



Post Falls Urban Renewal Agency  
September 17, 2020 Meeting  
8:00 am, Post Falls City Hall

1. Call to Order, Commissioner Roll Call and Pledge of Allegiance
2. Ceremonies, Appointments and Announcements
3. Conflict Disclosure
4. Consent Calendar **ACTION ITEMS**
  - a. Commission Meeting Minutes, August 20, 2020
  - b. Communication, Property & Personnel Committee Minutes, August 20, 2020
  - c. Payables
  - d. Bank Activity Report
  - e. Financial Reports
  - f. FY 2021 Legal Services Contract
5. Committee Updates
  - a. Finance and Policy – Crosby
  - b. District Review - Coles
  - c. Communications, Property & Personnel - Carstensen
6. Citizen Comments  
This section of the agenda is reserved for citizens wishing to address the Commission regarding an Agency related issue. Comments related to future public hearings should be held for that public hearing. Persons wishing to speak will have 5 minutes.
7. Unfinished Business
8. New Business
9. Executive Session  
Idaho Code Section 74-206 (1)(b) To consider the evaluation of an employee, staff member or individual agent  
**ACTION ITEM**
10. Executive Director Compensation for FY 2021 **ACTION ITEM**
11. Staff Report and Updates
12. Commissioner Comments
13. Chairman Comments
14. Adjournment

*Requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the Executive Director, 201 E. 4th Avenue, Post Falls, Idaho 83854, or call (208) 777-8151.*

**Mission Statement: To encourage sound economic and community improvement that enhances the overall quality of life in Post Falls by: providing and improving infrastructure, attracting jobs, and enhancing citizen safety and health.**

## **POST FALLS URBAN RENEWAL MINUTES**

**August 20, 2020**

### **CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE**

Vice-Chairman Larry Carstensen called the meeting to order at 8:00 a.m. Executive Director Diane Fountain called the roll. Present, in addition to Carstensen was Eric Clemensen, Collin Coles, Jame' Davis, Len Crosby and Christi Fleischman. Also, in attendance was legal counsel Pete Bredeson. Commissioner Jerry Baltzell had an excused absence. Carstensen led the Pledge of Allegiance.

### **CEREMONIES, APPOINTMENTS AND ANNOUNCEMENTS**

None

### **CONFLICT DISCLOSURE**

None

### **CONSENT CALENDAR**

Fountain introduced the Consent Calendar.

Item A is the Commission Meeting Minutes, July 16, 2020.

Item B is the Commission Workshop Minutes, August 11, 2020.

Item C is the payables for the month totaling \$476,646.23 which includes the semi-annual payment to WTB on the Greensferry Overpass loan.

Item D is the Bank Activity Report which shows total funds in all accounts of \$7,730,582.76 and accrued interest for the month of \$3,671.41.

Item E is the financial reports as of July 31, 2020.

Approval of the Consent Calendar will authorize the transfer of \$3,671.41 accrued interest to the General Fund and a transfer to the First Interstate Bank checking account of \$476,646.23 for general payables.

Commissioner Crosby made a motion to approve the consent calendar as presented, seconded by Coles. Motion carried by voice vote.

### **COMMITTEE UPDATES**

*Finance & Policy* – Crosby – July financial reports have been reviewed.

*District Review* – Davis – Nothing to report.

*Communication, Property and Personnel* – Carstensen – Nothing to report.

## CITIZEN COMMENTS

Bob Flowers approached the Commission and thanked them for being good stewards of taxpayer money. Another urban renewal district is being closed; you are doing better than any other URA in Idaho. Mr. Flowers has concerns over two new large districts the City is proposing with little information provided to the public.

Director Fountain addressed Mr. Flowers concerns and explained the Downtown District has been delayed due to Covid-19 and restrictions for public meetings. The City Center Master Plan needs to be updated and public input is required for that. The Pleasant View District is a unique district for industrial use. A resolution will be considered today for the eligibility study for that district. The City will then move forward with a feasibility study. A public hearing will be held in October/November timeframe.

## PUBLIC HEARING

Carstensen opened the Public Hearing for the proposed Fiscal Year 2021 Budget at 8:10 am.

