THE REDEVELOPMENT AGENCY OF MURRAY CITY

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 3:30 p.m., Tuesday, July 21, 2020. **The Chair of the Redevelopment Agency of Murray City has determined that due to the continued rise of COVID-19 case counts, meeting with an anchor location presents a substantial risk to the health and safety of those in attendance. No physical meeting location will be available.**

The public may view the meeting via the live stream at 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. Comments are limited to 3 minutes or less and will be read into the meeting record.

AGENDA

3:30 p.m., Tuesday, July 21, 2020

1. Approval of the June 16, 2020 meeting minutes
2. Citizen Comments* (submitted via email at rda@murray.utah.gov)
3. Discussion and Consideration of a Resolution of the Redevelopment Agency of Murray City Approving and Authorizing a Participation Agreement with TMB Limited Company, DBA BCW Capital for Tax Increment Reimbursement for the Development and Operation of a Professional Office Development and Entrepreneurial Center in the Ore Sampling Mill Community Reinvestment Area for the Property Located at 5510 South 300 West *(Presenter: Melinda Greenwood)*
4. Presentation of the 2019 Smelter Site Overlay District Annual Report (Presenter: Jay Baughman)
5. 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 July 17, 2020, a copy of the foregoing Notice of Meeting was posted in accordance with Section 52-4-202 (3).

Melinda Greenwood

Melinda Greenwood
RDA Deputy Executive Director

The Redevelopment Agency of Murray City met on Tuesday, June 16, 2020 at 5:30 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	Others in Attendance
Brett Hales, Chair	Blair Camp, RDA Executive Director
Dale Cox, Vice Chair	Melinda Greenwood, RDA Deputy Executive Director
Kat Martinez	Janet Lopez, City Council Executive Director
Rosalba Dominguez	Jennifer Kennedy, City Recorder
Diane Turner	Doug Hill, Chief Administrative Officer
	Jennifer Heaps, Chief Communications Officer
	G.L. Critchfield, City Attorney
	Brenda Moore, Finance Director
	Danny Astill, Public Works Director
	Jay Baughman, Economic Development Specialist
	Trae Stokes, City Engineer

Mr. Hales called the meeting to order at 5:00 p.m.

1. Approval of the May 19, 2020 RDA meeting minutes
   MOTION: Ms. Turner moved to approve the minutes from the May 19, 2020 RDA meeting. The motion was SECONDED by Mr. Cox.

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

   Motion Passed 5-0

2. Citizen Comments
   Ms. Greenwood said she received a phone call from DeLynn Barney asking about the process that Trae Stokes, City Engineer, was working on with the right-of-way acquisition with the Fraternal Order of Eagles.

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)*

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(See Attachment 1 for the slide used during this presentation)

Ms. Greenwood said the budget is almost the same for Fiscal Year 2020-2021 as it has been for previous years. The total expenditures are $3,421,111, which include bond and Tax Increment Financing (TIF) payments, and homeless shelter contribution payments. There is $200,000 set aside for the construction of 4250 South in the Fireclay Area. The budget also includes funds for affordable housing services, property cleanup, professional services for appraisals or consulting work, and salary and administration.

Mr. Cox asked for clarification on the homeless shelter contribution.

Ms. Greenwood replied that contribution is mandated by the State. Every city in the State of Utah that does not have a homeless shelter in its boundaries is required to contribute to a fund to help pay for the homeless shelters that do exist. The RDA's payment is about $84,000 per year and can be paid with housing restricted funds.

The public hearing was open for public comments. Ms. Greenwood noted that no comments were received and the public hearing was closed

MOTION: Mr. Cox moved to approve the Redevelopment Agency of Murray City's Fiscal Year 2020-2021 Budget. The motion was SECONDED by Ms. Turner.

<u>RDA roll call vote:</u>
Ms. Martinez Aye
Mr. Cox Aye
Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hales Aye

Motion Passed 5-0

4. Discussion and decision on preliminary terms for a participation and development agreement for the Jesse Knight Ore Sampling Mill project *(Presenter: Melinda Greenwood)*
(See Attachment 2 for slides used during this presentation)

Ms. Greenwood said that Bart Warner, Ken Merrell and David Baird were online representing this project. This project is located at 5510 South 300 West and was formally used as an ore sampling smelter site. The site has been abandoned for about 70 years. Mr. Warner and his group would like to renovate the concrete shell on the site and convert it into an office space. The estimated value of the project is $9,000,000. The development impediment that exists on this site is contaminated soil. There is lead, arsenic and radium in the soil. They are asking the RDA for $2,500,000 which would provide enough funding to remediate the site in its entirety. They are not interested in having an on-site repository, they want to completely

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remediate and clean the site. This Community Reinvestment Area (CRA) is projected to produce $7,331,596 in TIF over the next 20 years. Their project, valued at $9,000,000, would produce $1,974,612 in TIF. The additional funding their project would not generate on its own would be $525,000.

In 2017, the project team received a Conditional Use Permit from the Planning Commission. They have already expended a lot of money and energy cleaning up the site. They have had conversations with the Utah State Department of Environmental Quality (DEQ) about what is needed to clean up the site. Staff is recommending the RDA Board to tentatively approve pursuing a development agreement with B.C. Warner Investment Company with the preliminary terms of TIF funding in the amount of $2,500,000 to be used to reimburse for contamination remediation with a cleanup process approved by the DEQ.

Bart Warner said he is trying to make this building a memorial to Jesse Knight. The project has gone from being a larger building with a secondary building to one building that will be about 45,000 square feet. Some of the people that were interested in participating with this project have come and gone over the last few years. The nature of office buildings has changed. The focus of this project will be for people who want a unique office with a story behind it.

Mr. Warner said Ken Merrell found a way to do Bevill exemption, which one of the major environmental companies thought was impossible. That will bring the cost of dumping from $100 per ton to $25 per ton. He also found a place in Boise, Idaho, that may be able to take the radium. The group is hoping for a development agreement so they understand what they are going to do as they move forward with this project.

Ms. Greenwood said she has spoken with the RDA Board members over the last couple of weeks and given them information about this location and the background about this project. She also explained the Bevill exemption and how it will save the project money.

Ms. Greenwood said the Ore Sampling Mill sits on the doorstep of Murray City. It is highly visible from I-15 and to have it transformed into something useable will be a great asset to the City and community.

Ms. Turner said she thinks this is a wonderful project and is looking forward to it being done. She is concerned about the TIF. She asked Ms. Greenwood how the TIF will work in the development agreement and if a specific amount of TIF would need to be stated in the agreement.

Ms. Greenwood stated those points would be worked out during the next step of drafting a development agreement. She anticipated the development agreement would state a “not to exceed” amount. There would be some accountability built into the agreement where the group would need to submit proof of their expenditures before they are reimbursed. The total project is currently valued at $9,000,000. Their project itself would produce just under

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$2,000,000 in additional revenue through the TIF. They would need an additional $500,000 that would come out of the remainder of the project area to go towards cleanup costs.

Mr. Warner said he had no idea there was radium on the site. The project had gone pretty far before the radium was discovered under the railroad tracks. He doesn't want to continue with the project if the site is not cleaned. He has spent close to $1,000,000 cleaning up the site already. If the total cost to clean the site is $2,500,000, he would be happy.

Ms. Martinez said she is excited to see this site developed and is glad the developers want to do a full remediation of the site so it will be clean in the future.

Mr. Cox asked about the timetable of the project and what other developments there will be once this project moves forward.

Mr. Merrell said as soon as Mr. Warner gives him the go ahead, his group will start preparing to excavate the contaminated material and separate them onsite. The material will have to be retested to make sure the radium is separated from the lead and arsenic and the lead and arsenic does not contain more radium than is allowed for the landfill site. Once all the processes are done, they can start to export the material, but that probably won't happen before fall. The timing of this project depends on the development agreement and meeting any other state requirements. Because of that, it's hard for him to give an accurate timetable.

Ms. Greenwood said typically it takes about six months to negotiate a development agreement. If this site is ever going to be developed, it will need to be cleaned up. One of the reasons Mr. Warner wants to fully remediate the site is because he does not want any ongoing monitoring.

Mr. Warner said if it takes six months to get a development agreement, that sets his project back. He has an option to buy this property within a year, but if the property cannot be cleaned up by then, that creates a problem for him.

Ms. Greenwood replied timing depends on how much back and forth goes on between each party.

Mr. Critchfield said the RDA Board is not agreeing to commit $2,500,000 to this project tonight. They are agreeing to pursue a development agreement with a proposal from the developer of $2,500,000.

Mr. Hales said the RDA Board is grateful to Mr. Warner and his group for putting an interest in this project. He said the RDA Board would like this project to move forward. They would like staff to start working on a development agreement for this project.

Mr. Warner reiterated his concerns about a development agreement taking six months.

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Mayor Camp said if the RDA Board gives the direction to move forward with a development agreement, staff will work diligently to expedite the process and get the development agreement back to the RDA Board for approval.

Mr. Baird said they have lost a lot of time on this project and time is running out. They will commit to being responsive during the negotiations of the development agreement. He asked that Murray City do the same.

Mr. Merrell said it sounds like there was some hesitancy about the RDA Board committing $2,500,000 to this project. There doesn't seem to be other projects in this TIF that are pressing to gain any funds. It's possible the funds will not be used if they are not used for this project.

Mr. Warner said he has no doubt that it will cost at least $2,500,000 to cleanup the site. He wants to ensure the RDA Board is committed to that amount of money.

Mr. Hales said he understands Mr. Warner's concern. He asked the RDA Board if they were hesitant to move forward with the development agreement as it was presented.

Ms. Dominguez said she thinks the project should move forward. She feels Mr. Warner and his group are the right fit for this project. The RDA Board wants to ensure they are being transparent to the citizens. She is comfortable with the project moving forward.

Ms. Turner said she is supportive of this project as well.

Mr. Cox said he supports this project too. He thinks if this project doesn't move forward, nothing will get done at that site.

Ms. Martinez said any development that goes on is positive. She also feels Mr. Warner is a good fit for this project.

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)*

Mayor Camp said Michael Todd, Desert Star Theater, would like to expand his theater. The roadblock has to do with the utilities that are in the area.

Mr. Todd said he and his wife started Desert Star Playhouse 31 years ago as a community service. Desert Star is both a theater and a banquet center. It is the only for-profit theater that operates year-round in the State of Utah, meaning they are the only theater that pays sales tax. He owns the building where Desert Star is located and they work hard at portraying the small community theater they have become known as.

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Mr. Todd said Desert Star needs to grow or they will die. In order to survive is what is becoming to be known as the "new normal", they must grow. He is requesting to relocate some overhead powerlines and an approximately 100-year-old sewer line.

Mr. Todd said that the front of his building is nice, but the back of the building is not. They would like to renovate their parking lot as well at their theater. The proposal is to tear down the existing theater and rebuild a theater in its place, extending out into the parking lot. He showed a map of the sewer and overhead powerlines that he would like help relocating. If they are not relocated, the new building will be built on top of the sewer and through the powerlines. He said his request is simple; he would like assistance with the utility relocation.

Mayor Camp asked if the RDA Board was comfortable enough to support this project and give Mr. Todd some comfort in moving forward. Mr. Todd would be asking for some TIF money to be used to relocate the utilities. The sewer line is scheduled to be relined this year, so this is a good time for this request. It would cost about $250,000 to move the powerlines and about $370,000 to move the sewer.

Ms. Turner said her concern is parking. Where is the parking coming from?

