

**POCATELLO DEVELOPMENT AUTHORITY  
MEETING MINUTES  
April 17, 2019**

**Vice Chairman Chad Carr** called the meeting to order at 11:03 a.m.

**Members present:** Mayor Brian Blad (arrived approximately 11:32 a.m.), Chad Carr, Jim Johnston, Rob Lion, Thomas Ottaway, Terrel Tovey, and Scott Turner

**Members excused/absent:** Matt Bloxham, Scott Smith

**Others present:** Melanie Gygli, Interim Executive Director; Merrill Quayle, Public Works Development Engineer; Joyce Stroschein, Treasurer; Jared Johnson, Pocatello City Attorney; Tiffany Olsen, Bannock County; Mike Ennis, Bannock Development Corporation (ex officio); Dane Simmons (Simmons Surgical); Steve Wright (BGS/Off The Rails Brewery); Sara Turpin and L D Barthlome ("Bill Burke" building); Denis Clijsters, Station Square; Jared Grover, Inergy; Barbara Wischerath, Gateway West

**Agenda Item No. 1: Conflicts of Interest.** Ottaway disclosed a conflict on Agenda Item No. 5 (a), payment to BGS Holdings. Lion disclosed a conflict on Agenda Item No. 6 (c), Station Square funding request.

**Agenda Item No. 2: Minutes.** The minutes of the Regular and Executive Sessions of March 20, 2019 were considered. It was then **MSC (J. Johnston, T. Ottaway)** to approve the minutes as presented.

**Agenda Item No. 3: Financial Report.** **J. Stroschein** presented the financial report for the month of February 2019. At the end of the reporting period, the Authority had cash on hand of \$7,231,036.60. The checking account balance was \$2,993,043.18, the savings account was \$25.00, and cash held by Zions Trust amounted to \$4,237,968.42. The Authority recognized financial activity during the month of February as follows: revenue totaled \$35,928.43, of which \$6,443.16 was interest earnings on cash invested and property tax interest and \$29,485.25 in property taxes from the North Yellowstone District. Expenses totaled \$126,705.46, including \$232.60 for lunch meetings, \$166.97 for publishing costs, legal services in the amount of \$7,352.99, economic development grants of \$48,806.72, and economic development loans in the amount of \$70,231.10. It was noted the amount within the North Yellowstone District showing as "rental income" should be listed within the bond payoff line.

The financial report for March is not yet compiled so will be presented at the May meeting.

Following discussion, it was then **MSC (S. Turner, T. Tovey)** to approve the February 2019 financial reports as presented.

**Agenda Item No. 4: Payment Requests/Reimbursements.** The following invoices were reviewed for payment: 1) Elam & Burke for March services on the Northgate TIF project for \$2,600.00 (general fund), Philbin Road/Hoku property for \$51.25 (North Portneuf District), North Yellowstone closure for \$129.00 (North Yellowstone District); and 2) Stacey & Parks in the amount of \$4,120.00 for March services on the Hoku property. **Gygli** reported the invoices accurately reflect work performed and are appropriate for payment. It was then **MSC (T. Tovey, R. Lion)** to approve the payment requests.

**Agenda Item No. 5: Request for Grant/Loan Disbursements.**

10. **ACTION ITEM – Request by Denis Clijsters for Grant and/or Loan.** The Board may wish to approve the application of Denis Clijsters for a grant of up to \$60,000.00 for certain improvements to the façade of the Station Square building at 200 South Main. This application is in addition to the previously Board-approved grant of \$100,000 and loan of \$100,000. *See attached documents.*
11. **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.
13. **ADJOURN.**

**AGENDA ITEM  
NO. 2**

- a. BGS Holdings: **Gygli** reviewed the request for loan and grant funds submitted by BGS Holdings (Off The Rails Brewery). The request is for \$43,720.00 covering masonry, electrical, and HVAC. Necessary permits were obtained and work completed to the extent of the invoice. The applicant has not yet determined what amount is applicable to the loan vs. the grant. Following discussion, it was **MSC (T. Tovey, R. Lion, with Ottaway recusing himself)** to authorize release of the funds, after the determination is made as to allocation between grant vs. loan.
- b. Simmons Surgical: **Gygli** reviewed the request for loan and grant funds submitted by Simmons Surgical. The grant request is for \$16,277.28 covering a portion of the hardwood floor restoration, framing, and skylight work. The work does not require a formal permit. Skylight work has not been completed. The loan request is for \$13,460.00 covering a variety of interior work that does not require a formal permit. None of the work has been inspected, so Gygli requested approval, with the condition that it pass inspection by Quayle and Gygli. Following discussion, it was **MSC (J. Johnston, T. Tovey)** to authorize release of the funds after inspection.
- c. Station Square: **Gygli** reviewed the request for loan and grant funds submitted by Station Square. The grant request is for \$15,059.00 covering the installation of the automatic doors. The appropriate permits and inspections were completed. The loan request is for \$43,523.72 covering the installation of the Class A kitchen hood. The appropriate permits and inspections were completed. Following discussion, it was **MSC (T. Tovey, J. Johnston)** to authorize release of the funds.

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

- a. Inergy: **Gygli** explained Inergy was approved for a grant of \$25,000.00 for use in the building at 880 North 5<sup>th</sup>. However, the operation is moving to 525 West Maple, so the request is to allow these funds to be used there. **Jared Grover**, representing Inergy, presented slides and a video in support of the proposal. He explained they will be moving their fulfillment and warehousing operations back here. He anticipates adding 10 employees and the business has a total investment of in the building of \$75,000.00. Following discussion, it was **MSC (J. Johnston, R. Lion)** to approve the change in the grant from 880 North 5<sup>th</sup> to the building at 525 West Maple, upon the same terms as the previous grant (10 new employees with an average annual salary of not less than \$30,000.00 no later than close of business December 31, 2019; maintain those numbers for a minimum period of three years from establishing the benchmark; submit an employee verification study to be conducted by or at the direction of PDA upon reasonable notice). If the benchmarks are not met, the grant shall convert to a loan at prime plus 1 percent beginning on the conversation date to be repaid in full in monthly installments within five years from the date of default, or as agreed to by the parties.
- b. The Yellowstone: **Gygli** explained Mike McCormick said that they were reworking their partnership so that it would not include Clijsters, before updated documents were signed. To date, though, no changes have been finalized, so no action is needed at today's meeting.
- c. Station Square: **Lion** recused himself from participation as his wife is opening a business within Station Square. **Clijsters** explained he is beginning work on the upper floors of the building, hoping to create offices on the mezzanine for co-working and creating an entrepreneurial atmosphere. This new funding request is for improvements to the façade; he provided an initial

sketch of what he plans to do. Proposed work includes removing the existing awning; installing new windows in the transom area (removing the sheetrock that replaced historic leaded windows); and updating the metal awning. He anticipates the cost to be at least \$50,000.00 and is asking for a \$30,000.00 grant.

Following brief discussion, the Board asked that this proposal be postponed to the next meeting, wanting to have firmer cost figures before making a decision.

Carr moved to Agenda Item No. 8 to accommodate those present.

