



**NOTICE OF A VINEYARD REDEVELOPMENT  
AGENCY BOARD MEETING  
April 12, 2023 at 6:00 PM**

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Public Notice is hereby given that the Vineyard Redevelopment Agency Board will hold a meeting on Wednesday, April 12, starting at 6:00 PM, or as soon thereafter as possible, following the City Council Meeting, in the City Council Chambers at 125 South Main Street, Vineyard, Utah. This meeting can also be viewed on our [live stream page](#).

**AGENDA**

**1. CALL TO ORDER**

**2. CONSENT AGENDA**

2.1 [Approval of the March 8, 2023, RDA Meeting Minutes](#)

**3. BUSINESS ITEMS**

**3.1 PUBLIC HEARING – Participation Agreement with Flagborough, LLC for Tax Increment Funds and Triggering Phases 5A and 5B of the HTRZ (Resolution U2023-02)**

Flagborough, LLC is requesting an extension for the collection of Phase V of the Geneva Urban Renewal Area. The RDA Board will act to adopt (or deny) this request by Resolution.

**4. ADJOURNMENT**

RDA meetings are scheduled as necessary.

The Public is invited to participate in all Vineyard Redevelopment Agency meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Deputy Recorder at least 24 hours before the meeting by calling (801) 226-1929.

I the undersigned duly appointed Deputy Recorder for Vineyard, Utah, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City offices, the Vineyard City website, the Utah Public Notice website, delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: April 11, 2023

CERTIFIED (NOTICED) BY: /s/Kelly Kloepfer  
KELLY KLOEPFER, DEPUTY RECORDER



**MINUTES OF A VINEYARD REDEVELOPMENT  
AGENCY BOARD MEETING**  
City Council Chambers  
125 South Main Street, Vineyard, Utah  
March 8, 2023 at 6:00 PM

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**Present**

**Absent**

Chair Julie Fullmer  
Boardmember Tyce Flake  
Boardmember Amber Rasmussen  
Boardmember Mardi Sifuentes  
Boardmember Cristy Welsh

**Staff Present:** City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, Chief Building Official Cris Johnson, Lieutenant Holden Rockwell with the Utah County Sheriff’s Office, Community Development Director Morgan Brim, Public Works Director Naseem Ghandour, City Recorder Pamela Spencer

**1. CALL TO ORDER**

Chair Fullmer called the meeting to order at 8:43 PM.

**2. CONSENT AGENDA**

- 2.1 Approval of the January 25, 2023, RDA Meeting Minutes
- 2.2 Approval of Support for Funds to be Utilized for Economic Development Activities Related to World Trade Center Utah, instead using the entire amount on Economic Development Consulting

Chair Fullmer called for a motion.


**Motion:** BOARDMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS PRESENTED. BOARDMEMBER RASMUSSEN SECONDED THE MOTION. CHAIR FULLMER, BOARDMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES, THE MOTION CARRIED UNANIMOUSLY.


**3. BUSINESS ITEMS**


**3.1 DISCUSSION AND ACTION – Chair’s Powers**


Affirming the chair’s power to negotiate letters of intent as well as providing letters of support for previously approved projects with preapproved funds. The RDA Board will take appropriate action.


Chair Fullmer turned the time over to City Attorney Jayme Blakesley.


50  Mr. Blakesley gave a brief explanation about this item.


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52  Chair Fullmer called for questions. She explained why she was asking for this approval and  
53 asked for the council's support.


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55  Boardmember Flake commented that having served a long time with the mayor (chair) that  
56 she had reached out to him about some of these items when it was between meetings and there  
57 was no time to wait. He said that they were in a position where things came up quickly and  
58 required immediate action. He noted that the item would still come to the RDA for a vote, so the  
59 mayor (chair) was not acting out of hand. He said that he had absolutely no problem with  
60 reaffirming her rights and authority to do these things. He explained that the city was having to  
61 compete for rights, funds, etc. He said that the board did not take the time to go to all of the  
62 meetings that the mayor (chair) went to, and the board needed to give her the authority, which she  
63 already possessed, to act upon these items. He felt assured that she would not leave him hanging  
64 in the breeze.

