



MURRAY
CITY COUNCIL

Council Meeting July 5, 2022



Murray City Municipal Council Notice of Meeting

July 5, 2022

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

Meeting Agenda

4:30 p.m. **Committee of the Whole** – Council Chambers
Kat Martinez conducting

Approval of Minutes

Committee of the Whole – June 7, 2022

Discussion Items

1. Parks and Recreation Department Report. – Kim Sorensen (30 minutes)
2. Moderate Income Housing Discussion. – Jared Hall and Zach Smallwood (45 minutes)

Adjournment

The public may view the Council Meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to city.council@murray.utah.gov. Comments are limited to less than three minutes (approximately 300 words for emails) and must include your name and address.

6:30 p.m. **Council Meeting** – Council Chambers
Kat Martinez conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

None scheduled.

Special Recognition

1. Consider a Joint Resolution of the Mayor and Murray City Municipal Council in appreciation for Danny Astill. Mayor Hales presenting.
2. Consider a Joint Resolution of the Mayor and City Council encouraging increased water conservation due to drought conditions. Mayor Hales presenting.

Citizen Comments

Comments will be limited to three minutes, step to the microphone, state your name and city of residence, and fill out the required form.

Consent Agenda

Mayor Hales presenting.

1. Consider confirmation of the Mayor's re-appointment of Darin Bird to the Shade Tree and Beautification Commission for a term beginning June 30, 2021 to expire June 30, 2023.
2. Consider confirmation of the Mayor's re-appointment of Janice Evans to the Shade Tree and Beautification Commission for a term beginning June 30, 2022 to expire June 30, 2025.
3. Consider confirmation of the Mayor's re-appointment of Geneal Nelson to the Shade Tree and Beautification Commission for a term beginning June 30, 2021 to expire June 30, 2024.
4. Consider confirmation of the Mayor's re-appointment of Judith Payne to the Shade Tree and Beautification Commission for a term beginning June 30, 2021 to expire June 30, 2024.
5. Consider confirmation of the Mayor's appointment of Joelle Rasmussen to the Library Board for a term beginning July 2022 to expire June 2025.

Public Hearing

Staff, sponsor presentations and public comment will be given prior to Council action on the following matter.

1. Consider an ordinance permanently closing and vacating an unused Public Utility Easement at 447 West 4800 South, Murray City, Salt Lake County, State of Utah. Bruce Turner presenting.

Business Items

1. Consider adoption of the proposed revisions to the Rules of the Murray City Municipal Council. Kat Martinez presenting.
2. Consider adoption of the proposed revisions to the Murray City Council Travel Policy. Kat Martinez presenting.

Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.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 (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is 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, July 1, 2022, 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. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.

A handwritten signature in black ink that reads "Jennifer Kennedy". The script is fluid and cursive, with the first name and last name clearly distinguishable.

Jennifer Kennedy
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
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Committee of the Whole Minutes



MURRAY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

Meeting Minutes

Tuesday, June 7, 2022
Murray City Center

5025 South State Street, Council Chambers, Murray, Utah 84107

Attendance: Council Members and others:

Kat Martinez – Chair	District #1
Diane Turner – Vice Chair	District #4
Garry Hrechkosy	District #5
Pam Cotter	District #2
Rosalba Dominguez	District #3 – Arrived at 4:13 p.m.

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
Tammy Kikuchi	Chief Communications Officer	Danny Astill	Public Works Director
Brooke Smith	City Recorder	Brenda Moore	Finance Director
G.L. Critchfield	City Attorney	Craig Burnett	Police Chief
Jared Hall	CED Director	Kristin Reardon	Police Department Admin.
Joey Mittelman	Fire Chief	Zach Smallwood	CED Associate Planner
Loran Pasalich	Murray Chamber of Commerce	Steve Roberson	Fire Department
Matt Gibbons	Murray Chamber of Commerce	Jeff Puls	Fire Department
Stacey Pasalich	Murray Chamber of Commerce	Bob Dunn	Boys and Girls of Club of Greater Salt Lake
Residents		Amanda Hughes	Boys and Girls of Club of Greater Salt Lake

Conducting: Ms. Martinez called the meeting to order at 3:30 p.m.

Approval of Minutes: Committee of the Whole – May 3, 2022. Ms. Turner moved to approve. Ms. Cotter seconded the motion. All in favor 4-0.

Discussion Items:

- **Report from the BGC (Boys and Girls Club) of Greater Salt Lake.** – Ms. Hughes discussed two FY (fiscal year) 2021-2022 operating budgets specific to the Murray Club; and provided budget information, financial statements, and the independent auditor's report for the entire organization.

Ms. Hughes explained there are two separate budgets for the Murray Club: the Murray Site budget, and the Murray Club Administrative Support budget.

