

Eagle Urban Renewal Agency

Tuesday, May 5th, 2015
Regular Meeting
Eagle City Hall
660 E. Civic Lane, Eagle, Idaho

1. Call to order – The meeting was called to order at 6:00PM.
2. Roll call – Ridgeway, Butler, Kunz, McFarland, Reynolds. All members are present. A quorum is present.
3. Pledge of Allegiance.
4. Amendments to agenda - None
5. Reports by board members, attorney and secretary. Jeff Kunz reported that at the April 15, 2015 meeting, the Board approved a motion to spend no more than \$250 on signage for the former Tri-City Meats properties to deter trespassing and parking. Kunz said he has personally purchased the signs and other materials and that the receipts are in the possession of the treasurer for reimbursement.
6. Public comment on matters not on the agenda. (Please limit comments to 3 minutes maximum.) - None
7. Approval of the April 15th, 2015 meeting minutes. Kunz asked that the motion to approve the minutes include an amendment to replace all sentences of “A roll call was taken.” to “A roll call vote was taken.” Mark Butler made a motion to approve the minutes with the amendment proposed by Kunz. Jim Reynolds seconded the motion. A voice vote was taken. The motion carried unanimously.
8. Treasurer’s report – Lindsey Pretty Weasel gave the report.
9. Discussion and possible action on Eagle Elementary School of the Arts grant application.

Mylissa Wydick, 2913 E. Umatilla Drive, Nampa, ID. Ms. Wydick is a teacher at the Eagle Elementary School of the Arts. She noticed signs referring to the beautification of Eagle and decided to request financial assistance for campus art projects such as chain link fence art, origami, a character wall and other projects.

Butler asked if the school is outside of the urban renewal district’s boundaries. Attorney Todd Lakey wasn’t sure where the school is located. Butler and Kunz reviewed the map on the agency’s website.

Stan Ridgeway noted there is an Eagle Community Fund and asked whether Wydick submitted this grant application to the fund. Wydick said she is aware of the Eagle Community Fund, had received grants from the fund previously and did not submit this grant application to the fund.

After reviewing the map, Kunz said the school appears to be outside of the urban renewal district’s boundaries. Butler asked if Wydick could approach the City Council, but was unsure if the city might have budgeting for such projects. Mary McFarland suggested the school reach out to the Eagle Arts Commission. Butler asked how many Arts Commission members remained due to resignations. McFarland was unsure if the Arts Commission was still in existence.

Ridgeway stated the Eagle Community Fund was established for such purposes and recommended that submitting the grant application to the fund would be the best option.

Ridgeway made a motion to notify the Eagle Elementary School of the Arts that the school is not within the urban renewal district’s boundaries and, therefore, the grant application is denied. Butler seconded the motion. A voice vote was taken. The motion carried unanimously.

10. Discussion and possible action concerning the “Beatify Downtown Eagle” project sign located on the southeast corner of the Eagle Road/State Street intersection. Possible courses of action could include, without limitation, updating the sign, removing the sign or making no changes to the sign.

Attorney Lakey suggested that public comment be taken on the agenda item before discussion.

Naomi Preston, 380 E. Trailside Drive, Eagle, ID. Ms. Preston noted the “Beautify Downtown Eagle” project is still an active group and the project between the City of Eagle, the agency and local volunteers continues to be a great partnership. Preston stated they continue to get calls from people asking to help and about adopting the hanging flower baskets. She feels like the sign gets peoples’ attention and that taking the sign down would disincentivize people from volunteering.

McFarland stated that since the beautification project is an urban renewal project, if a person wants to contact someone about urban renewal, the contact should at least be co-sponsored with the district, perhaps by the person calling the agency chairman or accessing the agency’s website. As involved as Preston is within the community, McFarland noted that she is not part of urban renewal. (Preston started to speak. McFarland stated Preston could not interrupt.) McFarland said the contact information appearing on the sign should be associated with urban renewal.

Kunz inquired whether Preston was originally asked to spearhead the beautification project and whether the Eagle Urban Renewal Citizens’ Advisory Committee actively participated in the project. McFarland stated she was unsure; however, some of the same people were probably involved.

Ridgeway stated he wasn’t sure why this topic was even being reviewed because citizens and business owners chipped in money. He stated this was a sore subject due to non-reimbursement complaints. He also stated the agency doesn’t have a phone number and doesn’t see why the sign should be changed. McFarland clarified that the agency did reimburse all project expenses and continues to pay for project maintenance. She stated that adding the agency’s contact information to the sign would provide a direct connection to the agency since the agency paid for the project.

Butler asked Kunz whether he had been in communication with Preston regarding the phone calls received. Kunz said when this issue surfaced, he contacted Preston and asked a few pertinent questions. Otherwise, Kunz said he had no extended discussions with Preston on this matter. Reynolds indicated he and Preston exchanged voicemails regarding this matter.

