THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

Urban Renewal Agency
Agenda

Monday, May 13, 2019, 12:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

Members: Dexter Ball, Perri Gardner, Suzzane Cawthra, Rudy Ashenbrener, Cindy Bond, Andy Hohwieler, Doug Vollmer

1) Confirmation of Quorum/Call Meeting to Order

2) Consideration of Amendment(s) to the Agenda

3) Consent Calendar

   a) **ACTION ITEM:** Request to approve 1) Minutes for April 8, 2019 meeting; 2) April 2019 Financial Report; 3) May 2019 Accounts Payable.

   By: Lorrie Bauer, Secretary

4) Reports/Updates

   a) **INFORMATIONAL:** Review of a DRAFT proposal for the Washington Street South Urban Renewal Project Plan.

   By: Nathan Murray, Executive Director

5) Items of Consideration

   a) **ACTION ITEM:** Consideration of a request to approve an engagement letter between the Urban Renewal Agency and Valbridge Property Advisers for a fair re-use appraisal of property located at 160 Main Ave South in Twin Falls.

   By: Nathan Murray, Executive Director

   b) **ACTION ITEM:** Consideration of a request to approve a maintenance agreement for Urban Renewal Agency property in Downtown Twin Falls.

   By: Nathan Murray, Executive Director

   c) **ACTION ITEM:** Consideration of a request to approve the purchase of shade structures for the Downtown Commons.

   By: Nathan Murray, Executive Director

   d) **ACTION ITEM:** Consideration of a request to approve a bid for landscaping improvements within Shoshone St. between 2nd Ave. NE and 2nd Ave. SW.

   By: Nathan Murray, Executive Director

6) General Input/Announcements - Public/Staff

   a) **INFORMATIONAL:** Appoint a Budget Committee to review the 2019-2020 budget.

      By: Dexter Ball, Chairman

   b) **INFORMATIONAL:** Board member Rudy Ashenbrener - Current term on the Board ends June 30, 2019 and he is interested in a 3-year appointment. Staff will present the re-appointment request to the City Council in June.

      By: Nathan Murray, Executive Director

   c) **INFORMATIONAL:** Reminder to the Board: The Statue organizing the Urban Renewal District states to elect officers, Chair and Vice-Chair, once a year. There is no particular process or limitation on current officer's continuance other than their own interest and other member's willingness to appoint them. If interested in the positions let it be known prior to the July election.

      By: Nathan Murray, Executive Director

7) Upcoming Meeting(s)

   a) Monday, June 10, 2019 @ 12:00 p.m.

8) Adjournment

   a) **ACTION ITEM:** EXECUTIVE SESSION 74-206(1)(f) - Communicate with Legal Counsel for the 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.

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lorrie Bauer (208) 735-7313 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

Urban Renewal Agency
Minutes

Monday, April 8, 2019, 12:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

Members: Dexter Ball, Perri Gardner, Suzzane Cawthra, Rudy Ashenbrener, Cindy Bond, Andy Hohwieler, Doug Vollmer

1) Confirmation of Quorum/Call Meeting to Order

Present:	Dexter Ball, Perri Gardner, Suzzane Cawthra, Rudy Ashenbrener, Cindy Bond, Andy Hohwieler, Doug Vollmer
Absent:	None
Staff Present:	Nathan Murray, Executive Director; Brent Hyatt, Assistant Finance Officer; Lorrie Bauer, Secretary; Jesse Schuerman, Engineer; Jonathan Spendlove, Planning and Zoning Director; Shayne Nope, City Attorney; Nikki Boyd, City Council Liaison.

Chairman Ball called the meeting to order at 12:00 PM. A quorum was present.

2) Consideration of Amendment(s) to the Agenda
None.

3) Consent Calendar

a) Request to approve 1) Minutes for March 11, 2019 meeting; 2) March 2019 Financial Report; 3) April 2019 Accounts Payable.
MOTION: Rudy Ashenbrener moved to approve the consent calendar. Suzzane Cawthra seconded the motion. Roll call vote showed all members present voted. Approved 7 to 0.

4) Reports/Updates

a) Executive Director's Report
Shade structures for the Downtown Commons: Nathan Murray shared that originally there were discussions for shade options, but no final plans were accepted nor added to the final design. The design included two larger shade trees, but the statue location changed that design. There was a discussion of a canopy coming off the building, however, art was installed instead. He pointed out that shade is only needed a few months of the year.

Showing slides, Nathan explained possible options, including costs, to help the Agency decide if they wanted to move forward, or not. Shade options included 1) portable umbrella structures estimated to cost $4,000-$5,000 per unit plus shipping; 2) permanent umbrella structures estimated to cost $8,000-$10,000 per unit plus installation; 3) Sail structures that would need new posts installed for a cost of $60,000-100,000 for design and installation; and 4) temporary patio umbrella structures estimated to cost $500-$1,000 per unit. Discussion ensued on the following: If the Board wanted to consider some type of shade structure, options that were presented, the ability to withstand weather/wind, short term use, cost, and budget. Tony Prater spoke on behalf of the Twin Falls Tonight Summer Concert Series. He thought shade structures were included in the original design and that shade is needed.

The Board agrees some sort of shade is needed. The first slide option, 10' portable cantilever umbrella, was preferred. Nathan will get multiple bids to present at the next meeting. Funds would need to be appropriated prior to approval to purchase.

b) 160 Main Avenue South - Summit Creek Capital Project
Nathan shared that Summit Creek Capital is asked for another 90 days to secure some of the financing based on the new option of condominium units on the top level. Fran Florence spoke on behalf of the project stating that the parking structure is an essential item for the current anchor tenant. He explained the budget has been firmed to a pre-formed structure costing $860,000 plus associated costs. He feels confident they can keep the cost below $2M for the parking structure. Summit Creek Capital believes within the next 90 days they'll know if their currently proposed project will be able to proceed. If they decide this project will not work, they would want the Agency to move forward with another option. After 90 days, they'll know if they can proceed with the new design.

Nathan explained the investment costs are $300,000 for the demolition & site prep, $2M for a one level parking structure above the existing. The ground level could net a few more stalls by changing the landscape and restriping. The added level would include approximately 60 stalls with 40-50 being leased by the building tenants. This does not net many new public stalls. In talking with our attorneys, the URA could structure a lease to gain income while we have it as well as a potential to retain ownership after the Area expires as a revenue strain. The Agency would dedicate $2.3M to the project for a $9M investment which generates about $75,000/year increment. From an investment standpoint, it will take 30-35 years to pay it off. Being a redevelopment agency, the Agency needs to weigh the cost versus the investment long term. Questions were asked: 1) Is this where we want to spend our money? 2) Is this a good return? 3) Should we find a way to add a 2nd deck? He added the City of Twin Falls currently has other obligations that have a higher priority than a downtown parking structure which they don't believe is needed. Discussion ensued.

The Board is in favor of moving forward with the building that includes living spaces, however, there is concern about adding a costly parking structure with very little availability for public parking. The Agency granted the developer 90 days as requested. More information from other cities that have built a similar parking structure was requested as well as conversations with the City.

5) Items of Consideration

a) Consideration of a request to approve the Scope of Work for a Downtown Transportation Study on the 2nd Avenues.

Jesse Schuerman introduced the agenda item in regards to adding parking stalls to the 2nd Avenues and calming the traffic. The Idaho Transportation Department (ITD) is the controlling factor because the 2nds are a part of the State Highway 30 system. The ITD requires a traffic study to be completed by a licensed professional traffic operations engineer in which H. W. Lockner was selected. The area to be studied includes Idaho St. to Buhl St. on the east side and Fairfield to Idaho on the west side. The study would identify how traffic, including trucks, could be impacted if stalls were added. This data, along with a drawing indicating parking stalls would be sent to the State with the formal request. Councilwoman, Nikki Boyd, shared the City is currently working on a master transportation plan and the studies should be coordinated. Discussion ensued.

