



Proposition Information Pamphlet

To referendum petition filed March 13, 2023 regarding Resolution 2023-7 approving the use of Quality Neighborhood Initiative funds to purchase surplus property at 605 North Jackson Avenue from Ogden School District, passed and adopted by the Ogden City Council on March 7, 2023.

Petition Sponsors:

1. Jase Reyneveld
2. Reina Reyneveld
3. Stuart Kahler
4. Morgan Kahler
5. Michelle Arencibia

This pamphlet includes the following:

- Petition Application
- Sponsor's Argument
- City's Argument
- Legal & Fiscal Impact Statement

13 March 2023

To: Ogden City Recorder

Subject: Referendum Against Resolution 2023-7

Purpose: Provide Notarized Sponsor Signatures

In accordance with Utah Code 20A-7-602, we are writing to initiate a referendum petition with the Ogden City Recorder against the resolution for public funding of the 2023-7 resolution that was approved on March 7th, 2023 by a 7-0 vote of the Ogden City Council. The following are the five sponsors, all of which are registered voters in Ogden, Utah:

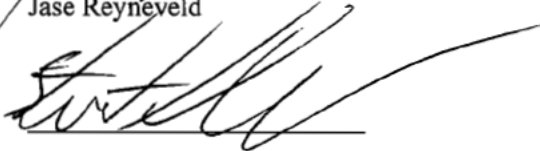
1. Jase Reyneveld ([REDACTED] Ogden UT 84401)
2. Reina Reyneveld ([REDACTED] Ogden UT 84401)
3. Stuart Kahler ([REDACTED] Ogden UT 84403)
4. Morgan Kahler ([REDACTED] Ogden UT 84403)
5. Michelle Arrencibia ([REDACTED] Ogden, UT 84401)

The persons sponsoring this referendum and other persons gathering signatures for the petition will not be paid for gathering signatures. Attached to this memorandum is a copy of the resolution that was made available on Ogden City's website.

//Signed//




Jase Reyneveld



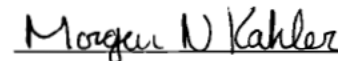
Stuart Kahler



Michelle Arrencibia
MA



Reina Reyneveld



Morgan Kahler

RECEIVED

MAR 13 2023

Ogden City
Recorder's Office

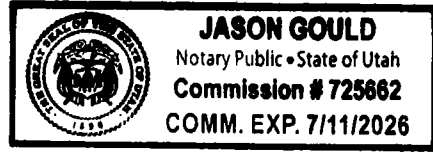
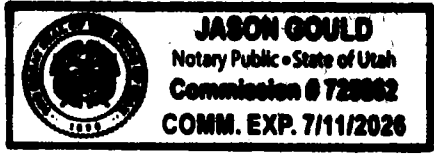
Signature page for referendum against Resolution 2023-7

STATE OF UTAH, WEBER County
On the 13th day of March, 2023.
Personally appeared before me Michael Kahler
And proved to me on the basis of satisfactory evidence
to be the signer whose name is subscribed to this
instrument, and acknowledged that they executed the
same.

[Signature]
Notary Public

STATE OF UTAH, WEBER County
On the 13th day of March, 2023.
Personally appeared before me Scott Andrew Kahler
And proved to me on the basis of satisfactory evidence
to be the signer whose name is subscribed to this
instrument, and acknowledged that they executed the
same.

[Signature]
Notary Public



STATE OF UTAH, WEBER County
On the 13th day of March, 2023.
Personally appeared before me Bina H. Reinhold
And proved to me on the basis of satisfactory evidence
to be the signer whose name is subscribed to this
instrument, and acknowledged that they executed the
same.

[Signature]
Notary Public

STATE OF UTAH, WEBER County
On the 13th day of March, 2023.
Personally appeared before me Jose Thomas Reinhold
And proved to me on the basis of satisfactory evidence
to be the signer whose name is subscribed to this
instrument, and acknowledged that they executed the
same.

[Signature]
Notary Public



STATE OF UTAH, WEBER County
On the 13th day of March, 2023.
Personally appeared before me Michelle Astorich
And proved to me on the basis of satisfactory evidence
to be the signer whose name is subscribed to this
instrument, and acknowledged that they executed the
same.