**Agenda Item No. 8: Reports and Updates.**

- a. Naval Ordnance District: **Barbara Wischerath** presented slides detailing the history of the Naval Ordnance Plan from the time of its historic use, through its purchase by her father and operation of Gateway West. She described the current businesses within the facility. Wischerath stated that a federal judge found the contract to be invalid; however, that has been appealed to the Ninth Circuit. There are projects within the facility she feels are within the parameters of the district plan.

Following discussion, Board members expressed comfort with the status of the lawsuit and asked that Wischerath provide information on potential projects, with anticipated costs, to be considered at a later meeting.

- b. Northgate TIF Plan: **Gygli** reported the City Council's public hearing on the proposed Northgate TIF will be at their meeting of 4/18/19. **Turner** reported information is being disseminated to downtown owners and merchants suggesting problems that could result if the TIF is approved.
- c. ~~North Yellowstone District Closure~~: ~~**Gygli** reported action on the necessary documents to move forward on the closure of this district was postponed, as figures were not available in time to take action at today's meeting. Board members expressed concern that the closure be done on a timely basis, specifically, within calendar year 2019. If a special meeting is needed in order to insure this is accomplished, that can be considered. Gygli will consult with Elam & Burke to make sure progress is appropriate.~~
- d. Discussion/Adoption of Agency Policies and Project Priorities Regarding Gants & Loans: Brief discussion that a special work session meeting would be appropriate for this discussion.
- e. Other: **Lion** invited those present to the Think BIG Fireside Chat where Mayor Blad will be the featured speaker.

**Agenda Item No. 7: Hoku Property Disposition.** There being qualifying business pursuant to I.C. §74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the PDA may be in competition with other jurisdictions and I.C. §74-206(1)(d & f) to communicate with legal counsel for the PDA to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated and to consider records that are exempt from disclosure, Carr called for an executive session. At approximately 12:35 p.m., **it was moved and seconded (B. Blad, R. Lion)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(d, e, & f). **The motion passed by roll call vote (Ayes: Blad, Lion, Carr, Johnston, Ottaway, Turner.**

**Nays: None. Note: Tovey was not present for the vote but returned shortly after).** Upon **MSC (T. Tovey, S. Turner)** the Board reconvened to regular session at approximately 12:55 p.m.

Following discussion regarding a request by Solargise to extend the closing date on the property transfer and the issue of delinquent taxes, it was **MSC (B. Blad, S. Turner)** to grant an extension on closing to 6/30/19, subject to the 2015 tax bill being paid in full to Bannock County no later than 4/19/19; if not paid, the extension is revoked.

**Adjournment:**

There being no further business, the meeting adjourned at approximately 1:08 p.m.

By:   
Melanie Gygli, Interim Executive Director/Secretary

**POCATELLO DEVELOPMENT AUTHORITY MEETING MINUTES**  
**EXECUTIVE SESSION**  
**April 17, 2019**

**Members present:** Mayor Brian Blad, Chad Carr, Jim Johnston, Rob Lion, Thomas Ottaway, Terrel Tovey, and Scott Turner.

**Members absent/excused:** Matt Bloxham, Scott Smith.

**Others present:** Melanie Gygli, Interim Executive Director; Joyce Stroschein, Treasurer; Merrill Quayle, Public Works Development Engineer; Tiffany Olson, Bannock County.

The Board of Commissioners adjourned from regular session into executive session pursuant to I.C. §74-206(1)(e) to consider preliminary negotiations involving matters of trade or commerce in which the PDA may be in competition with other jurisdictions and I.C. §74-206(1)(d & f) to communicate with legal counsel for the PDA to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated and to consider records that are exempt from disclosure. At approximately 12:35 p.m., **it was moved and seconded (B. Blad, R. Lion)** to adjourn to executive session pursuant to Idaho Code §74-206(1)(d, e, & f). **The motion passed by roll call vote (Ayes: Blad, Lion, Carr, Johnston, Ottaway, Turner. Nays: None. Note: Tovey was not present for the vote but returned shortly after).** Upon **MSC (T. Tovey, S. Turner)** the Board reconvened to regular session at approximately 12:55 p.m.

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

Melanie Gygli

Interim Executive Director/Secretary

**AGENDA ITEM**

**NO. 3**

**(to be supplemented)**

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

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	7-Pocatello Regional Airport	TOTAL
<b>ASSETS</b>					
Current Assets					
Checking/Savings					
ICCU Checking	902,731.61	881,564.69	980,335.10	554,743.93	3,319,375.33
ICCU Savings	25.00	0.00	0.00	0.00	25.00
Zions 2012 Bnd Fnd 7110526D	0.00	-19.40	0.00	0.00	-19.40
Zions Bnd Reserve Fnd 7110526B	0.00	0.00	0.00	0.00	0.00
Zions Rev Alloc Fnd 7110526	0.00	0.00	0.00	0.00	0.00
<b>Total Checking/Savings</b>	<b>902,756.61</b>	<b>881,545.29</b>	<b>980,335.10</b>	<b>554,743.93</b>	<b>3,319,380.93</b>
Accounts Receivable					
Accounts Receivable	-750.00	0.00	0.00	0.00	-750.00
<b>Total Accounts Receivable</b>	<b>-750.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-750.00</b>
Other Current Assets					
Accrued Interest Income	23,932.63	4,424.57	173.37	100.00	28,630.57
Property Tax Receivable	0.00	98,168.01	0.00	0.00	98,168.01
<b>Total Other Current Assets</b>	<b>23,932.63</b>	<b>102,592.58</b>	<b>173.37</b>	<b>100.00</b>	<b>126,798.58</b>
<b>Total Current Assets</b>	<b>925,939.24</b>	<b>984,137.87</b>	<b>980,508.47</b>	<b>554,843.93</b>	<b>3,445,429.51</b>
Other Assets					
Inventory - Leasehold	424,779.00	0.00	0.00	0.00	424,779.00
Note Receivable	76,000.00	0.00	0.00	0.00	76,000.00
<b>Total Other Assets</b>	<b>500,779.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500,779.00</b>
<b>TOTAL ASSETS</b>	<b>1,426,718.24</b>	<b>984,137.87</b>	<b>980,508.47</b>	<b>554,843.93</b>	<b>3,946,208.51</b>
<b>LIABILITIES &amp; EQUITY</b>					
Liabilities					
Current Liabilities					

