



**Electronic Meeting Only**

**PUBLIC NOTICE IS HEREBY GIVEN** that in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Governor Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020 the Board of Directors of the Redevelopment Agency of Murray City, Utah will hold an electronic only regular meeting at 5:00 p.m., Tuesday, June 16, 2020. **No physical meeting location will be available.**

The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/MurrayCityUtah/>.

\*If you would like to submit comments for an agenda item you may do so by sending an email, including your name and contact information, in advance of, or during the meeting to [rda@murray.utah.gov](mailto:rda@murray.utah.gov). Comments are limited to 3 minutes or less and will be read into the meeting record.

**AGENDA**

**5:00 p.m., Tuesday, June 16, 2020**

1. Approval of the May 19, 2020 meeting minutes
2. Citizen Comments\* (submitted via email at [rda@murray.utah.gov](mailto:rda@murray.utah.gov))
3. PUBLIC HEARING:  
Discussion and decision on a Resolution approving the Redevelopment Agency of Murray City Fiscal Year 2020-2021 Budget (*Presenter: Melinda Greenwood and Brenda Moore*)
4. Discussion and decision on preliminary terms for a participation and development agreement for the Jesse Knight Ore Sampling Mill project (*Presenter: Melinda Greenwood*)
5. Discussion and decision on preliminary terms for Desert Star Playhouse expansion and use of RDA assistance for utility relocation (*Presenter: Mayor Blair Camp and Mike Todd*)
6. Presentation of the 2019 Smelter Site Overlay District Annual Report (*Presenter: Jay Baughman*)
7. Discussion and decision on a Resolution of the Redevelopment Agency of Murray City ("RDA") approving the conveyance of property located at approximately 28 East 4TH Avenue to Murray Aerie No. 1760, Fraternal Order of the Eagles ("FOE") (*Presenter: Trae Stokes*)

8. Project updates (*Presenter: Melinda Greenwood*)

Special accommodations for the hearing or visually impaired will be upon a request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

On June 10, 2020, a copy of the foregoing Notice of Meeting was posted in accordance with Section 52-4-202 (3).



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Melinda Greenwood  
RDA Deputy Executive Director

The Redevelopment Agency of Murray City met on Tuesday, May 19, 2020 at 4:30 p.m. for a meeting held electronically in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19 Novel Coronavirus issued by Gary Herbert on March 18, 2020 and Murray City Council Resolution #R20-13 adopted on March 17, 2020.

RDA Board Members

Brett Hales, Chair  
Dale Cox, Vice Chair  
Kat Martinez  
Rosalba Dominguez  
Diane Turner

Others in Attendance

Blair Camp, RDA Executive Director  
Melinda Greenwood, RDA Deputy Executive Director  
Janet Lopez, City Council Executive Director  
Jennifer Kennedy, City Recorder  
Trae Stokes, City Engineer  
Jennifer Heaps, Chief Communications Officer  
G.L. Critchfield, City Attorney  
Brenda Moore, Finance Director  
Jay Baughman, Economic Development Specialist  
Danny Astill, Public Works Director

Mr. Hales called the meeting to order at 4:30 p.m.

**1. Approval of the April 21, 2020 RDA meeting minutes**

MOTION: Ms. Turner moved to approve the minutes from the April 21, 2020 RDA meeting. The motion was SECONDED by Ms. Martinez.

RDA roll call vote:

Ms. Martinez	Aye
Mr. Cox	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hales	Aye

Motion Passed 5-0

**2. Citizen Comments**

No citizen comments were given.

**3. Presentation on the Redevelopment Agency of Murray City regarding conveyance of property located at approximately 28 East 4TH Avenue to Murray Aerie No. 1760, Fraternal Order of the Eagles**

Presenter: Trae Stokes, City Engineer

(See Attachment 1 for slides used during this presentation)

Mr. Stokes said the proposed Fraternal Order of Eagles (FOE) property acquisition is very similar and has a lot of the same elements as the Day property acquisition that was approved a month ago. This acquisition involves trading RDA property for private FOE property, involves compensation for the difference in property values and size, includes vacating an old right-of-way, and reworking a parking lot to re-establish lost parking stalls from the acquisition.

The FOE will convey a parcel of land to the RDA and the RDA will convey another piece of property to the FOE. The City will provide about \$75,000 to the FOE for the difference in the property value and size. The City will vacate the old alley way on the westside of the FOE building in favor of the FOE and the City will re-work the FOE parking lot to re-establish the lost parking. Once the parking lot is reworked, the FOE will have approximately 51 parking stalls and they currently have about 50.

City staff is planning to meet with the FOE Board and members this coming Thursday answer questions and have a discussion. The FOE will vote on this proposal on May 28, 2020. If this is approved, it will then be forwarded to the National FOE for their approval. If everything is approved, this proposal will be back for final RDA approval in July.

Ms. Dominguez asked about the fenced off area in the proposed FOE parking lot.

Mr. Stokes explained the FOE holds outdoor events and will possibly have some outdoor seating in that area. It is separated out so it won't be encroached upon with parking stalls.

**4. Discussion and Decision on a Resolution Approving an Interlocal Agreement Between the Redevelopment Agency of Murray City and Murray City Corporation for the Conveyance of its Portion of the Vacated Section of Poplar Street between 4800 South and 5th Avenue to the City**

Presenter: Melinda Greenwood, RDA Deputy Executive Director

(See Attachment 2 for slides used during this presentation)

Ms. Greenwood said the plans for the new City Hall include vacating Poplar Street. When a right-of-way is vacated the vacated property is divided equally in half and goes to the property owners on either side of the vacation. The westside of Poplar Street will go to the City and the eastside will go to the RDA.

Ms. Greenwood said in January, staff presented a variety of property exchanges to the RDA in preparation for getting all the properties for the City Hall project into the City's name. That is a requirement that the bond attorneys have in order to close on the bonds. With the upcoming vacation of Poplar Street, the property on the eastside that is being dedicated to the RDA will need to be conveyed over to the City. By doing that, all the property will be in the City's name and the City should be able to close on the bonds. Ms. Greenwood noted this item would be contingent on the City Council approving the vacation of Poplar Street in June.

MOTION: Mr. Cox moved to approve a Resolution approving an Interlocal Agreement between the Redevelopment Agency of Murray City and Murray City Corporation for the Conveyance of its portion of the vacated section of Poplar Street between 4800 South and 5<sup>th</sup> Avenue to the City. The motion was SECONDED by Ms. Martinez.

RDA roll call vote:

Ms. Martinez	Aye
Mr. Cox	Aye
Ms. Dominguez	Abstained
Ms. Turner	Aye
Mr. Hales	Aye

Motion Passed 4-0, 1 Abstention

**5. Presentation of 2019 Tax Year Increment Finance Payments for the Fireclay Project Area**

Presenter: Melinda Greenwood, RDA Deputy Executive Director

(See Attachment 3 for slides used during this presentation)

Ms. Greenwood went over the Tax Increment Finance payments that were distributed which included:

- Avida/Starwood payment received \$299,378
- Hamlet Development received \$166,824
- Parley's Partners received \$67,081

Ms. Greenwood explained that the Murray School District gets a pass through amount from the Central Business District of \$400,000. The other RDA areas accrue 12% of the allowed increment. That total payment, which has not been distributed, is \$675,352. That payment will be sent out in the next couple of weeks.

Ms. Turner asked if the \$675,352 included the \$400,000 for the School District.

Ms. Greenwood replied it does.

**6. Presentation of the RDA Budget for Fiscal Year 2020-2021 and setting a date for a public hearing for the adoption of the budget**

Presenter: Melinda Greenwood, RDA Deputy Executive Director

(See Attachment 4 for slides used during this presentation)

Ms. Greenwood said the RDA budget has remained fairly static. There have not been any new development agreements and there have been no substantial changes with the exception of the inclusion of \$200,000 to reimburse the City for the road extension on 4250 South.

Starwood/Avida have finally closed on that property so the next step is to have that road constructed. In 2017, the RDA withheld \$200,000 of the payment made to J.R. Miller, who owned the property at that time, with the intention of trying to mitigate the parking issues in Fireclay. Construction on that road should start within the next few weeks. The reimbursement will be coming from the RDA to the City.

Ms. Dominguez asked about the Admin allocations throughout all the areas of the RDA budget.

Brenda Moore, Finance Director, said half of Ms. Greenwood's department get allocated to the RDA budget because Ms. Greenwood oversees the RDA.

Ms. Dominguez asked why the city is not applying for grants for redevelopment and if that was something that could be done in the future.

Ms. Greenwood replied the City has a grant they have been working with Salt Lake City and Salt Lake County on called the Brownfields Coalition. Although that money does not get passed directly through the RDA, there are properties in RDA areas that have benefited from that grant by getting their environmental assessments being paid for.

Ms. Dominguez asked if staff was looking for other grants to help with the funding of RDA in the future.

Ms. Greenwood said she wasn't aware of any grants that would be available, but staff could look into it.

Mr. Hales asked Ms. Dominguez if she was familiar with any grants that would be available.

Ms. Dominguez said she knows there are some grants and she could get some more information on them.

MOTION: Ms. Turner moved to set a public hearing date for the adoption of the RDA budget for June 16, 2020. The motion was SECONDED by Ms. Martinez.

RDA roll call vote:

Ms. Martinez	Aye
Mr. Cox	Aye
Ms. Dominguez	Aye
Ms. Turner	Aye
Mr. Hales	Aye

Motion Passed 5-0

**7. Project updates (Presenter: Melinda Greenwood)**

Presenter: Melinda Greenwood, RDA Deputy Executive Director

Ms. Greenwood said the asbestos remediation is almost complete for the downtown demolition and the land disturbance permit was issued last Friday. Once the asbestos remediation is done, they should be able to get clearance through Air Quality then they will be able to pull their demolition permit. Buildings in the downtown area should start coming down towards the end of next week and the beginning of June.

Ms. Greenwood said she's been trying to set up a meeting with Think Architecture to get some momentum on their project.

There have been some positive conversations with the Ore Sampling Mill group. Staff is working on the framework of a development agreement. Once the agreement is finished, it will be presented to the Mayor and Chair and Vice Chair of the RDA.

The RFP for the downtown property on 4800 South and State Street is still open. Questions on the RFP are due in June. Once questions close, staff will have a better idea as to the interest level with that project. Given the current change in the economy, Ms. Greenwood is anticipating the responses the City receives will be a little bit different than they would have been before COVID-19.

Ms. Turner asked Ms. Greenwood to clarify what she meant about the responses being different than they would have been a few months ago.

Ms. Greenwood replied the economics of development have changed quite a bit. The hospitality industry has been hit hard, so it is unlikely the City will get a proposal that includes a hotel. Previously, staff was hoping for very competitive proposals and no requests for Tax Increment Funding. However, due to the current situation, there probably will be requests for funding.

The meeting was adjourned at 5:04 p.m.

