

This special meeting of the Jerome Urban Renewal Agency was called to order at 3:00 p.m.

Present were Chairman Marjorie Schmidt, Commissioner Kathy Cone and Commissioner Jason Peterson. Commissioner Gary Warr joined the meeting at 3:06 p.m., and Commissioner Carl Morrell has announced resigned effective March 22, 2018.

Also present were City Clerk Bernadette Gomes, City Administrator Mike Williams and Assistant Finance Director Michelle Frostenson. Legal Counsel Ryan Armbruster joined by teleconference.

PUBLIC MEETING – CALENDAR YEAR REPORT:

The Chair opened the public meeting at 3:03 p.m. and asked for public comment regarding the calendar year report. No member of the public was present to comment.

Mr. Williams stated the report was posted on the city website as well as the city's Facebook page. The executive summary for calendar year 2017 showed minimal activity with no infrastructure projects. Some expenditures related to the S. Tiger roadway project were incurred. Many planning activities took place with several potential projects for 2018. These are listed in the executive summary of the activities report and include Project Fraction and Husker in Area 2. Project Horizon (Commercial Creamery) and Project Handy (Oppenheimer Development/Bi-Mart) in Area 3 have both made significant progress and work should commence this year. Information from Commercial Creamery is expected to be received and will be presented at the April 5th Urban Renewal Agency (URA) meeting. Boundaries of the urban renewal area districts did not change in 2017 nor has the organization and its mission.

Conversations about strategic planning objectives took place a few years ago and are also listed in the report. Downtown area revitalization is making progress with two projects being considered. A North Park improvement project is being considered and would include a splash pad and amphitheater; preliminary designs were approved by city council. Financial participation from the URA may be justified as it is in Area 3. Upon inquiry by Commissioner Peterson, Mr. Williams stated Area 3 currently has funds in the capital outlay budget. Tax increment revenue is listed at approximately \$1.6 million in Area 2 and almost \$50,000 in Area 3.

Mr. Williams continued to review the report by briefly discussing the history of Jerome urban renewal districts and growth throughout the years with current incremental values for each area. Project priorities and allocations for 2018 were also reviewed; allocations are yet to be determined while \$1 million is allocated for the S. Tiger roadway project. City council approved a small package bid to replace a culvert prior to the water coming in next month. Staff hopes the design for the road will go out to bid soon and that favorable bids are received despite the tight schedules of contractors. Funding from the Idaho Office of Emergency Management (IOEM) was requested, and the asphalt portion of the project can be funded through IOEM with an approximate budget of \$370,000.

All obligations to reach out to the public have been met, and Mr. Williams acknowledged Ms. Frostenson for her work on the annual report. Mr. Armbruster also stated staff did a great job with the report, and now the agency must make a motion to approve the report and have it filed.

There being no public comments to be heard, the Chair closed the public comment period at 3:12 p.m.

RESOLUTION NO. 01-18 ADOPT CALENDAR YEAR REPORT OF ACTIVITIES:

Resolution 01-18 in full is as follows:

RESOLUTION NO.01-18

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF JEROME, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF JEROME, IDAHO, TO BE TERMED THE “ANNUAL REPORT RESOLUTION,” APPROVING THE ANNUAL REPORT OF THE URBAN RENEWAL AGENCY, FOR CALENDAR YEAR 2017; APPROVING THE NOTICE OF FILING THE ANNUAL REPORT; DIRECTING THE CHAIR TO SUBMIT SAID REPORT; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Jerome, Idaho, an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal agency for Jerome, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, the Agency, an independent public body, corporate and politic, is an urban renewal agency created by and existing under the authority of and pursuant to the Idaho Urban Renewal Law of 1965, being Idaho Code, Title 50, Chapter 20, as amended and supplemented (“Law”);

WHEREAS, the City, on December 6, 2005, after notice duly published, conducted a public hearing on the Southeast Industrial Urban Renewal Plan (“Southeast Industrial Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 986 on December 6, 2005, approving the Southeast Industrial Plan;

WHEREAS, the City, on December 2, 2014, after notice duly published, conducted a public hearing on the First Amendment to the Southeast Industrial Urban Renewal Plan (“First Amended Southeast Industrial Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1133 on December 2, 2014, approving the First Amended Southeast Industrial Plan;

WHEREAS, the City, on December 2, 2014, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Area 4 Urban Renewal Project (“Area 4 Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1134 on December 2, 2014, approving the Area 4 Plan;

WHEREAS, the City, on December 2, 2014, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Area 3 Urban Renewal Project (“Area 3 Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1135 on December 2, 2014, approving the Area 3 Plan;

WHEREAS, pursuant to Idaho Code *Section 50-2006(c)*, Agency staff has prepared an annual report of their activities for calendar year 2017, a copy of which report is attached hereto as Exhibit A and incorporated herein by reference;

