

POCATELLO DEVELOPMENT AUTHORITY
Board of Commissioners Meeting
July 24, 2019 – 11:00 a.m.
Paradise Conference Room – Pocatello City Hall

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three days' advance notice by contacting Skyler Beebe at sbeebe@pocatello.us, 208.234.6248, or 5815 South 5th Avenue, Pocatello, Idaho.

In the event this meeting is still in progress at 12:00 p.m., a ten-minute recess may be called.

- 1. CALL TO ORDER, DISCLOSURE OF CONFLICT OF INTEREST, AND ACKNOWLEDGMENT OF GUESTS.**
- 2. ACTION ITEM – Minutes.** The Board may wish to waive the oral reading of the minutes and approve the minutes from the Board of Commissioners Regular Meeting held June 19, 2019, and the Executive Session held June 19, 2019. *See attached documents.*
- 3. ACTION ITEM - Financial Report.** A financial report for the PDA will be provided by PDA Treasurer. The Board may wish to approve the financial report. *See attached documents.*
- 4. ACTION ITEM – Expense Payments & Reimbursements.** The Board may wish to approve the payment or reimbursement of the following PDA expenses.
 - a. \$2,608.40 from General Fund to Elam & Burke for legal fees re: Northgate TIF District creation.
 - b. \$71.50 from North Yellowstone District Fund to Elam & Buke for legal fees re: North Yellowstone District closure.
 - d. \$473.00 from General Fund to Elam & Burke for legal fees re: Special Counsel General
 - e. \$1,520.00 from North Portneuf District Fund to Stacey & Parks for legal services re: North Portneuf TIF District.
- 5. ACTION ITEM – Disbursements under Previously Approved Grants & Loans.** The Board may wish to approve the following requested disbursements of funds under grants and loans previously approved by the Board. *See attached documents.*
 - a. BGS Holdings LLC is requesting disbursements of \$2,086.00 under the loan agreement approved by the Board on 11/1/18 and \$650.00 under the grant agreement approved by the Board on 10/17/18.
 - b. Simmons Surgical LLC is requesting disbursement of \$9,597.83 under the grant approved by the Board on 12/19/18.
- 6. ACTION ITEM – BGS Loan Subordination.** The Board may wish to consider a request to subordinate the PDA's loan to Bank of Idaho. *To be supplemented.*
- 7. REPORT – Petersen Inc. Annual Report -** The Board may receive a report concerning Petersen Inc.'s annual report and compliance with the terms of the grant provided by the PDA. *See attached documents.*
- 8. REPORT – North Yellowstone District.** The Board may receive a report of the status and closure of the North Yellowstone District.
- 9. REPORT – Northgate District.** The Board may receive a report of the status of the Northgate District.
- 10. ACTION ITEM – Naval Ordnance District.** The Board may wish to approve a disbursement of \$134,850.00 for the paving project approved by the Board on 6/19/19. *See attached documents.*
- 11. EXECUTIVE SESSION – North Portneuf TIF District.** The Board may approve participation in an executive session as outlined in Idaho Code § 74-206(1)(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, concerning the disposition of the Hoku property and the lawsuit filed by Celtic Life Sciences LLC with respect to the Hoku property.
- 12. ACTION ITEM – North Portneuf TIF District.** The Board will receive a report of the status of the North Portneuf TIF District. This will include a report of the status of the sale by the PDA of the Hoku property, the status of the purchaser's compliance with the sale contracts, the status of unpaid property taxes on the Hoku property, and the status of the lawsuit filed by Celtic Life Sciences LLC with respect to the Hoku property.

13. **ACTION ITEM – Positron Building.** The Board may wish to consider disposition of the “Positron” building and ISU’s interest in acquiring the building.
14. **ACTION ITEM – Reimbursement to City.** The Board may wish to consider a request by the City of Pocatello for reimbursement of staff costs providing support to the PDA Board.
15. **ACTION ITEM – Career Path Internship Program.** The Board may wish to consider participation in Idaho State University’s Career Path Internship Program.
16. **CALENDAR REVIEW** – The Board may wish to take this opportunity to inform other Board members of upcoming meetings and events that should be called to their attention.
17. **ADJOURN.**

**AGENDA ITEM
NO. 2**

**POCATELLO DEVELOPMENT AUTHORITY
MEETING MINUTES
June 19, 2019**

Members present: Blad, Matt Bloxham, Chad Carr, Jim Johnston (left the meeting at approximately 12:10 p.m.), Rob Lion, Scott Smith, Terrel Tovey, and Scott Turner

