



## MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

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The Murray City Municipal Council met on Tuesday, February 2, 2021 for a meeting held electronically in accordance with the provisions of Utah Code 52-4-207(4), Open and Public Meeting Act, due to infectious disease COVID-19 Novel Coronavirus. Council Chair, Ms. Turner, determined that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

### Council Members in Attendance:

Diane Turner – Chair	District #4
Brett Hales – Vice Chair	District #5
Kat Martinez	District #1
Dale Cox	District #2
Rosalba Dominguez	District #3

### Others in Attendance:

Blair Camp	Mayor	Jennifer Kennedy	City Council Director
Jennifer Heaps	Chief Communications Officer	Pattie Johnson	City Council Office Admin
G.L. Critchfield	City Attorney	Brooke Smith	City Recorder
Danny Astill	Public Works Director	Cory Wells	Water Superintendent
Brenda Moore	Finance Director	Melinda Greenwood	CED Director
Blaine Haacke	Power – General Manager	Greg Bellon	Power – Asst. General Manager
Jared Hall	CED – Division Supervisor	Matt Youngs	Energy Services Manager
Annaliese Eichelberger	VODA	Bill Francis	The Imagination Company
Mark Morris	VODA		

The public may view the meeting via the live stream at:

[www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>

Ms. Turner called the meeting to order at 5:00 p.m.

**Approval of Minutes** – Ms. Turner asked for comments or a motion on the minutes from January 5, 2021 Committee of the Whole. Mr. Hales moved approval. Mr. Cox seconded the motion. (Approved 5-0)

### Discussion Items

**Fashion Place West SAP (Small Area Plan)** – Mr. Hall shared background information about long-term planning in the area of 6100 South to 6790 South and I-15 to State Street that began in 2019. To view the slide show presentation visit:

<https://youtu.be/Lnkz-3bH0?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=354>

He explained that in 2019 the City applied for and received grant funding to study the Fashion Place West TRAX station area. The grant awarded \$65,000 for the study; and consultants from VDOA Landscape and Planning were chosen to implement the draft SAP. Mr. Hall noted that an additional \$5,000 required of the City was included in the current year's budget. Mr. Hall noted that SAPs are documents to guide growth and inform land use decisions in specific areas; the SAP is not a large-scale rezoning of properties; it is not a plan to be implemented - it is only a vision document to act as a guide for future decisions about future zoning; and suggests types of potential developments that could be considered over time.

He reported that last year an open house occurred; a survey was completed, and public input was welcomed; one thousand public notices were mailed to property owners in the study area, and to those within 500 feet of the area. The Murray City planning commission heard the presentation on December 27, 2020, in a public hearing and voted 7-0 to recommend approval to amend the General Plan.

VODA representative, Mr. Morris reviewed in length the final draft SAP document. To watch the presentation visit:

<https://youtu.be/Lnkz-3bH0?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=692>

Mr. Morris shared a map of the entire area, and discussed elements in the draft plan related to the following:

- Existing conditions – analyzing the present area.
- Housing - options and needs.
- Connectivity elements/ improvements and challenges.
- Design guidelines – that would be approved by the City.

VODA mapped out short-term, medium- and long-term goals the City can utilize that include partnership efforts that will need to be fostered. During the formation of the draft plan VODA met with entities like UDOT, UTA, and the Fashion Place Mall, do discuss possible willingness to help with invested changes.

