

Minutes of the **Regular Meeting of the Board of Directors** of the **Redevelopment Agency of Riverdale City** held **Tuesday, February 1, 2005**, at 7:00 p.m. at the Riverdale Community Center, 4360 South Parker Drive.

Members Present: Bruce Burrows, Chairman
David Gibby
Stan Hadden
Stacey Haws
Shelly Jenkins

Members Excused: Nancy Brough

Others Present: Larry Hansen, Executive Director
Lynn Moulding, Public Works Director
Randy Daily, Community Development Director
B. Wayne Hoaldrige, Public Safety Director
Lieutenant Dave Hansen, Public Safety
Steve Brooks, City Attorney
Michelle Douglas, Deputy City Recorder

Randy Feil, RDA Tax Attorney
Bob Springmeyer, Blight Consultant

| | | | |
|------------------|------------------|----------------|--------------|
| Orren M. Evans | Miles Crabtree | Jimmy Brown | Robert Lowe |
| Norma Crossley | Mary Bevoir | Don Applonie | James Duffy |
| Victor Calligaro | Paula Calligaro | Stacie Metzler | Kathy Tanner |
| Ron Mans | Brad Galvez | Lisa Galvez | Matt Swain |
| Brian Bingham | Rick Kearn | Debbi Kearn | |
| Stephen Crossley | Frank McCullough | Dean Magnuesen | |

Chairman Burrows called the meeting to order and welcomed all those present. He acknowledged that all Board members were in attendance; with the exception of Mrs. Brough, who is out of town and excused from the meeting. Chairman Burrows welcomed Mr. Bob Springmeyer and Mr. Randy Feil to the meeting.

Consideration of Meeting Minutes

Chairman Burrows explained that Mrs. Brough called with amendments to the minutes to Ms. Mansell; and at this time, they do not know if the amendments are to the City Council minutes or to the RDA minutes. He noted at this time, the Board will postpone approval of the minutes until they can get more clarification from Ms. Mansell.

550 West Redevelopment Project Area

Public Input Hearing & Blight Hearing

Chairman Burrows stated at this time, he would turn the meeting over to Mr. Randy Feil, the City's Redevelopment Tax Attorney. He noted that Mr. Feil would be presenting a Summary Statement for proposed RDA Board consideration.

Mr. Randy Feil informed all those in attendance that there would be two public hearings: a public input hearing and a blight hearing. He went on to say there are property owners within the proposed project area, taxing entities, property owners within 300 feet of the boundaries of the proposed project area, and other interested persons that may participate.

Mr. Feil explained that first, there will be a presentation of information with a handout which represents the boundary survey area; followed by the public input hearing, and then on to the blight hearing. He noted that they would like to keep the two hearings separate so they can keep an accurate record. He explained the input hearing is for individuals to give their comments and concerns; and the blight hearing is just the issue of blight as defined in state law. He reiterated that as individuals give their public input, they not get into the issue of blight; and keep that separate for the blight hearing.

Mr. Feil proceeded to go through the summary statement. He stated that the minutes should show that this is the time and the date set for a combined public hearing regarding the proposed 550 West Redevelopment Project Area.

Mr. Feil discussed the stated purposes of the combined public hearing, which purposes are set forth in Section 17B-4-402(1)(h)(ii) and 17(B)-4-603(3) of the Act; such purposes are:

- (1) permit all evidence of the existence or nonexistence of blight within the proposed Project Area, as the term "blight" is defined in Section 17B-4-604, Utah Code Annotated 1953, as amended, to be presented;
- (2) permit each record owner of property located within the proposed Project Area or the record property owner's representative the opportunity to:
 - (a) examine and cross-examine witnesses providing evidence of the existence or non-existence of blight; and
 - (b) present evidence and testimony, including expert testimony, concerning the existence or nonexistence of blight;
- (3) inform the public about the 550 West Redevelopment Project Area being considered for a redevelopment project area;
- (4) allow public input into Agency deliberations on proposing the Project Area;
- (5) receive all written objections, and hear all oral objections, of record property owners;
 - (a) to the inclusion of the record property owner's property within the Project Area; and
 - (b) to any required proceeding of the agency in the creation of the Project Area. The following documents, along with their related certificates of mailing, proofs of publications, etc., will be made part of the public hearing record:

A Notice of Public Hearing as required by the Redevelopment Agencies Act, Title 17B, Part 4, Utah Code Annotated 1953 as amended (the "Act"), Sections 17B-4-402(1)(h)(ii), 17B-4-601(2) and (3), 17B-4-701(1)(a) and (b) and (2)(a), 17B-4-702 and 17B-4-703, Utah Code Annotated, which was published in the Ogden Standard Examiner Newspaper.

The Redevelopment Agency Resolution No. R11-2004 dated November 16, 2004, designating the redevelopment survey area and authorizing a blight study.

Three separate Notices, each dated the 23rd day of December 2004 and executed by Larry Hansen, Executive Director of the Redevelopment Agency which were mailed, by certified mail, to: (a) each owner of record owning property within the boundaries of the proposed Project Area; (b) each owner of record owning property within 300 feet of the boundaries of the proposed Project Area; and (c) each taxing entity having the power to levy a tax within the boundaries of the proposed Project Area, which notice to taxing entities contained the provision required by Section 17B-4-702 of the Act.

The Agenda of this meeting and the Notice of Meeting which has been given as required by Section 52-4-6, Utah Code Annotated.

Section 17B-4-801(1), Utah Code Annotated 1953, as amended states that the public hearings required in Subsection 17B-4-601(3), (meaning the "blight hearing") and the public input hearing required by Section 17B-4-401(1)(h)(ii) (meaning the public input hearing) "may be combined". The public hearing record should indicate that the Agency has decided to combine these two hearings and hold them on the same night, but the hearings will be held one after the other, first the public input hearing and then the blight hearing, as set forth on the Agenda.

If the Agency decides after this first set of public hearings to proceed with the proposed Redevelopment Plan and Project Area, pursuant to the provisions of the Act, the Agency will hold a second set of public hearings regarding a proposed Project Area Plan and proposed Project Area Budget. The second set of public hearings would be held at least thirty days after this first set of public hearings.