Members excused/absent: Brian Blad, Thomas Ottaway

Others present: Melanie Gygli, Interim Executive Director; Ashley Linton-Welsh, Deputy CFO; Jared Johnson, Pocatello City Attorney; Carl Anderson, Senior Planner; Heidi Adamson, City Council Member; Mike Ennis, Bannock Development Corporation (ex officio); Tiffany Olsen, Bannock County; Matt Parks, Stacey & Parks (by phone from approximately 11:10 a.m. to 11:36 a.m.); Barbara Wischerath, Gateway West; L.D. Barthlome

Agenda Item No. 1: Call to Order and Disclosure of Conflicts of Interest. Chairman Scott Smith called the meeting to order to 11:04 a.m. No conflicts were disclosed.

Agenda Item No. 2: Minutes. The minutes of the Regular and Executive Sessions of May 15, 2019 were considered. It was then **MSC (J. Johnston, M. Bloxham)** to approve the minutes as presented.

Agenda Item No. 3: Financial Report. **A. Linton-Welsh** presented the financial report for the month of May 2019. At the end of the reporting period, the Authority had cash on hand of \$3,494,916.87. The checking account balance was \$3,494,891.87 and the savings account was \$25.00. The Authority recognized financial activity as follows: revenue totaled \$7,550.37, of which \$908.14 was interest earnings on cash invested, rental income from the Positron facility, and \$5,892.23 in property taxes from the North Yellowstone District. Expenses totaled \$17,953.19, including administrative expenses of \$3,131.69 and other professional services of \$14,821.50. Economic development grants of \$12,954.41 and loans of \$55,960.38 were issued.

Following discussion, it was then **MSC (J. Johnston, T. Tovey)** to approve the May 2019 financial report as presented. Board members asked to have an updated list of general fund projects and disbursements with future financial reports.

Agenda Item No. 4: Payment Requests/Reimbursements. The following invoices were reviewed for payment:

- a. \$943.56 from General Fund to Elam & Burke for legal fees re: Northgate TIF District creation.
- b. \$860.00 from North Yellowstone District Fund to Elam & Buke for legal fees re: North Yellowstone District closure.
- c. \$365.50 from North Portneuf District Fund to Elam & Burke for legal fees re: North Portneuf TIF District.
- d. \$1,720.00 from North Portneuf District Fund to Stacey & Parks for legal services re: North Portneuf TIF District.

Gygli reported the invoices accurately reflect work performed or goods and services provided, and are appropriate for payment. It was then **MSC (R. Lion, J. Johnston)** to approve the payment requests.

Agenda Item No. 5: North Portneuf TIF District. **Parks** joined the meeting by phone. He attended the Bannock County Commissioner's hearing to request an extension for payment of delinquent taxes,

which was granted until 8/19/19. He has been in contact with Solargise's attorney on the tax issue and the default by Solargise on property purchase. The default cure period expires on 7/22/19. Solargise is also in technical default on the license agreement since the required deposit was not paid.

Discussion ensued among Board members regarding the best path forward, potential options for payment of only the tax amount that would be paid to the regular taxing districts (vs. the increment to the PDA—which Tovey stated is unlikely in his opinion to be approved). Ultimately, if the taxes are not paid by the August deadline, the County will take the property by tax deed, which could remove other existing liens. Rather than taking other action now, Board consensus was to wait until the default cure period expires, then determine what is needed going forward.

Agenda Item No. 6: Executive Session – North Portneuf TIF District. To allow discussion regarding pending litigation, **Smith** called for an executive session. Pursuant to I.C. §74-206(1)(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, at approximately 11:23 a.m., **it was moved and seconded (J. Johnston, T. Tovey)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(f). **The motion passed by roll call vote (Ayes: Johnston, Tovey, Bloxham, Carr, Lion, Smith, Turner. Nays: None.)** At approximately 11:36 a.m., the Board reconvened to regular session.

Smith moved ahead to Agenda Item No. 14.

Agenda Item No. 14: Executive Session – Positron Building. To allow review of records that are exempt from disclosure, **Smith** called for an executive session. Pursuant to I.C. §74-206(1)(d) to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code, at approximately 11:36 a.m., **it was moved and seconded (T. Tovey, J. Johnston)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(d). **The motion passed by roll call vote (Ayes: Tovey, Johnston, Bloxham, Carr, Lion, Smith, Turner. Nays: None.)** At approximately 11:45 a.m., the Board reconvened to regular session.

Following the executive session, **Smith** welcomed those who had been dismissed back to the meeting.

Agenda Item No. 13: Positron Building. Board members briefly discussed sale of the property to Idaho State University. Further consideration of how to proceed will occur at a later meeting.

