



## **ROY CITY RDA BOARD MEETING AGENDA (ELECTRONIC)**

**APRIL 6, 2021- 6:00 PM**

**ROY CITY COUNCIL CHAMBERS – 5051 SOUTH 1900 WEST**

**No physical meeting location will be available.** This meeting will be streamed live on the Roy City YouTube channel. <https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA>

**A. Welcome and Roll Call**

**B. Consent Items**

- a. Approval of the March 2, 2021 Roy City RDA meeting minutes

**C. Discussion Items**

- a. Review resolution establishing a policy for the sale of RDA owned property
- b. Review a policy for purchasing property by the RDA
- c. Review of Guidelines for a grant program
- d. Review of amendments to the RDA By-laws
- e. Review RDA incentive policy
- f. Possible establishment of Point of Contact (POC) to work issues between residents, property owners, and business owners associated with proposed UDOT changes with 5600 South

**D. Approval Items**

- a. Proposed loan for the “Bugs Off Car Wash” located at 1885 W 4400 S- Brenda Nelson proprietor

**E. Adjourn**

*In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: [admin@royutah.org](mailto:admin@royutah.org) at least 48 hours in advance of the meeting.*

*Public meetings will be held electronically in accordance with Utah Code Section 52-4-210 et seq., Open and Public Meetings Act. Pursuant to a written determination by the Mayor finding that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present due to the infectious and potentially dangerous nature of COVID -19 virus appropriate physical distancing in City Council Chambers is not achievable at this time accordingly, the meeting will be held electronically with no anchor location.*

*Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) “Electronic Meetings” of the Open and Public Meetings Law, Any Councilmember may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.*

**Certificate of Posting**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 1<sup>st</sup> day of April, 2021. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 1<sup>st</sup> day of April, 2021.





**ROY CITY**  
**Roy City RDA Meeting Minutes**  
**March 2, 2021 – 6:30 p.m.**  
Roy City Council Chambers  
5051 South 1900 West

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on March 2, 2021 at 6:30 p.m. The meeting didn't start until 7:30 p.m.

Notice of the meeting was provided to the Utah Public Notice Website at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Chairman Robert Dandoy  
Boardmember Burrell  
Boardmember Paul  
Boardmember Saxton  
Boardmember Wilson  
Boardmember Jackson

City Manager, Matt Andrews  
City Attorney, Andy Blackburn

Also present were: Management Services Director, Camille Cook; City Recorder, Morgan Langholf

**A. Welcome & Roll Call**

Mayor Dandoy welcomed those in attendance and noted Boardmember Burrell, Jackson, Paul, Saxton, and Wilson were all present. He read the determination of an electronic meeting due to the COVID-19 virus.

**B. Consent Items**

1. Approval of the February 2, 2021 Redevelopment Agency Meeting Minutes

Boardmember Jackson motioned to approve the meeting minutes with amendments spoken of. Boardmember Wilson seconded the motion. All members voted "aye". The motion carried.

**C. Discussion Items**

1. Modifying the RDA Budget to include establishing a Grant Program for Businesses impacted by Economic Development.

Boardmember Saxton wanted to help people that had been reaching out to him and suggested setting aside money in a grant fund. Mayor Dandoy commented that there would be businesses impacted and they were meeting with UDOT to discuss the project and get a feel for the impacts of that project. Randy Sant stated that the redevelopment title allowed the RDA to use funds for this purpose. He recommended a public hearing and advertised accordingly because this would be a budget issue. He said that they needed direction from the board about how much money they wanted to put into this fund. They currently had a revolving loan fund with around \$270,000 in it. He thought that they needed to come up with specific guidelines for what these funds could be used for because it would be a grant, and there was a significant difference between a grant and a loan. Before they gave out loans, they did studies, but a grant would be different project.

Boardmember Burrell asked if there was assistance for businesses when a state project was done. Mr. Sant replied that there could be some from the federal relocation act. If federal funds were used and would be facilitated by the state agency that was doing the project. The RDA would be in charge of distributing any funds from a grant fund after guidelines had been adopted in a resolution. Mr. Sant talked about a situation

between a local business and their landlord about extending a lease to assist the tenant. There was discussion about what would happen when UDOT took ownership of the property. Boardmember Wilson wanted staff to meet with the economic development committee and put together a set of guidelines to bring back to the board to ratify. Once an amendment was made to the budget, they would need to have a public hearing. An incentive policy had been discussed and Mr. Sant thought it would be a good idea to pursue. Boardmember Wilson asked if the RDA would have to purchase the property outright from UDOT. Mr. Sant replied that they could propose purchasing property on a contractual basis from UDOT, but it would be at price value and no lower. It was decided to get details laid out for a grant program.

