

ABBREVIATED MINUTES
POCATELLO DEVELOPMENT AUTHORITY
Meeting June 15, 1999

Members present: G. Anderson,, J.O. Cotant, S. Hotchkiss, T. Bernasek, S. Brown

Staff present: D. Tranmer, City Attorney; R. Burstedt and C. DeWall, Bannock Development

City staff present: Robert Chambers & Tim Tingey, Community Development and Research Department

1. Preliminary matters. Meeting called to order at 11:08 by Vice-Chairman Bernasek. No guests were introduced; no conflicts were declared. Additions to the agenda were noted for North Main, Kraft Road/Domsea areas, and Board positions.

2. Minutes and financial matters. It was MSC (Cotant, Anderson) to approve the minutes from the April meetings (6th, 21st, 29th). NOTE: There was no May meeting. C. DeWall then reviewed the financial statement, noting interest income and some tax receipts, including past-due taxes for the Kraft Road area and lunch expenses. It was MSC (Cotant, Anderson) to approve the financial reports for April and May.

3. State Tax Commission meeting report. Robert Chambers and Tim Tingey attended a meeting in Boise on June 8th with representative of the State Tax Commission and County Assessors regarding proposed rules for revenue allocation areas. The meeting provided a good forum for airing concerns and was also an attempt to eliminate confusing language in the rules. Major points:

- Clarification that base year of previous districts will remain unchanged if they are included in a consolidation which forms a new district. (PDA & City supported)
- Clarification to distinguish between revenue allocation areas and urban renewal areas. (PDA & City supported)
- Tax commission wants to require detailed bearings and distances for revenue allocation districts. State Code requires legal descriptions, maps, and an ordinance to be delivered to the commission.. Potentially a very costly and unnecessarily time-consuming requirement in excess of State statute. County and City staff will prepare joint letter urging less stringent requirements.
- Tax Commission wants to be able to approve or disapprove any district. (not supported) State law does not provide them with this authority over local governing bodies.
- Requirement for single map of the revenue allocation area rather than both urban renewal area and revenue allocation area. (PDA & City supported)
- Clarification that increments of occupancy taxes will be made available to development authorities. (PDA & City supported)

Next meeting of the group will be July 13, 1999. D. Tranmer and T. Tingey and R. Chambers will prepare a letter with PDA and City responses to the proposed changes.

4. Consolidated Corridor:

Report by D. Tranmer on judicial confirmation hearing: Hearing held June 14, 1999. Three persons testified against the district. Logan Robinson set out detailed opinions on Constitutional violations he alleges; Jim Morphey complained about the high rate of taxes in Pocatello and wanted revenue allocation areas removed so that the valuations could be returned to the base assessment roles in order to spread the tax burden. Dr. Pumphrey was

opposed to "new taxes" and wanted judicial relief. D. Tranmer noted that the process has been declared constitutional by the Idaho Supreme Court and that his brief contained points and authorities documenting case law in support of PDA's petition; that those in opposition had cited no authorities, no case law, no statutes, only their own unsupported opinions. Judge took the matter under advisement.

Stormwater plan/study proposal has been received from Schiess & Associates at a cost of \$66,500.00. The study and report will be completed by year-end; bids are projected to be let for construction in early 2000 for work to begin in summer of 2000. In response to Board inquiries, D. Tranmer explained that no bids were let for the study because this particular firm has experience and some information and studies available to it from a previous project, and the firm is local which brings an additional advantage to using the firm. **It was MSC** (Anderson, Hotchkiss) to approve entering into the contract provided that judicial confirmation is received.

It was MSC (Hotchkiss, Cotant) to authorize D. Tranmer to contact bond counsel and the financing agency to proceed as soon as they are able or willing (pending receipt of Court decision).

5. North Main. A bill for administrative costs relating to the bonds has been received from First Security Bank. **It was MSC** (Hotchkiss, Anderson) to authorize payment.

6. Kraft Road: Money has been forwarded from the County Treasurer; apparently some back taxes have been collected for this revenue allocation area. PDA has dissolved the district, but because these funds are for past-due amounts, PDA needs to disburse the funds to entities. Both the City and Eastern Idaho Development Corporation have money owing under this area. The City Treasurer has indicated that the fund for receipt of monies to repay costs of City services for upgrading and installing sewer lines has been closed. EIDC actually provided money rather than services for this area and the Treasurer indicated that the City would forego repayment in favor of EIDC. Therefore, **it was MSC** (Hotchkiss, Cotant) to have the money distributed to EIDC only.

7. Varsity Square. Question as to how much money was to be provided for the project. Minutes will be reviewed and answer provided. **SECRETARY'S NOTE:** Resolution #1997-5 provides for the lesser of 35% of costs of curb, gutter, and sidewalk or 50% of the revenues received by the District to be provided to the applicant as partial reimbursement for development costs.

8. Sports Outlet. Question as to whether funds were to be allocated to Dave Gebo's project for curb, gutter, sidewalk improvements. **SECRETARY'S NOTE:** Minutes of October 1, 1997, show passage of a motion to provide a \$9,762.35 loan from discretionary funds, "pending a search for additional means to provide the money . . ." November 4, 1997 minutes show that the loan agreement papers were drafted with interest at 9.5%, first year's payment to be deferred. First payment to be invoiced in October of 1998.

9. Adjournment. There being no further business, the meeting was adjourned at noon.