Any written objections received were copied and given to each member of the board (note: there were no written or oral objections to the proposed 550 West Redevelopment Project Area). Oral and written objections made at this hearing will be considered.

Mr. Larry Hansen distributed a diagram of the proposed 550 West RDA Area. He explained that the Riverdale Redevelopment Agency feels that the legislature has enacted Redevelopment Areas for the purpose of redevelopment and economic development. He explained that back on November 17, 2004, the Riverdale City Redevelopment Agency held a public information meeting regarding this specific area. This meeting is the first public hearing the Agency is holding for the 550 West Area.

Mr. Hansen indicated that the establishment of an RDA in the 550 West Area would allow for the financing and development of public improvements; support of construction of infrastructure; and allow for relocation assistance. He went on to say that along the Riverdale Road corridor, the western part of the City, the Agency initially established RDA Area 1. He stated things have changed in the City; and to further the City's objective, the Agency feels it is advantageous to take advantage of the RDA creation.

Mr. Hansen explained that the City has entered a corridor preservation agreement with UDOT, with limited access points onto Riverdale Road. He noted that one of the key points is that one of the last signals on Riverdale Road will be a signal at 550 West; and when it is completed, the road will be widened and become a through-street. The completed street will create other access away from

Riverdale Road, and it is expected to connect with Pacific Avenue (not only to Riverdale properties but to Newgate Mall as well). Mr. Hansen explained that tax increment moneys could be utilized. UDOT is anticipating the widening of Riverdale Road and when it does happen, the City will be in an infrastructure renovation phase. The City will find it advantageous to replace some of its infrastructure, and there will be resulting issues of infrastructure that will have to be addressed.

Mr. Feil noted there are about a half a dozen things he should enumerate: the diagram of the boundary area; general statement of land use; discretions of the guidelines (which the Agency has already adopted); owner preferences, the plan including eminent domain of five years; other limitations of how long the Agency can receive tax increment (as dictated by state law); the taxes and how they are assessed; the levy and how it is assessed; the taxes that would be - things that are valued more, and the taxes on the value. He went on to say the amount to do improvements, and those amounts are called "difference" and they call that tax increment to stimulate the area. He explained that property taxes are assessed and increment comes from real property values and the increased values.

Mr. Feil inquired if the Agency received any written or oral objections to the proposed 550 West Redevelopment Project Area. Chairman Burrows indicated that the Redevelopment Agency has not received any objections. Mr. Feil stated because no written objections have been received, it will only be necessary to consider any oral objections, which may be made at this hearing.

Chairman Burrows called the Public Hearing to order at 7:25 p.m. for public input. He affirmed that proper proof of publication had been given. It was noted that public input would be taken in the following order: persons owning real property in the project area; taxing entities; persons owning real property located within 300 feet of the boundaries of the proposed project area; and other interested persons.

Mr. Feil indicated now is the time for persons owning real property in the project area to address the Agency.

Mr. Dean Magnuesen, 4265 South Riverdale Road (Sound Warehouse), indicated he would like to inquire about the proposed 550 West going through. He stated that he had no notification of the road going through his property and building, and this makes him a little apprehensive about what is going on this evening. He went on to say the Agency is talking about the RDA putting in new businesses; however, there needs to be more information on what role the RDA will play. He questioned if the Agency is going to act as an agent to condemn property and make things happen. He pointed out if anyone owns property along Riverdale Road and does want to relocate, where would they go and how would they do it economically. He stated he was confused about the entire process

Mr. Hansen informed Mr. Magnuesen that the discussion of the road extension is conceptual, and part of the road has been built out on the east side. He went on to explain that tax increment would be in time. Mr. Hansen indicated as a business owner, there are relocation guidelines; and as a business owner, he would be given rights before the City could run a road through his business. In addition, he would be given details. Mr. Hansen stated that the actual connection of the road

would not be the RDA; however, the RDA could possibly provide him some benefits, and govern how he would be treated.

Mr. Mr. Magnuesen indicated that his business has been located on Riverdale Road for a long time and he wants to stay on Riverdale Road. He went on to say there are not a lot of relocation options available. He expressed if the Agency were to exercise its option of eminent domain, there is not somewhere for his business to go. This makes it difficult for a small business to relocate.

Mr. Matt Swain, representative of a property owner in the area, stated he wanted to voice his support of the RDA in the area.

Mr. Frank McCullough, 4343 South Riverdale Road (Stor-N-Lock), explained that their business has struggled because of the lack of development in the area. Consequently, because there are so many small parcels in the area to cause a change, it has been one of their poorer stores; in addition, the area is blighted. He reiterated that he believes this is due to the fact there is not any development around them. He stated that they support the RDA, and they hope that it will help that happen. He went on to say they are concerned; they have a viable business, and they do not like the idea of having to relocate. He pointed out that he noticed the City put their property under the RDA as well as an improved access; however, he also noticed that there was a small parcel of land that was excluded. He was wondering if someone could explain why that was.

It was explained that the small parcel of land that is excluded from the proposed project area is public property (property owned by the Utah Department of Transportation).

Mr. Miles Crabtree, stated that it seems one enticement for the RDA is increment; however, it seems that the Agency has plans for infrastructure. Mr. Crabtree indicated that he is aware of three bills before the state legislature: one is education and another one has to do with RDAs. He went on to say when everything is all said and done, those things may not even be there to help us.

Mr. Hansen indicated it is hoped that RDA abilities will be retained. He said the Agency knows there is adverse legislation, and they also know there have been abuses in the media. Mr. Hansen indicated that as a City and an RDA, their track record is they do not throw people out of their homes and businesses. He explained that out of an RDA, people and businesses could receive the benefits of tax increment. They have tried to follow the guidelines for people to receive tax increment, relocation, and those kinds of things. He noted that infrastructure is broader-based, and with regards to the traffic on Riverdale Road, that traffic has contributed to the price on Riverdale Road. He stated that the City/Agency has not engaged in anything with a developer; but desire to help increase property values for property owners.

Mr. Crabtree reiterated the enticement is regarding increment but there might not be increment available.

Mr. Hansen stated it is hoped with this in place, it will work to Riverdale's benefit. He noted that it is time sensitive too. Chairman Burrows added that there is a taxing entity that reviews the proposed project area, and there are members from various entities to make sure it meets with their approval. Mr. Crabtree expressed that they need to make sure the tax increment may or may

not be there. Chairman Burrows indicated they have spent some time down at the State Legislature, and they will spend more time down there. He added that they feel the abuse has been very minor, and they want to keep moving forward with the proposed project area.

