



## **CITY COUNCIL MEETING**

PUBLIC NOTICE is hereby given that the City Council of Spanish Fork, Utah, will hold a regular public meeting in the Council Chambers in the City Office Building, 40 South Main Street, Spanish Fork, Utah, commencing at **6:00 p.m. on May 16, 2006.**

### **ADDENDUM**

#### **AGENDA ITEMS:**

#### **1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:**

- a. Pledge
- b. New Employee Introduction
- c. Employee of the 1<sup>st</sup> Quarter
- d. Brent Wignall – Returning soldier from Iraq

#### **2. PUBLIC COMMENTS:**

Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comment will be limited to three minutes per person. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing. The Mayor or Council may restrict the comments beyond these guidelines.

#### **3. CONSENT ITEMS:**

These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.

- a. [Minutes of Spanish Fork City Council Meeting – March 21, 2006](#)

#### **4. NEW BUSINESS:**

- a. Strawberry Days Royalty
- b. [Amherst Meadows Preliminary Plat](#)  
Location: 1300 South 2300 East  
Zone: R-1-8  
Applicant: Stone Associates Real Estate
- c. [Resolution 06-09](#) - "Consideration and Adoption of Resolution Determining that Certain Infrastructure and Improvements to be Publicly Owned and Located Outside the Front Mountain Economic Development Project Area are of Benefit to the Project Area"
- d. [Resolution 06-08](#) - "Consideration and Adoption of Resolution Determining that Certain Infrastructure and Improvements to be Publicly Owned and Located Outside the North Airport Economic Development Project Area are of Benefit to the Project Area"
- e. Police Aircard Service – Dee Rosenbaum
- f. Staker Parson's Annexation Petition

#### **5. OTHER BUSINESS:**

- a. Work Session If Needed
- b. Executive Session If Needed – To be Announced in the Motion

#### **ADJOURN:**

Notice is hereby given that:

- In the event of an absence of a quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.

**Tentative Minutes  
Spanish Fork City Council Meeting  
March 21, 2006**

1 Elected Officials Present: Mayor Joe L Thomas, and Councilmembers G. Wayne Andersen,  
2 Matthew D. Barber, Steven M. Leifson, Seth V. Sorensen and Chris C. Wadsworth.

3 Staff Members Present: David A. Oyler, City Manager; S. Junior Baker, City Attorney; Richard  
4 J. Heap, City Engineer/Public Works Director; Richard J. Nielson, Assistant Public Works  
5 Director; Seth J. Perrins, Assistant City Manager; Kent R. Clark, Finance Director; Dale  
6 Robinson, Parks and Recreation Director; Carl Johnston, Police Lieutenant; Roy Christensen,  
7 Golf Pro; and Marlo Smith, Engineering Secretary.

8 Citizens: Spencer Pugh, Tyler Jolly, Taylor Bramall, Trevor Brown, Don Dapoe, Perry Frandsen,  
9 Marvin H. Stewart, Natasha Bingham, Alex Bingham, Ernest Hales, Marilyn Hales, Courtland  
10 Cook, Trevor Topham, Burtine Baum, Jeremy Twitchell, Shauna Warnick, Karl Warnick, James  
11 Rees, Maribel Rees, Larry Ellertson, Curtis Holt, Adam Swasey, Nathan Jensen, Brad Wilson,  
12 Andrew Kitchen, Zach McEntire, Adam Keele, Aaron Fisher, Mike Robertson, Steve Clegg,  
13 Dave Hutchings, Tyler Randolph, Wally Randolph, Izic Zabriskie, John Jolly, Aaron Jolly, Matt  
14 Wilcox, Justin Ward, Riley Barnett, James R. Taylor, Joseph Broderick, Travis Kingery, Skyler  
15 Hughes, Neil Anderson, Colton Anderson, Brock Tew, Grant Tew, Richard A. Evans, Duane  
16 Hutchings, Sterling Leifson, Leonard Ellis, Dave Lewis, Christine Mikell, and Tracy Livingston.

17 **CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITIONS:**

18 **Call to Order**

19 The meeting was called to order at 6:00 p.m. by Mayor Joe L Thomas.

20 **Pledge**

21 The pledge of allegiance was led by Councilmember Barber.

22 **ADJOURN TO REDEVELOPMENT AGENCY**

23 Councilmember Sorensen made a **motion** to move into the Redevelopment Agency (RDA)  
24 meeting. Councilmember Andersen **seconded**, and the motion **passed** with a unanimous vote.

25 **Reconvene City Council Meeting**

26 Councilmember Barber made a **motion** to move out of the Redevelopment Agency meeting and  
27 reconvene the City Council meeting. Councilmember Leifson **seconded**, and the motion **passed**  
28 with a unanimous vote.

29 **NEW BUSINESS:**

30 **Consideration and Adoption of Ordinance Adopting the Front Mountain Economic**  
31 **Development Project Area Plan dated February 10, 2006**

32 Mr. Feil said this ordinance contains the same language as the Resolution approved in the RDA  
33 portion of the meeting.

34 Councilmember Barber made a **motion** to adopt Ordinance 03-06 An Ordinance of the City of  
35 Spanish Fork, State of Utah, Adopting the Front Mountain Economic Development Project Area  
36 Plan dated February 10, 2006. Councilmember Wadsworth **seconded**, and the motion **passed**  
37 with a unanimous vote.

38 Mayor Thomas said the city council will be breaking for the caucuses meetings that are being  
39 held tonight.

40 Mayor Thomas said he would like to give a brief update on the windmills for the citizens present  
41 that are waiting for the update.

42 Mayor Thomas said Wasatch Wind has been working with the property owners above the  
43 Fingerhut building and though things are not final at this time it appears that the five windmills  
44 will be relocated at the up canyon site. The property owners involved are Strawberry Water  
45 Users, Staker, and Spanish Fork City. Spanish Fork City is still reviewing whether the windmills  
46 will have any impact on the water supply located in this area. Mayor Thomas said the windmills  
47 will be dwarfed by the mountains.

48 **UDOT Airport Grant Agreement for Environmental Mitigation (Wetlands and Road**  
49 **Relocation)**

50 Mr. Baker said this is an FAA Agreement on the standard form to allow for the relocation of the  
51 road and wetlands.

52 Councilmember Barber made a **motion** to approve and authorize Mayor Thomas to sign the Utah  
53 Department of Transportation Aeronautical Operations Division Project Application and Grant  
54 Agreement for State Aid for Development of Public Airports. Councilmember Andersen  
55 **seconded**, and the motion **passed** with a unanimous vote.

56 **Adjourn City Council Meeting to attend the Caucuses Meeting**

57 Councilmember Barber made a **motion** to adjourn until 8:00 p.m. to attend the caucuses  
58 meeting. Councilmember Leifson **seconded**, and the motion **passed** with a unanimous vote.

59 **Reconvene City Council Meeting**

60 The city council meeting was reconvened at 8:18 p.m.

61 *\*Councilmember Wadsworth is still absent at this time.*

62 **Joseph Broderick - 750 South Extension to 2550 East Closure**

63 Mr. Broderick said he was here to express his concern with the closing of 750 East that allows  
64 for access to Highway 6. Mr. Broderick said he scanned the minutes from the public meetings  
65 held at the city and said he could not find any discussion on the closing of the intersection. Mr.  
66 Broderick said he received an email from Mr. Nielson stating that UDOT would not put in the  
67 light at the intersection of 2550 East Highway 6, if 750 South remained opened Mr. Broderick  
68 said he said Mr. Clarkson with UDOT stated the decision to close 750 South was made by the  
69 city. Mr. Broderick asked for some clarification as to who is making decisions.

70 Mr. Nielson said this road closure has been discussed with UDOT over the past few years. It  
71 was also discussed in public meetings many times with the first time being in May 2004 at the  
72 Planning Commission meeting. The minutes of this meeting discuss the road closure when the  
73 East Meadows Preliminary Plat was being discussed for approval. Mr. Nielson said he emailed  
74 all of the minutes that pertained to this issue to the city council yesterday.

75 Discussion took place regarding the signal light and the studies done to warrant the light by  
76 UDOT at the intersection of 2550 East and Highway 6.

77 Discussion took place regarding the accident rate and fatal accidents that have occurred at this  
78 intersection.

79 Mr. Nielson said the residents in this area collected a petition with 950 signatures addressed to  
80 UDOT requesting the light at the intersection. He said the 750 South road closure is only  
81 temporary until the adjacent property develops.

82 Mayor Thomas asked if the road stays open will UDOT still put in the light.

83 Mr. Neilson said no, UDOT will not put in the light if the road stays open.

84 Mayor Thomas said the undeveloped property next to the road closure is owned by his father and  
85 uncle. He said they are also concerned about the road closure because then their land becomes  
86 unaccessible. Mayor Thomas said he intends on exploring all option to find a win-win solution.

87 Councilmember Barber said he would like to find a solution, but not at the expense of delaying  
88 the interchange being constructed.

89 Councilmember Sorensen agreed with Councilmember Barber. He said there have been too  
90 many severe accidents to delay the light at this intersection.

91 Councilmember Andersen asked Mr. Broderick if he was one of the 950 signatures on the  
92 petition for the light.

93 Mr. Broderick said he did sign the petition.

94 **Building Committee Report**

95 Mayor Thomas said this item will be moved to the end of the meeting and be discussed as a work  
96 session.

97 **RGM LC Proposal for Consulting Services for the Golf Course**

98 Mr. Harris discussed the outline of the proposal given to the Mayor and Council. He said they  
99 toured the facilities last summer and has a very good feel for how the golf course is managed.  
100 He said the golf course can take a new direction but has to have 100% commitment from staff to  
101 make the changes work.

102 Discussion took place regarding electronic paper tee sheets, season pass holders and what times  
103 they are playing.

104 Discussion took place regarding corporate clientele.

105 Councilmember Sorensen said he doesn't want to see the current clientele replaced with  
106 corporate clientele.

107 Mr. Harris said his goal is to involve a broader group from this community by having activities  
108 such as family night, date night and work with the junior golf program.

109 Discussion took place regarding the commitment from the golf course staff.

110 Mr. Harris discussed some of the changes that would need to take place at the golf course such  
111 as the condition of the carts.

112 Mr. Christensen said the carts are on a 4-year lease agreement and this is the last year of that  
113 lease agreement. He said he feels this is the best situation the carts have ever been in.

114 Discussion took place regarding the goal of increasing revenue by \$50,000.

115 Discussion took place regarding the citizens view of the golf course.

116 Councilmember Leifson said he would like to look at the proposal and is not ready to make a  
117 decision tonight.

118 Councilmember Sorensen concurred.

119 Councilmember Leifson said while he is reviewing the proposal he would like to talk to staff and  
120 get their feel for the proposal. He said he puts his full commitment behind staff and if they  
121 choose not to go with the proposal he will back them up with that.  
122 This item will be addressed at the next council meeting.