MOTION: Perri Gardner moved to authorize the URA Director to contract with H. W. Lockner to prepare a traffic study on the 2nd Avenues for a cost of $20,630.07. Suzzane Cawthra seconded the motion.

Clarification was asked as to the difference between the information contained in the City's master transportation plan and the information this item is seeking. The City's plan is a general study of the entire city currently being drafted. The study requested by the State is for a specific area for a specific reason.

It was communicated that community stakeholders and city stakeholders should be involved in the first stakeholder meeting to converse with H.W. Lockner as part of the study. Discussion continued.

Motion on the floor. Roll call vote showed all members present voted. Approved 7 to 0.

Lockner will be provided a copy of the draft form of the City's Master Transportation Plan. Nathan will communicate the 2nd Avenues study results with the City.

6) General Input/Announcements - Public/Staff

Perri Gardner shared the Downtown Arts Subcommittee met recently and had a great brainstorming session. Many ideas for art were suggested. Currently looking for additional areas for potentially wrapping boxes to add color to downtown, locations for platform areas where potential 3-D fixtures or sculpture work could be displayed, as well as other locations for murals.

Dan Brizee responded to information that the URA will be paying more money to fix things that are not working correctly in the Commons and asked the Board to be vigilant. Nathan Murray explained the Otak design process for the Commons. The Parks Department, who would be providing the maintenance, gave the designer necessary items that needed to be included. The designer did not include the items in the construction manual, so the Contractor did not know the items should have been installed. The contingency money will be used to fix the items so there will be no additional costs to the URA.

7) Upcoming Meeting(s)

a) Monday, May 13, 2019 @ 12:00 p.m.

8) Adjournment

The meeting adjourned at 01:15 PM.

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Lorrie Bauer, Recording Secretary

Urban Renewal Agency of the City of Twin Falls, ID
Profit & Loss
April 2019

		Apr 19
Ordinary Income/Expense		
Income		
Investment Income		18,146.32
Property Taxes		7,092.85
Rental Income		1,333.34
Total Income		26,572.51
Gross Profit		26,572.51
Expense		
RAA 4-1		
City Property Exp.	786.21	
160 Main Ave S. (Youth Ranch)	156.75	
Total RAA 4-1		942.96
RAA 4-3 (Chobani)		
Debt Pay. (Chobani) Interest	1,691,211.88	
Debt Pay. (Chobani) Principal	1,366,000.00	
Total RAA 4-3 (Chobani)		3,057,211.88
Legal Expense		5,923.57
Meeting Expense		98.39
Office Expense		0.00
Total Expense		3,064,176.80
Net Ordinary Income		-3,037,604.29
Net Income		**-3,037,604.29**

Urban Renewal Agency of the City of Twin Falls, ID

P&L Over (Under) Budget - YTD

October 2018 through April 2019

	Oct '18 - Apr 19	Budget	$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Bank Bond Proceeds	0.00	0.00	0.00	0.0%
Investment Income	78,756.06	52,000.00	26,756.06	151.5%
Other Income	9,069.50			
Property Taxes	5,416,824.51	9,523,022.00	-4,106,197.49	56.9%
Rental Income	9,333.37	15,996.00	-6,662.63	58.3%
Total Income	5,513,983.44	9,591,018.00	-4,077,034.56	57.5%
Gross Profit	5,513,983.44	9,591,018.00	-4,077,034.56	57.5%
Expense				
RAA 4-1				
City Property Exp.	61,357.19			
160 Main Ave S. (Youth Ranch)	4,673.12			
Shoshone St/2nd Ave N	0.00			
Main Ave.				
DT Art	0.00			
Main Ave. - Other	76,089.30			
Total Main Ave.	76,089.30			
RAA 4-1 - Other	0.00	1,919,320.00	-1,919,320.00	0.0%
Total RAA 4-1	142,119.61	1,919,320.00	-1,777,200.39	7.4%
RAA 4-3 (Chobani)				
Debt Pay. (Chobani) Interest	1,691,211.88	1,691,212.00	-0.12	100.0%
Debt Pay. (Chobani) Principal	1,366,000.00	3,590,984.00	-2,224,984.00	38.0%
Total RAA 4-3 (Chobani)	3,057,211.88	5,282,196.00	-2,224,984.12	57.9%
Bond Trustee Fees	3,000.00	5,000.00	-2,000.00	60.0%
Bonding Costs	0.00	0.00	0.00	0.0%
Community Relations & Website	0.00	500.00	-500.00	0.0%
Debt Payments - Interest	435,356.55	901,702.00	-466,345.45	48.3%
Debt Payments - Principal	375,000.00	2,855,000.00	-2,480,000.00	13.1%
Dues and Subscriptions	3,250.00	4,500.00	-1,250.00	72.2%
Insurance Expense	0.00	6,700.00	-6,700.00	0.0%
Legal Expense	16,881.12	15,000.00	1,881.12	112.5%
Management Fee	0.00	208,000.00	-208,000.00	0.0%
Meeting Expense	839.05	2,500.00	-1,660.95	33.6%
Miscellaneous	0.00	500.00	-500.00	0.0%
Office Expense	350.00	500.00	-150.00	70.0%
Prof. Dev.\Training	229.00	2,500.00	-2,271.00	9.2%
Professional Fees	1,700.00	10,000.00	-8,300.00	17.0%
Property Tax Expense	0.00	0.00	0.00	0.0%
Real Estate Exp. - Call Center	0.00	18,100.00	-18,100.00	0.0%
Real Estate Expense	4,090.64	29,000.00	-24,909.36	14.1%
Real Estate Lease	0.00	0.00	0.00	0.0%
Total Expense	4,040,027.85	11,261,018.00	-7,220,990.15	35.9%
Net Ordinary Income	1,473,955.59	-1,670,000.00	3,143,955.59	-88.3%
Other Income/Expense				
Other Income				
Transfers In	0.00	257,804.00	-257,804.00	0.0%
Transfers Out	0.00	-257,804.00	257,804.00	0.0%
Total Other Income	0.00	0.00	0.00	0.0%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	**1,473,955.59**	**-1,670,000.00**	**3,143,955.59**	**-88.3%**

Twin Falls Urban Renewal May 2019 Accounts Payable

Check #	Date	Paid Amount	Name	Account	Fund	Memo
3910	05/08/2019	37.26	City of Twin Falls	City Property Expense	Rev Alloc 4-1	Gem State Paper & Supply - Sweeper Soap
3910	05/08/2019	73.68	City of Twin Falls	City Property Expense	Rev Alloc 4-1	Intermountain Gas - Gas for 129 E Hansen St.
3910	05/08/2019	146.67	City of Twin Falls	City Property Expense	Rev Alloc 4-1	Amazon Capital Services Inc. - Wire Shelving /Wheels for Ice Skate storage
3910	05/08/2019	350.00	City of Twin Falls	Real Estate Expense	Rev Alloc 4-1	Sawtooth Spraying Service, Inc. - Dormant Oil - Early Spring URA properties
3910	05/08/2019	720.00	City of Twin Falls	Real Estate Expense	Rev Alloc 4-1	Living Earth, LLC - Spring Clean up, D. Bowyer Park 3/21/19
3910	05/08/2019	200.00	City of Twin Falls	Real Estate Expense	Rev Alloc 4-1	Living Earth, LLC - Pre-emergent Weed Control, D. Bowyer Park 4/3/2019
3911	05/08/2019	3,800.05	Elam & Burke	Legal Expense	General	Professional Fees for March 2019 / #178650
3912	05/08/2019	137.85	Great Harvest Bread Company	Meeting Expense	General	Lunch for 20190408 Meeting / #108
3913	05/08/2019	72.00	Happy Housekeepers	City Property Expense	Rev Alloc 4-1	Commons - Restroom Cleanup / #88890
3913	05/08/2019	72.00	Happy Housekeepers	City Property Expense	Rev Alloc 4-1	Commons - Restroom Cleanup / #88981
3913	05/08/2019	72.00	Happy Housekeepers	City Property Expense	Rev Alloc 4-1	Commons - Restroom Cleanup / #88030
3913	05/08/2019	72.00	Happy Housekeepers	City Property Expense	Rev Alloc 4-1	Commons - Restroom Cleanup / #88078
3913	05/08/2019	72.00	Happy Housekeepers	City Property Expense	Rev Alloc 4-1	Commons - Restroom Cleanup / #88155
3914	05/08/2019	10.37	Idaho Power	Real Estate Expense	Rev Alloc 4-1	122 4th Ave S - Power / #2228 2019-04
3914	05/08/2019	221.34	Idaho Power	City Property Expense	Rev Alloc 4-1	129 Hansen St E - Power / #0226 2019-04
3914	05/08/2019	100.74	Idaho Power	160 Main Ave S. (Youth Ranch)	Rev Alloc 4-1	160 Main Ave S - Power / #9168 2019-04
3915	05/08/2019	13,026.30	JUB Engineers, Inc.	Main Ave.	Rev Alloc 4-1	2015 Main Av Utilities 2/2 - 3/2/19 / #124200
3916	05/08/2019	97.95	PMT	City Property Expense	Rev Alloc 4-1	Commons - Broadband Services / #858403-2 2019-04
3917	05/08/2019	45.00	City of Twin Falls	160 Main Ave S. (Youth Ranch)	Rev Alloc 4-1	160 Main Ave S - Water & Sewer / #130529-2019-04

THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

Date: Monday, May 13, 2019

To: Urban Renewal Agency of the City of Twin Falls

From: Nathan Murray, Executive Director

Review of a DRAFT proposal for the Washington Street South Urban Renewal Project Plan.

On March 11, 2019, the Twin Falls Urban Renewal Agency approved a feasibility study and eligibility report to establish a potential revenue allocation area for the Washington Street South district. The next phase toward the creation of the area is the adoption of an area plan.

A draft report has been prepared by legal council at Elam and Burke (see attached) and is available for review.

In general, the plan includes a description of the proposed area along with proposed development actions within the area. It also includes uses within the project area, methods for financing the project, duration of the plan.

Attachments**:**

1. Washington Street South Plan

URBAN RENEWAL PLAN FOR THE WASHINGTON STREET SOUTH URBAN RENEWAL PROJECT

TWIN FALLS URBAN RENEWAL AGENCY

TWIN FALLS, IDAHO

Ordinance No. ________
Adopted _________
Effective _________

TABLE OF CONTENTS

Attachments

100 INTRODUCTION

This is the Urban Renewal Plan (the "Plan") for the Washington Street South Urban Renewal Project (the "Project") in the city of Twin Falls(the "City"), county of Twin Falls, state of Idaho. Attachments 1 through 6 attached hereto (collectively, the "Plan Attachments") are incorporated herein and shall be considered a part of this Plan.

The term "Project" is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities contemplated by the term "Project." Such activities include both private and public development of property within the urban renewal area. The term "Project" is not meant to refer to a specific activity or development scheme. The Washington Street South Project Area is also referred to as the "Project Area."

This Plan was prepared by the Board of Commissioners (the "Agency Board") of the Urban Renewal Agency of the City of Twin Falls (the "Agency"), its consultants and staff and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), and all applicable local laws and ordinances.

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

(1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;

(2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;

(3) An economic feasibility study;

(4) A detailed list of estimated project costs;

(5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;

(6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

(7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan

shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and

(8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The proposed redevelopment of the Project Area as described in this Plan conforms to the Twin Falls Comprehensive Plan, *Grow With Us*, adopted by the Twin Falls City Council (the "City Council") on November 7, 2016 (the "Comprehensive Plan"), as may be amended from time to time. The Agency intends to rely heavily on the City's applicable design standards.

This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code § 50-2903A. Subject to limited exceptions as set forth in Idaho Code § 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall be reset to the then current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream. Should the Agency have any outstanding financial obligations, the City shall not adopt an ordinance modifying this Plan unless written consent has been obtained by any creditors, including but not limited to lending institutions and developers who have entered into reimbursement agreements with the Agency.

A modification shall not be deemed to occur when "[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency." Idaho Code § 50-2903A(1)(a)(i). Annual adjustments as more specifically set forth in the Agency's annual budget will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code § 50-2903A.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment 5, with the need for specificity as required by Idaho Code § 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code § 50-2905(1), (5), (7) and (8). Attachment 5, together with the Plan narrative, meets the specificity requirement for the required plan elements set forth in Idaho Code § 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

101 General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law, the Public Records Act and the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-450E, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

102 Procedures Necessary to Meet State and Local Requirements: Conformance with the Idaho Urban Renewal Law of 1965, as Amended

Idaho law requires that an urban renewal plan be prepared for an area deemed eligible as an urban renewal area by the City Council. The Project Area was reviewed and determined to be eligible by Agency Resolution No. __________ on _________________. The Project Area was deemed eligible by the City Council by adoption of Resolution No. _________________ on _______________________.

With the adoption of City Council Resolution No. _______________, the City Council found the Project Area to be a deteriorated area and/or a deteriorating area existing in the City as defined by the Law and Act and authorized the preparation of an urban renewal plan.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. __________ on ____________________, and submitted the Plan to the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission, by resolution, reported to the City Council that this Plan is in conformity with the City's Comprehensive Plan.

Pursuant to the Law and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was published in the *Times-News*, a newspaper having general circulation in the City. The City Council adopted this Plan on [___________ __], 2019, by Ordinance No. [_____].

103 History and Current Conditions of the Area

The Project Area contains approximately 90 acres, excluding public rights-of-way, and is located primarily in the south-central part of the City and consists of parcels adjacent or in close proximity to a major north/south arterial, Washington Street South, also designated as Idaho State Highway 74. The Project Area generally includes parcels west of Washington Street South and south of Diamond Avenue West.

The Project Area encompasses nine (9) individual tax parcels with a mixture of commercially and industrially zoned properties. The majority of the acreage is currently used for agricultural purposes and receives an agricultural property tax exemption. One (1) parcel is landlocked with no access to a public street. A significant deterrent to development is the transection of a gas pipeline through the Project Area.

The Project Area lacks the public infrastructure necessary to properly serve economic development. While limited investment has been made on Washington Street South, full improvement to City standards has not occurred. There are no pedestrian facilities or storm drainage facilities. The roadway improvements were not designed to accommodate the projected levels of commercial and industrial traffic contemplated in City planning documents. Currently, there is no street network west of Washington Street South.

Municipal water exists only in Washington Street South; however, much of the Project Area is undeveloped vacant land. Once developed consistent with zoning designations, extensions will be necessary to serve the area and fire flows may need to be upgraded to adequately protect a more densely developed environment. Similarly, sewer service will need to be enhanced to serve development. Additionally, the type of development envisioned, with high treatment requirements due to the processing of milk products, will cause significant demands upon the City's wastewater treatment facility located adjacent to the river in the Snake River Canyon. It has been the City's policy to require pre-treatment of effluent such as will be generated in the Study Area prior to its being discharged into the City's collection system to ensure compliance with the environmental requirements of the permits issued by the State Department of Environmental Quality (DEQ). Generally, the lack of public infrastructure has resulted in the economic underdevelopment of the area.

The Plan proposes improvements to public infrastructure and other publicly owned assets throughout the Project Area, creating the opportunity for industrial and commercial economic development. The Project Area is underdeveloped or vacant and is not being used to its highest and best use due to deterioration of site and other improvements, the age and obsolescence of infrastructure, the predominance of defective or inadequate street layout, outmoded street patterns, need for modern traffic requirements, unsuitable topography and/or faulty lot layouts, insanitary and unsafe conditions, diversity of ownership, defective or unusual conditions of title and inadequate utility infrastructure needed for development. The foregoing conditions have arrested or impaired growth in the Project Area.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure problems in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, some of the new developments may also generate new jobs in the community that would, in turn, benefit area residents.

