



**ROY CITY**  
**Roy City RDA Meeting Minutes**  
**May 4, 2021 – 6:00 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 May 4, 2021 at 6:00 p.m. The meeting didn't start until 6:30 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 April 6, 2021 Redevelopment Agency Meeting Minutes

**The minutes of the April 6, 2021, Roy City Redevelopment Agency Meeting Minutes were moved and seconded for approval, and the motion passed with the unanimous consent of the Redevelopment Agency.**

**C. Presentation**

- a. Budget Proposal FY 2022

Management Services Director Camille Cook presented this item to the Council, and explained RDA budget proposals. She said that the proposed RDA budget was there to facilitate redevelopment efforts in a designated community, and to administer projects or programs to assist in economic development, community development, and renewal of urban areas. Redevelopment agencies assisted in redevelopment efforts through encouragement of private and public investment in previously developed areas that were underutilized. The revenues for the RDA came from tax increment funding (TIF), which came from both Roy City and other governmental agencies within Weber County. The taxing entity committee voted to approve the project area and agreed to forgo their property tax revenue for that certain area for a certain length of time.

Management Services Director Camille Cook explained that their proposed budget was \$1,437,190, which included \$300K for a revolving loan fund to help local businesses, \$206,720 for downtown beautification, and \$59K for demolition. As per the directive given during the strategic planning session, this budget also included funding in the professional and technical budget that could be utilized to develop an economic development director position in the future. The RDA must be approved by June 15, and they planned to

hold the public hearing and consider the budget for adoption then. She noted that they were happy to facilitate a budget work session for the RDA meeting if needed.

Boardmember Bryon Saxton did not see if they needed to approve resolution 21-4 , and asked where it was a line item. Management Services Director Camille Cook stated that they could make that adjustment once it was approved since that item was not currently approved with the RDA. She noted that as with the City funds, this budget now became the board member's budget. Mayor Robert Dandoy said that they would find out in a few minutes if 21-4 was approved by Boardmembers.

**D. Action Items**

a. Resolution 21-2 Amending the by-laws of the Redevelopment agency of Roy City

Management Services Director Camille Cook informed them that she accidentally had two 21-2 items on the RDA, so the next one would need to be when they proposed and approved it 21-3.

Randy Sant presented the proposed changes to the by-laws. He briefly outlined the review process the amendments had gone through since it was presented back in April. He noted that they made a number of changes that ranged from spelling and grammar to more substantial changes. Randy Sant discussed the notable changes to the document.

Randy Sant said that in Article 3: Officers, they changed Section One to read 'officers of the Board.' He said that the officers of the Board were now the chairperson, vice chair, executive director, chief of administrative officer, secretary, legal counsel, and the finance director. Randy Sant explained that instead of having them individually as employees, they were now considered officers of the Board.

Randy Sant explained that in Article 4: Meetings, they changed the regular meeting, particularly on the Utah Open Meetings Act, to ensure they complied with State statute.

Randy Sant covered that in Article 6: Miscellaneous, they added "Section Two: Internal Policies and Proceeds," so that the agency as a separate body had the authority to establish and adopt its own policy and procedures necessary to govern the operation of the agency. He explained that they felt this change was needed because the Board was adopting policies that evening that allowed them under the bylaws to do that.

Randy Sant stated that the rest of it stayed pretty much the same, other than some spelling and grammar adjustments.

Boardmember Diane Wilson had a question in regards to the requirement for written requests of two members. She thought everything but one word was great, and asked how hard it was to change a single word later. Randy Sant replied that the bylaws allowed them to amend them at a majority vote at the Board of directors at an agency meeting or special meeting. He stated that if they needed them to bring this back, they could do that at the next meeting.

**Boardmember Paul motioned to approve Resolution 21-2 Amending the by-laws of the Redevelopment agency of Roy City. Boardmember Jackson seconded the motion. All Councilmembers voted "Aye." The motion carried.**

Mayor Robert Dandoy informed the Board that with that approval they were required to select a vice chairperson. He asked if anyone had a personal interest in the position to send him a message and he would put it together so they could vote.

Randy Sant stated that they could do a motion to reconsider in order to implement the change requested by Boardmember Diane Wilson.

