



URBAN RENEWAL PLANNING



GATEWAY EAST DISTRICT

PARTICIPATION PROGRAM

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Overview & Goals

The Gateway East Participation Program is CCDC's development assistance policy and is designed to advance the aims of urban renewal and economic development in Gateway East, as well as goals identified for the Airport Planning Area in the Boise City comprehensive plan, Blueprint Boise. The Program is crafted to be transparent, understandable, and responsive in order to encourage private investment in Boise. The Program is intended to be comprehensive providing both structure and flexibility in assisting development projects within CCDC's Gateway East Economic Development district. The Program is the Board's policy on how CCDC funds public/private partnership projects. It is not an entitlement, and any individual project is subject to prior approval by the Board via written agreement. The Program may be amended from time to time, suspended, or terminated, and may also be revised for future districts to fit the characteristics of different urban renewal areas.

The program identifies five approaches to anticipated participation with development interests called "Types":

Type 1 - One Time Assistance

Type 2 - General Assistance

Type 3 - Transformative Assistance

Type 4 - Capital Improvement Project Coordination

Type 5 - Property Disposition

The primary goal of the Gateway East Participation Program is to align resource use with CCDC's mission to ignite diverse economic growth, build vibrant urban centers, and promote healthy community design achieved by pursuing the following key strategies:

1. Economic Development
2. Infrastructure
3. Mobility
4. Place Making
5. Special Projects

Statutory Framework

CCDC is enabled by two sections of Idaho Code, the Urban Renewal Law and the Economic Development Act (key excerpts provided):

Idaho Code 50-2002 URBAN RENEWAL LAW (excerpt)

“...It is found that there exist in municipalities of the state deteriorated and deteriorating areas which constitute a serious and growing menace...” “...It is further found and declared that certain of such areas, or portions thereof, may require acquisition, clearance, and disposition...in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented...”

Idaho Code 50-2902 ECONOMIC DEVELOPMENT ACT (excerpt)

“...It is hereby found and declared that there exists in municipalities a need to raise revenue to finance the economic growth and development of urban renewal areas, to encourage private development..., arrest the decay of urban areas..., promote needed public improvements..., facilitate the long-term growth of their common tax base..., encourage private investment...”

This enabling legislation informs the purview of everything CCDC does as an urban renewal agency. As such, the Gateway East Participation Program provides a framework to promote compliance with Idaho law.

Best Practices

CCDC's Gateway East Participation Program is anchored by Idaho Code and tailored to work in the Gateway East Economic Development District. However, there are some generally accepted best practices described by professional associations. These practices, guided by state law and, coupled with actual experience in the business of redevelopment, form the basis of the Program. The below summarizes key ideas incorporated into the Program.

- Statutorily compliant participation (both letter & intent)
- Serves the public interest (legally eligible & politically sensible)
- Consistent with Boise City plans
- Consistent with CCDC's Urban Renewal plans and other agency strategic policies
- Capped participation (within and below anticipated income collections of tax increment generated by the project)
- Proactive agency-driven approach
- Ensure due diligence for larger projects (evaluate risks, financing, issues, conflicts, partners, capacity, experience, stakeholders)
- Ensure a transparent process
- Accountability (conduct financial analysis, determine identifiable community needs, assess potential project impact of larger projects)
- Accessibility (program is broadly available)
- Emphasize early intergovernmental communication and coordination
- Program and contracts are publicly, proactively communicated
- Measure effectiveness of results
- Review program regularly to adjust and improve
- All contracts are subject to CCDC Board approval
- Eligibility requirements to participate are clearly identified
- Eligible Expenses are clearly defined and emphasize public improvements
- Scoring criteria uses clear, standardized approach
- Specialized ad hoc advisory teams may be used for review and advice on large projects or intergovernmental projects
- All Participation Program Agreements are approved in public meetings and may include opportunity for advance public comment on the project
- Maintain open records on program utilization and awards
- Actively promote program
- Administer program consistently
- CCDC funded improvements benefit the public at large and not one single project

Coordination of Other Incentives

Other incentive programs are available in Idaho which target high wage jobs and investment in the State of Idaho. All available incentives are eligible to be combined with CCDC's Participation Program as may be limited by others and as noted below. **In no event can the same eligible expenses be paid for more than once.**

CCDC's incentives (Participation Program) relate solely to the property tax. Other incentive programs may also relate to the property tax and may significantly affect the CCDC incentive. CCDC's assistance, if approved, in final form will be a written agreement which will include a coordination of benefits provision which identifies other incentives.

