

NAVAL ORDNANCE PLANT URBAN RENEWAL AREA IMPROVEMENT PLAN

A Pocatello Revenue Allocation Financing District

An Urban Renewal Plan

POCATELLO DEVELOPMENT AUTHORITY

July 2006

CITY OF POCATELLO

Naval Ordnance Plant Urban Renewal Area Improvement Plan Table of Contents

ACKNOWLEDGEMENTS

Pocatello Development Authority
City Officials
Table of Contents

I. INTRODUCTION

Background
Purpose of the Plan

II. NAVAL ORDNANCE PLANT URBAN RENEWAL AREA DESCRIPTION

III. PROJECT PLAN

Project Description
Project Costs and Revenues

IV. ECONOMIC FEASIBILITY STUDY

V. CONFORMANCE WITH STATE LAW

VI. PLAN DURATION

VII. AMENDMENT PROCEDURES

VIII. SEVERABILITY

IX. CONCLUSION

ATTACHMENTS

1. Naval Ordnance Plant/Revenue Allocation Map
2. Naval Ordnance Plant Urban Renewal Area & Revenue Allocation
District Legal Description
3. Recommendation of the PDA
4. Recommendation of the CDC
5. Resolution of the City Council designating the Urban Renewal Area

Acknowledgements

Pocatello City Council:

Roger Chase	Mayor
Roger Bray	Council Member
Ron Frasure	Council Member
Gary Moore	Council Member
Eva Nye	Council Member
Richard Stallings	Council Member
Brian Underwood	Council Member

Pocatello Development Authority:

Steve Brown	Chair Person/Commissioner
Terry Brower	Commissioner
Mayor Roger Chase	Commissioner
Darsi Foster-Johnson	Commissioner
Jim Guthrie	Commissioner
Ken Monroe	Commissioner
John Ricks	Commissioner
Dan Schroeder	Commissioner
Richard Stallings	Commissioner
Dean Tranmer	Attorney to the Commission
Darcy Taylor	Secretary to the Commission

Bannock Development Corporation:

Gynii Gilliam	Executive Director
Sari David	Administrative Assistant

City of Pocatello Planning and Development Services Department:

Robert Chambers	Director
Tim Tingey	Division Manager, Neighborhood & Community Services

I. INTRODUCTION

The Pocatello Development Authority (PDA) was created by the City of Pocatello on July 14, 1988, and was granted authority by the City of Pocatello to undertake urban renewal projects which may be facilitated through the use of tax increment financing. The PDA helps to ensure that appropriate development takes place in areas of greatest need.

Planning is essential to ensure that development efforts create both an environment of convenience and safety for neighborhood residents, and increased opportunities for businesses to succeed. This Naval Ordnance Plant Urban Renewal Plan, once implemented, will be the vehicle to provide a more conducive atmosphere for business operation in the City, and enhance opportunities for businesses wishing to relocate to Pocatello.

This plan identifies projects and describes the process for enhancing this area in the City through efforts of the Pocatello Development Authority and the City of Pocatello.

Background

The Pocatello Development Authority (PDA) in the meeting of May 17, 2006 made the following recommendation (SEE ATTACHMENT):

- The PDA recommended the creation of a Revenue Allocation District for the Gateway Industrial Park (a former Naval Ordnance Plant and is located at the southeast corner of Poleline Road and Yellowstone Avenue). This recommendation initiated creation of the improvement plan contained herein.

The recommendation of the PDA, as outlined, is consistent with the goals of the City and is allowed by the State of Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code). Accordingly, this Naval Ordnance Plant Urban Redevelopment Area Improvement Plan directs use of revenue allocation financing to accomplish the following:

- To eliminate deteriorated or deteriorating conditions which are causing economic under-development in the designated area, substantially impairing the sound growth of Pocatello in general.
- To encourage both private and public development in the Urban Renewal Area in order to diversify and improve the local economy by providing adequate public facilities.
- To encourage cooperation among taxing districts in the Pocatello community regarding the use of funds.
- To accomplish plan goals in accordance with all appropriate federal, state, and local laws.

