



# CITY OF NORTH SALT LAKE

## REDEVELOPMENT AGENCY (RDA) NOTICE & AGENDA NOVEMBER 29, 2022

Posted November 28, 2022

Notice is given that the City of North Salt Lake Redevelopment Agency will hold a meeting on **TUESDAY, NOVEMBER 29, 2022 at 6:00 p.m.** or as soon thereafter as possible immediately following the City Council meeting. The RDA meeting will be held in the City Council Chambers at City Hall located at 10 East Center Street, North Salt Lake, Utah. Some members may participate electronically.

The following items of business will be discussed; the order of business may be changed as time permits.

### REGULAR SESSION – 6:00 p.m.

1. Introduction
2. Consideration of **Resolution RDA 2022-01R**: A Resolution Authorizing the Execution of a Letter of Engagement for Contract Services Between the North Salt Lake Redevelopment Agency and Lewis, Young, Robertson and Burningham for Professional Services Related to Financial Planning and Tax Increment Finance
3. Approval of Redevelopment Agency Meeting Minutes of February 15, 2022
4. Adjourn

*This meeting has an option to attend electronically via Zoom, with joining information below:*

*Topic: November 29, 2022 RDA Meeting*

*Time: November 29, 2022, 06:00 PM or as soon thereafter as possible immediately following the City Council meeting.*

*Join Zoom Meeting*

<https://us02web.zoom.us/j/89427807008>

*Webinar ID: 894 2780 7008*

**The public is invited to attend all Redevelopment Agency meetings. If you need special accommodations to participate in the Redevelopment Agency meeting, please call the City office at 801-335-8709. Please provide at least 24 hours notice for adequate arrangements to be made.**

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 28<sup>th</sup> day of November, 2022.

Dated this 23<sup>rd</sup> day of November, 2022.

*Wendy Page*





# CITY OF NORTH SALT LAKE FINANCE DEPARTMENT

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Brian J. Horrocks  
Mayor

Heidi Voordeckers  
Finance Director

## MEMORANDUM

**TO:** Chairman Horrocks and RDA Board

**FROM:** Heidi Voordeckers, Finance Director

**DATE:** November 29, 2022

**SUBJECT:** Letter of Engagement for Services – Lewis Young Robertson & Burningham, Inc.

### RECOMMENDATION

Staff recommends the RDA Board approve the attached letter of engagement for financial planning and tax increment support services with Lewis Young Robertson & Burningham Inc.

### BACKGROUND

On September 6, 2022, the City Council was presented with a long-term funding strategy to provide adequate debt coverage for improvements to Hatch Park. The strategy involved the use of park impact fees, non-dedicated Rap Tax funds, and non-dedicated tax increment from the City's redevelopment project areas.

The use of tax increment funds for projects outside of the project area is allowable but will require additional due diligence on the part of the City to clearly identify the benefit of the proposed public infrastructure project. Staff recommends engaging the services of Lewis Young Robertson & Burningham, Inc. to conduct the appropriate research and propose/prepare resolutions that amend the project area plans accordingly.

### POSSIBLE MOTION

I move that the Board approve RDA Resolution No. 2022-01R: A Resolution authorizing the City Manager, or his designee, to execute a letter of engagement for contract services with Lewis, Young, Robertson & Burningham for professional services related to financial planning and tax increment finance.

REDEVELOPMENT AGENCY OF  
THE CITY OF NORTH SALT LAKE

Resolution No. RDA 2022-01R

**A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS  
DESIGNEE, TO EXECUTE A LETTER OF ENGAGEMENT FOR  
CONTRACT SERVICES BETWEEN THE NORTH SALT LAKE  
REDEVELOPMENT AGENCY AND LEWIS, YOUNG, ROBERTSON  
AND BURNINGHAM FOR PROFESSIONAL SERVICES RELATED TO  
FINANCIAL PLANNING AND TAX INCREMENT FINANCE.**

**WHEREAS**, the Redevelopment Agency of the City of North Salt Lake (the “Agency”) desires to engage the services of a consultant to perform analysis related to certain financial planning and tax increment financing matters; and

**WHEREAS** the Agency staff believes that the City’s Redevelopment Agency Consultant Lewis, Young, Robertson and Burningham (the “Consultant”) have the experience and familiarity with the Agency’s projects and plans; and

**WHEREAS** the Agency Board finds that it is in the public interest to engage Consultants service as described in the proposed letter of engagement attached to this Resolution.

**THEREFORE, BE IT RESOLVED** by the Redevelopment Agency of the City of North Salt Lake as follows:

1. The proposed Letter of Engagement attached hereto as Exhibit A is hereby approved and the Board further authorizes the Agency Chair, or designee, to execute the Letter of Engagement.
2. Effective Date. This resolution takes effect immediately upon adoption.