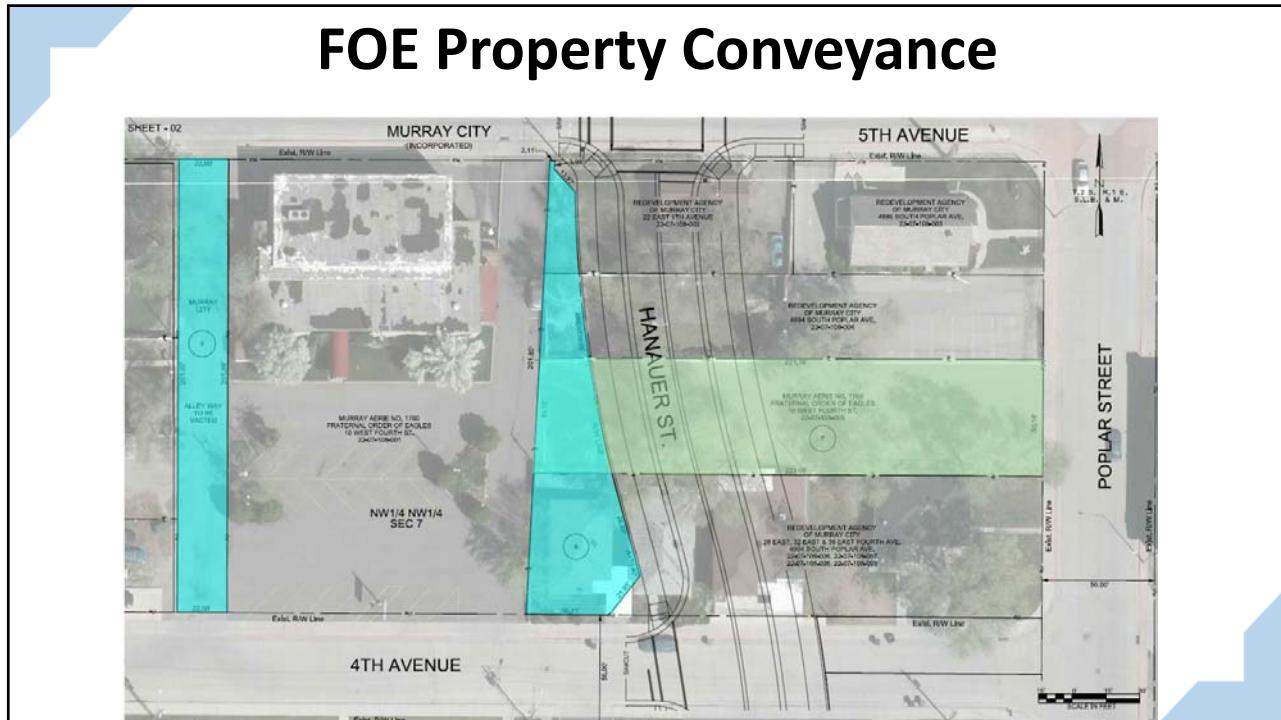
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Jennifer Kennedy, City Recorder

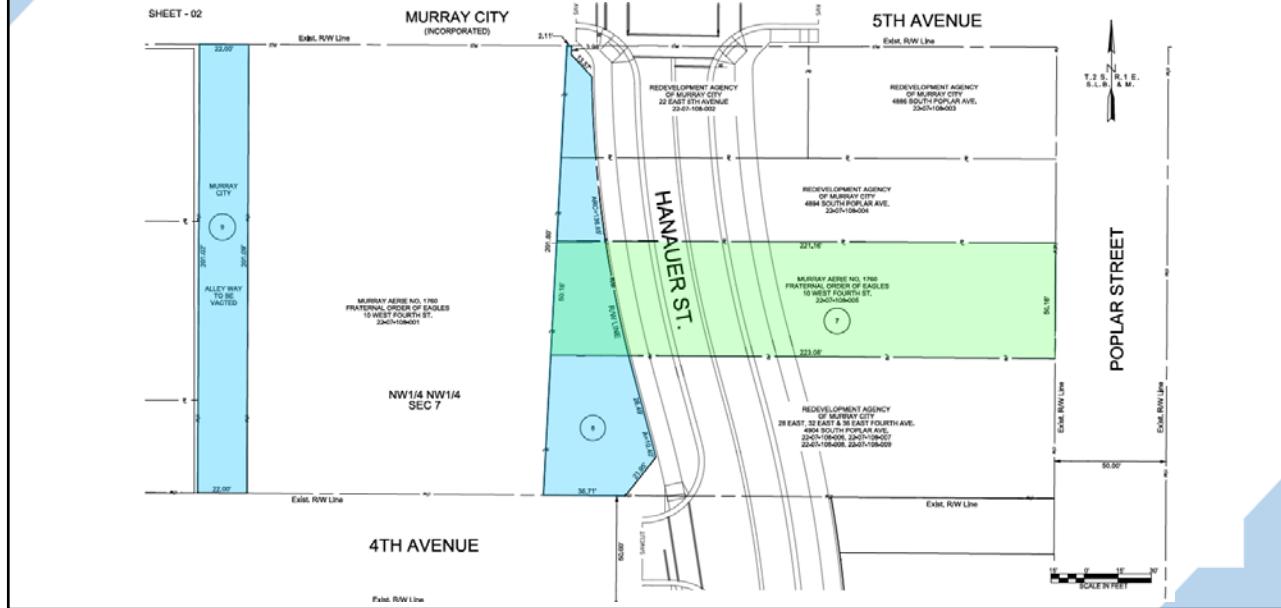
# Attachment 1



# FOE Property Conveyance



# FOE Property Conveyance



# FOE Parking



# Attachment 2

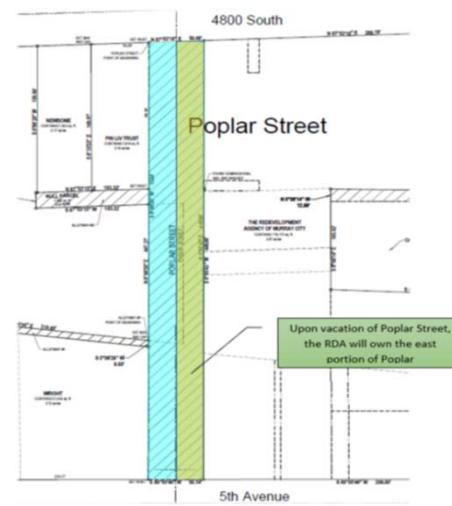
# Vacation of Poplar Street



## RDA Conveyance of Poplar Street

### Interlocal Agreement Overview

- Vacation will divide Poplar in half:
  - City will own the west side (blue)
  - RDA will own the east side (green)
- City must own ALL property for the new city hall
- Required to close on the bonds



## **RDA Conveyance of Poplar Street Interlocal Agreement**

### **Recommended Motion**

- Motion to approve a Resolution Approving an Interlocal Agreement Between the Redevelopment Agency of Murray City and Murray City Corporation for the Conveyance of its Portion of the Vacated Section of Poplar Street between 4800 South and 5th Avenue to the City.

# Attachment 3

## Tax Year 2019 TIF Payments

### Disbursements Issued

Entity	Amount
• Avida/Starwood	\$299,378
• Hamlet Development	\$166,824
• Parley's Partners	\$67,081
• Murray School District	\$675,352

# Attachment 4

## RDA Budget

### FY2021 Budget Overview

- Maintains the same expenditure levels FY19-20
- \$200,000 expenditure to reimburse Public Works Department for constructing the remaining portion of road on 4250 South in the Fireclay area

## RDA Budget

### Recommended Motion

- Set a public hearing date for June 16, 2020



THE REDEVELOPMENT AGENCY  
OF MURRAY CITY

**TO:** RDA Board

**THROUGH:** Mayor Blair Camp, RDA Executive Director

**FROM:** Melinda Greenwood, RDA Deputy Executive Director

**MEETING DATE:** June 16, 2020

**RE:** Agenda Item #3 – Fiscal Year 2021 RDA Budget

Attached is the proposed budget for the Redevelopment Agency of Murray City for fiscal year 2021 with a total expenditure of \$3,421,111.

The budget maintains largely the same expenditure levels of the previous fiscal year and includes funding for:

- Tax Year 2020 TIF Payments
- Construction of a portion of 4250 South in Fireclay
- Affordable housing services through NeighborWorks
- Homeless Shelter Contribution
- Property cleanup
- Professional Services
- Salary and administration

Section 17C-1-601.5 of state law requires the budget be adopted prior to June 30 of each year, and a public hearing is required prior to adoption. A public hearing has been scheduled for today's meeting and proper public notices have been published.

***Recommended Motion***

*Motion of approval of the Resolution of the Redevelopment Agency of Murray City adopting fiscal year 2021 RDA final Budget.*

Attachments:

1. Resolution of the Redevelopment Agency of Murray City Adopting it Fiscal Year 2020 Final Budget
2. Proposed FY2021 RDA Budget
3. RDA Public Hearing Notice for Budget Adoption

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF MURRAY  
CITY ADOPTING ITS FISCAL YEAR 2020-2021 FINAL BUDGET

WHEREAS, the Redevelopment Agency of Murray City is required to adopt its fiscal year 2020-2021 final budget; and

WHEREAS, the tentative budget of the Redevelopment Agency of Murray City was part of a public hearing held on June 16, 2020; and

WHEREAS, the Redevelopment Agency of Murray City is prepared to adopt its fiscal year 2020-2021 final budget.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of Murray City as follows:

The final budget for the fiscal year 2020-2021 of the Redevelopment Agency of Murray City is hereby adopted and shall be \$3,421,111.

PASSED, APPROVED AND ADOPTED by the Redevelopment Agency of Murray City on this    day of   , 2020.

REDEVELOPMENT AGENCY OF MURRAY CITY

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Brett Hales, Chair

ATTEST:

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D. Blair Camp, Executive Director

# Murray City Corporation

Murray, Utah



## Redevelopment Agency

### Tentative Budget

For the Fiscal Year Ended June 30, 2021

Blair Camp, Mayor  
[www.murray.utah.gov](http://www.murray.utah.gov)

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## FUND SUMMARY

The Redevelopment Agency of Murray City (the "Agency") is an agency authorized under State Law Title 17C known as the Limited Purpose Local Government Entities-Community Development and Renewal Agencies. The purpose of this agency is to facilitate redevelopment efforts in a designated community and to administer projects/programs to assist in economic development, community development and renewing urban areas.

The Agency promotes economic development by encouraging private and public investment in previously developed areas that are underutilized or blighted, and by working with businesses to increase jobs available in the community and the state as a whole. Affordable housing development is also a priority and the Agency works to increase the amount and variety of this type of housing within the community.

The Agency began its redevelopment program in 1976 with a public infrastructure project extending Vine Street west of State Street. The agency currently has six (6) active redevelopment project areas described as follows:

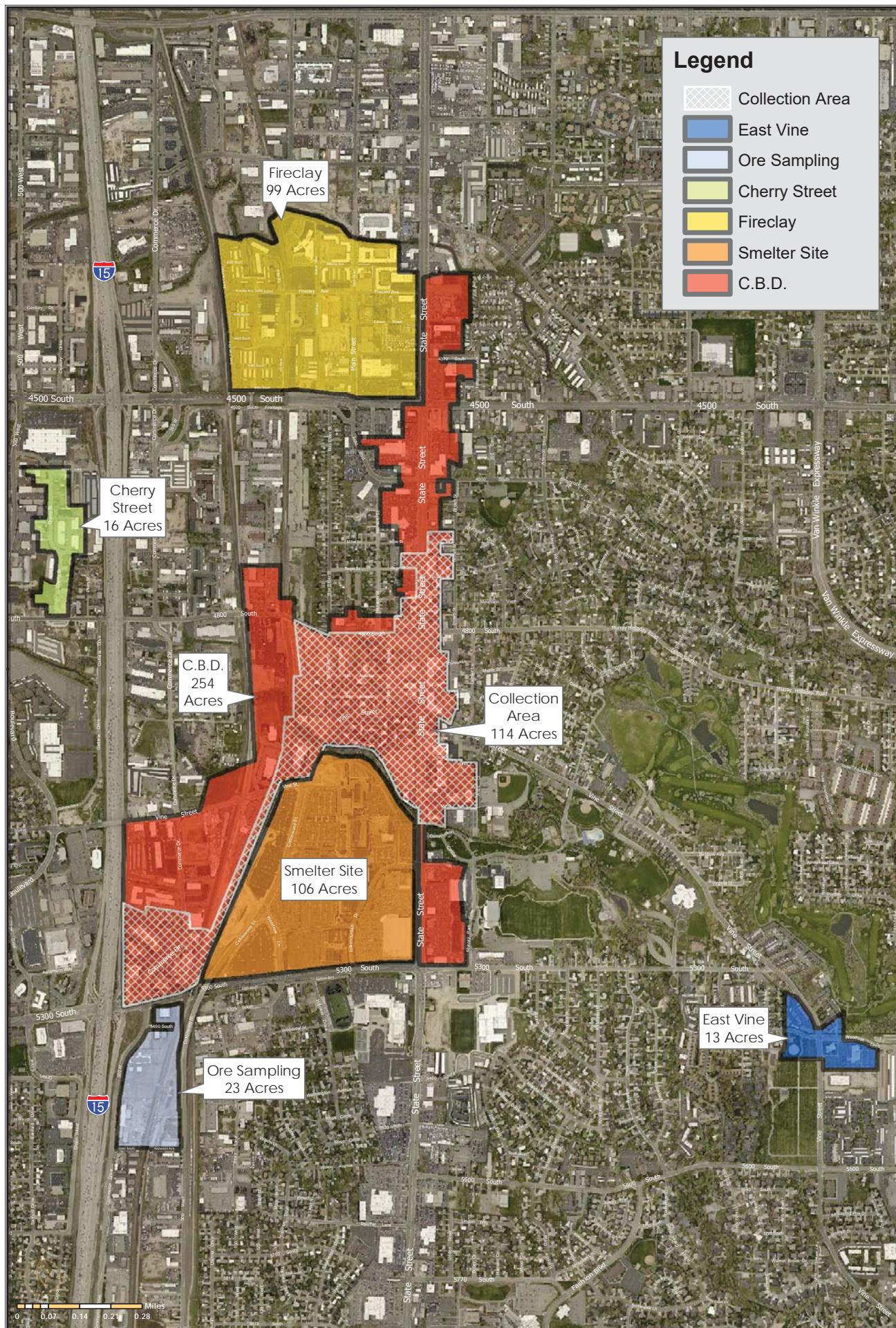
1. Central Business District (est. 1979, exp. 2034)	4. Smelter Site (est. 1999, exp. 2023)
2. Cherry Street (est. 1991, exp. 2023)	5. Fireclay (est. 2005, exp. 2033)
3. East Vine Street (est. 1992, exp. 2028)	6. Ore Sampling (est. 2017, exp. TBD)

The Agency's governing body consists of the current members of the City Council of Murray City, and the Mayor who serves as the executive director of the RDA.

