

PUBLIC NOTICE

Notice is Hereby Given that the Tooele City Redevelopment Agency of Tooele City, Utah, will meet in a Business Meeting, on Wednesday, November 7, 2018 at Approximately 7:30 p.m. or soon Thereafter. The Meeting will be Held at the Tooele City Hall Council Room Located at 90 North Main Street, Tooele, Utah.

- 1. Open RDA Meeting**
- 2. Roll Call**
- 3. Resolution 2018-07 A Resolution of the Redevelopment Agency of Tooele City, Utah Approving and Ratifying Addendum #3 to a Purchase and Sale Agreement with M-53 Associates for 33 Acres of Land Located at Main Street and 1000 North Street
Presented by Randy Sant**
- 4. Project Update**
- 5. Minutes
October 17, 2018**
- 6. Adjourn**

Michelle Y. Pitt
Tooele City Recorder/RDA Secretary

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 843-2110 or michellep@tooelecity.org, Prior to the Meeting.

REDEVELOPMENT AGENCY OF TOOELE CITY, UTAH

RESOLUTION 2018-07

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF TOOELE CITY, UTAH APPROVING AND RATIFYING ADDENDUM #3 TO A PURCHASE AND SALE AGREEMENT WITH M-53 ASSOCIATES FOR 33 ACRES OF LAND LOCATED AT MAIN STREET AND 1000 NORTH STREET.

WHEREAS, the Redevelopment Agency of Tooele City, Utah (the "RDA"), owns approximately 33 acres of commercially-zoned property (the "Property") upon which Tooele City, through the RDA, desires to establish a vibrant, quality retail commercial development (the "Project"); and,

WHEREAS, by RDA Resolution 2018-03, approved by the RDA Board on April 4, 2018, the RDA entered into a purchase and sale agreement ("Agreement") to sell the Property to M-53 Associates ("Kimball") to realize the Project; and,

WHEREAS, on August 1, 2018, the RDA Board approved an Addendum #1 to the Agreement in order to extend the due diligence deadline to October 15, 2018, and the closing deadline to November 1, 2018; and,

WHEREAS, the RDA Board rejected a proposed Addendum #2 to the Agreement; and,

WHEREAS, Kimball requested that the RDA Board approve and sign a proposed Agreement Addendum #3, which the RDA Board approved informally and signed due to the response deadlines, which approval and signature this Resolution would ratify, and which Addendum #3 extends the due diligence deadline to December 21, 2018, and the closing deadline to 15 days following the execution of a development agreement for the Project (see the signed Addendum #3 attached as Exhibit A); and,

WHEREAS, the Project is anticipated to bring increased sales tax revenues, increased property tax revenues, increased employment opportunities, and increased local shopping and dining options, as well as eliminate a blighted, vacant commercial area in what has become a focal point in Tooele City, namely, the confluence of Main Street (State Road 36) and 1000 North Street (State Road 112); and,

WHEREAS, the RDA Board makes a finding that approving and ratifying Addendum #3 is in the best fiscal and economic development interest of Tooele City:

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF TOOELE CITY, UTAH that Agreement Addendum #3, attached as Exhibit A, is hereby approved and ratified.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Board of the Redevelopment Agency of Tooele City, Utah, this ____ day of _____, 2018.

TOOELE CITY RDA

(For)

(Against)

ABSTAINING: _____

RDA CHAIRMAN

(Approved)

(Disapproved)

ATTEST:

Michelle Y. Pitt, RDA Secretary

S E A L

Approved as to Form:

Roger Evans Baker, RDA Attorney

EXHIBIT A

Addendum #3
to
Purchase and Sale Agreement

ADDENDUM NO. 3

TO

REAL ESTATE PURCHASE CONTRACT

THIS IS AN **ADDENDUM** **COUNTEROFFER** to that REAL ESTATE PURCHASE CONTRACT (the "REPC") with an Offer Reference Date of 4th day of April 2018 including all prior addenda and counteroffers, between M-53 Associates, LLC as Buyer, and Redevelopment Agency of Tooele City as Seller, regarding the Property located at 1000 N Main Street, Tooele, Utah. The following terms are hereby incorporated as part of the REPC.

BUYER AND SELLER AGREE THAT THE CONTRACT DEADLINES REFERENCED IN SECTION 24 OF THE REPC (CHECK APPLICABLE BOX): **REMAIN UNCHANGED** **ARE CHANGED AS FOLLOWS:** Due Diligence period will be extended till December 21, 2018. During the Due Diligence period Buyer and Seller will negotiate an agreement outlining the terms, conditions, and obligations for the development of the site. Closing shall be within 15 days after the execution of the Development Agreement by Buyer and Seller.

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the REPC, including all prior addenda and counteroffers, these terms shall control. All other items of the REPC, including all prior addenda and counteroffers, not modified by this ADDENDUM shall remain the same. **Seller** **Buyer** shall have until 5:00 **AM** **PM** Mountain time on Wednesday October 31, 2018, to accept the terms of this ADDENDUM in accordance with the provisions of Section 23 of the REPC. Unless so accepted, the offer as set forth in this ADDENDUM shall lapse.