123 **Malcom Springs Annexation Petition**

124 Mayor Thomas said the annexation is not ready to be presented tonight and will require more

125 time.

126 Councilmember Sorensen made a **motion** to table the Malcom Springs Annexation Petition.  
127 Councilmember Andersen **seconded**, and the motion **passed** with a unanimous vote.

128 **CONSENT ITEMS:**

129 **Minutes of Spanish Fork City Council Meeting - February 7, 2006**

130 Councilmember Sorensen made a **motion** to approve the consent items as presented.  
131 Councilmember Barber **seconded**, and the motion **passed** with a unanimous vote.

132 **OLD BUSINESS:**

133 **City Council Assignments**

134 Mayor Thomas said this item will be addressed at the next meeting.

135 **Wasatch Wind Update**

136 Mayor Thomas said Mr. Livingston is working diligently to move the five turbines from the  
137 Frandsen property to the property behind Fingerhut. He said the turbines will be on three  
138 different pieces of property. This is tentative pending final signatures for the property.

139 Discussion took place regarding the required annexation.

140 Mayor Thomas said they are working on a lease agreement since one of the properties is owned  
141 by Spanish Fork City.

142 Mr. Heap said after looking at the site, the spring collection line is 340 feet from the turbine.

143 Mr. Heap said his best guess is that the turbine would not adversely affect the spring collection  
144 line, but with groundwater he is not positive. He said it would be best to move to the North.

145 Mr. Livingston said if the turbine is moved to the North then it would overhang on Strawberry  
146 Power's property and they would want to be compensated.

147 Mayor Thomas said all landowners are working well with Wasatch Wind but there are still  
148 issues to resolve.

149 *\*Councilmember Wadsworth returned at 9:15 p.m.*

150 **Wasatch Wind Lease Agreement**

151 Mr. Baker discussed the wind energy ground lease that was included in the agenda packets.

152 Discussion took place regarding the agreement.

153 Mayor Thomas said this agreement needs to be discussed in an executive session prior to making  
154 a decision.

155 This item was passed until later in the meeting.

156 **OTHER BUSINESS:**

157 **Work Session - Building Committee Report**

158 Mr. Duane Hutchings said he is a member of the Building Committee along with Dave Lewis,  
159 Rick Evans, Leonard Ellis and Sterling Leifson. He said Mayor Barney asked them to serve as  
160 an ad hoc committee for 3-4 months and prepare a report. He said the report was presented in  
161 March 2005. Since that time they have not been an active building committee. He said they  
162 reviewed the report and the circumstances have not change a lot. He said they reviewed the city  
163 owned facilities and other surrounding areas. They found a real need particularly for a police  
164 and court building. He said the administration and parks and recreation offices had other options  
165 for the time being.

166 Mr. Hutchings discussed growth populations. He said the police department is short of space,  
167 the security is terrible and the evidence room is so small they cannot function. He said the court  
168 is short of space with no room too grown. He said Judge Taylor would like to see two court  
169 rooms. He said the security is a big concern at the current court room.

170 Mr. Hutchings said the police department and court building should be constructed first. With  
171 the court moving out of the administration building it will free up some space, but that an  
172 administration building is drastically needed. When the building committee reviewed properties,  
173 they felt a city campus situation is critical for efficiency and to share the parking. The building  
174 committee recommends 10-15 acres. He discussed properties that were looked at for a campus  
175 location. He said it is the recommendation of the building committee to decide on a location and  
176 purchase the property immediately with the city campus idea in mind. He said the price of  
177 property is going up and this needs to be acted on soon.

178 Mr. Hutchings discussed the other campus locations the building committee visited.

179 Mr. Hutchings said it is his understanding that the court is a state lease and this lease can help  
180 offset some of the cost.

181 Mr. Ellis discussed the finance options for the building. He discussed the different bond options.  
182 He said the cheapest bond is a sales tax revenue bond that does not require an election.

183 Mayor Thomas asked why avoid a bond election.

184 Mr. Ellis said that process can only be done in June or November. He said it requires substantial  
185 education. He is recommending the sales tax bond not to keep people in the dark, but because  
186 the other options are at a higher cost and there is only a certain window of time for a bond  
187 election and there is some urgency to getting this completed.

188 Mayor Thomas said he would like to see citizens have the option of voting.

189 Mr. Ellis said it is not the building committee's desire to say how to finance the building.

190 Judge James Taylor said it is a difficult process of obtaining a 13<sup>th</sup> judge for Utah County 4<sup>th</sup>  
191 District Court. He said Utah County is growing three times faster than what the courts is  
192 projecting. He discussed the future for judges in Utah County. He said at this time they cannot  
193 bring domestic cases to Spanish Fork due to the lack of security. He said he would like to do  
194 different cases in Spanish Fork if the facility is adequate to handle them.

195 Discussion took place regarding the window of opportunity to get legislation approval.

196 Discussion took place regarding a memorandum of understanding that the court would need to  
197 continue with their approval.

198 Discussion took place regarding general obligation bond and sales tax revenue bonds.

199 Judge Taylor said he is anxious for this project to start, but he said there is a more critical need  
200 for a police department than for the court room.

201 Mayor Thomas said he is concerned if the public is not involved in the bonding process.

202 Councilmember Sorensen said the intent is not to bypass public opinion. He said the mayor and  
203 council was elected to represent the people.

204 Councilmember Leifson concurred. He said during the campaign the police station was  
205 discussed many times with citizens and yet a year has past and still no decision has been made.  
206 The citizens are concerned about public safety and having adequate protection.

207 Mr. Evans said property is going up in price along with building costs. He said the longer the  
208 wait the expense continues to increase.

209 Discussion took place regarding the land the city currently owns.

210 Mr. Evans asked if the bond is taken to election and the citizens vote it down then what will  
211 happen. He said for example the ball park. The citizens had the option of voting for the bond,  
212 the bond was turned down and the council found other ways to pay for the ball park. The  
213 citizens were upset because they felt like they made a decision and the council didn't listen. He  
214 said if this bond is voted down the need is still there.

215 Mayor Thomas thanked the building committee for their time and effort.

216 Mr. Sterling Leifson said the council needs to decide on land and hire an architect.

217 Mr. Lewis said he thinks the property should be purchased by May 31<sup>st</sup> and to also have an  
218 architect hired.

219 Discussion took place that the prior council didn't feel the properties already owned by the City  
220 was a good location for the city campus.

221 Mr. Clark said he needed direction to continue with the bonding procedure that would have  
222 specific deadlines.

223 Direction was given to Mr. Clark to continue with the first type of action that would be to issue a  
224 bond parameters resolution.

225 Discussion took place regarding the City and State share the same architect to keep the costs  
226 down.

### 227 **Adjourn to Executive Session**

228 Councilmember Sorensen made a **motion** to adjourn into Executive Session to discuss finance  
229 issues. Councilmember Wadsworth **seconded**, and the motion **passed** with a unanimous vote.

230 The executive session started at 10:35 p.m.

231 The regular session of City Council meeting was reconvened at 11:26 p.m.

### 232 **OLD BUSINESS:**

#### 233 **Wasatch Wind Lease Agreement**

234 Councilmember Sorensen made a **motion** to approve the Wind Energy Ground Lease for the  
235 proposed rent rate of 1.5% of annual gross total revenue. Councilmember Andersen **seconded**,  
236 and the motion **passed** with a unanimous vote.

### 237 **OTHER BUSINESS:**

#### 238 **4-10 Work Week Work Session**

239 Councilmember Andersen said this item needs to be taken care of tonight.

240 Discussion took place regarding staff have been reviewing different aspects relating to 5-8's,  
241 staggered 4-9's and 4-10's. They have taken into account schedules, office hours, non-traditional  
242 hours, unavailable staff hours, cost of service, and internet services. Each schedule has pros' and  
243 con's. Each schedule has impacts of someone covering other positions and the effect it has on  
244 operation.

245 Mayor Thomas asked about the cost of service.

246 Mr. Clark said if the work week is staggered it will require skeleton crews that will be required  
247 to cover other people if extra staff is not hired.

248 Discussion took place regarding the staff that would be covering for other staff when one is not

249 there due to the staggered schedules to allow for extended hours.

250 Discussion took place regarding the early morning need. It was discussed that the building  
251 inspection and engineering department would be the ones most affected by allowing or  
252 eliminating the early morning hours.

253 Discussion took place regarding the online customers.

254 Discussion took place regarding the options to best serve citizens.

255 Councilmember Sorensen said there are only two viable options. They are the 4-10's or 5-8's.  
256 Those schedules work best to serve citizens.

257 Councilmember Sorensen made a **motion** to stay with the 4-10 work week.

258 The motion **died** for a lack of second.

259 Mayor Thomas said he doesn't see that the office has to be opened until 6:00 p.m. on Friday's,  
260 but there should be some hours on Friday.

261 Councilmember Sorensen said a decision needs to be made. He said this topic has been drug out  
262 for two years.

263 Mayor Thomas said this is the first time this topic has been addressed this way.

264 Councilmember Sorensen said the staff and citizens are confused and need a decision made. He  
265 said it is not fair to keep them from their families until 6:00 p.m. and then also on Fridays.

266 Discussion took place regarding the available options for days and hours for operation.

267 It was discussed that the office did not need to be open until 6:00 p.m. on Fridays due to the lack  
268 of citizens using the extended hours on Friday's.

269 Councilmember Sorensen said that is why the 4-10's came to in the first place was due to the  
270 lack of citizens utilizing the services on Fridays.

271 Discussion took place that the extended hours Monday thru Friday would only be for the  
272 Administration Office and Parks and Recreation.

273 Councilmember Barber made a **motion** for a 5-8's staggered work week with the City Office's  
274 and Parks and Recreation Office being opened Monday-Thursday 8:00 a.m.-6:00 p.m. and  
275 Fridays 8:00 a.m.-4:00 p.m. with the option for the department's to decide how to stagger the  
276 employees. Councilmember Wadsworth **seconded**, and the motion **passed** with a majority vote.  
277 A roll call vote was taken. Councilmember's Wadsworth, Andersen, Barber and Leifson were in  
278 favor of the motion. Councilmember Sorensen was opposed to the motion.

279     **Adjournment**

280     Councilmember Sorensen made a **motion** to adjourn. Councilmember Wadsworth **seconded**, and  
281     the motion **passed** with a unanimous vote. The meeting adjourned at 12:27 a.m.

