

**Tremonton City Corporation
Redevelopment Agency Meeting
September 20, 2016
Meeting to be held immediately following Tremonton City Council Meeting
which is scheduled at 7:00 p.m.
102 South Tremont Street
Tremonton, Utah**

AGENDA

1. Approval of agenda
2. Approval of minutes – August 16, 2016
3. Presentation
 - a. Presentation regarding the Tremonton City Redevelopment Agency creating the Tremonton City Façade Grant Program within the Tremont Center Community Development Project Area
4. New Business:
 - a. Discussion and consideration of adopting Resolution No. RDA 16-11 accepting capital contributions for *Fund 71- RDA District #2 Fund- Downtown* so that the Redevelopment Agency can commence with improvement projects
 - b. Discussion and consideration of funding flashing lights on pedestrian signs that are pedestrian activated at the crosswalks of 100 East and Main Street and 100 West and Main Street
 - c. Discussion and prioritization of possible Redevelopment Agency initiated improvements in the Tremont Center Community Development Project Area
 - d. Discussion and consideration of authorizing Redevelopment Agency Staff to have discussions and invite property owners within the Tremont Center Community Development Project Area to consider participating and possibly submitting an application to the Tremonton City Façade Grant Program
 - e. Discussion and consideration of accepting the proposal from Søren Simonsen of Community Studio to provide architectural assistance to the Tremonton City Façade Grant Program
5. Adjournment

Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Board may participate per Electronic Meeting Rules. Those eligible to request participation by electronic means should contact Linsey Nessen, Acting City Recorder, no later than 48 hours prior to the meeting to make arrangements.

Persons with disabilities needing special assistance to participate in this meeting should contact Linsey Nessen no later than 48 hours prior to the meeting.

Notice was posted September 15, 2016, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was delivered to the Leader (Newspaper) on September 15, 2016.

Draft Minutes

TREMONTON CITY CORPORATION REDEVELOPMENT AGENCY August 16, 2016

Board Members Present:

Roger Fridal, Chairman

Diana Doutre, Board Member

Lyle Holmgren, Board Member

Jeff Reese, Board Member

Bret Rohde, Board Member

Lyle Vance, Board Member

Shawn Warnke, Executive Director

Linsey Nessen, Acting Executive Secretary

Chairman Fridal called the Tremonton Redevelopment Agency Meeting to order at 8:14 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Chairman Fridal, Board Members Doutre, Holmgren, Reese, Rohde, and Vance, Executive Director Warnke, and Acting Executive Secretary Nessen.

1. Approval of agenda:

Motion by Board Member Reese to approve the August 16, 2016 agenda. Motion seconded by Board Member Holmgren. Vote: Board Member Doutre - aye, Board Member Holmgren - aye, Board Member Reese - aye, Board Member Rohde - aye, and Board Member Vance - aye. Motion approved.

2. Approval of minutes – June 21, 2016

Motion by Board Member Vance to approve the minutes of the last meeting. Motion seconded by Board Member Reese. Vote: Board Member Doutre - aye, Board Member Holmgren - aye, Board Member Reese - aye, Board Member Rohde - aye, and Board Member Vance - aye. Motion approved.

3. New Business:

- a. Discussion and consideration of adopting Resolution No. RDA 16-10 adopting a wall mural artist professional services agreement between Jason Nessen and Tremonton City RDA to paint a wall mural of Tremonton Main Street Circa 1960's on a building located at 145 West Main Street Tremonton, Utah

The mural will be on the building east of Allred's Auto Body. The City is currently working on acquiring an easement. The mural will be in pastel colors and will cost \$7,900 with \$1,200 from a Utah Division of Arts & Museums grant.

Draft Minutes

There was a lot of interest when the picture was posted on Facebook. It was determined the picture was taken around 1957 or 1958.

Motion by Board Member Reese to adopt Resolution No. RDA 16-10. Motion seconded by Board Member Holmgren. Roll Call Vote: Board Member Doutre - aye, Board Member Holmgren - aye, Board Member Reese - aye, Board Member Rohde - aye, and Board Member Vance - aye. Motion approved.

- b. Discussion regarding the Redevelopment Agency facilitating Façade Grants and Wall Grants within the Tremont Center Community Development Project Area

Manager Warnke stated that Brigham City has had façade grants since the early 1990's. Façade grants should help stimulate private investments and revitalize Main Street. Brigham City reimburses half the cost, up to \$10K, with property owners paying the total amount up front then seeking reimbursement from the City. Brigham City Council makes the decision on approving grants based on the following guidelines:

- Availability of funds
- Following recommendation of City approved architect
- Willingness of applicant to adhere to historic guidelines

Tremonton could also include prioritizing two story buildings that are easily visible and signs that are historic like the Jay's sign at Jim and Dave's. Signage could have fewer funds appropriated because they come and go with businesses.

The new street lights were discussed and the desire for additional street lights. The entire streetscape should be addressed and plans made. New streetlights could be installed in the block by the railroad as it does not require landscaping. The streetlights could have water and power lines to provide for greenery in the summer and lights for displays in the winter.

- c. Discussion of Tremonton City Agency Reports for 2015 Tax Increment Year

The following reports were distributed to the Council previously but there have been a few changes because State Legislative requirements have changed.