Mayor Dandoy commented on House Bill 433 and stated that 3500 would be widened if it was approved through Davis county and into Weber county. The width would be 105' all the way to Midland and they didn't know the impact on houses or businesses along 3500. It was unclear as to what would happen to the properties. There was discussion about the project.

2. Establishing a written policy if the RDA Budget is changed to establish a Grant Program.

**D. Adjournment**

**Boardmember Wilson Motioned to Adjourn the City Council meeting at 8:28 p.m. Boardmember Burrell seconded the motion. All Boardmembers voted "aye." The motion carried.**

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Robert Dandoy  
Mayor

Attest:

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Morgan Langholf  
City Recorder

dc:

**RESOLUTION NO. RDA 21-2**

**RESOLUTION OF THE ROY CITY REDEVELOPMENT  
AGENCY ADOPTING A LAND SALE POLICY**

WHEREAS, the Roy City Redevelopment Agency (the “**Agency**”) was created to transact the business and exercise the powers provided for in UCA Title 17C known as the Limited Purpose local Governmental Entities-Community Reinvestment Act (“**Act**”) ; and

WHEREAS, Section 17C-1-202 of the Act states that the Agency may “buy, obtain an option, acquire by gift, or otherwise acquire any interest in real or personal property”

WHEREAS, the Agency desires to establish a policy pertaining to the sale of real and personal property obtained by the Agency:

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE ROY CITY REDEVELOPMENT AGENCY THAT:**

1. Any sale or donation of real or personal property by the Agency requires the approval of the Agency Board and shall be by an agreement.
2. The Agency may sell or donate real property it has acquired to governmental entities for specific projects, rights of way ,etc. which are not in conflict with the Act.
3. The Agency may sell real property it has acquired through a request for proposal process (RFP).The successful proposer shall be selected on the basis of compliance with the request for proposal and the following:
  - (A) Conformance with the provisions of any project area plan adopted by the Agency and other plans adopted by the City and/or the Agency which are applicable to the parcel.
  - (B) Design quality of the proposed development, and the approval of the initial development plans by the Agency
  - (C) The experience and capability of the development team and the development team’s ability to develop the property in a timely manner.
  - (D) The establishment of covenants, conditions ,and restrictions for the entire proposed project that will ensure that the parcel will be used as intended and approved by the Agency.

- (E) Demonstration of the financial resources necessary to complete the proposed project
  - (F) Factors other than price may be considered in selection of the successful proposer.
4. The Agency may directly negotiate the terms of the sale of real property with an individual purchaser, upon the Agency Board’s approval, and determining the sale to the individual purchaser is in the best interest of the Agency. Prior to the sale, the Agency Board shall have the right to review and approve the design, and development proposed for the property.
  5. The Agency will sale any property it owns at fair market value, as established by a qualified appraiser hired or approved by the Agency. Notwithstanding, the Agency may sale any owned property at less than appraised value if the Agency Board finds that the sale of the property is in the best interest of the Agency, and the proposed development to be place on the property, provides significant economic value to the Agency and City beyond the fair market value of the property.
  6. The Agency Board may waive any provision of this policy by a majority vote.
  7. This policy shall be effective upon the approval and adoption by the Agency Board

ADOPTED by Roy City Redevelopment Agency Board on the \_\_\_\_ day of \_\_\_\_\_, 2021

ROY CITY REDEVELOPMENT AGENCY

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Secretary

## **A. PURPOSE**

The Roy Redevelopment Grant program purpose is to assist businesses located within adopted and approved Community Reinvestment Areas, or Urban Renewal Project Areas who have been impacted either by an outside public entity or an approved redevelopment project with costs associated with the relocation of their business to a new location within Roy City.

