



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 3:15 p.m., Tuesday, August 25, 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

3:15 p.m., Tuesday, August 25, 2020

1. Approval of RDA Meeting Minutes
 - a. July 21, 2020
 - b. July 31, 2020
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 Adopting Amended and Restated Bylaws (*Presenter: Melinda Greenwood*)
4. 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 August 14, 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, July 21, 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 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.

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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

Jennifer Heaps, Chief Communications Officer

G.L. Critchfield, City Attorney

Kim Sorensen, Parks and Recreation Director

Jay Baughman, Economic Development Specialist

Citizens

Mr. Hales called the meeting to order at 3:30 p.m.

1. Approval of the June 16, 2020 RDA meeting minutes

MOTION: Ms. Turner moved to approve the minutes from the June 16, 2020 RDA meeting. The motion was SECONDED by Ms. Dominguez.

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. 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)

See Attachment 1 for slides used during this presentation.

Ms. Greenwood said this project has been four years in the making. The applicant would like to change the LLC that the agreement will be with. He wants to create a new entity, Jessie Knight Legacy Center, LLC.

One of the ways to make this project feasible was to subdivide the property and leave the north part of the property out of the project. Doing that reduces remediation costs. The applicant intends to finish cleaning up the site and then construct a 40,000 to 50,000 square foot building for office space. That is a little bit smaller than what was intended back in 2017, but the building has to be a smaller square footage because without the north end of the parcel, there is not enough parking to accommodate a larger building.

There will be some changes with the conditional use permit coming forward that will go through the Planning Commission rather than the RDA Board which is the normal process of a conditional use permit. When the conditional use permit gets amended or approved, it will automatically become an amendment to this agreement. There is a cap on the reimbursement of \$2,500,000. The applicant would like the reimbursement to be retroactive to include the money they have already spent. They have done a lot of cleanup on the site and have spent approximately \$1,000,000 on cleanup already. They believe it will cost an additional \$1,500,000 in remediation costs. They are asking for administrative costs of 8% although the agreement the RDA Board received shows administrative costs at 4%. The insurance cost on a project with radioactive material is a lot higher, which is why they have asked that the administrative cost to be 8%. Ms. Greenwood said contractors typically markup administrative costs on agreements between 5% and 8%.

All requests for reimbursement need to come to the City with reasonable documentation. The agreement includes a remediation process in case there is a dispute between the City and Ore Sampling Mill about what reasonable is, what the documentation contains or what a valid expense is.

Ms. Turner said she is concerned with doubling the administrative cost from 4% to 8%. She would be okay with 5% or 6% but she feels 8% is too high.

Mr. Cox said this seems like regressive bargaining. Last month, the agreement was for \$2,500,000 additional to help with cleanup. Now it seems like they are going to take \$1,000,000 of that \$2,500,000, repay the developer for site prep, and leave \$1,500,000 to continue on with site prep and environmental cleanup. Unless he missed something, he doesn't feel like this was the direction they were heading in last month.

Ms. Greenwood replied her understanding has always been that the total expenses, including what the developer had already spent, would be \$2,500,000. The developer has spent about \$1,000,000 and they feel like they will spend another \$1,500,000 to cleanup the site. She apologized for any miscommunication.

Mr. Hales said he is concerned about paying the developer up front.

Ms. Greenwood said in the end, it is \$2,500,000. No reimbursement would be paid until the increment is actually generated. The difference is the developer is asking for reimbursement for funding they have already spent. After the developer received their conditional use permit, they went ahead and started cleaning up the site with the understanding that a development agreement would be coming.

Mr. Cox asked the RDA Board if they understood that they were giving back \$1,000,000 and going forward with \$1,500,000.

Mr. Hales said he did not understand it. He asked Ms. Greenwood to help him understand the benefit of paying the developer \$1,000,000 for costs they have already incurred and paying them \$1,500,000 later. He doesn't want the City to pay money upfront when that wasn't the original agreement.

Ms. Greenwood said the City would not reimburse any money until after a project is on the books, collecting property tax and has a certificate of occupancy. Even if the developer went forward and cleaned the site but never constructed a building, they wouldn't get any reimbursement. It's the building getting on the property tax rolls that triggers the reimbursement.

Ms. Dominguez said in terms of site cleanup, Ken Merrill's company has determined this site to be clean. However, last week, the plan was to have an environmental firm come in to determine how much more cleanup was needed. This feels fast to her and it seems like there are missing components.

