

This regular meeting of the Jerome Urban Renewal Agency was called to order at 3:00 p.m. Council Chambers were open to the public, and the meeting was held in person and by teleconference. The video conference was conducted via Zoom and was made available to all members of the public in a format that allowed all participants to hear the meeting, including all deliberations by members of the Urban Renewal Agency board and other speakers addressing the board, whether in person or via virtual connection, and to comment if so desired, all of which was noted in the agenda, email, and notices at council chambers and on the city's website.

Present were Chairman Kathy Cone, Commissioner Jason Peterson, Commissioner Bryan Craig, and Commissioner Shonna Fraser. Commissioner B.J. Hess was excused.

Also present were City Clerk Bernadette Coderniz, City Administrator Mike Williams, Legal Counsel Ryan Armbruster, Finance Director Ross Hyatt, Accounting and Budget Manager Lori McCrae, City Engineer Tyson Carpenter, and IS Technician Andy Newbry.

**PLEDGE OF ALLEGIANCE:**

Chairman Cone led the audience in recitation of the pledge of allegiance.

**CONSENT CALENDAR:**

Items in the consent calendar are as follows:

- A. Approve minutes of the May 12, 2022 special meetings
- B. Review and approve claims for June 2022
- C. Review and approve staff financial reports for May 2022  
City of Jerome \$1,273.12; Elam & Burke, Inc. \$1,799.77

Commissioner Craig made a motion to approve the consent calendar as presented. Second to the motion was made by Commissioner Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Chairman Cone, Commissioner Peterson, Commissioner Craig, and Commissioner Fraser. **NAYES:** None.

**PUBLIC HEARING:**

This being the time and place published to consider the amendment to Jerome Urban Renewal Agency budget for the fiscal year that begins October 1, 2021 and ends September 30, 2022, for the Area 2 - Southeast Industrial Area Fund only and to reflect the tentative termination budget of the Area 2 - Southeast Industrial Area Fund, the Chair called the public hearing open at 3:03 p.m. and briefly reviewing the procedures that will be followed.

**Staff presentation:**

Mr. Armbruster spoke of the process to close out Area 2 and noted that the Agency would have indicated a termination and tentative approval of a termination budget for FY2022 last year. This was not done due to the uncertainties in the legislature at that time. An amendment was created for both the FY2022 budget and the proposed termination budget for Area 2. To comply with standard budget requirements for publication and the termination process, a notice was published on May 24<sup>th</sup> and May 31<sup>st</sup> for today's public hearing. Two separate resolutions will be presented to the board for the amended FY2022 budget and the termination budget.

Ms. McCrae briefly reviewed the termination budget and noted a carryover of approximately \$1 million from the original budget along with other changes: \$25,000 to be retained for unanticipated expenses; \$650,000 for the Scouler reimbursement agreement; and, projected \$4.8 million to be sent to the County at the end of the fiscal year. Mr. Armbruster stated the tentative budget is a “best guess” as the actual figures will not be known until the end of July. Once Area 2 closes, the County will receive a payment from the URA and then distribute among the taxing entities. He also stated there could be a reconciliation in FY2023 once that budget is prepared, final figures are known and audit is completed. Any monies leftover would be distributed in FY2023.

There being no further testimony to be heard and no written comment received, the Chair declared the public hearing closed at 3:08 p.m.

**RESOLUTION NO. 03-22:**

Mr. Amrburster read Resolution No. 03-22 by title only, and the resolution in full is as follows:

