



**NOTICE AND AGENDA
SOUTH OGDEN CITY COUNCIL
PRE-COUNCIL WORK SESSION**

TUESDAY, OCTOBER 15, 2019

PRE-COUNCIL WORK SESSION – 5 PM

REGULAR COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold a pre-council work session beginning at 5 pm Tuesday, October 15, 2019, in the EOC located at 3950 Adams Avenue, South Ogden, Utah. No action can or will be taken on any items discussed during pre-council work sessions. Discussion of agenda items is for clarification only.

PRE-COUNCIL WORK SESSION AGENDA

I. CALL TO ORDER – Mayor Russell Porter

II. REVIEW OF AGENDA

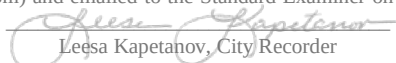
III. DISCUSSION ITEMS

A. Discussion on Burch Creek Park Alternate Bid Items and Club Heights Park

IV. ADJOURN

Posted to the State of Utah Website October 11, 2019

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1st and 2nd floors), on the City's website (southogdencity.com) and emailed to the Standard Examiner on _October 11, 2019. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

Proposal for:
Club Heights Park Design

Landmark Design Team

Introductory Letter

September 30, 2019

Matt Dixon, City Manager
South Ogden City Corporation
3950 South Adams Avenue
South Ogden, Utah 84403

Landmark Design Team

Proposal for: Club Heights Park Design



Landmark Design
LANDSCAPE ARCHITECTURE & PLANNING

Artspace Solar Gardens
850 South 400 West | Studio 104
Salt Lake City, Utah 84101
801.474.3300
www.lidi-ut.com

Dear Matt,

Landmark Design is pleased to present our proposal for providing design services for Club Heights Park. We bring the expertise, creativity and sensitivity required and provide the skills of our experienced staff on similar design and construction projects.

Landmark Design has completed master planning, design and construction documents for more than 60 comparable parks during the 32 years we have been operating. We are experienced in interpreting community needs and desires, gathering input, developing concept designs, preparing construction documents, and working with City staff, stakeholders and decision-makers to ensure the final design matches your vision and available resources.

We are eager to provide you with the most professional and comprehensive services for this project, and we look forward to the opportunity to work with you and your staff. If you have questions or require clarification, please contact me directly on my cell phone at 801.718.4353 or by email at markv@ldi-ut.com. If I am unavailable, please contact Hugh Holt at our main phone number 801.474.3300.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Mark Vlasic".

Mark Vlasic, AICP, ASLA, PLA, LEED Green Associate
President and Owner/ Project Manager and Principal-in-Charge

Proposed Scope of Work

Understanding of the Project

We understand that Club Heights Park is where the former Club Heights Elementary School was located on Palmer Drive. Some of the land has been designated as additional golf course in agreement with Weber State University. The remaining land to be developed as the Club Heights Park is approximately 1.5 acres in size. The scope of work includes conceptual plans, preliminary design and construction documents for the park in effort to get funding.

The park may include pedestrian access from the adjoining neighborhoods and adjunct parks, a playground, a small pavilion, picnic tables, walking paths, landscaping, irrigation, and a small parking lot.

Detailed Work Plan: Phase I - Predesign

The following is our proposed approach to the project. This description of tasks assumes the on-going involvement of West Jordan City, and a Design Committee made up of neighbors and City Staff. We assume monthly coordination meetings with City Staff at a minimum.

Task 1: Kick-off/Design – Obtain and Review Pertinent Information and Analyze Existing Conditions

Prior to beginning work, Landmark Design will meet with City representatives to receive all pertinent information about the park. A survey including topography, property boundary, and utilities and a geotechnical/soils report will need to be provided.

We would like to start the kick-off meeting with a visit to the park site together with City Staff to discuss the park's development, review existing conditions, and to identify any additional features or issues that should be addressed in the design. We will review the existing schematic design, assemble a list of amenities desired, discuss sizes and other specific requirements, and develop a more refined program for the park.

Task 2: Preliminary Concept Plans

Utilizing the important information received in the Kick-off Meeting and other pertinent ideas from the City Council and others, Landmark Design will develop two alternative Preliminary Concept Plans that address the actual layout of the park. Each alternative will be accompanied by a preliminary opinion of probable cost. Both will address parking and circulation patterns, walkways, open areas, play and landscape features, structures and other aspects of a well thought-out and complete park project. The concepts will be presented for input and to establish preferences. The concepts will then be presented to the City Council for their review and direction.

Task 3: Preferred Concept Plan –

The input from the City Council on the Preliminary Concept Plans will be reviewed, at which point a preferred park plan will be determined, and which Landmark Design will use to create the Preliminary Design Plan.

Phase I Pre-Design Deliverables

- 1. Conceptual Report Memorandum**
 - a. Preliminary Concept Plans (Entire Site)
 - b. Preliminary Opinions of Probable Cost (Entire Site)
 - c. Proposed Construction Schedule (Phase 1)
- 2. Preferred Concept Plan**

Detailed Work Plan: Phase II – Detail Design

Task 4: Preliminary Design Plans – Design Development

This task will take the project to approximately 25-percent complete construction documents. We will refine the proposed layout of the park; specify site furnishings and equipment including playground equipment, the lighting; determine paving and finishes; and lay out the parking lot, landscaped areas and open spaces. This will set the groundwork for completing construction documents. Features will be designed, selected and specified, and cut-sheets will be provided. Grading, drainage, etc. will also be addressed. A full 25-percent complete preliminary set of design documents will be provided including updated opinions of probable cost, which can then be submitted to City departments for preliminary review as needed.

Task 6: Construction Documentation and Grant Application

Following review and approval of the Preliminary Design Plans, Landmark Design will proceed to develop the Construction Documents. We anticipate reviews with City staff at 60 and 90 percent complete stages. These reviews are critical and must be completed in a timely fashion in order to have 100 percent Construction Documents ready for bidding the project and grant application according to schedule. Landmark Design will prepare the technical specifications and bid schedule. Electronic format will be provided for drawings, specifications, details and budget data. Periodic reviews will be conducted bi-monthly.

Phase II Detail Design Deliverables

1. Preliminary Design Plans (25% Design Development Review Sets)

- a. Drawings
 - i. Preliminary Site Plans
 - ii. Grading and Drainage Plans
 - iii. Utility Plan(s)
 - iv. Landscaping Plans
- b. Preliminary Opinions of Probable Cost

2. Construction Documents (60% Review Sets, 90% Review Sets, Bid Set)

- a. Drawings
 - i. Title and General Notes Sheets
 - ii. Demolition Plans
 - iii. Site Layout and Dimension Plans
 - iv. Survey Control Sheets
 - v. Site Furnishings/Equipment Plans
 - vi. Grading and Drainage Plans
 - vii. Lighting and Electrical Plans
 - viii. Erosion Control and Stormwater Pollution Prevention Plans
 - ix. Planting Plans
 - x. Irrigation Plans
 - xi. Details
- b. Specifications
- c. Final Opinions of Probable Cost (Engineer's Estimate)
- d. Structural Engineering Calculations
- e. Soils Report
- f. Construction Schedule
- g. Bid Schedule

Proposed Schedule

As illustrated in the accompanying schedule, Landmark Design proposes a 4-month project timetable to complete design and construction, beginning October 2019.

SCHEDULE	2019			2020
	OCT	NOV	DEC	JAN
Phase I - Pre-Design				
Staff Coordination Meetings/Calls				
Task 1: Kick-off: Obtain Pertinant Information & Analyze Existing Conditions	K			
Task 2: Preliminary Concept Plans		M		
Task 3: Preferred Concept Plan		M		
Phase II - Detail Design				
Task 4: Preliminary Design Plans			M	
Task 6: Construction Documentation, Grant Application			M	R