State Incentives

See Department of Commerce (www.commerce.idaho.gov) for most current information. Incentives include:

- Tax Reimbursement Incentive (TRI)
Bring new high-wage jobs to Idaho and company could be eligible to receive up to a 30% reimbursement on sales, payroll, and corporate income taxes for up to 15 years. Companies must provide wages above the county average, and create at least 50 new jobs in an urban area, or 20 in a rural area.
- 3% Investment Tax Credit (ITC)
Credit against Idaho Corporate Income tax for qualifying new investment in tangible personal property (machinery & equipment) in Idaho. It can offset up to 50% of a company's liability and may be carried forward 14 years.
- Workforce Development Training Fund (WDTF)
Potential \$2,000/per new job created, paid directly to company. Jobs must be \$12/hour or more with benefits and the company must produce a product or service that is mainly marketed outside the region where the business is located.
- Idaho Opportunity Fund (IOF)
A grant program which allow the Director of the Idaho Department of Commerce to direct funds to projects for infrastructure needs within the community. This \$3 million fund will be used within this year to help "close" new projects.
- Idaho Power Industrial Efficiency Cash incentives for Energy-Efficient Designs.
The financial incentive is determined on the least of two calculations:
 - 12 cents per kilowatt-hour (KWh) saved per year or
 - 70% of the incremental project cost from a 2006 energy code rated project to a high efficiency project.

- Idaho Business Advantage (for qualifying companies)
To qualify a company must make a minimum \$500,000 investment in new facilities and create at least 10 new jobs that pay at least \$40,000 annually plus benefits. Average wage for all other jobs created must be \$15.50/hour plus benefits.
 - Increases ITC to 3.75% on corporate income tax related to the personal property part of the project (machinery/equipment – computers)
 - Real Property Improvement Tax Credit (RPITC) of 2.5% against corporate income tax - \$125,000 per taxable year with 14 year carry forward so total of \$1,750,000. This is the real property part of the project (new plant and facilities).
 - New Jobs Tax Credit (NJTC) increases the standard \$1,000/per job corporate income tax credit up to maximum of \$3,000/per job, depending on wages paid.
 - Sales & Use Tax Rebate (SUTR) of 25% is for any sales & uses tax that is paid for the property constructed, located or installed within the project.
 - Small Employer Growth Incentive (SEGIE) is decided by the Ada County Commission can grant an exemption on all or part of the investment value from property taxes for a determined period of time.

New Capital Investments Incentive Act - Large Business Property Tax Exemption (LBTE) 63-4502
 This exemption requires an investment minimum of \$1 billion in capital improvements (land not included), exempts all value over \$400,000 per year for 7 years.

Large Employer Property Tax Exemption (LEPTE) 63-602HH
 This exemption requires an investment of a minimum of \$25 million in capital per year, employs a minimum of 1,500 people, and exempts all value over \$800 million located in a single county including land.

Metro Area Incentives

The Boise Valley Economic Partnership offers free, customized, confidential services and site location assistance to businesses and entrepreneurs interested in relocating, starting up, or expanding in the Boise Valley. www.bvep.org

Ada County Incentives

The Ada County Commission is charged with the administration of two business incentive tax exemptions which are subject to approval by the Ada County Commission.

[\(https://adacounty.id.gov/commissioners/business-exemptions/\)](https://adacounty.id.gov/commissioners/business-exemptions/)

- Property Tax Exemption for Business (PTEB) 63-602NN
 Exemption is available for businesses investing minimum of \$500,000+ in commercial/industrial uses; not retail. The exemption may be full or partial tax exemption for up to 5 years; land is not eligible.
- Small Employer Growth Incentive Exemption (SEGIE) 63-606A
 The Ada County Commission can grant an exemption on all or part of the investment value from property taxes for a determined period of time. The company must invest minimum of \$500,000 in new plant/building facilities and increase employment by a minimum of 10 new employees.

