



Ketchum Urban Renewal Agency

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Regular Meeting

~ Minutes ~

Admin

Tuesday, February 18, 2020

2:00 PM

Ketchum City Hall

CALL TO ORDER

Vice Chair Ed Johnson called the meeting to order at 2:05 p.m.

ROLL CALL

PRESENT

Chair Susan Scovell – arrived late
Vice-Chair Ed Johnson
Commissioner Amanda Breen
Commissioner Casey Dove
Commissioner Ed Johnson
Commissioner Jim Slanetz
Commissioner Kristen Spachman
Attorney Ryan Armbruster
Executive Director Suzanne Frick
Treasurer Grant Gager

ABSENT

Commissioner Carson Palmer

CONSENT CALENDAR: (ALL ACTION ITEMS)

1. Approval of Minutes: January 21, 2020 regular meeting

Would like that the minutes to reflect his comments regarding the communications with PEG in regard to 1st and Washington stating that these items of discussion need to be discussed with the board before talking to anyone else.

Motion to approve minutes

Motion made by Commissioner Slanetz, Seconded by Commissioner Breen

Voting Yea: Commissioner Breen, Commissioner Dove, Vice-Chair Johnson, Commissioner Slanetz, Commissioner Spachman

2. Approval of Current Bills: see packet

Motion to approve the bills

Motion made by Commissioner Breen, Seconded by Commissioner Spachman

Voting Yea: Commissioner Breen, Commissioner Dove, Vice-Chair Johnson, Commissioner Slanetz, Commissioner Spachman

COMMUNICATIONS FROM THE BOARD OF COMMISSIONERS

No comment

COMMUNICATIONS FROM THE PUBLIC

Vice Chair Ed Johnson opened the meeting up for public comment.

Gary Lipton talked about the composition of the KURA board. He talked about the Mayor's Missive saying the Mayor took credit for some projects and did not give any credit to the KURA board and Commissioners Breen & Slanetz did not stand up for the board. He suggested the council members be removed from the board and the board be a full public board. He suggested Jim Slanetz be on the advisory board but not be allowed to vote. Gary Lipton went onto talk about the bond the KURA is carrying. He said there are a lot of problems that will come to fruition at the sunset and he suggested every board member read the bond.

Vice-Chair Ed Johnson suggested Gary Lipton's comments regarding the composition of the board be added to the next agenda.

ACTION ITEMS

3. **ACTION:** Public Hearing and Approval of Annual Report

Treasurer Grant Gager advised that the Annual Report is a requirement of State Statue and this is a technical preliminary step.

Vice Chair Ed Johnson asked for public comment. There was none.

No communication from the board.

Motion to approve the 2019 annual report.

Motion made by Commissioner Slanetz, Seconded by Commissioner Breen

Voting Yea: Commissioner Breen, Commissioner Dove, Vice-Chair Johnson, Commissioner Slanetz, Commissioner Spachman

4. ACTION ITEM: Direction on 2020 sidewalk priority sections to be constructed

Executive Director Suzanne Frick explained the segments that have been designed for this year. She requested the KURA pick the section of sidewalks they would like to see funded and completed this year. Treasurer Grant Gager explained the budget and the funding that is requested. Suzanne Frick talked about the process for going out to bid. She suggested what they want to fund should be less than \$400,000.

Vice-Chair Ed Johnson opened the meeting for public comment.

Mayor Neil Bradshaw thanked the KURA for looking at sidewalks and for all they have done and what they plan to do for sidewalks. He talked about the number of projects out in the community and encouraged the KURA to look at other opportunities to partner with private developers for sidewalks. Neil Bradshaw suggested staff prepare a list of projects that we have visibility on and submit to the KURA for review.

Commissioner Jim Slanetz would like to know where the private projects are and not have the KURA be involved in putting a sidewalk there. He suggested the private developer develop them, and the KURA fund the ones that are least likely to get developed.

Executive Director Suzanne Frick explained the sidewalk project in front of the Library. Commissioners discussed the private developers project and how they would like to move forward. Suzanne Frick advised Commissioners that there will be an application coming their way at the next meeting. The commissioners agree that developers need to come to them, they do not need to seek out projects.

Mayor Neil Bradshaw talked about the KURA developing some criteria to let the developer know if it would be worth their time to come to the KURA. The visibility of what they would like would help. Vice-Chair Ed Johnson talked about getting rid of OPA's in general and talked about the KURA funding all sidewalks in the last decade and how he would like to see this move forward. Commissioner Casey Dove questioned the corners and if there were any ratings. Executive Director Suzanne Frick explained what was done in the past and how the high pedestrian areas were identified. The idea was to fund the sidewalks closer to the school.