- Murray Site Budget –Ms. Hughes said revenue comes from program fees, donations, other government grants, funding from foundations, corporations, and individuals. Expenses include salaries, wages, transportation vehicles and other items. Since the Murray BGC is a licensed

accredited daycare where programs are licensed through the State of Utah, families that receive State subsidies for childcare are able to utilize their services.

- Murray Club Administrative Support Budget –Ms. Hughes said as a large non-profit organization, the BGC of Greater Salt Lake has seven locations in Utah: five in Salt Lake County, one in Price and one in Tooele. Administration offices are housed at the Murray location where operation costs cover a STEM (science, technology, engineering, and math) director for specialized curriculum, club services, safety operations, fleet, building maintenance and other items. The administrative team works to serve all locations from the Murray Site so financial allocations are based off of need and time requirements for each club.

It was noted that the total cost to operate the Murray Club is approximately \$2.6 million annually, and Murray's annual donation of \$100,000 goes towards the Murray Club only. A Murray City Fund Usage Report was shared to reflect how Murray's contribution is allocated for personnel, indirect expenses, program supplies, equipment, materials, and vehicle expenses.

Ms. Turner asked how many staff members work at the Murray Club and are there staffing challenges. Ms. Martinez noted a total of 28 including part-time and full-time employees. Ms. Hughes agreed and stated staff numbers would increase for summer camp programs. There are challenges to maintain and retain employees so starting wages would increase this year to \$15 per hour; and cost of living and merit increases would be implemented at the Murray location. As an organization, retention bonuses and performance-based increases would be given on top of salary increases.

Mr. Hrechkosy noted wages and salaries totaling \$2.9 million for the entire organization; and requested a breakdown of salary amounts for administrative positions. Ms. Hughes did not have that information for the current fiscal year but said her salary fell just below mid-range compared to other non-profit agencies. She said the FY 2021-2022 financial report shared with the Council was for the previous year. Mr. Hrechkosy requested current information be included in a future report to the Council. She welcomed in-person meetings to follow-up about current wage percentages and the current CEO pay information not provided. Mr. Hrechkosy noted board members are not paid employees. Ms. Hughes agreed.

Ms. Hughes reported the Murray BGC attendance is approximately 600 children, there are hopes to expand enrollment to 2019 pre-covid levels; and reconstruction of the facility will enable them to accept more children. There is a current staff shortage so the summer program waiting list is 67 families for elementary age groups. She said during the pandemic there was a small shift in demographics with an increase in low-income families, youth of color and children of single parent households. To avoid entrance barriers the cost for membership is \$20 for summer and \$20 per school year.

Ms. Cotter led a discussion about Murray schools offering all-day kindergarten in the future and how it would affect BGC attendance and revenue. Ms. Hughes expected a slight reduction in tuition because many children will need before and after school care. Ms. Cotter asked about other city contributions to the organization. Ms. Hughes said Midvale City is the largest contributor; Tooele and Carbon County are traditional contributors and also helped with building purchases. Larger funding sources are from Salt Lake County partnerships and other public grant funding. Council Members

agreed the Murray donation is being utilized effectively to support the Murray Club.

- **Report from the MACC (Murray Area Chamber of Commerce).** – Mr. Gibbons said the Murray Chamber uses the City's donation by providing member engagement, increasing business visibility and by developing business education for all Murray members to promote growth and community support. About 20% of funding comes from Murray City, which is adjusted as membership numbers increase. Other sources of income are from new membership fees, annual and monthly membership renewals, and events such as Lunch and Learn, Women & Business, the annual golf tournament, partner affiliate programs and the referral community that is a networking program.

Mr. Gibbons said MACC serves Murray City and businesses in the surrounding area; about 80% of members are based in Murray. They are a resource for Murray residents and the community by organizing events like Meet the Candidates Night, community affairs, government relations functions and programs for the elderly. The Murray Chamber was one of the first in the country to have a youth chamber. Business education development includes specialized training to help enhance customer service and increase business profits. Other State chambers have approached the MACC as a model to learn from, to enhance community business in their own communities. This is the reason MACC holds events in other cities; and in return, MACC gains new members. MACC began in 1948 and operates with one paid employee and several volunteers that run committees and events.

- **MPD (Murray Police Department) Report.** – Chief Burnett reviewed the current MPD organizational chart that is divided into two bureaus; administration and operations. Responsibilities, functions, and divisions of each bureau were outlined; each bureau has its own deputy chief.

Mr. Hrechkosy led a conversation about the SWAT team, functions of internal affairs and demographics related to gender, race, and ethnicity. Chief Burnett said MPD does not have a full-time SWAT team because it is rarely needed in Murray; 20 officers who are completely trained for SWAT attend ongoing monthly training to maintain efficiency. He explained internal affairs handles complaints from citizens or matters that the MPD itself is investigating. Investigations are submitted to the Murray City Attorney's office before any disciplinary action is taken. He reviewed staff numbers since the pandemic and said out of 16 new hires there are 5 non-white males. They have hired many great people who come from all different ethnicities. Mr. Hrechkosy asked when was the last time an officer was terminated through disciplinary action. Chief Burnett said it is a rare happening and it does not even occur annually.