Mr. Steve Crossley, 4191 South Riverdale Road (Auto Outfitters Inc.), questioned what would apply if he were to enter into negotiations to sell his property; and how the proposed project area could potentially affect the sale of his property.

Mr. Hansen explained this is a public process, and the Agency has published public notices and mailed certified mailings. Mr. Hansen stated in this case, they feel it will support and improve the properties. He went on to say the RDA has not tried to intervene, and they are hoping the property owners can negotiate. In regards to a property owner, they may defer those RDA incentives to another owner. He suggested that a property owner would want to seek some type of guidance in regards to such types of negotiations. Mr. Hansen reiterated that the Agency feels the proposed project area is improving the property.

Mr. Crossley inquired what type of businesses would be allowed within the new project area. Mr. Hansen explained that he does not know, as that has not been planned as of yet. He went on to say if you look at that corridor to the things that have been developed, there is an upgraded feeling; however, he reiterated there is not a plan in place as of yet. Chairman Burrows added if you look at the other RDA areas, you can tell there is a much improved look. The project area would lend itself to nicer uses; however, he concurred with Mr. Hansen, they do not know what the uses are yet.

Mr. Orren Evans, 4239 South Riverdale, inquired if it plays out with other people coming into the area to develop, how it would affect those that already have property in the area.

Mr. Feil stated that the law requires the Agency to go through this input process before they can create a document for public review. Then they will have another hearing, and can make their decision. He went on to explain even with the plan in their hands; there is not a plan that is so detailed that they would know what to do with their property. He went on to explain that through the education process and looking at the plan, they would be able to determine if this is a good thing to do with their property. They would have a greater ability to market and develop their property. He noted that there are other benefits, and there will be some specifics in the plan; however, it will not be too detailed. In addition, the plan will include the ability for of eminent domain powers for five years; although he would not be too concerned with it because it does not happen very often.

Mr. Springmeyer said that one of the questions he hears often, in regards to an overlay of redevelopment or blight; is whether it will reduce the ability to sell property or reduce property values. He stated that his experience is the opposite; he indicated that society would put more value on the property. He went on to say if you are in a residential area, this has very little impact on you. In regards to eminent domain and the ability to condemn property, in the State of Utah, it is very rare. The kind of things that will go on is change, some times it is beneficial. He stated that things such as widening a road, act in your best interest.

Mr. Feil indicated now is the time for individuals representing taxing entities to address the Agency. There was no representation from any of the taxing entities.

Mr. Feil indicated now is the time for persons owning real property located within 300 feet of the boundaries of the proposed project area to address the Agency.

Mr. Courtney Dayton, 339 West Cherry Drive, pointed out that Weber County has raised its resident's property taxes 18 percent, which has been brought about by Redevelopment Agencies. He stated that the residents' taxes are supporting businesses.

Mr. Hansen informed Mr. Dayton that over the last three to four years, Riverdale City has lowered its mill levy. He noted that Weber County, along with the School District might have raised theirs; however, the City has not. He stated that the City had lowered the mill levy by 70 points last year, which was the same as the year before. Mr. Hansen went on to explain that unless the taxing entities approve this proposed project area, the Redevelopment Agency would not be allowed to receive any tax increment.

Chairman Burrows explained that he has served Riverdale City in the capacity as a Mayor or a City Councilmember for 12 years; and to his knowledge, the City has not had a property tax increase for approximately 20 years.

Mr. Feil indicated that he does not understand the mechanics of why there would be an increase in property taxes. Mr. Feil explained how RDAs and tax increment work if the taxing entities approve a project area to help build a tax base in a specified area. He explained that the taxing entities, for a period of time, give up the taxes initially so the City can build up and improve an area; and then a greater amount of money is to flow through at a later date. He noted there is a school of thought that all the development would happen anyway; and the taxing entities are giving up what they would get anyway.

Mr. Rick Kearn, landlocked parcel on 300 West, questioned if a major retailer has approached the City. Mr. Hansen stated that the only thing that has been approved by the City is a phased development (the Ruby River Development), and there is a no build area on the hillside. Mr. Kearn inquired if someone like himself could be included - and could other individuals be excluded.

Mr. Feil explained the Agency would have to start the entire process all over to add more property owners to the survey area. He went on to explain property owners could be excluded; however, that would be up to the Board to allow that.

Mr. Feil indicated now is the time for other interested persons to address the Agency.

Mr. James Duffey, 4185 South 300 West, Suite 16, owner of the Doggie Den, explained that he leases space in the Valley West Plaza. He inquired as to timeframes. Mr. Feil suggested that Mr. Duffey get a copy of the owner participation rules. He explained if Mr. Duffey had to relocate, he would be allowed relocation costs; there are opportunities for him, which would be subject to negotiation.

Mr. Hansen stated the first issue is the legal requirements to get the project area approved. He noted the first obstacle is to determine if the Agency has the ability to have its plan approved, and then it has to be approved by the taxing entities.

Mr. Springmeyer indicated property owners should act in their own, best, selfish interest. He said there are some individuals that might wonder if there is some big development being planning; he stated that he is not aware of one. Mr. Springmeyer said the property owners should act as though they will always be here.

Mr. Feil stated now is the time for further Agency Board questions and response by Agency Staff. There were none.

Motion There being no further public comment forthcoming, Mr. Haws moved to close the Public Input Hearing. Mr. Hadden seconded the motion. The motion passed unanimously. The Public Input Hearing closed at approximately 8:15 p.m.

Blight Hearing and Presentation of Evidence or Nonexistence of Blight within the Proposed 550 West Redevelopment Project Area

Mr. Bob Springmeyer explained conducting a blight study requires a collection of information finding blight within a proposed area. Mr. Springmeyer asked those in attendance to push out the thoughts they have regarding blight, and to think of change and some of the ideas they have that could be accomplished. Mr. Springmeyer stated that there is a 50/50 test for blight factors, and there is no single factor for the cause of blight. He noted that the most common factor for blight is change; and most things associated with blight are independent of the property owner and their property.

