

POCATELLO DEVELOPMENT AUTHORITY
Agenda for the meeting of
June 21, 2023 – 11:00 a.m.
Council Chambers – Pocatello City Hall
Iwamizawa Conference Room for Executive Session

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, Roll Call, Disclose Conflicts of Interest and Acknowledgment of Guests.**
- 2. Action Item: Meeting Minutes.** The Board may wish to waive the oral reading of the Board of Commissioners' meeting minutes held May 17, 2023, and approve the minutes as written.
- 3. Action Item: Discuss an amendment to the Disposition and Development Agreement (DDA) and the Deed Exceptions and Covenants with Portneuf Capital LLC and Great Western Malting, and discuss Resolution 23-002.** The Board may wish to discuss the amendment to the DDA and Deed Exception and Covenants with Portneuf Capital LLC and Great Western Malting and the Resolution 23-002.
- 4. Action Item: Monthly Financial Report, Expenses and Reimbursements.** The Board may wish to approve the monthly financial report, expenses and reimbursements.
- 5. Action Item: Discuss RFP - Professional Services for Eligibility and Economic Feasibility Study.** The Board may wish to discuss and then approve an applicant for the RFP for the Professional Services for Eligibility and Economic Feasibility Study.
- 6. Action Item: Discuss Fiscal Year 2024 (FY24) Budget.** The Board may wish to discuss the FY24 budget.
- 7. Action Item: Discuss Investment Options.** The Board may wish to discuss investing options.
- 8. 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.
- 9. News for the Good of the Order.** The board may wish to discuss news for the Good of the Order.
- 10. Adjourn Regular Meeting.**

Action Item 2

POCATELLO DEVELOPMENT AUTHORITY
Meeting Minutes for May 17, 2023 at 11:00 A.M.
Council Chambers, 911 N 7th Avenue, Pocatello, Id

AGENDA 2

Agenda Item No. 1: Call to Order and Disclosure of Conflicts of Interest

Chair Villarreal called the meeting to order at approximately 11:00 a.m.

Members present: Rick Cheatum, Greg Gunter, Jim Johnston, Kirk Lepchenske, Scott Turner and David Villarreal.

Members excused/unexcused: Mayor Brian Blad and Jeff Hough.

Others present: Executive Director Brent McLane, Treasurer Thane Sparks, Secretary Aceline McCulla, City of Pocatello Development Engineer Merril Quayle, City of Pocatello Attorney Jared Johnson, City of Pocatello PW Director/City Engineer Jeff Mansfield and other visitors.

No conflicts were disclosed.

Agenda Item No. 2: Approve the Minutes

The Board may wish to waive the oral reading of the minutes and approve the minutes from the Board of Commissioners regular and executive session meetings held April 19, 2023.

It was moved by **J. Johnston** and seconded by **K. Lepchenske** to approve the minutes as written from the regular and executive session meetings held April 19, 2023. Those in favor were R. Cheatum, G. Gunter, J. Johnston, K. Lepchenske, S. Turner and D. Villarreal. Unanimous. Motion Carried.

Agenda Item 3: Monthly Financial Report, Expenses and Reimbursements.

The Board may wish to approve the monthly financial report, expenses and reimbursements.

Cheatum had a question for **Sparks** on the expense category under the general fund, what is non-capitol infrastructure? **Sparks** noted this item is a budget category (it is the cash balance forwarded to this year and is a placement for budgeting purposes) to hold funds or contingency planned for the Board. Once money is expensed, this amount would decrease and the actual expense line would show an increase. questions on the City reimbursement and staff time expenses. **Cheatum** asked questions on the PERSI items for staff reimbursements. **McCulla, McLane and Quayle** clarified Cheatum's staff time and benefits reimbursement questions.

It was moved by **J. Johnston** and seconded by **R. Cheatum** to approve the financial report, expenses and reimbursements as presented. Those in favor were R. Cheatum, G. Gunter, J. Johnston, K. Lepchenske, S. Turner and D. Villarreal. Unanimous. Motion Carried.

Agenda Item 4: Discuss Investment Options. The Board may wish to discuss investing options.

Sparks clarified questions on interest on the ICCU money market account at .0139 percent verse the ILGIP investment account over 4 percent. If we use multiple investment accounts we have to track them individually constantly, were the ILGIP account is under one entity and would reduce the administrative hours significantly. Discussion covered insurance coverage, liquidity and time for monthly administration of accounts.

Villarreal asked the board for support to continue exploring local investors that deal in markets daily and investments covered by insurance and maximize the interest rate on return. **Cheatum** is concerned about the risk on investments made and to make sure PDA funds are secure.

It was moved by **D. Villarreal** and seconded by **R. Cheatum** to authorize Thane Sparks to continue exploring investment options and to find a third-party financial investment agency to assist with investment options on behalf of the PDA. Those in favor were R. Cheatum, G. Gunter, J. Johnston, K. Lepchenske, S. Turner and D. Villarreal. Unanimous. Motion Carried.

Agenda Item 5: 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.

Nothing was reported.

Agenda Item 6: News for the Good of the Order.

The board may wish to discuss news for the Good of the Order.

Cheatum mentioned that Idaho Department of Transportation meets this afternoon at 1:30 p.m..

Quayle provided an update on the IRG's Titan Center project.

Agenda Item 7: Adjourn Regular Meeting.

With no further business, **Chair Villarreal** adjourned the meeting at 11:42 a.m.

Submitted by: _____ Approved on: _____
Aceline McCulla, Secretary

Action Item 3

**PARTIAL RELEASE OF DISPOSITION AND DEVELOPMENT AGREEMENT AND
PARTIAL RELEASE OF DEED EXCEPTIONS AND COVENANTS**

This Partial Release of Disposition and Development Agreement and Partial Release of Deed Exceptions and Covenants is made this ___ day of _____ 2023 (the “Release”) by the Urban Renewal Agency of the City of Pocatello, Idaho, also known as Pocatello Development Authority, an independent public body, corporate and politic, organized and existing under the laws of the State of Idaho (“PDA”), Portneuf Capital, LLC, an Idaho limited liability company (“Portneuf”) and Great Western Malting Co., a Delaware corporation with its principal place of business in Vancouver, Washington (“GWM”). PDA, Portneuf and GWM may be collectively referred to as the “Parties” and each individually as a “Party.”

RECITALS

A. PDA is an urban renewal agency created by and existing pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended, and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended and supplemented (collectively the “Act”).

B. Following a competitive selection process, PDA and Portneuf entered into a Disposition and Development Agreement, effective December 4, 2019 (the “DDA”), wherein subject to certain conditions, PDA agreed to convey to Portneuf certain real property of approximately 68.5 acres, as more particularly described in the DDA (the “Site”) located within the boundaries of the North Portneuf Urban Renewal Area and Revenue Allocation District Improvement Plan (the “Plan”) establishing the North Portneuf revenue allocation area (the “Project Area”) with the intent to construct and develop an industrial park project, including the repurposing of approximately 170,000 square feet of existing buildings on the Site into industrial and commercial office space and construction of an additional 30,000 square feet of office building space (the “Project”). A more detailed description of the Project is included in Portneuf’s response to PDA’s Request for Proposals (the “Response”), attached to the DDA. All capitalized terms used herein that are not otherwise defined have the definition as set forth in the DDA.

C. PDA conveyed the Site to Portneuf pursuant to that certain Grant Deed instrument number 21919423, recorded on December 9, 2019 (the “Grant Deed”), which Site was conveyed subject to the DDA. The Plan and Project Area have a termination date of December 31, 2031.

D. Portneuf is developing the Project consistent with the goals set forth in the Response, and as of December 15, 2022, Portneuf has invested approximately \$3,230,000 into the Site and has completed the Site clean-up and has successfully leased out a portion of the buildings on the Site to certain technology and construction companies. Portneuf has not completed the Project as outlined in the Response; however, Portneuf’s development activities have and/or are anticipated to increase the taxable value of the Site.

E. GWM owns real property adjacent to the Site. The Response contemplated collaboration with GWM in development and improvement of the Site.

F. GWM seeks to acquire from Portneuf two parcels of the Site: Parcel 1 is approximately 8.32 acres and Parcel 2 is approximately .38 acres, as more particularly shown and described on Exhibits A and B hereto (collectively, the “GWM Property”), which is located adjacent to an existing GWM parcel, for purposes of future expansion of a GWM malt processing facility, installation of a wastewater treatment facility and uses incidental to such facility, including a buffer between the GWM Property and the Site.

G. Due to existing market conditions GWM does not have a specific development timeline for the expansion; however, the purchase of the GWM Property would not be for land speculation.

H. The DDA provides a subsequent purchaser of all or a portion of the Site is subject to the development obligations under the DDA. Section 2.6 of the DDA states:

2.6. Disposition Does Not Contemplate Land Speculation.

Developer represents and warrants that its undertakings pursuant to this Agreement are and will be used for the purpose of the development of the Project and not for speculation in landholding except as to the extent authorized in this Agreement [sic] *This provision shall not prohibit Developer from disposing of any portion of the Project to the extent the buyer shall take such portion of the Project subject to the development obligations of this Agreement.*

(Emphasis added.)

Section 7.4.2 of the DDA further states, in part:

7.4.2. Provisions That Run With the Land

...

The new owner of any such portion of the Property shall be liable for all obligations arising under this Agreement with respect to such portion of the Property after the conveyance.

I. GWM has requested release or waiver of certain DDA provisions, including any Grant Deed covenants, that would require GWM to develop the GWM Property consistent with the Response or pursuant to a specific development timeline,

J. Portneuf has committed that the sales proceeds from the conveyance of the GWM Property will be reinvested in the continued development of the reduced Site.

K. The Parties recognize the benefits of GWM's future expansion to the Project Area and the potential to increase the taxable value in the Project Area. The Response contemplated collaboration with GWM in development of the Site, including increased connectivity within the Site to the broader community. Therefore, it is in the best interests of the Parties to proceed with the conveyance of the GWM Property from Portneuf to GWM releasing GWM from certain provisions of the DDA and Grant Deed covenants.

NOW THEREFORE, in consideration of the above Recitals which are not mere recitations but are covenants of the Parties that are binding upon them and form a portion of the consideration for the agreements contained herein, the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. **Release of Certain DDA Provisions.** The DDA is an express encumbrance of record against the Site due to its express incorporation into the recorded Grant Deed. Upon the recording of this Release, the Parties agree the DDA incorporated by reference into the Grant Deed is binding upon the GWM Property; however, Portneuf, with PDA's consent, releases Sections 4, 5.1, 6, 7.3 (as to the references to the DDA only), and Attachment 4 of the DDA and the Parties agree such provisions are not binding on GWM. The Parties further acknowledge Section 5.3.1 of the DDA is no longer applicable.

2. **Release of Certain Deed Covenants.** With regard to Paragraph 4 of the Grant Deed, Portneuf declares:

a. There are no implementation agreements except for those documents, if any, that have been recorded in the real property records of Bannock County, Idaho, prior to the date hereof.

b. The DDA is an express encumbrance of record against the Site due to its express incorporation into the recorded Grant Deed. Upon the recording of this Release, the Parties agree the DDA incorporated by reference into the Grant Deed is binding upon the GWM Property; however, Portneuf, with PDA's consent, releases Sections 4, 5.1, 6, 7.3 (as to the reference to the DDA only), and Attachment 4 of the DDA and the Parties agree such provisions are not binding on GWM. The Parties further acknowledge Section 5.3.1 of the DDA is no longer applicable.

c. PDA declares that Paragraph 6 of the Grant Deed is hereby released and will not be binding on the GWM property.