## FUND BALANCE BY PURPOSE

By design, some areas have a required low-income housing component included in their structure which dedicates 20% of the tax increment collected to be dedicated and restricted to incentivize the development of affordable housing within the areas. As a result, the fund balance for those areas is broken into two (2) separate components – the restricted fund balance to be used to encourage development, and the restricted fund balance to be used to encourage the development of low-income housing. The following sections are intended to provide the reader with information specific to the individual areas, and include this fund balance breakdown at the bottom of the Fund Balance if the areas include the low-income housing requirement restriction.

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21
<b>REDEVELOPMENT</b>				
Central Business District	(1,264,343)	(2,829,815)	(3,094,727)	(2,871,081)
Fireclay Area	662,539	1,021,039	774,260	1,009,529
East Vine	15,372	26,770	13,730	25,288
Cherry	119,916	152,646	117,688	170,936
Smelter Site Area	1,642,513	1,940,027	1,861,222	2,127,580
	<b>1,175,997</b>	<b>310,666</b>	<b>(327,827)</b>	<b>462,252</b>
<b>LOW-INCOME HOUSING</b>				
Central Business District	534,068	516,664	454,068	516,664
Fireclay Area	45,441	162,182	100,621	162,182
Smelter Site Area	529,573	686,716	666,569	776,393
	<b>1,109,083</b>	<b>1,365,563</b>	<b>1,221,259</b>	<b>1,455,239</b>
<b>TOTAL FUND BALANCE BY AREA</b>				
Central Business District	(730,275)	(2,313,151)	(2,640,658)	(2,354,417)
Fireclay Area	707,980	1,183,221	874,881	1,171,711
East Vine	15,372	26,770	13,730	25,288
Cherry	119,916	152,646	117,688	170,936
Smelter Site Area	2,172,086	2,626,743	2,527,791	2,903,973
	<b>2,285,079</b>	<b>1,676,229</b>	<b>893,432</b>	<b>1,917,491</b>
Interest Income	87,649	50,000	50,000	15,000
<b>FUND BALANCE</b>	<b>2,372,729</b>	<b>1,726,229</b>	<b>943,432</b>	<b>1,932,491</b>



## Murray Redevelopment Areas

Murray City  
GIS Division  
4646 South 500 West  
Murray, Utah 84123  
[www.murray.utah.gov](http://www.murray.utah.gov)

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**MURRAY**  
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# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## CENTRAL BUSINESS DISTRICT (21G)

### AREA BALANCE

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21
Beginning Area Balance	\$ (676,114)	\$ (730,275)	\$ (730,275)	\$ (2,313,151)
Revenues	1,068,701	1,245,237	916,957	951,536
Expenditures	(1,122,862)	(2,828,113)	(2,827,340)	(1,319,864)
Transfers in	-	-	-	327,062
Transfers out	-	-	-	-
<b>Ending Area Balance</b>	<b>\$ (730,275)</b>	<b>\$ (2,313,151)</b>	<b>\$ (2,640,658)</b>	<b>\$ (2,354,417)</b>

### BUDGET & FINANCIAL HISTORY

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>REVENUES</b>					
25-0000-31160 Tax Increment - CBD	207,220	1,229,934	916,957	936,308	2%
25-0000-33460 Inter Govt Tax Increment	723,921	-	-	-	-
25-0000-36200 Rents	38,628	15,228	-	15,228	-
25-0000-36500 Miscellaneous	98,932	75	-	-	-
25-0000-36800 Bond Proceeds	-	-	-	-	-
<b>Total Revenues</b>	<b>1,068,701</b>	<b>1,245,237</b>	<b>916,957</b>	<b>951,536</b>	4%
<b>TRANSFERS IN AND USE OF FUND BALANCE</b>					
25-0000-39210 General Fund Transfer	-	-	-	327,062	-
Use of Reserves			556,456	41,266	-93%
<b>Total Transfers In and Use of Fund Balance</b>	<b>-</b>	<b>-</b>	<b>556,456</b>	<b>368,328</b>	
<b>Total Revenue, Transfers In, and Use of Fund Balance</b>	<b>1,068,701</b>	<b>1,245,237</b>	<b>1,473,413</b>	<b>1,319,864</b>	
<b>EXPENDITURES</b>					
<b>Operations</b>					
25-2501-49310 Admin Allocate - Wages	29,690	28,089	27,509	28,089	2%
25-2501-49311 Admin Allocate - O&M	7,556	9,363	9,170	9,363	2%
25-2501-42125 Travel & Training	-	5,713	9,000	-	-100%
25-2501-42140 Supplies	-	-	-	-	0%
25-2501-42180 Miscellaneous	15,653	10,000	10,000	10,000	0%
25-2501-42500 Maintenance	9,730	-	-	-	-
25-2501-42505 Building & Grounds Maintenance	-	-	-	-	0%
25-2501-44000 Utilities	379	3,287	-	-	0%
25-2501-49000 Risk Assessment	-	-	-	-	0%
	<b>63,008</b>	<b>56,452</b>	<b>55,679</b>	<b>47,452</b>	-15%
<b>Tax Increment Rebate</b>					
25-2501-43201 Murray School District	400,000	400,000	400,000	400,000	-
	<b>400,000</b>	<b>400,000</b>	<b>400,000</b>	<b>400,000</b>	

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## CENTRAL BUSINESS DISTRICT (21G)

### BUDGET & FINANCIAL HISTORY

		Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>Debt Service</b>						
25-2501-48100	Bond Principal	301,000	305,000	305,000	315,000	3%
25-2501-48200	Bond Interest	271,418	261,300	261,300	248,900	-5%
25-2501-48300	Fiscal Agent Fees	-	1,250	1,250	1,250	0%
		<b>572,418</b>	<b>567,550</b>	<b>567,550</b>	<b>565,150</b>	0%
<b>Redevelopment Activity</b>						
25-2501-42602	Low Income Housing	-	183,391	183,391	107,262	-42%
25-2501-43000	Professional Services	16,499	100,000	100,000	100,000	0%
25-2501-43001	Property Cleanup	70,937	800,720	800,720	100,000	-88%
25-2501-47000	Land	-	720,000	720,000	-	-100%
25-2501-47200	Buildings	-	-	-	-	0%
		<b>87,436</b>	<b>1,804,111</b>	<b>1,804,111</b>	<b>307,262</b>	-83%
<b>Total Expenditures</b>		<b>1,122,862</b>	<b>2,828,113</b>	<b>2,827,340</b>	<b>1,319,864</b>	-53%
<b>TRANSFERS OUT AND CONTRIBUTION TO FUND BALANCE</b>						
Reserve Buildup						
<b>Total Transfers Out and Contribution of Fund Balance</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Expenditures, Transfers Out, and Contribution to Fund Balance</b>		<b>1,122,862</b>	<b>2,828,113</b>	<b>2,827,340</b>	<b>1,319,864</b>	

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## FIRECLAY AREA (AAO, AAP, AAQ)

### AREA BALANCE

	Prior Year	Estimated	Amended	Annual
	Actual	Actual	Budget	Budget
	FY 18-19	FY 19-20	FY 19-20	FY 20-21
Beginning Area Balance	\$ 364,793	\$ 707,980	\$ 707,980	\$ 1,183,221
Revenues	950,450	1,335,119	985,339	1,097,574
Expenditures	(565,013)	(817,628)	(776,188)	(1,066,834)
Transfers in	-	-	-	-
Transfers out	(42,250)	(42,250)	(42,250)	(42,250)
<b>Ending Area Balance</b>	<b>\$ 707,980</b>	<b>\$ 1,183,221</b>	<b>\$ 874,881</b>	<b>\$ 1,171,711</b>

### BUDGET AND FINANCIAL HISTORY

	Prior Year	Estimated	Amended	Annual	Change
	Actual	Actual	Budget	Budget	
	FY 18-19	FY 19-20	FY 19-20	FY 20-21	
<b>REVENUES</b>					
25-0000-31161	Fireclay Avenue Area	211,517	1,335,119	985,339	1,097,574
25-0000-33461	Inter Govt Tax Increment	738,933	-	-	-
<b>Total Revenues</b>		<b>950,450</b>	<b>1,335,119</b>	<b>985,339</b>	<b>1,097,574</b>
<b>TRANSFERS IN AND USE OF FUND BALANCE</b>					
Use of Reserves					
<b>Total Transfers In and Use of Fund Balance</b>		-	-	-	-
<b>Total Revenue, Transfers In, and Use of Fund Balance</b>		<b>950,450</b>	<b>1,335,119</b>	<b>985,339</b>	<b>1,097,574</b>
<b>EXPENDITURES</b>					
<b>Operations</b>					
25-2502-49310	Admin Allocate - Wages	15,152	14,380	14,780	16,464
25-2502-49311	Admin Allocate - O&M	3,857	4,794	4,927	5,488
		<b>19,009</b>	<b>19,174</b>	<b>19,707</b>	<b>21,952</b>
<b>Redevelopment Activity</b>					
25-2502-42602	Low Income Housing	-	118,240	118,240	193,173
25-2502-42603	Private Reimbursement	425,930	490,000	490,000	490,000
25-2502-43000	Professional Services	5,528	30,000	30,000	30,000
25-2502-47300	Infrastructure	-	-	-	200,000
		<b>431,458</b>	<b>638,240</b>	<b>638,240</b>	<b>913,173</b>
<b>Tax Increment Rebate</b>					
25-2502-43201	Murray School District	114,546	160,214	118,241	131,709
		<b>114,546</b>	<b>160,214</b>	<b>118,241</b>	<b>131,709</b>
<b>Total Expenditures</b>		<b>565,013</b>	<b>817,628</b>	<b>776,188</b>	<b>1,066,834</b>
					37%

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## FIRECLAY AREA (AAO, AAP, AAQ)

### BUDGET AND FINANCIAL HISTORY

		Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>TRANSFERS OUT AND CONTRIBUTION TO FUND BALANCE</b>						
25-2502-49241	Capital Projects Transfer	-	-	-	-	-
25-2502-49252	Waste Water Transfer	21,125	21,125	21,125	21,125	0%
25-2502-49253	Power Transfer Reserve Buildup	21,125	21,125	21,125	21,125	0%
<b>Total Transfers Out and Contribution of Fund Balance</b>		<b>42,250</b>	<b>42,250</b>	<b>42,250</b>	<b>42,250</b>	
<b>Total Expenditures, Transfers Out, and Contribution to Fund Balance</b>		<b>607,263</b>	<b>859,878</b>	<b>818,438</b>	<b>1,109,084</b>	