Council Comments and Discussion:

- Ms. Martinez asked for specific years in time, related to the short- and long-term planning. Mr. Morris said short-term planning is 3-5 years, medium-term is 5-10 years, and long- term is 10+ years with the entire SAP taking 20-25 years to complete.
- Mr. Cox commended the hard work in drafting the SAP, and thought the vision was good. He affirmed that existing neighborhoods would be largely left alone and asked about buffers between old neighborhoods and new developments. He wanted to ensure that barriers were enlarged to avoid reducing the quality of neighborhoods that are 50-years old.
- Mr. Morris agreed one drawback of zoning codes is that often buffer elements are not considered, however, design guidelines were in place to ensure buffers are specifically laid out. Most changes would occur on Winchester and State Street; and neighborhoods north and south of the freeway corridor would see little change over time.
- Mr. Hales clarified the intent was not for the City or anyone to buy up properties throughout the area. Mr. Morris confirmed it was not the recommendation as the City does not own or control private properties in the area. He said nothing in the plan implies that the City should begin buying residential property to change things. The SAP merely suggests guidance for those property owners who want to

redevelop in key corridor areas, which currently the GP does not provide.

- Ms. Dominguez led a discussion about what first triggered the SAP study. Ms. Greenwood explained when the GP was adopted in 2017 requirements were included for SAP studies to be conducted in certain areas of the City. Studies began with the Murray Central TRAX Station, where the first SAP was adopted; the next study area was the Fashion Place West TRAX station. She noted that in 2015 the task to plan visually in specific areas was a goal to be completed. Mr. Hall confirmed TRAX station areas were the first areas to be identified as study areas, and mostly because grant funding was made available to do so.
- Mr. Cox felt it was easier to approve the GP amendment for the Murray Central Station area, than it was to consider the Fashion Place West Station, strictly due to the unknown outcome. The difference being that hundreds of homes surround the Fashion Place Station; and are loyal Murray residents who have lived in homes for many years and expect to stay there for many more. Therefore, he stressed it was very important to maintain the integrity of the older neighborhoods, when the area is developed in the future.
- Ms. Greenwood shared terminology related to anticipated change in the future to help citizens understand goals of the SAP. She explained there are areas of stability in the City, and there are areas of change throughout the City. Neighborhoods are considered areas of stability, and commercial areas that have not been viable for a number of years are considered areas of change. She said the strength of Murray is the single-family residential zone, so she did not anticipate neighborhoods to change.

The City Council would consider the amendment at the February 16, 2021 Council Meeting during a public hearing.

**Water Leak Abatement Policy** – Mr. Astill discussed a new policy that required no budget impact. He explained due to 2017 legislation, Senate Bill-28 was passed that required all water providers to establish a conservation-based water rate structure. At that time the City implemented summer rates, and winter rates only, which did not meet legislative intent. As a result, the City embarked on a lengthy study to help develop and implement a new tiered water rate structure to meet new requirements.

In an effort to help handle the misfortune of Murray City water customers who experience a leak in their system; the policy was developed to outline the process, procedures, and financial responsibilities to address such water leaks, and related concerns. The policy was displayed. (Attachment #1)

Leak repairs, abatement, and payments were noted related to customer responsibilities, versus City responsibilities. Mr. Astill confirmed that much thought went into customer bill adjustments, due to leaks causing water loss, like the overall cost for pumping, treatment, and storage of water; the transporting and monitoring of water; and repairs, infrastructure replacement, and customer billing activities that are all part of the rate structure. In addition, customers must present proof to the City that leaks have been fully repaired and meet certain requirements prior to receiving utility bill adjustments. Upon adoption the policy would be incorporated into the Public Works Department Water division policies. The council would consider the policy in an upcoming council meeting.

**Council Comments and Discussion:**

- Ms. Dominguez asked if repair companies should be preapproved by the City prior to repairs; or was there a recommended list. Mr. Astill said there was no such list, however, the City could suggest reputable companies to provide quotes that would vary; he agreed repairs were costly.

- Mr. Critchfield commented that the ordinance associated with the policy was meant to emphasize that service lines located on the residential side of properties are the homeowner responsibility, to watch and monitor for water waste. It would also establish and authorize the Mayor to develop guidelines for adjustments to high water bills due to water loss, which was already an existing administration function.

**Electric Vehicle (EV) Charger Rate Discussion** – Mr. Haacke noted two items of discussion; a summary of the electrical vehicle history in Murray; and text in the proposed ordinance for a new electrical vehicle charge rate intended for adoption during the upcoming February 16, 2021 council meeting.