1. Tremont Center Community Development Project Area
2. West Liberty Foods EDA Project Area

5. Adjournment

Motion by Board Member Holmgren to adjourn the meeting. Motion seconded by Board Member Vance. Vote: Board Member Doutre - aye, Board Member Holmgren -

Draft Minutes

aye, Board Member Reese - aye, Board Member Rohde - aye, and Board Member Vance - aye. Motion approved.

The meeting adjourned at 8:32 p.m.

The undersigned duly acting and appointed Executive Secretary for Tremonton City Corporation Redevelopment Agency hereby certifies that the foregoing is a true and correct copy of the minutes for the RDA Meeting held on the above referenced date. Minutes were prepared by Deputy Recorder Cynthia Nelson.

Dated this _____ day of _____, 2016.

Linsey Nessen, Acting Executive Secretary

FAÇADE GRANT & SIGN GRANT

FIVE TIPS TO A GREAT FAÇADE GRANT PROGRAM

- Significant Match
- Work Around for Property Owners Lack of Upfront Capital
- Simplify Grant Paperwork
- Pro-Bono Design Services
- Sign Program



PURPOSE

... to encourage property owners or tenants with property owner's authorization to improve the façades of certain types of building within targeted redevelopment area of the downtown business district. Better aesthetics increases property values, improve the marketability of space within the buildings and draw business and residents to the downtown district.

ELIGIBILITY

- Removal of false fronts (such as aluminum panels and awnings)
- Repair or replacement of windows, doors, and cornices
- Repair or replacement of façade materials
- Signage
- Awnings
- Exterior lighting
- Exterior painting
- Fees for design assistance from a professional designer
- Cleaning or replacing tiles
- Landscaping

SOLICITATION OF APPLICATIONS

- Solicit applications through media channels
 - City representatives inviting
 - Would recommend this year due to budget and for purposes of testing the process that the City solicit applications by way of direct invitation
-

PRE-APPLICATION CONSULTATION

- Pre-application Consultation is to:
 - Ensure eligibility, discuss scope of work, discuss permits required, and establish a design for the façade improvements.
- Those participating is City's Architect, Building Official, City Manager, and applicant.
- Evaluate the present condition of the building and the types of improvements proposed.
- Free to the applicant and the scope of work and resulting design is generally the basis for making application and potential grant award.

ARCHITECT- SØREN SIMONSEN

- Base fee of \$500 for each facade review, which would include:
 - a site visit to review the subject property,
 - an initial consultation with the property owner and City staff,
 - development of a conceptual sketch for facade restoration, and
 - mileage for a single site visit.
-

AWARD PROCEDURES

- Availability of funds
 - Recommendations from the City's Architect, Building Official, City Manager
 - Improvement needs.
 - Preference will be given to those projects which appear to have the greatest potential of improving the appearance of the district or is considered to be a local landmark as determined by the City Council.
-

GRANT AWARD AMOUNTS

- RDA to pay 75% of eligible costs up to a maximum of \$10,000
- City Council may increase maximum amounts on corner lots

RECORDED EASEMENT

- Recorded easement required when grant award is in excess of \$2,500 which sunsets after 4 years

AWNINGS



SIGNS



PUBLIC WORKS SIGN STRUCTURE PAINTING PROJECTS



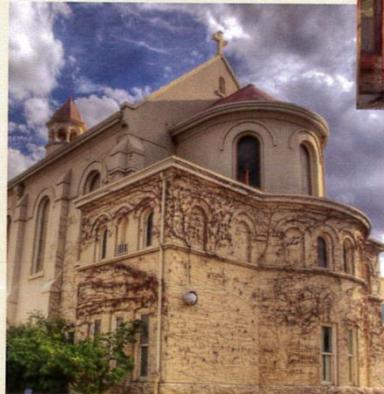
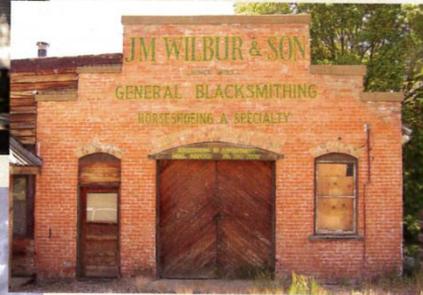
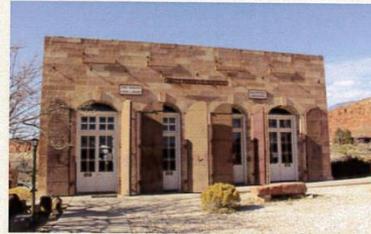


UTAH HERITAGE FOUNDATION PRESENTS

2016 Utah Preservation Conference

PRESERVATION WORKS

March 31 – April 1, 2016



SALT LAKE CITY, UTAH

REMOVAL OF FALSE FRONTS



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RECOMMENDATION

- \$30,000 in budget for Façade Grants and Public Realm Enhancements
 - RDA identify and invite property owners to partner on project
 - Restoration and lighting of the Iconic “ Jay” Sign (Yesco)
 - Awning project
 - Sign project
 - Removal of false fronts
-

