: \_\_\_\_\_  
Secretary



# POCATELLO DEVELOPMENT AUTHORITY



# 2018 ANNUAL REPORT



Pocatello City Boundary
North Yellowstone URA/TIF
North Portneua URA/TIF
Naval Ordnance URA/TIF
Pocatello Airport URA/TIF



## **Board of Commissioners**

**Scott Smith (Chair)**

Attorney, Legal

**Chad Carr (Vice-Chair)**

Utilities

**Brian Blad**

Mayor

**Matt Bloxham**

ISU Foundation

**Jim Johnston**

City Council President

**Robert Lion**

ISU College of Education

**Thomas Ottaway**

ISU College of Business

**Terrel Tovey**

Bannock Co. Commissioner

**Scott Turner (Retired)**

Business & Development

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### **PDA/City Staff**

**Melanie Gygli**

Interim Executive Director

**Joyce Stroschein**

Treasurer

**Merril Quayle**

Public Works Development  
Engineer

## **Profile of the Pocatello Development Authority**

The Pocatello Development Authority was created by the City of Pocatello in 1988 by to Resolution 1988-13 in accordance with the Urban Renewal Law of 1965 and the Local Economic Development Act. The Authority is an independent public body corporate and politic, and a discrete component of the City of Pocatello.

The purpose of the Pocatello Development Authority is to undertake urban renewal projects in areas designated by the City of Pocatello to be deteriorating and to implement the rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas, in the interest of the public health, safety, morals or welfare of the residents of the City of Pocatello. The Authority is to afford maximum opportunity, consistent with the needs of the City of Pocatello as a whole, to the rehabilitation or redevelopment of the urban renewal areas by private enterprise.

The Board of Commissioners of the Pocatello Development Authority consists of nine members. Membership includes the President of the Pocatello City Council; a member of the Board of Bannock County Commissioners (or designee); the Mayor of the City of Pocatello; one member with financial expertise such as accounting, banking or lending-institution experience; one member from the education community; and four other members from the citizenry at large. Each commissioner serves a four (4) year term and may serve up to two (2) consecutive terms or eight (8) years. Terms are staggered in such a fashion that no more than two expire in any given year.

At the regular meeting in October, the Board elects the Chairman, Vice-Chairman, Secretary, and Treasurer for a term of one year. The Board may also appoint other positions as may be determined necessary.

The Chairman of the Board is the chief presiding officer of the Pocatello Development Authority. The Chairman executes all deeds, bonds, contracts and other legal documents authorized by the Board. Some of the Chairman's duties may be delegated by the Board to the Executive Director of the Authority.

## How Does the PDA Work?

The Pocatello Development Authority (PDA) works with the City of Pocatello, the Bannock Development Corporation and the private sector to remedy blighted and/or deteriorating or deteriorated areas in accordance with Idaho State Law. The PDA administers the funding for this process using tax increment financing according to an urban renewal plan approved by the local legislative body.

The City of Pocatello (via the City Council) is responsible for determining which areas of the City qualify under urban renewal law to be categorized as deteriorated or deteriorating and considered as an urban renewal area (URA). These areas typically lack adequate infrastructure, which may include water, sewer, power, roads or access. These improvements are in most cases too costly for a developer (or the City) to fund up-front and in many cases includes property outside of the primary developer's control.

Once an urban renewal area is established, the City recruits businesses or works through other recruiting efforts such as Bannock Development Corporation to attract businesses to these areas. Businesses that are interested in moving are looking for a site that makes business sense and, in some instances, will consider moving if there is financial aid for infrastructure development or other construction costs such as demolition. This is where the PDA steps in, through the use of tax increment financing (TIF).

Tax increment financing is a mechanism that allows for funding of urban renewal projects according to an adopted

urban renewal plan. When the City establishes a TIF district the value of the property in the district is frozen at its current valuation, also referred to as the base value. The property taxes collected on this base value continue to be distributed to the various taxing entities providing services to that property, (e.g., cities, counties, and school districts), but the property taxes paid on the increased valuation goes to the Pocatello Development Authority (property values typically increase due to new development based on added value). The PDA can issue bonded debt, based upon expected valuation increases or provide reimbursement, to provide funding for infrastructure or site development necessary for the business to build in the district. Approximately two (2) years after the business has moved in, property taxes begin to be collected on the increased valuation and allocated to the Authority to pay debt or reimburse costs. If planned projects are completed and all debt is paid prior to the maximum 20 year period the district may be closed "early" and the added increment is returned to the various taxing districts.

Recently the Authority and businesses have been working to accomplish infrastructure and site development without bonded debt. Businesses moving into an established district have been able to provide funding for improvements up front, knowing reimbursement will be possible through the TIF district. Afterward, the Authority repays the businesses for infrastructure costs from the increased tax increment within the TIF area (taxes paid by the businesses returning to the businesses for what is quite often public infrastructure).