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

	1-General Fund	3-North Yellowstone	4-Naval Ordnance	6-North Portneuf	7-Pocatello Regional Airport	Unclassified	TOTAL
Ordinary Income/Expense							
Income							
Interest Income	2,311.34	46,275.37	972.02	422.44	513.20	19.40	50,513.77
Loan Interest Income	0.00	0.00	0.00	0.00	115.91	0.00	115.91
Personal Property tax replace	0.00	23,003.35	6,043.21	404.91	0.00	0.00	29,451.47
Property Taxes	0.00	909,707.06	104,830.32	9,004.92	54,607.09	0.00	1,078,149.39
Rental Income	3,750.00	1,158.24	0.00	0.00	0.00	0.00	4,908.24
Total Income	6,061.34	980,144.02	111,845.55	9,832.27	55,236.20	19.40	1,163,138.78
Gross Profit	6,061.34	980,144.02	111,845.55	9,832.27	55,236.20	19.40	1,163,138.78
Expense							
Administrative	1,292.07	0.00	0.00	278.41	0.00	0.00	1,570.48
Debt Service							
Interest	0.00	62,651.87	0.00	0.00	0.00	0.00	62,651.87
Principal	0.00	3,533,000.00	0.00	0.00	0.00	0.00	3,533,000.00
Total Debt Service	0.00	3,595,651.87	0.00	0.00	0.00	0.00	3,595,651.87
Dues and Memberships	1,350.00	0.00	0.00	0.00	0.00	0.00	1,350.00
Economic Grants Issued	414,223.25	0.00	0.00	0.00	0.00	0.00	414,223.25
Economic Loans	157,031.57	0.00	0.00	0.00	0.00	0.00	157,031.57
Professional Services							
Other Professional Services	46,412.44	989.00	0.00	15,293.70	0.00	1,920.00	64,615.14
Professional Services - Other	8,815.54	0.00	0.00	6,483.92	0.00	0.00	15,299.46
Total Professional Services	55,227.98	989.00	0.00	21,777.62	0.00	1,920.00	79,914.60
Total Expense	629,124.87	3,596,640.87	0.00	22,056.03	0.00	1,920.00	4,249,741.77
Net Ordinary Income	-623,063.53	-2,616,496.85	111,845.55	-12,223.76	55,236.20	-1,900.60	-3,086,602.99
Net Income	-623,063.53	-2,616,496.85	111,845.55	-12,223.76	55,236.20	-1,900.60	-3,086,602.99

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

	<u>1-General Fund</u>	<u>3-North Yellowstone</u>	<u>4-Naval Ordnance</u>	<u>7-Pocatello Regional Airport</u>	<u>TOTAL</u>
<b>Other Current Liabilities</b>					
Acct Payable	18,311.63	0.00	0.00	0.00	18,311.63
<b>Total Other Current Liabilities</b>	<u>18,311.63</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>18,311.63</u>
<b>Total Current Liabilities</b>	18,311.63	0.00	0.00	0.00	18,311.63
<b>Long Term Liabilities</b>					
Deferred Interest Receivable	23,632.57	0.00	0.00	0.00	23,632.57
Deferred Notes Receivable Rev	76,000.00	0.00	0.00	0.00	76,000.00
Deferred Tax Revenues	0.00	10,399.03	0.00	0.00	10,399.03
<b>Total Long Term Liabilities</b>	<u>99,632.57</u>	<u>10,399.03</u>	<u>0.00</u>	<u>0.00</u>	<u>110,031.60</u>
<b>Total Liabilities</b>	117,944.20	10,399.03	0.00	0.00	128,343.23
<b>Fund Balance</b>					
Fund Balance	1,931,837.57	3,590,235.69	868,662.92	499,607.73	6,890,343.91
Net Income	-623,063.53	-2,616,496.85	111,845.55	55,236.20	-3,072,478.63
<b>Total Fund Balance</b>	<u>1,308,774.04</u>	<u>973,738.84</u>	<u>980,508.47</u>	<u>554,843.93</u>	<u>3,817,865.28</u>
<b>TOTAL LIABILITIES &amp; Fund Balance</b>	<u>1,426,718.24</u>	<u>984,137.87</u>	<u>980,508.47</u>	<u>554,843.93</u>	<u>3,946,208.51</u>
Cash Balance	902,731.61	881,564.69	980,315.70	554,743.93	
Comitted Funds					
Station Square	\$ 141,417.28				
Yellowstone	\$ 16,795.00				
Inergy	\$ 25,000.00				
Jim Dandy Lighting	\$ 15,000.00				
BGS	\$ 118,228.00				
Simmons	\$ 119,154.63				
Snyder	\$ 38,000.00				
Barthlome	\$ 27,500.00				
Funds available	\$ 401,636.70				

Pocatello Development Authority  
Profit & Loss by Class  
April 2019

	<u>1-General Fund</u>	<u>3-North Yellowstone</u>	<u>6-North Portneuf</u>	<u>TOTAL</u>
Ordinary Income/Expense				
Income				
Interest Income	766.72	3,920.41	0.00	4,687.13
Property Taxes	0.00	5,315.91	0.00	5,315.91
Total Income	<u>766.72</u>	<u>9,236.32</u>	<u>0.00</u>	<u>10,003.04</u>
Gross Profit	766.72	9,236.32	0.00	10,003.04
Expense				
Administrative	133.26	0.00	0.00	133.26
Economic Grants Issued	24,968.00	0.00	0.00	24,968.00
Economic Loans	33,810.00	0.00	0.00	33,810.00
Professional Services	2,729.00	0.00	4,171.25	6,900.25
Total Expense	<u>61,640.26</u>	<u>0.00</u>	<u>4,171.25</u>	<u>65,811.51</u>
Net Ordinary Income	<u>-60,873.54</u>	<u>9,236.32</u>	<u>-4,171.25</u>	<u>-55,808.47</u>
Net Income	<u>-60,873.54</u>	<u>9,236.32</u>	<u>-4,171.25</u>	<u>-55,808.47</u>

At month end the Authority had cash on hand of \$3,319,375.93. The checking account balance was \$3,129,719.19, the savings account was \$25.00.

Pocatello Development Authority recognized normal financial activity during the month of NoApril. The Authority received revenues totaling \$10,003.04. \$4,687.13 of which was interest earnings on investments. Property tax was received for the North Yellowstone District in the amount of \$5,315.91

Expenses paid for the month 65,811.51. The administrative expenses were \$133.26, \$118.26 and \$15.00 for the wire fee for closing of the Zion's accounts. Economic loans and grants of \$28,777.00. professional services totaled \$6,900.25

Year to date revenues of \$110,031.60 (see page 2) are less than expenses of \$3,817,365.28 so overall net use of reserves is \$3,946,208.51.

**ELAM & BURKE**

ATTORNEYS AT LAW

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Tax Id No. 82-0451327

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

APRIL 30, 2019

Invoice # 179158

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From APRIL 3, 2019 Through APRIL 30, 2019

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

4/03/19	MSC	1.20	Review and respond to email communication from Ms. Gygli concerning reimbursement of out of district sewer improvements. Review comments to the draft ordinance and follow up with city attorney re same.	240.00
4/03/19	RPA	.20	Review information concerning sewer costs for improvement list for the urban renewal plan. Address expenditure of tax increment funds.	40.00
4/04/19	MSC	.50	Review and follow up on email communications with city attorney concerning comments to ordinance summary, review of I.C. 50-901A, and begin drafting follow up communication to city attorney re same.	100.00
4/05/19	MSC	1.50	Follow up with city attorney concerning processing the agreements with Bannock County and Chubbuck, noting the limited guidance in Idaho law. Follow up with Ms. Gygli re comments to the city council resolutions for approval of IGAs. Follow up internally and with the consultant concerning preparation for the upcoming city council public hearing, noting conflicts issues and preparation for certain questions.	300.00