RESOLUTION NO. RDA 16-11

A RESOLUTION OF TREMONTON CITY REDEVELOPMENT AGENCY ACCEPTING CAPITAL CONTRIBUTIONS FOR *FUND 71- RDA DISTRICT #2 FUND – DOWNTOWN* SO THAT THE REDEVELOPMENT AGENCY CAN COMMENCE WITH IMPROVEMENT PROJECTS

WHEREAS, the Tremonton City Redevelopment Agency is a community development and renewal agency a public body, corporate and politic (referred to hereafter as “RDA”) duly created, established, and authorized to transact business and exercise its powers and authority, all under and pursuant to the Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated (“UCA”) 1953, as amended; and

WHEREAS, Tremonton City, a body corporate and politic of the State of Utah (referred hereafter as “City”) duly created, established, and authorized to transact business and exercise its powers and authority, all under and pursuant to the Utah Municipal Code, Title 10, Utah Code Annotated (“UCA”) 1953, as amended; and

WHEREAS, the RDA and the City having the same boundaries, being granted different statutory powers and authority under Utah Code have a common goal and objective of revitalizing downtown Tremonton; and

WHEREAS, the RDA’s mechanism for funding the goal and objective of revitalizing downtown Tremonton is through the creation of a Community Development Project Area and receipt of Tax Increment; and

WHEREAS, as summarized in Exhibit “A” the RDA has followed all of the statutory steps and processes to create the Tremont Center Community Development Project Area (See Exhibit “B” for the boundaries of the Project Area); and

WHEREAS, the Tremont Center Community Development Project Area, which includes what was a 38 acre parcel of vacant property (referred to hereafter as “Tremont Center Site”) wherein the Developer has or will commence the development of new commercial, office, and residential structures, which has and will increase taxable value of personal and real property within this taxing district, and this increase in taxable value is commonly referred to as Tax Increment will be received by the RDA; and

WHEREAS, with the development of the Tremont Center there was and remains significant infrastructure needs (referred to hereafter as “Development Improvements”) which includes but is not limited to: burying the Central Canal; bridges and right-of-way improvements on Main Street; landscaping over the buried canal and pedestrian amenities; burying overhead power; water line installation; boring water line under the canal; and demolition of homes; and

WHEREAS, the RDA recognizes that the prompt development of the Tremont Center Site, which currently was primarily a vacant parcel of ground (i.e. agriculture land), was the only foreseeable investment into the Tremont Center Community Development Project Area that will generate the Tax Increment necessary to revitalize the remainder of the Project Area, and for this reason, the RDA prioritized the use of Tax Increment to reimburse Developer for the Development Improvements using a portion of the Property Tax Increment from the Tremont Center Community Development Project Area as contained in Resolution No. RDA 16-02 adopted on March 1, 2016; and

WHEREAS, Resolution No. RDA 16-02 essentially grants 100% of the Tax Increment received by the RDA to be used for the reimbursement of the actual expense of Development Improvements or to a maximum

reimbursement cap of \$2,234,000 for primary Development Improvements (for more exact information on the terms of the reimbursement see Resolution No. RDA 16-02); and

WHEREAS, both the RDA and City desire for the RDA to immediately undertake improvement projects, such as public realm improvements; public plaza improvements; façade grants, replacement of streetlights; etc., within the Tremont Center Community Development Project Area but recognizes that the RDA's Tax Increment is currently obligated; and

WHEREAS, on September 6, 2016 the City Council discussed the possibilities of providing financial resources to the RDA either by interfund loan, which would be a formal loan, with interest charged to the RDA or by capital contribution, an informal loan of funds where ultimately no interest is calculate or charged; and

WHEREAS, after much discussion, the City Council decided to provide capital contributions to the RDA for the commencement of improvement projects ahead of the RDA having available Tax Increment; and

WHEREAS, the City requests reimbursement of the capital contributions without interest by the RDA if there is sufficient Tax Increment to reimburse said capital contributions; and

WHEREAS, the City fully understands and acknowledge that there is no guarantee that the RDA will have sufficient Tax Increment to reimburse the City for capital contributions.

NOW, THEREFORE, BE IT RESOLVED BY the Tremonton Redevelopment Agency Board of Tremonton, Utah accepts capital contributions from Tremonton City for *Fund 71- RDA District #2 Fund-Downtown* to facilitate improvement projects, within the Tremont Center Community Development Project Area's boundary. Such improvement projects may include but are not limited to: public realm improvements; public plaza improvements; façade grants, replacement of streetlights; etc.

FURTHER, BE IT RESOLVED that starting for Fiscal Year 2016 that the RDA Executive Director shall track capital contributions and disclose such capital contributions in its annual reports which are required by UCA 17C-1-603. Further be it resolved that the RDA shall reimburse the City for capital contributions without interest if there is sufficient Tax Increment to do so from the Tremont Center Community Development Project Area.

Adopted and passed by the Board of Directors of the Redevelopment Agency of Tremonton City this 20th day of September, 2016.

