



## REDEVELOPMENT AGENCY OF CENTERVILLE CITY AGENDA

Due to Centerville City Mayor Clark Wilkinson's Determination (contained in body of below agenda) public meetings will be held electronically via Zoom and live streamed on the Centerville City YouTube channel. Public meetings conducted via Zoom may be terminated at any time due to hackers or inappropriate content.

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REDEVELOPMENT AGENCY MEETING AT 6:30 PM ON FEBRUARY 2, 2021 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.**

*Meetings of the Redevelopment Agency of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

*Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Administrative Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.*

*The full packet of backup materials can be found at <http://centerville.novusagenda.com/agendapublic>.*

### **A. ROLL CALL**

### **B. BUSINESS**

1. Chair's Determination Letter

Centerville City Utah YouTube Channel Link:  
<https://www.youtube.com/user/centervillecityutah>

Join Zoom Meeting  
<https://zoom.us/j/93945077767?pwd=UXc1VzhMQlZ5Z1I4Z1dYRmZGOWMxdz09>

Meeting ID: 939 4507 7767  
Passcode: 449234  
One tap mobile  
+1 669 900 9128

2. Tax Increment Participation Agreement with Rimini Properties, LLC - Parrish Creek Business Park PDO  
Consider approval of Tax Increment Participation Agreement between the RDA and Rimini Properties, LLC regarding tax increment funding for development improvements associated with the Parrish Creek Business Park PDO
3. Minutes Approval  
Jan. 5, 2021 RDA draft minutes

### **C. ADJOURNMENT**

Janet Denison  
Centerville City Recorder

**CENTERVILLE**

**Staff Backup Report  
2/2/2021**

Item No. 1.

Short Title: Chair's Determination Letter

Initiated By:

Scheduled Time:

**SUBJECT**

Centerville City Utah YouTube Channel Link:  
<https://www.youtube.com/user/centervillecityutah>

Join Zoom Meeting  
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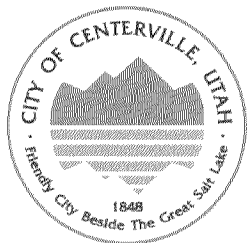
**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

☐ Determination Letter - RDA



# CENTERVILLE CITY

250 North Main Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

*Mayor*

Clark A. Wilkinson

*City Council*

Tamelyn Fillmore

William Ince

Stephanie Ivie

George McEwan

Robyn Mecham

*City Manager*

Brant T. Hanson

**Public Body:** Redevelopment Agency

**Date:** 1/8/2021 | 12:21 AM MST

## Written Determination Letter to Conduct

### Electronic Meetings without an Anchor Location Due to Substantial Health and Safety Risk

In accordance with Utah Code 52-4-207(4) of the Utah Open and Public Meeting Act, I have determined that conducting an electronic meeting of the Redevelopment Agency of Centerville City with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. This determination is based on the facts and circumstances surrounding the COVID-19 pandemic. Considering the continued number of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain at City Hall.

I hereby authorize the above listed public body of Centerville City to conduct electronic meetings without an anchor location for the duration of this determination. This determination and the reasons stated herein shall be included in the public notice for each meeting held electronically without an anchor location and shall be read at the beginning of each meeting. Public notice for each meeting shall also include directions for accessing the online meeting and information on how a member of the public may view or make a comment at the meeting.

This determination shall be effective for 30 days from the date of this determination and will continue to be reviewed and monitored for possible reissuance.

DocuSigned by:

Clark A. Wilkinson

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Name: Clark A. wilkinson

Title: chair



**CENTERVILLE  
RDA MEETING  
Staff Backup Report  
2/2/2021**

Item No. 2.

Short Title: Tax Increment Participation Agreement with Rimini Properties, LLC - Parrish Creek Business Park PDO

Initiated By: Ken Stuart, Rimini Properties, LLC

Scheduled Time:

**SUBJECT**

Consider approval of Tax Increment Participation Agreement between the RDA and Rimini Properties, LLC regarding tax increment funding for development improvements associated with the Parrish Creek Business Park PDO

**RECOMMENDATION**

Approve Tax Increment Participation Agreement between the RDA and Rimini Properties, LLC regarding tax increment funding for development improvements associated with the Parrish Creek Business Park PDO

