

**POCATELLO DEVELOPMENT AUTHORITY**  
**Amended Agenda for the meeting of**  
**August 25, 2021 – 11:00 a.m.**  
**Council Chambers – Pocatello City Hall**

**Limited in-person attendance is allowed, but due to COVID-19 guidelines, strict social distancing measures are in place.**  
**MASKS/FACE COVERINGS ARE REQUIRED.**

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City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three days' advance notice by contacting Skyler Beebe at [sbeebe@pocatello.us](mailto:sbeebe@pocatello.us), 208.234.6248, or 5815 South 5<sup>th</sup> Avenue, Pocatello, Idaho.

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In the event this meeting is still in progress at 12:00 p.m., a ten-minute recess may be called.

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1. **CALL TO ORDER, DISCLOSURE OF CONFLICT OF INTEREST, AND ACKNOWLEDGMENT OF GUESTS.**
2. **ACTION ITEM – Minutes** meeting held July 27, 2021. *See attached document.*
3. **ACTION ITEM –Expense Payments & Reimbursements.** The Board may wish to approve the payment or reimbursement of the following PDA expenses:  
3a. \$795.50 from General Fund to Elam & Burke for legal fees for the month of July re: Special Counsel General *See attached invoice.*
4. **ACTION ITEM/PUBLIC HEARING – FY2022 Budget.** The Board will accept comment regarding the proposed FY2022 budget. Thereafter, the Board may wish to consider adoption of the FY2022 Budget. *See attached document.*
5. **ACTION ITEM – CALENDAR REVIEW**  
The Board may wish to take this opportunity to inform other Board members of upcoming meetings and events that should be called to their attention.
6. **ADJOURN.**

# Action Item 2

**POCATELLO DEVELOPMENT AUTHORITY**  
**Meeting Minutes for July 21, 2021, at 11:00 AM**  
**Council Chambers, 911 N 7<sup>th</sup> Avenue, Pocatello, Id**

**Agenda 2**

Chair Villarreal opened the meeting at 11:01 AM.

**Present:** Heidi Adamson, Greg Gunter, Jim Johnston, Rob Lion (via Phone), Terrel Tovey, Scott Turner, and David Villarreal.

**Excused:** Brian Blad and Victoria Byrd.

**Others Present:** Brent McLane, Executive Director; Jim Krueger, Treasurer; Aceline McCulla, Secretary Jared Johnson, Pocatello City Attorney; and Merrill Quayle, Pocatello Dev. Engineer, Jeff Mansfield, Pocatello PW Director and City Engineer, and MiaCate Kennedy of Bannock Dev. Corp. ex-officio.

**Agenda Item No. 1: Call to Order and Disclosure of Conflicts of Interest.**

**Chair Villarreal** called the meeting to order at approximately 11:00am. No conflicts were disclosed.

**Agenda Item No. 2: Approve the Minutes**

The Board may wish to waive the oral reading of the minutes and approve the minutes from the Board of Commissioners Special Meeting and Special Meeting Executive Session held July 7, 2021.

It was moved by **J. Johnston** and seconded by **H. Adamson** to approve the minutes as written from the Special Meeting and Special Meeting Executive Session held July 7, 2021. Those in favor: Adamson, Gunter, Johnston, Lion, Tovey, Turner, and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 3: Financial Report.**

A financial report for the PDA will be provided by the PDA Treasurer. The Board may wish to approve the financial report.

**Krueger** presented the financial report, passed out during the meeting, for June 30, 2021. Krueger noted that the Estimated Commitment page would not be published because they are not actual liabilities, they are estimated revenues that are not guaranteed. **Tovey** than gave a brief summary of TIF infrastructure projects.

It was then moved by **T. Tovey** and seconded by **J. Johnston** to approve the financial report as presented. Those in favor: Adamson, Gunter, Johnston, Lion, Tovey, Turner, and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 4: Expense Payments & Reimbursements.**

The Board may wish to approve the payment or reimbursement of the following PDA expenses:

- 4a. \$7.61 to Aceline McCulla for meeting water reimbursement. *See attached invoice.*
- 4b. \$1,490.50 to Elam & Burke Attorneys at Law regarding Frigitek matters. *See attached invoice.*
- 4c. \$3,919.25 to City of Pocatello for Administrative Staff costs. *See attached receipt.*

It was moved by **H. Adamson** and seconded by **S. Turner** to approve the expense payments and reimbursements as presented. Those in favor: Adamson, Gunter, Johnston, Lion, Tovey, Turner, and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 5: Signature Update.**

The Board may wish to approve changes to the signature card for the PDA with Idaho Central Credit Union.

It was moved by **S. Turner** and seconded by **J. Johnston** to approve the ICCU checking account name changes and to authorize Chair Villarreal to sign the ICCU Business Member Account Authorization Form and the Letter authorizing ICCU to make the account changes. Those in favor: Adamson, Gunter, Johnston, Lion, Tovey, Turner, and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 6: Naval Ordinance Plant TIF.** The Board may wish to hear and consider a request from Industrial Realty Group, LLC (IRG) to begin research on the rehabilitation efforts for future consideration of reimbursement of infrastructure improvements under the Naval Ordinance Plant Urban Renewal Area Improvement Plan.

**Debra Harrell**, Sr. Vice President and **Justin Lichter**, Vice President and Denny of Industrial Realty Group LLC (IRG) stated that IRG is a nationwide real estate development investment firm specializing in the acquisition, development and management of commercial real estate throughout the United States. **Harrell** stated they want to retain the Naval Ordinance Plant's history and repurpose the building into the Titan Center. A board of artwork would display the historic layout of the property and the future layout of the property. Harrell discussed improvements to be made including painting, landscaping, electrical upgrades, and beautification projects. Harrell stated that the property requires more power to support future needs. Harrell would begin with announcing the opportunities and engaging development and leasing options, with a focus on creating job and supporting community initiatives. **Mansfield** stated IRG asked what they could do for Pocatello, to work with the community.

