



Midvale City
REDEVELOPMENT AGENCY WORKSHOP MEETING
Minutes

Tuesday, January 21, 2014
Council Chambers
655 West Center Street
Midvale, Utah 84047

CHAIR: JoAnn Seghini

BOARD MEMBERS:

Board Member Paul Glover
Board Member Paul Hunt
Board Member Stephen Brown
Board Member Robert Hale
Board Member Wayne Sharp

STAFF: Kane Loader, City Manager; Phillip Hill, Asst. City Manager/CED Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, City Recorder/H.R. Director; Craig Kleinman, Assistant City Attorney; Danny Walz, Redevelopment Agency Director; and Jarin Blackham, IT Manager.

Chair Seghini called the meeting to order at 9:10 p.m.

I. ROLL CALL

Board Members Paul Glover, Paul Hunt, Steve Brown, Robert Hale, and Wayne Sharp were present at roll call.

II. CONSENT AGENDA

A. APPROVE MINUTES OF JANURAY 07th & 14th, 2014

B. SET DATE AND TIME (FEBRUARY 4, 2014 at 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER BUDGET AMENDMENTS TO THE FY2014 RDA BUDGET

MOTION: Board Member Wayne Sharp **MOVED** that we approve the consent Agenda. Board Member Robert Hale **SECONDED** the motion. Chair Seghini called for discussion on the motion. There being none, she called for a roll call vote. The voting was as follows:

Board member Paul Hunt	Aye
Board member Steve Brown	Aye
Board member Robert Hale	Aye
Board member Wayne Sharp	Aye
Board member Paul Glover	Aye

The motion passed unanimously.

III. ACTION ITEM

A. APPROVE RESOLUTION NO. 2014-02RDA AUTHORIZING THE CREATION OF THE BINGHAM JUNCTION PUBLIC ART PROGRAM

Danny Walz reviewed the following Bingham Junction Public Art Program:

BINGHAM JUNCTION PUBLIC ART PROGRAM

PURPOSE: The goal of the Bingham Junction Public Art Program is to provide opportunities to integrate public art into private developments or public spaces.

FUNDING: Funding will be allocated through the RDA annual budget. Matching funds may also be utilized from partners.

PROCESS: Art projects will be publicly advertised for artist participation. Some projects may be advertised only to Utah artists while others will be open to any artists within the United States.

OVERSIGHT: The program will be managed by the Midvale Redevelopment Agency with participation by a design advisory board.

DESIGN ADVISORY BOARD: The design board will consist of five members.

- RDA representative
- City Planner
- Council Member
- Arts Community representative (Arts Council, Artist, Performer, outside Arts representative)
- Community/property owner representative

Other members brought in depending on the project: City Engineer, Public Works Director, historic representative, Planning Commission member, partners, neighbors and those involved in design, construction, use and/or maintenance.

SELECTION: The Design Advisory Board shall make a recommendation to the Agency's Board of Directors for final approval on artist selection for each art project. Depending on the scope of work and/or the advertising range for the solicitation the Agency may provide a stipend to artists submitting proposals.

CRITERIA: Among other criteria, review and approval of each art project shall be based on past projects, experience, qualifications, appropriateness of the proposed artwork as well as goals, scale, public safety, maintenance issues, material selection and budget.

MOTION: **Board Member Wayne Sharp MOVED that we adopt Resolution No. 2014-02RDA authorizing the creation of the Bingham Junction Public Art Program. Board Member Paul Hunt SECONDED the motion. Chair Seghini called for Discussion on the motion. There being none, she called for a roll call vote. The voting was as follows:**

Board member Steve Brown	Aye
Board member Robert Hale	Aye
Board member Wayne Sharp	Aye
Board member Paul Glover	Aye
Board member Paul Hunt	Aye

The motion passed unanimously.

B. APPROVE RESOLUTION NO. 2014-03RDA AUTHORIZING THE EXECUTION OF A TAX INCREMENT REIMBURSEMENT AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF MIDVALE CITY AND ARBOR GARDNER BINGHAM JUNCTION SOUTH WEST OFFICE L.C.