Mr. Youngs used a power point to share the history and discuss the current EV charger units that were installed at the Park Center, in Murray Park for public access. (Attachment #2)

To view the presentation visit:

<https://youtu.be/Lnkz-3bH0?list=PLQBSQKtwzBqLxiqGGqdVorSUzCOAEmh-2&t=3864>

Proposed rates were noted as: 20 cents per kilowatt hour for the Level 2 Charger; and 30 cents per kilowatt hour for the DC Fast Charger. Actual costs were explained in terms of approximate dollars and hours for various car models. In addition, they considered how long chargers could be utilized. As a result, the proposal allows for a four-hour parking limit for all chargers, with a \$10 fee for exceeding the four-hour limit.

**Council Comments and Discussion:**

- Ms. Turner thought the cost was reasonable and wondered what other cities were charging the public to use the EV service. Mr. Youngs was not certain but would provide the information later.
- Ms. Martinez agreed rates were reasonable and asked about signage for those not familiar. Mr. Youngs confirmed signs would be in place to clarify the charging station before they open for service.
- Mr. Haacke confirmed grant funding contributed to much of the cost.
- Ms. Turner asked if the 10% administrative fee to Charge Point was included in the overall cost for utilizing the charging station. Mr. Youngs clarified each month the City would collect 90% of the overall revenue. She expressed excitement about finally having this type of service available in the City, and access to VW (Volkswagen Settlement) funding was helpful.

**Announcements:** None.

**Adjournment:** 6:23 p.m.

**Pattie Johnson**  
**Council Office Administrator II**

## ATTACHMENT #1

## **WATER LEAK ABATEMENT POLICY**

### **Background:**

In 2017, the City consulted with a local engineering firm and developed a Tiered Water Rate System (“Tiered System”) made up of five (5) tiers which allows the City to encourage conservation-based watering while still meeting the financial requirements necessary to operate the City’s water systems. Under the Tiered System, a City water customer (“Customer”) is billed based on the volume of water used during a single billing cycle. The volume of water used by a Customer is measured in “units”, with a single unit of water equaling 100 cubic feet. Customer water usage per billing cycle under the Tiered System is broken down as follows:

- Tier 1 = 0-8 Units (0-800 cubic feet)
- Tier 2 = 9-25 Units (900-2,500 cubic feet)
- Tier 3 = 26-49 Units (2,600-4,900 cubic feet)
- Tier 4 = 50-79 Units (5,000-7,900 cubic feet)
- Tier 5 = 80+ Units (8,000+ cubic feet)

### **Purpose:**

The purpose of this Water Leak Abatement Policy (“Policy”) is to establish procedures to be followed in the event that a Customer experiences a water leak on their property.

### **Policy:**

1. **Leak Repair, Abatement and Payments:** The repair of leaks and service of plumbing on a Customer’s side of the service connection to the City’s water system is the responsibility of the Customer. Any water lost through a leak or open valve on the Customer’s side of the service connection shall be paid for by the Customer. To the extent possible, payments for lost water shall be at the rates of the prevailing Tier of the Customer’s normal water usage. However, no payments under this Policy for lost water shall be at a rate lower than Tier 3. The City may attempt to notify a Customer if a leak is suspected, but absence of notice from the City does not excuse a Customer of any obligation to be aware of a leak or to pay for the lost water.

#### **a. Customer Responsibilities:**

- i. Section 13.08.010 of the Murray City Municipal Code (the “City Code”) requires all Customers to “keep their service pipes, connections, and other apparatus in good repair and protected from frost at their own expense.” In addition, Section 13.08.120 of the City Code requires Customers to remedy any leaks or to address other wasteful uses of City water once they are discovered.
- ii. Once a Customer is aware of a leak or a wasteful use, they must immediately take the appropriate actions necessary to adequately address and repair the problem.