K - Kick-off Meeting

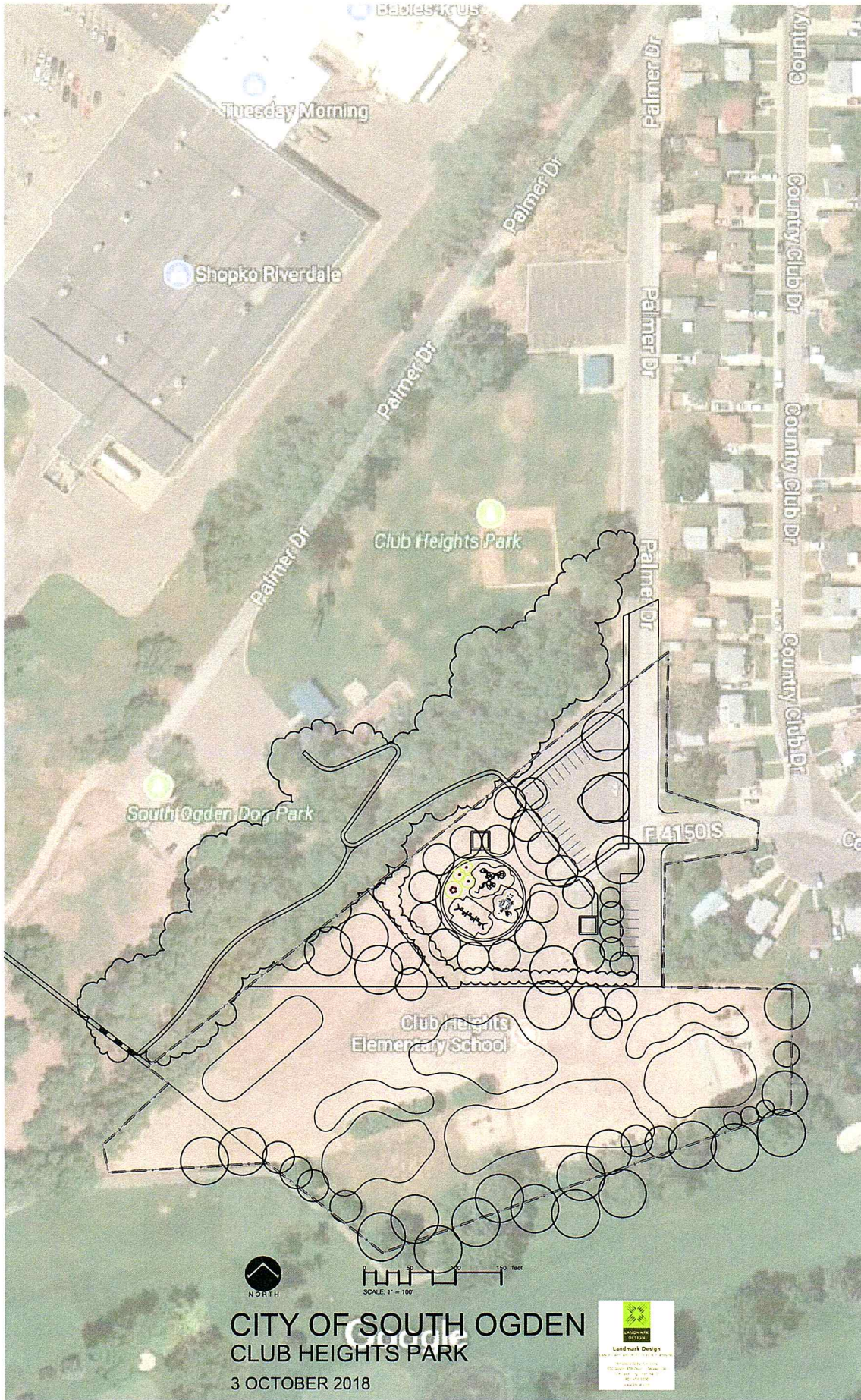
M - Review Meetings

R - RAMP Grant Meeting

Fee Summary

As detailed in the following chart, Landmark Design proposes a price of \$24,945.00 to complete the project as described. This includes all anticipated costs, including fees, deliverables and reimbursable costs. Additional costs for engineering is anticipated including site survey, utility and any SWPPP documentation.

Club Heights Park	Landmark Design			
	Principal-in-Charge	Principal-Land Arch	Senior Land Arch	Landscape Designer
September 2019 Summary of Work	\$160	\$130	\$110	\$85
PHASE I: Pre-Design				
Program Review - Familiarization - Kickoff	4	4	4	4
Site Survey / Base Map Preparation			2	4
Concept Plans	1	1	6	12
Staff Coordination Meetings - Monthly		2	2	2
Phase II: Detail Design				
General Drawings			2	2
Site Layout Plans			2	2
Survey Control			1	1
Grading and Drainage Plans			1	1
Erosion Control Plans			1	1
Layout Plans		4	8	14
Material Plans		4	8	12
Landscape Plans		4	8	12
Irrigation Plans		4	8	12
Lighting Plans			1	
Details		4	10	10
Specifications		4	8	2
Cost Analysis		2	4	
Staff Meetings - Monthly		4	4	4
Review Meetings	2	4	4	4
Administration	2	4		
Subtotal Hours	9	45	84	99
Subtotal - Fee by Hourly Rates	\$1,440	\$5,850	\$9,240	\$8,415
GRAND TOTAL				\$24,945



CITY OF SOUTH OGDEN
CLUB HEIGHTS PARK

3 OCTOBER 2018

Preliminary Concept





NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, OCTOBER 15, 2019

PRE-COUNCIL WORK SESSION – 5 PM

REGULAR COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled City Council Meeting, Tuesday, October 15, 2019, beginning at 6:00 p.m. in the Council Chambers located at 3950 So. Adams Avenue, South Ogden, Utah. Any member of the council may be joining the meeting electronically.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. **Call to Order** – Mayor Russell Porter
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Brent Strate

- II. **PUBLIC COMMENTS** – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RESPONSE TO PUBLIC COMMENT

IV. RECOGNITION OF SCOUTS AND STUDENTS

V. CONSENT AGENDA

- A. Approval of October 1, 2019 City Council Minutes
- B. Cancellation of November 5, 2019 Council Meeting Due to Election
- C. Set Date for Public Hearing (November 19, 2019 at 6 pm or as soon as the agenda permits) to Receive and Consider Comments on Proposed Amendments to the FY2020 Budget

VI. DISCUSSION / ACTION ITEMS

- A.** Consideration of **Resolution 19-56** - Approving Poll Workers for the 2019 General Election
- B.** Consideration of **Resolution 19-57** – Appointing a Constable by Recommendation of the Chief of Police
- C.** Consideration of **Resolution 19-58** – Authorizing an Agreement for the Replacement of Certain Water Lines
- D.** Discussion/Direction on Strategic Plan Items
 - 4.4 Evaluate the City's zoning in relation to current market demands
 - 5.1 Stream live regular council meetings for 6 months
 - 5.2 Complete one major neighborhood cleanup project
 - 5.4 Establish a Community Committee (members, size, focus, city-wide vs neighborhood)
- E.** Discussion/Direction on Dog Park Closure

VII. RECESS CITY COUNCIL MEETING AND CONVENE INTO COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING

See separate agenda

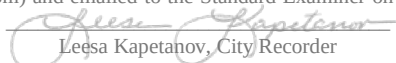
VIII. REPORTS/DIRECTION TO CITY MANAGER

- A.** City Council Members
- B.** City Manager
- C.** City Attorney
- D.** Mayor

IX. ADJOURN

Posted to the State of Utah Website October 11, 2019

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Leesa Kapetanov, City Recorder

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MINUTES OF THE SOUTH OGDEN CITY COUNCIL PRE-COUNCIL WORK SESSION AND SPECIAL CITY COUNCIL MEETING

TUESDAY, OCTOBER 1, 2019

PRE-COUNCIL WORK SESSION – 5 PM IN EOC ROOM

SPECIAL COUNCIL MEETING – 6 PM IN COUNCIL ROOM

PRE-COUNCIL WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Adam Hensley, Susan Stewart, and Mike Howard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Walt Bausman

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking the link

http://www.southogdencity.com/document_center/Sound%20Files/CC191001_1704.mp3 or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the meeting to order at 5:05 pm and called for a motion to open
00:00:00

Council Member Howard so moved, followed by a second from Council Member Hensley. Council Members Strate, Hensley, and Stewart all voted aye.

Note: Council Member Orr was not present for this vote. She joined the meeting at 5:06 pm.

II. REVIEW OF AGENDA

The mayor skipped this agenda item.

36

37 **III. DISCUSSION ITEMS**

38

A. Presentation on Opportunity Zones – Benj Becker, Zion’s Bank

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- Overview by City Manager Dixon

40

00:00:20

41

- Mr. Becker gave an overview of what Opportunity Zones were and how they worked. He also had a visual presentation. See Attachment A.

42

43

00:02:14

44

45

B. Presentation/Discussion on Lime Scooters- Mackenzie Viau, Lime Utah Operations Manager

46

- Ms. Viau explained how the program between Lime Scooters and cities worked

47

00:31:36

48

49

50

51 **IV. ADJOURN**

52

At 5:48 pm Mayor Porter called for a motion to adjourn the work session so Council Members would have an opportunity to go outside City Hall and try out some of the Lime Scooters.

53

54

55

Council Member Howard moved to adjourn, followed by a second from Council Member Hensley. The voice vote was unanimous in favor of the motion.

56

57

00:43:08

58

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Adam Hensley, Susan Stewart, and Mike Howard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Wesley Stewart, Benj Becker, Craig A Scott, Walt Bausman, Peggy Milos, Tiernan Gruman, Carolyn Sandstran, Brittney Berrett, Braiden Johnson, Lea Henke, Kirei Johnson, Breanin Berrett, Jana Brachart, Caleb Reide, Roland Berchardt, Austin Hersfro, Ana Hargefeld, Julius Schulze, Jacob Hahndorf, Chris Miller, Claus Hendrik Iseman, Kathy & Ryan Charters, Linda Stahl, Bruce and Joyce Hartman, Lee Miller, Max Biblik, Zack George, Toni George, Freya Brockmeyer, Ashlee Dunn, Astrid Becker, Sarah Sandstrom, Jordan Maughan, Julian Hernandez, Bryant Nolasco, Kayden Nolasco, Sandy Ruiz, Romney Nolasco, Santiago Nolasco, Jenelle & Maggie Dunn, Hallie Hales, Craig Hanni, Chrislee Dunyon, Chris Dunyon, Kelton Gold, Emily Pohl, Theron Peterson, Britt Peterson, Seth Jones, Trent Nelson, Letitia Toombs, Max & Shauna DeCaria

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking this link

http://www.southogdencity.com/document_center/Sound%20Files/CC191001_1803.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- Mayor Porter called the meeting to order at 6:03 pm and called for a motion to convene.

00:00:00

Council Member Strate so moved. Council Member Howard seconded the motion. In a voice vote Council Members Orr, Strate, Hensley, Stewart, and Howard all voted aye.

B. Prayer/Moment Of Silence

The mayor led everyone in a moment of silence.