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Tax Id No. 82-0451327

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

APRIL 30, 2019

Invoice # 179158

4/07/19	RPA	.20	Follow up on how to handle the timing of approval of the intergovernmental agreement with the city of Chubbuck in relationship to approval of the Northgate plan.	40.00
4/08/19	MSC	1.00	Review and revise the city council resolutions authorizing the Mayor to sign the Chubbuck and County IGA in advance of the public hearing on the Northgate Plan. Circulate the revised drafts to Ms. Gygli and the City Attorney.	200.00
4/09/19	MSC	2.10	Review and follow up on email communications from city attorney re status of review of IGA resolutions and the timing of City Council consideration. Review proposed edits to the ordinance and summary. Circulate comments back to city attorney re exhibits to the ordinance. Conference call with city attorney concerning upcoming city council public hearing on the plan. Review and asses timing of finalizing the ordinance.	420.00
4/09/19	RPA	.50	Review proposed summary of ordinance and concerns expressed by City Attorney. Review status of Intergovernmental agreements. Address impact of fire station funding in light of HB 217.	100.00
4/10/19	MSC	.50	Prepare for conference call with the city attorney to discuss finalization of ordinance/summary; leave message. Conference call with Jared Johnson re same. Review Idaho Code provisions and follow up internally.	100.00
4/10/19	RPA	.20	Review ordinance summary and update approval schedule.	40.00
4/15/19	MSC	.20	Work on city council presentation.	40.00
4/15/19	SSF	3.00	Develop presentation re Northgate Plan.	300.00
4/16/19	MSC	.40	Continue to work on presentation.	80.00
4/16/19	SSF	2.00	Further develop presentation re Northgate Plan.	200.00

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Tax Id No. 82-0451327

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

APRIL 30, 2019

Invoice # 179158

4/17/19	MSC	.70	Work on revising the draft presentation materials.	140.00
4/18/19	MSC	7.70	Work on preparing for the public hearing on the Northgate plan. Draft email communication to Ms. Gygli concerning public hearing protocol, etc. Travel to Pocatello and meet with staff and others concerning public hearing. Attend and participate in the public hearing.	1,540.00
4/18/19	RPA	.30	Follow up with Meghan Conrad re: plan hearing and next steps.	60.00
4/19/19	MSC	3.30	Travel from Pocatello to Boise following the public hearing.	660.00
4/19/19	RPA	.20	Receive update from Meghan Conrad on result of public hearing and next steps.	40.00
4/23/19	MSC	.50	Review revised ordinance and ordinance summary in preparation for upcoming city council meeting.	100.00
4/23/19	RPA	.20	Follow up on changes to the ordinance summary suggested by city attorney and compliance with statutes.	40.00
4/24/19	MSC	.60	Participate in conference call with city attorney to discuss ordinance and ordinance summary and corresponding timeline. Review proposed final ordinance and summary with final edits.	120.00
4/29/19	MSC	.20	Review and follow up on quiet title issue and concern re ag consent.	40.00

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RE: Northgate Plan

CLIENT/MATTER: 09212-00001  
APRIL 30, 2019  
Invoice # 179158

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Armbruster, Ryan P. Shareholder	200.00	1.80	360.00	.00	.00
Conrad, Meghan S. Shareholder	200.00	20.40	4,080.00	.00	.00
Finlayson, S. Paralegal	100.00	5.00	500.00	.00	.00
		27.20	4,940.00	.00	.00

COSTS ADVANCED

TOTAL COSTS ADVANCED .00

INVOICE TOTAL 4,940.00

**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: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

APRIL 30, 2019

Invoice # 179158

Billing Atty - RPA

RE: Northgate Plan

CLIENT/MATTER: 09212-00001

APRIL 30, 2019

Invoice # 179158

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

PROFESSIONAL FEES	4,940.00
COSTS ADVANCED	.00
TOTAL INVOICE	4,940.00

PAGE 5

**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: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

APRIL 30, 2019

Invoice # 179161

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From APRIL 8, 2019 Through APRIL 30, 2019

RE: North Yellowstone District Closure

CLIENT/MATTER: 09212-00004

4/08/19	MSC	1.00	Review and revise various termination documents in preparation for the April meeting. Circulate revised drafts of the resolution and the termination plan to Ms. Gygli. Follow up with Mr. Dornfest concerning the termination resolution and timeline.	215.00
4/09/19	MSC	.50	Review and follow up on timing of Agency's adoption of the resolution of intent to dismiss. Review and follow up with Ms. Gygli re same. Follow up with Mr. Dornfest re timing of review of the resolution. Work on drafting letter to the taxing entities concerning date change and follow up with Ms. Gygli re same.	107.50
4/09/19	RPA	.20	Review updated schedule for termination process to advise taxing entities and Tax Commission.	43.00
4/11/19	MSC	.10	Review and follow up on status of the follow up notice to taxing districts re Agency meeting to adopt the termination resolution.	21.50
4/17/19	MSC	.20	Review and respond to email communication from Ms. Gygli re timing of the termination resolution.	43.00
4/18/19	RPA	.20	Consider next steps for termination and notice to	43.00

PAGE 1

**ELAM & BURKE**

ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

RE: North Yellowstone District Closure

CLIENT/MATTER: 09212-00004

APRIL 30, 2019

Invoice # 179161

taxing entities and Tax Commission.

4/24/19	MSC	1.20	Review and follow up on email communication from Ms. Gygi concerning conference call to discuss termination. Conference call with Alan Dornfest re same. Review property tax rule 802(6)(b) confirming the termination process. Draft email communication to county assessor's office and city finance director concerning termination timeline and process.	258.00
4/25/19	MSC	.20	Review and respond to email communication from Anita Hymas concerning termination. Review and follow up on email communications from Ms. Gygli re same.	43.00

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Armbruster, Ryan P. Shareholder	215.00	.40	86.00	.00	.00
Conrad, Meghan S. Shareholder	215.00	3.20	688.00	.00	.00
		3.60	774.00	.00	.00

COSTS ADVANCED

TOTAL COSTS ADVANCED

.00

INVOICE TOTAL

774.00

PAGE 2

**ELAM & BURKE**  
ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

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

APRIL 30, 2019

Invoice # 179161

Billing Atty - RPA

RE: North Yellowstone District Closure

CLIENT/MATTER: 09212-00004

APRIL 30, 2019

Invoice # 179161

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

PROFESSIONAL FEES	774.00
COSTS ADVANCED	.00
TOTAL INVOICE	774.00

**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: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

APRIL 30, 2019

Invoice # 179159

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From APRIL 14, 2019 Through APRIL 30, 2019

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002

4/14/19	MSC	.20	Review and follow up on multiple email communications concerning status of disposition, request for extension, issues with property tax delinquency, and follow up with attorney Parks re same.	43.00
4/24/19	MSC	.40	Review complaint in preparation for conference call with client and attorney Parks to discuss next steps and timeline. Follow up with attorney Parks re same.	86.00
4/24/19	RPA	.30	Coordinate with Meghan Conrad on answer/response to Celtic Life complaint. Outline defenses and narrow claim by Celtic Life.	64.50
4/25/19	MSC	.80	Follow up with Matt Parks concerning the status of the original litigation between VAM and Celtic. Conference call with Matt Parks to discuss the same. Attend and participate in call with client and co-counsel to discuss litigation strategy.	172.00
4/29/19	MSC	.50	Review and provide preliminary comment on the draft motion to dismiss.	107.50

PAGE 1

**ELAM & BURKE**  
ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002  
APRIL 30, 2019  
Invoice # 179159

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Armbruster, Ryan P. Shareholder	215.00	.30	64.50	.00	.00
Conrad, Meghan S. Shareholder	215.00	1.90	408.50	.00	.00
		2.20	473.00	.00	.00

COSTS ADVANCED

TOTAL COSTS ADVANCED .00

INVOICE TOTAL 473.00

**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: Melanie Gygli  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

APRIL 30, 2019

Invoice # 179159

Billing Atty - RPA

RE: Hoku Property Disposition

CLIENT/MATTER: 09212-00002

APRIL 30, 2019

Invoice # 179159

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

PROFESSIONAL FEES	473.00
COSTS ADVANCED	.00
TOTAL INVOICE	473.00

PAGE 3

**ELAM & BURKE**  
ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

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

APRIL 30, 2019

Invoice # 179160

Billing Atty - RPA

FOR PROFESSIONAL SERVICES RENDERED

From APRIL 17, 2019 Through APRIL 30, 2019

RE: Special Counsel General

CLIENT/MATTER: 09212-00003

4/17/19 MSC .30 Review and respond to inquiry from Ms. Gygli 64.50  
concerning use of TIF funds for a proposed new  
district.