At this time, Mr. Springmeyer commenced his PowerPoint presentation. Mr. Springmeyer's presentation covered the Utah Redevelopment Agencies Act; Legislative "Blight" Factors; "Cause" of Blight; Findings; Proposed Project Area; Proposed Redevelopment Project Area; Blight Findings; Finding A; Finding B; Finding C; and a listing of the property owners.

Redevelopment Act - The Utah Redevelopment Agencies Act requires the collection of technical documentation, which could be considered by the legislative body in supporting a legislative finding of blight specific to Section 17B-4-601(4)(ii) Utah Code Annotated 1953, as amended, which defines the existence of blight and the "factors" which contribute to blight.

Legislative "Blight" Factors:

- a) contains building or improvements used or intended to be used for residential, commercial, industrial, or other urban purposes, or any combination of those uses;
- b) contains building or improvements on at least 50% of the number of parcels of private real property whose acreage is at least 50% of the acreage of the private real property within the proposed redevelopment project area; and Assets
- c) is unfit or unsafe to occupy or may be conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime because of any three or more of the following factors
 - (i) defective character of physical construction;
 - (ii) high density of population or overcrowding;

- (iii) inadequate ventilation, light or spacing between buildings;
- (iv) mixed character and shifting of uses, resulting in obsolescence, deterioration, or dilapidation;
- (v) economic deterioration or continued disuse;
- (vi) lots of irregular shape or inadequate size for proper usefulness and development, or laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions;
- (vii) inadequate sanitation or public facilities which may include streets, open space and utilities;
- (viii) areas that are subject to being submerged by water; and
- (ix) existence of any hazardous or solid waste defined as any substance defined, regulated, or listed as a hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminate, or toxic substance, or identified as hazardous to human health or the environment under state or federal law or regulation.

"Cause" of Blight - It is important to note the finding of blight is a cumulative conclusion attributable to the presence of a number blighting factors. No single factor may be authoritatively cited as a "cause" of blight. It is a function of the presence of several physical or environmental factors, which, in combination produce the phenomenon know as blight.

FINDINGS - 550 West

Riverdale 550 West Redevelopment Survey Area comprises the following:

- Total Non Public Acreage in Redevelopment Survey Area: 45.27
- Number of Parcels in Redevelopment Survey Area: 35
- Acreage in Survey Area with Buildings and Improvements: 38.63
- Number of Parcels with Buildings and Improvements: 32

Proposed Project Area - #8

- Total Non Public Acreage in Proposed Redevelopment Project Area 45.27
- Number of Parcels in Proposed Redevelopment Project Area 35
- Acreage in Proposed Redevelopment Project Area with Buildings and Improvements: 38.63

Proposed Redevelopment Project Area

- Number of Parcels with Buildings and Improvements 32
- % of the number of Parcels with Buildings and Improvements 91%
- % of the total Acreage with Buildings and Improvements 86%

Blight Findings - 550 West

(i) Defective character of physical construction - Building/Housing Code - Deficiencies: 25 parcels; Exterior Health Code - Deficiencies: 18 parcels; Planning & Zoning Code - Deficiencies: 26 parcels. Therefore evidence of defective character of physical construction was found on 26 of the 35 parcels or 74% of the number of parcels, representing 29.09 acres of 64% of the total Proposed Project area.

(iv) Mixed character and shifting of uses, resulting in obsolescence, deterioration, or dilapidation - 25 parcels exhibit evidence of Mixed Character or Shifting of Uses.

Parcels exhibiting evidence of obsolescence, deterioration, or dilapidation - Deficiencies: 17 parcels.

Twenty-five parcels exhibit evidence of conditions were found, which are often found to be conducive to higher levels of crime.

Evidence of mixed character and shifting of uses, resulting in obsolescence, deterioration, or dilapidation was found on 27 of the 35 parcels or 77% of the number of parcels, representing 30.75 acres of 68% of the total Proposed Project area.

(v) Economic deterioration or continued disuse. Twenty-six parcels exhibit evidence of economic deterioration; three parcels exhibit evidence of continued disuse.

Evidence of economic deterioration or continued disuse was found on 26 of the 35 parcels or 74% of the number of parcels, representing 30.29 acres or 67% of the total Proposed Project area.

(vii) Existence of inadequate sanitation or public facilities which may include streets, open space and utilities. Twenty-five parcel exhibit evidence of inadequate public facilities.

Evidence of the existence of inadequate sanitation or public facilities was found on 25 of the 35 parcels of 71% of the number of parcels, representing 29.29 acres or 65% of the total Proposed Project area.

(viii) Areas that are subject to being submerged by water.

No unusual evidence was found in the Proposed Project Area.

(ix) Existence of any hazardous or solid waste defined as any substance defined, regulated, or listed as a hazardous substance, hazardous material, hazardous waste, toxic waste, pollutant, contaminate, or toxic substance, or identified as hazardous to human health or the environment under state or federal law or regulation.

No unusual evidence was found in the Proposed Project Area.

Finding A - 550 West

1. The Proposed Riverdale 550 West Redevelopment Project Area contains 45.27 acres +/- or private real property, which is less than the maximum 100 acres.
2. The Proposed Redevelopment Project 550 West contains buildings or improvements on 50% (91%) of the number of parcels of private real property whose acreage is 50% (86%) of the acreage of the private real property within the proposed redevelopment project.

Finding B - 550 West

Twenty-three (23) of the total of thirty-five or 66% of the number of parcels for a total of 27.66 +/- acres of 61% of the total Proposed Riverdale 550 West Redevelopment Project Area exhibit three or more of the legislated "blight" factors.

Finding C - 550 West

The Proposed 550 West Redevelopment Project Area is a blighted area, the redevelopment of which is necessary to effectuate a public purpose. Evidence of "blight" conditions or indicators was found in the proposed project area, sufficient to be determined to be present area wide, and therefore leads to the cumulative conclusion of blighted conditions in the Proposed 550 West Redevelopment Project Area.

Mr. Springmeyer concluded his presentation. It was noted that now is the time for examination and cross-examination of witnesses providing evidence of blight; presentations by owners of property located within the proposed 550 West Redevelopment Project Area; and presentations by other interested persons to the Agency.

There was no examination or cross-examination of witnesses providing evidence of blight.