C. Pledge Of Allegiance

Council Member Orr led the Pledge of Allegiance.

103 **II. PUBLIC COMMENTS**

104 Wesley Stewart 00:01:23 Mr. Stewart had a handout for the Council. See
105 Attachment B

106 Joyce Hartman 00:05:59

107 Craig Hanni 00:07:19

Mr. Hanni presented the Council with some
108 photos. See Attachment B.
109
110

111 **III. RESPONSE TO PUBLIC COMMENT**

112 00:10:29
113
114

115 **IV. RECOGNITION OF SCOUTS/STUDENTS PRESENT**

116 No scouts were present at this meeting.
117
118

119 **V. CONSENT AGENDA**

120 A. Approval of September 17, 20109 Council Minutes

121 B. Declaring Certain Property as Surplus to the City's Needs

122 C. Approval of Proclamation Declaring October 1st, 2019 as German American Partnership
123 Program (GAPP) Day in South Ogden City, Utah

124 • The mayor read through the consent agenda and asked City Manager Dixon to explain about
125 the surplus property

126 00:12:56

127 • Mayor Porter explained there were students from both Germany and from junior and senior
128 high schools in Weber County attending the meeting. They were there for the proclamation
129 to honor the German American Partnership Program (GAPP). He read the proclamation
130 and invited two leaders of the German students to speak.

131 00:15:20

132 • The mayor called for a motion to approve the consent agenda

133 00:19:40
134
135

136 **Council Member Strate moved to approve the consent agenda. The motion was seconded**
137 **by Council Member Hensley. The voice vote was unanimous in favor of the motion.**
138
139

140 **VI. DISCUSSION /ACTION ITEMS**

141 A. Consideration of **Resolution 19-52** – Approving an Agreement With ArchiveSocial for Social
142 Media and Website Archiving

143 • Staff overview 00:21:48

144 • Council discussion 00:23:19

- Motion 00:25:45

Council Member Hensley moved to adopt Resolution 19-52. Council Member Howard seconded the motion. Mayor Porter asked if there was any more discussion, and seeing none, he called the vote:

Council Member Strate -	Yes
Council Member Howard -	Yes
Council Member Orr -	Yes
Council Member Hensley -	Yes
Council Member Stewart -	Yes

Resolution 19-52 was adopted.

B. Consideration of Resolution 19-53 – Approving an Agreement With iWorQ for a Building Inspections Program Module

- Staff overview 00:26:06
- Discussion 00:29:40
- Motion 00:32:52

Council Member Strate moved to adopt Resolution 16-53, followed by a second from Council Member Hensley. There was no discussion on this motion. Mayor Porter called the vote:

Council Member Stewart-	Yes
Council Member Hensley-	Yes
Council Member Howard-	Yes
Council Member Strate-	Yes
Council Member Orr-	Yes

The motion stood.

C. Consideration of Resolution 19-54 – Approving an Agreement With Landmark Design to Oversee Burch Creek Park Project

- Staff overview 00:33:15
- Discussion 00:34:31
- Motion 00:34:47

Council Member Howard moved to adopt Resolution 1-54. The motion was seconded by Council Member Strate. Mayor Porter asked if there was any discussion. Council Member Strate asked several questions concerning the Burch Creek Park bond, with staff answering the questions. The mayor called the vote:

00:39:10

189 Council Member Orr- Yes
190 Council Member Howard- Yes
191 Council Member Stewart- Yes
192 Council Member Hensley- Yes
193 Council Member Strate- Yes
194

195 Resolution 19-54 was approved.
196
197

198 D. Consideration of Resolution 19-55 – Approving an Agreement with Zion’s Bank for Financial
199 Advisory Services

- 200 • Staff overview 00:39:22
201 • Discussion 00:41:05
202 • Motion 00:44:36
203

204 Council Member Hensley moved to adopt Resolution 19-55, followed by a second from
205 Council Member Strate. The mayor asked if there was further discussion, and seeing
206 none, he called for a motion.
207

208 Council Member Hensley- Yes
209 Council Member Howard- Yes
210 Council Member Stewart- Yes
211 Council Member Orr- Yes
212 Council Member Strate- Yes
213

214 The resolution was adopted.
215
216

217 VIII. REPORTS/DIRECTION TO CITY MANAGER

218 A. City Council Members

- 219 • Council Member Stewart- 00:44:59
220 • Council Member Hensley - Nothing to report
221 • Council Member Orr - 00:46:12
222 • Council Member Howard - Nothing to report
223 • Council Member Strate - 00:49:42

224 B. City Manager: 00:53:45

225 C. City Attorney: Not present

226 E. Mayor 00:59:39
227

228
229
230 IX. ADJOURN

- 231 • Mayor Porter called for a motion to adjourn
232 01:01:43

Council Member Strate so moved, followed by a second from Council Member Howard. The voice vote was unanimous in favor of the motion.

The meeting adjourned at 7:06 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council Work Session and Council Meeting held Tuesday, October 1, 2019.

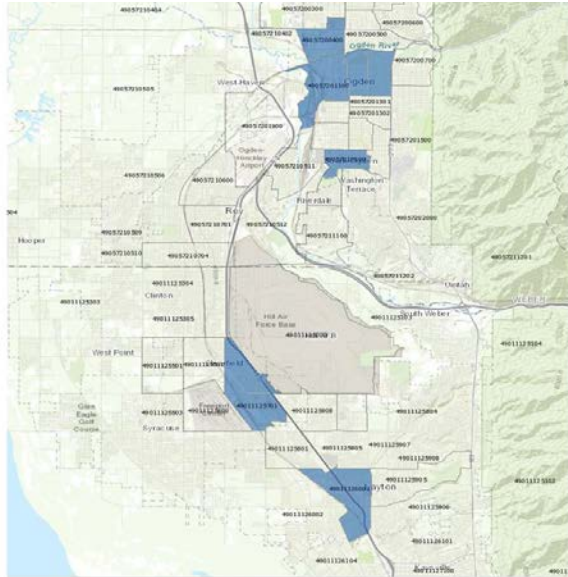

Kapetanov, City Recorder

Leesa
Date Approved by the City Council

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ATTACHMENT A

Presentation by Benj Becker, Zion's Bank



Opportunity Zones



Are you maximizing your Opportunity Zone?

Pre-Opportunity Zone Feasible



Opportunity Zone Feasible



No

Developers Look to Hit Tax-Break 'Jackpot' in Opportunity Zones
Billions pour into funds targeting low-income areas as Treasury lays down rules for who benefits - WSJ



Opportunity Zones | Utah

Tucked Into the Tax Bill, a Plan to Help Distressed America - FORBES

IRS Proposes Generous Rules For Opportunity Zone Investors, But What Will They Mean For Communities? - WSJ

Opportunity Is Coming to a City Near You
The rollout of new tax incentives should prompt investment - WSJ

NEW 'OPPORTUNITY ZONE' TAX-BREAK RULES OFFER FLEXIBILITY TO DEVELOPERS - WSJ

Opportunity Awaits: Statewide Opportunity Zones Announced

A New Tax Break for Poor Neighborhoods Could Benefit Luxury Developers - NYTIMES

Rich Investors Eye Tax-Favored Development Funds - WSJ

Opportunity Zone



Opportunity Zones | Utah

Definition – an economically distressed area where new investments, under select conditions, may be eligible for preferential tax treatment through an established opportunity fund – U.S. Treasury

Purpose & Intent – an economic development tool – to spur economic growth and job creation in distressed communities by providing tax benefits to investors - U.S. Treasury

General Tax Provisions:

- 1) **Temporary deferral** of capital gains taxes until 2026 by allowing investors to put and keep unrealized gains in an opportunity fund
- 2) A **ten percent reduction** on deferred taxes on capital gains if the opportunity fund is held for five years, and **another five percent reduction** if held for seven years
- 3) A **complete tax exemption** on capital gains on investments made through the opportunity fund as long as the investor holds the investment for ten years



What does this all mean?

- Take capital gains from a previous investment – real estate, stocks, antiques, etc.
- Put into an Opportunity Fund (dedicated fund in an Opportunity Zone)
- Original, placed gains are reduced by 10 percent if held five years, 15 percent if held seven years
- New gains (made from the new investment) are NOT subject to capital gains taxes if held ten years

But what does it really mean?

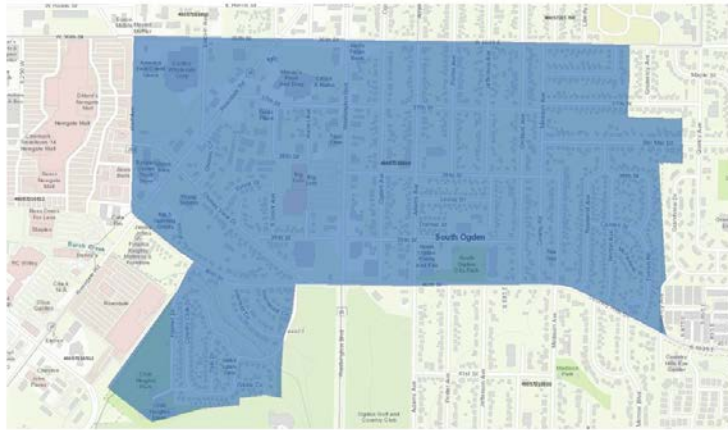
- Investors can accept lower rates of return due to the tax advantages
- Highest and best use should be reconsidered – a use that was not feasible might now be feasible
- Be ready – ready sites will attract funding
- Couple the Opportunity Zone with all other economic development tools – LIHTC, CRA, TRZ, etc.