Debra L. White 10/29/18 11:25am

Buyer Seller Signature (Date) (Time) Buyer Seller Signature (Date) (Time)

ACCEPTANCE/COUNTEROFFER/REJECTION

CHECK ONE:

ACCEPTANCE: Seller Buyer hereby accepts the terms of this ADDENDUM

COUNTEROFFER: Seller Buyer presents as a counteroffer the terms of attached ADDENDUM NO. _____

DLW - 10/29/2018
(Signature) (Date) (Time) (Signature) (Date) (Time)

REJECTION: Seller Buyer rejects the foregoing ADDENDUM

(Signature) (Date) (Time) (Signature) (Date) (Time)

THIS FORM APPROVED BY THE UTAH REAL ESTATE COMMISSION AND THE OFFICE OF THE UTAH ATTORNEY GENERAL, EFFECTIVE AUGUST 5, 2003. IT REPLACES AND SUPERSEDES ALL PREVIOUSLY APPROVED VERSIONS OF THIS FORM.

Tooele City Redevelopment Agency of Tooele City, Utah
Business Meeting Minutes

Date: Wednesday, October 17, 2018

Time: 7:35 p.m.

Place: Tooele City Hall, Council Chambers
90 North Main Street, Tooele, Utah

Board Members Present:

Brad Pratt
Dave McCall
Melodi Gochis
Steve Pruden
Scott Wardle

City Employees Present:

Mayor Debbie Winn
Glenn Caldwell, Finance Director
Roger Baker, City Attorney
Jim Bolser, Community Development Director
Stephen Evans, Public Works Director
Andrew Aagard, City Planner
Randy Sant, Economic Development Consultant

Minutes prepared by Kelly Odermott

Chairman Pratt opened the meeting at 7:35 p.m.

1. Open Meeting

The meeting as called to order by Chairman Pratt.

2. Roll Call

Brad Pratt, Present
Dave McCall, Present
Melodi Gochis, Present
Steve Pruden, Present
Scott Wardle, Present

3. Discussion on Economic Development and Project Update

Presented by Randy Sant

Mr. Sant stated he was asked to give an update on current projects. The City receives leads for business opportunities, from businesses looking to relocate or local businesses looking to

expand. The Governor's Office of Economic Development has a contract with The Economic Development Corporation of Utah. The Economic Development Corporation of Utah has a responsibility to be the focal point for any site consultants or any businesses looking for expansive opportunities. Their responsibility is to meet with a client and put together an RFI, Request for Information. That RFI is sent out to all Economic Development Corporation of Utah Members, all economic development directors, real estate brokers, County Commissioners, and whomever is involved economic development throughout the state. Each RFI is given a project name and information about the business. The City responds to RFI's if there is a site in the City that would meet the needs of the Company.

Projects that have received a response from the City between July -October 2018.

- Project Baker
- Project Raise
- Project AECH
- Project Angler
- Project Eldrige
- Project Truman
- Project Vanderlay/Iceberg
- Project Genesis
- Project Gables
- Project Redwood
- Project Whip Cream

Companies that have selected Tooele

LKQ Automotive

They bought 40 acres in Ninigret Park. They have received a Conditional Use Permit. The site purchased is in the process of being graded for use. A tax increment agreement will be presented soon to Council for reduced taxes on the company per the agreement. LQK Automotive buys totaled automobiles through insurance companies. The cars are dismantled for usable parts and those parts are shipped worldwide. The storage yard stores and recycles cars every six to eight months. About 20 jobs will be local.

Mod-space manufacturing

They are leasing the old Canastoga wood building. The company makes modular offices used on construction sites. The buildings are manufactured in Tooele are for the West Coast operations of the company. They have hired 30 people and hope to expand to 50.

Lakeview Business Park Update

This is 900 acres of the Miller Site. A recent report stated that 100 acres of the site utilities and services could be handled by Grantsville. A bigger development would not be served by one local agency. It is a possibility that local utilities would be served by multiple agencies, which will be discussed and reviewed as the project proceeds. A development agreement has been given to the County and it is still in progress.

1000 North Retail Update

The City has received another Addendum to this project. Almost all the buildings have been filled with leases. As the City has gone through the due diligence period of the contract, there have been some soil issues and it has become apparent a traffic study should be done. The project still needs to have a site plan go through the City's approval process. In talking with the developer and realtor, there is need for Addendum 3. Addendum 2 was not agreed to and has lapsed. The new addendum would extend due diligence to November 30th but during that period the City would begin to work on an agreement to resolve issues and determine who would resolve those issues, with a close date no later than December 30th of 2018. There is discussion to split the property between commercial and residential. The commercial part of the project needs to start by March 2019.

Chairman Pratt asked if there were any questions from the Board.

Chairman Pratt asked if anything needed to be signed for the Addendum during the meeting. Mr. Sant stated that Addendum 3 is still in progress and those issues need to be resolved before signing the Addendum.

4. Minutes

Board Member Pratt asked if there were any questions or comments about the minutes from August 1, 2016

Board Member Wardle moved to approve the minutes from the Municipal Building Authority meeting dated August 1, 2018. Board Member Gochis seconded the motion. The vote was as follows: Board Member Gochis, "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye," Chairman Pratt, "Aye." The motion passed.

5. Invoices

Presented by Michelle Pitt

An invoice in the amount of \$125,000 to Utah State University for the Science and Technology Building Pledge.

Board Member Pruden moved to approve the invoices. Board Member McCall seconded the motion. The vote was as follows: Board Member Gochis, "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye," Chairman Pratt, "Aye." The motion passed.

6. Adjourn

Board Member Gochis moved to adjourn the Municipal Building Authority Meeting. Board Member Wardle seconded the motion. The vote was as follows: Board Member Gochis, "Aye," "Aye," Board Member Wardle, "Aye," Board Member McCall, "Aye," Board Member Pruden, "Aye," Chairman Pratt, "Aye." The motion passed.

The meeting adjourned at 7:59 p.m.

The content of the minutes is not intended, nor are they submitted, as verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this Day of 2018

Brad Pratt, RDA Chair

DRAFT