

## EXHIBIT B – Fifth Amended 2/18/2021

### SCHEDULE OF PERFORMANCE

ACTION	DATE
1. <u>Deposit</u> . The Developer shall deliver the Deposit to the Agency.	Complete
2. <u>Submission of Phase I Development Plan</u> . The Developer shall submit Development Plans to Agency for approval.	Complete
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	Complete
2. <u>Submission of Phase II Development Plan</u> . The Developer shall submit Development Plans to Agency for approval.	March 31, 2021.
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 April 15, 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 May 1, 2021.
4. <u>DDA Consideration</u> . The Agency Board shall consider and approve if appropriate the DDA.	No later than May 20, 2021.



## Meeting Minutes: February 18, 2021, 7:00 a.m

### City of Moscow Council Chambers • 206 E 3<sup>rd</sup> Street • Moscow, ID 83843

Commissioners Present	Commissioners Absent	Staff in Attendance
Steve McGeehan, Chair		Bill Belknap, Executive Director
Mark Beauchamp (virtual)		Jennifer Fleischman, Clerk
Art Bettge		Renee Tack, Treasurer
Steve Drown (virtual)		
Dave McGraw (virtual)		
Brandy Sullivan		
Nancy Tribble		

McGeehan called the meeting to order at 7:04 a.m.

#### 1. Consent Agenda

*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 December 17, 2020
- B. December 2020 Payables
- C. December 2020 Financials
- D. January 2021 Payables
- E. January 2021 Financials

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

#### 2. Public Comment

*Members of the public may speak to the Board regarding matters NOT on the Agenda nor currently pending before the Moscow Urban Renewal Agency. Please state your name and resident city for the record and limit your remarks to three minutes.*

None.

#### 3. Election of Officers for 2021

*Per the Agency's bylaws, annual officer elections are to be held at the first meeting of the year. The Agency will elect and appoint officers for the positions of Chairperson, Vice Chairperson and Secretary.*

McGeehan indicated he was willing to continue as Chair, if nominated. Bettge agreed and suggested that all officer appointments could continue as is.

Tribble nominated McGeehan for Chair, Sullivan for Vice Chair, and Bettge for Secretary. Bettge seconded the motion to elect Steve McGeehan as Chair, Brandy Sullivan as Vice Chair, and Art Bettge as Secretary for the Moscow Urban Renewal Agency for 2021. Motion carried unanimously.

#### 4. Alturas Lot Sale Process Proposal

*Following the closure of the Alturas Urban Renewal District in 2015, the Agency has continued to own and market the six remaining lots within Phase II for development. The lots within Phase II had private use restrictions which could not be removed until 2019. Following the failure of several development*

*proposals, the Agency amended the covenants to remove the use restrictions this year and pursued a new appraisal of the market value of the lots without the use restrictions. The appraisal was completed and the lots were advertised for sale beginning on January 2, with a sealed bid opening on February 4<sup>th</sup>. Two bids were received for Lot 4, Block 2 in the amounts of \$155,000 and \$169,420. Staff recommends accepting the highest bid in the amount of \$169,420 and authorizing the Chair's signature upon the purchase sale agreement and warranty deed.*

Belknap reviewed the background of the lot sale and bid process that was approved by the Board in November of 2020 and gave a summary of the bid opening that occurred on February 4<sup>th</sup>, as described above. Belknap recommended that the highest bid be accepted and that the Agency re-advertise for the remaining 5 lots. The unsuccessful bidder for Lot 4, Block 2 has indicated potential interest in purchasing one of the remaining lots, and there have been inquiries for two other lots.

The proposed use of Lot 4, Block 4 is not yet known. BT-Altius, LLC is represented by William Tate, who is also a co-owner of Bio-Tracking. The use of the lot is limited to what is permitted in the Zoning Code, which is primarily professional, research, medical, service, or technology businesses. Costs for closing and advertising for the lots will be minimal and the proceeds from the sales will go back to the taxing districts.

Sullivan moved to accept the bid from BT-Altius of \$169,420 for Lot 4 on Block 2, and to authorize the Chair's signature upon the purchase sale agreement and warranty deed, seconded by Bettge. Motion carried unanimously.

McGeehan directed Staff to publish a new request for bids for the remaining 5 lots.

#### **5. Request for Amendment to the Schedule of Performance from Roderick Olps**

*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 5<sup>th</sup>, 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 16<sup>th</sup>, 2020. Shortly after the March 5<sup>th</sup> 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 the 2020 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. The Board approved the extension and Mr. Olps provided an update to the Board at the December 17, 2020 meeting. Staff has prepared an amended Schedule of Performance for the Board's review and approval, and Mr. Olps would like to provide the Board with an update of his development proposal.*

Belknap reviewed the current Exclusive Negotiation Agreement (ENA) that the Agency has with Roderick Olps and the progression of the Agency's Sixth and Jackson development plans, as described above.

Roderick Olps presented on the proposed amendment to the Sixth and Jackson property, which included an updated design plan for the buildings. The new design is lower density and would accommodate 10 residential and 7 commercial units. The residential units would be higher-end luxury apartments or condominiums. The satellite building located on the southeast corner of the property plans is currently just a place-holder, to be designed in the future. He indicated his focus was on making the Hello Walk a destination, and wanted the buildings designed around it to create that focal. There would be a Lot Line Adjustment with the neighboring property, which Olps said he is amenable to. Olps' goal was to decrease commercial use and increase single family dwelling use, but also maintain a balance of both in the amended plans.

The Board was grateful for Olps' ability to integrate the Agency's suggestions and requests into the newest proposal. Belknap presented the proposed timeline and amended ENA schedule of performance that was drafted in conjunction with Olps. Bicycle parking will be included in the Phase II Development Plan.

Sullivan moved to approve the amended ENA Schedule of Performance, seconded by Bettge. Motion carried unanimously.

#### **6. FY2022 MURA Budget Hearing Date Determination**

*In accordance with state law, the Agency must notify the County Clerk's office of the date of the Agency's public hearing on its annual budget by no later than April 30 each year. To allow adequate time for the budget development and review process, Staff is proposing the Agency set the hearing date for its FY2022 budget on Thursday, August 19, 2021, and seeks the Board's approval to notify the County Clerk accordingly.*

Belknap reviewed the legislation requiring URA's to notify the County when the annual budget hearing will be, as described above.

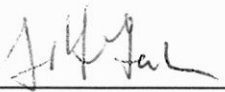
Bettge moved to set the FY2022 Annual Budget Hearing for Thursday August 19, seconded by Tribble. Motion carried unanimously.

#### **7. General Agency Updates – Bill Belknap**

- Legacy Crossing District
- Alturas District
- General Agency Business

New bills working through the State Legislators that could impact URA business. Senate Bill 1108 would affect taxing for a district and Senate Bill 1044 would limit an Agency's ability to use imminent domain.

McGeehan declared the meeting adjourned at 8:00 a.m.

  
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Steve McGeehan, Agency Chair

3.25.21  
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Date