REDEVELOPMENT AGENCY

Roger Fridal, Chair

ATTEST:

Linsey Nessen, Executive Secretary

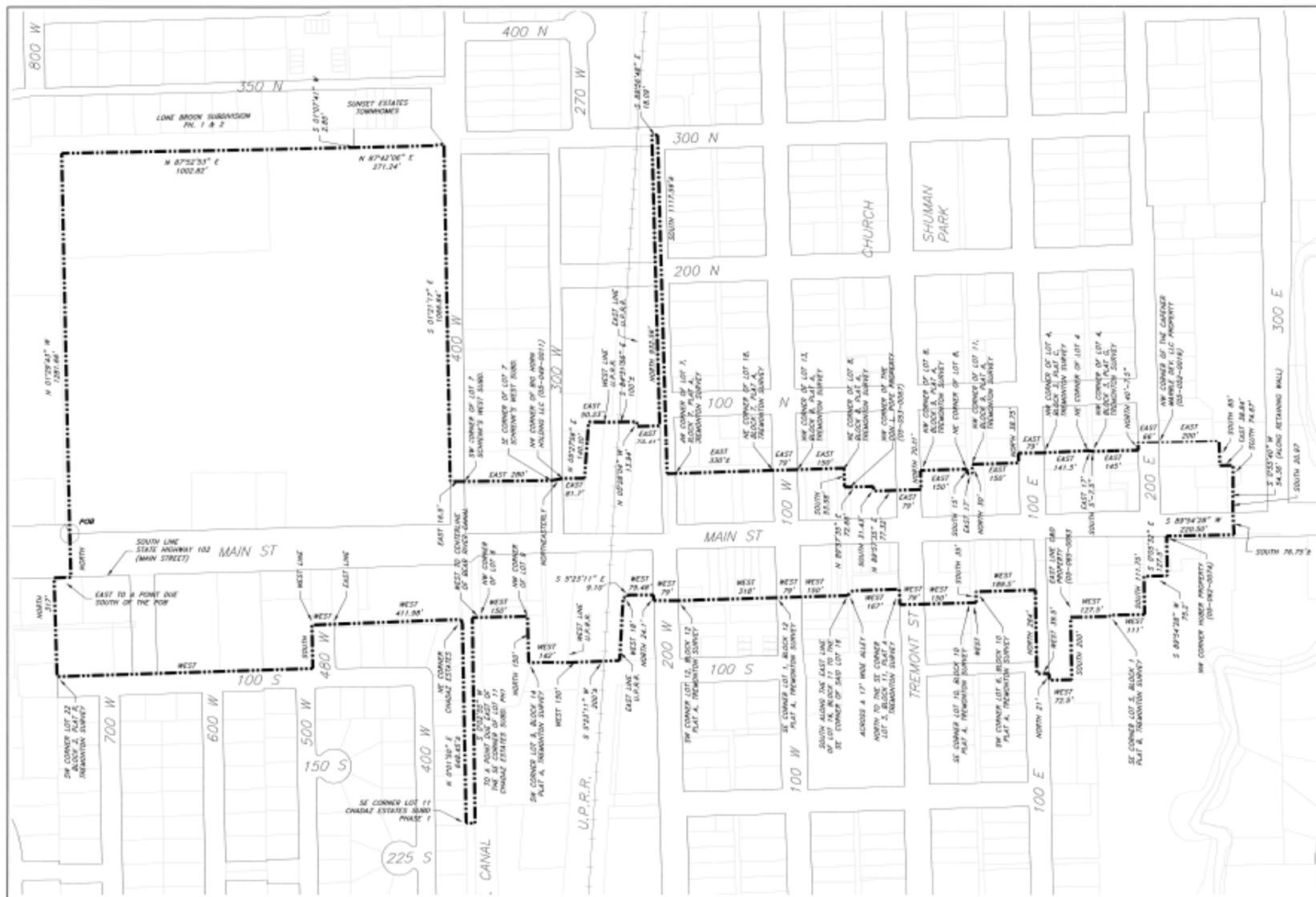
Exhibit “A”

The RDA and City has taken the following steps to establish the Tremont Center Community Development Project Area Plan and to receive Tax Increment:

- On July 15, 2014, the RDA approved Resolution No. RDA 14-09 authorizing the preparation of the Tremont Center Community Development Project Area Plan; and
- On February 17, 2015, pursuant to UCA § 17C-4-104, the Tremont City Redevelopment Agency adopted Resolution No. RDA 15-01, approving the Tremont Center Community Development Project Area Plan; and
- On February 17, 2015, pursuant to UCA § 17C-4-105, the Tremont City Council adopted Ordinance No. 15-02, approving the Tremont Center Community Development Project Area Plan; and
- On April 7, 2015 the RDA adopted Resolution No. RDA 15-02 entering into Interlocal Agreements with Taxing Entities (Tremont City, Box Elder County, Box Elder County School District, Box Elder County Mosquito Abatement District; and Bear River Water Conservancy District) that authorized the RDA to receive seventy-five percent (75%) of the Tax Increment generated within the Tremont Center Community Development Project Area for a maximum of four million, three hundred thousand dollars (\$4,300,000) or fifteen (15) years of tax increment, whichever occurs first for the purposes of revitalizing the area within the Tremont Center Community Development Project Area.

Exhibit "B"

The Tremont Center Community Development Project Area is located in downtown Tremonton, more specifically described as along Main Street in Tremonton City, Utah from approximately 730 West to approximately 200 East and covers 73.7 total acres; includes 109 parcels that account for 60.3 acres of the total 73.7 acres, with the remaining acreage belonging to roads, rail and alley-ways.



Rectangular Rapid Flash Beacon: RRFB-XL2

Extra-large beacons provide greater visibility, ideal for high-speed and multi-lane pedestrian & school crossings

- Driver yielding rates of 80-90%
- Large LEDs exceed FHWA standards
- Completely modular
- Various mounting options

RRFBs have produced 80% to 90% driver compliance in yielding to pedestrians at high-risk uncontrolled crossings. This is the highest yielding rate of all devices not featuring a red display, and up to 4 times greater than standard round beacons. RRFBs cost less than other devices with similar vehicular yield rates.

RRFB options include:

- Advance RRFB wirelessly linked to Crossing RRFB
- Self-powered remote bollard-mounted pushbutton
- Passively activated systems



Applications

- High-speed and multi-lane crossings
- School crossings
- Pedestrian crossings
- Roundabout crossings

Benefits

- Larger LED arrays provide increased visibility
- Significantly higher driver awareness and compliance

Options

- Passive detection (see below)
- Stand-alone, self-powered remote bollard available



Visit **Traffic and Parking** on YouTube for videos on these products and more.

Front view



Top view



Side view



Standard specifications (subject to change without notice)

Extra Large Rectangular Rapid Flash Beacon RRFB-XL

MUTCD Approval	Interim FHWA Approval Memorandum (1A-11)
Housing	Powder coated aluminum
LED modules: 7" x 3"	2 arrays of 8 amber LEDs, SAE J595 certified
Pedestrian LED module : 1/2" x 1 3/4"	Side-mounted, flash concurrent with Vehicle LEDs
Flash pattern	MUTCD specified 2-4...1
Mounting hardware	

Solar-assisted Battery-powered System

Housing	3R aluminum cabinet with #2 Corbin lock (fiberglass available)
Solar panel: 55 watt	25 1/4"H x 25 3/4"W x 1 1/2"D. Adjustable 40° to 60°. Articulating mount rotates and pivots. Conforms to IP-67 (larger packages for high use in colder climates)
Mounting	Aluminum mounting bracket (fits 4"– 4 1/2" O.D. pole)
Battery (one per assembly)	12V, 48AH sealed gel battery requires no periodic watering. Sealed construction eliminates corrosive acid fumes and spills.
Battery lifespan	Up to 4 years
Control Circuit	IP-67 NEMA rated enclosure: dust proof and waterproof (up to 30 minutes in 3 feet of water)

BlinkerBeam™ Wireless Communication System

Frequency	900 MHz FHSS
Range	For system separation over 900', a site survey is recommended
Connectivity	Crosswalk and optional Advance LEDs flash concurrently
BlinkerSync™ Wireless Synchronized Activation	Individual units in one system flash in synchronized patterns (avoids light noise of system operation). Ideal for multiple assemblies flashing in the same direction.
Push-button activation*	ADA pushbutton, typical (<120 millisecond)

*Optional remote, stand-alone pushbutton available (includes self-contained, replaceable battery with typical two-year life)

Programming

Windows TAPCO configuration software

Optional web-based cellular communication for monitoring and control available

Optional time clock system available for school zone signs

Warranty

3 year standard warranty

Optional BlinkerBeam® Wireless Communication



Push buttons can activate BlinkerBeam® solar/battery-powered transceiver radios. These compact controllers activate one or more BlinkerSign® LED Signs, BlinkerBeacon® LED Beacons, RRFB and other ITS devices wirelessly within a 1000 ft. range, up to one mile with an external antenna.

Other activation options:



Optional Time Clock Systems

This hardware controller is integrated into TAPCO BlinkerSign® LED signs and stores the schedule uploaded from the included Scheduling Software. In turn, the controller activates the BlinkerSign® according to the stored schedule.



Optional Push Button Activation

Activated with less than 2 lbs. of force. Provides two-tone audible confirmation as well as visual confirmation. Meets ADA, MUTCD and TAC requirements, and housing meets NEMA specifications. Remote mounting available. Audible navigation units are available.



Optional XAV2-LED Push Button Station

The full featured model provides an instructional sign, a push button with directional arrow for activating the flashing lights, a group of 3 LEDs in the sign, a locate tone (optional), and a voice message. The volume of the locate tone and message is automatically adjusted up and down in relation to ambient sounds via a built-in microphone.



Optional Pedestrian Presence Detector

Active infrared and microwave technologies work together to provide precise presence and accuratemotion detection. Mountable between 8' and 16'. Impervious to light, sun, rain and snow. Housing is rated NEMA-4.



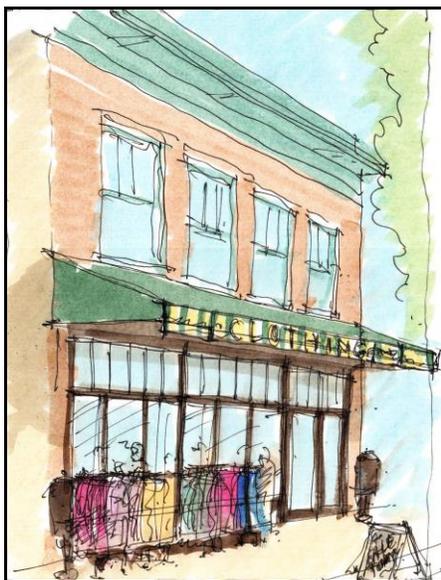
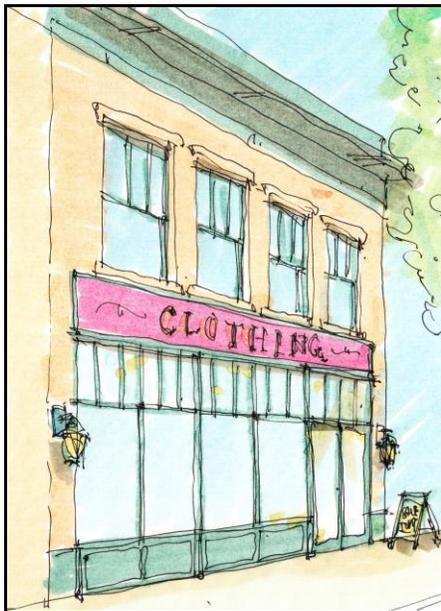
Optional Wireless Bollard Activation

Pedestrians and bicyclists can passively trigger flashing BlinkerSign® LED signs, RRFB, BlinkerBeacon™ LED Beacons, in-pavement LEDs and other ITS devices. Actuators are housed in anodized aluminum cabinets that can be secured to concrete or asphalt. Battery operated: no grid wiring required.



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TREMONTON CITY



Façade Grant Program

3. Soliciting Applications. In any given year and depending upon the circumstances Tremonton City may advertise and solicit applications through channels that it deems appropriate and/or City representatives may approach property owners and invite a submission of an application. In the event that City representatives approach property owners and invite a submission of an application there shall be no presumption of funding of the said application.

4. Pre-Application Consultation. A pre-application consultation is required before submitting an application. The purpose of the pre-application consultation is to ensure eligibility, discuss scope of work, discuss permits required, and establish a design for the façade improvements. Those participating in the pre-application consultation shall general include but is not limited to the City's Architect, Building Official, City Manager, and applicant. The pre-application consultation will evaluate the present condition of the building and the types of improvements proposed. The pre-application consultation is free to the applicant and the scope of work and resulting design is generally the basis for making application and potential grant award. Any further design assistance, beyond this pre-application consultation, is the responsibility of the applicant, but these fees can be included in the grant. Many projects only need the pre-application consultation. Documents resulting from this pre-application consultation will be provided to the applicant to assist them in the submission of their application.

5. Submission of Application. Applications are accepted on an ongoing basis and shall be submitted to the Building Department at Civic Center, 102 S. Tremont Street, Tremonton, UT 84302 or emailed to sbench@tremontoncity.com . The Building Department will ensure proposed grant applications for compliance with program standards and guidelines, and applicable building codes and zoning regulations. City staff may request clarifications or additional information if necessary. Applicants are encouraged to work closely with City staff to ensure that applications are complete and that they meet the intent of the grant program.

6. Additional Permits. Depending on the nature of the project, a building permit or zoning permit approval may be required for work funded under the grant. If additional permits are required, the application fees associated with the issuance of building permit or Planning Commission approval shall be waived. For projects that require Planning Commission approval, such approval is required prior to consideration of award of a façade grant.

7. Award Procedures. Upon receipt of a complete application the application will be placed on the City Council Agenda typically within four weeks of submission. Tremonton City reserves the right to waive minor defects in submitted applications, request additional information from any applicant, change or modify the façade grant program at any time without penalty, and take any steps necessary to act in the City's best interest. In making a grant award, the City Council may include but is not limited to the following considerations:

- Availability of funds (Recommendations from the City's Architect, Building Official, City Manager.
- Improvement needs.
- Preference will be given to those projects which appear to have the greatest potential of improving the appearance of the district or is considered to be a local landmark as determined by the City Council.
- Façade improvements are the first priority for this grant money. The sides of buildings that make a visual impact on the look of Main Street are also eligible for these cosmetic improvements.

The City Council will not consider work that has been commenced for grant funding. No work should begin on the project until the grant has been approved.

8. Grant Award Amounts. Grants are limited to the annual budgeted available funds. The City will reimbursement applicant on an approved facade improvement 75% of all eligible

costs up to a maximum participation of \$10,000. On corner lots the City Council may increase the maximum participation amount.

9. Reimbursement Process. The recipient must initially pay all costs and upon completion of the project submit for reimbursement. In unusual circumstance the City may make progress payments, as individual components of a project are completed. Proof of payment shall be submitted to the attention of the Shawn Warnke, City Manager, with a copy of the contractor's invoice and copy of the cashed check or other proof of payment.

10. Recorded Façade Easement Agreement. If the City's grant award is in excess of the \$2,500 the property owner shall enter into and sign a Façade Easement Agreement that prevents alterations to the façade for a 4 year period, which thereafter the easement shall expire.

11. Expiration of Grant Approval. All work approved for grant funding must be completed within one year of approval of the grant by the City Council. The City Council may grant an extension of grant approval upon request by the applicant, dependent on available funds.