Mayor Camp said the fact is that the city is offering up to a maximum of \$2,500,000 in Tax Increment Financing (TIF) reimbursement and none of that is going out now. The only thing being clarified is that money the developer has previously spent on cleanup becomes eligible

towards that \$2,500,000. If the cleanup amount goes to \$3,000,000 or \$3,500,000, that doesn't change the cap on the agreement. This is not an additional \$1,000,000. It's included in the \$2,500,000 and the money is not going to the developer upfront, it is reimbursement for the TIF.

Ms. Turner asked Mayor Camp if the developer can say the TIF reimbursement needs to be increased.

Mayor Camp responded under this agreement the answer would be no because the City is only agreeing to pay up to \$2,500,000 and this is only if the project generates that amount in TIF.

Bart Warner reiterated that this project has been going on for four years and they have tried to be as upfront as they can with everything. When they started this project there was junk and trash everywhere. The area was contaminated. The City worked with Terracon and there has been a lot of environmental cleanup on the property already. It was estimated that it would cost \$2,000,000 to clean the site up. The City was going to give them a lease agreement on the service access road which would allow them to put another building on the site, but then there was radium was discovered on the site. Mr. Warner is hoping that the radium that is left on the property can be cleaned up for \$500,000 to \$700,000. He explained it will be easy for them to show how much money they have already spent on this property. He hopes the RDA Board will look back at the history of the site to see how much work has been done.

Mr. Warner explained that Mr. Merrill has engaged another company with employees that used to work with the Department of Environmental Quality (DEQ) to ensure no steps are missed during the site cleanup. This has been a difficult project and a lot has been done to get it to this point. He said the only reason he is asking for \$2,500,000 instead of \$2,000,000 is because he knows it will cost at least \$500,000 to get rid of the radium.

Ms. Martinez said as long as the \$2,500,000 is spent on cleaning up the property, and is no more than that amount, she isn't concerned on whether the reimbursement is for costs incurred before the agreement or after. She felt that doubling the administrative cost from 4% to 8% was excessive. She would like to see that cost stay around 5% or 6%. She asked what that percentage means as far as dollars.

Ms. Greenwood said each percent is \$25,000. At 4%, the administrative costs would be \$100,000.

Ms. Greenwood said there is a distinction between the environmental cleanup versus the site cleanup. The reason cleaning up sites like this is expensive is because the state requires employees who do it to get intensive hazardous training. Environmental remediation is separate from taking away regular garbage. The \$2,500,000 is for a combination of regular and environmental cleanup.

Mr. Merrill said there has been a lot of environmental cleanup done at this site. The basement of the building had 35 feet of water in it and they didn't know what was in the water. They had to make sure there was no contamination in that water as they got rid of it.

David Bard said the agreement they have been trying to secure with the City has always been for a long-term rebate of TIF, not an immediate reimbursement. An appropriate use of TIF is to remove the development impediments that encumber a site. This site has seven out of seven blight characteristics and the things they are asking reimbursement for directly address those seven items.

Ms. Dominguez asked how the \$2,500,000 was determined to be the cost to cleanup this site

Ms. Greenwood said the amount is a combination of what they have already spent and Mr. Merrill's estimates on hauling material away.

Mr. Hales asked if there was a time limit for this project.

Mayor Camp said this project has to be completed within five years.

Ms. Greenwood said whether the administrative cost is 4% or 8%, it comes out of the \$2,500,000. If the developer only spends \$2,300,000 on this project, then they would receive the entire administrative cost if it was changed to 8%.

Ms. Dominguez asked if there was anything in the agreement that prohibits the developer from asking for more money.

Ms. Greenwood said it's always a possibility that a developer could ask the City for more money. However, just because there is a request doesn't mean the RDA Board would have to approve it.

MOTION: Ms. Dominguez moved to have a special RDA meeting to discuss the Ore Sampling Mill project on July 31, 2020. The motion was SECONDED by Mr. Cox.

RDA roll call vote:

Ms. Martinez Aye

Mr. Cox Aye

Ms. Dominguez Aye

Ms. Turner Aye

Mr. Hales Aye

Motion Passed 5-0

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

See Attachment 2 for slides used during this presentation.