RESOLUTION NO. 03-22

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, AMENDING THE 2021-2022 FISCAL YEAR BUDGET AS TO AREA 2-SOUTHEAST INDUSTRIAL AREA FUND ONLY AND CONSIDERATION OF THE AREA 2 TENTATIVE TERMINATION BUDGET; APPROPRIATING SUMS OF MONEY AUTHORIZED BY LAW AND DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITY OF THE URBAN RENEWAL AGENCY PURSUANT TO THE AMENDED BUDGET, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, FOR ALL GENERAL, SPECIAL AND CORPORATE PURPOSES; DIRECTING THE CHAIR, VICE-CHAIR, OR ADMINISTRATOR TO SUBMIT THE RESOLUTION AND AMENDED BUDGET TO THE CITY OF JEROME AND ANY OTHER ENTITY ENTITLED TO A COPY OF THE RESOLUTION AND AMENDED BUDGET; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Jerome Urban Renewal Agency of the City 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 29, 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 Council (“City Council”) of the City of Jerome, Idaho (“City”), after notice duly published, conducted a public hearing on the Southeast Industrial Urban Renewal Plan (the “Southeast Industrial Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 986 on December 6, 2005, approving the Southeast Industrial Plan, making certain findings and establishing the Southeast Industrial revenue allocation area (the “Area 2 Project Area”);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Southeast Industrial Urban Renewal Plan (the “First Amendment to the Southeast Industrial Plan”), which amendment sought to remove parcels from the urban renewal area, but did not modify the Area 2 Project Area boundary;

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 1133 on December 2, 2014, approving the First Amendment to the Southeast Industrial Plan and making certain findings;

WHEREAS, the City Council, 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 Council adopted its Ordinance No. 1134 on December 2, 2014, approving the Area 4 Plan;

WHEREAS, the City Council, 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 Council adopted its Ordinance No. 1135 on December 2, 2014, approving the Area 3 Plan;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Area 5 Urban Renewal Project (“Area 5 Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 1172 on December 4, 2018, approving the Area 5 Plan;

WHEREAS, pursuant to Idaho Code Sections 50-2006, 50-2903(5), and 50-1002, after providing notice of the meeting and consideration of the content of the proposed budget, the Agency duly adopted its Fiscal Year 2022 budget at the Agency Board meeting of August 19, 2021, by adoption of Agency Resolution No. 03-21;

WHEREAS, since adoption of the Fiscal Year 2022 budget, certain circumstances have changed necessitating a revision of the Fiscal Year 2022 budget as to the Area 2 Project Area only;

WHEREAS, the termination date for the Area 2 Project Area, as set forth in the Area 2 - Southeast Industrial Plan, is December 31, 2029, except for revenues to be received in 2030, as authorized pursuant to Idaho Code § 50-2905(7);

WHEREAS, all identified improvements and/or projects have been completed in the Area 2 Project Area, and the Agency intends to terminate the Area 2 Project Area early, on or before September 30, 2022;

WHEREAS, Idaho Code Sections 50-2903(5) and 50-1002 provide the procedure for amending a budget;

WHEREAS, Agency has prepared a proposed amendment for the Fiscal Year 2022 Budget for the Area 2 Project Area only, which also reflects the Area 2 tentative termination

budget (the “Area 2 Amended Budget”), a copy of which is included within the Notice of Hearing;

WHEREAS, Agency Board tentatively approved the proposed Area 2 Amended Budget at its May 12, 2022, Board meeting;

WHEREAS, Agency has previously published notice of a public hearing to consider the proposed Area 2 Amended Budget, to be conducted on June 2, 2022, at 3:00 p.m., at the Jerome City Council Chambers, located at 100 East Avenue A, Jerome, Idaho, a copy of which notice is attached hereto and incorporated herein as **Exhibit A**;

WHEREAS, on Thursday, June 2, 2022, pursuant to Section 50-1002, Idaho Code, the Agency held a public hearing at the Jerome City Council Chambers, located at 100 East Avenue A, Jerome, Idaho, on the proposed Area 2 Amended Budget and considered public comment on services, expenditures, and revenues planned for Area 2 Amended Budget in Fiscal Year 2022;

WHEREAS, pursuant to Sections 50-2006, 50-2903 and 50-1002, Idaho Code, the Agency is required to pass a resolution for any amendment to the annual appropriation resolution and submit the amended resolution to the City Clerk of the city of Jerome, Idaho, and any other person or entity entitled to a copy of this Resolution and amended budget.

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 total amended amount set forth in the Area 2 Amended Budget, or so much thereof as may be necessary, to defray all expenses and liabilities of the Agency as authorized by law and set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby appropriated out of any money in the Agency accounts for general, special, and corporate purposes of the Agency for the fiscal year commencing on October 1, 2021, and ending September 30, 2022.