Tremonton City Façade Grant Program Application

Name: _____

Address: _____

City: _____

Phone: _____ Email Address: _____

Business Name: _____ Type of Business: _____

Business Address: _____

As an applicant are you the: property owner? [] Yes [] No Tenant? [] Yes [] No

Please briefly describe and indicate by marking what improvements you wish to make to the exterior of your building:

___ Removal of false fronts, such as aluminum panels
___ Repair or replacement of windows, doors, and cornices
___ Repair or replacement of façade materials
___ Fees for design assistance from a professional designer

___ Other: _____
___ Landscaping
___ Signage
___ Awnings
___ Exterior lighting
___ Exterior painting

What is your total budget for the project? _____

By signing this application, I understand and agree that:

- The façade grant shall not pay for work commenced prior to grant approval by the City Council
- I shall complete the project as presented to and approved by the City Council (any changes to the project shall be approved prior to construction)
- I agree to complete work approved for grant funding within one year of approval by the City Council
- Failure to comply with the grant approval and guidelines may result in cancellation of the grant
- I agree to allow the City to use "before" and "after" photographs of my property in its grant literature, and for publicity regarding the grant program
- I shall allow a sign to be placed on my property indicating that work is being partially funded by a grant from Tremonton City
- I understand that all work must comply with applicable building codes and zoning regulations, and that approval of the grant by the City Council does not constitute approval of a building permit or zoning

Signature Property Owner: _____ **Date** _____

Please attach the following items as part of the application.

- Current photo of building façade attached to application
- Architectural renderings or elevation drawings of proposed façade changes attached to application
- Contractor estimates obtained and attached to application

Façade Easement Agreement

This Easement Agreement is made (date) , between _____ ("Property Owner") and Tremonton City, Utah ("Easement Holder"), a municipality organized under the laws of the State of Utah.

WHEREAS, the Property Owner, _____, owns the [name of business] located in Box Elder County, Utah legally described in Exhibit "A" ("the Easement Property" or "the Property Owner's property") and locally known as (Address) , Tremonton UT 84337; and

WHEREAS, Tremonton City desires to cause the revitalization of the Downtown Business District and such revitalization is largely dependent upon the rehabilitation of properties in the District in as much as continued deterioration of such property may have a serious detrimental impact on the entire District and cause the spread of blight; and

WHEREAS, Tremonton has created the Tremonton City Façade Grant Program to rehabilitate the facades of properties within the District by making a financial contribution of funds to the improvement of properties within the District; and

WHEREAS, Tremonton City has determined that restoration and preservation of the Downtown Business District as a whole is expected to benefit the property owners in the District by increasing their properties' value and to also benefit the City and all its residents and taxpayers by increasing the economic vitality of the Downtown Business District; and

WHEREAS, the aforementioned property is located in the Downtown Business District and desires to participate in Tremonton City Façade Grant Program; and

WHEREAS, the Property Owner has been thoroughly acquainted and advised of the terms, conditions and provisions of the Tremonton City Façade Improvement Project; and

WHEREAS, associated with the Tremonton City's financial contribution the City desires to have the façade improvements unchanged for a period of time.

NOW THEREFORE, in consideration of the mutual covenants and promises in this Easement Agreement and for the benefit of all parties, Property Owner hereby grants, conveys and transfers to the Easement Holder, a Façade Easement for a term lasting thirty-six months from the date of the signing of this Agreement, in and over, that portion of the herein described property consisting of front façade. This Façade Easement includes all architectural and construction features visible from any point on the public way outside of the building, including without limitation structural materials, facing materials, windows, doors, trim, sills, steps, railings, cornices, moldings, fences and other associated features, in addition to connected interior features that necessitate modification or maintenance in order to rehabilitate and maintain the publically visible features. Additionally the Façade Easement shall also include signage and landscaping if such improvements were the subject of the grant award made to the Property Owner from the City.

For the thirty-six months easement period, the following restrictions are imposed upon the use of the Easement Property, in accordance with the policy of the City and Property Owner, its successors and assigns covenant to do and not to do the following acts and things in and upon the Easement Property which Easement Holder are entitled to enforce as follows:

1. For the easement period, Property Owner will retain and maintain the façade on the building(s) now located on the property and will at all times maintain the same in good condition and repair. In the event of the total destruction beyond the control of the Property Owner, the easement shall become null and void.

2. The Easement Holder, in order to insure the effective enforcement of this Easement, shall have, and the Property Owner hereby grants the following rights:

a. If Property Owner knowingly or willfully violates or allows the violation of this easement, upon reasonable notice to the Property Owner, Easement Holder may enter upon the Easement Property and correct such violations and hold Property Owner responsible for the corrective costs, and

3. Property Owner shall seek no reimbursement from Easement Holder for any taxes, mortgages, liens, deeds to secure debt, or other obligations attaching to or constituting a lien on the property. Property Owner agrees to indemnify and hold Easement Holder harmless from any claims of third persons, including court costs and attorney's fees, arising out of Easement Holder's acceptance and holding of this easement. Easement Holder shall not be liable to contribute to the maintenance of the Easement Property. If Easement Holder have to file suit or take any other action to enforce this agreement, Property Owner shall pay Easement Holder's reasonable attorney's fees and all other costs associated with any such required action.

4. If the Property Owner would deem it necessary to make changes to the façade during the easement period, Property Owner will submit a written request to the Easement Holder for their consideration. If the Easement Holder does not consent to the proposed changes to the façade the Property Owner may elect to buy the Easement Holder out of the Façade Easement by reimbursing the Easement Holder for a portion of the Façade Easement based upon the following calculation.