3. **Indemnification.** GWM shall indemnify, defend, and hold PDA, and its officers, agents, and employees harmless from and against all third party liabilities, obligations, damages, penalties, claims, costs, charges, and expenses, including reasonable architect and attorney fees (collectively refer to in this Section as "claim"), which may be imposed upon or incurred by or asserted against PDA, or its respective officers, agents, and employees by reason of any of the following occurrences:

3.1 Any work or thing done in connection with the GWM Property by or at the direction of GWM, including without limitation, inspection of the GWM Property prior to closing; or

3.2 After closing, the construction of any improvements, or any tenant improvements on the GWM Property, in each case by or at the direction of GWM; or

3.3 Any use, possession, occupation, condition, operation, maintenance, or management of the GWM Property or any part thereof by GWM; or

3.4 Any negligence on the part of GWM or any of its agents, contractors, servants, employees, subtenants, operators, licensees, or invitees on the GWM Property; or

3.5 Any accident, injury, or damage to any person or property occurring in, on, or about the GWM Property or any part thereof during construction by or at the direction of GWM; or

3.6 Any failure on the part of GWM to perform or comply with any of the terms, provisions, covenants, and conditions contained in the DDA that are applicable to the GWM Property and assigned to GWM, specifically excluding the DDA provisions that the GWM Property be developed consistent with the Response or the Project, as defined in the DDA, or to develop the GWM Property pursuant to any Portneuf development timeline; or

3.7 in the case any action or proceeding is brought against PDA, or its respective officers, agents, and employees by reason of any such claim for which GWM is required to provide indemnification hereunder, GWM, upon written notice from Agency shall, at GWM's expense, resist or defend such action or proceeding with counsel reasonably selected by PDA.

Notwithstanding the foregoing, GWM shall have no obligation to indemnify and hold PDA and its respective officers, agents, and employees harmless from and against any matter to the extent a court of

competent jurisdiction determines it arises from the active negligence or willful act of, or breach of the DDA by PDA, or its respective officers, agents, or employees or from conduct resulting in an award of punitive damages against PDA. The obligations of GWM with regard to the GWM Property under this Section shall survive closing of the transfer from Portneuf to GWM and shall run with the land.

4. **Binding Effect.** The provisions of this Release shall bind and inure to the benefit of the heirs, representatives, successors and assigns of the Parties hereto.

5. **Counterparts.** This Release may be executed in one or more counterparts and shall be recorded.

6. **Liability.** Upon recordation of this Release, and conveyance of the GWM Property, Portneuf shall have no further rights or obligations to the GWM Property under the DDA and is relieved from all liability related to the GWM Property. Likewise, GWM shall have no rights or obligations related to the Portneuf portion of the Site under the DDA and has no liability related to the Portneuf portion of the Site.

DATED: _____ URBAN RENEWAL AGENCY OF THE CITY OF
POCATELLO, IDAHO, ALSO KNOWN AS
POCATELLO DEVELOPMENT AUTHORITY

By: _____
David Villarreal, Chair

STATE OF IDAHO)
) ss.
County of Bannock)

On this ____ day of _____ 2023, before me, the undersigned, a Notary Public in and for said county and state, personally appeared David Villarreal, known or identified to me to be the Chair of POCATELLO DEVELOPMENT AUTHORITY, the public body, corporate and politic, that executed the within instrument on behalf of said Agency, and acknowledged to me that such Agency executed the same for the purposes herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Commission Expires: _____

DATED: _____ PORTNEUF CAPITAL, LLC
an Idaho limited liability company

By: _____
_____, its managing member

STATE OF IDAHO)
)
County of _____) ss.

On this ____ day of _____ 2023, before me, the undersigned, a Notary Public in and for said county and state, personally appeared _____, known or identified to me to be the authorized agent of PORTNEUF CAPITAL, LLC, the limited liability company that executed the foregoing instrument, or the person who executed said instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Commission Expires: _____

DATED: _____ GREAT WESTERN MALTING CO., a foreign corporation

By: _____
_____, its managing member

STATE OF _____)
)
County of _____) ss.

On this ____ day of _____ 2023, before me, the undersigned, a Notary Public in and for said county and state, personally appeared _____, known or identified to me to be the authorized agent of GREAT WESTERN MALTING CO., the corporation that executed the foregoing instrument, or the person who executed said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Commission Expires: _____

EXHIBIT A

Map of the GWM Property

PART OF THE SW 1/4 OF SECTION 16, T. 6 S., R. 34 E.B.M. AND PART OF THE E 1/2 OF SECTION 17, T. 7 S., R 34 E.B.M. BANNOCK COUNTY, IDAHO

RECORDER'S CERTIFICATE

LEGEND

- Center 1/4 Corner Control and 1/16 Corner Control
- Section Corner Control
- Placed 1/2" X 24" Iron rod with cap marked P.L.S. 12224
- Found Monument as Noted



SCALE: 1" = 200'
@ 18" X 24" ONLY

Overhead Power

Line #	Length	Direction
L1	136.78'	N42° 59' 40"E
L2	288.10'	N32° 36' 33"E
L3	69.65'	N7° 24' 29"E
L4	264.86'	N56° 20' 27"W
L5	105.79'	N28° 40' 12"E
L6	90.34'	S28° 40' 12"W
L7	537.81'	N71° 48' 56"W
L8	280.11'	N59° 46' 42"W
L9	177.06'	N42° 25' 37"W
L10	664.68'	N55° 05' 47"W
L11	313.03'	N43° 49' 22"W
L12	336.24'	N54° 04' 46"W
L13	201.74'	N40° 25' 37"W
L14	1457.94'	N30° 42' 10"W
L15	267.87'	N21° 50' 57"W
L16	2557.85'	S56° 34' 32"E
L17	179.28'	S0° 12' 38"W
L18	1052.60'	S56° 34' 32"E
L19	467.02'	S56° 34' 32"E
L20	43.17'	N89° 07' 01"E

Line #	Length	Direction
L21	149.46'	S0° 42' 03"W
L22	264.85'	S56° 33' 49"E
L23	222.87'	S89° 05' 48"W
L24	62.14'	N69° 51' 55"W
L25	376.57'	N68° 21' 40"W
L26	428.68'	N72° 35' 05"W
L27	162.16'	N71° 48' 56"W

Curve #	Length	Radius	Delta	Chord	Bearing
C1	135.54'	77.04'	100°47'57"	118.73'	N69° 51' 13"W

Surveyors Narrative

The purpose of this survey is to create a new parcel from RPRPCPP044844 and to Survey the boundary of RPRPCPP044822.

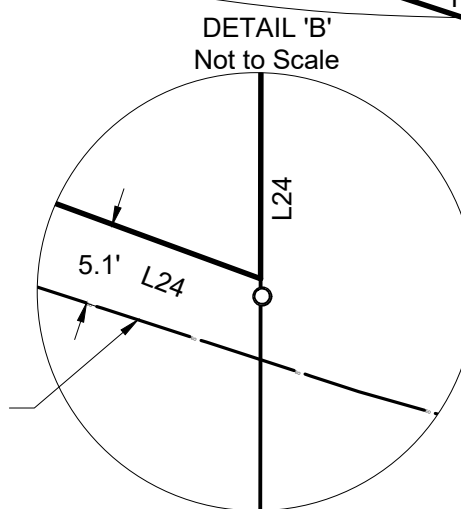
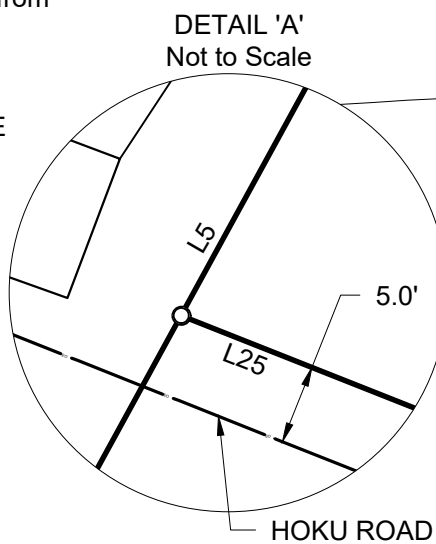
The basis of bearings for this survey is N 88°30'31" E between the SW corner of Section 16 and the S 1/4 corner of Section 16.

Survey References

Deed Inst. No. 224654, 390844, 20620599, 20711155, 21515651

ROS Inst. No. 631810, 20707393

CP&F Inst. No. 609669, 702738, 782026, 20707392, 20823109, 22114826, 96008952



SURVEYORS CERTIFICATE

I, Chris G. Street, a Registered Professional Land Surveyor in the State of Idaho, do hereby certify that this plat is an accurate representation of the survey completed under my supervision.



Chris G Street License No. 12224 Date

CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2977

hlein.com
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DRAWN BY	DESIGN BY	CHECK BY
MG	HLE	CGS

JOB NO: 2023-015
DATE: April 17, 2023

REVISIONS	DATE

RECORD OF SURVEY
GREAT WESTERN MALTING
SEC. 16&17, T. 6 S., R. 34 E.B.M.
BANNOCK COUNTY, IDAHO

SHEET NO. 1 OF 1 SHEETS

EXHIBIT B

Legal Description of the GWM Property

4879-0719-2672, v. 2



FOR: Great Western Malting

JOB No. 23-015

DATE: March 29, 2023

BY: CGS

Parcel 1

Part of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, T. 6 S., R. 34 E.B.M. Bannock County, Idaho described as:

Commencing at the SE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16; Thence N 00°05'16" E 705.35 to the Point of Beginning; Thence, N 69° 51' 55" W 62.14 feet to a non-tangent curve, whose center bears S 30° 15' 12" E; Thence, Northwesterly 135.54 feet, along said curve to the left (Curve Data= Delta: 100° 47' 57", Radius: 77.04 feet, chord bearing N 69° 51' 13" W 118.73 feet) to a point of intersection with a non-tangent line. Thence, N 68° 21' 40" W 376.57 feet; Thence, N 28° 40' 12" E 105.79 feet; Thence, N 56° 20' 27" W 264.86 feet; Thence, N 07° 24' 29" E 69.65 feet; Thence, N 32° 36' 33" E 288.10 feet; Thence, N 42° 59' 40" E 136.78 feet; Thence, S 56° 34' 32" E 467.02 feet; Thence, N 89° 07' 01" E 43.17 feet; Thence S 00° 05' 16" W 595.98 feet to the Point of Beginning.

Parcel contains 8.32 acres more or less.

FOR: Great Western Malting

800 W. Judicial Street • Blackfoot, Idaho 83221 • Office Phone: 208.785.2977 • Fax: 208.785.2990
101 S. Park Av Ste 210 • Idaho Falls, Idaho 83402 • Office Phone: 208.524.0212 • Fax: 208.524.0229
460 Lincoln Street • American Falls, Idaho 83211 • Office Phone: 208.226.5764



JOB No. 23-015

DATE: March 29, 2023

BY: CGS

Parcel 2

Part of the SW $\frac{1}{4}$ of Section 16, T. 6 S., R. 34 E.B.M. Bannock County, Idaho described as:

Commencing at the SE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 16; Thence N $00^{\circ}05'16''$ E 1301.33 feet to the Point of Beginning; Thence, N $00^{\circ}42'03''$ E 149.46 feet; Thence, S $56^{\circ}33'49''$ E 264.85 feet; Thence S $89^{\circ}05'48''$ W 222.87 feet to the Point of Beginning.

Parcel contains 0.38 acres more or less.

