



MURRAY
CITY COUNCIL

MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met as a Committee of the Whole on Tuesday, February 5, 2019 in the Murray City Center, Conference Room #107, 5025 South State Street, Murray Utah.

Council Members in Attendance:

Dave Nicponski - Chair	District #1
Dale Cox – Vice Chair	District #2
Jim Brass	District #3
Diane Turner	District #4
Brett Hales	District #5

Others in Attendance:

Blair Camp	Mayor	Jan Lopez	Council Director
Blaine Haacke	Power - General Manager	Pattie Johnson	Council Office
Randy Hallam	Fire	Shaun Delliskave	Murray Journal
Colby Atkinson	Fire	Brenda Moore	Finance
Micah Mangrum	Fire	Phyllis Wall	Resident
Charles Turner	Resident	Tad Raban	Fire
Brian MacNeil	Fire	Colby Atkinson	Fire
Jennifer Brass	Resident	Janice Strobell	Resident

Mr. Nicponski called the Committee of the Whole meeting to order at 4:30 p.m.

Approval of Minutes - Mr. Nicponski asked for comments or a motion on the minutes from:

- Committee of the Whole – December 4, 2018

Ms. Turner moved approval. Mr. Hales seconded the motion. (Approved 5-0)

Discussion Items

1. Storm Water Master Plan – Trae Stokes and Tyler Allen

Mr. Stokes noted the increase in Murray's density, due to developmental growth that included parking lots and rooftops. He explained this equates to more runoff and potentially creating more issues with the storm drain system. The Master Plan identifies surface changes, deficiencies, allows mitigation measures to be evaluated, and the basis for development of the city's capital improvement plan. The following information was used to set storm water rates and provide cost support for impact fees.

The Murray GIS Department assisted Mr. Stokes with analysis by looking at the impervious area in 2007 and compared it to the impervious area in 2018 – good data was found this way. There was a 40% increase in the impervious area over 11 years, which reveals a substantial amount of runoff that must be handled particularly during large storm events.

Over the last 20 years, the city completed three Master Plans including the proposed updates presented. Analysis is made roughly every six or seven years and the hope is to update this plan every five years. From the last Master Plan, adopted in 2011 along with a subsequent rate study, a number of large and small projects were accomplished.

New analysis updates the stormwater model that identifies and prioritizes what projects need to be accomplished in a short and long-term outlook. Specific deficiencies and recommended fixes with very rough cost estimates for each project, and recommended time periods were also identified.

Mr. Stokes reviewed a 38-mitigation project list and noted nine high priority projects were completed in the last seven years, in addition to, five low priority projects. The completed storm drain projects were considered major accomplishments completed during road projects; for example, 4800 South and 5900 South, where state and federal funding was attained. The following significant storm drain projects were highlighted from the last Master Plan as follows:

- Hidden Village Trunk Line - One mile of 36-inch storm drain was installed from 5300 South to 5900 South. The goal was to alleviate surface drainage problems throughout Hidden Village and the three-phase project took eight years, serves many residents, and was completed in 2015. Rough cost - \$1.5 million.
- 5900 South – east of State Street – The project was completed in 2014 where storm drains never existed. Prior to completion water drained into old irrigation systems with run-off into neighborhoods creating problems. The project was completed during a road reconstruction project, where 4,000 feet of storm drain pipes were installed. Cost - \$500,000.
- 5900 South – west of State Street – Trunk line installed not related to capacity issues, but to replace old corrugated pipes in very poor condition, rotting on the sides and bottom, and loosing structural strength. The fear was that pipes would collapse during a major flood of water, causing utility and other major damage. Similar damaged pipes were identified in the plan and the hope is to address those areas within the next six years. Steal reinforced plastic piping, with a 70-year design life, was used to replace corrugated pipes that were installed in the early 70's.
- Brahma Hillside – 200 East and 5460 South. The second phase, completed in 2017, included 3,000 feet of 30" and 36" storm drain-line was installed that extended to 400 East on 5600 South. New pipes connect many

streets to provide improved storm drainage and included the reconstruction of the roadway. Cost – Over \$1 million to complete. (The first phase of this project was accomplished ten years ago.)

- 5300 South near 500 East – The area was plagued with drainage issues for years, due to the river hitting high flood stages and flowed into lots and houses. A quick design was configured and accomplished during the Avalon and Kenwood project. Storm water discharges into a storm drain substantially lower in elevation to 5300 South, then reroutes back into the creek instead of nearby yards. Cost - \$300,000.

Mr. Stokes explained the Storm Water Management Plan focuses on water quality discharged into the Jordan River; the Master Plan focuses on water quantity, as in volume running through pipes. The state conducted an audit of the city's storm water quality plan to determine compliance with the general permit to discharge water into the Jordan River - at CVWRF. (Central Valley Water Reclamation Facility) The audit took several days, interviews were held with several staff members, and authorities closely evaluated the management plan to ensure records and inspections were current and accurate.

Results

The city's program plan was satisfactory with very few deficiencies and the city was able to address minor problems quickly. As a result, the city is being held as one of the top leaders in the CVWRF community with a top managed program and is being used as a good example for other cities to follow. Murray had 10-12 deficiencies, where other cities had 10-12 pages of deficiencies. He said city staff did an excellent job of not only creating the management plan - but implementation was successful.

Mr. Cox asked if most construction was done by contractors. Mr. Stokes confirmed, due to large areas that required two excavators and large equipment; like large cranes and dump trucks the city does not have, to lift large pipes and move reinforced heavy concrete. Murray staff can install smaller pipes and complete minor projects themselves.

Consultant and Project Engineer, Mr. Allen was impressed with knowledge of Murray staff and appreciated having their input to complete the new plan. He confirmed the last comprehensive Master Plan was updated in April of 2011. The 40% increase in the impervious area was a big change compared to runoff seen in the past.

Mr. Allen said storm water is a more difficult resource to manage, unlike sewage and water where a meter can be placed in different areas to predict impact; storm water is unpredictable in knowing which way it will flow and move throughout the system. Therefore, it is important to stay on top of storm drainage issues, by understanding impact problems on the city's population, and addressing the aging infrastructure. A brief review of the plan was discussed as follows:

Purpose – The master plan serves four purposes:

1. Provide a storm water runoff model that predicts how the storm drainage system responds to design storm runoff events.
2. Identify and describe system deficiencies.
3. Identify alternative mitigation measures to control flooding during design storm runoff events.
4. Provide a capital improvement plan implementing the preferred drainage solutions.

Criteria for deciding the storm drain Master Plan:

Mr. Allen explained the initial system was designed to convey flows generated by a minor storm. A minor storm is generally considered to have a 10-year recurrence interval (a 10% chance of occurrence). Storm drain pipes are typically considered a part of the initial system. The major system, which includes additional conveyance infrastructure, such as, channelized surface flow (roads, etc.), should generally be designed to convey storm runoff generated by a 100-year event (a 1% chance of occurrence) to protect homes from flooding. Mr. Allen discussed the model and explained the following maps:

- Study Area Map. Streams, municipality boundaries and modeled areas depicted storm water that flows in from other cities and must be accounted for; the areas are broken into sub-basins.
- Sub-basin Map – Modeled sub-basins and modified modeled sub-basin areas were noted based on similar qualities such as, whether storm water is in a residential or commercial area, which helps to predict flow during a storm. The model will: simulate a rain storm, distribute the flow into each sub-basin; and provide a peak flow and time the peak flow as storm water moves downstream into the system, through other sub-basins. This is where inventory is gathered.
- Analyzed Storm Drain Conveyances Map. Mr. Allen said Murray had a great inventory of what existed in the city, which was created by city staff. All trusted information was applied directly to the Master Plan, therefore, it saved Mr. Allen time in determining pipe depths, sizes and locations all around the city. This map reflected modeled detention basins, inventory not analyzed, unknown pipe sizes, and a lengthy list of pipe sizes ranging from 12 inches, up to 72 inches. He explained peak flows were applied to each one of those pipes within the city.
- Deficiency Map - Mr. Allen confirmed detention basin areas, results, and accomplishments mentioned by Mr. Stokes. Red and yellow areas were explained. Red projects are urgent and need to be addressed in the immediate near future. Yellow areas are 'watch' areas, where the model predicted there was not sufficient capacity, and the city may have seen non-nuisance flooding before. Yellow areas should be closely monitored to prevent bigger problems.

Capital Improvements Plan

Mr. Allen said identified target projects were assigned project numbers and necessary pipe sizes were configured to determine project size. Projects were assigned an estimated cost based on communication as engineers with suppliers, and heavy construction data reference guides. Costs from the previous Master Plan were updated based on information from cost ratios in 2011, as well as, recent bids from contractors from similar projects. The project list was reviewed.

Capital Improvements Summary

Once project costs were determined, projects were prioritized in terms of most damage, and reasonable spending goals. Costs of the recommended projects were organized by priorities A, B and C and noted below as the Summary of Capital Improvements, with the following schedule:

<u>Prioritization</u>	<u>Time Frame</u>	<u>Preferred Alternative A Total Cost</u>
A	Within 5 years	\$4,506,000
B	5-10 years	\$10,370,000
C	Beyond 10 years	<u>\$18,404,000</u>
		\$33,280,000

It was noted that not all priority projects resulted from flood damage; many are due to aging pipelines that need replacing. Mr. Stokes asked the council to consider adopting the Master Plan so that a rate study could be conducted. The study would determine if storm water rates are adequate, in order to cover operations and the capital improvement plan. He would return to the council in a few weeks with the results of the rate study for their consideration.

Mayor Camp asked if costs for future projects included inflation. Mr. Allen said a 30% contingency was calculated into all project estimates to cover all unknowns.

2. Bus Rapid Transit Update – Jim McNulty and Loretta Markham

Mr. McNulty introduced Project Manager, Ms. Markham, who worked with UTA for five years on the project. She provided an update on the Midvalley BRT (Bus Rapid Transit) line and provided a power point to discuss the ESR (Environmental Study Report). Joint stakeholders include surrounding cities and entities who met monthly to create the report under UTA's environmental state procedures.

ESR

Ms. Markham stated the draft environmental document was signed on November 20, 2018, and a public open house occurred on November 28, 2018. Most recently, Taylorsville City supported the project by approving a resolution. The same request would be made of Murray, to provide full support. If approved, the Murray resolution would be documented into the last deliverable decision document that supports the ESR.

MidValley Connector Map

The route would begin at Murray Central Station, travel along Vine Street to Murray Boulevard, and traverse Taylorsville via Sunstone Road and Atherton Drive, along 4700 South to Salt Lake Community College. From Salt Lake Community College, the route would follow 4700 South to 2700 West, then north along 2700 West to the West Valley Central Station. For most of the route, the bus would travel in mixed-flow lanes with other vehicles. The route includes one section in Taylorsville with center running dedicated bus lanes along 4500/4700 South from east Atherton to Redwood Road. There are fifteen BRT branded bus stops with three stops located in Murray: Murray Central Station, Vine Street and Murray Boulevard. The total route exceeds 10 miles.

Mr. Cox asked if the dedicated lanes stop before buses come into Murray. Ms. Markham confirmed dedicated lanes end before reaching the Atherton intersection in Murray where buses would merge out into the mixed flow of traffic, controlled by a signal.

Impacts and Right-of-way Construction

Ms. Markham said the most substantial impact is in right-of-way acquisition relocations. There is only one relocation, which is the Casa Linda Apartments in Taylorsville. Stations planned in Murray require temporary construction easements, and very small purchases of right-of-way.

Ms. Turner asked if electric buses could be included in the plan. Ms. Markham said it was a possibility; Taylorsville City was currently working closely with UTA to obtain the first line for BRT with solely electric buses. Ms. Turner wished the whole route could be electric. Ms. Markham agreed.

Ms. Markham reported a total of 26 resources listed in the ESR, which can be found on the project website at www.midvalleyconnector.com. The intent of the project is to minimize right-of-way and use what is available to create a very reliable BRT service, which she said was accomplished.

Open House and Comments

Photos of the open house were shared, and the following was noted:

- Approximately 30 people attended.
- Only one petition – From a neighborhood in Taylorsville with 145 signatures that dealt with traffic operations, increased traffic on a local road, pedestrian safety, and an option of the BRT project rate in front of 4-Lake Golf Course. A phased option in the document stated that a signalized intersection opening into the neighborhood to the north could be allowed at a future time. The issue was resolved during neighborhood meetings.
- Nine comments were received over a 30-day period about general bus operations, forecasted ridership, number of bus stations, and how the project would be funded.

Decision Document

As part of the process, the intent of the decision document is to respond to comments, and ensure they are included in the analysis in case something was overlooked; and, to be responsive to the public, and request Murray approve a resolution in support of the BRT project. A draft of the decision document is underway, which would be sent to all project partners, and ultimately to UTA to request their support. Once the document is signed, approved and received by project partners, Taylorsville would advance the project into the next stages of implementation, which include final design for advertisement, and ultimately construction. The hope is to begin the final design this year after the completed ESR.

Ms. Lopez asked the cost of the project and who would be paying for it. Ms. Markham said the overall cost is anticipated to be \$40 million. She said it remains to be seen who would fund the project, however, Taylorsville and all project partners would need to make multiple requests for transportation funding.

Mr. McNulty wondered if UTA was aware of how the project was ranked for funding, by the FTA (Federal Transit Authority) because many of UTA's projects were funded by them. Ms. Markham stated this project was scheduled to be funded only by state funds. She said Taylorsville and UTA would look for ways to phase the project, by bundling small portions utilizing funds as received. For example, build bus

stations first, or dedicated lanes, and the project would align as funding was attained over time.

Mr. McNulty noted the length of the BRT service that included center running dedicated lanes. He thought \$40 million was a reasonable cost for a BRT, when compared to the cost for a TRAX line, which is nearly \$60 million per mile.

Mr. Nicponski asked if Salt Lake County had funding for these types of projects. Ms. Markham said funding would come from a combination of resources. She noted Taylorsville requested funding from Salt Lake County, who approved \$3 million.

Ms. Lopez asked what ridership was expected to be. Ms. Markham said approximately 2,500 people per day. Ms. Lopez wondered about the timeframe for riding a bus from one end of the route, to the other. Ms. Markham thought 20 minutes.

Ms. Turner wondered if IMC (Intermountain Medical Center) would contribute since the route ended near the hospital. Ms. Markham said it was a good idea - not thought of at this time.

3. Ordinance Modifications Court Administrator Position – Mayor Camp and G.L. Critchfield

After years of service, the court administrator retired so an opportunity to reevaluate the division and job duties was provided. Mayor Camp reported meetings with Judge Thompson, Mr. Williams and Ms. Gallegos before Mr. Williams retirement, to evaluate options in moving forward. Since the court was operating smoothly, and technological advances have lightened the heavy workload, it was decided that replacing Mr. Williams would not be necessary. Mr. Critchfield presented the draft ordinance, reviewed changes to be considered by the council, and the following conversations were noted:

Mayor Camp recommended the Justice Court Judge assume budgetary responsibilities of the court, and a Senior Court Clerk position would be established to handle supervision of staff and day-to-day administrative operations.

Ms. Turner asked if a new Senior Court Clerk would receive a pay increase, and would compensation change significantly. Mr. Critchfield said the position would be compared to other Senior Court Clerks and he was not certain about an increase.

Ms. Steck stated duties performed by Ms. Gallegos were compared to other Senior Court clerks during the compensation study, therefore, compensation would not change. She confirmed Judge Thompson would take on some of the administrative duties.

Mr. Cox asked about the new responsibilities taken on by Judge Thompson; he assumed an increase in compensation would be necessary.

Mr. Critchfield explained by state law, a judge undertakes all administrative responsibilities, however, those duties were delegated and not listed under the court administrator description on the ordinance. Therefore, the change only meant that he will now do what state law says he is responsible for.

Ms. Turner noted the Judge only worked 4 days per week and wondered when he would have time to take on more responsibilities. As a result, the council would have an opportunity to further discuss detailed responsibilities with the judge on February 11, 2019.

4. Ordinance Modifications Administrative and Development Services Department – Mayor Camp and G.L. Critchfield.

Mayor Camp stated a year ago the council approved splitting the Public Services Department into two separate departments; those are now Public Works, and Parks & Recreation. An organizational chart was shown to reflect Murray Public Services as the largest department in the city, with 104 full-time employees, which is now 40 and 63 after the split.

Mayor Camp explained when reorganization was underway, ADS (Administrative and Development Services) Director, Mr. Tingey, resigned; which provided a timely opportunity to break-up that department. He noted Human Resources with only three full-time employees, which is considered an under-performing department. Options were considered affecting ADS with 44-full-time employees and more important than the number of employees involved, ADS had great diversity by division; for example, the planning and building, treasury, facilities, and IT were all under ADS. As a result, changes were made to redistribute workloads.

A new organizational chart was provided depicting the overall reorganization that conveyed the same ten departments, and same number of employees. Police, fire, power, and the library were unaffected in the reorganization. Mayor Camp explained the following changes:

- IT now includes GIS - The stand-alone department was approved with Director, Mr. White.
- Community and Economic Development – The department replaces ADS, and now consists of two divisions: Planning, and Building. The change was approved with Director, Ms. Greenwood with 15 full-time employees.
- Facilities Moved to Parks & Recreation - Due to the number of facilities that within the park.
- Accounting - The division is under the new Finance and Administration Department, directed by Controller, Ms. Moore, who would oversee, treasurer, payroll, auditing, and internal controls.
- City Recorder - The division remains unchanged, but now reports to Finance and Administration. The city recorder previously reported to the ADS Director. Mayor Camp said by statute, a city recorder has financial duties, therefore, duties can be delegated to a finance director, if the recorder does not have the financial background or experience, which was seen in Murray's past organization. According to the ULCT (Utah League of Cities and Towns) duties, like office manager, purchasing officer, personal director, records officers or billing clerk can be given to city recorders. Since the purchasing agent was currently in the recorder's office, it was decided the city recorder should become part of the Finance and Administration Department as well. **1:05**
- Utility Billing – The division remains unchanged, with the exception of meter readers, who were moved to Public Works. The change gives employees additional training, and support by working closer with the Public Works staff. With recent concerns related to safety, backup can be better provided there.
- HR (Human Resources) – As mentioned, the small department, would become a division under Finance and Administration, with Ms. Colton as the HR manager, who is well qualified. Mayor Camp explained HR already worked closely with finance; and with a new trend for the two to work together in business and government, it was common for an HR manager to report to a CFO, due to overlapping issues like payroll, and the costing of benefits. He provided the following research as additional reasoning to support reorganizational changes and said changes would provide more balance:
 - SHRM (Society for Human Resource Management) article - *Business Partners* quoted: "In some firms with

- small HR operations, it makes sense for HR to report to Finance.”
- ADP Payroll Solutions, article and quote by the CEO: “Finance Departments have more experience extracting value from data by developing and analyzing metrics and are increasingly becoming more involved in the HR functions largely through culture, staffing, and strategic planning. Combining the people, focus, and knowledge of HR, with the analytical capabilities of Finance, can be the special sauce that allows organizations to be better.”

Mr. Nicponski thought a line connecting the council with the city attorney and the finance director on the chart should be included.

Mr. Hales considered Mayor Camps' reasoning and noted with three HR employees who oversee 395 full-time city employees – delegation of duties was good.

Mayor Camp said some divisions appreciated the opportunity to meet with a department director in a smaller group. This would allow them to discuss issues directly related to their own division, rather than in a larger group with all kinds of subject matter.

Ms. Turner expressed concern and stated this was the first time the reorganization was explained to her. She understood the administration would conduct a compensation study and reorganization might follow, although, she was not informed about results. She wondered if the results were the foundation for the reorganization.

Mayor Camp replied yes, and no; study results were only part of decision making, as the consultant analyzed personnel issues, as well.

Ms. Turner thought the council was not given enough information to say whether the reorganization should be supported. She appreciated the information Mayor Camp did provide but hoped the council might receive a copy of the analysis with the current meeting document packet to gain more insight. She stressed concern and struggled with supporting something she did not fully understand.

Mayor Camp said, “understood fair enough.”

Mr. Critchfield reviewed ordinance changes in detail, noted new language, pointed out proposed name changes and stricken language. He highlighted changes related to the department title *Finance* because there were many references throughout code where the words ...*and Administration Department* were added to the word *Finance*, to convey the new department name *Finance and Administration Department*.

A lengthy discussion occurred regarding changes to Chapter 2.20 *Finance and Administration Department*, Section A, B, C, and D, about specific language stricken. Dialogue was as follows:

Mr. Hales noted Section A, where the language “the finance director reports to the mayor, and the city council, when serving as budget officer” had been stricken. He wondered if the language was deleted, due to state law.

Mr. Critchfield confirmed the words ‘reports to’ was used throughout code, which meant a department

director reported to the mayor about what was happening in their department. He explained state law says a city council should not be communicating directly with department directors or other city employees on the administrative side – unless first communicating with the mayor. Therefore, when a budget officer is the mayor, as is the case in Murray, the council may contact a budget officer. By understanding the term ‘reports to’ as in controlled, or overseen by an authoritative position, it is not the same and is an exception in code – because the council does not oversee the finance department and director.

Mr. Hales asked if stricken language would change anything related to the council’s direct contact with Finance Director, Ms. Steck. Mr. Critchfield explained new language only made it clearer that Mayor Camp was the Budget Officer, who had authority over the position of Finance Director, Ms. Steck.

Ms. Lopez pointed out new language in section B of Chapter 2.20.010 only stated that “the Budget Officer ‘provides reports’ to the city council as required by state law,” as opposed to, who the Budget Officer and Finance Director ‘reported to.’ Mr. Critchfield said that was made clear in state law and explained the words ‘reports to’ in Section A, were written in terms of Murray’s vernacular and did not accurately reflect state law.

Ms. Lopez asked if there was any language in code stating council members could go directly to the budget officer. Mr. Critchfield reiterated state law affirmed the procedure.

Ms. Turner agreed the language to do so, should be reflected in code. Mr. Critchfield confirmed it did not.

Mr. Brass confirmed Mr. Critchfield referred to state law, not Murray Code. Mr. Critchfield explained state law, in terms of the separation of powers, when duties overlap. He said it is Mayor Camp who understands the day to day financial operations in the city and prepares the budget with the help of a finance director. Therefore, it is understood without the Mayor’s staff it would be impossible to provide a tentative budget. As a result, after the budget is prepared, the process segways into the role of a city council who only accepts a tentative budget to review, consider or decide if it should be amended or adopted. He clarified this was when a city council role begins, which includes communicating directly with the budget officer during that time.

Mr. Nicponski wondered if communication meant talking to Finance Director, Danyce Steck. Mr. Critchfield denied, communication should be with Budget Officer, Mayor Camp. A lengthy discussion occurred about position definitions, and role differences related to a budget officer - as the mayor, opposed to, a budget officer, Finance Director, Ms. Steck when she reported to Mayor Camp.

Mr. Nicponski asked if the council should contact Mayor Camp, as the Budget Officer, in the future, instead of Ms. Steck. Mr. Critchfield said Mayor Camp would make that decision.

Mayor Camp explained duties of the budget officer were delegated to Ms. Steck.

Ms. Lopez wondered if the delegation of duties was written in City Code, or would an executive order be forthcoming. Mayor Camp wondered if it was necessary because the practice was in place for some

time.

Mr. Critchfield said since the council understood the practice, an executive order was not required; a letter or oral delegation was appropriate. He explained a legislative body cannot issue delegation – which is what the ordinance currently indicates, and therefore, was why new language would update the ordinance and clarify functions appropriately, rather than violate separation of powers.

Mr. Cox noted language stricken from code in Section C as follows: "The Finance Department responsibilities include working with the City Council in preparing the City Budget." He noted replacement language in Section B as: "The Budget Officer provides reports to the City Council as required by the Uniform Fiscal Procedures Act for Utah Cities." He said the fiscal procedures act was unfamiliar to him, and he felt uncomfortable having it as new language because it could be easily misinterpreted.

Mr. Cox said an important role of the council was to approve, adopt or amend the mayor's budget, and therefore, the council had overall responsibility for the budget. Yet, words depicting the council's involvement with the budget were stricken from code. He thought this was concerning and he stressed the new proposed language was unclear, which made him nervous. Mr. Critchfield said replacement language referred to state law, which meant everything required of a budget officer would be accomplished- and nothing would be done against state law.

Mr. Cox asked if state law prohibited the use of the original language stating: "The Finance Department responsibilities include working with the City Council in preparing the City Budget." Mr. Critchfield said the language did not appear in state law. Mr. Cox thought it should be included. Mr. Critchfield said the original text was already something that would occur, for example, because budget meetings would still occur, and discussions would still take place with Ms. Steck, therefore, the existing language was not meaningful.

Mr. Cox believed Ms. Steck was capable and commended her work on the budget and the property tax increase process. However, he was uneasy about having language stricken that conveyed part of the Budget Officer and /or Finance Director's responsibility was to work with the council members. Mr. Critchfield said nothing was taken away, that was already there, and all job duties for a director could not possibly be included in an ordinance, due to lengthy details. For example, other ordinance's related to job descriptions might say "...and other responsibilities."

Mr. Hales noted the difference between, Finance Director, Danyce Steck's position, and other department directors, due to the budget process, which as one of the council's main duties. He agreed the council should speak with Mayor Camp prior to talking with other department directors, however, he thought communication with the finance director did not fit this requirement - but would respect it lawfully.

Ms. Turner said stricken text felt like interaction and the relationship between the finance director and the council was diminished. She did not agree the language stating: "The Finance Department responsibilities include working with the City Council in preparing the City Budget" should be deleted from code. She agreed overseeing the city's budget was her job, and arguably the most important, and therefore, thought the change was wrong.

Mr. Cox said City Code had everything to do with the process and not any-one person; he reiterated his

concern about replacing existing language with a vague state law title that could change at any given time, therefore, he said the text should be reincorporated back into Murray's code. Ms. Turner agreed.

Mayor Camp asked Mr. Critchfield if Utah State Law specifically gives a budget officer the duty to assist the council with the budget. Mr. Critchfield said in some ways it does, but not by specific verbiage; he said It is assumed that a budget officer presents a tentative budget to a city council – and Murray understands that process.

Mr. Nicponski revealed the council wanted to avoid having to hire their own budget advisor, therefore, the stricken language was necessary. Mr. Critchfield asked if the text remained stricken, was was concern that the finance department would not work closely with the council in preparing the budget.

Mr. Brass led a lengthy discussion sharing past experiences in working with previous Murray mayors and councils who some years worked well together and other years did not. He reviewed the process, noting that the mayor prepared a tentative budget, which was then turned over to the council for their review. Great responsibility fell upon the council, therefore, back and forth communication with the finance department was key in all instances and working closely helped to avoid the possibility of being presented with a budget the council refused to adopt.

Mr. Brass noted state law, and said the general concern was that the council would like to have a relationship with the finance department – and have it conveyed in code, so that long after current elected officials are gone - future council members and future mayors understand it is possible. He agreed having the words: "The Finance Department responsibilities include working with the City Council in preparing the City Budget" codified was part of how Murray City did business, which worked effectively in the past, only by good communication.

Mr. Critchfield asked the council what language they wanted retained or changed. He noted adding or removing language from City Code did not change what state law required, and imposing duties that were not there was not recommended.

A lengthy conversation occurred about what the council preferred – the following was noted: Ms. Lopez wondered if retaining the language or including what was expected went against state law. Mr. Critchfield said no, as long as language was accurate with what was anticipated.

Ms. Turner stressed it was important to convey the relationship between the council and the finance department.

Mr. Brass favored retaining language in Section C to specifically include the council in that process.

Mr. Cox said number 1 and 2 in section C should be retained to include the council. All council agreed.

Ms. Lopez noted the mayor recommends the budget to the council, who then adopts it. Mr. Critchfield agreed, however, since the mayor technically adopts the budget from his staff, that language should remain. Ms. Lopez understood.

In conclusion, all agreed the following changes would be made in Chapter 2.20.010:

- Number 3 and number 4 would remain stricken from Letter C.
- Number 1 and number 2 in Section C, would be retained and added as new Letter D.
- The current Letter D would become new Letter E.

Ms. Turner stressed the importance of communication between the council and finance, therefore, having it written in code validates that process. All agreed. Mr. Critchfield continued his review with additional sections of code; he noted all name changes, as well as, language adjustments, clean-up and other clerical changes throughout the rest of the proposed ordinance modification. Everyone confirmed. The council would consider the ordinance during an upcoming council meeting.

Announcements: Ms. Lopez made several announcements related to coming events for the council members.

Adjournment: 6:15 p.m.

Pattie Johnson
Council Office Administrator II