Z P
F I Opportunity Zones Utah

Potential Development Types and Necessary Profit

Scenario	Profit %	Necessary Profit %
Residential	20%	18-25%
Office	17%	20-25%
Hotel	14%	25%+
Residential & Retail	18%	20-25%
Office & Retail	14%	20-25%
Hotel & Retail	13%	25%+

Not

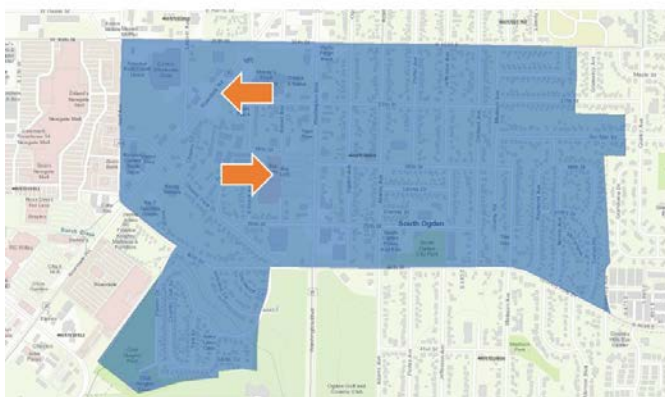


South Ogden
Opportunity Zone



Potential Development Sites

No



Without an Opportunity Zone or other economic development tools, these sites will likely remain “as is” for the near-term, or will need incentives to realize meaningful development

No.

Option I → Opportunity Zone

- \$10,000,000 roll of capital gains into an opportunity fund
- Capital gains tax is not required until year 7 following rollover
 - Capital gains following 15% opportunity zone adjustment = **\$1,700,000**
- New investment is sold in ten years
 - New value = \$20,000,000
 - New capital gains taxes = \$0
- Total capital gains = **\$1,700,000**

Opportunity Zones | Utah Non-Opportunity Zone ← Option II

- \$10,000,000 roll of capital gains into a NON opportunity zone area
 - Immediate capital gains tax = **\$2,000,000**
- New investment is sold in ten years
 - New value = \$20,000,000
 - New capital gains taxes = **\$2,000,000**
- Total capital gains = **\$4,000,000**

Difference = \$2,300,000

Option I → Opportunity Zone

- All else equal, a developer/investor has \$2,300,000 in additional incentives to develop/invest in an Opportunity Zone (per the previous example)
 - To attract tenants, the financial advantage could be partially utilized by providing superior construction to competitive sites
 - A reduced initial rent (or more tenant incentives) could be offered to be competitive to other, non-Opportunity Zone sites
- Tenants can also invest in the Opportunity Zone and receive similar savings for job expansion and business growth

Opportunity Zones | Utah Non-Opportunity Zone ← Option II

- All else equal, sites not in Opportunity Zones will be less competitive for investment dollars

Not

The additional financial incentive will often be enough to result in changed Highest and Best Use conclusions.

Previously – this was feasible as anticipated value was concluded to be greater than costs, including a necessary profit



Previously – this was *NOT* feasible as anticipated costs were concluded to be greater than likely value, resulting in limited or no financial feasibility



Opportunity Zone benefits result in a lower required rate of return for the office property. Lower rate = higher values, creating a sufficient spread between costs and value that includes enough profit to justify construction

Steps to take as a Municipality to Capitalize on Opportunity Zones

- Create a CRA/TRZ to provide additional incentive - LAYERS
- Educate property owners on the advantages of an opportunity zone – get them acting
- Have zoning and plans in place that allow for ready development processes at the densities and use types that are desired by the city and development community
- Market to investors the development options and incentives that are possible within the Opportunity Zones – *Less a focus on the whole city/area, and more the advantage of a specific site*
- Market to potential tenants the advantages of an Opportunity Zone
- Select nodes – key areas of focus
- ACT NOW



Not

Not Approved

ATTACHMENT B

Public Comment Handouts

Opportunity Zone

Definition – an economically distressed area where new investments, under select conditions, may be eligible for preferential tax treatment through an established opportunity fund – U.S. Treasury

Purpose & Intent – an economic development tool – to spur economic growth and job creation in distressed communities by providing tax benefits to investors - U.S. Treasury

General Tax Provisions:

- 1) **Temporary deferral** of capital gains taxes until 2026 by allowing investors to put and keep unrealized gains in an opportunity fund
- 2) A **ten percent reduction** on deferred taxes on capital gains if the opportunity fund is held for five years, and **another five percent reduction** if held for seven years
- 3) A **complete tax exemption** on capital gains on investments made through the opportunity fund as long as the investor holds the investment for ten years

property values of our senior citizen residents living within our city, Most families, including persons from The Church of Jesus Christ of Latterday Saints, Catholic Families, and Baptist families want a safe backyard for their kids to play with their siblings and friends. We are built out (except for Ogden Golf and Country Club land). Why create an increase in the shortage of small affordable family homes with yards. In a prior town hall meeting I asked citizens present, who wanted hotels, offices, or high density by their house and not one adult

Mostly opportunity for Land investors to buy up properties and convert area to have more rental units. Many don't upkeep their properties and the city's code enforcement is either lacking or doesn't make a difference.

SOUTH OGDEN

Many residents are in the bottom 10% wage earners.

50% of Former Club Heights students were minorities
80% of Students recieved reduced or free lunches,

Where will this lead to as realstate investors purchase up lower income housing. Poorer (Lower Income) families will have less choices for



an affordable to them home with yard to raise their kids and have healthy garden food grown in their own back yard.

It will also further drive up the

Handouts from Mr. Stewart

Source: Southogdencity.com/document-center/Resolutions/2017/
 Resolution-17-05--Report-on-Moderate-Income-Housing-
 Element-of-the-General-Plan--WITH-ATTACH--07-Feb-17.pdf
 South Ogden City
 Report on Moderate Income Housing Element of the General Plan (2017)

South Ogden City is a community approaching build-out. The 2016 population is estimated at 16,789, which is an increase of 901 or 5.36% over the estimated 15,888 population in 2008 when the most recent general plan was updated and adopted. The growth rate has been slow, maintaining a trend that has prevailed since the turn of the century. Other key demographic characteristics related to housing include the following:

- The population of South Ogden is getting younger
- The share of the population over 65 years is still relatively high compared to the county and state
- The average size of households in South Ogden continues to decline, although at much smaller rates than from 2000 to 2010. The average household size is one of the smallest in the county and state, which is a function of the mature age profile of the community.

South Ogden is largely surrounded by its municipal neighbors—Ogden (to the north and east), Riverdale (northwest), Washington Heights (west), and Uintah (south) in each direction as well as unincorporated Weber County areas. As such, few parcels of vacant land are available to create new places and neighborhoods. South Ogden is the fourth-largest city in Weber County and is easily accessed from several major routes, including Highway 89 (Washington Blvd.), Riverdale Road and Harrison Blvd.

Community Information:

The origins of South Ogden as a community date back the mid-nineteenth century when lands previously owned by the Mexican government were acquired by the United States. The area was first settled by Daniel Burch and his family, who arrived in 1848 as part of the Lorenzo Snow Company of Utah pioneers. In 1850 the area was named Burch Creek in his honor. There was little development until 1890 when extensive investments in land, both residential and commercial, took place. By the 1930s Burch Creek was an established farming community of about 800 people, and on July 6, 1936 the town of South Ogden was established.

South Ogden's close location to Hill Air Force Base and the Ogden Arsenal led to a housing boom in the 1940s. By 1946 the population exceeded 3,600, and South Ogden became known as the "City of Homes." The development of South Ogden into a suburban community was spurred by FHA-approved housing in 1949 and the easy access to major employment centers. Consequently, the City experienced its largest growth spurt in the 1950's. From 1950 to 1970, South Ogden grew at a rate two to three times faster than Weber County. Today the general population is becoming somewhat younger and the minority population is growing, matching countywide levels around 15%.

Commercial development grew in response to the housing boom from the 1950's to 1970's, with most current businesses locating in the City's major business district after 1960. Today, health care and private education (for-profit training) make up 24 percent of all employment in the city, followed closely by leisure and hospitality including restaurants. The average wage in 2012 was \$27,628 for an individual. Estimated median household income in 2016 was \$5,605, which is slightly lower than the Weber County average of \$56,581 during the same period.

So why did we get rid of the 20 year old S Ogden Senior Center???

also known as "mother-in-law" apartments everywhere in our city? No cost ↑ So why not allow ADU population increase solution. Could provide income for aging seniors in our city. (As desired by home owner).

WEBER COUNTY DEMOGRAPHICS, ECONOMICS AND HOUSING MARKET

I. Demographic Trends and Characteristics

Table
 Weber County: Demographic Characteristics

	2000	2010	Chg.	State of Utah
Population	196,533	231,236	17.7%	-23.8
Median Age	29.3	30.7	4.8%	29.2
65 years and older	20,437	23,388	14.4%	---
Percent 65 years and older	10.4%	10.1%	9.0%	---
19 years and younger	67,712	76,143	12.5%	---
Percent 19 years and younger	34.4%	32.9%	34.8%	---
Households	65,698	78,748	19.9%	-25.2
Average Household Size	2.95	2.9	-1.7%	3.1
Minority Population*	24,148	35,334	46.3%	---
Percent Minority Population	12.3%	15.3%	14.4%	---
Ethnicity: Hispanic Population**	24,970	38,711	55.0%	---
Percent Hispanic Population	12.7%	16.7%	13.0%	---

*Minority population includes those of the following races: black, American Indian, Asian, Native Hawaiian and other Pacific Islanders and other race. Hispanic is an ethnicity denoted by origins or identification with Spanish or Portuguese speaking countries. Hispanics may or may not be part of minority count depending on racial mix.