## **B. TERMS & PROVISIONS**

**GRANT AMOUNT:** The maximum amount of any grant to be used to cover relocation costs not paid for from any State or Federal relocation program shall not exceed \$7,500. In the case of a relocation caused by the Agency's approval of a project and in the event no other relocation funds are available, the maximum relocation cost will be \$15,000.

**PROPERTY ACQUISITION BY AGENCY:** In the event the Agency acquires property, that would result in the need to displace any person, or business the Agency shall follow the rules and obligations outline in the Utah State Relocation Act, and will provide relocation funding in the amount necessary to cover the costs necessary for the relocation, and other required costs are outlined in the Act. All payments required under this provision shall be administered in a manner which is fair and reasonable, and uniform as practicable.

### **APPROVAL OF GRANT/RELOCATION FUNDING**

All grant funding will be reviewed and approved by the Agency Board in a regular meeting of the Agency.

## **C. ELIGIBILITY REQUIREMENTS FOR GRANT FUNDS**

For a business to qualify for any grant funds the following requirements shall apply:

- The affected business must be located within an adopted redevelopment project area.
- The business receiving any grant funds must relocate the business in Roy City.
- The reason for relocation is because the business has or will be impacted by a project approved for funding and development by a State or Federal agency, or the business has been impacted by a redevelopment project approved by the Roy City RDA, and no other funding or assistance has been offered to the business.
- The business will provide to the Agency a list of all funding received from other agencies, for the payment of relocation costs, and the relocation cost items submitted to the funding agency for relocation reimbursement. RDA will not provide any additional fund for the approved and funded items, unless evidence has been submitted the cost for these services was not adequate to fund the cost.
- The business will provide a list of the relocation items not covered by any outside reimbursement, and the cost of those items.
- The business will be required to provide a bid or other evidence to support the cost requested from the Agency for reimbursement.
- The business may be required to sign an affidavit that the funds use was only used for relocation of its business.
- Business will agree to remain in Roy for a period of 3 years after its relocation, and in the event it fails to remain in business in Roy, the Agency may at its discretion , require repayment of the funds provided by the Agency.

**D. APPLICATION SUBMISSION**

Interested applicants must submit the application, attached to these guidelines, for determination of eligibility, including applicant qualifications, and how the requests meets the guidelines. The acceptance of an application does not constitute grant approval. Once a completed application and all supporting documents have been received, staff will review the application and prepare a recommendation for the agency Board's approval.

GRANT APPLICATION

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Business Name \_\_\_\_\_ Date \_\_\_\_\_

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Business Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

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Contact Name \_\_\_\_\_ Phone \_\_\_\_\_ Email Address \_\_\_\_\_

Please fill out a Source and Use for the entire budget amount of the business project

Amount of grant funds requested \$ \_\_\_\_\_

Amount received from other Agencies. \$ \_\_\_\_\_

Amount requested from Roy RDA \$ \_\_\_\_\_

Total Source of Funds \$ \_\_\_\_\_

Use of Funds:

Moving costs \$ \_\_\_\_\_

Replacement of supplies \$ \_\_\_\_\_

Marketing materials \$ \_\_\_\_\_

Furniture and Fixtures \$ \_\_\_\_\_

Leasehold Improvements \$ \_\_\_\_\_

Professional fees and costs \$ \_\_\_\_\_

Other costs ( provide detail) \$ \_\_\_\_\_

Total Use of Funds \$ \_\_\_\_\_

Address of new location in Roy \_\_\_\_\_

Are you leasing or purchasing new location? \_\_\_\_\_

Date of move into new location \_\_\_\_\_

Applicant Certification:

I/we hereby certify that all statements in this application are true and complete and are made for the purpose of obtaining a relocation grant. I/we fully understand it's a crime punishable by fine or imprisonment or both to knowingly make false statements concerning any of the above facts.

Applicant Signature \_\_\_\_\_ -

Please attached to the application any bids, estimates or other documents you may have that support and verify the cost to relocate your business to another location within Roy City.