### PDA Administers Urban Renewal Areas

- PDA recommends establishment of an urban renewal area and revenue allocation area after finding of need by the City Council
- PDA creates and recommends a plan for use of the tax increment funds, according to requirements of state law
- City Council approves the plan via ordinance
- PDA executes the plan
- PDA can issue bonded debt to provide funding for infrastructure, or reimburse qualifying debt over time incurred during development, using the increased tax revenue generated by increased property valuation

## What is a Redevelopment Agency?

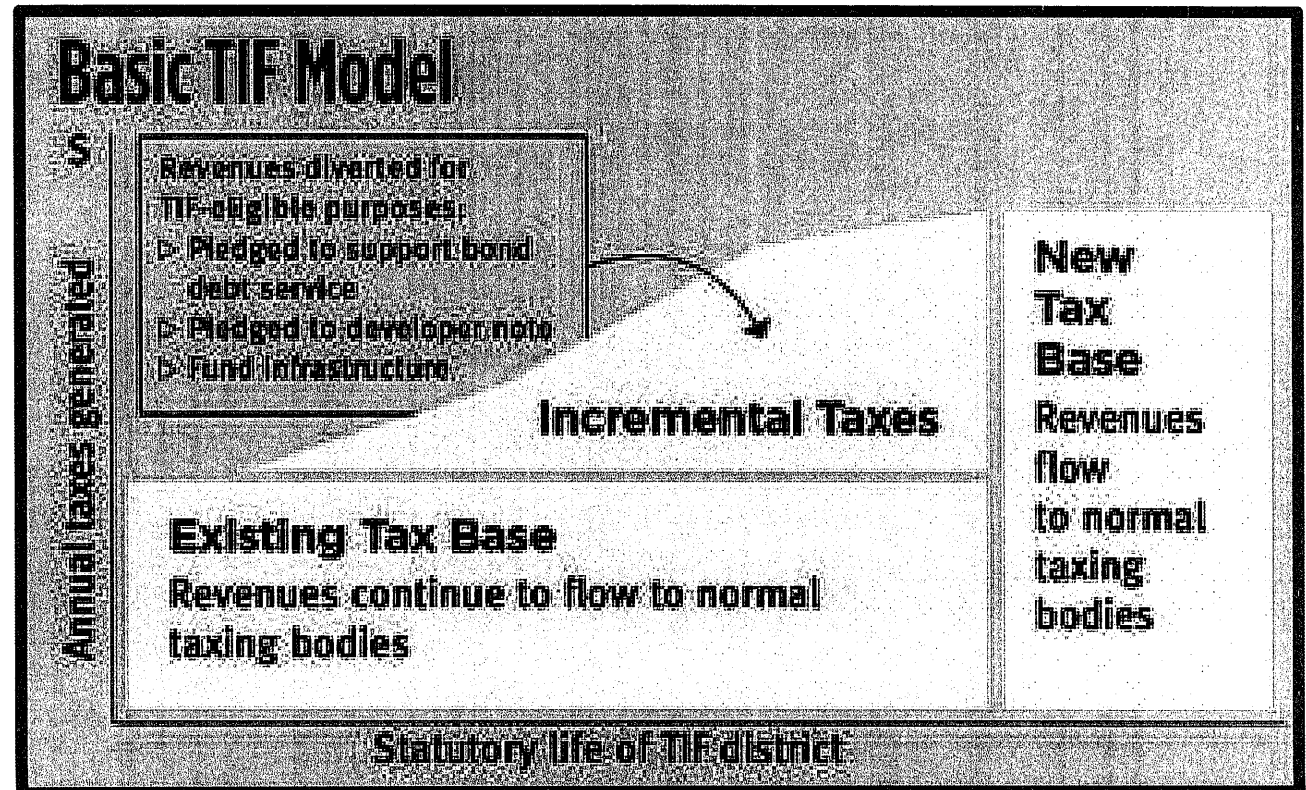
- A redevelopment agency is an independent authority established by the local governing body
- Established by the City to implement “urban renewal”
- Urban Renewal Law supports local economic development
- Successful and most significant and flexible economic development tool in Idaho to attract or provide assistance to potential new business/jobs by assisting with infrastructure, property acquisition, or cleanup or removal of deteriorated land/buildings
- Uses tax increment dollars from new or enhanced development to benefit that development and/or foster yet more development

## 2018 Annual Report - Pocatello Development Authority

The mission of the PDA is to promote and support projects that achieve sustainable economic growth and vitality to enhance the community.

Pursuant to Idaho Code §50-2006(c), urban renewal agencies are to provide an annual report by March 31<sup>st</sup> of each year to the jurisdiction’s governing body.

The PDA will hold a public hearing on the annual report at their regularly-scheduled meeting on February 20, 2019 with the required notice provisions being met.

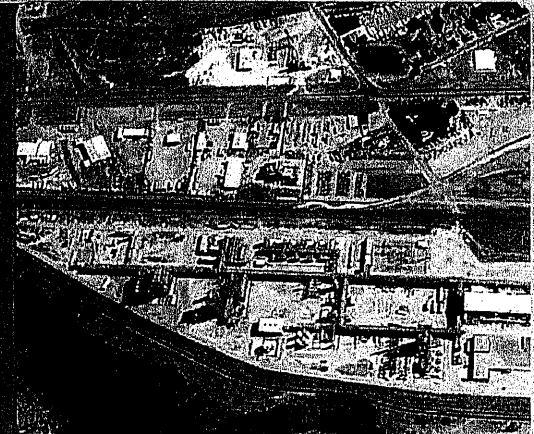


## Achievements - 2018

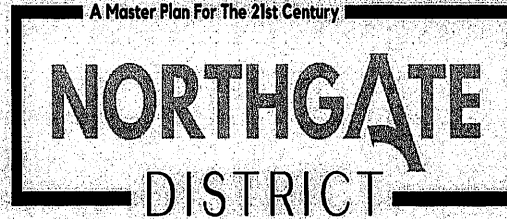


The PDA worked with businesses looking to locate or expand in historic Old Town Pocatello.

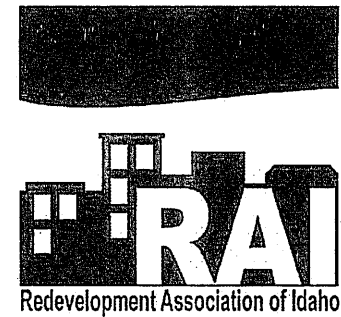
The PDA continued to work toward redevelopment of the "Hoku" site. Late in 2018, a Request for Proposals for redevelopment of the site was issued. A decision on how to proceed is anticipated in early 2019.