## ATTACHMENT #2

## Murray City Power Public Electric Vehicle (EV) Charging Rate Proposal

- Volkswagen Settlement – The State of Utah is beneficiary of over \$35 million from the Volkswagen (VW) Environmental Mitigation Trust, part of a settlement with VW for violations of the Clean Air Act. The Governor designated the Utah Department of Environmental Quality (DEQ) as the lead agency to administer this funding, including the development of an Environmental Mitigation Plan. Utah is funding through the settlement to reduce the excess nitrogen oxide (NOx) emissions from the VW, Audi, and Porsche vehicles that were not in compliance with the Clean Air Act.
  - Approximately 7,000 vehicles in Utah were affected by the emissions cheat device on VW vehicles.
  - Utah's total allocation from the settlement is \$35,177,506
  - Majority of these funds are allocated to reducing NOx emissions from Class 4-8 local freight trucks, and school, shuttle, and transit buses.
  - 11% of funds allocated for light duty zero-emissions-vehicle supply equipment (EVSE)
    - Targets government-owned facilities, providing double benefits to taxpayers
    - Prioritizes facilities in nonattainment areas, near major transportation corridors, and allows public access.
- VW Settlement Application - Murray applied for VW settlement funding and was awarded funding up to \$157,608.24 in December 2019 to install one (1) DC Fast Charger and two (2) Level 2 Chargers at the Park Center in Murray. When the project is complete, we will submit paperwork for reimbursement from the State.
  - The application required that Murray follow the City's competitive bid process to select a vendor for the project. Murray solicited bids from five vendors on the State's approved vendor list and the bid was awarded to LilyPad EV out of Kansas City Missouri.
  - ChargePoint, the manufacturer of the installed EV chargers, was chosen by the State of Utah through a selection process to be used in VW EVSC projects.
- EV Charging Proposed Rates / Cost-of-Service Study
  - Power Department contracted with Dave Berg Consulting to:
    - Use our latest cost-of-service study (compiled by Dave Berg Consulting) to determine recommended EV rates for L2 and DC fast chargers, and
    - Provide justification for the recommended EV rates
  - Dave Berg Consulting Recommended EV Rate Letter: Proposed EV charging fees were derived using data from Murray's latest cost-of-service study. This study details the actual cost of serving a customer with electricity based on power supply, transmission, distribution, and administrative costs. In addition to the cost-of-service data, the proposed fees also take into consideration ChargePoint fees and operation and maintenance of the EV chargers.
  - Rates
    - \$0.20 / kilowatt hour – Level 2 Charger (two Level 2 Chargers at Park Center)
    - \$0.30 / kilowatt hour – DC Fast Charger (one DC Fast Charger at Park Center)
  - Fees / Penalties
    - 4 hour parking limit
    - \$10 fee for violation of 4 hour limit – assessed at hour 5

- EV users make payment via ChargePoint account / App
  - Similar to parking payment Apps
  - ChargePoint administrative fee is 10% of all rates / fees collected
- Revenue
  - Murray's VW Award includes cost of EV chargers and a 5 year maintenance / warranty for equipment
  - Propose that rate / fee revenue go the Power Fund, towards cost of power, system, and future EV charger maintenance and infrastructure.
- Local EV Public Charging Rates
  - The proposed rate also takes into consideration the variety of public EV charging rates in Salt Lake County. Some cities give power away for free for a limited amount of time and some charge a flat dollar amount per hour. Some charge a connection fee in addition to a kilowatt hour rate.
  - Murray's proposed EV rate is designed so that the cost of EV charging is borne by the EV customers and does not create a subsidy for all rate payers.
- Sample charging costs and battery % for a 1-hour charging session at proposed rates:
  - Level 2 Chargers (\$0.20/kilowatt hour)
    - Chevy Bolt - \$1.48, 11% charge
    - Tesla Model S - \$2.17, 9% charge
  - DC Fast Charger (\$0.30/kilowatt hour)
    - Chevy Bolt – \$13.33, 58% charge
    - Tesla Model S – \$13.33, 38% charge