**BACKGROUND**

**Parrish Creek Business Park Background**

Prior to October 2017, there was an informal agreement made between staff and Rimini Properties, LLC (Stuart Construction) that tax increment generated by the development of the Parrish Creek Business Park would be used to reimburse Rimini Properties, LLC for:

- Enhancements made to the wetlands
- Providing trail access through the business park
- Connect the trail system with the regional trail system on 1250 West using the shore along the canal on the south end of the project

Due to access restrictions and to make the business park work, the plan for the business park was approved as a PDO with the trail system as a part of the design. Since that time, there have been a few barriers to creating the canal trail including getting access to the land along the canal and a change recommended by staff - October 2017, staff recommended the use of tax increment generated by the business park would be better used to enhance the trail system along 1250 West instead of the canal trail system.

**Rimini Properties, LLC's Request**

Rimini Properties, LLC is requesting a tax increment reimbursement agreement with the RDA to recover the following costs:

Storm Drain System in Public Road

\$10,831 Pipe and Manholes

\$14,503 Labor and Equipment to install

Storm Drain System to Wetlands

\$47,298 Pipe, Manholes & Oil Separator

\$52,949 Labor & Equipment to install  
**\$125,580 Total Costs Incurred to Date**

### **Canal Trail Elimination**

On September 15, 2020, the Centerville City Council approved an amendment to the Parrish Creek Business Park PDO zoning. One of the conditions of approval is the entering into an agreement with the RDA on use of tax increment to replace the originally slated developer installed canal trail connecting the Project to 1250 West. Per ESI Engineering, the estimated cost of this trail is \$33,468. As Rimini has not provided an alternative to the canal trail per the amendment, the RDA will retain an equal amount of \$33,468 in Tax Increment Incentive to be used to enhance the Barnard Creek CDA. The \$33,468 will be recovered through reducing the amount from the eligible tax increment reimbursement, thus reducing the total amount to **\$92,112**.

### **Potential Tax Increment Generated**

The life of the Barnard Creek CDA is 15 more years. Every \$1 million in value generates about \$7,000 in increment.

This project area currently generates around \$9,000 in increment (\$1.3 million total value as of January 1, 2019). Rimini Properties, LLC feels the value of the real property and personal property will increase to around \$14 million. This business park could potentially generate \$98,000/year in tax increment for the Barnard Creek CDA.

### **Agreement Parameters**

Staff recommends entering into an agreement with Rimini Properties, LLC for the Parrish Creek Business Park, reimbursing the developer each year using 50% of tax increment generated from the Parrish Creek Business Park up to a total reimbursed amount of \$92,112.

### **ATTACHMENTS:**

#### **Description**

- ☐ Participation Agreement with Rimini Properties, LLC
- ☐ Exhibit A

**PARTICIPATION AGREEMENT**  
**Between**  
**Redevelopment Agency of Centerville City**  
**and**  
**Rimini Properties, LLC**

This Participation Agreement (the "Agreement") is entered into as of this \_\_\_\_ day of February, 2021, by and between **RIMINI PROPERTIES, LLC** (the "Company"), as the developer of certain real property located in Centerville City, Davis County, Utah, and the **REDEVELOPMENT AGENCY OF CENTERVILLE CITY**, a redevelopment agency created under Utah law (the "Agency") in contemplation of the following facts and circumstances:

A. **WHEREAS**, the Company developed approximately 16.15 acres of real property located at 1030 North 950 West, Centerville City, Davis County, Utah ("Site"), as represented in the final subdivision plat for the Parrish Creek Subdivision as more particularly set forth in **Exhibit A**;

B. **WHEREAS**, the Company developed the Site under a Planned Development Overlay approval for light industrial/commercial flex space uses known as the Parrish Creek Business Park PDO, as approved by the City Council on March 21, 2017, pursuant to Ordinance No. 2017-06, as amended by Ordinance No. 2020-10 ("Project"); and

C. **WHEREAS**, the Company has requested tax increment reimbursement for certain costs incurred by the Company for infrastructure improvements installed or constructed by the Company for the development of the Site and Project, including tax increment reimbursement for drainage facilities; and

D. **WHEREAS**, the Agency has heretofore created the Barnard Creek Community Development Project Area ("Project Area") as approved by the Agency in 2013, which Project Area authorizes the Agency to use tax increment for purposes allowed by State law as more particularly set forth in Utah Code §§ 17C-1-101, et seq., the Limited Purpose Local Governmental Entities-Community Reinvestment Agency Act (the "Act"); and

