Urban Renewal Agency
Minutes

Monday, December 13, 2021, 12:00 PM
Council Chambers
203 Main Avenue East- Twin Falls, Idaho

Members: Rudy Ashenbrener, Andy Hohwieler, Dan Brizee, Jan Rogers, Alexandra Caval, JJ McBride, Dave McAlindin

1) **Confirmation of Quorum/Call Meeting to Order**
Chair Ashenbrener called the meeting to order at 12:00 PM. A quorum was present.

Present:	Alexandra Caval, JJ McBride, Rudy Ashenbrener, Dave McAlindin, Jan Rogers, Andy Hohwieler, Dan Brizee
Absent:	None
Staff Present:	Lorrie Bauer, Administrative Assistant; Jesse Schuerman, Staff Engineer; Brent Hyatt, Assistant Finance Director; Travis Rothweiler, City Manager & Acting URA Executive Director; Jonathan Spendlove, Planning & Zoning Director; Meghan Conrad and Amanda Schaus, Special Counsel; Ruth Pierce, City Council Liaison; Breanna Howard, Finance Director; Don Hall, County Commissioner

2) **Conflict of Interest Declaration -** None.

3) **Consent Calendar**

a) Request to approve 1) Minutes for the November 8, 2021 meeting; 2) November 2021 Financial Report; 3) December 2021 Accounts Payable.
MOTION: Jan Rogers moved to accept the consent calendar as presented. Dave McAlindin seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

4) **Reports/Updates**

a) Executive Director's Report
Parking structure: The special use permit was approved in November by the city's Planning & Zoning department. The public hearing to approve the additional height of the two residential mixed use buildings is scheduled for the January 10th City Council meeting.

City Council has been discussing the $6M the Agency agreed to provide to the City for improvements to the UASB at the Con Agra/Lamb Weston facility, which improvements provided needed infrastructure enhancements to support the water flowing into the City's wastewater system and supported the economic goals of increased taxable value and job retention. To date, the Agency has paid $3M to the City. The City is considering acquiring additional land in the Rock Creek Canyon area to support funding opportunities related to remediation of the creek and to expand recreational opportunities. The Agency owns several parcels in and around Rock Creek Canyon. There may be an opportunity for the City to acquire the Agency-owned parcels in and around Rock Creek Canyon in exchange for a reduction in the outstanding obligation to the City in the amount of $3M. Discussion will continue in January.

5) **Items of Consideration**

a) Request to approve the Proforma for the Children's Museum to be located on real property owned by the Urban Renewal Agency of the City of Twin Falls.
Bethany Bell of the Children's Museum presented the Proforma that was included in the agenda packet. The $60,000 credit provision by the URA was questioned and Bell shared that the actual amount is unknown at this time, but the CMMV will ask the Agency to provide the land and help with getting utilities to the site. Discussion ensued.

MOTION: Alexandra Caval moved to approve the proforma for the Children's Museum as submitted. JJ McBride seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

b) Consider approval of Resolution No. 2021-06 approving a Second Amendment to the Agreement to Negotiate Exclusively with Galena for the 2nd & Hansen project.
Special Counsel, Amanda Shaus, explained the Agency is still in the Agreement to Negotiate Exclusively (ANE) process with Galena negotiating the terms of the final Disposition Development Agreement (DDA). Additional time is needed for negotiations, therefore, an amendment to the time frame of the ANE is necessary. Reasons for the time delay include the Fair Use Appraisal has not been received yet and the construction time frame is still being discussed. At this time, the parking garage is planned to be completed by the end of 2022 and the residential structure a few years after that. Discussion ensued.

MOTION: Andy Hohwieler moved to approve Resolution No. 2021-06 approving a Second Amendment to the Agreement to Negotiate Exclusively with Galena for the 2nd and Hansen project. Jan Rogers seconded the motion. Roll call vote showed all members present voted. Approved 6 to 0. Rudy Ashenbrener abstained.

c) Request to approve up to $5,328.00 for the installation of a RenoSys PVC Membrane in the Downtown Fountain water tank.
Wendy Davis, Parks & Recreation Director, explained the purpose of this request. Kevin Skelton, Parks Superintendent, shared information about the proposed liner. Discussion ensued and images were viewed. The city engineering department and parks department will inspect the structural integrity of the water tank prior to proceeding with the membrane.