**THIS RESOLUTION IS ADOPTED AND APPROVED** this 29th day of November, 2022.

REDEVELOPMENT AGENCY OF THE CITY OF NORTH SALT LAKE

\_\_\_\_\_  
Chair

Attest:

\_\_\_\_\_  
Secretary



LETTER OF ENGAGEMENT  
PROFESSIONAL SERVICES RELATED TO  
FINANCIAL PLANNING AND TAX INCREMENT FINANCE

November 11, 2022

Ms. Heidi Voordeckers  
Finance Director  
CITY OF NORTH SALT LAKE  
10 E. Center Street  
North Salt Lake, UT 84054

RE: FINANCIAL PLANNING AND TAX INCREMENT SUPPORT – PARK DEVELOPMENT PROJECT

Dear Heidi:

The following letter is presented as an engagement agreement for the purpose of the City of North Salt Lake (the “City”) and or the Redevelopment Agency of the City of North Salt Lake (the “Agency”) to retain Lewis Young Robertson & Burningham, Inc. (“LYRB”) in procuring advise, counsel and direction related to the utilization of tax increment revenue from a portion or all the Agency’s existing Project Areas.

In accordance with Title 17C of Utah Code, the Agency has the ability and right to determine if there are “beneficial” public infrastructure improvements, amenities or structures that would contribute to the Agency’s ability to meet the objectives outlined in the associated Project Area Plans and Budgets, even though said improvements would be constructed and built outside of the Project Area boundaries.

In order to accomplish the requirements outlined under Title 17C, LYRB proposed to assist the Agency/City with the following:

- ▣ Gather, research and review all applicable statutes related to the utilization of tax increment revenue under 17C, associated Project Area Plans, Budgets and applicable interlocal agreements by and between the participating tax entities and the Agency;
  - Determine appropriateness of diverting a portion of the tax increment to the Park Development Project
  - Provide a detailed qualitative and quantitative analysis of the justification that the Park Development Project is a “beneficial” public infrastructure improvement that: (i) meets the standards outlined under Title 17C, (ii) conforms to the related Project Area Plan and Budget documents, and (iii) is consistent with the objectives of the interlocal agreements with other taxing entities.
  
- ▣ Draft, prepare and disseminate a Resolution of the Agency with findings to support the Agency’s direction to use tax increment from the Agency’s existing Project Areas;



- o Attend City Council and Agency meetings to describe the process, approach and requirements to capture the tax increment;
- o Assist the Agency/City in considering, discussing and adopting the resolution

▮ Provide a document transcript with all necessary documentation, resolutions and ordinances, benefits’ analysis related to the Park Development Project and submit to Agency/City for reporting purposes.

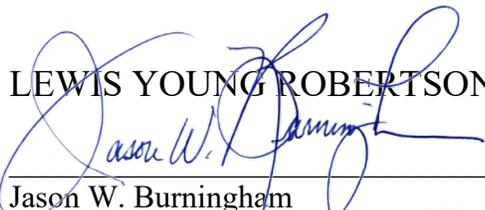
Included below is a proposed fee schedule associated with the services enumerated above.

		Principal	Sr. Analyst	Analyst	Total	Total
	<i>Billable Rates</i>	\$ 300.00	\$ 200.00	\$ 125.00	Hours	Amount
<b>Task 1.1</b>	Gather, research and review relevant statutory and other governing documents	1.00	1.00	3.00	5.00	\$ 875.00
<b>Task 1.2</b>	Qualitative and Quantitative Analysis related to the benefits of the Park Development Project	1.00	1.00	2.00	4.00	750.00
<b>Task 1.3</b>	Deliver a written report that captures the items outlined in Task 1.1 and 1.2 above	1.00	1.00	2.00	4.00	750.00
<b>Task 2.1</b>	Draft, prepare and disseminate a Resolution of the Agency to express benefit findings and support of using tax increment on the Park Development Project	2.00	1.00	-	3.00	800.00
<b>Task 2.2</b>	Preparation of presentation and attendance at City Council and Agency meetings to introduce and discuss process and findings	3.00	1.00	-	4.00	1,100.00
<b>Task 2.3</b>	Assist the Agency and City in adopting the Resolution	2.00	-	-	2.00	600.00
<b>Task 3.1</b>	Compile and finalize a transcript with all necessary resolutions, ordinances, reference material and benefits analysis for the use of tax increment to support the Park Development Project.	1.00	-	1.00	2.00	425.00
<b>TOTALS</b>		<b>11.00</b>	<b>5.00</b>	<b>8.00</b>	<b>24.00</b>	<b>\$ 5,300.00</b>

LYRB anticipates that the scope of services identified in this engagement letter can be accomplished by the end of 2022, provided that all information is readily available and that the City/Agency can accommodate the time frames required to consider and approve the appropriate resolution(s) or documents necessary to utilize tax increment from the Project Areas identified.

The parties (including the City, Agency and LYRB) acknowledge this letter as an engagement for LYRB to perform the services aforementioned and the City/Agency approve and direct LYRB to proceed with said scope of services based on the Fee Schedule introduced above.

LEWIS YOUNG ROBERTSON & BURNINGHAM, INC.