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66  Mr. Blakesley added that when appropriate the mayor (chair) sought legal advice, consulted  
67 with the RDA Board, the City Council, or city staff. He noted that she had the full view of the  
68 city's business, but it was the City Council and RDA Board who had the authority to bind the  
69 city, so any statement made by the mayor (chair) under this authority to support or to express  
70 interest in a project would be subject to later ratification.

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72  Boardmember Welsh added that it was important for residents to understand the form of  
73 government the municipality had. She said that in Vineyard's form of government the mayor was  
74 the Chief Executive Officer (CEO) for the city and the chair of the RDA Board. Part of the  
75 mayor's powers and duties was that the mayor could recommend for council consideration any  
76 measure that the mayor considered to be in the best interest of the municipality. She stated that  
77 she absolutely supported the mayor and chair of the RDA Board to do what needed to be done.

78  
79  Boardmember Rasmussen felt that it was horrifying what the mayor and council had to go  
80 through and that there was no explaining to people that the mayor (chair) had that ability, legally.  
81 She hoped that people were paying attention and listening to what they were saying, and that she  
82 gave her full support to the mayor (chair) and that she appreciated that the mayor took action on  
83 some of these things of which she had the best view with her knowledge of the whole city.

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85  Boardmember Sifuentes asked for clarification that they were affirming the chair's power to  
86 negotiate letters of intent as well as providing letters of support for previously approved projects  
87 with preapproved funds. Mr. Blakesley said yes, and the qualifier was that the mayor could not  
88 make commitments for the latter two unless they had already been authorized by the council or  
89 RDA Board.

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91  Chair Fullmer explained that, even though a motion was not needed, she wanted to talk about  
92 this item publicly, so that the residents understand the transparency and how much the City  
93 Council and RDA Board cared about the citizens and their forward-facing views on doing things  
94 and being as clear as they could be.


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98 **4. ADJOURNMENT**

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100  Chair Fullmer called for a motion to adjourn the meeting.

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102  **Motion:** BOARDMEMBER WELSH MOVED TO ADJOURN THE MEETING AT 8:52  
103 PM. BOARDMEMBER RASMUSSEN SECONDED THE MOTION. CHAIR FULLMER,  
104 BOARDMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE  
105 MOTION CARRIED UNANIMOUSLY.

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108 MINUTES APPROVED ON: \_\_\_\_\_

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110 CERTIFIED CORRECT BY: /s/ Pamela Spencer  
111 PAMELA SPENCER, CITY RECORDER

DRAFT



## VINEYARD RDA STAFF REPORT

**Meeting Date:** April 12, 2023

**Agenda Item:** 3.1 Phase V of the Geneva Urban Renewal Area Extension

**Department:** City Manager

**Presenter:** Ezra Nair

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### **Background/Discussion:**

Pursuant to Utah Code Annotated § 17C-2-207 the Vineyard RDA may vote to extend the total life of the Geneva Urban Renewal Area after notice and a public hearing has been issued in accordance with this chapter. With the approval of the HTRZ, the HTRZ Committee discussed the benefit of extending the life of the RDA so that the HTRZ tax increment collection period and RDA tax increment collection period wouldn't overlap. Since the HTRZ can only administer funds above and beyond what the RDA is collecting, it's advantageous for the project to stagger the triggering of those respective 25-year periods.

Because of this, staff is recommending extending the life of the untriggered areas beginning with Flagship's various properties in this meeting and the remainder of the areas of the RDA in a subsequent meeting to 2099 for consistency. This will give the RDA broad latitude to trigger phases in accordance with what will be best for the overall project. Regardless of the extension, each phase is still only limited to the 25-year maximum trigger tax increment collection period so the years of increment per project area (phase or subphase) will remain the same length.