City of Boise Department of Economic Development

- o Project Management for Eligible Projects: The City offers one point of contact working with a multi-disciplinary team to expedite your project.
- o Occupancy Assistance: The City will help you open your business quickly by navigating the system, acting as your single point of contact, and offering you “One Stop Shop” service.
www.boisecompetes.org

CCDC Incentives

- o Types 1 – 5 Participation Program
- o CCDC participation is NOT an entitlement and may or may not be provided at the sole discretion of the Board of Commissioners consistent with Board policy and the CCDC Participation Program.
- o The Summary of Benefit Coordination, with respect to the other incentives, is only an indication of CCDC’s typical program approach and each project participation is determined on an individual project basis.
- o Any other incentive which reduces local property tax will most likely reduce revenue to CCDC and limit and/or negate the ability to assist.
- o Because the PTEB and the SEGIE Ada County Incentives involve partial or full property tax exemption for a variable number of years, any participation in these incentives will require individual project by project review and coordination of incentive programs.
- o **In no event can the same eligible expenses be reimbursed more than once.**

OTHER INCENTIVE PROGRAMS	Other Incentive Is Direct Involves Property Tax	Other Incentive Relates to Taxable Property	CCDC PP T1 ELIGIBLE	CCDC PP T2 ELIGIBLE	CCDC PP T3 ELIGIBLE	CCDC PP T4 ELIGIBLE	CCDC PP T5 ELIGIBLE
SUMMARY OF BENEFIT COORD.	Y/N	Y/N	Y/N or TBD				
TRI	N	N	Y	Y	Y	Y	Y
3% ITC	N	Y	Y	Y	Y	Y	Y
WDTF	N	N	Y	Y	Y	Y	Y
IOF	TBD	TBD	Y	Y	Y	Y	Y
Idaho Power	N	N	Y	Y	Y	Y	Y
IBA - ITC	N	Y	Y	Y	Y	Y	Y
IBA - RPITC	N	Y	Y	Y	Y	Y	Y
IBA - NJTC	N	N	Y	Y	Y	Y	Y
IBA - SUTR	N	Y	Y	Y	Y	Y	Y
IBA - SEGIE	Y	Y	TBD	TBD	TBD	TBD	TBD
LBTE	Y	Y	N	N	N	N	N
LEPTE	Y	Y	N	N	N	N	N
ADA-PTEB	Y	Y	TBD	TBD	TBD	TBD	TBD
ADA-SEGIE	Y	Y	TBD	TBD	TBD	TBD	TBD

Eligible Expenses

The Program can assist private and public development projects with improvements that benefit the public, which are located in the public right of way. These are called Eligible Expenses. All Eligible Expenses are paid by project owner/developer as expenses are incurred, and CCDC reimburses for Eligible Expenses after the project is complete. As described herein CCDC will pay for standard public improvements as required by City of Boise and Ada County Highway District, or as otherwise defined in subsequent planning documents regarding Gateway East.

Eligible Expenses generally include:

- Sidewalks and street lights
- Streets/road paving, curb and gutter
- Street trees, landscaping, and irrigation systems when required
- Main utility lines and facility upgrades to the point of delivery (power, water, sewer, phone, fiber)
- Certain environmental remediation improvements as may be preparatory to construction are evaluated on a case by case basis. An example of an eligible environmental remediation cost would be the hard costs for the removal of an underground storage tank in the public right of way. Soft costs, such as environmental assessments and costs within a private building, such as asbestos abatement, are not eligible for general assistance.
- Land dedicated as public right-of-way, where required for public road or infrastructure improvements
- Easements or land dedication for open space or residential buffer zones as described in the Gateway East Plan and/or approved by City of Boise
- Public multiuse pathways as described in the Gateway East Plan and/or approved by City of Boise

The project including the associated public improvements must be approved by Boise City and/or appropriate public agency with jurisdiction (i.e. ACHD, ITD).

Ineligible Expenses:

Expenses that encompass costs which are outside of the public improvements are not Eligible Expenses. Ineligible expenses include: design and engineering, permitting, mobilization and overhead, or a developer's profit/overhead/administration fee. CCDC generally pays for "time/labor and materials."

