



RIVERDALE CITY RDA BOARD
CIVIC CENTER - 4600 S. WEBER RIVER DR.
Tuesday, December 21, 2021

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. Presentations & Reports

D. Consent Items

E. Action Items

1. Consideration of Resolution #R2021-05 Authorizing the extension of collection of tax increment for two years in the West Bench Redevelopment Project Area impacted by the COVID-19 emergency.

F. Discretionary

G. 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 17th day of December, 2021 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.

Michelle Marigoni
Riverdale City Recorder

The RDA meeting on December 21, 2021 is viewable and will be conducted electronically and may be accessed by clicking on the link below. The regular City Council Chambers will be available for in person participation with recommended social distancing followed. The agenda for the meeting is also attached above.

https://www.youtube.com/channel/UCegcYe-pIXSRZGd5llencvA/videos?view_as=subscriber



RDA Board of Riverdale City Executive Summary

For the RDA Board meeting on: 12-21-2021

Petitioner: *RDA Staff*

Summary of Proposed Action

Redevelopment Agency staff, in working with the Redevelopment Agency Attorney Adam Long, have discussed a great deal about the attached resolution to extend the collection of tax increment within the West Bench RDA Area for another two years due to impacts created by COVID-19. Per approval of the State Legislature, as found in Utah Code Annotated Section 17C-1-416, Community Reinvestment Agencies such as the Riverdale RDA are authorized to extend the collection of Tax Increment within a defined area due to impacts created by the COVID-19 emergency. In order to establish more potential future opportunities for the West Bench RDA area, RDA Staff feels it to be in the best interests of the West Bench RDA area to have the RDA Board review the attached resolution and move forward in approving the proposed resolution.

The main benefit that would be derived by passing this resolution would be the extension of the tax increment collection from 15 years to 17 years, starting on the triggering date of the West Bench RDA area tax increment collection. Clearly, this would allow for more opportunity and time to generate a little bit more potential income to the West Bench RDA area and further provide more value and future development potential within the area. Our RDA Attorney, Adam Long, has indicated that in order for the West Bench RDA to have the potential to benefit from this two-year extension, this resolution would need to be approved by the end of the year, hence the reason that this item is before the RDA Board for this meeting. The RDA staff believes that it would be a loss of opportunity to not move forwarding in taking advantage of this opportunity and the potential to allow the tax increment to be captured over 17 years instead of 15 years within the West Bench RDA Area.

Legal Comments – City Attorney

Steve Brooks, Attorney

Financial Comments – Administrative Services Director/RDA Finance

Cody Cardon, Administrative
Services Director/RDA Finance

Administrative Comments – City Administrator/RDA Executive Director

Steve Brooks, Acting City
Administrator/RDA Exec. Director

RIVERDALE REDEVELOPMENT AGENCY RESOLUTION NO. R-2021-05

A RESOLUTION AUTHORIZING THE EXTENSION OF COLLECTION OF TAX INCREMENT FOR TWO YEARS IN THE WEST BENCH REDEVELOPMENT PROJECT AREA IMPACTED BY THE COVID-19 EMERGENCY.

WHEREAS, the Utah Legislature, in the Sixth 2020 Special Session, through Senate Bill 6001, amended the Utah Community Reinvestment Agency Act (the "**Act**"), specifically enacting Utah Code Annotated ("**UCA**") §1 7C-1-416 ("**The COVID-19 Emergency Extension Bill**"); on August 31, 2020 which authorized Community Reinvestment Agencies such as the Riverdale 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 Agency intends to extend the Project Area funds collection period of the West Bench Redevelopment Project Area (the "**Project Area**");

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

WHEREAS, the Agency created the Project Area and adopted a Project Area Plan ("**Plan**") and Project Area Budget ("**Budget**") for the Project Area;

WHEREAS, the COVID-19 Emergency Extension Bill specifically authorizes the Agency to extend the Tax Increment collection period in each Impacted Project Area, by up to two years, if the agency determines the conditions resulting from the COVID-19 emergency will likely delay the Agency's implementation of each of the Plans described herein; or cause the Agency to receive an amount of Tax Increment from each 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 each of the Plan, for the Project Area; or cause the Agency to receive an amount of Tax Increment from each of 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 Board, after carefully considering all the facts and information, including information known to the Board Members and provided by Agency staff, and information relayed from property owners and developers within the Project Area, is prepared to make its determinations, findings and conclusions as set forth below.

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

1. The Agency Board finds and determines that the Project Area is an "impacted project area" as defined in UCA § 17C-1-416(1)(c), based on the facts that, among other things, (a) the Agency expects to receive Tax Increment from the Project Area, as provided under the Plan and Budget for the Project Area, (b) the Project Area is subject to a project area funds collection period, (c) the Plan was adopted before December 31, 2019; and (d) the Agency has determined the conditions resulting from the COVID-19 Emergency will likely either delay the Agency's implementation of the 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. The following summary of conditions resulting from the COVID-19 Emergency will likely either delay the Agency's implementation of the 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: Retail was the original hope for the undeveloped/underutilized land within the Project Area; however, the COVID-19 Emergency severely impacted, in a negative way, the traditional retail model, and the retail no longer appears to be a viable exclusive use for the undeveloped/underutilized land within the Project Area. Mixed use commercial/retail is now being targeted development for the Project Area. Even with that adjustment in focus, the anticipated commercial uses have been significantly impacted by the COVID-19 Emergency. Due to the pandemic, developments within the Project Area have been delayed for several years. Commercial development stalled due to economic and market uncertainty, and an anticipated shift away from traditional retail leasing arrangements. Financing became stalled for the same reasons, and others. Additionally, construction costs and potential liability risks have increased as a result of the COVID-19 Emergency, which again has resulted in development and construction delays within the Project Area. The COVID-19 Emergency has resulted in excess commercial (retail, etc.) space in the greater Weber County market, which impacts the ability to develop such commercial space within the Project Area.
3. The date on which the Tax Increment collection period, as extended by this resolution, will end for the Project Area is now 17 years after the trigger date. The Project Area Budget originally provided for a 15-year period of tax increment collection; this resolution extends the tax increment collection period to 17 years instead. The Agency has not yet triggered the collection of tax increment from the Project Area, so the final year of tax increment collection is not currently known but will be 17 years after trigger.
4. 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. the Salt Lake County Auditor; and
 - e. each taxing entity affected by the Agency's collection of Tax Increment from the Project Area.

5. Agency staff are hereby authorized to take all other actions necessary to carry out the purposes of this Resolution.
6. This Resolution is effective upon adoption.

PASSED AND ADOPTED by the governing board of the Riverdale Redevelopment Agency on December _____, 2021.

Braden Mitchell
RDA Acting Chair

Attest: _____
Michelle Marigoni
Secretary