[Signature]
Notary Public



RESOLUTION NO. 2023-7

A RESOLUTION OF THE OGDEN CITY COUNCIL APPROVING THE ACQUISITION OF SURPLUS PROPERTY FROM THE OGDEN SCHOOL DISTRICT

WHEREAS, on September 15, 2022, the Board of Education of Ogden City has declared as surplus an undeveloped parcel at 605 North Jackson Avenue; and

WHEREAS, on December 13, 2022 Ogden City adopted resolution 2022-26 notifying the Board of Education of Ogden City of its intent to acquire the surplus property; and

WHEREAS, housing development is an allowed use on the surplus sites; and

WHEREAS, the Quality Neighborhood Initiative provides for acquisition and development of housing in areas of need in Ogden; and

WHEREAS, the Quality Neighborhoods Initiative funding has been allocated for infill housing development; and

WHEREAS, the purchase price for the property has been determined by the average of appraisals commissioned by both Ogden City and the Ogden School District; and


WHEREAS, the Ogden City Council desires to facilitate the acquisition of property located at 605 N. Jackson Avenue for the development of single-family housing and the associated community revitalization by purchasing the surplus property.

WHEREAS, Ogden City is allowed to act as land developer and facilitate the construction and sale of the homes to owner occupants upon completion of each home as outlined in the Ogden City Infill Housing Program Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Ogden City Council as follows:

Administration is authorized to acquire the property located at 605 N. Jackson Avenue under the Ogden City Infill Housing Program Guidelines as the development concept is provided for in Exhibit A, and to utilize the Quality Neighborhoods Initiative Funds of \$1,075,000 and any associated closing costs for its acquisition.

IN WITNESS WHEREOF, the Ogden City Council has approved, passed, and adopted this Resolution this 7th day of March 2023.


Angela Choberka (Mar 8, 2023 13:31 MST)

Chair

ATTEST: *Nancy Hansen*



APPROVED AS TO FORM: JAT 2/27/23
Legal Date

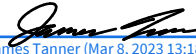

James Tanner (Mar 8, 2023 13:18 MST)