Ms. Turner asked if MPD officers belong to a union. The Chief said it is an option many have chosen but it is not required.

Chief Burnett discussed significant cases and said since 2020 there was a 20% increase in calls for service and five homicides; he believed this was due to more people moving to Murray. There was a change in record keeping software that was mandated throughout Salt Lake County, now all police forces in the County are on Versaterm where information is more easily accessed. A focus map was displayed depicting high crime areas in the City for over the last 12 months. High crimes occurred at Fashion Place Mall, the extended stay motel on Winchester, State Street near Costco, the hospital, and in northern Murray near TRAX.

He discussed the MPD mental health unit that began last year and described how situations are handled, what resources are available and what specialized training occurs. He explained the Peer Support and Officer Wellness program that provides training and counseling for officers that will help fellow officers cope with career and life struggles. He spoke about the 25-year-old MPD Training Center that houses all types of training for MPD. The facility has a shooting range, classroom, and gymnasium. On a regular basis nineteen other enforcement agencies also use it for training; one full-time MPD training officer oversees and manages the training center.

Mr. Hrechkosy expressed concern about a recent school shooting in Texas and led a lengthy discussion about safety in Murray elementary and middle schools. Chief Burnett confirmed MPD provides four full-time resource officers; one at Murray High, one at Cottonwood High; one at Hillcrest Junior High and one at Riverview Junior High School. All officers will respond as needed to elementary schools. Mr. Hrechkosy asked if salaries of school officers are paid by the City or by the Murray School District. Chief Burnett said the City receives a stipend from the Murray School District. Mr. Hrechkosy asked that a proposal be made to place one police officer at all Murray educational facilities. He hoped to understand what this effort would look like and requested further discussion at the next Committee of the Whole meeting. Chief Burnett stressed the MPD has considered doing that many times, but to do so would cost roughly \$2 million. He felt the subject matter involved many other related issues.

Ms. Martinez said as reports unfold, a lack of police officers was not the problem at the Texas school. She said the Council meets frequently with school district board members who regularly discuss how they work closely and frequently with officers to refine safety practices and protocols. Chief Burnett confirmed they receive funding from Granite and Murray School Districts for specialized active shooter training. He said Murray schools are locked down at all times and resource officers coordinate with all school administrators. Active shooter training is ongoing to ensure safety, readiness, and security. He agreed the issue is a constant worry and MPD officers also train regularly for active shooter incidents with administrative and security teams at Intermountain Medical Center and Fashion Place Mall after hours to ensure preparedness.

- **Continuation of MIH (Moderate-Income Housing) Discussion** – Mr. Smallwood said Utah cities are again required to provide more affordable housing. He recapped that in 2019 SB (Senate Bill) 34 legislation was passed, where cities were given a menu of items to choose from that would encourage development of MIH. State officials were upset that many cities chose not to address it, so HB (House Bill) 462, Housing Affordability Amendments was written and passed to ensure cities facilitate more MIH. He said Murray City was not a city that disregarded the initial effort of SB34.

He explained with regard to HB462 all cities are required to implement a MIH plan in all General Plans, amend existing strategies, report annually to the State an outline of planning efforts; and, either add or restrict incentives for compliance with the MIH requirement. To achieve this Mr. Smallwood outlined three options. Option 1 allows the City to amend current strategies to better match new State requirements; Option 2 means the City would start over with brand new strategies requiring the Council to approve a completely different pathway for MIH; and Option 3 requires cities to implement more than what is required. By doing so cities would be placed at a higher priority level to receive State transportation funding.

Mr. Smallwood reviewed strategies required for each option; strategies that Murray must include,

items the City could do nothing about, doable strategies and those favorable to CED (Community and Economic Development) staff and the Murray Planning Commission. He requested Council Members study all 24 strategies and also choose what they believe is most ideal. Once all preferred choices are determined, CED staff would research strategies to keep the process moving forward. Mr. Smallwood reviewed existing MIH goals and objectives located in the current GP (General Plan) and explained how some could be converted to match State language to show compliance.

He reported that in 2010 Murray led a rezoning effort to encourage density by rezoning a large portion of its manufacturing zone into a mixed-use zone. He said this was not common because most cities wait for rezone requests to be made by property owners. Ms. Martinez commented that when people hear the word rezone, they believe their homes will be bulldozed to build a quadplex. She clarified that when an area is rezoned, it is for larger land owners who want to sell or redevelop property to have flexibility. Mr. Smallwood agreed. She said the City is already doing a level of investing in MIH but would need to do more. Mr. Smallwood said the recent bill was aimed at cities who have not participated at all, and although Murray has done more, we must respond to new legislation by showing efforts towards something new.