Easements

If a public improvement is constructed outside of the right of way, it must be located in permanent public easement area in order to be considered an Eligible Expense. The easement must be accepted by Boise City or other public agency with jurisdiction prior to CCDC Reimbursement.

If the improvements require an easement, participant must work with appropriate Boise City Department (or other public agency) to draft the easement agreement prior to CCDC Participation Program Agreement Approval. CCDC can help direct participant to the appropriate agency and/or City Department contact.

Improvements being made outside of the right of way, and in an easement area, should be predetermined in collaboration with CCDC and Boise City as part of the project design, and need to be approved by appropriate Boise City Department (Design Review, Parks & Recreation, and/or Arts & History).

Public art attached to a building façade may require a license agreement in place of a public easement. Boise City Department of Arts & History will determine the appropriate agreement, which must be in place for art to be considered an Eligible Expense.

A final easement must be accepted and recorded by Boise City before CCDC Reimbursement can take place.

Key Program Conditions

- The improvements eligible for CCDC funding must be located in the public right of way, or a permanent public easement area, which is accepted by Boise City or public agency with jurisdiction.
- A project can only receive funding from a single Program Type, and can only be approved for one Participation Agreement per development (i.e. a project cannot request additional funding several years later).
- CCDC will only pay for Eligible Expenses as approved by the Board and not otherwise paid for by another public entity.
- Program eligibility is at the sole discretion of CCDC and its Board of Commissioners.
- Parties seeking Participation Program assistance should contact CCDC as early in the development process as possible and preferably before design has been finalized.
- Applications must be submitted before building permits are obtained.
- Projects located on properties with delinquent property taxes are not eligible.
- All individual projects must advance urban renewal plans.
- The CCDC Board may consider a program exception if, in its sole judgment, certain necessary and sufficient conditions exist to warrant the modification of one or more of the program requirements for a project.
- CCDC's contracts have been extensively vetted and will be used as the basis for all Participation Program Agreements.
- The following uses are ineligible activities and will not be considered for CCDC funding: bikini bars and sexually oriented businesses as defined by Boise City Code.

Typical Participation Program Process

Step 1

- Contact CCDC and discuss project
- Staff will guide developers on which Participation Program Type best fits the project and funding availability
- It is best to talk to staff early on in the process (before entitlements and design are finalized)

Step 2

- Developer Submits Application
- Identify how project meets all required program criteria and advances economic development goals
- **Application should be submitted before building permits are received**

Step 3

- Staff will present project to the Board for Designation as Eligible for a Participation Project
- Board may provide feedback at this time
- Project must have Design Review or equivalent approval before Designation

Step 4

- Staff will present Participation Program Agreement to the Board for approval including Estimated Eligible Expenses requested for funding

Step 5

- Developer completes project and associated public improvements

Step 6

- Developer notifies CCDC of project completion, submit cost documentation, and schedules inspection

Step 7

- Staff verifies cost documentation for Eligible Expenses and issues a Confirmation Letter

Step 8

- CCDC reimburses for public improvements / Eligible Expenses
- This could be a one-time reimbursement, or paid over a period of time depending on Participation Type

**CCDC may revise/alter this process based on specifics of project.*

Type 1: One Time Assistance

Objective: This program Type will provide resources of up to \$200,000 for public improvements and is intended to assist smaller projects on their own schedule, often triggered by a tenant improvement. The funding is based on a dollar for dollar match with the private developer's investment.

Eligible Expenses: The Type 1 (T1) allows assistance for public improvements in the right-of-way or easement area. See page 6 for a list of Eligible Expenses.

Timing: T1 applications can be submitted anytime throughout the year and are processed based on available resources set forth in the budget and Capital Improvement Plan*. The applicant should submit before building permits have been obtained. T1 agreements will generally be considered for approval by the CCDC Board after approval of a design review or relevant development application that includes the proposed improvements. The project is typically seen by the CCDC Board twice. First, as an opportunity to introduce the project to the board and request project "designation" as eligible for CCDC funding. The second time is generally to approve the T1 Participation Agreement.

* Gateway East will not have a Capital Improvement Plan, or T1 resources, before FY2020.