Danny Walz said on February 19, 2013, the Redevelopment Agency of Midvale City Board of Directors approved the creation of a program for the reimbursement of a percentage of the incremental costs associated with projects

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within the Bingham Junction Project Area. The goal of the program is to facilitate and attract development to the Bingham Junction Project Area that has a positive impact for Midvale City.

The impetus for the Agency's reimbursement program originally came from the discussions and negotiations with FLSmidth as part of the construction of their corporate facilities. In addition to the interest in providing funds to encourage LEED Certification of their buildings, there were other items that the tenant requested that added costs to the development. The program was created to provide reimbursement for projects that increase tax value, provide high paying jobs, attract prominent tenants, promote green building standards or encourage good planning design. After creation of the reimbursement program the Agency finalized negotiating the terms of an agreement with the developers for the reimbursement of Phase 1 as well as Phase II of the development.

The attached agreement is separate from the reimbursement that was executed with Littleson and subsequently assigned to Mercer Bingham Junction LLC and Arbor Gardner Bingham Junction Holdings LC. It is a limited obligation payable from the tax increment of the specific project and subordinate to any prior tax increment obligations of the Agency including the debt service of current and future bonds as well as the Agency's administration costs. The agreement will be executed by Arbor Gardner and provides for the transfer to FLSmidth as receiver for the reimbursement.

The agreement details the requirements the developers must satisfy in order to receive the portion of tax increment. The attached agreement represents an obligation for payment of tax increment in the amount of \$1,300,000. The Agency will reimburse the developer through annual payments for a period of twenty (20) years or until the costs have been paid, whichever comes first. Over the course of the agreement, the tenant must continue to meet the requirements for reimbursement. If not, the Agency has the option to reduce the reimbursement payment.

The reimbursement agreement has been prepared by Tom Berggren of Jones Waldo and has been reviewed by legal counsel for Arbor Gardner as well as FLSmidth.

FISCAL IMPACT: The reimbursement agreement will be subordinate to the Agency's existing obligations. Future payments will be allocated within future budgets as funds are available. Developers are responsible for paying the initial costs and the reimbursement is limited by the amount of tax increment generated from the property.

Mr. Walz turned the time over to Tom Berggren of Jones Waldo. He reviewed Mr. Berggren's qualifications and said he is very good at being fair but protecting the Board's rights.

Mr. Berggren said it is an honor and privilege to have the opportunity to serve Midvale's Redevelopment Agency's Legal Counsel. He said he also represents other Redevelopment Agencies as their Legal Counsel and looks forward to the opportunity to work with Midvale City.

MOTION: Board Member Wayne Sharp **MOVED** that we adopt Resolution No. 2014-03RDA authorizing the execution of a Tax Increment Reimbursement Agreement between the Redevelopment Agency of Midvale City and Arbor Gardner Bingham Junction Southwest Office, LC. Board Member Steve Brown **SECONDED** the motion. Chair Seghini called for discussion on the motion. There being none, she called for a roll call vote. The voting was as follows:

Board member Robert Hale	Aye
Board member Wayne Sharp	Aye
Board member Paul Glover	Aye
Board member Paul Hunt	Aye
Board member Steve Brown	Aye

The motion passed unanimously.

IV. DISCUSSION ITEM:

A. DISCUSS PROPOSED BUDGET AMENDMENTS TO THE FY 2014 REDEVELOPMENT AGENCY BUDGET

Laurie Harvey discussed the following information regarding the proposed budget amendments to FY 2012 Redevelopment Agency budget:

Description	Amount
Transfer to GF – advance of Admin fee (Fund 31)	\$300,000
Transfer to CIP – cost of pedestrian bridge (Fund 39)	48,200
BJ project area future work – (Fund 39)	-48,200
Transfer to GF - Planner – 50% of cost (Fund 31)	13,800
Infrastructure improvements (Fund 31)	-13,800
Total expenditures	\$300,000
Contribution from Fund Balance (Fund 31)	\$300,000

V. ADJOURN

MOTION: Board Member Wayne Sharp MOVED to adjourn. Board Member Paul Hunt SECONDED the motion. Chair Seghini called for discussion on the motion. There being none, she called for a call vote. The motion passed unanimously.

Chair Seghini declared the meeting adjourned at approximately 9:21 p.m.

/s/

Rori L. Andreason, MMC
City Recorder

Approved this 4th day of February, 2014.