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Marlo Smith, Engineering Secretary

284     Approved:

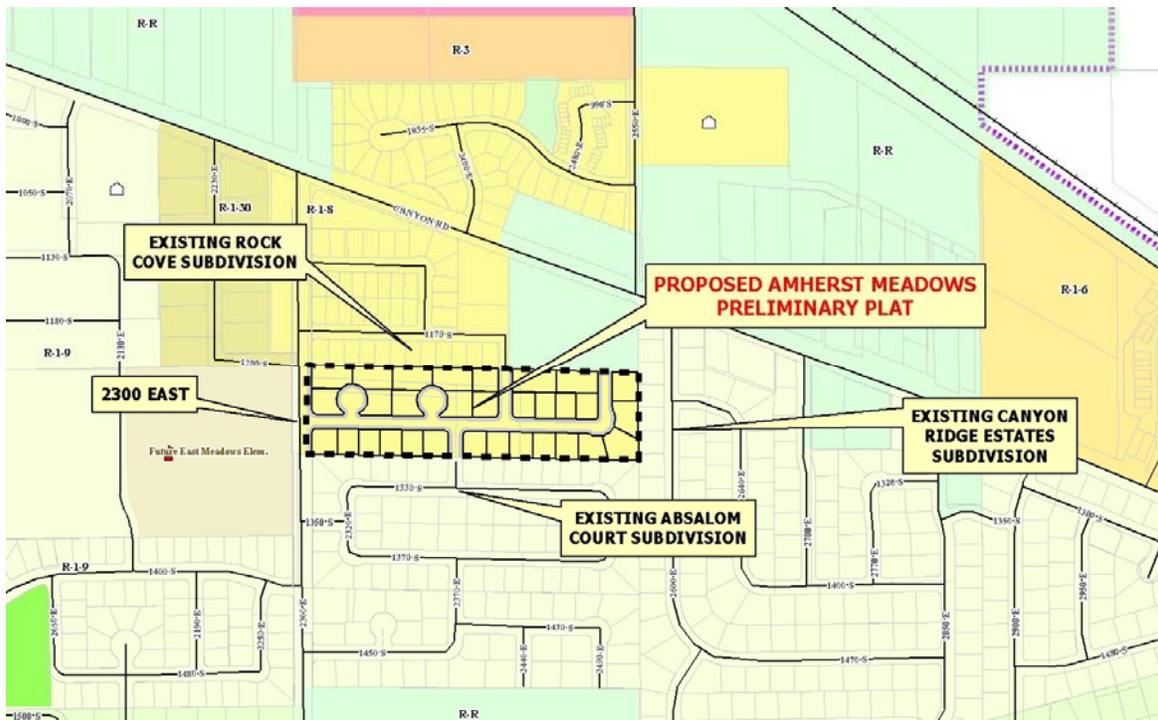
**SPANISH FORK CITY  
Staff Report to City Council**



**Agenda Date:** May 16, 2006  
**Staff Contacts:** Dave Anderson, Planning Director  
**Reviewed By:** the Development Review Committee  
**Subject:** Amherst Meadows

**Background Discussion:**

The applicant, Kimberly Dewey, is requesting Preliminary Plat approval subsequent to the approval of the Stone Rezone which was approved by the City Council on April 18, 2006. The subject property is currently zoned R-1-8.



The applicant is proposed a Preliminary Plat that includes a total of 31 lots. Of the 31 proposed lots, all but 8 meet the minimum lot size requirement for the R-1-9 Zone. All of the proposed lots meet the lot size and configuration requirements for the R-1-8 Zone, in accordance with the actual zoning of the property. The subject property is almost entirely surrounded by subdivisions. The Rock Cove subdivision is north of the subject

property while the Canyon Ridge Estates and Absalom Court subdivisions are located to the east and south. The lot sizes represented on the proposed Preliminary Plat meet or exceed that of the lots they would abut in the surrounding subdivisions. Some more detailed background information relative to this proposal is as follows:

**Lot Sizes**

The single family lots range from 8,000 to 14,269 square feet with many of the lots exceeding 9,000 square feet.

**Homes**

That staff is aware, no specific proposal has been made as to the architecture of the homes that would be constructed in the Amherst Meadows development.

**Access**

It is anticipated that the primary access to the development will be 2300 East. Other points of access for the development would include 2370 East into the Absalom Court development 2420 into the Rock Cove subdivision. An additional access is planned to connect this development with the Carol Smits property which is north and east of the subject property. As the development of the Smits property is not eminent, a temporary turnaround would be required at the proposed terminus of 2510 East.

**Density**

The General Plan designates this property as Residential 2.5-3.5 u/a. The developer is proposing this subdivision at 3.03 u/a.

**Amenities**

As the developer is proposing a standard subdivision, no amenities package has been proposed.

The Development Review Committee reviewed this request in their April 26, 2006 meeting. Minutes from that meeting are as follows:

**Amherst Meadows**

Mr. Anderson stated that redlines will need to be corrected and need to be submitted tomorrow in order to be on the Planning Commission Agenda in May. Ms. Dewey stated that the changes would be submitted by the next day.

Mr. Bagley stated he will need the different phase plans in order to design the power system for the project.

Mr. Beecher stated he will need the DWG drawing files.

Discussion was made regarding the neighborhood meeting that was held to discuss the Amherst Meadows development. Ms. Dewey gave an overview of what subjects were discussed at the meeting. Issues were made concerning the irrigation ditch that runs along the north side of the property. It was stated the developer hopes to have an agreement before the Planning Commission meeting. Mr. Baker stated they will have to present something in writing showing the agreement made, the ditch will have to be shown as piped on the plat until an agreement in writing is submitted.

Mr. Perrins asked for clarification on the property lines shown outside the proposal. Mr. Stone stated that the property was recorded correctly. Mr. Baker stated that a title report will have to be submitted and that would clear up the issue.

Discussion was made requiring a temporary turnaround created at the end of the roads that do not go through.

Mr. Baker made a **motion** to recommend positive approval for the Amherst Meadows Subdivision located at 1300 South 2300 East, subject to the following conditions:

**CONDITIONS:**

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the north side as piped.
3. Get redlines and phasing to the electric department so they can design the system.
4. Provide a temporary turnaround on the lots at the end of the road to the Finley property.
5. Construct a masonry wall on 2300 east.

Mr. Perrins **seconded** and the motion **passed** all in favor.

The Planning Commission reviewed this request in their May 3 meeting and recommended that it be approved. Draft minutes from that meeting are as follows:

**Amherst Meadows Preliminary Plat**

Mr. Anderson explained this plan was previously presented as a re-zone. He then explained the difference in zoning for the adjacent lots and why the lot sizes are smaller.

Mr. Anderson listed the conditions required.

Ms. Dewey clarified questions regarding the lot sizes and the temporary turnaround.

Commissioner Robins asked if there would be enough space for a temporary turn around on the property if a home built on the proposed lot. It was discussed and determined to have enough space for a turn around on the lot.

Ms. Dewey explained they are working on an agreement of usage for the ditch.

Mr. Stone stated the City Attorney recommended that the ditch along the northern property line be piped, in accordance with City Standards, unless the remaining canal users consent to have the existing ditch filled in.

Commissioner Robins thanked Ms. Dewey for holding a neighborhood meeting. Ms. Dewey stated the majority of the questions were regarding fencing, and cost of lots, she did not see any big concerns expressed.

Chairman Bradford stated he feels good about the proposed development.

Commissioner Lewis made a motion to give Amherst Meadows, located at 2300 East 1300 South, a positive recommendation subject to following conditions:

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the north side as piped.
3. That they get the redlines and phasing to the electric department so they can design the system.
4. That they provide a temporary turnaround on the lots at the end of the road to the Finley property.
5. That they construct a masonry wall on 2300 East.

Commissioner Huff seconded the motion and the motion passed by roll call vote, all in favor.

**Budgetary Impact:**

Staff anticipates providing the City Council with a more detailed analysis of the impact of residential development in the near future but, for purposes of this report, simply notes that the long term cost to serve residential development generally exceeds anticipated revenue.

**Alternatives:**

As the proposed development is a standard subdivision which conforms to the standards of the R-1-8 Zone, staff does not believe the City is in a position to compel the applicant to pursue an alternative form of development. Nonetheless, if the Council would like additional analysis or information it may be appropriate to continue the request to a future meeting.

**Recommendation:**

Staff recommends that the City Council approve the proposed Preliminary Plat for Amherst Meadows based on the following finding and subject to the following conditions:

Finding

1. That the proposed Preliminary Plat is consistent with the requirements for standard subdivisions in the R-1-8 Zone.

Conditions

1. That the project meet the construction and development standards.
2. That the plans show the ditch on the north side as piped.
3. That they get the redlines and phasing to the electric department so they can design the system.
4. That they provide a temporary turnaround on the lots at the end of the road to the Finley property.
5. That they construct a masonry wall on 2300 East.

**Attachments:**

An image representing the proposed Amherst Meadows Preliminary Plat is attached.

# Amherst Meadows Preliminary Plat



1 Inch equals 204 Feet

## Legend

- |                          |               |
|--------------------------|---------------|
| <b>Roads</b>             | <b>Zoning</b> |
| Other Roads              | A-E           |
| Not Paved                | BP            |
| Paved                    | C-1           |
| Railroad                 | C-2           |
| Rivers                   | C-O           |
| County_SF_Parcel         | C-O           |
| Spanish Fork Boundary    | I-1           |
| <b>Amherst Meadows</b>   | I-2           |
| Subdivision Boundary     | I-3           |
| Lot Lines                | R-1-12        |
| Phase Lines              | R-1-30        |
| Curb Gutter and Sidewalk | R-1-6         |
| Temporary Turnaround     | R-1-8         |
| PUE                      | R-1-9         |
| Setbacks                 | R-1-4         |
|                          | R-3           |
|                          | R-O           |
|                          | R-R           |
|                          | S-C           |
|                          | UV-C          |