Reimbursement: T1 projects are paid after project completion. The reimbursement for eligible expenses are defined in the Type 1 Agreement, and is based on actual costs as documented after project completion. Actual Eligible Expenses must be verified and approved by CCDC and will include only reasonably incurred costs. All costs must be verified through invoice documentation and a schedule of values.

The reimbursement will not exceed \$200,000 and will be based upon a matching funds invested by the private developer. For instance:

Example	Private Improvement	Public Improvements	Total Budget	CCDC Reimbursement
New Construction Office/Warehouse Project	\$1.2 million	\$300,000	\$1.5 million	\$200,000
Exterior Remodel (includes sidewalk and street work)	\$800,000	\$150,000	\$950,000	\$150,000 (can only reimburse for public improvements)
Public Improvements Only (i.e. sidewalk)	\$0	\$150,000	\$150,000	\$75,000
Tenant improvement and street work	\$50,000	\$150,000	\$200,000	\$100,000

Type 2: General Assistance

Objective: Type 2 (T2) participation provides general assistance for public improvements and is intended to assist larger projects and include a broader scope of Eligible Expenses. The legal parcel(s) constitutes the site for a project. However, at the Board's discretion, a phased development may be scored independently if this better advances program goals.

Eligible Expenses: The Type 2 Participation allows assistance for public improvements in the right-of-way or easement area. See page 6 for a list of Eligible Expenses. :

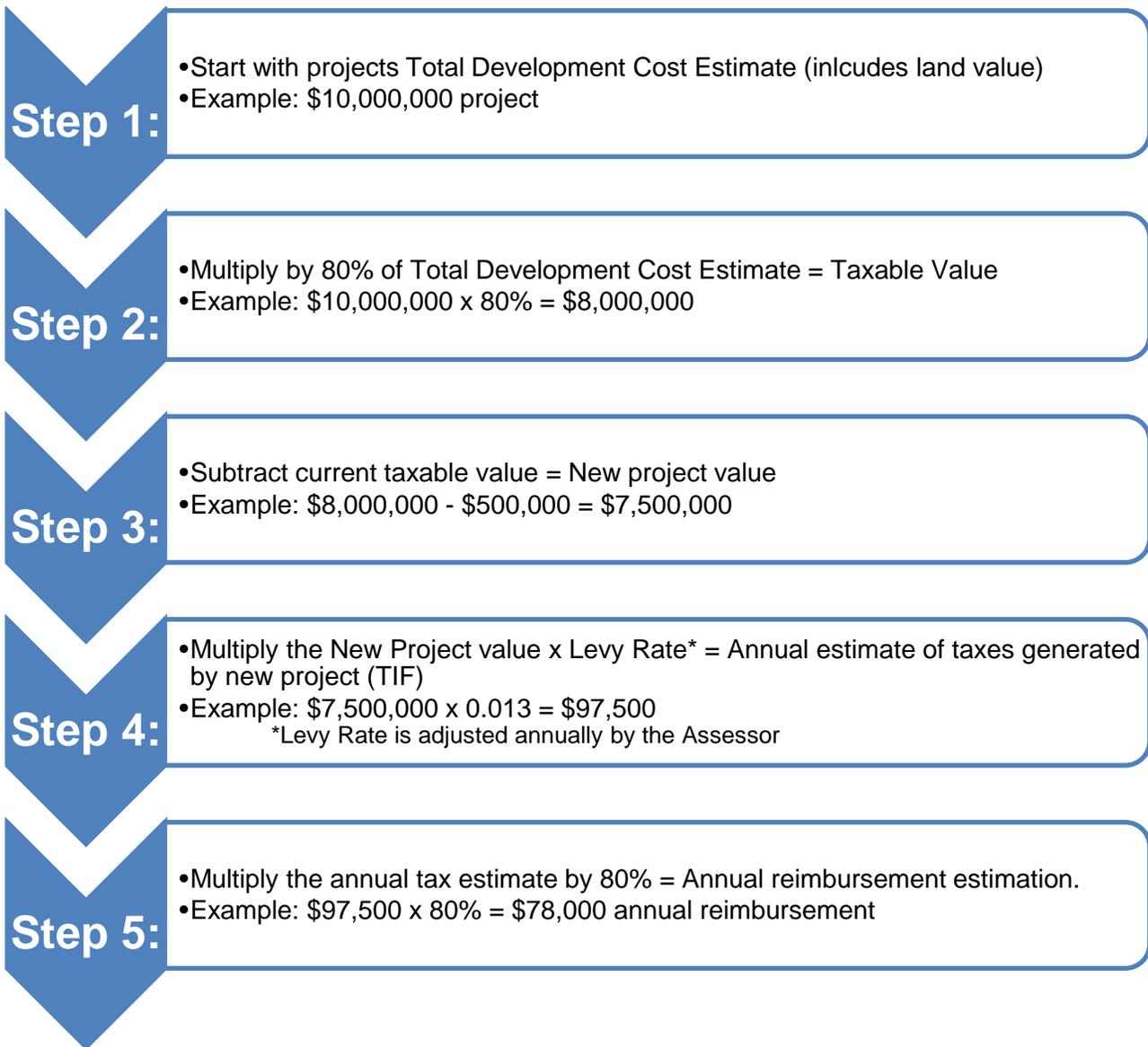
Timing: Type 2 assistance can be applied for at any time prior to obtaining building permits but preferably before or during project design in order to maximize a project's score. T2 Participation Program Agreements will be considered for approval by the CCDC Board after approval of a development application that includes the proposed public improvements.

Reimbursement: T2 projects are paid upon completion of the project for a determined period of time **AFTER** actual tax increment generated by the project has been received by the Agency. The Reimbursement is paid using actual tax increment revenue generated by the Project and received by CCDC. . Assistance is limited by the lesser of:

- 1) The agreed upon Eligible Expenses of the project or
- 2) 80% of the project's tax increment value for the qualified reimbursement term (6 years).

Actual Eligible Expenses must be verified and approved by CCDC and will include only reasonably incurred costs. All costs must be verified through invoice documentation and a schedule of values.

Reimbursement Estimation: Although the reimbursement is from actual increment received from the project CCDC can provide estimates of this payment based on the following formula. See example formula on the following page.



NOTE: Estimates of tax valuation can be done by CCDC and assume 80% of estimated project cost to account for variances which may occur. Project costs are defined as all costs of the project including, but not limited to: land, hard costs, soft costs, financing costs, fees and permits for on and off site work, public improvements, and buildings. Actual assessed values are determined solely by the Ada County Assessor.

Reimbursement Term:

The Type 2 reimbursement typically begins 18-24 months after the Project is complete, once the Full Assessed Value of the project has been added to the Primary Tax Roll by the Ada County Assessor and the tax assessments have been paid.

Project Type	Annual Reimbursement %	Maximum Reimbursement Term
Type 2	80% of Tax Increment	6 years

Type 3: Transformative Assistance

Objective: The intent of the Type 3 (T3) transformative assistance is to make available a more customized opportunity for transformative projects and to consider certain projects which don't otherwise fit well into the other program types. T3 participation is available to assist large public or private projects that are deemed by the CCDC Board to be transformative in nature and of benefit to the community at large. In general, a transformative project is a higher value project that may include the construction of a significant public facility. The project should have a high likelihood of maintaining an enduring presence in the community. The goal for Intergovernmental/Public projects is to use limited district monies to leverage additional resources (federal, state, local, other) in the Airport Commerce District economic development effort. For example, matching a federal grant for construction of a project, or shared funding between intergovernmental units for construction of a public facility.

Criteria: The private to public investment ratio (private project cost divided by CCDC participation) for a transformative projects should generally be 6:1 or higher. For example a \$60 million private project coupled with a \$10 million public facility funded by CCDC would have a 6:1 private/public (CCDC) ratio).

Evaluation: At the Executive Director's request, the Board may consider a project for "Designation" status as a T3 project authorizing more formal evaluation. All final agreements require Board approval. Projects being considered for T3 assistance will receive a greater degree of scrutiny than those considered for T1 or T2 assistance. CCDC may pay for and conduct a financial feasibility study which may include a "but for" test ("but for" the assistance, the viability of the project is questionable). This assessment may also identify Eligible Expenses for project participation and funding alternatives. CCDC may pay for and conduct an economic impact study or may require an examination of a developer project portfolio, financial capacity, and references, etc. CCDC may require community/stakeholder outreach. The project should produce a net positive gain for the community after any public participation.