It is unlikely that individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the area without the ability of revenue allocation to help offset at least some of these costs.

104 Purpose of Activities

Attachment 5 includes the public improvements list identifying with specificity the proposed public improvements and projects contemplated in the Project Area. The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

a. change funding amounts from one Project to another
b. to re- prioritize the Projects described in this Plan and the Plan Attachments
c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 presents a realistic development scenario recognizing it is difficult to project with any certainty where the improvements will be sited until the future project submits plans to the City for design review and permitting.

The Agency intends to discuss and negotiate with any owner or developer who seeks Agency assistance. During such negotiation, the Agency will determine, on an individual basis, the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish by way of policy, its funding percentage or participation, which would apply to all developers and owners.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachments 5.1- 5.4 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachments 5.1-5.4 are also prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long term goals, and commitments. The projected timing of funding is primarily a function of the availability of market conditions and financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given points in time within the planned 20-year period of the urban renewal district and revenue allocation area.

The Study (Attachment 5) has described a list of prioritized public improvements and other related activities with an estimated cost in 2019 dollars of approximately $_______________. The Study does not account for increasing construction costs over time. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated $______________ (not discounted to present value). The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

105 Open Land Criteria

This Plan contemplates Agency acquisition of property within the Project Area requiring the area meets the conditions set forth in Idaho Code § 50-2008(d). These conditions include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the definitions of deteriorated area or deteriorating area set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code § 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and "the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area."

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary to facilitate the proper growth and development of the Project Area in accordance with City planning objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in 50-2008(d)(4)(2) apply. The lack of water and sewer facilities, large parcel size, a deficient street system, lack of fire protection facilities, economic disuse, unsuitable topography and environmental issues are all conditions which delay or impair development of the open land or potentially open land areas and satisfy the open land conditions as more fully supported by the Twin Falls Washington Street South Urban Renewal District Eligibility Report, prepared by Phil Kushlan, Kushlan Associates, dated March 2019.

200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Project Area and Revenue Allocation Boundary Map, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Legal Description of the Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and the use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

300 PROPOSED REDEVELOPMENT ACTIONS

301 General

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, and to grow the economy in the Project Area. Implementation of the strategy includes, but is not limited to the following actions:

a. The acquisition of real property for public right-of-way improvements, pedestrian facilities and streetscape improvements, utility undergrounding, extension, upgrades, public facilities, decrease underutilized parcels, create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments;

b. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, utility undergrounding, extension, upgrades, public facilities, and to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;

c. The participation by property owners in projects within the Project Area to achieve the objectives of this Plan;

d. The management of any property acquired by and under the ownership and control of the Agency;

e. The installation, construction, or reconstruction of streets and utilities, including, removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; addition of fiber optic lines or other communication systems; and improvement of storm water drainage facilities, parking facilities, and other public improvements, including but not limited to, water and sewer improvements, waterway improvements, floodway and flood zone mitigation, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, bike racks, public art and similar amenities between the curb and right-of-way line; and other public improvements, including public buildings owned or occupied by the Agency or other public agencies, including the City's walkways, public open spaces that may be deemed appropriate by the Board;

f. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;

g. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;

h. The rehabilitation and adaptive reuse and repurposing of existing structures and improvements;

i. The preparation and assembly of adequate sites for the development and construction of facilities for commercial, industrial and governmental use;

j. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment;

k. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;

l. The construction of storm water management infrastructure to support compliance with federal and local regulations for storm water discharge and to support private development;

m. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, multi-use pathways, parks and open space, community and recreation facilities, and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;

n. Agency construction, participation in the construction and/or management of parking facilities that support a desired level and form of development to enhance the vitality of the Project Area;

o. The enhancement, construction, and possible realignment of streets, multi-use pathways, sidewalks, and related streetscape amenities;

p. The construction and financial support of infrastructure necessary for the provision of improved transit and mobility systems, including alternative forms of transportation;

q. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to mid-sized companies, and large-scale corporations;

r. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and as permitted by the Law and the Act.

302 Urban Renewal Plan Objectives

Urban renewal activity is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, deterioration of site or other improvements; limited public infrastructure and services; and obsolete platting. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under any development agreement shall conform to those standards specified in Section 303 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community and establishing it as a gateway to the City requires an assertive strategy. The following represents the key elements of that effort:

a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new public or private development, the Agency plays a key role in creating the necessary momentum to get and keep things going.

b. Develop new retail, commercial and industrial opportunities, as well as encourage other economic development opportunities.

c. Secure and improve certain public open space in critical areas.

d. Initiate projects designed to increase workforce transportation and mobility options.

Without direct public intervention, the Project Area has and could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area will be modified to the extent that the existing brownfields, and underutilized, underdeveloped, and vacant land and land now devoted to scattered inconsistent uses will be converted to commercial and industrial uses. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate park and open space, and community and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the site covered by the Plan, recognizing the primary commercial and industrial nature of the Project Area.

303 Participation Opportunities and Participation Agreements

The Agency shall enter into an owner participation agreement (which term includes all types of reimbursement agreements) with any existing or future owner of property, in the event the property owner receives assistance from the Agency in the redevelopment of the property. In that event, the Agency may allow for an existing or future owner of property to remove his property and/or structure from future Agency acquisition subject to entering into an owner participation agreement.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and meets the conditions described below:

- Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan and applicable zoning ordinances. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.

- All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.

- Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as, to all applicable codes and ordinances of the City.

All owner participation agreements will address phasing issues, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan—December 31, 2039. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.

In all owner participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- Encouraging established businesses to revitalize deteriorating areas of their parcels to accelerate the enhancement of the street environment in the Project Area.

- Subject to the limitations of the Law and the Act, providing incentives to existing business owners to encourage continued utilization and expansion of existing permitted uses to prevent properties from falling into disuse, a proliferation of vacant and deteriorated parcels and a reduction in area employment.

- Allowing existing nonconforming uses to continue in accordance with City regulations and to accommodate improvements and expansions allowed by City regulations.

- Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses over the next twenty (20) years.

- Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development. Though no specific advance funding by a developer/owner participant is shown in the cash analysis attachments, this Plan specifically allows for such an advance.

304 Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and Act.

The Agency intends to cooperate to the extent allowable with the City for the construction of public facilities and improvements, including, but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, parking, parks and open space, pedestrian/bike paths and trails. The Agency shall also cooperate with the City on various relocation, screening, or underground projects and the providing of fiber optic capability. To the extent any public entity, including the City, has funded certain improvements such as water and sewer facilities or storm drainage improvements, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into an agreement with the Agency and then shall be bound by the Plan and other land use elements and shall take into consideration those standards specified in Section 303 of this Plan.

This Plan does not financially bind or obligate the Agency to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

305 Property Acquisition

305.1 Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan anticipates the Agency’s use of its resources for property acquisition.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the invocation of eminent domain authority as limited by Idaho Code § 7-701A.

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, parking, parks and open space, multi-use paths and trails, and other public facilities. Further, the Agency may acquire real property to facilitate commercial and industrial development by assembling and disposing of developable parcels. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of and industrial uses. The public improvements are intended to be dedicated to the City upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired. The open land areas qualify for Agency acquisition as further set forth in Section 105 of this Plan.

It is in the public interest and is necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties identified, if any, should be acquired.

305.2 Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain for the purpose of developing the public improvements described in section 305.1.

306 Property Management

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits and shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

308 Demolition, Clearance and Site Preparation

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including rock removal and site preparation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks and open space, multi-use paths and trails, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

309 Property Disposition and Development

309.1. Disposition by the Agency

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho law, including Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

309.2 Disposition and Development Agreements

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Twin Falls County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.

b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.

c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).

d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan.

e. All new construction shall have a minimum estimated life of no less than twenty (20) years.

f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.

g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.

h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.

i. All disposition and development documents shall be governed by the provisions of Section 408 of this Plan.

j. All other requirements and obligations as set forth in the existing Participation Policy.