Mr. Baughman said the City manages and has reporting oversite for the Smelter Overlay District. The area encompasses the Intermountain Medical Center (IMC) complex, Costco, and the Utah Transit Authority (UTA) Park and Ride up to the police training center. There are high amounts of lead and arsenic in the area and it is important for the City to keep the site cleaned and keep the contaminants from the public. There has been a cap placed over the contaminants that needs to be maintained. The City sends an annual report to the Utah DEQ and the Environmental Protection Agency (EPA). IMC, Costco, and UTA send report of their monitoring to the City and we compile that information to the DEQ and EPA. The report was done in May 2020.

Projects that were done in this area last year include: lighting on IMC walking path, IMC parking lot access gates, IMC sanitary sewer relocation, Costco freezer upgrade, UTA underground fiber optic install, storm drain monitoring, and concrete and asphalt sealing. The City receives reports from the companies that did those projects and ensures the projects were done correctly. Those reports are contained in the report the City sends to the DEQ and EPA.

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

There were no project updates.

The meeting was adjourned at 4:40 p.m.

Jennifer Kennedy, City Recorder

Attachment 1

Ore Sampling Mill Development Agreement

Key Points

- Jessie Knight Legacy Center, LLC
- Intention of subdividing property and 40-50,000 s.f. building
- Maximum of \$2,500,000 reimbursement
 - Previous clean-up and site prep (~\$1M)
 - Environmental remediation (~\$1.5M)
- Administrative costs – 8%
- Reasonable documentation for reimbursement



Attachment 2

Smelter Site Overlay District (SSOD)

Murray City Code Chapter 17.25

106 acre district bordered by

- State Street
- 5300 South
- Southern Pacific Railroad Tracks
- Little Cottonwood Creek

Superfund site

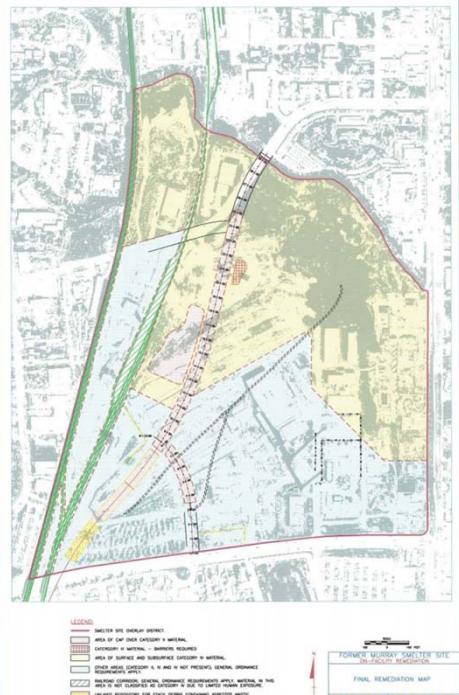
- High amounts of lead and arsenic
- Requires regular inspection and maintenance of contaminant barriers



Murray City Code Chapter 17.25.090

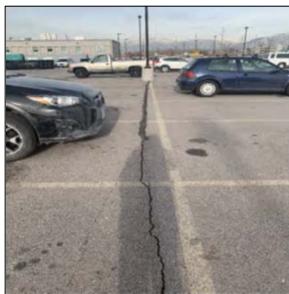
Annual Inspection and Enforcement Report

- CED Staff prepare an annual report to Utah Department of Environmental Quality (UDEQ) and Federal Environmental Protection Agency (EPA)
- Report on:
 - Status of the various contaminant barriers in the District
 - Intermountain Healthcare (IHC/IMC)
 - Costco
 - Utah Transit Authority (UTA)
 - Murray City
 - Work done over the last year that impacted the barriers



2019 SSOD Projects and Monitoring

- Lighting on IMC Walking Path
- IMC Parking Lot Access Gates
- IMC Sanitary Sewer Relocation
- Costco Freezer Upgrade
- UTA Underground Fiber Optic Install
- Storm Drain Monitoring
- Concrete and Asphalt Sealing



The Redevelopment Agency of Murray City met on Friday, July 31, 2020 at 1:00 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 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.

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RDA Board Members

Brett Hales, Chair

Dale Cox, Vice Chair

Kat Martinez

Rosalba Dominguez

Diane Turner

Others in Attendance

Melinda Greenwood, RDA Deputy Executive Director

Janet Lopez, City Council Executive Director

Jennifer Kennedy, City Recorder

Doug Hill, Chief Administrative Officer

Jennifer Heaps, Chief Communications Officer

Briant Farnsworth, Deputy City Attorney

G. L. Critchfield, City Attorney

Jay Baughman, Economic Development Specialist

Citizens

Mr. Hales called the meeting to order at 1:00 p.m.