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Conrad, Meghan S. Shareholder	215.00	.30	64.50	.00	.00
		.30	64.50	.00	.00

COSTS ADVANCED

TOTAL COSTS ADVANCED .00

INVOICE TOTAL 64.50

**ELAM & BURKE**  
ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

RE: Special Counsel General

CLIENT/MATTER: 09212-00003  
APRIL 30, 2019  
Invoice # 179160

PAGE 2

**ELAM & BURKE**  
ATTORNEYS AT LAW

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

Tax Id No. 82-0451327

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

APRIL 30, 2019

Invoice # 179160

Billing Atty - RPA

RE: Special Counsel General

CLIENT/MATTER: 09212-00003

APRIL 30, 2019

Invoice # 179160

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

PROFESSIONAL FEES	64.50
COSTS ADVANCED	.00
TOTAL INVOICE	64.50

PAGE 3

**Stacey & Parks, PLLC**  
 802 W Bannock Suite LP 110  
 BOISE, ID 83702  
 United States  
 (208) 917-7780

**Stacey & Parks, PLLC**

**Melanie Gygli**

**Balance** \$4,420.00  
**Invoice #** 00140  
**Invoice Date** May 6, 2019  
**Payment Terms**  
**Due Date**

**Hoku Property Sale**

**Time Entries**

Date	EE	Activity	Description	Rate	Hours	Line Total
04/12/2019	MP	Communication with Opposing Party	Telephone call with Fahd Riaz regarding closing items, request for extension, and working out issues regarding unpaid taxes.	\$200.00	0.5	\$100.00
04/12/2019	MP	Client Communication	Send and receive several emails to Melanie Gygli and Scott Smith regarding Solargise request for extension and pending items delaying closing and strategy regarding same.	\$200.00	0.5	\$100.00
04/15/2019	MP	Document Review and Assessment	Review tax deed notices and DDA regarding tax obligations prior to and post-closing in order to assess potential for arguments that PDA is obligated to pay the taxes. Telephone call with Melanie Gygli regarding the tax issues and anticipated extension request. Analysis of potential tax liability of PDA on the leased land pursuant to Idaho Code 50-2014(b). Telephone call with counsel for Solargise regarding tax issues, Idaho Power, title report, and request for extension. Draft follow up email to Chair and Vice-Chair of the Board and Melanie Gygli.	\$200.00	3.9	\$780.00
04/17/2019	MP	Client Meeting	Prepare for and attend PDA Board meeting and advise Board regarding request for extension. Draft written confirmation of extension. Telephone call with counsel for Solargise regarding same. Coordinate finalization of extension confirmation with Melanie Gygli.	\$200.00	1.2	\$240.00
04/22/2019	MP	Client Communication	Receive and respond to title company regarding the closing and schedule for same. Follow up with Melanie Gygli regarding same. Send email to Solargise's attorney seeking update regarding same and tax payments.	\$200.00	0.3	\$60.00

04/24/2019	MP	Analysis and Drafting	Review and assess open meeting violation complaint and determine response strategy based on statute of limitations. (1) Draft preliminary answer. (1) Draft motion to dismiss based on statute of limitations. (2.7) Draft email to PDA board members re litigation strategy and plan for initial response.	\$200.00	4.9	\$980.00
04/25/2019	MP	Document Preparation	Revise and redraft motion and memorandum in support of motion to dismiss for failure to comply with Idaho Code 74-208. Telephone call with Scott Smith, Chad Carr, Melanie Gygli, and Meghan Conrad regarding litigation strategy.	\$200.00	4.3	\$860.00
04/30/2019	MP	Document Preparation	Revise and redraft memorandum in support of motion to dismiss.	\$200.00	2.4	\$480.00
05/03/2019	MP	Document Preparation	Draft motion to disqualify. Draft motion to dismiss.	\$200.00	0.6	\$120.00
05/06/2019	MP	Communication with Opposing Party	Telephone call with Fahd Riaz regarding DDA and license agreement and extensions for closing and payment of licensing fee and legal issues surrounding pending tax deed sale. Review DDA and license agreement default provisions and assess strategy regarding impact of delays on tax deed process, potential for extension of various deadlines, and methods to clean title of financial encumbrances and third party claims.	\$200.00	3.5	\$700.00

**Non-billable Time Entries:**

04/09/2019	MP	Document Review and Assessment	Review relevant bankruptcy proceedings and pleadings filed therein in order to locate documentation required by title company to remove exception for deed of trust filed by Tianwei. Review objections to request to remove lease as an exception and assess additional documentation needed to satisfy title company's request or object to the title company's position as to the validity of the documents provided to date.	\$200.00	2.2	\$440.00
04/29/2019	MP	Document Preparation	Revise and redraft memorandum in support of motion to dismiss complaint for failure to comply with Open Meeting Act filing deadlines and admission that resolution was passed during open session.	\$200.00	5.1	\$1,020.00

Totals: 29.4 \$4,420.00

Time Entry Sub-Total:	\$4,420.00
<b>Sub-Total:</b>	\$4,420.00
<b>Total:</b>	\$4,420.00
<b>Amount Paid:</b>	\$0.00
<b>Balance Due:</b>	\$4,420.00