**Boardmember Wilson motioned to reconsider the words ‘written request’ and change or omit the word ‘written’ in the bylaws that were just approved. Boardmember Saxton seconded the motion. All Boardmembers voted “Aye.” The motion carried.**

Boardmember Diane Wilson provided further clarification that in Article 4 Section 2 and Section 3, she wanted to change the requirement for a written request to allow verbal requests as well. The board was informed that they could either omit the word written or include the word verbal. However, the requirement of written requests made for better recordkeeping.

Boardmember Joe Paul did not like verbal requests because there were no records of it. Boardmember Bryon Saxton expressed the opinion that they should change it to ‘written or verbal’ to include both options. Boardmember Joe Paul reiterated that he much preferred to have written communication where it could be tracked.

Boardmember Diane Wilson asked if text requests counted as written requests. It was replied that they could set it up how they wanted, but it was also suggested that they at least require an email. Emails offered better recordkeeping than texts.

Boardmember Diane Wilson said that she wanted to at least have an opportunity to discuss it.

**No motions were presented to approve the recommended change. The reconsideration died as lack of a motion.**

Mayor Robert Dandoy reiterated his previous comments about the vice chairperson position.

- b. Resolution 21-3 adopting a policy for the Disposition of Land for the Redevelopment Agency of Roy City.

Randy Sant presented the proposed policy for Resolution 21-3. He briefly outlined the reviewal process the amendments had gone through since it was presented back in April. He informed the Board that no significant changes were made to this item, however there were some spelling and grammar changes. There was also a change to reword a sentence in the exclusive negotiation section in order to clarify the sentence’s intent. Now it meant that if they decided they wanted to exclusively negotiate they had to come back to the Board and discuss it, as well as present to the Board one of the criteria.

Boardmember Diane Wilson referred to the following statement in number six: “The agency board may waive any provision of this policy by a majority vote.” She thought it was important to discuss this in terms of consistency and explained that the way it currently read could lend itself to an inconsistency. She stated that if they talked about other things, they needed to ensure that if a certain group was allowed to do something then there was consistency for other groups. She said that they should make sure they did not set themselves up for a lawsuit by just being able to waive a provision.

Randy Sant explained that the reason this was put in was simply because there could be a situation, particularly in regards to a governmental entity, that they found they did not have to do a certain activity or provide certain information. He stated that this gave them the option to waive a requirement if they ran into a situation with a requirement under the policy that needed to be waived. He communicated that this

could not be done unless it was brought back and presented to the Board, and then the Board made the decision whether it was waived or not.

Randy Sant expressed that in terms of consistency, everything had to come back to the Board for review and discussion. He stated that a problem could present itself if they gave a waiver to one and not the other. In that scenario there would need to be some justification as to why it was not consistent. He said that would have to be brought up as part of the conversation because he assumed if they had the same board for four years, they would have the experience to help keep it consistent.

Randy Sant expressed that he personally liked it because it gave the Board some authority because it forced potential waived items to come to the Board first.

Mayor Robert Dandoy agreed that the consistency was really relevant, particularly as they changed Boardmembers. He stated that they may not have the same Boardmembers, yet the RDA agency still existed and functioned. He expressed the opinion that the documentation and recordkeeping needed to be consistent.

Mayor Robert Dandoy said he liked Randy Sant's comment that it gave the Board flexibility and allowed them to manage better, but expressed that there was always a risk if they had the option to ignore a particular portion of the policy for inconsistent reasons.

Mayor Robert Dandoy said that he wanted to take an action to clarify examples of where this should and should not be used. He thought that they should provide an amendment to this that definitized what represented an option where they may want to throw the policy out.

Boardmember Diane Wilson asked for clarification about how they would proceed forward with it that day. Mayor Robert Dandoy said that they could approve it with an understanding that they needed to come back and clarify that particular statement. He further said that they did not have to approve it, and they could table it for later. He explained that as a public entity, whether an RDA or City Council, they had to be consistent and fair. Any time they deviated to be inconsistent between principal parties, it presented a risk. He relayed how years before the City Council had changed 24 pages of City Council code that pushed more of the administrative functions back into the Planning Commission and left the legislative components to the City Council. This allowed for the necessary consistency.

Randy Sant suggested that if they were uncomfortable in any way with the statement, he recommended that they eliminate it so that nothing can be waived from the policy. He said that he would prefer to do that than to include specifics. City Attorney Andy Blackburn and Mayor Robert Dandoy agreed.