RESOLUTION NO. 23-002

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 THE PARTIAL RELEASE OF DISPOSITION AND DEVELOPMENT AGREEMENT AND PARTIAL RELEASE OF DEED EXCEPTIONS AND COVENANTS BETWEEN THE POCATELLO DEVELOPMENT AUTHORITY, PORTNEUF CAPITAL, LLC AND GREAT WESTERN MALTING CO.; AUTHORIZING THE EXECUTION OF THE PARTIAL RELEASE OF DISPOSITION AND DEVELOPMENT AGREEMENT AND PARTIAL RELEASE OF DEED EXCEPTIONS AND COVENANTS BY THE CHAIR OR VICE-CHAIR SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING ANY TECHNICAL CHANGES TO THE PARTIAL RELEASE; AUTHORIZING THE CHAIR OR ADMINISTRATOR TO TAKE ALL NECESSARY ACTION REQUIRED TO IMPLEMENT THE PARTIAL RELEASE; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of the City of Pocatello, Idaho, also known as the Pocatello Development Authority, 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 and supplemented (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code as amended and supplemented (the "Act"), a duly created and functioning urban renewal agency for Pocatello, Idaho, hereinafter referred to as the "Agency;"

WHEREAS, the City Council of the City of Pocatello (the "City") found that deteriorating areas exist in the City, therefore, for the purposes of the Law, created an urban renewal agency pursuant to the Law, authorizing the Agency to transact business and exercise the powers granted by the Law and the Act upon making the findings of necessity required for creating the Agency;

WHEREAS, the City Council, on April 19, 2007, after notice duly published, conducted a public hearing on the North Portneuf Urban Renewal Area and Revenue Allocation District Improvement Plan (the "Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2814 on April 19, 2007, approving the North Portneuf Plan, making certain findings and establishing the North Portneuf revenue allocation area (the "Project Area");

WHEREAS, following a competitive selection process, the Agency and Portneuf Capital,

LLC (“Portneuf”) entered into a Disposition and Development Agreement, effective December 4, 2019 (the “DDA”), wherein subject to certain conditions, the Agency agreed to convey to Portneuf certain real property of approximately 68.5 acres, as more particularly described in the DDA (the “Site”) located within the boundaries of the Project Area with the intent to construct and develop an industrial park project, including the repurposing of approximately 170,000 square feet of existing buildings on the Site into industrial and commercial office space and construction of an additional 30,000 square feet of office building space (the “Project”). A more detailed description of the Project is included in Portneuf’s response to the Agency’s Request for Proposals (the “Response”), attached to the DDA. All capitalized terms used herein that are not otherwise defined have the definition as set forth in the DDA;

WHEREAS, the Agency conveyed the Site to Portneuf pursuant to that certain Grant Deed, instrument number 21919423, recorded on December 9, 2019 (the “Grant Deed”), which Site was conveyed subject to the DDA. The Plan and Project Area have a termination date of December 31, 2031;

WHEREAS, Portneuf is developing the Project consistent with the goals set forth in the Response, and as of December 15, 2022, Portneuf has invested approximately \$3,230,000 into the Site and has completed the Site clean-up and has successfully leased out a portion of the buildings on the Site to certain technology and construction companies. Portneuf has not completed the Project as outlined in the Response; however, Portneuf’s development activities have and/or are anticipated to increase the taxable value of the Site;

WHEREAS, Great Western Malting Co. (“GWM”) owns real property adjacent to the Site. The Response contemplated collaboration with GWM in development and improvement of the Site;

WHEREAS, GWM seeks to acquire from Portneuf two parcels of the Site: Parcel 1 is approximately 8.32 acres and Parcel 2 is approximately .38 acres (collectively, the “GWM Property”), which is located adjacent to an existing GWM parcel, for purposes of future expansion of a GWM malt processing facility, installation of a wastewater treatment facility and uses incidental to such facility, including a buffer between the GWM Property and the Site;

WHEREAS, due to existing market conditions GWM does not have a specific development timeline for the expansion; however, the purchase of the GWM Property would not be for land speculation;

WHEREAS, the DDA provides a subsequent purchaser of all or a portion of the Site is subject to the development obligations under Sections 2.6 and 7.4.2 of the DDA;

WHEREAS, GWM has requested release or waiver of certain DDA provisions, including any Grant Deed covenants, that would require GWM to develop the GWM Property consistent with the Response or pursuant to a specific development timeline;

WHEREAS, Portneuf has committed that the sales proceeds from the conveyance of the GWM Property will be reinvested in the continued development of the reduced Site;

WHEREAS, the Agency, Portneuf and GWM recognize the benefits of GWM's future expansion to the Project Area and the potential to increase the taxable value in the Project Area. The Response contemplated collaboration with GWM in development of the Site, including increased connectivity within the Site to the broader community. Therefore, it is in the best interests of the Parties to proceed with the conveyance of the GWM Property from Portneuf to GWM releasing GWM from certain provisions of the DDA and Grant Deed covenants;

WHEREAS, the Parties and their counsel have prepared a Partial Release of Disposition and Development Agreement and Partial Release of Deed Exceptions and Covenants (the "Partial Release"), a copy of which is attached hereto as **Exhibit A** and incorporated herein as if set out in full;

WHEREAS, the Board of Commissioners finds it in the best public interest to approve the Partial Release and to authorize the Chair or Vice-Chair to execute and the Secretary to attest the Partial Release, subject to certain conditions and contingent upon the underlying transaction closing, and to execute all necessary documents to implement the transaction, subject to the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE POCATELLO DEVELOPMENT AUTHORITY OF POCATELLO, IDAHO, AS FOLLOWS:

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

Section 2: That the Partial Release, attached hereto as **Exhibit A**, is hereby incorporated herein and made a part hereof by reference and is hereby approved and accepted, recognizing technical changes or corrections which may be required prior to execution of the Partial Release.

Section 3. That the Chair or Vice-Chair of the Agency is hereby authorized to sign and enter into the Partial Release contingent upon the successful partition of the GWM Property and the closing on the sale of the GWM Property to GWM and, further, is hereby authorized to execute all necessary documents required to implement the actions contemplated by the Partial Release, subject to representations by Agency staff and Agency legal counsel that all conditions precedent and contingencies to such actions have been met; and further, any necessary technical changes to the Partial Release are acceptable, upon advice from Agency's legal counsel that said changes are consistent with the provisions of the Partial Release and the comments and discussions received at the June 21, 2023, Agency Board meeting.

Section 4: 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 June 21, 2023. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners on June 21, 2023.

APPROVED:

By: _____
David Villarreal, Chair

ATTEST:

By: _____
Secretary

4861-0632-2791, v. 1

Action Item 4

Pocatello Development Authority
Monthly Finance Report
June 21, 2023
Fiscal Year 2023

Expenditure Approvals:
Checks to be ratified:

<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>
---------------	----------------	---------------

Checks to be approved:

<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>
ICCU - VISA	dbt23-5	133.59 office depot (17.99) Papa Kelseys (115.60)
Thane Sparks	1484	1,200.00 June services
Elam & Burke	1485	2,357.50 inv# 202054 (360.00), 202056 (1,997.50)

Cash Balances as of June 21, 2023

	General Fund		Naval Ordinance		North Portneuf		Airport		Northgate		Total	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Cash	1,091,940.23		344,762.58		1,614,602.30		-2,252.37		349,662.83		3,398,715.57	
Income												
Administrative fees	69,629										69,629	0.00
Property taxes		8,808.66	263,050	116,808.94	35,999	56,038.62	99,926	41,293.25	10,609	300,925.18	409,584	523,874.65
Note payments		5,519.67									-	5,519.67
Interest income	3,508	4,314.04	1,614	1,596.29	1,866	6,356.94	600	77.03	33	1,188.85	7,621	13,533.15
Other		20.00									-	20.00
Total Income	73,137	18,662.37	264,664	118,405.23	37,865	62,395.56	100,526	41,370.28	10,642	302,114.03	486,834	542,947.47
Expense												
Administrative expense			44,719		6,120		16,987		1,804		69,630	0.00
Luncheon costs	2,000	1,510.76									2,000	1,510.76
Office expenses	300	272.77									300	272.77
Dues and memberships											-	0.00
Insurance	7,500	3,694.50									7,500	3,694.50
Training and Travel												0.00
City admin charges	9,100	17,087.62									9,100	17,087.62
Professional services	48,000	25,278.00		1,363.00				29,006.76		1,727.00	48,000	57,374.76
Economic Development Grants		84,941.00										84,941.00
Non-capital Infrastructure	1,143,113		1,802,996	798,394.61	1,579,785		129,430		42,663		4,697,987	798,394.61
Total Expense	1,210,013	132,784.65	1,847,715	799,757.61	1,585,905	0.00	146,417	29,006.76	44,467	1,727.00	4,834,517	963,276.02

Office DEPOT OfficeMax®

POCATELLO - (208) 237-6111
05/22/2023 2:35 PM



EVVVTUU3PA3555X6CB

SALE 6421-1-7500-990786-23.4.1
5716283 USB 2.0,16GB,5 29.99S
Instant Savings -12.00
You Pay 17.99S
Subtotal: 17.99
Total: 17.99
Visa 0272: 17.99

AUTH CODE 018001
TDS Chip Read
AID A0000000031010 VISA CREDIT
TVR 8000008000
CVS No Signature Required

ACELINE MCCULLA 17*****479

Please create your online rewards
account at officedepot.com/rewards.
You must complete your account to
claim your rewards and view your
status.

Tax Exemption Number 000588886891
This is a legacy Office Max account
and will expire at the end of the year.
Please submit a new Tax Exempt
Application and Tax Exemption
Certificate to receive a new number.
Total Savings:
\$12.00

WE WANT TO HEAR FROM YOU!
Visit survey.officedepot.com
and enter the survey code below
M6JF CMSV JWWS
or scan the below QR code



June 15, 2023

Invoice: PK 6.15.23

Papa Kelsey's
840 E Alameda Rd
Pocatello ID 83201
208-232-6931
Delivery Contact – Cory
City of Pocatello Tax Exempt ID: 82-6000244
Delivery on June 21, 2023 between 10:40-10:45 AM
City of Pocatello City Hall – 911 N 7th Ave, Council Chambers

Items	Qty	Each Cost	Totals
Ham & Turkey 12"	1	\$ 11.69	\$ 11.69
Ham & Cheese 12"	1	\$ 10.89	\$ 10.89
SW Grilled Chicken 12" (grn pep, slice shroom, mix cheese, chipotle)	1	\$ 12.69	\$ 12.69
Roast Beef Combo 12"	1	\$ 14.59	\$ 14.59
Turkey 12"	1	\$ 11.59	\$ 11.59
Choc Chip	10	\$ 1.59	\$ 15.90
Chips (2 Classic, 3 S&V, 2 NC Doritos, 3 Harvest Ched Sun)	10	\$ 1.29	\$ 12.90
TOTAL FOOD			\$ 90.25
Gratuity 20% on food			\$ 18.05
Processing Fee			\$ 3.30
Delivery Charge			\$ 4.00
TOTAL DUE			\$ 115.60
PAID WITH VISA ENDING IN 0272			(\$ 115.60)

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

Pocatello Development Authority
Attn: Brent McLane
City of Pocatello
P.O. Box 4169
Pocatello, ID 83205

APRIL 30, 2023

Invoice # 202054

Billing Atty - MSC

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002

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

PROFESSIONAL FEES	360.00
COSTS ADVANCED	.00
TOTAL INVOICE	360.00

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

Pocatello Development Authority
Attn: Brent McLane
City of Pocatello
P.O. Box 4169
Pocatello, ID 83205

APRIL 30, 2023

Invoice # 202056

Billing Atty - MSC

RE: Frigitek Litigation

CLIENT/MATTER: 09212-00005

*** INVOICE SUMMARY PAGE ***

PROFESSIONAL FEES	1,997.50
COSTS ADVANCED	.00
TOTAL INVOICE	1,997.50

REMITTANCE REPORT	
From County Auditor of Bannock County	

Remittance No.	030
Date:	May 23, 2023

To: POCATELLO URBAN

SOURCE AND FUND	PREPAID	CURRENT	----- DELINQUENT TAXES -----					INTEREST	MISC	TOTAL	
	2023	2022	2021	2020	2019	2018	2017	2016/Prior		COLLECTION	
NORTH YELLOWSTONE (1-0013)										0.00	
NAVAL ORDINANCE (1-0014)										0.00	
NORTH PORTNEUF 801 (1-0016)										0.00	
NORTHGATE (1-0017)		1,028.98							17.17	1,046.15	
NORTHGATE (83-0000)										0.00	
NORTHGATE (84-0000)										0.00	
NORTH PORTNEUF 802 (82-0000)										0.00	
PRSN PROPERTY RPLCMNT										0.00	
CIRCUIT BREAKER										0.00	
COLUMN TOTALS	0.00	1,028.98	0.00	0.00	0.00	0.00	0.00	0.00	17.17	0.00	1,046.15

Amount of Remittance	1,046.15
----------------------	----------

STATE OF IDAHO, }
 }ss.
 COUNTY OF BANNOCK }

I, JASON C. DIXON, County Clerk in and for the County aforesaid, being duly sworn on oath, make the following statement:

That the foregoing is a full, true, and correct report, in accordance with Section 3326, Compiled Statutes of Idaho, as amended by Chapter 169, laws of 1925, by source and fund, of all monies paid into the treasury of said county and apportioned to the since the 30TH DAY OF APRIL the date of my last report. Subscribed and sworn to in duplicate before me on the

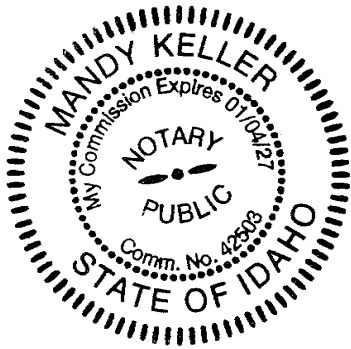
POCATELLO URBAN and included district
 25TH DAY OF MAY

County Clerk: JASON C. DIXON

Mandy Keller
 Notary Public of Bannock County.