Application and required documents are to be submitted to:

City Manager  
Roy City Corporation  
5051 South 1900 West  
Roy City, Utah 84067  
Attention: Loan Document

**PROPOSED AMENDMENTS TO THE  
Bylaws of the  
Redevelopment Agency  
Of  
Roy City, UT**

## **ARTICLE I — THE AGENCY**

Section 1. **Name of Agency.** The name of the Agency shall be the “Redevelopment Agency of Roy City” ( also referred to herein as the “ Agency”)

Section 2. **Governing Board.** The governing board of the Agency shall be known as the Board of Directors of the Redevelopment Agency of Roy City ( “Board of Director”).The Board of Directors shall be comprised of the members of the City Council of Roy City.

Section 3. **Executive Director.** The executive director (“Executive Director”) of the Agency shall be the duly elected or appointed Mayor of Roy City Corporation.

Section 4. **Seal of Agency.** The Agency may have a seal in the form of which it shall approve.

Section 5. **Office of the Agency.** The office of the Agency shall be at such place in Roy City ,Utah as the Agency may from time to time designate by resolution.

## **ARTICLE II- GOVERNANCE**

Section 1. **Governance.** The governing body of the Agency shall be the Board of Directors.

Section 2. **The Board of Directors.** The powers and duties of the Board of Directors shall include ,but not be limited to the following policy making functions.

- A. Adopt all resolutions, policies, and Bylaws of the Agency.
- B. Approve and adopt the annual budget of the Agency.
- C. Review all acts of the administration of the Agency.
- D. Make and enforce any additional rules and regulations for the governance of the Agency, the preservation of the order at its meetings, and the transaction of business of the Agency as may be necessary.
- E. Perform all other duties that may be required of the Board of Directors not inconsistent with these bylaws or as may be required by law.

**Section 3. Executive Director.** The powers and the duties of the Executive Director shall include, but not be limited to, the following executive and administrative functions:

- A. Implement the resolutions of the Board of Directors.**
- B. Execute the policies adopted by the Board of Directors.**
- C. Utilize such City personal as may be necessary to exercise the powers, duties, and functions of the Agency as prescribed by the laws of the state of Utah. The selection and compensation of personnel shall be determined by the Executive Director, in consultation with the Chief Administrative Officer, and subject to the policies established by the Board of Directors.**
- D. Attend all meetings of the Board of Directors with the right to take part in all discussions and the responsibility to inform the Board of Directors of the conditions and needs of the Agency and to make recommendations and give advice to the Board of Directors. The Executive Director shall not have the right to vote in Agency meetings.**
- E. Furnish the Board of Directors with reports and information request by the Board of Directors.**
- F. Negotiate and execute agreements or contracts within budget appropriations on behalf of the Agency.**
- G. Establishing reporting and management structures for the Agency.**

### **ARTICLE III – OFFICERS**

**Section 1. Officers.** The officers of the Agency shall be a Chairperson and a Vice-Chairperson.

**Section 2. Chairperson.** The Roy City Mayor shall be the **Chairperson** of the Agency. and will preside at all meetings of the Agency. At each meeting, the **Chairperson** shall submit such recommendations and information as the Chairperson may consider proper concerning the business, affairs, and policies of the Agency.

**Section 3. Vice Chairperson.** The **Vice Chairperson** shall be elected from the **Board of Directors**. The **Vice Chairperson** will perform the duties of the **Chairperson** in the absence or incapacity of the **Chairperson**, and in case of resignation or death of

the **Chairperson**, the **Vice Chairperson** shall perform such duties as imposed on the Chairman until such time as the as a new **Chairperson** has been chosen.

**Section 4. Additional Duties.** The officers of the Agency shall perform such other duties and functions as may from time to time be required of the Agency or the Bylaws or rules and regulations of the Agency.

**Section 5. Election.** The Vice Chairperson shall be elected at the annual meeting of the Agency from among the members of the Board of Directors of the Agency. The Vice Chairperson shall hold office for two years or until his or her successor is elected and qualified. A Vice Chairperson shall be eligible for reelection and may serve one or more successive one or more successive terms.

**Section 6. Executive Director** The Mayor of Roy City shall serve as the Executive Director and shall exercise his or her executive powers to perform such duties on behalf of the Agency as more fully described in Article II herein and shall, subject to the policy direction of the Board of Directors, have general supervision of the administrative and business affairs of the Agency. The Executive Director shall negotiate, award and execute agreements or contracts within the budget appropriations on behalf of the Agency. All resolutions and Bylaws must be signed by the Executive Director. The Executive Director or his or her designee shall sign all contracts, deeds, orders, and other instruments made by the Agency on behalf of the Executive Director. Such designee must be employed by the City. The Executive Director may appoint an acting Executive Director with the advice and consent of the Board in the absence of the Executive Director.