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## SMELTER SITE AREA (21N)

### AREA BALANCE

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21
Beginning Area Balance	\$ 1,751,510	\$ 2,172,086	\$ 2,172,086	\$ 2,626,743
Revenues	859,678	959,479	845,008	859,678
Expenditures	(194,852)	(260,572)	(245,053)	(317,448)
Transfers in	-	-	-	-
/ Transfers out	(244,250)	(244,250)	(244,250)	(265,000)
<b>Ending Area Balance</b>	<b>\$ 2,172,086</b>	<b>\$ 2,626,743</b>	<b>\$ 2,527,791</b>	<b>\$ 2,903,973</b>

### BUDGET AND FINANCIAL HISTORY

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>REVENUES</b>					
25-0000-31164 Tax Increment - Smelter	191,316	959,479	845,008	859,678	
25-0000-33464 Inter Govt Tax Increment	668,362	-	-	-	
<b>Total Revenues</b>	<b>859,678</b>	<b>959,479</b>	<b>845,008</b>	<b>859,678</b>	2%
<b>TRANSFERS IN AND USE OF FUND BALANCE</b>					
Use of Reserves	-	-	-	-	
<b>Total Transfers In and Use of Fund Balance</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Total Revenue, Transfers In, and Use of Fund Balance</b>	<b>859,678</b>	<b>959,479</b>	<b>845,008</b>	<b>859,678</b>	
<b>EXPENDITURES</b>					
<b>Operations</b>					
25-2505-49310 Admin Allocate - Wages	34,264	32,238	31,688	32,238	2%
25-2505-49311 Admin Allocate - O&M	8,720	10,746	10,563	10,746	2%
	<b>42,984</b>	<b>42,984</b>	<b>42,251</b>	<b>42,984</b>	2%
<b>Redevelopment Area</b>					
25-2505-42602 Low Income Housing	-	11,725	11,725	61,627	426%
25-2505-42604 Homeless Shelter Contribution	44,838	89,676	89,676	89,676	0%
25-2505-43000 Professional Services	3,869	1,050	-	20,000	-100%
25-2505-47300 Infrastructure	-	-	-	-	
	<b>48,707</b>	<b>102,451</b>	<b>101,401</b>	<b>171,303</b>	69%
<b>Tax Increment Rebate</b>					
25-2505-43201 Murray School District	103,161	115,137	101,401	103,161	
	<b>103,161</b>	<b>115,137</b>	<b>101,401</b>	<b>103,161</b>	2%
<b>Debt Service</b>					
25-2505-48100 Bond Principal	-	-	-	-	
25-2505-48200 Bond Interest	-	-	-	-	
25-2505-48300 Fiscal Agent Fees	-	-	-	-	
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Total Expenditures</b>	<b>194,852</b>	<b>260,572</b>	<b>245,053</b>	<b>317,448</b>	30%

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## SIMPLER SITE AREA (21N)

### BUDGET AND FINANCIAL HISTORY

		Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>TRANSFERS OUT AND CONTRIBUTION TO FUND BALANCE</b>						
25-2505-49210	General Fund Transfer	244,250	244,250	244,250	265,000	8%
25-2505-49241	Capital Projects Transfer Reserve Buildup	-	-	-	-	0%
				355,705	317,980	-11%
<b>Total Transfers Out and Contribution of Fund Balance</b>		<b>244,250</b>	<b>244,250</b>	<b>599,955</b>	<b>582,980</b>	
 <b>Total Expenditures, Transfers Out, and Contribution to Fund Balance</b>						
		439,102	504,822	845,008	900,428	

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## EAST VINE STREET AREA (21L)

### AREA BALANCE

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21
Beginning Area Balance	\$ (822)	\$ 15,371	\$ 15,371	\$ 26,769
Revenues	41,652	53,149	28,554	39,049
Expenditures	(15,459)	(31,751)	(20,196)	(30,531)
Transfers in	-	-	-	-
Transfers out	(10,000)	(10,000)	(10,000)	(10,000)
<b>Ending Area Balance</b>	<b>\$ 15,371</b>	<b>\$ 26,769</b>	<b>\$ 13,729</b>	<b>\$ 25,287</b>

### BUDGET AND FINANCIAL HISTORY

	Prior Year Actual FY 18-19	Estimated Actual FY 19-20	Amended Budget FY 19-20	Annual Budget FY 20-21	Change
<b>REVENUES</b>					
25-0000-31162 Tax Increment - E Vine	9,269	53,149	28,554	39,049	
25-0000-33462 Inter Govt Tax Increment	32,383	-	-	-	
<b>Total Revenues</b>	<b>41,652</b>	<b>53,149</b>	<b>28,554</b>	<b>39,049</b>	37%
<b>TRANSFERS IN AND USE OF FUND BALANCE</b>					
Use of Reserves	16,190	122,081	1,642		
<b>Total Transfers In and Use of Fund Balance</b>	<b>16,190</b>	<b>122,081</b>	<b>1,642</b>		-
<b>Total Revenue, Transfers In, and Use of Fund Balance</b>	<b>57,842</b>	<b>175,230</b>	<b>30,196</b>	<b>39,049</b>	
<b>EXPENDITURES</b>					
<b>Operations</b>					
25-2503-49310 Admin Allocate - Wages	12,250	23,813	15,147	22,898	51%
25-2503-49311 Admin Allocate - O&M	3,209	7,938	5,049	7,633	51%
	<b>15,459</b>	<b>31,751</b>	<b>20,196</b>	<b>30,531</b>	51%
<b>Redevelopment Activity</b>					
25-2503-42601 Revitalization Grants	-	-	-	-	
25-2503-43000 Professional Services	-	-	-	-	
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Total Expenditures</b>	<b>15,459</b>	<b>31,751</b>	<b>20,196</b>	<b>30,531</b>	51%
<b>TRANSFERS OUT AND CONTRIBUTION TO FUND BALANCE</b>					
25-2503-49210 General Fund Transfer	10,000	10,000	10,000	10,000	
Reserve Buildup	-	-	-	2,192	
<b>Total Transfers Out and Contribution of Fund Balance</b>	<b>10,000</b>	<b>10,000</b>	<b>10,000</b>	<b>12,192</b>	
<b>Total Expenditures, Transfers Out, and Contribution to Fund Balance</b>	<b>25,459</b>	<b>41,751</b>	<b>30,196</b>	<b>42,723</b>	

# REDEVELOPMENT AGENCY TENTATIVE BUDGET

FY 2020-2021

## CHERRY AREA (21K)

### AREA BALANCE

	Prior Year	Estimated	Amended	Annual
	Actual	Actual	Budget	Budget
	FY 18-19	FY 19-20	FY 19-20	FY 20-21
Beginning Area Balance	\$ 115,119	\$ 119,916	\$ 119,916	\$ 152,646
Revenues	78,721	89,466	77,471	73,802
Expenditures	(36,023)	(31,736)	(54,699)	(30,512)
Transfers in	-	-	-	-
Transfers out	(37,900)	(25,000)	(25,000)	(25,000)
<b>Ending Area Balance</b>	<b>\$ 119,916</b>	<b>\$ 152,646</b>	<b>\$ 117,688</b>	<b>\$ 170,936</b>

### BUDGET AND FINANCIAL HISTORY

	Prior Year	Estimated	Amended	Annual	Change
	Actual	Actual	Budget	Budget	
	FY 18-19	FY 19-20	FY 19-20	FY 20-21	
<b>REVENUES</b>					
25-0000-31163 Tax Increment - Cherry	17,519	89,466	77,471	73,802	
25-0000-33463 Inter Govt Tax Increment	61,202	-	-	-	
<b>Total Revenues</b>	<b>78,721</b>	<b>89,466</b>	<b>77,471</b>	<b>73,802</b>	-5%
<b>TRANSFERS IN AND USE OF FUND BALANCE</b>					
Use of Reserves	-	-	2,228	1,859	-17%
<b>Total Transfers In and Use of Fund Balance</b>	<b>-</b>	<b>-</b>	<b>2,228</b>	<b>1,859</b>	
<b>Total Revenue, Transfers In, and Use of Fund Balance</b>	<b>78,721</b>	<b>89,466</b>	<b>79,699</b>	<b>75,661</b>	
<b>EXPENDITURES</b>					
25-2504-49310 Admin Allocate - Wages	23,176	23,802	41,024	22,884	-44%
25-2504-49311 Admin Allocate - O&M	6,016	7,934	13,675	7,628	-44%
25-2504-42125 Travel & Training	6,831	-	-	-	
25-2504-42140 Supplies	-	-	-	-	
	<b>36,023</b>	<b>31,736</b>	<b>54,699</b>	<b>30,512</b>	-44%
<b>Redevelopment Activity</b>					
25-2504-42601 Revitalization Grants	-	-	-	-	
25-2504-43000 Professional Services	-	-	-	-	
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Total Expenditures</b>	<b>36,023</b>	<b>31,736</b>	<b>54,699</b>	<b>30,512</b>	-44%
<b>TRANSFERS OUT AND CONTRIBUTION TO FUND BALANCE</b>					
25-2504-49210 General Fund Transfer	37,900	25,000	25,000	25,000	
Reserve Buildup	-	-	-	-	
<b>Total Transfers Out and Contribution of Fund Balance</b>	<b>37,900</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>	0%
<b>Total Expenditures, Transfers Out, and Contribution to Fund Balance</b>	<b>73,923</b>	<b>56,736</b>	<b>79,699</b>	<b>55,512</b>	

REDEVELOPMENT AGENCY OF MURRAY CITY  
**NOTICE OF PUBLIC HEARING**

Notice is hereby given that on June 16, 2020, beginning at 5:00 p.m. the Redevelopment Agency of Murray City (“RDA”) will hold and conduct a public hearing electronically as authorized by the Governor’s Executive Order 2020-5 (suspending the enforcement of certain provisions of the Open and Public Meetings Act) issued March 18, 2020. No physical meeting location will be available. The purpose of the Public Hearing is to receive public input regarding adopting the proposed Fiscal Year 2020–2021 budget of \$ 3,421,111.

The purpose of the hearing is to receive and consider public comment concerning the proposed RDA 2020-2021 Fiscal Year Budget before the RDA makes its decision. The public may view the meeting via the live stream at [www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/MurrayCityUtah/>.

If you would like to submit comments you may do so by sending an email, including your name and contact information, in advance of, or during the meeting to [rda@murray.utah.gov](mailto:rda@murray.utah.gov). Comments are limited to 3 minutes or less and will be read into the meeting record.

Dated this 2<sup>nd</sup> day of June, 2020

Murray City Corporation

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Jennifer Kennedy, City Recorder

Date of Publication: June 8, 2020  
PH 20-22



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**TO:** RDA Board

**THROUGH:** Mayor Blair Camp, RDA Executive Director

**FROM:** Melinda Greenwood, RDA Deputy Executive Director

**MEETING DATE:** June 16, 2020

**RE:** **Agenda Item #4 – Discussion and decision on preliminary terms for a participation and development agreement for the Jesse Knight Ore Sampling Mill project**

The B.C. Warner Investment Company is interested in developing the Ore Sampling Mill site, located at 5510 South 300 West. They would like to retrofit the large concrete structure into a modern-day office park.



The building was originally owned by Jesse Knight, who built the Ore Sampling Mill in Murray in 1909. It was the largest independent sampler between Missouri and California. During World War II, a nearby smelter ended operations, which resulted in the closure of the Ore Sampling Mill as well.

The Ore Sampling Mill site and buildings have fallen into disrepair in the last 70 years and due to the blighted elements and soil contamination, the area was approved as a Community Reinvestment Area (CRA) by the Murray City Council in 2018.

A conditional use permit was approved for an office project in 2017, and the owners have made significant strides in cleaning debris from the site. However, a major impediment to the project is the soil contamination (lead, arsenic and radium) and the associated cost of remediation. The B.C. Warner group has worked with Utah State Department of Environmental Quality to understand requirements to remediate the site and intend to fully clean the property down to native soils. There are extensive costs with remediation of radioactive materials, as they must be hauled off-site and disposed of at an appropriate facility. The Warner group is estimating the total cleanup costs to be \$2,500,000 and are asking for reimbursement funding through TIF to help offset environmental cleanup costs.