**McLane** stated that the next step would be to create an OPA with IRG that the Board would discuss at a future meeting. **Adamson** stated more information was needed before moving forward with an OPA. **Villarreal** stated that the Board required internal communications to respond to this request and recommended approving City staff and the PDA to begin research on this project to move forward.

It was moved by **J. Johnston** and seconded by **T. Tovey** to authorize the PDA and City staff to begin research on the Titan Center project. Those in favor: Adamson, Gunter, Johnston, Lion, Tovey, Turner, and Villarreal. Unanimous. Motion Carried.

**Agenda Item No. 7: EXECUTIVE SESSION – DISCUSS POTENTIAL LEGAL OPTIONS.**

The Board may wish to approve participation in an executive session to review attorney-client privileged communication in accordance in Idaho Code §74-206(1) (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. **Chair Villarreal** determined that an Executive Session was not needed.

**Agenda Item No. 8: CALENDAR REVIEW**

The Board may wish to take this opportunity to inform other Board members of upcoming meetings and events that should be called to their attention. The Board had nothing to discuss.

**Agenda Item No 9: ADJOURN.**

With no further business, it was moved by **T. Tovey** and seconded by **S. Turner** to adjourn the meeting at 11:58 AM.

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Submitted by: Aceline McCulla, Secretary

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Approved on

# Action Item 3a

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Brent McLane  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JULY 31, 2021

Invoice # 191960

Billing Atty - MSC

RE: Special Counsel General

CLIENT/MATTER: 09212-00003

JULY 31, 2021

Invoice # 191960

\*\*\* INVOICE SUMMARY PAGE \*\*\*

PROFESSIONAL FEES	795.50
COSTS ADVANCED	.00
TOTAL INVOICE	795.50

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

Pocatello Development Authority  
Attn: Brent McLane  
City of Pocatello  
P.O. Box 4169  
Pocatello, ID 83205

JULY 31, 2021

Invoice # 191960

Billing Atty - MSC

FOR PROFESSIONAL SERVICES RENDERED

From JULY 7, 2021 Through JULY 31, 2021

RE: Special Counsel General

CLIENT/MATTER: 09212-00003

7/07/21	MSC	2.60	Review Simmons surgical loan documents in preparation for executive session with the PDA Board to discuss potential litigation to collect on the obligation. Review agenda and follow up with Brent McLane re number of votes to enter into an executive session. Review and analyze status of pending action against Frigitek in preparation for the executive session. Attend and participate in the PDA Board Meeting and executive session to discuss pending litigation.	559.00
7/25/21	MSC	1.10	Review Simmons Note and calculate the amount past due and the per diem interest rate. Draft letter to Simmons rejecting his payment proposal and countering with becoming current on the obligation and making future payments pursuant to the terms of the Note.	236.50

**ELAM & BURKE**  
ATTORNEYS AT LAW

251 East Front Street, Suite 300  
Post Office Box 1539  
Boise, Idaho 83701  
Telephone 208 343-5454  
Fax 208 384-5844

Tax Id No. 82-0451327

RE: Special Counsel General

CLIENT/MATTER: 09212-00003  
JULY 31, 2021  
Invoice # 191960

ATTORNEY	RATE	HOURS	AMOUNT	NON-CHARGEABLE	
				HOURS	AMOUNT
Conrad, Meghan S.    Shareholder	215.00	3.70	795.50	.00	.00
		3.70	795.50	.00	.00

COSTS ADVANCED

TOTAL COSTS ADVANCED .00

INVOICE TOTAL 795.50



# Action Item 4

**Pocatello Development Authority  
Budget for Fiscal Year 2021-2022**

	General Fund	Naval Ordinance	North Portneuf	Airport	Northgate	Total
Estimated Beginning Cash Balance October 1, 2021	\$716,369	\$1,527,789	\$1,769,465	\$52,047	\$4,195	\$4,069,865
<b>INCOME:</b>						
Administrative fees - estimated	34,163					34,163
Property taxes		228,808	14,371	88,149	10,300	341,628
Interest Income	1,159	1,885	2,108	641	4	5,797
<b>Total Projected Income:</b>	<u>35,322</u>	<u>230,693</u>	<u>16,479</u>	<u>88,790</u>	<u>10,304</u>	<u>381,588</u>
<b>Amount Available for FY 2022 appropriations</b>	<u>751,691</u>	<u>1,758,482</u>	<u>1,785,944</u>	<u>140,837</u>	<u>14,499</u>	<u>4,451,453</u>
<b>EXPENSE:</b>						
Contingency (1)	708,433	1,735,601	1,784,507	132,022	13,469	4,374,032
Administrative expense - estimated		22,881	1,437	8,815	1,030	34,163
Luncheon costs	1,483					1,483
Office expenses	300					300
Dues and memberships	0					0
Errors and omission insurance	7,000					7,000
City Administration Charges	15,000					15,000
Professional services	19,475					19,475
<b>Total Projected Expense:</b>	<u>751,691</u>	<u>1,758,482</u>	<u>1,785,944</u>	<u>140,837</u>	<u>14,499</u>	<u>4,451,453</u>
<b>CALCULATED ENDING BALANCE</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

1. The General fund contingency covers any potential unplanned projects.  
The remaining contingencies in the other districts are for potential unplanned projects.