Section 3: That the Chair, Vice-Chair, or Administrator shall submit this Resolution and Area 2 Amended Budget to the City of Jerome on or before September 1, 2022, and submit this Resolution and Area 2 Amended Budget to any other entity entitled to a copy of the Resolution and Area 2 Amended Budget.

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 June 2, 2022. Signed by the Chair of the Board of Commissioners, and attested by the Secretary to the Board of Commissioners, on this 2nd day of June 2022.

APPROVED:

By:

/s/ Kathy Cone  
Chairman

ATTEST:

/s/ Jason Peterson  
Secretary

Commissioner Craig made a motion to approve Resolution No. 03-22. Second to the motion was made by Commissioner Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Chairman Cone, Commissioner Peterson, Commissioner Craig, and Commissioner Fraser. **NAYES:** None.

Mr. Armbruster spoke of the Agency's ability to close out two project areas early and distribute significant dollars and outstanding assessed value increases which taxing entities can now take advantage of.

**RESOLUTION NO. 04-22:**

Mr. Amrburster read Resolution No. 04-22 by title only, and the resolution in full is as follows:

**RESOLUTION NO. 04-22**

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, MAKING CERTAIN FINDINGS THAT REVENUES ARE SUFFICIENT TO COVER ALL ESTIMATED AGENCY EXPENSES FOR FUTURE YEARS FOR THE URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA KNOWN AS THE SOUTHEAST INDUSTRIAL PROJECT AREA; ESTIMATING THE REMAINING PROJECT OBLIGATIONS AND COSTS; RECOMMENDING TO THE CITY COUNCIL THAT THE REVENUE ALLOCATION PROVISION FOR THE SOUTHEAST INDUSTRIAL PROJECT AREA BE TERMINATED; RECOMMENDING FURTHER THAT THE CITY COUNCIL PASS AN ORDINANCE TERMINATING THE REVENUE ALLOCATION PROVISION FOR THE SOUTHEAST INDUSTRIAL URBAN RENEWAL PLAN, AS AMENDED, AND RETURNING THE REVENUE ALLOCATION AREA TO THE REGULAR TAX ROLL EFFECTIVE TAX YEAR 2022; PROVIDING FOR THE PAYMENT OF DELINQUENT PROPERTY TAXES FOLLOWING TERMINATION; PROVIDING FOR PAYMENT OF CERTAIN EXPENSES FOR FUTURE FISCAL YEARS; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council ("City Council") of the City of Jerome, Idaho ("City"), after notice duly published, conducted a public hearing on the Southeast Industrial Urban Renewal Plan (the "Southeast Industrial Plan");

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 986 on December 6, 2005, approving the Southeast Industrial Plan, making certain findings and establishing the Southeast Industrial revenue allocation area (the “Project Area”);

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Southeast Industrial Urban Renewal Plan (the “First Amendment to the Southeast Industrial Plan”), which amendment sought to remove parcels from the urban renewal area, but did not modify the Project Area boundary;

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 1133 on December 2, 2014, approving the First Amendment to the Southeast Industrial Plan and making certain findings;

WHEREAS, the Southeast Industrial Plan, as amended, collectively will be referred to as the “Southeast Industrial Plan” and the corresponding revenue allocation area will be referred to as the “Project Area”;

WHEREAS, the Southeast Industrial Plan contained a revenue allocation financing provision pursuant to the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (the “Act”);

WHEREAS, the termination date for the Project Area, as set forth in the Southeast Industrial Plan, is December 31, 2029, except for revenues to be received in 2030, as authorized pursuant to Idaho Code § 50-2905(7);

WHEREAS, all identified improvements and/or projects have been completed in the Project Area, and the Agency intends to terminate the Project Area early;

WHEREAS, the Agency expects all obligations and all of the expenses from any remaining projects and/or improvements to be completed under the Southeast Industrial Plan, and as identified in the Southeast Industrial Termination Budget (FY2022) attached hereto as Exhibit B, to be incurred and satisfied by the Agency’s current fiscal year ending September 30, 2022. An estimate of the remaining obligations, and other administrative fees and costs are set forth in the Termination Plan attached hereto as Exhibit A;