Mr. Todd said currently, they have more parking than they need. He doesn't think parking will be an issue in the future with the small number of stalls they will lose for the new building.

Ms. Turner asked for the numbers that indicate that.

Mr. Todd said he didn't have those, but he could get them.

Ms. Dominguez asked how many seats are in the theater now and how many would there be after the remodel. She knows the parking lot is not always packed when the theater is full. Her concern is how the traffic could impact the neighborhood that surrounds the theater.

Mr. Todd replied they currently have 250 seats. He said they are doubling their occupancy, but they are primarily doing it because their mode of operation is "pack them in tight." That is the typical theater mantra. "Pack them in tight" is a thing of the past. They are primarily trying to loosen their theater up. They don't want 500 people in their theater, they want to loosen their density. Regardless of whether they put in 500 or 250 people, they have 31 years of history with their guests mostly exiting out onto 4800 South or State Street, not onto Center Street.

Ms. Dominguez said she knows the theater patrons use Division Lane. The problem for her constituents in the neighborhood is that expanding the theater will add additional traffic. She thinks looking at the possibility of closing off Division Lane would be a good idea.

Mr. Todd replied he would be happy to close the access to Center Street from the theater. It has been the City that has required it to remain open.

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Mayor Camp said Desert Star will have to meet the parking requirements as part of the approval process so it's not likely they will be able to build the theater without having adequate parking. Things like that are addressed at the Planning Commission.

Ms. Martinez said she feels comfortable with this project. As long as the density and traffic issues are worked out, she supports this project moving forward.

Ms. Turner said she thinks this is a great idea, but she would like a little more information on the parking issues before supporting it.

Mr. Cox agreed with Ms. Turner. He would like some additional information presented at the next RDA meeting.

Mr. Hales told Ms. Greenwood to plan on bringing this forward at the next RDA meeting.

6. Presentation of the 2019 Smelter Site Overlay District Annual Report *(Presenter: Jay Baughman)*

   This item was postponed.

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)*
   (See Attachment 3 for slides used during this presentation)

   Mr. Stokes said he provided an update on the Murray Fraternal Order of Eagles (FOE) during the May 19, 2020 RDA meeting. This process has moved quick with the Murray FOE. Their members voted and approved the terms of the property agreement on May 28, 2020. They were able to get this to the Grand Aerie for final approval on June 6, 2020. The Murray Aerie are in agreement with the terms in the agreement. Mr. Stokes reviewed the terms in the agreement and explained what property is being exchanged. When everything is done, the RDA will convey the Hanauer Street alignment to the City and the City will move forward with construction.

   MOTION: Ms. Dominguez moved to approve the conveyance of property located at approximately 28 East 4th Avenue to Murray Aerie No. 1760, Fraternal Order of the Eagles ("FOE"). The motion was SECONDED by Mr. Cox.

   <u>RDA roll call vote:</u>
   Ms. Martinez Aye
   Mr. Cox Aye

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Ms. Dominguez Aye
Ms. Turner Aye
Mr. Hales Aye

Motion Passed 5-0

8. Project Updates

Ms. Greenwood said questions for the State Street RFP were due last week. She's hoping to receive at least three proposals. The RFP closes on July 10, 2020. She and her staff will be working with the RDA Chair and Vice Chair to put together a selection committee.

The meeting was adjourned at 6:27 p.m.

