

POST FALLS URBAN RENEWAL MINUTES

May 20, 2010

CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE

Chairman Bobbi Rollins called the meeting to order at 7:00 a.m. Executive Director Tom Lien called the roll. Present, in addition to Chairman Rollins were Commissioners Larry Carstensen, Jerry Baltzell, David Holloway, Peter Smith, Tim Short and Hilde Shetler.

Chairman Rollins asked Commissioner Holloway to lead the Pledge of Allegiance.

CEREMONIES, APPOINTMENTS AND ANNOUNCEMENTS

None

CONFLICT DISCLOSURE

None

CONSENT CALENDAR

Lien introduced the Consent Calendar. All Commissioners had been given a packet of information for the meeting including the reviewed and edited April 15, 2010 minutes. Provided also were the payables for the month totaling \$136,580.43. In addition to the normal operating payables was a payment to the City for \$125,134.93 for billings from Welch/Comer, Avista and Owens Construction for the William/Frederick/Centennial Trail projects.

The financial statements as of April 30 are as printed from the in-house QuickBooks accounting system. The Fund Reconciliation sheet is a recent addition to our month end reports, listing the LGIP, Bank and CD account balances and how the total of those funds is allocated to the General Fund, Reserve Fund and the Capital Improvement Fund by District. The Bank Activity Report shows total funds in all accounts of \$3,589,160.76 with accrued interest for the month of \$2,466.43. Approval of the Consent Calendar will also authorize the transfer of accrued interest to the General Fund and transfer of \$136,580.43 to the INB Checking Account to pay the payables.

The next two items are task orders from Welch/Comer which will obligate funds for near term engineering review of a reimbursement submittal from the Expo District and one for The Pointe at Center Point District. The not to exceed costs of review are \$1,500 for Expo and \$3,000 for The Pointe.

Next is a Personal Services Agreement between the Agency and Diane Fountain for the position of Executive Assistant. This Agreement for services through the end of this fiscal year, changes the status of Diane's employment from a contract employee through Express Professional Services to a direct contract employee status with the Agency, at no additional cost to the Agency.

The last two items on the consent calendar are Agency Policy Updates, including Policy #5 – Issuance of Agency Checks and Policy #20 – Cash Management. We continue the review of older Agency Policies to update and improve some of the language and bring them to a consistent policy format.

Policy #5 eliminates a lot of "City" reference and Policy #20 adds account review language as suggested at Finance Committee.

Commissioner Shetler made a motion to postpone the Personal Services Agreement item to next month for further review by the Personnel Committee, seconded by Smith. Motion carried by voice vote.

Holloway requested a review of the April 15th audio minutes and asked that his comment regarding The Landing be updated. Holloway's concern is that the Commission has no ability to make some kind of intermediate measure of the proponents other development performance outside of the PSOPA and also the inability for the Agency to discontinue reimbursement if the proponent's performance was not as he had envisioned. Chairman Rollins affirmed the minutes of April 15th, 2010 would be updated to include the above comment.

Baltzell made a motion to accept the Consent Calendar as changed, seconded by Holloway. Roll call vote: Carstensen – Aye, Baltzell – Aye, Holloway – Aye, Rollins – Aye, Smith – Aye, Short – Aye, Shetler – Aye. Motion carried.

CITIZEN COMMENTS

Chairman Rollins welcomed Mike McDowell, Kootenai County Assessor. Mr. McDowell was in attendance to give a presentation to the Commission on the subject of closing an Urban Renewal District and how that would affect tax increment. After identifying that all the obligations incurred have been satisfied, a date would be set to close the District and notifications of such be sent to the County offices and the State Tax Commission. The underlying taxing districts are notified by the County Treasurer. Property tax revenues will continue to come in for three years after the close of a District. After all obligations have been met, the excess money is to be returned to the taxing districts. In 2006 there was a change in the law that precluded the underlying taxing districts from counting new development value that occurred within the Urban Renewal revenue allocation area. Chairman Rollins inquired on closing a "sub-district" of a district. Lien clarified that we have two Districts which have more than one proponent and each has its own boundaries within a certain District. McDowell stated that those "sub-districts" could be closed out and removed from the revenue allocation area. The Agency can work with the Clerk's office to have the monies returned to the taxing entities. Since taxes are collected in arrears if a "sub-district" were closed or de-annexed today, the de-annexation would be effective in 2011. There would be 2010 taxes, not yet billed that would be still coming in along with 2009, 2008 and 2007 potential taxes that would also be flowing in. An accounting process would be created between the Agency and the County to make sure proper tracking is in place for transmitting those revenues to the underlying taxing districts pro-rata based upon the proportion of levy rates.

