

Eagle Urban Renewal Agency

Wednesday, April 15th, 2015
Special Meeting
Eagle City Hall
660 E. Civic Lane, Eagle, Idaho

1. Call to order – The meeting was called to order at 6:09PM.
2. Roll call – Ridgeway (via computer), Butler, Kunz, McFarland, Reynolds
3. Pledge of Allegiance.
4. Amendments to agenda - None
5. Reports by board members, attorney and secretary - None
6. Public comment on matters not on the agenda. (Please limit comments to 3 minutes maximum.) - None
7. Approval of March 30th, 2015 meeting minutes. Mark Butler made a motion to approve the March 30th, 2015 meeting minutes. Jim Reynolds seconded the motion. All ayes, motion carried.
8. Treasurer's report – Lindsey Pretty Weasel. The report was given.
9. Consideration and authorization of payment to Magnum Demolition for completion of building demolition and tree removal on the former Tri-City Meats properties. Attorney Todd Lakey gave an update. Lakey spoke to Dale Hope with Magnum Demolition. Lakey received an unconditional lien release from Magnum Demolition (as general contractor); however, an unconditional lien release has not been received from Pacific Technologies, Inc. (as a subcontractor). The subcontractor provided a conditional lien release stating they will release the lien upon receipt of payment. The problem with the conditional lien release is that the agency is not paying the subcontractor directly. Rather, the general contractor is paying the subcontractor. Lakey stated the agency either needs an unconditional lien release from the subcontractor or the general contractor needs to pay the subcontractor (from a partial payment received from the agency), after which the agency will obtain an unconditional lien release from the subcontractor. The subcontractor sent a revised lien release to Lakey today; however, the revisions were inconsistent and insufficient. Assuming the board is satisfied that the project is fully completed, Lakey's recommendation is that payment and delivery of payment to Magnum Demolition be authorized upon submission of an acceptable (unconditional) lien release from Pacific Technologies, Inc. Butler made a motion to approve the recommendation. Mary McFarland seconded the motion. Kunz noted that the property owners, two agency commissioners and the agency's attorney conducted a site walkthrough and no issues were identified. A roll call vote was taken. Ridgeway: yes; Butler: yes; Kunz: yes; McFarland: yes; Reynolds: yes. All ayes, motion carried.
10. Consideration and authorization of expenditure for signage and other measures to deter parking and trespassing on the former Tri-City Meats properties. Kunz noted that although building demolition and tree removal have been completed, the properties have not yet been improved for use as a public parking lot. Kunz asked if the board would like to add signs to deter parking and trespassing. McFarland asked about the cost and the agency's liability insurance coverage on the properties. Lakey stated there is some potential liability and advised signing the properties to deter parking and trespassing until the properties are improved. McFarland made a motion to authorize a not-to-exceed expenditure of \$250 for signage to deter parking and trespassing. Butler seconded the motion. A roll call vote was taken. Ridgeway: yes; Butler: yes; Kunz: yes; McFarland: yes; Reynolds: yes. All ayes, motion carried.
11. Consideration and authorization of an expenditure (not-to-exceed \$4,500) for South Landscape Architecture to process a Conditional Use Permit (CUP) and/or Design Review application for a downtown public parking lot and landscaping on the former Tri-City Meats properties. The proposal was previously submitted

and reviewed by the URA. Butler checked with the architect who said that the proposed \$4,500 still applies, even though it was written some time ago. Butler made a motion to go forward with the \$4,500 expenditure to get these approvals done through the city. Reynolds seconded the motion. Kunz clarified that this initiative covers only the former Tri-City Meats properties. A roll call vote was taken. Ridgeway: yes; Butler: yes; Kunz: yes; McFarland: yes; Reynolds: yes. All ayes, motion carried.

12. Executive Session pursuant to Idaho Code 67-2345(1)(c) and (f) – To consider acquisition of an interest in real property and to communicate with legal counsel regarding pending litigation, or controversies not yet being litigated but imminently likely to be litigated. **NO PUBLIC COMMENT WILL BE TAKEN ON THIS ITEM.**

Kunz stated the board has a few agenda items to discuss and that the executive session could take approximately 20 minutes; if it takes longer, someone will come out and provide periodic status updates. McFarland made the motion to go into executive session. Butler seconded the motion. A roll call vote was taken. Ridgeway: yes; Butler: yes; Kunz: yes; McFarland: yes; Reynolds: yes. All ayes, motion carried.

(Upon returning from executive session, the meeting was called to order.)

13. Consideration of a proposal from South Landscape Architecture to prepare a subproject plan (not-to-exceed \$1,000) for submission to, and review and approval by, the City of Eagle (aka the downtown public parking lot and blight elimination subproject generally located on the southwest corner of the Eagle Road/State Street intersection). The uses contemplated in the subproject by the URA are already addressed in the Eagle Urban Renewal Plan for the Downtown and East End Urban Renewal Project so such a submission is optional and not required. Butler stated it would be a good idea to move forward with the subproject plan by getting it in front of the Planning & Zoning Commission and Eagle City Council with regard to compliance with the city's comprehensive plan. Butler made a motion to instruct South Landscape Architecture to prepare the subproject plan as identified at a not-to-exceed cost of \$1,000. McFarland seconded the motion. A roll call vote was taken. Ridgeway: no; Butler: yes; Kunz: no; McFarland: yes; Reynolds: yes. The motion carried 3-2.
14. Consideration of a bond resolution for funds for the downtown public parking lot. The possible not-to-exceed amount is about \$950,000, but the agency may consider an amount closer to \$500,000. McFarland made a motion to adopt Resolution 15-001 with an amendment to Section 11 requiring that the bond purchase agreement must be reviewed and approved by the board. Reynolds seconded the motion. During discussion on the motion, Butler clarified that although the agenda talked about a not-to-exceed bond amount of \$950,000, the proposed amendment means the bond amount would not be approved until it is actually submitted to the board. If approved, this motion would allow the bond resolution to move forward, but would not approve a bond amount. The bond purchase agreement will specify the bond amount, the interest rate, the number of years to maturity and other terms. A voice vote was taken; however, it was discovered that someone in the audience wished to offer public comment on this agenda item. Consequently, the motion and second were withdrawn.

Kim Blough, 2913 Garrity Blvd., Nampa, ID offered public comment regarding the borrowing of funds.

Following the conclusion of public comment, McFarland made a motion to adopt Resolution 15-001 with an amendment to Section 11 requiring that the bond purchase agreement must be reviewed and approved by the board prior to a decision on the bond amount and other terms. Reynolds seconded the motion. A voice vote was taken. The motion carried 4-1.
15. Adjournment. McFarland and Reynolds made a motion to adjourn. All ayes, motion carried.