_____
Jennifer Kennedy, City Recorder

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Attachment 1

Public Hearing: FY20-21 Budget

$3,421,111 (total expenditure)

- Bond payments
- Tax Year 2020 TIF Payments
- Homeless Shelter Contribution
- Construction of 4250 South in Fireclay
- Affordable housing services (NeighborWorks)
- Property cleanup
- Professional Services
- Salary and administration

Attachment 2

Jesse Knight Ore Sampling Mill

Jesse Knight Ore Sampling Mill

Project Name:	Jesse Knight Ore Sampling Mill
Company:	B.C. Warner Investments
Project Address:	5510 South 300 West Murray, UT 84107
Project Type:	Renovation of shell and new building construction
Project Value:	$9,000,000
Development Impediment:	Contaminated soils (heavy metals and radium)
CRA Project Area:	Ore Sampling Mill
TIF Funding Request:	**$2,500,000**

Jesse Knight Ore Sampling Mill

CRA TIF (20 years)
- $7,331,596

Project TIF (at $9,000,000 value)
- Request $2,500,000
- $1,974,612

Non-Project TIF
- $525,000

Jesse Knight Ore Sampling Mill

Recommended Motion

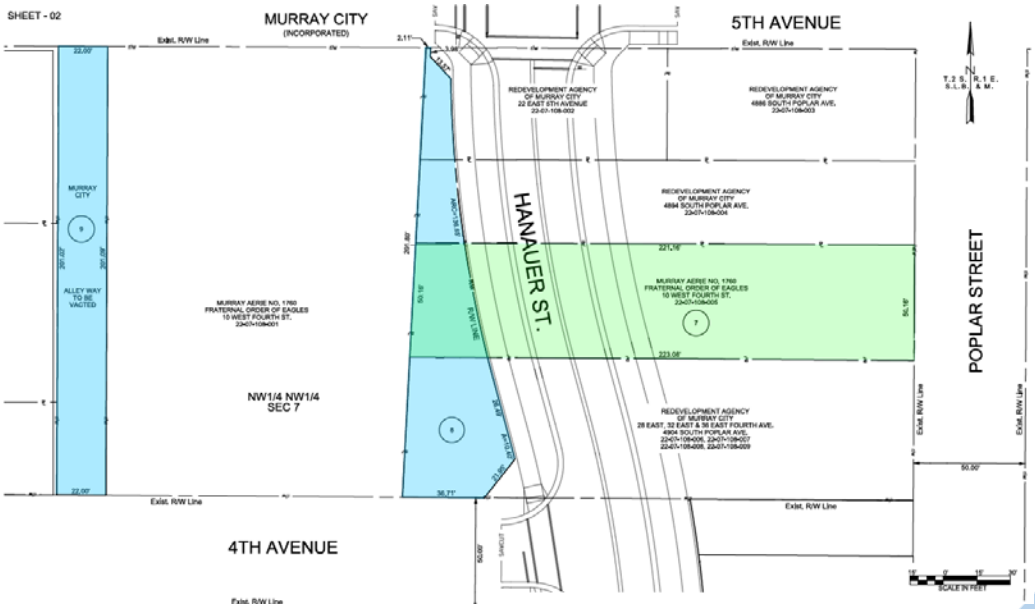
Staff recommends a motion of approval for pursuing a development agreement with B.C. Warner Investment Company with the preliminary terms of TIF funding in the amount of $2,500,000 dollars to be used to reimburse for contamination remediation with a cleanup process approved by Utah State Department of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

Attachment 3

FOE Property Conveyance

FOE Property Conveyance

FOE Property Conveyance



FOE Parking

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:	**July 21, 2020**
RE:	**Agenda Item #3 – Discussion and Consideration of a Resolution of the Redevelopment Agency of Murray City Approving and Authorizing a Participation Agreement with TMB Limited Company, DBA BCW Capital for Tax Increment Reimbursement for the Development and Operation of a Professional Office Development and Entrepreneurial Center in the Ore Sampling Mill Community Reinvestment Area for the Property Located at 5510 South 300 West**

At the June 16, 2020 RDA meeting, staff presented the RDA Board with a TIF funding request from B.C. Warner Investment Company, who is interested in developing the Ore Sampling Mill site, located at 5510 South 300 West. Mr. Warner intends to retrofit the existing concrete structure into a modern-day office park. However, the site contains heavy soil contamination (lead, arsenic and radium) and costs for cleaning up the site are a significant barrier to development. The Warner group is estimating the total cleanup costs of the site will be $2,500,000 and are requesting the same amount in TIF reimbursement to offset environmental cleanup costs.

