SOUTH SALT LAKE REDEVELOPMENT AGENCY

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXTENSION OF COLLECTION OF TAX INCREMENT FOR TWO ADDITIONAL YEARS IN THE MARKET STATION URBAN RENEWAL AREA PROJECT AREA FUNDS COLLECTION PERIOD 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 South Salt Lake City Redevelopment Agency (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;

WHEREAS, the Covid-19 Emergency Extension was signed by the Governor of Utah and became law, effective August 31, 2020;

WHEREAS the Agency on July 28, 2010, created the Market Station Urban Renewal Project Area ("Project Area") and adopted a Project Area Plan ("Plan") and Project Area Budget ("Budget") for the Project Area.

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;

WHEREAS, the Agency has carefully considered the facts and information available to the Agency on whether the Covid-19 emergency 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 Agency expected the Agency would receive from the Project Area; 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 SOUTH SALT LAKE CITY REDEVELOPMENT AGENCY AS FOLLOWS:

1. The Agency Board does hereby find and determine the Project Area is 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; the Project Area is subject to a Project Area funds collection period; the Plan for the Project Area was adopted on July 28, 2010; and the Agency has determined the conditions resulting from the Covid-19 Emergency will likely either 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 it 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. The Project Area funds collection period under the adopted budget allows the Agency to collect Tax Increment from the Project Area through the end of 2035

   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 on July 28, 2010, which is prior to December 31, 2019.

3. The Agency finding and determination that conditions resulting from the Covid -19 Emergency has delayed the Agency's implementation of the Project Area Plan is supported by the Project Area Plan, and developers' inability to implement previously proposed development due to limited development demand for new, large, office and commercial structures as a result of the Covid-19 Emergency.

4. The Agency finding 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 is supported by Project Area Budget, the two year delay of proposed development within the area, and the difficulty in retaining capital necessary to implement large office and commercial projects. These conditions have resulted in a reduction of available Tax Increment that is less than the previously adopted Project Area budget.

5. In addition to the reasons set forth above, an extension of the Project Area funds collection period is needed is to assist the Agency in the payment of debt service required

on a bond issued to purchase property planned for redevelopment within the Project Area, as specified in the adopted bond documents by the Agency board.

6. The date on which the extension period will end is December 31, 3037.

7. Once adopted, Agency staff are hereby authorized and directed to mail or electronically submit a copy of this Resolution to:

    a. the Utah State Tax Commission;
    b. the Utah State Board of Education;
    c. the Utah State Auditor;
    d. the Salt Lake County Auditor; and
    e. 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 to carry out the purposes of this Resolution.

9   This Resolution shall be effective upon adoption.

PASSED AND ADOPTED by the governing board of the South Salt Lake City Redevelopment Agency this 8th day of December 2021.

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Cherie Wood, Executive Director

Attest:

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Craig Burton Secretary

EXHIBIT A

Project Area Budget

EXHIBIT B

Project Area Plan