

1. Community Reinvestment Agency Meeting (PDF)

Millcreek City Council, Community Reinvestment Agency, & Millcreek Community Foundation Meeting Agenda

Public Notice is hereby given that the City Council of Millcreek will assemble in site visits and a regular public meeting on Tuesday, 27 May 2025 at City Hall, 1330 E. Chambers Avenue, Millcreek, Utah 84106, commencing at 5:00 p.m. for the site visits and 7:00 p.m. for the regular meeting. The Community Reinvestment Agency will assemble in a regular public meeting and the Millcreek Community Foundation will assemble in special public meeting which will commence when the City Council meeting has recessed or concluded.

5:00 p.m. - SITE VISITS:

1. Site Visits to the Westerly (3257 S Richmond Street) and The Richmond Apartments (1280 E Villa Vista Avenue)

7:00 p.m. - REGULAR MEETING:

1. Welcome, Introduction and Preliminary Matters

1.1 Pledge of Allegiance

1.2 Unified Police Department Millcreek Precinct Officer of the Month for April 2025

1.3 Public Comment

Audience members may bring any item to the Council's attention. Comments are subject to the Public Comment and Policy set forth below. State Law prohibits the Council from acting on items that do not appear on the agenda.

2. Planning Matters First Readings

2.1 ZM- 25- 001, Request for Rezone from the R- 1- 8 (Residential Single Family) to the R- M (Residential Multi- Family) Zone with a Development Agreement at Approximately 4261 S 700 E by Applicant Myles Mayne

2.2 ZM- 25- 003, Request for an Amendment to a Development Agreement at Approximately 3956- 3960 S 300 E by Applicant Dwight Yee

3. Financial Matters

3.1 Public Hearing to Consider Amending the Fiscal Year 2024- 2025 Budget

3.2 Discussion and Consideration of Ordinance 25- 18, Amending the 2024- 25 Fiscal Year Budget

3.3 Discussion and Consideration of Resolution 25- 19, A Resolution Of The City Council Of Millcreek, Utah (The "City"), Authorizing And Approving The Form Of An Interlocal Sales Tax Pledge Agreement And The Issuance Of The City Obligation (As Defined Herein) Created Thereunder; Fixing The Maximum Aggregate Principal Amount Of The City Obligation, The Maximum Number Of Years Over Which The City Obligation May Mature, And The Maximum Interest Rate Which The City Obligation May Bear And The Maximum Discount From Par At Which The City Obligation May Be Sold; Providing For The Publication Of A Notice Of Public Hearing And Bonds To Be Issued; Providing For The Running Of A Contest Period And Setting Of A Public Hearing Date; Authorizing A Supplemental Indenture And Other Documents Required In Connection Therewith; Acknowledging The Issuance And Sale By The Millcreek Community Reinvestment Agency, Utah Of Sales Tax And Tax Increment Revenue Bonds, Series 2025; And Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related Matters

3.4 Fiscal Year 2025- 2026 Budget Discussion

4. Business Matters

4.1 Discussion and Consideration of Resolution 25- 20, Approving a Grant Award Contract with the State of Utah Division of Outdoor Recreation for Funding Pursuant to the Utah Outdoor Recreation Grant

5. Reports

5.1 Mayor's Report

5.2 City Council Member Reports

5.3 Treasurer's Report

5.4 Staff Reports

5.5 Unified Police Department Report

6. New Items for Subsequent Consideration

7. Calendar of Upcoming Meetings

- Mt. Olympus Community Council Mtg., 6/2/25, 6:00 p.m.
- Millcreek Community Council Mtg., 6/3/25, 6:30 p.m.
- Canyon Rim Citizens Association Mtg., 6/4/25, 7:00 p.m.
- East Mill Creek Community Council Mtg., 6/5/25, 6:30 p.m.
- City Council Mtg. 6/9/25 7:00 p.m.

8. Closed Session per Utah Code §52-4-205 (A) Discussion of the Character, Professional Competence, or Physical or Mental Health of an Individual, and (C) Strategy Sessions to Discuss Pending or Reasonably Imminent Litigation

9. Adjournment

Community Reinvestment Agency Convening

1. Public Hearing to Consider Amending the Fiscal Year 2024-2025 Budget
2. Discussion and Consideration of Resolution 25-03, Amending the Community Reinvestment Agency (CRA) Annual Budget for the Fiscal Year Beginning July 1, 2024, and Ending June 30, 2025