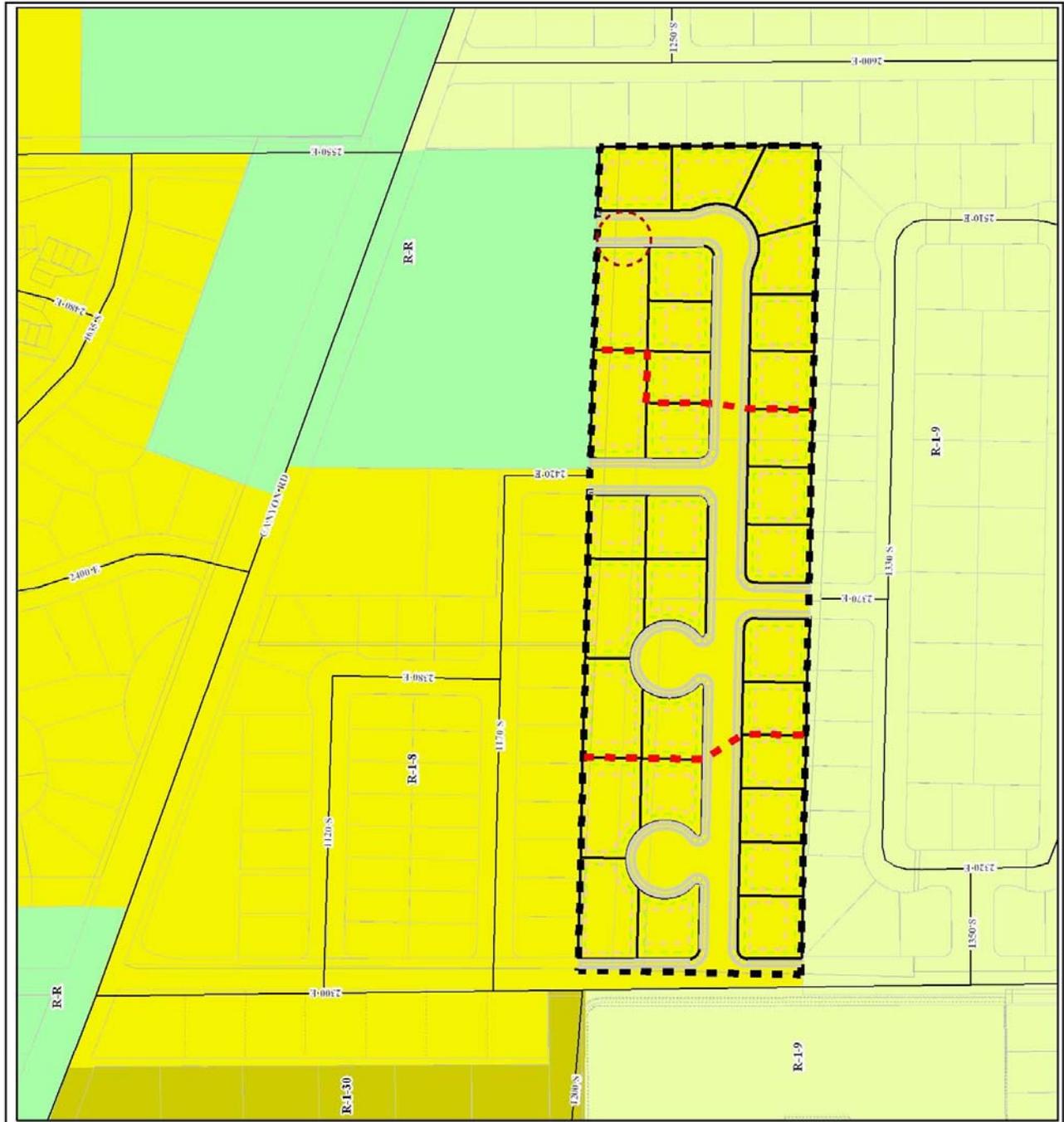
5/11/2006



Geographic Information Systems

Spanish Fork City GIS  
 40 South Main Street  
 Spanish Fork, UT 84660  
 (801) 798-5000

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**SPANISH FORK CITY  
Staff Report to City Council**



<b>Agenda Date:</b>	May 16, 2006
<b>Staff Contacts:</b>	Junior/Dave O.
<b>Reviewed By:</b>	Junior
<b>Subject:</b>	RDA Resolutions

**Background Discussion:** The Council and RDA have just created two new EDA areas for VitaCost and Spectrum Aeronautical. The new legislation requires that a resolution be adopted by both the RDA and City Council. These resolutions need to identify what off-site improvements will be installed, which benefit the project area. Richard Nielson prepared the attachment to the resolutions, indicating what those improvements will be. These can be supplemented later if additional improvements are needed.

**Budgetary Impact:** None.

**Alternatives:**

**Recommendation:** Adopt all four resolutions, two by the RDA and two by the City Council. Two resolutions deal with the Front Mountain Economic Development Area and the other two deal with the North Airport Economic Development Area.

**Attachments:** Resolutions are in the agenda packet.

**RESOLUTION NO. 06-09**

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: \_\_\_\_\_

I SECOND the foregoing motion: \_\_\_\_\_

**RESOLUTION NO. 06-09**

**RESOLUTION OF THE CITY COUNCIL OF SPANISH FORK CITY DETERMINING, PURSUANT TO UTAH CODE ANNOTATED §17C-1-409(1)(a)(ii)(D) (1953, AS AMENDED), THAT CERTAIN INFRASTRUCTURE AND IMPROVEMENTS TO BE PUBLICLY OWNED AND LOCATED OUTSIDE THE FRONT MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA, ARE OF BENEFIT TO THE PROJECT AREA**

WHEREAS, Spanish Fork (“City”) is a municipality under the laws of the State of Utah;  
and

WHEREAS, the City and the Redevelopment Agency of Spanish Fork (the “Agency”) have adopted the Project Area Plan for the Front Mountain Economic Development Project Area (the "Project Area Plan"); and

WHEREAS, the Agency desires to use tax increment funds from the Front Mountain Economic Development Project Area (the "Project Area") to pay all or part of the cost of the

installation of certain infrastructure and improvements which are to be publicly owned and located outside the Project Area; and

WHEREAS, the City Council have considered the factors and information relevant to a determination of benefit of the subject infrastructure and improvements to the subject Project Area, including, but not limited to, the proposed use, location, proximity to the subject Project Area, and service to be provided by the subject infrastructure and improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE SPANISH FORK CITY COUNCIL that the City Council does hereby determine that the infrastructure and improvements listed on Exhibit "A" attached hereto which are or will be publicly owned and located outside of the Front Mountain Economic Development Project Area are of benefit to the Project Area.

Passed by the City Council of Spanish Fork this 16th day of May, 2006.

---

JOE L THOMAS, Mayor

ATTEST:

---

KENT R. CLARK, City Recorder

**EXHIBIT "A"**  
**LIST OF PUBLICLY OWNED INFRASTRUCTURE AND IMPROVEMENTS FOR WHICH  
TAX INCREMENT MAY BE USED, WHICH ARE OF BENEFIT TO THE FRONT  
MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA**

1. 16" Water line and appurtenances to US-6
2. 12" Pressurized Irrigation line and appurtenances to US-6
3. 8" Sewer line and appurtenances to Canyon Road
4. Electrical transmission and distribution lines to Canyon Road at 2550 East
5. Street improvements along 3400 East

**RESOLUTION NO. 06-08**

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>		
G. WAYNE ANDERSEN <i>Councilmember</i>		
MATTHEW D. BARBER <i>Councilmember</i>		
STEVE LEIFSON <i>Councilmember</i>		
SETH V. SORENSEN <i>Councilmember</i>		
CHRIS C. WADSWORTH <i>Councilmember</i>		

I MOVE this resolution be adopted: \_\_\_\_\_

I SECOND the foregoing motion: \_\_\_\_\_

**RESOLUTION NO. 06-08**

**RESOLUTION OF THE CITY COUNCIL OF SPANISH FORK CITY DETERMINING, PURSUANT TO UTAH CODE ANNOTATED §17C-1-409(1)(a)(ii)(D) (1953, AS AMENDED), THAT CERTAIN INFRASTRUCTURE AND IMPROVEMENTS TO BE PUBLICLY OWNED AND LOCATED OUTSIDE THE NORTH AIRPORT ECONOMIC DEVELOPMENT PROJECT AREA, ARE OF BENEFIT TO THE PROJECT AREA**

WHEREAS, Spanish Fork (“City”) is a municipality under the laws of the State of Utah;  
and

WHEREAS, the City and the Redevelopment Agency of Spanish Fork (the “Agency”) have adopted the Project Area Plan for the North Airport Economic Development Project Area (the "Project Area Plan"); and

WHEREAS, the Agency desires to use tax increment funds from the North Airport Economic Development Project Area (the "Project Area") to pay all or part of the cost of the

installation of certain infrastructure and improvements which are to be publicly owned and located outside the Project Area; and

WHEREAS, the City Council have considered the factors and information relevant to a determination of benefit of the subject infrastructure and improvements to the subject Project Area, including, but not limited to, the proposed use, location, proximity to the subject Project Area, and service to be provided by the subject infrastructure and improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE SPANISH FORK CITY COUNCIL that the City Council does hereby determine that the infrastructure and improvements listed on Exhibit "A" attached hereto which are or will be publicly owned and located outside of the North Airport Economic Development Project Area are of benefit to the Project Area.

Passed by the City Council of Spanish Fork this 16th day of May, 2006.

---

JOE L THOMAS, Mayor

ATTEST:

---

KENT R. CLARK, City Recorder

**EXHIBIT "A"**  
**LIST OF PUBLICLY OWNED INFRASTRUCTURE AND IMPROVEMENTS FOR WHICH  
TAX INCREMENT MAY BE USED, WHICH ARE OF BENEFIT TO THE NORTH  
AIRPORT ECONOMIC DEVELOPMENT PROJECT AREA**

1. 12" Water line and appurtenances to 1900 North 500 West
2. 10" & 12" Pressurized Irrigation line and appurtenances to 2800 North Main Street
3. 10" Sewer line and appurtenances to Industrial Lift Station #2
4. Electrical transmission and distribution lines to 3000 North Main Street
5. Street improvements along 600 West and 3250 North



## **REDEVELOPMENT AGENCY MEETING**

PUBLIC NOTICE is hereby given that the Redevelopment Agency of Spanish Fork, Utah, will hold a public meeting in the City Council Chambers in the City Office Building, **40 South Main Street**, Spanish Fork, Utah, commencing at **6:30 p.m. on May 16, 2006**.

AGENDA ITEMS:

### **1. CALL TO ORDER & ROLL CALL**

### **2. CONSENT ITEMS:**

- a. [Minutes – March 21, 2006, April 18, 2006](#)

### **3. NEW BUSINESS:**

- a. [RDA Resolution 06-09](#) - "Consideration and Adoption of Resolution Determining that Certain Infrastructure and Improvements to be Publicly Owned and Located Outside the North Airport Economic Development Project Area are of Benefit to the Project Area"
- b. [RDA Resolution 06-10](#) - "Consideration and Adoption of Resolution Determining that Certain Infrastructure and Improvements to be Publicly Owned and Located Outside the Front Mountain Economic Development Project Area are of Benefit to the Project Area"
- c. Commitment Letter Rocky Mountain Composites

### **4. OTHER BUSINESS:**

- a. Executive Session if needed (To be announced in the motion)

ADJOURN:

Notice is hereby given that:

- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Spanish Fork City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed executive meeting for any of the purposes identified in that Chapter.

SPANISH FORK CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. The public is invited to participate in all Spanish Fork City Council Meetings located at 40 South Main St. If you need special accommodation to participate in the meeting, please contact the City Manager's Office at 798-5000.