Purpose of the Plan

The purpose of this plan is to create a proactive approach to development/redevelopment projects by the PDA in Pocatello by focusing efforts in five areas:

1. Leveling or reducing the City's levy rate by increasing the tax base through more aggressive redevelopment of underutilized areas;
2. Partnering with the private sector to enhance development and to attract new or expanded businesses to improve the Pocatello economy;
3. Targeting areas in need of public infrastructure improvements;
4. Utilizing more effectively the powers granted to the PDA in the pursuit of redevelopment activities. Such powers include:
 - a. carrying out urban renewal projects;
 - b. making and executing contracts and other instruments;
 - c. disseminating slum clearance and urban renewal information;
 - d. repairing streets, roads, public utilities or other facilities;
 - e. installing streets, utilities, parks, playgrounds, off-street parking facilities, public facilities, or other facilities;
 - f. entering buildings or property to make inspections, surveys, appraisals, soundings or test borings;
 - g. acquiring by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property or personal property for its administrative purposes;
 - h. holding, improving, renovating, rehabilitating, clearing or preparing for redevelopment any such property or buildings;
 - i. mortgaging, pledging, hypothecating or otherwise encumbering or disposing of any real property;
 - j. insuring or providing for the insurance of any real or personal property or operations of the municipality;
 - k. demolishing and removing structures on property;
 - l. investing urban renewal funds;
 - m. borrowing money and applying for and accepting advances, loans, grants, contributions, and any other form of financial assistance;
 - n. creating, modifying and executing plans which may include programs of voluntary compulsory repair and rehabilitation of buildings and improvements;
 - o. conducting appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects;
 - p. developing, testing, and reporting methods and techniques, and carrying out demonstrations for the prevention and elimination of slums and urban blight;
 - q. developing new or improved means of providing housing;
 - r. accepting and utilizing grants of funds from the federal government;

- s. assisting in the relocation of persons displaced from an urban renewal area;
- t. exercising all or any part or combination of powers herein granted.

By adopting this Plan, it is the intention of the PDA to facilitate improvements in the designated Naval Ordnance Plant Urban Renewal Area and enhance the economic viability of the area.

II. NAVAL ORDNANCE PLANT URBAN RENEWAL AREA DESCRIPTION AND DETERIORATED OR DETERIORATING CONDITIONS ANALYSIS

The Urban Renewal Area boundary and Revenue Allocation District are identified with the same boundaries. The area is legally described in Attachment 1. State Urban Renewal Law and the Local Economic Development Act identify a number of conditions that qualify an area for urban renewal status. The following presents an analysis and reasoning why the proposed Naval Ordnance Plant area should be included as part of an Urban Renewal Area.

Idaho Code 50-2002 outlines a finding and declaration of necessity which states that areas that impose onerous municipal burdens which decrease the tax base, and reduce tax revenues, substantially impairs or arrests the sound growth of municipalities and among other things aggravates traffic problems in an area will qualify to be included in an Urban Renewal Area. Additionally, in Idaho Code 50-2903 areas in which there is a predominance of buildings or improvements... which by reason of dilapidation, deterioration, age or obsolescence...contributes to the economic underdevelopment of an area qualify for assistance.

The Naval Ordnance Plant is property that is in need of improvement in the areas of building and infrastructure improvements. These deteriorating facilities have contributed to under use of the site for businesses and industry for several years. Several site issues currently impede redevelopment including:

- Poor building façade;
- Rail line deterioration;
- Equipment obsolescence (including needed upgrades to the crane equipment and facilities to bring up to current certified specifications);
- Road deterioration.

Without addressing these conditions, the feasibility of additional development in this area in the near future is minimal. Additionally, the range of issues and the costs associated with redevelopment contributes to the ongoing underutilization of this area and prompts the need to establish the Naval Ordnance Plant Urban Renewal Area.

III. PROJECT PLAN

The project list outlined in this plan may be funded (all or part), if the PDA and Council decide to utilize tax increment financing funds as they become available from new construction. A description of the projects with estimated costs are as follows:

TABLE 1.

Project Costs

PROJECT	COST
Building Façade and Equipment Upgrades and Enhancements	\$2,300,000
Rail Line Refurbishment	\$500,000
Road Reconstruction	\$500,000
Construction Contingency (10%)	\$330,000
TOTAL	\$3,630,000

Project Description

- **Building Façade and Equipment Upgrades**—Exterior and interior improvements to buildings and needed equipment and facility enhancements to accommodate the needs of potential tenants of the site. Equipment upgrades are also included (including necessary enhancements to the overhead crane equipment) to ensure location and certification requirements of tenants.
- **Rail Line Refurbishment**—Repair an estimated 2,500 railroad ties including spikes, plugs and splice bars. This work would cover approximately 5,000 linear feet of track.
- **Road Reconstruction**—Repair and construction of roads (on site and off site), widening and improving roadways. Additionally, any roadway upgrades necessary to facilitate redevelopment of certain sites within the Revenue Allocation District Area.
- **Contingency costs**--An additional cost was calculated for work related to construction related costs including an increase in capital costs due to the length of time that it may take to complete the project and any other associated costs with the project.

Table 2 outlines the total project costs and the projected revenue for the proposed revenue allocation district.

TABLE 2.