Source: U.S. Census Bureau, 2000 SF1 and 2010 SF1.

Comparative Demographic Statistics

Table
 Cities Ranked by % Change in Population
 2000-2010

	Total	Percent Change 2000-2010
West Haven	10,272	138.4%
Hooper	7,218	84.7%
Plain City	5,476	57.2%
Pleasant View	7,979	41.7%
Weber County	231,326	17.7%
North Ogden	17,357	15.5%
South Ogden	16,532	15.0%
Roy	36,884	12.2%
Ogden	82,825	7.3%
Washington Terrace	9,067	6.0%

Source: U.S. Census Bureau.

Table
 Cities Ranked by % Change in Households
 2000-2010

	Total	Percent Change 2000-2010
West Haven	3,200	182.9%
Hooper	2,082	81.0%
Plain City	1,609	64.4%
Pleasant View	3,260	39.6%
North Ogden	5,569	26.1%
Weber County	78,748	19.9%
South Ogden	6,204	19.5%
Roy	12,174	13.9%
Washington Terrace	3,327	10.2%
Ogden	29,631	8.2%

Source: U.S. Census Bureau.

Handouts from Mr. Stewart

**SOUTH OGDEN PROFILE:
DEMOGRAPHICS, ECONOMICS AND HOUSING MARKET**

I. Demographic Trends and Characteristics

**Table
South Ogden: Demographic Characteristics**

	2000	2010	Chg.	Weber County	State of Utah
Population	14,377	16,532	15.0%	---17.7%	23.8%
Median Age	33.7	31.6	-6.2%	30.7	29.2
65 years and older	2,322	2,382	2.6%	---	---
Percent 65 years and older	16.2%	14.4%	---	10.1%	9.0%
19 years and younger	4,334	4,853	12.0%	---	---
Percent 19 years and younger	30.1%	29.4%	---	32.9%	34.8%
Households	5,193	6,204	19.5%	---19.9%	---25.2%
Average Household Size	2.73	2.64	-3.3%	2.9	3.1
Minority Population*	1,108	2,174	96.2%	---	---
Percent Minority Population	7.7%	13.2%	---	15.3%	14.4%
Ethnicity: Hispanic Population**	1,089	2,122	94.9%	---	---
Percent Hispanic Population	7.6%	12.8%	---	16.7%	13.0%

*Minority population includes those of the following races: black, American Indian, Asian, Native Hawaiian and other Pacific Islanders and other race. Hispanic is an ethnicity denoted by origins or identification with Spanish or Portuguese speaking countries. Hispanics may or may not be part of minority count depending on racial mix.

Source: U.S. Census Bureau, 2000 SF1 and 2010 SF1.

**Table
South Ogden: Owner Occupied Units by Race and Ethnicity - 2010**

	Units	% Share
Owner-occupied housing units	4,277	100.0%
White alone householder	3,879	90.7%
Black or African American alone householder	29	0.7%
American Indian and Alaska Native alone householder	11	0.3%
Asian alone householder	69	1.6%
Native Hawaiian and Other Pacific Islander alone householder	9	0.2%
Some Other Race alone householder	3	0.1%
Two or More Races householder	35	0.8%
Hispanic or Latino	242	5.7%

Source: U.S. Census 2010.

**Table
South Ogden: Renter Occupied Units by Race and Ethnicity - 2010**

	Units	% Share
Renter-occupied housing units	1,927	100.0%
White alone householder	1,510	78.4%
Black or African American alone householder	44	2.3%
American Indian and Alaska Native alone householder	21	1.1%
Asian alone householder	19	1.0%
Native Hawaiian and Other Pacific Islander alone householder	8	0.4%
Some Other Race alone householder	6	0.3%
Two or More Races householder	34	1.8%
Hispanic or Latino	285	14.8%

Source: U.S. Census 2010.

← The majority of Hispanics rent. As demand on housing increases, cost of rent will increase which hurts the bottom wage earners. If they can't afford rent, where will they go?

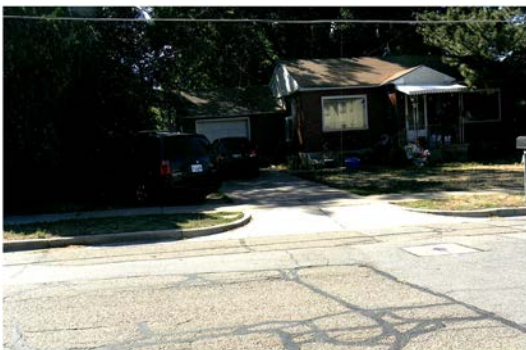
Handouts from Mr. Stewart



Madison Ave off 40th
This should not be a salvage yard
9-3-2019



Madison Ave off 40th
Bus for a year or more
9-3-2019



Madison Ave off 40th
Bus
9-3-2019



Maple ST
9-3-2019

Photos from Mr. Hanni



4350 S 920 E
 For Years Bad place
 9-3-2019



Maple Street
 9-3-2019



4300 S 850 E
 All Summer
 9-3-2019



4200 South 900 E? - 950 E.
 9-3-2019



41841 Madison and 687 42nd St.
 Bad Place For Years
 Health Dept. Should Visit
 9-3-2019 Garbage Pile
 Has been here for
 month



41st Street
 9-3-2019



41st Street
 9-3-2019



Maple St
 9-3-2019



Corner Maple & Monroe Blvd.

9-3-2019



Kiesel Ave

9-3-2019



Kiesel Ave

9-3-2019



40th St.

9-3-2019



40th St
9-3-2019

Not Approved

STAFF REPORT



SUBJECT: Resolution 19-56 - Approving Poll Workers
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: October 15, 2019

RECOMMENDATION

Staff recommends approval of the general election poll workers.

BACKGROUND

Every municipal election year, the governing body (city council) must appoint the poll workers who have agreed to facilitate the vote. This is based on UCA 20a-5-602(1) which states, "A county legislative body, a municipal legislative body, or a local district board appointing, or providing for the appointment of, a poll worker for a local election under this section shall appoint the poll worker at least 15 days before the date of the local election." Although the City is conducting a by mail election, we are still providing alternative ways to vote such as early voting and polling locations on election day; thus the need for poll workers.

ANALYSIS

Election Day is November 5!

SIGNIFICANT IMPACTS

None

ATTACHMENTS

The list of poll workers is attached to the resolution.

Resolution No. 19-56

**RESOLUTION OF SOUTH OGDEN CITY APPROVING POLL WORKERS
FOR THE MUNICIPAL GENERAL ELECTION, 2019; AND, PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of SOUTH OGDEN City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution including, but not limited to regulating the use and operation of municipal property; and,

WHEREAS, the City Council finds that UC §20A-5-602 et. seq., requires designating election polling judges for municipal elections at least 15 day before the election; and,

WHEREAS, the City Council finds that the City has contracted with Weber County to manage all other requirements for the CY 2019 municipal election; and,

WHEREAS, the City Council finds that making these designations now, will satisfy these requirements; and,

WHEREAS, the City Council finds that the City desires to be in conformance with the requirements of law; and,

WHEREAS, the City Council finds that the public convenience and necessity requires the actions contemplated,

NOW, THEREFORE, BE IT RESOLVED by the City of South Ogden as follows:

SECTION 1 - ELECTION OFFICIALS APPOINTED:

That the individuals on **Attachment "A"** are appointed as Poll
Workers for the CY 2019 general election.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS

All orders and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

SECTION 3 - PRIOR RESOLUTIONS

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

SECTION 4 - SAVINGS CLAUSE

If any provision of this Resolution shall be held or deemed or shall be invalid, inoperative or unenforceable such determination shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION 5 - DATE OF EFFECT

This Resolution shall be effective on the 15th day of October, 2019, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY,
STATE OF UTAH**, on this 15th day of October, 2019.

SOUTH OGDEN CITY

Russell Porter,
Mayor

ATTEST:

Leesa Kapetanov, CMC
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 19-56

Resolution Of South Ogden City Approving Poll Workers For The Municipal General Election, 2019; And, Providing For An Effective Date.