Agenda Item No. 7: Naval Ordnance District. **Barbara Wischerath**, representing Gateway West, presented a request for funding for road paving. The original request was for \$116,898.00, however, with further inspections, additional work is needed and the amount is now \$134,850.00. This amount reflects the lower of two estimates, both in total and in per unit pricing.

The only existing funding commitment in this district is for power upgrades, at 50 percent of cost up to \$200,000.00. Wischerath stated with changes made by Idaho Power, this project will be reworked, so that commitment is no longer needed but may need to be revisited. Following brief discussion, it was **MSC (T. Tovey, S. Turner)** to rescind the commitment of up to \$200,000.00 for power upgrades. Wischerath will return in the future with a longer-range plan for additional improvements. She noted the pending lawsuit was completed at district court level, but has been appealed to the Ninth Circuit. Briefs on that appeal are due now and she anticipates the entire process will be complete in 18 months.

Board members discussed the request, noting that road paving is called out in the URA plan as project to be supported. The district can remain open until 2026 and there is approximately \$980,000.00 in cash available. Board members expressed their desire to see improvements to the building facades.

It was then **MSC (J. Johnston, C. Carr)** to approve payment of \$134,850.00 for the paving project, on a reimbursement basis. Any questions on permits and payment should be directed to PDA staff.

Agenda Item No. 8: Northgate TIF Plan. Gygli reported the City Council adopted the enacting ordinance at their meeting 5/2/19. It was published 5/8/19 and the 30-day period for contesting its adoption has passed. The next steps include creation of owner participation agreements with the entities to be reimbursed. There will be some additional expense for legal fees going forward. The first receipt of increment funds is not anticipated until January of 2021.

Agenda No. 9: North Yellowstone District. Gygli reported the ordinance dissolving the district was adopted by the Pocatello City Council. A budget amendment for the termination will be presented at the August hearing. Then any remaining funds will be returned to Bannock County for distribution to the various taxing entities.

Agenda Item No. 10: Request for Grant/Loan Disbursements.

- a. **BGS Holdings:** Disbursement of \$13,665.67 in loan funds and \$42,990.00 in grant funds was requested.
- b. **Simmons Surgical:** Disbursement of \$14,524.86 in loan funds and \$1,050.00 in grant funds was requested.
- c. **Station Square:** Disbursement of \$4,358.72 in loan funds was requested.

Gygli reviewed the requests, explaining that permits and inspections have been completed where required. For activities not requiring a formal permit, she and Quayle have inspected the work. All requests appear appropriate for the work performed. After review and discussion, it was **MSC (J. Johnston, R. Lion)** to authorize the payments described above.

Agenda Item No. 11: Barthlome Funding Change. Gygli reported L.D. Barthlome chose to not use loan funds from the PDA. Following brief discussion, it was **MSC (T. Tovey, J. Johnston)** to rescind approval of the loan approval, at the applicant's request.

Agenda Item No. 12: Moratorium on Funding Requests. The Board reviewed the balance in the general fund and discussed potential financial commitments that may arise. The Board also wishes to further consider priorities for use of the general fund, potential guidelines for choosing projects, etc. It was then **MSC (T. Tovey, R. Lion)** to declare a moratorium on accepting applications for general fund use, until the Board determines to reopen consideration. If applications are submitted, Gygli will return them, but keep a list of interested parties.

Agenda Item No. 15: Career Path Internship Program. Turner described ISU's Career Path Internship program, where students can work for off-campus organizations. Students from a variety of programs are available, depending on funding, and can work up to 20 hours per week. To work for the PDA, students probably would need to be associated with the City as the employer. Board members discussed potential projects, such as commercial land availability, reworking the website, rebranding the

PDA, creating an overlay of funded projects. Gygli will contact Emily Jahsman at ISU to see what student availability will be for the fall and talk with the Mayor about the City taking this on.

Agenda Item No. 15: Calendar Review.

- a. Think BIG: **Lion** announced an upcoming meeting on 7/10, 7:30 a.m., on the 2nd floor of Station Square to discuss the tech and knowledge economies. Idaho is behind the curve in these areas and efforts to move ahead need to be coordinated. Representatives from the SBDC will be present, as well.
- b. Next Meeting: The next meeting will be moved from July 17 to July 24, so the Board can review the Hoku property disposition issues after the end of the default cure period.

Adjournment: There being no further business, the meeting adjourned at approximately 12:40 p.m.

