

2 The Lindon City Redevelopment Agency held a meeting on **Tuesday, September 3,**  
3 **2013** beginning at approximately 7:15 p.m. in the Lindon City Center, City Council  
4 Chambers, 100 North State Street, Lindon, Utah.

6 Conducting: James A. Dain, Chairperson

8 **PRESENT**

**ABSENT**

8 James A. Dain, Chairperson  
9 Mark L. Walker, Boardmember  
10 Bret Frampton, Boardmember  
11 Matt Bean, Boardmember  
12 Randi Powell, Boardmember  
13 Jeff Acerson, Boardmember  
14 Adam Cowie, Executive Secretary  
15 Kathryn Moosman, City Recorder

16  
17 COUNCILMEMBER WALKER MOVED TO RECESS THE MEETING OF  
18 THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON  
19 CITY REDEVELOPMENT AGENCY AT 7:15 P.M. COUNCILMEMBER POWELL  
20 SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION  
21 CARRIED.

22 **MINUTES** – The minutes of the meetings of June 4, 2013 were reviewed.

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25 BOARDMEMBER ACERSON MOVED TO APPROVE THE MINUTES OF  
26 THE MEETING OF JUNE 4, 2013. BOARDMEMBER POWELL SECONDED THE  
27 MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

28 BOARDMEMBER WALKER AYE  
29 BOARDMEMBER FRAMPTON AYE  
30 BOARDMEMBER POWELL AYE  
31 BOARDMEMBER BEAN AYE  
32 BOARDMEMBER ACERSON AYE  
33 THE MOTION CARRIED UNANIMOUSLY.

34 **CURRENT BUSINESS** –

- 36  
37 1. **Public Hearing** – *700 N. Community Development Project Area Plan*. A public  
38 hearing regarding the draft of the 700 North Community Development Project Area  
39 Plan to allow public comment on the draft project area plan and whether the draft  
40 project area plan should be revised, approved, or rejected.

42 BOARDMEMBER POWELL MOVED TO OPEN THE PUBLIC HEARING.  
43 BOARDMEMBER ACERSON SECONDED THE MOTION. ALL PRESENT VOTED  
44 IN FAVOR. THE MOTION CARRIED.

46 Adam Cowie, Executive Secretary, led the discussion by explaining that this item  
47 is a public hearing required to receive public comment on the proposed 700 North  
48 Community Development Project Area Plan which will allow tax increment to be brought  
49 into that area. Mr. Cowie further explained that the City Council has had previous  
50 discussion that this financing ability would provide funds, primarily for infrastructure

permits, in this area. Mr. Cowie noted that Jason Burningham, with Lewis, Young, Robertson and Burningham Financial Consultants, is in attendance to present this plan to the Board. He went on to explain that the Board will review the procedural steps and also hear any public comment.

Jason Burningham addressed the Council at this time. Mr. Burningham explained that he thought it would be helpful, prior to hearing any public comment, to provide an overview to the Board of what a CDA is and how it may be different from an RDA or an EDA. Mr. Burningham then gave his prepared presentation to the Board. He noted that many are familiar with Redevelopment Agencies, but they have been superseded by the Community Development and Renewal Agencies Act. He went on to say that under this act, a local municipality has the option of creating three (3) project areas: a Community Development Area (CDA), which is proposed for the 700 North Corridor, and an Economic Development Area (EDA), with the primary purpose being to promote employment specific types of development. He noted that Urban Renewal areas are more typically used for blighted areas, and are more of a traditional development project where, over time, they have become dilapidated and there needs to be some significant improvements made.

Mr. Burningham stated that the purpose of the CDA is to promote community enhancement, and that is generally what the tax increment funds are used for; promoting existing businesses and to encourage them to expand operations or promote new development; and to also target specific uses, that are not there, that the City may like to see happen in terms of expanding their tax base. Mr. Burningham further stated that often the CDA is a tool that may also be used to promote public infrastructure improvements (system oriented) where they may be lacking. Occasionally CDA's are also used to promote affordable housing (defined as low to moderate income housing), and is based on the median adjusted household income within the community itself.

Mr. Burningham noted that expanded employment opportunities is another objective of CDA's and other community concerns or priorities. Mr. Burningham then gave important clarification on tax increments. He noted that going through a public hearing process, the public can be confused about what tax increment is. It is not the result of a tax increase, so none of the taxing entities levy or increase taxes, so property owners are not subject to a tax increase. Tax increment is based on the current year those taxes are frozen, and when any additional new development or growth occurs that would be the incremental value that goes above and beyond that; so whatever taxes are collected in excess of that base level is what is defined as tax increment. He further stated that instead of flowing to the taxing entities, i.e., the city, school district, county, etc., a portion of that incremental property tax could be used by the agency, and is indeed proposed to be used by the agency, to promote the development here; that is what the increment is defined as. There was then some general discussion regarding this issue.