**Boardmember Paul motioned to approve Resolution 21-3 adopting a policy for the Disposition of Land for the Redevelopment Agency of Roy City as written with the exception of Number 6. Boardmember Saxton seconded the motion. All Boardmembers voted "Aye." The motion carried.**

- c. Resolution 21-4 Adopting a policy for the granting of Agency funds to assist with relocation costs

Randy Sant presented the proposed policy. He noted that this policy had also been reviewed by City Attorney Andy Blackburn. Randy Sant expressed appreciation for the legal counsel and their due diligence to look everything over.

Randy Sant discussed that the one significant change was in B under Terms and Provisions. The grand amount had been rewritten as follows: "For federal or state funded relocation costs, the maximum amount

of any grant to be used to cover relocation costs shall not exceed \$7.5K. For agency redevelopment-initiated projects, or no other funds are available, the maximum amount of any grant shall not exceed \$15K.”

Boardmember Ann Jackson inquired if that would come into effect on 5600 when they had to relocate all the businesses. Randy Sant reminded them that there were a couple of things that went into effect here. First, any program had to be in a redevelopment project area. He informed them that 5600 South was not in an RDA project area, but noted that did not mean they could not create one if they felt it was needed. He further explained that 1900 West was in an RDA project area.

Randy Sant expressed that what he thought they would find was that any of the property owners that would be impacted by the State project for the 5600 South interchange would get compensation from the State. Boardmember Joe asked for confirmation that they currently did not have any ‘redevelopment-initiated projects.’ Randy Sant confirmed that they did not. Boardmember Joe also asked for confirmation that this would be implemented as they moved forward and was not retroactive. Randy Sant said there was not anything for it to be retroactive to because they did not have a redevelopment-initiated project yet.

Boardmember Joe that they approved it tonight and moved forward from there. Mayor Robert Dandoy stated that there was no language in the document that talked to that issue either way. Randy Sant said that the Mayor was correct, and he relayed that it said, “the purpose of the Roy Redevelopment Grant program was to assist businesses located within adopted and approved community reinvestment areas or urban renewal project areas who had been impacted either by an outside public entity or an approved redevelopment project with costs associated with the relocation of those businesses to new locations within Roy City.”

Randy Sant stated that 1900 West had two community reinvestment areas that had been adopted, one on the east side and one on the west side. The Roy City Center was not in an adopted project area. He discussed other areas on the map. He reiterated the purpose stated in the policy.

Randy Sant reiterated the previous statement about grant amounts as follows: “For federal or state funded relocation costs, the maximum amount of any grant to be used to cover relocation costs shall not exceed \$7.5K. For agency redevelopment-initiated projects, or no other funds are available, the maximum amount of any grant shall not exceed \$15K.” He specifically referred to the phrasing of ‘redevelopment-initiated projects,’ which the City currently did not have.

Randy Sant said that they could debate whether they initiated a redevelopment project when they created project areas, and communicated that he had not provided a definition in the policy as to what was or was not an initiated redevelopment project.

Boardmember Diane Wilson asked for clarification that that would leave a more open option specifically for one business that had previously come to them, and there was still a chance they would meet that criteria. Randy Sant replied that if the redevelopment agency were to receive an application for relocation funds, and that individual came in and made an argument that they had to relocate because of a redevelopment-initiated project because the Board adopted a redevelopment project area, it would be up to the Board to decide whether or not they felt it classified as a redevelopment-initiated project.

Boardmember Bryon Saxton commented that the intent was to help those who did not get help. Randy Sant said that he did not think there was any reason they could not talk about who it was. He acknowledged that they had a business that believed that they had to relocate because they were unable to get a longer lease term from their existing property owner due to the fact that the property owner had the intent to do an additional project of which would ask for redevelopment funding.

Randy Sant explained that this was a policy they were asked to put together as staff that would provide money for relocation. He said that ultimately, he thought it was up to the Board to decide how they wanted to implement the policy. He expressed that he did not think they should do anything unless someone submitted an application and came before the Board to explain their reasons. The board would then have to make that determination.

Randy Sant stated that if they wanted to get more specific, they could put together a definition of what constituted an initiated redevelopment project, which would narrow it down. Boardmember Joe Paul thought that would be any time they went into a contract or partnership with a developer and offered funding to help get a project off the ground.

Boardmember Bryon Saxton said that the RDA had approved a \$5K loan for someone to have a car wash fixed up, yet they had a 25-year iconic business that was being hit hard. He thought that these particular actions by the RDA was a way to protect some of the small business owners who had done everything they had been asked to do by the City. He expressed the opinion that it was not fair that the City did not want to at least pay the business's moving costs, relocation costs, or signage costs, and that there seemed to be a double standard as it was something that they would probably consider for a newer business. He thought that they should do something fair and just to help the small business out and at least offer to pay for the moving costs and signage.