By *[Signature]*
 Deputy Auditor

N B. The Clerk will countersign the attached order and transmit same to the treasurer of the municipality or district accompanied by a duplicate of this report.



Action Item 5



POCATELLO DEVELOPMENT AUTHORITY

**REQUEST FOR PROPOSALS:
PROFESSIONAL CONSULTANT SERVICES FOR
ELIGIBILITY AND ECONOMIC FEASIBILITY STUDY**

Due: May 31, 2023, 3:00PM MDT

TABLE OF CONTENTS

POCATELLO DEVELOPMENT AUTHORITY

Request For Proposals:

Professional Consultant Services for Eligibility and Economic Feasibility Study

1	ENGAGEMENT LETTER
2	FIRM QUALIFICATIONS
3	REFERENCES
4	FORMS

SB FRIEDMAN DEVELOPMENT ADVISORS

70 West Madison Street, Suite 3700

Chicago, IL 60602

T: (312) 424-4250

E: info@sbfriedman.com

sbfriedman.com

1 ENGAGEMENT LETTER

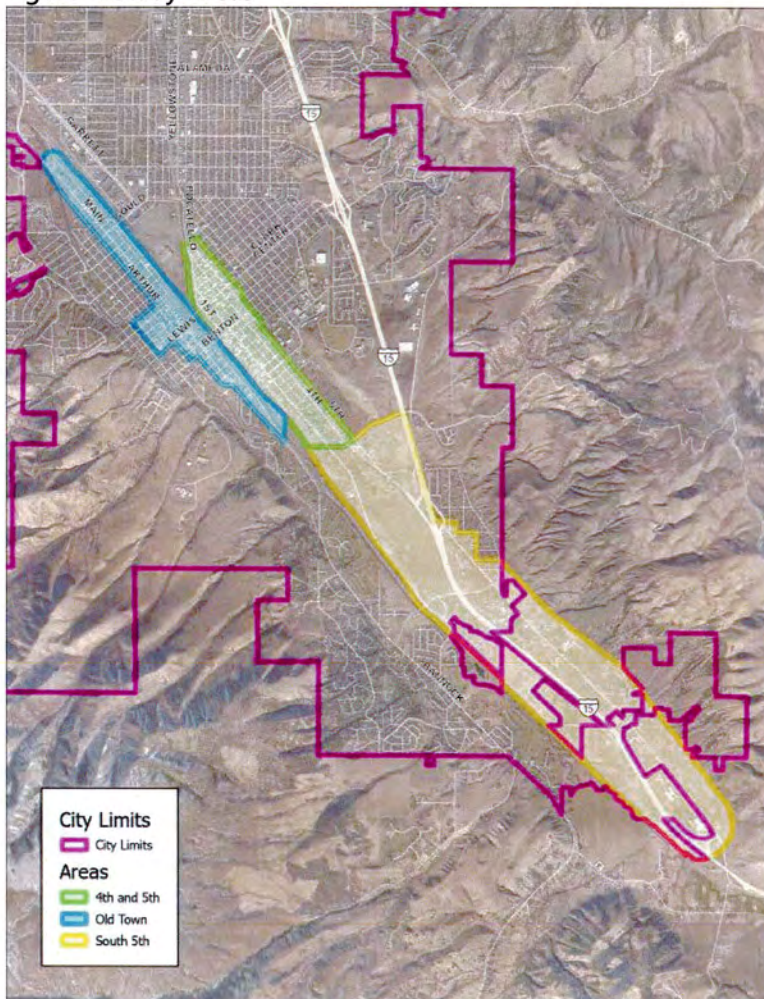
May 25, 2023

Pocatello Development Authority
Attn: Brent McLane, Executive Director
911 North 7th Avenue
Pocatello, Idaho 83201

Dear Mr. McLane:

Pursuant to our recent discussions, SB Friedman Development Advisors, LLC (SB Friedman) is pleased to submit a proposal to the Pocatello Development Authority (PDA) to conduct preliminary feasibility assessments of three potential study areas, 4th and 5th, Old Town, and South 5th (the "Study Areas"). All of the 4th and 5th and Old Town study areas appear to be in the city of Pocatello. Portions of the South 5th area are in the city, while some portions are in unincorporated Bannock County. Please see **Figure 1** for a map of the Study Areas.

Figure 1. Study Areas



BACKGROUND AND UNDERSTANDING

We understand that the PDA is considering pursuing the designation of up to three urban renewal districts (URDs). However, given the time and costs associated with establishing URDs, you are requesting initial assessments of the Study Areas to evaluate feasibility of each area as an urban renewal district.

For all three study areas, we propose to preliminary identify and/or assess:

1. City policy context and potential/planned game changing investments
2. Key sites that may be susceptible to change and are therefore ripe for development/redevelopment through:
 - a. Interviews
 - b. Physical assessments
 - c. Assessor data analyses
 - d. Other considerations
3. URD technical feasibility
 - a. Open space question
 - b. 10% rule (if applicable)

We will summarize our findings in a PowerPoint slide deck to help the PDA decide how many of the Study Areas have potential for a productive Urban Renewal Area (URA) in the near to middle term. Should the PDA elect to proceed with one or more full feasibility studies as required under Idaho law, we can provide scope(s) of work and fee estimate(s).

SCOPE OF SERVICES

1. **Conduct Kickoff Call.** We will conduct a call to verify the scope of our services, discuss any known planned developments or capital improvements in the Study Areas, and the timetable of performance. After this kickoff, we will submit a request for additional data to feed into the study. These data may include:
 - » Prior plans and information on planned investments
 - » Parcel shapefiles
 - » Environmental studies
 - » Flooding studies
 - » Other studies as identified
2. **Obtain and Review Existing Data.** We will review existing studies, ask follow up questions and conduct original research on the Study Areas. Additional research may include analyses of assessor data, building permits, data from CoStar and other sources as identified.
3. **Prepare Base Maps and Conduct Fieldwork.** We will travel to Pocatello and spend a day driving and walking the Study Areas and meeting with key stakeholders to gain better understanding of the Study Areas.
4. **Conduct Calls with Key Informants.** After conducting fieldwork, we will likely have follow up questions. We will conduct a round of calls with City of Pocatello staff, Bannock County staff, property and business owners, and others as identified to better understand the Study Areas.
5. **Consider Open Land Parcels.** State law has specific requirements around open land and URDs. We will consider the facts from our fieldwork and desk assessments in the context of that aspect of the law.
6. **Prepare Summary Slides.** We will synthesize our initial findings and make recommendations regarding the Study Area(s) with the most near and middle term potential as urban renewal districts. We will submit our draft slides for review. We anticipate one round of edits to finalize our slides.
7. **Present Findings.** We anticipate presenting our slides via a Zoom call to the Board of the PDA and fielding questions on that call.

ADDITIONAL SERVICES

We are available to attend additional meetings with staff, and/or elected or appointed boards, as requested by the PDA.

TIMEFRAME AND FEES

Based on the scope of work outlined herein, and our experience with similar projects, we estimate that it will take approximately two months to complete the preliminary feasibility studies. Professional fees for this service will be based on the time required at our appropriate billing rates. The scope of the engagement and our experience with similar services indicate that our professional fees and expenses will be approximately \$30,000. The basis for this fee estimate and anticipated tasks are shown in **Table 1**.

Professional fees for this service will be based on time required at the then current billing rates of the staff involved. Our experience with similar services indicates that it is difficult to estimate professional fees for this type of engagement with great precision. Estimates have been prepared, however, based on certain assumptions as to the time required. These estimates will serve as benchmarks for reporting to PDA to keep you informed of our progress and potential costs. The following current hourly rates apply to this engagement:

Senior Vice President/Partner	\$325
Vice President	\$275
Project Manager	\$265
Associate Project Manager	\$235
Senior Associate	\$220
Associate	\$195
Research Associate	\$180

Rates will be in effect until December 31, 2023, except in the case of promotions of individuals. After this date, rates are subject to adjustment.

The budget estimate will not be exceeded without your agreement. It is subject to upward revision if the engagement entails more time than estimated due to problems that are encountered that could not reasonably have been foreseen at the commencement of the engagement, there are additional meetings other than those specified above, or if the scope is changed. In this event, we will discuss the matter with you so that a mutually acceptable revision may be made.

If the time spent on this engagement is less than we have estimated, we will bill you a lesser amount.

Additional meeting time and additional services, beyond those indicated in our scope of services, will be billed at the then-current hourly rates of the participants.

Invoices are payable within 30 days. We will bill you no more frequently than monthly and can bill at the completion of specific deliverables if preferred.

If, at any point the decision is made to discontinue our services, our fee will be based upon the actual time expended and out-of-pocket costs incurred to that date.

The attached "Limitations of Our Engagement" apply to this assignment.

Table 1. Estimated Fees

TASK	TOTAL	Senior Vice	Senior
		President/Partner	Associate
		\$325	\$220
1 Conduct Project Kickoff Call	\$765	1	2
2 Obtain and Examine Necessary Data	\$4,820	4	16
3 Prepare Base Maps and Conduct Fieldwork	\$9,600	16	20
4 Conduct Calls with Key Informants	\$2,180	4	4
5 Consider Open Land Parcels	\$1,530	2	4
6 Prepare Summary Slides	\$7,230	6	24
7 Conduct Call with Agency to Review Preliminary Findings	\$1,090	2	2
Total Hours	107	35	72
Total Professional Fees	\$27,200	\$11,375	\$15,840
Travel Costs (1 Trip)	\$2,300		
General Expenses	\$500		
TOTAL COST	\$30,000		

ACCEPTANCE PROCEDURES

We appreciate the opportunity to work with the PDA. Please call with any questions you may have.

To authorize us to begin this assignment, please sign below and return a copy to us as our authorization to proceed.

Sincerely,



Geoff Dickinson, AICP
Senior Vice President & Partner
(312) 384-2404

Accepted: _____
Signature Date

Name Title

LIMITATIONS OF OUR ENGAGEMENT

Our report will be based on estimates, assumptions and other information developed from research of local, state and federal government development assistance programs, knowledge of the industry and meetings during which we will obtain certain information. The sources of information and bases of the estimates and assumptions will be stated in the report. While sources used will be ones that we deem reliable, no guarantee can be made as to their accuracy. Some assumptions inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from those described in our report and the variations may be material. Our report will contain a statement to that effect.

The terms of this engagement will be such that we will have no obligation to revise the report to reflect events or conditions that occur subsequent to the date of the report. These may include changes in local fiscal policy or other factors.

2 FIRM QUALIFICATIONS



SB Friedman Development Advisors, LLC (SB Friedman) provides analytical, strategic and financial consulting services in support of complex, high-impact development projects. Now in our 33rd year of operation, we develop and assist in implementing tools and strategies to revitalize communities, downtowns, corridors and sites.

Our firm has extensive experience in development finance and has assisted numerous municipalities throughout the Midwest with underwriting for public-private transactions. Over the past 12 years, we have served as analyst and advisor for \$4.9 billion of public-private financing in support of \$27.5 billion in development deals. Reflecting our role, SB Friedman is registered with the Municipal Securities Rulemaking Board (MSRB) as a Municipal Advisor.

SB FRIEDMAN DEVELOPMENT ADVISORS, LLC
70 W MADISON ST, SUITE 3700
CHICAGO, IL 60602
312-424-4250
INFO@SBFRIEDMAN.COM
WWW.SBFRIEDMAN.COM

THOUGHT LEADER IN PUBLIC-PRIVATE PARTNERSHIPS

SB Friedman specializes in the use of various public finance tools including Urban Renewal Districts (URDs), Tax Increment Financing (TIF), Special Service Areas/BIDs, New Markets Tax Credits, Low Income Housing Tax Credits, value capture and infrastructure financing. We project revenues, evaluate feasibility of district designations, structure transactions and support public approval processes. Our firm is a proponent of best practices in public-private development finance.

We have been a member of the Illinois Tax Increment Association (ITIA) for over 20 years, and have senior personnel serving as national TIF curriculum advisor and instructor for the Council of Development Finance Agencies (CDFA). We have advised both public and private sector clients on TIF issues, ranging from conducting eligibility studies to providing support in the TIF application process and compliance phase.