E. **WHEREAS**, the Agency has heretofore adopted and authorized the Barnard Creek Community Development Project Area Plan and Budget that provides the Agency the ability to negotiate participation and tax increment agreements with developers and property owners; and

F. **WHEREAS**, the Parrish Creek Business Park Project is located within the Project Area and will generate incremental property tax revenues to the Agency and the Project will generate additional incremental property tax and sales tax revenues to Centerville City; and

G. **WHEREAS**, the Agency and its representatives have analyzed the Company's request for tax increment reimbursement and determined the items eligible for tax increment funding under terms and conditions of the Project Area plan documents and as authorized by the Act, as more particularly described herein.

**AGREEMENT:**

NOW THEREFORE, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, the parties hereby agree to the Participation Agreement as follows:

1. **Designated Properties and Base Values.** For purposes of this Agreement, the following are the eligible designated properties within the Project (“Designated Properties”):
  - 06-392-0001
  - 06-392-0002
  - 06-392-0003
  - 06-392-0004

Prior to the creation of the Designated Properties in 2017, the property parcels were identified as 06-003-0030, 06-003-0036, and 06-003-0038 with a combined base value of \$1,338,068. This amount of \$1,338,068 will be the base value used to determine the tax increment generated by the Designated Properties for the purposes of this Agreement.

2. **Tax Increment Incentive.** The Agency agrees to contribute to the Company an economic incentive on a reimbursement basis for the eligible improvements within the Project as follows: Subject to the performance requirements set forth in Section 3, the Company shall be eligible to receive 50% of the tax increment received by the Agency for the Designated Properties within the Project up to a maximum amount of \$92,112 (“Tax Increment Incentive”). The Tax Increment Incentive shall be limited to tax increment generated solely from the Designated Properties within the Project and to tax increment actually received by the Agency. The Tax Increment Incentive shall only be applicable prospectively to tax increment funds received by the Agency from and after the effective date of this Agreement. The Tax Increment Incentive shall be paid out over a ten year period or until the expiration of the Project Area, whichever occurs first. The Tax Increment Incentive shall not be provided or eligible to the Company for any additional years if the term of the Project Area is extended for any reason as authorized by law. The Tax Increment Incentive is based on actual tax increment generated by the Designated Properties with the Project and it is expressly acknowledged that the Company may or may not be paid out the maximum incentive amount of \$92,112.
3. **Performance Requirements.** As a condition of the Agency distributing any Tax Increment Incentive to the Company, the Company shall be required to be in compliance with all land use approvals for the Project and current with the payment of all government property taxes for the Designated Properties within the Project. In the event of delinquency in the compliance with land use approvals and/or payment of property taxes for any properties within the Project, the Company shall not be eligible to receive the annual Tax Increment Incentive generated by the property for which taxes have not been paid until the Designated Properties have been brought into compliance and/or such taxes have been paid.
4. **Timing of Tax Increment.** The Tax Increment Incentive shall be distributed to the Company annually after the Agency receives applicable tax increment funds from Davis County and the Agency confirms that the Company has met and continues to meet the performance requirements set forth in Section 3. It is specifically acknowledged and agreed that any payment of Tax Increment Incentive is subject to receipt of said monies from Davis County.
5. **Improvements Eligible for Tax Increment Incentive.** Per the Project Area Plan, tax incentives may be offered to private entities for public infrastructure improvements, Agency requested improvements and upgrades, both off-site and on-site improvements, desirable Project Area improvements, and other items as approved by the Agency. Subject to provisions of the Act, the

Agency may agree to pay for eligible costs and other items from taxes for any period of time the Agency may deem to be appropriate under the circumstances.

In general, tax incentives may be offered to achieve the community development goals and objectives of this plan, specifically to:

- Foster and accelerate economic development;
- Stimulate job development;
- Make needed infrastructure improvements to roads, street lighting, water, storm water, sewer, telecommunications – fiber (conduit) and parks and open space;
- Assist with property acquisition and/or land assembly; and
- Provide attractive development for high-quality commercial/industrial tenants.