1. Citizen Comments

No citizen comments were given.

2. Discussion and Consideration of a Resolution of the Redevelopment Agency of Murray City Approving and Authorizing a Participation Agreement with Jessie Knight Legacy Center, LLC for Tax Increment Reimbursement up to \$2,500,000 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*)

See Attachment 1 for slides used during this presentation

Ms. Greenwood said the maximum amount of reimbursement for this project would be \$2,500,000. That includes about \$1,000,000 of site clearing and environmental cleanup the group has already done as well as an estimated \$1,500,000 for future environmental remediation. The administrative cost has been changed to 6%. That is the equivalent of \$150,000 which is included as part of the \$2,500,000. The reimbursement will be post performance, after occupancy and property taxes have been paid. Reasonable documentation will be required for the reimbursement. Staff is recommending the RDA Board approve the Participation Agreement.

MOTION: Ms. Dominguez moved to approve a Resolution of the Redevelopment Agency of Murray City Approving and Authorizing a Participation Agreement with Jessie Knight Legacy Center, LLC for Tax Increment Reimbursement up to \$2,500,000 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. The motion was SECONDED by Ms. Cox.

RDA roll call vote:

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

Motion Passed 5-0

3. Project Updates

Ms. Greenwood said the City used the Brownfields Grant to do an environmental assessment on the Think Architecture site. Phase I and Phase II are complete. A purchase and sales agreement as well as a development agreement should be forthcoming.

The City received six proposals were received for the RFP for 4800 South and State Street. A kick-off meeting with the review committee is scheduled for August 11, 2020.

Bart Warner and David Baird thanked the RDA Board for their support.

The meeting was adjourned at 1:16 p.m.

Attachment 1

Jesse Knight Legacy Center

TIF Participation and Development Agreement

Key Points

- Maximum of \$2,500,000 reimbursement
 - Previous clean-up and site prep (~\$1M)
 - Future environmental remediation (~\$1.5M)
- Administrative costs – 6%
 - \$150,000 (included in the \$2,500,000)
- Reimbursement
 - Post-performance (after occupancy and property taxes have been paid)
 - Reasonable documentation for reimbursement

Jesse Knight Legacy Center

TIF Participation and Development Agreement

Recommended Motion

Staff recommends approval of the resolution Authorizing a Participation Agreement with Jesse Knight Legacy Center, LLC for Tax Increment Reimbursement up to \$2,500,000 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.



TO: RDA Board

THROUGH: Mayor Blair Camp, RDA Executive Director

FROM: Melinda Greenwood, RDA Deputy Executive Director

MEETING DATE: August 25, 2020

RE: **Agenda Item #3 – Discussion and Consideration of a Resolution of the
Redevelopment Agency of Murray City Adopting Amended and Restated Bylaws**

The first step in a process of updating and implementing policies for the RDA Board is to ensure the bylaws are up to date with current practice. The RDA initially approved bylaws in 1982 and they were amended in December of 1990.

Bylaws are general policies which guide the governance of the RDA. With a council-mayor form of government, RDA bylaws should be consistent with the rules governing council-mayor form of government. The bylaws have been updated to reflect existing practices and timelines and are presented to the Board for discussion and approval.

Recommended Motion

Staff recommends a motion of approval of the resolution of the Redevelopment Agency of Murray City adopting amended and restated bylaws.

Attachments:

1. Draft Bylaws of the Redevelopment Agency of Murray City
2. Draft resolution
3. Bylaws of the Redevelopment Agency of Murray City, 1982, As Amended December 18, 1990

THE REDEVELOPMENT AGENCY OF MURRAY CITY
BYLAWS

ARTICLE I
THE AGENCY

1.1 Name of Agency. The name of the Agency shall be the “Redevelopment Agency of Murray City” in accordance with Ordinance No. 435 adopted by the City Commission of Murray City, Utah, dated April 29, 1976.

1.2 Purpose of Agency. The purpose of the Agency is to provide Murray City residents a redevelopment plan and take action that will revitalize, upgrade and develop certain areas of the City with quality developments which are conducive to the long-range goals of the City.

1.3 Governing Board. The governing board of the Agency shall be known as the Board of Directors of the Redevelopment Agency of Murray City. The Board of Directors shall be composed of the five members of the City Council. Each member shall have one vote. All policy making powers of the Agency shall be exercised by the Board.