**Section 7. Chief Administrative Officer.** The City Manager of Roy City shall be the Chief Administrative Officer of the Agency and have the general supervision over the day-to-day operations and activities of the Agency, and the routine administration and management of the Agency business. These day-to-day operations include, but are not limited to, retaining and supervising Agency staff and consultants, negotiating contracts, enter contracts with independent contractors for technical advice and services, subject to budgetary approval by the Board, prepare the Agency budget, and required reports as outlined in the Act, assist in the implementation of policies adopted by resolution of the Board. The Chief Administrative Officer may have additional duties as assigned by the Executive Director, or by resolution of the Board. The Chief Administrative Officer serves under and reports to the Executive Director of the Agency. Together, the Executive Director and Chief Administrative Officer serve as the administrative officers of the Agency.

**Section 8. Additional Personnel.** The Agency may from time to time, employ such personnel, or consultants as it deems necessary to exercise its power, duties, and functions as outlined in the Community Reinvestment Act, as outlined in UCA, title 17C. Current personnel of the Agency shall include a Secretary for the Agency, Legal Counsel for the Agency, and a Financial Director for the Agency.

The Secretary of the Agency shall be the City Recorder of Roy City. The Secretary shall work under the direction of the Executive Director and the Chief Administrative Officer. The duties of the Secretary shall include, but are not limited to, keep the official minutes and record of the Agency meetings, act as the Secretary for the meetings, attest the signature of the officers required to sign any document, resolution, contract of the Agency, call all required votes of the Board of Directors, keep the seal of the Agency and affix such seal to any contract or document authorized to be executed, and prepare all agendas, notice of meetings, required under these Bylaws, or the laws of The State of Utah.

The Legal counsel for the Agency, shall be the City Attorney of Roy City. The attorney shall, under the general direction of the Executive Director and the Chief Administrative Officer, provide legal advice and services to the Agency. When appropriate, the City Attorney may retain or consult with outside legal counsel who specialize in redevelopment law. Such services shall be subject to appropriated funds of the Agency.

The Finance Director of the Agency shall be the Management Services Director of Roy City. The Director shall have the care and custody of all funds of the Agency and shall deposit the same in such banks or banks as approved by the Board of Directors. The Roy City Treasurer shall sign all orders and checks for the payment of money and expenses of the Agency, in accordance with the approved budget adopted by the Board of Directors. The Finance Director shall keep regular books of accounts showing receipts and expenditures of the Agency. The Finance Director shall render to the Agency, when requested by the Board of Directors, an account of all transactions and the financial condition of the Agency. The financial director shall require, on an annual basis an audit of the Agency funds and expenditures in accordance with state law. The audit report shall be presented to the Agency Board of Directors on an annual basis at the same time as the audit report is presented to the Roy City Council.

## ARTICLE IV MEETINGS

**Section 1. Annual Meetings.** The annual meeting of the Agency shall be held commensurate with the first Regular Meeting of each calendar year. The election of the Vice Chairperson shall be on the agenda of this meeting. The time and place of the shall be established by the Executive Director.

**Section 2. Regular Meetings.** The regular meetings of the Agency shall be held at intervals deemed appropriate or upon the written request of two members of the Board of Directors. Notice of the meeting shall meet the requirements outlined in the Utah Open and Public Meetings Act, Utah Code 52-4-2, and its successor or replacement.

**Section 3. Special Meetings.** The Executive Director may call special meetings of the Agency as deemed necessary and shall call special meetings upon the written request of at least two (2) Board members for the specified purpose of carrying our Agency business. Notice of special meetings shall meet the requirements outlined in the Utah Open and Public Meetings Act, Utah Code 52-4-2, and its successor or replacement.

The call for a special meeting shall be in writing and delivered or emailed to each Board member at the business or home of each, at least twenty-four (24) hours prior to the time of such special meeting. At such special meeting, no business shall be considered other than that designated in the call.

**Section 4. Closed Door Meetings.** The Agency may meet in Closed Door Meetings upon approval of the Board in an open meeting, to discuss personnel, litigation, and property acquisition.