  
 Jason W. Burningham  
 Principal and Owner

Date: November 11, 2022



CITY OF NORTH SALT LAKE, UTAH (the “City”)

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

REDEVELOPMENT AGENCY OF  
THE CITY OF NORTH SALT LAKE (the “Agency”)

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

1 CITY OF NORTH SALT LAKE  
2 REDEVELOPMENT AGENCY MEETING  
3 ANCHOR LOCATION: CITY HALL  
4 10 EAST CENTER STREET, NORTH SALT LAKE  
5 FEBRUARY 15, 2022

6  
7 **DRAFT**  
8

9 Chairman Brian Horrocks called the meeting to order at 7:09 p.m.

10  
11 PRESENT: Chairman Brian Horrocks  
12 Board Member Lisa Watts Baskin  
13 Board Member Natalie Gordon  
14 Board Member Ted Knowlton  
15 Board Member Stan Porter  
16 Board Member Alisa Van Langeveld  
17

18 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,  
19 Public Works Director; Janice Larsen, Finance Director; Mitch Gwilliam, Assistant Police Chief;  
20 Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page,  
21 City Recorder.  
22

23 OTHERS PRESENT: Irene Stone, Dee Lalliss, residents; Dwayne. Rasmussen, Castlewood  
24 Development.  
25

26 1. DISCUSSION OF PROPOSAL TO ENTER INTO A TAX PARTICIPATION  
27 AGREEMENT WITH CASTLEWOOD DEVELOPMENT FOR THE PURPOSE OF  
28 ASSISTING IN THE COSTS OF PUBLIC INFRASTRUCTURE AND OTHER  
29 PROJECT IMPROVEMENTS RELATED TO THE WILLIAMSBURG LUXURY  
30 APARTMENT DEVELOPMENT  
31

32 Ken Leetham reported this five-acre development was located on the west side of Highway 89  
33 and the entrance to the City. The project consisted of 246 units in three buildings along with a  
34 commercial element. Other improvements included buried power lines, landscaping, and a  
35 reconfiguration of the intersection at Eagleridge Drive to include a signal light and an expanded  
36 right of way. He showed the proposed architecture for the Williamsburg Apartments.  
37

38 Mr. Leetham spoke on the staff recommendation to work with the developer in burying the  
39 power lines.  
40

41 Sherrie Pace showed a chart detailing the power lines above ground, the areas where the City had  
42 already participated in burying lines (including the City's Edge project), and the areas staff  
43 would like to see the lines buried in the future.

44  
45 Ken Leetham recommended adding \$195,000 to participate in burying the power lines for this  
46 project area. The City would contribute up to \$870,971 in tax increment sharing with this  
47 development group with a credit/waiver/refund of up to \$97,000 in impact fees for the trail  
48 development. The project would generate approximately \$1.8 million in tax increment revenue  
49 with 75% of the projected TIF revenue available for other areas of the CDA. Staff recommended  
50 participating in this improvement, as it would be in line with House Bill (HB) 151 related to  
51 public infrastructure, the difficulty in developing this property, the regional trail connection, the  
52 reconstruction of the intersection, and improvement along Highway 89. Mr. Leetham clarified  
53 the terms in the memo included that this was up to \$870,971 (plus the \$97,000 impact fee credit)  
54 but reimbursement would be based on actual costs with receipts to be verified. If the CDA did  
55 not collect the projected TIF then it would be at the developer's risk. Staff would include these  
56 terms in an agreement to be brought back for the RDA board's approval.

57  
58 **Board Member Knowlton moved the Redevelopment Agency instruct staff to prepare an**  
59 **agreement between the RDA and Castlewood Development that provides for**  
60 **reimbursement or fee credits up to \$967,971 for the purpose of assisting in the cost of**  
61 **public infrastructure required in the Williamsburg Luxury Apartment project. Board**  
62 **Member Porter seconded the motion. The motion was approved by Board Members**  
63 **Baskin, Gordon, Horrocks, Knowlton, Porter and Van Langeveld.**

64  
65 2. APPROVE REDEVELOPMENT AGENCY MEETING MINUTES OF NOVEMBER  
66 30, 2021

67  
68 The Redevelopment Agency meeting minutes of November 30, 2021 were reviewed and  
69 approved.

70  
71 **Board Member Porter moved to approve the minutes of November 30, 2021 of the RDA of**  
72 **North Salt Lake. Board Member Van Langeveld seconded the motion. The motion was**  
73 **approved by Board Members Baskin, Gordon, Horrocks, Knowlton, Porter and Van**  
74 **Langeveld.**

75  
76 3. ADJOURN

77  
78 Chairman Horrocks adjourned the meeting at 7:24 p.m.

79  
80 *The foregoing was approved by the Redevelopment Agency of the City of North Salt Lake on*  
81 *Tuesday November 29, 2022 by unanimous vote of all members present.*

82  
83  
84 \_\_\_\_\_  
Chairman Recorder