

EXHIBIT B – Fourth Amended 5-21-20

SCHEDULE OF PERFORMANCE

ACTION	DATE
1. <u>Deposit</u> . The Developer shall deliver the Deposit to the Agency.	No later than March 14, 2019.
2. <u>Submission of Phase I Development Plan</u> . The Developer shall submit Development Plans to Agency for approval.	No later than November 15, 2019.
3. <u>Agency Approval or Disapproval of Phase I Development Plans</u> . Agency shall provide approval or disapproval of Developer’s Phase I development plans	No later than December 15, 2019.
2. <u>Submission of Phase II Development Plan</u> . The Developer shall submit Development Plans to Agency for approval.	No later than December 15, 2020.
3. <u>Agency approval or disapproval of Phase II Development Plans</u> . Agency shall provide approval or disapproval of Developer’s development plans	No later than January 30, 2021.
3. <u>Submittal of Draft Disposition and Development Agreement (DDA)</u> . The Agency staff and Developer shall have completed a draft DDA in a sufficiently final form to permit review by the Agency Board and to proceed through the required approval process.	No later than March 1, 2021.
4. <u>DDA Consideration</u> . The Agency Board shall consider and approve if appropriate the DDA.	No later than April 1, 2021.



Commissioners Present	Commissioners Absent	Also in Attendance
Steve McGeehan, Chair		Bill Belknap, Executive Director
Mark Beauchamp		
Art Bettge		
Steve Drown		
Dave McGraw		
Brandy Sullivan		
Nancy Tribble		

McGeehan called the meeting to order at 7:01 a.m. Due to ongoing Covid-19 concerns, the meeting was conducted electronically and recorded.

1. **Consent Agenda (A)** - Any item will be removed from the consent agenda at the request of any member of the Board and that item will be considered separately later.
 - A. Minutes from March 5, 2020
 - B. February 2020 Payables
 - C. February 2020 Financials
 - D. March 2020 Payables
 - E. March 2020 Financials
 - F. April 2020 Payables
 - G. April 2020 Financials

Bettge moved approval of the consent agenda, seconded by Sullivan. Motion carried unanimously.

2. **Request for Amendment to the Schedule of Performance from Roderick Olps (A) – Bill Belknap**
On March 7, 2019 the Board approved an Exclusive Negotiation Agreement (ENA) with Roderick Olps for the disposition and development of the Agency's Sixth and Jackson property. On March 5th, the Board approved an extension to the ENA schedule of performance to allow additional time to have his development plans reviewed by the Moscow Planning and Zoning Commission for conformance with the City's design guidelines before submitting the final Phase II plans for the Board's approval. As a result of the extension approval the date for submission of the Phase II development plans was extended to April 16th. Shortly after the March 5th meeting, the COVID-19 pandemic expanded significantly within the United States and resulted in a number of local and state emergency orders which resulted in the cancellation of Commission meetings and largely yet unknown adverse economic impacts to the national and regional economies. On May 15, 2020, Mr. Olps submitted a request to extend the current ENA schedule to the end of this calendar year to allow time to assess the impact of the COVID-19 pandemic upon the local economy and viability of his proposed development project.

Belknap recapped the history of action to date with the project, which currently stands at the "Submission of Phase II Plans" stage. Due to cancellation of most City meetings over the past two

months, the Planning & Zoning Commission just completed its design review approval this past week. This delay was out of Mr. Olps' control, as are unknown economic impacts from virus-related shutdowns. Extension of the current ENA to the end of the year would change the remaining project deadlines as follows:

- December 15, 2020 - Submission of Phase II Plans
- January 30, 2021 - Agency Approval of Phase II Plans
- March 1, 2021 - Submittal of Draft DDA
- April 1, 2021 - DDA Consideration

Olps said he's been slow to accept the impact of the virus on the local economy. He's heard discouraging messages regarding University of Idaho fall enrollment, and with so many other things up in the air he considered it foolhardy to commit to a project whose viability is in question. Although the residential real estate market is doing ok, he said the commercial market is experiencing an unprecedented slowdown. The economic impact of enrollment drops and other ripple effects from the University's health is entirely unknown, adding that the University was already grappling with a \$22 million problem before the virus. If there's a resurgence of the virus in the fall or the University decides to remain all on-line in the fall, it will be a real test to Moscow's economy.

Steve McGeehan said he was disappointed but appreciated the situation Olps is in. As a University employee, he hadn't heard anything positive and therefore wasn't comfortable with Olps moving forward either. Sullivan echoed those thoughts and said it was wise of Olps to wait. Tribble said it was a responsible decision which she fully supported, particularly since most economic downturns reach Moscow more slowly. Bettge and McGraw were also supportive of the request. Beauchamp said the encouraging news in all this is that Olps isn't giving up altogether. Drown thought Olps had been thoughtful throughout the entire process and was wise to wait. McGraw moved approval of the extension of the Schedule of Performance as presented, seconded by Sullivan. She encouraged Olps to remain flexible and open to potentially modifying his vision as needed as more information comes to light over the next few months. The motion carried unanimously by roll-call vote.

3. General Agency Updates – Bill Belknap

- Legacy Crossing District
 - Almon Street reconstruction is underway.
 - Idaho Central Credit Union construction has commenced. The Agency is participating in frontage improvements.
 - Third Street Corridor grant project is in design.
- Alturas District
 - Staff is working on amendments to the use restrictions and covenants on Phase II lots. When that is complete, the lots will be reappraised and relisted for sale.
 - Conversations continue regarding common area landscaping.

The meeting adjourned at 7:38 a.m.



Steve McGeehan, Agency Chair

6-18-2020

Date