1.4 Executive Director. The Executive Director shall exercise all executive and administrative powers of the Agency.

1.5 Seal of Agency. The Agency shall have an official seal that the Board of Directors shall approve as to form and style.

1.6 Office of Agency. The offices of the Agency are the Murray City Offices, currently located at 5025 South State Street, Murray, Utah. The Board by resolution may designate another location within the Agency’s boundaries as the principal offices of the Agency. The Board may also from time to time designate other offices or locations for the carrying out of Agency business or for the holding of Agency meetings.

1.7 Fiscal Year of Agency. The fiscal year of the Agency shall begin on July 1st of each year and conclude on June 30th of the following year.

1.8 Annual Audit. The Agency shall cause an annual independent audit, in conjunction with the audit of Murray City, of the immediate past fiscal year financial transactions and operations to be completed in accordance with State law and professional auditing standards, requirements, and practices established for governmental entities.

1.9 Annual Budget. The Agency shall review and approve an annual budget in accordance with State law.

1.10 Required Reports. The Agency shall file any required reports with other agencies in accordance with State law.

1.11 Entity Registration. The Agency shall register with the Lieutenant Governor in accordance with State law. Annually thereafter, the agency shall renew its registration.

ARTICLE II BOARD MEMBERS

2.1 Board members. At the meetings of the Agency, any Board member may submit such recommendations and information regarding the agenda items as they may consider proper concerning the business, affairs, and policies of the Agency.

2.2 Additional Duties. The Officers and Board members of the Agency shall perform such other duties and functions as may from time to time be required by Board Resolution.

2.3 Reimbursement for Expenses. Board members shall serve without compensation but may be reimbursed for expenses incurred in carrying out their official responsibilities by the Agency.

2.4 Code of Conduct. Board members shall be governed by the Murray City Ethics and Standards of Conduct Ordinance, as amended, and any policies that the Board may adopt.

ARTICLE III BOARD OFFICERS

3.1 Officers. The officers of the Agency shall be individuals elected from the Board of Directors. The officers shall be a Chair and a Vice-Chair.

3.2 Election. The Chair and Vice-Chair shall be elected members of the Board of Directors at the organizational meeting, and thereafter, shall be elected at the first Regular Meeting in January. The Chair and Vice-Chair shall hold office for one year each, or until their successors are elected and begin their full term of service. In the event the Vice-Chair assumes the Chairship, pursuant to Section 3.4, or upon a vacancy in the office of Vice-Chair, the Board shall, at its next Regular Meeting elect a Vice-Chair who shall serve until the next election.

3.3 Chair. The Chair shall preside at all meetings of the Agency. These meetings shall consist of the following: The organizational meetings, the regular meetings, and special meetings. At each such meeting, the Chair may submit such recommendations and information as the Chair may consider proper concerning the business of the Agency.

3.4 Vice-Chair. The Vice-Chair of the Agency shall perform the duties of Chair in the temporary absence or incapacity of the Chair; in the case of the resignation, death, or other occurrence resulting in a vacancy, the Vice-Chair shall automatically become the Chair and shall fulfill the office of Chair for the unexpired portion of the term of that office.

3.5 Vacancies. Should both offices of Chair and Vice-Chair become vacant, the Board shall elect successors from among the member of the Board of Directors of the Agency at the next Regular meeting and such election shall be for the unexpired terms of these offices.

3.6 Executive Director. The Mayor of Murray City, or the Mayor's designee, is the Executive Director of the Agency. The Executive Director shall have general supervisory authority over the administrative and business affairs of the Agency. The Executive Director shall be responsible for carrying out the policies established by the Board and have general supervision over, and be responsible for, the performance of the day-to-day operations of the Agency. The Executive Director shall be responsible for preparing an annual budget for the Board's approval and shall be otherwise responsible for the Agency's fiscal operations. The Executive Director will negotiate contracts within budget appropriations or as otherwise directed by the Board. Except as otherwise specifically provided by resolution of the Board or in the Agency Policies and Procedures, the Executive Director shall sign all contracts, deeds, resolutions, orders, checks, and other instruments, after such documents have been properly prepared. The Executive Director shall implement the resolutions and other directives properly adopted or given by the Board. The Executive Director will regularly attend meetings of the Board. The Executive Director may delegate such duties to the Deputy Executive Director.

3.7 Deputy Executive Director. The Director of the Community & Economic Development Department of the City is the Deputy Executive Director. Any executive or administrative power of the Executive Director may be delegated to the Deputy Executive Director.