STRENGTH IN DEAL STRUCTURING

Our depth of experience in private and public-private real estate finance allows us to tailor solutions for our clients that strike an appropriate balance between minimizing risk to the public sector and achieving a financially-feasible private development project. We also have significant depth in term sheet negotiation and development, modeling of financial scenarios, and providing clear documentation of our findings and recommendations (both for internal client use and public consumption, if desired).

WE SUPPORT FAIR AND EQUITABLE DEVELOPMENT

As a mission-driven firm, SB Friedman believes in:

- » Inclusive development that supports social equity, economic mobility, sustainability, economic revitalization, multimodal transportation, and quality urban design;
- » Objective analysis that allows our clients to make informed decisions and achieve ambitious goals; and
- » Judicious use of public resources to support publicly-beneficial development outcomes.

**OUR MISSION IS TO HELP OUR CLIENTS TO CREATE
EQUITABLE, RESILIENT AND WELL-DESIGNED COMMUNITIES
THROUGH THE PRACTICE OF REAL ESTATE ECONOMICS,
DEVELOPMENT FINANCE AND URBAN PLANNING.**





GEOFF DICKINSON, AICP

SENIOR VICE PRESIDENT & PARTNER

Geoff is a real estate and economic development advisor with experience in special taxing district establishment, market and financial feasibility, economic development strategy, public-private finance partnerships, and project implementation advisory services. While at SB Friedman, Geoff has directed market and economic feasibility studies as part of the Urban Renewal District (URD) designation process in Boise, Idaho. He has also led numerous TIF district designations and eligibility studies for various suburban municipal clients in Illinois and the Kentucky Cabinet for Economic Development.

EDUCATION

Master of Urban Planning, University of Michigan

Bachelor of Arts in History, Northwestern University

PROFESSIONAL ORGANIZATIONS

American Planning Association (APA)/
American Institute of Certified Planners
(AICP) – IL and FL Chapters

Illinois City / County Management
Association (ILCMA)

Illinois Tax Increment Association (ITIA) –
Board Member

Lambda Alpha International-Ely Chapter

SELECT PUBLICATIONS

2019, "Constructing Effective Public-Private
Partnerships" (with L. Dorn), APA PAS Memo

2016, "Reviewing a Deal: Finding the Right
Size and Structure" (with L. Dorn), ILCMA
Newsletter

SELECT PRESENTATIONS

"How the 'New Normal' Affects the
Configuration of Our Central Business
Districts" (Florida City and County
Management Association, 2021)

"Public-Private Partnerships: Best
Practices for a Successful Deal" (Council of
Development Finance Agencies, 2019)

PROJECT EXPERIENCE

URD Designation & Development Advisory Services • Boise, ID

Directed market assessments for various uses and economic feasibility studies as part of the URD designation process for multiple study areas in Boise

TIF District Designations/Eligibility Studies • Various Locations, IL

Led TIF eligibility analyses/designations for clients throughout Illinois including the Villages of Bensenville, Carpentersville, Lakewood, Mount Prospect and Scales Mound, and Cities of East Dubuque, Fulton, Moline, and Warrenville

Feasibility Studies for TIF Assistance • Various Locations, KY

Led market feasibility analyses and estimated tax revenues to assist in sizing public assistance for various mixed-use developments as well as a large-scale convention center expansion

Community Redevelopment Area Policy Revision • Pinellas County, FL

Directed a study to develop a mechanism that would allow the County to match investments with its policy goals; refined and recommended revisions to CRA policies

Mountain Area Master Plan • Steamboat Springs, CO

Led a market assessment and comparability analysis as part of a master planning process for the mountain base area for the City of Steamboat Springs

Land Feasibility Analysis • Buena Vista, CO

Directed a market analysis for retail, residential, hospitality and industrial product as part of a development feasibility strategy for a piece of land outside of Buena Vista

Decatur Township Corridor Plan • Indianapolis, IN

Leading market and economic impact assessments to inform land use planning adjacent to a planned major road extension in the southern part of the city of Indianapolis

Boundary Agreement Land Use Study • Council Bluffs, IA

Led a market analysis for a joint land use study that required analysis of historic land development patterns; provided guidance on infrastructure funding strategy and incremental property tax estimates



CAREN KAY, AICP
VICE PRESIDENT

Caren specializes in urban economics, land use planning and real estate development. She is passionate about helping communities achieve development objectives through creative economic development or public assistance strategies. Her experience includes conducting and managing market and economic feasibility studies as part of the Urban Renewal District (URD) designation process in Boise, Idaho. Caren is also currently managing a financial gap assessment for prototypical development scenarios in three Transit Oriented Centers in Salt Lake County, Utah.

EDUCATION

Master of City and Regional Planning,
 Cornell University

Bachelor of Arts in Urban & Regional
 Planning and Public Administration, Miami
 University

PROFESSIONAL ORGANIZATIONS

American Planning Association/American
 Institute of Certified Planners (AICP) - IL and
 OH Chapters

Illinois Housing Council

Urban Land Institute

SELECT PUBLICATIONS

2021, "15-Minute Suburb? Expanding on
 the Strengths of Suburban Communities to
 Attract Millennials," ILCMA Newsletter

SELECT PRESENTATIONS

"Catalyzing Redevelopment Projects" (CDFA
 National Development Finance Summit,
 2022)

"Development Finance and Incentives Best
 Practices" (APA IL Chicago Metro Section,
 2021)

"Intro to Housing Finance (Using Targeted
 Tools to Facilitate Housing Development)"
 (CDFA Webinar, 2019)

"Mind the (Financing) Gap" (APA Illinois,
 2019)

SELECT PROJECT EXPERIENCE

URD Designation & Development Advisory Services • Boise, ID

Conducted and managed market assessments for various uses and economic feasibility studies as part of the URD designation process for multiple study areas in Boise

Prototypical TOD Feasibility Study • Salt Lake County, UT

Managing assessments of the financial gaps for various prototypical development scenarios in three Transit Oriented Centers; identified key assumptions driving a need for public assistance

TIF Consulting Services & Bush School TIF Designation • Johnsburg, IL

Conducted a TIF eligibility study and prepared a redevelopment plan for the proposed Bush School redevelopment project area in Johnsburg

Application for TIF Assistance • Champaign, IL

Assisted a developer in pursuing tax increment financing (TIF) assistance to support a mixed-use redevelopment adjacent to the Illinois Terminal in downtown Champaign

Transformational Brownfield Underwriting Analysis • Detroit, MI

Assisted in the underwriting of projects requesting state Transformational Brownfield TIF assistance; for the first review, evaluated the level of assistance needed to support a \$2.15 billion, multi-site redevelopment in downtown Detroit

Bronzeville Lakefront Redevelopment Strategy • Chicago, IL

Assisted in the negotiation and structuring of a public-private partnership to support redevelopment of a catalytic site in the Bronzeville neighborhood of Chicago

Decatur Township Corridor Plan • Indianapolis, IN

Managing market and economic impact assessments to inform land use planning adjacent to a planned major road extension in the southern part of the city of Indianapolis

Boundary Agreement Land Use Study • Council Bluffs, IA

Managed a market analysis for a joint land use study that required analysis of historic land development patterns; provided guidance on infrastructure funding strategy and incremental property tax estimates

RELEVANT EXPERIENCE

SB Friedman brings 33 years of experience in a broad range of services including special funding districts and the review and structuring of public-private partnerships. Below is a list of our relevant project experience. Detailed project summaries are provided on the following pages.

- » Urban Renewal District Designation and Amendment Support | Boise, Idaho
- » The Fowler: Financial Deal Review Services | Boise, Idaho
- » Block 68 Development Advisory Services | Boise, Idaho
- » Redevelopment Project Feasibility Studies for TIF Assistance | Various Cities, Kentucky
- » TIF District Designations & Amendments | Chicago Suburbs, Illinois
- » Community Redevelopment Area Policy Revision | Pinellas County, Florida



URD Eligibility and Economic Feasibility Studies, Boise, ID



URD DESIGNATION AND AMENDMENT SUPPORT

CAPITAL CITY DEVELOPMENT CORPORATION OF BOISE

LOCATION
Boise, ID

DATES OF ENGAGEMENT
Jun 2015 – Aug 2015
Jun 2017 – Dec 2021

SB Friedman has provided development advisory services to the Capital City Development Corporation (CCDC) to help facilitate growth in key areas of Boise, Idaho, including assisting in multiple Urban Renewal District (URD) designation processes.

As part of CCDC's efforts to facilitate growth in greenfield and redevelopment areas of the city, SB Friedman conducted eligibility studies for three URDs: the Shoreline District, the Gateway East District, and the Westside District (for an amendment). Two of these districts lie within mixed-use downtown neighborhoods, and the other is an industrial corridor on the city periphery.

As part of the URD designation process, we also prepared feasibility studies for the three districts, which included:

- » Preparing market assessments of retail, residential (for-sale and for-rent), office, industrial and hospitality uses to prepare a 20-year development program for each district.
- » Coordinating with planners and engineers to identify needed public improvements.
- » Developing a URD feasibility model which accounts for district revenues and expenses projected over the 20-year life of each URD.

SB Friedman also prepared a feasibility study for the State Street URD.

Results: The eligibility and feasibility studies for the Shoreline and Gateway East Districts were approved by the CCDC Board and subsequently adopted by Boise City Council in 2018. The Westside District Amendment Area eligibility study was approved by the Board and City Council in 2019 and the feasibility study was approved in the fall of 2020. The State Street URD was approved by Boise City Council in December 2021.



THE FOWLER: FINANCIAL DEAL REVIEW SERVICES

CAPITAL CITY DEVELOPMENT CORPORATION OF BOISE

LOCATION

Boise, ID

DATES OF SERVICE

Jun 2015 – Jul 2015

SB Friedman was engaged by Capital City Development Corporation of Boise, Idaho (CCDC) to conduct a preliminary financial review of The Fowler, a pioneering proposed mixed-use project in downtown Boise comprising 163 residential apartment units and 4,000 square feet of ground-floor retail space.

In order for the project to be economically viable, the developer requested that CCDC participate in the costs of certain public improvements associated with the development, including structured parking and streetscaping. We assisted CCDC in reviewing, underwriting and structuring an appropriate public financial assistance package. Our work included:

- » Assessing the reasonableness of project assumptions by benchmarking development costs and projected revenues and expenses against third-party sources and comparable projects;
- » Reviewing the proposed financing sources to determine the reasonableness of equity contributions, status of debt financing and assumed terms;
- » Analyzing developer returns with and without the requested public assistance package;
- » Conducting sensitivity analyses to determine the appropriate structure and term of public assistance required to ensure project feasibility; and
- » Providing structuring recommendations.

Results: Our analysis indicated that public assistance was needed to make the project financially feasible. Given several uncertainties related to the project, we recommended a construction cost true-up, through which the assistance package would be reduced if construction cost savings were realized, and an "upside" sharing provision, whereby CCDC would participate if the project substantially outperformed pro forma expectations. Based on SB Friedman's analysis, the CCDC Board of Commissioners approved the project as a Type 3 Transformative Assistance Participation project in August 2015. The project was completed in 2018.



BLOCK 68 & 69 CATALYTIC REDEVELOPMENT ADVISORY SERVICES

CAPITAL CITY DEVELOPMENT CORPORATION OF BOISE

LOCATION
Boise, ID

SB Friedman was engaged by Capital City Development Corporation (CCDC) to provide development advisory services for a proposed mixed-income multifamily development in Boise, Idaho.