Treasurer Crosby presented the FY 2021 Budget. Key aspects in this year's budget include revenues from tax increment based on values provided by the Kootenai County Assessor's office. As property values have increased, the levy rate projection for our urban renewal districts has decreased. The budget shows no increment for the W. Seltice II District as that district is being closed, resulting in approximately \$300,000 per year going back to the underlying taxing district. Carryover revenues in the East Post Falls district are going to be used sewer improvement projects and to pay down the Greensferry Overpass loan. Total funds available including carryover is \$9,788,731.

Main expenditures for FY 2021 will be debt reduction and proponent reimbursements for completed and accepted public improvements. The Commission will continue to aggressively pay down debt which as of June 30, 2020 was \$2.7 Million.

Operating expenses for the Agency represent less than 1.25% of revenue and are estimated at \$122,110 with a \$5,000 contingency and \$65,890 carryover to the General Fund. Total expenses for FY 2021 are \$9,788,731 of that total \$9,595,731 or 98.75% are allocated for debt repayment and proponent reimbursements. The remaining 1.25% of the forecast expenses are operating expenses associated with operating and administering the Post Falls Urban Renewal Agency.

At this time Vice-Chairman Carstensen asked if any forms for public comment had been submitted. Being none, Carstensen closed the Public Hearing @ 8:19 am for Commission deliberation and action.

## UNFINISHED BUSINESS

Resolution 2020-02 Approving Fiscal Year 2021 Annual Budget. Commissioner Davis made a motion to approve the FY 2021 Budget and adopt Resolution 2020-02, seconded by Crosby. ROLL CALL: Clemensen – Aye, Coles – Aye; Davis – Aye; Carstensen – Aye; Crosby – Aye, Fleischman – Aye. Motion carried.

NEW BUSINESS

Approval of Semi-Annual Proponent Reimbursements. Fountain stated per Agency policy #7, tax increment received by the Agency for each of the urban renewal districts is disbursed in February and August each year for public improvements that have been planned, completed and paid for by the proponent and dedicated to the City. August reimbursements will be distributed as follows:

<u>District</u>	<u>Proponent</u>	<u>Reimbursement</u>	<u>Remaining Obligation</u>
Center Point	Pointe Partners, LLC	\$267,474.50	\$ 16,989.19
Tullamore	Copper Basin Construction	\$534,905.39	\$1,893,809.16
Tullamore Commons II	Whitewater Creek	\$ 11,086.79	\$ 171,997.98
Expo	Watson & Assoc.	\$107,753.98	\$ 914,436.88
W. Seltice II	Greenstone Corporation	\$ 99,291.06	\$ 0
<b>Total</b>		<b>\$1,020,511.72</b>	

Pointe Apartments has a current balance of \$87,272.51 that is being held until the Agreement between Whitewater Creek and Point Partners, LLC is signed.

The Post Falls Technology District has a current balance of \$38,985.64 for future reimbursement of public infrastructure improvements.

Commissioner Clemensen made a motion to approve the Semi-Annual Proponent Reimbursements as presented and authorize the transfer of \$1,020,511.72 to the First Interstate Bank Checking account, seconded by Crosby. Roll Call: Clemensen – Aye; Coles – Aye; Davis – Aye; Carstensen – Aye; Crosby – Aye; Fleischman – Aye. Motion carried.

Surplus Rebate Checks – West Seltice II District / Resolution 2020-03. Fountain stated last September the Agency published a closing budget for the W. Seltice II District and on March 19, 2021 approved Resolution 2020-01 recommending termination of the W. Seltice II Plan and Revenue Allocation Area and a surplus be declared and distributed. The total rebate amount is \$68,917.40 that will be distributed back to the taxing entities as follows:

<u>Taxing Entity</u>	<u>Rebate Amount</u>
Kootenai County	\$16,906.19
City of Post Falls	\$29,323.15
Post Falls Highway District	\$ 2,667.82
School District #273	\$ 101.24
Kootenai County Fire & Rescue	\$11,516.34
Community Library Network	\$ 2,047.50
North Idaho College	\$ 5,415.09
Kootenai EMS	\$ 940.07
<b>Total</b>	<b>\$ 68,917.40</b>

Fountain shared a visual of past practices of the Agency and noted that all of the four districts that have been closed by the Commission have been closed early. The original W. Seltice District was closed in 2001 with a taxable value of \$55M. In 2012 the Riverbend District was closed; taxable value was \$56.6M and a rebate of \$209,075 was returned to the taxing entities. City Center closed in 2018 with a taxable value of \$40.3M and \$448,435 in surplus rebates was returned to the taxing

entities. Today we are closing the W. Seltice II District. The increase in taxable value is \$33.7M and we are issuing rebate checks totaling \$68,917. The Agency could continue collecting increment for tax year 2020 which are paid in 2021, but Commission has consistently chosen to close districts early and return the monies to the various taxing entities.