Butler said that eliminating unnecessary signs is generally advantageous in order to minimize signage as much as possible. However, if Preston is receiving a lot of calls resulting in positive value for the city, then he is okay with leaving the sign up. (The sign has been up for three years). However, Butler asked why agency members haven’t been contacted by all of the people who have been contacting Preston.

Preston apologized to McFarland for interrupting and stated she was just trying to answer the question. Preston corrected some misconceptions, including Kunz’ inquiry about whether Preston was asked to spearhead the project. Preston clarified that the project concept came from her. She provided some background on how the project started. She had planted some sunflowers and one day a couple of previous council members said they liked her idea of beautifying the corner and encouraged her to take her idea to the city council. She was able to expand from there by taking the concept to the agency. Preston was unaware of the need to update the agency regarding all of the communications. She observed that the sign continues to generate calls about the hanging flower baskets program. She reiterated how positive the sign is and how it gets people involved.

Kunz clarified that Preston had the genesis of the idea and was the primary organizer of the project. Preston said that several items such as plants were donated and the agency also contributed money. Butler asked whether the phone number appearing on the sign is for Wild West Bakery & Espresso and whether Preston is willing to continue being a part of the project. Preston confirmed the phone number appearing on the sign is for her business and that she is willing to continue being part of the project.

Ridgeway made a motion to make no changes to the sign. Butler seconded the motion. A voice vote was taken. The motion carried unanimously. After further discussion, Kunz will investigate inexpensive alternatives for adding the agency’s logo and website address to the sign. He will report back. Butler asked about sign maintenance. Kunz stated the sign appears to be in pretty good shape.

11. 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 several items need to be discussed in executive session and estimated 40 minutes would be required. Reynolds made a motion to go into 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. Butler seconded the motion. A roll call vote was taken: Ridgeway: yes; Butler: yes; Kunz: yes; McFarland: yes; Reynolds: yes. All yeases. Motion carried unanimously.

(After the executive session, the meeting is called back to order.)

12. Consideration of a subproject plan (prepared by South Landscape Architecture) 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.

Attorney Lakey summarized the draft subproject plan and noted that it represents an opportunity to get additional input from the city regarding the proposed activities on the properties. The two properties discussed within the subproject plan are the Smiths' property and the former Tri-City Meats properties.

Lakey said the draft subproject plan consists of three sheets and deferred to Butler to further describe the contents of these sheets later in the meeting.

Lakey suggested the agency submit the subproject plan to the City of Eagle with a request that the Planning and Zoning Commission review the subproject plan and make their recommendation to the City Council. Thereafter, the City Council would provide their opinion on the subproject plan and its compliance with the city's comprehensive plan.

Additionally, Lakey suggested his office take the lead on presenting the subproject plan to the city and that his firm utilize the services of a land use planning consultant, such as Bonnie Harper who has 15 years of experience. Lakey's firm would hire Harper as a subcontractor and bill the agency for her time.

Butler described the three sheets of the subproject plan. The first sheet is entitled "SITE CONDITIONS PRIOR TO UPGRADE" and identifies the buildings that existed on the former Tri-City Meats properties prior to demolition and the location of the trees prior to their removal by the agency. It identifies site issues, site characteristics and the property that is currently under eminent domain for possible acquisition and provides details on that property as well.

The second sheet is entitled "BEAUTIFICATION PLAN" and shows the agency's actual plan for the temporary parking lot on the former Tri-City Meats properties (under lease by the agency) and the permanent parking lot and city beautification area on the property that is currently under eminent domain for possible acquisition. The project benefits and site statistics are cited.

The third sheet is the detailed site/landscape plan containing the plant schedule, landscape notes and details on the five-foot asphalt pathway, boulder placement and shrub and deciduous tree plantings.

Butler noted that some minor upgrades to the subproject plan may be necessary and that if the subproject plan gets voted on and approved tonight, it will not come back to the agency. Rather, the subproject plan will go to the Planning and Zoning Commission.

Ridgeway asked two questions:

- On the first plan for the former Tri-City Meats properties, how many parking spaces were shown? Butler looked at the original plan and stated there were 18 parking spaces shown on that plan before the survey

realized that part of what was thought to be the former Tri-City Meats properties was actually part of the Smiths' property. The actual number of parking spaces would probably be 14 with that adjustment.

- How many parking places were shown on the concept plan for each of the properties? Butler had access to a concept plan that wasn't the approved plan; it showed 16 parking spaces that would be on the Smiths' property. Due to the property line clarification, the new plan shows 22 parking spaces.