WHEREAS, the Agency will request the Jerome County Treasurer to not distribute to the Agency any Southeast Industrial Plan revenue allocation funds from delinquency tax payments in fiscal year 2023, or subsequent years, generated from the 2021 assessed values, or earlier. To the extent any Southeast Industrial Plan revenue allocation funds are received by the Agency in fiscal year 2023, or later, the Agency will return those funds to the County Treasurer for distribution to the taxing districts;

WHEREAS, the Agency will have sufficient funds on deposit for payment of all final obligations, project costs and administrative fees;

WHEREAS, the Agency has reviewed the remaining obligations and based on projected revenues and expenses of the Southeast Industrial Plan, has determined there are sufficient funds for payment of all final project costs and Agency expenses and has further determined the revenue allocation area can be terminated early on or before December 31, 2022;

WHEREAS, pursuant to Exhibit A, the Agency estimates a surplus will be available for remittance to the County Treasurer for distribution to the taxing districts on or before September 30, 2022.

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 Termination Plan attached hereto as Exhibit A is hereby approved and adopted by the Agency Board.

Section 3: That the revenue allocation area contained in the Southeast Industrial Plan shall be terminated on or before December 31, 2022, consistent with the termination provisions set forth in the Act, allowing certain taxing entities to use the 2022 estimated assessed values above the adjusted base assessment roll for the Project Area for their budgetary purposes, and further, pursuant to Idaho law, as amended, those certain taxing entities may, for their budgetary purposes, take into account a portion of the increment value that exceeds the incremental value as of December 31, 2006, for the Project Area, which portion of the increment value shall be added to the 2022 new construction roll, pursuant to Idaho Code § 63-301A(3)(g), as amended.

Section 4: That the Agency does not intend to take revenue allocation funds in fiscal year 2023, generated from the 2022 assessed values, and the allocation of revenues under section 50-2908, Idaho Code, shall cease effective January 1, 2023.

Section 5: That all financial obligations have been provided for, and any outstanding obligations will be paid in full on or before September 30, 2022, with the exception of the timing of the payment due under the Reimbursement Participation Agreement between the Agency and the Scoular Company, effective on or about August 14, 2020, which payment may not occur until FY2023, plus an allocation for any final administrative fees and costs. The Agency will have sufficient funds on deposit for payment of all final project costs and administrative fees.

Section 6: That any delinquent property taxes due to the Agency that were levied for calendar year 2021, or earlier, shall not be paid to the Agency, but shall be distributed by the County Treasurer to the taxing districts in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area.

Section 7: That any non-obligated surplus deemed by the Agency to exist will be remitted to the County Treasurer for distribution to the taxing districts prior to the end of the Agency's 2022 fiscal year on or before September 30, 2022, in the same manner and proportion as the most recent distribution to the taxing districts of the taxes on the taxable property located within the revenue allocation area. *See I.C. 50-2909(4).*

Section 8: That the Agency does hereby request that the City Council, pursuant to 50-2903(5), Idaho Code, adopt an Ordinance providing for the termination of the revenue allocation area in the Southeast Industrial Plan, to be effective on or before December 31, 2022, and declaring that the tax year 2022 revenues<sup>1</sup> from the increment value as levied upon within the revenue allocation area are not needed for the payment of any Agency indebtedness or Agency projects to be completed before September 30, 2022, and should flow to the respective taxing districts pursuant to Idaho law.

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<sup>1</sup> The Agency will receive its allocation of tax year 2021 revenues in calendar year 2022.

Section 9: That a copy of this Resolution be sent to the Jerome County Assessor's Office, the Jerome County Auditor/Recorder and the Idaho State Tax Commission to provide notice of termination of the revenue allocation area in the Southeast Industrial Plan.

Section 10: 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 June 2, 2022. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 2nd day of June 2022.