ARTICLE IV AGENCY OFFICERS

4.1 Secretary. The Secretary shall be the City Recorder of Murray City. The Secretary shall, under the general direction of the Executive Director, keep the official minutes and records of the Agency, shall act as the secretary for the meetings of the Agency and record all votes, shall keep a record of the proceedings of the Agency, shall keep the seal of the Agency, and shall have the power to affix such seal to all documents authorized to be executed by the Agency. The Assistant Secretary shall be the Deputy Recorder of Murray City.

4.2 Treasurer. The Treasurer shall be the Treasurer of Murray City. The Treasurer shall, under the general direction of the Executive Director, be responsible to ensure the proper care and custody of all funds of the Agency and shall ensure proper disbursement of and deposit of the funds in the name of the Agency.

4.3 Attorney. The City Attorney shall serve as legal counsel to the Agency. When appropriate, the services of legal specialists in redevelopment law may be utilized.

4.4 Financial Officer. The Financial Officer shall be the Director of Finance and Administrative Services for Murray City. The Financial Officer shall be responsible for

the financial affairs of the Agency including the preparation of the annual budget, financial reports, annual audits and any other financial affairs of the Agency.

4.5 Other Employees. The Agency administrative and operational needs shall be served by the Murray City staff whereby the City shall provide services, including but not limited to, accounting, public relations, purchasing, and general clerical services. The City shall be entitled to reimbursement for the cost of providing such services. The Agency also may hire, retain and engage such consultants, experts, and specialists as it deems appropriate.

ARTICLE V MEETINGS

5.1 Open Meetings. The Agency's meetings shall be open to the public except for closed door meetings as outlined in this Article.

5.2 Quorum. The powers of the Agency shall be vested in the Board of Directors of the Agency. Three members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Board of Directors upon a positive vote of the majority of those present.

5.3 Regular Meetings. The Regular Meeting of the Agency shall be held on the day or days designated by the Board of Directors and published beginning in January each year. The Board of Directors may, from time to time, change such regular meeting schedule and published notice. Official notice shall be given of the time and place of each meeting.

5.4 Special Meetings. The Chair may, or shall, upon written request of three members of the Board, or shall, upon the request of the Executive Director, call a special meeting of the Agency for the purpose of transacting any business deemed expedient. The notice for such special meeting shall be posted as required by Utah laws and each member of the Board and the Executive Director shall receive a copy of such notice of the meeting at the business or home of each at least 24 hours prior to the time of the meeting. At such special meeting no business shall be considered other than as designated in the noticed agenda.

5.5 Emergency Meetings. The Chair shall call an emergency meeting of the Board whenever the Chair deems it imperative for the Board to take emergency action on business affairs of the Agency.

5.6 Closed Meetings. Every meeting is open to the public, unless closed pursuant to Sections 52-4-204 and 52-4-205 of the Utah Code. A closed meeting may be held if a quorum is present and upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-202. No closed meeting is allowed except for purposes expressly allowed under Section 52-4-205; provided no ordinance, resolution, rule, regulation, contract, or appointment

shall be approved at a closed meeting. A record of closed meetings shall be created and maintained in accordance with Section 52-4-206 of the Utah Code, as amended.

5.7 Work Sessions. Work sessions are open informational meetings, where new items are introduced, or regular meeting agenda items are discussed for clarification prior to action. No formal action is scheduled or taken during a work session.

5.8 Meeting Information. At each meeting, the Board of Directors and the Executive Director, or designee, may submit such recommendations and information on an agenda item as they may consider proper concerning the business, affairs, and policies of the Agency.

5.9 Parliamentary Procedure. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Agency in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Agency may adopt. No action of the Board is to be deemed invalid or otherwise unlawful for failure to strictly comply with Robert's Rules of Order.

5.10 Agenda Preparation For Meetings. The agenda shall be prepared by the Chair with the assistance of the Executive Director. Board members desiring agenda items shall make their request to the Chair at least fourteen days before a meeting. A copy of the agenda and all supporting information available shall be provided to the Board at least seven days before the meeting. In the case of a Special or Emergency Meeting the agenda and supporting data will be provided as soon as it is available

5.11 Agenda Approval. The agenda shall be approved by the Chair.

5.12 Order of Business. At the Regular meetings of the Agency, the following may be the order of business:

- (a) Call to order.
- (b) Approval of Minutes.
- (c) Citizen Comment.
- (d) Scheduled Items.
- (e) Adjournment.