Reimburse Melanie  
Cigli for lunch  
on 4/17/19.  
\$9.98

See back of receipt for your chance  
to win \$1000 ID #:7N5LX4PLYZH



208-237-5090 Mgr: ROBERT PEARSON  
4240 YELLOWSTONE AVE

CHUBBUCK ID 83292

ST# 01995	OP# 000010	TE# 02	TR# 08993	
HOLIDAY PLTR	007874212342	F	9.98	T
DE BOARD	003413811723		9.82	X
GV WHL STRAW	007874242977	F	2.14	T
GV BERRY MED	007874243104	F	1.98	T
DRESSING	007110000465	F	2.84	T
CHPPD WALNUT	007874220135	F	3.12	T
FOOD COLOR	005210007107	F	3.48	T
NEON FOOD CD	005210016025	F	3.48	T
CREAM CHEESE	002100061223	F	1.96	T
COOL WHIP	004300000960	F	3.44	T
COOL WHIP	004300000960	F	3.44	T
CREAMER	005000084811	F	3.48	T
REESE CARROT	003400011459	F	1.00	X
CREAM CHEESE	002100061223	F	1.96	T
BLACK BEANS	007227338765	F	0.86	T
3Z JT CK EG	002100006747	F	1.98	T
3Z JT CK EG	002100006752	F	1.98	T
GRN RD BL CP	007874219894		1.00	T
CRM FROSTING	064420947113	F	1.50	T
ROTEL MILD	006414428263	F	0.98	T
KIDNEY BEANS	007227339024	F	0.86	T
BLACK BEANS	007227338765	F	0.86	T
KIDNEY BEANS	007227339024	F	0.86	T
ROTEL MILD	006414428263	F	0.98	T
GV 18 LG AA	007874214839	F	1.45	T
GV WHT VNGR	007874235255	F	2.58	T
WAS 2.64	YOU SAVED 0.06			
PW PTRL PPBD	084920702930		4.98	X
EASTER GRAS	082256623321		1.98	X
EASTER GRAS	082256623322		1.98	X
GLTR PST EGG	076487823165		1.98	X
METALLIC EGG	076487823156		1.98	X
PAINTED EGGS	076487823166		1.98	X
CHOC EGG	003400018994	F	2.98	X
GOLD BUNNY	003746601729	F	6.48	X
REESE MINI	003400044791	F	2.98	X
WHOLE MILK	007874235186	F	2.28	T
	SUBTOTAL		97.61	
TAX 1	6.000 %		5.86	
	TOTAL		103.47	
	VISA TEND		103.47	
VISA MEDIT	**** * 4478		1	



Pocatello #1033  
305 West Quinn Rd.  
Pocatello, ID 83202

Member 111820924743  
1265952 DAVIS SS TEE 11.99 A  
34423 COOKIES 24CT 7.99 A  
SUBTOTAL 105.72  
TAX 6.34  
\*\*\*\* TOTAL 112.06

(XXXXXXXXXX) 478 H  
ID: A0000000031010  
sq# 2216 App#: 22224D  
Costco Visa Resp: APPROVED  
Card ID#: 912700002216....  
Merchant ID: 991033

APPROVED - Purchase  
AMOUNT: \$112.06  
05/07/2019 17:48 1033 2 412 102

Costco Visa 112.06  
CHANGE 0.00

A 6.00 % TAX RATE 6.34  
TOTAL TAX 6.34  
TOTAL NUMBER OF ITEMS SOLD = 8  
INSTANT SAVINGS \$ 14.50  
~~05/07/2019~~ 17:48 1033 2 412 102  
OP#: 102 Name: Emma L. (FE)

Thank You!  
Please Come Again  
Whse:1033 Trn:2 Trn:412 OP:102

*Reimburse  
Melanie Gygis  
May lunch 5/15/19  
\$ 7.99*

**Zions Bank***\*We Haven't Forgotten Who Keeps Us In Business***INVOICE**

Mark Henson  
Zions Bank Corporate Trust  
800 W. Main Street, Ste. 700  
Boise, ID 83702

DATE: JANUARY 9, 2019

Phone 208-501-7538 Fax 855-855-9705

**To:**

Pocatello Development Authority  
Attn: Joyce Stroschein  
P.O. Box 4169  
Pocatello, ID 83201

**Account:**

Pocatello Development Authority Revenue  
Allocation (Tax Increment) Refunding Bonds,  
2012 Series  
No. 7110526

**DUE UPON RECEIPT**

DESCRIPTION	AMOUNT
Annual Trustee Fee	\$2,000.00
TOTAL	\$2,000.00

**Please send a check to the following address:**

Zions Bank Corporate Trust  
800 W. Main Street, Ste. 700  
Boise, ID 83702

If you have any questions concerning this invoice, contact:

Mark Henson  
208-501-7538  
[mark.henson@zionsbank.com](mailto:mark.henson@zionsbank.com)

Deaton & Company, Chartered  
 Certified Public Accountants  
 215 North 9th, Suite A  
 Pocatello, ID 83201-5278  
 (208) 232-5825  
 Members of Idaho Society of Certified Public Accountants  
 Members of American Institute of Certified Public Accountants



ID: 06787  
 POCATELLO DEVELOPMENT AUTHORITY  
 911 N 7TH  
 POCATELLO, ID 83205

Invoice: 128159  
 Date: 03/31/2019

For professional service rendered as follows:

Audit Services for September 30, 2019

	4,150.00
Billed Time & Expenses	<u>\$4,150.00</u>
Invoice Total	<u><u>\$4,150.00</u></u>

Date	Type	Reference	Debit	Credit	Balance
03/01/19	Beginning Balance				\$0.00
03/31/19	Invoice #128159		4,150.00		<u>4,150.00</u>
03/31/19	Amount Due				<u><u>\$4,150.00</u></u>

Please return this portion with payment.

Invoice: 128159

ID: 06787  
 POCATELLO DEVELOPMENT AUTHORITY

Amount Enclosed: \$ \_\_\_\_\_

Due Date: 04/30/2019

*If payment has been sent, please disregard this notice.  
 Delinquent accounts will be charged a finance fee of 1.5 percent per month  
 after 30 days from the due date of the invoice.*

*For billing questions contact Trina at (208) 232-5825*

**AGENDA ITEM  
NO. 5**

**RESOLUTION NO. 2019-3**

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 POCATELLO DEVELOPMENT AUTHORITY, MAKING CERTAIN FINDINGS THAT REVENUES ARE SUFFICIENT TO COVER ALL ESTIMATED AGENCY EXPENSES FOR FUTURE YEARS FOR THE URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA KNOWN AS THE NORTH YELLOWSTONE PROJECT AREA; ESTIMATING THE REMAINING PROJECT OBLIGATIONS AND COSTS; RECOMMENDING TO THE CITY COUNCIL THAT THE REVENUE ALLOCATION PROVISION FOR THE NORTH YELLOWSTONE PROJECT AREA BE TERMINATED; RECOMMENDING FURTHER THAT THE CITY COUNCIL PASS AN ORDINANCE TERMINATING THE REVENUE ALLOCATION PROVISION FOR NORTH YELLOWSTONE URBAN RENEWAL PROJECT PLAN AND RETURNING THE REVENUE ALLOCATION AREA TO THE REGULAR TAX ROLL EFFECTIVE TAX YEAR 2019; PROVIDING FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES FOLLOWING TERMINATION; PROVIDING FOR PAYMENT OF CERTAIN EXPENSES FOR FISCAL YEARS 2019 AND 2020; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Pocatello, Idaho, also known as Pocatello Development Authority, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), a duly created and functioning urban renewal agency for Pocatello, Idaho, hereinafter referred to as the "Agency."

