



Minutes: October 28, 2009, 7:00 a.m.

City of Moscow Council Chambers • 206 E 3rd Street • Moscow, ID 83843

Commissioner McCabe called the Moscow Urban Renewal Agency meeting to order at 7:06 a.m. Wednesday, the 28th of October, 2009 in the City of Moscow Council Chambers.

Attendance:

Commission Members	Staff Present	Others Present
John McCabe, Chair	Travis Cary, MURA Executive Director	Walter Steed, City Council
John Weber	Vim Braak, Intern	
Brandy Sullivan (7:08)	Gary J. Riedner, City Supervisor	
Steve Drown	Don Palmer, Treasurer (7:30)	
Steve McGeehan	Stephanie Kalasz, City Clerk	
Tom Lamar		
Jack Nelson (7:25)		

McCabe called the meeting to order at 7:06 a.m.

1. Consent Agenda - Any item will be removed from the consent agenda at the request of any member of the Board and that item will be considered separately later.
 - Minutes from September 23, 2009 Meeting
 - September Financials
 - September Payables

Weber moved to approve the consent agenda and Lamar seconded the motion. Motion carried unanimously.

2. Public Comment for items *not on agenda*: 3 minute limit
No public comment was offered.

3. Announcements (including conflict of interest disclosures if any)
Cary reported that there is a new business in Alturas that is a spinoff of EMSI. It is called Populi and specializes in human information systems. They have 12 employees and are currently working with colleges and Universities. He said he will visit them next week to find out more about what they do.

4. Walker Tort Claim Update (Travis Cary)
Cary said a copy of the Order for Dismissal for the Walker tort claim was included in the packet. The case has been dismissed. The reason for the dismissal is unknown but there may have been a settlement.

Most of the cost was carried by ICRMP but there will be a small bill from Ryan Armbruster, the URA Attorney.

5. URA 2009 Meeting Schedule Update (Travis Cary)

Cary said the Board discussed changing the meeting schedule for November and December. There will be a meeting on

November 13 at 7:00 a.m. In December, the first regularly scheduled meeting will be held on December 9th and there won't be any other meetings in December.

6. MURA Secretary Appointment (Travis Cary)

→ Action Required: Nomination and Motion to fill MURA Secretary

Cary said the vacant secretary position needs to be filled and Steve McGeehan has volunteered. Weber moved to appoint McGeehan as secretary and Nelson seconded the motion. Motion carried unanimously.

7. Anderson Group Owner Participation Agreement (Travis Cary)

- Synopsis of Owner Participation Agreement
- Finance Committee Report & Recommendation
- Document Overview

→ Action Required: Motion regarding Resolution No.09-03

→ Action Required: Motion regarding Execution of Anderson Group Owner Participation Agreement

Cary displayed a photo of the Anderson Group property. He explained the items that were included in the packet and the purpose of the Agreement. He discussed the terms of the Agreement and said there would be a cap on the total commitment of the URA. He explained how the reimbursement would be handled.

Weber confirmed that this process has been used by the URA in Coeur d'Alene and has worked well. Cary said he received the template for the Agreement from that agency and it has been successful there. Staff has made edits and it has been reviewed by the URA's legal counsel.

Sullivan asked about the financial projections. Cary displayed information regarding assessed values, taxes and market appraisal. He said the Anderson group has a valid market appraisal from 2007. He went through conservative projected increment figures. Sullivan said it looks like it may not be paid off by the end of the term which is not necessarily a bad thing. Cary said this is about as little as the URA can do on this project. Riedner said this is about as risk-free for the agency as it can get. It also provides motivation for the developer to increase the value of their property. The clean-up is necessary regardless of what is developed.

Nelson asked if the URA can close the district early if this Agreement is signed. Cary said the Agreement does not continue after the district is closed. Nelson asked how the payments would be made. Cary explained that the Anderson Group would only get paid after the URA receives the increment. There was discussion about how the projected increment was calculated.

Riedner said there is virtually no risk to the agency. The Agreement states that \$161,000 is the maximum and at the end of the district, there isn't anything saying that the URA couldn't pay off the debt early. It is a very conservative document. There is a lot of flexibility. There was discussion about the school levy and how that relates to the URA increment. Nelson said he is concerned about other taxing districts. He is not sure that there is a need to do this because it will be developed without the help of the URA. Sullivan said the purpose is to have the developer comply with the Board's suggestions for the property plan. Cary said the Agreement includes agreeing to the Legacy Crossing Plan. The Agreement does not set up the review process for the development. He said the Anderson Group may not always be the owners of this property. They are very new at this type of activity. Regardless of who develops the property, the clean-up will be required. Brownfield clean-up is preventing development on other properties in the Legacy Crossing area as well. There is significant evidence that the environmental situation needs to be cleaned up and there are detrimental health aspects to the citizens of Moscow if it is not done. He discussed some of the issues with the property. The question is what the Board is doing for the district. McGeehan asked how often the property is assessed. Cary said if development is occurring on the property then it will be reassessed at the time of occupancy. The Assessor indicated that if there is a development on commercial property, they will reassess if the developer wants them to.

Weber discussed the benefits of the project and this Agreement to Legacy Crossing. The developer only gets paid back if the project is successful. Lamar expressed appreciation to the Anderson Group for taking this project on and working on the environmental clean-up.

Drown said this Agreement is very conservative and it is very important to undertake. It is a signature project. The URA Board needs to give the Anderson Group its support. Sullivan said even if the Anderson Group could pay for the clean-up, it is an example for the district and may inspire other property owners to do something similar and work with the URA Board.

Cary said establishing this work with the owners and DEQ will assist in other owners obtaining funding from DEQ in the future. DEQ wants to encourage other partners in the project and they want to show success. There was further discussion about the proposed Agreement.

Lamar moved to adopt Resolution 09-03 and Weber seconded the motion. Roll Call Vote: Ayes: 6. Nays: Nelson. Abstentions: None. Motion carried.

Lamar moved to approve execution of the Anderson Group Owner Participation Agreement and the related promissory note. Sullivan seconded the motion. Roll call vote: Ayes: 6. Nays: Nelson. Abstentions: None. Motion carried.

McCabe said this is an exciting moment for the URA and he feels good about moving forward.

8. Adjournment

The meeting adjourned at 8:14 a.m.