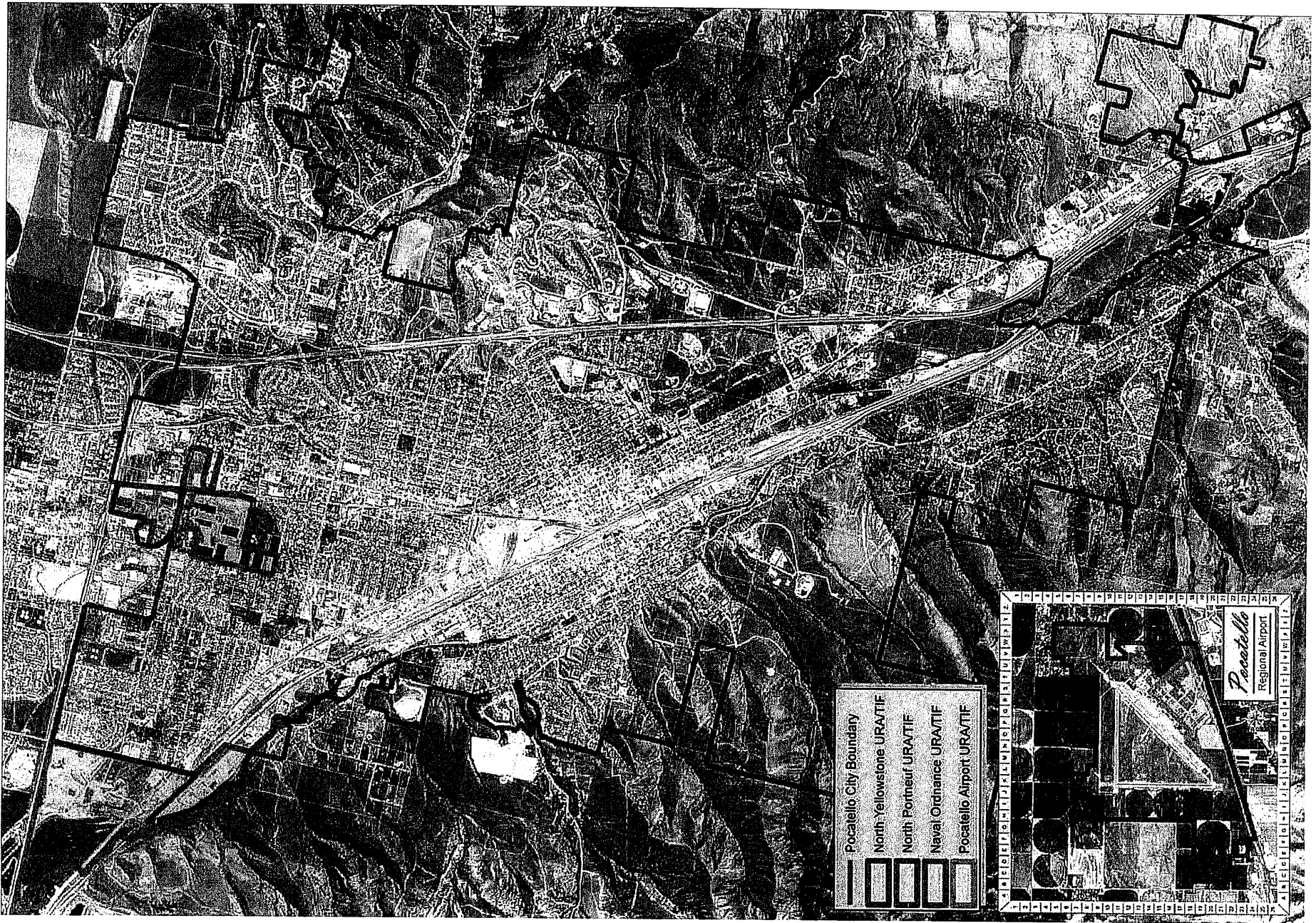
The PDA paid \$2,000,000 to assist in the construction of the new Northgate Interchange and related local road construction.



Much of the PDA's time and effort went toward developing the urban renewal area and tax increment financing plan for the new Northgate development.



The PDA continued support to the Redevelopment Association of Idaho in legislative efforts to save/enhance urban renewal laws for Idaho.



LOWE'S

POGATIELLO  
**LITHIA**  
CHRYSLER JEEP DODGE RAM

ASHLEY  
HomeStore

**TETON**  
Honda

JENSEN

**PETSMART**  
for the love of pets.

MACKENZIE  
ROCHESTER  
**PIZZA CO.**

**MATTRESS FIRM**

**BUFFALO WILD WINGS**  
GRILL & BAR

**DICK'S**  
SPORTING GOODS

**NAPA**  
**AUTO PARTS**

**Pizza Pie Cafe**  
fresh handmade pizzas

**AMERICA'S BEST**  
CONTACTS & EYEGLASSES

**JO ANN**  
fabrics and crafts

**HOUSE**

**T-Mobile**

**DOWNEAST**  
basics

**AT&T**

**ROSS**  
DRESS FOR LESS

**BED BATH & BEYOND**

**BIG 5**  
SPORTING GOODS

**TIMMY JOHN'S**  
THE  
**JJ**  
HAMBURGER RESTAURANT

North Yellowstone URA

North Yellowstone

## Companies in North Yellowstone District

- **Established:** 2004
- **Expires:** 2028
- **2018 Tax Increment:** \$1,517,471
- **Present Fund Balance:** \$3,590,235
- **Added Market Value:** **\$76,529,626**
- **Bonded Debt:** Hurley Drive project
  - \*Borrowed \$7,755,000 in 12/04 to fund \$6,000,000 construction
  - \*Debt was refinanced in 2012 at a reduced rate saving \$1.8 million interest and 3-4 years in the term of the TIF
- **\*The PDA anticipates paying off the bonded debt and closing the district in 2019.**