DATES OF SERVICE
Mar 2023 – Ongoing

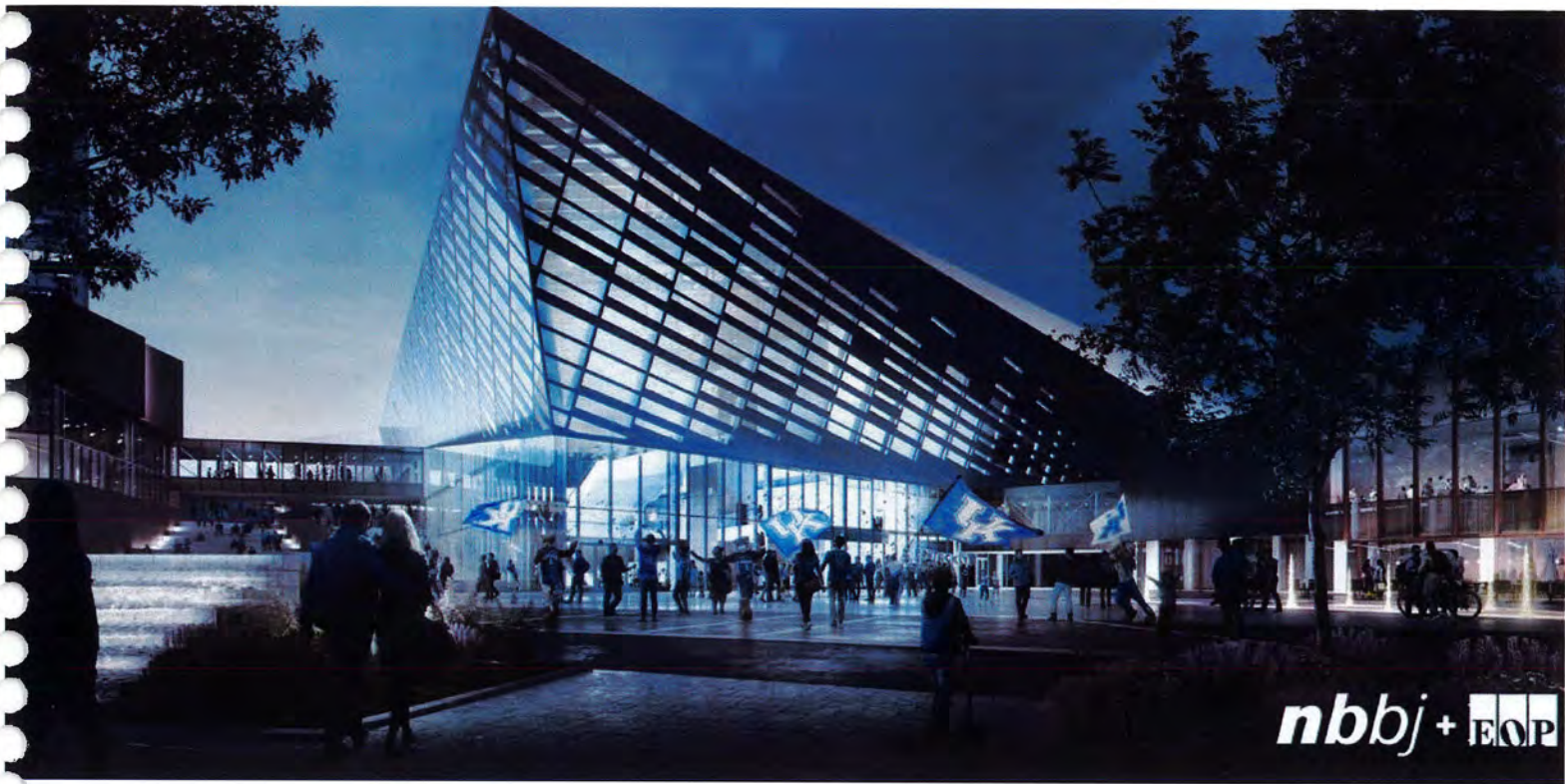
The CCDC issued a Request for Proposals (RFP) to identify a development partner for multiple CCDC-owned sites within downtown Boise. After reviewing the submitted proposals, the CCDC selected a development partner who proposed the redevelopment of two sites:

- » Block 69 North - a 7-story mixed-use project including ground floor commercial, 65 market-rate housing units and 155 workforce housing units.
- » Block 68 South - a mixed-use high-rise building with ground floor commercial, approximately 200 units of senior housing, associated amenity space, and a structured public parking garage.

SB Friedman was engaged by CCDC to assist in evaluating and facilitating a responsible development and disposition agreement. Our work included:

- » Reviewing developer submittal materials to understand the request for public assistance;
- » Benchmarking project costs and developer returns; and
- » Providing recommendations to CCDC on how to structure the land disposition and public assistance agreements for both development sites.

Results: SB Friedman had preliminary conversations with the selected development partner in March 2023. After receiving pro formas and additional detail for each site, we engaged in multiple advisory calls with CCDC to provide guidance on deal terms and considerations. SB Friedman anticipates presenting financial feasibility results and recommended deal terms to a sub-committee of the CCDC Board in June 2023.



REDEVELOPMENT PROJECT FEASIBILITY STUDIES FOR TIF ASSISTANCE

KENTUCKY CABINET FOR ECONOMIC DEVELOPMENT

LOCATION

Various Cities, KY

DATES OF SERVICE

Feb 2018 – Ongoing

The Commonwealth of Kentucky (the “Commonwealth”) engaged SB Friedman as part of a team to assess the market feasibility and the economic and fiscal impacts of several mixed-use and large-scale redevelopment projects. These analyses informed the scale of state tax increment financing (TIF) assistance.

The Commonwealth offers TIF assistance to qualified mixed-use and large-scale projects that have secured municipal financial support. To size the amount of assistance, the Commonwealth requires an analysis of each project’s feasibility and net economic and net fiscal impacts. We worked on:

- » A mixed-use, office, retail/restaurant, residential and hotel development anchored by a 10,000-seat soccer stadium adjacent to downtown Louisville;
- » A mixed-use, office and lab/research-oriented development on a research campus owned by the University of Kentucky in Lexington;
- » A mixed-use, office, retail/restaurant, residential and hotel development on publicly-owned land at a main entrance to Northern Kentucky University in Highland Heights;
- » An expansion and renovation of the Lexington Center convention center, Rupp Arena and a mixed-use, retail/restaurant, entertainment and hotel development in Lexington;
- » A mixed-use, retail/restaurant/entertainment, residential, hotel and manufacturing development, and riverfront public improvements in downtown Paducah; and
- » A mixed-use, hotel, office and retail/restaurant development with a structured parking garage in downtown Newport.

Our work includes analyzing unique data sources such as ticket sales data, assessing each project’s overall feasibility, evaluating the interaction of each project with other sites receiving state incentives, and estimating both state- and local-level incremental taxes generated.

Results: SB Friedman has presented our findings for each project to the Kentucky Economic Development Finance Authority board. The soccer stadium hosted its first match in July 2020. Construction on a medical office building, convention center expansion and basketball arena renovation and an adjacent entertainment complex is currently underway.



TIF DISTRICT DESIGNATIONS & AMENDMENTS

VARIOUS SUBURBAN CHICAGO CLIENTS

LOCATION

Chicago Suburbs, IL

DATES OF ENGAGEMENT

2000 – Ongoing

SB Friedman has substantial and notable experience with assisting various municipalities located in suburban Chicago in the designation and support of tax increment financing (TIF) districts.

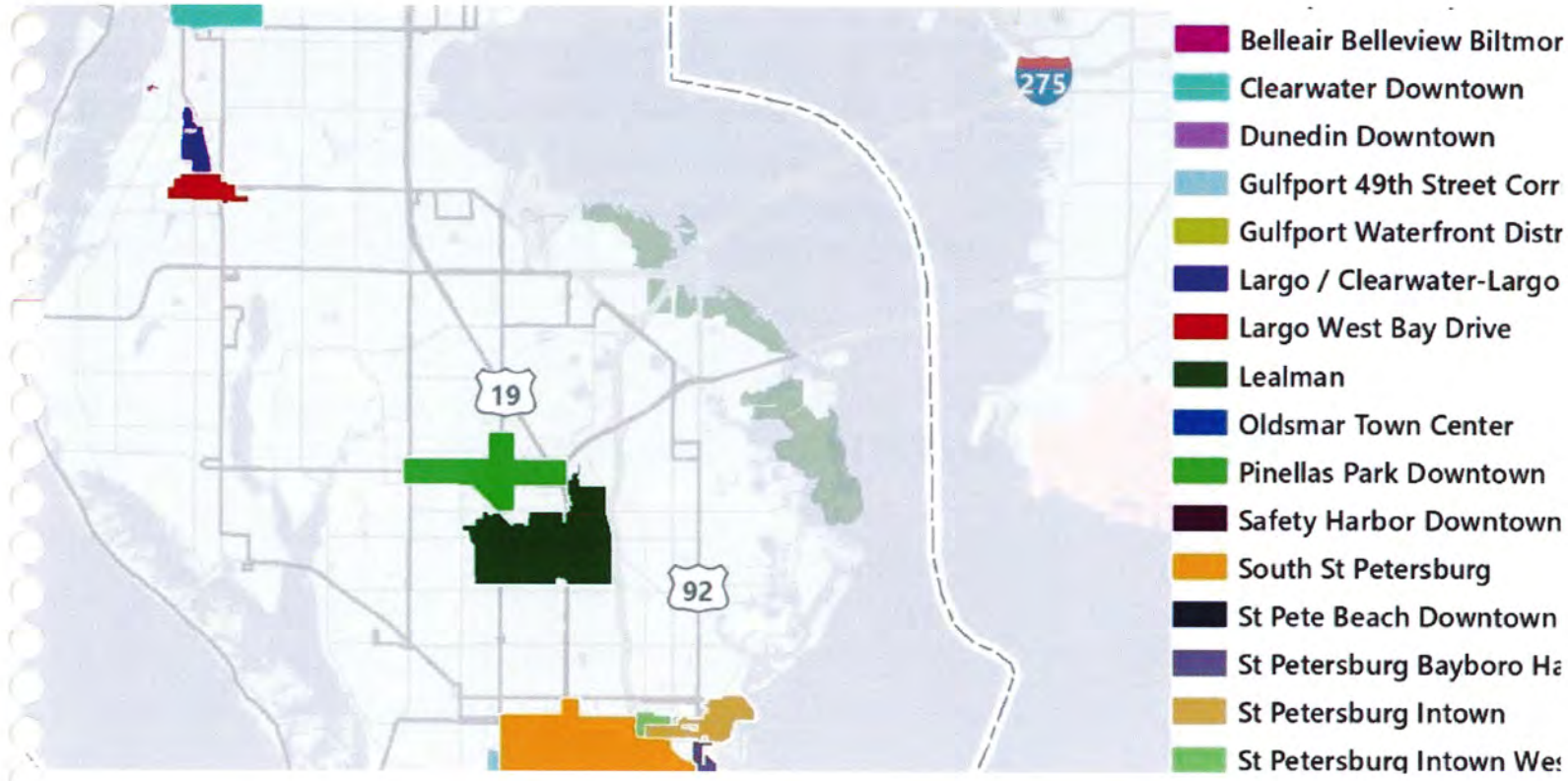
Our firm has expertise in the use of tax increment financing to facilitate high-quality development, redevelopment and infrastructure projects. We have been a member of the Illinois Tax Increment Association for over 20 years and edited the Council of Development Finance Agencies' "Advanced Tax Increment Finance Reference Guide." Our background and broad experience with TIF allows us to provide a broad range of TIF-related services, including:

- » Eligibility Studies, Plans, Amendments and District Adoption Support
- » Incremental Property Tax Revenue Projections
- » Pro Forma Financial Analysis and Deal Structuring
- » Negotiation Support/Term Sheet Development
- » Project and TIF District Compliance and Analytical Services

We have served, among others, the following suburban municipal clients

- » City of Geneva
- » City of Joliet
- » City of St. Charles
- » City of Wood Dale
- » Village of Bensenville
- » Village of Carpentersville
- » Village of Clarendon Hills
- » Village of Hanover Park
- » Village of Homewood
- » Village of La Grange Park
- » Village of Lemont
- » Village of Morton Grove
- » Village of Mount Prospect
- » Village of Palatine
- » Village of Riverwoods

Results: We have helped designate or amend 80 TIF districts in suburban Chicago. These various TIF districts have been used to support retail, commercial, mixed-use, residential and industrial development in areas where such projects would not have otherwise been feasible.



COMMUNITY REDEVELOPMENT AREA POLICY REVISION

PINELLAS COUNTY, FLORIDA

LOCATION

Pinellas County, FL

DATES OF ENGAGEMENT

Jun 2020 – Jul 2021

SB Friedman was engaged by Pinellas County, Florida to refine and recommend revisions to Community Redevelopment Area (CRA) policies. We developed a mechanism to align County financial contributions with its policy goals and created new evaluation and performance metrics for existing and future CRAs.