**Tentative Minutes**  
**Spanish Fork City Redevelopment Agency Meeting**  
**March 21, 2006**

1 Present: Chairman Joe L Thomas, Board Members G. Wayne Andersen, Matthew D. Barber,  
2 Steven Leifson, Seth V. Sorensen, and Chris C. Wadsworth.

3 Staff Members Present: David A. Oyler, Executive Director, S. Junior Baker, Richard J. Heap,  
4 Richard J. Nielson, and Marlo Smith.

5 Others Present: Randall Feil, Special Counsel for the Spanish Fork RDA, Jonnalynne Walker,  
6 Spanish Fork RDA Consultant, Larry Ellertson, Marvin Stewart, and Burtine Baum.

7 **1. Welcome**

8 Chairman Thomas welcomed everyone to the Spanish Fork City Redevelopment Agency  
9 Meeting.

10 Mr. Sorensen made a **motion** to move into the Redevelopment Agency (RDA) meeting. Mr.  
11 Andersen **seconded**, and the motion **passed** with a unanimous vote.

12 **2. Approval of Minutes**

13 Mr. Andersen made a **motion** to approve the minutes of the January 17, 2006, February 7, 2006,  
14 February 21, 2006, and March 7, 2006 Spanish Fork City Redevelopment Agency Meetings as  
15 presented. Mr. Sorensen **seconded**, and the motion **passed** with a unanimous vote.

16 **3. Public Hearing of the Redevelopment agency of Spanish Fork Concerning the**  
17 **“Front Mountain Economic Development Project Area Plan” Dated February 10,**  
18 **2006 and the Project Area Budget**

19 **A. Purposes of Public Hearing and Presentation of the Summary Statement**

20 Mr. Feil reviewed the following:

21 The minutes of this meeting should show that this is the time and the date set for a combined  
22 public hearing on the Front Mountain Economic Development Project Area, Project Area Plan  
23 and Project Area Budget and for public comment, conducted by the Redevelopment Agency of  
24 Spanish Fork on Tuesday, March 21, 2006 at 6:00 p.m. in the City Council Chambers, Spanish  
25 Fork City Hall, 40 South Main Street, Spanish Fork, Utah, pursuant to Notice. The purpose of  
26 this combined public hearing are to:

27 (1) allow public comment on the draft Front Mountain Economic Development Project  
28 Area Plan (the “Project Area Plan”) for the Front Mountain Economic Development Project Area  
29 (the “Project Area”) and on the related draft Project area Budget (the “Project Area Budget” or  
30 “Budget”);

31 (2) allow public comment on whether the draft Project Area Plan and draft Project Area

- 32 Budget should be revised, adopted or rejected; and  
33 (3) receive all written objections and hear all oral objections to the draft Project Area  
34 Plan. The following document, along with their related certificates of mailing, proofs of  
35 publication, etc., will be made part of the public hearing record:
- 36 1. A Notice of Public Hearing as required by the Redevelopment Agencies Act, Title 17B,  
37 Part 4, Utah Code Annotated 1953 as amended (the "Act"), Sections 17B-4-402(1)(d),  
38 18B-4-501 (2)(c), 17B-4-701(1)(c) and (e) and (2)(b), 17B-4-702 and 17B-4-704, Utah  
39 Code Annotated, which was published in the Daily Herald Newspaper.
  - 40 2. A Notice of Budget Hearing as required by Section 17B-4-701(1)(e) of the Act, which  
41 was published in the Daily Herald Newspaper.
  - 42 3. The Redevelopment Agency Resolution No. 06-01 dated the 17<sup>th</sup> day of January 2006  
43 authorizing the preparation of a draft project area plan, as provided by Section 17B-4-401  
44 of the Act.
  - 45 4. Three separate Notices, each dated the 13<sup>th</sup> day of February 2006 and executed by David  
46 Oyler, Executive Director of the Redevelopment Agency which were mailed, by certified  
47 mail, to: (a) each owner of record owning property within the boundaries of the proposed  
48 Project Area; (b) each owner of record owning property within 300 feet of the boundaries  
49 of the proposed Project Area; and (c) each taxing entity having the power to levy a tax  
50 within the boundaries of the proposed Project Area, which notice to the taxing entities  
51 contained the provisions required by Section 17B-4-702 of the Act.
  - 52 5. The report of Spanish Fork Planning Commission submitted as provided by Section 17B-  
53 4-402 of the Act, indicating that the draft Economic Development Project Area Plan is  
54 consistent with the master plan or general plan of the City, as well as other City plans for  
55 the development of the area or capital improvement plans of the City.
  - 56 6. The draft Economic Development Project Area Plan entitled, "Front Mountain Economic  
57 Development Project Area Plan" containing the provisions required by the  
58 Redevelopment Agencies Act, which draft Plan has been available for public inspection  
59 at the office of the Redevelopment Agency since at least February 13, 2006. Copies of  
60 said Plan are also available at this hearing and may be reviewed by interested parties.
  - 61 7. The Agenda of this meeting and the Notice of Meeting which has been given as required  
62 by Section 52-4-6, Utah Code Annotated.

63 The Redevelopment Agency is holding this public hearing pursuant to the provisions of  
64 Section 17B-4-402(1)(e)(i) of the Act which reads as follows:

- 65 "(1) In order to adopt a project area plan, after adopting a resolution under  
66 Subsection 17B-4-401 the agency shall:  
67 . . .  
68 (e) hold a public hearing on the draft project area plan and, at that public hearing:  
69 (i) allow public comment on:  
70 (A) the draft project area plan; and

71 (B) whether the draft project area plan should be revised, approved, or rejected.”

72 The Agency is also holding this hearing pursuant to Section 17B-4-501(2)(e) of the Act  
73 which states as follows:

- 74 (2) To adopt a project area budget, the agency shall: . . .  
75 (e) hold a public hearing on the draft project area budget and, at that public hearing,  
76 allow public comment on:  
77 (i) the draft project area budget; and  
78 (ii) whether the draft project area budget should be revised, adopted, or rejected;

79 Pursuant to Section 17B-4-801 of the Act, the Agency Board may combine a plan hearing  
80 with a budget hearing. The public hearing record should indicate that the Agency has decided to  
81 combine the Plan hearing and the Budget hearing into one.

82 The public record should reflect that at the time of commencement of this combined  
83 public hearing, the Redevelopment Agency has not received from any landowner, taxing entity  
84 or interested party any written or oral objections to the adoption of the Front Mountain  
85 Economic Development Project Area Plan dated February 10, 2006 or to the adoption of the  
86 draft Project Area Budget. Because no written objections have been received, it will only be  
87 necessary to consider any oral objections to the adoption of the draft Economic Development  
88 Project Area Plan and Budget which may be made at this hearing.

89 Mr. Oyler concurred that no written objections have been received.

90 Mr. Sorensen made a **motion** to open the public hearing portion of the meeting. Mr. Andersen  
91 **seconded**, and the motion **passed** with a unanimous vote.

92 **B. Review of Project Area Budget for the Front Mountain Economic**  
93 **Development Project Area**

94 Ms. Walker reviewed the following:

95 The cumulative multi-year budget for the Front Mountain Economic Development Project Area  
96 is projected to be for a 15-year period with the Redevelopment Agency collecting 100 percent of  
97 the available tax increment up to a cumulative total of \$2,360,000. For project area budgets  
98 adopted after May 1, 2000 that provide for more than \$100,000 of annual tax increment to be  
99 collected by the Redevelopment Agency, legislative changes require that 20 percent of tax  
100 increment be allocated for income targeted housing programs, unless a waiver, in whole or in  
101 part, is obtained from the Olene Walker Housing Fund Board and the Taxing Entity Committee.  
102 The Redevelopment Agency of Spanish Fork has not requested a waiver from the Taxing Entity  
103 Committee and the Housing Fund Board and anticipates expending 20 percent annually for  
104 income targeted housing.

105 The base year for the project is 2005, the estimated base year assessed value is \$487,445 based  
106 on the records of the Utah County Assessor.

107 The projected tax increment to be collected from the project area over the 15 years is  
108 \$2,360,000. This assumes that the assessed valuation of the completed project improvements  
109 equal or exceed about \$21.1 million. To the extent that the project's assessed valuation, as  
110 determined by the Utah County Assessor, does not equal or exceed this amount, the tax  
111 increment generated maybe less. It is estimated that the Agency will expend about \$1,770,000  
112 or 75 percent of tax increment on related improvements in the project area and other eligible  
113 expenditures needed to make the project viable. Approximately \$118,000 or 5 percent has been  
114 budgeted for administrative costs during the 15-year period and \$472,000 or 20 percent for  
115 housing.

116 Tax Increment Year One, from which expenses incurred for eligible activities may be repaid,  
117 may occur anytime from 2007 to 2011, depending on the determination of the Redevelopment  
118 Agency to maximize the amount of available annual increment. The Tax Increment Year is  
119 defined as the year which the property taxes for the improvements are paid on November 30<sup>th</sup>. It  
120 is anticipated that tax increment will be collected for 15 years from the first year in which tax  
121 increment is received.

122 The tax increment dedicated to housing is anticipated to flow beginning in tax increment year 1  
123 and continue through tax increment year 15. It is anticipated that 20 percent of the tax increment  
124 will be dedicated to housing each year.

125 It is anticipated that the affected taxing entities will not receive any flow-thru of the tax  
126 increment during the 15 year time period. The taxing entities will receive all of the real and  
127 personal property taxes generated from the properties located in the project beginning in the  
128 sixteenth year.

### 129 **C. Report of the Taxing Entity Committee**

130 Chair Thomas said the Taxing Entity Committee met and passed unanimously the Plan and  
131 Budget.

132 Chair Thomas discussed that currently the property is a gravel pit and a pasture with a single  
133 family home. This ground is taxed bulk and the money the school receives is not a large amount  
134 because the tax incurred is based on raw ground. The proposed company looking to locate in  
135 this area is Vita Cost.com, which is an Inc500 hall of fame company. Vita Cost has made the top  
136 500 fastest growing companies in the past five consecutive years. The company has impressive  
137 growth. Vita Cost wants to relocate outside of Florida. This company could create 5-700 jobs in  
138 the next few years. Vita Cost has purchased the land and all indications are that they will be  
139 coming.

### 140 **D. Agency Board Question Period Regarding the "Front Mountain Economic 141 Development Project Area Budget"**

142 There were no questions.

### 143 **E. Review of Draft Front Mountain Economic Development Project Area Plan**

144 Mr. Oyler said the Chair Thomas discussed the project. Mr. Oyler discussed the infrastructure  
145 needed for the area and how the utilities will be brought into the plan area.

146 Mr. Oyler discussed the 20 percent required by the State for housing, he said the money can go  
147 to the Olene Walker Trust Fund or to Utah County Housing Authority and then comes back to  
148 the City to be used in Spanish Fork.