5.13 Official Book of Minutes and Resolutions. The Executive Director shall cause official Books of approved Minutes and Resolutions to be created and maintained. All Resolutions shall be in writing and designated by number.

ARTICLE VI AMENDMENTS OF THE BYLAWS

- 6.1 Amendments of the Agency Bylaws.** The Bylaws of the Agency may be amended by majority vote of the Board of Directors of the Agency at a regular or special meeting. All amendments and additions to the Bylaws shall be submitted to the Board in writing.
- 6.2 Review of Bylaws.** The Bylaws of the Agency shall be reviewed by the Board of Directors at least annually.

ARTICLE VII ADOPTION AND APPROVAL OF THE BYLAWS AND AMENDMENTS

Approval by the Agency. These Bylaws are effective immediately upon approval by Board resolution.

DATED this ____ day of _____, 2020.

ATTEST:

Brett D. Hales, Chair

Jennifer Kennedy, Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF MURRAY CITY
("RDA") ADOPTING AMENDED AND RESTATED BYLAWS

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; and

WHEREAS, the RDA Board of Directors ("Board") from time to time establishes, updates or modifies the Board's bylaws; and

WHEREAS, the bylaws were adopted in 1982 and amended by the Board on December 18, 1990; and

WHEREAS, Board wants to update, amend and restate its bylaws to clarify its internal operations;

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

1. It hereby approves and adopts the amended and restated bylaws of the Redevelopment Agency of Murray City, attached as Exhibit "A" and incorporated herein by reference.

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

Redevelopment Agency of Murray City

Brett A. Hales, Chair

ATTEST:

D. Blair Camp, Executive Director

EXHIBIT “A”

Amended and Restated Bylaws
of the Redevelopment Agency of Murray City

B Y L A W S O F
T H E R E D E V E L O P M E N T A G E N C Y
O F
M U R R A Y C I T Y , U T A H
1 9 8 2

(As Amended December 18, 1990)

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BYLAW APPROVAL SIGNATURES AREA

The Chairman of the Board of Directors Signature

The Vice-Chairman of the Board of Directors Signature

The Chief Administrative Officer's Signature

BYLAWS OF THE REDEVELOPMENT AGENCY OF MURRAY CITY, UTAH

ARTICLE I - THE AGENCY

Section 1. Name of Agency. The name of the Agency shall be the "Redevelopment Agency of Murray City", in accordance with a resolution adopted by the City Commission of Murray City, Utah, dated April 29, 1976.

Section 2. Purpose of the Agency. The purpose of the Agency is to provide residents of Murray a redevelopment plan of action that would revitalize and upgrade certain areas with quality developments which are conducive to long-range goals of the City.

Section 3. Governing Board. The governing board of the Agency shall be known as the Board of Directors of the Redevelopment Agency of Murray City. The Board of Directors shall be comprised of five persons who are members of the City Council of Murray City, Utah. The Board of Directors of the Redevelopment Agency of Murray City shall determine policy. Each member shall have one vote.

Section 4. Seal of Agency. The Agency shall have an official seal which the Board of Directors shall approve as to form and style.

Section 5. Office of Agency. The offices of the Agency shall be at such place in Murray, Utah, as the Agency may designate.

ARTICLE II - OFFICERS

Section 1. Officers. The officers of the Agency shall be individuals elected from the Board of Directors of the Redevelop

ment Agency of Murray. These officers shall be a Chairman and a Vice-Chairman.

Section 2. Election. The Chairman and Vice-Chairman shall be elected by members of the Board of Directors at the organization meeting, and thereafter, shall be elected at the first Regular Meeting in January. The Chairman and Vice-Chairman shall hold office for one year each, or until their successors are selected, and begin their full term of office. In the event the Vice-Chairman assumes the Chairmanship, as per Section 4, or upon the death or resignation of the Vice-Chairman, the Board shall, at its next Regular Meeting, elect a Vice-Chairman, who shall serve until the next election.

Section 3. Chairman. The Chairman shall preside at all meetings of the Agency. These meetings shall consist of the following: The organizational meetings, the regular meetings, and special meetings. At each such meeting, the Chairman may submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Agency.

Section 4. Vice-Chairman. The Vice-Chairman of the Agency shall perform the duties of the Chairman in the temporary absence or incapacity of the Chairman; in case of the resignation or death of the Chairman, the Vice-Chairman shall automatically become the Chairman and shall fulfill the office of Chairman for the unexpired portion of the term of that office.