By: 
Melanie Gygli, Interim Executive Director/Secretary

POCATELLO DEVELOPMENT AUTHORITY MEETING MINUTES
EXECUTIVE SESSION
June 19, 2019

Members present: Matt Bloxham, Chad Carr, Jim Johnston, Rob Lion, Scott Smith, Terrel Tovey, and Scott Turner.

Members absent/excused: Brian Blad, Thomas Ottaway.

Others present: Melanie Gygli, Interim Executive Director; Ashley Linton-Welsh, Deputy CFO; Matt Parks, Stacey & Parks (by phone – left meeting at 11:36 a.m.); Tiffany Olsen, Bannock County.

The Board of Commissioners adjourned from regular session into executive session pursuant to I.C. §74-206(1)(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. At approximately 11:23 a.m., **it was moved and seconded (J. Johnston, T. Tovey)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(f). **The motion passed by roll call vote (Ayes: Johnston, Tovey, Bloxham, Carr, Lion, Smith, Turner. Nays: None.)** At approximately 11:36 a.m., the Board reconvened to regular session.

The Board of Commissioners adjourned from regular session into executive session pursuant to I.C. §74-206(1)(d) to consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code. At approximately 11:36 a.m., **it was moved and seconded (T. Tovey, J. Johnston)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(d). **The motion passed by roll call vote (Ayes: Tovey, Johnston, Bloxham, Carr, Lion, Smith, Turner. Nays: None.)** At approximately 11:45 a.m., the Board reconvened to regular session.

By: 
Melanie Gygli
Interim Executive Director/Secretary

**AGENDA ITEM
NO. 3**

Pocatello Development Authority
Balance Sheet by Class
As of June 30, 2019

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	6-North Portneuf	7-Pocatello Regional Airport	TOTAL
ASSETS						
Current Assets						
Checking/Savings						
ICCU Checking	673,347.43	890,468.81	981,368.85	324,736.61	555,533.78	3,425,455.48
ICCU Savings	25.00	0.00	0.00	0.00	0.00	25.00
Total Checking/Savings	673,372.43	890,468.81	981,368.85	324,736.61	555,533.78	3,425,480.48
Accounts Receivable	2,250.00	0.00	0.00	0.00	0.00	2,250.00
Accounts Receivable	2,250.00	0.00	0.00	0.00	0.00	2,250.00
Total Accounts Receivable	2,250.00	0.00	0.00	0.00	0.00	2,250.00
Other Current Assets						
Accrued Interest Income	23,932.63	4,424.57	173.37	86.68	100.00	28,697.25
Property Tax Receivable	0.00	98,168.01	0.00	201,165.23	0.00	299,333.24
Total Other Current Assets	23,932.63	102,592.58	173.37	201,231.91	100.00	328,030.49
Total Current Assets	699,555.06	993,061.39	981,542.22	525,968.52	555,633.78	3,755,760.97
Other Assets						
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
Total Other Assets	500,779.00	0.00	0.00	0.00	0.00	500,779.00
TOTAL ASSETS	1,200,334.06	993,061.39	981,542.22	525,968.52	555,633.78	4,256,539.97
LIABILITIES & FUND BALANCE						
Liabilities						
Current Liabilities						
Other Current Liabilities						
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
Total Other Current Liabilities	18,311.63	0.00	0.00	206,964.31	0.00	225,275.94
Total Current Liabilities	18,311.63	0.00	0.00	206,964.31	0.00	225,275.94
Long Term Liabilities						
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
Total Long Term Liabilities	99,632.57	10,399.03	0.00	201,025.90	0.00	311,057.50
Total Liabilities	117,944.20	10,399.03	0.00	407,990.21	0.00	536,333.44
Fund Balance						
Fund Balance	1,831,837.57	3,590,235.69	868,662.92	136,330.61	499,607.73	7,026,674.52
Net Income	-849,447.71	-2,607,573.33	112,879.30	-18,352.30	56,026.05	-3,306,467.99
Total Equity	1,082,389.86	982,662.36	981,542.22	117,978.31	555,633.78	3,720,206.53
TOTAL LIABILITIES & EQUITY	1,200,334.06	993,061.39	981,542.22	525,968.52	555,633.78	4,256,539.97