MOTION: Jan Rogers motioned to approve up to $5,328 for the installation of a RenoSys PVC Membrane in the Downtown water tank with a contingency of inspection by the engineer. Alexandra Caval seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

d) Presentation by Summit Creek Development concerning a proposed new revenue allocation area.
Rothweiler explained the presence of Summit Creek Development and their idea to create an industrial park. Viewing a map of the proposed area currently going through the land use entitlement process for annexation into the City of Twin Falls, he summarized the upcoming processes and proposal.

Dan Brizee declared he works for Summit Creek on other unrelated projects but does not believe there is a conflict of interest.

Tyler Davis-Jeffers of Summit Creek Development added the site's location is south of Clif Bar. The approximate 80 acre development will be identified as Class A industrial with concrete tilt-up construction, which is a large concrete slab with walls built on top of the slab. He explained their concept for the project. Discussion ensued.

e) Consider approval of a memorandum of understanding between the Agency and Summit Creek Development regarding payment for advance planning costs for a proposed new revenue allocation area.

MOTION: Andy Hohwieler moved to approve a MOU between the Agency and Summit Creek Development regarding an exclusive right to negotiate for this project. Dave McAlindin seconded the motion. Rothweiler explained the different action items and what is being asked for pursuant to this action item. Hohwieler canceled his motion.

MOTION: Andy Hohwieler moved to approve a MOU between the Agency and Summit Creek Development regarding a payment for advance planning costs for a proposed new revenue allocation area. Dave McAlindin seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

f) Retain Kushlan Associates to study a certain geographic area and prepare an Eligibility Report.
Rothweiler introduced the action item. Kushlan's estimated cost of $7,500 for the Eligibility Report would be

reimbursed by the developer pursuant to the approved MOU. The study would determine if the property proposed by Summit Creek Development would be appropriate for a revenue allocation area.

MOTION: Dan Brizee motioned to retain Kushlan Associates to study the above mentioned geographic area and prepare an eligibility study for a URA district. Jan Rogers seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

g) Dedication of the newest downtown public art (mural project) "Magic of the Valley", by artist Matt Sunderman. *(Dedication will take place at the mural location (alley side of City Hall) at the end of the public portion of the meeting.)*
Leon Smith, member of the URA Downtown Arts Subcommittee, recognized the committee members and shared their downtown art accomplishments. He then recognized Matt Sunderman, artist of the new downtown mural, Magic of the Valley. Dedication followed.

6) General Input/Announcements - Public/Staff: None.

7) Upcoming Meeting(s)

a) Regular meeting - January 10, 2022 @ 12:00 p.m.
Special meeting - Visioning for the Future - January 11, 2022 @ 1:30 p.m.

8) Executive Session

a) Pursuant to Idaho Code §74-206(1)(c) to acquire an interest in real property not owned by a public agency; and
Idaho Code §74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

It was noted by the Board Chair that the meeting would adjourn immediately following the Executive Session and that the Board would not return to an open meeting. Immediately prior to the Executive Session, the Board Chair indicated there would be a short break for the mural dedication and invited the public to the mural dedication outside.

MOTION: JJ McBride moved that the Board convene in executive session pursuant to Idaho Code §74-206(1)(c) to acquire an interest in real property not owned by a public agency; and §74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.
Dave McAlindin seconded the motion. Roll call vote showed all members present voted in favor of moving into the Executive Session.

Jan Rogers did not attend the executive session.
Alex Caval left the executive session at 2:00 p.m. due to disclosure of a potential conflict.

Dave McAlindin moved to come out of Executive Session at 2:25 p.m. Andy Hohwieler seconded the motion. Roll call vote showed all members present voted to come out of Executive Session: 5 to 0. No final action or final decision was taken in Executive Session.

9) Adjournment
The meeting adjourned at 2:25 PM

Lorrie Bauer

Lorrie Bauer, Administrative Assistant