149 Mr. Andersen asked if the 20 percent is for existing homes or new construction.

150 Mr. Oyler said there are a variety of aspects but the money generated could be used for new  
151 construction or existing homes.

152 Mr. Oyler said the remaining 80 percent of the increment will be used for the infrastructure to  
153 provide utilities.

154 Mr. Barber asked if the City would contract out for the infrastructure to be installed or if the  
155 company would install the infrastructure and then be reimbursed.

156 Mr. Oyler said that would be negotiated with the business.

157 Mr. Feil said the plan document is a lengthy document that contains provisions required by the  
158 RDA Act that contains a legal description, maps, contains statements on land uses and layouts of  
159 streets, building intensities in the area and how things will change. The plan also includes  
160 statements that the plan is consistent with the General Plan, Zoning Ordinance and Building  
161 Codes. The plan briefly describes Vita Cost. It contains the references to the project area, the  
162 budget is included in the exhibit.

163 Mr. Feil discussed the housing funds allocated are to be used for certain kinds of housing,  
164 generally for income targeted housing. He said the money can be used for down payments, new  
165 housing or establishing housing for those who qualify for housing income.

166 Mr. Feil stated that if the RDA is approved it does not entitle Vita Cost. This is done later  
167 through a contract. The RDA is a process when using a tax increment, but it does not promise  
168 anything at this time.

169 **F. Agency Board Question Period Regarding Draft Plan**

170 There were none.

171 **G. Receipt of Written or Verbal Objections to the Project Area Plan; Public**  
172 **Comment on draft Project Area and Project Area Budget; and Public**  
173 **Comment on Whether Project Area Plan and Project Area Budget Should Be**  
174 **Revised, Adopted or Rejected:**

175

176 **(1) Presentations by Property Owners Within Proposed Project Area, If**

177

**Any**

178

Marvin Stewart

179

Mr. Stewart said he is a property owner next to the EDA area. He is asking if the tax increment pertains to adjacent property owners.

180

181

Chair Thomas said the adjacent property owners would not be included in the tax increment, but this does not protect him from standard tax increases.

182

183

Mr. Stewart said he has learned how RDA or EDA works and can see that they have been beneficial in past areas. He said he hopes they continue to be beneficial.

184

185

Chair Thomas said Spanish Fork City is well known not to abuse the RDA process. He complimented staff and past councils.

186

187

Discussion took place regarding the viability of the Vita Cost project.

188

Chair Thomas said he has no reason to doubt this project will not work out. He presented pictures of the project. Chair Thomas said his opinion is that Vita Cost would be a fantastic neighboring citizen.

189

190

191

Burtine Baum

192

Ms. Baum asked if the windmills would still be in the property next to Vita Cost projected site.

193

Chair Thomas said the windmills will most likely be moved to the upper location behind the Fingerhut Building.

194

195

Ms. Baum asked if she would be required to connect to the city water and sewer.

196

Mr. Baker said she would be allowed to connect to the sewer if she chooses, but the water connection would require an emergency situation.

197

198

**(2) Presentation by Taxing Entities, If Any**

199

Mr. Ellertson said he is on the Taxing Entity Committee representing Utah County. He reviewed his vote in favor and support of this project. He complimented Spanish Fork City on their past RDA projects. He reviewed the past project that has come to an end and said he looks forward to this project coming to an end. Mr. Ellertson reviewed his concerns on potential impacts with no tax increment to the County for 15 years, but said he doesn't feel there will be any negative impact on this area.

200

201

202

203

204

205

**(3) Presentations by Other Parties Having an Interest**

206

There was none.

207

**H. Agency Board Question Period and Response by Agency Staff**

208 There were no questions.

209 **4. Motion to Close Public Hearing**

210 Mr. Andersen made a **motion** to close the public hearing portion of the meeting. Mr. Wadsworth  
211 **seconded**, and the motion **passed** with a unanimous vote.

212 **5. Summary of and Findings of Agency**

213 Mr. Feil reviewed the Agency Board Findings outlined in Resolution 06-05, pages 3-4 Section 5.  
214 Agency Board Findings. The Agency Board hereby determines and finds as follows:

215 A. There is a need to effectuate a public purpose, and implementation of the Project  
216 Area Plan would accomplish the public purposes set forth in the Act.

217 B. There is a public benefit under the benefit analysis referred to in Exhibit "C" to  
218 the Project Area Plan.

219 C. It is economically sound and feasible to adopt and carry out the Project Area Plan.

220 D. The Project Area Plan conforms to Spanish Fork's general plan.

221 E. The Project Area Plan would develop the Project Area in conformity with the Act,  
222 and carrying out the Project Area Plan will promote the public peace, health,  
223 safety and welfare of Spanish Fork.

224 Mr. Feil said it is his preference that the members show their support of the mentioned findings  
225 by a motion adopting the findings.

226 **6. Consideration and Adoption of Findings**

227 Mr. Leifson made a **motion** to show consideration and adopt the findings in Resolution 06-05  
228 Section 5. Agency Board Findings. The Agency Board hereby determines and finds as follows:

229 1. There is a need to effectuate a public purpose, and implementation of the Project  
230 Area Plan would accomplish the public purposes set forth in the Act.

231 2. There is a public benefit under the benefit analysis referred to in Exhibit "C" to  
232 the Project Area Plan.

233 3. It is economically sound and feasible to adopt and carry out the Project Area Plan.

234 4. The Project Area Plan conforms to Spanish Fork's general plan.

235 5. The Project Area Plan would develop the Project Area in conformity with the Act,  
236 and carrying out the Project Area Plan will promote the public peace, health,  
237 safety and welfare of Spanish Fork.

238 Mr. Barber **seconded**, and the motion **passed** with a unanimous vote.

239 **7. Consideration and Adoption of Resolution Adopting the Front Mountain Economic**  
240 **Development Project Area Plan Dated February 10, 2006**

241 Mr. Wadsworth made a **motion** to adopt Resolution 06-05, Resolution of the Redevelopment  
242 Agency of Spanish Fork Adopting the Project Area Plan Entitled, "Front Mountain Economic  
243 Development Project Area Plan," Dated February 10, 2006. Mr. Andersen **seconded**, and the  
244 motion **passed** with a unanimous vote.

245 **8. Consideration and Adoption of Resolution Adopting the Front Mountain Economic**  
246 **Development Project Area Budget**

247 Mr. Wadsworth made a **motion** to adopt Resolution 06-04, Resolution of the Redevelopment  
248 Agency of Spanish Fork Adopting the Front Mountain Economic Development Project Area  
249 Budget as Approved by the Taxing Entity Committee on March 9, 2006. Mr. Barber **seconded**,  
250 and the motion **passed** with a unanimous vote.

251 **9. Other Agency Business**  
252 None

253 **10. Motion to Adjourn the Redevelopment Agency Meeting**

254 Mr. Andersen made a **motion** to adjourn. Mr. Sorensen **seconded**, and the motion **passed** with a  
255 unanimous vote. The meeting adjourned at 6:45 p.m.

256 Mr. Barber made a **motion** to reconvene the City Council meeting. Mr. Leifson **seconded** and  
257 the motion **passed** with a unanimous vote.

258  
259 

---

Marlo Smith, Engineering Secretary

260 Approved:

**Tentative Minutes  
Spanish Fork Redevelopment Agency Meeting  
February 21, 2006**

1 Present: Chairman Joe L Thomas, Board Members Matthew D. Barber, Steven M. Leifson, Seth  
2 V. Sorensen, and Chris C. Wadsworth. Board Member G. Wayne Andersen was present via  
3 telephone conference.

4  
5 Staff Members Present: David A. Oyler, Executive Director; S. Junior Baker, Richard Heap,  
6 Seth J. Perrins, Kent Clark, David Anderson, Dee Rosenbaum, and Marlo Smith.

7 Others Present: Randall Feil, Special Counsel for the Spanish Fork RDA, Jonnalynne Walker,  
8 Spanish Fork RDA Consultant, and Paul Haderlie.

9 **1. Welcome**

10 Mr. Sorensen made a **motion** to move into the Redevelopment Agency (RDA) meeting. Mr.  
11 Leifson **seconded** and the motion **passed** with a unanimous vote.

12 **2. Public Hearing of the Redevelopment Agency of Spanish Fork Concerning the**  
13 **“North Airport Economic Development Project Area Plan” Dated March 10, 2006**  
14 **and the Project Area Budget**

15 **A. Purpose of Public Hearing and Presentation of the Summary Statement**  
16

17 Mr. Feil reviewed the following:

18 The minutes of this meeting should show that this is the time and the date set for a combined  
19 public hearing on the North Airport Economic Development Project Area, Project Area Plan and  
20 Project Area Budget and for public comment, conducted by the Redevelopment Agency of  
21 Spanish Fork on Tuesday, April 18, 2006 at 6:00 p.m. in the City Council Chambers, Spanish  
22 Fork City Hall, 40 South Main Street, Spanish Fork, Utah, pursuant to Notice. The purpose of  
23 this combined public hearing are to:

24 (1) allow public comment on the draft North Airport Economic Development Project  
25 Area Plan (the “Project Area Plan”) for the North Airport Economic Development Project Area  
26 (the “Project Area”) and on the related draft Project area Budget (the “Project Area Budget” or  
27 “Budget”);

28 (2) allow public comment on whether the draft Project Area Plan and draft Project Area  
29 Budget should be revised, adopted or rejected; and

30 (3) receive all written objections and hear all oral objections to the draft Project Area  
31 Plan. The following document, along with their related certificates of mailing, proofs of  
32 publication, etc., will be made part of the public hearing record:

33 1. A Notice of Public Hearing as required by the Redevelopment Agencies Act, Title 17B,  
34 Part 4, Utah Code Annotated 1953 as amended (the “Act”), Sections 17B-4-402(1)(d),  
35 18B-4-501 (2)(c), 17B-4-701(1)(c) and (e) and (2)(b), 17B-4-702 and 17B-4-704, Utah  
36 Code Annotated, which was published in the Daily Herald Newspaper.