Pocatello Development Authority
Profit & Loss by Class
June 2019

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	6-North Portneuf	7-Pocatello Regional Airport	TOTAL
Ordinary Income/Expense						
Income						
Interest Income	199.75	308.53	254.23	81.72	145.27	989.50
Property Taxes	0.00	6,073.41	281.30	2,522.17	370.35	9,247.23
Rental Income	2,250.00	0.00	0.00	0.00	0.00	2,250.00
Total Income	<u>2,449.75</u>	<u>6,381.94</u>	<u>535.53</u>	<u>2,603.89</u>	<u>515.62</u>	<u>12,486.73</u>
Gross Profit	2,449.75	6,381.94	535.53	2,603.89	515.62	12,486.73
Expense						
Administrative	194.81	-1,000.00	0.00	0.00	0.00	-805.19
Economic Grants Issued	44,040.60	0.00	0.00	0.00	0.00	44,040.60
Economic Loans	32,548.65	0.00	0.00	0.00	0.00	32,548.65
Professional Services						
Other Professional Services	943.56	860.00	0.00	2,085.50	0.00	3,889.06
Total Professional Services	<u>943.56</u>	<u>860.00</u>	<u>0.00</u>	<u>2,085.50</u>	<u>0.00</u>	<u>3,889.06</u>
Total Expense	<u>77,727.62</u>	<u>-140.00</u>	<u>0.00</u>	<u>2,085.50</u>	<u>0.00</u>	<u>79,673.12</u>
Net Ordinary Income	<u>-75,277.87</u>	<u>6,521.94</u>	<u>535.53</u>	<u>518.39</u>	<u>515.62</u>	<u>-67,186.39</u>
Net Income	<u>-75,277.87</u>	<u>6,521.94</u>	<u>535.53</u>	<u>518.39</u>	<u>515.62</u>	<u>-67,186.39</u>

At month end, the Authority had cash on hand of \$3,425,480.48. The checking account balance was \$3,425,455.48 and the savings account balance was \$25.00.

Pocatello Development Authority recognized normal financial activity during the month of June. The Authority received revenues totaling \$12,486.73 of which \$989.50 was interest earnings on cash invested and property taxes. Property tax revenues were received from the North Yellowstone District (\$6,073.41), the Naval Ordnance District (\$281.30), the North Portneuf District (\$2,522.17), and the Airport District (\$370.35). Rental income from the Positron Facility was received in the amount of \$2,250.

Expenses paid for the month totaled \$79,673.12. The administrative expenses were \$194.81 for the lunch meeting in June and the PDA received a reimbursement check for \$1,000 from the City of Pocatello for Trustee Fees paid in error. Economic grants were issued in the amount of \$44,040.60 and economic loans were issued for \$32,548.65. Other professional services include \$2,169.06 to Elam & Burke for Northgate TIF creation, North Portneuf District and North Yellowstone District closure and \$1,720 to Stacey & Parks, PLLC for legal assistance on the HOKU Property.

Year to date revenues of \$1,183,175.88 (see page 3) are less than expenses of \$4,499,643.87, so there is an overall net use of reserves of \$3,306,467.99.

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

	1-General Fund	3-North Yellowstone	4-Naval Ordinance	6-North Portneuf	7-Pocatello Regional Airport	TOTAL
Ordinary Income/Expense						
Income						
Interest Income	2,216.76	48,025.49	1,724.47	670.23	932.70	53,569.65
Loan Interest Income	0.00	0.00	0.00	0.00	115.91	115.91
Personal Property tax replace	0.00	23,003.35	6,043.21	404.91	0.00	29,451.47
Property Taxes	0.00	921,672.70	105,111.62	11,527.09	54,977.44	1,093,288.85
Rental Income	6,750.00	0.00	0.00	0.00	0.00	6,750.00
Total Income	8,966.76	992,701.54	112,879.30	12,602.23	56,026.05	1,183,175.88
Gross Profit	8,966.76	992,701.54	112,879.30	12,602.23	56,026.05	1,183,175.88
Expense						
Administrative	1,618.57	2,000.00	0.00	278.41	0.00	3,896.98
Debt Service						
Interest	0.00	62,651.87	0.00	0.00	0.00	62,651.87
Principal	0.00	3,533,000.00	0.00	0.00	0.00	3,533,000.00
Total Debt Service	0.00	3,595,651.87	0.00	0.00	0.00	3,595,651.87
Dues and Memberships	1,350.00	0.00	0.00	0.00	0.00	1,350.00
Economic Grants Issued	487,595.54	0.00	0.00	0.00	0.00	487,595.54
Economic Loans	302,524.32	0.00	0.00	0.00	0.00	302,524.32
Professional Services						
Other Professional Services	56,510.50	2,623.00	0.00	24,192.20	0.00	83,325.70
Professional Services - Other	8,815.54	0.00	0.00	6,483.92	0.00	15,299.46
Total Professional Services	65,326.04	2,623.00	0.00	30,676.12	0.00	98,625.16
Void check	0.00	0.00	0.00	0.00	0.00	0.00
Total Expense	858,414.47	3,600,274.87	0.00	30,954.53	0.00	4,489,643.87
Net Ordinary Income	-849,447.71	-2,607,573.33	112,879.30	-18,352.30	56,026.05	-3,306,467.99
Net Income	-849,447.71	-2,607,573.33	112,879.30	-18,352.30	56,026.05	-3,306,467.99