**Section 5. Resolutions and Contracts.** All resolutions shall be in writing and designated by number, reference, to which shall be inscribed in the minutes and an approved copy filed with the Roy City Recorder's Office. All contracts executed by the Agency shall be filled with the Roy City Recorder's Office.

**Section 6. Quorum.** The powers of the Agency shall be vested in the Board of Directors of the Agency. Three (3) members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Board of Directors upon a positive vote of at least three (3) members.

**Section 7. Order of Business.** The Board of the Agency is comprised of the members of the Roy City Council. The Council periodically adopts Rules of Procedure that define the organization and operation of the Council and outline expectations on how Council meetings are conducted. The Agency Board desires to utilize all reasonably applicable Rules of Procedure of the Council then in

effect for the procedures and order of business of the Agency. Such Rules of Procedure shall be in effect at all regular or special meetings of the Board. Therefore, the Rules of Procedure of the Roy City Council then in effect, as reasonably applicable to the Agency, are adopted and incorporated herein by reference, and shall be used by the Agency Board. At the regular meetings of the Agency, the following may be the order of business.

- Call to order.
- Approval of Minutes.
- Scheduled Items.
- Adjournment.

#### **ARTICLE V – AMENDMENTS OF THE BYLAWS**

**Section 1. Amendments of the Agency Bylaws.** The Bylaws of the Redevelopment Agency of Roy City may be amended by majority vote of the Board of Directors of the Agency at a regular or special meeting.

**Section 2. Review of Bylaws.** The Bylaws of the Agency shall be reviewed by the Board of Directors at each annual meeting.

#### **ARTICLE VI – MISCELLANEOUS**

**Section 1. Community Reinvestment Act.** Notwithstanding anything within these Bylaws, the Redevelopment Agency of Roy City acknowledges that the Agency is a separate body corporate and politic and a political subdivision of the State of Utah and not a department of Roy City, and is controlled by the provisions outlined in the Community and Reinvestment Act, UCA Title 17C, and those provision supersede any provisions outlined in these Bylaws.

**Section 2. Internal Policies and Proceeds.** The Agency as a separate body, has the authority to establish and adopt its own policy and procedures necessary to govern the operations of the Agency. All policy and procedures shall be adopted by a resolution of the Board of Directors.

ITEMS FOR CONSIDERATION FOR AN  
INCENTIVE POLICY FOR ROY CITY  
REDEVELOPMENT AND ECONOMIC DEVELOPMENT PROJECT

**BASIC GOAL OF INCENTIVE USE:**

Development incentives are to be used to encourage private development that will achieve and meet the economic development priorities established by the city and redevelopment agency. Incentives should become investments that eventually benefit the community in a matter that exceeds the value of that incentive investment.

**INCENTIVES SHOULD MEET MULTIPLE PRIORITIES:**

Projects receiving development tax incentives should meet multiply priorities, which include the following:

- 1- Promoting development in specific locations ( defined in the economic strategic plan & general plan)
- 2- Promoting development of specific types that adds value to the community.
- 3- Attracting business of certain types ( defined cluster development)
- 4- Provides a return on the investment to the City.
- 5- Participates becomes a community partner.

**AVAILABLE INCENTIVES:**

The following incentives could be available to assist both new and existing companies with the development of their business within the City:

- 1- Tax Increment Financing ( City)
- 2- State IAF/EDTIF funding ( State)
- 3- Public Infrastructure Districts ( City)
- 4- Custom Fit Training (State )
- 5- RDA Housing Participation ( City, County, State)
- 6- Individual City considerations ( City)

## **GUIDELINES FOR INCENTIVE APPROVAL:**

The following are suggested guidelines for the use of economic development incentives. These guidelines are intended to aid the city and redevelopment agency, and our partners in other organizations that may offer economic incentives, in evaluating and deciding whether to grant the use of economic development incentives.