- **Non-Bonded Debt:** The last payment to Costco of the annual employment incentive was made in 2017.
- **Improvements:** \$9.3 million in new infrastructure, \$7,150,000 in bonds for public infrastructure including roads, curb & gutter, sidewalks, sanitary sewer, water, storm water, lighting, traffic signal upgrades, utility upgrades (gas, power, communications).
- Named "Best Planning Project" in the State, 2005
- **Employee Statistics:** As of October 2018, the North Yellowstone URA included 1,379 employees with estimated total wages of \$7,387,443, an increase in both employment numbers and wages. (Source: Idaho Department of Labor)

- Americas Best Contacts & Eyeglasses
- Ashley Furniture
- AT&T
- Bank of Commerce
- Bed, Bath & Beyond
- Big 5 Sporting Goods
- Buffalo Wild Wings
- Chili's
- Costco
- Dick's Sporting Goods
- DL Evans Bank
- Downeast Clothing
- Firehouse Grill
- Five Guys
- Great Wall Express
- Installer Direct Flooring
- Jensen Jewelers
- Jo-Ann's
- KB's Burrito
- Kiwi Loco
- Lowes
- Mattress Firm
- McKenzie River Pizza & Pub
- PetSmart
- Pizza Pie Café
- Precision Phone Repair
- Ross Dress for Less
- Texas Roadhouse
- Verizon
- Wanderlust



Naval Ordnance Plant URA



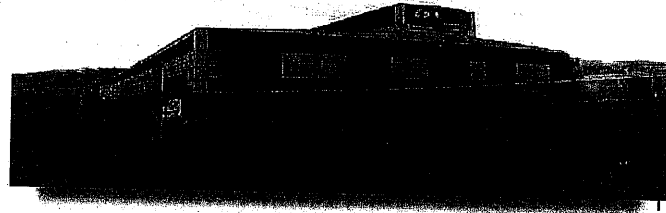
H&R Hockey



# Naval Ordnance

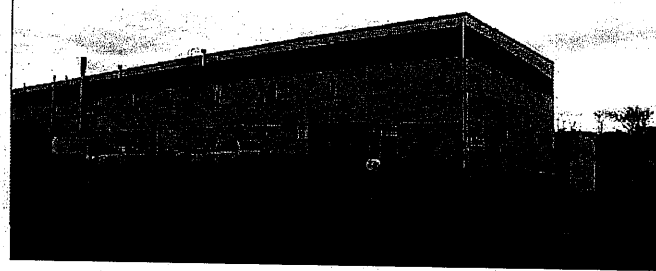
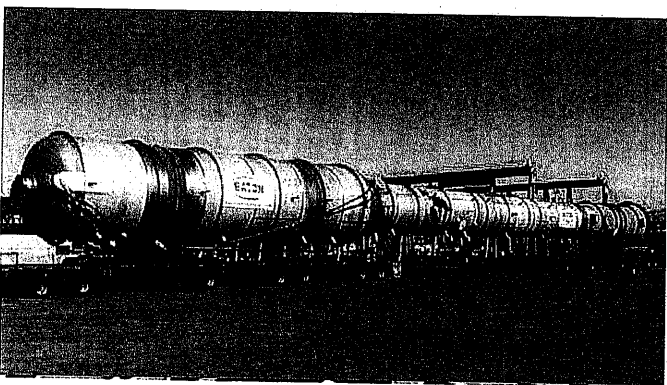
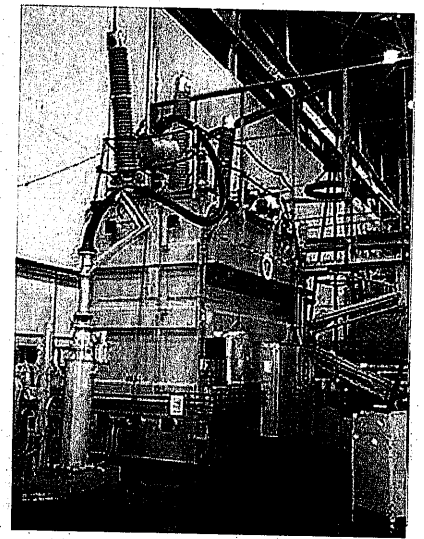
# Naval Ordnance Plant URA

- **Established:** 2006
- **Expires:** 2026
- **2018 Tax Increment:** \$248,091
- **Present Fund Balance:** \$868,663
- **Added Market Value:** **\$13,851,866**
- **Bonded Debt:** None
- **Non-bonded Debt:** None
  
- **Improvements:** Power upgrades, rail & pavement upgrades, sewer pump station, monitoring station, and building upgrades to retain manufacturing
  
- **Employee Statistics:** As of October 2018, the Naval Ordnance Plant URA included 561 employees with estimated wages of \$6,958,163. (Source: Idaho Department of Labor)
  
- **RDA Payment:** \$750,000 to make RDA payment for employment incentive to keep Petersen Inc. in Pocatello (versus Ogden, Utah). Petersen is now located at the Pocatello Regional Airport.