If approved for TIF funding, the applicant's next steps would be to subdivide the property so they can fence off and leave the northernmost area intact and undisturbed. Doing so reduces the contamination remediation costs.

## Funding request

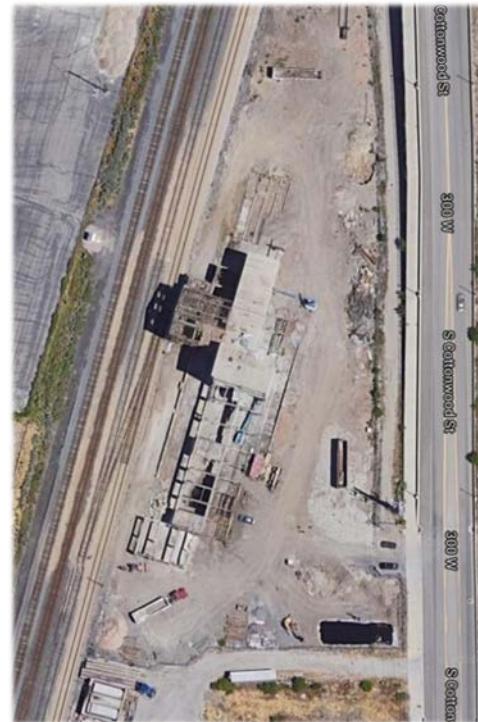
The applicant is requesting an estimated \$2,500,000 to reimburse them for clean-up costs.

## Estimated CRA TIF Revenues for 20 years

The Warner group estimates their office project will be valued at \$9,000,000, which would generate approximately \$1,974,612 of TIF funding. This leaves the funding request short of project generated TIF by ~\$525,000.

Over its 20-year life, the entire Ore Sampling Mill project area is expected to generate a total increment of \$7,331,596 (this amount includes the \$1,974,612 from the proposed office project).

The difference between the entire project area and the project specific funds is \$5,356,984, which means the additional \$525,000 needed for the clean-up costs should be available without impacting the RDA's ability to fund other projects.



## Funding Terms

Staff is recommending any TIF funding or RDA assistance be contingent on remediation efforts having approval, oversight and monitoring by the Utah State Department of Environmental Quality.

Any reimbursement is also recommended to be post-performance reimbursement, meaning we would not reimburse any funds until after the project was completed, on tax rolls and generating property taxes.

Other potential development assistance could be provided, including

- Waiving development application fees for subdivision (\$450) and CUP amendment (\$300).
- Deferring building permit fees to be paid later to allow for more cash capital upfront.
- Using Brownfields grant funding for sampling, testing or further clean-up cost evaluation (subject to availability of grant funds).

## Discussion

The Board should discuss the project and the \$2,500,000 funding request to determine the benefits the project will bring to the neighboring area and the City. Given the level of contamination, it is unlikely this site will develop without remediation assistance.

## Recommended Motion

*Staff recommends a motion of approval for pursuing a development agreement with B.C. Warner Investment Company with the preliminary terms of TIF funding in the amount of \$2,500,000 dollars to be used to reimburse for contamination remediation with a cleanup process approved by Utah State Department of Environmental Quality.*

2017 Rendering of Office Project



2017 Site Plan for Office Project



**Attachments:**

1. August 3, 2017 Conditional Use Permit

## **CONDITIONAL USE PERMIT**

APPLICANT: JESSE KNIGHT ENTREPRENEURIAL CENTER  
LOCATION: 5510 & 5534 South 300 West  
DATE: August 3, 2017  
APPROVAL: Renovation of existing building and addition for new office uses, Project #17-94

The Murray City Planning Commission has approved your Conditional Use application. All improvements which are required by the Murray City Zoning Ordinance or Planning Commission action must be installed or arrangements for a Deferral Agreement must be made, prior to the issuance of any Occupancy Permit for the land being developed, or commencement of the approved Conditional Use. Any deviation from or amendment to the approved site plan must have Planning Commission approval prior to construction. Your Conditional Use Permit shall expire within two (2) years from the date of approval by the Planning Commission unless there is substantial action on this permit.

**This Conditional Use approval is subject to other generally applicable Land Use Ordinance requirements and other Murray City Ordinances as administered by Flood Control, Fire Department, Engineering Department, City and County Board of Health, Water and Sewer Department, Power Department, etc.**

The following list indicates the specific conditions required by this Conditional Use Permit which are in addition to any other generally applicable requirements (referred to above) for approval with the building permit and be installed as approved prior to occupancy.

1. The project shall meet all applicable building code standards. Stamped/signed plans along with a soils report and structural analysis shall be submitted at time of building permit application.
2. The project shall meet all current fire codes along with the following Fire Department requirements:
  - (a) Additional fire hydrants may be needed on-site. The applicants shall work with the Fire Department to determine the number and locations of additional fire hydrants;
  - (b) No "hammer head" turn around for Fire Engines is to be used. The applicants shall work with Fire Department officials to determine an appropriate turn around for engines;
  - (c) A fire pump may be needed to augment single/dead end eight inch (8") line for adequate pressure for 4<sup>th</sup> floor sprinklers. The applicants shall work with Fire Department officials to determine this need;
  - (d) All construction shall meet 2015 International Fire Code parameters;
  - (e) The target Gallons per Minute (GPM) for hydrant and sprinkler combo flow is 1,500 GPM. The applicants shall work with Fire Department officials to address this standard.
3. The project shall comply with all Murray City Engineering requirements including the following:
  - (a) The project shall meet Murray City drainage requirements, with on-site detention/retention of storm water required;
  - (b) All damaged curb, gutter, and sidewalk along the property frontage shall be repaired;
  - (c) The project shall comply with Murray City access management standards, and if possible, a private right-of-way access be provided to access the south parking lot;
  - (d) A cross parking and access agreement shall be developed for use of the City right-of-way adjacent to the Cottonwood Street Bridge. The agreement should be executed by the property owner, Murray City, and UTA. A concurrence letter must be obtained

from all utilities located within the right-of-way;

- (e) The landscape design and materials placed within the City right-of-way adjacent to the Cottonwood Street Bridge shall be approved by the City Engineer and City Utilities;
- (f) A soils management / remediation plan shall be developed for on-site contaminated or hazardous materials. The plan is to be reviewed and approved by Utah Department of Environmental Quality (UDEQ) and/or the Environmental Protection Agency (EPA);
- (g) A site Storm Water Pollution Prevention Plan (SWPPP) shall be developed and a Murray City Land Disturbance Permit obtained;
- (h) An Excavation Permit shall be obtained for any work in the Cottonwood Street (300 West) right-of-way.

4. The project shall comply with Murray City Water and Sewer Division requirements including the
  - (a) As a multi-story building a booster pump will most likely be provided and shall be installed if determined by Division staff;
  - (b) A fire flow test shall be completed and provided to the division for review.
5. The project shall provide sufficient parking that meets parking standards outlined in the Murray City Municipal Code.
6. Landscaping shall be installed in compliance with Murray City Municipal Code standards outlined in Chapters 17.68 and 17.152. Landscaping for areas with a granted variance shall meet the needs of the City Engineer and Public Utilities. A formal landscaping and irrigation plan shall be submitted as part of the building permit application for final review and approval prior to installation.
7. The off-site parking area located south of the facility shall comply with parking and landscaping standards of the Murray City Municipal Code. See Chapters 17.72 and 17.68.
8. A pedestrian connection from the public sidewalk to the facility shall be installed as shown on the submitted plans.
9. A lighting plan shall be submitted and approved by Murray City staff prior to the issuance of a building permit.
10. All project signage shall comply with sign standards outlined in the Murray City Municipal Code. All signage shall be approved by Murray City staff with a separate sign permit.
11. A Murray City Business License shall be obtained for all future businesses that will be located in the facility prior to the commencement of business operations from this location.

Sincerely,

Jared Hall, Supervisor  
Community Development Services

**\*THIS LETTER CONSTITUTES THE CONDITIONAL USE PERMIT\***



THE REDEVELOPMENT AGENCY  
OF MURRAY CITY

**TO:** RDA Board

**THROUGH:** Mayor Blair Camp, RDA Executive Director

**FROM:** Melinda Greenwood, RDA Deputy Executive Director

**MEETING DATE:** June 16, 2020

**RE:** Agenda Item #5 – Discussion and decision on preliminary terms for Desert Star Playhouse expansion and use of RDA assistance for utility relocation

Mr. Mike Todd, the owner of the Desert Star Playhouse (4859 South State Street) contacted Mayor Camp and inquired about the possibility of RDA assistance to expand his playhouse.

Mr. Todd is interested in using a portion of his parking lot to the east of his building to expand and construct a new theater. This would require the relocation of a sewer line and overhead power lines. Mayor Camp wants to gauge the interest of the Board to expend RDA funding and pursue this project.

We would like the Board to discuss the project and the improvements it will bring to the area. If the Board is supportive of the project concept, staff will work with Mr. Todd on obtaining costs and drafting a development and participation agreement which would be brought back to the Board for formal approval.

If the Board does not wish to support the project, we request you inform Mr. Todd of your concerns and objections.

***Recommended Motion***

*Motion of either approval or disapproval of the preliminary concept for use of RDA funds to pay for utility relocation for the expansion of Desert Star Playhouse.*



Desert Star Playhouse is located on State Street at 4859 South.



THE REDEVELOPMENT AGENCY  
OF MURRAY CITY

**TO:** RDA Board

**THROUGH:** Mayor Blair Camp, RDA Executive Director

**FROM:** Melinda Greenwood, RDA Deputy Executive Director

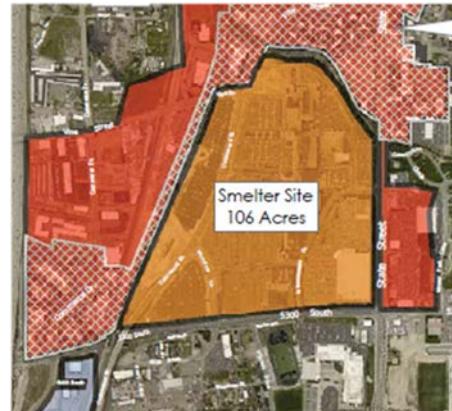
**MEETING DATE:** June 16, 2020

**RE:** Agenda Item #6 – 2019 Annual Smelter Site Overlay District (SSOD) Report

The Smelter Site Overlay District (SSOD) is a 106-acre RDA project area that was established due to its high lead and arsenic contamination levels which came as a result from its industrial past. The SSOD area requires regular monitoring of the contamination barriers put in place to ensure public safety. Per ordinance and agreement with Utah Department of Environmental Quality (UDEQ) and the United States Environmental Protection Agency (EPA), Murray City serves as the oversight body for the SSOD area.

Staff is responsible to prepare an annual report to inform the UDEQ and the EPA of the efforts that the SSOD major stakeholders (Costco, Intermountain Health Care, Murray City, and the Utah Transit Authority) have made each year to ensure the integrity of barriers is maintained and to report what construction work has taken place within the SSOD boundaries. RDA staff completed the Annual SSOD Report for 2019 and submitted it to UDEQ and the EPA on May 22, 2020.

A copy of the report is included with this memo. There are several technical supporting documents which are available upon request. If you would like to view the additional documents, please contact me at 801-270-2428 or [mgreenwood@murray.utah.gov](mailto:mgreenwood@murray.utah.gov).



The SSOD is located between 5300 South and Vine Street and between State Street and Cottonwood Street.

*This item is for informational purposes only and no motion or approval is necessary.*

Attachments:

1. May 22, 2020 2019 Murray Smelter Site Overlay District (SSOD) Annual Report



May 22, 2020

Michael Storck  
UDEQ  
168 N 1950 W  
Salt Lake City, UT 84116

Dave Allison  
UDEQ  
195 North 1950 West  
Salt Lake City, UT 84114

Erna Waterman  
EPA Remedial Project Manager  
Superfund 8EPR-SR  
1595 Wynkoop St  
8 EPR-SR  
Denver, CO 80202-1129

**Subject: 2019 Murray Smelter Site Overlay District (SSOD) Annual Report**

Dear SSOD Stakeholders:

Murray City is pleased to submit the 2019 Murray Smelter Site Overlay District (SSOD) Annual Report which includes stakeholder and property owner annual reports, Murray City bi-annual inspections, precipitation event inspections and a brief overview of each subject property location's permitted activities.