Mr. Miles Crabtree indicated when RDAs were first initially started, they tried to fix some things; however, he feels they have gone beyond the areas original intent. He stated the presentation is entirely correct; blight is not the correct word. He noted the concern with the Legislature is not the "blight"; it is the cities - the cities get the tax increment. He questioned if the City can get more tax increment and more sales tax, then why isn't the City more willing to put more into it. Is the City going to be willing to help if the property is not blighted? Mr. Crabtree stated that the real benefit of an RDA is to the City.

Mr. Feil indicated that the State Legislature has never said that; however, it has been said. He went on to say when the Legislature adopted the RDA Act, they knew they were borrowing; they knew what blight was. In 1993, the State Legislature over-hauled the statutes. Mr. Feil stated that he does not believe you can qualify any area as blighted. He believes the Legislature knew it would be easy in some areas and harder in some; and they put retail development in some areas. Mr. Feil stated that the Legislature has said what has been done in the past is good (if it happens in the right way to build the tax base, and it is utilized in a specified amount of time).

Mr. Crabtree said this is all theory. Mr. Springmeyer indicated if the Legislature makes the changes and everything turns upside down, would the city consider addressing problems even if it cannot be done through the RDA. Mr. Springmeyer explained he would think it would have to come down to a proposal.

Mr. Hansen stated there is the thought that Riverdale City is a goldmine and has endless resources. He explained that Riverdale City only has 8,000 residents. He went on to explain that the City's property taxes are only 30 percent of its general fund; and sales tax is 70 percent. Mr. Hansen indicated that along the Riverdale Road corridor, there have been opportunities for the City to assist where they need to because of the heavy traffic load (which is 40,000 to 60,000 people a day; however, he reiterated, the City only has 8,000 residents. Mr. Hansen explained that a large portion of the City's budget is public safety, and if we come back to the basics; the City has been a City that has been fiscally responsible.

Mr. Hansen discussed priorities. The City's first priority is public safety; the second priority is public works. He indicated in order to accomplish these priorities, it requires assistance. He

questioned the feasibility of having 8,000 residents bearing the burden with everything that comes with the Riverdale Road corridor. Mr. Hansen expressed it is the City's intent to try and take every reasonable attempt to take care of everyone; it is not the City's intention to be big brother. Mr. Hansen expressed that there is a misrepresentation that there are enough resources for every project and to take care of everything and everyone; and it is simply not true.

Chairman Burrows added it is his understanding that the general public has improved when RDA Project Areas are established. He referred to one of the City's newer roads, River Park Drive, which is in RDA Area 3. He noted that the City would not have been able to construct River Park Drive without the RDA; and not to his knowledge, has a private owner been able to improve their property with City funds.

Mr. Hansen indicated to Mr. Crabtree that his family has made a commitment to Riverdale City for many years, and in no way would the City or Riverdale Redevelopment Agency utilize Redevelopment funds to make unwise or unreasonable investments into the City.

Motion There being no further public comment forthcoming, Mr. Gibby moved to close the Blight Hearing. Mr. Haws seconded the motion. The motion passed unanimously. The Blight Hearing closed at approximately 8:51 p.m.

Summary of Evidence - "Summary of Findings"

Mr. Feil addressed the Redevelopment Board, and reviewed the Summary of Findings and Supporting Documents for the 550 West Redevelopment Project Area. He noted that there was not any other evidence presented other than what Mr. Springmeyer presented. He explained that the Summary of Findings is a document for their consideration, and it sets forth a brief summary of findings based on the evidence.

Mr. Feil indicated at this point in the meeting, the Board is free to go over each finding; or if they are satisfied, they can adopt the entire Summary of Findings, or they can adopt each individual Finding. He explained that they have to do it based on the evidence that has been presented to the Board.

Summary of Findings and Supporting Documents for the 550 West Redevelopment Project Area by the Redevelopment Agency of the City of Riverdale:

Pursuant to Sections 17B-4-601(3) and 603, Utah Code Annotated 1953, as amended, the Redevelopment Agency of the City of Riverdale (the "Agency") held a public hearing to hear evidence and determine whether or not the proposed 550 West Redevelopment Project Area is a "blighted" area. During the public hearing, the Agency considered evidence regarding whether or not the proposed 550 West Redevelopment Project Area ("Project Area") is a blighted area as defined in the Act, and:

(a) Permitted all evidence of the existence or nonexistence of blight within the proposed Project Area to be presented; and

(b) Permitted each record owner of property located within the proposed Project Area or the record property owner's representative the opportunity to:

(i) examine and cross-examine witnesses providing evidence of the existence or nonexistence of blight; and

(ii) present evidence and testimony, including expert testimony, concerning the existence or nonexistence of blight.

In order to assist members of the governing board of the Agency to make the finding to determine whether or not the proposed Project Area is a "blighted area", the findings are listed below, along with a brief summary of certain supporting evidence from the documents before the Agency Board, referred to during the public hearing or on file with the Agency Board. The Agency Board now must consider all oral and written objections, the evidence, documents and comments, and proceed to make a determination regarding the matters set forth in the findings. Signature of the Agency below indicates that the Agency Board has considered all oral and written objections the Agency has received, has considered the evidence, documents and comments concerning whether the proposed project area is a blighted area, and that the Agency Board has made and adopted in the affirmative the findings listed below, having found them to be supported by the evidence and information presented or made available to the Agency.

FINDING A The proposed Project Area contains buildings or improvements used or intended to be used for residential, commercial, industrial or other urban purposes, or any combination of those uses, and contains buildings or improvements on at least 50% of the number of parcels of private real property whose acreage is at least 50% of the private real property within the proposed Project Area.

The proposed Project Area contains approximately 45.27 acres of private real property. Of that total acreage, 38.63 acres, or 85%, of the private real property, contain buildings or improvements.

There are thirty-five (35) parcels of private real property within the proposed Project Area. Thirty-two (32) or 91% of those parcels contain buildings or improvements. The proposed Project Area meets the legislative criteria because the buildings or improvements are for urban purposes, at least 50% of the number of parcels of private real property in the proposed Project Area contain buildings and improvements, and these parcels represent at least 50% of the acreage of the private real property within the proposed Project Area.

FINDING B The proposed Project Area is unfit or unsafe to occupy or may be conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime because of three or more blight factors listed in the Act.