General Fund Obligations (w/payments requested as of 7/15/19)

Name	Grant	Drawn	Remaining	Loan	Drawn	Remaining	Payments Start
Northgate TIF				\$2,000,000.00	(\$2,000,000.00)	\$0.00	2021 - TIF reimbursement begins
Station Square	\$100,000.00	(\$15,059.00)	\$84,941.00	\$100,000.00	(\$47,882.44)	\$52,117.56	8/1/2020 (\$6,250 + interest quarterly)
The Yellowstone				\$16,795.00	\$0.00		Not yet disbursed, \$1,050 + interest quarterly
The Yellowstone/Bridge				\$26,000.00	(\$26,000.00)	\$0.00	1/1/2020 (\$1,625 + interest quarterly)
Inergy	\$25,000.00	\$0.00	\$25,000.00				Only if employment incentive not met
BGS	\$60,000.00	(\$59,550.00)	\$450.00	\$200,000.00	(\$190,628.19)	\$9,371.81	6/1/2020 (\$12,500 + interest quarterly)
Simmons	\$75,000.00	(\$55,818.18)	\$19,181.82	\$125,000.00	(\$60,100.29)	\$64,899.71	6/1/2020 (\$7,813 + interest quarterly)
Snyder	\$75,000.00	(\$37,000.00)	\$38,000.00				NA
Barthlome	\$10,000.00	(\$10,000.00)	\$0.00	\$17,500.00			NA Chose not to take loan

**AGENDA ITEM
NO. 5**

Pocatello Development Authority

5b

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

TO: Pocatello Development Authority Board of Directors *An urban renewal agency for the City of Pocatello, Idaho*

FROM: Melanie Gygli, Interim Executive Director *MG*
Merril Quayle, Public Works Development Engineer *MB*

DATE: Meeting of July 24, 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 \$9,597.83 covering a variety of interior work and materials, including skylight restoration. Copies of outstanding bills and/or paid invoices have been submitted 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 \$55,818.18; remaining to be drawn is \$19,181.82. Payment will be made as follows:

1. Overhead Door in the amount of \$5,189.00
2. Simmons Surgical in the amount of \$4,408.83

Pocatello Development Authority

5a

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: Meeting of July 24, 2019

SUBJECT: BGS Holdings – Issuance of Funds

As part of the Economic Development Agreements with BGS Holdings, the Board approved loan funds of up to \$200,000.00 and a grant for \$60,000.00 for costs related to a variety of work on the building at 228 South Main.

A request for payment in the amount of \$2,736.00 has been submitted for a variety of work on the interior and exterior. The necessary permits and inspections were obtained and the work has been completed to the extent of the invoices. The request is divided between the loan (\$2,086.00) and the grant (\$650.00).

With this request, the total drawn on the loan is \$190,628.19, with \$9,371.81 remaining. The total drawn on the grant is \$59,550.00 with \$450.00 remaining.

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

1. CP Integrity Construction, \$2,736.00

**AGENDA ITEM
NO. 7**

Pocatello Development Authority

Petersen Inc.

Status Update

June 30, 2019



PETERSEN
INCORPORATED
"A Winning Combination."