WHEREAS, the City Council of the City of Pocatello, Idaho (the "City"), on July 1, 2004, after notice duly published, conducted a public hearing on the North Yellowstone Urban Renewal Area Improvement Plan (the "North Yellowstone Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 2741 on July 15, 2004, approving the North Yellowstone Plan and making certain findings;

WHEREAS, the City Council, on November 15, 2007, after notice duly published, conducted a public hearing on a plan amendment to the North Yellowstone Plan. The purpose of the plan amendment was to: (1) extend the duration of the revenue allocation area from fourteen (14) years to twenty-four (24) years; (2) provide for additional projects; and (3) update the economic feasibility study;

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2827 on December 6, 2007, approving the amendment to the North Yellowstone Plan and making certain findings;

WHEREAS, the North Yellowstone Plan, as amended, contained a revenue allocation financing provision pursuant to the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (the "Act");

WHEREAS, the termination date for this revenue allocation area, as set forth in the North Yellowstone Plan, as amended, is December 31, 2028, except for revenues to be received in 2029, as authorized pursuant to Idaho Code § 50-2905(7);

WHEREAS, all identified improvements and/or projects have been completed in the North Yellowstone Plan area;

WHEREAS, the Agency expects all of the expenses from any remaining obligations under the North Yellowstone Plan, as amended, and as identified in the North Yellowstone Termination Budget (FY2019) attached hereto as Exhibit B, to be incurred and satisfied by the Agency's current fiscal year ending September 30, 2019. An estimate of the remaining administrative fees and costs are set forth in the Termination Plan attached hereto as Exhibit A;

WHEREAS, the Agency will request the County Treasurer to not distribute to the Agency any North Yellowstone Plan revenue allocation funds from delinquent tax payments in calendar year 2020, or subsequent years, generated from the 2018 assessed values, or earlier. To the extent any North Yellowstone Plan revenue allocation funds are received by the Agency in calendar year 2020, or later, the Agency will return those funds to the County Treasurer for distribution to the taxing districts;

WHEREAS, the Agency will have sufficient funds on deposit for payment of all final project costs and administrative fees;

WHEREAS, the Agency has reviewed the remaining obligations and based on projected revenues and expenses of the North Yellowstone Plan, has determined there are sufficient funds for payment of all final project costs and Agency expenses and has further determined the revenue allocation area can be terminated on or before December 31, 2019;

WHEREAS, pursuant to Exhibit A, the Agency estimates a surplus will be available for remittance to the County Treasurer for distribution to the taxing districts on or before September 30, 2019;

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

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

Section 2: That the Termination Plan attached hereto as Exhibit A is hereby approved and adopted by the Agency Board.

Section 3: That the revenue allocation area contained in the North Yellowstone Plan, as amended, shall be terminated on or before December 31, 2019, consistent with the termination provisions set forth in the Act, allowing certain taxing entities to use the 2019 estimated assessed values above the adjusted base assessment roll for the North Yellowstone Project Area for their budgetary purposes, and further, those certain taxing entities may, for their budgetary purposes, take into account the difference between the increment value as of December 31, 2006, and the December 31, 2018, increment value for the North Yellowstone Project Area, which difference shall be added to the 2019 new construction roll, pursuant to Idaho Code § 63-301A(3)(g).

Section 4: That the Agency does not intend to take revenue allocation funds in calendar year 2020, generated from the 2019 assessed values, and the allocation of revenues under section 50-2908, Idaho Code, shall cease effective January 1, 2020.

Section 5: That all financial obligations have been provided for and any outstanding obligations will be paid in full on or before September 30, 2019. The Agency will have sufficient funds on deposit for payment of all final project costs and administrative fees.

Section 6: That any delinquent property taxes due to the Agency that were levied for calendar year 2018, or earlier, shall not be paid to the Agency, but shall be distributed by the County Treasurer to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

Section 7: That any surplus will be remitted to the County Treasurer for distribution to the taxing districts prior to the end of the Agency's 2019 fiscal year on or before September 30, 2019, in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See* I.C. 50-2909(4).

Section 8: That the Agency does hereby request that the City Council, pursuant to 50-2903(5), Idaho Code, adopt an Ordinance providing for the termination of the revenue allocation area in the North Yellowstone Plan, as amended, to be effective on or before December 31, 2019, and declaring that the tax year 2019 revenues from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2019, and should flow to the respective taxing districts pursuant to Idaho law.

Section 9: That a copy of this Resolution be sent to the Bannock County Assessor's Office, the County Auditor/Recorder and the Idaho State Tax Commission to provide notice of termination of the revenue allocation area in the North Yellowstone Plan.

Section 10: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Pocatello, Idaho, on May 15, 2019. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 15<sup>th</sup> day of May, 2019.

APPROVED:

By: \_\_\_\_\_  
Chair

ATTEST:

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

4832-9093-2616, v. 3

## EXHIBIT A

### THE URBAN RENEWAL AGENCY OF POCATELLO, IDAHO, ALSO KNOWN AS POCATELLO DEVELOPMENT AUTHORITY

#### TERMINATION PLAN FOR THE REVENUE ALLOCATION AREA ESTABLISHED IN 2004 BY THE NORTH YELLOWSTONE URBAN RENEWAL AREA IMPROVEMENT PLAN, AS SUBSEQUENTLY AMENDED IN 2007

The Urban Renewal Agency of Pocatello, Idaho, also known as Pocatello Development Authority (the "Agency ") intends to terminate the revenue allocation area adopted at the time of the original adoption of the North Yellowstone Urban Renewal Area Improvement Plan in 2004, as subsequently amended in 2007 (the "North Yellowstone Plan") for the North Yellowstone Project Area. The termination date for this revenue allocation area is December 31, 2028, except for revenues to be received in 2029, as authorized pursuant to Idaho Code § 50-2905(7). The Agency has reviewed the projected revenues and expenses of the North Yellowstone Plan and has determined the revenue allocation area can be terminated ten (10) years early, by December 31, 2019, effective retroactive to January 1, 2019, as it relates to assessed values within the project area. As a result, the Agency does not intend to receive revenue allocation funds in calendar year 2020, generated from the 2019 assessed values, and the allocation of revenues under Idaho Code § 50-2908, shall cease effective January 1, 2020.

#### **Intent Regarding Delinquencies:**

The Agency will request the County Treasurer to not distribute to the Agency any North Yellowstone Project Area revenue allocation funds from delinquent tax payments in calendar year 2020, or subsequent years, generated from the 2018 assessed values, or earlier. To the extent any North Yellowstone Project Area revenue allocation funds are received by the Agency in calendar year 2020, or later, the Agency will return those funds to the County Treasurer for distribution to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on taxable property located within the revenue allocation area.

#### **Fiscal Year 2019 Budget Summary:**

The Agency expects all the expenses from any remaining obligations under the North Yellowstone Plan, and as identified in the North Yellowstone Termination Budget (FY2019), Exhibit B to Resolution No. 2019-3, to be incurred and satisfied by the Agency's current fiscal year ending September 30, 2019. The Agency will have sufficient funds on deposit for payment of all final project costs and administrative fees.