Ms. Turner agreed the City already acted in accordance. Mr. Hall clarified Murray must adopt new State language verbatim and adopt their goals and specific implementation plans. He said choices should be made carefully and projects the City has done could be included in required implementation plans moving forward, but legislatively Murray would still fall short in meeting new requirements.

Ms. Dominguez asked if staff would adjust population numbers related to past sewer, water, and power infrastructure studies to add more housing. Mr. Hall said yes and clarified that when the State says MIH is required – it means more density is required. Previous studies and projects could be utilized in the new implementation plans by updating current GP language.

Ms. Turner said the term MIH was confusing because most MIH is not affordable. Mr. Critchfield agreed new legislation does specify that cities must work to facilitate MIH, but housing constructed is not afforded by all. He said there are many moving parts to the bill and Council Members should realize that Murray is doing the best it can to meet new MIH requirements being imposed on Utah cities. This does not mean the City can reach what it wants to in terms of affordability.

Ms. Dominguez asked the State deadline to submit new MIH plans. Mr. Smallwood said before October 1, 2022. A public hearing would be held during the August 4, 2022 Murray Planning commission meeting and Council Members would consider a final proposal on September 24, 2022. He offered to meet one on one with Council Members to dive deeper into the material.

Mr. Hall said Murray addressed the MIH issue in 2003, 15 years prior to Senate Bill 34 when a MIH section was included in Murray's GP. He felt the housing crisis in Utah would not be solved by how the Council responds to new legislation. Affordable housing was always a concern to staff which is why they work to provide many housing options.

There was a lengthy conversation about how to proceed or vote for strategy choices. Mr. Smallwood agreed it was short notice for the Council to evaluate 24 strategies. Ms. Turner said the Council depends on CED staff expertise for planning strategies and she wondered about unintended

consequences if choices are left to the Council. He encouraged them to study and communicate with the Mayor's office to form good choices and assured staff would assist them. Ms. Martinez said planning should not start from scratch. Ms. Dominguez asked if personal choices would be discussed at the next work session. Mr. Critchfield said it was appropriate for Council Members to converse separately with the Mayor's office and meet with CED staff to discuss choices so that ideas can be gathered in a timely manner.

- **Reports from Murray City representatives who serve on interlocal boards, committees, and commissions.**

- **UIA (Utah Infrastructure Agency)** – Ms. Moore said the FY 2022-2023 tentative budget was adopted and would be finalized and approved at the next board meeting. As part of the budget UIA is projecting to allocate dividends of \$502,000 to Murray City, which the City would use to offset the UTOPIA (Utah Telecommunications Open Infrastructure Agency) bond payment. She reported that in FY 2022 Murray received \$178,000 when customer subscriptions increased.

UIA and UTOPIA have finished building out Murray City, except for various Homeowner Association properties. Overall, UIA has 27 service providers and 42,000 residential subscribers; in Murray the service is available to 10,000 homes and over 14,000 businesses. Murray provides UIA with approximately 3,500 residential subscribers. Ms. Moore believes the take rate will eventually increase from 27% to 40%.

- **UTOPIA** – Mr. Hill said the UTOPIA board accepted the tentative budget which would be finalized and considered in a public hearing during the June board meeting. Laurie Harvey, Chief Financial Officer retired, and the position is filled. The board approved a Memorandum of Understanding that will allow UTOPIA staff to work with Rural County Representatives of California. The goal is to help small organizations in central California implement a telecommunications system like UTOPIA. Similar to what UTOPIA did for Idaho that provided significant revenue for UTOPIA, there would be no cost to UTOPIA or member cities for assisting rural companies in California.
- **VECC (Valley Emergency Communications Center)** – Mr. Hill reviewed that VECC struggled for years to improve call answering percentages, based on timing. In April of 2022 they exceeded the national standard adopted by the State of Utah by answering 90% of all calls within 15 seconds or less. Police departments will see a 13.5% increase for VECC services and fire departments an 11% increase due to new software and new staff needed to meet the national standard. He reminded the Council that they recently approved Murray police and fire FY 2022-2023 tentative budgets reflective of these increases. Also in the budget was a savings goal to reach a 25% reserve level because for years VECC did not operate with any reserves for annual operations.

Chief Mittelman worked with VECC and other agencies to create a new system that will allow Murray City responders to be called out for all emergencies located in Murray. Currently, VECC software calls a vehicle in the system that is located closest to a scene. Mr. Hill said to ensure safety is top priority, it is important for Murray citizens to see Murray vehicles arrive with Murray staff. Murray emergency vehicles are staffed with specifically trained personnel that VECC software does not take into consideration related to criteria that Murray Fire Department has

established as more favorable. Other agencies do not always send responders qualified for an incident. Chief Mittelman confirmed Murray will always staff ambulances with two paramedics; other agencies provide one EMT and one paramedic, which is a difference of 2,000 hours of education. Mr. Hill said the VECC board will review the proposed system and Murray Fire will continue to pursue the concept, but not all VECC members agree with it.