3. Discussion and Consideration of Resolution 25-02, A Resolution Of The Board Of Directors (The "Board") Of The Millcreek Community Reinvestment Agency (The "Agency") Authorizing The Issuance And Sale Of The Agency's Sales Tax And Tax Increment Revenue Bonds, Series 2025 (In One Or More Series And With Such Additional Or Alternate Designations As The Agency May Determine) In The Aggregate Principal Amount Of Not To Exceed \$25,000,000 (The "Series 2025 Bonds"); Fixing The Maximum Aggregate Principal Amount Of The Series 2025 Bonds, The Maximum Number Of Years Over Which The Series 2025 Bonds May Mature, The Maximum Interest Rate Which The Series 2025 Bonds May Bear, And The Maximum Discount From Par At Which The Series 2025 Bonds May Be Sold; Delegating To Certain Officers Of The Agency And The City The Authority To Approve The Final Terms And Provisions Of The Series 2025 Bonds Within The Parameters Set Forth Herein Including The Time And Method Of Sale And Selection Of An Underwriter/Purchaser; Providing For The Publication Of A Notice Of Bonds To Be Issued; Providing For The Running Of A Contest Period; Authorizing And Approving The Execution Of A General Indenture, A Supplemental Indenture, A Bond Purchase Agreement, An Interlocal Sales Tax Pledge Agreement, And Other Documents Required In Connection Therewith; Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related Matters

4. Approval of May 12, 2025 Regular Meeting Minutes

5. Adjournment

Millcreek Community Foundation Convening

1. Public Hearing to Consider Amending the Fiscal Year 2024-2025 Budget

2. Discussion and Consideration of Resolution 25-05, Amending the Millcreek Community Foundation Annual Budget for the Fiscal Year Beginning July 1, 2024, and Ending June 30, 2025

3. Approval of May 12, 2025 Special Meeting Minutes

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In accordance with the Americans with Disabilities Act, Millcreek will make reasonable accommodation for participation in the meeting. Individuals may request assistance by contacting the ADA Coordinator, 801-214-2751 or ADAINFO@MILLCREEKUT.GOV, at least 48 hours in advance of the meeting.

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THE UNDERSIGNED DULY APPOINTED RECORDER FOR THE MUNICIPALITY OF MILLCREEK HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS EMAILED OR POSTED TO:

City Hall City Website Utah Public Notice Website

Those Listed on the Agenda [HTTPS://WWW.MILLCREEKUT.GOV/&NBSP](https://www.millcreekut.gov/&NBSP;);

[HTTPS://WWW.UTAH.GOV/PMN&NBSP](https://www.utah.gov/PMN&NBSP);

DATE: May 21, 2025

RECORDER: Elyse Sullivan

Agenda items may be moved in order, sequence, and time to meet the needs of the Council.

Documents:

[CC, CRA AND MCF 5-27-25 AGENDA.PDF](#)

[CRA RESOLUTION 25-03 AMENDING THE FY24-25 BUDGET.PDF](#)

[CRA RESOLUTION 25-02 - MILLCREEK RDA TAX INCREMENT AND SALES TAX 2025.PDF](#)

[CRA 5-12-25 DRAFT MINUTES.PDF](#)



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3. Discussion and Consideration of **Resolution 25-02**, A Resolution Of The Board Of Directors (The "Board") Of The Millcreek Community Reinvestment Agency (The "Agency") Authorizing The Issuance And Sale Of The Agency's Sales Tax And Tax Increment Revenue Bonds, Series 2025 (In One Or More Series And With Such Additional Or Alternate Designations As The Agency May Determine) In The Aggregate Principal Amount Of Not To Exceed \$25,000,000 (The "Series 2025 Bonds"); Fixing The Maximum Aggregate Principal Amount Of The Series 2025 Bonds, The Maximum Number Of Years Over Which The Series 2025 Bonds May Mature, The Maximum Interest Rate Which The Series 2025 Bonds May Bear, And The Maximum Discount From Par At Which The Series 2025 Bonds May Be Sold; Delegating To Certain Officers Of The Agency And The City The Authority To Approve The Final Terms And Provisions Of The Series 2025 Bonds Within The Parameters Set Forth Herein Including The Time And Method Of Sale And Selection Of An Underwriter/Purchaser; Providing For The Publication Of A Notice Of Bonds To Be Issued; Providing For The Running Of A Contest Period; Authorizing And Approving The Execution Of A General Indenture, A Supplemental Indenture, A Bond Purchase Agreement, An Interlocal Sales Tax Pledge Agreement, And Other Documents Required In Connection Therewith; Authorizing The Taking Of All Other Actions Necessary To The Consummation Of The Transactions Contemplated By This Resolution; And Related Matters
4. Approval of May 12, 2025 Regular Meeting Minutes
5. Adjournment