16 Jul 19

2019 General Election Poll Workers

Main Library

Trina Wallace	583 N Liberty Ave,	Ogden
Terrie Ferrier	1072 Henderson Dr.	Ogden
Amy Sorensen	927 E 3300 N North	Ogden
Bonnie Ralph	443 N Monroe Blvd.	Ogden
Janet Erickson	3430 Eccles Ave.	Ogden
Joan Tonn	2086 E 5950 S	Uintah

Southwest Library

Vicki Stevenson	4614 S 3600 W	Roy
Nick Stevenson	4641 S 3600 W	Roy
Tracy Pendleton	3732 W 6050 S	Roy
Max Pendleton	3732 W 6050 S	Roy
Makenzie Webb	3891 W 4700 S	Roy
Matthew Cowley	3738 W 5350 S	Roy
Ted McGregor	3654 W 4750 S	Roy

Pleasant Valley Library

Cheryl White	1819 E 6900 S	Uintah
Patti Sawyer	2159 E 6600 S	Uintah
Deanna Phister	2602 W 1800 S	West Haven
Paul Kriekard	2249 E 6275 S	Uintah
Kim Ealy	1258 S 950 E	Ogden
Sarah Cowley	3738 W 5350 S	Roy
Stacy Cornell	1266 5 th St	Ogden

North Library

Merrin Tubbs	3218 Mt. Lomond Dr.	No. Ogden
Emily Price	361 W 2450 N	Harrisville
Karen Hart	2283 N 600 E	No. Ogden
Lori Lovelady	960 Hislop Dr	Ogden
Cole Spicker	3169 N 1200 E No.	Ogden
Kathy Petersen	2245 N 575 E	No. Ogden
Tam Douglas	1949 N 325 W	Harrisville

Fair Grounds

Coral Hadley	4456 W 2200 N	Plain City
Dennis Hadley	4456 W 2200 N	Plain City
Kim Morse	2461 N 4175 W	Plain City
John Usher	3532 N 2500 W	Farr West
Lisa Usher	3532 N 2500 W	Farr West
Amy Lancaster	2735 W 2275 N	Plain City

Ogden Valley Library

Darla Longhurst-Vanzeban	4067 Juniper Ln	Eden
Jody Richardson	223 S 7200 E	Huntsville

STAFF REPORT



SUBJECT: Constable Appointment
AUTHOR: Chief Parke
DEPARTMENT: Police
DATE: 10-15-2019

RECOMMENDATION

For the council to determine whether to appoint a Constable, and if so, appoint Matt Jennings with Wasatch Constables to fill that role

BACKGROUND

The City currently contracts for court bailiffs with Wasatch Constables. State requirements for constables is related to political subdivision boundaries, and populations. Because of our size there are fewer requirements by the state.

The Wasatch Constables employee with Weber County Constable authority has left their organization.

Matt Jennings is employed by Wasatch Constables, and works for them as a constable in Salt Lake County.

Wasatch Constables would like to continue to fill the contract with us, and do so as efficiently as possible. Wasatch Constables has requested the appointment of Matt Jennings as constable for South Ogden.

ANALYSIS

Because of our city size, there are fewer requirements for a Constable and his swearing in of bailiffs. Appointing Matt Jennings as constable will allow us to continue our contract with Wasatch Constables. It will help them function efficiently by not having to meet county requirements. The process of swearing in bailiffs for our court will be easier. Our court operations will not be inhibited by Wasatch Constables meeting more requirements.

SIGNIFICANT IMPACTS

The only impacts are those already contracted by the city with Wasatch Constables.

ATTACHMENTS

none

Resolution No. 19-58

A RESOLUTION OF SOUTH OGDEN CITY AUTHORIZING AN AGREEMENT FOR THE REPLACEMENT OF CERTAIN WATER LINES AND THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AND FINAL PASSAGE

Section 1 – Recitals

WHEREAS, the City of South Ogden City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, in conformance with Utah Code (“UC”) § 10-3-717, the City’s governing body may exercise all administrative powers by resolution, including, but not limited to, regulating the use and operation of municipal property; and

WHEREAS, City staff have reviewed and studied this matter and recommended that the City Council authorize the execution of an agreement with Urban Land Group, LLC, for the replacement of two of the City’s water lines; and

WHEREAS, Urban Land Group, LLC, has demonstrated an ability to provide the services contemplated in the agreement; and

WHEREAS, the Council finds that public convenience and necessity require the actions contemplated by this resolution.

NOW, THEREFORE, BE IT RESOLVED by the GOVERNING BODY OF THE CITY OF SOUTH OGDEN:

Section 2 – Agreement Authorized

The agreement with Urban Land Group, LLC, in substantially the form attached hereto as **Attachment A** and by this reference incorporated herein (the “Agreement”), is approved and adopted and shall be executed by the appropriate person on behalf of the City. Further, the City Manager, with assistance of legal counsel, is authorized to make such modifications to the Agreement as may be necessary prior to execution so as to protect the interests of the City and to accomplish the purposes of this resolution.

Section 3 – Prior Ordinances and Resolutions

The body and substance of all prior resolutions and ordinances of the City, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

Section 4 – Repealer of Conflicting Enactments

All orders, ordinances, and resolutions regarding the subject matter of this Resolution, which have been adopted, in whole or in part, by the City that conflict with this Resolution are, for such conflict, repealed, except that this repeal shall not be construed to revive any act, order, or resolution, or part, previously repealed.

Section 5 – Savings Clause

If any provision of this Resolution shall be held or deemed invalid, inoperative, or unenforceable, such reason shall not render any other provisions or provisions invalid, inoperative, or unenforceable to any extent whatever, this Resolution being deemed the separate, independent, and severable act of the City Council of South Ogden City.

Section 6 – Date of Effect

This Resolution takes effect immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY
THIS _____ day of _____, 2019.

By: _____
Russell L. Porter, Mayor

Attest:

Leesa Kapetanov, CMC
City Recorder

ATTACHMENT A

to Resolution 19-58

**A RESOLUTION OF SOUTH OGDEN CITY AUTHORIZING AN
AGREEMENT WITH URBAN LAND GROUP LLC AND PROVIDING
THAT THIS RESOLUTION SHALL BECOME EFFECTIVE
IMMEDIATELY UPON POSTING AND FINAL PASSAGE**

WATERLINE REPLACEMENT AGREEMENT

THIS WATERLINE REPLACEMENT AGREEMENT (“**Agreement**”) is entered into as of this ____ day of _____, 2019, by and between URBAN LAND GROUP LLC, a Utah limited liability company (“**Developer**”), and SOUTH OGDEN CITY, a Utah municipal corporation (the “**City**”); Developer and the City are sometimes referred to individually as a “**Party**” or collectively as the “**Parties**.”

RECITALS

WHEREAS, the City and Developer entered into a Development Agreement for 1 East Harrison in May 2017 for the Developer to develop property (“**Property**”) located within the City; and,

WHEREAS, the City has old water lines that convey water from Weber Basin Water Conservancy District’s system to the City’s water tanks east of the Property; and,

WHEREAS, the City desires to protect the integrity of the City’s water system during and after the development of the Property; and,

WHEREAS, the City has determined that the waterlines should be replaced; and,

WHEREAS, Developer is currently developing the Property; and,

WHEREAS, given Developer’s current development of the Property, the City has determined that Developer is in the most efficient position to manage the replacement of the City’s waterlines on the Property; and,

WHEREAS, the Parties desire to enter into this Agreement authorizing Developer to manage the replacement of the water lines, and authorizing the City to reimburse the Developer for its services.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

AGREEMENT

1. The Parties’ Duties and Covenants.

a. The Developer shall replace, or cause to be replaced, the water line (the “**Project**”, as defined below.

b. The City shall design the plans to replace the two waterlines: a ten (10) inch ductile iron water line and a fourteen (14) inch transite water line that each run through the Property (the replacement of the two waterlines is referred to herein as “**Project**”). A plat map showing the location of the water lines is attached as **Exhibit A**.

c. The City’s plans shall include the Project’s construction drawings and notice of invitation for bids. The City shall provide its plans to Developer. Developer shall not be obligated to perform any of its duties in relation to the Project until it receives the City’s plans.

d. The Developer shall obtain at least three (3) written bids from reputable contractors for completion of the Project and shall provide all bids obtained to the City. From the bids received, Developer shall select at least three (3) bids that satisfy the requirements set forth in the Bid Notice and submit those bids to the City for its confirmation. Prior to awarding the Project to a contractor, Developer must receive written approval from the City confirming that a specific bid is acceptable to the City. If the Developer accepts a bid without the City’s prior, written approval, the City shall not be responsible for any of the costs and expenses incurred by the unapproved contractor.

e. Developer shall oversee, manage, and assure that the Project is completed in a timely manner. Developer shall ensure that the Project is completed no later than _____.

f. Developer will charge the City for its reasonable and actual expenses incurred in overseeing and managing the Project, and the City shall pay those expenses pursuant to this Agreement.

g. Developer shall submit an invoice to the City for Developer’s reasonable and actual expenses incurred in completing the Project. Developer shall also submit invoices from the contractor working on the Project to the City. Developer shall submit all invoices to the City within thirty (30) days of Developer’s receipt of the invoice. Late invoices will not be accepted by the City, and the City shall not be obligated to reimburse any expenses represented on any invoice submitted after the thirty (30) day time limit.

h. The City shall pay each invoice within thirty (30) days of its receipt of the invoice unless the City disputes the invoice pursuant to Section 2 herein.

i. All construction and improvements done with the Project shall be in accordance with the City’s adopted standards and specifications, as amended from time to time.

2. Invoice/Cost Disputes. In the event the City disputes any amount on any invoice, it shall provide written notification of such dispute to Developer. The City’s notice shall include specific details regarding its dispute. If Developer does not agree with the City’s position, both parties agree to and shall engage in good faith negotiations to determine the actual cost represented on the invoice.

3. State and Federal Law. The parties agree, intend, and understand that the obligations imposed by this Agreement are only such as follow state and federal law. The parties further agree that if any provisions of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with state or federal law and the balance of the Agreement shall remain in full force and effect.

4. No Waiver. Failure of a party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future time said right or any other right it may have. No officer, official, or agent of the City has the power to amend, modify or alter this Agreement or waive any of its conditions as to bind the City by making any promise or representation not contained herein.

5. Entire Agreement. Except as specifically stated, this Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

6. Attorney's Fees. If any legal action is filed regarding the interpretation or enforcement of this Agreement, including insolvency, bankruptcy, arbitration, declaratory relief or other litigation, including appeals or rehearings, the prevailing party shall be entitled to receive from the other party thereto reimbursement for all attorneys' fees and all costs and expenses incurred in connection with the aforementioned legal proceedings. Should any judgment or final order be issued in those proceedings, the reimbursement amount shall be specified therein. Legal expenses incurred during mediation shall not be reimbursable under this paragraph.

