

To: Mayor Harris and the City Council  
Fr: Ron Chandler  
Dt: August 16, 2013  
Re: Smith's Development Agreement

Attached, please find an agreement between Smiths and North Ogden City.

### Agreement

Under the terms of this agreement Smiths agrees that it will

- build a Smiths Market Place store which is to be completed before December 31, 2014,
- pay the City's development fess which are estimated to be \$522,922, and
- not request additional assistance from the City regarding this project.

Under the terms of this agreement, the City agrees that it will

- help secure a reduction of some of the building fees,
- help build some of the utility infrastructure for this project,
- be reasonable and responsive during the development process,
- will not impose additional requirements not included in the current ordinances, and
- work with Smiths to find solutions to any issues that may arise during planning and construction.

The utility improvements include

- extending and looping the water main to the building,
- constructing fire hydrants to the area,
- extending the sewer line to the building, and
- constructing a small regional detention basin and the conveyance system to the building.

The cost for reduction in fees and infrastructure improvements shall not exceed \$342,000.

### North Ogden's Previous Economic Incentives

In 1997 North Ogden City through the North Ogden Redevelopment Agency participated with North Ogden City Center, LLC in the development of the Acres grocery store. North Ogden's participation included the following.

- The acquisition and construction of Bicentennial park.
- The acquisition and construction of 2600 North. UDOT acquired and constructed 2600 North in exchange for the City taking over the ongoing maintenance of 2550 North. This also included the re-signalization of the traffic lights at the Washington Boulevard and 2600 North intersection.
- Widening 300 East to 60 feet with a bridge over the canal
- Extension of utility lines to the development
- All asphalt, acceleration and deceleration lanes, turn-ins and curb cuts, curb, gutter, sidewalk, street lighting, landscaping and related irrigation systems and other right of way improvements as required by the City.
- Engineering of the off-site improvements relating to the development project up to \$24,000
- A fence along the west side of 300 East as a barrier for the subdivision to the west

- Part of the Bi-centennial park purchase and purchase of water rights for the aquifer that feeds the stump
- Improvements to the McDonalds site including relocating the sewer line and soil mitigation.
- The City was also obligated to buy Parcel B of the development (the Wingers building).

The City paid approximately \$1,000,000 for these improvements by borrowing from the General and utility funds. These funds were repaid in fiscal year 2013.