Exhibit A

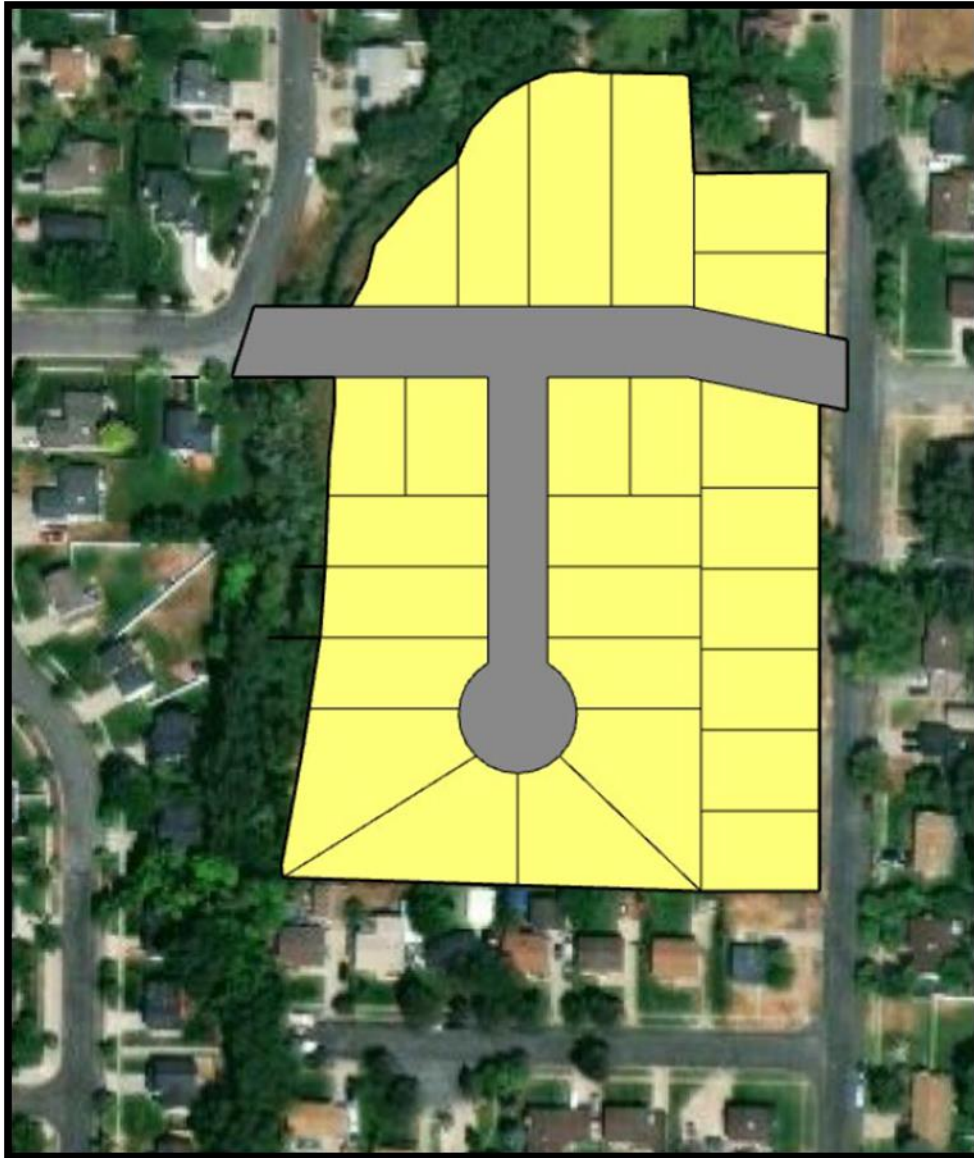
Infill Development Concept

Property Address: 605 N. Jackson Site

Zoning: R1-6, Single Family Homes, Minimum Lot Size: 6,000 Square Feet

Conceptual Design: Approximately 26 New Single Family Home Building Lots

Conceptual Rendering



*Rendering is conceptual. Final design layout and unit count to be professionally designed and engineered in accordance with current zoning ordinances and engineering standards. Final design will also be approved through the Ogden City entitlement and permit process.

**STOP OGDEN CITY FROM ACTING AS A LAND DEVELOPER
AND LET PRIVATE CITIZENS CREATIVELY DEVELOP VACANT LAND BY SUPPORTING
THE REFERENDUM PETITION RELATING TO RESOLUTION 2023-7**

On January 13th, 2022, the Ogden City Council adopted a resolution to acquire excess school district land using taxpayer funding. Utah State Code provides municipal corporations, like Ogden City, with a first right of refusal to purchase land from other government entities. The intent of this provision is to allow local governments to acquire land that is needed for municipal buildings, police headquarters, parks, community centers, or other relevant uses. Unfortunately, there is a “catch all” statement in the code that allows government entities to undercut the private market and purchase land for any reason relating to “neighborhood improvement.” Ogden City Corp initially intended to purchase multiple parcels of school district land for development of housing within the city. Under tremendous pressure from the community, Ogden City augmented their original intent and instead dedicated one of the parcels to the development of additional park space and sport complexes. In our estimation, parks are a net benefit to the community and that plan aligns with the spirit of the Utah Code. However, Ogden City Council proceeded with Resolution 2023-7 to purchase the 6.55-acre parcel at 605 North Jackson Avenue with the intent to build single family homes on the property. Resolution 2023-7 is what we are referring to the voters.

This action represents a continuation of the persistent “developer mindset” of Ogden City Corporation and the growing burden of public debt being placed on the backs of Ogden City residents. The sponsors of this petition for referendum are by no means opposed to private development of housing in Ogden; however, we strongly believe that Ogden City Corp should not undertake this project - especially when commercial entities are more than capable of green-field development of single-family homes. Not only that, but individual citizens could purchase subdivided lots and build their own homes to create a truly unique neighborhood in a great part of Ogden.

Ogden City seems to have an obsession with snapping up any and all vacant land within our city limits. This cannot continue. It distorts the value of real estate in Ogden and directly competes with market participants that would otherwise invest independently. Land development is not a responsibility of Ogden City Corp. Instead of buying land and acting as a developer, we humbly suggest that the municipal government of Ogden focus on areas that are currently lacking: effective zoning, comprehensive road maintenance, efficient building permitting, and lowering taxes.