Pinellas County has a number of existing CRAs – districts that use local and county property taxes to support economic development. In 2018, the County developed a CRA policy that directed funds to higher need CRAs based on local designation scoring and wanted to evolve and enhance that policy to further meet County goals and recent changes to state law.

The County engaged SB Friedman to evaluate and recommend changes to its existing CRA policies, scoring systems and processes, and develop a unified approach to ensure County CRA funds are used to support the County’s goals. Our work included:

- » Reviewing existing CRA scoring, evaluation and funding processes;
- » Refining existing and developing new scoring criteria for CRA establishment;
- » Developing easily replicable methods for the County to implement scoring;
- » Creating benchmarks to assess County return on investment at CRA midpoint and closeout;
- » Assisting in developing new policy guidelines to direct County CRA match toward County priority issues; and
- » Adjusting annual reporting templates to include evaluation metrics.

Results: The proposed new policy, which included a revised process, “priority match” approach and scoring criteria, was presented to County staff in August 2020. This new policy was adopted by the Pinellas Board of County Commissioners in August 2021.

3 REFERENCES

REFERENCES

Mr. Doug Woodruff

Development Director
Capital City Development Corporation
City of Boise, Idaho
(208) 319-1229
dwoodruff@ccdcboise.com

Ms. Meghan Conrad

Attorney
Elam & Burke Attorneys at Law
(208) 343-5454
msc@elamburke.com

Mr. Evan Johnson

Planning Division Manager
Pinellas County Planning Department
(727) 464-5692
evjohnson@co.pinellas.fl.us

Mr. Michael Cassady

Village Manager
Village of Mount Prospect, Illinois
(847) 392-6000
mcassady@mountprospect.org

4 FORMS

RESPONSE

By submitting this proposal, the potential parties responding to this RFP certify the following:

1. This proposal is signed by the individual submitting the RFP.
2. The party responding to this RFP has read and understands the terms, conditions, and specifications set forth in this RFP.
3. Any exceptions to the terms, conditions, and/or specifications are specified in the proposal submitted by the parties responding to this RFP.

Therefore, in compliance with this Request for Proposals, and subject to all conditions herein, the undersigned offers and agrees, if their proposal is accepted within 30 days from the date of the opening, to negotiate a contract to furnish the subject services as outlined in this request.

BUSINESS NAME: SB Friedman Development Advisors, LLC

ADDRESS: 70 West Madison Street, Suite 3700

CITY, STATE, ZIP: Chicago, IL 60602

TELEPHONE NUMBER: 312-384-2404 (Geoff Dickinson)

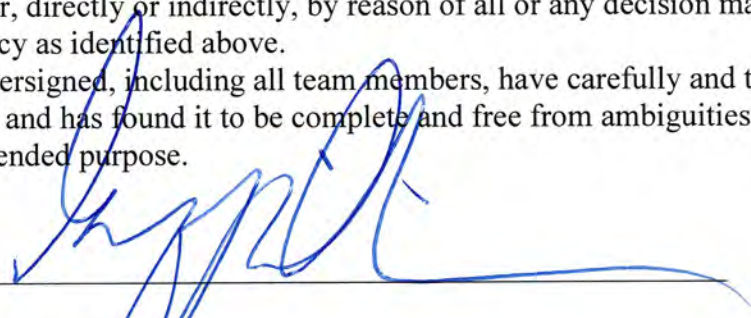
E-MAIL ADDRESS: gdickinson@sbfriedman.com

EXHIBIT B-REQUIRED WAIVER & RELEASE (REQUIRED FOR SUBMISSION)

The undersigned has read this waiver and release and fully accepts the Agency's discretion and non-liability as stipulated herein, and expressly for, but not limited to, Agency's decision to proceed with a qualification-based selection process in response to the Request for Proposals (RFP) to select a company to supply consultant services to Agency for the project.

- A. Discretion of Agency: The Proposer submitting a response to this RFP agrees that Agency has the right to, unless contrary to applicable state law:
 - a. Modify or suspend any and all aspects of the process seeking proposals and making any decisions concerning the consultant services RFP;
 - b. Obtain further information from any person, entity, or group regarding the Proposer, and to ascertain the depth of Proposer's capability and experience for supplying consultant services and in any and all other respects to meet with and consult with any Proposer or any other person, entity, or group;
 - c. Waive any formalities or defects as to form, procedure, or content with respect to Agency's RFP to select a consultant and any response by any Proposer thereto;
 - d. Accept or reject any sealed proposal received in response to the RFP, including any sealed proposal submitted by the undersigned; or select any one proposal over another in accordance with the selection criteria; and
 - e. Accept or reject all or any part of any materials or statements, including, but not limited to, the nature and type of proposal.

- B. Non-Liability of Agency:
 - a. The undersigned agrees that Agency shall have no liability whatsoever of any kind or character, directly or indirectly, by reason of all or any decision made at the discretion of Agency as identified above.
 - b. The undersigned, including all team members, have carefully and thoroughly reviewed the RFP and has found it to be complete and free from ambiguities and sufficient for their intended purpose.

Proposer's Signature: 

Print Name: Geoff Dickinson

Print Title: Partner

Name of Firm: SB Friedman Development Advisors, LLC

Date: 5/25/23



Outwest Policy Advisors

225 S 30 W

Burley, Idaho 83318

208.431.7356

brentj.tolman@gmail.com

**Brent J Tolman, MBA, CPM
President**

May 29, 2023

Mr. Brent McLane, Executive Director
Pocatello Development Authority
911 North 7th Avenue
Pocatello, ID 83201
RE: Request for Professional Services

Urban renewal is increasingly becoming more complex in the state of Idaho and finding professionals experienced in the nuances of Idaho urban renewal laws is becoming more difficult. Outwest Policy Advisors has the background and knowledge to help urban renewal agencies across the state navigate this ever-changing regulatory environment. We ensure as part of the urban renewal planning process, analysis of potential project areas is both compliant with the law and aligns with the community interests.

As you will see from the attached proposal, Outwest Policy Advisors has completed numerous urban renewal projects across southern and southeast Idaho. Our experience in economic and urban renewal projects spans more than 25 years and includes a mix of urban renewal plans encompassing single project manufacturing plans, mixed use residential/commercial projects, and downtown projects. I believe this breadth of experience has provided us with the knowledge, skills, and abilities to assist the Pocatello Development Authority with the projects outlined in the request for proposals. We most recently completed a downtown urban renewal plan for the Burley Development Authority\City of Burley, a light industrial plan for Jerome County URA, and are currently working on plans for mixed use projects in Victor and Rigby.

Brent Tolman will be the Project Manager with administrative and GIS support from Danielle Phillips, Together Brent and Danielle bring a wealth of knowledge to the planning process and can help PDA prepare plans to benefit the Agency, the city, and ultimately the businesses and residents of Pocatello.

We look forward to working with you and the Agency Board in helping to accomplish your goals for the project areas and meet the needs of the community.

Sincerely

Outwest Policy Advisors

Brent J Tolman
President | brentj.tolman@gmail.com
225 S 30 W Burley, ID 83318

Danielle M Phillips
Administrative Assistant



Outwest Policy Advisors

225 S 30 W

Burley, Idaho 83318

208.431.7356

brentj.tolman@gmail.com

Brent J Tolman, MBA, CPM

President

Brent Tolman

Outwest Policy Advisors



Mr. Tolman brings over twenty-five years of experience in economic, workforce, and urban renewal development to Outwest Policy Advisors (OPA). During that time Brent has worked to increase the viability of local communities through various economic development organizations, consulted with hundreds of companies on workforce development, and guided the Urban Renewal Agency for Heyburn, Idaho as an Agency Commissioner from its 2010 start-up through 2017, serving five years as the Agency Secretary/Treasurer.

Brent started Outwest Policy Advisors to assist Idaho communities with economic, workforce, and urban renewal development policy and activities. Brent has a passion for helping Idaho communities grow and prosper as they offer unique qualities and opportunities only found in rural America; and by all rights, Idaho is still considered a rural state. Outwest Policy Advisors provides administrative services to the Heyburn Urban Renewal Agency, the Jerome County Urban Renewal Agency, and the Rigby Urban Renewal Agency.

Brent earned an Executive Master of Business Administration from Boise State University and is a State of Idaho Certified Public Manager. While employed with the State of Idaho Department of Labor, Brent was recognized for his service to businesses receiving the Idaho State Chapter of the International Association of Workforce Professionals Outstanding Services to Business Customers award.

Brent has served on a variety of public agency and community boards. In addition to serving as a Heyburn URA Commissioner, he also served seven years as a member of the Board of Directors for the Mini-Cassia Chamber of Commerce, serving one year as Board President; has served as a member of the Board of Directors for Region IV Development Association since October 1999, serving as Chairman of the Board from 2015-2019, and the Board of Directors for the Redevelopment Association of Idaho, currently

serving as President of the Board. Previously Brent served as a member of the board for the Mini-Cassia Economic Development Commission and Southern Idaho Development.

Relevant Project Experience

Through his work with Urban Renewal Agencies in Heyburn, Jerome County and Rigby, Mr. Tolman has developed the knowledge and insight in guiding communities on public projects that ultimately can help to attract new jobs and expand community offerings and enhance the quality of life. Outwest Policy Advisors has completed or is working on the following projects:

- McCain Foods URD Feasibility Study Update – Burley
- The Boulevard – Heyburn
- Business Park 208 – Heyburn
- Crossroads Point Deannexation Plan Amendment – Jerome County
- Crossroads Point Phase 2 – Jerome County
- The Boulevard Plan Amendment – Heyburn
- Highway 48 East Eligibility Study – Rigby
- Rigby Lake Eligibility Study – Rigby
- Rigby 4000 East Eligibility Study - Rigby
- Siphon Road West Eligibility Study Update 2020 – Chubbuck
- Harvest Springs Feasibility Study – Chubbuck
- Northside Crossing Feasibility Study – Chubbuck
- Williams Street Annexation - Buhl
- North Bridge Junction – Jerome County
- Burley Development Authority Deannexation Plan RAA 7 – Burley
- Burley Downtown Plan (RAA 8) – Burley
- Northgate Development – Heyburn
- INH/Exit 211 - Heyburn

Prior to starting Outwest Policy Advisors, Mr. Tolman assisted over 100 companies in relocation and expansion efforts across the state of Idaho and helped many of these companies apply for and manage their Workforce Development Training Fund Grants. With over a 95% success rate in helping companies apply for these training grants, Mr. Tolman has the experience and ability to interpret grant requirements and communicate them effectively to stakeholders both in the private and public sectors. Additionally, Mr. Tolman helped Region IV Development in securing a \$5,000,000 grant from the US Departments of Labor and Commerce to integrate workforce and economic development in South Central Idaho. Further, Mr. Tolman was a key partner in the submission of an application to the US Department of Commerce, Economic Development Administration for designation of the Magic Valley as a Manufacturing Community under the Investing in Manufacturing Communities Partnership program, one of only 24 communities so recognized across the country.



Outwest Policy Advisors

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Brent J Tolman, MBA, CPM
President

REFERENCES

Chris James, Chair

Heyburn Urban Renewal Agency

jamemich@isu.edu

C: 208.312.6605

Devin Hillam, Administrator

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C: 208.844.1436

Marsha Martin, Chair

Jerome County Urban Renewal Agency

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Scott Bybee, Administrator

Buhl Urban Renewal Agency

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Steve Abbott, Chair

Rigby Urban Renewal Agency

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Tony Morley, City Administrator

City of Heyburn

tmorley@heyburncity.org

O: 208.679.8158

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Brent J Tolman, MBA, CPM

President



Danielle has a degree in Natural Resources Biology with a focus in GIS technology and soil science. Danielle has compiled GIS information from multiple sources to build visual analyses to distill complex data sets into easily utilized information. Danielle's background in soil science gives her a unique understanding of how the local environment affects the analysis and development of economic feasibility studies and urban renewal plans. Danielle's ability to integrate GIS information coupled with her Natural Resources degree enable her to see potential issues in urban renewal projects that others often miss. Danielle also brings a wealth of knowledge in technical writing and proposal presentation.

Danielle and her husband Jacob currently reside in Rupert, Idaho on 20 acres with their two sons Lincoln and Levi.