- 37 2. A Notice of Budget Hearing as required by Section 17B-4-701(1)(e) of the Act, which  
38 was published in the Daily Herald Newspaper.
- 39 3. The Redevelopment Agency Resolution No. 06-02 dated the 7<sup>th</sup> day of February 2006  
40 authorizing the preparation of a draft project area plan, as provided by Section 17B-4-401  
41 of the Act.
- 42 4. Three separate Notices, each dated the 13<sup>th</sup> day of March 2006 and executed by Randall  
43 S. Feil, Special Counsel to the Redevelopment Agency which were mailed, by certified  
44 mail, to: (a) each owner of record owning property within the boundaries of the proposed  
45 Project Area; (b) each owner of record owning property within 300 feet of the boundaries  
46 of the proposed Project Area; and (c) each taxing entity having the power to levy a tax  
47 within the boundaries of the proposed Project Area, which notice to the taxing entities  
48 contained the provisions required by Section 17B-4-702 of the Act.
- 49 5. The report of Spanish Fork Planning Commission submitted as provided by Section 17B-  
50 4-402 of the Act, indicating that the draft Economic Development Project Area Plan is  
51 consistent with the master plan or general plan of the City, as well as other City plans for  
52 the development of the area or capital improvement plans of the City.
- 53 6. The draft Economic Development Project Area Plan entitled, “North Airport Economic  
54 Development Project Area Plan” containing the provisions required by the  
55 Redevelopment Agencies Act, which draft Plan has been available for public inspection  
56 at the office of the Redevelopment Agency since at least February 13, 2006. Copies of  
57 said Plan are also available at this hearing and may be reviewed by interested parties.
- 58 7. The Agenda of this meeting and the Notice of Meeting which has been given as required  
59 by Section 52-4-6, Utah Code Annotated.

60 The Redevelopment Agency is holding this public hearing pursuant to the provisions of  
61 Section 17B-4-402(1)(e)(i) of the Act which reads as follows:

62 “(1) In order to adopt a project area plan, after adopting a resolution under  
63 Subsection 17B-4-401 the agency shall:

64 . . .

65 (e) hold a public hearing on the draft project area plan and, at that public hearing:

66 (i) allow public comment on:

67 (A) the draft project area plan; and

68 (B) whether the draft project area plan should be revised, approved, or rejected.”

69 The Agency is also holding this hearing pursuant to Section 17B-4-501(2)(e) of the Act  
70 which states as follows:

71 (2) To adopt a project area budget, the agency shall: . . .

72 (e) hold a public hearing on the draft project area budget and, at that public hearing,  
73 allow public comment on:

- 74 (i) the draft project area budget; and  
75 (ii) whether the draft project area budget should be revised, adopted, or rejected;

76 Pursuant to Section 17B-4-801 of the Act, the Agency Board may combine a plan hearing  
77 with a budget hearing. The public hearing record should indicate that the Agency has decided to  
78 combine the Plan hearing and the Budget hearing into one.

79 The public record should reflect that at the time of commencement of this combined  
80 public hearing, the Redevelopment Agency has not received from any landowner, taxing entity  
81 or interested party any written or oral objections to the adoption of the North Airport Economic  
82 Development Project Area Plan dated March 10, 2006 or to the adoption of the draft Project  
83 Area Budget. Because no written objections have been received, it will only be necessary to  
84 consider any oral objections to the adoption of the draft Economic Development Project Area  
85 Plan and Budget which may be made at this hearing.

86 Mr. Oyler concurred that no written objections have been received.

87 **B. Review of Project Area Budget for the North Airport Economic**  
88 **Development Project Area**

89 The cumulative multi-year budget for the North Airport Economic Development Project Area is  
90 projected to be for a 15-year period with the Redevelopment Agency collecting 100 percent of  
91 the available tax increment up to a cumulative total of \$7,733,334. For project area budgets  
92 adopted after May 1, 2000 that provide for more than \$100,000 of annual tax increment to be  
93 collected by the Redevelopment Agency, legislative changes require that 20 percent of tax  
94 increment be allocated for income targeted housing programs, unless a waiver, in whole or in  
95 part, is obtained from the Olene Walker Housing Fund Board and the Taxing Entity Committee.  
96 The Redevelopment Agency of Spanish Fork has not requested a waiver from the Taxing Entity  
97 Committee and the Housing Fund Board and anticipates expending 20 percent annually for  
98 income targeted housing.

99 The base year for the project is 2005, the estimated base year assessed value is \$592,728 based  
100 on the records of the Utah County Assessor. The base year of the project is defined as the year  
101 in which the assessment roll was last equalized before the date of the taxing entity committee's  
102 approval of the first project area budget. The taxing entities will continue to receive the taxes  
103 generated and distributed, as a result of the base year assessed value, unless certain  
104 circumstances, as defined by State Statute, occur during the life of the project.

105 The projected tax increment to be collected from the project area over the 15 years is  
106 \$7,733,334. This assumes that the assessed valuation of the completed project improvements  
107 equal or exceed about \$62.3 million. To the extent that the project's assessed valuation, as  
108 determined by the Utah County Assessor, does not equal or exceed this amount, the tax  
109 increment generated maybe less. It is estimated that the Agency will expend about \$5,800,000  
110 or 75 percent of tax increment on related improvements in the project area and other eligible  
111 expenditures needed to make the project viable. Approximately \$386,667 or 5 percent has been  
112 budgeted for administrative costs during the 15-year period and \$1,546,667 or 20 percent for

113 housing.

114 Tax Increment Year One, from which expenses incurred for eligible activities may be repaid,  
115 may occur anytime from 2007 to 2010, depending on the determination of the Redevelopment  
116 Agency to maximize the amount of available annual increment. The Tax Increment Year is  
117 defined as the year which the property taxes for the improvements are paid on November 30<sup>th</sup>. It  
118 is anticipated that tax increment will be collected for 15 years from the first year in which tax  
119 increment is received.

120 The tax increment dedicated to housing is anticipated to flow beginning in tax increment year 1  
121 and continue through tax increment year 15. It is anticipated that 20 percent of the tax increment  
122 will be dedicated to housing each year.

123 It is anticipated that the affected taxing entities will not receive any flow-thru of the tax  
124 increment during the 15 year time period. The taxing entities will receive all of the real and  
125 personal property taxes generated from the properties located in the project beginning in the  
126 sixteenth year.

127 **C. Report of the Taxing Entity Committee**

128 Mr. Sorensen met as a Taxing Entity Committee and the proposal was passed with a unanimous  
129 vote.

130 Chair Thomas said the business that may be coming in this area is Spectrum Aviation. A  
131 prototype is being built through Rocky Mountain Composites. He said other states are  
132 competitive in order to bring these companies to their states. In order for Spanish Fork City to  
133 compete, these RDA's have to be created to help bring in jobs to our community. He said he  
134 feels we receive a good return on our investment. This will be a great project for Spanish Fork.  
135 Chair Thomas said the Taxing Entity Committee voted this project unanimously.

136 **D. Agency Board Question Period Regarding the "North Airport Economic  
137 Development Project Area Budget"**

138 There were no questions.

139 **E. Review of the Draft North Airport Economic Development Project Area Plan**

140 Mr. Oyler reviewed the project site location. He said it is 74.47 acres. The business looking at  
141 this site is Spectrum Aviation. He said this company would create 500 new jobs by 2015 with an  
142 estimated payroll of 18 million by 2015. The payroll during construction will be 10.8 million  
143 with 354 full time during the construction. Mr. Oyler said other companies will also locate in  
144 this area. These are quality jobs that will be located here because of the technicality in the  
145 aircraft industry. He said this is a great project and will improve the economic base for our  
146 community by having this type of manufacturing company.

147 Mr. Feil said the creation of this RDA does not mean the company will automatically locate in

148 this area. There are still negotiations to be formalized.

149 Mr. Scott Wood said he is with Rocky Mountain Composites and is working with Spectrum. He  
150 said he is trying hard to close this location with Spectrum. He said there was a test flight in  
151 January that was very successful. The aircraft is a 10-passenger business jet.

152 Mr. Wood reviewed Spectrum and the future of the aircraft industry.

153 Mr. Barber said the City would be happy to have Spectrum locate in this location.

154 Mr. Wood said he has had great support from the City staff.

155 Mr. Feil said in connection with adopting this project a project area plan needs to be put in place.  
156 The plan document is a lengthy document that contains provisions required by the RDA Act that  
157 contains a legal description, maps, contains statements on land uses and layouts of streets,  
158 building intensities in the area and how things will change. The plan also includes statements  
159 that the plan is consistent with the General Plan, Zoning Ordinance and Building Codes. The  
160 plan briefly describes Spectrum. It contains the references to the project area, the budget is  
161 included in the exhibit.

162 Mr. Feil stated that if the RDA plan and budget are approved it does not entitle Spectrum, it just  
163 puts in place the EDA that allows for agreements to be made between the City and Spectrum.

164 **F. Agency Board Question Period Regarding Draft Plan**

165  
166 Discussion took place regarding the 20% of the tax increment for our community to be used for  
167 income targeted housing.

168 **G. Receipt of Written or Oral Objections to the Project Area Plan; Public**  
169 **Comment on draft Project Area Plan and Project Area Budget; and Public**  
170 **Comment on Whether Project Area Plan and Project Area Budget Should Be**  
171 **Revised, Adopted or Rejected:**

172 **(1) Presentations by Property Owners Within Proposed Project Area, if**  
173 **Any**

174  
175 Mr. Sorensen made a **motion** to open the public hearing portion of the meeting. Mr. Wadsworth  
176 **seconded**, and the motion **passed** with a unanimous vote. A roll call vote confirmed the  
177 unanimous vote.

178 Paul Haderlie

179 Mr. Haderlie said he is one of the property owners adjacent to this project. On his property they  
180 operate a large animal clinic. He has prepared a letter to give to the board. In summary he said  
181 the letter doesn't show opposition but is concerned as the adjoining neighbor with a unique  
182 business in the County usually alleviates public conflict due to smells, flies, loose animals on  
183 occasion. He said they have done their best to allow a buffer. He said they are at high risk for

184 drug users to break in because of their controlled substances they have on location. He said the  
185 layout shows a future road adjacent to their property. He asked for any help with minimizing  
186 direct public access around their property. He also said he is concerned with the increase of jet  
187 traffic that is not good for sick horses if the jets are flying over their barns all day.

188 Chair Thomas thanked Mr. Haderlie for his comments.

189 Mr. Oyler said there is no definite location for the road at this time. It can be analyzed at the  
190 time the road is to be designed.

191 Mr. Haderlie asked Mr. Wood to address the airplane traffic and the noise levels generated.

192 Mr. Wood said the volume of jets is market driven, but they would like to see at least four planes  
193 a month to begin and up 200 per year. He said they are at the mercy of the market and all they  
194 can do is speculate. Mr. Wood said the noise levels are quite reduced even though they are jet  
195 powered. He said they are reduced compared to propelled planes. Mr. Wood invited Mr.  
196 Haderlie to come for the next test flight.

197 **(2) Presentations by Taxing Entities, If Any**

198 There was none.

199 **(3) Presentations by Other Parties Having an Interest**

200 Mr. Feil said he wants everyone to understand this is the time to make comments on whether the  
201 plan is adopted, rejected or revised. If there are any objections they need to be discussed at this  
202 time.

203 There was none.

204 **H. Agency Board Question Period and Response by Agency Staff**

205  
206 There was none.