For further information about this petition for referendum, please do not hesitate to reach out to Jase Reyneveld at 801-452-3296.

**HELP OGDEN CITY CONTINUE TO REVITALIZE NEIGHBORHOODS
AND INCREASE SINGLE-FAMILY HOUSING SUPPLY
BY OPPOSING REFERENDUM PETITION RELATING TO RESOLUTION 2023-7**

What City action is being referred?

On December 13, 2022, the City Council adopted a resolution declaring the city's intent to purchase surplus property from Ogden School District including a 6.55-acre parcel at 605 North Jackson Avenue. That council decision is not affected by the referendum; rather the referendum applies only to the source of funds identified to purchase the surplus property. Specifically, on March 7, 2023, the Council unanimously passed Resolution 2023-7 allowing use of Quality Neighborhoods Initiative funds to purchase 605 North Jackson Avenue for appraised value. On March 13, 2023, five residents filed an application to refer Resolution 2023-7 to the voters to determine whether Quality Neighborhoods Initiative funds may be used to acquire the property.

What Are Quality Neighborhoods Initiative funds?

Quality Neighborhoods Initiative funds have been appropriated annually by the City Council since 2015. The funds are used to create quality single-family housing developments that stabilize and revitalize Ogden's older neighborhoods by increasing home ownership and the desirability of these neighborhoods. Without city investment in this type of development, it is possible that properties would remain vacant, blighted, or be developed into multi-family rental units.

Why are Quality Neighborhoods Initiative funds being earmarked for 605 North Jackson?

The property at 605 North Jackson is a part of the Mount Lewis community, an older neighborhood facing challenges related to neglect and deterioration. The area is an ideal location for investment of Quality Neighborhoods Initiative funds because the size and location of the property will allow the city to achieve the goals of the Quality Neighborhoods Initiative by adding several new single-family homes to the neighborhood that will be built to a high standard, with significant attention given to quality and architectural design. The development will provide new homes for moderate income families at affordable market rates.

Will this project increase taxes or debt?

No. The City Council has already appropriated sufficient funding to the Quality Neighborhoods Initiative fund for this project. All appropriations to the Quality Neighborhoods Initiative fund come from non-tax sources like BDO lease revenue.

Has the city invested in similar neighborhood revitalization projects?

Recently, the city completed the Stone Hill development located on 22nd Street and Porter and the Oak Den Bungalow homes located at 24th Street and Fowler. The addition of these new homes to the neighborhoods has not only spurred an increase in property values, private investment, and substantial improvements to surrounding properties, but also a decrease in residential turnover.

What would happen if the resolution were repealed by referendum?

If Resolution 2023-7 were repealed, the city would need to appropriate other funds to buy the property. If no other funds were available, the city would be unable to purchase the property or build quality single family homes there. The surplus school property may then be sold on the open market and developed in the best interests of the buyer.

Fiscal and Legal Impact Estimate

Ogden City Resolution 2023-7

On March 7, 2023, the Ogden City Council passed Resolution No. 2023-7 approving a \$1,075,000 Redevelopment Agency expenditure for the purchase of a 6.55-acre parcel at 605 North Jackson Avenue. That resolution is now the subject of a referendum petition. Utah Code Section 20A-7-602.5 requires the City's budget officer and legal counsel to prepare an estimate of the fiscal and legal impact of repealing the resolution.

The City Comptroller estimates that repealing the resolution would have no effect on tax revenue, bonds, notes, or other debt instruments for Ogden City or the Ogden Redevelopment Agency. A repeal would not result in significant costs to the City. If the resolution were repealed, the Redevelopment Agency would retain the \$1,075,000 in its Quality Neighborhoods Initiative fund to spend on other housing projects.

The City Attorney estimates that repealing the resolution will not significantly impact any person's vested property rights, have a significant effect on other laws or ordinances, or incur any significant legal liability. If the resolution were repealed, 605 North Jackson Avenue could not be purchased with Quality Neighborhood Initiative funds. It may, however, be purchased with other appropriated funds.

Summary

Repealing the resolution will not increase taxes, debt, or legal liability. If the resolution were repealed, the Redevelopment Agency would retain \$1,075,000 in its Quality Neighborhoods Initiative fund to spend on other housing projects.