- **Metro Fire** – Mr. Hill said Metro Fire is an interlocal organization of cities that do not belong to the Unified Fire Department. Metro Fire meets every three months to discuss common concerns and issues. They also share services and resources. There was nothing significant to report.
- **Salt Lake County COG (Council of Governments)** – Mr. Hill said COG meets four times per year which involves mayors from all cities and townships in Salt Lake County. From the last three meetings new committee assignments were implemented for entities like the WFRC (Wasatch Front Regional Council), Utah Department of Transportation, Public Works and taxing entities ZAP, a program that supports zoos, arts, and parks; and TRCC that supports programs for tourism recreation, culture, and conventions. Mayor Hales was assigned to a regional growth committee for the WFRC. COG members heard from Utah Transportation Authority about the possibility of continuing free fares on public transportation; and about a proposal to construct a gondola in Little Cottonwood Canyon. There was a discussion about whether or not Salt Lake County law enforcement, UPD (Unified Police Department) has been duplicating services handled by municipalities. This created a double taxation issue. Chief Burnett reviewed all Murray services provided by UPD and found a few instances of duplication that were reported to the County.
- **Discussion on Fireworks** – Chief Mittelman said safety is the number one goal regarding fireworks. He reviewed legislative history regarding fireworks in Utah that has evolved since 1993. State Code was read to confirm that cities must provide identifying areas where the discharge of fireworks is prohibited because of historical hazardous environmental conditions, no later than June first of each year. Chief Mittelman said as always, they submitted the information on time and the City's permanent Fireworks Restriction Map can be viewed on the Murray City website.

Chief Mittelman said restricted areas in Murray are the Jordan River, Murray Park and Wheeler Farm; and areas controlled by the County that are Mick Riley Golf Course and 1300 East near Vine Street. Restricted sites also envelope areas within 200 feet including waterways, trails, canyons, and washes. The City allows fireworks:

- July 2nd - July 5th
- July 22nd – July 25th
- December 31st

Ms. Turner said each year she makes a request to restrict fireworks along the Murray Canal Trail where there is a waterway and dry brush. Mr. Critchfield said since there was no hazardous condition historically, and without proof of fires in two of the last five years, the area cannot be restricted. Chief Mittelman agreed. Mr. Critchfield said it is up to fire code officials to determine hazardous areas and conditions and inform the Council of such conditions. Chief Mittelman confirmed there was no history of fire along that creek or at homes along the Canal Trail.

Chief Mittleman reviewed things like weed control, education through social media, signage in

restricted areas, County and City website restriction maps, and having both police and fire officials aware of restrictions, as things the City can do to help prevent unwanted incidents. He encouraged residents to trim and cut dead branches from trees; and discussed best practices for disposing of used sparklers and fireworks.

Adjournment: 6:02 p.m.

Pattie Johnson
Council Office Administrator III

DRAFT



Discussion Items



Discussion Item #1



MURRAY

Murray City Council

Parks and Recreation Department Report

Council Action Request

Committee of the Whole

Meeting Date: July 5, 2022

Department Director Kim Sorensen	Purpose of Proposal Monthly Department Report
Phone # 801-264-2619	Action Requested Information only.
Presenters Kim Sorensen	Attachments
	Budget Impact None
	Description of this Item The Parks and Recreation Department will provide an update on their department.
Required Time for Presentation 30 Minutes	
Is This Time Sensitive Yes	
Mayor's Approval	
Date June 22, 2022	



MURRAY
CITY COUNCIL

Discussion Item #2



MURRAY

Community & Economic Development

Discussion on Moderate Income Housing

Council Action Request

Committee of the Whole

Meeting Date: July 5, 2022

Department Director Jared Hall Phone # 801-270-2427 Presenters Zac Smallwood Jared Hall Required Time for Presentation 30 Minutes Is This Time Sensitive No Mayor's Approval Date	Purpose of Proposal Review CED Staff suggested responses to requirements of HB462 regarding Moderate Income Housing. Action Requested Information only. Attachments Budget Impact None. Description of this Item The new requirements passed by the State Legislature for moderate income housing plans and reporting by municipalities (HB462) have been the focus of two previous discussions with the Council. Following up those discussions where the various requirements and the "menu of strategies" were reviewed, CED Staff is preparing an outline of what we believe are the most appropriate of those strategies to utilize in our proposed modifications of the Moderate Income Housing Plan. Staff hopes to present these strategy options to the Council in preparation to take final proposed amendments to the Moderate Income Housing Plan (Chapter 9 of the General Plan) to the Council for adoption at a public hearing before the State imposed deadline of October 1, 2022.
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TO: Murray City Council
FROM: Community & Economic Development
DATE: June 30, 2022
RE: Committee of the Whole Moderate Income Housing Discussion