Millcreek Community Foundation Convening

1. **Public Hearing** to Consider Amending the Fiscal Year 2024-2025 Budget
2. Discussion and Consideration of **Resolution 25-05**, Amending the Millcreek Community Foundation Annual Budget for the Fiscal Year Beginning July 1, 2024, and Ending June 30, 2025
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4. Adjournment

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City Hall

Those Listed on the Agenda

DATE: May 21, 2025

City Website

<https://www.millcreekut.gov/>

RECORDER: Elyse Sullivan

Utah Public Notice Website

<https://www.utah.gov/pmn>

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**MILLCREEK COMMUNITY REINVESTMENT AGENCY
RESOLUTION NO. 25-03**

**A RESOLUTION OF THE MILLCREEK COMMUNITY REINVESTMENT AGENCY
AMENDING THE COMMUNITY REINVESTMENT AGENCY (CRA) ANNUAL
BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND
ENDING JUNE 30, 2025**

WHEREAS, the Millcreek Community Reinvestment Agency (“Agency”) met in regular meeting on May 27, 2025, to consider, among other things, amending the Community Reinvestment Agency (CRA) annual budget for the fiscal year beginning July 1, 2024, and ending June 30, 2025; and

WHEREAS, the Agency has adhered to appropriate public hearing requirements as required by law.

NOW, THEREFORE, BE IT RESOLVED that Agency amends the annual budget for fiscal year beginning July 1, 2024, and ending June 30, 2025.

This Resolution, assigned No. 25-03, shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED this 27th day of May 2025.

**MILLCREEK COMMUNITY
REINVESTMENT AGENCY**

By: _____
Jeff Silvestrini, Chair

ATTEST:

Elyse Sullivan, Agency Recorder

Roll Call Vote:		
Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

Special Revenue Funds	Account Description	03/24/25 Amended Budget	05/27/25 Requested Amendments	Comments	05/27/25 Proposed Budget
Fund: 201 - CRA Millcreek Center Fund (FY26 = 6th year)					
<u>Revenue</u>					
201-3100-3101	Tax Increment - Millcreek Prop Taxes	95,000	41,150	YTD = \$136,145	136,150
201-3330-3334	Tax Increment - Other Governments	660,000	345,900	YTD = \$1,005,891	1,005,900
201-3700-3720	Interfund Loan from W Millcreek CRA	300,000	2,349,304	A See interfund loan / debt service schedule	2,649,304
Revenue Totals			2,736,354		
<u>Expenditures</u>					
201-5310-2700	Tax Increment Commitments	40,000	50,750	YTD = \$90,730, which includes 2023 & 2024 SLCo tax increment commitments	90,750
201-5310-2900	Administrative Expenses (5%)	37,750	19,375	Admin expenditure is a revenue in Gen Fund - % taken from Project Budget	57,125
201-9000-9010	Transfer to CRA Housing Fund (15%)	113,250	58,100	C Housing exp is a revenue to the Aggregate Housing Fund - % taken from Project Budget	171,350
New Acct	Interfund Loan Pymt to W Millcreek CRA		362,875	B See interfund loan / debt service schedule	362,875
201-9000-9020	Budgetary Addition to Fund Balance	4,700	2,245,254	To clear negative cash balance	2,249,954
Expenditure Totals			2,736,354		
			-		

Special Revenue Funds	Account Description	03/24/25 Amended Budget	05/27/25 Requested Amendments	Comments	05/27/25 Proposed Budget
Fund: 202 - CRA West Millcreek Fund					
<u>Revenue</u>					
202-3100-3101	Tax Increment - Millcreek Prop Taxes	235,000	19,900	YTD = \$254,890	254,900
202-3330-3334	Tax Increment - Other Governments	1,635,000	233,250	YTD = \$1,868,243	1,868,250
202-3600-3610	Interest Income		250,000	YTD = \$242,840	250,000
				According to Interfund Debt Svc Schedule:	
New Acct	Interfund Loan Pymnt from Millcreek Cntr CRA		367,823	B \$ 362,875 from Millcreek City Center CRA \$ 2,670 from Woodland Avenue CRA \$ 2,278 from Olympus Hills CRA	367,823
202-3900-3920	Budgetary Use of Fund Balance		672,911		672,911
	Revenue Totals		1,543,884		
<u>Expenditures</u>					
202-5310-2700	Tax Increment Commitments	240,000		YTD = \$231,324 Tax Increment Commitment w/ Artesian Sprngs	240,000
202-5310-2900	Administrative Expenses (4%)	74,800	10,150	Admin expenditure is a revenue in Gen Fund - % taken from Project Budget	84,950
202-9000-9010	Transfer to CRA Housing Fund (20%)	384,000	50,630	C Housing exp is a revenue to the Aggregate Housing Fund - % taken from Project Budget	434,630
				\$2,349,500 to Millcreek City Center CRA	
New Acct	Interfund Loan to Other CRA Project Areas	300,000	2,364,500	A \$ 5,000 to Woodland Avenue CRA \$ 10,000 to Olympus Hills	2,664,500
202-9000-9020	Budgetary Addition to Fund Balance	871,200	(881,396)		(10,196)
	Expenditure Totals		1,543,884		
			-		

