

**POCATELLO DEVELOPMENT AUTHORITY**  
**Meeting Minutes for November 17, 2021, at 11:00 AM**  
**Council Chambers, 911 N 7<sup>th</sup> Avenue, Pocatello, Id**

**Present:** Heidi Adamson, Victoria Byrd, Jim Johnston, Scott Turner and David Villarreal.

**Excused:** Brian Blad, Rob Lion and Terrel Tovey.

**Unexcused:** Greg Gunter.

**Others Present:** Brent McLane, Executive Director; Aceline McCulla, Secretary, Meghan Conrad, PDA Attorney, Jared Johnson, Pocatello City Attorney, Merril Quayle, Pocatello Dev. Engineer; MiaCate Kennedy, Pocatello Ex-Officio and guests.

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

**Chair Villarreal** called the meeting to order at approximately 11:05 AM and 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 meeting held September 15, 2021.

It was moved by **S. Turner** and seconded by **J. Johnston** to approve the minutes from the Board of Commissioners meeting held October 20, 2021. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

**Agenda No. 3: Executive Session Meeting Minutes.** The Board may wish to waive the oral reading of the minutes and approve the minutes from the Executive Session meeting on October 20, 2021.

It was moved by **J. Johnston** and seconded by **H. Adamson** to approve the Executive meeting minutes held October 20, 2021. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 4: Financial Report.** A financial report for the PDA will be provided by PDA Treasurer. The Board may wish to approve the financial report.

**B. McLane** noted the financial report was handed out with the agenda packet at the beginning of the meeting.

It was moved by **S. Turner** and seconded by **V. Byrd** to approve the financials as presented. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 5: IRG Draft Owner Participation Agreement** – The Board may wish to discuss the draft owner participation agreement between IRG and the PDA in the Naval Ordinance District.

**Conrad** noted the document in the agenda packet is a draft agreement, including a lump sum, if funds are not available now, a repayment structure should be created. **Turner** noted the PDA is limited to funding to what is available. Turner also noted the PDA requires invoices to be submitted for approval prior to payment.

**Conrad** asked if there is any revenue would be coming in for this project. The increment received last year was \$22,000. They are rezoning some property within the TIF area that would be revenue driven. **McLane** noted this TIF closes in 2030. **Conrad** noted that this agreement could be up to the limit the PDA is comfortable with, but not to exceed \$1,200,000.00, and only if funds are available. IRG or Pocatello Quinn LLC would have to submit and prove the invoices are for allowable repair and upgrade expenses that meet criteria of TIF requirements and guidelines.

The PDA discussed not depleting funds for emergency or future needs of 25% and the PDA will come up with a

It was moved by **J. Johnston** to retain 25% of the annual income brought in the year before in each TIF District. No second, motion failed.

Discussion ensued on TIF District funds.

**McLane** noted that income should not be retained in a TIF District it should be spent. McLane recommended a better tool to use so the PDA does not deplete funds in a TIF District may be to create language for future OPAs that restricts the amount of funds an owner may access to the increment of income that their property generates. **Quayle** noted that IRG has multiple projects coming up and one project type, in regards to the 25% mentioned for allocation for a specific project type, is to acquire property for road improvements. IRG has long-range goals for road improvements, sidewalk, curb and gutter on Poleline Road. One goal of IRG is to align the intersection at Eldredge Road and Poleline Road, another goal is to add a wider access for the trucks and to also to clean up Poleline Road. An allocation percentage may help with the road improvements through 2030.

**Conrad** discussed different types of Owner Participation Agreements (OPA) and prioritizing different projects within a TIF area. Other wording for OPAs the PDA may consider include: determine a maximum amount for a project, note the PDA will not fund a complete project and note the PDA would not pledge future revenue reimbursements. This will allow money to remain in the TIF District fund for future projects. Owners may come back before the PDA with other projects in the future.

It was moved by **J. Johnston** to approve the \$1,100,000.00 to fund this project and if more funds become available they may come back before the PDA. No second, motion failed.

It was moved by **J. Johnston** and seconded by **V. Byrd** to amend the owner participation agreement to \$1,100,000.00 instead of the \$1,600,000.00. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

**Conrad** stated the PDA needs to create a policy or a process of review for A Façade Easement, and then have McLane take this new policy, process, or application to City Council (CC) to approve the policy and easement components, and then the CC would need to decide that all future approvals come back before the CC or give the PDA authority to approve or deny all decisions for the project, materials and design work. Conrad noted that façade easement buildings should be identified that have used funds and that the City Council should approve all painting projects for murals, color schemes, etc. A time frame for start and completion needs to be identified, (completed within six months from date approved) a Façade easement needs to be applied for, completion of project date, ... Construction plans and designs submitted to McLane.

IRG and or Pocatello Quinn LLC should provide a presentation to the PDA and also submit construction plans and designs to McLane, who will then review them with the PDA. If IRG wants to paint a mural, the design should be approved by the PDA and be part of the negotiation of scope with IRG. Conrad stated the project should begin within six months of effective date and completed within 30 months of effective date. Conrad also added verbiage regarding builder threats, assurity and security to the OPA, not included in the past.

Conrad recommended that the project begin within six months of the effective date with 24 months to approve it, and then IRG must meet a number of triggers that must be completed before they get paid.

1) The Façade Easement must be recorded; 2) The work must be completed; 3) Determination of eligible costs has been made; 4) Confirmation of Reimbursement Form, memorializing the amount PDA will be reimbursing, must be completed and submitted to the PDA to approve for payment.

Language that should be included in the Owner Participation Agreement (OPA). Conrad will include language for the Anti-Boycott Israel language, surety. Conrad commented that she needs to identify the relationship between these IRG and Pocatello Quinn LLC and who is the responsible party. These costs would be at the expense of the contractor, developer, or owner to protect funding being paid out.

It was moved by **J. Johnson** and **H. Adamson** to adopt the draft with the amendment and forward to opposing council. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

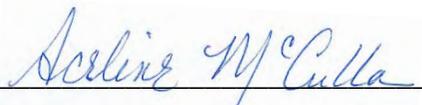
**Agenda Item No. 6: Calendar Review**

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.

**McLane** noted the dates for the training are estimated for the first week of January.

**Agenda Item No. 7: ADJOURN**

With no further business, it was moved by **S. Turner** and seconded by **V. Byrd** to adjourn the meeting at 12:06 PM. Those in favor: Adamson, Byrd, Johnston, Turner and Villarreal. Unanimous. Motion Carried.

  
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Submitted by: Aceline McCulla, Secretary

Approved on: December 15, 2021