Commission also provided 2 rebates in the East Post Falls District when no new projects were in the works. Rather than hanging on to those dollars, Commission chose to provide the taxing entities with a \$2.2M rebate in 2009 and in 2012 another \$3.2M was returned. The total amount of rebates is over \$6.1M. This information confirms that the PFURA's Commission is being fiscally responsible with taxpayer dollars.

The closure process of the W. Seltice II District was completed in a timely manner, which enabled the taxing entities to take the new construction dollars from this district which total \$33,718,921 on their FY 2021 Budgets which are currently being considered.

Commissioner Crosby noted that each of the rebates is from increment received from current and prior tax years the Agency is rebating back. In addition to that, as districts are closed the new development goes back into the tax pool for each of the taxing entities. \$342,000 from new development from the W. Seltice II District will go to the taxing districts each year going forward.

A motion would be in order to adopt Resolution 2020-03 for the W. Seltice II surplus rebate checks and authorize transfer of \$68,917.40 to the First Interstate Bank Checking Account. Commissioner Coles made the motion, seconded by Davis. Roll Call: Clemensen – Aye; Coles – Aye; Davis – Aye; Carstensen – Aye; Crosby – Aye; Fleischman – Aye. Motion carried.

Eligibility Study Resolution 2020-04. Recommending the Pleasant View Area be Declared a Deteriorating Area and Recommend Boundaries for the Deteriorating Pleasant View Area. Bob Seale, Community Development Director presented the Eligibility Study on the Pleasant View area which was presented to City Council on Tuesday. The City of Post Falls began looking at the area in 2019 for a potential urban renewal district as property owners approached the City. There is a limited amount of industrial land within the City. The boundaries of the URD have not been established yet. Annexation is being pursued for the properties along the Pleasant View corridor. The land north of Prairie Avenue includes a site for a new high school which requires sewer and water. Urban Renewal is a fantastic tool and in Post Falls has been very successful. The area being studied meets the requirements of a deteriorated area as set forth by Idaho Code.

Commissioner Clemensen noted the proposed district is for the properties on the east side of Pleasant View Road. The properties on the west need the same improvements and asked why they being are not being considered in this URD. If a district is created, those properties would benefit from the improvements. Seale identified the properties which include a gravel pit and farmland, Bighorn and an aluminum plant, all of whom did not want to annex in to the City at this time. The map for the URD will mirror the properties that are annexing into the City on the west side of Pleasant View Rd.

Commissioner Crosby asked if fees (surcharges) could be assessed to the properties on the west to assist with the infrastructure costs. Seale stated the City does not impose late-comers fees. If they

want to annex into the City, they would be responsible to create a sewer network within their development to tap into the main line.

Commissioner Coles asked if the properties would annexed in as industrial properties? Seale stated, they would be annexed in with the zone to be determined.

City Council approved moving forward with a Feasibility Study that will include options for the parcels north of Prairie Avenue.

Commissioner Crosby made a motion to adopt Resolution 2020-04 recommending the Pleasant View Area be declared a deteriorating area and recommend boundaries for the deteriorating Pleasant View area as presented. Seconded by Clemensen. Roll Call: Fleischman – Aye; Crosby – Aye; Carstensen – Aye; Davis – Aye; Coles – Aye; Clemensen – Aye. Motion carried.

At this time, Vice-Chairman Carstensen introduced the newest member of the Commission, Christi Fleischman welcoming her to the Commission.

#### STAFF REPORT

Nothing further to report.

#### COMMISSIONER COMMENTS

Commissioner Crosby recognized the work of Director Fountain putting together the draft budget. Carstensen stated Crosby did an outstanding job presenting the FY 2021 budget.

#### CHAIRMAN COMMENT

Vice-Chairman Carstensen stated Commission has done a great job in closing districts in Post Falls and returning those monies to the taxing entities while accomplishing things that are beneficial to the whole community.

#### ADJOURNMENT

Carstensen asked for a motion to adjourn. Commissioner Davis made the motion, seconded by Crosby. All in favor by voice vote. Meeting was adjourned at 8:52 am.

Respectfully submitted,

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Diane Fountain, Executive Director

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Larry Carstensen, Vice-Chairman

**POST FALLS URBAN RENEWAL  
Communication, Property & Personnel Committee**

**August 20, 2020 – Post Falls Chamber Ante Room**

CALL TO ORDER, ROLL CALL

Chairman Larry Carstensen called the meeting to order at 9:00 a.m. Present in addition to Carstensen was Commissioner Jame' Davis and Collin Coles.

CONFLICT DISCLOSURE

None

CITIZEN COMMENT

None

**EXECUTIVE SESSION**

Commissioner Davis made a motion to enter into executive session at 9:00 am pursuant to Idaho Code Section 74-206 (1)(b) To consider evaluation of an employee, staff member or individual agent. And further that no final action or making of any final decision shall be made in the Executive Session, and that the Executive Session shall last no longer than 5 minutes. Coles seconded the motion. Roll Call: Carstensen – Aye; Davis – Aye; Coles - Aye.  
Executive Session ended at 9:05 am.

Meeting was adjourned @ 9:05 am.

Respectfully submitted,

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Diane Fountain, Executive Director

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Larry Carstensen, Chairman

**Post Falls Urban Renewal Agency - In-House  
Unpaid Bills Detail  
As of September 17, 2020**

Type	Date	Memo	Open Balance
<b>Bredeson Law Group</b>			
Bill	09/13/2020	Legal Services 8/18 to 9/08/20	750.00
Total Bredeson Law Group			750.00
<b>City of Post Falls</b>			
Bill	08/18/2020	EPF Sewer Projects	151,166.51
Total City of Post Falls			151,166.51
<b>Diane Fountain</b>			
Bill	09/05/2020	7/28/20 to 8/27/20 - Office Phone	15.00
Total Diane Fountain			15.00
<b>ICRMP</b>			
Bill	09/01/2020	Policy 10/01/20 to 9/30/21	2,423.00
Total ICRMP			2,423.00
<b>J. Thayer Company</b>			
Bill	09/08/2020	Misc. Office Supplies:paper/pencils	45.93
Total J. Thayer Company			45.93
<b>VISA</b>			
Bill	08/27/2020	Meetings/Postage	96.50
Total VISA			96.50
<b>ZolMedia, Inc.</b>			
Bill	08/25/2020	Quarterly Web Hosting	75.00
Total ZolMedia, Inc.			75.00
<b>TOTAL</b>			<b>154,571.94</b>

*PAYROLL*

4521.01

159,092.95



# Bank Activity Report

August 2020

## Cash Section

### Checking: First Interstate

Beginning Balance		\$	10,606.93
Deposits	\$	1,583,431.26	
Withdrawals	\$	(1,534,841.50)	
Ending Balance		\$	59,196.69
Outstanding Checks	\$	(49,659.90)	
Account Balance		\$	9,536.79

### Idaho Central CU - Savings

Beginning Balance		\$	25.00
Interest			
Ending Balance		\$	25.00

## Investment Section

### LGIP General Fund 1829

Beginning Balance		\$	717,595.32
Contributions	\$	179,194.44	
Withdrawals	\$	(7,646.23)	
Ending Balance		\$	889,143.53
Outstanding Transfer	\$	-	
Account Balance		\$	889,143.53

### LGIP Capital Improvements 1910

Beginning Balance		\$	6,673,924.91
Contributions	\$	21,025.32	
Withdrawals	\$	(1,737,100.53)	
Ending Balance		\$	4,957,849.70
Outstanding Transfer	\$	-	
Account Balance		\$	4,957,849.70

## Certificate of Deposits

	Interest Rate	Amount	Maturity Date
Washington Trust Bank (CD - Loan Reserve)	0.15%	\$ 250,000.00	11/2/2020
Washington Trust Bank (CDARS - Loan Reserve)	0.10%	\$ 79,502.74	11/2/2020

