

AGENDA
TAXING ENTITY COMMITTEE FOR
THE REDEVELOPMENT AGENCY OF SPANISH FORK

NORTH AIRPORT ECONOMIC DEVELOPMENT PROJECT AREA

Thursday, March 30, 2006 - 1:30 p.m.
City Council Chambers
Spanish Fork City Hall
40 South Main Street
Spanish Fork, Utah

1. Welcome - Chairperson
2. Roll Call
3. Review of the Draft North Airport Economic Development Plan dated March 10, 2006 and proposed development - David Oyler and Randall Feil
4. Review of proposed North Airport Project Area Budget - Jonnalyne Walker
5. Consideration and Adoption of [Resolution Approving North Airport Economic Development Project Area Budget](#)
6. Other Matters of Business
7. Adjournment

RESOLUTION OF THE TAXING ENTITY COMMITTEE FOR THE REDEVELOPMENT
AGENCY OF SPANISH FORK APPROVING THE NORTH AIRPORT ECONOMIC
DEVELOPMENT PROJECT AREA BUDGET

WHEREAS, the Redevelopment Agency of Spanish Fork (the "Redevelopment Agency") is proposing to adopt the "North Airport Economic Development Project Area Plan" (the "Plan") and the North Airport Economic Development Project Area Budget (the "Project Area Budget"); and

WHEREAS, Section 17B-4-1002 of the Redevelopment Agencies Act (the "Act") requires that each agency that adopts or proposes to adopt a post-June 30, 1993 project area plan shall cause a taxing entity committee (the "Taxing Entity Committee") to be created, and provides that the Taxing Entity Committee may negotiate with the Redevelopment Agency regarding the Plan and approve or disapprove the project area budget; and

WHEREAS, the Taxing Entity Committee has been created pursuant to the provisions of the Act; and

WHEREAS, the Act provides that the Redevelopment Agency must obtain the majority consent of the Taxing Entity Committee for the Project Area Budget before the Redevelopment Agency may collect any tax increment from the Project Area; and

WHEREAS, the Redevelopment Agency has submitted to the Taxing Entity Committee the proposed Plan and the Project Area Budget for the Project Area, which the Taxing Entity Committee has considered; and

WHEREAS the Taxing Entity Committee has reviewed the proposed Plan and Project Area Budget and finds that the Plan and the Project Area Budget are consistent with the Act and that the Project Area Budget is consistent with the Plan.

NOW, THEREFORE, be it resolved by the Taxing Entity Committee that:

(1) The Taxing Entities have consulted with the Agency regarding the Plan pursuant to Section 17B-4-402(1)(f) of the Act and the Taxing Entity Committee has negotiated with the Agency concerning the Plan pursuant to Section 17B-4-1002(3)(b) of the Act and hereby approves the Plan dated March 10, 2006, a copy of which is attached as Exhibit "B".

(2) The Taxing Entity Committee hereby approves and consents to the Project Area Budget, as a multiyear cumulative budget, a copy of which is attached as Exhibit "A" and incorporated herein by reference, by a majority vote, pursuant to Sections 17B-4-505, 1002(5) and 1002(3)(c) of the Act and authorizes and consents that the Redevelopment Agency may

collect tax increment from the Project Area. The Project Area Budget is a multi-year cumulative budget. This means that the annual amounts of projected tax increment revenue to the Agency as shown in each year of materials supporting the Project Area Budget are not limitations but are for informational purposes only, and that the Agency is authorized to receive 100% of the annual tax increment for fifteen years, up to a maximum cumulative total of tax increment received by the Agency of \$7,733,334. Under the approved Project Area Budget the Redevelopment Agency is given the option to begin (to trigger) the taking of tax increment beginning with any year from 2007 to as late as 2010. The Taxing Entity Committee hereby specifically approves and consents to the following maximum dollar amounts and percentages for the multiyear cumulative Project Area Budget, applying the line item descriptions, and maximum dollar amounts shown in the columns entitled "Cumulative **2007-2021**" and "Allocated % of Total Tax Increment", and the percentages derived therefrom (or the percentages indicated in the Budget), of the attached Project Area Budget as follows:

