



Utah's City of Trees

**NOTICE OF MEETING
OF THE
PLEASANT GROVE CITY REDEVELOPMENT AGENCY**

Notice is hereby given that the Pleasant Grove City Redevelopment Agency (RDA) will hold a public meeting on Tuesday, June 21, 2022 in the Community Room 108 S 100 E, Pleasant Grove, Utah, immediate following the City Council meeting. This is a public meeting and anyone interested is invited to attend.

AGENDA

1. Convene as the Pleasant Grove City Redevelopment Agency.
2. Public Hearing to consider for adoption a Resolution (2022-02RDA) approving and adopting the Pleasant Grove City Redevelopment Agency (RDA) Fiscal Year 2022/2023 Budget; and providing an effective date. *Presenter: Director Roy*
3. To consider approval of the May 3, 2022 meeting minutes.
4. Adjourn and reconvene as the Pleasant Grove City Council.

CERTIFICATE OF POSTING:

I certify that the above notice and agenda was posted in three public places within the Pleasant Grove City limits (City Hall, Library, and Community Room). Agenda also posted on State (<http://pmn.utah.gov>) and City websites (www.plgrove.org)

Posted by: /s/ Kathy T. Kresser, City Recorder

Date: June 10, 2022

Time: 5:00 p.m.

*NOTE: If you are planning to attend this public meeting and due to a disability, need assistance in understanding or participating in the meeting, please notify the City Recorder, 801-785-5045, twenty-four or more hours in advance of the meeting and we will try to provide whatever assistance may be required.

RESOLUTION NO. 2022-02RDA

A RESOLUTION OF THE PLEASANT GROVE CITY REDEVELOPMENT AGENCY (RDA) ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023; AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, a tentative budget for the fiscal year of 2022/2023 was adopted on May 3, 2022; and

WHEREAS, the Redevelopment Agency of Pleasant Grove City has had opportunity to review, consider, and revise the tentative budget; and

WHEREAS, notice of a public hearing was published no less than 7 days prior to the public hearing, as required by law, to receive public input regarding the final 2022/2023 budget; and

WHEREAS, a copy of the final 2022/2023 budget was made available for public review at the office of the City Recorder for a period of at least 10 days prior to the adoption of the final budget, as stipulated in Utah Code Annotated 10-6-112; and

WHEREAS, a public hearing was held on June 21, 2022 where the board members of the Redevelopment Agency of Pleasant Grove City took public comment on the proposed budget.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency of Pleasant Grove City, Utah County, State of Utah, does hereby adopt the proposed 2022/2023 fiscal year budget; as attached hereto as Exhibit “A”.

PASSED AND ADOPTED by the Redevelopment Agency of Pleasant Grove City, Utah this 21st day of June, 2022.

Guy L. Fugal, Chair

ATTEST:

(SEAL)

Kathy T. Kresser, Secretary

Motion: Board Member _____

Second: Board Member _____

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Chair Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	_____	_____
Brent Bullock	_____	_____	_____
Eric Jensen	_____	_____	_____
Cyd LeMone	_____	_____	_____
Todd Williams	_____	_____	_____

Pleasant Grove Redevelopment Agency

Special Revenue Fund

	Actual- 2021	Beginning FY 2022 Budget	Amended FY 2022 Budget	Estimated Actual Expenditures	Adopted FY 2023 Budget
Revenues					
Hammond Project					
Property Tax Revenue				-	
Tax Increment Revenue	672,615	650,000	650,000	794,607	-
Developer Contribution	1,552,442	12,923,612	12,923,612	12,923,388	-
Interest	3,497			0	-
Grove Tower					
Tax Increment Revenue CDA1	170,537	200,000	200,000	164,173	200,000
Tax Increment Revenue CDA2	71,603	100,000	100,000	94,476	100,000
1300 West CDA					
Tax Increment Revenue	441,897	500,000	500,000	330,965	400,000
Miscellaneous Revenue				-	
Total Revenues	2,912,592	14,373,612	14,373,612	14,307,608	700,000
Expenditures					
Hammond Project					
Operating Expenditures	2,925				
Debt Service Payments	1,552,442	12,923,612	12,923,612	12,923,612	-
Agent Fees	1,650	-	-	1,650	-
Professional Services		-	-	6,200	-
Grove Tower					
Operating Expenditures	211,873	300,000	300,000	226,317	235,000
1300 West CDA					
Operating Expenditures	413,838	500,000	500,000	314,417	320,000
Total Expenditures	2,182,728	13,723,612	13,723,612	13,472,196	555,000
Transfers in/(Out)					
Transfer to General Fund		-	-	-	-
Total Transfers		-	-	-	-
Contribution to/(Use of) FB	729,863	650,000	650,000	835,412	145,000
Beginning Fund Balance	1,745,789	2,475,653	2,475,653	2,475,653	3,311,064
Ending Fund Balance	2,475,653	3,125,653	3,125,653	3,311,064	3,456,064

RESOLUTION NO. 2022-03RDA

RESOLUTION OF THE REDEVELOPMENT AGENCY OF PLEASANT GROVE CITY TO EXECUTE A CLAIMS RELEASE WITH JD HOLDINGS, LLC, REGARDING THE CLAIMS ALLOWANCE SETTLEMENT AGREEMENT DATED APRIL 17, 2018 BETWEEN THE CITY, THE REDEVELOPMENT AGENCY AND JD HOLDINGS, LLC.