Eligible Expenses: See page 6. Soft costs may be included in intergovernmental, Public-Public projects.

Timing: Many of the timing elements of T3 assistance are determined on a case by case basis.

Reimbursement:

Private Projects: Private project reimbursement will be based on funding available and may follow the Type 2 protocol for reimbursement timing.

Intergovernmental/Public Projects: The project cost share will be determined by the Board and governmental partner and will not exceed state law regulations. Because projects for public facilities will most likely be exempt from property tax and will produce little or no tax increment income, such projects should be financially feasible based on other considerations, serve mutual goals, and produce a community benefit. CCDC bonding will be subject to financial review and underwriting requirements. Generally, financial participation will be transacted as a reimbursement or purchase upon project/public facility completion and certificate of occupancy.

Type 4: Capital Improvement Project Coordination

Objective: Type 4 (T4) participation coordinates CCDC-initiated Capital Improvement Plan (CIP) activities with construction activities of private development and/or other public agencies. The CIP is part of CCDC's strategic planning and budgeting process. Adjusting, co-timing and/or accelerating CIP projects in coordination with private development can be beneficial and can create efficiencies in the construction of physical improvements. Projects eligible for T4 participation are generally those identified in the adopted CCDC CIP that is in effect and available on the CCDC website. The Board retains all discretion in determining the projects, timing, design, and locations of capital improvements.

CCDC can design, bid and build a CIP project independently of the private project or intergovernmental project. CCDC can also, in certain circumstances and subject to applicable law, sub-contract construction with a private development on a public project element.

Eligible Expenses: Eligible Expenses are capped based on the project budget in the adopted CIP, and must align with CCDC's project implementation plan and goals.

Timing: Many of the timing elements of Type 4 assistance are determined on a case by case basis.

Reimbursement: Private projects will be reimbursed upon completion of the project after CCDC has verified cost documentation and inspected and approved the construction of the improvements. CCDC can enter into intergovernmental agreements to cooperatively participate in joint capital improvement projects.

Planning: CCDC invites conversation about future private project plans and timing to inform development of upcoming CIP plans.

Type 5: Property Disposition (CCDC-owned property)

Objective: Type 5 (T5) participation is the disposition of property owned by CCDC for a redevelopment purpose. The property disposition process is governed by state statute and differentiates between disposition to a for-profit or private use, to a non-profit, and to a public or governmental body. This program meets or exceeds the statutory requirements in providing for competitive processes in property disposition (not required for disposition of land to public entities).

Process: CCDC's property disposition process for private/non-profit development use will involve a competitive process, typically a Request for Proposals and/or Qualifications (RFQ/P) process for properties. The RFP will provide conditions and requirements of the development project as determined by CCDC (i.e. type of project, housing income guidelines, design elements, etc.). Properties may be transferred to another public entity without an RFP and smaller remnant parcels may not warrant an RFP. This process may require a commercial appraisal, a re-use appraisal, and the proposed project will be in accordance with the applicable urban renewal plan and law. The details of each disposition may be differ based on the unique property being disposed of.

Timing: CCDC's property disposition process will stipulate a minimum timeframe for development to occur.

Eligible Expenses: A project may qualify for a reduction in land price up to an amount determined by a third party appraisal, which is based on the proposed project's expenses and financial pro-forma. The disposition of any property for private or nonprofit development will be formalized in a Disposition and Development Agreement (DDA) which will require a determination of fair value for the proposed use, which may be stipulated or restricted, based on the property redevelopment objectives. A re-use appraisal or similar method suitable to the individual property redevelopment goals will be used to establish pricing and shall include the cost to construct necessary public improvements as part of the pricing. A separate reimbursement for these public improvements will not be considered. A commercial appraisal will also be done to establish a price for initial disposition of the property. Any private entity will be required to purchase the property from CCDC and pay that initial price. If any rebate of property value, as advised by the re-use appraisal is determined, it will only be made after project completion as a reimbursement.

Reimbursement: Based on the re-use appraisal CCDC Board can choose to reimburse for the land costs based on the project being built as proposed by the private company.