Council Members,

Beginning in May, Murray City Planning Division Staff conducted a number of discussions with the Planning Commission and City Council regarding amendments to the Moderate Income Housing (MIH) element of the General Plan. Earlier this year, the State of Utah required changes to the way cities plan for opportunities to include Moderate Income Housing within each municipality. In previous discussions we have covered how housing affordability is calculated, what that means, and the goals and strategies that are currently included in the City's MIH. We also went over the requirements of the newest state legislation and the individual menu items must be chosen from.

Considering feedback from the Planning Commission and City Council, Staff has identified a number of the menu items for recommendation. The items were selected based on their general support from the Commission and Council, and on our ability to craft meaningful and effective implementation strategies to support them. You will find the recommended items below. Division staff identified five that are listed as "recommended", representing the best fit for the requirement. Three alternatives have also been listed and could serve either as substitutes if there are any concerns or as additions to strengthen the MIH.

Recommendations

- Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing.
- Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
- Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed use zones near major transit investment corridors.
- Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.
- Develop and adopt a station area plan in accordance with Section 10-9a-403.1.

Staff Supported Alternatives

- Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.
- Demonstrate creation of, or participation in, a community land trust program for moderate income housing.
- Implement zoning incentives for moderate income units in new developments.

The attachments to this letter are to provide an early look at what implementation strategies may look like. The Attorney's Office has also provided a spreadsheet with their review of each of the menu items.

If there are no concerns you feel need to be addressed, staff will proceed with drafting final implementation strategies, and include them with the selected menu items for presentation at a public hearing at the Planning Commission in early August. In September the amendments will be forwarded to the City Council for adoption, allowing Staff to submit the adopted amendments to the Moderate Income Housing chapter to the State by 10/01/2022 as required.

We look forward to continuing the conversation with you all. If you have anything you want to talk about before the meeting please don't hesitate to reach out.

Sincerely,

Zachary Smallwood
Senior Planner | Murray City Corporation
4646 South 500 West | Murray UT 84123
(801) 270-2407
zsmallwood@murray.utah.gov

Draft Implementation Strategies for Moderate Income Housing Menu Items

Recommended Menu Items

Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing

- Work with Murray Power to develop a plan to increase power capacity by 12/31/2027 in areas determined by City Leaders to help facilitate the addition of more housing.
- Collaborate with Murray City Water to update their masterplan and identify areas of opportunity to increase capacity by 12/31/2023.
- In coordination with Murray City Parks and Recreation, review the 2020 Parks and Recreation Masterplan and update the City Council on progress of the 10-year plan by 12/31/2025.
- Work with Murray Wastewater to develop a plan to increase capacity by 12/31/2027.

Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones

- By 12/31/2023 review regulations to facilitate the construction of additional detached ADUs.
 - Review and determine whether to allow a second ADU to be located on properties.
 - Review the setback requirements for detached ADUs.
 - Consider allowing second stories for appropriately located accessory structures WHEN that second story is an ADU.

Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed use zones near major transit investment corridors

- Review the MCMU zone by xx/xx/xxxx and determine whether allowing for substantially increased density provided that a portion of the project is developed as moderate income housing is appropriate.
- Conduct a review of the Centers Mixed Use zone by xx/xx/xxxx to identify opportunities for amendments to allow for moderate income housing.
- Review the MCCD zone by 12/31/2023 and recommend changes to help facilitate moderate income housing.
- Research and draft an appropriate mixed use zone or zones for use in the Fashion Place West area by 12/31/2024. Adopt mixed use zoning for implementation in the Fashion Place West area by 7/1/2025.

Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality

- By 12/31/2022 CED Staff will work with the Finance Department to assess scope and feasibility of a program.
- By 12/31/2023 City Staff will present a proposal for a down payment assistance program to the city leaders.

Develop and adopt a station area plan in accordance with Section 10-9a-403.1

- By 12/31/2025 in accordance with State Statute; adopt Station Area Plans for all currently active light rail and commuter rail stations within Murray City.
 - By 12/31/2023, Murray North (Fireclay) Station Area Plan adopted.
 - By 12/31/2024, Fashion Place West amended to reflect state statute.
 - By 12/31/2025, Murray Central amended to reflect state statute.

Alternative Menu Items

Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing

- By 12/31/2023 and every year thereafter, the redevelopment agency of Murray City will seek to spend approximately \$xx,xxx (or x%) in new programs or projects related to MIH.