The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land, beyond the termination date of this Plan, shall terminate no later than December 31, 2038. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.

309.3. Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized under Idaho Code Section 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachments 5.1-5.4 and may acquire or pay for the land required therefore.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 504 to this Plan or out of any other available funds.

310 Development Plans

All development plans (whether public or private) prepared, pursuant to disposition and development agreement or Development Agreements, shall be submitted to the Agency Board for approval and review. All development in the Project Area must conform to those standards specified in Section 408 and all applicable City ordinances.

311 Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

312 Participation with Others

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program ("CDBG"), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency's use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 504 to this Plan or out of any other available funds.

313 Conforming Owners

The Agency may, at the Agency's sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

314 Arts and Cultural Funding

The Agency may dedicate resources for the construction or purchase of facilities for the placement and maintenance of public art.

Arts projects may be selected and provided by the Agency, separately from any construction costs of developers. The Agency Board may make selections of the works of art with the advice and assistance of the City and may include review and approval of the City Council. Selected art projects may be an integral part of the public improvement/facility, attached to a structure, detached within or outside of a structure, part of a wayfinding or locational feature, or be stand-alone exhibits in other areas of the Project Area open to the general public.

Whenever possible, any Agency arts funding will be used to leverage additional contributions from developers, other private sources, and public or quasi-public entitles for purposes of including public art within the streetscape projects identified in this Plan.

Comment [MC1]: Consider deleting section

400 USES PERMITTED IN THE PROJECT AREA

401 Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, and as tentatively depicted on Attachment 4 and as set forth in the City's Comprehensive Plan and within the Twin Falls Zoning Code, including the future land use map and zoning classifications, as may be amended. Provided, however,

Comment [MC2]: Confirm reference

nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

402 Public Rights-of-Way

The Project Area contains existing maintained public rights-of-way as shown on Attachment 1, including but not limited to Washington Street South and Diamond Avenue. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, including but not limited to the extension of Park Street and Highland Street and other potential roadways generally shown in Attachments 5.1-5.4. Existing dirt roadways, streets, alleys, easements, and irrigation or drainage laterals or ditches (if any) may be improved, abandoned, closed, vacated, expanded or modified as necessary for proper development of the Project Area, in accordance with any applicable policies and standards of the Idaho Transportation Department or the City regarding changes to dedicated rights-of-way.

Any development, maintenance and future changes to the existing interior or exterior street layout shall be in accordance with the objectives of this Plan, and the City or the Idaho Department of Transportation's design standards as may be applicable; shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

a. A balancing of the needs of proposed and potential new developments for adequate vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

b. The requirements imposed by such factors as topography, traffic safety, and aesthetics;

c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement; and

d. Street connectivity should be maximized and the design and/or construction of permanent cul-de-sacs and dead-end streets should be minimized to the greatest extent practicable.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

403 Other Public, Semi-Public, Institutional, and Nonprofit Uses

The Agency is also authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and community and recreational facilities; educational, fraternal, employee; philanthropic and charitable institutions; utilities; governmental facilities; railroad rights-of-way and equipment; and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

404 Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code.

405 Development in the Project Area Subject to the Plan

All real property in the Project Area, under the provisions of either a disposition and development agreement or a Development Agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards

All construction in the Project Area shall comply with all applicable state laws, the Twin Falls City Code, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to the Twin Falls City Code, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or Development Agreement.

407 Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;

b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;

c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and

d. Permitting a variation will not be contrary to the objectives of this Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

408 Design for Development

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, density, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any development must also comply with the City's zoning ordinance regarding heights, setbacks, density and other like standards.

In the case of property which is the subject of a disposition and development agreement or a Development Agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under those agreements the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc, case by case basis through the approval process of the Development Agreement or disposition and development agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. Those controls and standards will be implemented through the provisions of any disposition and development agreement or Development Agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinance.

409 Nonconforming Uses

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a Development Agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

500 METHODS OF FINANCING THE PROJECT

501 General Description of the Proposed Financing Methods

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

502 Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2019. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study as defined in section 502.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer advanced funding could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachments 5.1-5.4 to this Plan. This statement necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs if the Board deems such adjustment necessary or convenient to effectuate the general objectives of the Plan in order to account for revenue inconsistencies and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachments 5.1-5.4 incorporates estimates and projections based on the Agency's present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds.

502.1 Economic Feasibility Study

Attachment 5.2 constitutes the Economic Feasibility Study ("Study") as supported by Attachments 5.1, 5.3 and 5.4, for the urban renewal area prepared by Phil Kushlan, Kushlan Associates. The Study constitutes the financial analysis required by the Act and is based upon existing information from property owners, developers, the Agency, City and others.

502.2 Assumptions and Conditions/Economic Feasibility Statement

The information contained in Attachments 5.1-5.4 assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of bonded indebtedness (and all other loans or indebtedness) and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or other legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in Attachments 5.1-5.4, which will facilitate development in the Revenue Allocation Area. The Study assumes the City will contribute and dedicate City-owned land for right-of-way improvements at no cost to support construction of the public improvements listed in this Plan. Further, the Study assumes Suez Water will contribute 50% of the cost for certain water facility upgrades.

The assumptions set forth in the Study are based upon the best information available to the Agency and consultants through public sources or discussions with property owners, developers, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay as you go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The assumptions concerning revenue allocation proceeds are based upon certain assessed value increases and assumed levy rates as more specifically set forth in Attachments 5.1-5.4.

The types of new construction expected in the Project Area are: industrial and commercial facilities and improvements, including, but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, parking, community and recreation facilities, parks and open space improvements, multi-use paths and trails. The Project Area has potential for a significant increase in industrial and commercial growth due to the location of the Project Area. However, without a method to construct the identified public improvements development is unlikely to occur in much of the Project Area.

502.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Twin Falls County Assessor, the assessed taxable value[1] for the City as of January 1, 2018[2], less homeowner's exemptions is $2,859,303,458; therefore, the 10% limit is $285,930,346.

The adjusted base assessed value of each of the existing revenue allocation areas as of January 1, 2019, is as follows:

Area 4-1	$23,760,191
Area 4-3	$1,069,508
Area 4-4	$4,090,577

The adjusted base values for the combined revenue allocation areas total $47,609,535, which is less than 10% of the City's 2018 taxable value.

502.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular financing source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, by contract, or by other federal regulations. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

[1] Includes taxable real and personal property; excludes operating property.

[2] Due to the timing of the assessment process and creation of this Plan, the 2018 values have been used to establish compliance with the 10% limitation. Using the 2018 values, the total adjusted base value of the existing and proposed revenue allocation areas combined with the value of this Project Area is 1.67% of the total taxable value of the City. Even assuming an increase in values for 2019, the combined adjusted base values of the revenue allocation areas would not exceed 10% of the current assessed taxable value for the entire City.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes, annual revenue allocations, developer contributions, city contributions, interfund loan, property disposition, and other funds are shown. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred. See Idaho Code § 50-2905. Based on these funding sources, the conclusion is that the project is feasible.

The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activities and projects identified on the unfunded improvement list. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to participation agreements and disposition and development agreements. The Agency may also, re-prioritize projects and the location of those projects pursuant to market conditions, project timing, funding availability, etc. as more specifically detailed in the annual budget.

The proposed timing for the public improvements may very well have to be adjusted depending upon the availability of some of the funds and the Agency's ability to finance any portion of the Project. **Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code § 50-2903A.**

Attachments 5.1-5.4 list those public improvements the Agency intends to construct through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and Agency. The listing of public improvements does not commit the Agency to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate the terms of any reimbursement with the developer. This Plan does not financially bind or obligate the Agency to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of roads and utilities in the Project Area is generally shown in Attachments 5.1-5.4 recognizing that the specific location of roads and utilities will depend on the type and timing of development. The change in location of the location of the improvements shown on Attachments 5.1-5.4 does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. The Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachments 5.1-5.4 first, in conjunction with private development within the Project Area generating the increment as identified in Attachments 5.1-5.4.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

502.5 Participation with Local Improvement Districts and Business Improvement Districts

Under the Idaho Local Improvement District Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

502.6 Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenues identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

502.7 Impact on Other Taxing Districts and Levy Rate

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation is more of a product of the imposition of Idaho Code § 63-802, than the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan or deannexation of area, the taxing entities will be able to include the accumulated new construction roll value in setting the following year's budget and revenue from such value is not limited to the three percent increase allowed in Idaho Code § 63-802(1)(a).