207 **3. Motion to Close Public Hearing**

208 Mr. Sorensen made a **motion** to close the public hearing portion of the meeting. Mr. Wadsworth  
209 **seconded**, and the motion **passed** with a unanimous vote. A roll call vote confirmed the  
210 unanimous vote.

211 **4. Summary of Findings of Agency**

212 Mr. Feil reviewed the Agency Board Findings outlined in Resolution 06-07, page 4 Section 5.  
213 Agency Board Findings. The Agency Board hereby determines and finds as follows:

- 214 1. There is a need to effectuate a public purpose, and implementation of the Project  
215 Area Plan would accomplish the public purposes set forth in the Act.

- 216 2. There is a public benefit under the benefit analysis referred to in Exhibit “C” to  
217 the Project Area Plan.
- 218 3. It is economically sound and feasible to adopt and carry out the Project Area Plan.
- 219 4. The Project Area Plan conforms to Spanish Fork’s general plan.
- 220 5. The Project Area Plan would develop the Project Area in conformity with the Act,  
221 and carrying out the Project Area Plan will promote the public peace, health,  
222 safety and welfare of Spanish Fork.

223 Mr. Feil said it is important that the board understand these findings and if they consent with  
224 these findings that they are adopted by a motion.

225 **5. Consideration and Adoption of Findings**

226 Mr. Barber made a **motion** to show consideration and adopt the findings in Resolution 06-07  
227 Section 5. Agency Board Findings. The Agency Board hereby determines and finds as follows:

- 228 1. There is a need to effectuate a public purpose, and implementation of the Project  
229 Area Plan would accomplish the public purposes set forth in the Act.
- 230 2. There is a public benefit under the benefit analysis referred to in Exhibit “C” to  
231 the Project Area Plan.
- 232 3. It is economically sound and feasible to adopt and carry out the Project Area Plan.
- 233 4. The Project Area Plan conforms to Spanish Fork’s general plan.
- 234 5. The Project Area Plan would develop the Project Area in conformity with the Act,  
235 and carrying out the Project Area Plan will promote the public peace, health,  
236 safety and welfare of Spanish Fork.

237 Mr. Leifson **seconded**, and the motion **passed** with a unanimous vote. A roll call vote confirmed  
238 the unanimous vote.

239 **6. Consideration and Adoption of Resolution Adopting the North Airport Economic**  
240 **Development Project Area Plan Dated March 10, 2006**

241 Mr. Leifson made a motion to adopt RDA Resolution 06-07 Resolution of the Redevelopment  
242 Agency of Spanish Fork Adopting the Project Area Plan Entitled, “North Airport Economic  
243 Development Project Area Plan,” Dated March 10, 2006. Mr. Barber seconded, and the motion  
244 passed with a unanimous vote. A roll call vote confirmed the unanimous vote.

245 **7. Consideration and Adoption of Resolution Adopting the North Airport Economic**  
246 **Development Project Area Budget**

247 Mr. Sorensen made a **motion** to adopt RDA Resolution 06-08 Resolution of the Redevelopment  
248 Agency of Spanish Fork Adopting the North Airport Economic Development Project Area  
249 Budget as Approved by the Taxing Entity Committee on March 30, 2006. Mr. Wadsworth  
250 **seconded**, and the motion **passed** with a unanimous vote. A roll call vote confirmed the  
251 unanimous vote.

252 **8. Other Agency Business**

253 There was none.

254 **9. Motion to Adjourn Redevelopment Agency Meeting**

255 Mr. Sorensen made a **motion** to move out of the Redevelopment Agency meeting and reconvene  
256 the City Council meeting. Mr. Barber **seconded**, and the motion **passed** with a unanimous vote.

257  
258 

---

Marlo Smith, Engineering Secretary

259 Approved:

**SPANISH FORK CITY  
Staff Report to City Council**



<b>Agenda Date:</b>	May 16, 2006
<b>Staff Contacts:</b>	Junior/Dave O.
<b>Reviewed By:</b>	Junior
<b>Subject:</b>	RDA Resolutions

**Background Discussion:** The Council and RDA have just created two new EDA areas for VitaCost and Spectrum Aeronautical. The new legislation requires that a resolution be adopted by both the RDA and City Council. These resolutions need to identify what off-site improvements will be installed, which benefit the project area. Richard Nielson prepared the attachment to the resolutions, indicating what those improvements will be. These can be supplemented later if additional improvements are needed.

**Budgetary Impact:** None.

**Alternatives:**

**Recommendation:** Adopt all four resolutions, two by the RDA and two by the City Council. Two resolutions deal with the Front Mountain Economic Development Area and the other two deal with the North Airport Economic Development Area.

**Attachments:** Resolutions are in the agenda packet.

**RDA RESOLUTION NO. 06-09**

VOTING	YES	NO
JOE L THOMAS <i>Chairperson</i>		
G. WAYNE ANDERSEN <i>Director</i>		
MATTHEW D. BARBER <i>Director</i>		
STEVE LEIFSON <i>Director</i>		
SETH V. SORENSEN <i>Director</i>		
CHRIS C. WADSWORTH <i>Director</i>		

I MOVE this resolution be adopted: \_\_\_\_\_  
 I SECOND the foregoing motion: \_\_\_\_\_

REDEVELOPMENT AGENCY OF  
 SPANISH FORK, UTAH  
 RESOLUTION NO. 06-09

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF SPANISH FORK  
 DETERMINING, PURSUANT TO UTAH CODE ANNOTATED §17C-1-409(1)(a)(ii)(D)  
 (1953, AS AMENDED), THAT CERTAIN INFRASTRUCTURE AND IMPROVEMENTS  
 TO BE PUBLICLY OWNED AND LOCATED OUTSIDE THE FRONT MOUNTAIN  
 ECONOMIC DEVELOPMENT PROJECT AREA, ARE OF BENEFIT TO THE  
 PROJECT AREA**

WHEREAS, the Redevelopment Agency of Spanish Fork (“Agency”) was created to transact the business and exercise the powers provided for in the former Utah Neighborhood Development Act, the Redevelopment Agencies Act, and the current Community Development and Renewal Agencies Act and any successor law or act; and

WHEREAS, the Agency and the City of Spanish Fork (the "City") have adopted the Project Area Plan for the Front Mountain Economic Development Project Area (the "Project Area Plan"); and

WHEREAS, the Agency desires to use tax increment funds from the Front Mountain Economic Development Project Area (the "Project Area") to pay all or part of the cost of the installation of certain infrastructure and improvements which are to be publicly owned and located outside the Project Area; and

WHEREAS, the Agency Board has considered the factors and information relevant to a determination of benefit of the subject infrastructure to the subject Project Area, including, but not limited to, the proposed use, location, proximity to the subject Project Area, and service to be provided by the subject infrastructure and improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF SPANISH FORK, that the Agency does hereby determine that the infrastructure and improvements listed on Exhibit "A" attached hereto which are or will be publicly owned and located outside of the Front Mountain Economic Development Project Area are of benefit to the Project Area.

Passed by the Redevelopment Agency of Spanish Fork this 16th day of May 2006.

---

Joe L Thomas, Chairperson

ATTEST:

---

David Oyler, Executive Director

**EXHIBIT "A"**  
**LIST OF PUBLICLY OWNED INFRASTRUCTURE AND IMPROVEMENTS FOR WHICH  
TAX INCREMENT MAY BE USED, WHICH ARE OF BENEFIT TO THE FRONT  
MOUNTAIN ECONOMIC DEVELOPMENT PROJECT AREA**

1. 16" Water line and appurtenances to US-6
2. 12" Pressurized Irrigation line and appurtenances to US-6
3. 8" Sewer line and appurtenances to Canyon Road
4. Electrical transmission and distribution lines to Canyon Road at 2550 East
5. Street improvements along 3400 East

**RDA RESOLUTION NO. 06-10**

VOTING	YES	NO
JOE L THOMAS <i>Chairperson</i>		
G. WAYNE ANDERSEN <i>Director</i>		
MATTHEW D. BARBER <i>Director</i>		
STEVE LEIFSON <i>Director</i>		
SETH V. SORENSEN <i>Director</i>		
CHRIS C. WADSWORTH <i>Director</i>		

I MOVE this resolution be adopted: \_\_\_\_\_  
 I SECOND the foregoing motion: \_\_\_\_\_

REDEVELOPMENT AGENCY OF  
 SPANISH FORK, UTAH  
 RESOLUTION NO. 06-10

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF SPANISH FORK  
 DETERMINING, PURSUANT TO UTAH CODE ANNOTATED §17C-1-409(1)(a)(ii)(D)  
 (1953, AS AMENDED), THAT CERTAIN INFRASTRUCTURE AND IMPROVEMENTS  
 TO BE PUBLICLY OWNED AND LOCATED OUTSIDE THE NORTH AIRPORT  
 ECONOMIC DEVELOPMENT PROJECT AREA, ARE OF BENEFIT TO THE  
 PROJECT AREA**

WHEREAS, the Redevelopment Agency of Spanish Fork (“Agency”) was created to transact the business and exercise the powers provided for in the former Utah Neighborhood Development Act, the Redevelopment Agencies Act, and the current Community Development and Renewal Agencies Act and any successor law or act; and

WHEREAS, the Agency and the City of Spanish Fork (the "City") have adopted the Project Area Plan for the North Airport Economic Development Project Area (the "Project Area Plan"); and

WHEREAS, the Agency desires to use tax increment funds from the North Airport Economic Development Project Area (the "Project Area") to pay all or part of the cost of the installation of certain infrastructure and improvements which are to be publicly owned and located outside the Project Area; and

WHEREAS, the Agency Board has considered the factors and information relevant to a determination of benefit of the subject infrastructure to the subject Project Area, including, but not limited to, the proposed use, location, proximity to the subject Project Area, and service to be provided by the subject infrastructure and improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF SPANISH FORK, that the Agency does hereby determine that the infrastructure and improvements listed on Exhibit "A" attached hereto which are or will be publicly owned and located outside of the North Airport Economic Development Project Area are of benefit to the Project Area.

Passed by the Redevelopment Agency of Spanish Fork this 16th day of May 2006.

---

Joe L Thomas, Chairperson

ATTEST:

---

David Oyler, Executive Director

**EXHIBIT "A"**  
**LIST OF PUBLICLY OWNED INFRASTRUCTURE AND IMPROVEMENTS FOR WHICH  
TAX INCREMENT MAY BE USED, WHICH ARE OF BENEFIT TO THE NORTH  
AIRPORT ECONOMIC DEVELOPMENT PROJECT AREA**

1. 12" Water line and appurtenances to 1900 North 500 West
2. 10" & 12" Pressurized Irrigation line and appurtenances to 2800 North Main Street
3. 10" Sewer line and appurtenances to Industrial Lift Station #2
4. Electrical transmission and distribution lines to 3000 North Main Street
5. Street improvements along 600 West and 3250 North