Section 5. Additional Duties. The officers of the Agency shall perform such other duties and functions as may from time to

time be required by the Agency, the Bylaws or rules and regulations of the Agency.

Section 6. Vacancies. Should the offices of both Chairman and Vice-Chairman become vacant, the Board shall elect successors from among the members of the Board of Directors of the Agency at the next regular Meeting and such election shall be for the unexpired term of said office.

Section 7. Chief Administrative Officer. The Mayor of Murray City shall serve as the Chief Administrative Officer of the Agency, exercising the executive powers of the Agency and shall, subject to the policy direction of the Board of Directors, have general supervision of the administration of the business affairs of the Agency. The Chief Administrative Officer shall sign all contracts, deeds, resolutions, orders and other instruments made by the Agency after such documents have been properly prepared.

Section 8. Executive Director. The Executive Director shall be appointed by the Chief Administrative Officer, with the advice and consent of the Board of Directors of the Agency and shall serve at the pleasure of the Chief Administrative Officer. The Executive Director shall, under the direction of the Chief Administrative Officer, direct the affairs of the Agency and shall ensure the proper care and custody of all funds of the Agency and shall ensure proper disbursement of and deposit of same in the name of the Agency in ^{any} from such bank or banks as the Agency may select. The Executive Director shall have authority to sign purchase order and/or issue checks up to the amount of five-thou-

sands dollars (\$5,000) in purchase orders and/or checks in an amount exceeding five-thousand dollars (\$5,000) shall be countersigned by the Chief Administrative Officer.

The Executive Director shall ensure the proper keeping of regular books of accounts showing receipts and expenditures and shall render at least quarterly, or as requested, a report of the transactions and the financial condition of the Agency. The Executive

Director shall be adequately bonded for the faithful performance of the duties as Executive Director of the Agency.

The compensation of the Executive Director shall be determined by the Chief Administrative Officer, subject to approval of the Board of Directors. The Executive Director or his designee shall keep the records of the Agency, act as the secretary of the meetings of the Agency and record all votes, and shall keep a record of the proceedings of the Agency. The Executive Director shall keep the seal of the Agency and shall have power to affix such seal to all documents authorized to be executed by the Agency.

ARTICLE III - EMPLOYEES

Section 15. Employees of the Agency. The Chief Administrative Officer may, from time to time, employ such additional personnel as may be necessary to exercise the powers, duties, and functions of the Redevelopment Agency of Murray City as prescribed by the laws of the State of Utah, after approval by the Board of Directors of the Agency. The selection and compensation of such personnel shall be determined by the Chief Administrative Officer, subject to the policies established by the Board of Directors of the Agency.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings. The Regular Meeting of the Agency shall be held on the day or days designated by the Board of Directors and published beginning in January each year. The Board of Directors may, from time to time, change such regular meeting schedule by a vote of at least four (4) members in a regular meeting and published notice. Official notice shall be given of the time and place of each meeting.

Section 2. Special Meetings. The Chairman of the Board may, or shall, upon written request of three members of the Board, or shall, upon the request of the Chief Administrative Officer, call a special meeting of the Agency for the purpose of transacting any business deemed expedient. The notice for such special meeting shall be posted as required by Utah laws and each member of the Board and the Chief Administrative Officer shall receive a copy of such notice of the meeting at their residence at least 24 hours prior to the time of the meeting. At such special meeting no business shall be considered other than as designated in the noticed agenda.

Section 3. Quorum. The powers of the Agency shall be vested in the Board of Directors of the Agency. Three members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Board of Directors upon a vote of the majority of those present.

Section 4. The Official Book of Resolutions. All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and an approved copy of the approved resolution should be filed in the Official Book of Resolutions of the Agency.

ARTICLE V - AMENDMENTS OF THE BYLAWS

Section 1. Amendments of the Bylaws. The Bylaws of the Redevelopment Agency of Murray City shall be amended only with the approval of at least four members of the Board of Directors of the Agency at a regular or special meeting. All additions to the Bylaws shall be submitted to the Board in writing.

Arline Gillen
Arline Gillen
Chairman of the Board of
Directors

Mary-Jane Ashton
Mary-Jane Ashton
Vice-Chairman of the Board
of Directors

Lynn Pett
Lynn Pett
Chief Administrative Officer