As 2019 certified levy rates are not determined until late September 2019, the 2018 certified levy rates have been used in the Study for purposes of the analysis.[3] Those taxing districts and rates are as follows:

Taxing District Levies:	
Twin Falls County	.004282926
Twin Falls Highway District	.001131447
City of Twin Falls	.007503874
Twin Falls School District No. 41	.000015895
Twin Falls Ambulance	.000198801
Mosquito Abatement District	.000108620
College of Southern Idaho	.000914913
TOTAL:	.014156476

The Study has made certain assumptions concerning the levy rate. The levy rate is estimated to stay level for the life of the revenue allocation area. Additionally, the Study assumes a 1% annual increase in land value and a 2% annual increase in improvement value over the term of the Plan. If the overall levy rate is less than projected, or the land values do not increase as expected, or expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account.

503 Lease Revenue, Parking Revenue, and Bonds

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

[3] Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2019 levy rates did not occur until this Plan had been prepared and was in the process of being considered by the Agency. In order to provide a basis to analyze the impact on the taxing entities, the 2018 levy rates are used. Use of the 2018 levy rates provides a more accurate base than estimating the 2019 levy rates.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

504 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The Annual Program Operations identified in the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

600 ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City shall include, but not be limited to, the following:

a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.

b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.

c. Imposition wherever necessary of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.

d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

e. Building Code enforcement.

f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

g. The undertaking and completing of any other proceedings necessary to carry out the Project.

h. Administration of Community Development Block Grant funds that may be made available for this Project.

i. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.

j. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.

k. Transfer of real property or improvements upon Agency request.

l. Coordination of the development agreements entered into by the City and developer with the goals of the Plan.

m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

n. Contribute land for right-of-way improvements at no cost to support construction of the public improvements listed in this Plan.

The foregoing actions to be taken by the City do not constitute any commitment for financial outlays by the City.

601 Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City.

700 ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to modifications and/or extensions set forth in Idaho Code §§ 50-2904 and 50-2905(7). The revenue allocation authority will expire on December 31, 2039, except for any revenue allocation proceeds received in calendar year 2039, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2040 to complete the projects set forth herein. As stated in the Plan, any Development Agreement or disposition and development agreement obligations will cease as of December 31, 2039.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2040, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.

c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, the Agency shall dispose of any remaining assets by granting or conveying or dedicating such assets to the City.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as loans; the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a least income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility.

For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City, depending on the nature of the asset.

900 PROCEDURE FOR AMENDMENT OR MODIFICATION

To the extent there is any outstanding loans or obligations, this Plan shall not be modified pursuant to the provisions set forth in Idaho Code § 50-2903A. Modification of this Plan results in a reset of the base assessment roll values to the current values in the year following the modification year as more fully set forth in Idaho Code § 50-2903A subject to certain limited exceptions contained therein. As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments as more specifically set forth in the Agency's annual budget will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not deemed a modification under Idaho Code § 50-2903A.

1000 SEVERABILITY

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-450E, the local government registry portal, Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission's plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Twin Falls County Board of County Commissioners.

1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Project Area and Revenue Allocation Area Boundary Map

Attachment 2

Legal Description of Project Area and Revenue Allocation Area

An area consisting of approximately 90 acres as more particularly described as follows:

Attachment 3

Properties (Public and/or Private) Which May Be Acquired by Agency

1. The Agency has not identified any particular parcel for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition included parcels to:
   a) assemble with adjacent parcels to facilitate development and/or redevelopment;
   b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for development and/or redevelopment;
   c) reconfigure sites for development and possible extension of streets or pathways
   d) assemble for future transfer to qualified developers to facilitate the development of industrial, commercial and retail areas, and hotels;
   e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, parking, community and recreation facilities, parks and open space, multi-use paths and trails, school facilities and other public facilities.

2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.

3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).

4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

Attachment 4

Map Depicting Expected Land Uses and Current Zoning
Within Revenue Allocation Area and Project Area

Attachments 5.1-5.4

Economic Feasibility Study

Attachment 6

Agricultural Operation Consent(s)

4844-6135-9766, v. 1

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

Date: Monday, May 13, 2019

To: Urban Renewal Agency of the City of Twin Falls

From: Nathan Murray, Executive Director

ACTION ITEM

Request:

Consideration of a request to approve an engagement letter between the Urban Renewal Agency and Valbridge Property Advisers for a fair re-use appraisal of property located at 160 Main Ave South in Twin Falls.

Time Estimate:

N/A

Background:

Idaho Code, Title 50-2011, outlines the rules for disposition of property by an agency in an Urban Renewal Area. Per Idaho Code, an agency may dispose of property at less than appraised value only after a fair-use price is established by appraisal.

Summit Creek Capital has offered to purchase TFURA owned property at 160 Main Ave South for a price of $100. In order to be able to sell at this price, the agency will need to perform a fair-use appraisal.

Valbridge Property Advisers has submitted an engagement letter, outlining the scope and cost of the necessary work to perform an appraisal for the agency.

Approval Process:

Majority vote by the board.

Budget Impact:

$3,500 from the general fund.

Regulatory Impact:

N/A

Conclusion:

Staff recommends authorizing the Valbridge to perform the appraisal to allow the project at 160 Main Ave South to move forward.

Attachments:

None

THE URBAN RENEWAL AGENCY
OF THE CITY OF TWIN FALLS

Date: Monday, May 13, 2019

To: Urban Renewal Agency of the City of Twin Falls

From: Nathan Murray, Executive Director

ACTION ITEM

Request:

Consideration of a request to approve a maintenance agreement for Urban Renewal Agency property in Downtown Twin Falls.

Time Estimate:

N/A

Background:

Since the completion of Main Avenue and the Downtown Commons, the Twin Falls Urban Renewal Agency has seen an increase in the maintenance costs for its properties. During fiscal years 2015-2018, the TFURA spent an average of $16,000/yr (see attached) toward maintenance of downtown properties. So far in fiscal year 2018-19, the TFURA has spend $25,000, much of which does not include labor as we've relied on in-kind donations from the Twin Falls Parks and Recreation Department. Furthermore, staff is presently managing ten different contracts with various parties to perform various aspects of the needed maintenance work.

In order to better manage maintenance, staff is considering contracting with either the Twin Falls Parks and Recreation Department or Windsor Nursery for an all-inclusive type service, at a pre-arranged price, to simplify budgeting and to manage anticipated costs.

Twin Falls Parks and Recreation is proposing that TFURA fund a new position that will be dedicated to work on downtown and respond to downtown needs. The new position cost is $59,000 which includes full benefits. The position will be funded by the URA through the life of the district, and will continue to be funded by the City after 2023.

Windsor Nursery is proposing a contract to cover the cost of services with an estimated cost of $50,000/yr plus additional expenses per special event at an hourly rate. Windsor helped build out the Commons and is familiar with operating the fountain, and helped prepare the Commons during the winter months.

The third option would be to continue as we've been doing, managing the properties as staff, negotiating and reviewing contracts as needed.

Approval Process:

A majority vote by the board for acceptance of one of the three presented options.

Budget Impact:

N/A

Regulatory Impact:

N/A

Conclusion:

For consistency of maintenance and budgeting, staff recommends hiring a third party to provide services for its downtown properties.