Total Funds All Accounts:

**\$ 6,186,057.76**

August

	Interest
State Pool - LGIP 1910	\$ 3,434.38
CD - Washington Trust Bank	\$ -
CDARS - Washington Trust Bank	\$ -
<b>Total</b>	<b><u>\$ 3,434.38</u></b>

## Post Falls Urban Renewal Agency - In-House

09/03/20

## Balance Sheet

Accrual Basis

As of August 31, 2020

	Aug 31, 20
<b>ASSETS</b>	
Current Assets	
Checking/Savings	
First Interstate Bank- Checking	9,536.79
LGIP1829-General Fund	889,143.53
LGIP1910-Capital Improvements	4,957,849.70
Savings - Idaho Central CU	25.00
WTB - Loan Reserve - CD	250,000.00
WTB - Loan Reserve - CDARS	79,502.74
Total Checking/Savings	6,186,057.76
Other Current Assets	
Accounts Receivable - Taxes	120,604.00
Interest Receivable	9,704.00
Prepaid Insurance	2,261.06
Total Other Current Assets	132,569.06
Total Current Assets	6,318,626.82
<b>TOTAL ASSETS</b>	<b>6,318,626.82</b>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Accrued Vacation Payable	3,086.66
Deferred Increment Revenue	86,593.00
Payroll Liabilities	
ID- Unemployment Payable	21.61
Payroll Liabilities - Other	1,748.59
Total Payroll Liabilities	1,770.20
Washington Trust Bank-Overpass	938,000.00
Total Other Current Liabilities	1,029,449.86
Total Current Liabilities	1,029,449.86
Long Term Liabilities	
Proponent Reimbursement Balance	
Washintgon Trust Bank-Overpass	1,412,418.29
Total Proponent Reimbursement Balance	1,412,418.29
Total Long Term Liabilities	1,412,418.29
Total Liabilities	2,441,868.15
Equity	
Allowance for Long Term Debt	-2,350,418.29
Assigned Fund Balance	3,268,252.00
Committed Fund Balance	72,749.00
Fund Balance - General Fund	-152,951.55
Fund Balance - Special Revenue	0.43
Nonspendable Fund Balance	2,261.00
Restricted Fund Balance	422,852.44
Unrestricted Net Assets	830,986.29
Net Income	1,783,027.35
Total Equity	3,876,758.67
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>6,318,626.82</b>

**Post Falls Urban Renewal Agency - In-House  
 Profit & Loss  
 August 2020**

	Aug 20	Oct '19 - Aug 20
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
Interest	4,196.44	74,908.48
Miscellaneous Income	175,000.00	175,000.00
Center Point District	4,617.18	844,162.54
East Post Falls District	10,114.73	3,718,082.63
Expo District	1,514.60	349,939.00
Post Falls Technology District	1,107.40	79,985.64
West Seltice II	0.00	354,783.89
<b>Total Income</b>	196,550.35	5,596,862.18
<b>Gross Profit</b>	196,550.35	5,596,862.18
<b>Expense</b>		
Advertising & Legal Notices	238.50	429.05
Audit	0.00	7,000.00
Computer Software	230.00	230.00
District Payments	1,733,429.12	3,911,185.90
Dues & Memberships	0.00	770.00
Engineering Services	0.00	5,200.00
Insurance	0.00	150.00
Legal Fees	1,225.00	6,625.00
Meetings	0.00	80.00
Office Supplies	261.70	315.00
Payroll Expenses	5,683.28	54,083.09
Postage, Mailing Service	0.00	5.25
Printing and Copying	0.00	48.15
Rent	0.00	7,740.00
Telephone, Telecommunications	15.00	562.80
Website Design, Hosting & Maint	0.00	300.00
<b>Total Expense</b>	1,741,082.60	3,994,724.24
<b>Net Ordinary Income</b>	-1,544,532.25	1,602,137.94
<b>Net Income</b>	<b>-1,544,532.25</b>	<b>1,602,137.94</b>