7. Applicable Law. This Agreement is entered into under, and is to be construed and enforceable under, the laws of the State of Utah.

8. Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of the facsimile copy.

(Signatures Follow)

IN WITNESS WHEREOF, this Agreement has been executed by South Ogden City, acting through the City Council of South Ogden City, Weber County, State of Utah, under _____, authorizing such execution, as of the above-stated date.

ATTEST:

SOUTH OGDEN CITY,
a Utah municipal corporation

By: _____
City Recorder

By: _____
Title: _____

IN WITNESS WHEREOF, this Agreement has been executed by a duly authorized representative of Developer as of the above-stated date.

URBAN LAND GROUP LLC,
a Utah limited liability company

By: _____
Title: _____

ATTACHMENT A
to
WATERLINE REPLACEMENT AGREEMENT
(WATERLINE PLAT MAP)



NOTICE AND AGENDA

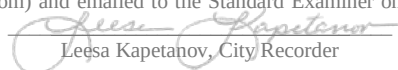
SOUTH OGDEN CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY BOARD MEETING TUESDAY, OCTOBER 15, 2019 – 6:00 P.M.

Notice is hereby given that the South Ogden City Community Development and Renewal Agency Board will hold a meeting on, Tuesday, October 15, 2019 beginning at 6:00 p.m. in the Council Chambers located at 3950 So. Adams Avenue, South Ogden, Utah. Any member of the board may be joining the meeting electronically.

- I. **CALL TO ORDER** – Chairman Russell Porter
- II. **CONSENT AGENDA**
 - A. Approval of May 21 and June 18, 2019 CDRA Minutes
- III. **DISCUSSION/ACTION ITEMS**
 - A. Consideration of **CDRA Resolution 19-11** – Designating Survey Areas and Authorizing the Preparations of Draft Community Reinvestment Project Area Plan and Budget
- IV. **ADJOURN**

Posted to the State of Utah Website October 11, 2019.

The undersigned, duly appointed Board Secretary, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1st and 2nd floors), on the City's website (southogdencity.com) and emailed to the Standard Examiner on October 11, 2019. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.



MINUTES OF THE
SOUTH OGDEN CITY COMMUNITY DEVELOPMENT
AND RENEWAL AGENCY BOARD MEETING

TUESDAY, MAY 21, 2019 – 6:00 P.M.

COUNCIL CHAMBERS, CITY HALL

BOARD MEMBERS PRESENT

Chair Russell Porter, Board Members Sallee Orr, Brent Strate, Susan Stewart, and Mike Howard

BOARD MEMBERS EXCUSED

Adam Hensley

STAFF MEMBERS PRESENT

City Attorney Ken Bradshaw, CDRA Attorney Adam Long, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Assistant City Manager Doug Gailey, and Recorder Leesa Kapetanov

CITIZENS PRESENT

??

Note: The time stamps indicated in blue correspond to the audio recording of this meeting which can be found at this link:

http://www.southogdencity.com/document_center/Sound%20Files/CC190521_1806.mp3 or requested from the office of the South Ogden City Recorder.

Motion from council meeting to enter CDRA Board Meeting:

00:20:04

Council Member Howard moved to recess into a Community Development and Renewal Agency Board Meeting, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.

I. CALL TO ORDER

Chair Russell Porter called the meeting to order at 6:27 pm and moved to the consent agenda.

II. CONSENT AGENDA

A. Approval of May 7, 2019 CDRA Minutes

- The chair called for a motion to approve the minutes

00:20:39

Board Member Strate so moved. The motion was seconded by Board Member Howard. Board Members Orr, Strate, Hensley, Stewart, and Howard all voted aye.

III. DISCUSSION/ACTION ITEMS

A. Consideration of CDRA Resolution 19-07 – Approving a Letter of Intent With Madison Development Partners for Purchase of Property Located at Approximately 651 40th Street

- Staff overview 00:20:54
- Board discussion 00:22:22
- Motion 00:28:35

Board Member Strate moved to approve CDRA Resolution 19-07, approving a letter of intent with Madison Development Partners. The motion was seconded by Board Member Howard. Mayor Porter asked if there was further discussion, and seeing none, he called the vote:

Board Member Howard -	Yes
Board Member Stewart -	No
Board Member Hensley -	Yes
Board Member Strate -	Yes
Board Member Orr -	No

The motion stood.

IV. ADJOURN

Chair Porter called for a motion to adjourn the CDRA Board meeting and reconvene as the South Ogden City Council. 00:29:13

Board Member Howard moved to close the CDRA Board meeting and reconvene as the City Council, followed by a second from Board Member Strate. All present voted aye.

The meeting adjourned at 6:35 pm.

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Not Approved

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Community Development and Renewal Agency Board Meeting held Tuesday, May 21, 2019.


Leesa Kapetanov, City Recorder

Date Approved by the Board



**MINUTES OF THE
SOUTH OGDEN CITY COMMUNITY DEVELOPMENT
AND RENEWAL AGENCY BOARD MEETING**

TUESDAY, JUNE 18, 2019 – 6:00 P.M.

COUNCIL CHAMBERS, CITY HALL

BOARD MEMBERS PRESENT

Chair Russell Porter, Board Members Sallee Orr, Brent Strate, Adam Hensley, Susan Stewart, and Mike Howard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Fire Chief Cameron West, Police Chief Darin Parke, Finance Director Steve Liebersbach, Assistant City Manager Doug Gailey, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Terry Tillett, Joyce Hartman, Bruce Hartman, Casey Keller, Trent Nelson, Jeremy Howe, Steve Roeda, Walt Bausman, Jerry Cottrell

Note: The time stamps indicated in blue correspond to the audio recording of this meeting which can be found at this link: http://www.southogdencity.com/document_center/Sound%20Files/CC190618_1805_R.mp3 or requested from the office of the South Ogden City Recorder.

Motion from council meeting to enter CDRA Board Meeting:

01:09:21

Council Member Howard moved to recess City Council meeting and enter into a CDRA Board meeting. Council Member Orr seconded the motion. The voice vote was unanimous in favor of the motion.

I. CALL TO ORDER

Chair Russell Porter called the meeting to order at 7:16 pm and moved to the consent agenda.

II. CONSENT AGENDA

A. Re-Approval of May 7, 2019 CDRA Minutes

- The chair called for a motion to approve the minutes

01:09:40

Board Member Strate so moved. The motion was seconded by Board Member Howard. Board Members Orr, Strate, Stewart, and Howard voted aye. Board Member Hensley abstained as he was not present at the meeting.

III. PUBLIC HEARING

To Receive and Consider Comments on:

- A. Proposed FY2020 CDRA Budget
- B. Proposed Amendments to the FY2019 Budget

- Chair Porter indicated it was time to enter a public hearing for the items listed and called for a motion to do so 01:10:43

Board Member Hensley moved to open a public hearing, followed by a second from Board Member Strate. All present voted aye.

- The chair invited anyone who wished to speak to come forward. There were no comments. Chair Porter then called for a motion close the public hearing 01:11:07

Board Member Hensley so moved. The motion was seconded by Board Member Strate. The voice vote was unanimous in favor of the motion.

IV. DISCUSSION/ACTION ITEMS

A. Consideration of CDRA Resolution 19-08 – Approving the CDRA FY2020 Budget

- Staff overview 01:11:15
- There was no discussion on this item
- Motion 01:12:48

Board Member Strate moved to approve CDRA Resolution 19-08. Board Member Howard seconded the motion. Chair Porter asked if there was further discussion, and seeing none, he called the vote:

Board Member Hensley -	Yes
Board Member Stewart -	Yes
Board Member Howard -	Yes
Board Member Orr -	Yes
Board Member Strate -	Yes

The FY2020 CDRA Budget was adopted.

88 **B. Consideration of CDRA Resolution 19-09 – Amending the CDRA FY2019 Budget**

- 89 • Staff overview 01:13:17
- 90 • There was no discussion on this item
- 91 • Motion 01:16:00
- 92

93 **Board Member Strate moved to approve CDRA Resolution 19-09, followed by a second**

94 **from Board Member Hensley. Board Member Orr asked some questions which Mr.**

95 **Liebersbach answered. The chair then called the vote:**

96

97	Board Member Strate-	Yes
98	Board Member Howard-	Yes
99	Board Member Orr-	Yes
100	Board Member Hensley-	Yes
101	Board Member Stewart-	No

102

103 **CDRA Resolution 19-09 was adopted.**

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106 **C. Consideration of CDRA Resolution 19-10 – Approving the Option Agreement with Madison**

107 **Development Partners for Property Located at 651 40th Street**

- 108 • Staff overview 01:16:46
- 109 • Casey Keller, the developer, gave a short presentation. See Attachment A.
- 110 01:18:37
- 111 • Discussion by Board 01:22:49
- 112 • Motion 01:48:01
- 113

114 **Board Member Hensley moved to approve the option agreement but with the amount**

115 **changed from \$350,000 to \$500,000. Board Member Strate seconded the motion. City**

116 **Manager Dixon made it clear that the resolution gave him authority to act on behalf of the Agency**

117 **to continue negotiating with the developer on the price. There was then some discussion on**

118 **whether the Agency would need to approve a purchase agreement or not. A representative of**

119 **Mr. Casey's stated the option agreement could be used to close on the property. Board Member**

120 **Hensley stated that with the new information he would keep his motion as is. Board**

121 **Member Strate said he would also keep his second. Chair Porter explained the City could**

122 **offer a lower price on the property as an incentive to the developer rather than offering tax**

123 **increment on it over the next 20 years. It would just be a onetime incentive up front rather than**

124 **small payments over time. City Manager Dixon explained he would have the ability to negotiate**

125 **a price for the property on behalf of the CDRA in order to overcome any gaps the developer may**

126 **have on the project. Board Member Stewart then expressed her concerns that the housing being**

127 **built was not affordable and the City was moving too fast on the project. Chair Porter then**

128 **called the vote:**

129

130	Board Member Strate-	Yes
131	Board Member Orr-	disclosed that she owned rental

property in South Ogden. She then voted

No

disclosed that he owned rental property on the border of South Ogden. He then voted

Yes

No

Yes

Board Member Hensley-

Board Member Stewart-

Board Member Howard-

The option agreement was approved.