Mr. Burningham then focused on the overall process to create the CDA. He noted the governing body, the Redevelopment Agency, authorized a Draft Project Area Plan to be developed, by resolution, this past March. He added that since the Draft Project Area Plan was authorized, they have been in the process, with the engineers and the city, looking at the general plan and the overall land use and developing the project area plan. Mr. Burningham discussed that step three is really the current part of the process where notices have been mailed to all of the property owners within the area, as well as the taxing entities, so they are all aware of the public hearing. Mr. Burningham further discussed that tonight both the City and the RDA has the opportunity to consider whether to adopt the Project Area Plan as the official plan for the area. Assuming it is adopted by the RDA as well as the City, the next steps would be to formally go to each of the entities

(School District and County) and discuss the participation rate. He noted there would be formal meetings held that the City would also attend and take part in the interlocal process, just as the other entities will be asked to participate in the process.

Mr. Burningham then focused on the specific project area plan. He noted that the plan does comply with all the requirements under Utah Code. He added that it is a written plan, very much like a General Plan or a Master Plan. Mr. Burningham stated that they will ensure the plan meets the City's General Plan for that area and that it is conforming and consistent with the land uses and the objectives that the City wants to create there, all of which meets those requirements. Mr. Burningham stated that the proposed project area boundaries are approximately 278 acres, of which 258 of those acres are developable and spread across 61 parcels. Mr. Burningham then referenced the boundary map. He also noted that to promote these types of uses the plan has identified nearly a million square feet of potential development for retail. In addition, there would be almost a million square feet of office development( professional, business, research, technology, campus oriented or flex space type of uses), all of which would have to conform to the current zoning guidelines in that area.

Mr. Burningham noted that one of the areas they have built into the plan, but not necessarily zoned specifically for that right now, is some potential of multi-family dwellings. He explained that this component has been built into the plan more as a place holder, but recognizing that with all mixed use projects there is sometimes the "rooftop" demand from developers which does not always make sense. He added that they have built in approximately 250 multi-family dwelling units in the area, which is about 12%. There was then some additional discussion regarding this component. Mr. Burningham cautioned, for the record, that there are many cities that have built with the premise that if the rooftops come in the rest will follow. He cautioned the Council to be careful going into this that as proposals come to this body that they be evaluated and not in the context of the hope that bringing the residential now the retail will come after. He stated that a concentrated financial package that brings all of them together at the same time is something worth considering, but too often communities have been told that the rooftops will drive the rest of the development and it just hasn't happened.

Mr. Burningham further explained that the plan talks about the first tax increment year (proposed to be around 2019) and also establishes the base year value, all of which are part of the project area plan requirements. He added that currently it is a 53 million dollar base value with another estimated 200 million dollars of incremental value. It would be a significant amount of tax base and would probably be equivalent of 20% – 25% of what the City currently has in total value. Mr. Burningham then noted some of the primary reasons identified in the plan as follows:

1. Twenty-one (21) million dollars of infrastructure needs (per JUB Engineers), streets, sidewalks, culinary water, sewer, storm water, street lights, telecommunication improvements and well as landscaping. All of which are not going to be able to be funded through tax increment, but it does go along way in helping meet some of those needs.
2. Stimulate and accelerate capital investment (without it the tax base will not grow).
3. Creation of new jobs. Based on the proposal, this would create in excess of 1,500 new jobs to this area over that period of time, which is very critical to Utah County and the State of Utah.
4. Tax increment is an essential part. The project area budget will really help outline the various specific interlocal agreements that will go through with each of those taxing entities.

2 Mr. Burningham concluded by stating this Community Development Project Area  
has been very well thought out by the City. It was not just talked about one or two times,  
4 but there was a lot of development discussion, including the west side of the freeway  
(where a CDA may be eventually). This particular area was identified because it is ripe  
6 and ready to proceed, but without the infrastructure it couldn't happen. Mr. Burningham  
commented that the real benefit here is that property ownership may also be able to  
accelerate their own development because public infrastructure could go in. Mr.  
8 Burningham noted that the plan also identifies the process in which the RDA could  
consider how development might happen, as well as the property owners proposing plans  
10 in which you could consider, as well as outside developers that may come in and  
potentially assemble the land. Following some additional discussion by the Council  
12 Chairperson Dain called for any public comment.

14 Ron Anderson, property owner in attendance, asked for verification if this action  
will take property out of the green belt. Mr. Burningham clarified that a CDA has no  
other tools like some other projects, for example EDA's. And unless a property owner  
16 desires to be party to the promotion of this development, they can continue to use their  
land however they wish. Nothing would force the landowner to move out of their current  
18 land use even if it is green belt. He further noted that their hope is that as the area  
develops it does promote higher and better use and the property owner could benefit from  
20 that. He added that they will not use eminent domain, this is strictly for tax increment  
only. Mr. Anderson also inquired if this passes, if it is set in stone that it will have to be  
22 zoned mixed commercial or if it could still be zoned residential. Mr. Burningham stated  
that it could still be residential, but that would depend on the Planning Commission and  
24 City Council decisions.

26 Chairperson Dain called for further public comment. Hearing no further public  
comments he called for a motion to close the public hearing.

28 BOARDMEMBER FRAMPTON MOVED TO CLOSE THE PUBLIC  
HEARING. BOARDMEMBER WALKER SECONDED THE MOTION. ALL  
30 PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

32 Chairperson Dain called for any further comments or discussion from the Board.  
Councilmember Powell questioned Mr. Burningham on page four of the project plan  
34 proposal under description of boundaries. She noted that it lists 278 acres vs. the 282  
acres. Mr. Burningham stated that he would recommend that the draft clarification be  
36 included in the motion. Chairperson Dain called for any further comments or discussion  
from the Board. Hearing no further comments he moved on to the next agenda item.

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40 2. **Review and Action** – 700 N. Community Development Project Area Plan Adoption.  
Consideration of Resolution No. 2013-3-RDA, a resolution approving the draft 700  
42 North Community Development Project Area Plan as the official Project Area Plan.

44 Chairperson Dain called for a motion on the review and action on the 700 N.  
Community Development Project Area Plan Adoption (Resolution #2013-3-RDA).

46 BOARDMEMBER POWELL MOVED TO ACCEPT AND ADOPT  
RESOLUTION #2013-3-RDA, THE 700 NORTH COMMUNITY DEVELOPMENT  
48 PROJECT AREA PLAN WITH CLARIFICATION OF PAGE FOUR (4) OF THE  
PROJECT PLAN AS DISCUSSED. BOARDMEMBER FRAMPTON SECONDED  
50 THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

BOARDMEMBER WALKER AYE  
2 BOARDMEMBER FRAMPTON AYE  
BOARDMEMBER POWELL AYE  
4 BOARDMEMBER BEAN AYE  
BOARDMEMBER ACERSON AYE  
6 THE MOTION CARRIED UNANIMOUSLY.

8 3. **Review and Action** – *RDA/Lindon, Interlocal Agreement for 700 N CDA.*  
10 Consideration of Resolution No. 2013-4-RDA, a resolution approving an Interlocal  
12 Cooperation Agreement between the Redevelopment Agency of Lindon City and  
Lindon City for the collection and remittance of incremental property taxes collected  
from property within the 700 North Community Development Project Area.

14 Chairperson Dain called for a motion on the review and action on the  
16 RDA/Lindon, Interlocal Agreement for 700 N. CDA (Resolution #2013-4-RDA).

18 BOARDMEMBER POWELL MOVED TO APPROVE RESOLUTION #2013-4-  
19 RDA, THE INTERLOCAL AGREEMENT FOR 700 NORTH CDA.  
20 BOARDMEMBER ACERSON SECONDED THE MOTION. THE VOTE WAS  
21 RECORDED AS FOLLOWS:

22 BOARDMEMBER WALKER AYE  
23 BOARDMEMBER FRAMPTON AYE  
24 BOARDMEMBER POWELL AYE  
25 BOARDMEMBER BEAN AYE  
26 BOARDMEMBER ACERSON AYE  
THE MOTION CARRIED UNANIMOUSLY.

28 Chairperson Dain called for any further discussion or comments. Hearing none  
30 he called for a motion to adjourn the RDA meeting.

32 **ADJOURN** -

34 BOARDMEMBER ACERSON MOVED TO ADJOURN THE MEETING OF  
35 THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON  
36 CITY COUNCIL AT 8:03 P.M. BOARDMEMBER FRAMPTON SECONDED THE  
MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

38 Approved – September 17, 2013

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Adam Cowie, Executive Secretary

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James A. Dain, Chairperson