Demonstrate creation of, or participation in, a community land trust program for moderate income housing

- Work with Neighborworks to develop a community land trust program by 12/31/2026

Implement zoning incentives for moderate income units in new developments

- By xx/xx/xxx amend Chapter 17.132 "Incentive Density Bonus" of the Murray City Land Use Ordinance to include less restrictive opportunities for the inclusion of moderate income housing in current multi-family zones.

HB 462 - Analysis of the Menu of Moderate Income Housing Options Required for the General Plan

Under HB 462, the City must revise the Moderate Income Housing (MIH) Element incorporated into its General Plan. The Legislature has required that cities choose from certain "menu" options in creating/revising this MIH Element

I. MIH ELEMENT MUST INCLUDE THE FOLLOWING STRATEGY:

Recommended	(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1	
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II. MIH Element Must include One of the Following Three Strategies:

		Notes	Financial Intervention	Regulatory Intervention	Administrative Resources
Recommended	(G) amend land use regulations to allow for higher density <i>or</i> new moderate income residential development in commercial or mixed-use zones near major transit investment corridors	Does NOT require City funding. The easy application is to simply increase density within these zones; if amending land use laws to allow for new moderate income residential development, the City would be required to use administrative resources to define, incentivize and enforce	Low	Moderate	High
	(H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities	This strategy appears to simply allow areas such as transit developments to have much less or no parking. To enforce parking codes where developments are not required to provide parking will require the addition of police resources and/or an administrative process to handle all of the parking tickets and complaints. The City has reduced parking in the MCCD, TOD, and Mixed-Use zones.	Low	Moderate	High
	(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act		High	High	High

III. MIH Element Must Select Three of the remaining strategies:

	(A) Rezone for densities necessary to facilitate the production of moderate income housing	Requires the City to zone for high density housing. The City may already be zoned appropriately. How much density does Murray need to satisfy the legislature? Based on the assumption that higher densities will facilitate MIH. Assumes that higher densities will allow more inventory to be built, and that more housing inventory will cause prices to lower and become moderate-income affordable	Low	Moderate	Moderate
Recommended	(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing	Requires City funding. City is to pay for the rehabilitation or expansion of infrastructure "that facilitates" MIH. This item begs the question as to what <i>infrastructure facilitates</i> the construction of moderate income housing, not simply facilitating the construction of an increase of market rate housing inventory	High	Low	Moderate

	(C) Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing	Requires City funding. This requires not just investing in order to put housing stock into the market for an increase in overall inventory, but making sure it is moderate income housing specific. This would mean either the City purchases the property, pays to improve it, and then becomes the landlord so as to charge MIH rates; or the City pays for the rehabilitation for a developer and the City pays (subsidizes) the developer the difference between market rate and MIH rate to ensure MIH. We are unaware of current existing housing stock that is uninhabitable in Murray.	High	Low	High
	(D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing	Requires City funding. The City "eats" the construction-related fees (does not collect from the developer but pays these fees from the general fund) on behalf of developer who constructs or rehabs MIH. City would become watchdog (likely through agreement) to ensure that developer constructs or rehabs housing where rent meets moderate income housing rate. This requires the City to develop standards to ensure the waiver of fees goes to the development of actual moderate income housing.	High	Low	High
Recommended	(E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones	Requires Ordinance Amendments. This option works to increase density and potentially overall housing unit inventory, however there is no guarantee it is or will be moderate income. City would have to amend its ADU ordinance to allow for streamlined or fewer regulations for ADUs.	Low	Low	Low
	(F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers	Does NOT require City funding. It is unclear whether Murray's zoning currently is already at an acceptable density in these areas. While this element would require amending Murray's zoning to increase density in the listed zones (commercial zones or mixed use zones near Trax, commercial centers (the mall?) or employment centers (what is an employment center? Large employers?)), it is unclear how a city zones for moderate income residential development. See footnote 1.	Low	Moderate	Moderate
	(I) amend land use regulations to allow for single room occupancy developments	Does NOT require City funding (although increased density may cause increase in the cost of infrastructure, public services and public safety services). Murray would have to amend zoning laws to allow for this type of arrangement. The City used to allow for this type of congregate living but eliminated it many years ago. This would bring back this type of use. See footnote 2	Low	Low	Low