WHEREAS, the Agency is a separate body corporate and politic, created, organized and existing under the Limited Purpose Local Government Entities-community Development and Renewal Agencies Act, Utah Code title 17C, as amended (the “Act”); and

WHEREAS, The JQH Trust entered into previous Agreements with Pleasant Grove City and Pleasant Grove RDA; and

WHEREAS, said Agreements detailed certain development projects and set forth construction performance requirements; and

WHEREAS, JQH Trust never commenced construction on the Project as required in the Agreements; and

WHEREAS, on June 26, 2016, the JQH Trust, together with its affiliated debtors and debtors in possession (collectively, the “Debtors”) commenced with the United States Bankruptcy Court for the District of Kansas, Kansas City Division, voluntary cases pursuant to chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). The Debtors’ chapter 11 cases are being jointly administered, for procedural purposes only, as case no. 16-21142 (the “Chapter 11 Cases”); and

WHEREAS, on February 6, 2018, JD Holdings filed its Joint and Consolidated Chapter 11 Plans of Reorganization for All Debtors [ECF No. 1766], on March 16, 2018, filed its Amended Joint and Consolidated Chapter 11 Plans of Reorganization for All Debtors [ECF No. 1898] and on March 30, 2018 filed its Modified Amended Joint and Consolidated Chapter 11 Plans of Reorganization for All Debtors [ECF No. 1948] (collectively, the “Plans”); and

WHEREAS, City and RDA are secured creditors in the bankruptcy for the parcel of property where the development is planned; and

WHEREAS, the Parties, in the spirit of compromise, and to avoid the expense and inconvenience of protracted litigation, desire to resolve fully and finally the matters related to the Claim, the Reservations and the Plans by entering into the Claim Allowance Settlement Agreement dated April 17, 2018; and

WHEREAS, City and RDA have agreed to accept \$325,000.00 as settlement of the Claim for reimbursement allowed for in the Claims Allowance Agreement.

WHEREAS, the Agency finds that this the resolution of the Claim is in the best interests of the Agency, Pleasant Grove City, and the health, safety and welfare of the citizens of Pleasant Grove and is in accord with public purposes; and

NOW, THEREFORE BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF PLEASANT GROVE CITY THAT:

SECTION 1. The Chairman is authorized to execute the Claims Release with JD Holdings, LLC. Said Agreement is attached hereto and incorporated herein as Exhibit “A.”

SECTION 2. The provisions of this Resolution shall take effect immediately.

PASSED AND ADOPTED BY THE REDEVELOPMENT AGENCY OF PLEASANT GROVE, UTAH this, 21st day of June, 2022

Guy L. Fugal
Chair, Redevelopment Agency of
Pleasant Grove City

Attest

Kathy T. Kresser, MMC
Secretary

Motion: Board Member _____
Second: Board Member _____

<u>ROLL CALL</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Chair Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	_____	_____
Brent Bullock	_____	_____	_____
Eric Jensen	_____	_____	_____
Cyd LeMone	_____	_____	_____
Todd Williams	_____	_____	_____

CLAIM RELEASE

THIS CLAIM RELEASE (this "Release") is made as of this ___ day of June, 2022, by the City of Pleasant Grove, Utah (the "City") and the Pleasant Grove City Redevelopment Agency (the "Agency").

Reference is made to that certain Claim Allowance Settlement Agreement (the "Claim Allowance Agreement") dated April 17, 2018, by and between the City and the Agency on one hand, and JD Holdings, L.L.C. ("JD Holdings"), on the other.

Unless otherwise defined herein, capitalized terms defined in the Claim Allowance Agreement shall have the same definitions when used herein.

Under Section 1(d) of the Claim Allowance Agreement, the City and Agency asserted that they were owed \$400,464.00 (the "Claim Sum") by the Debtors. JD Holdings, the City and Agency agreed to discuss the resolution of the Claim Sum.

In consideration of and effective upon the receipt of \$325,000.00 paid by JDHQ Land Holding LLC ("JDHQ"), an affiliate of JD Holdings and successor to the Debtors' interest in the Land, the City, on behalf of itself and the Agency, hereby (A) agrees that any obligation for payment of the Claim Sum and any other amount payable under or with respect to the Claim Sum or the Claim Allowance Agreement by the Debtors, JD Holdings, JDHQ or any other person or entity, including without limitation, any entity having held, holding or in the future holding any interest in the Land, and the respective shareholders, members, partners, trustees, beneficiaries, lenders, directors, officers, employees, successors, assigns, legal representatives, heirs and devisees of each of the foregoing (collectively, the "JD Holdings Parties"), is hereby fully satisfied, discharged and released, and (B) confirms that the Series 2011 Bonds have been fully paid and discharged.

This Release may be relied upon by any of the JD Holdings Parties, whether past, present or future.

IN WITNESS WHEREOF, the City and the Agency have executed and delivered this Release as of the date set forth above.

City of Pleasant Grove

By: _____

Name: Guy L. Fugal

Title: Mayor

Pleasant Grove City Redevelopment Agency

By: _____

Name: Guy L. Fugal

Title: Chair