Special Revenue Funds	Account Description	03/24/25 Amended Budget	05/27/25 Requested Amendments	Comments	05/27/25 Proposed Budget
Fund: 203 - CRA Woodland Ave Fund					
<u>Revenue</u>					
203-3100-3101	Tax Increment - Millcreek Prop Taxes	2,000	1,400	YTD = \$3,394	3,400
203-3330-3334	Tax Increment - Other Governments	8,000	7,260	YTD = \$15,260	15,260
201-3700-3720	Interfund Loan Proceeds from W Millcreek CRA		5,000	A See interfund loan / debt service schedule	5,000
Revenue Totals			13,660		
<u>Expenditures</u>					
203-5310-2700	Tax Increment Commitments		1,200	YTD = \$1,188 Tax Increment Commitment w/ SLCo	1,200
203-5310-2900	Administrative Expenses (5%)	500	450	Admin expenditure is a revenue in Gen Fund - % taken from Project Budget	950
203-5310-3100	Professional Services				-
203-9000-9010	Transfer to CRA Housing Fund (15%)	1,500	1,300	C Housing exp is a revenue to the Aggregate Housing Fund - % taken from Project Budget	2,800
New Acct	Interfund Loan Pymt to W Millcreek CRA		2,670	B See interfund loan / debt service schedule	2,670
203-9000-9020	Budgetary Addition to Fund Balance	8,000	8,040		16,040
Expenditure Totals			13,660		
			-		

Special Revenue Funds	Account Description	03/24/25 Amended Budget	05/27/25 Requested Amendments	Comments	05/27/25 Proposed Budget
Fund: 204 - Olympus Hills CRA					
<u>Revenue</u>					
201-3700-3720	Interfund Loan Proceeds from W Millcreek CRA		10,000	A See interfund loan / debt service schedule	10,000
Revenue Totals			10,000		
<u>Expenditures</u>					
204-5310-3100	Professional Services		5,000		5,000
New Acct	Interfund Loan Pymt to W Millcreek CRA		2,278	B See interfund loan / debt service schedule	2,278
203-9000-9020	Budgetary Addition to Fund Balance		2,722	to clear prior year negative cash position	2,722
Expenditure Totals			10,000		

Special Revenue Funds	Account Description	03/24/25 Amended Budget	05/27/25 Requested Amendments	Comments	05/27/25 Proposed Budget
Fund: 220 - CRA Aggregate Housing Fund					
<u>Revenue</u>					
220-3900-3910	Transfer from Other Funds	488,750	110,030	C Increase in tax increment received > original budget: +\$58,100 from Millcreek Center CRA +\$50,630 from West Millcreek CRA +\$ 1,300 from Woodland Avenue CRA	598,780
Revenue Totals			110,030		
<u>Expenditures</u>					
220-9000-9020	Budgetary Addition to Fund Balance	488,750	110,030		598,780
Expenditure Totals			110,030		
			-		

Millcreek, Utah

May 27, 2025

The Board of Directors (the “Board”) of the Millcreek Community Reinvestment Agency (the “Agency”), met in regular session at the regular meeting place of the Board, on May 27, 2025, at the hour of 7:00 p.m., with the following members of the Board being present:

Jeff Silvestrini	Chair/Chief Executive Officer
Silvia Catten	Boardmember
Thom DeSirant	Boardmember
Cheri Jackson	Boardmember
Bev Uipi	Boardmember

Also present:

Mike Winder	City Manager
Elyse Sullivan	City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the following Resolution was introduced in written form along with a Certificate of Compliance with open meeting law with respect to this May 27, 2025, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Boardmember _____ and seconded by Boardmember _____ was adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Chair and recorded in the official records of the Millcreek Community Reinvestment Agency. The Resolution is as follows:

