

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
MEETING MINUTES
6:45 P.M. WORK SESSION
September 24, 2019

(This meeting was held prior to the regularly scheduled City Council policy session.)

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Vern Phipps	Vice-Chair
EXCUSED:	Kent Bush	Chair
PRESENT:	Nike Peterson	Director
	Tim Roper	Director
	Mark Shepherd	Director
	Karece Thompson	Director
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder
EXCUSED:	Adam Favero	Public Works Director
	Eric Howes	Community Services Director

VISITORS: Mr. and Mrs. Steve Wilcox, Kathryn Murray

Vice-Chair Phipps called the meeting to order at 6:45 p.m.

DISCUSSION ON THE CLEARFIELD STATION APARTMENTS TAX INCREMENT
FINANCING (TIF) PARTICIPATION AGREEMENT

Summer Palmer, Assistant City Manager, stated the Clearfield Station Community Development Area (CDA) was created for the primary purpose of capturing tax increment to help pay for the cost of public infrastructure connected with the development of the UTA property located at approximately 1250 South State Street. She mentioned the participation agreement set forth the provisions under which the CDRA would reimburse the developer, Clearfield Station, LLC, for its costs associated with the public infrastructure improvements for the construction of the Clearfield Station Apartments.

She noted the CDRA received its first tax increment revenue from the CDA in the spring, which was sooner than anticipated so the tax increment financing (TIF) was not in place for the payment. She explained staff had been working with the Garn Group to prepare the TIF agreement. Ms. Palmer reported usually the agreement would be in place prior to the construction, but given the circumstances the document was finessed to account for the work that had been accomplished. She indicated the development agreement documented the TIF would be used for the repayment of the improvements and the actual expenses incurred for the infrastructure of the boxcar and express roads. She mentioned the TIF Participation Agreement outlined the conditions and agreements for the distribution of future tax increment payments.

Ms. Palmer explained the developer had fulfilled its obligations; therefore, once an approved agreement was in place, the CDRA would begin reimbursement of the developer from the tax increment revenue distributions that it received each spring from Davis County. She reported staff thought the maximum amount eligible for repayment had been agreed upon; however, after a phone conversation earlier in the day with the Garn Group there appeared to be some questions that would need to be addressed. She noted staff would be meeting with the developer again to vet any additional concerns about the costs incurred which would be eligible for repayment.

Ms. Palmer highlighted the efforts of staff and the City Engineer to date to accurately reflect the costs incurred by the developer that were used for the boxcar and express roads. She explained staff would continue to go through the vetting process with the developer until a total amount was agreed upon and then the TIF agreement with those totals would be presented to the Board for its consideration in a policy session. JJ Allen, City Manager, pointed out staff was not expecting the total amount to change dramatically.

Director Thompson questioned whether the Board or the developer would determine what the final number was which would be included in the TIF agreement. Ms. Palmer explained the City would ask the developer to substantiate the amount it felt was eligible for reimbursement tied to the designated infrastructure costs in the development agreement. Mr. Allen noted it was a negotiation between the parties but in the end both would need to agree on the final number.

Director Peterson wondered what would happen if an agreement could not be reached. Ms. Palmer expressed her opinion an impasse was not likely because the developer had been willing to work with staff thus far; however, there were a few more questions that needed to be addressed before an amount could be agreed upon. There was a discussion on the methodology that had been used to help further clarify the costs associated with the road improvements. Ms. Palmer indicated the TIF participation agreement would be brought to the Board again for its review and consideration once those amounts had been finalized.

Director Shepherd moved to adjourn at 6:56 p.m., seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper, Shepherd and Thompson. Voting NO – None.

The City Council policy session minutes are in a separate location.

**APPROVED AND ADOPTED
This 22nd day of October, 2019**

/s/Kent Bush, Chair

ATTEST:

/s/Nancy R. Dean, Secretary

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield Community Development and Renewal Agency meeting held Tuesday, September 24, 2019.

/s/Nancy R. Dean, City Recorder