After looking at the second sheet of the subproject plan, Lakey noted that a couple of minor modifications need to be made such as not depicting trees that have been removed. He asked whether more parking spaces should be added. Butler agreed and suggested adding another 14 or 15 parking spaces (or however many additional parking spaces will fit) on the former Tri-City Meats properties along the south side of the entry/exit that extends out to S. Olde Park Place.

McFarland talked about smoothing out the parking lot for Eagle Fun Days and maybe having the Lions Club run the parking lot just for this community event. Lakey stated McFarland had a good point and that her idea was something to think about, and possibly add to the next agenda.

Butler expressed a concern with proposals and plans relative to the Eagle Fun Days schedule. McFarland mentioned the need to control parking on the former Tri-City Meats properties during Eagle Fun Days. She noted that perhaps the Lions Club could manage the parking and those who utilize the parking could make a donation to the Lions Club. Ridgeway stated he didn't see an issue with using the former Tri-City Meats properties for parking at the vehicle owner's own risk; however, he didn't see the need to charge for parking.

Ridgeway asked about issues with Eagle Fun Days. Discussion followed. Lakey brought the Board back on topic and suggested bringing the concerns about Eagle Fun Days back for later discussion.

Kim Blough, 2913 Garrity Blvd., Nampa, ID. Mr. Blough asked whether the demolition company did what they were instructed to do. Butler and McFarland stated the demolition company did what the agency asked them to do per the terms of the contract.

Butler made a motion to instruct the agency's legal counsel, Attorney Lakey, to move the Heart of Eagle subproject plan (date stamped 05/04/2015) forward through the Planning and Zoning Commission and City Council, with the sheets entitled "SITE CONDITIONS PRIOR TO UPGRADE," "BEAUTIFICATION PLAN" and the detailed site/landscape plan being revised to:

- (a) Include additional parking spaces on the temporary parking lot along the south side of the entry/exit that extends out to S. Olde Park Place;
- (b) Eliminate the trees and row of bushes that are currently shown on the former Tri-City Meats properties not leased by the agency (and that were removed);
- (c) Consider some additional plantings in the lawn area at the northwest corner of the temporary parking lot; and
- (d) Enhance the site issues and project benefits as seen fit by Lakey; and that
- (e) The consultant recommended by Lakey (and to be hired as a subcontractor through Lakey's firm) be utilized for processing the application through the Planning and Zoning Commission and City Council.

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.

13. Finalize the aggregate amount, not-to-exceed interest rate, number of years to maturity and other terms for the bonds to be issued 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.

Kunz stated that at a prior meeting, the Board approved Resolution 15-001 and amended Section 11 to require the bond purchase agreement be reviewed and approved by the Board prior to a final decision on the bond's amount and other terms.

Butler stated that the bond resolution is specifically written for the downtown public parking lot. He asked: How will the bond proceeds be earmarked for use on this project and not for use on other projects? If the bond proceeds are for the downtown public lot, can the bond proceeds be tracked and used for property acquisition and to reimburse the agency for costs already incurred on the former Tri-City Meats properties? How will expenditures be tracked?

Lindsey Pretty Weasel suggested a completely separate account. Bond Consultant Cameron Arial (with Zions Bank Public Finance) stated that the bond resolution authorizes what the agency can spend the money on. What the money can be spent on is specific to the project area. So to the extent that the downtown public parking is the project and that is what is to be financed, that is what the money can be spent on.

The reimbursement question is more appropriate for Bond Counsel Stephanie Bonney; however, it is Arial's understanding that the agency could pass a reimbursement resolution that, once passed, could enable the agency to go back six months or so and reimburse for project-specific costs as stipulated in the bond resolution. Ridgeway preferred that the agency not seek reimbursement for costs already incurred. Butler had no issue with that concept and asked whether all of the money would go toward property acquisition and no costs would be reimbursed for the former Tri-City Meats properties. McFarland asked if the funds could go toward the improvements on the former Tri-City Meats properties. Kunz stated that would be determined by the bond terms. Ridgeway's concern about reimbursement was only on what costs were already incurred, not on what costs what could be incurred in the future. Butler sought clarification from Ridgeway that if, for example, the agency were to spend \$30,000 in the next month improving the temporary parking lot, could those costs be reimbursed. Ridgeway agreed. Butler stated he doesn't want to spend \$950,000 for a parking lot. McFarland asked if the agency could apply some of the money toward payment of legal fees and other considerations. Lakey believed so, but stated that bond counsel should address the question. McFarland is concerned with draining the agency's bank account if insufficient bonds proceeds are realized.

Kunz said it might be advisable to confer with bond counsel before proceeding with this agenda item. Reynolds made a motion to continue this agenda item to the May 26, 2015 special meeting with bond counsel present, including a discussion during executive session. Butler seconded the motion. A voice vote was taken. The motion carried unanimously.

14. Adjournment. McFarland made a motion to adjourn. A voice vote was taken. The motion carried unanimously.