**MILLCREEK COMMUNITY REINVESTMENT AGENCY
RESOLUTION NO. 25-02**

A RESOLUTION OF THE BOARD OF DIRECTORS (THE “BOARD”) OF THE MILLCREEK COMMUNITY REINVESTMENT AGENCY (THE “AGENCY”) AUTHORIZING THE ISSUANCE AND SALE OF THE AGENCY’S SALES TAX AND TAX INCREMENT REVENUE BONDS, SERIES 2025 (IN ONE OR MORE SERIES AND WITH SUCH ADDITIONAL OR ALTERNATE DESIGNATIONS AS THE AGENCY MAY DETERMINE) IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$25,000,000 (THE “SERIES 2025 BONDS”); FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE SERIES 2025 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2025 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2025 BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2025 BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE AGENCY AND THE CITY THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2025 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN INCLUDING THE TIME AND METHOD OF SALE AND SELECTION OF AN UNDERWRITER/PURCHASER; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION OF A GENERAL INDENTURE, A SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT, AN INTERLOCAL SALES TAX PLEDGE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS

WHEREAS, the Agency is a community reinvestment agency (a public body, corporate and politic) duly created and established by Millcreek, Utah (the “City”), and authorized to transact business and exercise its powers, all under and pursuant to the Limited Purpose Local Government Entities–Community Reinvestment Agency Act, Title 17C, Chapters 1-4, Utah Code Annotated 1953, as amended (the “Redevelopment Act”); and

WHEREAS, the community reinvestment area plan (the “CRA Plan”) for the Millcreek Center Community Reinvestment Area (the “Millcreek Center CRA”) has heretofore been adopted and approved and all requirements of law for, and precedent to, the adoption and approval of said plan have been duly complied with; and

WHEREAS, the Agency and Millcreek, Utah (the “City”) are desirous to issue bonds for the purpose of financing land acquisition and improvements permitted under the CRA plan and related improvements (the “Project”) located within the Millcreek Center CRA; and

WHEREAS, the Agency has determined that it would be in furtherance of its public purposes to issue not to exceed \$25,000,000 of bonds to be designated “Sales Tax and Tax Increment Revenue Bonds, Series 2025” (or such other name and series designation determined by the Agency) for the purpose of (i) financing the Project, (ii) funding a debt service reserve fund

(if necessary), and (iii) paying the costs associated with the issuance of the Series 2025 Bonds pursuant to (a) the Redevelopment Act; (b) this Resolution; (c) a General Indenture of Trust and a Supplemental Indenture (collectively, the “Indenture”), each between the Agency and a trustee (the “Trustee”) to be selected by the Designated Officers, and (d) an Interlocal Sales Tax Pledge Agreement (the “Pledge Agreement”) between the Agency and the City, in substantially the forms presented to the meeting at which this Resolution was adopted and which are attached hereto as Exhibits B and C; and

WHEREAS, there has been presented to the Board at this meeting a form of a bond purchase agreement (the “Bond Purchase Agreement”) to be entered into between the Agency and the underwriter or purchaser for the Series 2025 Bonds (the “Underwriter/Purchaser”) to be selected by the Designated Officers (as defined below), in substantially the form attached hereto as Exhibit D; and

WHEREAS, pursuant to the CRA Plan and the Redevelopment Act, the Agency anticipates receiving certain tax increment revenues with respect to the Millcreek Center CRA (the “Tax Increment Revenues”) and sales tax revenues from the City (the “Sales Tax Revenues”) and the Agency desires to pledge the Tax Increment Revenues and the Sales Tax Revenues to the payment of the Series 2025 Bonds authorized hereunder; and

WHEREAS, the Series 2025 Bonds shall be payable solely from the Tax Increment Revenues, the Sales Tax Revenues and other revenues identified in the Indenture (collectively, the “Revenues”); and

WHEREAS, pursuant to the Pledge Agreement, the City agrees to pledge to the Agency its Sales Tax Revenues as described in the Pledge Agreement; and

WHEREAS, in order to allow the Agency flexibility in setting the pricing date of the Series 2025 Bonds to optimize debt service costs to the Agency, the Board desires to grant to any one of the Chief Executive Officer (or designee), the City Manager, or the Finance Director (the “Designated Officers”) the authority to (a) determine whether all or a portion of the Series 2025 Bonds should be sold pursuant to a private placement or a public offering; (b) approve the principal amounts, interest rates, terms, maturities, redemption features, and purchase price at which the Series 2025 Bonds shall be sold; (c) select the Underwriter/Purchaser; and (d) make any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”); and

WHEREAS, the Redevelopment Act provides for the publication of a Notice of Bonds to be Issued thereby initiating the running of a contest period, and the Chief Executive Officer shall cause such notice to be published in compliance with the Redevelopment Act with respect to the Series 2025 Bonds; and