**ANNUAL ACTIVITIES**

Murray City conducts bi-annual barrier inspections in May and November of each year and receives annual reports from property owners by January 15th of the following year. The findings from these inspections are included in this report and the annual reports are included as attachments to this document.



Murray City Smelter Site Overlay District.

In 2019 we received the fourth Five-Year Review Report prepared by Utah Department of Environmental Quality (UDEQ) Division of Environmental Response and Remediation (DERR). In the report, the EPA has determined in their review that the cleanup at the Murray Smelter Site is protective. This means that the implemented remedy is protective of human health and the environment and allows for commercial reuse. The State provided the City with a public notice of the Five-Year Review and this notice was circulated to the Murray City Mayor and City Council.

An annual stakeholder meeting was held on February 20, 2019. In attendance were representatives from DEQ, EPA, UTA, and Murray City. The following items were discussed:

- Completion of Future Annual Inspection Reports
- Review of Current SSOD Ordinance & City Responsibilities
- SSOD Permits & Remediation Map
- Five Year Review Summary
- 2018 Annual Groundwater Monitoring Report
- Murray City Development Plans for 2019

## SSOD STAKEHOLDER REPORTS

### ***ASHGROVE (5216 South Cottonwood Street)***

Ashgrove bulk cement storage facility. Ashgrove is located on the far west side of the overlay district and south of the Utah Transit Authority parking lot.

No development permits were issued for 2019.

### ***COSTCO (5201 South Intermountain Drive)***

Costco is located on the far southeast corner of the overlay district at the intersection of State Street and 5300 South. Costco leases this property from Intermountain Healthcare (IHC).

Costco management maintain an active review of their barrier maintenance with minor repairs occurring monthly within their Barrier Maintenance and Monitoring plan performed by a third-party contractor, Kleinfelder. In 2019, typical wear and tear was observed of landscaping, asphalt, and concrete barriers. No breach of surface barriers or storm drains was observed during either of Kleinfelder's bi-annual inspections and surface barriers appear to be managed and maintained in accordance with regulations.

Costco did not submit any applications for an SSOD permit in 2019, however, an applicable project was undertaken. A freezer in the warehouse was replaced, subsurface work took place, and excavated soils were transported offsite. This oversight was not caught until early 2020 and a retroactive permit has now been issued. A full explanation of chain of events is included in this report as Attachment A.

We have audited our plan intake and permit issuing policies and procedures and made improvements that should prevent an oversight such as this from occurring in the future.

### ***INTERMOUNTAIN HEALTHCARE (5121 South Cottonwood Street)***

Intermountain Healthcare (IHC) is the major property owner within the SSOD with its Intermountain Medical Campus (IMC). Their property is bordered by 5300 South Street to the south, State Street on the east, the Union Pacific tracks on the southwest corner (former Grand View area) and Little Cottonwood

Creek to the north. IHC continues a monthly barrier review with minor repairs in compliance with their Barrier Maintenance and Monitoring plan.

According to their Annual Barrier Maintenance Report submitted to Murray City, the mulch bed by the serpentine sidewalk had eroded to the base of the hill. Mulch from the base was placed back in the areas where it had eroded. Minor sod repair due to snowplow activity at the Dialysis Center was also performed in the spring. Additional bark mulch was added to various exiting landscape areas to enhance and maintain the original barriers. The asphalt was replaced with concrete on the path on the north side of the site along Little Cottonwood Creek. Aside from this routine maintenance, all barriers and irrigation system appear to be properly maintained and functioning as planned. The utility tunnel was also monitored for groundwater seepage and none was noted in 2019.

In addition, IHC has had some turnover in staff. The IMC facility has a new Facility Manager – Mark Olsen and a new Landscape Supervisor – Rick Clawson. As well, Intermountain Healthcare has hired Jim Blankenau as an Environmental Engineer to assist facilities with environmental compliance.

Murray City issued three SSOD permits to IHC for work performed in 2019:

- Sanitary Sewer Relocation and Installation, Building 5 – SSOD Permit #1900215 was approved on March 11, 2019 for IHC to have a contractor relocate plumbing piping at five locations below the concrete floor on the IMC Patient Tower (Building 5). Work began on March 11, 2019 and was completed on April 11, 2020. This permit is included as Attachment B.
- IMC Parking Lot Access Gates – SSOD Permit #1900873 was approved on September 12th, 2019 for IHC to allow a contractor to install two parking lot access control gates and associated electrical conduit. Work began on September 16, 2019 and was completed on October 4, 2019. This permit is included as Attachment D.
- Walking Trail Replacement and Lighting Installation – SSOD Permit #1900953 was approved for IHC to have a contractor create a lighted walking trail along the northwestern boundary of the IMC campus in October of 2019. Work began on October 21, 2019 and was completed on December 13, 2019. This permit is included as Attachment E.

#### ***UTAH TRANSIT AUTHORITY (5144 South Cottonwood Street)***

The FrontRunner commuter rail system runs immediately adjacent to the UP line on the far west side of the SSOD and extends from the north to the south border. The Frontrunner station is located at the former Staker Parson property in between the Frontrunner and TRAX light rail lines. The TRAX lines also run from the north to south borders with the TRAX central station located just north of Ashgrove Cement and south of the IHC Dialysis building and bordered by Vine Street and Cottonwood Streets. UTA provided several maintenance procedures in relation to barrier inspections and their own annual maintenance.

In 2019, UTA completed their fourth Five-Year Review with Utah DEQ and the U.S. Environmental Protection Agency. The portion of the Murray SSOD site that UTA maintains was inspected on February 20th, 2019. Several items were discussed including resealing of the eastern parking lot which was completed later that year. The conclusion of the report stated that the cleanup at the Murray Smelter Site is protective. According to UTA's annual report, all issues identified in the Five-Year Review have been addressed and no other major issues were identified during UTA's quarterly inspections and surface barriers appear to be managed and maintained in accordance with regulations.

Murray City issued one SSOD permit to UTA for work performed in 2019:

- CenturyLink Underground Fiber Optic Cables – SSOD Permit #1900417 was approved for Century Link to install a new fiber optic line on the UTA Police Property at 127 West Vine Street on May 13th, 2019. The work started on May 17th, 2019 and was completed the same day. Century Link was able to pull the new fiber using existing conduit and did not have to dig a trench as originally proposed and approved. The only portion of the UTA site that was disturbed was grass around the utility box in the northern portion along Vine Street near the entrance into the UTA Police Station parking lot. No dirt was disposed of from the UTA property therefore no soil analyticals were completed for the project. This permit is included as Attachment C.

The following photos were taken during the project:



## **MURRAY CITY INFRASTRUCTURE AND UTILITIES**

### ***MURRAY CITY STORM DRAIN AND PAVEMENT EVALUATION***

An annual catch basin inspection was completed, no issues were identified, and no repairs were conducted in 2019. An annual pavement inspection was completed, and no repairs were identified or conducted in 2019. The Storm Drain division provided pictures from their inspection of Vine, Cottonwood and Woodrow Streets. The Murray City SSOD Barrier Inspection report and a map identifying the location of the drains and catch basins in the SSOD with an accompanying image of the drain or catch basin is included as Attachment F.

### ***MURRAY CITY POWER***

Main line power enters the SSOD at two (2) locations. The IMC primary service feed enters the SSOD in the Northwest corner and the secondary feed enters from the Southwest corner of the SSOD.

No development permits were approved for 2019.

### ***MURRAY SEWER***

Murray City has a main trunk line that is located within the south bank of the Little Cottonwood Creek and runs the full width of the SSOD from west to east. Other primary lines run within the Murray City easements adjacent to Vine, Cottonwood and Woodrow streets.

No development permits were approved for 2019.

## UPCOMING PROJECTS IN 2020

The following SSOD projects are in process or have been discussed with City staff:

- Intermountain Medical Center (IMC) Dietary Services
- UTA Rimrock Rail Crossing
- IHC – Traffic Signal Power
- Costco bollard installation

If you have any questions about this report, please contact me at (801) 270-2428, or email me at [mgreenwood@murray.utah.gov](mailto:mgreenwood@murray.utah.gov)

Respectfully,



Melinda Greenwood  
Community & Economic Development Director

CC: Mayor Blair D. Camp  
Steve Reid, Building Official  
GL Critchfield, City Attorney  
Trae Stokes, City Engineer  
File

Documents available upon request:

- A: Permit #2000408 - Costco Freezer Upgrade Report
- B: Permit #1900215
- C: Permit #1900417
- D: Permit #1900873
- E: Permit #1900953
- F: Murray SSOD Storm Drain Map
- G: Annual Barrier Maintenance Report from Costco
- H: Annual Barrier Maintenance Report from UTA
- I: Annual Barrier Maintenance Report from IHC



**TO:** RDA Board

**THROUGH:** Mayor Blair Camp, RDA Executive Director

**FROM:** Melinda Greenwood, RDA Deputy Executive Director

**MEETING DATE:** June 16, 2020

**RE:** **Agenda Item #7 – Discussion and decision on a Resolution of the Redevelopment Agency of Murray City (“RDA”) approving the conveyance of property located at approximately 28 East 4TH Avenue to Murray Aerie No. 1760, Fraternal Order of the Eagles (“FOE”)**

At the May 21 RDA meeting, Mr. Trae Stokes, City Engineer, presented the draft proposal for right-of-way acquisition for the extension of Hanauer Street. This agreement has now been approved by the Murray FOE and the Grand Aerie and is back before the RDA Board for formal approval.

The RDA's role in the acquisition deal is to:

- Convey **RDA** property to the FOE as a parking lot replacement. See figure on page 2.

The acquisition deal further involves the **City** with:

- Vacation of an alleyway.
- Designing and constructing a new parking lot as well as installation of landscaping.
- Making a payment to the FOE to account for the value of the property the City is acquiring.

Funding for the property acquisition will come from the Salt Lake County Road Funds previously granted to the City for the Hanauer Road extension.

*Recommended Motion*

*Motion to approve a Resolution of the Redevelopment Agency of Murray City (“RDA”) approving the conveyance of property located at approximately 28 East 4TH Avenue to Murray Aerie No. 1760, Fraternal Order of the Eagles (“FOE”).*



*The FOE property is shown in the highlighted blue area.*



Attachments:

1. Hanauer Street Extension Right of Way Exhibit – Aerial View Sheet 2
2. Hanauer Street Extension Right of Way Exhibit – Sheet 2
3. FOE Parking Option 3B
4. Draft Resolution and Agreement of Murray City Corporation, The Redevelopment Agency of Murray City and Murray Aerie No. 1760, Fraternal Order of the Eagles

SHEET - 02

## MURRAY CITY

(INCORPORATED)

## 5TH AVENUE

Exist. R/W Line

22.00'

MURRAY

CITY

ALLEY WAY  
TO BE  
VACATED

22.00'

201.02'

201.09'

MURRAY AERIE NO. 1760  
FRATERNAL ORDER OF EAGLES  
10 WEST FOURTH ST.  
22-07-108-001NW1/4 NW1/4  
SEC 7

4TH AVENUE

Exist. R/W Line

2.11'

r/w

HANAUER STREET EXTENSION  
RIGHT OF WAY EXHIBIT

J:19-142 UsittonMurray\_Fee Property.dgn

1/13/2020

GRANTOR  
F.O.E.  
MURRAY CITY RDA  
MURRAY CITYGRANTEE  
MURRAY CITY  
F.O.E.  
F.O.E. (ALLEY WAY)

NET AC.