Property Owner shall earn 0.02777777 credit for each month that the Façade Easement remained unaltered after the date of this Agreement. The calculation of the pro-rata share shall be done as follows: the 0.02777777 shall be multiplied by the number of months that the Façade Easement remained unaltered after the date of this Agreement and thereafter subtracted from 1.00 (called the difference). The difference shall then be multiplied by the amount of grant award given to the Property Owner.

For example, if Property Owner kept the Façade Easement unaltered for 22 months after date of this Agreement and the amount of the grant was \$10,000. The pro-rata shared shall be calculated as follows:

- 0.02777777 (credit for façade grant staying unaltered) x 22 (number of months that the façade grant stayed unaltered past this Agreement date) = .6111094
- $1.00 - .6111094 = .3888906$
- $.3888906 \times \$10,000$ (amount of the grant = \$1,512.40 (the pro-rata share that Property Owner shall pay to Tremonton City)

This Agreement is binding on the Property Owner, their heirs, assigns or successors in interest to the property and shall run with the land on the Easement Property until expiration.

5. This Agreement shall be recorded in the Box Elder County's Records Office.

EXHIBIT "A"- Legal Description of Easement Property

[Print](#)[Close](#)

Re: Neon sign

From: **Michelle Zeller** (mzeller@yesco.com)
Sent: Wed 6/17/15 8:34 AM
To: DJ ARCHIBALD (d_jarchibald@msn.com)
 1 attachment
IMG_3670.JPG (10.3 MB)

Hi DJ,

Good morning. Wow, this looks like it's straight out of Radiator Springs. I love it. BTW what type of car is that?

So, unfortunately I can't get you a quote based on the photo. What I can quote you is, for every piece of neon glass we manufacture it's 99.00 (95.00 + 4.00 for disposal). Transformers vary in price dependent on size (140.00 up to 320.00 each). If this sign hasn't worked in 20 years, I'm assuming the transformers will all need to be replaced to GFCI protected as well as all of the GTO (high voltage wire - not the car make).

I don't want to sugar coat this, you could be looking at 5,000 - 10,000 in repairs. We can come and crawl around and inspect everything and get you a quote. That alone will be 85.00 per man hour. I'm guessing it would take at least 4-6 hours to check everything out, possibly more.

We recently restored "the Dragon" on historic 25th street. I'm not at liberty to tell you what the final bill was. But, it was upwards of a new KIA or Hyundai car. There was A LOT of man hours, neon and transformers. I'll send you a photo, just because I am impressed with it.

Let me know your thoughts....

Thanks much

On Tue, Jun 16, 2015 at 7:56 PM, DJ ARCHIBALD <d_jarchibald@msn.com> wrote:

Hi Michelle,

It is an exterior sign on the top of an old 1951 building.

It is, I am guessing, 12' tall and perhaps 20' wide. (See attachment.) There are I believe 4 bulbs that are broken/missing. It hasn't been lit for 20 + years I am guessing. There is not a way to get up to the roof without a very tall ladder or truck or scissor lift.

I am happy to get you any more information if you need.

Thanks!

DJ Archibald

Date: Tue, 16 Jun 2015 12:37:34 -0600

September 1, 2016

Shawn Warnke MPA
City Manager
Tremonton City
102 S Tremont Street
Tremonton, UT 84337

Shawn,

Thank you for the opportunity to submit this proposal to support the implementation of the Tremonton City Facade Grant program.

Søren D. Simonsen
FAIA, AICP, LEED AP

soren@communitystudio.us
Phone | 801-706-1055

Impact Hub Salt Lake
150 S State Street, First Floor

PO Box 526082
Salt Lake City, UT 84152-6082



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By way of qualification, I have served previously on the Salt Lake RDA Board which oversaw a similar facade grant program in seven city RDA districts. Previously I served on Architectural Review Committees of the Salt Lake Historic Landmark Commission, Highland Town Center Design Review Committee, Alpine Gateway Historic Main Street District Design Review Committee and Farmington Station Center RDA District. I previously worked as a consulting professional with Ogden, Brigham City and most recently Spanish Fork in developing facade restoration and grant programs. I have worked for over 25 years in the design and construction industry.

I propose a base fee of \$500 for each facade review, which would include a site visit to review the subject property, an initial consultation with the property owner and City staff, development of a conceptual sketch for facade restoration, and mileage for a single site visit.

If additional consultation is requested or required by the property owner or the City, that could be provided on a time and materials basis. My proposed hourly rate is \$125 per hour (about 30% below my regular hourly rate). Mileage beyond the initial visit would be reimbursed at the prevailing IRS federal rate. No other reimbursable or per diem expenses are anticipated.

I look forward to the opportunity of serving Tremonton City in this capacity. Please indicate your acceptance of this proposal in the space provided below, and return a copy to me at your convenience at the address listed below. If we need to execute a formal contract for these services, I'm happy to provide a template for your review, or we can use a standard form of Agreement provided by Tremonton City.

Best regards,

Approved:

Søren D. Simonsen, FAIA, AICP, LEED
Principal/Executive Director

Signature

Printed Name & Title

Date