

Board Meeting (Time approximate following City Council meeting which starts at 6:00 p.m.)

A. Welcome & Roll Call

B. Public Comment

(This is an opportunity to address the Riverdale Redevelopment Agency regarding your concerns or ideas. Please try to limit your comments to three minutes.)

C. Executive Closed Session

1. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the purchase, exchange, or lease of real property (**roll call vote**).

D. Action Item(s)

1. Consideration of [Resolution R2019-01](#), authorization to enter into a Development Agreement formation within the 550 West Redevelopment Area (RDA) [Packet Amendment - to include executive summary](#)
Presenter: Rodger Worthen, RDA Executive Director

E. Discretionary

F. Adjournment

In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Offices (801) 394-5541 X 1232 at least 48 hours in advance of the meeting. The Public is invited to attend City Council Meetings.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on this 31st day of May, 2019 at the following places: 1) the Riverdale City Hall Noticing Board, 2) the Riverdale City Website at <http://www.riverdalecity.com/>, 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>, 4) the Standard-Examiner via email.

Jackie Manning
Riverdale City Recorder

**RIVERDALE CITY
RDA AGENDA
June 4, 2019**

AGENDA ITEM: D

SUBJECT: Consideration of Resolution R2019-01, authorization to enter into a Development Agreement formation within the 550 West Redevelopment Area (RDA)

PRESENTER: Rodger Worthen, RDA Executive Director

INFORMATION: [a. Executive Summary](#)
[b. Resolution R2019-01](#)

[BACK TO AGENDA](#)



RDA Board Executive Summary

For the RDA meeting on:
June 4, 2019

Presenter:
Executive Director – Rodger Worthen

Summary of Proposed Action

Authorize RDA staff to enter into Agreement to Develop Land with DHR Company

Summary of Supporting Facts & Options

Time is of the essence with this particular land deal transaction; as previously discussed Mr. Dee Hansen (DRH Company), working with the City RDA, has received notice of acceptance on a land purchase offer from the Branz Family. The land is within the Riverdale Road RDA area and adjacent to the 550 West RDA; it (the purchased land) is integral to develop RDA land holdings in both plan areas. To properly develop RDA lands each of the parties must mutually work to accomplish the best reasonable outcome. As such, with the upcoming closing on the real property, the RDA and DRH will need to finalize and enter into an Agreement to Develop Land (ADL) spanning the Riverdale Road RDA and the 550 west RDA. The agreement will follow the guiding principles of previous discussions and direction from the RDA board. These are:

- Cost of the Branz property purchase to be “spread” across the purchased property and the existing RDA and City owned property.
- DRH shall have the sole right to market the purchased property in conjunction with RDA property.
- Interest and value to develop RDA land will be conveyed in the agreement to DRH. DRH will promote the interests and area plan goals of the RDA in development of the land.
- DRH will absolve the RDA of claims for work or interest that DRH may have vested in the development of all RDA properties (excluding the Branz property) heretofore improved or promoted. If necessary, the RDA will deed property to DRH to secure the Branz land purchase.
- RDA development objectives in the Riverdale Road RDA and 550 West RDA Plan will focus priority on commercial/retail with residential housing as secondary.
- RDA funds may be used/considered for installation of utility infrastructure to benefit the City and both parties in attracting and supplying future tenants with needed services.
- Transportation routes within the property and outside of the property will be mutually coordinated to benefit the motoring public, adhere to UDOT requirements, and meet internal transit needs of the developer, the RDA and the City.
- Protection clauses, terms, and severability will be part of the standard language of the agreement.

RDA staff is requesting authorization from the RDA Board to enter into an ADL with DRH with the above summary points as part of the agreement. We are requesting that once formulated the Chairman of the RDA Board and the RDA Executive Director be authorized to enter into such agreement. Mr. Dee Hansen will be available during the meeting for further input and discussion in formulating the ADL.

Steve Brooks, Attorney

Fiscal Comments – Treasurer/Budget Officer

Cody Cardon, Business
Administrator

Administrative Comments – City Administrator

Rodger Worthen, City
Administrator



Resolution No. R2019-01

A RESOLUTION OF THE RIVERDALE CITY REDEVELOPMENT AGENCY APPROVING THE TERMS AND CONDITIONS OF A DEVELOPMENT AGREEMENT WITH DRH COMPANY, LLC, FOR PROJECT IMPROVEMENTS ON OR AROUND LAND LOCATED AT APPROXIMATELY 450 WEST RIVERDALE ROAD, ALL OF WHICH IS LOCATED WITHIN THE 550 WEST REDEVELOPMENT PROJECT AREA.

WHEREAS, the Riverdale City RDA Board (herein “Board”) and the Riverdale Redevelopment Agency (RDA) is duly organized and existing under the laws of the State of Utah; and

WHEREAS, the Board finds that in conformance with the provisions of the Utah Code Annotated (UCA), the governing body of the RDA may exercise all administrative powers by resolution including, but not limited to regulating the use and operation of RDA property; and

WHEREAS, the Board finds that the public convenience and necessity requires the actions herein contemplated; and

WHEREAS, the Agency desires to enter into a Development Agreement (ADL) with Developer, DRH Company, LLC, a Utah limited liability company (Developer) for development of a commercial project consistent with approved zoning and ordinances (Project) on land located within or around the 550 West Redevelopment Project Area, located at approximately 450 West, Riverdale Road; and

WHEREAS, the Agency believes the development of the Project on the land will remove blight, develop land, provide infrastructure improvements, improve quality of life, enhance economic development, strengthen the property and income tax base, benefit the community and increase jobs, and

WHEREAS, the Agency believes Developer possesses the qualities and experience that will ensure, to the degree possible, success in developing the Project consistent with the 550 West RDA Plan and Design Guidelines (Plan), and

NOW, THEREFORE, the board of the Riverdale City Redevelopment Agency hereby resolves:

SECTION I. The terms of the Development Agreement (ADL), attached hereto as Exhibit “A”, are hereby approved.

SECTION II. The Executive Director of the Agency is hereby authorized to execute, deliver and carry out the terms and conditions of a Development Agreement as described in said Exhibit “A”. Any material change in the terms of the Development Agreement from Exhibit “A” must be approved in advance by the Agency Board.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the RDA, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the RDA.

SECTION VI - DATE OF EFFECT

This Resolution shall be effective immediately after publication or posting as required by law.

PASSED AND ADOPTED on this ____ day of June, 2019.

RIVERDALE CITY RDA BOARD

Norm Searle
Board Chairman

ATTEST:

Jackie Manning
Recorder