SQ. FEET

0.021 11,124  
0.123 5,348  
0.102 4,423PROJECT NO. 19-142  
DATE: 01/10/2020

## POPLAR STREET

SHEET NO.  
215' 0' 15' 30'  
SCALE IN FEET

SHEET - 02

## MURRAY CITY

(INCORPORATED)

## 5TH AVENUE

Exist. R/W Line

22.00'

MURRAY

CITY

ALLEY WAY  
TO BE  
VACATED

22.00'

201.09'

201.12'

MURRAY AERIE NO. 1760  
FRATERNAL ORDER OF EAGLES  
10 WEST FOURTH ST.  
22-07-108-001NW1/4 NW1/4  
SEC 7

## 4TH AVENUE

Exist. R/W Line

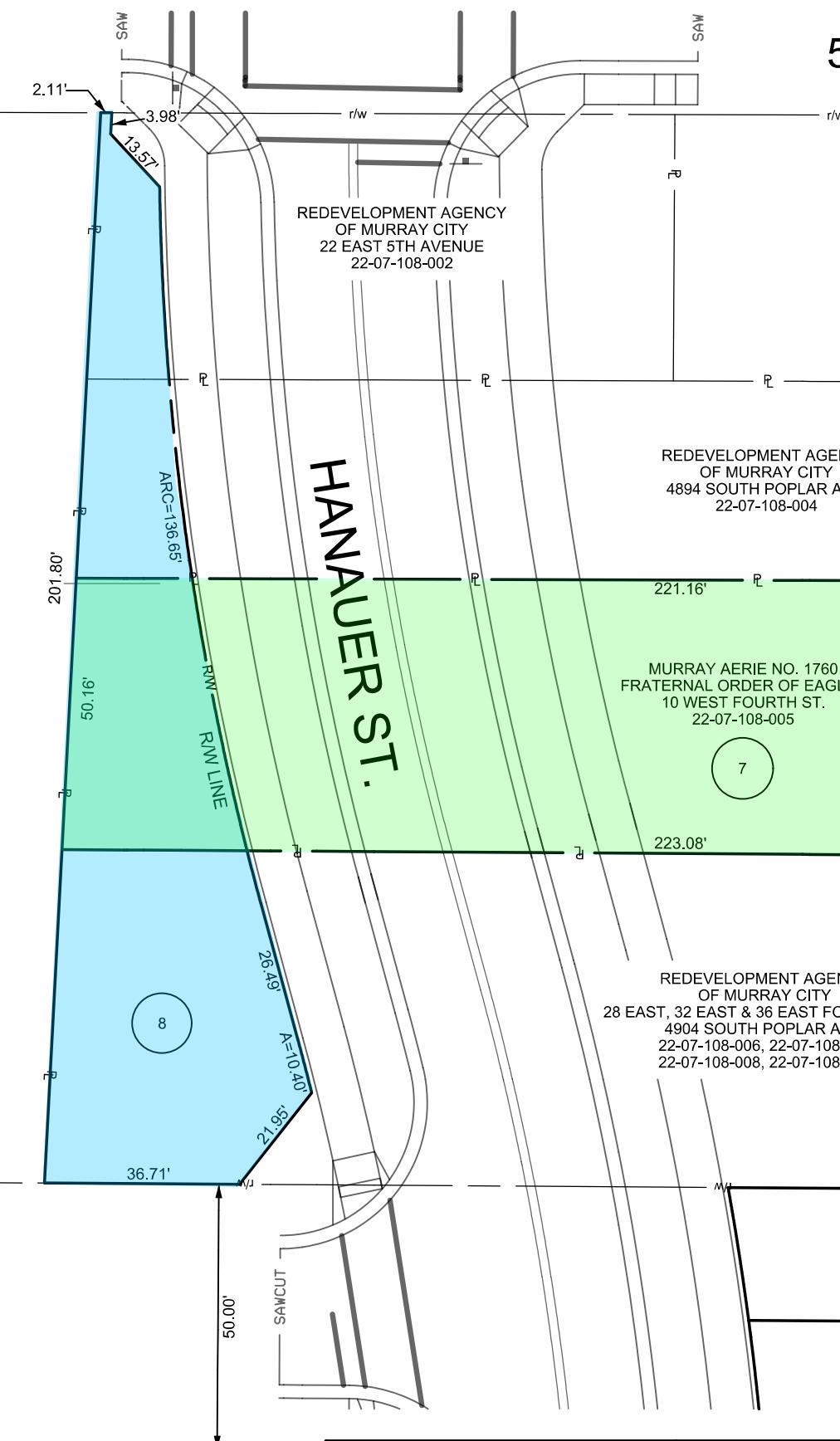
M/J

Exist. R/W Line

M/J

Exist. R/W Line

M/J

HANAUER STREET EXTENSION  
RIGHT OF WAY EXHIBIT

J:\19-142\Utilization\Murray\_Fee Property.dgn

1/13/2020

PIN:

PARCEL NO.	GRANTOR	GRANTEE	NET AC.	SQ. FEET
7:	F.O.E MURRAY CITY RDA MURRAY CITY	MURRAY CITY F.O.E. F.O.E. (ALLEY WAY)	0.021 0.123 0.102	11,124 5,348 4,423
8:				
9:				

PROJECT NO. 19-142  
DATE: 01/10/2020SHEET NO.  
215' 0' 15' 30'  
SCALE IN FEET

## FOE Parking Option 3B

5th Ave

One Way

4th Ave

Protect Existing  
Sign

**51 Total Stalls**  
(50 Total Existing Stalls)

(14 Existing Stalls)

24' Approach

19'  
(MIN)

24'  
(MIN)

(10 Existing Stalls)

(24 Existing Stalls)

AWCUT

Poplar Street

N

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF MURRAY CITY (“RDA”) APPROVING THE CONVEYANCE OF PROPERTY LOCATED AT APPROXIMATELY 28 EAST 4<sup>TH</sup> AVENUE TO MURRAY AERIE NO. 1760, FRATERNAL ORDER OF EAGLES (“FOE”)

WHEREAS, the Redevelopment Agency of Murray City (“RDA”) was created and organized pursuant to the provisions of the Community Reinvestment Agency Act-Title 17C of the Utah Code, as amended and is authorized and empowered to undertake certain activities and actions pursuant to the law including the power to hold, sell, convey, grant, gift or otherwise dispose of any interest in real property; and

WHEREAS, the RDA owns certain real property located at approximately 28 East 4<sup>th</sup> Avenue, comprising 0.123 acres (hereinafter referred as the “RDA Property”); and

WHEREAS, the City is in the process of constructing an extension to Hanauer Street to run between 4800 South and Vine Street; and

WHEREAS, the City needs to acquire certain parcels of property owned by the FOE (the “FOE Property”) to enable the construction according to the plans; and

WHEREAS, the Hanauer Street extension and the FOE Property lie within the Central Business District Redevelopment Project Area (the “Project Area”); and

WHEREAS, the construction of the Hanauer Street extension will help facilitate the redevelopment of properties in the Project Area and is expected to increase the likelihood of future private development within the Project Area; and

WHEREAS, to assist the City with obtaining the FOE Property needed for the Hanauer Street extension, the RDA wants to convey the RDA Property to the FOE as part of an agreement for the exchange of properties;

WHEREAS, the RDA finds that facilitating the redevelopment of the Project Area through improvement of public infrastructure and the expected economic impact and projected stimulus for future private development is satisfactory and appropriate consideration for it to convey the RDA Property to the FOE as part of an exchange agreement to help the City obtain the FOE Property so the City can build the extension of Hanauer Street;

NOW THEREFORE, BE IT RESOLVED by the Redevelopment Agency of Murray City as follows:

1. That in consideration for conveying the RDA Property to the FOE, the improvement of public infrastructure and the expected economic impact

and projected stimulus for future private development is satisfactory and appropriate, which consideration the RDA deems to be of equal or greater value than the value of the RDA Property;

2. It hereby approves an Agreement between the Redevelopment Agency of Murray City, Murray City Corporation, and the Murray Aerie No. 1760, Fraternal Order of Eagles, in substantially the form attached as Exhibit "A"; and
3. D. Blair Camp, as Executive Director of the RDA, is authorized on behalf of the RDA to sign the Agreement, and such additional documents or instruments necessary or appropriate to complete the conveyance.

PASSED, APPROVED AND ADOPTED by the Redevelopment Agency of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Redevelopment Agency of Murray City

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Brett A. Hales, Chair

ATTEST:

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D. Blair Camp, Executive Director

**AGREEMENT**  
between  
**MURRAY CITY CORPORATION,**  
**The REDEVELOPMENT AGENCY OF MURRAY CITY, and**  
**MURRAY AERIE NO. 1760, FRATERNAL ORDER OF EAGLES**

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between **Murray City Corporation**, a Utah municipal corporation and political subdivision of the State of Utah (“City”), the **Redevelopment Agency of Murray City**, a Utah redevelopment agency (“RDA”), and **Murray Aerie No. 1760, Fraternal Order of Eagles** (“FOE”). The City, RDA and FOE are hereafter sometimes referred to separately as a “Party” or collectively as “Parties.”

**RECITALS**

WHEREAS, one of the City’s missions is to plan and provide for its citizens’ transportation needs; and

WHEREAS, the City is involved with Salt Lake County in a street expansion project for the 4500 South to Vine Street area which will consist of a one-way couplet that utilizes Hanauer Street for northbound traffic and Box Elder Street for southbound traffic; and

WHEREAS, Hanauer Street needs to be extended to the South between 4800 South and Vine Street; and

WHEREAS, the City wants to acquire, and the FOE is willing to convey pursuant to the conditions of this Agreement, portions of property owned by the FOE, more fully described below in Exhibit “A” (attached hereto and incorporated by reference herein; hereafter referred to as the “FOE Parcel”), in order to construct the Hanauer Street extension; and

WHEREAS, the Hanauer Street extension and the FOE Parcel lie within the Central Business District Redevelopment Project Area (“the Project Area”); and

WHEREAS, the RDA desires to facilitate the redevelopment and revitalization of properties within the Project Area; and

WHEREAS, the RDA owns property located adjacent to FOE property at approximately 28 East 4<sup>th</sup> Avenue, (hereinafter referred to as the “RDA Parcel”), and more particularly described in Exhibit “A”; and

WHEREAS, in accordance with the Agreement hereunder and pursuant to Utah Code §17C-1-202(d), the RDA wants to convey to the FOE the RDA Parcel, in order to facilitate the redevelopment of the Project Area, the public infrastructure, and the expected economic impact and stimulus of this transaction due to future potential private development; and

WHEREAS, the RDA has passed resolution no. \_\_\_\_ (attached hereto as Exhibit "B" and incorporated by reference herein), acknowledging that it has authority to convey the RDA Parcel and Parcel 9 pursuant to Utah Code §17C-1-202(d), and that the facilitation of redevelopment of the Project Area through improvement of the public infrastructure and the expected economic impact and stimulus of this transaction for future private development is satisfactory and appropriate consideration for its conveyance of the RDA Parcel and Parcel 9 to FOE; and the RDA deems the value of the foregoing consideration to be equal to or greater than the value of the RDA Parcel; and

WHEREAS, the City will (1) vacate an alley running between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue just west of the FOE property located at 10 West 4<sup>th</sup> Avenue (the "Alleyway"), with the east half of the Alleyway going to the FOE; (2) design and construct a new parking lot for the FOE and low maintenance landscaping along Hanauer Street; and (3) pay the sum of \$75,693.00 to the FOE as a settlement for the difference in land area, severance damages, improvements and costs to cure; and

WHEREAS, the City owns the property to the west of the Alleyway to be vacated; and

WHEREAS, once the Alleyway has been vacated by the City, the City will convey to the FOE its half of the vacated Alleyway (the west half; hereinafter referred to as "Parcel 9," and more particularly described in Exhibit "A"); and

WHEREAS, the FOE Parcel has been appraised at \$213,200.00; and

WHEREAS, the RDA Parcel has been appraised at \$97,280.00; Parcel 9 has an appraised value of \$40,227.00; and

WHEREAS, the value of the FOE Parcel is equal to the value of the RDA Parcel, Parcel 9, the design and construction of the new parking lot and the settlement of \$75,693.00;

NOW THEREFORE, in consideration of the foregoing Recitals, the following mutual covenants and understandings, the payment of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby conclusively acknowledged, the Parties mutually agree as follows:

1. **VALUATION AND CONSIDERATION:** For purposes of the exchange to be effected under this Agreement, the Parties agree that the conveyance of the RDA Parcel and Parcel 9 by the RDA, and the design and construction of the parking lot and landscaping and the \$75,693.00 payment by the City as a settlement is equal to the value of the FOE Parcel. The Parties acknowledge and agree that the exchange between the Parties is the full and complete consideration to be exchanged by the Parties.
2. **FOE'S OBLIGATIONS:** FOE shall transfer and convey to the City, by a standard form Utah special warranty deed, the real property referred to as the FOE Parcel, as more specifically described in Exhibit "A".