The maximum total of all tax increment payable to the Agency over the fifteen (15) year Project Area Budget is 100% of the total tax increment but not to exceed \$7,733,334. From the total of all tax increment actually received by the Agency pursuant to this Project Area Budget, 20% thereof, using appropriate net present value calculations, if applicable, shall be allocated to housing purposes as required by and under Sections 17B-4-504 and 17B-4-1010 of the Act, and up to \$386,667 but not to exceed 5% of the total tax increment received by the Agency over the entire fifteen (15) year period may be used by the Agency for administration purposes.

(3) The Redevelopment Agency may collect tax increment from all or a part of the Project Area. The tax increment shall be paid to the Redevelopment Agency to finance or refinance, in whole or in part, the development of the project area and infrastructure and access and utilities within and outside the Project Area that benefit the Project Area, according to the amounts established by the Taxing Entity Committee as shown in the approved Project Area Budget attached as Exhibit "A" and in this resolution.

(4) The Taxing Entity Committee does not approve, pursuant to Section 17B-4-1005(2) of the Act, the inclusion of taxes due to any increase in the tax rate after the time the Project Area Budget is approved. The portion of the taxes, if any, due to an increase in the tax rate shall not be distributed by the county to the Redevelopment Agency in the same manner as other property taxes are paid to the Redevelopment Agency.

(5) The Redevelopment Agency has prepared and provided to the Taxing Entity Committee a Housing Plan which shows how the 20% of tax increment for income targeted housing will be used pursuant to Sections 17B-4-504 and 17B-4-1010 of the Act.

(6) The Project Area Budget may be amended from time to time as provided in the Act by obtaining the consent of a majority of a quorum of the Taxing Entity Committee, or pursuant to the provisions of any amended or replacement law or act. If any amendment is proposed and

the Taxing Entity Committee does not consent to the amendment, the Redevelopment Agency will continue to operate under the approved Project Area Budget attached as Exhibit "A" as approved by this resolution.

(7) (a) Subject to modifications of the Act by amendments or by any successor act or law, the amount of the base taxable value to be used in determining tax increment shall be:

(i) increased or decreased by the amount of an increase or decrease that results from:

(A) a statute enacted by the Utah State Legislature or by the people through an initiative;

(B) a judicial decision;

(C) an order from the Utah State Tax Commission to a County to adjust or factor its assessment rate under Subsection 59-2-704(2);

(D) a change in exemption provided in Utah Constitution, Article XIII, Section 2, or Section 59-2-103; or

(E) an increase or decrease in the percentage of fair market value, as defined under Section 59-2-102; and

(ii) reduced for any year to the extent necessary, even if below zero, to provide an agency with approximately the same amount of money the agency would have received without a reduction in the county's certified tax rate if:

(A) in that year there is a decrease in the county's certified tax rate under Subsection 59-2-924(2)(c) or (d)(i);

(B) the amount of the decrease is more than 20% of the county's certified tax rate of the previous year; and

(C) the decrease would result in a reduction of the amount of tax increment to be paid to the agency.

(b) Notwithstanding an increase or decrease under Subsection (a), the amount of tax increment paid to an agency each year for payment of bonds or other indebtedness may not be less than would have been paid to the agency each year if there had been no increase or decrease under Subsection (a).

(8) This Resolution shall become effective immediately

DATED this ____ day of _____, 2006.

Chairperson
of the Taxing Entity Committee for the
Redevelopment Agency of Spanish Fork

Record of committee vote and consent:

| | | |
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| Joe L Thomas | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Seth Sorenson | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Randy Brailsford | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Larry Ellertson | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Steve White | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Reed Park | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Tracy Olsen | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| Larry Newton | <input type="checkbox"/> Yes | <input type="checkbox"/> No |