APPROVED;

By:

/s/ Kathy Cone  
Chairman

ATTEST:

/s/ Jason Peterson  
Secretary

Mr. Armbruster explained the exhibit to the resolution is the narrative of the Southeast Industrial Plan close-out and budget previously reviewed by Ms. McCrae. This information will be forwarded to the City Council along with taxing entities and the Idaho State Tax Commission. Mr. Williams stated the resolution notes the potential of holding funds back due to the Scouler reimbursement agreement. He stated the project is functional at this time and that some punch list items still need to be completed; they must also provide the list of eligible expenses to be verified by staff before the reimbursement payment can be made.

Commissioner Fraser made a motion to approve Resolution No. 04-22. Second to the motion was made by Commissioner Craig. After consideration the motion passed unanimously by the following vote: **AYES:** Chairman Cone, Commissioner Peterson, Commissioner Craig, and Commissioner Fraser. **NAYES:** None.

**RESOLUTION NO. 05-22:**

Mr. Amrburster read Resolution No. 05-22 by title only, and the resolution in full is as follows:

RESOLUTION NO. 05-22

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 THE RE-21 REAL ESTATE PURCHASE AND SALE AGREEMENT FOR CERTAIN REAL PROPERTY LOCATED AT NEZ PERCE 100 SOUTH ROAD, BETWEEN THE JEROME URBAN RENEWAL AGENCY AND 4K HIGHWAY 93, LLC; AUTHORIZING THE EXECUTION OF THE RE-21 REAL ESTATE PURCHASE AND SALE AGREEMENT BY THE CHAIR OR ADMINISTRATOR; AUTHORIZING ANY TECHNICAL CHANGES TO THE AGREEMENT; AUTHORIZING THE CHAIR OR

ADMINISTRATOR TO TAKE ALL NECESSARY ACTION REQUIRED TO IMPLEMENT THE AGREEMENT; 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 of Jerome (“City”), on November 20, 2018, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Area 5 Urban Renewal Project (the “Area 5 Plan”);

WHEREAS, following said public hearing, the City adopted its Ordinance No. 1172 on December 4, 2018, approving the Area 5 Plan;

WHEREAS, pursuant to the Area 5 Plan the Agency has embarked upon certain public improvement projects within the Project Area as defined by the Area 5 Plan;

WHEREAS, the Agency’s Area 5 Plan includes certain objectives, including the purchase of property and development of such property;

WHEREAS, the Agency has identified certain real property (the “Property”) as a potential location for purposes of achieving the objectives set forth in the Area 5 Plan;

WHEREAS, a condition of the purchase of the Property, is that the Agency purchase and acquire all congruent parcels, even though a portion of the parcels is outside the Area 5 Plan boundaries;

WHEREAS, upon purchase of the property, the Agency will take steps to amend the Area 5 Plan to include the property outside the current boundaries of Area 5;

WHEREAS, the entire property is contemplated to be developed as open space, a city park, with appropriate access;

WHEREAS, the seller and Agency staff have prepared a RE-21 Real Estate Purchase and Sale Agreement and addendum (the “PSA”) outlining the terms and condition of sale, a copy of which is attached hereto as Exhibit A and incorporated herein as if set out in full;

WHEREAS, the Agency expects to receive certain ARPA funds from the city of Jerome to pay a portion of the purchase price. such ARPA funds will be deposited by the Agency into its Area 5 Plan fund along with revenue allocation funds;

WHEREAS, the Board of Commissioners finds it in the best public interest to approve the PSA as described and summarized at the June 2, 2022, Board meeting.

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 PSA, attached hereto as Exhibit A, is hereby incorporated herein and made a part hereof by reference and is hereby approved and accepted, recognizing technical

changes or corrections which may be required prior to execution of the PSA.

Section 3: The Board hereby approves the PSA, which includes property outside the boundaries of Area 5.

Section 4. That the Chair or Administrator of the Agency are hereby authorized to sign and enter into the PSA and to execute all necessary documents required to implement the actions contemplated by the PSA, subject to representations by Agency staff and Agency legal counsel that all conditions precedent to such actions have been met; and further, any necessary technical changes to the PSA or other documents are acceptable, upon advice from Agency's legal counsel that said changes are consistent with the provisions of the PSA and the comments and discussions received at the June 2, 2022, Agency Board meeting; Agency is further authorized to appropriate any and all funds contemplated by the PSA and to perform any and all other duties required pursuant to said PSA.