WHEREAS, THE Agency Board reviewed and tentatively approved the draft annual report at the March 1, 2017, Board meeting and directed that the report be made available and notice of availability be posted and noticed;

WHEREAS, the Agency has previously solicited comments concerning the annual report by posting a copy on the city of Jerome Facebook page and city website;

WHEREAS, on March 22, 2018, pursuant to Section 50-2006(c), Idaho Code, the Agency held an open public meeting, properly noticed, to report these findings and take comments from the public at the Jerome City Council Chambers, 100 East Avenue A, Jerome, Idaho, on the proposed annual report;

WHEREAS, pursuant to Section 50-2006(c), Idaho Code, the Agency is required to prepare an annual report and submit the annual report to the Mayor of the city of Jerome, Idaho, on or before March 31 of each year.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF JEROME, IDAHO, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2. That the annual report attached hereto as Exhibit A and the notice of filing the annual report attached hereto as Exhibit B are hereby approved and adopted by the Agency Board.

Section 3: That the Chair shall submit said annual report to the city of Jerome on or before March 31, 2018.

Section 4: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the city of Jerome, Idaho, on March 22, 2018. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 22nd day of March 2018.

APPROVED:

/s/ Marjorie Schmidt
Chairman

ATTEST:

/s/ Jason Peterson
Secretary

Commissioner Peterson made a motion to pass Resolution No. 01-18 to adopt the Calendar Year Report of Activities and direct that it be filed with the local governing body. Second to the motion was made by Commissioner Cone. After consideration the motion passed unanimously by the following vote: **AYES:** Commissioner Cone, Commissioner Warr, Chairman Schmidt, and Commissioner Peterson. **NAYES:** None.

RESOLUTION NO. 02-18 – AGREEMENT WITH A. SCOTT JACKSON:

Resolution 02-18 in full is as follows:

RESOLUTION NO. 02-18

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF JEROME, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE JEROME URBAN RENEWAL AGENCY OF THE CITY OF JEROME, IDAHO, APPROVING THAT CERTAIN REIMBURSEMENT AND TERMINATION AGREEMENT BETWEEN JEROME URBAN RENEWAL AGENCY AND A. SCOTT JACKSON TRUCKING, INC.; DIRECTING THE CHAIR OR VICE-CHAIR AND SECRETARY, RESPECTIVELY, TO EXECUTE AND ATTEST SAID AGREEMENT; AUTHORIZING THE CHAIR OR VICE-CHAIR AND SECRETARY TO EXECUTE ALL NECESSARY DOCUMENTS REQUIRED TO IMPLEMENT THE AGREEMENT; AUTHORIZING ANY TECHNICAL CHANGES, SUBJECT TO CERTAIN CONDITIONS; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Jerome Urban Renewal Agency of Jerome, Idaho, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the “Law”) and the Local Economic Development Act, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the “Act”), a duly created and functioning urban renewal agency for Jerome, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, the City on December 6, 2005, after notice duly published, conducted a public hearing on the Southeast Industrial Urban Renewal Plan and the area referred to as the Southeast Industrial Plan Area (“Southeast Industrial Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 986 on December 6, 2005, approving the Southeast Industrial Plan, which ordinance was effective upon

publication on December 22, 2005;

WHEREAS, the City, on November 4, 2014, after notice duly published, conducted a public hearing on the First Amendment to the Southeast Industrial Urban Renewal Plan;

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1133 on November 4, 2014, approving the First Amendment to the Southeast Industrial Plan (“Amended Southeast Industrial Plan”);

WHEREAS, A. Scott Jackson Trucking, Inc., an Idaho corporation, on its own behalf and as an assignee of KAJ, LLC, an Idaho limited liability company (“Participant”) owns, controls, or has owned or controlled several real property parcels within the Southeast Industrial Park (the “Project Site”) and has developed that certain real property, hereinafter referred to as the Northside Industrial Project;

WHEREAS, the Northside Industrial Project (the “Private Development”), located in the Amended Southeast Industrial Plan Area, is a state-of-the-art industrial project;

WHEREAS, the Agency has been asked to assist with public infrastructure and public facility development in conjunction with the Private Development;

WHEREAS, the Agency has agreed to finance the construction of certain public improvements on or near the Project Site (as further described herein, the “Agency Funded Public Improvements”) and set forth in Attachment 1 incorporated herein by reference;

WHEREAS, as a result of the Participant’s commitment to proceed with the Private Development, the Participant’s commitment to comply with the terms of the Amended Southeast Industrial Plan, and the Agency’s participation with the costs of the Agency Funded Public Improvements constructed by the Participant, in compliance with the Amended Southeast Industrial Plan, the parties deem it necessary and desirable to enter into a Reimbursement and Termination Agreement (“Agreement”) to define their respective obligations;