At this point, the Agency is anticipating there will be a surplus to be distributed back to the taxing districts, through the County Treasurer, prior to the end of the Agency's 2019 fiscal year, September 30, 2019, and a final small surplus may be distributed prior to the end of the Agency's 2020 fiscal year, September 30, 2020, upon the final accounting of the North Yellowstone Plan and Project Area. An estimate of the total surplus funds to be available for distribution on or before September 30, 2019, is \$1,104,010. Any available funds will be remitted to the County Treasurer to be distributed to the taxing districts in the same manner and

proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

4820-9515-6360, v. 4

**EXHIBIT B**

**POCATELLO DEVELOPMENT AUTHORITY  
NORTH YELLOWSTONE URBAN RENEWAL DISTRICT  
FY2019 PRELIMINARY TERMINATION BUDGET**

		<b><u>NORTH YELLOWSTONE REVENUE ALLOCATION FUND FY2019</u></b>
<b>REVENUE</b>		
Beginning Revenue Allocation Fund Balance as of 9/30/18		3,497,432 **
Tax Increment Revenue (December 2018)		709,447
Tax Increment Revenue (estimated June 2019)		600,000
Interest Income		38,731
	<b>TOTAL</b>	<b>4,845,610</b>
<b>EXPENDITURES:</b>		
<b>OPERATING</b>		
Administrative Expenses		130,948
Debt Service		
--Principal Retirement		3,533,000
--Interest		62,652
Professional Services		15,000
Contingency		0
		<hr/>
	<b>TOTAL OPERATING EXPENSE</b>	<b>3,741,600</b>
Ending Fund Balance		1,104,010
<b>ESTIMATED DISTRIBUTION AMOUNT ON OR BEFORE SEPTEMBER 2019--\$1,104,010</b>		

**\*\*Fund balance 9/30/18**

**AGENDA ITEM  
NO. 9**



# Pocatello Development Authority

9a

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

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

TO: Pocatello Development Authority, Board of Commissioners

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

DATE: Meeting of May 15, 2019

SUBJECT: BGS Holdings – Issuance of Funds

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

A request for payment in the amount of \$49,014.38 have been submitted for a variety of work on the interior. The necessary permits and inspections were obtained and the work has been completed to the extent of the invoices. The total request is applicable to the loan.

With this request, the total drawn on the loan is \$174,876.52, with \$25,123.48 remaining. (The total drawn on the grant to date is \$15,910.00 with \$44,090.00 remaining.)

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

1. CP Integrity Construction, \$49,014.38

# Pocatello Development Authority

9b

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

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

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

DATE: Meeting of May 15, 2019

SUBJECT: Simmons Surgical – Issuance of Loan Funds

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

Dane Simmons, representing Simmons Surgical, has submitted a request for \$6,946.00 covering materials and labor for a variety of interior work. On May 7, 2019, the work was inspected and we determined the fund request is proportionate to the work that has been done.

With this request, the total drawn on this loan will be \$45,575.43; remaining to be drawn is \$79,424.57.

Please make checks payable to:

1. Simmons Surgical in the amount of \$3,050.00
2. CP Integrity Construction in the amount of \$3,896.00

# Pocatello Development Authority

96

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

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

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

DATE: Meeting of May 15, 2019

SUBJECT: Simmons Surgical – Issuance of Grant Funds

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

Dane Simmons, representing Simmons Surgical, has submitted a request for \$2,954.41 covering a portion of the storefront restoration. On May 7, 2019, the work was inspected and we determined the fund request is proportionate to the work that has been done.

With this request, the total drawn on this grant will be \$45,170.35; remaining to be drawn is \$29,829.65. Payment will be made as follows:

1. Simmons Surgical in the amount of \$2,954.41

# Pocatello Development Authority

9c

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

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

TO: Pocatello Development Authority, Board of Commissioners  
FROM: Melanie Gygli, Interim Executive Director *MG*  
Merril Quayle, Public Works Development Engineer *MB*  
DATE: Meeting of May 15, 2019  
SUBJECT: L.D. Barthlome – Issuance of Grant Funds

Under an Economic Development Grant Agreement with L.D. Barthlome, the Board provided grant funds of \$10,000.00 for costs related to repair of the roof for the building at 159 South Main.

A request for payment in the amount of \$10,000.00 has been submitted for completion of the roof portion of the project. Proper permits for the work were obtained and it has been completed. It is our determination that the fund request is appropriate for payment.

Payment will be made as follows:

L.D. Barthlome: \$10,000.00

**AGENDA ITEM**

**NO. 10**

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

Application:

Name: \_\_\_ Denis Clijsters \_\_\_\_\_ Date: \_\_\_ april 4<sup>th</sup> 2019 \_\_\_

Mailing Address: \_340 S Arthur Ave apt #401 \_\_\_\_\_

Work Phone: 801 386 9898 Cell Phone: same E-Mail: Denis.clijsters@gmail.com

Project Description: Awning upgrade, new windows where old leaded windows used to be (now it's only covered with old sheet rock). This will freshen up the 80's looking façade and provide light inside.

Project Location: \_200 S Main St \_\_\_\_\_

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

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

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

Current Assessed Value of Project Location: \_500K \_\_\_\_\_

Estimated Construction Value of Project: \_30K \_\_\_\_\_ (20K windows and 10K upgrade)

Number of jobs created by this project: \_\_\_\_\_ Wage range of jobs: \_\_\_\_\_

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

Time frame for job creation: \_\_\_\_\_

Construction start date for project: \_05/01/2019\_\_ Anticipated completion date: \_07/01/2019\_\_

Briefly describe other public benefit(s) associated with this project: \_Facade renewal, fresher look from the street side and more windows and business activity visible.

Does this project compete with other, already established businesses? How? no \_\_\_\_\_

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

\_I'm still going through several contractor bids, the current price is a first estimate\_\_\_\_\_

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

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Relationship of named applicant to the project: \_\_\_\_\_

Type of Assistance Requested

(check all that apply):

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

Amount of Assistance Requested: \_\_\_\_\_

Form of Assistance Requested:

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

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

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Return completed application to:

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



PRECISION GLASS & ALUMINUM, INC.  
 1626 N. HARRISON AVE. SUITE A  
 P.O. BOX 190  
 POCATELLO, ID 83204  
 (208) 233-3431  
 (208) 233-6609 FAX  
 PWC-C-10911-AA-4

## QUALIFIED BID PROPOSAL

DATE: MAY 2,2019

TO: DENIS CLIJSTERS  
 RE: STATION SQUARE  
 ATTN: DENIS

WE PROPOSE TO FURNISH THE FOLLOWING AS SPECIFIED BELOW

1 EA 13'5" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 11'6" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 15'8" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 21'9" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 19'8" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 19'7" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 12'0" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

1 EA 11'4" X 5'4" 2" X 4 1/2" KAWNEER "451T" #29 BLACK ANODIZED FRAME WITH 1" O.A. CLEAR TEMPERED LOW-E GLASS WITH BLACK 5/8" GRIDS

NOTE: IT IS OWNERS RESPONSIBILITY TO VERIFY THAT WINDOW DESIGN COMPLIES WITH ARCHITECTURAL DESIGN REQUIREMENTS OF PROJECT.

LEAD TIME: APPROX 4 WEEKS TO RECEIVE MATERIALS

INCLUDES- INSTALLATION AND CAULKING OF OUR MATERIAL

EXCLUDES-, PAINTING, PATCH AND REPAIR OF EXISTING FINISHES, ELECTRICAL, FINAL CLEANING, BONDS AND FEES, TEMPORARY WALLS, TEMPORARY ENCLOSURES, TEMPORARY HEAT, AFTER HOURS WORK, INTERIOR FRAMING, ASBESTOS OR LEAD ABATEMENT. ANY INTERIOR OR EXTERIOR TRIM WORK, LETTERING, ACCESS CONTROL, BREAK METAL FLASHING .

TOTAL INSTALLED, THIRTY THREE THOUSAND FOUR HUNDRED EIGHTY FIVE DOLLARS ...\$33,485.00 APPLICABLE TAXES INCLUDED

THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 DAYS.  
 50% DEPOSIT PRIOR TO ORDERING MATERIALS 50% UPON COMPLETION

SINCERELY,

DAN HOOPES

ACCEPTED BY \_\_\_\_\_ DATE \_\_\_\_\_