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 \$23.38 per hour

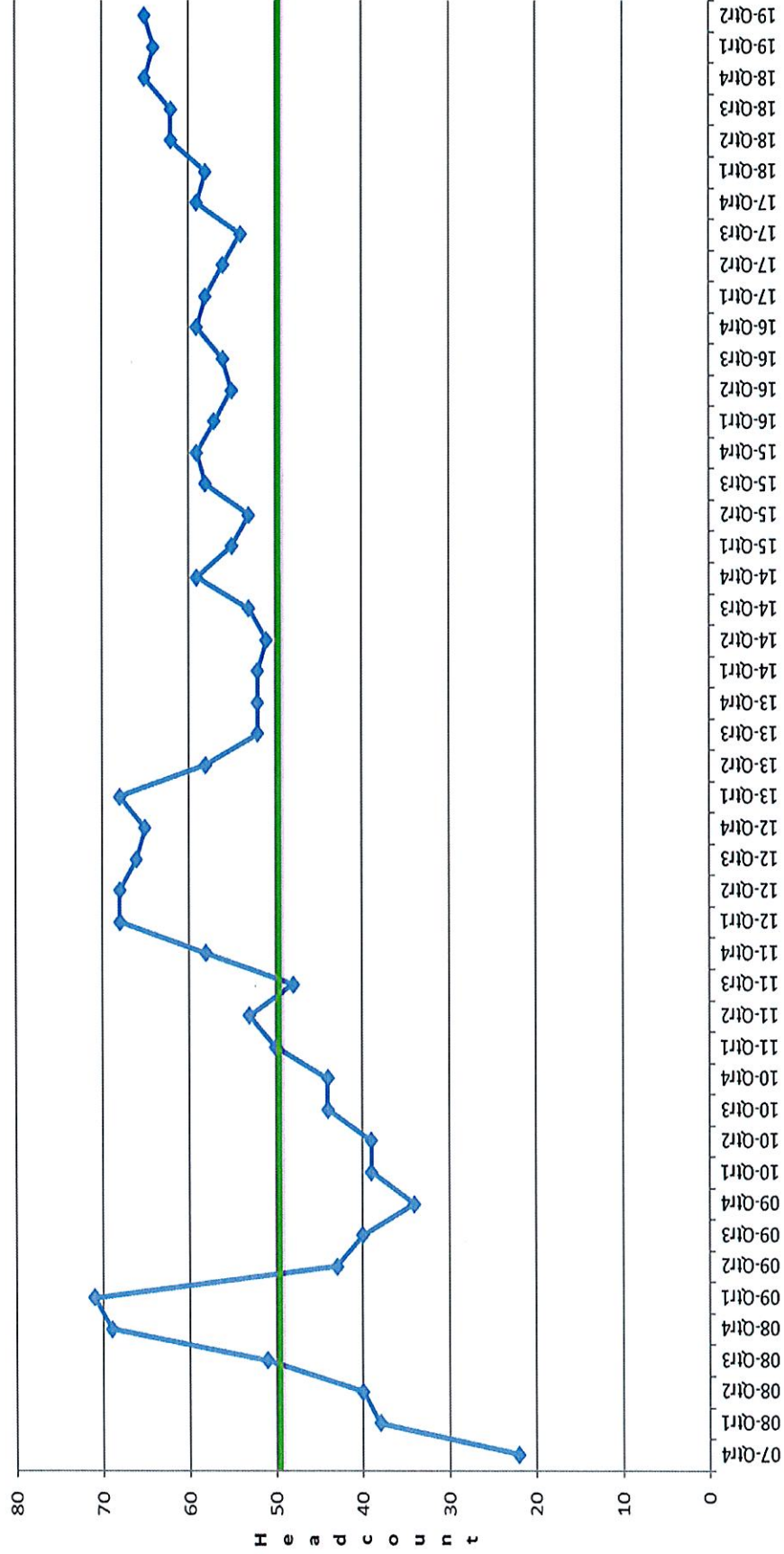
East Idaho's Partner in Growth



PETERSEN
INCORPORATED
"A Winning Combination."

Current Conditions

Petersen Inc.
Idaho Facility Qtrly Headcount



AGENDA ITEM

NO. 10

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: Meeting of July 24, 2019

SUBJECT: Gateway West – Issuance of Funds

Consistent with the provisions of the Naval Ordnance Plant Urban Renewal Area Plan, the Board approved funding in the amount of \$134,850.00 for paving projects within the area boundaries. A request for payment in that amount has been submitted. No permits were required. The project owner, Barbara Wischerath representing Gateway West, has indicated her acceptance of the work and PDA staff has completed required inspections.

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

1. Superior Asphalt, Inc., \$134,850.00

**AGENDA ITEM
NO. 15**

Career Path Internship Agreement Off-Site Work

This Agreement between IDAHO STATE UNIVERSITY having its principal business address at 921 S. 8th, Stop 8108, Pocatello, ID 83209 (“ISU”) and _____, having its principal office located at _____ (“City”), (each a “Party”, collectively the “Parties”), takes effect on _____.

Background

- ISU provides opportunities for students to work as interns in positions concomitant with their academic and professional interests.
- The Career Path Internship Program was developed to enhance student success by giving students hands-on experience to enhance their job readiness skills as employees of outside entities.
- Students are encouraged to hold off-campus internship positions as employees to gain a paraprofessional experience that they may not otherwise have.