Section 5. That the Agency approves acceptance of the City ARPA funds and shall deposit the ARPA funds into the Agency's Area 5 Plan fund and authorizes appropriation of those ARPA funds with Agency's Area 5 Plan funds to pay the purchase price outlined in the PSA.

Section 6. The Board also authorizes the Administrator, Agency staff, and legal counsel to commence the process to consider an amendment to the Area 5 Plan which will include the Property currently outside the Area 5 boundaries.

Section 7: 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 June 2, 2022. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on this 2nd day of June 2022.

APPROVED:

By:

/s/ Kathy Cone

Chairman

ATTEST:

/s/ Jason Peterson

Secretary

Mr. Williams stated the purchase and sale agreement received will need further review and amendments after consultation with the agent representing property owners. This property was identified in the Area 5 plan as potential land for a new park, and staff has been in negotiations with the property owner for some time (the property was held in trust until February 2022). A map of the property was shown to the board, and Mr. Williams spoke of the different pieces of property. The four parcels to be purchased (labeled A, B, C and D in the agreement) total 29.78 acres. He briefly described the individual parcels, some of which are outside of City limits or outside of the Area 5 boundary lines. The agreement will require the purchase of all the parcels as the owner will not sell them separately. Mr. Williams spoke of procedural and logistical considerations (annexations, lot line adjustments, etc.) will be reviewed along with future development of the property to the east. The Agency will only be purchasing ground to be developed. He stated the total acreage of Area 5 is 99 acres, and the urban renewal footprint can be expanded by 10%; those acres will not be annexed into the URA until after that property is

annexed into the City and lot line adjustments are completed. Upon inquiry by Commissioner Peterson, Mr. Williams stated the other parcels outside of those in the agreement will be sold by the owner. Upon inquiry by Chairman Cone, Mr. Williams stated there are Northside Canal shares for all parcels, and the URA will retain those in the parcels to be purchased. He further stated the process of annexing and then doing lot line adjustments at the City level, prior to annexation into the URA, will benefit all parties involved. The cost of the purchase will be \$25,000 per acre. Design of the project can be done during the annexation processed once the purchase and sale agreement is signed.

Mr. Williams spoke of the roadway construction which will tie into Cleveland and options for the additional nine (9) acres to be purchased. Access to the property will be from Cleveland, and there could be an access easement granted in the future. Upon inquiry by Commissioner Peterson, Mr. Williams stated the purchase and sale agreement comes with an anticipated price of \$679,000. There are approximately \$700,000 in funds available in Area 5 for unrestricted projects. He proposed that Area 5 contribute \$500,000 with the balance to be covered by American Rescue Plan Act (ARPA) funds upon City Council approval; this request will be presented to City Council on June 21<sup>st</sup>. Mr. Williams stated there are no projects planned in Area 5 at this time but keeping some funds in reserves would be wise.

Mr. Williams reviewed the supplement document and necessary revisions to the purchase and sale agreement. Some of the revisions include: certain fees (recording fees, annexation fees, water rights transfer fees, etc.) to be paid for by the Agency; after closing, the parcels will be annexed into the city, and lot line adjustments will follow; expanding on the logic of straightening the property line to allow ingress/egress off the property; consideration for potential stubbing of infrastructure to add water and sewer lines for future growth; attorney fees; leased farmland payments to be made to property owner; offer contingent upon URA approval; access to visual inspections (no buildings currently sit on the property); farmer will be allowed to get wheel lines and other irrigation equipment (minus the headgate, spigots, etc.); acknowledgement that the purchase and sale are voluntary; eminent domain authority; and, acknowledgement that the seller's agent is a City Councilman and that this is a non-commission deal. Documents will be signed on June 8<sup>th</sup> and will close on June 16<sup>th</sup>. Closing costs, title fees, etc. will be divided among the two parties. Mr. Williams stated that, upon closing, a Request for Qualifications will be issued to solicit bids for a qualified engineering firm to begin the design process. He hopes that construction can begin next spring.