## Major Companies in Naval Ordnance District:

- SME Steel
- Virginia Transformer
- Eaton Metal Products
- ATCO Structures & Logistics
- Western Industrial



# Pocatello Airport

Pocatello Airport URA

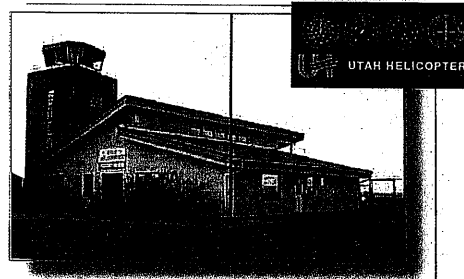
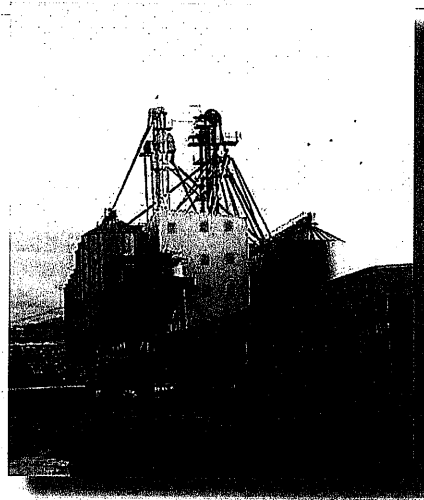
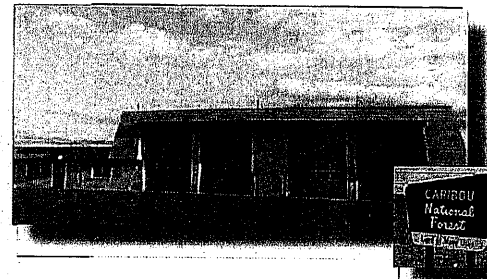
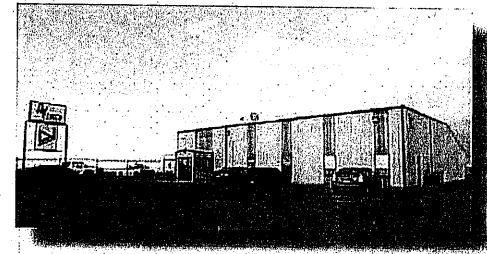


# Pocatello Airport URA

- **Established:** 2010
- **Expires:** 2033
- **2018 Tax Increment:** \$108,563
- **Present Fund Balance:** \$499,608
- **Added Market Value:** **\$5,403,055**
- **Bonded Debt:** None
- **Non-bonded Debt:** None
- **Improvements:** Upgrades to culinary and fire flow water, sewer, road, storm water, and public non-city utilities (gas, power, and communications).
- Petersen Inc. grand opening Oct 2011
- **Employee Statistics:** The Pocatello Airport URA includes 182 employees with estimated wages of \$1,791,336. (Source: Idaho Department of Labor)
- **Petersen, Inc.:** Terms of the grant agreement include a benchmark of 50 FTE with a minimum wage of \$14/hr for a period of 15 years. Petersen, Inc. continues to meet or exceed that requirement, currently reporting 62 FTEs with 59 employees earning at least \$14/hr, and an average wage of \$22.11/hr. (Source: Petersen, Inc. Semi-Annual Report dated 6/2018).

## Major Companies Pocatello Regional Airport URA

- Petersen Incorporated
- AV Center
- McNabb Grain & Trucking
- Utah Helicopter
- BLM
- NFS
- Driscoll TopHay



# North Portneuf

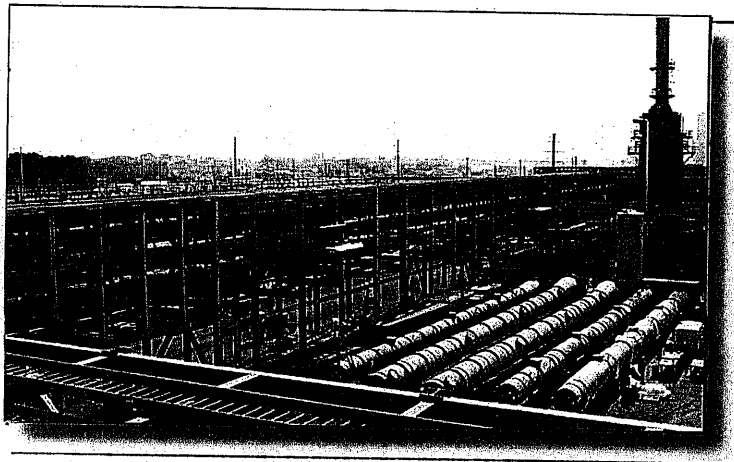
North Portneuf URA

# North Portneuf PDA

- **Established:** 2007
- **Expires:** 2024
- **2018 Tax Increment:** \$24,901
- **Present Fund Balance:** \$136,330
- **Added Market Value:** **\$7,515,735**
- **Bonded Debt:** None
- **Non-bonded Debt:** \$241,988