Agreement

In consideration of the promises and conditions contained herein, and for other valuable consideration, the receipt and sufficiency of which are acknowledged by ISU and the City, the Parties mutually agree as follows:

I. Duties and Responsibilities of ISU:

- A. ISU will organize and coordinate internship program, which will provide ISU interns (“Interns”) opportunities to work for the City.
- B. ISU will certify the academic eligibility of Interns registering for internship positions. Each Intern will have the educational background and skills required and will meet departmental requirements for participation. ISU does not guarantee completion of the internship by the Intern nor the quality of work of the Intern.
- C. ISU will designate a faculty supervisor for each Intern. The faculty supervisor shall serve as a liaison to better foster communication, expectations, and cooperative efforts between the Parties.
- D. ISU is a governmental entity and as such, maintains coverage through the State of Idaho’s Risk Management Division Self-retained Risk Program (see Idaho Tort Claims Act, §6-901 - §6-929) and retains all governmental immunities.

- E. ISU represents that it is an equal opportunity employer and prohibits unlawful discrimination, harassment, and retaliation.

II. Duties and Responsibilities of the City:

- A. City agrees to prepare a position description that specifies the duties and responsibilities of the position so that ISU can determine the suitability of the Intern to the position and to determine the suitability of the internship for academic credit.
- B. City agrees to provide each Intern workspace and resources sufficient for the Intern to complete their work. City shall give each Intern an opportunity to perform a variety of tasks within the position description in order for the Intern to acquire and practice various skills.
- C. City agrees to provide all necessary work orientation, training, supervision, and evaluations. City will provide a safe work environment and adhere to all applicable laws and regulations.
- D. City agrees to keep an accurate account of each hour that an Intern has worked and provide such records upon ISU's request.
- E. City agrees to designate an individual who will serve as the liaison with ISU and each Intern.
- F. City represents that it is an equal opportunity employer and prohibits unlawful discrimination, harassment, and retaliation.

III. General Terms and Conditions:

- A. Either Party can terminate this Agreement by giving thirty (30) days' notice in writing. Should the City wish to terminate this Agreement prior to the completion of the semester term, any Intern(s) shall have the opportunity to complete their work for City.
- B. Either Party can require the withdrawal or dismissal of any Intern if his/her performance record or conduct does not justify continuance.
- C. In the event the City or any of its officers, agents, employees, insurers, or indemnitors have any claims, demand, suit, or judgment asserted against them which arises from acts of omissions of ISU, its officers, agents, or employees, ISU shall, to the extent permitted pursuant to the Idaho Tort Claims Act, defend and indemnify the City, its officers, agents, employees, insurers, and indemnitors, and hold them harmless.

In the event ISU or any of its officers, agents, employees, insurers, or indemnitors have any claims, demand, suit, or judgment asserted against them which arises from acts of omissions of City, its officers, agents, or employees, City shall, at its expense and to the extent permitted pursuant to the Idaho Tort Claims Act, defend and indemnify the State Board of Education, ISU, its officers, agents, employees, insurers, and indemnitors, and hold them harmless.

- D. Any notice required or permitted to be given under this Agreement is sufficient if made in writing and sent by first class mail, postage prepaid, to the address of the other party as set forth below or other address that the parties may later designate in writing.

If to ISU:

Lowell Richards
Assistant Vice President for Student Affairs
921 So. 8th Ave., Stop 8123
Pocatello, ID 83209

with copy to: The Office of General Counsel
921 So. 8th Ave., Stop 8410
Pocatello, ID 83209

If to City:

- E. The laws of the State of Idaho will govern the validity of this agreement and its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought in Bannock County.
- F. Neither Party shall assign or subcontract any portion of its rights or obligations under this Agreement without the prior written consent of the other Party, which consent may be withheld for any reason or no reason at all.
- G. The failure by any Party to insist upon the strict performance of any term or condition of this Agreement, or to exercise any rights or remedy consequent upon a breach thereof, shall not constitute a waiver of any such breach or of such, or any other, term or condition. No waiver shall affect or alter the remainder of this Agreement, but each and every other term and condition hereof shall continue in full force and effect with respect to any other then existing or subsequently occurring breach.
- H. Each Party is an independent party and shall not be considered, nor represent itself as, a joint venture, partner, or agent of the other Party. This Agreement shall

not create any rights in or inure to the benefit of any third-parties other than the student interns.

- I. This Agreement supersedes any other document, or other oral or written understanding that the Parties may have negotiated. This Agreement may only be modified by a writing signed by both Parties.

AGREED:

IDAHO STATE UNIVERSITY

By: _____

Name: Lowell Richards

Title: Associate V.P. for Student Affairs

Date: _____

CITY

By: _____

Name: _____

Title: _____

Date: _____