V. ADJOURN

Chair Porter called for a motion to adjourn the CDRA Board meeting and reconvene as the South Ogden City Council. 02:02:42

Board Member Strate moved to close the CDRA Board meeting and reconvene as the City Council, followed by a second from Board Member Howard. All present voted aye.

The meeting adjourned at 8:09 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Community Development and Renewal Agency Board Meeting held Tuesday, June 18, 2019.


Leesa Kapetanov, City Recorder

Date Approved by the Board

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Attachment A

Presentation by Casey Keller

WORTH Holdings, LLC

May 31, 2019

WESTERN MULTIFAMILY STUDY AND PROFORMA for 40th Street Townhomes

TO: South Ogden City Council

The proposed development will consist of approximately 65 townhome units. The development characteristics will include:

Interior Features

- Boast 1,300 to 1,800 square feet
- All townhomes will have a two-car garage
- 9' + Ceilings
- Large Pantries
- Large Bedroom Closets
- Open Decks
- Maximizing use of challenging slopes will result in many townhomes with walkout basements.

Exterior/Common Area Features

- Leasing Office, Business Center, and Centralized Mailboxes.
- 3-story massing along 40th Street
- A mix of stone, wood, stucco with metal accents on exterior elevations.
- Full landscape, site plan and creative use of slopes.
- Several park-like amenities to be incorporated into the green space:
 - Park Benches
 - Covered Benches
 - Picnic Tables
 - Playground
 - Bridges
 - Mini trail system

In order to assemble all the parcels along 40th street and create a feasible project we must: address the challenging slopes through extensive civil engineering, utilize efficient construction methods, and secure an overall suitable land price for the full assemblage. The land price outlined in the LOI will accomplish this and allow for the project to move forward.

Please see the attached Capital Budget and Proforma Summary. Thank you for your consideration.

Sincerely,



Mike Medina, Worth Holdings, LLC
Casey Keller, Keller Property Group, LLC

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SOUTH OGDEN CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

RESOLUTION NO. 19-11

A RESOLUTION DESIGNATING SURVEY AREAS, AUTHORIZING THE PREPARATIONS OF A DRAFT COMMUNITY REINVESTMENT PROJECT AREA PLAN AND BUDGET, AND AUTHORIZING AND DIRECTING ALL NECESSARY ACTION BY THE AGENCY, STAFF, AND LEGAL COUNSEL.

WHEREAS South Ogden City (the “**City**”), created the South Ogden City Community Development and Renewal Agency (the “**Agency**”) pursuant to the provisions of, and the Agency continues to operate under, Title 17C of the Utah Code, the Limited Purpose Local Government Entities-Community Reinvestment Agency Act and its predecessor statutes (the “**Act**”) for the purposes of conducting urban renewal, economic development, community development, and community reinvestment activities within the City, as contemplate by the Act; and

WHEREAS the Agency, having made a preliminary investigation and conducted initial studies and inquiries, desires now to conduct community development activities in all or a portion of the areas depicted on the map attached hereto as **Exhibit A** (the “**Survey Areas**”) pursuant to UCA § 17C-5-103, from which the Agency anticipates potentially creating one or more community reinvestment project areas (the “**Proposed Project Area(s)**”); and

WHEREAS the Agency desires to begin the process of adopting a project area plan for each Proposed Project Area(s) by adopting this Resolution authorizing the preparation of one or more Project Area Plans, pursuant to UCA § 17C-5-103.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH OGDEN CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:

1. That the Agency designates the geographic areas as indicated on Exhibit A as the Survey Areas.
2. That the Survey Areas require study to determine whether project area development is feasible within one or more of the Proposed Project Areas within the Survey Areas;
3. That Agency legal counsel and staff be and are hereby authorized and directed, for each project area deemed appropriate by the Agency:
 - a. to prepare a draft Community Reinvestment Project Area Plan;

- b. to prepare a draft Community Reinvestment Project Area Budget;
 - c. to undertake all such actions as may be required by the Act, or which may otherwise be necessary or desirable to the successful establishment of the proposed community development project area, including, without limitation, the negotiation of agreements with taxing entities and participants, the preparation for all necessary hearings and the preparation, publication, and/or mailing of statutorily required notices; and
4. That this Resolution shall take effect upon adoption.

APPROVED AND ADOPTED on this 15th day of October 2019.

**SOUTH OGDEN CITY COMMUNITY
DEVELOPMENT AND RENEWAL AGENCY**

Russell L. Porter, Chair

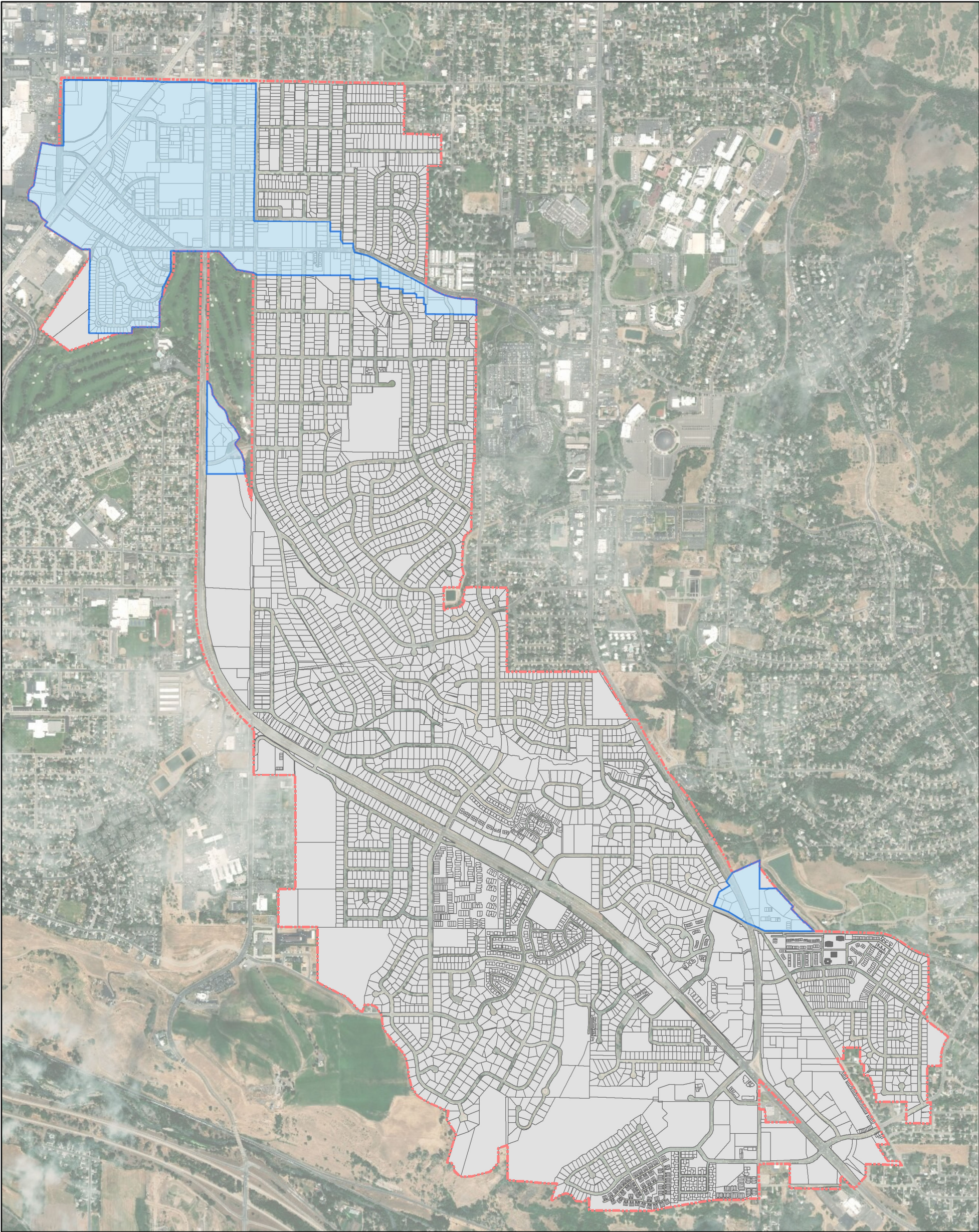
ATTEST:

Leesa Kapetanov, Secretary

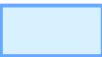
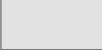
Exhibit A
Survey Areas Map

City Center CRA

South Ogden City



Legend

-  City Center CRA
-  City Boundary
-  Parcels