After a lengthy discussion at the RDA meeting last month, the RDA Board gave staff direction to move forward with drafting a development agreement to bring back to the Board for formal approval. That task has been accomplished and the applicant is requesting formal approval of the participation agreement as presented to you today.

Rendering from 2017 Conditional Use Permit Application.

Specific points to highlight from the development agreement include:

- Clean-up process must be approved by Utah State Department of Environmental Quality
- Reimbursement will occur post-performance after project is completed and generating property tax
- Reimbursement will be capped at $2,500,000
- Reimbursement will be contingent on submission of adequate documentation of expenses

At the time the meeting packet was distributed, the draft agreement was in review by the applicant. When we receive comments back from the Warner group and have a final draft agreement established, we will send that to the RDA Board.

Recommended Motion

Staff recommends a motion of approval for the resolution Authorizing a Participation Agreement with TMB Limited Company, DBA BCW Capital for Tax Increment Reimbursement for the Development and Operation of a Professional Office Development and Entrepreneurial Center in the Ore Sampling Mill Community Reinvestment Area for the Property Located at 5510 South 300 West.

Attachments:

1. Draft resolution

RESOLUTION NO. _____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF MURRAY CITY APPROVING AND AUTHORIZING A PARTICIPATION AGREEMENT WITH TMB LIMITED COMPANY, DBA BCW CAPITAL FOR TAX INCREMENT REIMBURSEMENT FOR THE DEVELOPMENT AND OPERATION OF A PROFESSIONAL OFFICE DEVELOPMENT AND ENTREPRENEURIAL CENTER IN THE ORE SAMPLING MILL COMMUNITY REINVESTMENT PROJECT AREA.

WHEREAS, the Redevelopment Agency of Murray City (the "Agency") was created to exercise the powers provided for in Title 17C (17C-1-101 et seq.), Utah Code Annotated, as amended, Limited Purpose Local Government Entities-Community Development and Renewal Agencies (the "Act") including providing tax increment financing to development activities that enhance the value of the taxable real property in project areas and benefit the City; and

WHEREAS, to promote development and redevelopment which would not otherwise occur solely through private investment in the reasonably foreseeable future, Agency approved the Murray City Ore Sampling Mill Community Reinvestment Project Area ("Project Area") on November 14, 2017; and

WHEREAS, the Board of Directors of the Agency wants to encourage redevelopment within the Project Area; and

WHEREAS, TMB Limited Company, DBA BCW Capital ("Participant") intends to purchase and develop approximately 3.11 acres of land ("Site") located in the Project Area at approximately 5510 and 5534 South 300 West in Murray, Salt Lake County, Utah; and

WHEREAS, Agency and Participant believe that development of the Site will provide financial and economic benefits to the community; and

WHEREAS, a significant component of the development of the Site is the remediation of environmental conditions that require remediation as a condition for current or future use or development

WHEREAS, Participant, with oversight from the Utah Department of Environmental Quality, will adopt a Site Management Plan that outlines the means, methods and materials that are required for the development of the Site as a result of the Site's environmental characteristics; and

WHEREAS, the means, methods and materials outlined in the Site Management Plan will increase the cost to develop the Site; and

WHEREAS, Participant intends to build a high-quality professional office development and entrepreneurial center project that will provide neighborhood enhancement through the development of the Site; and

WHEREAS, Participant has requested that specific costs resulting from the requirements of the Site Management Plan be reimbursed by the Agency with tax increment; and

WHEREAS, the Agency supports the Participant's intent to develop the Site and is willing to provide a tax increment reimbursement to the Participant for approved costs subject to the terms of a Participation Agreement; and

WHEREAS, Agency and Participant agree that the maximum reimbursement amount shall not exceed Two Million Five Hundred Thousand Dollars ($2,500,000); and

WHEREAS, the Board of Directors of the Agency and the Participant desire to enter into a Participation Agreement that establishes the terms and conditions through which Participant will be reimbursed.