WHEREAS, the Redevelopment Act and the documents herein authorized to be signed by the Agency provide that the Series 2025 Bonds shall not constitute nor give rise to a general obligation or liability of the Agency or be a charge against its general credit or the general credit

or taxing powers of the City and that the Series 2025 Bonds will be payable from and secured by the Revenues;

NOW, THEREFORE, the Board of Directors of the Millcreek Community Reinvestment Agency does hereby resolve as follows:

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. For the purpose of (a) financing the Project, (b) funding a deposit to a debt service reserve fund, if necessary, and (c) paying costs of issuance of the Series 2025 Bonds, the Agency hereby authorizes the issuance of the Series 2025 Bonds which shall be designated the “Millcreek Community Reinvestment Agency, Utah Sales Tax and Tax Increment Revenue Bonds, Series 2025” (to be issued from time to time, as one or more series, and with such other series or title designation(s) as may be determined), in the initial aggregate principal amount of not to exceed \$25,000,000. The Series 2025 Bonds shall mature in not more than thirty-two years (32) years from their date or dates, shall be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, shall bear interest at a rate or rates not to exceed seven percent (7.00%) per annum, as shall be approved by the Designated Officers, all within the parameters set forth herein. The issuance of the Series 2025 Bonds shall be subject to the final approval of bond counsel to the Agency and to the approval of the attorney for the agency.

Section 3. The Designated Officers are hereby authorized to specify and agree as to the documentation, method of sale, the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2025 Bonds for and on behalf of the Agency, provided that such terms are within the parameters set forth in this Resolution. The selection of the method of sale, the selection of the Underwriter/Purchaser and the determination of the final terms and redemption provisions for the Series 2025 Bonds by the Designated Officers shall be evidenced by the execution of the Bond Purchase Agreement if the Series 2025 Bonds are sold by private placement or a negotiated underwriting sale, in substantially the form attached hereto as Exhibit D.

Section 4. The Indenture, the Pledge Agreement and the Bond Purchase Agreement, in substantially the forms presented to this meeting and attached hereto as Exhibits B, C and D, respectively, are hereby authorized, approved, and confirmed. The Chief Executive Officer and the City Recorder, or their designees, are hereby authorized to execute and deliver the Indenture, the Bond Purchase Agreement and the Pledge Agreement in substantially the forms and with substantially the content as the forms presented at this meeting for and on behalf of the Agency, with final terms and documentation as may be established by the Designated Officers, in consultation with LRB Public Finance Advisors, Inc., as the Agency’s municipal advisor, within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 5 hereof. The Designated Officers are hereby authorized to select the Underwriter/Purchaser. The execution of the Bond Purchase Agreement shall signify the Designated Officers’ determination of the final terms and redemption provisions of the Series 2025 Bonds by the execution of a terms page contained within the Bond Purchase Agreement.

Section 5. The Designated Officers and other appropriate officials of the Agency are authorized to make any alterations, changes or additions to the Indenture, the Pledge Agreement, the Series 2025 Bonds, the Bond Purchase Agreement, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2025 Bonds (within the parameters set by this Resolution), to conform to any applicable bond insurance or reserve instrument or to remove the same, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Board or the provisions of the laws of the State of Utah or the United States.

Section 6. The form, terms, and provisions of the Series 2025 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Chief Executive Officer and the City Recorder or their designees, are hereby authorized and directed to execute and seal the Series 2025 Bonds and to deliver said Bonds to the Trustee for authentication. The signatures of the Chief Executive Officer and the City Recorder or their designees, may be by facsimile or manual execution. The Series 2025 Bonds shall recite that the Series 2025 Bonds are issued under the authority of the Constitution of the State of Utah, the Redevelopment Act, and other applicable law.

Section 7. The Designated Officers and other appropriate officials of the Agency are hereby authorized and directed to execute and deliver to the Trustee the written order of the Agency for authentication and delivery of the Series 2025 Bonds in accordance with the provisions of the Indenture.

Section 8. Upon their issuance, the Series 2025 Bonds will constitute special limited obligations of the Agency payable solely from and to the extent of the sources set forth in the Series 2025 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Pledge Agreement, the Series 2025 Bonds, or any other instrument, shall be construed as creating a general obligation of the Agency or the City, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Agency or its taxing powers.