Boardmember Ann Jackson asked if they knew what their costs were for moving and signage. Boardmember Bryon Saxton said that he did not know. He noted that their relocation costs were low because they had a lot of family come and help in order to keep the cost down. He estimated that the signage cost was more.

Mayor Robert Dandoy said that in accordance with what the document said, any company that was impacted and felt that they qualified was able to submit an application. He further said that the only stipulation was that they first had to have a project in that area. Even if there was a project in the area, someone who was impacted prior to the project going into the area could still submit an application if they wanted to. It was then up to the Boardmembers to approve.

Mayor Robert Dandoy stated that they could either make the change that day or table it for later. He expressed that they needed to determine if the business Boardmember Bryon Saxton had referred to had a right to submit for the grant request once a project had been identified in the area. He reiterated that at that point it was up to the Boardmembers whether they wanted to approve the request. If they did not like that, they could make an amendment that said that the only time someone could submit for a grant was after a grant had been presented. He reiterated that they could either make the change that day or table it to review later and change the language to be more definitive.

Boardmember Diane Wilson expressed that she liked the flexibility. She noted that she had a few other things she wanted to bring up after they ironed this part out.

Boardmember Ann Jackson acknowledged that she knew the business in question, and she wanted them to be able to submit an application if they needed to.

Mayor Robert Dandoy clarified that this was not specific to a specific business, and that any business would have the right to submit an application.

Boardmember Ann Jackson clarified that the Board would still have to approve any application that was submitted before the applicant received money.

Boardmember Joe Paul asked how far they would go back. He expressed concern that if they allowed flexibility, it would open it up for things that had happened years prior. Randy Sant explained that if it was considered a redevelopment-initiated project, they could go back as far as they wanted to. However, most of what had been done had been done in the project areas, so he did not think it would open it up for those that took place a significant number of years prior. He said that if they wanted to clarify it, they could include language that stated any action initiated by the RDA within two years prior to the date of the adoption of the resolution.

Randy Sant noted that in December 2019 they adopted two new redevelopment-initiated areas, and that was the last action taken by an RDA to create a project area. He explained that those were created project areas and still had to go through a budget process. He stated that if they wanted to limit it, he thought a two-year time frame was reasonable.

Boardmember Joe Paul asked if the CRAs were fully implemented and functional. Randy Sant said that the CRAs were officially adopted CRAs by the City. He explained that they were not allowed to take any money from those CRAs until the budget was approved. The reason the budget was delayed was because they were under the impression when the CRAs were initially created that they would receive something sooner. However, they were not able to do that because they had to work through the issues with Chapter 13. Randy Sant stated that they were at a point where they had three years after the adoption of a project area to submit a budget, because if they waited much longer than three years the tax entities would want to move their base year.

Randy Sant reiterated that it was written that when an application was submitted the Board would have to decide if they had initiated a redevelopment project that impacted the applicant. He noted that some decisions would be clear and some would not be.

Boardmember Joe Paul asked how they would protect the City when it was not clear. Randy Sant said that they would have to sit down and figure out how the motion would be made so it was specific, and expressed that their legal attorney would help them determine those details. It was stated that a policy that defined when it could and could not be granted would be helpful.

Mayor Robert Dandoy suggested that they table the issue and revisit it later to talk about the establishment of a timeline requirement.

Boardmember Diane Wilson addressed an inconsistency in Resolution 21-4, which stated “no other relocation funding” in one place and stated in another place “insufficient funding.” She suggested that it may be more consistent to change all instances to read “insufficient funding.” Boardmember Diane Wilson also suggested there was a need to reword another statement on the fifth point of letter C. She noted that she previously discussed this with Randy Sant.

Boardmember Diane Wilson pointed out wording on the eighth point of letter C that read, “the business may be required to sign an affidavit,” and she thought that they might want to consider the words ‘will be’ or ‘shall be’ instead of ‘may be.’

**Boardmember Wilson motioned to table Resolution 21-4 Adopting a policy for the granting of Agency funds to assist with relocation costs. Boardmember Paul seconded the motion. All Boardmembers voted “Aye.” The motion carried.**

**E. Adjournment**

**Boardmember Jackson Motioned to Adjourn the City Council meeting at 7:41 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: