

**MURRAY**  
CITY COUNCIL

**Council Meeting**  
**June 3, 2014**



**NOTICE OF MEETING**  
**MURRAY CITY MUNICIPAL COUNCIL**

**PUBLIC NOTICE IS HEREBY GIVEN** that there will be a meeting of the Murray City Municipal Council on Tuesday, June 3, 2014, at the Murray City Center, 5025 South State Street, Murray, Utah.

5:15 p.m. **Budget & Finance Committee:** To be held in the Conference Room #107  
Jim Brass conducting

**1. Approval of Minutes**

Budget & Finance Committee – April 22, 2014

5:16 p.m. **Committee of the Whole:**  
Brett Hales conducting.

**2. Business Items**

- 2.1 Chamber of Commerce Annual Report – Stephanie Wright (30 minutes)
- 2.2 South Valley Boys & Girls Club Report – Bob Dunn (15 minutes)
- 2.3 Intermountain Health Care Bond Issuance – Dustin Matsumori (10 minutes)
- 2.4 Fireclay Live/Work Units Standards – Tim Tingey (10 minutes)

**3. Announcements**

**4. Adjournment**

6:30 p.m. **Council Meeting:** To be held in the Council Chambers  
Brett Hales conducting.

**5. Opening Ceremonies**

- 5.1 Pledge of Allegiance
- 5.2 Approval of Minutes
  - 5.2.1 May 6, 2014
- 5.3 Special Recognition
  - 5.3.1 Government Finance Officers Association Achievement of Excellence Award (Justin Zollinger presenting.)

**6. Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

**7. Consent Agenda**

7.1 None scheduled.

**8. Public Hearings**

8.1 Public Hearing #1

8.1.1 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an ordinance adopting the Final 2014 – 2015 Fiscal Year Budgets for Murray City including the Library Fund Budget.  
(Justin Zollinger presenting.)

8.1.2 Council consideration of the above matter.

8.2 Public Hearing #2

8.2.1 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an ordinance relating to zoning; amends the Zoning Map for property located at approximately 5905 South 700 West, Murray City, Utah, from R-1-8 (Single-Family Low Density Residential) to C-N-C (Commercial Neighborhood Conditional) District. (Tim Tingey presenting.)

8.2.2 Council consideration of the above matter.

8.3 Public Hearing #3

8.3.1 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an ordinance amending Section 17.170.080 of the Murray City Municipal Code relating to permitted uses in the Murray City Center District (MCCD). (Tim Tingey presenting.)

8.3.2 Council consideration of the above matter.

8.4 Public Hearing #4

8.4.1 Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an ordinance vacating a portion of the Martin Lane right-of-way (300 West 4275 South) located at approximately between 330, 332, and 333 West Martin Lane, Murray City, Salt Lake County, State of Utah. (Doug Hill & Tim Tingey presenting.)

8.4.2 Council consideration of the above matter.

**9. Unfinished Business**

9.1 None scheduled.

**10. New Business**

10.1 None scheduled

**11. Mayor**

11.1 Report

11.2 Questions of the Mayor

**12. Adjournment**

**NOTICE**

**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE 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. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.**

**Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.**

On Friday, May 30, 2014, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder and also sent to them by facsimile copy. A copy of this notice was posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov), and the state noticing website at <http://pmn.utah.gov>.

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Janet M. Lopez  
Council Administrator  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Budget & Finance Meeting Minutes



**MURRAY**  
CITY COUNCIL

**DRAFT**

**MURRAY CITY MUNICIPAL COUNCIL  
BUDGET AND FINANCE COMMITTEE  
Fiscal Year 2014-2015**

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The Murray City Municipal Council met as the Budget and Finance Committee on Tuesday, April 22, 2014, in the Murray City Center, Conference Room #107, 5025 South State Street, Murray, Utah.

**Members in Attendance:**

Jim Brass	Budget Chair
Blair Camp	Committee Member
Brett Hales	Committee Member
Diane Turner	Committee Member

**Member Excused:** Dave Nicponski

**Others in Attendance:**

Jan Wells	Chief Administrative Officer	Janet Towers	Exec. Asst. to the Mayor
Tim Tingey	ADS Director	Briant Farnsworth	Attorney
Mary Bahr	Attorney's Office	Frank Nakamura	Attorney
Daren Wightman	Fire Dept.	Steve Roberson	Fire Dept.
Robert White	ADS	David Carpenter	ADS
Kim Fong	Library	Laura Lloyd	Fire Dept.
Gil Rodriguez	Fire Dept.	Kevin Potter	Fire Dept.
Cory Plant	Parks & Rec.	Kim Sorenson	Parks & Rec.
Danny Astill	Water/Sewer	Gary Healy	Golf Course
Dave Carruth	Golf Course	George Hamer Jr.	Fleet
Russ Kakala	Streets & Storm water	Susan Gregory	Heritage Center
Trae Stokes	Engineering	Jackie Sadler	MCEA
Greg Bellon	Power	Michael Williams	Court
Paul Thompson	Court	Mike Terry	HR

Mr. Brass called the Budget and Finance Committee Meeting to order at 8:30 a.m.

Mr. Brass explained the process of using a contingency list. Any Council Member wishing to discuss an item further should ask to have it added to the contingency list. A second Budget and Finance Meeting was scheduled for April 29, 2014, and those matters placed on the

contingency list would be discussed at length and decisions made at that time.

**Budget Overview**

**Justin Zollinger, Finance Director**

Mr. Zollinger mentioned that he had recently returned from a finance conference. He told of another City's budget process that had begun the previous September and was still in the planning stages. He noted his appreciation for Murray's Council and Administration and the collaborative efforts that we have in the City.

Mr. Zollinger explained the compensation changes contained in the Mayor's Budget. An effort was made to put the employees first, then subsequently asked each department to hold their expenses flat to the previous year. The Mayor planned a 1% cost of living increase (COLA) and a 2% merit increase. Insurance costs increased about \$233,000 or 5.4% and retirement costs went up by \$419,591, which was 8.02%. The total increase in payroll suggested is \$1.3 million. This is referred to as target based budgeting. Each department is allowed to shift money from one line item to another and through the year department managers are encouraged to solve their own problems. He feels this is empowering.

Mr. Zollinger commented that with these plans, he started with a \$600,000 negative budget. From there he accumulated \$300,000 in increased revenue and \$300,000 in lowered expenses to produce the balanced budget that the Council was considering.

The Market Street Fairness Act was a topic of discussion at his recent conference, Mr. Zollinger stated. It is unlikely to pass this year, however, cities were encouraged to put in place ordinances that would ensure they would be prepared once it passes Congress.

The motor vehicle fee in lieu of taxes revenue is decreasing. This happens because if Murray keeps its taxes low, then other entities retain a larger share.

Mr. Zollinger reported that passport transactions had done well.

The Capital Improvement Project (CIP) had more money to work with in this budget year. The Budget document authorized the Finance Director, per State Code Section 10-6-116(2), to move General Fund reserves to the CIP if those reserves are in excess of the 25% legal reserve limit.

Other highlights include an increase in the Utah League of Cities and Towns fees of \$1,000 going to \$33,000 per year. Valley Emergency Communications Center (VECC) also adjusted their fees upward.

Mr. Zollinger has consistently reduced the Non-Departmental budget, however there is a replenishing mechanism on June 10 from property tax increases. This can be used for emergency repairs and employee raises the following year.

Again, Mr. Zollinger expressed his appreciation to all the Department Directors and their willingness to work together.

**Attorney's Office**

**Frank Nakamura, City Attorney**

Mr. Nakamura introduced his staff present, Mary Bahr and Brian Farnsworth, attorney, and

praised them for their work. He stated that his budgets, Attorney and Prosecution, were status quo. There were no changes except the personnel line items.

When asked about contractual services, Mr. Nakamura said that litigation issues were paid out of the Retained Risk Fund. The General Fund and Enterprise Fund contributions make up the revenue. These reserves are used for outside attorney costs.

**Administrative and Development Services**

**Tim Tingey, Director**

Mr. Tingey stated that overall operations had been reduced and that is due to the absence of elections this year. The previous election budget was \$96,000 and it was lowered to \$50,000. The idea is to leave some money here as a place holder for the next year when elections would be held.

Mr. Camp asked if that remaining amount would roll into the CIP (Capital Improvement Projects) budget next year. Mr. Tingey confirmed that it would.

Mr. Brass explained that the Council had set up a program for departments to benefit from excess budget dollars not spent during the fiscal year. Each department would have 75% of their savings roll into the CIP for future projects.

Mr. Tingey pointed out the *Economic Development Incentive* line item on page 70. The entire \$50,000 would be used in the current year, however, for next fiscal year the amount has been reduced to \$30,000 to help the City meet other needs. Diane asked how these funds are used. This money is to help small businesses, which are trying to expand, but have improvements such as curb and gutter that are beyond the business' ability to fund. For example, this year the Paris company was assisted with storm water drainage improvements.

***Treasurer***

Mr. Tingey commented there was an increase in the maintenance contract with Itron for hand-held meter reading. A new mail inserter and postage machine has been purchased and the maintenance cost is increased but is necessary due to the old equipment being undersized and not meeting capacity needs. This item did go out to bid. Mr. Camp noted the decrease in other related line items. Mr. Zollinger pointed out the ability to have an increased number of billing inserts.

The credit card fee costs have risen as the number of customers paying with credit and debit cards continues to increase as we encourage electronic bill payment. Our customer base also continues to grow. The Utah Department of Transportation and Intermountain Medical Center are two entities that have worked with the City to pay by check rather than credit card because the fees on those large transactions were astronomical.

***Recorder***

The Recorder Division has processed 733 passports since October. Revenue from that venture amounted to \$23,176 without any increase in personnel. Budgeted revenue was \$20,000. Minor increases have been added in postage, cell phone, fuel and department supply costs.

### ***Information Technology (IT)***

Mr. Tingey said the IT budget is flat with a minor increase in maintenance. The small equipment and computer replacement program is working well.

Mr. Brass commented that the servers have been moved to the Emergency Operations Center. The City will be protected if the City Hall building suffers a major emergency.

Mr. White responded that some old SANS servers will go there and new hardware will be migrated over a couple of days; following that a test will be conducted. It will take a couple of months and will be set to work with the new City software package. When these changes are made in case of an emergency situation, IT would expect to lose only a half day.

### ***GIS***

The only item Mr. Tingey mentioned here was a small increase in fuel costs.

### ***Building Inspection***

The staff continues to require overtime hours for plan review for special projects. Minor plan review is not cost effective to send to structural consultants. Mr. Tingey noted the increase to \$2,000.

### ***Community and Economic Development***

On page 80 you will notice an increase in training to have three staff members attend the American Planning Association Conference.

The Chamber of Commerce contribution is in this budget and amounts to \$20,200. Mr. Camp asked how that amount is determined. This has been a long standing line item and was reduced by 10% in 2009 due to budget constraints. There was some conversation on having the Chamber report to the Council.

The Economic Development Corporation funding is here. A set amount was decided upon and it does not follow the usual formula applied to other community partners. Some proposals come to Murray from them, Mr. Tingey explained. Mr. Brass informed the group that they feel all new business has a positive impact on the state. It is a good organization.

### ***Redevelopment Agency***

Mr. Tingey explained that overall funding had increased here due to the requested funding from the Fireclay area for the first year. No wages are paid from RDA funds, however, there is an administrative fee.

A meeting was held with the Miller Group to request additional parking. Miller had promised a third phase to include a parking structure. As was being addressed by Council action on May 6, 2014, the allowed use of on-street parking to meet minimums has not been successful.

Mr. Brass asked if the parking situation could be evaluated. Mr. Tingey said it is with the Planning Commission now, and would be coming to the Council. Mr. Brass said the current parking situation is frightening.

Mr. Tingey said there were five areas for discussion:

- **Central Business District**- There are significant changes in the downtown area, all related to the bond payments that will be assumed for the purchase of the Wright properties. The *improvements* line item has dropped to \$20,000 to compensate for the assumed debt service. There is a brand new line item, called *debt service principal* that is \$262,000. Mr. Zollinger added that next year, one of the debt service payments for the RDA would disappear, and those line items increased. There is a line item called *other transfers* for \$285,000 that will be paid one more time this year for some bond obligations. The changes are fluctuating because of these bond payments. Mr. Brass asked if the bond payment was the sales tax revenue bond that was used to acquire some of the properties.

Mr. Tingey noted that the Murray School District receives \$400,000 each year from the Central Business District. That has been done for many years, and is capped at \$400,000. That obligation will be in place for the next twenty years. It is an education mitigation fund, similar to a hold harmless opt-out because they are not getting the incremental rise in value because of the RDA area. Mr. Brass said the amount was capped because the impact on the School District due to new students in that area was minimal.

- **Fireclay**- This is a brand new budget. The funds were requested last year, and will be received in December and March of the next business year. There is a 20% low income housing amount required by state law. The total amount in revenue is approximately \$633,000, and \$126,741 is the required 20% amount. Mr. Brass said the original plan when Fireclay was developed was to roll the 20% into a NeighborWorks type of project, specifically for Fireclay. Mr. Tingey added that there was also a portion set aside for project costs for the bridge. The private reimbursement is roughly 50% for costs related to public infrastructure, roads that Hamlet and others put in. The School District receives 12% of the tax increment, approximately \$76,000. Capital projects were allocated \$200,000, including the crossing work at Fireclay/Trax. There are other expenses for reimbursements per the agreements with Power and Water, as well as an administrative expense. Mr. Brass commented that the amount for the School District was weighted on the number of students.
- **Vine Street Redevelopment Area**- There were no changes proposed. This is a small area that receives \$55,000-\$60,000 worth of tax increment. There are some revitalization grants that would go toward small business grants.
- **Cherry Street Redevelopment Area**- This is similar to Vine Street, and receives approximately \$80,000 per year. It will remain status quo from the previous year.
- **Smelter Site**- This is the area where the hospital is located. There is a required contribution for low income housing to NeighborWorks. The number includes the previous year's amount plus the additional 20%. There was a sales tax bond that was reduced, due to a smaller principal.

Mr. Camp asked about the administrative fee, and how that money is used. Mr. Tingey replied it is a formula that is used to cover the costs for finance, admin, and attorney's fees, similar to the same formula the other funds use.

Mr. Tingey reported that there were no changes to CDBG since the last ordinance that was passed.

**Library**

**Kim Fong, Director**

Ms. Fong said the changes are minimal for the Library. There was an increase in employee wages to reflect the raises, and also a promotion.

Mr. Camp asked about grants. Ms. Fong replied that grants were currently budgeted at zero, but a budget opening would be done if a grant was received. The library receives the Cleft grant every year, usually around \$12,000 and that has already been added in the budget.

Ms. Fong noted that it is a flat budget, with no additional revenue. At some point in the future, the tax levy may need to be increased. There needs to be some other kind of revenue to allow for the book purchases. There has been an \$11,000 increase year to date in fines and fees collected, so that helps. Mr. Zollinger said that the motor vehicle fee in lieu decrease affects the library. Ms. Fong said that both the City and County libraries tax levy is twice the amount as Murray City. Murray City is .00041, Salt Lake City is .00082, and the County is .00078.

Mr. Camp asked about e-books. Ms. Fong replied that the e-book collection is increasing but still accounts for only about 4% of total circulation, yet takes more than 50% of the materials budget. The problem with e-books is that the publishers do things differently. For example, a John Grisham e-book would cost \$84, and others are around \$30, but have a maximum circulation of 26 times. She believes the demand for e-books will continue to increase. There is a lot of negotiating going on between the publishers and libraries to try and get consistent pricing and restrictions.

**Fire Department**

**Gil Rodriguez, Chief**

Chief Rodriguez commented that he appreciates the work of Mr. Zollinger and the Mayor for the balanced budget. He knows that is a difficult job with so many needs.

One of the issues in the Fire Department is that there are 10 employees with over 20 years' service. It becomes difficult to grant vacation requests. There is an employee vacation pick day and three days are granted on the first pick, and later vacation days are given, as long as it doesn't create overtime. For example, if three employees are using vacation, and another calls in sick, it causes the shutdown of an ambulance. There were 82 days that an ambulance had to be shut down, and 57 days where an employee was called back for 12 hours of overtime. Last fiscal year, 52 transports were given to other agencies. That is a potential loss of \$65,000, but in reality would be less due to write-offs, Medicaid, etc.

In 2008, the overtime budget was \$260,000, compared to \$160,000 for this year. The department is still down two employees, due to early retirements. There is also one paramedic currently serving in Afghanistan. It is very difficult to cover operations and stay within the overtime budget. Chief Rodriguez would love to keep the third ambulance in operation all of the time. It puts a strain on the other two ambulances, and is a revenue loss

if all are needed at the same time. Mr. Camp asked if jump crews are used for that. Chief Rodriguez replied that they are not; all of the three apparatus are kept in service and the third ambulance would be cut back. It is an insurance risk hoping that you are in the right place at the right time. The goal is to keep the big tower reserved for the larger, more meaningful calls.

Mayor Eyre asked about the 82 days that one ambulance was not in service. Chief Rodriguez said that was correct, but the other two ambulances would cover, unless they were busy. Mr. Zollinger asked if Metro Fire covers if needed. Chief Rodriguez replied that there is always an agency able to cover, but it is a loss of revenue. The agency that does the work receives the revenue, he noted. The big factors were the decrease in the budget, and the loss of the three guys. Mr. Camp asked if Murray was doing transports in other cities also. Deputy Chief Potter replied that Murray does do other transports, but not as much because UFA (Unified Fire Authority) doesn't like to share.

Mayor Eyre asked for a percentage of customers that never pay their billed amount. Chief Rodriguez replied it is close to 50% of customers that are considered non-payers/write offs. He commented that Murray is actually one of the better cities for payment. The other issue is the Medicaid customers that pay a very small percentage of the billed amount; for example, the City might receive \$250 from a \$1300 bill. Deputy Chief Potter said it is unknown if those numbers will increase, as more people are required to carry insurance coverage. Chief Rodriguez said the ambulance service was started during the economic downturn when people were losing jobs, etc. Transport care is never denied, regardless of finances, he noted.

Chief Rodriguez said he is aware of the challenges in working with a flat budget. It becomes more difficult to keep up with increasing costs, but has made the department very diligent in watching expenses. The vehicle maintenance budget is a big concern. Replacing tires on a truck is a large, but necessary expense.

Chief Rodriguez stated that he has three captains making less wages than some of the paramedics. One Captain that has been here for eight years is making less than some of the paramedics that work for him. That is an inequity that is troublesome to the Chief, although he is aware that it can happen in other departments also. Chief Rodriguez said that this Captain is a performer and retains a great attitude, even though the situation is frustrating.

Chief Rodriguez appreciates the CIP selections and is looking forward to the repaired roof on the Annex, and rotating the engines. Mr. Zollinger added that the turnout gear was put in the operating budget to be part of the rotation, as was requested by Council. Chief Rodriguez said he appreciated that and they are learning more about how the gear wears out before it is noticed.

Ms. Turner asked about the operations grant and if they would receive them next year. Chief replied that they apply for every grant and usually receive some consistently, but the amounts have decreased. Grants are sought all the time, and especially for needed items in the budget. Mr. Zollinger said that a budget opening would be done for any grants received.

Mr. Brass asked about the increased amount budgeted for Cert. Chief replied that the Cert.

program is going on and a few classes occur every year. Mr. Zollinger noted that the Fire Dept. was able to put money aside for Cert from reducing other budgeted line items. Mr. Brass commented that anything the citizens could do to help themselves would be valuable in shortages of time and resources. The reality is that there will not be enough emergency responders in an earthquake or natural disaster, noted Mr. Brass.

Mr. Camp expressed his appreciation for the recent emergency training given.

**Public Services**

**Doug Hill, Director**

**Public Works**

There are a few increases in line items. The cost for road paint has gone up, so that amount has increased.

There was a North Jordan Canal Stability Study added to the budget. After the canal break, the parties involved are concerned about the safety of the canal situation. There is a proposal for an interlocal agreement to share the cost of the study. There was \$76,000 included for that study, of which half that amount would be paid for by the County. The Legislators were successful with the State to get them to put money in the budget to mitigate the hazard near Winchester Street. Murray City has set aside \$175,000, which is 25% of the estimated cost. The County would design and build the structure to make it safer. Mr. Zollinger said a portion of that money would be coming from General Fund reserves.

There are lighting fixtures in the public services building that need to be replaced to the new standard T-6 lighting. Money has been set aside for that light bulb replacement.

There have been Class C funds set aside for roads; including Avalon Drive reconstruction and sidewalk improvements, and for the replacement of City sidewalks and ramps. There will be an overlay done on Vine Street between Murray Boulevard and I-15, and a local match of funds for the reconstruction of 5900 South, west of State Street. There will be City wide slurry rejuvenation and pothole repair completed.

The streetlight fee was previously paid by the roadway budget, and is now being paid by the Power Department, so that line item decreased.

There were no significant changes in the engineering budget.

Ms. Turner asked about the radar speed signs. Mr. Hill replied that the radar speed signs are budgeted in the CIP budget.

**CIP**

The Traffic Safety Committee has made recommendations for the locations of the radar sped signs. They have identified and prioritized the streets. The budget is \$25,000 which will allow for about eight radar speed signs. The Committee has proposed one large sign to be placed on 4800 South. Mr. Hill said the Council can re-prioritize the location of the signs, if they wish. He noted that in the past, Council Members have had specific requests and those were incorporated into the intent language.

Ms. Turner said she has requests from residents for a sign to be placed on Fontaine Bleu Drive. Mr. Camp asked if this item should be put on contingency for further review. Mr. Brass said that would be fine, or it could be discussed at this time. Ms. Turner said she believes one sign heading north on Fontaine Bleu Drive would be sufficient. Mayor Eyre asked if typically one radar sign on a street was the usual practice. Mr. Hill replied that the Traffic Safety Committee has recommended that Green Oaks, 725 East and 5290 South should have two signs, but that is lower on the priority list. Mr. Hill noted that the Council could add Fontaine Bleu to the list. The last one on the recommended list, is Three Fountains Drive, which could be replaced. Mr. Brass recommended putting it on contingency for further review. Mayor Eyre noted that the Mayor's office has had requests for signs on Three Fountains Drive, as well as Holstein Way. Mr. Brass said he has heard requests for Three Fountains Drive also. Mr. Brass stated that District 1 has received a large number of the signs, so it may be an issue for further study and review, to ensure fairness to all areas.

Mr. Hill stated that the CIP includes \$210,000 for a new dump truck, salter and plow. The CIP also includes funds for road projects/overlays at: 1865 East and Zenda Way, 5985 South, 5935 South, 1320 East and Elm Street. The Chevy Chase and Wesley area will also have a rebuild.

There is money set aside for storm water improvements to meet permit requirements, and some remodeling to the second floor counter area.

A new traffic signal will be installed at Main Street & Fireclay.

#### **Parks & Recreation**

There are some line item increases for *vehicle maintenance*, for some older vehicles in the department.

It was discovered that the water line going to the Ken Price ballpark was not metered; that will cause an increase in utilities.

There was a group from the youth baseball community that recently approached the City with an issue. Due to the abundance of super leagues, the local leagues such as Liberty League and Babe Ruth have seen a drop in participation, making the fields more available. Typically, the City has not had the room for these super league teams to play on Murray fields. The City agreed to help the teams out next year, so there will be an increase for umpires, supplies etc. but the revenue should offset those costs.

The utility costs at the outdoor swimming pool have increased, as well as the food costs at the Heritage Center.

The Cultural Arts budget has been adjusted to allow for nine youth musicals at all the elementary schools within the City.

There was a previous discussion about removing some of the roads in the cemetery to make way for more burial lots. The CIP committee agreed that it made sense financially; the revenue from the new plots should offset the costs of the road removal. There are so many residents on the unofficial waiting list at the cemetery. He believes that 150 new plots would

be sold within the fiscal year. There will be a study done to ensure what the fees would be, before moving forward with the project.

### ***Parks***

The unmetered water line at Ken Price, and vehicle maintenance resulted in some cost increases.

### ***Park Center***

There were no significant increases.

### ***Recreation***

There were some line item adjustments to account for increased supply costs for the baseball program, but those would be offset by revenue. A small increase for the utilities at the outdoor swimming pool was included.

### ***Arts & History***

There were no significant increases, and a small decrease in the overall budget.

### ***Heritage Center***

The major increase was for the rising cost of food. Most of the program expenses are offset by the fees charged.

### ***Cemetery***

There were minor increases to account for vehicle maintenance and fuel costs.

### ***Capital Improvement Projects (CIP)***

There was \$15,000 allocated to replace soccer goals, \$150,000 to overlay and repair the Jordan River asphalt trail, \$20,000 to replace two utility vehicles.

There was \$20,000 allocated to replace shower heads at the Park Center, and \$20,000 to create a cement pad for a pickle ball court. There is a high demand for pickle ball in the community, and the City has begun to restripe some of the basketball courts. Those courts won't be permanent courts with nets, but will have the striping. The gymnasium floor in the Park Center has also been striped, and the Park Center will have an open gym night for pickle ball.

Two years ago, Select Health partnered with the City and purchased two pickle ball sport courts. They were set up in Murray Park and were very popular. The challenge is to find a place to pour the cement pad and lay the sport court material on that. It may be decided to save the \$20,000 with more future money to establish permanent courts. Mayor Eyre asked if the old ice skating location had been considered. Mr. Hill said that area was discussed, and would be an ideal location for six to eight pickle ball courts. Mr. Plant added that Riverton and South Jordan are in the process of building some courts. Mr. Sorenson said the area of the old ice rink has the old piping and also the older building that housed the

refrigeration. The hope was to develop a parks and recreation master plan that included pickle ball courts and a water feature for children. The costs would exceed the \$20,000, but that area is under consideration. There is some storage and old office areas that DEA (Drug Enforcement Agency) had previously used, but those would not be missed.

There was \$50,000 allocated to hire an architect to review the outdoor amphitheater in Murray Park and develop plans for improvements, such as dressing rooms, concession areas, a covered roof, etc. The hope is that the City can approach the TRCC (Tourism, Recreation, Culture and Convention) Committee and possibly receive a grant to help fund the improvements. The City first needs to make the investment to develop a plan.

The Heritage Center received \$70,000 for a 14 passenger vehicle.

The Cemetery received \$300,000 to re-do the irrigation system. Ms. Turner asked if the irrigation repairs all had to be done at once. Mr. Hill said it would be easier and probably less expensive to do it all at one time, but could be done in different phases.

### **Water**

There is a plan to use close to \$3 million in reserves. There are a lot of projects that were budgeted in this fiscal year as well as next fiscal year. He was unsure of how many projects would need to be carried over into the next year. If some of the projects were not completed in this fiscal year, then the money would revert back to reserves for next year's budget.

There are some line item increases for pump house improvements and sustainability projects. The City has offered the fixture reimbursement program that allows citizens to trade out a shower head or toilet, for example, to an energy wise fixture and the City would help with that cost.

There are some equipment upgrades for the bobcat for example. There are also increases for the cost of fluoride.

There are capital projects included in this budget, such as a new water line on 5900 South, east of State Street. That project will be paid for from both fiscal years budgets. There is another project planned for west of State Street.

The McGhie well is being replaced and a new well hole is currently being drilled. This will allow for more efficiency and produce more water.

There will be some bank stabilization done adjacent to the 500 East Well on Little Cottonwood Creek, as well as various pipe line replacements done in conjunction with the road projects. There is actually more money to do water line projects than road projects. There will be a new water line installed on Briar Meadow, but there isn't enough money to repave the road afterwards so there will be road cut trenching and patching. Many times the water line trenches improve the road with a new patch.

### **Waste Water**

The plan is to use reserves of funds that were received from a loan from the State a few years ago to make improvements to the sewer system.

The big project is to eliminate the Riverside Lift Station located on 5<sup>th</sup> West near the Public Services offices. Studies are being done to eliminate that station and improve the entire system. Ms. Turner asked what a lift station is. Mr. Hill replied that a lift station is where the two lines come together, and one line is lower than the other and has to be lifted with a pumping system. It requires pumps and generators in place, and the concern is the possibility of back-up. Mr. Astill said there is 2.5 million of flow that runs through this lift station, and kills energy and time. The line must be relayed along 500 West for a larger and flatter slope to ensure all the laterals will connect properly. Not all lift stations can be removed due to the existing elevations.

### **Golf Course**

The golf course is planning on using \$72,000 in reserves. Typically, the City budgets for a low year in golf revenue, and hopes for good weather and higher revenues. The reserves will purchase needed capital products.

There has been an increase in maintenance costs of the irrigation system. The system is out dated and parts are less available.

There will be a lighting fixture installed in the pro shop, and a new roof on the maintenance building and pump station. There will be a new tee mower, a turf utility trickster, a trim mower, as well as a new marshall cart.

### **Solid Waste**

There were no changes since there were not any amendments to the WFWRD (Wasatch Front Waste Regional District) service areas.

There is a cost of living increase and a minor fuel increase that Ace Disposal charges.

There is an automatic fee increase that goes into effect on July 1<sup>st</sup>. The rate will go from \$11.00 to \$11.25, and another \$.25 the following year. The charge for the extra can increases a small amount also. The contract will end in two years and be re-evaluated, and different services will be evaluated then also. Services can be evaluated now but would most likely have a fee increase for those services. The contract with Ace Disposal ends in December 2015, and bids would be received six months prior. Mr. Brass noted that a Committee of the Whole could be scheduled to discuss the issue before putting out an RFP (Request for Proposal). Mayor Eyre asked how much more pollution would be caused by weekly recycling. He added Ace Disposal stated that over 70% of the current fleet had been converted to natural gas.

### **Storm Water**

The plan is to use \$2.2 million in reserves, and the situation is similar to the sewer fund for projects spanning both fiscal years.

Specific projects include a new storm line at 5900 South and some improvements in the Hidden Village area. Those improvements need to be done prior to working on the 5900 West project. There are plans to improve the storm drainage in the Cherry Street area, and

the Anderson Avenue storm line.

There are some planned equipment purchases also.

There is not a fee increase this year. There will be an automatic fee increase in a couple of years that will allow for an additional bond for improvements to the storm system.

Mr. Brass said there are a lot of comments from residents on the east side when they get the ILOT (In lieu of tax transfers) notice. He added that 30% of the properties in Murray are non-profit but still pay storm water. This is a way to get some revenue from those non-profit businesses to go to the General Fund. He added that the impact on the water quality of the Jordan River is a big issue currently. It is becoming more apparent that the impact is not from the treatment plants, but from all things flowing in to the river. Storm water runoff carries leaves, grass clippings, etc. and impacts the quality of the water. Any mitigation by the residents will help in treating storm water, and save the City and the residents' tax dollars. This is the answer to the Federal Government requirements.

Mr. Hill said water is the largest regulatory issue that the City manages. The cost to the City to deal with water issues is high because of unfunded mandates.

### ***Central Garage Fund***

There were some good changes made this year. All of the departments have an assessment that pays for the fixed costs of the garage and pay for the cost of parts, without a profit mark-up. This was an attempt to incentivize the departments to bring their vehicles there for repairs.

The cost for the City to run the garage is approximately \$380,000. That is the fixed cost and the assessments from the departments help to offset that cost.

There is one capital item to purchase, an air compressor.

Mr. Camp asked how many employees work in the garage. Mr. Hill replied there are four employees.

Ms. Turner asked about natural gas conversions. Mr. Hill said that the cost to convert vehicles isn't currently in the budgets but could be a discussion item later. Ms. Turner said that the conversions need to be done in a timely manner to be able to receive the money set aside by the Legislature.

### **MCEA- (Murray City Employee Association)**

### **Jackie Sadler**

Ms. Sadler said the committee met this month and discussed either reinstating the merit system or some kind of salary increase. The Mayor mentioned that he was looking into possibly a combined merit increase and a COLA (cost of living adjustment).

Mayor Eyre stated that there are several ways to look at employee compensation: COLA's, merit increases, red line incentives, the market, and inequities that might exist. He stated that inequities occur when a person is supervising an employee that makes more money than the supervisor. It is difficult to address all five of those issues in the first year. He

suggested looking at employee increases first, and then determining other operational costs. He believes a COLA is the most effective, but not solely, because it compensates all employees equally, good and bad. He wanted to reinstate the merit system also.

Mayor Eyre and Mr. Zollinger decided on a 1% COLA, and a 2% merit increase. Using the Performance Pro system with evaluations and the parameters of a 3.0 to 3.70 score would result in a 1% merit increase, and anything above a 3.70 would result in a 2% merit increase. That would result in approximately 80% of the employees qualifying for the 2% merit, plus the 1% COLA. He is not a fan of the Performance Pro evaluation system because it duplicates and complicates things. Performance Pro is an annual \$7,000 expense and may be worthwhile if useful. If those parameters are realistic with the level descriptions, then maybe it streamlines the process. He believes the levels should determine if expectations are met or exceeded. He would like to review Performance Pro after this contract and give the employees a chance for a mid-year evaluation, using the new parameters. For example, a great employee that scored just under the 3.70 could have another chance at a review. Now those numbers should mean something, rather than simply a number. He noted that he would hate to make an employee wait an entire year to try and move up the scale for a higher merit. He noted that the moral thing to do is to go with the existing numbers and not make changes and mess with the program.

He suggested using the existing Performance Pro numbers for the raise that would occur on July 1st, and possibly have another evaluation by November; then everybody doing those evaluations, would have a different concept of them and the numbers would mean something. He proposed that the red-line individuals would receive the 1% COLA, as well as a one-time bonus of \$500. At that time, the inequities would be reviewed again, and written policies would be put in place to keep these inequities from occurring. The market would need to be reviewed at a later time.

Mayor Eyre noted that it is important to remember that there was a \$1.3 million increase in employee benefits that the City covered. Insurance premiums increased by 5.4%, retirement costs increased by 8.2%, and the 1% COLA, and the 2% merit increases add up to a total employee compensation increase of 16.42%. It is important to look at the other 13% in increased employee costs, not just the 3% increases.

Mr. Zollinger stated the employee would only see an increase of a couple of dollars for benefits, and the City is also offering a different insurance option.

Ms. Sadler said that information was good to know and the Performance Pro evaluation system has been discussed in their meetings also. There are employees and supervisors that don't like the system. They feel like different supervisors grade differently and all employees are not judged equally. It was suggested that other employees also do anonymous evaluations. In large departments, a supervisor may not know what all the job duties are, and a peer may be able to give more insight, Ms. Sadler stated. She also suggested using an average of the last three to four evaluations for the merit increase.

Mayor Eyre would like a committee to evaluate Performance Pro and then offer training for supervisors for more standardization in the results. He acknowledged that now there will be a meaning to those numbers given on evaluations. If the Council approves the proposed

changes then the COLA plus the merit will remain in place, and possibly only the numbers would change.

Mr. Hales asked if both the employee and the supervisor did an evaluation with Performance Pro and then discussed it together. Ms. Sadler replied that was correct.

Ms. Turner noted that she has a concern with an employee's peers doing an evaluation. She believes it puts a lot of responsibility on the peers, rather than a supervisor. Ms. Sadler agreed there are some concerns with peers grading fairly also, and it would require more than one peer evaluating another.

**Firefighters' Union**

**Daren Wightman**

Mr. Wightman noted that he had an addendum to the previous information given to the Council.

Ms. Turner had previously asked for the monetary value of a trained firefighter that decided to leave the City. Mr. Wightman and others tried to establish some numbers, but it is a subjective issue. In different studies, the range varies from 20% to 150% of the salary. He showed some of the breakdown costs for different types of training and certifications. In the case of Mr. Wightman, he was sent to paramedic school, and signed a contract with Murray City saying that if he left the City within two years, he would have to pay back the \$40,000. A typical firefighter that had five to ten years of experience, would have 80% to 90% of the certifications done. There are several employees currently attending hazmat tech school.

Mr. Wightman said there are a variety of training programs for firefighters. Every day there is didactic and practical training done on a variety of topics to maintain high levels of proficiency. There is an expected hour of physical training daily.

The senior firefighters mentor the junior firefighters. This is important to remember when senior firefighters are lost. The senior firefighters are so proficient in areas such as CPR and help train the newer firefighters. As you lose those senior mentors, it lowers the efficiency of the department, he added. This is an intangible cost that is hard to place a dollar value on.

Mr. Wightman mentioned that the Police Department lost 12 to 14 officers in the last few years to other cities. His concern is that the Fire Department will begin to lose firefighters also. He is aware that there are firefighters testing for employment in other cities. The employees that are testing with other cities are mentors, future leaders, and experienced firefighters. He heard that these employees are worried about their future with Murray, and concerned about a pay reduction.

He stated that the operations budget had remained flat over the last few years, and there was an attempt to address compression, but that didn't actually work. He noted the City's policy for compensation states that the City should have just and equitable incentives and conditions of employment to maintain and promote efficiency in the operation of the City. It also states that salaries and wages be competitive with other agencies, based on availability of funds.

Mr. Wightman explained that grade 19 includes engineers and paramedics, from lowest to highest in experience. He explained the different sections before and after last year's raise, and the less experienced employees are receiving the 10%, and the employees with higher seniority are receiving 5%. Employees are given more weight for "time-on" from other agencies than those that have spent their time with Murray. These are a few of the pay inequities that are really hurting morale.

He believes there are four inequality concerns: Captains are making less than those employees that report to them, personnel with greater experience are making less than new employees, more weight given to experience outside of Murray City and no predictable career progression plan.

Mr. Wightman compared Murray's lower taxes compared to other cities. He pointed out some articles from similar situations in Atlanta and Salt Lake City. He pointed out that it may be important to look at the funding mechanism to be able to address these issues. Mayor Eyre asked if Mr. Wightman was talking about a tax increase for the citizens. Mr. Wightman said that is a possibility that needs to be researched. The Mayor pointed out that property tax increases cannot be used solely for employee compensation. Mr. Wightman said he is aware of that and believes there are other expenses in the City that could use the funding also.

**Court**      **Michael Williams and Judge Thompson**

Mr. Williams said the budget is at 76% spent, with 83% of the year gone. There are a few line items over budget, but will be compensated for by other line items.

He said it looks like prisoner transport decreased in the 2014-15 budget, but that figure does fluctuate, even though the Court averages 18 transports per day. The Court is picking up more video arraignments.

Mr. Williams stated he does not have a problem with the parameters set in the budget.

Mr. Zollinger said that a position was added for a temporary employee. Mr. Williams said he needs an employee to try and keep cases from flooding into the court that could be addressed by hearing officers. This employee would work 20 hours a week and perform finger printing, archiving, and other tasks. He has some interviews set up and hopes to hire a person very soon. Mr. Zollinger commented that this person will be paid for due to some other cuts in his budget.

Mr. Williams said the City has a contract with Selectron. Selectron handles the phone and website payments. Of the total payments, 45% are made by phone and the rest are made by website. The State now accepts web payments so the City may allow the State to process web payments for the City and that will cut down on costs. Instead of a blanket contract for services, the State charges five cents per transaction. This would also cut down on the time spent on fixing problems and maintaining Selectron.

Collections are getting better and retained revenue is increasing. Mr. Hales asked if collections were done in house and how many employees were employed. Mr. Williams replied that he has eight clerks and they process the collections. The bailiffs make many of

the contacts and set up court dates. The court also works closely with the Police Departments and warrant officers will pick the person up.

Mr. Camp asked about the software support. Mr. Williams said that change would be the support from the State website. He is planning on a July 1<sup>st</sup> date to switch over.

Judge Thompson noted that he has mandatory training and also maintains his membership in the Utah Bar Association that requires one travel obligation a year and he appreciates the funding.

He asked if his salary was up for discussion at this time. The media stated that clerks were conducting hearings, and that is a common occurrence in the District Courts. He believes that the Justice Court judges are the hardest working judges in the system. He appreciates Mr. Williams and his efforts for a well-run court. He stated that people are treated fairly, while keeping the courts economically viable. The court pays for the prosecution office, which would require payment, even without a City Court.

He would like to be compensated comparably to the West Jordan, South Jordan, and Ogden judges that have similar caseloads. Mr. Camp asked what the salary increase was in the proposed budget. Mr. Zollinger replied that it was a 1% COLA, and a 2% merit, same as all other employees. Mr. Hales asked Ms. Lopez about the salary survey she had done. Ms. Lopez explained that she researched an average of the courts with similar caseloads, and it appeared that Judge Thompson was a little higher than the average. Judge Thompson stated that West Jordan, South Jordan, Sandy, and Ogden judges are all paid the State maximum, plus a substantial car allowance. Ms. Lopez noted that she found the information on the State transparency website, which the numbers are input by the City Finance Directors. He said he receives about the same wage as West Valley, but that judge only works four days a week, and earns extra income from other sources. Judge Thompson said the salary range is large due to the rural areas in the State that mainly see traffic tickets. Murray City has a heavy load of DUI cases, domestic disagreements, and serious traffic offenses.

Mr. Williams mentioned that Murray is a high intensity court, with a low recidivism percentage. For example, the State DUI recidivism is 26%, compared to 9% for Murray City. There is a full calendar upstairs in the hearing offices for first-time traffic offenders, and the Spanish speaking cases. He noted that Judge Thompson does more work than the caseload numbers show. The Court is open 11 hours a day. Judge Thompson said that his hours fluctuate depending on the case. There are morning and afternoon hearings every day. He noted that the AOC (Administrative Office of the Courts) recommends two judges for the caseload that Murray City processes.

Mr. Brass asked that the item be placed on the contingency list.

**Human Resources**

**Mike Terry**

The budget has had three reductions, and one increase for next year. The books & subscriptions line was reduced by \$500, due to online accessibility of the materials. The budget for small equipment decreased, as well as education & training. He noted that the desired seminars and conferences are usually held locally and there isn't a need for travel.

The budget increase was for software maintenance. One of the software programs is called Tech Net, a compensation survey to gather salary information from the other cities. The other software is Performance Pro, the employee evaluation system. Performance Pro increases its rates approximately 5% to 10% a year. Mr. Terry said the City has had Performance Pro for about ten years, and it has not been adjusted during that time. There are discussions ongoing about possibly changing the system. He said timing is important when making an evaluation software change.

Ms. Turner asked how many employees work in human resources. He replied that there is one full-time analyst, a 3/4 analyst, and a safety manager under his supervision. The safety manager's salary is paid out of the risk fund.

Mr. Camp asked if Tech Net took the place of Wasatch Comp software. Mr. Terry said that it did, and was developed by the same person, Mike Swallow. He developed a website about eight years ago that enables the cities to input information and the charge is about \$500 per year. Mr. Terry said he could provide the information to the Council, if desired. Mr. Camp stated that it would be nice to see how the City compares in wages. Mr. Terry said there are two things to compare: actual salary ranges, as well as actual salary by position. Murray has always tried to compare ranges because different unknown factors go into each individual's salary. He believes that Murray's salary ranges are pretty good, possibly a little low, but the actual salaries are probably lower than most. During the last decade, employees have not been able to work their way up inside of the salary range, even though some efforts were made last year to address that.

**Power Department**

**Greg Bellon & Bruce Turner**

Mr. Bellon said the budget is balanced, and includes a \$2 million increase in expenses from the prior year, due to the Hunter Power Plant upgrades. The Hunter Plant is required to install selective catalytic reduction in the future so that money is being set aside.

The Power Department paid off some bonds and saved \$530,000 in this year's budget, and capital expense was reduced by about \$800,000.

The fleet was able to see some improvements and some needed repairs were made.

The Power Department decided to take on the expense of \$48,000 for street lighting. Mr. Zollinger said that was a huge help in balancing the General Fund.

Power costs account for 57% of the budget, 22% for labor costs and materials, 12% for operation transfers and administrative fees, and 4.3% is debt service and 4.7% is for capital projects. The department works very hard at keeping power costs down. The dispatchers look at all options when purchasing power.

He noted that there are 47 full-time employees in the Power Department, and a few part-time employees.

Mayor Eyre asked if the department was involved in any programs to change the street lighting from the existing lighting to LED lighting. Mr. Bellon said the City is involved in a pilot program that would involve 16 lights on 1300 East from VanWinkle to 6400 South and

switch them to LED. He said there have been problems with LED lights longevity. Mr. Brass said there are heat problems with those lights and can cause burn-outs, and they are expensive. Mr. Turner said the County switched some out on top of the semifours and 5 or 6 out of the 20 installed are not currently working. He said there are no programs mandated yet, just voluntary changes.

Residential meter sales account for 32% of the revenue, 54% is large commercial, and 14% is small commercial. The philosophy is to budget conservatively on the revenue. The UAMPS (Utah Associated Municipal Power Systems) margin is the sale of energy to Truckee-Donner. It isn't net income, there is a cost involved, so it is gross profit. The output has increased at the Transjordan landfill so that has been positive.

There was a reduction in capital equipment. Mr. Turner said that they might purchase two F-450 pickup trucks for the crews, and the biggest expense is the underground puller. The existing puller is 15 years old, and the cable and drums are not good. The cost to replace the puller is approximately \$164,000. There is also a stumper for the tree trimmers listed that would cost \$60,000. There will be a carport built to house the back-hoe, mini-excavators and the dump trucks, and expand the truck bays to house the tree trimmer equipment also. There is one bucket truck that was ordered last year but hasn't been received yet so the funds would carry over from last year.

The funds for Public Power Week were increased by \$2,500.

Regular employees have been placed into the administration budget.

There was a decrease in maintenance buildings and grounds, due to a parking lot disbursement from another account.

Mr. Brass asked about mandatory fall prevention equipment, as of April 15<sup>th</sup>. Mr. Turner replied that two employees already have the safety straps and belts, but the other six employees would need them. Mr. Turner said the employees will be open to the mandatory gear change.

Mr. Bellon said the largest expense was for money set aside for the Hunter Plant. He commented that CRSP (Colorado River Storage Projects) was one of the greatest assets. Mr. Brass asked if they were going to get it, because the water doesn't look so good. Mr. Bellon said the State received some good snow and is hopeful it will trickle down there.

The power pool/exchange is used to buy and sell power to other UAMPS members. Power can be bought on an hourly/daily/monthly basis.

TransJordan has increased their output, so the cost to cover the output has increased. Mr. Zollinger noted a portion of those costs is recovered through resales. It is a real savings when the City can purchase expensive resources at a fraction of the cost. He said it is about \$1 million annual increase to the City.

Mr. Brass asked about the REC's (Renewable Energy Certificates). Mr. Bellon said there is a minimal amount listed in the budget.

Some of the principal bonds were paid off, and there isn't anything callable until 2016. Operational transfers remained about the same, and the administration fee increased slightly.

Mr. Zollinger commented that the most substantial changes for power was in the purchasing of power.

The line item for metering was reduced because the department was able to complete the purchase of the meters, and have almost changed them all over.

There was a large increase in miscellaneous contractors due to some hydro work that needs to be done. Some of the joints need to be redone. The line for maintenance for plant equipment increased by \$60,000 for some variable frequency drives to be installed in the station. There was also an increase for a mobile battery charger for working on the turbines.

Mr. Bellon noted that the system is judged when the wind blows, and the system looks good. He added that it is hard to control rodents' damage.

Mr. Turner said that Provo City had to borrow one of the trucks to reach some heights near Geneva. The City also sent a couple of crews to help Bountiful during their severe windstorm. Mr. Bellon said that is a nice benefit to be in the UAMPS/IPSA program to have the mutual aid between partners.

Mr. Hales asked if the microburst about 15 years ago affected the power. Mr. Turner said that it did and caused a rebuild in that area.

Mr. Bellon noted that the department appreciates the support from the Council and the City. He excused Mr. Haacke who was absent due to a conference.

**Mayor's Office**

**Jan Wells, Chief Administrative Officer**

Ms. Wells explained that the budget is fairly simple. There are savings due to one fewer employee currently.

There was \$20,000 added to pay for some professional help during the Legislative Session.

Mayor Eyre added that the other increases were consistent with City wide increases. The overtime has been reduced and will stay that way. Cell phones expenses have decreased.

He added that he appreciated attending the Legislative session and feels like the Legislators liked having Mayors attend the session. He said it was a lucky year for the City, as far as the bills that passed and didn't pass. Mr. Hales asked if the legislative consultant would be a City employee working in the office. The Mayor said the goal is to hire someone just to attend the session, possibly an intern or consultant.

Ms. Wells said they are very concerned with the Marketplace Fairness Act, and also the sales tax distribution formula. Those could have a serious impact for Murray and will require the City to be very engaged on those issues.

Mayor Eyre expressed his appreciation for the ULCT (Utah League of Cities & Towns).

ULCT was a great resource and Cameron is a great asset to the City, as well as the lobbyist, Dave Stewart.

**Police Department**

**Craig Burnett, Chief and Joe Tarver, Assistant Chief**

Chief Burnett said the budget remains about the same as last year.

VECC charges increased, as well as the contract with West Jordan for animal control. Mr. Brass commented that the animal control guys do a great job. Chief Burnett said he is happy with the situation but still needs to talk with the new Police Chief in West Jordan, and is hopeful that collaboration will continue.

There are three Lieutenant positions currently, down from four previously. That is not impacting the department in any way. The three Lieutenants have more responsibility and are being deployed a little differently. It was a minor adjustment in patrol, but makes more sense to have the Lieutenants run the divisions with more responsibility. There is one Lieutenant now in patrol, and he coordinates with the Sergeants. Chief Burnett complimented the Sergeants on their efforts and said the system seems to be working out just fine. Mr. Zollinger thanked the Chief for saving money. The Chief said the department understands that this is a more efficient process, even though there might have been disappointment in the fact there were no promotions.

Chief Burnett said two officers recently left and started with West Valley, another is resigning for other reasons. Applications are being accepted for police officers to fill the three vacancies. There is also an opening for a code enforcement officer, an opening that has been available for a few years.

The police records are pretty backed-up, so a temporary employee, a former cadet, has been hired to help catch up on records. This is a budget neutral addition, since the funds were found from other areas in the budget.

The canine supplies budget has been decreased due to the fact the City is currently without canines.

Mr. Zollinger added that there was a budget opening this year for \$19,000 because the department received insurance money.

Mr. Brass noted that there were some new vehicles added to the CIP list. Chief Burnett said he is concerned with the budget for this year, due to his stepping in mid-stream and is figuring out who was being paid and from what budget. Mr. Zollinger asked if he was concerned specifically with the vehicle maintenance account. Chief Burnett said that was one of them, but he is looking forward to starting the new budget on July 1<sup>st</sup>.

There have been some accidents that cost a little more money than previously thought. Also, some light bars went out, and six of them were replaced at about \$1,300 per light bar. He believes that the maintenance should go down with the addition of the new cars. Mr. Brass said to approach the Council, if the department gets in a bind.

Mayor Eyre asked if the fleet was standardized to help out with maintenance. He

commented that he likes the look of the Chargers, but is concerned that they are rear wheel drive. Chief Burnett said the Ford Focus, which is an all-wheel drive car, cost about \$6,000 more per car. Mr. Hales said he heard that the rear wheel drive didn't make a big difference. Chief Burnett said the department was also looking at the Impala, but compromised with the Charger. The Impala was front wheel drive, but was extremely unpopular with the officers. The Chargers cost about the same and have a great warranty. There were no real problems during the winter; they do have an anti-slip traction control device that helps. The City paid about \$21,000 for the Chargers, and the all-wheel drive police vehicles cost about \$27,000. The lower price allowed for the purchase of more cars. He noted that Dodge is coming out with an all-wheel drive car with the police package in about a year. Mr. Zollinger asked if it lowered the fuel mileages. Chief Burnett said it might, but it is only a V8 engine, so the difference would be minimal.

Chief Burnett noted that there were ten vehicles requested on the CIP list. There was also a request for taser replacement. The interview room in the detective division is also listed for a remodel.

Chief Burnett noted that the recent homicide in Murray has depleted the two accounts, with the DNA costs alone. The City had to go to a private lab to get quick results and those bills have added up to nearly \$28,000. All other testing went to the state, but those results won't be back for nine months to a year.

Ms. Turner asked how many officers work in juvenile investigation. Chief Burnett replied that there was the Dare Officer, the cadet advisor, and the school resource officers all paid from that account, possibly six or seven officers. Ms. Turner asked if the school helps pay for the school resource officers. He replied that the City receives about \$12,000 per year for the full-time officer at Cottonwood High, and Murray School District pays about \$25,000 for three full-time officers. The City completely funds the Dare program, at approximately \$11,000 for the hard costs.

Mr. Camp asked about the increase on the animal control contract, and if it is still a savings. Chief Burnett replied that the City knew the contract would increase, and he is unsure if it remains a savings. The City still funds the building and the three employees, and gave the vehicles to West Jordan. Ms. Wells said the complaints about animal control services have gone from a lot of complaints to almost nothing. She feels like it is money well spent. Chief Burnett commented that he is happy with the job that West Jordan is doing also. Mr. Brass said the change eliminated many problems, but the contract should be reviewed. Mr. Zollinger added that this is the final year of the contract. The Council expressed appreciation to Chief Burnett for his efforts on the budget.

**Finance Department**

**Justin Zollinger, Director**

Mr. Zollinger commented that the budget was flat, other than the increase in employee wages.

The use of reserves to pay the School District from Non-Departmental was taken out of the budget, as well as some other budget cuts. The money set aside for professional services was eliminated, the money for the grant writer was left in, because that has been a good use

of funds to get \$12,000 in grants. Miscellaneous services was reduced; that account has been used to pay for unexpected items, but it does have a replenishing mechanism when property taxes come in.

The Boys and Girls Club receive \$118,000. They are also eligible for a Federal grant that will match 60% of the amount the City gives, an additional \$70,000. The City also supports the homeless shelter, and the utility relief program. Mr. Brass said he would like an update from the Boys and Girls Club. This is the first year that the Boys and Girls Club is in the black and he would like a report at a Council Meeting or Committee of the Whole.

Mr. Zollinger added that the line for employee Christmas gift was eliminated, simply because the different departments have taken over that line item.

Mayor Eyre asked if the Road Home was the only homeless shelter in the State. Ms. Wells said the Road Home oversees the housing portion, but the Midvale shelter is also part of the Road Home. Mr. Zollinger said the money donated is divided by using a formula for the population of the area.

Ms. Lopez asked Mr. Zollinger where the bond payments for UTOPIA are budgeted. Mr. Zollinger replied that it has a line item in the bond payments section.

#### **City Council**

#### **Jan Lopez, Council Administrator**

Ms. Lopez said the largest increase came from the addition of the healthcare plan for Council Members. There has been one family health plan, and one two party plan allocated in the budget.

The training and travel budget was increased to account for some additional costs from the National League Conference in Washington D.C.

There was a minimal increase to account for the new cell phone policy in the City.

The professional line item was lowered because the money was not needed. A portion of that excess may be used for new carpet in the Council Office.

#### **Announcements**

Ms. Lopez said there will be a budget reconciliation next Tuesday, April 29<sup>th</sup> from 4:00-6:00 pm.

The items on the contingency list include: radar sped signs, vehicle conversions to CNG, the Judge's salary, and the Taylorsville Bridge. Mr. Brass said the Taylorsville Bridge was added to the list so it could be discussed in an open meeting on the record. Mr. Brass suggested that the nearby hotels should be contacted to determine if the bridge is a benefit to them. He wants to get a dollar amount on the money needed for the bridge, and give it a fair hearing.

Mr. Brass noted that the items on the contingency list only mean that another look is warranted.

Mr. Brass added that the first year all the radar street signs all went to District 1, 30% of them the second year, and this proposed list would give 38% to District 1. District 4 has only received two signs, so in fairness, District 4 should receive a sign if needed. Mr. Brass said the sign on 4800 South is needed for safety reasons. Mayor Eyre said the residents on Holstein would like to pay for an additional sign if needed. Ms. Towers clarified that the list has the top seven recommended streets, because one street has two signs. Mr. Brass commented that street signs are a relatively inexpensive way to show the residents some results.

Ms. Lopez asked if the intent document could be discussed next week. He replied that was a good suggestion, and wages, street signs, references to the CIP all should go in the intent document.

Mayor Eyre asked when the budget would be officially approved. Mr. Brass said it would be approved at a public meeting on June 18th. He doesn't anticipate any problems with the budget approval.

Mr. Brass adjourned the meeting.

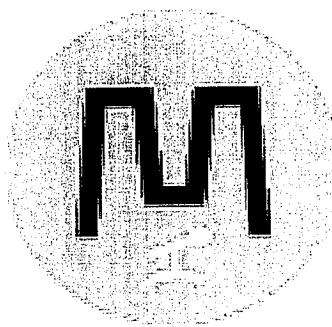
Council Administrator II  
Kellie Challburg



**MURRAY**  
CITY COUNCIL

# Committee of the Whole

# Committee of the Whole Internal Business



**MURRAY  
CITY COUNCIL**

# **Discussion Item #1**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

Annual Report on Murray Area Chamber of Commerce activities

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Responsive and Efficient City Services

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 3, 2014

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

Fiscal Year 2014 Budget allocation

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

**6. REQUESTOR:**

Name: Janet Lopez

Title: Council Administrator

Presenter: Stephanie Wright

Title: President & CEO

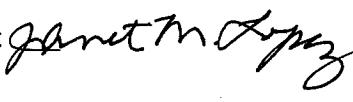
Agency: Murray Area Chamber of Commerce

Phone: 801-263-2632

Date: May 23, 2014

Time: 11:41 a.m.

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: May 23, 2014

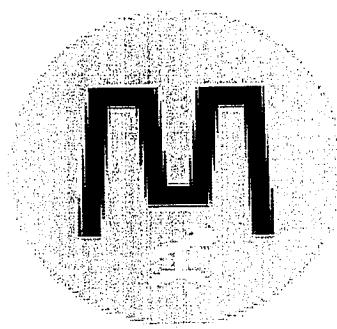
Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



**MURRAY**  
CITY COUNCIL

# **Discussion Item #2**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

Annual Report on South Valley Boys and Girls Club activities

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Responsive and Efficient City Services

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 3, 2014

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

Fiscal Year 2014 Budget allocation

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

**6. REQUESTOR:**

Name: Janet Lopez

Title: Council Administrator

Presenter: Bob Dunn

Title: President & CEO

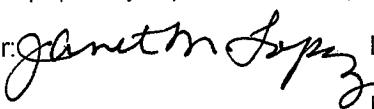
Agency:

Phone: 801-284-4251

Date: May 23, 2014

Time: 12:00 noon

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: May 23, 2014

Mayor: \_\_\_\_\_ Date: \_\_\_\_\_

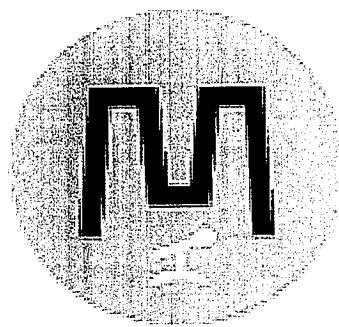
**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



**MURRAY  
CITY COUNCIL**

# **Discussion Item #3**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

Briefing on proposed Agreement for Intermountain Health Care Bond issuance through Utah County

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Responsive and Efficient City Services

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 3, 2014

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Letter

**6. REQUESTOR:**

Name: Frank Nakamura

Title: City Attorney

Presenter: Dustin Matsumori

Title: Director of Financial Planning

Agency: Intermountain Healthcare

Phone: 801-442-2000

Date: 05/21/2014

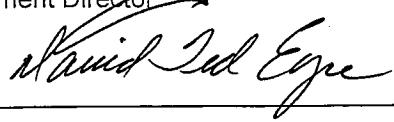
Time: 11:00

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director

Date: 5.21.2014

Mayor:



Date: 5/21/2014

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



36 South State Street  
Salt Lake City, UT 84111  
801.442.2000

May 21, 2014

Frank Nakamura  
Murray City  
5025 S State Street  
Murray, UT 84107

Re: Intermountain Healthcare on June 18<sup>th</sup>

Dear Frank,

Thank you again for your assistance in helping us go through these legal requirements. Doing so enables Intermountain Healthcare to continue to invest in its facilities within Murray and provide high quality healthcare to your citizens.

As a follow-up to our call, below is a brief description of Intermountain's request and the necessary actions to be taken by the Council at its regularly scheduled meeting on June 18th. Bond Counsel (Chapman and Cutler) is currently working to draft up the documents.

#### **Purpose**

Intermountain Healthcare is preparing to issue approximately \$250 million of new money hospital revenue bonds for constructing, renovating and equipping various facilities throughout the State. For this particular financing, we have selected Utah County to serve as the conduit issuer since a large amount of the funds will be dedicated to projects within Utah County's boundaries. Intermountain would be solely responsible for repayment of the bonds. Utah County only acts as the conduit issuer, having no responsibility nor obligation associated with repayment of the debt.

#### **Action on June 18th**

We also intend to use a portion of the bond proceeds at various facilities within Murray City. However, in order to allow Utah County to issue bonds for and on behalf of Intermountain Healthcare and use some of the proceeds to improve/build projects within Murray City, Utah and federal tax law require that the Council take two actions at its regular meeting on June 18th.

- 1) Hold Public Hearing and Adopt TEFRA Resolution – In order to comply with the Tax Equity and Fiscal Responsibility Act (Internal Revenue Code) a public hearing must be held at each of the governing bodies where we plan to use bond proceeds. The purpose of the hearing with Murray City is to receive any public comment regarding the proposed financing of the facilities within Murray City. In connection with the hearing, the Council would also adopt a TEFRA Resolution, approving Utah County's issuance of the bonds with respect to the amount for the facilities within Murray City.
- 2) Authorize / Execute Interlocal Agreement – The Utah Interlocal Cooperation Act permits the financing to be accomplished through one local governmental entity even though some of the projects to be financed will be located outside of Utah County's



36 South State Street  
Salt Lake City, UT 84111  
801.442.2000

boundaries. Structuring the financing in this fashion results in economies of scale, larger and more marketable bond maturity sizes and the elimination of duplication of effort. Utah County previously executed an Interlocal Cooperation Agreement in connection with a bond issuance in 2012 which provided for the issuance by Utah County of revenue bonds for projects within its jurisdiction, as well as for projects in Cache, Salt Lake, Summit and Weber counties.

At the same meeting as the TEFRA hearing and resolution on June 18th the City Council would adopt a resolution to join this existing interlocal agreement with Utah County and the other various counties where other projects may also be financed. This prevents Intermountain from having to issue a separate series of bonds through each local government authority where we intend to spend bond proceeds, thereby lowering the overall cost of issuance on the transaction. As a participant in the Interlocal Agreement with Utah County, Murray City does not have any obligation or responsibility for repayment of the bonds. Intermountain is solely responsible for repayment of the bonds.

#### **Request to Publish Notice of Public Hearing**

In order to hold the public hearing on June 18th bond counsel needs to publish a notice of the hearing in the local newspaper no later than 14 days prior to the hearing date. We will work with Chapman and Cutler to handle the publication and will pay for all costs associated with the notice. Historically, we have gone ahead with publishing the necessary notice prior to the City Council meeting and then sent a representative from Intermountain Healthcare and/or bond counsel to the meeting to address any questions during the actual hearing. We plan to do the same this time.

#### **Draft Documents**

Chapman and Cutler is preparing drafts of the public hearing notice, the TEFRA resolution and the interlocal agreement resolution. I will send you the draft documents as soon as they are available.

As in the past, we will reimburse Murray City for any time/expense associated with its review of this transaction. I know that oftentimes the City has asked its own bond counsel (Randy Larsen at Ballard Spahr) to review the documents in order to save the City's staff time. Intermountain would also cover this cost, if the City decides to contact him and request his review.

Thank you in advance for your assistance. Murray City is an important partner with Intermountain Healthcare.

Kind regards,

Dustin Matsumori  
Director of Financial Planning

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held on Wednesday, June 18, 2014, at 6:30 P.M., in Council Chambers, Murray City Center, 5025 South State Street, Murray, Utah, by the City Council of Murray City, Utah (the “City”), regarding a plan by Utah County, Utah (the “Issuer”) to issue its revenue bonds (the “Bonds”) in one or more series and in an aggregate principal amount not to exceed \$35,000,000 with respect to facilities located in Murray City. The proceeds of the Bonds will be loaned to IHC Health Services, Inc., a Utah nonprofit corporation (“Intermountain”), and used, together with other available funds, to (i) finance, refinance, or reimburse Intermountain for its prior payment of, the costs of acquiring, constructing and equipping the health care facility described below which is or will be owned by Intermountain, (ii) fund a debt service reserve fund, if deemed advisable by the Issuer and Intermountain, and (iii) pay certain expenses incurred in connection with the issuance of the Bonds, including any premium and fees associated with the credit or liquidity enhancement of the Bonds, if credit or liquidity enhancement is deemed advisable by the Issuer and Intermountain.

The proceeds of the Bonds will be used to finance, refinance, or reimburse Intermountain for the costs of acquiring, constructing, improving or renovating the facility listed below and the costs of acquiring equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) to be used at the facility listed below. A general functional description and the location of such facility, and the estimated maximum aggregate face amount of Bonds to be issued with respect to such facility, are listed below:

Murray City: Cottonwood Clinic, a new, approximately 65,000 square foot medical clinic on The Orthopedic Specialty Hospital campus located at 5848 South Fashion Boulevard, Murray, Utah — \$35,000,000.

The public hearing referred to above is required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”). Interested individuals are invited to express their views, either orally or in writing, on the proposed issuance of the Bonds. Comments at the public hearing are invited. Written comments may be submitted to the City at its offices located at 5025 South State Street, Murray, Utah 84107 Attention: City Recorder, until the commencement of the public hearing. Additional information can be obtained from the City at its office shown above. Subsequent to the public hearing, the City Council of the City will consider whether to approve the issuance of the Bonds for purposes of Section 147(f) of the Code.

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE 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. TDD NUMBER IS 801-270-2425 or call Relay Utah at #711.

DATED: June 3, 2014.

MURRAY CITY, UTAH

By /s/ Jennifer Kennedy  
City Recorder

## **INTERLOCAL COOPERATION AGREEMENT**

THIS IS AN INTERLOCAL COOPERATION AGREEMENT, dated as of October 1, 2012, by and among the cities and counties which have, from time to time, become parties hereto in accordance with the provisions hereof (the "Participants"), each being a city or county and a political subdivision of the State of Utah (the "State") and each acting through its duly constituted governing body.

### **RECITALS**

Pursuant to the provisions of the Interlocal Cooperation Act, Chapter 13 of Title 11, Utah Code Annotated 1953, as amended (the "Interlocal Cooperation Act"), public agencies, as defined in the Interlocal Cooperation Act ("Public Agencies"), are authorized to enter into contracts and agreements with one another in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State.

The Interlocal Cooperation Act provides that any power that may be exercised by any Public Agency may be exercised and enjoyed jointly with other Public Agencies pursuant to an agreement duly approved by resolution of the governing body of each of such Public Agencies.

Pursuant to the Utah Industrial Facilities and Development Act, Chapter 17 of Title 11, Utah Code Annotated 1953, as amended (the "Facilities Development Act"), each of the Participants has authority to issue bonds to provide funds for loans to finance, refinance or provide reimbursement for the acquisition of facilities suitable for use in providing health care services to improve local health and the general welfare by inducing hospitals to modernize or expand. Pursuant to the Facilities Development Act and the Utah Refunding Bond Act, Chapter 27 of Title 11, Utah Code Annotated 1953, as amended (the "Refunding Act"), each of the Participants is authorized and empowered to issue bonds for the purpose of refunding outstanding bonds previously issued under the Facilities Development Act.

In order to improve local health and the general welfare by inducing hospitals to locate, relocate, modernize or expand health care facilities in the State, to accomplish economies of scale and other cost savings, and to reduce the costs of providing health care services, Section 11-17-3 of the Facilities Development Act authorizes each Public Agency to enter into interlocal cooperation agreements to provide for the issuance of bonds under the Facilities Development Act by one of the signatories to the interlocal cooperation agreement on behalf of all of the signatories thereto for the financing or acquisition of projects qualifying as a project under Subsection 11-17-2(8)(a)(iii) of the Facilities Development Act or for the refinancing thereof.

In order to accomplish the purposes set forth above, the Participants have determined by resolution of their respective governing bodies to enter into this Interlocal Cooperation

Agreement (this “Agreement”) to provide for the financing, refinancing or reimbursement of the costs of acquiring facilities for the benefit of IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services (“Intermountain”), and to accomplish such purposes, Utah County, Utah (the “Issuer”), pursuant to the terms of this Agreement, has agreed to issue its bonds on behalf of itself and the other Participants and loan the proceeds thereof to accomplish such purposes.

In consideration of the mutual agreements contained herein and upon the further consideration of the recitals hereinabove set forth, it is hereby agreed by and among the parties hereto as follows:

*Section 1. Definitions.* Unless the context otherwise requires, the following terms for all purposes of this Agreement shall have the following meanings:

“*Acts*” means, collectively, the Facilities Development Act, the Interlocal Cooperation Act and the Refunding Act.

“*Administrator*” means the administrator appointed pursuant to Section 5(c) hereof.

“*Agreement*” means this Interlocal Cooperation Agreement.

“*Bonds*” means the bonds authenticated and delivered pursuant to and secured by the Indenture and any refunding bonds issued to refinance any portion of the Project. The Bonds may be issued in one or more series.

“*Facilities Development Act*” means the Utah Industrial Facilities and Development Act, Chapter 17 of Title 11, Utah Code Annotated 1953, as amended.

“*Financing*” means the issuance of the Bonds and the making of the Loan or Loans to accomplish the purposes of this Agreement.

“*Indenture*” means the one or more Indentures of Trust and Pledge, each between the Issuer and the Trustee pursuant to which the Bonds are to be issued and secured and any other trust indenture or indentures pursuant to which any refunding bonds are issued and secured by the Issuer pursuant to this Agreement to refinance any portion of the Project.

“*Interlocal Cooperation Act*” means the Interlocal Cooperation Act, Chapter 13 of Title 11, Utah Code Annotated 1953, as amended.

“*Intermountain*” means IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services, and its successors and assigns.

“*Issuer*” means Utah County, Utah and its successors, as issuer of the Bonds.

“*Loan*” means any loan or loans made by the Issuer on behalf of the Participants to Intermountain to finance, refinance or provide reimbursement for the acquisition and installation of Projects.

“*Loan Agreement*” means the one or more Loan Agreements, each between the Issuer, on behalf of the Participants, and Intermountain setting forth the terms of a Loan or Loans.

“*Note*” or “*Notes*” means the one or more notes of Intermountain delivered to the Trustee in order to evidence the obligation of Intermountain to pay amounts sufficient to amortize a Loan.

“*Participant*” means each Public Agency which is, at any time and from time to time, a signatory to this Agreement. The Participants are named in *Schedule I* to this Agreement, a true, complete and correct copy of which is on file with the Administrator and the Trustee.

“*Project*” means any land, interest in land, building, structure, facility, system, fixture, improvement, appurtenance, machinery, equipment, or any combination of them, suitable for use by Intermountain and qualifying as a “project” under Subsection 11-17-2(8)(a)(iii) of the Facilities Development Act.

“*Public Agency*” means a “public agency” as defined in the Interlocal Cooperation Act.

“*Refunding Act*” means the Utah Refunding Bond Act, Chapter 27 of Title 11, Utah Code Annotated 1953, as amended.

“*Resolution*” means a resolution of the governing body of a Participant adopted for the purpose of approving and authorizing the execution of this Agreement or any amendment hereto, or approving any action taken pursuant to this Agreement when such approval is required hereby.

“*State*” means the State of Utah.

“*Trustee*” means Zions First National Bank, Salt Lake City, Utah, and any successor trustee under the Indenture.

Terms defined in this Section in the singular shall include the plural and vice versa.

*Section 2. Purpose.* In order to improve local health and the general welfare by inducing Intermountain to locate, relocate, modernize or expand health care facilities in the State, to accomplish economies of scale and other cost savings, and to reduce the costs of providing health care services, this Agreement is entered into pursuant to the authority granted in the Acts for the purpose of providing for the issuance of the Bonds by the Issuer on behalf of the other Participants in order to provide low interest loans to Intermountain to finance, refinance or provide reimbursement for all or a portion of the costs of acquiring Projects for the use of Intermountain, to establish other funds under the Indenture to secure the payment of the Bonds, to provide for the payment of costs incidental to the issuance of the Bonds, and to provide moneys for any other lawful purpose specified in the Indenture. This Agreement shall be

interpreted so as to permit the realization of such purpose to the full extent authorized by the Acts.

*Section 3. Effective Date; Duration.* This Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act, upon receipt by the Administrator and the Trustee of the documents specified in Section 4(a) from the Issuer and one or more other Participants. The term of this Agreement shall end upon the earlier of the discharge of the Indenture in accordance with the provisions thereof or September 30, 2062. Upon the expiration of this Agreement, any property or moneys not required to be used to pay principal, premium, if any, or interest on the Bonds and not otherwise required to be applied as required by the Indenture shall, to the extent permitted by law, be distributed to Intermountain as provided in the Indenture.

*Section 4. Parties.*

(a) *Additional Parties.* Following the execution hereof by the Issuer, any other Public Agency may become a Participant either before or after the issuance of the Bonds by filing with the Administrator and the Trustee: (1) a certified copy of a Resolution, in substantially the form attached hereto as *Exhibit A*, duly adopted by the governing body of such Public Agency, (2) a counterpart of this Agreement, duly executed by an authorized official of such Public Agency, (3) evidence satisfactory to the Administrator and the Trustee of the filing of a duly executed counterpart of this Agreement in the official records of such Public Agency, (4) an opinion of counsel to such Public Agency (or other counsel satisfactory to the Administrator and the Trustee) in substantially the form attached hereto as *Exhibit B*, and (5) a revised copy of *Schedule I* to this Agreement to which such Public Agency has been added as a Participant and which has been signed by an authorized officer of the Administrator.

(b) *Withdrawal of Parties.* No Participant shall withdraw from this Agreement so long as there are Loans outstanding with respect to Projects located within the jurisdiction of such Participant. A Participant may withdraw from this Agreement provided that no such Loan is outstanding, upon (1) the giving of at least 30 days' written notice to the Administrator and the Trustee, (2) the filing of an appropriate Resolution by the governing body of such Participant with the Administrator and the Trustee, and (3) a revised copy of *Schedule I* to this Agreement from which such Public Agency has been deleted as a Participant and which has been signed by the Administrator. Any Participant which withdraws from this Agreement as herein described shall no longer be bound by the terms of this Agreement.

(c) *Notice of Change.* Each time *Schedule I* is revised in accordance with the provisions of this Section, the Administrator shall cause a copy of such *Schedule I* to be mailed, as provided in Section 9, to the Trustee and to each Participant who shall file it in the public records of such Participant.

*Section 5. The Financing.*

(a) *Bonds.*

1. Pursuant to and subject to the terms and conditions of the Indenture, the Issuer shall authorize the issuance and delivery of the Bonds in an aggregate principal amount determined by the Issuer as being necessary to implement the Financing, based upon information supplied by Intermountain to the Issuer. The Bonds shall bear interest, be subject to repurchase and redemption, be designated and be in the form, and have such other terms as are provided in the Indenture, as finally executed and delivered by the Issuer without further approval of the other Participants.

2. The Bonds, together with interest thereon, shall not constitute nor give rise to a general obligation or liability of the Issuer, any Participant or the State, or a charge against the general credit or taxing power of the Issuer, any Participant or the State, but shall be special obligations of the Issuer payable solely from, and shall be secured by, to the extent and in the manner provided in the Indenture, a pledge to the Trustee of the rights of the Issuer under the Note or Notes and Loan Agreement and the amounts in the certain funds and accounts created by the Indenture, including investment earnings thereon. The Participants (except for the Issuer to the limited extent provided for in the Indenture), their officers, agents and employees shall not be liable for the payment of the principal of, premium, if any, or interest on the Bonds, nor shall such Participants, officers, agents and employees be liable for any other indebtedness or liability which may arise in connection with the Bonds or the making of the Loans.

3. The proceeds of the sale of the Bonds shall be applied in accordance with the provisions of the Indenture for the purposes specified in Section 2 hereof.

4. The Bonds may be refunded at the option of the Issuer upon such terms as the Issuer shall approve without the necessity of obtaining the approval of the other Participants.

(b) *Loans.*

1. Pursuant to and subject to the terms and conditions of the Indenture, the Issuer is hereby authorized to make Loans on behalf of the Participants to Intermountain to finance, refinance or provide reimbursement for all or a portion of the costs of acquiring Projects located in the jurisdiction of a Participant without further approval of such Participant.

2. The Loan Agreement between the Issuer and Intermountain shall provide for payments sufficient to pay expenses incident to the issuance of the Bonds and shall provide for indemnification of the Issuer and the Participants by Intermountain in substantially the form attached hereto as *Exhibit C*.

(c) *Administrator.*

Pursuant to Section 11-13-207(1)(a) of the Interlocal Cooperation Act and Section 11-17-3(5) of the Facilities Development Act, the Issuer is hereby established as the Administrator. The Administrator shall have and is hereby delegated full power and authority to do all things necessary or convenient to carry out the purpose of this Agreement and the Financing, including, without limitation, the appointment of such agents or entities as are necessary or desirable to effectuate the Financing.

(d) *Budget.*

In satisfaction of the requirements of Section 11-13-206(1)(d) of the Interlocal Cooperation Act, the payment of the costs of the Financing shall be made in accordance with the provisions of the Indenture and the Loan Agreement.

(e) *Property.*

In satisfaction of Section 11-13-207(2) of the Interlocal Cooperation Act, it is not anticipated that any property will be held, acquired or disposed of in connection with the Financing other than revenues and funds which are pledged to the Trustee under the Indenture and are to be applied in accordance with the provisions of the Indenture.

*Section 6. Amendments.* This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each Participant, (b) executed by a duly authorized official of each Participant, and (c) filed in the official records of each Participant. Neither the addition or deletion of Participants to this Agreement and the associated addition or deletion of their names from *Schedule I* pursuant to Section 4 hereof nor the designation of further or different addresses pursuant to Section 9 hereof shall be construed as an amendment, change, modification or alteration of this Agreement for purposes of this Section.

*Section 7. Severability.* If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. Notwithstanding the preceding sentence, this agreement shall be enforceable only so long as the liability of the Issuer and the Participants is limited to the extent provided in Section 5(a)2 hereof.

*Section 8. Governing Law.* All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State.

*Section 9. Notices.* Any notice or other communication shall be sufficiently given and shall be deemed given when delivered or mailed by registered or certified mail, postage prepaid, addressed to the Trustee at Zions First National Bank, One South Main Street, Suite 1200, Salt Lake City, Utah 84133, Attention: Corporate Trust Office, to the Administrator at Utah County, Utah, 100 East Center Street, Provo, Utah 84606, Attention: County Attorney, and to the other Participants at the addresses set forth in *Schedule I* attached hereto. The parties and the Trustee may, by notice given hereunder, designate any further or different addresses to which subsequent notices or communications shall be sent.

*Section 10. Counterparts.* This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested in their respective corporate names by their duly authorized officers all as of the date first above written.

UTAH COUNTY, UTAH

By \_\_\_\_\_  
Chairman, Board of County Commissioners

[SEAL]

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
Chief Deputy Clerk/Auditor

Approved as to Form:

\_\_\_\_\_  
County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

CACHE COUNTY, UTAH

By \_\_\_\_\_  
County Executive

[SEAL]

ATTEST:

---

County Clerk

Approved as to Form:

---

County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

SALT LAKE COUNTY, UTAH

By \_\_\_\_\_  
Mayor or Authorized Designee

STATE OF UTAH        )  
                          )ss  
COUNTY OF SALT LAKE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2012 personally appeared before me  
\_\_\_\_\_, who being duly sworn, did say that s/he is the  
\_\_\_\_\_, of Salt Lake County, Office of Mayor, and that the  
foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

---

Notary Public

[SEAL]

Approved as to Form:

---

Deputy District Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

SEVIER COUNTY, UTAH

By \_\_\_\_\_  
Its \_\_\_\_\_

[SEAL]

ATTEST:

\_\_\_\_\_  
Its \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

SUMMIT COUNTY, UTAH

By \_\_\_\_\_  
Its \_\_\_\_\_

[SEAL]

ATTEST:

\_\_\_\_\_  
Its \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

WEBER COUNTY, UTAH

By \_\_\_\_\_  
Chairman, Board of  
County Commissioners

[SEAL]

ATTEST:

---

County Clerk/Auditor

Approved as to Form:

---

County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

DAVIS COUNTY, UTAH

By \_\_\_\_\_  
Chair, Board of  
County Commissioners

[SEAL]

ATTEST:

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County Clerk/Auditor

Approved as to Form:

---

County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

MURRAY CITY, UTAH

By \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

---

City Recorder

Approved as to Form:

---

City Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

RIVERTON CITY, UTAH

By \_\_\_\_\_  
Mayor

[SEAL]

ATTEST:

---

City Recorder

Approved as to Form:

---

City Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

WASHINGTON COUNTY, UTAH

By \_\_\_\_\_  
Chairman, Board of  
County Commissioners

[SEAL]

ATTEST:

---

County Clerk/Auditor

Approved as to Form:

---

County Attorney

[Signature page to Interlocal Cooperation Agreement dated as of October 1, 2012]

**SCHEDULE I**  
**(Revised as of July 15, 2014)**

Cache County  
County Administration Building  
199 North Main Street  
Logan, Utah 84321

Davis County  
County Administration Building  
61 South Main Street  
Farmington, Utah 84025

Murray City  
Murray City Center  
5025 South State Street  
Murray, Utah 84107

Riverton City  
Civic Center  
12830 South 1700 West  
Riverton, Utah 84065

Salt Lake County  
Attn: Mayor  
Room N. 2100  
Salt Lake County Government Center  
2001 South State Street  
Salt Lake City, Utah 84190

Sevier County  
County Administration Building  
250 N. Main Street, Room 130  
Richfield, Utah 84701

Summit County  
60 North Main  
Coalville, Utah 84017

Washington County  
County Administration Building  
197 Tabernacle Street  
St. George, Utah 84770

Weber County  
Weber Center  
2380 Washington Boulevard  
Ogden, Utah 84401

The foregoing list correctly names all of the cities and counties which are parties as of the date hereof to the Interlocal Cooperation Agreement dated as of October 1, 2012, pursuant to which Utah County, Utah is financing, refinancing or providing reimbursement for the acquisition of health care facilities for the benefit of IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services.

Date: July 15, 2014

UTAH COUNTY, UTAH, as Administrator

By \_\_\_\_\_  
Chairman, Board of County Commissioners

## EXHIBIT A

### FORM OF RESOLUTION AUTHORIZING A PUBLIC AGENCY TO BECOME A PARTICIPANT

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

A Resolution approving and authorizing the execution and delivery of the Interlocal Cooperation Agreement dated as of October 1, 2012, among \_\_\_\_\_ [a] \_\_\_\_\_; Utah County, Utah; and the other parties thereto; and related matters.

\*\*\*                    \*\*\*                    \*\*\*

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the "Facilities Development Act"), \_\_\_\_\_ [a] \_\_\_\_\_ is authorized to issue bonds to provide funds for loans to finance, refinance or provide reimbursement for the acquisition or construction of facilities ("Facilities") suitable for use in providing health care services and thereby improving local health and the general welfare by inducing the location, relocation, modernization or expansion of Facilities in the State of Utah (the "State"); and

WHEREAS, in order to accomplish such purposes, to accomplish economies of scale and other cost savings, and to reduce the costs of providing health care services, the Facilities Development Act authorizes cities and counties ("Public Agencies") to enter into an interlocal cooperation agreement pursuant to the Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the "Interlocal Cooperation Act"), to provide for the issuance of bonds under the Facilities Development Act by one of the signatories to the interlocal cooperation agreement on behalf of all of the signatories thereto to finance, refinance or provide reimbursement for, the acquisition or construction of Facilities; and

WHEREAS, the Interlocal Cooperation Act provides that any power that may be exercised by any Public Agency may be exercised and enjoyed jointly with other Public Agencies and authorizes such Public Agencies to enter into interlocal cooperation agreements with one another in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide Facilities in a manner and pursuant to forms of governmental organization that will accord best with the factors influencing the needs and development of local communities and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State; and

WHEREAS, in order to accomplish the purposes of the Facilities Development Act and the Interlocal Cooperation Act, Utah County, Utah (the "Issuer") intends (a) to issue its revenue bonds (the "Bonds") pursuant to the Interlocal Cooperation Agreement dated as of October 1,

2012, and attached hereto as *Exhibit A* (the "Interlocal Agreement") and, pursuant to the terms of the Interlocal Agreement, (b) to loan the proceeds of the Bonds to IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services ("Intermountain"), to finance, refinance or provide reimbursement for the acquisition or construction of Facilities located or to be located within the boundaries of any Public Agency which is a signatory to the Interlocal Agreement; and

WHEREAS, \_\_\_\_\_ [a] \_\_\_\_\_ (the "Participant") wishes to participate in the program of financing contemplated by the Interlocal Agreement by becoming a signatory thereto; and

WHEREAS, the Interlocal Cooperation Act and the Interlocal Agreement require that prior to the entry into force of the Interlocal Agreement, appropriate resolutions must be adopted by the governing body of each of the Public Agencies which are signatories thereto;

NOW, THEREFORE, BE IT RESOLVED BY THE \_\_\_\_\_ [b] \_\_\_\_\_ OF \_\_\_\_\_ [a] \_\_\_\_\_, AS FOLLOWS:

*Section 1.* The Participant hereby finds and determines that the execution and delivery of the Interlocal Agreement by the Participant and the loaning of the proceeds of the Bonds to Intermountain to finance, refinance or provide reimbursement for the acquisition or construction of Facilities located within the boundaries of the Participant is in furtherance of the public purposes set forth in, and is in compliance with the provisions of, the Facilities Development Act and the Interlocal Cooperation Act and that, therefore, providing for the refinancing of the acquisition or construction of such Facilities from a portion of the proceeds of the Bonds is in the public interest and will serve and further the public purposes of the Facilities Development Act and the Interlocal Cooperation Act. THE BONDS SHALL NOT CONSTITUTE OR GIVE RISE TO A GENERAL OBLIGATION OR LIABILITY OF THE ISSUER OR THE PARTICIPANT OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF THE ISSUER OR THE PARTICIPANT.

*Section 2.* The Interlocal Agreement is hereby approved in the form thereof which is before the \_\_\_\_\_ [b] \_\_\_\_\_ of the Participant at the meeting at which this Resolution is being adopted, and the \_\_\_\_\_ [c] \_\_\_\_\_ is hereby authorized and directed to execute, acknowledge and deliver the Interlocal Agreement on behalf of the Participant in substantially the form thereof which is before the \_\_\_\_\_ [b] \_\_\_\_\_ at the meeting at which this Resolution is being adopted. The \_\_\_\_\_ [d] \_\_\_\_\_ is hereby authorized and directed to affix the official seal of the Participant to the Interlocal Agreement and to attest said seal and the execution of the Interlocal Agreement.

*Section 3.* The \_\_\_\_\_ [b] \_\_\_\_\_ of the Participant hereby authorizes and directs the \_\_\_\_\_ [c] \_\_\_\_\_ to do all such acts and things and to execute, acknowledge and deliver all such documents on behalf of the Participant as may be necessary to carry out and comply with the provisions of this Resolution and the Interlocal Agreement. The \_\_\_\_\_ [d] \_\_\_\_\_ is hereby authorized and directed to affix the official seal of the Participant to any or all of such documents and to attest said seal and the execution of such documents. All of the acts and doings of the \_\_\_\_\_ [c] \_\_\_\_\_ which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved.

*Section 4.* The Participant understands and agrees that, pursuant to the terms and conditions contained in the Facilities Development Act, the Interlocal Cooperation Act and the Interlocal Agreement, any Public Agency (whether heretofore or hereafter created in accordance with the laws of the State) may join in the Interlocal Agreement at any time prior to the expiration thereof and that such Public Agency shall enjoy rights under the Interlocal Agreement on an equal basis with the Participant, as provided in the Interlocal Agreement.

*Section 5.* It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Resolution.

*Section 6.* All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

*Section 7.* This Resolution shall satisfy the requirements of Section 11-13-202 of the Interlocal Cooperation Act. In accordance with Section 11-13-209 of the Interlocal Cooperation Act, a copy of the Interlocal Agreement, executed by the Issuer and the Participant, shall be filed with the \_\_\_\_\_ [d] \_\_\_\_\_.

*Section 8.* This Resolution shall become effective immediately upon its approval and passage.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_ [a] \_\_\_\_\_

[SEAL]

ATTEST: By \_\_\_\_\_  
Its \_\_\_\_\_ [c] \_\_\_\_\_

Its \_\_\_\_\_ [d] \_\_\_\_\_

[a] = Insert name of Participant (e.g., Salt Lake County, Utah).

[b] = Insert name of governing body of Participant (e.g., Board of County Commissioners).

[c] = Insert title of chief executive officer of Participant executing Interlocal Agreement (e.g., Chairman).

[d] = Insert title of recording officer of Participant affixing seal and attesting seal (e.g., County Clerk).

## EXHIBIT B

### FORM OF OPINION OF COUNSEL

The opinion required by Section 4(a)(4) of the Agreement shall be dated the date of delivery of the Bonds referred to therein (a date following the adoption of the resolution required by Section 4(a)(1) of the Agreement), shall be addressed to the Administrator and the Trustee, shall be in form and substance satisfactory to them, and shall be to the effect that:

Based upon my [our] examination of the following:

- (i) a counterpart of the Interlocal Cooperation Agreement (the "Interlocal Agreement") executed by       [a]       (the "Participant");
- (ii) a certified copy of Resolution No.        (the "Resolution") of the       [b]       of the Participant authorizing the execution and delivery of the Interlocal Agreement and the proceedings of       [b]       taken in connection therewith on       , 19      , which are all of the actions of the       [b]       taken in connection with the authorization of the Interlocal Agreement; and
- (iii) such other records, documents, proceedings and matters of law as I [we] have deemed relevant and necessary in rendering this opinion;

I am [We are] of the opinion that:

1. The Participant is a       [c]       duly organized and validly existing as such under the Constitution and laws of the State of Utah, and qualifies as a "public agency" within the meaning of the Interlocal Cooperation Act.
2. The Resolution has been duly adopted and is in full force and effect.
3. The Interlocal Agreement has been duly authorized, executed and delivered by the Participant, and, assuming the due authorization, execution, and delivery thereof by the other signatories thereto, constitutes a valid and binding obligation of the Participant enforceable against the Participant in accordance with its terms.
4. There is no action, suit, proceeding, inquiry or investigation at law or in equity, or before or by any court, public board or body, pending or, to the best of my [our] knowledge, threatened against or affecting the Participant, nor to the best of my [our] knowledge is there any basis therefor, which in any way questions the powers or actions of the Participant relative to the Resolution or the Interlocal Agreement.
5. The authorization and execution by the Participant of the Interlocal Agreement does not violate the provisions of the       [d]      .

Very truly yours,

---

- [a] = Insert the name of city, town or county (e.g., Salt Lake County, Utah).
- [b] = Insert the name of governing body of city, town or county (e.g., Board of County Commissioners).
- [c] = In the case of cities and towns, insert “municipal corporation and political subdivision.”  
In the case of counties, insert “political subdivision.”
- [d] = In the case of cities and towns, insert “Utah Municipal Officers and Employees Disclosure Act.”  
In the case of counties, insert “Utah County Officers and Employees Disclosure Act or the Utah Public Officers’ and Employees’ Ethics Act.”

**EXHIBIT C**  
**FORM OF LOAN AGREEMENT INDEMNIFICATION PROVISIONS**

*Section 5.01. Indemnification of County, the Interlocal Participants and Trustee.* Intermountain releases the County, the Interlocal Participants and the Trustee from, agrees that the County, the Interlocal Participants and the Trustee shall not be liable for, and agrees to indemnify and hold the County, the Interlocal Participants and the Trustee harmless from, any liability for, or expense resulting from, any loss or damage to property or any injury to or death of any person that may be occasioned by any cause whatsoever pertaining to the Project or the financing thereof. The Act prescribes (with respect to the County) and the parties intend that no general obligation or liability or charge against the general credit or taxing power of the County or the Interlocal Participants shall occur by reason of making this Loan Agreement, issuing the Bonds, performing any act requested of it by Intermountain, or by reason of the representations of the County contained in the Purchase Contract relating to the Bonds among the County, Intermountain and [Name of Underwriter] Nevertheless, if the County or the Interlocal Participants shall incur any such pecuniary liability, then in such event Intermountain shall indemnify and hold the County and the Interlocal Participants harmless by reason thereof.

Without limiting the foregoing, Intermountain further agrees to pay, and to indemnify the County and the Interlocal Participants against, any and all liabilities, losses, damages, claims or actions of any nature whatsoever (including all reasonable attorneys' fees and expenses of Intermountain, the County and the Interlocal Participants) incurred by the County and the Interlocal Participants without bad faith arising from or in connection with the performance or observance by it of the terms and conditions of this Loan Agreement, the Tax Exemption Agreement, the Bond Indenture or the Interlocal Agreement, including, without limitation, (1) any injury to, or the death of, any person or any damage to property on the Project or upon adjoining sidewalks, streets or ways, or in any manner growing out of or connected with the use, nonuse, condition or occupation of the Project or any part thereof or resulting from the condition thereof or of adjoining sidewalks, streets or ways, (2) any other act or event occurring upon, or affecting, any part of the Project, (3) violation by Intermountain of any contract, agreement or restriction affecting the Project or the use thereof or of any law, ordinance or regulation affecting the Project or any part thereof or the ownership, occupancy or use thereof, (4) liabilities, losses, damages, claims or actions arising out of the offer and sale of the Bonds or a subsequent sale or distribution of any of the Bonds based upon any untrue statement or misleading statement of a material fact or alleged untrue statement or alleged misleading statement of a material fact relating to Intermountain or the Project contained in any offering statement or disclosure document for the Bonds or any omission or alleged omission from any offering statement or disclosure document of any material fact relating to Intermountain or the Project necessary to be stated therein in order to make the statements therein, in the light of the circumstances under which they were made, not misleading, (5) liabilities, losses, damages, claims or actions arising out of any audit of the Bonds by the Internal Revenue Service or determination that the interest

on the Bonds is includable in the gross income of the holders thereof for purposes of Federal income taxation (including, without limitation, as a result of any failure by Intermountain to comply with the requirements of the Tax Exemption Agreement or the Code relating to arbitrage rebate, any qualified hedging transaction or the filing of IRS Form 8038 or other filing requirements in connection with the Bonds), or (6) any warranty, representation or certificate made by the County or the Interlocal Participants arising from the issuance of the Bonds. Intermountain hereby further agrees that the County and the Interlocal Participants shall not incur any liability to Intermountain, and shall be indemnified against all liabilities, in exercising or refraining from asserting, maintaining or exercising any right, privilege or power given to the County and the Interlocal Participants under the Bond Indenture and the Interlocal Agreement if the County and the Interlocal Participants are acting in good faith or in reliance upon a written request of Intermountain. The covenants of indemnity by Intermountain contained in this paragraph shall extend to the County and the Interlocal Participants and the officers, employees, attorneys and agents of the County and the Interlocal Participants and shall survive the termination of this Loan Agreement.

The foregoing provisions of this Section 5.01 relate to the County in its capacity as issuer of the Bonds and not to any activities or actions growing out of the performance of the County's other governmental functions.

The foregoing provisions of this Section 5.01 relate to the Interlocal Participants in their respective capacity as signatories to the Interlocal Agreement and not to any activities or actions growing out of the performance of the Interlocal Participants' other respective governmental functions.

Murray City, Utah

June 18, 2014

The City Council of Murray City, Utah (the “Council”), pursuant to due notice, met in regular public session on the 18th day of June, 2014, at the hour of 6:30 P.M., at the regular meeting place of the Council in Council Chambers, Murray City Center, 5025 South State Street, Murray City, Utah 84157.

The meeting was duly called to order by the Council Chairman of the Council (the “Chairman”) with the following members of the Council being present, constituting a quorum of the Council:

_____	Council Chairman
_____	Councilmember

Absent: \_\_\_\_\_

\_\_\_\_\_

There were also present:

_____	Mayor
_____	City Recorder
_____	City Attorney

During the course of the meeting, there was presented for the minutes and records of the City Council a Verification of Giving Notice evidencing the giving of not less than 24 hours' public notice of the agenda, date, time, and place of the June 18, 2014 regular meeting of the City Council in compliance with the requirements of Section 52-4-202, Utah Code Annotated 1953,

as amended, together with the form of Notice of Regular Meeting referred to therein. The Verification of Giving Notice is as follows:

## VERIFICATION OF GIVING NOTICE

STATE OF UTAH )  
COUNTY OF SALT LAKE )

I, the undersigned, the duly qualified and acting City Recorder of Murray City, Utah (the "City"), do hereby certify according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than 24 hours' public notice of the agenda, date, time and place of the June 18, 2014 regular public meeting held by the City Council of the City by:

(a) causing a Notice of Public Meeting to be posted in the office of the City Council of the City, at the Murray City Center, 5025 South State Street, Murray, Utah on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, in the form attached hereto as *Exhibit A*; said Notice of Public Meeting has continuously remained so posted and available for public inspection during regular office hours until the convening of the meeting;

(b) causing a copy of the Notice of Public Meeting in the form attached hereto as *Exhibit A* to be provided on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, to *The Salt Lake Tribune*, a newspaper of general circulation within the geographic jurisdiction of the City, and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the City Council of the City; and

(c) causing a copy of the Notice of Public Meeting in the form attached hereto as *Exhibit A* to be posted on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the City this 18th day of June, 2014.

---

City Recorder

[SEAL]

EXHIBIT A

Notice of Meeting

Thereupon, the following resolution was introduced in written form by the Chairman for consideration by the City Council of the City. After due discussion of matters contained in the resolution, a call for a vote of adoption and approval thereof was made by the Chairman, whereupon the resolution was adopted by the following vote:

AYE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NAY: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The resolution was thereupon signed by the Chairman, was presented to, approved and signed by the Mayor and was attested and recorded by the City Recorder in the official records of Murray City, Utah. The resolution is as follows:

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

A RESOLUTION approving and authorizing the execution of the Interlocal Cooperation Agreement dated as of October 1, 2012 among Utah County, Utah, Cache County, Utah, Davis County, Utah, Murray City, Utah, Riverton City, Utah, Salt Lake County, Utah, Sevier County, Utah, Summit County, Utah, Washington County, Utah and Weber County, Utah; and related matters.

\*\*\*                    \*\*\*                    \*\*\*

WHEREAS, pursuant to the Utah Industrial Facilities and Development Act, Title 11, Chapter 17, Utah Code Annotated 1953, as amended (the “Facilities Development Act”), Murray City, Utah is authorized to issue bonds to provide funds for loans to finance, refinance, or provide reimbursement for, the acquisition or construction of facilities (“Facilities”) suitable for use in providing health care services and thereby improving local health and the general welfare by inducing the location, relocation, modernization or expansion of Facilities in the State of Utah (the “State”); and

WHEREAS, in order to accomplish such purposes, to accomplish economies of scale and other cost savings, and to reduce the costs of providing health care services, the Facilities Development Act authorizes cities and counties (“Public Agencies”) to enter into an interlocal cooperation agreement pursuant to the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated 1953, as amended (the “Interlocal Cooperation Act”), to provide for the issuance of bonds under the Facilities Development Act by one of the signatories to the interlocal agreement on behalf of all of the signatories thereto to finance, refinance, or provide reimbursement for, the acquisition or construction of Facilities; and

WHEREAS, the Interlocal Cooperation Act provides that any power that may be exercised by any Public Agency may be exercised and enjoyed jointly with other Public Agencies and authorizes such Public Agencies to enter into interlocal cooperation agreements with one another in order to make the most efficient use of their powers by enabling them to cooperate with each other on a basis of mutual advantage and thereby to provide Facilities in a manner and pursuant to forms of governmental organization that will accord best with the factors influencing the needs and development of local communities and to provide the benefit of economies of scale for the overall promotion of the general welfare of the State; and

WHEREAS, in order to accomplish the purposes of the Facilities Development Act and the Interlocal Cooperation Act, Utah County, Utah (the “Issuer”) intends (a) to issue its revenue bonds (the “Bonds”) pursuant to the Interlocal Cooperation Agreement dated as of October 1,

2012, and attached hereto as *Exhibit A* (the “Interlocal Agreement”), and, pursuant to the terms of the Interlocal Agreement, (b) to loan the proceeds of the Bonds to IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services (“Intermountain”), to finance, refinance or provide reimbursement for the acquisition, construction and equipping of Facilities located or to be located within the boundaries of any Public Agency which is a signatory to the Interlocal Agreement; and

WHEREAS, pursuant to the terms and conditions contained in the Facilities Development Act, the Interlocal Cooperation Act and the Interlocal Agreement, any Public Agency (whether heretofore or hereafter created in accordance with the laws of the State) may join in the Interlocal Agreement at any time prior to the expiration thereof and that such Public Agency shall enjoy rights under the Interlocal Agreement on an equal basis with the other parties thereto, as provided in the Interlocal Agreement; and

WHEREAS, Murray City, Utah (the “City”) wishes to participate in the program of financing contemplated by the Interlocal Agreement by becoming a signatory thereto; and

WHEREAS, the Interlocal Cooperation Act and the Interlocal Agreement require that prior to the entry into force of the Interlocal Agreement, appropriate resolutions must be adopted by the governing body of each of the Public Agencies which are signatories thereto;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MURRAY CITY, UTAH, AS FOLLOWS:

*Section 1.* The City hereby finds and determines that the execution and delivery of the Interlocal Agreement by the City and the loaning of the proceeds of the Bonds to Intermountain to finance, refinance or provide reimbursement for the acquisition, construction and equipping of Facilities located within the boundaries of the City is in furtherance of the public purposes set forth in, and is in compliance with the provisions of, the Facilities Development Act and the Interlocal Cooperation Act and that, therefore, providing for the financing, refinancing or reimbursement for the acquisition, construction and equipping of such Facilities from a portion of the proceeds of the Bonds is in the public interest and will serve and further the public purposes of the Facilities Development Act and the Interlocal Cooperation Act. THE BONDS SHALL NOT CONSTITUTE OR GIVE RISE TO A GENERAL OBLIGATION OR LIABILITY OF THE ISSUER OR THE CITY OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF THE ISSUER OR THE CITY.

*Section 2.* The Interlocal Agreement is hereby approved in substantially the form thereof which is before the City Council of the City at the meeting at which this Resolution is being adopted, and the Mayor of the City is hereby authorized and directed to execute, acknowledge and deliver the Interlocal Agreement on behalf of the City in substantially the form

thereof which is before the City Recorder at the meeting at which this Resolution is being adopted. The City Recorder is hereby authorized and directed to affix the official seal of the City to the Interlocal Agreement and to attest said seal and the execution of the Interlocal Agreement.

*Section 3.* The Council of the City hereby authorizes and directs the Mayor to do all such acts and things and to execute, acknowledge and deliver all such documents on behalf of the City as may be necessary to carry out and comply with the provisions of this Resolution and the Interlocal Agreement. The City Recorder is hereby authorized and directed to affix the official seal of the City to any or all of such documents and to attest said seal and the execution of such documents. All of the acts and doings of the Chairman which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified, confirmed and approved.

*Section 4.* The City understands and agrees that, pursuant to the terms and conditions contained in the Facilities Development Act, the Interlocal Cooperation Act and the Interlocal Agreement, any Public Agency (whether heretofore or hereafter created in accordance with the laws of the State) may join in the Interlocal Agreement at any time prior to the expiration thereof and that such Public Agency shall enjoy rights under the Interlocal Agreement on an equal basis with the City, as provided in the Interlocal Agreement.

*Section 5.* It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Resolution.

*Section 6.* All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

*Section 7.* This Resolution shall satisfy the requirements of Section 11-13-202 of the Interlocal Cooperation Act. In accordance with Section 11-13-209 of the Interlocal Cooperation Act, a copy of the Interlocal Agreement, executed by the Issuer and the City, shall be filed with the City Recorder.

*Section 8.* In accordance with the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, the City must hold a public hearing with respect to the

issuance of the Bonds. Such public hearing was held at the City's June 18, 2014 City Council meeting, after the publication of the notice thereof, which publication of notice is hereby ratified and confirmed.

*Section 9.* This Resolution shall become effective immediately upon its adoption by the Council and its approval by the Mayor.

PASSED AND APPROVED by the City Council of Murray City, Utah, this 18th day of June, 2014.

MURRAY CITY, UTAH

[SEAL]

By \_\_\_\_\_  
Council Chairman

ATTEST AND COUNTER SIGN:

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

APPROVED:

By \_\_\_\_\_  
Mayor

(Other business not pertinent to the above appears in the minutes of the meeting.)

Upon the conclusion of all business and upon motion duly made and carried, the meeting of the City Council was adjourned.

By \_\_\_\_\_  
Council Chairman

[SEAL]

ATTEST:

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

STATE OF UTAH )  
COUNTY OF SALT LAKE )

I, the undersigned, the duly qualified and acting City Recorder of Murray City Utah (the "City"), do hereby certify, according to the records of the City in my official possession, that the above and foregoing constitutes a true and correct copy of excerpts from the minutes of a regular public meeting of the City Council of Murray City, Utah, held on June 18, 2014, including a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession. Said resolution remains in full force and effect and has not been amended or repealed as of the date hereof.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Murray City Utah, this 18th day of June, 2014.

## City Recorder

[SEAL]

**EXHIBIT A**  
**FORM OF INTERLOCAL AGREEMENT**

**[ATTACH FORM OF INTERLOCAL AGREEMENT]**

Murray City, Utah

June 18, 2014

The City Council of Murray City, Utah (the “Council”), pursuant to due notice, met in regular public session on the 18th day of June, 2014, at the hour of 6:30 P.M., at the regular meeting place of the Council in Council Chambers, Murray City Center, 5025 South State Street, Murray City, Utah 84157.

The meeting was duly called to order by the Council Chairman of the Council (the “Chairman”) with the following members of the Council being present, constituting a quorum of the Council:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Council Chairman  
Councilmember  
Councilmember  
Councilmember  
Councilmember

Absent: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

There were also present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mayor  
City Recorder  
City Attorney

During the course of the meeting, there was presented for the minutes and records of the Council, a Verification of Giving Notice evidencing the giving of not less than:

(A) 24 hours' public notice of the agenda, date, time and place of the June 18, 2014 regular meeting of the Council in compliance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, by (1) posting written notice of the meeting at the principal office of the Council, (2) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of Murray City, Utah, or to a local media correspondent, and (3) by posting written notice of the meeting on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended; and

(B) 14 days' public notice of the date, time and place of the June 18, 2014 public hearing to be conducted by the Council in compliance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

The Verification of Giving Notice was ordered recorded in the minutes of the meeting and is as follows:

## VERIFICATION OF GIVING NOTICE

STATE OF UTAH )  
COUNTY OF SALT LAKE )

I, the undersigned, the duly qualified and acting City Recorder of Murray City, Utah (the "City"), do hereby certify according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than 24 hours' public notice of the agenda, date, time and place of the June 18, 2014 regular public meeting held by the City Council of the City by:

(a) causing a Notice of Public Meeting to be posted in the office of the Council of the City, at the Murray City Center, 5025 South State Street, Murray, Utah on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, in the form attached hereto as *Exhibit A*; said Notice of Public Meeting has continuously remained so posted and available for public inspection during regular office hours until the convening of the meeting;

(b) causing a copy of the Notice of Public Meeting in the form attached hereto as *Exhibit A* to be provided on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, to *The Salt Lake Tribune*, a newspaper of general circulation within the geographic jurisdiction of the City, and to each local media correspondent, newspaper, radio station or television station which has requested notification of meetings of the Council of the City; and

(c) causing a copy of the Notice of Public Meeting in the form attached hereto as *Exhibit A* to be posted on June \_\_\_, 2014, which was at least 24 hours before the convening of the meeting, on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended.

The undersigned does hereby further certify according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, not less than 14 days' public notice of the date, time and place of the June 18, 2014 public hearing conducted by the Council of the City was given by causing a copy of the Notice of Public Hearing in the form attached hereto as *Exhibit B* to be provided on June 3, 2014, which was at least 14 days before the conducting of the public hearing, to *The Salt Lake Tribune*, a newspaper of general circulation within the geographic jurisdiction of the City.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the City this 18th day of June, 2014.

[SEAL]

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City Recorder

The Chairman stated that the purpose of the public hearing was to provide a reasonable opportunity for interested individuals to express their views on the proposed issuance by Utah County, Utah (the “Issuer”) of its hospital revenue bonds in one or more series (the “Bonds”) in an aggregate principal amount not to exceed \$35,000,000 with respect to facilities in Murray City, Utah, the proceeds of which will be applied for the benefit of IHC Health Services, Inc., a Utah nonprofit corporation, and for the purposes set forth in the resolution.

The Chairman then announced that all those interested persons wishing to contend for or protest against the issuance of the Bonds by the Issuer, orally or in writing, would be heard and that all such written or oral statements would be considered.

This being the time and place specified in said notice for the conducting of a public hearing on the proposed issuance of the Bonds, the Chairman read in open meeting the full text of all written comments, if any, concerning the proposed bond issue, which were submitted to the Council pursuant to an invitation set forth in the notice of public hearing referred to above. Copies of all such written comments, if any, are attached hereto.

(Attach written comments, if any.)

The Chairman then announced that any person attending the hearing would now be given an opportunity to express their views concerning the proposed bond issue. A brief summary of the views so expressed, if any, is attached hereto.

(Attach description of public comments, if any.)

Thereupon, after all persons desiring to speak or submit written statements had been permitted to do so, and after further discussion by the Council, the Chairman stated that the public hearing on the proposed issuance of the Bonds was concluded.

Thereupon, the following resolution was introduced in written form by the Chairman for consideration by the Council. After due discussion of matters contained in the resolution, a call for a vote of adoption and approval thereof was made by the Chairman, whereupon the resolution was adopted by the following vote:

AYE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAY: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The resolution was thereupon signed by the Chairman, was presented to, approved and signed by the Mayor and was attested and recorded by the City Recorder in the official records of Murray City, Utah. The resolution is as follows:

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

A Resolution approving the proposed issuance by Utah County, Utah of its hospital revenue bonds in one or more series, in an aggregate principal amount not to exceed \$35,000,000 with respect to facilities in Murray City, Utah.

\*\*\*                    \*\*\*                    \*\*\*

WHEREAS, pursuant to the provisions of the Utah Industrial Facilities and Development Act (Chapter 17 of Title 11, Utah Code Annotated 1953, as amended) (the "Facilities Act"), Utah County, Utah (the "Issuer") is authorized to issue revenue bonds for the purposes specified in the Facilities Act and to loan the proceeds thereof to IHC Health Services, Inc., a Utah nonprofit corporation engaged in health care services ("Intermountain"), to finance, refinance or provide reimbursement for the acquisition, construction and equipping of health care facilities of Intermountain; and

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act (Chapter 13 of Title 11, Utah Code Annotated 1953, as amended), the Issuer, Cache County, Utah, Salt Lake County, Utah, Sevier County, Utah, Summit County, Utah and Weber County, Utah have entered into an Interlocal Cooperation Agreement dated as of October 1, 2012 (the "Interlocal Agreement"), which provides for the issuance by Issuer of revenue bonds on behalf of itself, Cache County, Utah, Salt Lake County, Utah, Sevier County, Utah, Summit County, Utah and Weber County, Utah, to finance, refinance or provide reimbursement for the acquisition, construction and equipping of health care facilities of Intermountain; and

WHEREAS, the provisions of the Interlocal Agreement provide that any other Public Agency (as defined in the Interlocal Agreement) may become a party to the Interlocal Agreement by adopting a resolution of its governing body authorizing such Public Agency to be a participant therein and by executing a counterpart of the Interlocal Agreement; and

WHEREAS, on the date hereof, this Council has adopted Resolution No. \_\_\_\_, authorizing (i) Murray City, Utah to become a participant in the Interlocal Agreement and (ii) the execution and delivery of the Interlocal Agreement by the Mayor of the City; and

WHEREAS, the Issuer proposes to issue its hospital revenue bonds (the "Bonds") in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$35,000,000 with respect to facilities located in Murray City, Utah and loan the proceeds of the Bonds to Intermountain in order to (i) finance, refinance or reimburse Intermountain for its prior payment of, the costs of acquiring, constructing and equipping the health care facility described below which is or will be owned by Intermountain, (ii) fund a debt service reserve fund, if deemed advisable by the Issuer and Intermountain, and (iii) pay certain expenses incurred in connection with the issuance of the Bonds, including any premium and fees associated with

the credit or liquidity enhancement of the Bonds, if credit or liquidity enhancement is deemed advisable by the Issuer and Intermountain; and

WHEREAS, the proceeds of the Bonds will be used to finance, refinance or reimburse Intermountain for the costs of acquiring, constructing, improving or renovating the facility listed below and the costs of acquiring equipment (including, but not limited to, medical equipment, computer equipment, office equipment and general building equipment and fixtures) to be used at the facility described below, which includes a general functional description, the location of such facility, and the estimated maximum aggregate face amount of Bonds to be issued with respect to such facility:

Murray City: Cottonwood Clinic, a new, approximately 65,000 square foot medical clinic on The Orthopedic Specialty Hospital campus located at 5848 South Fashion Boulevard, Murray, Utah — \$35,000,000; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires approval by the City Council of the Murray City, Utah of the proposed issuance of the Bonds after a public hearing following reasonable public notice;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MURRAY CITY, UTAH, AS FOLLOWS:

*Section 1.* This Council on June 18, 2014 conducted a public hearing regarding the proposed issuance of the Bonds by the Issuer in an aggregate principal amount not to exceed \$35,000,000 with respect to facilities in Murray City, Utah, for the purposes described in the preamble hereto. At said hearing all persons who requested to be heard were allowed a full opportunity to express their views concerning the proposed plan of refinancing for the facilities described in the preamble hereto. In addition, all persons who sought to do so were allowed a full opportunity to submit their views in writing prior to said hearing.

*Section 2.* This Council, as the “applicable elected representative” under Section 147(f) of the Code, hereby approves the issuance of the Bonds in one or more series over the longest period permitted by law and in an aggregate principal amount not to exceed \$35,000,000, with respect to facilities located in Murray City, Utah for the purposes described in the preamble hereto.

PASSED AND APPROVED by the City Council of Murray City, Utah, this 18th day of June, 2014.

MURRAY CITY, UTAH

[SEAL]

By \_\_\_\_\_  
Council Chairman

ATTEST AND COUNTER SIGN:

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

APPROVED:

By \_\_\_\_\_  
Mayor

(Other business not pertinent to the above appears in the minutes of the meeting.)

Upon the conclusion of all business and upon motion duly made and carried, the meeting of the Council was adjourned.

By \_\_\_\_\_  
Council Chairman

[SEAL]

ATTEST:

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

STATE OF UTAH )  
COUNTY OF SALT LAKE )

I, the undersigned, the duly qualified and acting City Recorder of Murray City Utah (the "City"), do hereby certify, according to the records of the City in my official possession, that the above and foregoing constitutes a true and correct copy of excerpts from the minutes of a regular public meeting of the City Council of Murray City, Utah, held on June 18, 2014, including a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession. Said resolution remains in full force and effect and has not been amended or repealed as of the date hereof.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of Murray City, Utah, this 18th day of June, 2014.

## City Recorder

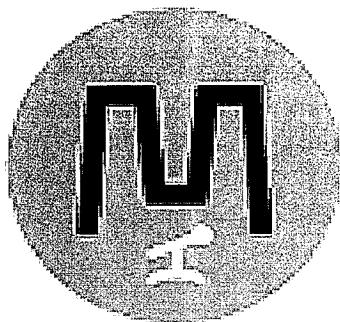
[SEAL]

**EXHIBIT A**

[ATTACH COPY OF MEETING NOTICE]

**EXHIBIT B**

[ATTACH COPY OF PUBLIC HEARING NOTICE]



**MURRAY**  
CITY COUNCIL

# **Discussion Item #4**

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room 112 no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

Modifications to Fireclay Live/Work Unit and Commercial Ground Floor Standards

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Safe and Healthy Neighborhoods with Varied Housing Opportunities

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested: June 3, 2014

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy?

Resolution (attach copy)

Has the Attorney reviewed the attached copy?

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy?

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

N/A

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

See attached memo

**6. REQUESTOR:**

Name: Tim Tingey

Title: Administrative & Development Services Director

Presenter: Same

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Phone: (801) 264-2680

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate the proposal has been reviewed and approved by Department Director; all preparatory steps have been completed, and the item is ready for Council action)

Department Director:

Tim Tingey Date: 5/21/14

Mayor:

David Ted Egan Date: 5/22/14

**8. COUNCIL STAFF:** (For Council use only)

Number of pages \_\_\_\_\_ Received by \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



MURRAY CITY CORPORATION  
ADMINISTRATIVE &  
DEVELOPMENT SERVICES

B. Tim Tingey, Director

Building Division  
Community & Economic Development  
Geographic Information Systems

Information Technology  
Recorder Division  
Treasurer Division

TO: Murray City Council  
FROM:  Tim Tingey, Director of Administrative and Development Services  
DATE: May 21, 2014  
SUBJECT: Modifications to Fireclay Live/Work Unit and Commercial Ground Floor Standards

Staff members will be present at the June 3, 2014 Committee of the Whole meeting to discuss proposed modifications for ground floor units in the Fireclay area. Please contact me if you have any questions before the meeting at 801-264-2680.

# Adjournment

# **Council Meeting**

**6:30 p.m.  
Call to Order**

**Opening Ceremonies:**

**Pledge of Allegiance**

# **Council Minutes**

# **Murray City Municipal Council**

## **Chambers**

## **Murray City, Utah**

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**T**he Municipal Council of Murray City, Utah, met on Tuesday, the 6<sup>th</sup> day of May, 2014 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Brett Hales,	Council Chair
Jim Brass,	Council Member – Conducted
Blair Camp,	Council Member
Diane Turner,	Council Member
Dave Nicponski,	Council Member – Excused

Others who attended:

Ted Eyre,	Mayor
Jan Wells,	Chief Administrative Officer
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Craig Burnett,	Police Chief
Gil Rodriguez,	Fire Chief
Mike Dykman,	Battalion Chief
George Zboril,	Fire Inspector
Jeff Ellis,	Battalion Chief
Daren Wightman,	Paramedic/Firefighter
Doug Hill,	Public Services Director
Justin Zollinger,	Finance Director
Tim Tingey,	Administrative and Development Services Director
Citizens	

**5. Opening Ceremonies**

5.1 Pledge of Allegiance – Danny Astill

5.2 Approval of Minutes

5.2.1 April 15, 2014

Mr. Camp made a motion to approve the minutes with corrections  
Mr. Hales seconded the motion

Voice vote taken, all “ayes.”

5.3 Special Recognition

5.3.1 A Joint Resolution of the Mayor and the Municipal Council of Murray City, Utah recognizing and supporting May 18 – 24, 2014 as Emergency Medical Services Week “Dedicated for Life.”

Staff presentation: Mayor Ted Eyre

Mayor Eyre read the Joint Resolution in its entirety.

Mr. Hales made a motion to approve the Joint Resolution  
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Camp
<u>A</u>	Mr. Brass

Motion passed 4-0

Mayor Eyre presented the Joint Resolution to Gil Rodriguez, Fire Chief.

Chief Rodriguez thanked the City Council for doing this. He introduced the EMS (Emergency Medical Services) Chief, Mike Dykman and turned the time over to him.

Mr. Dykman reminded everyone that at the conclusion of EMS Week on May 24, 2014 which is a Saturday, they will have their traditional EMS barbecue at Station 84, which is the station on 5900 South on the old Cottonwood Hospital property. The barbecue runs between 11:00 am to 2:00 pm. You can come by and get a hamburger, hotdog and some drinks.

They will have their apparatus and the ambulance there. He said they have had a lot of success with this in the past and it has become a tradition. They like to think of it as the first picnic of summer.

Mr. Dykman said he would like to talk about EMS Week and the theme this year which is, "Dedicated for Life." Approximately 80% of the calls the Fire Department goes on are medical calls. The other 20% are fire calls. EMS is a big part of what they do.

Mr. Dykman said how important their paramedic and ambulance programs are to the Fire Department and to the City. Those programs strengthen their ability to respond, not only on medical and fire calls, but to all kinds of emergency calls. Their ambulances are busy and they have success stories daily on people they help. They have crews that are dedicated to what they do.

Mr. Dykman thanked the Mayor and members of the Council. Murray is part of a big system in Salt Lake County. He would like to think that Murray City is a leader in that system. Some of the things they have done with their 12 lead heart monitors and hypothermic resuscitation techniques they are using make them not only ahead of people in the County; they are ahead of people in the nation.

Mr. Dykman said he will pick up an EMS magazine and people are all excited about what they have done; Murray City has been doing it for five years. He thinks Murray City is really progressive and ahead of a lot of places in the country. We are fortunate to have a world-class hospital in our City. That is an asset.

Mr. Dykman again thanked the Mayor and Council for the support they give them. That support helps support the overall Fire Department mission which is to provide emergency medical services, fire response and emergency response of all kinds to the City.

Mr. Dykman had everyone from the Fire Department in attendance stand and say how long they have been with the Department. He said if the other crews were here, it would be pretty amazing on the amount of time, effort and professionalism these guys put into their job every day and the service it provides the citizens.

Mr. Dykman reiterated the Fire Department is grateful for the Mayor and Council's support. They are proud to do this and they do the best job they can. They know they make a difference.

Mr. Brass thanked the Fire Department. He said if you have a problem, it is real nice to hear that siren coming. It is even nicer to know that it is our

own people. The 12 lead saved his life and it saved another person's life the next night. It's amazing the level of service the Fire Department provides. He will truly be forever thankful to them. If you ever need them, call them. They are amazing.

Mr. Hales said he agrees with Mr. Brass.

Mr. Camp thanked the Fire Department also. He said he knows first-hand what they are doing out there. The technology that Mr. Dykman talked about is saving lives. It is a really great thing. They are looking to budget for the upcoming year, money to upgrade the life packs to keep that technology current because it is so important.

**6. Citizen Comments** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

John Herbert – 4367 South Brick Oven Way, Murray, Utah

Mr. Herbert said he is a resident of Murray and an avid cyclist. He wanted to leave the Council with a couple more thoughts beyond Doug Hill's, Public Services Director, presentation that was done during the previous meeting.

Mr. Herbert said the east-west and north-west routes through the City are hard to find for a lot of cyclists. It is complicated as Mr. Hill's presentation outlined. With state roads, parking, residents and businesses, it is a complicated thing.

Mr. Herbert said that towards the end of the presentation it was less about what you cannot do and more about what you can do. He hoped the Council would direct their thinking as to what they can do for cyclists. Cycling is certainly growing in popularity. There are a lot of voters now that are cyclists. Murray City is in the center of the valley so a lot of times cyclists want to come through the City on their way from someplace to someplace else. Mr. Herbert says he starts in Murray then he goes out then comes back on his rides. There are cities that are adjacent to Murray so hopefully the City can figure out the best ways to connect their roads to the other cities roads.

Mr. Herbert said he also sits on the Salt Lake County Bike Advisory Committee. He is the Vice-Chair of the County's Bike Advisory Committee. To the extent the City forms a task force or have their own advisory committee, the can certainly look to them for some advice and support. He said if the City is going to organize, as they talked about, a task force to look at striping or whatever the current set of biking projects are, Mr. Herbert would be happy to volunteer for that.

Mr. Herbert added that the other thing they are doing with the County is engaging in a new venture with the residents of Emigration Canyon. There is a lot of animosity between the residents of that canyon and cyclists. The cyclists thwarted their state legislative proposals earlier this year. They are going to form a motorist and cyclist committee with a professional facilitator and work through the acrimony to the common

set of issues. The County is going to put some money behind this to support infrastructure development on Emigration Canyon Road. To the extent that the County can help the City, they will be happy to work with the City in the best way they can.

Bruce Cutler – 6051 South Mohican Circle, Murray, Utah

Mr. Cutler said that he made it through the Republican Convention without having to go through a Primary so he will be running for the Utah State Legislature for District 44. He will be the only one from Murray doing that. He would like to be the representative for the Utah State Legislature for that district this fall.

Mr. Cutler said he is interested in continuing to serve the City. He has served for eight years on the School Board and six years on the Library Board. He is grateful for those opportunities and has a great desire to continue to serve the City of Murray. He would love to have the Council's support and looks forward to being able to serve the community.

7. Consent Agenda

Mr. Brass asked that all items be taken together; no objections were given.

- 7.1 Consider confirmation of Mayor Eyre's appointment of Scott Finlinson to serve as a Murray City Hearing Officer for a three-year term to expire May 6, 2017.
- 7.2 Consider confirmation of Mayor Eyre's appointment of Jim Harland to serve as a Murray City Hearing Officer for a three-year term to expire May 6, 2017.

Ms. Turner made a motion to adopt the Consent Agenda  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Camp
<u>A</u>	Mr. Brass

Motion passed 4-0

8. Public Hearings

8.1 Public Hearing #1

- 8.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an Ordinance amending Sections 17.146.080, 17.168.090, and

17.170.140 of the Murray City Municipal Code relating to on street parking in the Mixed Use (M-U), Transit Oriented Development (TOD), and Murray City Center District (MCCD) zoning districts.

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey stated this item was considered for a recommendation by the Planning Commission on March 20, 2014. The purpose of these areas, the Mixed Use, Transit Oriented Development and Murray City Center District is they are all located close to Trax and Front Runner stops. Some of the original vision and purposes behind the Ordinances was to create more of a pedestrian-oriented area and to facilitate more people using Trax and the transit systems rather than vehicles.

Mr. Tingey said that as part of that there are two components related to parking. One is there is a reduction in parking in each of these areas in comparison to other areas in the City. That reduction hopefully promotes more people using the transit systems rather than utilizing their cars.

The other part of this is that in the Ordinance that was adopted by the Council it allowed to have on-street parking in these areas be counted toward the parking requirements for new developments or existing developments if they are expanding. Mr. Tingey reiterated the purpose was to focus more on transit uses and people utilizing transit rather than cars and vehicles.

He continued saying there were some unintended consequences which prompted this change to be proposed. The consequences relate to when you have areas in these three districts where there are long stretches of roads and you have the parking that is required or allowed to be utilized on those roads, it creates situations where people have to go a long ways to get to their residential or commercial unit which is an unintended consequence that is a problem.

In addition to that, when you have on street parking counting towards the minimums of the parking requirements for development it creates situations where people are utilizing those parking stalls most of the time. You have fire access issue, snow removal issues and a variety of other unintended consequences.

Mr. Tingey said they are still promoting the use of transit systems. There is still the reduction in the parking required for these areas, but they feel it is very important to not allow the on street parking to be counted towards the minimum requirements for parking for development.

That is what is being proposed tonight in these three areas; Mixed Use, Transit Oriented Development, and Murray City Center District. The Planning Commission reviewed this and recommended approval. They have submitted their recommendation to the Council. Staff is also recommending approval of this proposal as well.

Mr. Tingey noted a letter that was submitted to the Council for the record by Eliot Setzer. (Attachment 1)

Public Hearing Open for public comment.

No comments were given.

Public comment closed.

#### 8.1.2 Council consideration of the above matter.

Mr. Camp said he does not want to speak for the Fire Department but he had an opportunity to speak with some members of the Fire Department the other day and there are some issues with access in some of these, especially in the residential areas in the evenings and middle of the night. He thinks this is a good move. The unanimous vote of the Planning Commission also sends a strong message.

Mr. Brass said they put this Ordinance together and everyone's intentions were good to create a walkable community. They are still trying to do that for downtown. They did find out that we still suffer from a lack of transportation in this state and so people still drive their cars. Until we can get a grocery store that people in walkable communities can walk to, for instance, they need to drive. Therefore, the numbers of cars we are finding in our TOD are quite a bit more than anticipated.

He continued saying he had driven through there and done a few ride alongs with some of our Police Officers. At night it is packed and if he was trying to bring an emergency vehicle through there, it would be scare. It is real tight and it is real tough for the residents.

The other thing is that he and Ms. Turner went to Washington D.C. for the National League of Cities and Towns Conference. One of the topics they talked about was parking and how residents in the area were not using the structured parking. They were parking on the streets and people could not get to the businesses causing the businesses to suffer. They ended up changing the parking regulations and all of the sudden all these spots opened up. If you wanted to go to a restaurant, you could actually park in front of it.

We have business in Fireclay and part of the requirement in our walkable areas is that we have commercial retail on the ground floors. People need to be able to get to that whether they park their car there or walk there. This is a tough one and right now he does not see where the City has a choice until we can find a better solution.

Mr. Camp made a motion to adopt the Ordinance  
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Camp
<u>A</u>	Mr. Brass

Motion passed 4-0

## **9. Unfinished Business**

9.1 None scheduled.

## **10. New Business**

10.1 Consider a Resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County approving conveyance of surplus Salt Lake County property by Quit Claim Deed to the City for no fee.

Staff presentation: Doug Hill, Public Services Director

Mr. Hill said that Salt Lake County owns property on Southwood Drive and Glen Oaks Street which is approximately 6300 South and 900 East. That property has recently come under development. The property owner approached Salt Lake County and asked them sell a portion of that property along the roads to them. This caused Salt Lake County to look at the rest of the property that they own along those roads. The County would like to deed that property to Murray City at no cost. It is not very much; it is only 367 square feet. It is mostly on the corner of Southwood Drive and Glen Oaks Street but there is a strip of property that runs along Glen Oaks Street as well.

Mr. Hill added that staff is recommending approval of this Interlocal Cooperation Agreement which would allow the Attorney's office to execute a Quit Claim Deed from the County to the City and the City would own that property. The property would become part of a park strip for future development.

Mr. Camp asked Mr. Hill if the cost of doing the curb and gutter and park strip

would be part of a development.

Mr. Hill said as he understands it, the Murray School District has either purchased or is in the process of purchasing the remaining property there from Clarus Vision. They are developing on 900 East and Murray School District is interested in purchasing the back property to build single-family residential homes on. They do that for their students to get experience in construction and then they sell those homes to people who are interested in living in Murray.

When all is said and done, this property, that is part of the right-of-way, would become part of the park strip and sidewalk that the City would require at the time of development. In the meantime, the City will continue to maintain this property until something happens.

Mr. Camp asked if this was the Cracraft Property.

Mr. Hill replied it is.

Ms. Turner made a motion to approve the Resolution  
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Camp
<u>A</u>	Mr. Brass

Motion passed 4-0

10.2 Consider an Ordinance amending Sections 2.30.050, 7.04.020, 12.28.020, 13.08.010, 13.32.130, and 13.48.040 of the Murray City Municipal Code regarding Reserves for City Enterprise Funds.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger said a few months ago, the City went through a process of evaluating our reserves in terms of economic uncertainty, natural disasters, and equipment failure in the Enterprise Funds. With the help of the Department Heads, specifically Mr. Hill and Blaine Haacke, Power Department General Manager, they came up with some numbers so they started analyzing the City's reserves in terms of our overall revenues that we have available.

They started to see a naturally reoccurring percentage that was sufficient to cover a natural disaster. Although you never though. If you have a natural disaster you do not know if that is going to be sufficient, but you know you can plan as best as

you can. That is what they did. They came to a percentage of 25%. In addition to the research and work they did, they wrote into the policy some best practices for reserves. Twenty-five percent, in addition, by a rating agency is considered a great reserve. If you have that they will give you high ratings for that. So if we have to go out and bond, we will have the best rating we could possibly get as we apply for credit.

In addition, not using reserves for operations is a best practice. Using reserves for one time purchases is just fine but you need to have a policy to build your reserves back up to that 25% level. You do not want to be so rigid that you cannot use the reserves because that is what they are there for. You want to have liquidity in case of an emergency.

Another thing is that if you have an emergency, you may qualify for Federal reimbursement but there is still going to be a period of time in which you are going to have to pay out some money to take care of things before that reimbursement comes. Sometimes it can take one to two years to receive that reimbursement.

Mr. Zollinger said he is very pleased and excited to be able to work and this and get it to this point. It also simplifies the City Code. Right now it is kind of complex. Various funds have different ways of calculating. This also adjusts with time. As our rates change, our reserves change with it which is another positive aspect of our policy that we have.

Mr. Hales said they appreciate that Mr. Zollinger is conservative enough to protect the City but to also understand that when the need is there that we would never not use those reserves for a need. He told Mr. Zollinger he has done a phenomenal job.

Mr. Zollinger expressed his appreciation to the Department Heads who put the work into this to help get information for them.

Ms. Turner thanked Mr. Zollinger. She told him he does a great job and they really appreciate it.

Mr. Camp asked Frank Nakamura, City Attorney, if this ordinance change requires a public hearing.

Mr. Nakamura replied there is nothing in State law that requires a public hearing. This is not really a budgetary change, the fund is the same, it is just the line item reserve has a different limit on it.

He continued saying we only need to have a public hearing if we are increasing the budget. We are not doing that. It is just a matter of identifying reserves. The other time we would need to have a public hearing is if we were transferring

money from the Enterprise fund to the General fund. We are not doing that either. It is only when we go outside the funds that we have to have a public hearing.

Mr. Brass added that in some cases, like in the documents they received for Power, they designated specific reserve accounts that we have already taken care of. We had to update this anyway because those accounts do not exist anymore.

Mr. Hales made a motion to adopt the Ordinance  
Mr. Camp seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Camp
<u>A</u>	Mr. Brass

Motion passed 4-0

## 11. Mayor

### 11.1 Report

Mayor Eyre thanked the Council for the unbelievable, countless hours they have put in to the consideration of the UTOPIA and Macquarie proposal. If anybody ever thinks that serving on the City Council is a part time job all they have to do is consider the number of hours they have put in, not only on everything else, but on this particular item. It has been way above and beyond the call.

Mayor Eyre also thanked all the members of the executive staff that have also been involved in this and the Department Heads who have formed a committee to consider this item. They have taken time out of all their other duties to consider this item. Mayor Eyre said he does not know if there will be another item that is going to be more important over the next couple of decades than this one.

Mayor Eyre stated to the public the City is very much involved in their consideration of this matter and we want to make sure we have some public meetings available for them to come to. Those times and places have yet to be determined. We will be doing that in the future so that we can get the input from our citizens because we value that a great deal.

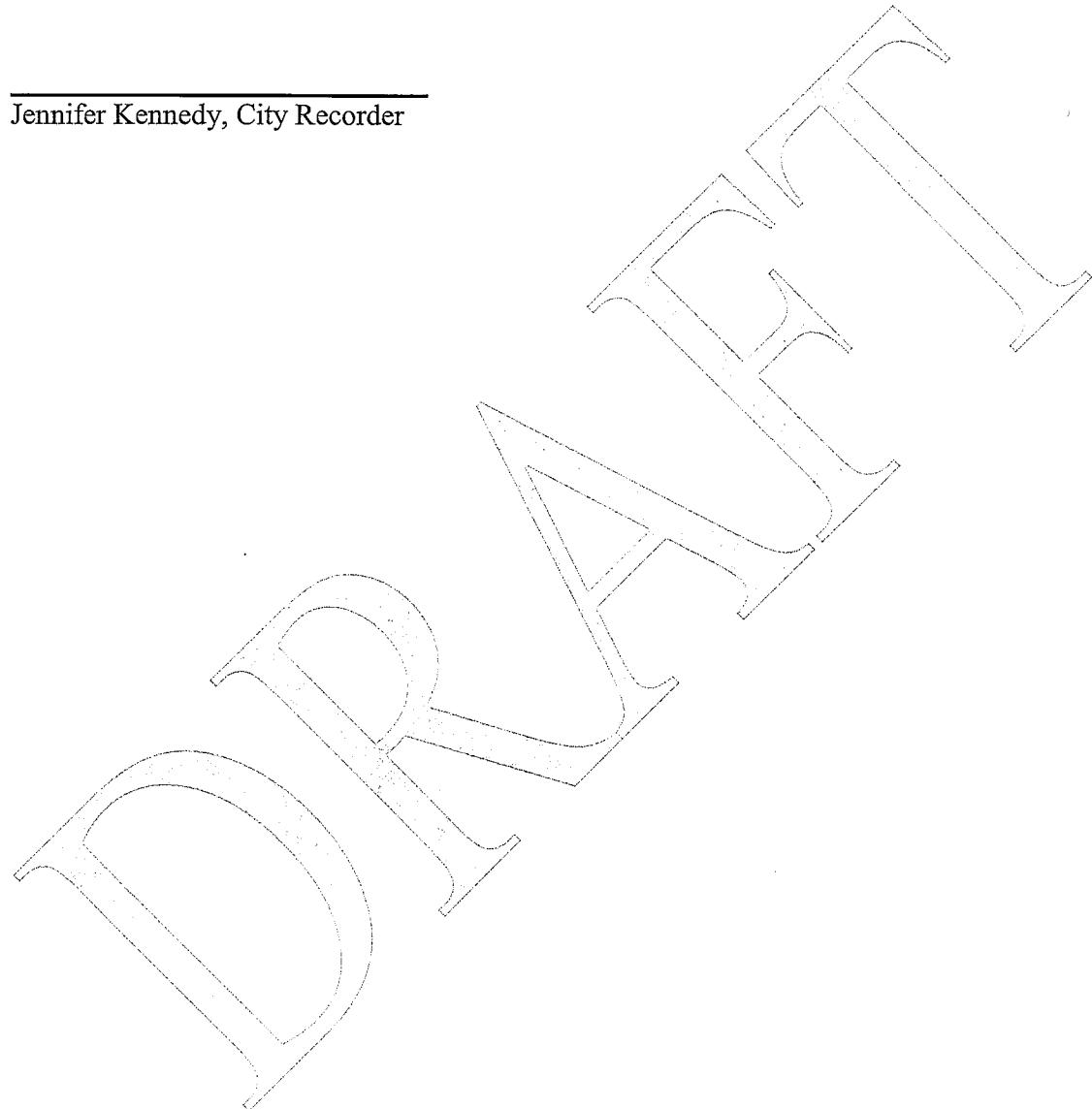
Mr. Brass told Mayor Eyre he should include himself in that because he has put in a lot more hours than they have. For being newly elected, what a burden to get dropped in your lap.

Mr. Brass encouraged the citizens to attend those meetings because they

desperately need input and discussion.

11.2 Questions for the Mayor

**12. Adjournment**



# Attachment 1

Eliot Setzer  
4739 S Brown Street  
Murray, UT 84107

May 6, 2014

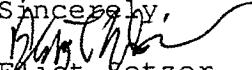
Murray City Council  
5025 S State Street  
Murray, UT 84107

Murray north and west of the Murray High-Murray Park-Mick Riley-Big Cottonwood Creek greenbelt is very poorly set up to compete for future car-oriented business activity due to Vine Street, 4800 South, 5300 South, and Main Street ending at problematic intersections (and State Street being near capacity) and due to competition from the real highway "Crossroads of the West" a few miles to the north. The area's layout and location are instead extremely attractive for pedestrian-, bicycle-, and public transportation-oriented business such as car-free tourism, education, and large local employers attracted to the "Hub of Salt Lake County"; UTA's just-proposed August bus route changes validate this. Murray is fortunate to have the Fashion Place area as a car-oriented alternative center with freeways in all directions, meaning that car-oriented developments can be channelled away from this area without driving them out of the city.

In order to favor pedestrians and bicyclists, automobile cross-traffic conflicts, which are dangerous and which disrupt otherwise carefree walks and bike rides, have to be minimized. Since conflicts at street intersections are inevitable, this means minimizing curb cuts for private driveways, or, in other words, minimizing off-street parking access points. Main Street in Salt Lake City has only one private curb cut between South Temple and 400 South, and this fact is vital to its attractiveness. The proposed ordinance change sends the message that on-street parking is worthless and off-street parking is preferred, which is completely wrong. Notably, small developments that could potentially account for all their required parking in on-street form as the zoning is now would, assuming no shared parking arrangements, be required to each create a dedicated curb cut after the change.

Even more significant is the massive loss of developable floor area when parking is pushed onto private land that is not already set up for the passage of cars. If compared with the Center Street height rezoning, which affected at most sixty feet by two Salt Lake block lengths by one story (about 52800 square feet of floor area), this parking change would affect approximately 17 block lengths of street by two sides of each street by eight feet of parallel parking by one story, about 180000 square feet or 3.5 times 52800, in the MCCD alone. This neglects parts of street that cannot be used for parking (which ought to be fewer after redevelopment due to consolidation of curb cuts), but also fails to account for new streets planned in the MCCD, the need for HUGE DEDICATED PARKING AISLES in off-street locations (not just continuously packed cars), and the often far greater value of ground floor space over less accessible (what would be on Center Street) fourth and fifth floor space. Overall, I would guess that, in the MCCD alone, the long-term value of the potential floor area lost in this parking change might be thirty times that of the value lost by lowering height limits on Center Street, and has to be weighed proportionately.

Finally, I will suggest that Murray has enough land zoned for dense and transit-oriented developments that it could start planning for eventual creation of a small parking enforcement division that could be revenue neutral or positive (maybe from futuristic metering, but initially from tickets) and could provide the situation-specific oversight necessary to prevent any kind of parking abuse.

Sincerely,  
  
Eliot Setzer

# Special Recognition #1

## Murray City Municipal Council Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

GFOA Certificate of Achievement

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)

Financial Reporting

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole  
 Date requested **6/3/2014**  
 Discussion Only  
 Ordinance (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Resolution (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

N/A

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Memo, news release, and summary of grading

**6. REQUESTOR:**

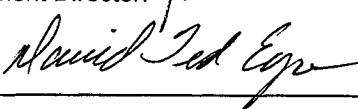
Name: Justin Zollinger  
Presenter: Justin Zollinger  
Agency: Murray City  
Date: 03/26/2014

Title: Finance Director  
Title: Finance Director  
Phone: 801-264-2669  
Time: 5:00 PM

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director: 

Date: 5/21/2014

Mayor: 

Date: 5/21/2014

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**

February 24, 2012



MURRAY CITY CORPORATION  
FINANCE

## **Memo:**

**To:** City Council

**From:** Justin Zollinger, Finance Director

**Date:** May 21, 2014

**Subject:** Murray City GFOA Certificate of Achievement for Excellence

Murray City has received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. This award is the result of the combined efforts of Murray City's Finance Department.

See news release and summary of grading for additional information for presentation.



Government Finance Officers Association  
203 N. LaSalle Street - Suite 2700  
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

04/08/2014

NEWS RELEASE

For Information contact:  
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Murray City Corporation** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

**Finance Department, Murray City Corporation**

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

## Certificate of Achievement For Excellence in Financial Reporting Summary of Grading

Name of Unit: Murray City Corporation

Fiscal Year of Report FY2013

Report # 462.00

The Certificate of Achievement Program Special Review Committee (SRC) has completed its review of your comprehensive annual financial report (CAFR). Listed below are the grading categories used and a summary of the SRC's evaluation of your CAFR. The detailed comments and suggestions for reporting improvements on the attached listing are grouped under similar grading categories. Any category which received a grade of "Needs Significant Improvement" indicates an area of particular concern to the SRC and the related comments and suggestions for improvement in this category should be given special attention. An indication is provided on the list by the specific comments(s) or category(ies) that were the cause of receiving this grade. For each item, the notation also states whether it is 1) the basis or part of the basis for the CAFR not receiving the Certificate of Achievement, 2) a serious deficiency which will almost certainly preclude the awarding of the Certificate of Achievement if it is not corrected in your next CAFR, or 3) a deficiency, that if not corrected in future CAFRs, could result in the Certificate of Achievement not being awarded.

### Grading Category

### Grade

Cover, table of contents, and formatting	Proficient
Introductory section	Proficient
Report of the independent auditor	Proficient
Management's discussion and analysis (MD&A)	Proficient
Basic financial statements (preliminary considerations)	Proficient
Government-wide financial statements	Proficient
Fund financial statements (general considerations)	Proficient
Governmental fund financial statements	Proficient
Proprietary fund financial statements	Proficient
Fiduciary fund financial statements	Not Applicable
Summary of significant accounting policies (SSAP)	Proficient
Note disclosure (other than the SSAP and pension-related disclosures)	Proficient
Pension-related note disclosures	Proficient
Required supplementary information (RSI)	Not Applicable
Combining and individual fund information and other supplementary information	Proficient
Statistical section	Proficient
Other considerations	Proficient

# **Citizen Comments**

Limited to three minutes, unless otherwise approved by the Council.

# Public Hearing #1

**MURRAY CITY CORPORATION**

**NOTICE OF PUBLIC HEARING ON THE CITY'S TENTATIVE BUDGET,**  
**AS AMENDED,**  
**FOR FISCAL YEAR 2014 - 2015**

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of June, 2014, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold a Public Hearing on the City's Tentative Budget, as amended, for fiscal year 2014 - 2015. Said budget includes:

- a. General Fund;
- b. Municipal Building Authority;
- c. Library Fund;
- d. Capital Projects Fund;
- e. Water Fund;
- f. Waste Water Fund;
- g. Power Fund;
- h. Murray Parkway Recreation Fund;
- i. Telecommunications Fund;
- j. Solid Waste Management Fund;
- k. Storm Water Fund;
- l. Central Garage Fund;
- m. Retained Risk Reserve Fund;
- n. Redevelopment Agency Fund;
- o. Community Development Block Grant Fund;
- p. Cemetery Perpetual Care Fund.
- q. Drug Enforcement Administration

All interested persons in attendance shall be given an opportunity to be heard, for or against, the estimates of revenue and expenditures or any item thereof in the City's Tentative Budget, as amended, of any fund.

A copy of the City's Tentative Budget, as amended, may be reviewed by interested persons in the Finance Director's Office, Room 117, Murray City Center, 5025 South State Street, Murray, Utah, from 8:00 a.m. to 5:00 p.m. starting May 21, 2014.

DATED this 20 day of May, 2014.

MURRAY CITY CORPORATION

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Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION:

*Stoppey*

PUBLIC NOTICE WEBSITE	5.15.14
MURRAY WEBSITE	5.15.14

# Murray City Municipal Council

## Request for Council Action

**INSTRUCTIONS:** The City Council considers new business items in Council meeting. All new business items for the Council must be submitted to the Council office, Room, 112, no later than 5:00 p.m. on the Wednesday two weeks before the Council meeting in which they are to be considered. This form must accompany all such business items. If you need additional space for any item below, attach additional pages with corresponding number and label.

**1. TITLE:** (Similar wording will be used on the Council meeting agenda.)

Consider an ordinance adopting the final 2014 – 2015 Fiscal Year Budgets for Murray City including the Library Fund Budget.

**2. KEY PERFORMANCE AREA:** (Please explain how request relates to Strategic Plan Key Performance Areas.)  
Financially Sustainable, Responsive and Efficient City Services, and Well Maintained, Planned and Protected Infrastructure and Assets.

**3. MEETING, DATE & ACTION:** (Check all that apply)

Council Meeting OR  Committee of the Whole

Date requested June 3, 2014

Discussion Only

Ordinance (attach copy)

Has the Attorney reviewed the attached copy? Yes

Resolution (attach copy)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Public Hearing (attach copy of legal notice)

Has the Attorney reviewed the attached copy? \_\_\_\_\_

Appeal (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

**4. FUNDING:** (Explain budget impact of proposal, including amount and source of funds.)

As indicated in the budget document.

**5. RELATED DOCUMENTS:** (Attach and describe all accompanying exhibits, minutes, maps, plats, etc.)

Public Hearing documents and Ordinance attached

**6. REQUESTOR:**

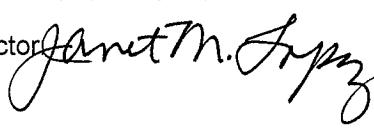
Name: Janet Lopez Title: Council Administrator

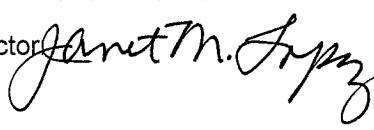
Presenter: Justin Zollinger Title: City Finance Director

Agency: Murray City Corporation Phone: 801-264-2669

Date: May 23, 2014 Time: 11:41 a.m.

**7. APPROVALS:** (If submitted by City personnel, the following signatures indicate, the proposal has been reviewed and approved by Department Director, all preparatory steps have been completed, and the item is ready for Council action)

Department Director:  Date: May 23, 2014

Mayor:  Date: \_\_\_\_\_

**8. COUNCIL STAFF:** (For Council use only)

Number of pages: \_\_\_\_\_ Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Recommendation: \_\_\_\_\_

**9. NOTES:**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING THE FINAL 2014 - 2015 FISCAL YEAR BUDGETS FOR MURRAY CITY INCLUDING THE LIBRARY FUND BUDGET.

PREAMBLE

Section 10-6-118 of Utah Code, as amended, requires adoption of the City's budgets before June 22<sup>nd</sup> of each year. Said budgets have been open for public inspection since May 21<sup>st</sup>, 2014. Notice of public hearing for the consideration of the adoption of the budgets was posted as provided by law, including posted on the Utah Public Notice Website, and published in the Salt Lake Tribune and the Deseret News. Said public hearing was held on June 3, 2014, and public comment was received. The Murray City Municipal Council wants to adopt its Final Budgets.

The Murray City Municipal Council adopts, as revenue to the General Fund, a tax levy that is less than or equal to the certified tax rate. Since the tax levy does not exceed the certified tax rate, under UTAH CODE ANN. Title 59, Chapter 2, no Truth-In-Taxation hearing is required.

BE IT ENACTED by the Murray City Municipal Council as follows:

*Section 1. Purpose.*

The purpose of this Ordinance is to adopt the Final 2014 - 2015 Fiscal Year budgets of the City including the Library Fund budget along with the Council Intent document.

*Section 2. Enactment.*

A. The Final Budgets for Fiscal Year 2014 - 2015 are hereby adopted and shall consist of the following:

General Fund	\$39,902,763
Capital Projects	2,745,346
Water	8,454,236
Waste Water	4,925,756
Power	37,197,843
Parkway Recreation	1,433,097
Telecommunications Fund	56,000
Solid Waste	1,342,000
Storm Water	3,823,018

Central Garage	379,689
Retained Risk Reserve Fund	1,007,826
Cemetery Perpetual Care Fund	42,000
Drug Enforcement Agency	1,933,208

- B. The Final Budgets also include, in an addendum, allocations to non-profit entities under Section 10-8-2 of the Utah Code.
- C. The Council Intent document for fiscal year 2014 - 2015 is hereby adopted.

*Section 3. Special Revenue Funds.*

The budgets of the Library, the Redevelopment Agency and Community Development Block Grant are as follows:

Library	\$1,689,369
Redevelopment Agency	3,236,322
Community Development Block Grant	50,000

The Redevelopment Agency Board shall, in separate actions, ratify their final budget. The Council has separately approved the Community Development Block Grant Funds.

*Section 4. Compliance with UTAH CODE ANN. Title 59, Chapter 2.* Since the budgets include a tax levy that is less than or equal to the certified tax rate, no Truth in Taxation hearing is required under UTAH CODE ANN. Title 59, Chapter 2.

*Section 5. Adjustments.*

- A. The Budgets are subject to adjustments, if any, that need to be made when the Murray City Municipal Council adopts the tax levies based on the certified tax rate.
- B. The Director of Finance is hereby authorized to make adjustments to the budgets to reflect the actual certified tax levies provided to the City at a later date.

*Section 6. Transfer of Unencumbered or Unexpended Appropriated Funds.* The Director of Finance is authorized to make such transfer of any unencumbered or unexpended appropriated funds pertaining to the 2013 - 2014 Fiscal Year budget at the close of the 2013 - 2014 Fiscal Year in conformity with the provisions of UTAH CODE ANN. Section 10-6-124, as amended.

*Section 7. Effective Date.* This Ordinance shall take effect on July 1, 2014.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this 18<sup>th</sup> day of June, 2014.

MURRAY CITY MUNICIPAL COUNCIL

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Brett A. Hales, Chair

ATTEST:

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Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014

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David Ted Eyre, Mayor

ATTEST:

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Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Jennifer Kennedy, City Recorder

**MURRAY CITY MUNICIPAL COUNCIL**  
**INTENT FOR THE FISCAL YEAR 2014-2015 BUDGET**

The Murray City Municipal Council (the “Council”) adopts the City’s final budget (the “Budget”) for fiscal year 2014-2015. Under Utah law, the Council has policy making authority and responsibility. The Budget is a means by which the Council directs City policy. The City Administration (“Administration”) must, therefore, implement the Budget consistent with the intent and general policy direction of the Council. The following are the Council’s intent and general policy direction underlying the adoption of the Budget.

**PERSONNEL**

The Council recognizes City employees as a tremendous asset in the operations of the City who provide outstanding service to both residents and businesses in the community. The Council acknowledges the experience, knowledge and expertise of City employees, their dedication to excellence and support of City policies and practices. As City employees’ value is unsurpassed, it is the intent of the Council to fund an increase in employee compensation as follows:

**Cost of Living Adjustment**

The Council has included in the Budget a 1% cost of living adjustment (COLA) for all eligible employees.

**Merit Increase**

The Council has funded an amount equal to a 2% merit increase to be implemented as determined by the Mayor.

**MURRAY HEALTH INSURANCE BENEFITS**

**All Employees**

The Council intends to fund the Public Employees Health Plan cost increase of approximately \$233,000, which amounts to 5.4% more than the previous year. The City will continue to cover 85% of the total health care expense and employees will pay 15%.

The Council intends that an Opt-Out program shall be funded to provide a rebate to those employees who do not utilize the City’s health insurance program.

The City is also offering a high deductible Health Savings Program. Under the Program, the City will contribute this year to the Health Savings account of those who are eligible and choose the Program. Single \$625; 2-Party \$1,376; and Family \$1,877.

### **City Council Members**

The Council has determined to provide all elected officials the same health care benefits as offered to eligible City employees.

### **UTAH RETIREMENT SYSTEM BENEFITS**

The Council intends to fund the increased costs of the Utah Retirement System (URS) of approximately \$420,000, which is an 8.2% increase.

### **ECONOMIC DEVELOPMENT INCENTIVE**

As adopted in the Murray City Strategic Plan, the Council supports a “Welcoming and Thriving Business Climate” and seeks to ensure that a progressive and business-friendly environment exists within the City through investments that enhance commercial development projects, encourage job creation and reduce barriers for redevelopment in the City. It is the intent of the Council to provide and maintain public infrastructure, fiber optic enhancements and other improvement funding in non-redevelopment (RDA) areas within the City. Thirty thousand dollars (\$30,000) has been allocated for this purpose. Through an application process with established criteria, each project will be evaluated on an individual basis by the Mayor with input from the Business Enhancement Committee.

### **CAPITAL IMPROVEMENT PROGRAM**

As part of the Murray City Strategic Plan, a Capital Improvement Program (CIP) is an essential component to the implementation of the City Budget by planning, prioritizing, budgeting and financing capital needs. The CIP involves a five year period, or beyond, of capital projects in the areas of facilities, technology, maintenance and vehicle replacement. Capital Projects have been identified for the Fiscal Year 2014 – 2015 City Budget in the amount of \$2.7 million.

### **GENERAL FUND RESERVES**

The 2013 State Legislature approved a municipal general fund amendment allowing municipal governments to maintain a maximum excess general fund balance of twenty five percent (25%) of budgeted operational revenue. Based on this increase in allowed fund balance, it is the intent of the Council to raise the amount of General Fund reserves to twenty percent (20 %) from whatever sources become available. In future years, it is the Council’s goal to incrementally raise the General Fund reserve balance to the maximum allowed by law.

### **DEPARTMENT BUDGET SAVINGS**

The Council wants to provide Departments an incentive to find ways to reduce costs without adversely affecting the quality of City services. Therefore, if, at the end of fiscal year 2014-2015, the City Finance Director determines that a Department has under spent its budget, 75% of the savings shall be allocated to the CIP to be used for the capital needs

of that Department in the 2015-2016 fiscal year, provided, however that the allocation shall only be made if the General Fund Reserves on June 30, 2015 are at least twenty percent (20%) of the General Fund budget.

### **CLEAN ENERGY VEHICLE PURCHASES AND CONVERSIONS**

It is the intent of the Council to proactively support environmentally responsible contributions to clean air. In vehicle purchases, City employees are strongly encouraged to investigate alternative fuel engines that contribute lower amounts of particulate pollution into the air.

The Council allocates \$16,500 to convert three (3) vehicles to natural gas. Vehicles shall be determined by the City Fleet Manager in conjunction with Department Directors. This money shall be transferred from General Fund Reserves to the Non-Departmental Budget.

Using the assistance of the Finance Director and Fleet Manager, applications for grant money shall be made to the State Division of Air Quality for these conversions to clean air projects consistent with the "Clean Air Retrofit, Replacement, and Off-road Technology Program," in House Bill #61, adopted by the 2014 State Legislature.

### **RADAR SPEED SIGNS**

In order to ensure safety on the roadways and in City neighborhoods the Council has allocated \$25,000 in the City Budget for installation of eight radar speed signs. The location of these speed signs have been determined by the Council as listed below:

1. Fontaine Blue	District 4
2. 725 East	District 5
3. 4800 South, near 500 East (Large)	District 3
4. Avalon	District 4
5. Anderson	District 2
6. Walden Glen	District 1
7. Holstein	District 5
8. Three Fountains	District 3

### **CEMETERY**

The Council recognizes the need for additional cemetery lots at the City cemetery. A study should be conducted to determine if the cost of removal of unnecessary cemetery roads could be offset by a proposed fee increase for new lot sales. If the revenue from new lot sales is sufficient to cover the expense of road removal and preparation of additional lots, the Council encourages this process to go forward.

## **WINCHESTER LOW HEAD DAM REDESIGN**

The Murray City Strategic Plan initiative to provide “Safe and Healthy Neighborhoods” along with “Well Maintained, Planned and Protected Infrastructure and Assets” is of utmost importance to Council Members. The Council has allocated in the General Fund \$175,000 to be used with Salt Lake County and State funding to improve safety at the Winchester low head dam on the Jordan River.

## **NEW CITY GENERAL PLAN**

The Murray City General Plan is the document that provides the guidelines for decision-makers to direct desired future development in the City. The current Murray City General Plan was adopted in 2003. The Council is supportive of the process to develop a new General Plan and has allocated a total of \$100,000 (\$50,000 in fiscal year 2014 and \$50,000 in fiscal year 2015) for this process to go forward.

# Public Hearing #2

# MURRAY CITY CORPORATION

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of June, 2014, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold a Public Hearing.

The purpose of this hearing is to receive public comment concerning a request to amend the Zoning Map for the properties located at approximately 5905 South 700 West, Murray, Utah, from Residential Single Family Low Density (R-1-8) to Commercial Neighborhood Conditional (C-N-C).

DATED this 21<sup>st</sup> day of April, 2014.



MURRAY CITY CORPORATION

  
Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: May 11, 2014  
PH 14-12

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RELATING TO ZONING; AMENDS THE ZONING MAP FOR PROPERTY LOCATED AT APPROXIMATELY 5905 SOUTH 700 WEST, MURRAY CITY, UTAH, FROM R-1-8 (SINGLE-FAMILY LOW DENSITY RESIDENTIAL) to C-N-C (COMMERCIAL NEIGHBORHOOD CONDITIONAL) DISTRICT. (Lee Mart.)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL AS FOLLOWS:

WHEREAS, the owner of the real property located at approximately 5905 South 700 West, Murray, Utah, has requested a proposed amendment to the zoning map to designate the property in a C-N-C zone district; and

WHEREAS, it appearing that said matter has been given full and complete consideration by the Murray City Planning and Zoning Commission; and

WHEREAS, it appearing to be in the best interest of Murray City and the inhabitants thereof that the proposed amendment of the zoning map be approved.

NOW, THEREFORE, BE IT ENACTED:

*Section 1.* That the Zoning Map and the zone district designation be amended for the following described property located at approximately 5905 South 700 West, Murray, Utah, from the R-1-8 (Single-Family Low Density Residential) zone district to the C-N-C (Commercial Neighborhood Conditional) zone district:

Beginning at a point which is North 00°14'40" West 1436.24 feet along the section line, which is also the centerline of 700 West Street, from the Southwest corner Section 13, Township 2 South, Range 1 West, Salt Lake Base and Meridian; running thence North 89°57'30" East 198.07 feet to the boundary line of Lasalle Acres Subdivision; thence North 00°14'40" West along said boundary 119.27 feet to the centerline of 5900 South Street; thence South 89°57'30" West along said centerline 198.07 feet to the West line of Section 13 and the center of 700 West Street; thence South 00°14'40" East along the centerline 119.27 feet to the point of beginning.

Parcel ID No.:21-13-351-025

*Section 2.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

---

Brett A. Hales, Chair

ATTEST:

---

## City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

#### MAYOR'S ACTION: Approved

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Ted Eyre, Mayor

ATTEST:

---

## City Recorder

## CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2014.

---

City Recorder

8. Install curb wall or curb and gutter along the frontage landscaping on Edison Street.
9. The applicant will need to apply to the Planning Commission for permanent Conditional Use Permit at the end of eighteen months (by October 2015) for the final approval and the final site improvements will need to be completed by April 2016.

Seconded by Mr. Markham.

Call vote recorded by Brad McIlrath.

A Phil Markham  
A Karen Daniels  
A Scot Woodbury  
A Vicki Mackay

Motion passed, 4-0.

LEE MART – 5905 South 700 West – Project #14-36

Sanh Ly and Huong Tran were the applicants present to represent this request. Brad McIlrath reviewed the location and request for a zone map amendment from R-1-8 (residential single family) to C-N-C (commercial neighborhood conditional) for the existing gas station and convenience store which has been in operation since about 1980. One reason the applicant is requesting the zone change to C-N-C is the property is currently legal non-conforming in the R-1-8 zone. If the structure was damaged, burned, or damaged by another event to more than 60% of its replacement value, it may not be rebuilt except in conformity to the regulations of the zone. The Murray General Plan Future Land Use Map designates this property to be commercial retail use. The site is located at the intersection of 700 West and 5900 South. Both 5900 South and 700 West are arterial streets with higher traffic conditions. The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 2 of the Murray City General Plan identifies the goals and objectives for land use in the community. The plan also identifies future land use as depicted in Map 2-4. The Murray General Plan, adopted in June 2003, identifies this property on the Future Land Use Map to change to commercial retail. There has been a gas station located on this property from about 1980. Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested Zone Map Amendment from R-1-8 to C-N-C.

Mr. Markham asked if this were to be granted what other uses are permitted in the event the property owners were to sell this property in the future. Mr. McIlrath stated that the C-N-C district allows for uses that are light commercial uses; they have to be compatible with the neighborhood. Mr. Wilkinson stated that it might be simpler to list

Planning Commission Meeting

April 3, 2014

Page 13

the uses that are not allowed in this zone which include: automobile dealerships, repair shops; things that include higher intense commercial uses are not allowed.

Alana Ly, 5892 S Green Oaks Drive, speaking for her parents Sanh Ly and Huong Tran who own Lee Mart.

The meeting was opened for public comment.

Randy Williams, 396 East 1650 South, stated he works for the Health Department. Mr. Williams stated that the Health Department is concerned, just wanted to make sure that this business will not be staying open late at night, so there is not a problem with noise.

Mr. Wilkinson clarified that this application is for a zone change, the use is already established, and it's an existing non-conforming use. A zone change cannot be conditioned, it is an either/or proposal.

The public comment portion of the meeting was closed.

Ms. Daniels made a motion that the Planning Commission forwards a recommendation of approval to the City Council for the requested Zone Map Amendment from R-1-8 to C-N-C for the Lee Mart located at 5905 South 700 West.

Seconded by Ms. Mackay.

Call vote recorded by Brad McIlrath.

A Phil Markham  
A Karen Daniels  
A Scot Woodbury  
A Vicki Mackay

Motion passed, 4-0.

ORDINANCE AMENDMENT TO ALLOW CHICKENS AND BEES IN SINGLE FAMILY RESIDENTIAL ZONES – Project #14-35

Chad Wilkinson and Rick Maestas presenting. Over the past several years City staff have received multiple requests from citizens wishing to keep chickens and bees on their Single Family residential zoned properties. Currently the zoning ordinance limits the areas where chickens and bees may be kept to the Agricultural zoning district. Recent interests in local food production and self-reliance have resulted in many communities revising ordinances to allow for the keeping of chickens and bees on single family residential lots.

On November 20, 2012, the City Council directed staff to move forward with a public process to gain input from citizens on the topic of chicken and bee keeping in single family residential zoning districts. Two public open houses were held on February 26, 2013 and March 26, 2013. At these open houses, a survey was provided to obtain

**TO: Murray City Planning Commission**

**FROM: Murray City Community & Economic Development Staff**

**DATE OF REPORT: March 28, 2014**

**DATE OF HEARING: April 3, 2014**

**PROJECT NAME: Lee Mart**

**PROJECT NUMBER: 14-00000036**

**PROJECT TYPE: Zone Map Amendment**

**APPLICANT: Sanh Ly, Huong Tran**

**PROPERTY ADDRESS: 5905 S. 700 W.**

**SIDWELL #: 21-13-351-025**

**ZONE: R-1-8**

**PROPERTY SIZE: .32 Acre**

**I. REQUEST:**

The applicant is requesting a zone map amendment from R-1-8 to C-N-C for the property addressed 5905 South 700 West.

**II. BACKGROUND AND ANALYSIS**

Background:

The applicant is requesting a zone map amendment from R-1-8 (residential single family) to C-N-C (commercial neighborhood conditional) for the existing gas station and convenience store which has been in operation since about 1980. One reason the applicant is requesting the zone change to C-N-C is the property is currently legal non-conforming in the R-1-8 zone. If the structure was damaged, burned, or other event to more than 60% of its replacement value, it may not be rebuilt except in conformity to the regulations of the zone. The Murray General Plan Future Land Use Map designates this property to be commercial retail use.

### Site Location/Detail

The site is located at the intersection of 700 West and 5900 South. Both 5900 South and 700 West are arterial streets with higher traffic conditions.

### Surrounding Land Use & Zoning

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential Single Family	R-1-8
South	Residential Single Family	R-1-8
East	Residential Single Family	R-1-8
West	Residential Single Family	R-1-8

### Allowed Land Uses

**Existing:** Various permitted uses are allowed in the R-1-8 zone such as dwellings and accessory uses, garages, carports and other uses for private recreation and gardening. Other uses allowed by Conditional Use Permit include uses such as churches, schools, public parks, and libraries.

**Proposed:** The C-N-C zone is designed to promote a combination of retail, office, and service businesses to serve the needs of the area residents. The businesses in the C-N-C zoning designation are more neighborhood oriented and the zone does not allow all of the various used allowed in the C-D-C zone, specifically the zone does not allow high impact commercial uses such as car dealerships, mini storage units, and auto repair.

## III. PUBLIC INPUT

A mailing was sent March 20, 2014, and as of the date of this report we have received one phone inquiry regarding the zone change.

## IV. GENERAL PLAN ANALYSIS

The purpose of the General Plan is to provide overall goal and policy guidance related to planning issues in the community. The plan provides for flexibility in the implementation of the goals and policies depending on individual situations and characteristics of a particular site. Chapter 2 of the Murray City General Plan identifies the goals and objectives for land use in the community. The plan also identifies future land use as depicted in Map 2-4. The Murray General Plan, adopted in June 2003, identifies this property on the Future Land Use Map to change to commercial retail. There has been a gas station located on this property from about 1980.

## **V. FINDINGS**

### **A. Is there need for change in the proposed zoning at the subject location for the neighborhood or community?**

The applicants request for the proposed zone change to C-N-C is consistent with the General Plan for commercial retail use at the subject location. The site is located adjacent to 700 West Street and 5900 South which are higher traffic volume arterial streets.

### **B. If approved, how would the range of uses allowed by the Zoning Ordinance blend with surrounding uses?**

Although the existing commercial use is surrounded by residential properties, it has been located here for about 30 years and provides a convenience to the surrounding residential properties for gas and retail store products in the neighborhood area.

### **C. What utilities, public services, and facilities are available at the proposed location? What are or will be the probable effects the variety of uses may have on such services?**

The subject area is located in a developed part of the City and is served by all utilities, public services and facilities. The existing business uses have minimal impact on the services and utilities in this area, but future higher intensity business uses may be limited by existing utility capacity.

## **VI. CONCLUSION**

- i. The General Plan provides for flexibility in implementation and execution of the goals and policies based on individual circumstances.**
- ii. The requested change has been carefully considered based on characteristics of the site and surrounding area and policies of the General Plan.**
- iii. There is an existing commercial businesses operating on this site and the zone change is consistent with the Murray General Plan.**

## VII. STAFF RECOMMENDATION

Based on the above findings, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the requested Zone Map Amendment from R-1-8 to C-N-C.

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# SITE INFORMATION



MURRAY CITY CORPORATION  
COMMUNITY & ECONOMIC DEVELOPMENT

Daniel C. Snarr, Mayor

Tim Tingey, Director

801-270-2420 FAX 801-270-2414

March 20, 2014

**NOTICE OF PUBLIC HEARING**

This notice is to inform you of a Planning Commission Hearing scheduled for Thursday, April 3, 2014, at 6:30 p.m., in the Murray City Municipal Council Chambers, 5025 South State Street.

Representatives of Lee Mart are requesting a zone map change amendment from R-1-8 (single family residential) to C-N-C (commercial neighborhood conditional) at the property addressed 5905 South 700 West. The purpose of the zone change is the gas station is a legal non-conforming use in a residential zone whereas the property owner is requesting the property be zoned commercial for the existing gas station. This notice is being sent to you since you own property within the near vicinity. Comments at the meeting will be limited to 3 minutes per person per item. A spokesman who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Community & Economic Development Department at least one day prior to the day of the meeting.

If you have questions or comments concerning this proposal, please call Ray Christensen with the Murray City Community Development office at 801-270-2420, or e-mail to [rchristensen@murray.utah.gov](mailto:rchristensen@murray.utah.gov).

**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (264-2660). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TTY is RELAY UTAH AT #711.**

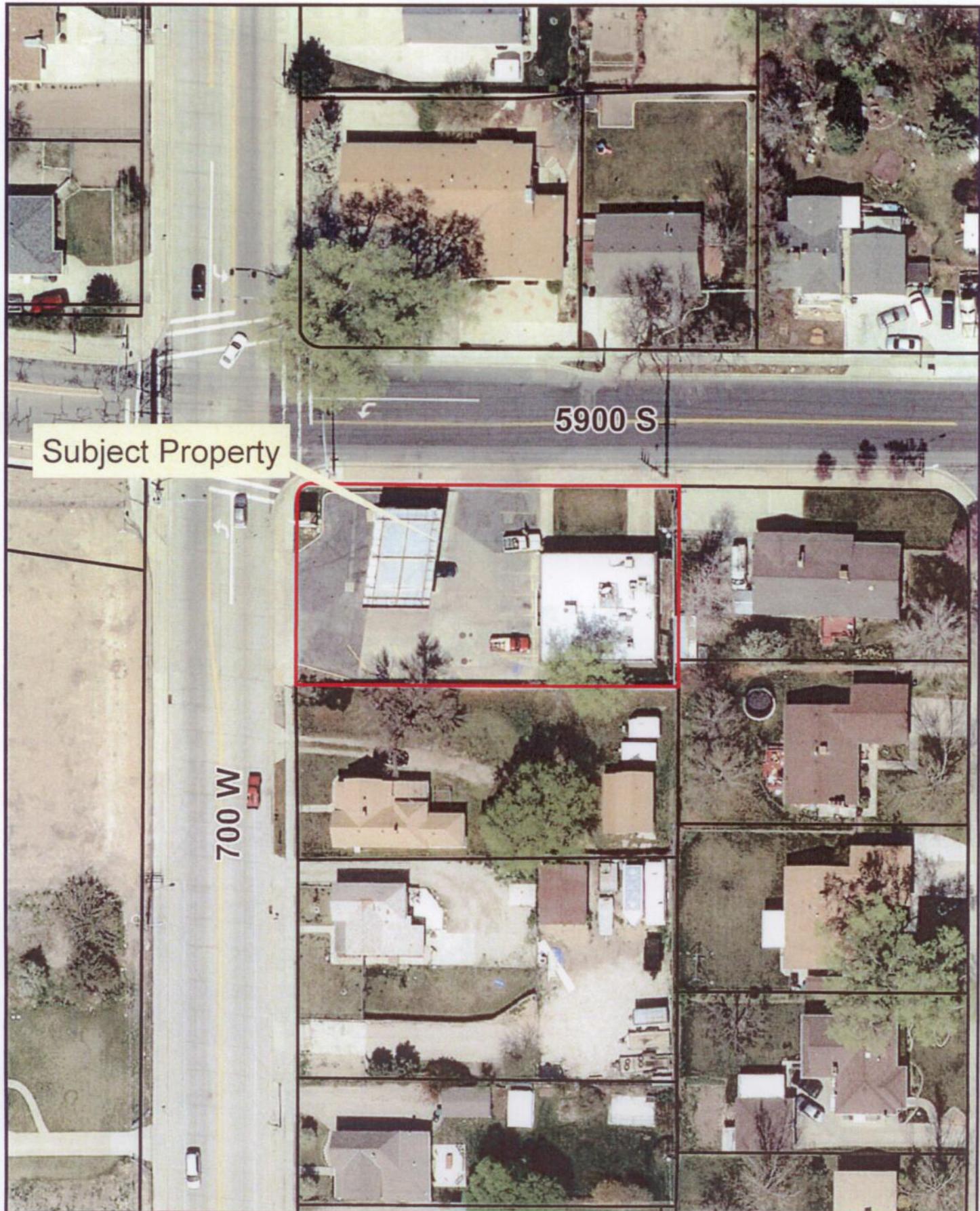


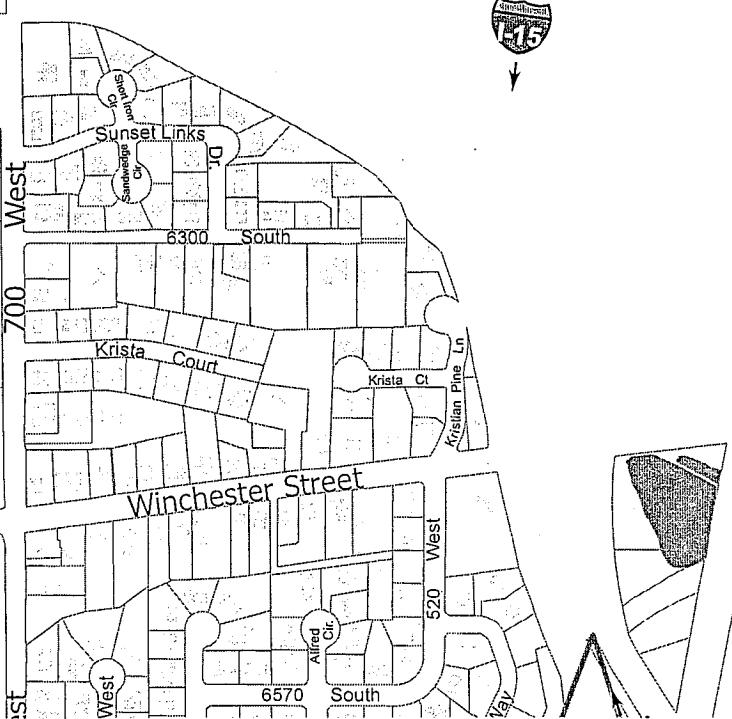
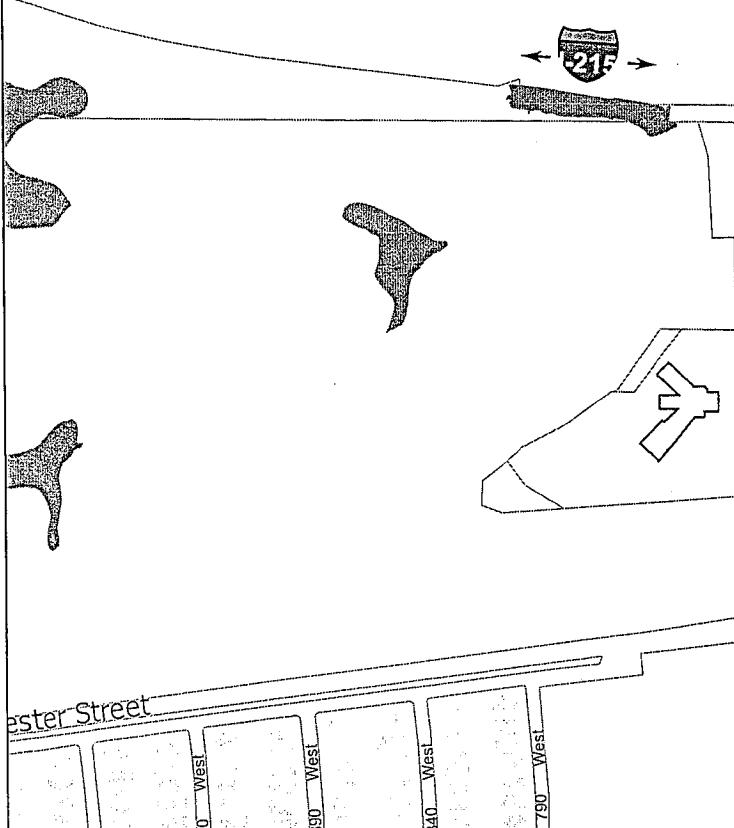
# 5905 South 700 West



MURRAY

ADMINISTRATIVE &  
DEVELOPMENT SERVICES





# APPLICATION MATERIALS

# ZONING AMENDMENT APPLICATION

# 4-36

Type of Application (check all that apply):

- Zoning Map Amendment
- Text Amendment
- Complies with General Plan

Yes  No

Subject Property Address: 5905<sup>SB</sup> 700<sup>W</sup> MURRAY

Parcel Identification (Sidwell) Number: 21-13-351-025

Parcel Area: 0.32 Current Use: gas station & c store

Existing Zone: R-1-8 Proposed Zone: C-N-C

Applicant Name: SANH LY OR HUONG TRAN

Mailing Address: 5892<sup>SB</sup> GREENOAKS DR

City, State, ZIP: MURRAY UT 84123

Daytime Phone #: 801-809-5488 Fax #: 801-265-1860

Email address: \_\_\_\_\_

Business Name (If applicable): LEE mart

Property Owner's Name (If different): SANH LY

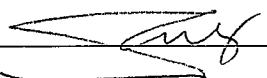
Property Owner's Mailing Address: 5892<sup>SB</sup> GREENOAKS DR

City, State, Zip: MURRAY UT 84123

Daytime Phone #: 801-809-5488 Fax #: 801-265-1860

Describe your reasons for a zone change (use additional page if necessary):

change zoning more in line with commercial  
Business use

Authorized Signature:  Date: March -07 -14

## Property Owners Affidavit

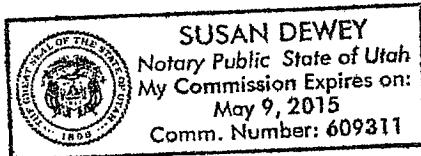
I (we) SANH - LY, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

---

Owner's Signature

Owner's Signature (co-owner if any)

Subscribed and sworn to before me this 1<sup>st</sup> day of March, 2014.



Notary Public

Residing in

## Resuming his Message

My com

### Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property located at \_\_\_\_\_, in Murray City, Utah, do hereby appoint \_\_\_\_\_, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize \_\_\_\_\_ to appear on my (our) behalf before any City board or commission considering this application.

Owner's Signature

Owner's Signature (co-owner if any)

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, personally appeared before me

## Notary Public

Residing in

My commission expires:

EXHIBIT "A"

Beginning at a point which is North 00°14'40"West 1436.24 feet along the section line, which is also the centerline of 700 West Street, from the Southwest corner Section 13, Township 2 South, Range 1 West, Salt Lake Base and Meridian; and running thence North 89°57'30" East 198.07 feet to the boundary line of Lasalle Acres Subdivision; thence North 00°14'40" West along said boundary 119.27 feet to the centerline of 5900 South Street; thence South 89°57'30" West along said centerline 198.07 feet to the West line of Section 13 and the center of 700 West Street; thence South 00°14'40" East along the centerline 119.27 feet to the point of beginning.

\* \* \* \*

## Salt Lake County Recorder's Office

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Scatter plot showing the relationship between the number of parcels and the time of day. The x-axis represents the number of parcels (0 to 0.015) and the y-axis represents time (0 to 1:564). The data points are clustered at 0 parcels and various times, with a few outliers at higher parcel counts.

**Parcels**

March 1, 2014

The information depicted on this map is for general reference only, and is not intended to determine final ownership, jurisdictional boundaries or to replace a survey or any other legal description in conjunction with the Offices of Salt Lake County Assessor, Salt Lake County Clerk, Salt Lake County Mayor, Salt Lake County



4770 S. 5600 W.  
P.O. BOX 704005  
WEST VALLEY CITY, UTAH 84170  
FED.TAX I.D.# 87-0217663  
801-204-6910

The Salt Lake Tribune

WWW.SLTrib.COM

MEDIA One  
OF UTAH  
A NEWSPAPER AGENCY COMPANY  
WWW.MEDIAONEUTAH.COM

Deseret News  
WWW.DESERETNEWS.COM

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	PUBLISH DATE
MURRAY CITY RECORDER, 5025 S STATE, ROOM 113 MURRAY, UT 84107	9001341938	3/24/2014

FILE COPY

ACCOUNT NAME	
MURRAY CITY RECORDER,	
TELEPHONE	AD ORDER# / INVOICE NUMBER
8012642660	0000946671 /
SCHEDULE	
Start 03/23/2014	End 03/23/2014
CUST. REF. NO.	
Lee's Mart Rezone	
CAPTION	
MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN	
SIZE	
29 Lines	1.00 COLUMN
TIMES	RATE
3	
MISC. CHARGES	AD CHARGES
TOTAL COST	
53.72	

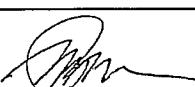
MURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING  
NOTICE IS HEREBY GIVEN that on the 3rd day of April, 2014, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on and pertaining to a Zoning Map Amendment from Residential Single Family (R-1-8) zoning district to Commercial Neighborhood Conditional (C-N-C) zoning district for the property located at 5905 South 700 West, in Murray City, Salt Lake County, State of Utah.

Chad Wilkinson, Manager  
Community & Economic Development  
946671 UPAKLP

AFFIDAVIT OF PUBLICATION

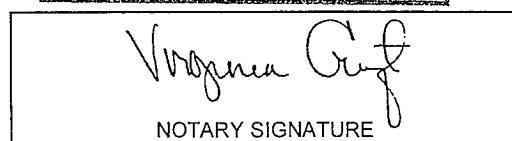
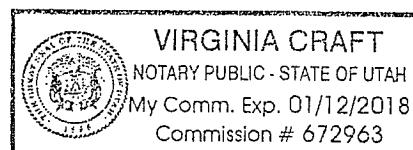
AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MURRAY CITY CORPORATION NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that on the 3rd day of April, 2014, at the hour of 6:30 p.m. of said day in the Council FOR MURRAY CITY RECORDER, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 03/23/2014 End 03/23/2014

SIGNATURE 

DATE 3/24/2014

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
PLEASE PAY FROM BILLING STATEMENT



Lee Mart (rezone)  
P/C 4/03/14 + A.E.

			BENNEE, CAMERON I
			5670 S CROWN POINTE DR
			MURRAY UT 84107
ADAMS, DANIEL N &	ALLEN, BEN R & CLAUDIA J		DABROWSKI, SHAUNA L &
689 W JENNY SUE CT	7429 S HARVEST RIDGE DR		5931 S 700 W
MURRAY UT 84123	WEST JORDAN UT 84084		MURRAY UT 84123
ANDERSON, GEORGE D &	ANDERSON, JAMES R &		HERRERA, JERRY B &
6046 S LASALLE CIR	5915 S 700 W		5924 S LA SALLE DR
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84123
CALDWELL, STEVEN J &	CRAMER, DANIEL J &		MADSEN, DAVID J &
696 W 5900 S	5872 S JAMIAH DR		5933 S CHESAPEAKE CIR
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84123
DABROWSKI, SHAUNA L &	DAVIDSON, DOUGLAS D & GENE I;		MURPHEY, GERALD J &
5931 S 700 W	5909 S LA SALLE DR		5877 S 700 W
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84123
JENSEN, DOUGLAS R &	LANDON, JANE; TR		PENOVICH, F LAMAR &
5929 S CHESAPEAKE CIR	5925 S CHESAPEAKE CIR		1620 E CREEK RD
MURRAY UT 84123	MURRAY UT 84123		SANDY UT 84093
MAYNARD, LEAH	MKA PROPERTIES, LLC		RIGBY, BRETT &
683 W JENNY SUE CT	12922 S CROIX CIR		693 W JENNY SUE CT
MURRAY UT 84123	RIVERTON UT 84065		MURRAY UT 84123
NAKAGAMA, ALAN & SHARON; JT	OBORN, GORDON E &		SHOOP, TROY &
5919 S CHESAPEAKE CIR	5932 S LA SALLE DR		695 W JENNY SUE CT
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84123
RANGLACK, CLAUS D &	RICHARDSON, KELLY &		FWJ & ASSOCIATES LLC
5941 S LA SALLE DR	5948 S LA SALLE DR		195 W 3900 S
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84107
ROSEBOROUGH, GREGG &	SHAW, VAUDIS B; TR		MURRAY CITY CORPORATION
763 W GREENOAKS DR	5849 S 780 W		5025 S STATE ST
MURRAY UT 84123	MURRAY UT 84123		MURRAY UT 84107

SMITH, PATRICIA A; TR 698 W 5900 S MURRAY UT 84123	SNYDER, RAYMOND L 5940 S LA SALLE DR MURRAY UT 84123	SPENCER, WILLIAM D & 5870 S 700 W MURRAY UT 84123
WIGGINS, FLOYD B & 692 W 5900 S MURRAY UT 84123	STANDING, ROBERT J; TR 5878 S JAMIAH DR MURRAY UT 84123	TURNER, SPENCER & 5933 S LA SALLE DR MURRAY UT 84123
ZULLO, GRACIELA 6209 S 1250 W MURRAY UT 84123	WIGGINS, MICHAEL A 610 W 5900 S MURRAY UT 84123	WILCKEN, JOSEPH H & 5917 S LA SALLE DR MURRAY UT 84123
LEE & SONS CORPORATION 5892 S GREENOAKS DR MURRAY UT 84123		TODDS PLACE LLC 5725 S 665 W MURRAY UT 84123

P/C AGENDA MAILINGS  
“AFFECTED ENTITIES”  
Updated 03/1/13

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

CHAMBER OF COMMERCE  
ATTN: STEPHANIE WRIGHT  
5250 S COMMERCE DR #180  
MURRAY UT 84107

MURRAY SCHOOL DIST  
ATTN: PAT O'HARA  
147 E 5065 S  
MURRAY UT 84107

MIDVALE CITY  
PLANNING DEPT  
655 W CENTER ST  
MIDVALE UT 84047

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

QUESTAR GAS  
ATTN: BRAD HASTY  
P O BOX 45360  
SLC UT 84145-0360

COTTONWOOD IMPRVM  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8215 S 1300 W  
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST  
355 W UNIVERSITY PARKWAY  
OREM UT 84058

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
1265 E FT UNION BLVD #250  
CTNWD HEIGHTS UT 84047

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

UTOPIA  
Attn: JARED PANTIER  
2175 S REDWOOD RD  
WEST VALLEY UT 84119

UTOPIA  
Attn: TOM MARRIOTT  
2175 S REDWOOD RD  
WEST VALLEY CITY UT 84119

GENERAL PLAN MAILINGS:

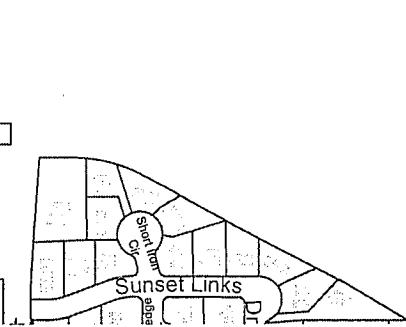
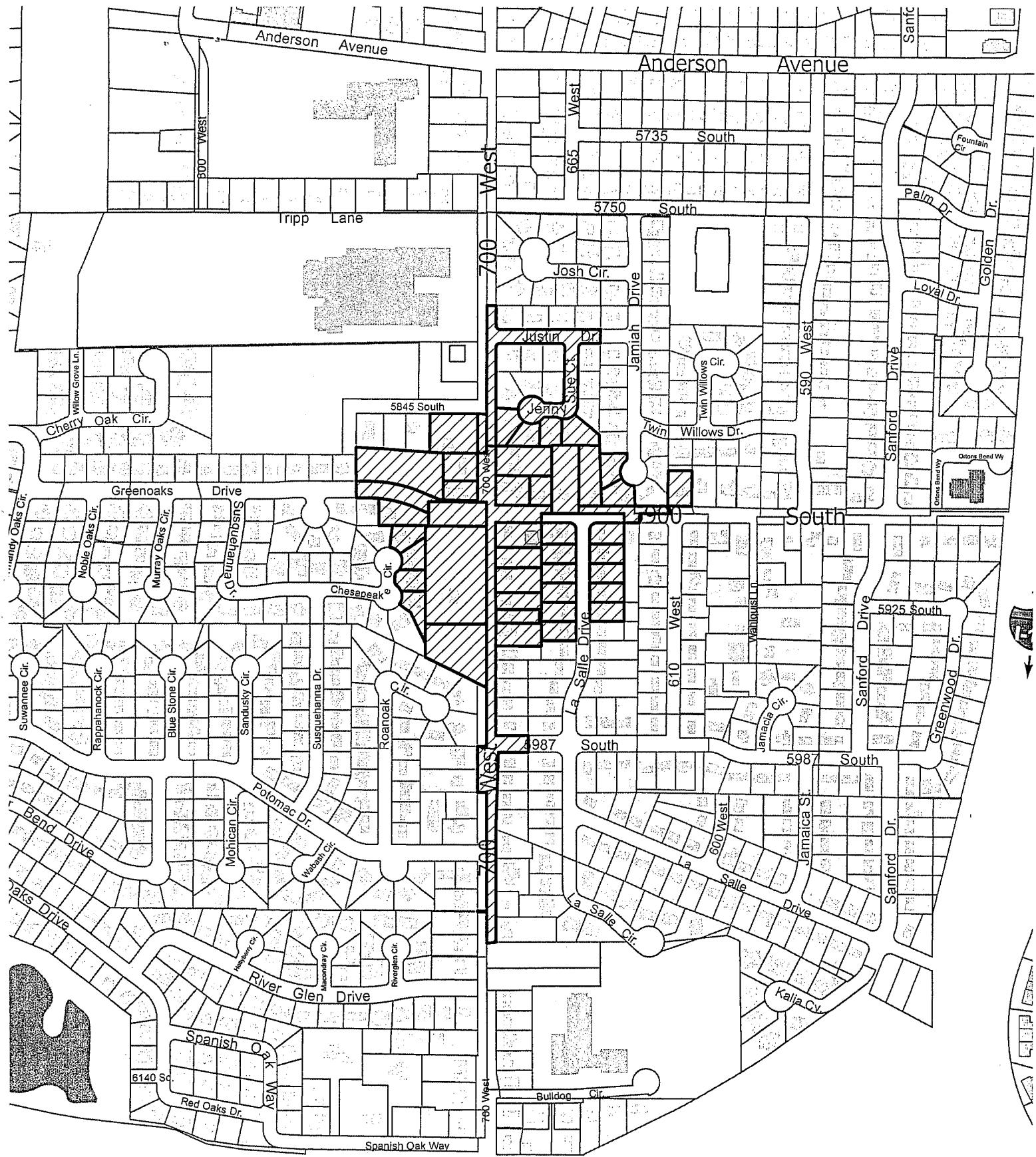
UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

WASATCH FRONT REG CNCL  
PLANNING DEPT  
295 N JIMMY DOOLITTLE RD  
SLC UT 84116

«Next Record»

«Next Record»

«Next Record»



# Public Hearing #3

# Murray City Corporation

## NOTICE OF PUBLIC HEARING

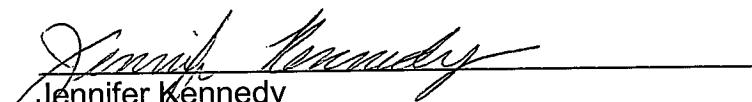
NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of June, 2014, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing to consider a land use code text amendment to Section 17.170.080 of the Murray City Municipal Code relating to designating re-upholstery and furniture repair and light manufacturing of household furniture as permitted uses in the Murray City Center District (MCCD).

The purpose of this public hearing is to receive public comment concerning the proposed land use code text amendment as described above.

DATED this 14<sup>th</sup> day of May, 2014.



MURRAY CITY CORPORATION



Jennifer Kennedy  
City Recorder

A handwritten signature of "Jennifer Kennedy" is written over a horizontal line. Below the signature, the title "City Recorder" is printed in a smaller, sans-serif font.

DATE OF PUBLICATION: May 18, 2014  
PH 14-14

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 17.170.080 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO PERMITTED USES IN THE MURRAY CITY CENTER DISTRICT (MCCD). (Cory Milne.)

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 17.170.080 of the Murray City Municipal Code relating to permitted uses in the Murray City Center District.

*Section 2. Amendment to Section 17.170.080 of the Murray City Municipal Code.* Section 17.170.080 of the Murray City Municipal Code shall be amended to read as follows:

17.170.080: **USES:**

B. The following uses are permitted in the Murray City Center District (MCCD):

<u>Use No.</u>	<u>Use Classification</u>
----------------	---------------------------

2510	Household furniture. (Handwork trades only in no more than 5,000 square feet; deliveries and shipping only during normal business hours; no odors; no outside storage.)
------	---

6494	Re-upholstery and furniture repair. (Includes antiques, etc.)
------	---

*Section 3. Effective Date.* This Ordinance shall take effect upon the first publication and filing of copy thereof in the office of the City Recorder of Murray City, Utah.

## MURRAY CITY MUNICIPAL COUNCIL

---

Brett A. Hales, Chair

**ATTEST:**

---

## City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_ day of  
. 2014.

## MAYOR'S ACTION:

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

David Ted Eyre, Mayor

**ATTEST:**

---

## City Recorder

## CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance was published according to law on the \_\_\_\_\_  
day of \_\_\_\_\_, 2014.

Planning Commission Meeting

April 17, 2014

Page 5

subdivision the properties addressed 1844 & 1848 East Vine Street 1853 East Jeremy Circle subject to conditions 1-9 as listed:

1. Meet the requirements of the Murray City Engineer for recording the plat at the Salt Lake County Recorder's Office.
2. Show utility easements on the property to meet subdivision ordinance regulations.
3. The project shall meet all applicable building code standards.
4. The Murray Fire Department requires compliance with current building and fire codes.
5. Provide a condominium plat to comply with Murray City subdivision plat requirements.
6. Submit a Subdivision Plat Application and a PDF file of the plat to the Engineering Division for final review and signatures.
7. Provide a utility, grading and drainage plan.
8. Repair any damaged curb, gutter and sidewalk along Jeremy Circle street frontage.
9. Obtain Salt Lake Public Utilities and Cottonwood Improvement District approvals for water and sewer improvements.

Seconded by Ms. Patterson.

Call vote recorded by Chad Wilkinson.

A Karen Daniels  
A Scot Woodbury  
A Vicki Mackay  
A Tim Taylor  
A Buck Swaney  
A Maren Patterson

Motion passed, 6-0.

UPHOLSTERY & FURNITURE MANUFACTURING USE IN MCCD ZONE – Project #14-46

Cory Milne was the applicant present. Chad Wilkinson reviewed the location and request for a Land Use Ordinance Text Amendment to allow Upholstery & Furniture Uses in the M-C-C-D zoning district.

6494 Re-upholstery and furniture repair. (Includes antiques, etc.)

Planning Commission Meeting

April 17, 2014

Page 6

2510 Household furniture. (Handwork trades only in no more than 5,000 feet; deliveries and shipping only during normal business hours; no odors; no outside storage).

The Murray City Center District was adopted in 2011 and is envisioned as the commercial, civic and cultural center for the community. As such the M-C-C-D is a mixed use zoning district that is intended to preserve the historic downtown area of Murray City and provide redevelopment of the downtown area with buildings and uses that will enhance physical, social and economic connections for the city. With a mix of uses ranging from residential to commercial/retail and even some light manufacturing uses, many other uses which are not compatible with the character and intent of the M-C-C-D are prohibited. Manufacturing uses have been discouraged within this zoning district except for those uses which are of a low intensity and are limited in size and hours of operation. For example, land use code #2300 consists of manufacturing of apparel and is a permitted use within the M-C-C-D subject to a size restriction that those uses consist of no more than 5,000 square feet. Deliveries and shipping for those uses may only be during normal business hours and no odors or outdoor storage may be associated with those uses. The applicant is requesting the approval of a text amendment to the M-C-C-D which would allow re-upholstery and furniture repair along with the light manufacturing of household furniture. Community Development staff is recommending approval of the proposed text amendment to add the two uses as permitted uses within the M-C-C-D subject to the same standards required for other manufacturing uses within the zoning district.

Cory Milne, 9497 S Lady Dove Lane, South Jordan. Mr. Taylor asked Mr. Milne is all of the furniture is custom made. Mr. Milne answered in the affirmative.

The meeting was opened for public comment. No comments were made and public comment portion was closed.

Ms. Daniels made a motion send a recommendation of approval to the City Council for a Land Use Ordinance Text Amendment to allow Upholstery & Furniture Uses in the M-C-C-D zoning district.

Seconded by Mr. Taylor.

Call vote recorded by Chad Wilkinson.

A Karen Daniels  
A Scot Woodbury  
A Vicki Mackay  
A Tim Taylor  
A Buck Swaney  
A Maren Patterson

Motion passed, 6-0.

**TO: Murray City Planning Commission**

**FROM: Murray City Community & Economic Development Staff**

**DATE OF REPORT: April 11, 2014**

**DATE OF HEARING: April 17, 2014**

**PROJECT NUMBER: 14-00000046**

**PROJECT TYPE: Land Use Ordinance Text Amendment**

**PROJECT NAME: Upholstery and Furniture Uses**

**APPLICANT: Cory Milne**

**ZONE: M-C-C-D**

**DISCRIPTION OF REQUEST:**

The applicant is requesting a Land Use Ordinance Text Amendment to allow Upholstery & Furniture Uses in the M-C-C-D zoning district.

6494            Reupholstery and furniture repair. (Includes antiques, etc.)

2510            Household furniture. (Handwork trades only in no more than 5,000 feet; deliveries and shipping only during normal business hours; no odors; no outside storage).

**STAFF REVIEW**

The Murray City Center District was adopted in 2011 and is envisioned as the commercial, civic and cultural center for the community. As such the M-C-C-D is a mixed use zoning district that is intended to preserve the historic downtown area of Murray City and provide redevelopment of the downtown area with buildings and uses that will enhance physical, social and economic connections for the city. With a mix of uses ranging from residential to commercial/retail and even some light manufacturing uses, many other uses which are not compatible with the character and intent of the M-C-C-D are prohibited. Manufacturing uses have been discouraged within this zoning district except for those uses which are of a low intensity and are limited in size and hours of operation. For example, land use code #2300 consists of manufacturing of apparel and is a permitted use within the M-C-C-D subject to a size restriction that those uses consist of no more than 5,000 square feet. Deliveries and shipping for those uses may only be during normal business hours and no odors or outdoor storage may be associated with those uses.

The applicant is requesting the approval of a text amendment to the M-C-C-D which would allow reupholstery and furniture repair along with the light manufacturing of household furniture. Community Development staff is recommending approval of the proposed text amendment to add the two uses as permitted uses within the M-C-C-D subject to the same standards required for other manufacturing uses within the zoning district.

## **FINDINGS AND CONCLUSION**

- i. The proposed amendments are consistent with the standards of the General Plan.
- ii. The proposed amendments will provide clarity and will be compatible with uses allowed within the M-C-C-D.

\\DMS2\\DMSDOCS\\HTLTR\\PZLTR\\PROD\\PZ2014\\P0006091.DOC

# **Application Materials**

## ZONING AMENDMENT APPLICATION

Type of Application (check all that apply):

Zoning Map Amendment  
 Text Amendment  
 Complies with General Plan  
 Yes  No

Subject Property Address: 46 West Vine

Parcel Identification (Sidwell) Number: \_\_\_\_\_

Parcel Area: \_\_\_\_\_ Current Use: \_\_\_\_\_

Existing Zone: \_\_\_\_\_ Proposed Zone: \_\_\_\_\_

Applicant Name: CORY MILNE

Mailing Address: 46 West Vine

City, State, ZIP: Murray, UT 84107

Daytime Phone #: 801-821-2442 Fax #: \_\_\_\_\_

Email address: GONEBANANAS2007@YAHOO.COM

Business Name (If applicable): GONE BANANAS

Property Owner's Name (If different): \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Daytime Phone #: 310-251-5777 Fax #: \_\_\_\_\_

Describe your reasons for a zone change (use additional page if necessary):

Want to Do upholstered Furn AND Sales  
of it, need to Amend Zoning Ordinance  
To Allow 6494, 2512, 2300 IN THE MCCD ZONE

Authorized Signature: Cory Milne Date: 3-26-14

# FILE COPY

**From:** Cory Milne <[gonebananas2007@yahoo.com](mailto:gonebananas2007@yahoo.com)>  
**Date:** March 31, 2014 at 10:20:39 AM MDT  
**To:** "cwilkinson@murray.utah.gov" <[cwilkinson@murray.utah.gov](mailto:cwilkinson@murray.utah.gov)>  
**Subject:** Please read, we would like to stay in Murray!  
**Reply-To:** Cory Milne <[gonebananas2007@yahoo.com](mailto:gonebananas2007@yahoo.com)>

To Whom it May Concern:

I have been asked to write about the nature of my father's business and what it consists of. First off, I could not describe his business in full detail without having people understand the kind of person he is. Although he would not want me to include this, I see it as a beautiful success story and how anyone can do something they put their mind to. When my mother was just pregnant with me, about 27 years ago, he was let go from his job. This trial must have been difficult to face and could not have been timed worse. But, not wasting a moment, he took a pair of scissors and a staple gun, and went around and started re-upholstering the benches in restaurants. He was able to make a good profit from this and eventually started making banana chairs out of his garage. My father started selling these to the surrounding furniture companies. They were popular and people wanted more. He was able to employ my uncle who helped build the chairs and deliver them too. Little by little his success was growing and eventually he was able to rent out his own shop space and put a down payment on a home just as I was born.

Through the last 27 years, I have seen my father's furniture business grow and change through different challenges we have faced such as the death of my mother and other economic hardships. However, my father's passion has always been to build furniture. He has supported his family and been able to enjoy much of life because of owning his own business. It is tough to own your own business and I have admired his persistence and hard work every day. If I could only choose one thing that my father has taught me, it would be that hard work is the key for success. Hard work builds character and lets us reach our goals and dreams. It is this great attribute that has helped him throughout the years.

My father's business and what he can create with raw materials is amazing. He truly has a talent for what he does. He takes lumber, fabric, foam, staples, glue, thread, etc. to make all kinds of furniture including banana chairs of all sizes, our own brand of lovesacs of all different sizes, sofas, love seats, sectionals, re-upholstery work, and more. The great thing about his business is his vision for creation and being able to build something from just looking at a picture. He always has new ideas of how to improve things and make them better. I have been a part of many of these creative pieces of furniture and the customers love them. My father's business is very unique because when you buy a sectional from him, for example, you can choose the style, fabric, size, shape, length, direction, etc. The possibilities are endless and the customer is able to choose everything he or she wants. I don't know of any other furniture store where you can go in and pick out *exactly* what you want and design it!

Over the years, he has also had many customers in different states such as Wyoming, Montana, Utah, Colorado and Nevada who have bought furniture from him. Although some smaller shops have gone out of business now, most have continued to buy from my father because of the quality of the furniture he makes and their lasting friendships. I remember my father delivering his furniture, sometimes on extremely long trips, and doing this in the least amount of time so he could get back to his family.

Right now, his business "Gone Bananas" is located on Vine St. in Murray, Utah. He picked this location in hopes of selling retail in the front of the store. He wants people to be able

to come in and see all different kinds of furniture we can make and provide endless options for the customer. My father wants them to be able to choose exactly how they want their furniture to look and how they have it dreamed up in their heads. It would provide a great opportunity for Murray City and its residents.

Please visit our Facebook page “Gone Bananas Furniture” to take a closer look at what my father does in his business. We make all the furniture from start to finish and this is what also makes the furniture great quality. Thank you for your time,

Amanda Johnson  
801-258-1868

Gone Bananas Furniture

Susan Home

Create Page

Recent  
2012  
Launched



**Gone Bananas Furniture**

★★★★★ (5 ratings)

45 likes · 1 was here

Local Business · Add A Category  
1368 W. 8120 So., West Jordan, Utah 84088  
(801) 258-1868

Always open

About · Suggest an Edit

Like Follow Message

45

Photos Likes Events

Highlights

Post Photo / Video

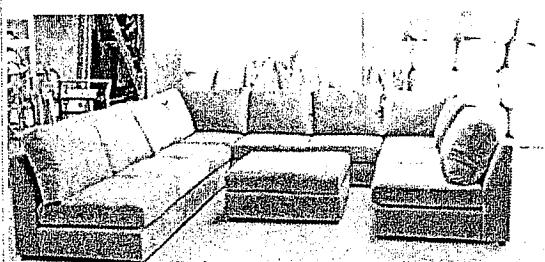
Write something on Gone Bananas Furniture's Page...

Gone Bananas Furniture May 10, 2013



Like · Comment · Share

Gone Bananas Furniture May 10, 2013



Like · Comment · Share

Invite Your Friends to Like This Page See All

Type a friend's name... Invite

Jennifer Henry Fielding Fred Smullin Evelyn Orchard Gardner

Reviews See All

What do you think of Gone Bananas Furniture?