Section 9. The Designated Officers and other appropriate officials of the Agency, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Agency any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2025 Bonds are delivered by the Trustee to the Underwriter/Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2025 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 11. In accordance with the provisions of the Redevelopment Act, the Chief Executive Officer shall cause a "Notice of Bonds to be Issued" in substantially the form attached hereto as Exhibit E to be published (a) as a Class A notice under Section 63G-30-102 Utah Code Annotated 1953, as amended ("Utah Code") (i) on the Utah Public Notice Website created under

Section 63A-16-601, Utah Code; (ii) on the City's official website; and (iii) in a public location within the City that is reasonably likely to be seen by residents of the City and (b) as required by Section 45-1-101, Utah Code. The City Recorder shall also cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the principal office of the Agency for public examination during the regular business hours of the Agency until at least thirty (30) days from and after the initial date of publication thereof.

Section 12. It is hereby declared that all parts of this resolution are severable and that if any section, paragraph, clause or provision of this resolution shall, for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this resolution.

Section 13. The Chief Executive Officer, the City Recorder and other officers of the Agency are hereby authorized to execute all documents and take such action as they may deem necessary or advisable in order to carry out and perform the purpose of this resolution and the execution or taking of such action shall be conclusive evidence of such necessity or advisability. All action heretofore taken by the Agency, its officers and employees, with respect to the issuance and sale of the Series 2025 Bonds is hereby ratified and confirmed. Any action authorized by this Resolution to be taken by the Chief Executive Officer may be taken by any duly authorized acting agent of the Chief Executive Officer in the absence of the Chief Executive Officer.

Section 14. All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict herewith are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 15. The Agency hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the Project. The Series 2025 Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid. The maximum principal amount of the Series 2025 Bonds which will be issued to finance the reimbursed costs of the Project is not expected to exceed \$25,000,000.

Section 16. This Resolution shall take effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this 27th day May 2025.

**MILLCREEK COMMUNITY
REINVESTMENT AGENCY**

ATTEST:

By: _____
Jeff Silvestrini, Chair

Elyse Sullivan, Agency Recorder

Roll Call Vote:		
Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

After the conduct of other business not pertinent to the foregoing, the meeting was, on motion duly made and seconded, adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

I, the undersigned, duly qualified and acting City Recorder of Millcreek, Utah do hereby certify on behalf of the Millcreek Community Reinvestment Agency (the “Agency”) as follows:

(a) The foregoing is a true, perfect and complete copy of the record of proceedings of the Board of Directors of the Agency, had and taken at a lawful public meeting of said Board held at the regular meeting place of said Board at 1330 East Chambers Avenue, Millcreek, Utah, on May 27, 2025, as recorded in the regular official book of the proceedings of the Agency kept in the office of the Agency, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

(b) I further certify that the Resolution, with all exhibits attached, was deposited in the principal offices of the Agency on May 27, 2025, and that pursuant to the Resolution a “Notice of Bonds to be Issued” was published as (a) as a Class A notice under Section 63G-30-102 Utah Code Annotated 1953, as amended (“Utah Code”) (i) on the Utah Public Notice Website created under Section 63A-16-601, Utah Code; (ii) on the City’s official website, and (iii) in a public location within the City that is reasonably likely to be seen by residents of the City and (b) as required by Section 45-1-101, Utah Code.

(c) All members of the Board of Directors of said Agency were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this May 27, 2025.

(SEAL)

By: _____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, the undersigned City Recorder of Millcreek, Utah, do hereby certify, according to the records of the Millcreek Community Reinvestment Agency, Utah (the “Agency”) in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended (“Utah Code”), I gave not less than twenty-four (24) hours public notice (the “Notice”) of the agenda, date, time and place of the May 27, 2025, public meeting held by the Board of Directors of the Agency (the “Board”), by causing a Notice, in the form attached hereto as Schedule 1,

(i) to be posted at the Agency’s principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(ii) to be posted to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(iii) to be posted on the City’s official website at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2025 Annual Meeting Schedule for the Agency (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the Agency to be held during the year, by causing said Notice to be posted at least annually (a) on the Utah Public Notice Website, (b) on the City’s official website, and (c) in a public location within the City that is reasonably likely to be seen by residents of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Agency this May 27, 2025.

(SEAL)

By: _____
City Recorder

ATTACHMENTS:
SCHEDULE 1 – NOTICE OF PUBLIC MEETING
SCHEDULE 2 – ANNUAL MEETING NOTICE

EXHIBIT B

FORM OF INDENTURE

EXHIBIT C

FORM OF PLEDGE AGREEMENT

EXHIBIT D

FORM OF BOND PURCHASE AGREEMENT

EXHIBIT E

FORM OF NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Limited Purpose Local Government Entities Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated 1953, as amended (the “Act”), that on May 27, 2025, the Board of Directors (the “Board”) of the Millcreek Community Reinvestment Agency, Utah (the “Agency”) adopted a resolution (the “Resolution”) authorizing the issuance of the Agency’s Sales Tax and Tax Increment Revenue Bonds, Series 2025 (or such other name and series designation determined by the Agency) (the “Bonds”).

