

Mayor
• Robert Dandoy

City Manager
• Matt Andrews



Council Members
• Jan Burrell
• Joe Paul
• Bryon Saxton
• Ann Jackson
• Diane Wilson

ROY CITY RDA BOARD MEETING AGENDA (ELECTRONIC)

MAY 4, 2021- 5:30 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 April 6, 2021 Roy City RDA meeting minutes

C. Presentation

- a. Budget Proposal FY 2022

D. Action Items

- a. Resolution 21-2 Amending the By-Laws of the Redevelopment Agency of Roy City
- b. Resolution 21-2 Adopting a policy for the Disposition of Land for the Redevelopment Agency of Roy City
- c. Resolution 21-4 Adopting a policy for the granting of Agency funds to assist with relocation costs

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 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 30th 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 30th day of April, 2021.



RDA RESOLUTION NO 21-2

RESOLUTION OF THE REDEVELOPMENT AGENCY OF ROY CITY APPROVING AMENDED BY-LAWS OF THE AGENCY; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN ON BEHALF OF THE AGENCY

WHEREAS, the Redevelopment Agency of Roy City approved by-laws in June of 2005, and;

WHEREAS, those approved by-laws allowed for the amendment of the by-laws only with the approval of a majority vote of the Agency board, and:

WHEREAS, the Redevelopment Agency of Roy City desires to make amendments to those by-laws, which amendments are include in the by-laws attached to this resolution.

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

1. The by-laws for the Redevelopment Agency of Roy City, attached to this resolution, are hereby approved and replace and supersede in their entirety all prior outstanding by-laws of the Agency.
2. That the Executive Director of the Redevelopment Agency of Roy City is hereby authorized and directed to sign and deliver for and behalf of said Agency those by-laws attached to this resolution.

EXECUTIVE DIRECTOR

AGENCY SECRETARY

**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 requested 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 of the Board. The officers of the Board of Directors shall be a Chairperson and a Vice-Chairperson.

- A. 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.
- B. 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. 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 2. Officers of the Agency

- A. 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.
- B. 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.
- C. Secretary. 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.

- D. The Legal Counsel. 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.
- E. The Finance Director. 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.
- F. 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. An officer of the Agency may be appointed to fill more than one office.
- G. Section 7. 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.

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/ Chair of the Board 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 in accordance with the provisions of the Utah Open and Public Meetings Act.

Section 5. Electronic Meetings- Electronic Meetings may be conducted in accordance with the provisions of Section 1-6-5(D) of the Roy City Municipal Code.

Section 6. 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 7. 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 8. 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.

IN WITNESS WHEREOF the Chairman and Executive Director has hereto under set his name this _____ day of _____, 2021

EXECUTIVE DIRECTOR

RESOLUTION NO. RDA 21-2

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF
ROY CITY ADOPTING A REAL PROPERTY
DISPOSITION 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, Section 17C-1-201 of the act provides that the Agency may hold, sell, convey ,gift ,or otherwise dispose of any interest in real or personal property”; and

WHEREAS, the Agency desires to establish a policy pertaining to the sale of real and personal property owned 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. Disposition of all RDA- owned real property shall abide by all applicable laws and be conducted in a competitive and transparent manner as deemed appropriate and effective Further, disposition methods shall support the RDA objectives as outlined in project area plans, and other adopted policies. All RDA-owned properties shall be subject to a development agreement or other mechanism to ensure compliance with the intended reuse plan proposed for the property. Unless otherwise specified herein, RDA-owned properties shall be disposed of using the following methods:

(A) **Competitively Marketed**

The RDA shall competitively market properties to create open transparent exposure to the marketplace. Methods to competitively market properties are available for any RDA-owned property and include the following:

- i. Request for qualifications(RFQ) to competitively market the property through a time-limited qualification-based selection process

ii. Request for proposals (RFP) to competitively market the property through a time-limited project -based selection process.

iii. Market property on an open-ended basis to competitively market the property through a listing with a property broker or other marketing

(B) Exclusively Negotiation

The Agency may directly negotiate the terms of the sale of real property with individual purchaser, upon the Agency Board's approval, and at least one Of the following criteria is met:

i. The property is landlocked

ii. The sale is to an adjacent property owner to facilitate meeting objectives as defined in a project area plan.

iii. The sale is to a non-profit or governmental agency for a community development or public use.

iv. The sale of property has been competitively offered with no competitive responses received

v. The sale of property has previously been used as a public right of way that is no longer required.

vi. The exchange of property is to facilitate redevelopment objectives as defined in a project area plan.

4. The successful proposer under the competitive bid process shall be selected on the basis of compliance with the request for the proposal or qualifications and other items approved for the proposal, including but not limited to, conformance with the provisions of any project area plan adopted by the agency, or by the city that are applicable to the property; design quality of the proposed development; experience and capability of the development team; the ability to develop the property in a timely matter; and the establishment of covenants, conditions, and restrictions for the entire proposed project that will ensure that the parcel will be used and as intended and approved by the agency.

5. The Agency will sell any property it owns at fair market value, as established by a qualified appraiser hired or approved by the Agency. Notwithstanding, the Agency may sell 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 the Redevelopment Agency of Roy City Board on the ____ day of _____, 2021

REDEVELOPMENT AGENCY OF ROY CITY

Executive Director

ATTEST:

Secretary

RDA RESOLUTION NO. 21-4

RESOLUTION OF THE REDEVELOPMENT AGENCY OF ROY CITY ADOPTING THE GUIDELINES, POLICY, AND PROCEDURES FOR THE RELOCATION GRANT PROGRAM

WHEREAS, the Redevelopment Agency of Roy City (the “Agency”) was created to transact the business and exercise the powers provided in the Utah Community Reinvestment Agency act; and

WHEREAS, the Community Reinvestment Agency Act grants the Agency powers to use funds to provide for project area development within project area boundaries; and

WHEREAS, the Agency desires to create a grant program to assist affected business located within the created project areas in the event there is a project approved by the Agency or an event from a State or Federal agency that would require the business to relocate, and no other relocation funding is available.

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

1. The guidelines, policy, and application attached to this resolution are approved as the official guidelines, policy and procedures for the grant program
2. The Agency staff and its consultant are authorized to accept applications from qualified businesses, for the grant of funds in accordance with the guidelines.
3. The funding for the grant program will be authorized by the Agency either through the approval of the Agency annual budget, or an approved amendment to any existing budget, after a required public hearing.

Chair, Redevelopment Agency of
Roy City

Attest

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: For Federal or state funded relocation costs, the maximum amount of Any grant to be used to cover relocation costs shall not exceed \$7,500. For Agency Redevelopment initiated projects, and no other funds are available, the maximum Amount of any grant shall exceed \$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 all of 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.
- In the event other relocation funding is available from other outside entities, the applicant shall apply for such funding, prior to applying for Agency funds.
- 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 will only be 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 meet 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

Business Name		Date
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Business Street Address	City	State
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Contact Name	Phone	Email Address
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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