## Fund Reconciliation:

8/31/2020

**QB**

First Interstate - Checking	<b>GF</b>	\$	9,536.79	
LGIP - 1829	<b>GF</b>	\$	889,143.53	
LGIP - 1910	<b>CIP</b>	\$	4,957,849.70	
Savings - Idaho Central CU	<b>GF</b>	\$	25.00	
WTB - Loan Reserve - CD	<b>CIP</b>	\$	250,000.00	
WTB - Loan Reserve - CDARS	<b>CIP</b>	\$	79,502.74	
	<b>Total</b>			<b><u><u>\$ 6,186,057.76</u></u></b>

**FUNDS**

General Fund	<b>GF</b>	\$	898,705.32	
Capital Improvement Fund	<b>CIP</b>	\$	4,957,849.70	
WTB - Loan Reserve (EPF)	<b>CIP</b>	\$	329,502.74	
	<b>Total</b>			<b><u><u>\$ 6,186,057.76</u></u></b>

## C.I. Fund Allocation:

PF Technology	\$	38,985.64
CP-The Pointe	\$	-
CP-Pointe Apartments	\$	87,272.51
Expo	\$	(0.00)
W. Seltice II	\$	-
EPF-Tullamore	\$	-
EPF-Tullamore Commons II	\$	-
EPF-S/Ctr	\$	4,831,591.55
	\$	<u>4,957,849.70</u>

Post Falls Urban Renewal Agency  
Increment Received District Obligation Balance

Termination Date	<u>Technology Dist.</u>	<u>Center Point The Pointe</u>	<u>Pointe Apartments</u>	<u>East Post Falls</u>		<u>Commons II</u>	<u>Expo</u>	<u>West Seltice II</u>	<u>Total</u>
	2038	2022	2022	South/Central 2022	North-Tullamore 2022	2022	2021	2020	
Sep-19	-	5,068.63	-	11,899.35	694.20	-	1,614.17	444.13	19,720.48
Oct-19	-	-	-	17,333.67	564.27	-	-	130.95	18,028.89
Nov-19	-	4,804.99	-	13,368.40	-	-	-	955.95	19,129.34
Dec-19	-	-	-	25,681.71	3,746.04	-	4,599.97	1,691.31	35,719.03
Jan-20	30,593.45	490,514.63	23,402.96	1,497,577.98	451,455.71	11,086.79	205,362.62	182,098.94	2,892,093.08
Reimbursements Feb -20	119.64	9,562.51	-	8,090.60	4,673.67	-	7,222.43	1,698.28	31,367.13
Mar-20	6,022.12	5,610.22	-	5,340.45	8,597.37	-	3,990.93	6,829.65	36,390.74
Apr-20	8,723.51	20,740.34	-	18,710.17	98,531.20	-	7,697.34	9,401.85	163,804.41
May-20	678.96	933.97	-	12,711.49	6,049.77	-	6,793.78	1,090.00	28,257.97
Jun-20	1,805.93	80,473.62	-	18,153.65	32,043.85	-	18,499.18	1,241.01	152,217.24
Jul-20	30,934.63	180,099.17	23,402.95	1,048,481.12	414,683.20	11,086.79	94,258.15	149,645.95	1,952,591.96
Aug-20	1,107.40	4,617.18	-	10,114.73	-	-	1,514.60	-	17,353.91
Sep-20	-	-	-	-	-	-	-	-	-
<b>Total YTD</b>	<b>79,985.64</b>	<b>802,425.26</b>	<b>46,805.91</b>	<b>2,687,463.32</b>	<b>1,021,039.28</b>	<b>22,173.58</b>	<b>351,553.17</b>	<b>355,228.02</b>	<b>5,366,674.18</b>
Approved Obligation		7,564,627.45	-	18,704,022.00	6,498,959.82	325,000.00	3,724,497.23	1,990,008.28	38,807,114.78
Obligation Balance @6/30/20		284,463.69		8,248,415.03	2,428,714.55	183,084.77	1,022,190.86	99,291.06	12,266,159.96
Carry over @ 6/30/20	31,943.61	107,758.15	88,869.56	4,291,995.70	145,222.19	-	36,981.23	18,562.51	4,721,332.95

## AGREEMENT FOR LEGAL SERVICES

This Agreement for Legal Services ("Agreement") is entered into as of this \_\_\_ day of September, 2020 by and between the Post Falls Urban Renewal Agency, an Idaho urban renewal agency, 201 E. 4<sup>th</sup> Ave., Post Falls, ID 83854 ("Agency"), and Pete B. Bredeson, Attorney at Law d/b/a Bredeson Law Group, of 1677 East Miles Avenue, Suite 202, Hayden Lake, Idaho 83835 ("Bredeson").