UNFINISHED BUSINESS

Access 90 Interchange Status. Executive Director Lien stated that the May status report from CH2MHill and ITD shows the EIS and IJR are 87% complete and have been submitted to ITD and FHWA for review. The ROD is expected in November. CH2MHill has completed about 40% of the preliminary design work and after the recent vote of no confidence expressed at a joint meeting of the City Council and this Board of Commissioners, ITD advised CH2MHill to stop work on the project. The Council and Agency determined to continue the project and assume control of it while continuing

to work with ITD. Eric Keck and Lien will meet with ITD and CH2MHill in the near future to ensure that the project continues and CH2MHill is taking the actions necessary to complete the ROD.

Holloway inquired about the expenditure of funds for engineering. ED Lien stated that the \$350,000 that the City funded was expended to CH2MHill for completion of the EIS and the IJR. CH2MHill had started on preliminary design efforts. ITD is holding the \$500,000 funded by the Agency in a suspense account. They will use that money to pay invoices from CH2MHill on work as completed. The preliminary design is 40% complete, which will be approximately \$200,000. ITD has been contacted and we expect a refund of the balance of the unbilled money that we prepaid.

Short asked who owned the rights to the preliminary design. Lien confirmed that ITD will be receiving copies of all the work performed by CH2MHill which we will have access to.

Carstensen asked where the money is coming from for the continuation of the ROD. Lien replied that work has been completed. The preliminary design work was coming from the money the Agency funded. When the stop work order was issued, the design work should have been stopped but the Agency will receive invoices up to that point.

Holloway would like the question brought up at the 3 on 3 meeting if there are any more funds that are contemplated on ITD's part that would get the ROD done. ITD is working under the premise that the Agency wants this done and the Agency is thinking that the money has stopped but if CH2MHill and ITD are thinking that it takes another \$100,000 to get the ROD done, that is not what the Agency envisions. Lien stated that issue can be a part of the next meeting with ITD and CH2MHill. Rollins stated that following the joint meeting it was agreed that additional expense was definitely not on the table.

Smith stated that the ROD has been submitted in draft form to the FHWA. Once submitted, FHWA will review for any necessary changes to the ROD. The expenditure of funds for submission of the ROD is complete, but if the FHWA comes back and asks for some type of revision then CH2MHill will spend additional funds to do that. The Agency will need some clarification on that. The IJR has been submitted and complete, but the Agency could also get revisions to it. There could be some money coming out of the \$500,000 at this point. According to the scope of the project, it should be a relatively small amount. Currently CH2MHill is in the review and revise phase. In getting a new engineering firm, who is responsible for that – the City or the Agency? Lien stated that the City will take the lead on this and request Statements of Qualifications. Smith asked if the selection of the new engineering firm will go out to bid to qualified firms. Lien affirmed this to be correct.

Smith questioned when it comes time to sign a contract with that Engineering Firm, will the Agency sign that? With the prior confusion, the Agency should make it clear right from the beginning that once the City and the Agency get a qualified engineering firm, the firm will understand that it will be working for the Agency as well as the City of Post Falls.

Baltzell inquired on a community wide workshop. Lien stated that it is in process, and there will be one or two open houses. Prior to those open houses the Agency and the City need some other meetings and discussions and strategy to plan for the scope of the project and how the Agency and the City want to communicate this from a marketing standpoint. The Agency and the City will need

to get support from the community for going out and funding the project and doing it ourselves so that the Agency and the City can control the funding and the timing.

Smith added that the 3 on 3 committee has discussed this and the initial plan is to have a couple open houses. The first open house will be to determine if this project is something that the community will embrace. This is an idea that has been out there for quite some time. The Agency and the City are now taking it from the State and controlling it at the City level. The Agency and the City have to go back to the business community and citizens and ask them if they support the idea. If the idea is supported the Agency and the City will say this is what the Agency and the City need to do to make it happen. Whether it is bonding type of funding or not, all this will be happening fairly quickly. The Agency and the City will have the ROD and the IJR, so the Agency and the City need to get an engineering firm, but the Agency and the City need to poll the community to see if this is something they really want. It will be an education for the residents and the business community that the Agency and the City are controlling this project on our own with ITD. It is our money that is going to be put into it – it is going to be a Post Falls project – not a State project.

Carstensen stated that the first open house will hopefully be held the first half of June with the second shortly afterward. The Agency and the City are going to try and move ahead as quickly as possible.

Rollins affirmed that the 3 on 3 committee is the appropriate place for this discussion because of the collaboration between the City and the Agency. The Mayor agrees that we need to keep this project going.

Marketing Video. Jeff Boyer, Jeda Video Group has been provided background information from the Personnel, Property and Communications committee with recommended shoot locations and input comments from several people. He has driven five different shoot locations to set time of day for shooting and has received a rough draft of the background dialog. They have done some location video shooting this week.

Riverbend Reimbursement Request for Engineer Fee. Lien stated that last month the Commission was asked to approve a request from Riverbend District for reimbursement of engineer fees over seven months totaling \$4,472.40. The request was tabled and reviewed by the Finance Committee. The committee discussed the reimbursement and recommended payment. As in most districts, the total engineering costs are estimated up front in the Plan without delineation of time of completion or minor closeout activities by the engineering firm after submittal of the initial reimbursement request. Commissioner Baltzell made a motion to approve the reimbursement request to Riverbend in the sum of \$4,472.40, seconded by Smith. Roll call vote: Carstensen – Aye, Baltzell – Aye, Holloway – Aye, Rollins – Aye, Smith – Aye, Short – Aye, Shetler – Abstained. Motion carried.

NEW BUSINESS

None

STAFF REPORT

Lien discussed the Frederick/William Street and Centennial Trail Parking Lot Project and reported that this project has progressed very well. The final punch list for completion items was issued Monday and will be expected to be complete within 10 days. Police Chief Haug has received two bids on all the portions of the security camera segment on the Centennial Trail portion of the project. The total bids are expected to come in at less than \$20,000 for the project, the Commission approved at the last meeting the amount of the security cameras was not to exceed \$33,050.

The Agency has completed the relocation of our offices to the new Chamber of Commerce building adjacent to City Hall. The Agency is on the second floor at the north end of the building. The phone number and email contact information remains the same as before.

On May 10, Lee Anderson, CPA reviewed the status of the accounting system and activity on input and report generation. He felt that our posting methods accurately state the financial condition of the Agency.

Lien reviewed the bids for the security cameras at the Centennial Trail Parking Lot. The high bid came in at \$19,754 and the low bid was \$17,426 which is \$15,624 under the approved amount.

COMMITTEE UPDATE

Finance - Holloway – nothing to report.

District Review – Rollins – Meeting set next week for Center Point.

City Center - Carstensen – nothing to report.

Personnel – Smith – nothing to report.

Rollins stated that the Administrative Contract will go to the Personnel Committee and then on to Finance for approval at the next Commission meeting.

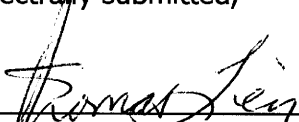
COMMISSIONER COMMENTS

Baltzell asked to have Mr. Green come to the June Commission meeting and give an update on the status of The Landing

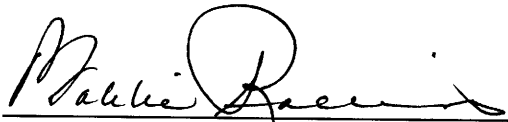
ADJOURNMENT

Rollins asked for a motion to adjourn. Smith made a motion to adjourn, seconded by Holloway. All in favor by voice vote.

Respectfully submitted,



Thomas Lien, Executive Director



Bobbi Rollins, Chairman