3. RDA'S OBLIGATIONS:

- a. RDA shall transfer and convey to FOE, by standard form Utah special warranty deed, the real property referred to as the RDA Parcel as more specifically described in Exhibit "A."
- b. RDA shall transfer and convey to City, by quit claim deed, the real property within the Hanauer Street Alignment between 4<sup>th</sup> Avenue and 5<sup>th</sup>.

4. CITY'S OBLIGATIONS:

- a. City shall vacate the Alleyway. The effect of this vacature is that each owner of property abutting the vacated right-of-way shall take fee title in the vacated area, up to the center line of the vacated street. Accordingly, FOE shall have fee title in the east half of the Alleyway upon vacature.
- b. City shall design and construct a parking lot to be situated on FOE property, and design and install low maintenance landscaping on FOE property along Hanauer Street, all as more fully appears on Exhibit "C", attached hereto and incorporated by reference herein. The parking lot and landscaping shall be completed by the City no later than \_\_\_\_\_, 2020.
- c. City shall pay to FOE the sum **Seventy-Five Thousand Six Hundred and Ninety-Three Dollars (\$75,693.00)** as a "settlement" for the difference in land area, severance damages, improvements and costs to cure items.
- d. Once the Alleyway has been vacated by the City, City shall convey to FOE by standard form quit claim deed Parcel 9 as more specifically described in Exhibit "A."
- e. City shall pay all closing costs related to the exchange herein.

5. CONDITIONS TO CLOSING ON THE PROPERTIES:

- a. The respective titles to the properties being exchanged hereunder shall be free and clear of any financial encumbrances.
- b. As of the closing date, each Party receiving a conveyance will have conducted investigations and satisfied itself with respect to the condition of the property and the transactions contemplated by this Agreement. Accordingly, except as expressly set forth in this agreement and the deed, each Party will accept the property in the condition in which it exists on the closing date (that is, "as is" and "where is", "with all faults"), without any other representation or warranty, express or implied (including without limitation the physical

condition of the property and/or the property's suitability or fitness for any particular purpose), and without any other recourse against the conveying Party.

6. **TITLE POLICY:** At closing, City shall obtain, inspect, approve and pay for a standard-coverage owner's policy of title insurance by a title insurance company in the total amount of the Properties' value ("Final Title Policy") in order to adequately insure City and FOE against any and all loss or damage resulting from defects or problems relating to the respective ownership of the Properties including, without limitation, the enforcement of liens that may exist against the Properties. If title to the Properties cannot be made insurable through an escrow agreement upon the closing, this Agreement shall be null and void, and the Parties shall have no further obligations to one another whatsoever.

7. **MISCELLANEOUS.**

A. **Entire Agreement; Amendment:** This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and statements, promises, or inducements made by any Party or agents of any Party that are not contained in this Agreement shall not be binding or valid. This Agreement may not be amended, enlarged, modified or altered except through a written instrument signed by all Parties.

B. **Counterparts:** This Agreement may be executed in one or more counterparts.

C. **Severability:** If any provision of this Agreement shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatsoever.

D. **No Third-Party Beneficiaries:** There are no intended third-party beneficiaries to this Agreement. It is expressly understood that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, and nothing contained in this Agreement shall give or allow any claim or right of action by any third person under this Agreement. It is the express intention of the Parties that any person other than the Party who receives benefits under this Agreement shall be deemed an incidental beneficiary only.

E. **Relationship of the Parties.** The relationship of the Parties established by this Agreement is solely that of independent contractors. This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the Parties hereto.

F. **Time of Essence.** Time is of the essence to the performance of each and every obligation under this Agreement.

G. Force Majeure. Except for the obligation to pay for services appropriately rendered in accordance with this Agreement, neither party hereto will be held responsible for loss, damage, delay or default in shipment or performance occasioned by unforeseeable causes beyond the control and without the fault or negligence of the party, including, but not restricted to, fire, flood, epidemics, quarantine, strikes, riot, acts of God or the public enemy and/or war.

H. Governing Law and Venue. This Agreement shall be governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this Agreement shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County or the United States District Court of Utah.

IN WITNESS WHEREOF, the Parties have each executed this Agreement as of the date first set forth above.

**MURRAY CITY CORPORATION**

By: \_\_\_\_\_  
D. Blair Camp, Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

**REDEVELOPMENT AGENCY OF  
MURRAY CITY**

By: \_\_\_\_\_  
D. Blair Camp, Executive Director

**MURRAY AERIE NO. 1706  
FRATERNAL ORDER OF EAGLES**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name and Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name and Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name and Title)

ATTEST:

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City Recorder

**Exhibit “A”**  
Property Descriptions

**PARCEL 7 – F.O.E. to Murray City RDA****Tax Id. No. 22-07-108-005**

A tract of land in fee, being all of an entire tract of property situate in the NW1/4NW1/4 of Section 7, T.2 S., R.1 E., S.L.B.& M. The boundaries of said tract of land are described as follows:

All of Lot 5 and the South one-half of Lot 4, and the North one-half of Lot 6, in Block 5 of Haynes and Cahoon's Survey, in the City of Murray, and more particularly described as follows;

COMMENCING at a point on the West line of Poplar Street, 418.12 feet East and 369.6 feet North from the Southwest corner of Lot 1, said Section 7, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence West 223.08 feet, thence North 3° East 50.16 feet, thence East 221.16 feet to the West line of Poplar Street; thence South 50.16 feet, along the West line of said Street to the point of BEGINNING. The above described tract of land contains 11,124 square feet or 0.021 acre.

**PARCEL 8 – Murray City RDA to F.O.E.****Tax Id. No. 22-07-108-002; 22-07-108-004; 22-07-108-005; 22-07-108-006;  
22-07-108-007;**

A parcel of land in fee, being part of an entire tract of property situate in the NW1/4NW1/4 of Section 7, T.2 S., R.1 E., S.L.B.& M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the northerly right of way line of 4<sup>th</sup> Avenue at the southwest corner of said entire tract, which point is (as described by record deed) approximately 4 chains and 64 links North and approximately 6 chains and 32 links East and 184.9 feet West from the Southwest corner of Lot 1, of said Section 7, said point of beginning is more particularly described as 154.18 feet N.0°19'40"E. along the monument line in State Street and 642.39 feet N.89°37'21"W. from a Salt Lake County monument at the intersection of State Street and Vine Street; and running thence N.3°00'00"E. 201.80 feet along the westerly boundary line of said entire tract to the southerly right of way line of 5<sup>th</sup> Avenue; thence S.89°49'19"E. (Record Deed bearing = East) 2.11 feet; thence S.3°00'00"W. 3.98 feet; thence S.42°43'47"E. 13.57 feet; thence southerly 136.65 feet along the arc of a 546.50-foot radius non-tangent curve to the left (Note: Chord to said curve bears S.8°02'20"E. for a distance of 136.29 feet); thence S.15°12'07"E. 26.49 feet to the point of curvature of a 473.50-foot radius tangent curve to the right; thence southerly 10.40 feet along the arc of said curve (Note: Chord to said curve bears S.14°34'21"E. for a distance of 10.40 feet); thence S.38°15'22"W. 21.95 feet to said northerly right of way line of 4<sup>th</sup> Avenue; thence N.89°37'21"W. (Record Deed bearing = West) 36.71 feet along said northerly right of way line to the point of beginning. The above described parcel of land contains 5,348 square feet or 0.123 acre.

**PARCEL 9 – Murray City to F.O.E. (Vacated Alley)**

A tract of land, being all of the existing right of way of an alley way between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue, Murray City, situate in the NW1/4NW1/4 of Section 7, T.2 S., R.1 E., S.L.B.& M. The boundaries of said tract of land are described as follows:

Beginning at the intersection of the easterly right of way line of said alley way and the northerly right of way line of 4<sup>th</sup> Avenue, which point is 0.9 chains East and 304.16 feet North from the Southwest corner of Lot 1 of said Section 7 said point of beginning is more particularly described as 154.18 feet N.0°19'40"E. along the monument line in State Street and 775.15 feet N.89°37'21"W. from a Salt Lake County monument at the intersection of State Street and Vine Street; and running thence N.89°37'21"W. 22.00 feet, more or less, along said northerly right of way line to the westerly right of way line of said alley way; thence N.0°14'11"E. 201.02 feet along said westerly right of way line to the southerly right of way line of 5<sup>th</sup> Avenue; thence S.89°49'19"E. 22.00 feet, more or less, along said southerly right of way line to said easterly right of way line; thence S.0°14'11"W. 201.09 feet along said easterly right of way line to the point of beginning. The above described parcel of land contains 4,423 square feet, more or less or 0.102 acre more or less.

**Exhibit “B”**  
RDA Resolution

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF MURRAY CITY ("RDA") APPROVING THE CONVEYANCE OF PROPERTY LOCATED AT APPROXIMATELY 28 EAST 4<sup>TH</sup> AVENUE TO MURRAY AERIE NO. 1760, FRATERNAL ORDER OF EAGLES ("FOE")

WHEREAS, the Redevelopment Agency of Murray City ("RDA") was created and organized pursuant to the provisions of the Community Reinvestment Agency Act-Title 17C of the Utah Code, as amended and is authorized and empowered to undertake certain activities and actions pursuant to the law including the power to hold, sell, convey, grant, gift or otherwise dispose of any interest in real property; and

WHEREAS, the RDA owns certain real property located at approximately 28 East 4<sup>th</sup> Avenue, comprising 0.123 acres (hereinafter referred as the "RDA Property"); and

WHEREAS, the City is in the process of constructing an extension to Hanauer Street to run between 4800 South and Vine Street; and

WHEREAS, the City needs to acquire certain parcels of property owned by the FOE (the "FOE Property") to enable the construction according to the plans; and

WHEREAS, the Hanauer Street extension and the FOE Property lie within the Central Business District Redevelopment Project Area (the "Project Area"); and

WHEREAS, the construction of the Hanauer Street extension will help facilitate the redevelopment of properties in the Project Area and is expected to increase the likelihood of future private development within the Project Area; and

WHEREAS, to assist the City with obtaining the FOE Property needed for the Hanauer Street extension, the RDA wants to convey the RDA Property to the FOE as part of an agreement for the exchange of properties;

WHEREAS, the RDA finds that facilitating the redevelopment of the Project Area through improvement of public infrastructure and the expected economic impact and projected stimulus for future private development is satisfactory and appropriate consideration for it to convey the RDA Property to the FOE as part of an exchange agreement to help the City obtain the FOE Property so the City can build the extension of Hanauer Street;

NOW THEREFORE, BE IT RESOLVED by the Redevelopment Agency of Murray City as follows:

1. That in consideration for conveying the RDA Property to the FOE, the improvement of public infrastructure and the expected economic impact

and projected stimulus for future private development is satisfactory and appropriate, which consideration the RDA deems to be of equal or greater value than the value of the RDA Property;

2. It hereby approves an Agreement between the Redevelopment Agency of Murray City, Murray City Corporation, and the Murray Aerie No. 1760, Fraternal Order of Eagles, in substantially the form attached as Exhibit "A"; and
3. D. Blair Camp, as Executive Director of the RDA, is authorized on behalf of the RDA to sign the Agreement, and such additional documents or instruments necessary or appropriate to complete the conveyance.

PASSED, APPROVED AND ADOPTED by the Redevelopment Agency of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Redevelopment Agency of Murray City

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Brett A. Hales, Chair

ATTEST:

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D. Blair Camp, Executive Director

**Exhibit “C”**  
Parking Lot Drawing