

## **PRIVATE ACTIVITY BOND AUTHORITY BOARD MEETING**

Department of Community and Culture  
Division of Housing and Community Development  
Salt Lake City, UT

### **MINUTES**

Wednesday, June 25, 2008

#### **Members Present**

Gordon D. Walker (Chairman)  
Edward T. Alter  
Jerry C. Atkin  
Steve Rawlings  
Lee Gardner  
Arthur Hunter  
Kyle Kershaw  
Tom Hardy  
Blake Frazier  
Doug Clark

#### **Representing**

Department of Community and Culture  
State Treasurer  
Utah State Board of Regents  
Davis County  
Salt Lake County  
Sandy City  
South Salt Lake City  
Bountiful City  
Summit County  
Governor's Office of Economic Development

#### **Members Excused**

William H. Erickson

#### **Representing**

Utah Housing Corporation

#### **Staff and Visitors**

Sanobi Johnson  
John Brereton  
Palmer DePaulis  
Sharon Young  
Kirsten Stewart  
Katrina Asay  
Michael Jones  
Jay Minnick  
Gregory Cross

Housing and Community Development  
Affordable Housing Solutions  
Department of Community and Culture  
Housing and Community Development  
Housing and Community Development  
Housing and Community Development  
Bank of New York  
Miller Development Corporation  
Bank of New York

### **WELCOME AND INTRODUCTIONS**

The Private Activity Bond Authority (PAB) Board Meeting was held in Salt Lake City, Utah, at the Utah State Department of Financial Institutions and called to order at 9:05 a.m., by Gordon D. Walker, Chairman.

Chairman Walker welcomed Palmer DePaulis, Executive Director of the Department of Community and Culture.

## **APPROVAL OF MINUTES**

Chairman Walker requested a motion to approve the minutes of April 2, 2008.

**Kyle Kershaw moved and Lee Gardner seconded a motion to approve the minutes of April 2, 2008. The motion carried unanimously with Ed Alter, Blake Frazier and Tom Hardy absent from the vote.**

## **STATUS OF ACCOUNTS**

Chairman Walker reviewed the status of the 2008 volume cap, a total of \$18,468,750, available in the following accounts also noting the merging of the Small Issue Account and the Exempt Facility Account into the Pool Account on July 1 with 50% put back in the Manufacturing Account:

<b>Account</b>	<b>Beginning Balance</b>	<b>Balance After July 1</b>	<b>Relinquish-ments</b>	<b>Application Requests</b>	<b>Remaining Balance</b>
Multi-Family	\$851,400	\$0	\$22,280,000		
Manufacturing	\$4,951,400	\$0			\$6,851,875
Exempt Facility	\$2,620,950	\$0			
Pool Account	\$0	\$8,423,750	\$22,280,000	\$17,000,000	\$6,851,875
<b>Grand Total</b>	<b>\$8,423,750</b>				<b>\$13,703,750</b>

Blake Frazier joined the meeting at this point.

## **RELINQUISHMENT REQUESTS**

### **Multi-Family – Timber Gate Apartments**

Miller Construction relinquished their volume cap allocation of \$17,000,000 received in the January 2008 Board Meeting. The developers stated their request is due to a change in location, significant changes in the project, and not being able to fulfill their obligation on existing bonds.

**Lee Gardner moved and Jerry Atkin seconded a motion accepting the relinquishment of \$17,000,000 from Miller Construction Enterprise, Inc. The motion carried unanimously with Tom Hardy and Ed Alter absent from the vote.**

Ed Alter joined the meeting at this point.

### **Multi-Family – Broadway Heritage Apartments**

AmericaWest Affordable Housing relinquished their volume cap allocation of \$5,280,000 received in the January 2008 Board Meeting. Tax credit prices and partnership concerns with the configuration of the project have made the project not feasible using the tax-exempt bonding resources.

**Lee Gardner moved and Arthur Hunter seconded a motion accepting the relinquishment of \$5,280,000 volume cap from AmericaWest Affordable Housing. The motion carried unanimously with Tom Hardy absent from the vote.**

### **VOLUME CAP ALLOCATION REQUESTS**

#### **Multi-Family – Timber Gate Apartments**

Miller Construction requested \$17,000,000 total volume cap allocation from the Multi-Family Account to construct a 288-unit building with 258 of the units affordable.

John Brereton provided an overview for this project and stated the only difference in this request is the address of the property.

**Blake Frazier moved and Steve Rawlings seconded a motion to approve the volume cap allocation of \$17,000,000 for Miller Construction Enterprise, Inc. The motion carried unanimously.**

### **VOLUME CAP EXTENSIONS**

#### **Willow Creek Retirement Community**

Village Development, LLC, requested a first extension on the \$11,800,000 volume cap allocation for the Willow Creek Retirement Community project approved by the PAB Board in April 2008.

**Arthur Hunter moved and Steve Rawlings seconded a motion to approve the first extension on the volume cap of \$11,800,000 for Village Development, LLC. The motion carried unanimously with Tom Hardy absent from the vote.**

Tom Hardy and Palmer DePaulis joined the meeting at this point.

#### **Cowboy Partners, L.C.**

Cowboy Partners, L.C. requested a second extension on the \$11,000,000 volume cap allocation for the Liberty Station Apartments approved by the PAB Board in January 2008.

**Tom Hardy moved and Ed Alter seconded a motion to approve the second extension on the volume cap of \$11,000,000 for Cowboy Partners, L.C. The motion carried unanimously.**

#### **Action Commercial Park**

Action Commercial Park, a manufacturing facility of shooting range equipment and comprehensive firearms training, located in Provo, Utah, requested a second extension on the \$9,000,000 volume cap allocation for their manufacturing expansion.

The applicant updated the Board on a problem that occurred during the soil testing in which slag was found on the proposed site. The problem can be remediated in time; however it will take longer and will delay the construction of the new facility. The city gave a six-month extension to the applicant.

**Steve Rawlings moved and Lee Gardner seconded a motion to approve the second extension on the volume cap of \$9,000,000 for Action Commercial Park. The motion carried unanimously.**

### **ADJOURNMENT**

The next regularly scheduled meeting of the Private Activity Bond Authority Board will be held on Wednesday, October 8, 2008, at 9:00 a.m., at the Department of Community and Culture, 324 S. State Street, Suite 500, Conference Room #501, Salt Lake City, Utah.

The meeting adjourned at 9:17 a.m.

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Submitted by:  
Sanobi Johnson