NOW THEREFORE BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF MURRAY CITY, as follows:

1. It hereby approves the Participation Agreement between the Redevelopment Agency of Murray City and TMB Limited Company, DBA BCW Capital for tax increment reimbursement for approved costs in substantially the form attached hereto.

2. The Participation Agreement is in the best interest of the community.

3. Executive Director D. Blair Camp is hereby authorized to execute the Participation Agreement and act in accordance with its terms. Any material change in the terms of the Agreement must be approved in advance by the Board of Directors of the Agency.

4. This Resolution shall take effect immediately upon passage.

DATED this ____ day of _____, 2020.

REDEVELOPMENT AGENCY OF MURRAY CITY

_____

Brett A. Hales, Chair

ATTEST

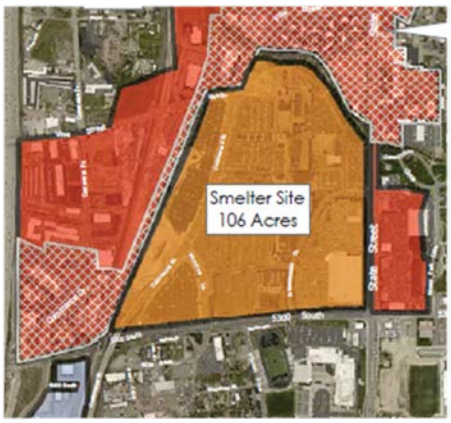
_____

Jennifer Kennedy, City Recorder

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:	**July 21, 2020**
RE:	**Agenda Item #4 – Presentation on 2019 Smelter Site Overlay District Annual 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.



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

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.

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

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Melinda Greenwood, Director
Building Division 801-270-2400
Planning Division 801-270-2420

May 22, 2020

Michael Storck
State Project Manager
UDEQ
195 N 1950 W
Salt Lake City, UT 84116

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.

Murray City Smelter Site Overlay District.

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.

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)*
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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.

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  The following photos were taken during the project:

MURRAY CITY INFRASTRUCTURE AND UTILITIES

MURRAY CITY STORM DRAIN AND PAVEMENT EVALUATION

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UPCOMING PROJECTS IN 2020

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- 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

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

Attachments:

A: Permit #2000408 - Costco Freezer Upgrade Report
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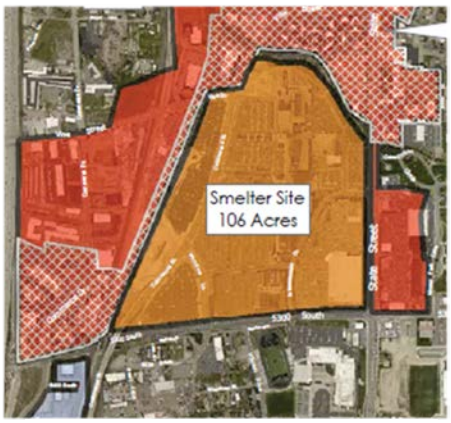
THE REDEVELOPMENT AGENCY OF MURRAY CITY

TO:	**RDA Board**
THROUGH:	**Mayor Blair Camp, RDA Executive Director**
FROM:	**Melinda Greenwood, RDA Deputy Executive Director**
MEETING DATE:	**July 21, 2020**
RE:	**Agenda Item #4 – Presentation on 2019 Smelter Site Overlay District Annual 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.



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

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.

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

MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Melinda Greenwood, Director
Building Division 801-270-2400
Planning Division 801-270-2420

May 22, 2020

Michael Storck
State Project Manager
UDEQ
195 N 1950 W
Salt Lake City, UT 84116

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.

Murray City Smelter Site Overlay District.

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.

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.

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