

EXHIBIT B

SCHEDULE OF PERFORMANCE – AMENDED 11/5/15

| ACTION | DATE |
|--|---------------------------------|
| 1. <u>Deposit</u> . The Developer shall deliver the Deposit to the Agency. | No later than April 22, 2015. |
| 2. <u>Submittal of Information to Agency</u> . Developer shall submit all the required information to Agency for use in considering Developer’s proposed development. | No later than December 1, 2015. |
| 3. <u>Completion of Reuse Appraisal</u> . Agency appraiser shall complete the reuse appraisal. | No later than December 1, 2015. |
| 6. <u>Submittal of Draft Disposition and Development Agreement (DDA)</u> . The Agency staff and Developer shall have completed a draft DDA in a sufficiently final form to permit review by the Agency Board and to proceed through the required notice and hearing process. | No later than January 1, 2016. |
| 7. <u>DDA Consideration</u> . The Agency Board shall consider and approve if appropriate the DDA. | No later than February 1, 2016. |

4846-9577-7570, v. 2



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

McGeehan called the meeting to order at 7:00 a.m.

Attendance:

| Commission Members | Staff Present | Others |
|-----------------------|----------------------------------|-----------------|
| Steve McGeehan, Chair | Bill Belknap, Executive Director | Victoria Seever |
| Art Bettge | Don Palmer, Treasurer | Gary Riedner |
| Dave McGraw | Anne Peterson, Deputy City Clerk | |
| Ron Smith | | |
| Brandy Sullivan | | |

Absent: Steve Drown, John Weber

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.

- A. Minutes from October 15, 2015
- B. September 2015 Financials

ACTION: Approve the consent agenda or take such other action deemed appropriate.

Bettge moved approval of the consent agenda as presented, seconded by Sullivan. Motion carried.

2. **Public Comment for items *not on agenda*:** None.

3. **Announcements:** None.

4. **828 West Pullman Road Landscape Enhancement Development Agreement – Bill Belknap**
 Potlatch Federal Credit Union (PFCU) recently purchased the prior Time Warner building located at 828 West Pullman Road and is currently in the process of renovating the building and property for a new office location. Staff contacted the Credit Union to discuss expansion of their landscaping into the adjacent public right-of-way, which they had previously planned to pave, to improve the aesthetics of the property at the Pullman Road and Line Street intersection which has was identified as a community goal through the City's recently Entryway Beautification Project. The subject property is not within the Legacy Crossing District, but the right-of-way adjacent to the site is located within the District. Under the terms of the proposed agreement, the Agency would contribute up to \$2,000 for the expanded landscaping to be located within

the adjacent public right-of-way. PFCU would then assume the obligation to maintain and preserve the landscaping for a period of 10 years.

ACTION: Approve the proposed Development Agreement with Potlatch Federal Credit Union and Associated Resolution; or take such other action deemed appropriate.

Sullivan asked the size of the improved planting strip; Belknap said it will expand from 36 inches to 9-12 feet in some areas. McGeehan asked about maintenance right-of-way landscaping and Belknap said generally it's the adjacent landowner's responsibility. The specific provision in the agreement for PFCU to maintain it for 10 years is mainly to protect the URA investment.

McGraw moved to approve the Development Agreement and Resolution 2015-04 as presented, seconded by Smith. Sullivan asked the planting timeframe. Belknap responded hopefully this fall. The motion carried unanimously.

5. Sixth and Jackson Brownfield Remediation Project Update – Bill Belknap

In 2013 the MURA applied for and received an EPA Brownfield cleanup grant to assist in funding the environmental remediation of the 6th and Jackson property. The remediation work has been separated into two Phases. Phase I will address the excavation of contaminated soils from the site and Phase II will include groundwater remediation activities. Staff will provide an update on the status of the remediation work.

ACTION: Accept Report

Belknap reported Phase I is already complete and Phase II expected to conclude by the end of this week. Excavation quantities were less than expected due to groundwater levels. Costs are anticipated to be less than initially estimated so the earlier request for additional grant funding will likely not be needed. Per McGraw's request at the last meeting regarding funds spent to date on the property, Belknap said the property purchase price was \$450,000, \$120,000 has been expended upon environmental assessments funded through the brownfield assessment grant, and the environmental remediation is expected to cost \$105,000 which is largely grant funded. There will be additional future development expenses for moving utilities, required frontage improvements and construction of Hello Walk. The current assessed value is \$531,000. McGraw said this affirmed the need for urban renewal districts because a private developer couldn't make that kind of investment pencil out. Riedner added that the clean-up wouldn't have been as thorough and the lot likely would have become a parking lot. McGeehan said he was very pleased to see a blighted, contaminated property being cleaned up and redeveloped. Belknap reported that ITD has approved in concept the redesign of the east to south turn lane and staff is still in discussion with them about the turn lane in front of Jimmy Johns. Belknap concluded his report by pointing out the investment the Agency has made on this property is likely to generate \$50-60,000 in annual tax increments.

Bettge moved to accept the report. Smith seconded the motion which passed unanimously. Belknap added that once construction is complete, the next step will be to obtain a Conditional Certificate of Completion and Conditional Covenant Not to Sue from DEQ, which will position the Agency to enter into a property transaction.

6. Requested Amendment of Sangria Downtown LLC Exclusive Negotiation Agreement Schedule of Performance – Bill Belknap

On February 26, 2015, the Board selected Sangria Downtown LLC as the successful respondent to a request for proposals for development of the MURA's 6th and Jackson property. On April 8, 2015, the Board Approved an Exclusive Negotiation Agreement (ENA) to enter into negotiations regarding the property development which was executed on April 24, 2015. The ENA included a schedule of performance which specified specific dates for certain actions by both parties including the submission of development plans from Sangria Downtown LLC by July 1, 2015. On August 12th the Board approved an amendment to the Schedule of Performance to allow additional time for Sangria Downtown LLC to submit their development plans, shifting that date to October 1, 2015. Staff has received a second request to shift that date to November 12th, 2015. Staff has prepared a revised schedule of performance for the Board's consideration and approval.

ACTION: Approve the proposed revised schedule of performance; or take such other action deemed appropriate.

Bettge moved to accept the proposed revised schedule with a modification of the extension date to December 1 rather than November 12 as requested. Sullivan seconded the motion which carried unanimously.

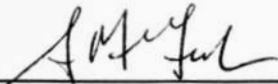
7. General District Updates – Bill Belknap

- Alturas District - Nothing substantial to report since last meeting. Another meeting with the Association is scheduled for November 17. Belknap confirmed the State Tax Commission has received the district termination.
- Legacy Crossing District
 - Staff has had conversations with the Stax building owner regarding the sanitary sewer main work next summer that will have a substantial effect on access to his property. He's contemplating a larger, multi-story, mixed use building on that site and may take advantage of the time it's off-line due to the sewer main work to do that construction.
 - Work is proceeding on Gritman triangle.
 - Steve Vachon has been doing demo/clean-up on his building (Stubbs seed warehouse) near the corner of US95 and Troy Highway.

8. Adjourn - Executive Session per Idaho Code 74-206(1)(C) and (F) – The meeting will not reconvene.

At 7:39 a.m. McGraw moved to adjourn into executive session per Idaho Code 74-206(1)(C) and (F). Bettge seconded the motion which carried unanimously.

The executive session started at 7:41 a.m. Present: Steve McGeehan, Art Bettge, Dave McGraw, Ron Smith, Brandy Sullivan, Bill Belknap, Don Palmer and Anne Peterson. The Executive Session concluded at 8:04 a.m.



Steve McGeehan, Agency Chair

1.7.16

Date