This finding is supported by the Blight Survey conducted by Bob Springmeyer of Bonneville Research who examined the proposed Project Area and concludes that the proposed Project Area is "unfit or unsafe to occupy or may be conducive to ill health, transmission or disease, infant mortality, juvenile delinquency or crime" because of any three or more blight factors as defined in the Act, and as more fully described in Finding C below.

FINDING C The proposed Project Area is a Blighted Area, the redevelopment of which is necessary to effectuate a public purpose.

This finding is supported by the Blight Survey conducted by Bob Springmeyer of Bonneville Research who examined the proposed Project Area and concludes that the proposed Project Area is a "blighted area" as defined in the Act, and that twenty-three (23) or 66% of the thirty-five (35) parcels in the proposed Project Area exhibit three or more factors causing blight. The Blight Survey found the following factors in the proposed Project Area:

DEFECTIVE CHARACTER OF PHYSICAL CONSTRUCTION:

Building/Housing Code

1. Curb deficiencies, 12 parcels: #2, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b & #27c.
2. Sidewalk deficiencies, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.
3. Inadequate street access or non conforming uses, 6 parcels: #9, #14, #15, #27a, #27b & #27c.
4. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
5. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
6. Dumpster not enclosed, 5 parcels: #4, #10, #11a, #11b & #30.
7. Fencing violations, 1 parcel: #18.
8. Junk, accumulation of trash and/or solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
9. Overgrown weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
10. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
11. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
12. Fire Code deficiencies, 7 parcels: #1, #9, #14, #25, #27a, #27b & #27c.
12. Structural deficiencies, Buildings that do not meet current seismic codes and would incur major damage in a moderate earthquake, 9 Buildings/Parcels: #3, # 4, #5, #8, #10, #11, #24a, #24b, & #25.
13. Seismic deficiencies, Buildings that do not meet current seismic codes and would incur major damage in a moderate earthquake, 9 Buildings/Parcels: #3, # 4, #5, #8, #10, #11, #24a, #24b & #25.
14. Poor Driveway/Parking Lot, 12 parcels: #2, #3, #6, #7, #8, #9, #10, #14, #25, #27a, #27b & #27c.
15. Poor building or roof maintenance, 4 Parcel/Buildings: #6, #7, #10, #23.
16. Inadequate drainage, 11 Parcel/Buildings: #15, #18, #19, #20, #21, #22, #23, #25, #27a, #27b & #27c.
17. Inadequate storm drainage, 11 Parcel/Buildings: #17, #18, #19, #20, #21 #22, #23, #25, #27a, #27b & #27c.

Exterior Health Code

1. Abandoned, Dysfunctional Land/Structures, 2 parcels: #27 & #29.
2. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
3. Junk, accumulation of solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
4. Weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
5. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
6. Dumpster not enclosed, 5 parcels: #4, #10, #11a, #11b & #30.
7. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
8. Standing Water, 1 parcel: #3.

Planning & Zoning Code Violations:

1. Illegal signs, Parcel #32.
2. Illegally parked vehicles, 2 parcels: #28 & #32.
3. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
4. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
5. Sidewalk deficiencies, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.
6. Dumpster not enclosed, 5 parcels: #4, #10, #11a, #11b & #30.
7. Fencing violations, 1 parcel: #18.
8. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
9. Weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
10. Junk, accumulation of solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
11. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
11. Improper building setback, 4 parcels: #7, #8, #10 & #32.
12. Parking backs to road, 1 Parcel/Building: #10.
13. Improper RV/Boat Storage, 3 parcels: #3, #9 & #18.
14. Poor Driveway/Parking Lot, 12 parcels: #2, #3, #6, #7, #8, #9, #10, #14, #25, #27a, #27b & #27c.

Therefore evidence of defective character of physical construction was found on 26 of the 35 parcels or 74% of the number of parcels, representing 29.09 acres or 64% of the total Proposed Project area.

MIXED CHARACTER AND SHIFTING OF USES, RESULTING IN OBSOLESCENCE, DETERIORATION, OR DILAPIDATION:

Mixed Character or Shifting of Uses

1. Abandoned, Dysfunctional Land/Structures, 2 Parcel/Buildings: #27 & #29.
2. Illegal signs, 1 Parcel/Building: #32.
3. Improper property setback, 4 parcels: #7, #8, #10 & #32.
4. Parking backs to road, 1 Parcel/Building: #10.
5. Posted For Sale or Actively Marketed, 2 Buildings/Parcels: #25 & #29.
6. Recent Sale or Transfer of Ownership, 4 parcels: #7, #20, #22 & #27.
7. Residential Not Owner Occupied, 5 parcels: #7, #16, #17, #26 & #28.
8. Evidence of transient use, 2 parcels: #11a, #11b.
9. Poor Driveway/Parking Lot, 5 parcels: #2, #25, #27a, #27b & #27c.
10. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
11. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
12. Residential in Commercial Zone, 1 parcel: #28.

Obsolescence, Deterioration, or Dilapidation:

1. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
2. Vacant Property, 1 Parcel/Building: #29.
3. Evidence of transient use, 2 parcels: #11a, #11b.
4. Curb deficiencies, 12 parcels: #2, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b & #27c.
5. Sidewalk deficiencies, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.
6. Junk, accumulation of solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
7. Dumpster not enclosed, 5 parcels: #4, #10, #11a, #11b & #30.
8. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
9. Weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
10. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
11. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
12. Declining retail sales, 1 Building/Parcel: #29.
13. Building Code structural deficiencies, Commercial buildings that do not meet current seismic codes and would incur major damage in a moderate earthquake, 9 Buildings/Parcels: #3, #4, #5, #8, #10, #11, #24a, #24b, & #25.
14. Seismic Code deficiencies, Commercial buildings that do not meet current seismic codes and would incur major damage in a moderate earthquake, 9 Buildings/Parcels: #3, #4, #5, #8, #10, #11, #24a, #24b, & #25.
15. Residential parcels not adequately buffered with open space from current or potential commercial development, 12 parcels #2, #6, #7, #11, #14, #17, #18, #19, #20, #21, #22 & #28.
16. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
17. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.