Project Costs and Revenues

ITEM	AMOUNT	TOTAL
REVENUES		
Revenue Allocation Proceeds	\$4,274,255	
Sub-Total		\$4,274,255
COSTS		
Building Façade and Equipment Upgrades and Enhancements	\$2,300,000	
Rail Line refurbishment	\$500,000	
Road reconstruction	\$500,000	
Contingency Cost (10%)	\$330,000	
Subtotal		\$3,630,000
Ending District Balance		\$644,255

IV. ECONOMIC FEASIBILITY STUDY

The following tables provide a breakdown of base-assessed valuations for the proposed revenue allocation district for the Naval Ordnance Plant Urban Renewal

Area. An analysis of the tax levy rates applied in calculating tax collection for taxing entities and the Naval Ordnance Plant Revenue Allocation District is described below. The 2005 tax levies for each of the five taxing jurisdictions are as follows:

<u>Taxing Jurisdictions</u>	<u>Tax levy¹</u>
City of Pocatello	.010000107
Bannock County	.005486124
School District # 25	.007568991
County Road & Bridge	.000402417
Ambulance	.000272165
Total	.023729804

Table 3 shows the amount of revenue that the taxing jurisdictions will be allocated based upon the base year value of the revenue allocation district for the Naval Ordnance Plant Urban Renewal Plan.

Table 3

Taxing Entity	² Tax Levy	Naval Ordnance Plant Area Valuation	Revenue
City of Pocatello	.010000107	\$3,449,470 ³	\$34,495.07
Bannock County	.005486124	\$3,449,470	\$18,924.22
School District #25	.007568991	\$3,449,470	\$26,109.01
County Road & Bridge	.000402417	\$3,449,470	\$1,388.13
Ambulance	.000272165	\$3,449,470	\$938.83
Total	.023729804	-----	\$81,855.26

Table 4 outlines the net increase potential obtained from the estimated post construction value on the property after a 14 year period.

Table 4

Value of Taxable Property in Revenue Allocation Area			
Property	2006 Base Value	Estimated Post Construction Value	Net Increase
Proposed Naval Ordnance Plant Improvement Site	\$3,449,470	\$15,949,470	\$12,500,000

Table 5 provides an analysis of the estimated revenue to the PDA from new construction value within the Naval Ordnance Plant Revenue Allocation District. Levy rates based on current rate determinations are applied and the net revenue to be collected and distributed to the PDA is figured by subtracting the standard amount allocated to School District #25 in compliance with State Law.

¹ Obtained from Bannock County Auditor's Office

² 2005 tax levy rate obtained from Bannock County Auditor's office

³ Obtained from Bannock County Assessment rolls and includes a 3% estimated amount for utilities which are included as base value.

TABLE 5.

Year 12 months ending	TIF Tax Value ⁴	⁵ Tax Levy Rate	Gross Tax Revenue	School Levy Rate (.004 per Idaho Code 50-2908)	Net Revenue to PDA
2006	-----	.023729804	-----	-----	-----
2007	\$12,500,000	.023729804	\$296,623	\$50,000	\$246,623
2008	\$12,500,000	.023017909	\$287,724	\$50,000	\$237,724
2009	\$12,500,000	.023017909	\$287,724	\$50,000	\$237,724
2010	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2011	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2012	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2013	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2014	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2015	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2016	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2017	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2018	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2019	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2020	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2021	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2022	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2023	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2024	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2025	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
2026	\$12,500,000	.020716118	\$258,952	\$50,000	\$208,952
Total					\$4,274,255

The total revenue amount that may be received by the PDA over 20 years is estimated at approximately \$4,274,255. This amount would be available to finance improvement projects within the Naval Ordnance Plant Urban Renewal Area.

VI. CONFORMANCE WITH STATE LAW

Redevelopment activities for the Naval Ordnance Plant Urban Renewal Area are governed by two applicable sections of Idaho Code: the Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code) and the Idaho Local Economic Development Act (Chapter 29, Title 50, Idaho Code).

The Idaho Legislature passed the Urban Renewal Law in 1965. Under this law, a Mayor and Council can declare areas as deteriorating, and declare that the rehabilitation,

⁴ The TIF tax value (construction value) is projected to increase over time due to phased development through the life of the 20 year district.

⁵ Calculations include holding the levy rate constant through 2006-2007 and then including a 3% reduction of the levy rate for two years (2008-2009). In 2010, it is reduced again, this time by 10% due to the anticipated Central Corridor Urban Renewal Area expiration which will generate a broader tax base resulting in a reduction in the levy rate.

conservation, and redevelopment of such areas is in the interest of the public's health, safety, morals or welfare (Idaho Code 50-2008). The Urban Renewal Law also states that an area of a city that "constitutes an economic and social liability imposing onerous municipal burdens which decrease the tax base and reduce tax revenues, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities..." may be designated an urban renewal area.