Mr. Armbruster stated the motion should acknowledge the changes discussed in the purchase and sale agreement, the insertion of the seller's name on the front page of the resolution, a few recitals left out of the resolution inadvertently, the requirement that all parcels be purchased or none, and the process following (annexation, lot line splits, amendment to Area 5 plan to include the new acres coming into the plan, etc.). He stated it will be easier to do the City annexation and lot line adjustments before proceeding with the URA plan amendment. There will be some changes to the list on the purchase and sale agreement including two annexations (City and URA) and the plan amendment. The Area 5 plan was adopted after 2016, but the agency can add up to 10% of the project area. Mr. Armbruster stated that, upon City Council approval, the Agency will receive the ARPA funds, and the full amount of \$679,000 will be paid and deed recorded. Brief discussion ensued regarding the City's contribution to the purchase of the parcels, some of which included property outside of City limits, and the provision in the ARPA funds guidelines which allow for cities to pass funds to a subsequent local government. The park is the highest and best use for the property, and it will be easier for the Agency to conduct the

transactions pertaining to the development of the park. Mr. Williams noted that approximately \$2.58 million were awarded to the City. Commissioner Peterson commented on the amendments to URA plans and ramifications for amending plans after 2016. Mr. Armbruster stated the major change that occurred in the amendment process was that for any plan adopted after 2016, an amendment to that plan would cause a reset of the base value. However, if no more than 10% of property is added to the project area to achieve the objectives clearly stated in the plan, the base assessed value should be retained. Everyone will get notice and be given the opportunity to provide comment. Mr. Williams reiterated that the plan itself is not being amended, only the boundaries.

Commissioner Craig made a motion to pass Resolution No. 05-22 with the changes outlined as written above. Second to the motion was made by Commissioner Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Chairman Cone, Commissioner Peterson, Commissioner Craig, and Commissioner Fraser. **NAYES:** None.

### **UPDATE ON FINANCING/AUTHORIZATION TO PUBLICIZE INTENT:**

Mr. Armbruster spoke of recent presentations made by Cameron Arial with Clearwater Financial, and stated they have been working diligently to move forward with DA Davidson; document review sessions have taken place, and DA Davidson engaged the law firm Skinner Fawcett to serve as underwriter's counsel. The law firm is reviewing documents and moving forward with some proposed changes. There are three major pieces to the financing: the bond resolution itself which is the action of the Agency to approve issuance of the bonds for both Area 3 and Area 5; the bond purchase agreement that binds DA Davidson to buy the bonds and then market them to the investment public; and, the preliminary official statement (eventually becomes final official statement), a disclosure document that DA Davidson sends to the brokers which advises them that there are \$9 million in bonds issued by the JURA for the purposes set out in the Area 3 plan and the Area 5 plan to provide infrastructure improvements. Mr. Armbruster further explained that, instead of placing the debt with a bank, a parameters resolution will be presented to authorize the chair, executive director and treasurer to participate with DA Davidson in the marketing and ultimate sale commitment of the bonds. A notice of intent to enter into this resolution will be published to provide notice to the public for public comment at a special meeting. The bond resolution will be considered along with the bond purchase agreement and preliminary official statement. Once approved, the bonds will be marketed after a 30-day waiting period and close a few days later. A special meeting will potentially be held on either June 22<sup>nd</sup> or June 23<sup>rd</sup> to approve the bond resolution; staff is awaiting comments from DA Davidson's underwriting counsel. Mr. Armbruster will get the notice to Ms. Coderniz for timely publication in the newspaper. He reiterated there are many steps to get from the beginning to the end of the process. Mr. Williams asked that the board check their calendars to see what day would work best for the special meeting. The motion will be to set the special meeting date; Chairman Cone stated she will not be available that week. Mr. Armbruster noted that board members can participate via Zoom if necessary; Mr. Williams will be out of town and will plan on participating remotely. Everyone agreed the special meeting would be held on Wednesday, June 22<sup>nd</sup> at 3:00 p.m. The documents will be made available to the public once the notice is published on June 14<sup>th</sup>. Mr. Williams provided a brief update on the market rates and showed a graph with a slight decrease in interest rates; he is hopeful the rates will stabilize. Commissioner Craig commented on the need to proceed to get projects completed.