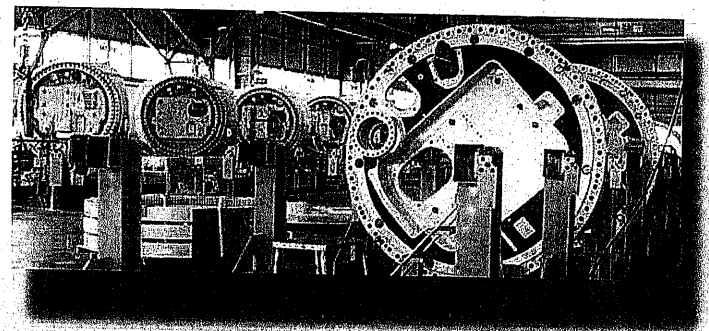
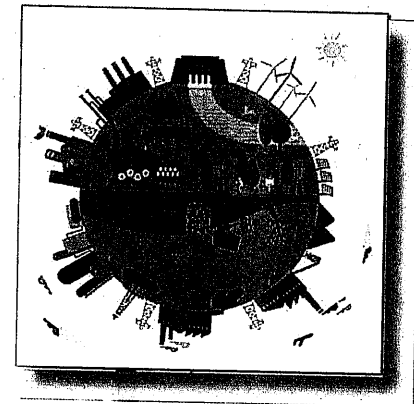
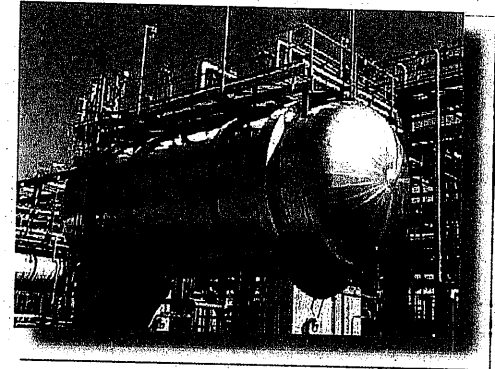
This is the amount remaining owed by the PDA to the City of Pocatello for purchase of the property.

- **Private Investment:** \$450,000,000
- **Improvements:** \$1,000,000 by the City to purchase land within the district, relocation of water mainlines and upgrades to non-City utilities (rail, gas, power, and communications) and possible roadway work, depending on the outcome of existing roadway agreements in place.



## Major Companies in North Portneuf District:

- Hoku Materials declared bankruptcy in 2014
- The PDA successfully acquired the property from City of Pocatello through conveyance per Idaho Code and existing leases have expired.
- Late in 2018, a Request for Proposals for redevelopment of the site was issued. Final action on property disposition will take place in 2019.





Matthew C. Parks  
Stacey & Parks, PLLC  
802 W Bannock St, Suite LP 110  
Boise, ID 83702  
[mcp@splawidaho.com](mailto:mcp@splawidaho.com)  
208-917-7780

February 11, 2019

Scott Smith  
Chairman  
Pocatello Development Authority  
[sjs@racinelaw.net](mailto:sjs@racinelaw.net)

Melanie Gygli  
Executive Director  
Pocatello Development Authority  
[mgygli@pocatello.us](mailto:mgygli@pocatello.us)

Re: Engagement of Stacey & Parks Re: Hoku Property Disposition

TERMS OF ENGAGEMENT

Dear Scott and Melanie:

Stacey & Parks, PLLC, ("we" or "the firm") is providing this letter to you in order to specify the terms of our engagement and how we bill for legal services. These terms of engagement provide the framework for our attorney-client relationship. It is important that we establish these terms initially, though they may be subject to change by mutual agreement at a later date. If you have questions regarding these terms, please contact us immediately.

Scope of Representation

It is our understanding that the scope of our present representation will be to represent the Pocatello Development Authority ("PDA") and its principals in connection with the disposition of certain real property that is subject to a Disposition and Development Agreement ("DDA") between the PDA and Solargise America, LLC ("Solargise"). Specifically, we will assist you with completing the pre-closing conditions set forth in the DDA and ultimately transferring the property to Solargise. However, so long as all conditions of representation remain satisfied, we will be happy to advise you on any other matter that may come up, as well. If you do contact us with regard to a matter not within the scope of this initial representation, the terms set forth in this letter will apply (unless other terms are expressly agreed upon).

### General Billing Information

We bill monthly throughout the engagement for a particular matter. Payment for our monthly invoices shall be due within thirty (30) days of receipt. Our invoices contain a concise summary of legal services rendered and the fee charged.

### Retainer

We will waive the retainer requirement for this engagement.

### Legal Fees

We primarily charge by the hour. Matt Parks will be the attorney primarily handling this representation and will charge \$200 per hour for legal services rendered in this matter; however, it is possible that other individuals in the firm will work on your file and if that does happen they will be billed at their general rate. For paralegals who may perform work on your file, we will charge \$125 per hour. We will always use our best efforts to utilize the most cost-effective individual to complete any specific task.

### Advanced Costs

In addition to legal fees, our invoices will also include any out-of-pocket expenses we advance on your behalf and our internal charges for certain support activities. Advanced costs generally include travel expenses, delivery, filing fees, recording, transcription, research, certification and registration fees.

Over the course of our representation, it may become appropriate or necessary to hire third parties to provide services on your behalf. These services may include such things as consulting or testifying experts, investigators, providers of computerized litigation support, and court reporters. Because of the legal "work product" protection afforded to the services an attorney requests from third parties, we may, in certain situations, assume responsibility for retaining the appropriate service provider. Even if we do so, however, you are responsible for paying the fees and expenses directly to the service provider or reimbursing us for these costs.

### Past Due Accounts

If our monthly invoices are not paid within 30 days after they are rendered, we reserve the right to discontinue services until the account is brought current. Further, if your account is more than 60 days past due, we reserve the right to withdraw from representation. Additionally, if your account is not paid in full within 60 days from the date of the invoice, we will impose an interest rate charge of 1.5% per month (18% annually), or the highest rate allowed by applicable law (whichever is less). Interest charges apply from the 60th day after the date of the statement until it is paid in full. Any payments made on past due statements are applied first to the oldest outstanding invoice. By engaging our legal services, you agree that we are entitled to attorneys' fees and costs if collection activities are necessary.

