

Redevelopment Agency of Taylorsville City

AGENDA ITEM SUMMARY

MEETING DATE: February 3, 2021

AGENDA ITEM: RESOLUTION RDA 21-02: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF TAYLORSVILLE CITY, UTAH, AUTHORIZING THE EXTENSION OF TAX INCREMENT COLLECTION PERIOD OF AN ADDITIONAL TWO YEARS IN THE BENNION POINT EDA PROJECT AREA DUE TO THE COVID-19 PANDEMIC EMERGENCY

PUBLIC HEARING REQUIRED: YES___ NO__X__

RESOLUTION/ORDINANCE REQUIRED:
ORDINANCE ___ RESOLUTION __X_ NONE ___

PRESENTER(S): Wayne Harper

ISSUE SUMMARY: This resolution authorizes the extension of the tax increment collection period by two years as it applies to the Bennion Point Project Area in light of the COVID-19 pandemic emergency.

COMMISSION / ADVISORY BOARD RECOMMENDATION: Approval of Resolution No. RDA 21-02.

CITY ATTORNEY (Approved as to form): Reviewed on December 22, 2020

ACTION REQUIRED:

CONTACT INFO:

ATTACHMENTS: None

Redevelopment Agency of Taylorsville City

RESOLUTION NO. RDA 21-02

DATE: February 3, 2021

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF
TAYLORSVILLE CITY, UTAH, AUTHORIZING THE EXTENSION OF
TAX INCREMENT COLLECTION PERIOD OF AN ADDITIONAL TWO YEARS
IN THE BENNION POINT EDA PROJECT AREA
DUE TO THE COVID-19 PANDEMIC EMERGENCY**

WHEREAS, the Utah Legislature, in the Sixth 2020 Special Session, through Senate Bill 6001, amended the Utah Community Development and Renewal Agencies Act (the "Act"), specifically enacting UTAH CODE ANNOTATED ("UCA") §17C-1-416, ("The COVID-19 Emergency Extension") on August 31, 2020 which authorized Community Development and Renewal Agencies such as the Redevelopment Agency of Taylorsville City (the "Agency") to extend the collection of "Tax Increment" (as defined in UCA §17C-1-403) under certain circumstances due to the COVID-19 emergency; and

WHEREAS, the Governor of the State of Utah has issued multiple emergency declarations regarding the COVID-19 emergency and pandemic and issued orders that have shut down or negatively impacted businesses and property owners throughout the State of Utah, including businesses and enterprises within this Project Area; and

WHEREAS, the COVID-19 Emergency Extension specifically authorizes the Agency to extend the Tax Increment collection period in the Project Area by up to two years as an impacted project area if the Agency determines the conditions resulting from the COVID-19 emergency will likely delay the Agency's implementation of the Project Area Plan; or cause the Agency to receive an amount of Tax Increment from the Project Area that is less than the amount of Tax Increment the Agency expected the Agency would receive from the Project Area; and

WHEREAS, the Agency on December 19, 2012, created the Bennion Point Project Area ("Project Area"), and adopted a Project Area Plan ("Plan") and Project Area Budget ("Budget") for the Project Area; and

WHEREAS, the Agency has carefully considered the facts and information available to the Agency on whether the COVID-19 emergency has or will likely delay the Agency's implementation of the Plan for the Project Area; or cause the Agency to receive

an amount of Tax Increment from the Project Area that is less than the amount of Tax Increment the Project Area Budget authorized the Agency to collect and that the Agency expected the Agency would receive from the Project Area to address the elements of the Project Area Plan; and

WHEREAS, the pandemic has caused delays in the implementation of the Project Area Plan; and

WHEREAS, pandemic and subsequent economic realities and changes have slowed the economy locally and nationally including the senior housing community market; and

WHEREAS, the resulting actions from the pandemic have delayed the financing, redevelopment, acquisition, interest, or improvement activities in the Project Area as set forth in the Project Area Plan; and

WHEREAS, the Agency, after carefully considering all of the facts and information, is prepared to make its determinations, findings, and conclusions as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF TAYLORSVILLE CITY AS FOLLOWS:

1. The Agency Board does hereby find and determine the Project Area is:
 - a. An “impacted project area” as defined in UCA §17C-1-416(1)(c) as the Agency expects to receive Tax Increment from the Project Area;
 - b. The Project Area is subject to a project area funds collection period;
 - c. The Agency has determined the conditions resulting from the COVID-19 emergency have caused and will likely cause further delay to the Agency’s implementation of the Project Area Plan or will likely cause the Agency to receive an amount of Tax Increment from the Project Area that is less than the amount of Tax Increment the Agency expected the Agency would receive from the Project Area.
2. Certain findings and determinations in Paragraph 1 above are supported by the following specific facts:

- a. The adopted Project Area Budget supports the determination by the Agency under UCA §17C-1-416(1)(c)(i) that the Agency expects to receive Tax Increment from the Project Area and the determination by the Agency Board under UCA §17C-1-416(1)(c)(ii) that the Project Area is subject to a project area funds collection period.
 - b. The adopted Project Area Plan supports the determination by the Agency under UCA §17C-1-416(1)(c)(iii) that the Project Area Plan was adopted prior to December 31, 2019.
3. The Agency findings and determination that conditions resulting from the COVID-19 emergency have caused and may likely cause further delay to the Agency's implementation of the Project Area Plan as detailed in the Project Area Plan, including loss or delays in financing, mothballing on building under construction, delays in designing and submitting for building permit on future buildings, and increases in construction and labor costs.
4. The Agency findings and determination that conditions resulting from the COVID-19 emergency will likely cause the Agency to receive an amount of Tax Increment from the Project Area that is less than the amount of Tax Increment the Agency expected to receive from the Project Area as detailed in the Project Area Budget, including loss or delays in financing and funding, delays or cancellations of construction or remodeling and impact on occupant and purchaser interest.
5. The Agency finds and determines that additional conditions warrant the extension of the collection period to enable the collection of sufficient funds to improve infrastructure in and benefitting the Project Area and to support continued expansion and development in the Project Area that conforms to the Project Area Plan and City's General Plan.
6. The date of the Project Area Plan and Budget will be extended an additional two years as authorized by ("UCA") §17C-1-416 from 2034 to 2036.
7. The Agency staff is hereby authorized and directed to mail or electronically submit a copy of this Resolution after adoption to:
 - a. the Utah State Tax Commission;
 - b. the Utah State Board of Education;
 - c. the Utah State Auditor;
 - d. Salt Lake County;

- e. the Granite Board of Education;
 - f. each taxing entity affected by the Agency's collection of Tax Increment from the Project Area.
8. Agency staff are hereby authorized to take all other actions necessary, including those actions required to carry out the purposes of this Resolution.
- 9 This Resolution shall be effective upon adoption.

PASSED AND APPROVED by the Redevelopment Agency of Taylorsville City Board
this _____ day of _____, 2021.

REDEVELOPMENT AGENCY OF TAYLORSVILLE CITY

_____, Chairperson

ATTEST:

Jean K. Ashby, Secretary