The Agency has determined the following costs incurred and improvements installed by the Company are eligible for tax increment reimbursement under the Project Area plan documents as provided in this Agreement: Drainage Improvements in Public Roads in the amount of \$25,333 and Drainage Improvements to Wetlands in the amount of \$100,247, totaling \$125,580 less the cost of the eliminated trail as described in Section 6, which brings the total maximum eligible amount for tax increment reimbursement for the Project to \$92,112.

6. **Agreement for Elimination of Canal Trail.** On September 15, 2020, the Centerville City Council approved an amendment to the Parrish Creek Business Park PDO zoning for the Project. One of the conditions of approval is the entering into an agreement with the Agency on use of tax increment to replace the originally slated developer installed canal trail connecting the Project to 1250 West. The estimated cost of this trail is \$33,468. As the Company has not provided an alternative to the canal trail per the amendment to the Project, the Agency will retain an equal amount of \$33,468 in Tax Increment Incentive to be used to enhance the Project Area. The \$33,468 will be recovered through reducing the amount from the eligible tax increment reimbursement, thus reducing the total amount to \$92,112.
7. **Successors and Assigns.** This Agreement may not be assigned by the Company without the expressed prior written consent of the Agency, said consent shall not be unreasonably withheld. Any assignment shall be in writing by form approved by the Agency.
8. **Amendments.** Except as otherwise provided herein, this Agreement may only be modified or amended by written instrument duly authorized and executed by the Company and the Agency.
9. **Governing Law and Interpretation.** This Agreement shall be governed by the laws of the State of Utah, and any action pertaining hereto shall be brought in the applicable state or federal court having jurisdiction in Davis County, Utah.

THIS AGREEMENT IS EXECUTED to be effective as of the day and year first above written.

COMPANY: Rimini Properties, LLC  
a Utah limited liability company

By: \_\_\_\_\_  
Owner/Member

AGENCY: CENTERVILLE CITY REDEVELOPMENT AGENCY,  
a municipal agency of the state of Utah

Attest:

By: \_\_\_\_\_  
Clark A. Wilkinson, Agency Board Chair

\_\_\_\_\_  
Agency Secretary



**CENTERVILLE  
RDA MEETING  
Staff Backup Report  
2/2/2021**

Item No. 3.

Short Title: Minutes Approval

Initiated By:

Scheduled Time:

**SUBJECT**

Jan. 5, 2021 RDA draft minutes

**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

- ▢ Jan. 5, 2021 RDA draft minutes

Minutes of the **Redevelopment Agency of Centerville** meeting held Tuesday, January 5, 2021 at 7:57 p.m. with participants present via Zoom due to infectious disease COVID-19.

**DIRECTORS PRESENT**

Tamilyn Fillmore  
William Ince  
Stephanie Ivie, Vice Chair  
George McEwan  
Robyn Mecham  
Clark Wilkinson, Chair

**STAFF PRESENT**

Brant Hanson, RDA Executive Director  
Lisa Romney, City Attorney  
Jacob Smith, Administrative Services Director  
Janet Denison, City Recorder

**DETERMINATION**

Chair Wilkinson read aloud a determination regarding electronic meetings without an anchor location due to COVID-19

**PUBLIC HEARING – FY 2021 RDA BUDGET AMENDMENT**

Jacob Smith, Administrative Services Director, presented proposed amendments to the FY 2021 RDA Budget, including:

- Adjust the administrative fee;
- Budget for the transfer of money to the Park Fund for the purchase of property;
- Adjust the “Other Obligations” to balance the RDA Budget.

Chair Wilkinson opened a public hearing at 8:00 p.m., and closed the public hearing seeing that no one wished to comment. Director Ince **moved** to approve Resolution No. 2021-01 amending the FY 2021 Centerville City Redevelopment Agency Budget. Director Mecham seconded the motion, which passed by unanimous vote (5-0).

**MINUTES REVIEW AND ACCEPTANCE**

Minutes of the September 15, 2020 and October 6, 2020 RDA meetings were reviewed. Director Ince **moved** to accept both sets of minutes. Director Mecham seconded the motion, which passed by unanimous vote (5-0).

**ADJOURNMENT**

At 8:03 p.m., Director Ince **moved** to adjourn the RDA meeting and return to regular Council meeting. Director McEwan seconded the motion, which passed by unanimous vote (5-0).

\_\_\_\_\_  
Brant T. Hanson, RDA Executive Director

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Katie Rust, Recording Secretary