Travis Hunt ★★★★  
High quality furniture at an excellent price. I can't recommend it enough  
Like 1 · about 8 months ago

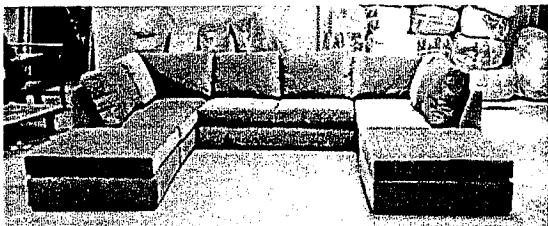
Recent Posts by Others on Gone Bananas Furniture See All

Amanda Milne Johnson Just gotta say my dad is so talented at what he does!! He i... 8 · September 24, 2012 at 2:47am

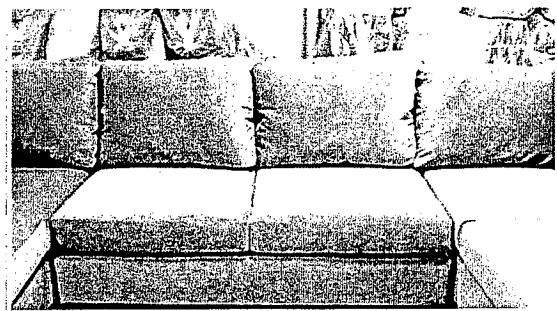
Gone Bananas Furniture May 10, 2013

Chat (9)

 Gone Bananas Furniture  
May 10, 2013



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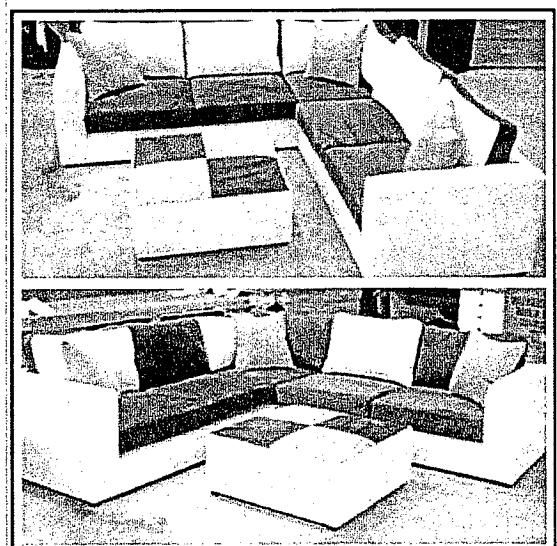
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 Gone Bananas Furniture  
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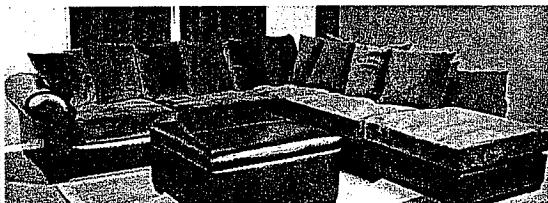
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 Gone Bananas Furniture  
May 1, 2013



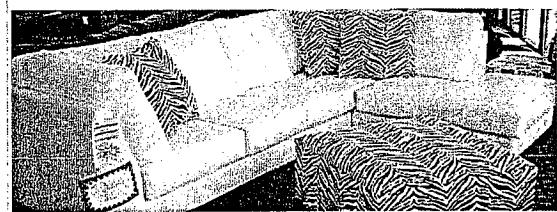
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 Gone Bananas Furniture changed their cover photo.  
May 1, 2013



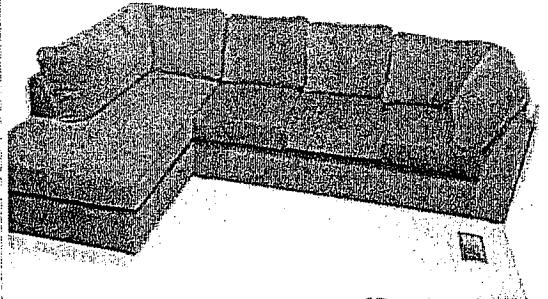
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 Gone Bananas Furniture changed their cover photo.  
May 1, 2013



Like · Comment · Share

 Gone Bananas Furniture  
April 30, 2013



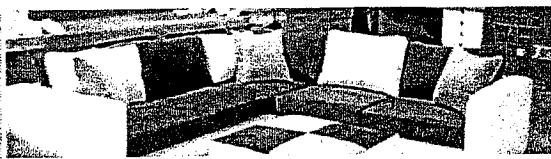
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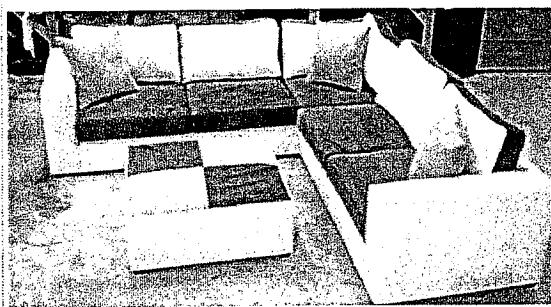
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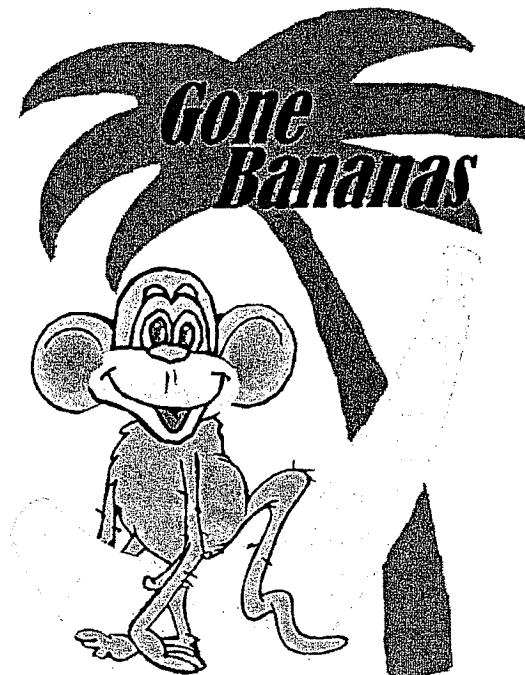
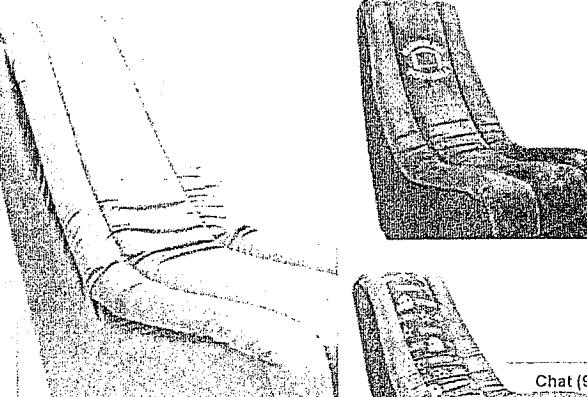
Chat (9)

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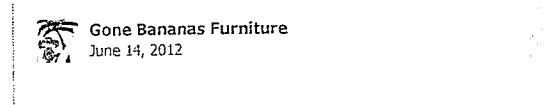
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1 1

[Like](#) · [Comment](#) · [Share](#)**Gone Bananas Furniture** created an event.  
September 21, 2012[Creation of Website](#)  
September 21, 2012 at 12:00am[Join](#)**Gone Bananas Furniture**  
September 21, 2012[Like](#) · [Comment](#) · [Share](#)[Like](#) · [Comment](#) · [Share](#)**Gone Bananas Furniture**  
June 14, 2012**Jumbo Banana Chairs** (3 photos)

Chat (9)





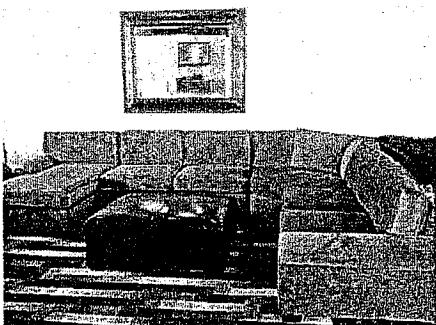
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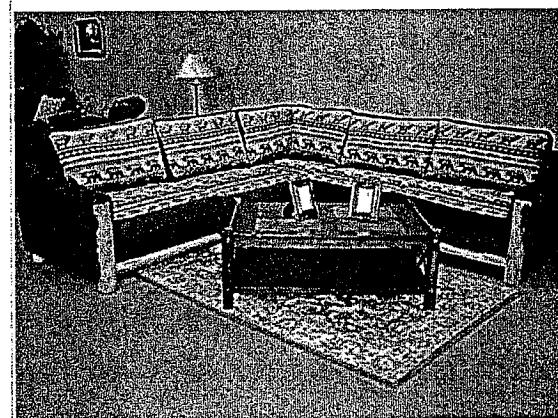


 Gone Bananas Furniture  
June 14, 2012



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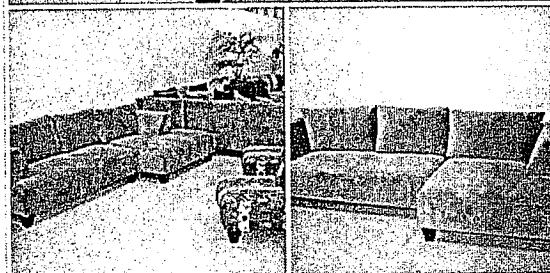
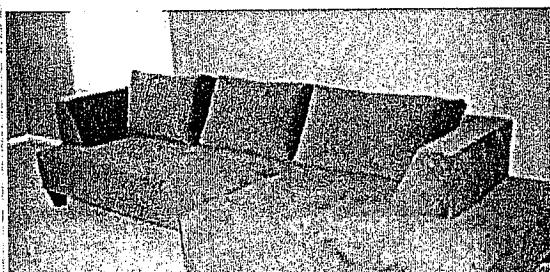


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2012

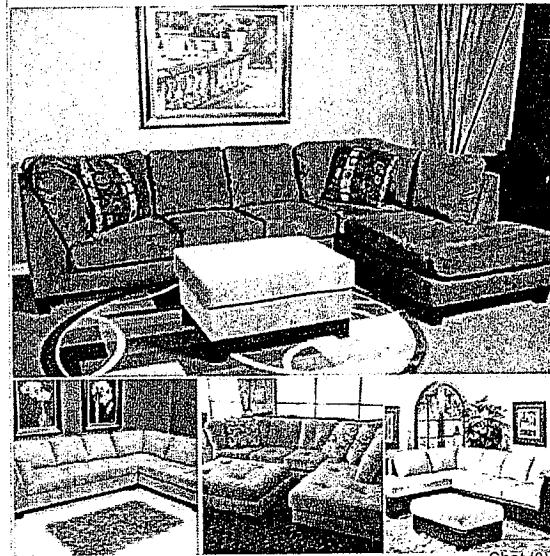
 Gone Bananas Furniture  
June 14, 2012

San Francisco (3 photos)



 Gone Bananas Furniture  
June 14, 2012

Oakdale (9 photos)



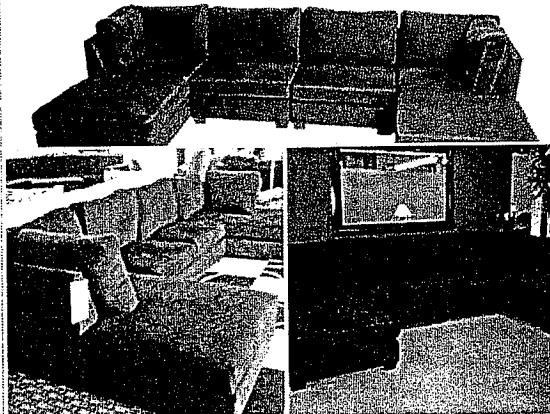
Chat (9)

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Gone Bananas Furniture  
June 14, 2012

Carrie Delux (3 photos)



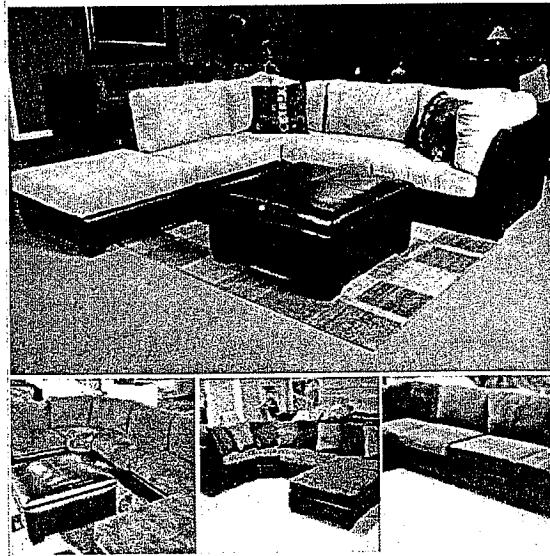
Like · Comment · Share

Like · Comment · Share



Gone Bananas Furniture  
June 14, 2012

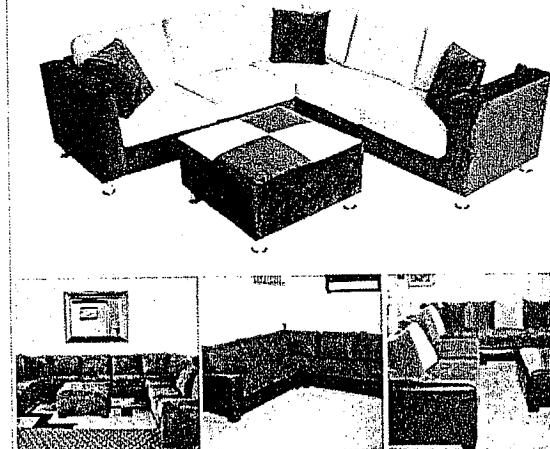
Carrie (13 photos)



Like · Comment · Share

Gone Bananas Furniture  
June 14, 2012

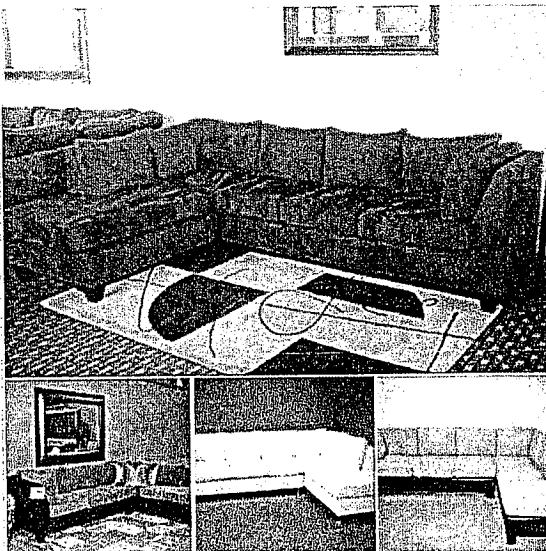
Maxwell (6 photos)



Like · Comment · Share

Gone Bananas Furniture  
June 14, 2012

Springdale (6 photos)



Like · Comment · Share



Gone Bananas Furniture  
June 14, 2012

Vanessa (4 photos)

Acme Chair (7 photos)



Chat (9)

FILE COPY

## Order Confirmation for Ad #0000949554-01

Client	MURRAY CITY RECORDER	Payor Customer	MURRAY CITY RECORDER
Client Phone	801-264-2660	Payor Phone	801-264-2660
Account#	9001341938	Payor Account	9001341938
Address	5025 S STATE, ROOM 113 MURRAY, UT 84107 USA	Payor Address	5025 S STATE, ROOM 113 MURRAY, UT 84107

Fax	Ordered By	Acct. Exec
E-Mail	Susan	kstowe

Total Amount	\$48.68
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Payment Amt	\$0.00
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Amount Due	\$48.68	Tear Sheets	Proofs	<u>Affidavits</u>
		0	0	1

Payment Method	<u>PO Number</u>	Plan Comm 4/17
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Confirmation Notes:

Text: Susan

Ad Type	Ad Size	Color
Legal Liner	1.0 X 26 Li	<NONE>

Ad Content Proof Actual SizeMURRAY CITY CORPORATION  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 17th day of April, 2014, at the hour of 6:00 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Planning Commission will hold and conduct a Public Hearing for the purpose of receiving public comment on a Land Use Text Ordinance Amendment to allow Re-upholstery and Furniture Manufacturing Uses (LU# 6494, 2512 & 2300) in the Murray City Center District (MCCD) zoning district.

Chad Wilkinson, Manager  
Community & Economic  
Development  
949554 UPAXLP

Upholstery

<u>Product</u>	<u>Placement</u>	<u>Position</u>
Salt Lake Tribune::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	4/6/2014	
<u>Product</u>	<u>Placement</u>	<u>Position</u>
Deseret News::	Legal Liner Notice - 0998	Public Meeting/Hear-ing Notices
Scheduled Date(s):	4/6/2014	
<u>Product</u>	<u>Placement</u>	<u>Position</u>
utahlegals.com::	utahlegals.com	utahlegals.com
Scheduled Date(s):	4/6/2014	

**P/C AGENDA MAILINGS**  
“AFFECTED ENTITIES”  
Updated 03/1/13

UDOT - REGION 2  
ATTN: MARK VELASQUEZ  
2010 S 2760 W  
SLC UT 84104

UTAH TRANSIT AUTHORITY  
ATTN: PLANNING DEPT  
PO BOX 30810  
SLC UT 84130-0810

TAYLORSVILLE CITY  
PLANNING & ZONING DEPT  
2600 W TAYLORSVILLE BLVD  
TAYLORSVILLE UT 84118

WEST JORDAN CITY  
PLANNING DIVISION  
8000 S 1700 W  
WEST JORDAN UT 84088

CHAMBER OF COMMERCE  
ATTN: STEPHANIE WRIGHT  
5250 S COMMERCE DR #180  
MURRAY UT 84107

MURRAY SCHOOL DIST  
ATTN: PAT O'HARA  
147 E 5065 S  
MURRAY UT 84107

MIDVALE CITY  
PLANNING DEPT  
655 W CENTER ST  
MIDVALE UT 84047

SALT LAKE COUNTY  
PLANNING DEPT  
2001 S STATE ST  
SLC UT 84190

GRANITE SCHOOL DIST  
ATTN: KIETH BRADSHAW  
2500 S STATE ST  
SALT LAKE CITY UT 84115

UTAH POWER & LIGHT  
ATTN: KIM FELICE  
12840 PONY EXPRESS ROAD  
DRAPER UT 84020

QUESTAR GAS  
ATTN: BRAD HASTY  
P O BOX 45360  
SLC UT 84145-0360

COTTONWOOD IMPRVMT  
ATTN: LONN RASMUSSEN  
8620 S HIGHLAND DR  
SANDY UT 84093

JORDAN VALLEY WATER  
ATTN: LORI FOX  
8215 S 1300 W  
WEST JORDAN UT 84088

CENTRAL UTAH WATER DIST  
355 W UNIVERSITY PARKWAY  
OREM UT 84058

HOLLADAY CITY  
PLANNING DEPT  
4580 S 2300 E  
HOLLADAY UT 84117

COTTONWOOD HEIGHTS CITY  
ATTN: PLANNING & ZONING  
1265 E FT UNION BLVD #250  
CTNWD HEIGHTS UT 84047

SANDY CITY  
PLANNING & ZONING  
10000 CENTENNIAL PRKwy  
SANDY UT 84070

UTOPIA  
Attn: JARED PANTIER  
2175 S REDWOOD RD  
WEST VALLEY UT 84119

UTOPIA  
Attn: TOM MARRIOTT  
2175 S REDWOOD RD  
WEST VALLEY CITY UT 84119

**GENERAL PLAN MAILINGS:**

UTAH AGRC  
STATE OFFICE BLDG #5130  
SLC UT 84114

WASATCH FRONT REG CNCL  
PLANNING DEPT  
295 N JIMMY DOOLITTLE RD  
SLC UT 84116

«Next Record»

«Next Record»

«Next Record»

# Public Hearing #4

# MURRAY CITY CORPORATION

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 3<sup>rd</sup> day of June, 2014, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 5025 South State Street, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to the vacating of a portion of a public right-of-way, located at approximately 300 West 4275 South Street (Martin Lane), between 330, 332, and 333 West Martin Lane, Murray City, Salt Lake County, State of Utah.

The purpose of this public hearing is to receive public comment concerning the proposal to vacate the described portion of public right-of-way and the use and need by Murray City Corporation of this property.

DATED this 2nd day of May, 2014.

MURRAY CITY CORPORATION

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Jennifer Kennedy  
City Recorder

DATE OF PUBLICATION: May 18, 2014  
PH 14-13

PUBLIC NOTICE WEBSITE 5.5.14  
MURRAY WEBSITE 5.5.14



# Memo

**To:** Murray City Council  
**From:** Trae Stokes  
**Date:** April 21, 2014  
**Subject:** Request to vacate a portion of Martin Lane

Scott and Michele Van Leeuwen, owners of property along both sides of Martin Lane, have requested the City vacate the west 40 feet of Martin Lane (see attached location map). If granted, the requested vacation will allow the Van Leeuwen's to combine two separate parcels into one, allowing an existing non-compliant sign to function as a permitted on premises sign provided that all Murray zoning code standards are satisfied. The Van Leeuwen's are the only property owners that abut this section of Martin Lane and they have provided survey, legal description, title work and utility acknowledgements to support their request.

I have reviewed this request and as long as all existing utility easements remain in place and a blanket public utility and access easement is recorded, I recommend that the City vacate this portion of the Martin Lane.

Please let me know if you have questions or need any additional information.

Thanks,

J. Trae Stokes P.E.  
City Engineer

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE VACATING A PORTION OF THE MARTIN LANE  
RIGHT-OF-WAY (300 WEST 4275 SOUTH) LOCATED AT  
APPROXIMATELY BETWEEN 330, 332, AND 333 WEST MARTIN LANE,  
MURRAY CITY, SALT LAKE COUNTY, STATE OF UTAH. (Van  
Leeuwan.)

WHEREAS, the Murray City Municipal Council finds good cause exists for vacating a portion of right-of-way described below, located at approximately 300 West 4275 South Street, between 330, 332, and 333 West Martin Lane, Murray City, Salt Lake County, State of Utah, and that neither the public interest nor any person will be materially injured by the vacation, and that the right-of-way should be vacated; and

WHEREAS, there is filed with the City a written consent to the vacation by the owners of the property abutting the portion of right-of-way being vacated; that affected entities have been given notice and have been consulted; and that notice has been published and a hearing has been held on \_\_\_\_\_, 2014, to receive public comment on the vacation.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1.* That a portion of the 300 West 4275 South Street right-of-way located approximately between 330, 332, and 333 West Martin Lane, Murray City, Salt Lake County, State of Utah, is vacated and that Murray City releases any and all title, right or interest it may have in the described parcel, SUBJECT TO any and all easements or rights-of-way, recorded or unrecorded, for installation and maintenance of public utilities, and subject to all existing rights-of-way and easements of any third parties that may be established by law, and the reservation by Murray City of the right to install, maintain and repair utilities in the right-of-way being vacated. Murray City shall retain a public utility easement for the following purposes: existing or future public utilities, including but not limited to: water, sewer, storm, electricity, gas, telephone, and cable services for the forty-foot (40') right-of-way described herein. The right-of-way hereby vacated is particularly described as follows:

A tract of land located in the Southwest Quarter of the Southeast Quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, described as follows:

BEGINNING at an existing 5/8" Rebar & Blue Cap on the Easterly I-15 Right of Way Line, said point being North a distance of 453.21 feet from at the Southwest Corner of the Southeast Quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian (being currently monumented with a Salt Lake County Brass Cap), said Brass Cap being located North 04°28'11" West 13.42 feet from the historical location of said Southwest

Corner as described in numerous early deeds of record and as shown On the Cherry Street Dedication Plat recorded in Plat Book H at Page 82 on February 19, 1924; thence running North a distance of 8.25 feet; thence South 89°27'31" East a distance of 39.95 feet; thence South a distance of 1 rod (16.5 feet) to the south line of Martin Lane and the East line Vanleeuwen Property described in Book 8584 Page 5922; thence North 89°27'31" West a distance of 39.89 feet more or less to the said I-15 Right of Way Easterly line; thence North a distance of 8.25 feet to the point of beginning.

(Containing 660 square feet more or less)

AFFECTED PARCEL ID NOS: 21-01-451-019, 21-01-451-020, AND 21-01-452-012.

*Section 2.* This Ordinance shall take effect upon the first publication and filing of a copy thereof in the office of the City Recorder.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

MURRAY CITY MUNICIPAL COUNCIL

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Brett A. Hales, Chair

ATTEST:

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

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

MAYOR'S ACTION: Approved.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

Ted Eyre, Mayor

ATTEST:

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City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

City Recorder

Date 3/7/2014

To Murray City Council  
Murray City Attorney

From Scott & Michele Van Leeuwen

Re Vacate a portion to Martin Lane - 39.95 feet.

Request to vacate a portion of Martin Lane.  
Attached legal description of Martin Lane.

In a meeting March 4, 2013, with Mayor Snarr and Chad Wilkinsen, we were made aware they wanted us to merge the two properties we own on each side of Martin Lane numbered as:

333 (21-01-452-012-0000) and 332 (21-01-451-018-0000) West Martin Lane. They suggested for us to merge the two properties and would help support the request to vacate.

We offer our help in any way to expedite and do anything to help it through completion. Attached is the legal description and plat.

Thank you!

  
3/7/14  
Scott Van Leeuwen

  
3/7/14  
Michele Van Leeuwen

## Legal Description

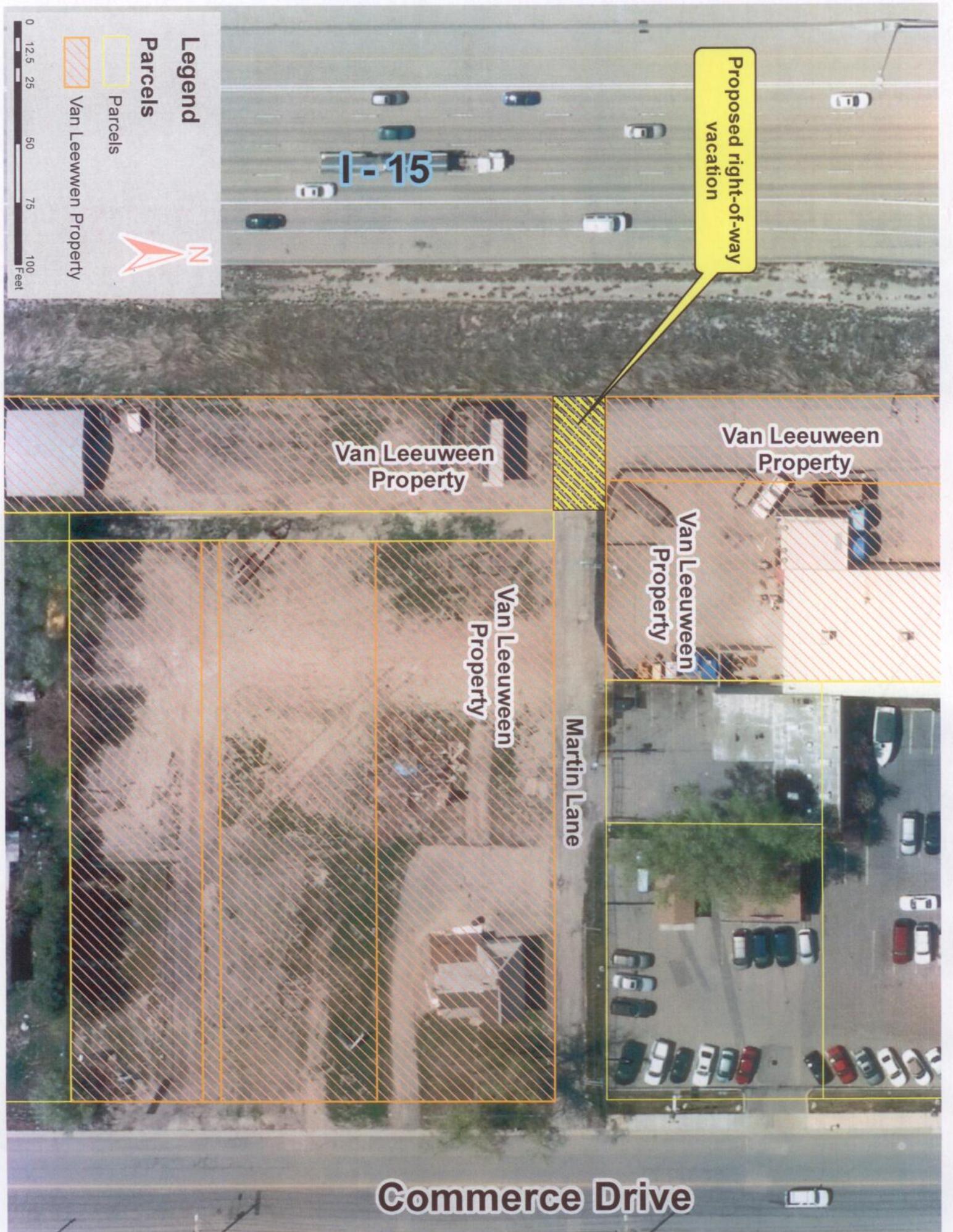
(Parcel of land located in a portion Martin lane)

A tract of land located in the Southwest Quarter of the Southeast Quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah, described as follows:

BEGINNING at an existing 5/8" Rebar & Blue Cap on the Easterly I-15 Right of Way Line, said point being North a distance of 453.21 feet from at the Southwest Corner of the Southeast Quarter of Section 1, Township 2 South, Range 1 West, Salt Lake Base and Meridian (being currently monumented with a Salt Lake County Brass Cap), said Brass Cap being located North 04°28'11" West 13.42 feet from the historical location of said Southwest Corner as described in numerous early deeds of record and as shown on the Cherry Street Dedication Plat recorded in Plat Book H at Page 82 on February 19, 1924; thence running North a distance of 8.25 feet; thence South 89°27'31" East a distance of 39.95 feet; thence South a distance of 1 rod (16.5 feet) to the south line of Martin Lane and the East line Vanleeuwen Property described in Book 8584 Page 5922; thence North 89°27'31" West a distance of 39.89 feet more or less to the said I-15 Right of Way Easterly line; thence North a distance of 8.25 feet to the point of beginning.

(Containing 660 square feet more or less)





MAILING CERTIFICATE

PROPOSAL TO VACATE PUBLIC RIGHT-OF-WAY

Public Hearing No.\_\_\_\_\_

I hereby certify that on the      day of      , 2014, a notice of the public hearing regarding the proposed vacation of a public right of way located at approximately 300 West 4275 South Street (Martin Lane), between 330, 332, and 333 West Martin Lane, Murray City, Salt Lake County, State of Utah, in this matter was mailed by first-class mail, postage paid, to the record owners of each parcel of real property that is accessed by Martin Lane including the property proposed to be vacated.

Scott G. & Michele D. Van Leeuwen  
2662 East Eagleslanding Cove  
Holladay UT 84121

Van Leeuwen Properties, LLC  
2662 East Eagleslanding Cove  
Holladay UT 84121

Scott Van Leeuwen  
2662 East Eagleslanding Cove  
Holladay UT 84121

Phillip L. & Yvonne S. Card  
28 East Dorchester Drive  
Salt Lake City UT 84103

Brad S Enterprises LLC  
653 East Spruce Glen Road  
Murray UT 84107

---

Jennifer Kennedy  
Murray City Recorder

## NOTICE TO AFFECTED ENTITIES

Notice is hereby given that the Murray City Public Services Department is currently reviewing a proposal to vacate a right-of-way described in the attached documents. The action of the Murray City Council vacating some or all of a street or right-of-way that has been dedicated to public use may not be construed to impair any right-of-way or easement of any lot owner or the franchise rights of any public utility which may be located in this particular right-of-way parcel.

Please contact the Public Services Department at (801) 270-2400 if you have any concerns or information which you believe may assist the City's evaluation in this matter or which may be of particular concern to your utility operation. If you prefer, you may direct your comments in writing to the Public Services Director at 4646 South 500 West, Murray, Utah 84123.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

### MAILING CERTIFICATE

I hereby certify that a copy of the foregoing notice was mailed first-class, postage paid, to the following utilities on the above date:

Blaine Haacke Murray City Power Department 153 W 4800 S Murray, UT 84107	UTOPIA 2175 South Redwood Road West Valley City, UT 84119	UDOT-Region 2 Attn: Alan Loiacono 2010 S 2760 W Salt Lake City, UT 84104
Questar Gas Quen Monsen - OC 241 P O Box 45360 SLC, UT 84145-0360	Danny Astill Murray City Water 4646 South 500 West Murray, UT 84123	QUESTAR GAS Attn: Mark Miltenberger PO Box 45360 DNR 130 SLC UT 84145-0360
Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, UT 84111 Salt Lake City, UT 84140	Qwest Right-of-way Division 250 Bell Plaza, Rm 1614 Salt Lake City, 84111	UTAH POWER & LIGHT Attn: Kim Felice 12840 Pony Express Road Draper UT 84020
JORDAN VALLEY WATER Attn: Lori Fox 8125 S 1300 W West Jordan UT 84084	UTAH TRANSIT AUTHORITY Attn: Planning Dept PO Box 30810 Salt Lake City, UT 84130	Comcast 1350 E Miller Avenue Salt Lake City UT 84106
COTTONWOOD IMPROVEMENT Attn: Lonn Rasmussen 8620 S HIGHLAND DR SANDY UT 84093	CENTRAL UTAH WATER DIST 355 W University Parkway OREM UT 84058	Brighton & North Point Irrig 8678 S Sugarloaf Circle Sandy, UT 84093

# **Mayor's Report and Questions**

**Adjournment**