PURPOSE FOR ISSUING THE BONDS

The Bonds will be issued for the purpose of (a) the financing the acquisition of land and improvements to certain retail structures within the Millcreek Common East Block (the “Project”) located within the Millcreek Center Community Reinvestment Area (the “Millcreek Center CRA”), (b) funding a debt service reserve fund, if necessary, and (c) paying costs associated with the issuance of the Bonds.

REVENUES PROPOSED TO BE PLEDGED

The Bonds shall constitute special limited obligations of the Agency and except as otherwise provided in the Indenture (defined below), are secured by an irrevocable pledge of, and shall be payable as to principal, premium, if any, and interest solely from the tax increment revenues generated from the Millcreek Center CRA and all or a portion of sales tax revenues received and pledged from Millcreek, Utah.

PARAMETERS OF THE BONDS

The Agency intends to issue the Bonds, in the initial aggregate principal amount of not to exceed \$25,000,000 shall mature in not more than thirty-two years (32) from their date or dates, shall be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, shall bear interest at a rate or rates not to exceed seven percent (7.00%) per annum. The Bonds are to be issued and sold pursuant to the Resolution, including as part of said Resolution, a form of a General Indenture of Trust and a First Supplemental Indenture of Trust (collectively, the “Indenture”), and an Interlocal Sales Tax Pledge Agreement (the “Pledge Agreement”); provided that the principal amount, interest rate or rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

A copy of the Resolution, the Pledge Agreement and the form of the Indenture are on file in the office of the Agency, at 1330 East Chambers Avenue, Millcreek, Utah, where they may be examined during regular business hours of the Agency from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Pledge Agreement, the Indenture (only as it applies to the Bonds) or the Bonds, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever.

DATED this May 27, 2025.

MILLCREEK COMMUNITY REINVESTMENT
AGENCY, UTAH



**Minutes of the
Millcreek Community Reinvestment Agency
May 12, 2025
7:00 p.m.
Regular Meeting**

The Community Reinvestment Agency of Millcreek, Utah, met in a regular public meeting on May 12, 2025, at City Hall, located at 1330 E. Chambers Avenue, Millcreek, Utah 84106.

PRESENT:

Board Members

Jeff Silvestrini, Chair
Silvia Catten
Thom DeSirant
Cheri Jackson
Bev Uipi

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, Agency Recorder
Kurt Hansen, Facilities Director
Lisa Dudley, HR-Finance Director
Mike Winder, City Manager

Attendees: Connor Gale

REGULAR MEETING: 7:00 p.m.
TIME COMMENCED: 9:31 p.m.

Chair Silvestrini called the meeting to order.

1. Discussion and Consideration of Resolution 25-01, Acknowledging Receipt of the Community Reinvestment Agency (CRA) Tentative Budget on May 12, 2025; and Tentatively Adopting the Tentative Budget for the Fiscal Year Beginning July 1, 2025, and Ending June 30, 2026

Lisa Dudley said the board received the budget book as the city council that evening. She explained that the CRA and the Community Foundation are blended component units, and their funds are part of the overall city budget, but they have separate packets for clarity. There are transfers between the community reinvestment project areas that have to do with the interfund loans between the different project areas, including significant loans between Millcreek Center CRA and West Millcreek, and smaller loans for consultants on Olympus Hills and Woodland Avenue.

Board Member DeSirant moved to approve Resolution 25-01, Acknowledging Receipt of the Community Reinvestment Agency (CRA) Tentative Budget on May 12, 2025; and Tentatively Adopting the Tentative Budget for the Fiscal Year Beginning July 1, 2025, and Ending June 30, 2026. The Board also sets the time and place for the public hearing on the FY2026 budget in accordance with UCA 10-6-114. The public hearing will be held on Monday, June 9, 2025, at or near 7:00 p.m. during the regular Community Reinvestment

Agency meeting, which will be held in this Community Forum Room at Millcreek City Hall. Board Member Jackson seconded the motion. The Recorder called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes, Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

2. Approval of June 24, 2024 Regular Meeting Minutes

Board Member DeSirant moved to approve the June 24, 2024 Regular Meeting Minutes. Board Member Uipi seconded the motion. Chair Silvestrini called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes, Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

ADJOURNED: Board Member DeSirant moved to adjourn the meeting at 9:34 p.m. Board Member Jackson seconded. Chair Silvestrini called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes, Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Jeff Silvestrini, Chair

Attest: _____
Elyse Sullivan, Agency Recorder