The area does not represent an unusual number of Police calls for service, or an unusual number of Burglaries, Assaults, and Drunkenness Arrests, but the following conditions were found, which are often found to be conducive to higher levels of crime:

1. Residential parcels not adequately buffered with open space from current or potential commercial development, 12 parcels: #2, #6, #7, #11, #14, #17, #18, #19, #20, #21, #22 & #28.
2. Parking backs to road, 1 Parcel/Building: #10.
3. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
4. Inadequate or non existent sidewalks, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.
5. Fencing violations, 1 parcel: #41.
6. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
7. Junk, accumulation of solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
8. Weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
9. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
10. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
11. Not owner occupied, 4 parcels: #7, #16, #17 & #26.

Evidence of mixed character and shifting of uses, resulting in obsolescence, deterioration, or dilapidation was found on 27 of the 35 parcels or 77% of the number of parcels, representing 30.75 acres or 68% of the total Proposed Project area.

ECONOMIC DETERIORATION OR CONTINUED DISUSE:

Economic Deterioration:

1. Abandoned, Dysfunctional Land/Structures, 2 parcels: #27 & #29.
2. Vacant property, 4 Parcels: #25, #27a, #27b & #27c.
3. Declining Sales Taxes, 1 Parcel/Buildings: #29.
4. Buildings that do not meet current seismic codes and would incur major damage in a moderate earthquake, 9 Buildings/Parcels: #3, #4, #5, #8, #10, #11, #24a, #24b & #25.
5. Posted For Sale or Actively Marketed, 2 Buildings/Parcels: #25 & #29.
6. Recent Sale or Transfer of Ownership, 4 parcels: #7, #20, #22 & #27.
7. Not Owner Occupied, 4 parcels: #7, #16, #17 & #26.
8. Inadequate landscaping, 14 parcels: #1, #2, #3, #6, #7, #14, #16, #25, #27a, #27b, #27c, #28, #30, & #32.
9. Insufficient Off Street Parking, 5 parcels: #2, #25, #27a, #27b & #27c.
10. Curb deficiencies, 12 parcels: #2, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b & #27c.
11. Sidewalk deficiencies, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.

12. Abandoned, unlicensed, wrecked, or junked vehicles, 7 parcels: #10, #16, #25, #27a, #27b, #27c & #28.
13. Weeds, 15 parcels: #1, #3, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28, #30, #31, & #32.
14. Junk, accumulation of solid waste, 12 parcels: #1, #9, #10, #11a, #11b, #15, #25, #27a, #27b, #27c, #28 & #29.
15. Open outside storage of used material, 13 parcels: #1, #3, #9, #11a, #11b, #16, #25, #27a, #27b, #27c, #28, #29, & #30.
16. Dumpster not enclosed, 5 parcels: #4, #10, #11a, #11b & #30.
17. Fencing violations, 1 parcel: #41.
18. Poor driveway, 1 parcel: #14.
19. Residential parcels not adequately buffered with open space from current or potential commercial development, 12 parcels #2, #6, #7, #11, #14, #17, #18, #19, #20, #21, #22 & #28.

Continued Disuse:

1. Vacant Property, 4 Parcels: #25, #27a, #27b & #27c.
2. Abandoned, Dysfunctional Land/Structures, 2 parcels: #27 & #29.

Evidence of economic deterioration or continued disuse was found on 26 of the 35 parcels or 74% of the number of parcels, representing 30.29 acres or 67% of the total Proposed Project area.

EXISTENCE OF INADEQUATE SANITATION OR PUBLIC FACILITIES, WHICH MAY INCLUDE STREETS, OPEN SPACES AND UTILITIES:

1. Inadequate or non existent sidewalks, 16 parcels: #1, #2, #6, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b, #27c, #32 & #33.
2. Curb deficiencies, 12 parcels: #2, #17, #18, #19, #20, #21, #22, #23, #25, #27a, #27b & #27c.
3. Insufficient off street parking, 5 parcels: #2, #25, #27a, #27b & #27c.
4. Inadequate setback, 4 parcels: #7, #8, #10 & #32.
5. Inadequate access, 6 parcels: #9, #14, #15, #27a, #27b & #27c.
6. Residential parcels not adequately buffered with open space from current or potential commercial development, 12 parcels #2, #6, #7, #11, #14, #17, #18, #19, #20, #21, #22 & #28.

Evidence of the existence of inadequate sanitation or public facilities was found on 25 of the 35 parcels or 71% of the number of parcels, representing 29.29 acres or 65% of the total Proposed Project area.

EXISTENCE OF ANY HAZARDOUS OR SOLID WASTE DEFINED AS ANY SUBSTANCE DEFINED, REGULATED, OR LISTED AS A "HAZARDOUS SUBSTANCE", "HAZARDOUS MATERIAL", "HAZARDOUS WASTE", "TOXIC WASTE", "POLLUTANT", "CONTAMINANT", OR "TOXIC SUBSTANCE", OR IDENTIFIED AS HAZARDOUS TO HUMAN HEALTH OR THE ENVIRONMENT UNDER STATE OR FEDERAL LAW OR REGULATION.

11 parcels have abandoned, unlicensed, wrecked, or junked vehicles, or open outside storage of used material, which might be a source of hazardous waste, contaminant or pollutants: #1, #3, #9, #10, #11a, #11b, #16, #25, #27a, #27b & #27c.

FINDING D The governing board of the Redevelopment Agency of the City of Riverdale hereby finds and determines that the proposed 550 West Redevelopment Project Area is a blighted area pursuant to the provisions of the Act because of the following factors:

1. Defective character of physical construction.
2. Mixed character and shifting of uses, resulting in obsolescence, deterioration, or dilapidation.
3. Economic deterioration or continued disuse.
4. Inadequate sanitation or public facilities which may include, streets, open spaces, and utilities.

Mr. Haws questioned if there are any parcels that did not qualify under the definition of "blight". Mr. Springmeyer indicated yes, there are. Mrs. Jenkins inquired if there is some contamination that the Community Development Department is aware of in the area of 550 West. Mr. Daily explained there is a soil condition; however, it has never been proven to the point to bring the situation into play at this time.

Motion Mr. Gibby moved to adopt the Summary of Findings and supporting documents for the 550 West Redevelopment Project Area by the Redevelopment Agency of the City of Riverdale as presented. Mr. Hadden seconded the motion. The motion passed unanimously.