### **Fiscal Impact:**

None by this action. All fiscal impact will be determined by how the RDA chooses to trigger the remaining phases.

### **Recommendation and Additional Options:**

**Recommendation:**

Staff recommends the RDA approve Resolution U2023-02 to extend the life of Phase V of the Geneva Urban Renewal Area.

**Additional Options:**

The RDA may select a different year for the extension of the RDA if desired as long as it is at least 60 years from now, but that will only serve to reduce flexibility of triggered phases.

### **Sample Motion:**

I move that the RDA approve Resolution U2023-02 to extend the life of Phase V of the Geneva Urban Renewal Area.

## **RESOLUTION U2023-02**

### **A RESOLUTION OF THE VINEYARD REDEVELOPMENT AGENCY APPROVING A PARTICIPATION AGREEMENT WITH FLAGBOROUGH, LLC FOR TAX INCREMENT FUNDS AND TRIGGERING PHASES 5A AND 5B OF THE HTRZ**

WHEREAS, the Vineyard Redevelopment Agency (the “Agency”) receives funds pursuant to the Housing and Transit Reinvestment Zone (“HTRZ”) area of Vineyard City; and

WHEREAS, Vineyard City is authorized to capture 80% of the tax increment generated within the HTRZ, and pursuant to Utah Code § 63N-3-607(2)(c)(i), the Agency is the designated body to administer the tax increment generated within the HTRZ (“Tax Increment Funds”); and

WHEREAS, the Flagborough, LLC, has requested Tax Increment Funds from the Agency to help finance a portion of its mixed-use development that includes plans and approvals for office, retail, and civic uses along with residential dwelling units project (the “Project”); and

WHEREAS, the Agency previously approved the creation of and administers the Geneva Urban Renewal Area (“URA”), according to the provisions of a Project Area Plan, as amended February 9, 2011. The URA is presently comprised of five phases, and the Project constitutes a portion of Phase 5 of the URA (“Phase 5”).

WHEREAS, Phase 5 of the URA has not yet been triggered by the Agency, and will be divided into two subareas referred to as “Phase 5A” and “Phase 5B,” to be further defined within the Participation Agreement; and

WHEREAS, upon the entry of the Participation Agreement, the collection periods for the HTRZ and Phase 5A will be triggered back-to-back and run consecutively such that tax increment can be collected from the Property for 50 years. Additionally, the collection period for Phase 5B will be triggered simultaneously as outlined in the Participation Agreement; and

WHEREAS, the Vineyard Redevelopment Agency desires to approve the Participation Agreement with Flagborough, LLC, to allow for the triggering of Phase 5A and Phase 5B and to provide funding for its Project for the benefit of the residents of Vineyard City;

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE VINEYARD REDEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. Approval. The Board of Directors of the Vineyard Redevelopment Agency hereby approves that certain Participation Agreement, attached hereto as Exhibit A and incorporated herein by reference. The Chair of the Board of Directors of the Redevelopment Agency is hereby authorized to execute the Participation Agreement for and in behalf of the Agency.

Section 2. Trigger of Phase 5A. Upon the entry of the above Participation Agreement, the collection period for Phase 5A is hereby triggered so that the first year of the Phase 5A Collection Period runs immediately after the last year of the HTRZ Collection Period.

Section 3. Trigger of Phase 5B. Upon the entry of the above Participation Agreement, the collection period for Phase 5B is hereby triggered so that the first year of the Phase 5B Collection Period will be 2023, and the first reimbursement will be in 2024.

Section 4. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 5. Effective Date. This Resolution shall become effective immediately upon its approval by the Board of Directors.

Passed and dated this 12<sup>th</sup> day of April, 2023.

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Chair, Board of Directors

Attest:

\_\_\_\_\_  
Secretary