The Idaho Legislature passed the Local Economic Development Act in 1988. This act states: "An authorized municipality is hereby authorized and empowered to adopt, at any time, a revenue allocation financing provision, as described in this chapter, as part of an urban renewal plan...A revenue allocation financing provision may be adopted either at the time of the original adoption of an urban renewal plan or the creation by ordinance of a competitively disadvantaged border community area, or thereafter, as a modification of an urban renewal plan or the ordinance creating the competitively disadvantaged border community area." (Idaho Code 50-2904)

In addition to this, Idaho Code 50-2906 states: "The local governing body of an authorized municipality must enact an ordinance in accordance with Chapter 9, Title 50, Idaho Code, and Section 50-2008, Idaho Code. To modify an existing urban renewal plan, to add or change a revenue allocation, an authorized municipality must enact an ordinance...and conduct a public hearing." (Idaho Code 50-2906) This part of the Idaho Code specifically implies that a local municipality must enact an ordinance before redevelopment can take place.

The Naval Ordnance Plant Urban Renewal Plan proposed within this document follows the guidelines prescribed within Idaho Code for the development of Urban Renewal Areas and Revenue Allocation Districts.

VIII. PLAN DURATION

The plan shall be in effect and enforceable for a period of time necessary to finance all designated improvements and all debt obligations the PDA may incur in connection with such improvements. This term may be amended as allowed by law.

X. AMENDMENT PROCEDURES

The plan may be amended by the PDA after all notice and public hearing requirements as set forth in Idaho Code have been met, and upon formal approval by the Pocatello City Council.

XI. SEVERABILITY

If any part of the plan is declared contrary to Idaho Code, and any provision or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of any remaining provisions of the Plan.

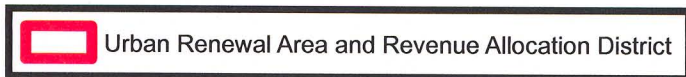
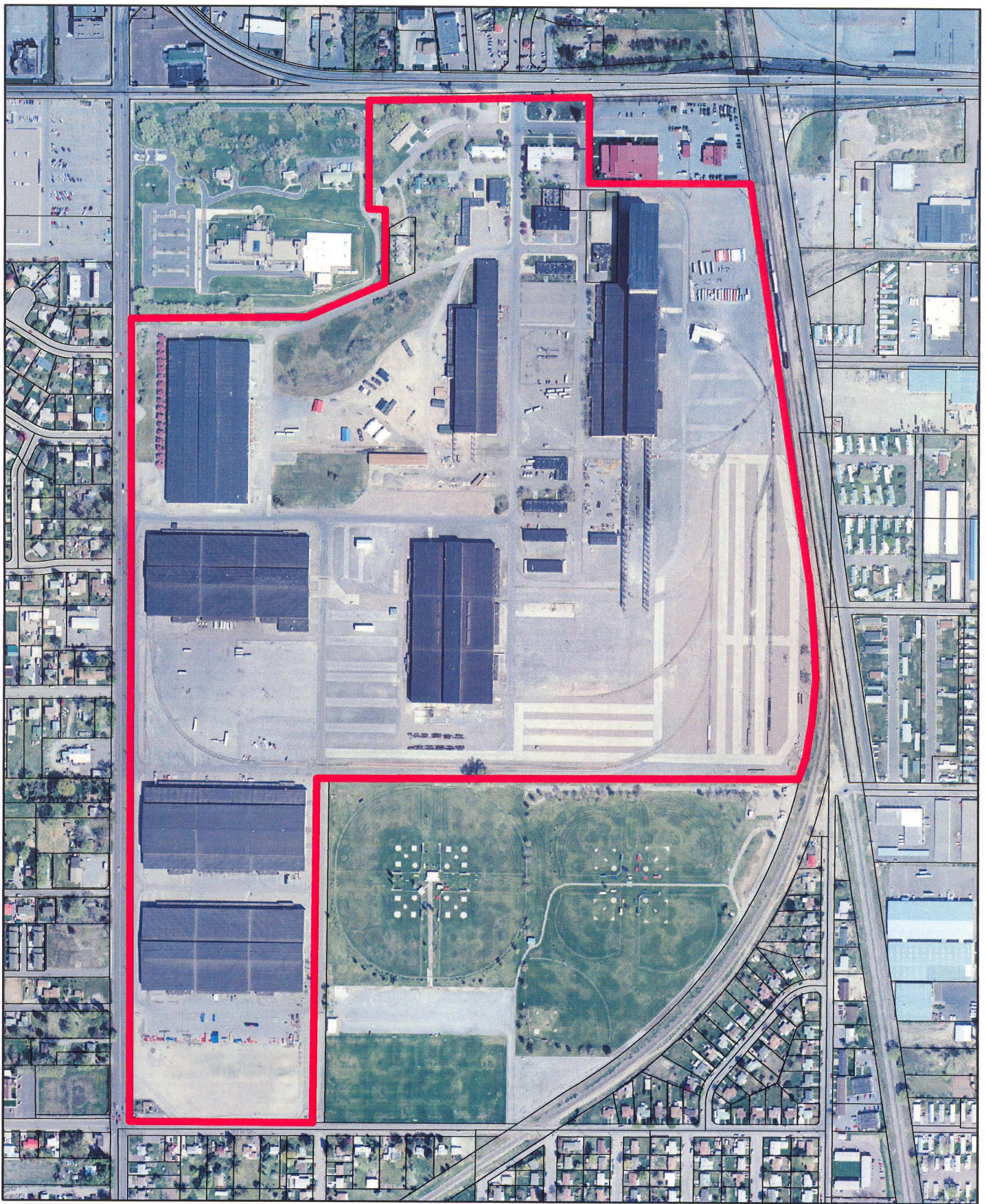
XII. CONCLUSION

The Naval Ordnance Plant Urban Renewal Plan is designed to ameliorate deteriorating conditions which are causing economic under-development of the area and substantially impairing the sound and continued growth of Pocatello. The plans call for extensive building and equipment upgrades along with road and railway enhancements.

Implementation of the plan will provide the capacity necessary to foster sound growth of the municipality, increase the tax base and tax revenues, encourage economic stability of the community, increase job creation, and improve the health, safety, and welfare of the community.

The Pocatello Development Authority recommends that the City approve and cooperate in carrying out the purposes of this Plan.

Attachment 1.



1 inch equals 500 feet

The City of Pocatello does not guarantee any information contained in this map to be an accurate representation of actual conditions.

No reproduction of this material in any form is authorized without written consent of the City of Pocatello.

Attachment 2.

Naval Ordnance Plant Urban Renewal Area and Revenue Allocation District

A parcel of land located in the E ½ of Section 15, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, a portion of the land described in instrument no. 724647 of the records of Bannock County, Idaho, being more particularly described as follows:

Commencing at the North one quarter corner of Section 15, Township 6 South, Range 34 East, Boise Meridian, said corner marked with an aluminum capped monument; thence North 89°28'06" East 65.30 feet to a point in the East right of way line of Pole Line Road; thence South 01°18'55" East along the East right of way line of Pole Line Road 25.0 feet;

thence continuing South 01°18'55" East 199.13 feet to an angle point; thence continuing along the East right of way line of Pole Line Road South 00°32'32" East 627.31 feet to the Southwest corner of the land described in instrument no. 732922 and depicted on the Record of Survey recorded as instrument no. 733159 of the records of Bannock County, Idaho, said corner marked by a ½-inch iron pin tagged LS-2652, the true point of beginning;

thence following the South and East boundaries of the said land described in instrument no. 732922 for the next five courses:

North 89°25'44" East 662.29 feet (recorded as North 89°28'06" East 662.24 feet) to a ½-inch iron pin tagged LS-2652; thence North 65°25'29" East 327.72 feet recorded as North 65°25'05" East 327.76 feet) to a ½-inch iron pin tagged LS-2652; thence North 00°31'05" West 274.76 (recorded as North 00°32'32" West 274.85 feet) to a ½-inch iron pin tagged LS-2652;

thence South 89°24'46" West 64.24 feet (recorded as South 89°28'06" West 64.25 feet) to a ½-inch iron pin tagged LS-2652; thence North 00°33'46" West 417.75 feet (recorded as North 00°32'32" West 418.0 feet) to a point in the South right of way line of Infirmary Road (commonly referred to as Quinn Road), said point marked with a ½-inch iron pin tagged LS-2652;

thence North 89°28'06" East 354.97 feet along the South right of way line of Infirmary Road to an angle point, said point marked with a 5/8-inch iron pin tagged PE/LS-2652; thence continuing along the South right of way line of Infirmary Road North 87°45'06" East 470.47 feet (recorded as 470.62 feet) to the Northwest corner of the Armed Forces Reserve Training Area, said corner marked with a ½-inch iron pin tagged LS-977, a distance of 2.3 feet easterly of a State of Idaho right of way monument identified as being 55 feet left of centerline station 93+60 of the Yellowstone Highway-Quinn Road Project;

thence South 00°02'34" East 324.22 feet (recorded as South 00°01'29" East 324.93 feet) to the Southwest corner of the said training area, said corner marked with a "PK" nail tagged LS-977; thence North 89°57'26" East 614.32 feet (recorded as North 89°58'00" East 614.59 feet) to a brass cap monument set in concrete, marking the Southeast corner of the said training area.

thence South 08°46'34" East 1568.57 feet (recorded as South 08°45'29" East 1568.22 feet) along the Westerly right of way line of the Union Pacific Railroad to a point of curvature, said point marked with an untagged ½- iron pin, from which the center of the curve bears South 81°22'51" West;

thence continuing along the Westerly right of way line of the Union Pacific Railroad, following an 1860 foot radius nontangent curve, concave to the West, through a central angle of 21°34'18" for an arc distance of 700.28 feet (recorded as 700.4 feet) to a concrete monument marking the Northeast corner of N.O.P. Park (a City of Pocatello Park), from which the East one quarter corner of Section 15 bears South 86°53'02" East 109.83 feet;

thence South 89°20'26" West on a nontangent line 1771.96 feet (recorded as South 89°21'27" West 1771.60 feet) to the Northwest corner of N.O.P. Park, said corner marked with a ½-inch iron pin tagged LS-977; thence South 00°04'43" West along the West boundary of N.O.P. Park 1300.68 feet to a point on the North right of way line of Eldredge Road;

thence South 89°21'43" West along the North right of way line of Eldredge Road 739.45 feet to a point in the East right of way line of Pole Line Road; thence North 00°32'32" West 3042.61 feet to the point of beginning.

Attachment 3.

POCATELLO DEVELOPMENT AUTHORITY MINUTES

Meeting May 17, 2006

Members present: Steve Brown, Roger Chase, Darsi Johnson, Ken Monroe, and John Ricks

Staff present: Sari David, Bannock Development; and Darcy Taylor, City Legal Dept.

1. Preliminary matters: The meeting was called to order at 11:05 by Chairman Steve Brown. Gynii Gilliam, the new Executive Director for Bannock Development Corporation, and ex-officio Executive Director of PDA, was introduced and welcomed. No conflicts of interest were declared. Re-appointments of Terry Brower and Jim Guthrie were announced; both members had agreed to serve another term. Changes to the agenda: S. Brown noted some shifting of items, including moving the J-U-B item to the executive session portion of the agenda, and the addition of a discussion item regarding the Idaho Housing Company agreement.

Chairman Brown informed the Board that the PDA has been given an award for its contribution to economic development and the increased employment rate within the city. He displayed the plaque commemorating the award to the members and R. Chase agreed to find a place for its display in City Hall.

2. Minutes and financial report: April financial report: Income of \$64,815.77 included tax receipts from Central Corridor, North Main, and Old Town, along with \$345.04 in interest. Expenses totaled \$91,905.06 for the amounts sent to the Trustee for the revenue allocation portion of the bonds, including some funds received in March. Other expenses include the first quarter administrative fees to BDC (\$3,125.00) and lunch costs. **It was MSC (Chase, Ricks)** to approve the financial report. Discussion about cash flow projections ensued. S. David noted that tax revenue projections have been altered to reflect the loss of income from Kimberly-Clark closing (Ballard). PDA current balance is slightly under \$1 million after taking the 2006 starting balance, subtracting expenses, and adding income to date. Additional tax revenues and expenses for the remainder of the year are shown in the "estimated 2006" column. Provided income does not fall below the estimated amount and expenses do not exceed the estimates, the cash balance at the end of this year will dip to approximately \$271,000.00. Consensus was that this amount is below the comfort level of most members and precludes the possibility of funding for other projects, but will be adequate to fund commitments made to date.

Minutes for the regular April meeting and the special meeting of May 3rd were reviewed. **It was MSC (Roger, Ken)** to approve the minutes of April 19th and it was **MSC (Chase, Johnson)** to approve the minutes for the May 3rd special meeting.

3. Annual Audit. Charlie Clark of Deaton & Company discussed the 2005 audit report, copies of which had been distributed at the last regular meeting, and noted that the firm was able to provide a "clean opinion." PDA's documents adequately support the numbers shown in its financial records and the Authority is operating in compliance with internal controls. Assets are down by \$4 million, but that is expected and acceptable because the bond proceeds are being expended as projects progress, i.e., PDA operates by receiving bond funds then expending them on approved projects in expectation of receipt of sufficient revenues generated by new development to repay the loans. **It was MSC (Ricks, Chase)** to approve the audit and provide copies to be filed with City officials as required by Idaho Code.

Invoice from Deaton & Company: **It was MSC (Chase, Johnson)** to authorize payment of the invoice in the amount of \$3,350.00.

4. Housing Authority Contract. The Housing Company is questioning the contract provision wherein revenues representing an amount in excess of 5% return on investment would be paid out to the PDA by the owner of the retail portion of the building (the main floor). Members reviewed the background and rationale for the provision, noting that the previous plans for development were that the co-developers, who would benefit from PDA funding of purchase and

a portion of its rehabilitation costs, had offered to return some of PDA's investment by the above-stated form of "profit sharing" which could then provide funding for other endeavors in the downtown area. The new project no longer involves the co-developers. The Housing Company will not be operating/leasing the commercial space, but will offer it for sale. HC's concern is that a potential buyer would be deterred from purchase because of the requirement for it, as a third party not involved in receipt of any funding from PDA, to pay PDA. To facilitate discussion, **it was MS (Chase, Ricks)** to alter the wording to require the repayment provision from whichever entity would profit from the sale. Lengthy discussion ensued regarding reasonability of the provision, whether the wording should be altered to require return of a portion of the PDA investment from HC, whether doing so would preclude the HC from being able to accomplish the project, etc. As discussion progressed, Board consensus was that due to the lack of financial information regarding this revised project including cost estimates and anticipated sale revenue, and lack of direct input from the Housing Company as to its intentions and needs, that any action on the part of PDA was likely to add to the confusion and result in another "request for clarification" or alteration of the agreement from the Housing Company.

At this point, Chase and Ricks withdrew the motion and second. The Executive Director will contact the Housing Company and ask that a representative attend the next PDA meeting and provide at that time sufficient cost estimates and revenue projections to enable the PDA to determine whether a provision for returning a portion of its investment would be reasonable under the altered circumstances and scope of the project.

5. Executive session: It was MSC (Ricks, Chase) in accordance with the alteration of the order of the agenda as announced at the beginning of this meeting, to adjourn into executive session (pursuant to I.C. 67-2345) (1) to discuss preliminary negotiations involving matters of trade or commerce in which the PDA is in competition with governing bodies in other states; and (2) to seek advice from legal counsel and consider matters in regard to possible litigation.

Regular meeting reconvened at 12:35 p.m.

6. Miscellaneous items:

Tori Shaver provided suggested wording for revisions to the draft loan agreement, including altering references to the business as being "a new retail pharmacy and Home Living Services, Inc." and additional wording to clarify the method of determining whether and/or how many new jobs had been created at the end of the 5-year loan term. He will provide the Executive Director with current employment figures, based on a "full-time equivalency" determined by dividing total man-hours by 2088 and comparing the figures for the last 3 calendar months of the 5-year term with the figures for the first 3 months of the new retail pharmacy's operation. After inquiry as to its intentions, PDA members clarified that expenditures for site-clearing and underground work to develop the parking lot would qualify for funding under the current wording. **T. Shaver and G. Gilliam will meet to work out the numbers for the base figure for current employees and the Board will consider specific wording changes to the contract based on a presentation at its regular meeting in June.**

East Center & NOP Urban Renewal Area and Revenue Allocation provisions: R. Chambers discussed the draft plans including proposed boundaries, projected costs and revenues for the two areas which have been under discussion by PDA. After review, **it was MSC (Chase, Monroe)** to recommend the proposed plans and forward them to the Community Development Commission for its review and determination as to conformance with the Comprehensive Plan.

Resignation of Board Secretary. S. Brown & S. David presented out-going Secretary Rayna Valentine with a gift basket and asked for official action to fill the vacancy. **It was MSC (Chase, Monroe)** to appoint Darcy Taylor to the office.

7. There being no further business, the meeting was adjourned at 1:00 p.m.

Attachment 4.

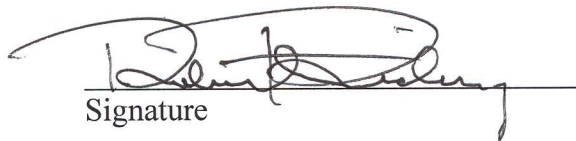
TO: Mayor Roger Chase
City Council

FROM: Robert Richway, Chair
Community Development Commission

DATE: May 31, 2006

RE: Naval Ordnance Plant Area Improvement Plan

Following review at the May 24, 2006 meeting, the Community Development Commission finds the proposed Naval Ordnance Plant Urban Renewal Area Improvement Plan to be in conformance with the City's Comprehensive Plan.


Signature

May 30, 2006
Date

Attachment 5.

RESOLUTION NO. 2006-11

A RESOLUTION OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, DESIGNATING TWO URBAN RENEWAL AREAS WITHIN THE CITY OF POCATELLO TO BE KNOWN AS THE NAVAL ORDNANCE PLANT URBAN RENEWAL AREA AND THE EAST CENTER URBAN RENEWAL AREA, RESPECTIVELY; APPROVING THE PLANS REVIEWED AND RECOMMENDED BY THE POCATELLO DEVELOPMENT AUTHORITY AND THE COMMUNITY DEVELOPMENT COMMISSION FOR CONSIDERATION AT A PUBLIC HEARING HELD BEFORE THE CITY COUNCIL ON MAY 4, 2006; PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE UPON ITS PASSAGE.

WHEREAS, pursuant to Idaho Code §§50-2005-2008, the Mayor and Council of the City of Pocatello have heretofore made findings of fact sufficient to establish certain urban renewal areas within the City and to cause an urban renewal agency known as the Pocatello Development Authority to function within the City as set forth in Resolution No. 1988-13; and

WHEREAS, the City Council has since that time reviewed certain other areas within the city limits and declared them to be appropriate for urban renewal projects by Resolution as required by Idaho Code §50-2008; and

WHEREAS, the City Council has since then considered the issue of development of property commonly known as Gateway West Center, and roughly bounded by the West Quinn Road right-of-way on the north, the UPRR right-of-way on the east, the right-of-way line of West Eldredge Road on the south and the Pole Line Road right-of-way on the west, not including properties owned and/or occupied by the FBI Center, the other United States government property and the City of Pocatello park lands, along which there are deteriorating parcels in need of rehabilitation and other parcels lacking adequate infrastructure which heretofore has prevented development; and

WHEREAS, the City Council has also considered the issue of development of property located east of I-15, south of East Center Street (excluding the Tuscany Commercial

Development), west of Hospital Way (excepting one parcel owned by the hospital and on the east side of Hospital Way), and north of East Terry Street (excluding the Pocatello Professional Plaza), along which there are deteriorating parcels in need of rehabilitation and other parcels lacking adequate infrastructure which heretofore has prevented development; and

WHEREAS, the Council, having reviewed the proposal for the area commonly known as the Gateway West Center, deems it in the best interest of the citizens of the City of Pocatello to incorporate said sections of land roughly bounded by the West Quinn Road right-of-way on the north, the UPRR right-of-way on the east, the right-of-way line of West Eldredge Road on the south and the Pole Line Road right-of-way on the west, not including properties owned and/or occupied by the FBI Center, the other United States government property and the City of Pocatello park lands, and form an Urban Renewal Area to be known as the Naval Ordnance Plant Urban Renewal Area; and

WHEREAS, the Council, having reviewed the proposal for the area located east of I-15, south of East Center Street (excluding the Tuscan Commercial Development), west of Hospital Way (excepting one parcel owned by the hospital and on the east side of Hospital Way), and north of East Terry Street (excluding the Pocatello Professional Plaza), and form an Urban Renewal Area to be known as the East Center Urban Renewal Area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pocatello as follows:

1. That the area depicted on Exhibit A attached hereto and made a part hereof, to be known as the Naval Ordnance Plant Urban Renewal Area, is hereby declared and determined to be a deteriorating area, as defined by Idaho Code §50-2018(i) and §50-2903(8), by reason of the existence of deteriorating structures, inadequate street layout, deterioration of

RESOLUTION

sites and infrastructure, age or obsolescence, diversity of ownership, and a lack of adequate infrastructure or development, all of which substantially impairs the sound growth within the City and results in economic underdevelopment of the area and is detrimental to the public health, safety, or welfare.

2. That the area depicted on Exhibit B attached hereto and made a part hereof, to be known as the East Center Urban Renewal Area, is hereby declared to be a deteriorating area, as defined by Idaho Code §50-2018(i) and §50-2903(8), by reason of the existence of deteriorating structures, inadequate street layout, deterioration of sites and infrastructure, age or obsolescence, diversity of ownership, and a lack of adequate infrastructure or development, all of which substantially impairs the sound growth within the City and results in economic underdevelopment of the area and is detrimental to the public health, safety, or welfare.

2. That the above-described areas are therefore declared appropriate for, and are hereby designated as urban renewal areas suitable for urban renewal projects.

3. That the City Council hereby acknowledges the recommendation of the Pocatello Development Authority regarding the Areas and the Plans for improving them, considering infrastructure improvements, public utility improvements and the like.

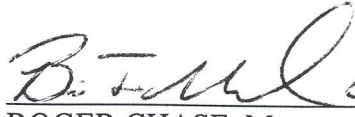
4. That the City Council hereby approves of the Pocatello Development Authority proceeding with the preparation of plans for urban renewal projects to be performed in both of the above named urban renewal areas and submitting said plans to the Community Development Commission in accordance with Idaho Code §50-2008.

5. That the City Council hereby directs that a public hearing be conducted in accordance with Idaho Code §50-2008 and §50-2906 regarding the above named urban renewal plans and projects after a recommendation has been received from the Community Development Commission regarding the same.

RESOLUTION

RESOLVED AND EFFECTIVE this first day of June, 2006.

CITY OF POCA TELLO, a municipal
corporation of Idaho


for ROGER CHASE, Mayor *Council President*

ATTEST:


RHONDA L. JOHNSON, City Clerk

RESOLUTION