Gary Lipton advised that he was part of the group that looked at the sidewalks and advised that the Community Core was supposed to be taken care of by the city. The KURA was supposed to take care of the neighborhoods that didn't have sidewalks. Vice-Chair Ed Johnson advised that the City does not have any money budgeted for sidewalks this year. Commissioner Jim Slanetz talked about the way the funding of sidewalks was decided and how to move forward. He is ok with waiting on sidewalks for one year if there are other projects the KURA would prefer to fund. Casey Dove clarified that sidewalks are a priority for the KURA. The Commissioners discussed in length the quadrants they would like to prioritize. Ed Johnson questioned staff on how to look at this. Executive Director Suzanne Frick explained that it is easier for construction and cost reasons to have them in one quadrant rather than all over town.

Chair Susan Scovell arrived.

Vice-Chair Ed Johnson suggested picking one quadrant for cost reasons. There was a discussion among the Commission on the best areas to focus on. Estimated costs were discussed. Ed Johnson suggested directing staff to bid out quadrant 3 with exception to Q3-2 as well as Quadrant 1. Q2 was discussed but Ed Johnson clarified that parts of Q2 is out of their zone.

Executive Director Suzanne Frick summarized that the Commission is Directing Staff to bid out Quadrant 3 except for Q3-2 and then the Washington side of Q3-2 and then proceeding with Quadrant 1.3 segment.

DISCUSSION ITEMS

5. Analysis of Trail Creek Fund LLC's Owner Participation Agreement and assignment rights
- Attorney Ryan Armbruster

Vice Chair Ed Johnson Recused.

Attorney Ryan Armbruster talked about the history of the Trail Creek Fund Agreement saying it was signed on February 21, 2017 and recorded the next day. The City Agreement was already in place since 2015. These agreements work hand in hand. He explained what the agreement and recordation mean. There is nothing that prohibits the developer from the assignment from Trail Creek to Harriman that affects the KURA's obligation. Ryan Armbruster went on to explain that the KURA is bound to pay but not until they developer has completed the project and received the Certificate of Occupancy. The KURA is entitled to a confirmation that the developer has meet all of the conditions for the city agreement. There is no right of the agency to terminate the agreement. There will need to be some record regarding the tax increments for housekeeping needs.

Commissioner Jim Slanetz asked about the new tax breaks offered thru the county. He questioned if that affects the KURA. Attorney Ryan Armbruster explained the process at the County has been in effect since 2017. Jim Slanetz talked about the completion date of the project and how that affects the KURA. He questioned if that could be looked at again and renegotiated. Ryan Armbruster advised that the KURA has that right. Commissioners Breen and Slanetz explained that the longer this last, we get further into our sunset, and the benefit to the KURA decreases.

Gary Lipton talked about the KURA being an independent agency of the City. He said that today Ryan Armbruster has said something completely different. He is saying that the KURA is tied into what the City of Ketchum has done. Gary Lipton does not agree with Ryan Armbruster's interpretation of the contract saying that he agrees with Jim Slanetz comments. Gary Lipton suggested going back to Jack Barriteau and getting the 3 years back or renegotiate the contract. The Commissioners contemplated the options before them. Ryan Armbruster suggested drafting a letter to Jack Barriteau from staff saying we would like to have a conversation regarding the contract. Executive Director Suzanne Frick suggested the board members be involved in the conversation.

6. Update on Idaho legislative proposals related to the URA--Attorney Ryan Armbruster

Attorney Ryan Armbruster updated the commissioners saying that the legislature is in high gear and shooting for March 20, 2020 to adjourn. Ryan Armbruster explained that House Bill 1303 talks about imminent domain and tax-exempt ability and how that will affect this URA. This bill will be problematic if passed. We do not want to lose our tax-

exempt ability. House Bill 484 states that any levy imposed by the highway district is a levy that the URA district can take in the calculations that come it. This doesn't affect this URA but will affect others in a negative way. House Bill 490 is the Freeze Bill. This regards a portion of the budget that comes from property tax revenue that gets frozen for FY 2021. This may affect revenues because the budget is frozen. Commissioner Amanda Breen expressed that she hopes the County Commissioners are lobbying against House Bill 480.

EXECUTIVE SESSION

7. Executive session under 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated

Motion to go into Executive session under code 74-206 (1)(f)

Motion made by Commissioner Breen, Seconded by Commissioner Dove

Voting Yea: Commissioner Breen, Commissioner Dove, Vice-Chair Johnson, Commissioner Slanetz, Commissioner Spachman

Came out of Executive Session at 3:47 pm

ADJOURNMENT

Motion to Adjourn at 3:47pm

Motion made by Commissioner Breen, Seconded by Vice-Chair Johnson

Voting Yea: Commissioner Breen, Commissioner Dove, Vice-Chair Johnson, Commissioner Slanetz, Commissioner Spachman

Susan Scovell, Chair

ATTEST:

Robin Crotty, Secretary