### Only Legal Services Are Provided

We provide services of a strictly legal nature. You agree to provide us with such factual information and materials as we require to perform these services and you will make such

business or technical decisions and determinations as are appropriate. It is understood you are not relying on us for business, investment, engineering, or accounting decisions, or to investigate the character or credit of persons with whom you may be dealing, unless otherwise specified in the letter. We will keep you advised of developments as necessary to perform our services and will consult with you as necessary to ensure timely, effective, and efficient legal work is completed.

#### Communications Between Attorney and Client

Regarding the ethics of our profession which govern our representation, several points deserve emphasis. As a matter of professional responsibility, we are required to preserve the confidence and secrets of our clients. This professional obligation and the legal privilege for attorney client communications exist to encourage candid and complete communication between clients and their lawyers. We can perform truly beneficial services for a client only if we are aware of all information that might be relevant to our representation. Consequently, we trust our attorney-client relationship with you will be based on mutual confidence and unrestrained communication which will facilitate our proper representation. Additionally, you should be aware that, in instances in which we represent a corporation or similar legal identity, our client relationship is with the entity and not with individual executives, shareholders, directors, partners, or persons in similar positions. In those cases, our professional responsibilities are to the legal entity. Of course, we can represent individual executives, shareholders, directors, partners or other persons related to the entity in matters that do not conflict with the interest of the entity.

#### Conflicts With Representation

During the term of this engagement, we will not accept representation of another client whose interests are adverse to yours unless and until we have made full disclosure to you of all relevant facts, circumstances, and implications of our undertaking the two representations and you have consented in writing to our representation of the other client. You agree you will be reasonable in evaluating such circumstances and you will give your consent if we can confirm to you in good faith the following criteria are met: (1) there is no substantial relationship between any matter in which we are representing or have represented you and the matter with the other client; (2) our representation of the other client will not involve any confidential information we received from you; (3) our effective representation of you and the discharge of our professional responsibilities to you will not be prejudiced by our representation of the other client; and (4) the other client has also consented in writing based on our full disclosure of the relevant facts, circumstances, and implications of our undertaking the two representations.

#### Termination of Attorney-Client Relationship

Upon completion of the matter to which this engagement applies, or upon earlier termination of our relationship as described herein, the attorney-client relationship will end unless you and we have expressly agreed to a continuation with respect to other matters. We hope, of course, that such a continuation will be the case. The representation is terminable at will by either party subject to ethical restraints and the payment of all fees and costs. In the unusual event that a court of competent jurisdiction refuses to permit our firm to withdraw upon termination, you will remain responsible for any additional fees and costs incurred on your behalf.

Acceptance of Terms and Conditions

Your agreement to our representation constitutes your acceptance of the foregoing terms and conditions. You also acknowledge you are authorized to accept these terms and conditions on behalf of the PDA. If any of this is unclear or unacceptable to you, please advise us now so we may resolve any differences and proceed with a clear, complete, and consistent understanding of our relationship. We intend the obligations contained herein to be contractual and to govern our business relationship. The attorney-client relationship is one necessarily built on trust and full communication. We invite you to fully discuss, at any time, any questions you may have regarding our representation of you in this proceeding. We are honored that you chose our firm to represent you.

As always, please feel free to call or email if you have any questions about anything contained in this letter. If the terms of our engagement are acceptable to you, please sign below and return a signed copy of this letter by email or fax.

I look forward to hearing from you.