Attachments:

1. Property Maintenance
2. Property Maintenance-2

What	Parcel ID	Location	Who Maintains	Responsible for	Notes	ENDS
Dennis Bowyer Park *(City owned/URA Maintain)*	RPT0001145017AA	**122 4th Avenue South**	Parks & Rec = Living Earth	Landscape maintenance, Snow/Ice removal (URA reimbursement); URA directly pays ID Power; City directly pays for water.	P&R contracts; URA pays	RAA 4-1 = 12/31/2022
VA building		**260 2nd Avenue East**	VA - incl. Backflow Testing	**Nothing until 11/1/2020**	VA responsible for all maintenance per lease agreement ending Oct. 31 2020	10/31/2020 per lease
Maxwell/Railroad Avenue lots	varies	**Maxwell Ave & Railroad Ave**	Sean Standley = Sawtooth Spraying	Weed Control & Snow/Ice removal	Code contracts; URA pays. City maintains & pays for snow/ice removal.	RAA 4-1 = 12/31/2022
Parking Lots *(P&R Map - #1)*	RPT0001155000AA RPT00107166005A	**Minidoka Avenue & 5th Av S / Hansen St area**	Parks & Rec = Sawtooth Spraying	Snow/Ice removal & Dormant oil tree spray	P&R contracts; URA pays	RAA 4-1 = 12/31/2022
Parking Lot *(P&R Map #2)*	RPT0001145006BA	**5th Avenue South (between Shoshone & Hansen)**	Parks & Rec = Sawtooth Spraying	Snow/Ice removal & Dormant oil tree spray	P&R contracts; URA pays	RAA 4-1 = 12/31/2022
Parking Lot *(P&R Map - #3)*	RPT0001133010BA	**Idaho St. & 3rd Ave South; incl. corners across the streets (St. Luke's ofc)**	Parks & Rec = Sawtooth Spraying	Dormant oil tree spray	P&R contracts; URA pays	RAA 4-1 = 12/31/2022
			URA = Kimberly Nurseries	Snow/Ice removal	URA contracts & pays (Nathan)	
Parking Lot	RPT0001085008AA RPT0001085006AA	**2nd Avenue North (229 & 241)**	URA = Kimberly Nurseries	Snow/Ice removal	URA contracts & pays (Nathan)	RAA 4-1 = 12/31/2022
Parking Lots (Sr. Center)	RPT0001153007AA RPT0001153001DA	**5th Ave W & Gooding & 530 Shoshone St S (Sr. Center)**	Parks & Rec = Sawtooth Spraying	Snow/Ice removal & Dormant Oil Tree Spray	City pays for all maintenance.	RAA 4-1 = 12/31/2022
Parking Lot	RPT0001118004AA	**215 Shoshone St. South**	Sean Standley = Sawtooth Spraying	Weed Control & Snow/Ice removal	Code contracts; URA pays.	RAA 4-1 = 12/31/2022
Main Avenue - Intersections	varies	**Jerome to Fairfield**	URA = Kimberly Nurseries	Snow/Ice removal	URA contracts & pays (Nathan)	RAA 4-1 = 12/31/2022
Main Avenue - misc mntc	varies	**Jerome to Fairfield**	URA	Flag replacement; Planter maintenance; misc landscaping	TBD	RAA 4-1 = 12/31/2022
Downtown Commons Plaza	RPT0001087029AA	**149 Main Ave E**		URA directly pays Power, Water, Restroom Cleaning & Broadband; Landscape Maintenance, Snow/Ice removal - needs contract	TBD - Landscape-Snow/Ice Removal	RAA 4-1 = 12/31/2022
Downtown Commons Restroom Bldg	RPT000108700CAA	**159 Main Av E (aka 129 Hansen St E)**				RAA 4-1 = 12/31/2022
Parking Lot *(corner by Commons Bldg)*	RPT000108700BAA	**2nd Av E *(Commons Restroom corner parking)***		Snow/Ice removal; Landscape Maintenance	City takes care of all.	RAA 4-1 = 12/31/2022
Parking Lot	RPT0001133017AA RPT0001133023AA RPT0001133025AA	4th Avenue S between Hansen & Idaho St. (341 Hansen St S)		Weed Control; Snow/Ice Removal	City takes care of all.	RAA 4-1 = 12/31/2022
Parking Lot (ongoing from 341 Hansen St)	RPT0001133029AA	(249 4th Av S)				RAA 4-1 = 12/31/2022

Average Yearly Maintenance Costs for URA Property

2016-2018

Various Properties	1,100.00	
D. Bowyer Park	3,305.80	122 4th Ave S
Parking Lot	3,107.34	3rd Av & Idaho St
Main Avenue	4989.23	
Downtown Commons	3744.00	
	16,246.37	

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

Date: Monday, May 13, 2019

To: Urban Renewal Agency of the City of Twin Falls

From: Nathan Murray, Executive Director

ACTION ITEM

Request:

Consideration of a request to approve the purchase of shade structures for the Downtown Commons.

Time Estimate:

N/A

Background:

Staff has received multiple requests from the public for the addition of shade structures in the downtown commons. We have prepared a report of the various options that exist and their costs (see attached). These structures are temporary in nature as they would need to be moved during inclement weather. The prices range from $16,000-$35,000.

A second option would be to construct a more permanent structure with a shade sail that can raised and taken down as needed. The cost of a permanent structure is estimated to be between $80,000-$100,000.

Items to consider in addition to the cost are the need for the shade, ongoing maintenance and replacement of the umbrellas and sail, and whether or not other options exist including sponsorship of shade structures during events.

Approval Process:

A majority vote by the board.

Budget Impact:

Total cost of the approved structures would come from contingency funds of the Commons budget, which right now is competing for other aspects of the project that need to be completed.

Regulatory Impact:

N/A

Conclusion:

Staff recognizes the need for shade in the Commons but this is only critical for two months out of the year. Staff recommends waiting to purchase a more permanent structure at a later date which could be more multi-use with other needs in the commons. In the interim, staff recommends finding a sponsor to purchase temporary umbrellas that cab be placed in the Commons during the summer months.

Attachments:

1. Umbrella Research Spreadsheet

#	Model #	Size	Warranty	Website	Construction	Per Unit Cost	Addtl. Costs	Freight	Total Cost (5 Units)
1	Liberty	10' sqr	10 yrs	https://theshadeexpert	Galv. zinc plated steel structure and hubs, aluminum ribs, stainless steel hardware, marine grade crank, dbl braided marine grade rope, 100% acrylic marine grade canopy, 360 rotation, High Wind Stabilizer Bar; freestanding base with lockable wheels	3,359.00		625.00	**16,795.00**
2a	SU7	Alt. #1 9'-10" sqr	5 years	https://www.shadowsp	marine-grade powder-coated aluminum, stainless steel & other non-corrosive materials; patented one movement sliding system; 360 rotation; utilizes lift-assist gas-strut technology for ease of deployment; 100% premium dickson acrylic canopy. Includes protection cover and 35"x35" base with wheels	4,470.00	NOT SUPPLIED = 8, 16"x16", concrete pavers for ea. = **addtl. Cost $200**	1,780.00	**22,350.00**
2b	SU7	Alt. #2 11'-6" Oct	5 years	https://www.shadowsp	*(same as 2a above)*	4,050.00	NOT SUPPLIED = 8, 16"x16", concrete pavers for ea. = **addtl. Cost $200**	1,780.00	**20,250.00**
3	SU10	13'-1" sqr	3 yr frame/ 5 yrs fabric	https://www.shadowsp	commercial grade aluminum frame, stainless steel hardware, telescopic mast, Center Pole 38/48mm dia, Heavy-duty Double Pulley system; 100% preimum sunbrella acrylic canopy. Includes protection cover and 35"x35" base with wheels	7,131.00	NOT SUPPLIED = 8, 16"x16", concrete pavers for ea. = **addtl. Cost $200**	3,185.00	**35,655.00**
4	EM981	10' sqr	1 year	https://www.patioliving	540 Lb. White Metal Cover Base Over (4) Granite Plate base; 5-1/2 Dia. Side Post; Anodized Aluminum Pole, Ribs, Struts, Hubs and Finial; Crank Lift; 4 Position Rotational Locking Mechanism; Two Canopy Positions With Vent; Pocket Less Canopy Attachment; All Repairable Construction; O'Bravia Awning Commercial Grade Canopy. **Does not have wheels**. 100% Solution Dyed Polyester	3,762.00		0.00	**18,810.00**
5	PRU1010	10' sqr	10 yrs	https://srpshade.com/p	Fully retractable and portable steel frame using dual-drive system, Heavy duty commercial grade steel frame designed for windy environments, Waterproof Sunbrella® shade fabric, Latching strap secures fabric when in stowed position; comes with 4 - 28# removable ballasts for base weight.	5,282.20		2,156.00	**26,411.00**

THE URBAN RENEWAL AGENCY OF THE CITY OF TWIN FALLS

Date: Monday, May 13, 2019

To: Urban Renewal Agency of the City of Twin Falls

From: Nathan Murray, Executive Director

ACTION ITEM

Request:

Consideration of a request to approve a bid for landscaping improvements within Shoshone St. between 2nd Ave. NE and 2nd Ave. SW.