WHEREAS, during previous presentations to the Agency Board, the Board authorized funding in an amount not to exceed \$1,600,000 to pay for costs of the Agency Funded Public Improvements;

WHEREAS, because of the limited available Agency funds, Participant has developed, funded, and constructed the Agency Funded Public Improvements in consideration for the Agency’s reimbursement of those costs as more particularly described in the Agreement;

WHEREAS, Agency deems it appropriate to enter into the Agreement to participate in the development of the Agency Funded Public Improvements to achieve the objectives set forth in the Amended Southeast Industrial Plan;

WHEREAS, the Board finds it in the best interest of the Agency and of the public to approve the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE JEROME URBAN RENEWAL AGENCY OF JEROME, IDAHO, AS FOLLOWS:

Section 1: That the above statements are true and correct.

Section 2: That the Agreement, set forth as Exhibit A hereto, be and the same is hereby approved.

Section 3: That the Chair or Administrator is hereby authorized to execute the above-referenced Agreement; and further is hereby authorized to execute all necessary documents required to implement the Agreement; the Chair or Administrator is further authorized to approve and accept any necessary technical changes to the Agreement upon advice from Agency's legal counsel that said changes are consistent with the provisions of the Agreement presented to the Agency Board at its March 22, 2018, meeting along with any substantive issues discussed at the March 22, 2018, meeting; and further, the Chair or Administrator is further authorized to perform any and all other duties required pursuant to the Agreement.

Section 4: That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Jerome Urban Renewal Agency of the City of Jerome, Idaho, on March 22, 2018. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 22nd day of March 2018.

APPROVED:

/s/ Marjorie Schmidt
Chairman

ATTEST:

/s/ Jason Peterson
Secretary

Mr. Williams stated the long-awaited agreement is ready for approval. It is a reimbursement and termination agreement with A. Scott Jackson. In February 2015 a letter was sent to him regarding a list of items he needed to provide in order to be reimbursed:

- As-builts for all public improvements constructed including water and sewer lines
- Deeds, easements or rights of way providing access to and location of the improvements
- Verified invoices or contracted amounts for the cost of the public improvements
- Verification that all items sought for reimbursement have been properly paid and proof of no liens or claims are pending concerning the public improvements
- Demonstration that all paid costs are reasonable expenses
- Confirmation and acknowledgement to the appropriate entity entitled to the reimbursement

Staff has worked on the agreement in great detail and consulted with legal counsel, and recommends that the agreement be approved. The original reimbursement schedule, as discussed

in previous meetings, was modified slightly. The first payment of \$500,000 will be made within 30 days of approval the agreement, and then on or before December 31, 2018 an additional payment of \$500,000 will be made. The final payment of \$600,000 will be made on or before December 31, 2019.

Mr. Armbruster commended Mr. Williams and Ms. Frostenson for their efforts in reviewing the information to get the agreement and schedule of payments completed. All provisions that were of concern have been resolved, and the agreement has been reviewed by Mr. Jackson and his representatives.

Commissioner Warr made a motion to pass Resolution No. 02-18, the A. Scott Jackson reimbursement and termination agreement. Second to the motion was made by Commissioner Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Commissioner Cone, Commissioner Warr, Chairman Schmidt and Commissioner Peterson. **NAYES:** None.

LEGISLATIVE UPDATE:

Mr. Armbruster stated the legislature should be finishing their session this week. A modified education bill was passed earlier today; there have been some bills concerning public entity issues but nothing directly related to URA's. At this time everything looks good. Upon inquiry by Commissioner Peterson regarding notification requirements, Mr. Armbruster stated that bill was not passed but some version of the bill may return next year. The newspaper lobbying is still strong with concerns that not everyone in Idaho has internet access. The bill may return in the future.

STAFF REPORT:

Chairman Schmidt read a letter received from Commissioner Carl Morrell regarding his resignation. She mentioned names of people who might be interested in participating. Mr. Armbruster stated the position appointment will need to come from the mayor and council; the best course of action would be to submit names to them for approval. Mr. Williams stated he will visit with the mayor as well. Additionally, Carl Morrell was the treasurer of the board; the assignment of that position will be discussed further at the next meeting with a possible election.

Ms. Frostenson stated the bond payment was made and included the additional 20% as previously discussed.

Mr. Williams stated the next meeting will be set for April 5th; it may be rescheduled if needed.

ADJOURN:

There being no further business to discuss, Chairman Schmidt adjourned this March 22, 2018 special meeting at 3:28 p.m.

Chairman Marjorie Schmidt

Secretary Jason Peterson