Resolution No. R2-2005 adopting a Finding of Blight Regarding the Proposed 550 West Redevelopment Project Area

Motion Mr. Gibby moved for approval of RDA Resolution No. R2-2005, a Resolution of the Board of Directors of the Redevelopment Agency of the City of Riverdale, pursuant to Utah Code Annotated, Sections 17B-4-601(4)(b) and 17B-4-604, making a finding of Blight regarding the Proposed 550 West Redevelopment Project Area. Mr. Hadden seconded the motion

Roll call vote. Mr. Hadden, Yes; Mr. Gibby, Yes; Mr. Haws, Yes; and Mrs. Jenkins. The motion passed unanimously.

Resolution No. R3-2005 Selecting the 550 West Redevelopment Project Area in the 550 West Redevelopment Survey Area, Pursuant to Section 17B-402(1) 9h)(iii), Utah Code Annotated 1953, as Amended

Mr. Feil explained it is time for the Board to decide if they want to move forward with the entire survey area. At this point, they can decide if they want to change the boundary area or select the entire boundary area; he reiterated it is up to the Board if they want to move forward.

Mr. Hansen stated it is Staff's recommendation that they proceed.

Mr. Haws indicated as he was listening, he heard a point. He heard the property owners should make a comment as to whether they want to be included or excluded in the project area. Mr. Feil

explained that language was set forth in the certified mailing; in addition, this is not the last opportunity for that decision to be made.

Mrs. Jenkins inquired when the "opt-out" option goes away. Mr. Feil explained there really is not an "opt-out" option; the Agency decides if it is in the best interest for a property to be in or out of the Project Area. He went on to explain that when the Agency adopts the area plan at the next set of hearings, that is the last time they can decide if a specific property is in or out of the Project Area.

Mr. Hansen advised the Agency that they should speak to the Budget Analysis before they entertained any requests of letting anyone "opt-out" of the Project Area. Mr. Haws indicated that he heard one comment during the public input hearing regarding a property owner's concern. The property owner indicated that they were not sure if they were in favor of the Project Area because they do not know what the proposed area plan is. He stated that it makes him feel better to know they still have another opportunity to finalize the project area at the next set of public hearings.

Motion Mr. Gibby moved for approval of RDA Resolution No. R3-2005, a Resolution of the Board of Directors of the Redevelopment Agency of the City of Riverdale, selecting the 550 West Redevelopment Project Area in the 550 West Redevelopment Survey Area, Pursuant to Section 17B-402(1)(h)(iii), Utah Code Annotated 1953, as amended. Mrs. Jenkins seconded the motion.

Roll call vote. Mr. Gibby, Yes; Mr. Haws, Yes; Mrs. Jenkins, Yes; and Mr. Hadden. The motion passed unanimously.

Setting a Date and Time for the Hearing on the Project Area Plan and Project Area Budget

Mr. Feil indicated that the proposed date and time for the next set of public hearings, which is the Project Area Plan and Project Area Budget, is March 29, 2005, at 7:00 p.m. He explained that it would take some significant time to get the plan and budget prepared; in addition, certified mailing will have to be mailed as before.

Motion Mr. Haws moved to set the date and time for the hearing on the Project Area Plan and Project Area Budget for March 29, 2005, at 7:00 p.m. Mr. Gibby seconded the motion. The motion passed unanimously.

Resolution No. R4-2005 of the Board of Directors of the Redevelopment Agency of Riverdale City, Utah, authorizing the issuance and sale of not more than \$1,800,000 aggregate principal amount of its Tax Increment Revenue Bonds; and related matters

Mr. Hansen explained the purpose of the issuance and sale of the tax increment revenue bonds is for the senior facility. He went on to say the Bond Council has forward to the Agency a bond resolution with stated purposes; to establish a maximum amount of bonding, which is 1.8 million; and with a specified project area, which is the 1050 West Neighborhood Development Project Area. He explained that they are utilizing tax increment from the 1050 West Area to provide guest

service payments at variable rate. He stated because they are at a variable rate, the resolution indicates not to exceed 10 percent. He noted that the rate appears to be between 3 and 4 percent.

Mr. Hansen informed the Board that they have to publish a notice of intent, and the notice allows for a 30-day challenge period. Furthermore, the Bond Council has provided the Agency with a trust indenture; which is a 97-page document creating the bond issuance; and it covers issues pertaining to the tax increment bond.

Mr. Hansen explained there are a few technical changes to make to the heading sheet of the resolution. He pointed out that it states the Agency is meeting in its regular meeting place of the Board at 4600 S. Weber Drive, which is incorrect; they are meeting at the Community Center this evening. Furthermore, it indicates that Mrs. Brough is present and she is excused; Ms. Mansell is present as the Recorder, and Ms. Douglas is present as the Deputy. Mr. Hansen stated that based on our previous discussions, Staff recommends and encourages the Board to adopt this resolution.

Motion Mr. Haws moved for approval of RDA Resolution No. R4-2005, a Resolution of the Board of Directors of the Redevelopment Agency of Riverdale City, Utah Authorizing the issuance and sale of not more than \$1,800,000 aggregate principal amount of its tax increment revenue bonds; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; and related matters. Mr. Gibby seconded the motion.

Mr. Haws verified that there is a 30-day challenge period. Mr. Hansen replied yes, there is a 30-day contest period. He explained the purpose of the 30-day contest period is to find out if there are any problems, and once that is over, the Agency may move forward. Mr. Hansen indicated that during the March 1, 2005, RDA meeting, the Bond Council will provide for bonds to be issued; furthermore, closing has been set for March 24, 2005.

Roll call vote. Mr. Gibby, Yes; Mr. Hadden, Yes; Mr. Haws, Yes; and Mrs. Jenkins, Yes. The motion passed unanimously.

Consideration of action - Senior Housing/Facility

Chairman Burrows indicated that the agenda item was removed from the agenda until February 15, 2005.

With no further business to come before the Board at this time, Mr. Haws moved to adjourn the meeting. Seconded by Mr. Gibby. The motion passed unanimously. The meeting adjourned at approximately 9:15 p.m.

Attest:

Approved: March 1, 2005

Larry Hansen
Executive Director

Bruce Burrows
Chairman