Time Estimate:

N/A

Background:

In fall, 2018, landscaping was removed from the center islands in Shoshone St between the 2nd Avenues due to dying trees, damaged irrigation lines, and overgrown shrubs. Since this area is located within the Twin Falls Urban Renewal Agency RAA #4-1, and the agency is collecting the majority of the tax revenues, the City is asking for assistance with the re-vegetation of the landscape islands.

Attached is the proposed landscape plan which includes lower vegetation with less maintenance, along with the re-planting of a shade tree. The bid provided by the Parks and Recreation department for the work is $13,294.02.

Approval Process:

A majority vote by the board.

Budget Impact:

The cost of $13,294.02 would be applied to the maintenance fund being used to track expenses that will be the future responsibility of Twin Falls City.

Regulatory Impact:

N/A

Conclusion:

Although there is no formal maintenance agreement with the City, the practice of the TFURA has been to cover the cost of improvements and failing infrastructure within the downtown core. As this project is located directly in the path of other recently completed URA projects, it would benefit the agency to cover the cost of the new landscaping to match that of the rest of Main Avenue.

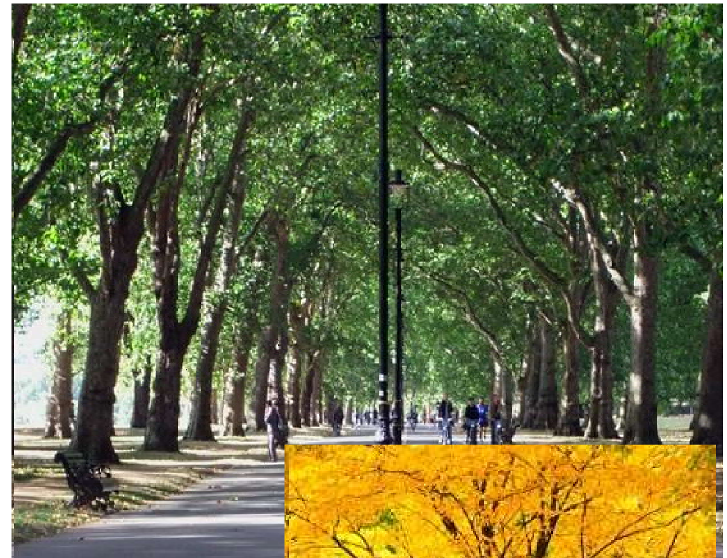
Attachments:

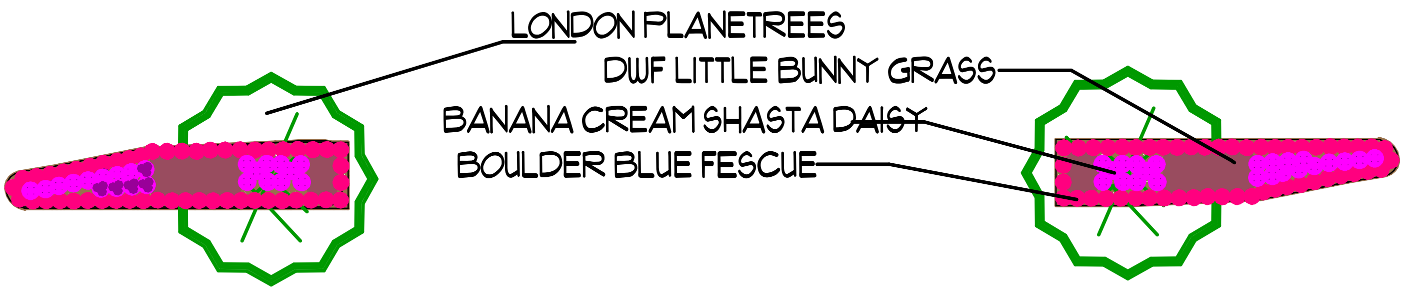
1. Landscape_for_Shoshone_Street_Island
2. quote_570

BOULDER BLUE FESCUE

DWF LITTLE BUNNY GRASS

LONDON PLANETREES





BANANA CREAM SHASTA DAISY

Windsor's Nursery

#PWC-C-17529-B-4 / #RCE12767

3796 N. 3386 E. Kimberly Road
Kimberly, Idaho 83341
208-734-2481
info@windsorsnursery.com | windsorsnursery.com

RECIPIENT:

City of Twin Falls, TF Park and Recreation

P.O. Box 1907
Twin Falls, ID 83303

SERVICE ADDRESS:

136 Maxwell Ave
Twin Falls, Idaho 83301

Estimate #570	
Sent on	04/14/2019
Description	Landscape Revamp
Total	**$13,294.02**

SERVICE / PRODUCT	DESCRIPTION	QTY.	UNIT COST	TOTAL
Traffic Control		1	$1,650.00	$1,650.00*
Labor-Site Work	Removal of excess soil in both islands	1	$1,575.00	$1,575.00*
Bulk-Top Soil	A mixture in the new soil	9	$31.95	$287.55
Bulk-Dairy Compost	A mixture in the new soil	3	$38.95	$116.85
Labor-Spreading of Windsors Blend	Delivery and Installing all of the 2-way soil mixtures	1	$260.00	$260.00*
Irrigation-Material		1	$395.00	$395.00
Irrigation Labor	Tapping into existing sprinkler laterals with drip line	1	$795.00	$795.00*
Plant Material	2 3" London Planetree 102 #1 gallon Boulder blue fescue grass 54 #1 gallon Dwarf little bunny fountain grass 48 #1 gallon PW Daisy Banana Cream Shasta Daisy	1	$3,218.12	$3,218.12
Labor-Planting Fee	Planting of trees/shrubs. Fish compost, root stimulator, and granule fertilizers applied to each plant to give it the best start in its new home. A one year guarantee on plant material as long as there is adequate watering.	1	$2,897.00	$2,897.00*
Material-Weed Barrier (sq.ft.)	Commercial landscape weed barrier 6' wide (sq.ft.)	1	$275.00	$275.00
Installing-Weed Barrier		1	$385.00	$385.00*
Bulk-Rock Forever Bark 1"		10	$98.95	$989.50
Labor-Spreading of Rock	Spreading of rock in landscape beds	1	$450.00	$450.00*
Electrical Labor	$85 a man hour + material Time and material if electrical conduits are uncovered and damaged during landscape	1	$0.00	$0.00*

Windsor's Nursery
#PWC-C-17529-B-4 / #RCE12767

3796 N. 3386 E. Kimberly Road
Kimberly, Idaho 83341
208-734-2481
info@windsorsnursery.com | windsorsnursery.com

Total	**$13,294.02**

* Non-taxable

*All materials are subject to 6% use tax.
This quote is valid for the next 30 days, after which values may be subject to change. Thank you for considering us to help you with your landscape/maintenance needs. If you have any questions please feel free to contact us. Have a wonderful day!

Signature: ____________________ **Date:** ____________