Commissioner Craig made a motion to schedule special hearing on Wednesday, June 22, 2022 at 3:00 pm to consider the bond documents for Area 3 and Area 5. Second to the motion was made by Commissioner Peterson. After consideration the motion passed unanimously by the following vote: **AYES:** Chairman Cone, Commissioner Peterson, Commissioner Craig, and Commissioner Fraser. **NAYES:** None.

### **LEGISLATIVE REPORT:**

Mr. Armbruster stated the results of the primary election indicated approximately 30-40% of members on the House side will be new. Some chair positions will change substantially, and he anticipates a rough session in 2023. Elections in November will solidify the results of who will meet in early December to elect leadership and appoint committee members. Mr. Armbruster spoke of taking steps in 2022 to avoid draconian legislation that could impact URA's in 2023. Upon inquiry by Commissioner Peterson, Mr. Armbruster explained that the 2023 session could be difficult due to the high turnover in members and the time it will take to figure out what they are doing and how they are doing it.

### **STAFF REPORTS:**

Mr. Williams reported on downtown Area 3 and stated there has been some progress with the tennis courts at Shepherd's Park. Staff is working on the curb and gutter but is facing challenges with getting the sidewalk completed (tree grates are somewhat delayed). Mr. Williams stated staff will be implementing new City standards for streetscaping in the downtown corridor including pavers to line the sidewalk; once the sidewalk is poured the contractor will surface the tennis courts and they will hopefully be ready for use by this summer.

Regarding the Blocks 55/56 project, Mr. Williams is hopeful an amended agreement with Summit Creek will be presented to the board for consideration. The amendment will acknowledge that they will not develop the College of Southern Idaho (CSI) center as originally planned. A Memorandum of Understanding between the City, the Agency and CSI is ready to be reviewed and signed which would give authority to work directly with CSI. As the agent of the City, the URA has the authority to negotiate and develop the property in partnership with CSI. Their intent is to develop a 20,000 square foot facility at that location. Once the agreement is in place the URA can negotiate with them on the property that sits on the northwest corner of Lincoln and Main. The URA owns the property immediately to the west, and Mr. Williams would like to acquire that site and develop the block. He stated a "highest and best use" study may be required to determine the best use for that property.

Mr. Williams spoke of the bowling alley in Jerome and a recent change in ownership. He met with new owner Kevin Higley and is pleased with the renderings which show interior and exterior remodeling. Plans include the removal of some lanes and the addition of an arcade center, and the facility will be open to the public. Mr. Williams spoke of the intent to add curb/gutter/sidewalk and lighting in that area.

In Area 4, Nelson Jameson has submitted plans for their new facility and has posted a sign at the site. Mr. Williams is hopeful a ground-breaking ceremony will be scheduled soon. He also met with a new business from Michigan hoping to expand in the Magic Valley; the business would consist of a 100,000 square foot facility for distribution warehousing of a product not currently in the area. The project would have little impact on infrastructure, and staff will work to promote the remaining property in Area 4.

The City Building Official met with a contractor regarding a significant expansion of Magic Valley Quality Milk Producers (MVQMP) in Area 5. If the project goes forward it will add significant amount of taxable value to Area 5. Mr. Williams is hopeful that the Agency will get reasonable rates for the funding to work on needed projects in Area 3 and Area 5. Upon inquiry by Commissioner Peterson, Mr. Williams stated there are water system and wastewater system improvements in Area 5 if MVQMP expands. There are also undeveloped parcels along Darigold and S. Lincoln where funds can be utilized for future site development. Mr. Armbruster commented that the underwriter stated there may be an 8-year call on the bonds, and if Area 5 were to develop exponentially the bonds could be paid off early (similar to Area 2). Mr. Williams stated Area 5 is different than the others; if the Agency were to amend the budget or increase the scope of what was originally anticipated, there comes the risk of losing base value. He believes the park and road improvements in Area 5 will make the area desirable for future projects.

**ADJOURN:**

There being nothing further to discuss, Chairman Cone adjourned this June 2, 2022 regular meeting at 4:05 p.m.

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Chairman Kathy Cone

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Secretary Jason Peterson