### **IS THE USE OF THE INCENTIVES IN THE PUBLIC INTEREST**

Issuance of incentives should be provided to projects that provide a public benefit or will serve a public interest. Examples of the type of public benefits may include but are not limited to the following:

- 1- Strengthen the city's employment and the economic base and enhances other public entities tax base.
- 2- Encourages quality development that meets the general plan or other planning documents adopted by the city.
- 3- Provides for construction of needed and necessary infrastructure.
- 4- Supports investment in human capital by providing skill development, continuing education, training, and increased employment and wage.
- 5- Develop and maintains business relationships with existing Roy City businesses
- 6- Support of our public schools for K-12 education for the future employment base
- 7- Promotes higher education opportunities to increase the number of college and university graduates in Roy City to meet the demand for a highly skilled vocational and professional workforce.
- 8- Provides opportunity to develop productive working relationships with the city.
- 9- Cost of the development to the city, and is there adequate revenue, with the offer of the incentive, to cover those costs.

### **PUBLIC FINANCIAL INVESTMENT SHOULD BE PROTECTED**

All efforts should be made to protect the public investment that is made in any project receiving any economic incentive. These efforts should include the following:

- 1- Public incentive should be "post-performance". This means the public funding is based on the project being completed.
- 2- Any required up-front funding should be secured ( bonding)
- 3- Development agreements should be required.
- 4- Pro forma of the project is a requirement and should be professional reviewed to determine if the public investment is justified.
- 5- An economic benefit analysis will be required for any project requiring an incentive. This analysis will also include the cost to the city for the development, and the amount of available revenue to cover those anticipated costs.

- 6- Communication should occur in the beginning of the incentive process to outline all terms, conditions, obligations , and returns required for the public investment.
- 7- All public investments should be measured best on the requirements outlined in this paper.
- 8- Transparency should be required on all public financing of incentives.
- 9- Project Performance should be clearly stated and monitored on ongoing bases. Failure to fulfill conditions should result in a discontinuing of the incentives. Consideration should also be given to a requirement to pay back incentives already given if performance measures are not met.
- 10- Length of time of the incentive and amounts should be based on the economic benefits gained by the development, cost to the city and other public entities that participate in the incentive, and the capital investment to be made, and the ability of the project to meet the other criteria outlined in this policy.
- 11- An economic benefit analysis is required for any project requesting incentives.

#### **APPLICATION/REVIEW PROCESS:**

A consistent application and review process should be required for any requested incentive. The application should include the following information:

- 1- Letter from the company which includes information about the company, project to be built, number of jobs to be created, wages to be paid, capital investment to be made, time frame for construction, and specific request of incentive. In lieu of a letter, a meeting may be held with the developer to obtain the information.
- 2- A development proforma is to be submitted for review.
- 3- A Meeting with GOED and EDCU is required to understand any state incentive, that may have been requested for the development. This information could impact the amount of incentive required by the City.

There should be specific steps defined in the policy for review of a request for incentives. These steps may include:

- 1- Information provided by the applicant is reviewed by staff to determine if it meets the criteria established in the incentive policy, and a preliminary recommendation is made to participate or not to participate.
- 2- The information and recommendation are reviewed with a designated incentive review committee. The committee can request other information be obtained prior to making a recommendation to participate or not to participate.
- 3- An economic benefit analysis is conducted on the project to determine the return on the public investment, and cost to the city to support the project.
- 4- The recommendation made by the city incentive committee and the results of the benefit analysis are presented to the mayor, and RDA chair for their approval to present the public participation/ incentive to the city council/RDA board.
- 5- If tax increment is required, a meeting is held with the RDA board to review the project, all applicable information, and the recommendations of staff and economic development

committee, and the incentive requested. The RDA shall have the final decision as to offering any tax increment based on the information provided.

- 6- A letter/ meeting is prepared to the applicant outlining any terms and conditions of the incentive to be offered. With a formal request for the company to either accept or reject the incentive
- 7- The RDA moves forward with the creation of the applicable project area, if required, and complies with all requirements outline in State Code ( Title 17C) for the project creation.
- 8- If applicable, a meeting is held with EDCU/GOED to review the incentive to be offered.
- 9- The RDA staff prepares all required documents including development agreement, incentive offer, interlocal agreements for taxing entities, final budget, and official offers the incentive, and takes the responsibility of any public release of the project.
- 10- The RDA is responsible for any project monitoring of incentive requirements.
- 11- The RDA staff will report on an annual basis the status of the development to the RDA board, including information regarding the economic benefit to the city from the proposed development.