**PROPOSAL FOR PROFESSIONAL SERVICES
POCATELLO DEVELOPMENT AUTHORITY**



OUTWEST POLICY ADVISORS

May 25, 2023

**PREPARED BY
BRENT TOLMAN**

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Urban Renewal Project Scope of Work

This document outlines the tasks and estimated timelines necessary to develop a new urban renewal area within any political jurisdiction in the state of Idaho. The estimated timelines and process of creating an urban renewal district will vary based on ease of acquiring the required information and input from the Agency, the City, involved developers, and the ability to secure outside services as required in a timely manner.

1) Consultant's Tasks

A. Eligibility Report

Consultant will prepare an urban renewal eligibility report to determine if a proposed study area is a deteriorated or deteriorating area as required by Idaho Code 50-2008 (a), evaluating the characteristics described in Idaho Code 50-2018(8), Idaho Code 50-2018(9), and 50-2903 (8)(a-f) on the subject property(ies) as determined by the Agency. Upon executing this agreement, the Agency and Consultant will define the general geographic boundaries of the study area and describe those in Exhibit A (Project Description) to be included for consideration by the Agency and the City Council.

i. Narrative Report

Consultant will provide a narrative report describing the property, geographical boundaries, and conditions found to exist after a visual inspection of the proposed study area. The report shall identify the eligibility criteria met under applicable Idaho Code and the types of needed improvements for consideration as an urban renewal area. Consultant will prepare.

ii. Property Eligibility Report Map

Consultant will prepare a draft map of the study area identifying the characteristics of a deteriorating area in the proposed urban renewal area.

B. Economic Feasibility Study

Consultant will prepare an Economic Feasibility study (the "Study") in conformity with the requirements of Idaho Code Title 50 Chapters 20 and Chapter 29 inclusive, specifically I.C. 50-2905 which requires specificity regarding:

1. The kind, number, and location of all proposed public work or improvements within the revenue allocation area;
2. An economic feasibility study, including estimated new development and resulting revenue;
3. A detailed list of estimated project costs for all proposed public works or improvements within the revenue allocation area;
4. A fiscal impact statement showing the impact of the revenue allocation area, both during and until and after any bonds are repaid, upon all taxing districts levying taxes upon property in revenue allocation area; and
5. A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred

C. Urban Renewal Plan

Consultant will review the text and appropriate attachments of the urban renewal plan prepared in consultation with legal counsel, to determine conformance with statutory requirements and proposed public improvements and facilities. The urban renewal plan shall conform to the requirements of Idaho Code Title 50 Chapters 20 and 29 inclusive.

D. Consultation

Consult with Agency and City staff, consultants, developers, impacted residents, and other interested parties as necessary to complete the eligibility and economic feasibility studies proposed herein. Additionally the Consultant will coordinate and collaborate with legal counsel as needed in preparing and proofing the urban renewal plan.

E. Work Program and Meetings

Eligibility Study

Consultant will conduct an onsite review of the proposed study area and evaluate existing conditions against the statutory criteria for eligibility; will work with Agency staff, city officials, residents, and developers in conducting the study and will prepare a written Eligibility Study report as described in Section 1.A.

Consultant anticipates at least three (3) meetings as described below:

1. Consultant will attend a work Session with Agency board, city staff, Agency legal counsel, developers, and other parties as needed to conduct the onsite review of the study area.
2. Consultant will attend the meeting at which the eligibility study is presented to the Agency for approval and referral to the City Council
3. Consultant will attend the City Council meeting at which the Eligibility Study will be presented to the City Council for a finding that the study area is a deteriorated or deteriorating area.

Consultant will be available to present any aspect of the plan, the Study, and address questions raised by the meeting participants.

Feasibility Study

Consultant will met with interested parties and conduct an onsite review of previously determined eligible areas to assess the needs of public infrastructure improvements, identify potential new development projects and determine resulting incremental tax revenues; will work with Agency staff, city officials, residents, developers, and other interested parties in conducting the study and will prepare a written Feasibility Study report as described in Section 1.B.

Consultant anticipates five (5) meetings as described below:

1. Consultant will attend a work session with the Agency, Agency Staff, developers, and others to seek input on anticipated new development in the proposed project area.
2. Consultant will attend a work session with the Agency, Agency Staff, developers, and others to review initial plan draft, consider a joint work session with City Council.
3. Consultant will attend the Agency meeting at which the Plan and Study will be considered for adoption and referral to City Council for Council approval of the plan.
4. After the City Council refers the proposed Urban Renewal Plan to the Planning and Zoning Commission for the required finding that the plan conforms to the City's comprehensive plan, Consultant will attend the Planning and Zoning Commission meeting and participate as requested
5. Consultant will attend the meeting at which the plan is presented to the City Council for a public hearing and formal adoption of the plan.

Consultant will be available to present any aspect of the plan, the Feasibility Study, and

address questions raised by the meeting participants.

2) Agency\City Tasks

Agency\City shall undertake and complete the following:

- A. **Land Use Map** Prepare a land use map of the urban renewal or amended renewal area. Such map shall conform to the city's comprehensive plan, zoning map and such other information as may be appropriate. This map shall be prepared in a form to be included as an attachment to the urban renewal plan or amended renewal plan.
- B. **Required Public Improvements and Facilities** prepare the information for the list of public improvements and cost estimates specified in Sections 1 B1 and B3 of this exhibit and provide input regarding other financing sources for these improvements to prepare section 1 B5 of this exhibit. The city may defer this task to the developer.

3) Additional Tasks

The Agency\City shall cause the following tasks to be completed or instruct the Consultant to procure such services. Procurement of such services will be in addition to the proposed costs of the Feasibility Study with no markup of such procured services other than time and expenses of Consultant to procure such services as agreed in the Consultant Agreement.

- A. **Property Eligibility Report Map** prepare a map from a draft prepared by consultant, identifying the characteristics of a deteriorating area in the proposed project area.
- B. **Legal Description** Prepare the legal description for the urban renewal area and other revenue allocation area(s) in a form that is acceptable to the Idaho State Tax Commission and the applicable County Assessor.
- C. **Urban Renewal Project Area Map** prepare an up-to-date map of the urban renewal area(s) describing lot patterns, street rights-of-way, and other such map data as may be appropriate. Such map shall include the project name, symbol, titles, legends, north point, and a graphic scale and shall be at a sufficient scale and detail to be accepted by the Idaho State Tax Commission and the applicable County Assessor.
- D. **Copying & Printing** Print and/or copy an adequate number of copies of the Eligibility Study, Feasibility Study, and Urban Renewal Plan as needed for review by the Agency board, City Council, and documents to be distributed to affected taxing districts and

others interested parties as required. Consultant may be asked to prepare these copies subject to the applicable reimbursement rates as described below.

REIMBURSABLE EXPENSES

All costs outlined below will be billed to the Agency as a pass-through cost with no additional mark-up. This policy does not limit the reimbursable expenses to those outlined below. Other expenses incurred by Outwest Policy Advisors in the act of performing business related activities are reimbursable to Outwest Policy Advisors. Outwest Policy Advisors will endeavor to keep these expenses limited to reasonable and customary items and amounts.

Travel

Reimbursable travel expenses include time and mileage to and from client meeting locations, mileage for property inspections, and mileage to meet with developers, city and county officials, and other project needs. Travel time will be charged at an hourly rate of \$90.00 per hour. Mileage will be reimbursed at the Federal Mileage rate in effect at the time of travel.

Copies

Any copies obtained by the consultant for use in completing the eligibility or feasibility studies and plan preparation, copies of documents provided to the Agency or other parties related to the studies and plan preparation shall be reimbursable. Outwest Policy Advisors will endeavor to minimize the number of copies needed for completing the appropriate studies. Rate for an 8 ½" x 11" copy is currently \$0.15/black & white copy and \$0.80/color copy.

Mailings

Any mailings required to complete the agreed upon scope of work will be reimbursable by the Agency to Outwest Policy Advisors including postage, envelopes or related charges.

Outwest Policy Advisors

No man steps in the same river twice; for he is not the same man and it is not the same river.
 225 S 30 W
 Burley, ID 83318
 Phone 208-431-7356



QUOTE

Prepared For:

Pocatello Development Authority
 Brent McLane, Executive Director
 911 North 7th Avenue
 Pocatello, ID 83201

DATE: May 29, 2023
QUOTE #: PDA-2023-5
FOR: Consulting Services

DESCRIPTION	AMOUNT
RATE \$90.00	
Mileage Rate \$0.620	
Black & White Copy Rate (8 1/2" x 11") \$0.15	
Color Copy Rate (8 1/2" x 11") \$0.80	
Eligibility Studies	
4th & 5th Project Area Eligibility Study	\$ 7,500.00
Old Town Project Area Eligibility Study	\$ 7,500.00
South 5th Project Area Eligibility Study	\$ 7,500.00
<u>Total for all Eligibility Studies</u>	\$ 22,500.00
Feasibility Studies & Plan Preparation	
<i>(subject to city council finding of a deteriorated area for either one or both options above)</i>	
Prepare a feasibility study in conformity with Idaho Code 50-2905 for the 4th & 5th Project Area, assist with plan preparation, and plan processing requirements	\$ 12,500.00
Prepare a feasibility study in conformity with Idaho Code 50-2905 for the Old Town Project Area, assist with plan preparation, and plan processing requirements	\$ 12,500.00
Prepare a feasibility study in conformity with Idaho Code 50-2905 for the South 5th Project Area, assist with plan preparation, and plan processing requirements	\$ 12,500.00
Total Cost for Feasibility Study and Plan Preparation Assistance	\$ 37,500.00
Total Costs for all eligibility and feasibility studies	\$ 60,000.00
<i>Reimbursable Expenses are not included in this estimate. Scope of Work and Reimbursable Expenses are outlined in Professional Services Proposal</i>	

If you have any questions concerning this proposal, contact Brent - 208-431-7356 brentj.tolman@gmail.com

THANK YOU FOR YOUR BUSINESS!

RESPONSE

By submitting this proposal, the potential parties responding to this RFP certify the following:

1. This proposal is signed by the individual submitting the RFP.
2. The party responding to this RFP has read and understands the terms, conditions, and specifications set forth in this RFP.
3. Any exceptions to the terms, conditions, and/or specifications are specified in the proposal submitted by the parties responding to this RFP.

Therefore, in compliance with this Request for Proposals, and subject to all conditions herein, the undersigned offers and agrees, if their proposal is accepted within 30 days from the date of the opening, to negotiate a contract to furnish the subject services as outlined in this request.

BUSINESS NAME: Outwest Policy Advisors

ADDRESS: 225 S. 30 W.

CITY, STATE, ZIP: Bowling ID 83318

TELEPHONE NUMBER: 208.431.7356

E-MAIL ADDRESS: brentj.tolman@gmail.com

EXHIBIT B-REQUIRED WAIVER & RELEASE (REQUIRED FOR SUBMISSION)

The undersigned has read this waiver and release and fully accepts the Agency's discretion and non-liability as stipulated herein, and expressly for, but not limited to, Agency's decision to proceed with a qualification-based selection process in response to the Request for Proposals (RFP) to select a company to supply consultant services to Agency for the project.

A. Discretion of Agency: The Proposer submitting a response to this RFP agrees that Agency has the right to, unless contrary to applicable state law:

- a. Modify or suspend any and all aspects of the process seeking proposals and making any decisions concerning the consultant services RFP;
- b. Obtain further information from any person, entity, or group regarding the Proposer, and to ascertain the depth of Proposer's capability and experience for supplying consultant services and in any and all other respects to meet with and consult with any Proposer or any other person, entity, or group;
- c. Waive any formalities or defects as to form, procedure, or content with respect to Agency's RFP to select a consultant and any response by any Proposer thereto;
- d. Accept or reject any sealed proposal received in response to the RFP, including any sealed proposal submitted by the undersigned; or select any one proposal over another in accordance with the selection criteria; and
- e. Accept or reject all or any part of any materials or statements, including, but not limited to, the nature and type of proposal.

B. Non-Liability of Agency:

- a. The undersigned agrees that Agency shall have no liability whatsoever of any kind or character, directly or indirectly, by reason of all or any decision made at the discretion of Agency as identified above.
- b. The undersigned, including all team members, have carefully and thoroughly reviewed the RFP and has found it to be complete and free from ambiguities and sufficient for their intended purpose.

Proposer's Signature: Brent Tolman

Print Name: Brent Tolman

Print Title: President

Name of Firm: Outwest Policy Advisors

Date: May 29 2023