The Agency is seeking Bredeson's expertise and guidance in providing advice, counsel, and necessary documentation to the Agency regarding the operation of an urban renewal agency, including but not limited to compliance with applicable Idaho State Code, Agency structure, policies, procedures, meetings, personnel matters, urban renewal district plan formulation and related contracts or agreements and budget processes.

The period of performance under this Agreement will be October 1, 2020 through September 30, 2021.

This is a time and materials Agreement with a ceiling price not to exceed \$25,000 including travel. Labor categories and associated hourly rates to be used in the performance and pricing of work under this Agreement shall be at a rate of One Hundred Dollars (\$100.00) per hour for services provided.

The Agency will also reimburse Bredeson for general out-of-pocket expenses such as expenses associated with court filing and document recording.

Travel outside of the Coeur d' Alene / Post Falls area shall be reimbursed only if approved in advance by the Agency.

The Agency is not obligated to reimburse Bredeson for costs incurred in excess of the ceiling price specified herein.

Bredeson is not obligated to continue performance under this Agreement or otherwise incur costs in excess of the estimated cost specified in this Agreement, until the Agency;

- (i) notifies Bredeson in writing that the cost has been increased and
- (ii) provides a revised estimated total cost of performing this Agreement.

At least five (5) business days before a regular monthly meeting of the Agency, an itemization of all work performed, listing time by date for work performed by hours, down to the quarter of an hour with specific reference to the nature of the work performed (*e.g. drafting of expert reports, research, review of files, meetings, etc.*) should be invoiced to Agency.

Agency agrees to pay any and all approved invoices received from Bredeson within thirty (30) days of Agency's receipt of the same. Such time period shall be tolled in the event that Agency notifies Bredeson during the time period of a justified dispute with the billed amount.

Bredeson shall consult with representatives of the Agency at its office in Post Falls, Idaho or any other agreed upon location, by phone, in writing, including e-mail, and any other means of communication regarding activities under this Agreement.

Written work products, if any, and other documentation produced by Bredeson in performance of tasks pursuant to this Agreement will be inspected and accepted by the Agency in accordance with criteria established through mutual agreement between the Agency and Bredeson. All such work products shall be deemed the property of the Commission without waiving the attorney-client privilege or work product doctrine.

Deliverables will include documentation prepared by Bredeson pursuant to the direction of the Agency.

Bredeson shall perform all work under this Agreement at Bredeson's office in Hayden Lake, Idaho or unless otherwise specified by Agency.

Point of Contact for Agency:

Diane Fountain, Executive Director  
Post Falls Urban Renewal Agency  
201 E. 4<sup>th</sup> Avenue  
Post Falls, ID 83854  
Tel 208-777-8151

This Agreement may be terminated at any time by either party upon the provision of written notice to the other party at least fifteen (15) days prior to the effective termination date.

IN WITNESS WHEREOF the parties hereto, by their signatures below, acknowledge their mutual understanding of and commitment to the terms of this Agreement, effective as of the day and year first written above.

POST FALLS URBAN RENEWAL AGENCY

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Len Crosby, Treasurer

BREDESON LAW GROUP

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Pete B. Bredeson, Attorney at Law



**Chairman asks for a motion to enter into Executive Session.**

\_\_\_\_\_ moved to enter Executive Session for the following purposes pursuant to Idaho Code Section 74-206 (1)(b) To consider the evaluation of an employee, staff member or individual agent.

And further that no final action or making of any final decision shall be made in the Executive Session, and that the Executive Session shall last no longer than \_\_\_\_\_ minutes.

Second by \_\_\_\_\_

Roll Call vote – Baltzell - \_\_\_\_, Carstensen, - \_\_\_\_, Crosby - \_\_\_\_, Fleischman - \_\_\_\_, Clemensen – \_\_\_\_, Davis - \_\_\_\_\_. Motion passed.

Executive Session started at \_\_\_\_\_ am.

Others present in Executive Session – \_\_\_\_\_ and Legal Counsel Bredeson.

Executive Session ended at \_\_\_\_\_ am.