Sincerely,

*Sent without signature to avoid delay*

Matthew Parks

DATED \_\_\_\_\_

Pocatello Development Authority

\_\_\_\_\_  
By: Scott Smith  
Its: Chairman

**Pocatello  
Development  
Authority  
&  
Petersen Inc.  
Status Update**

**December 31, 2018**

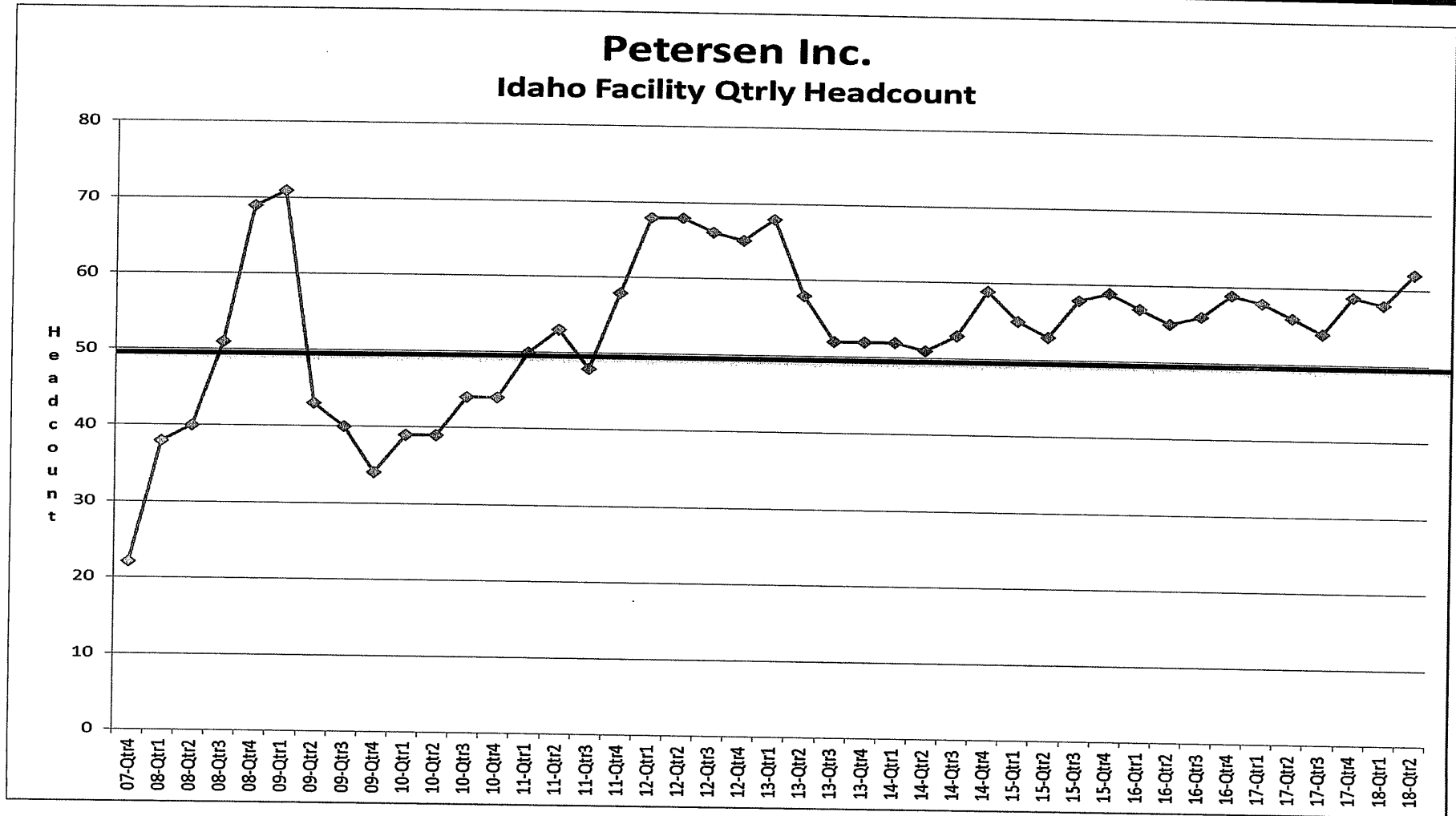
# PDA Agreement

- Grant, Loan and guarantee terms contingent on Petersen Inc. performance
  - 50 full time employees
  - Period of fifteen years – Beginning 3/1/2011 thru 3/1/2026
  - Minimum wage of \$14.00/hour

# Current Conditions

- Work has been steady all year
- Several large projects recently awarded to Petersen Inc.
- Future bright, commitment strong
- Currently 65 heads on roll
  - 63 heads at/over \$14.00 per hour
  - Average wage of \$23.27 per hour

# Current Conditions



# PROOF OF PUBLICATION

STATE OF IDAHO  
County of Bannock

LN25945



KAY TILLEY

being first duly sworn on oath deposes and says: that SHE was at all times herein mention a citizen of the United States of America more than 21 years of age, and the Principal Clerk of the Idaho State Journal, a daily newspaper, printed and published at Pocatello, Bannock County Idaho and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

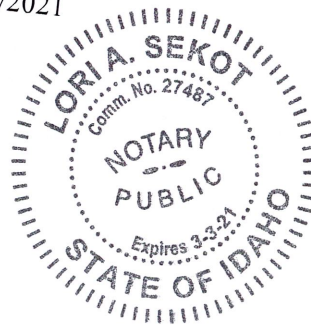
Feb. 12 2019 Feb.        2019  
Feb.        2019 Feb.        2019  
Feb.        2019 Feb.        2019  
Feb.        2019 Feb.        2019

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO  
COUNTY OF BANNOCK

On this 12th. of Feb in the year of 2019, before me, a Notary Public, personally appeared KAY TILLEY Known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn declared that the statements therein are true, and acknowledge to me that he executed the same.

Notary of Public  
Lori G. Sekot  
Residing at Arimo exp. 3/3/2021



**POCATELLO  
DEVELOPMENT AUTHORITY  
NOTICE OF FILING of  
2018 ANNUAL REPORT and  
PUBLIC MEETING TO REPORT  
FINDINGS AND TAKE  
PUBLIC COMMENT**

Notice is hereby given that the Pocatello Development Authority, an urban renewal agency (the "Agency"), will hold a meeting on Wednesday, February 20, 2018, at the hour of 11:00 a.m., in the Paradise Conference Room at Pocatello City Hall, 911 North 7th, Pocatello, Idaho, to present its 2018 Annual Report of activities and to take comments from the public regarding those activities pursuant to Idaho Code §50-2006(c). A copy of the 2018 Annual Report will be filed with the City of Pocatello and available at the office of the City Clerk for examination during regular business hours. Persons wishing to examine a copy of the Agency's 2018 Annual Report or requesting other information may also contact Melanie Gygli, Interim Executive Director for the Pocatello Development Authority, at the City of Pocatello Planning & Development Services Department at 208-234-6583.

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days' advance notice by contacting Skyler Beebe at [sbeebe@pocatello.us](mailto:sbeebe@pocatello.us); 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

\*\*\*\*\*

Publication: Tuesday, February 12, 2019  
LN25945

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\*\*\*\*\*

Publication: Tuesday, February 12, 2019

# Pocatello Development Authority

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

*An urban renewal agency for the City of Pocatello, Idaho*

TO: Ruth Whitworth, City Clerk  
City of Pocatello

FROM: Melanie Gygli, Interim Executive Director  
Pocatello Development Authority

DATE: February 12, 2019

RE: 2018 Annual Report



As required by Idaho Code 50-2006(c), attached is the 2018 Annual Report of the Pocatello Development Authority, as well as a copy of its Comprehensive Annual Financial Report for FY2018. This report is provided to you so that it may be available for inspection during business hours. These documents are also available in my office for the same purpose.

If you have any questions, please let me know.

Attachments