Alternative	(J) implement zoning incentives for moderate income units in new developments	Does NOT require City funding. Since the City cannot REQUIRE a private-sector developer to construct MIH, to comply with this menu item, the City could put in the land use (zoning) code an incentive to build a minimal amount of MIH in order to increase density (more housing units per acre) than the base zone allows. Non-monetary zoning incentives (such as density increases) would be needed, and would need to directly address moderate income housing in new developments. We have this incentive in one of the mixed use zones as well as a chapter on density incentives. Where a developer will include a minimum number of MIH units in a new development, the developer can be rewarded by being able to build higher density (more units) than would be allowed without the MIH units. Do we already have enough of this type of incentive in our land use code to comply with this menu item?	Low	High	Moderate
	(K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund	Requires City funding: This option appears to require an increase in funds for the City to establish a grant or housing loss mitigation fund, and resources to oversee and run such a program. The City would pay ("subsidized units", "grant program" or "housing loss mitigation fund") owners/developers to keep and/or build MIH units.	High	High	High
	(L) reduce, waive, or eliminate impact fees related to moderate income housing	Requires City to forego impact fees. This would be an incentive for a developer to build MIH -- ie, waiving impact fees. However, this alone would likely not cover the difference between market rate and MIH rate. So standing alone, this would likely not result in MIH.	High	Low	Moderate
Alternative	(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing	Requires City funding. This requires an increase of administrative costs as well as capital costs to either create a fund to purchase land or to participate in a CLT). See footnote 3. This requires a substantial (both up-front and ongoing) investment in money by the City (and by the private sector assuming a private entity will gift a substantial amount of money) to start a non-profit and to continue to fund its purchase of property and the construction of homes. <i>The CLT by design artificially maintains lower lease rates so that homes are affordable.</i>	High	High	High
Recommended	(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality	Requires City funding. This option requires financial contributions and administrative resources to set up an assistance program. Murray currently works with Neighborworks and Murray provides direct financial aid in certain circumstances. Direct financial aid could include providing financial assistance through grants or interest free loans for example.	High	Low	High

(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, and entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing	May require RDA/City funding. The RDA and City work with Neighborworks.	Low	Low	Moderate
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Alternative	(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing	Requires RDA funding. This strategy puts the RDA in the position of creating directly or subsidizing the construction of moderate income housing units. This "menu item" requires that the RDA show it's 20% affordable housing allotment is being used to "create or subsidize" MIH. We have been doing this on a very limited basis with Neighborworks.	Moderate	High	High
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(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530	Requires City to forego impact fees. This would be an incentive for a developer to build external accessory dwelling units -- ie, waiving impact fees. However, this alone would likely not cover the difference between market rate and MIH rate for external accessory dwelling units. So standing alone, this would likely not result in MIH.	Moderate	Low	Moderate
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(S) create a program to transfer development rights for moderate income housing	Requires <u>NO</u> City funding (unless the City becomes the "bank"). A TDR transaction involves: (a) selling the development rights from a sending site, thereby preserving the sending site from future development; and (b) purchase of those development rights by the owner of a site in the receiving area to be allowed to build at a higher density or height than ordinarily permitted by the base zoning. See Footnote 4	Moderate	High	High
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(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing	Requires City funds to purchase and develop land and homes to be used for moderate income housing	High	Low	Moderate
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(U) develop a moderate income housing project for residents who are disabled or 55 years old or older	Requires City funding. Requires the City to purchase land, pay to develop a housing project, and then pay further to ensure that it is used for disabled residents or those 55 years old or older	High	High	High
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(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones	Requires <u>NO</u> City funding. Requires zoning regulations to disguise apartment buildings to look like single-family homes in areas where community is walkable or in mixed use zones. Walkable would mean where there is enough density justifying nearby retail stores such as grocery, hardware, restaurant, and other such stores.	Low	Moderate	Moderate
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(X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing	Catch-all menu item for City to create a "program" or "strategy" to do what the legislature has not thought of. The example of a "dedication of a local funding source" requires City funding . Financial, Regulatory and Administrative interventions cannot be identified because this option allows municipalities to craft their own strategy and show to the state that it will work towards addressing moderate income housing needs.			
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Footnotes:

1	"[R]esults show that despite gains made by many policy enactments directed towards increased housing production and rental assistance, most underserved populations who comprise the renter universe remain just that – underserved. And simply building more new housing is not the answer either. Additional strategies must be implemented, and services provided to ensure residents can attain and maintain affordable housing." Eric W. Price, National Housing Preservation Foundation
2	Single room occupancy (often abbreviated to SRO) is a form of housing that is typically aimed at residents with low or minimal incomes who rent small, furnished rooms with a bed, chair and sometimes a small desk – each such bedroom has a lock and key. SRO units are rented out as permanent residence and/or primary residence to individuals, within a multi-tenant building where tenants share a kitchen, toilets or bathrooms. SRO units range from 80 to 140 sq. ft. In some instances, contemporary units may have a small refrigerator, microwave or sink. There is a variety of levels of quality, ranging from a "cubicle with a wire mesh ceiling" at the lowest end, to small hotel rooms or small studio apartments without bathrooms at the higher end." see - https://en.wikipedia.org/wiki/Single_room_occupancy
3	A community land trust (CLT) is a structure that allows land to be held "in trust" for community needs, outside of the influence of market pressures. In a traditional real estate transaction, the homeowner owns the house and the land that it sits on. A CLT transaction separates ownership of the land from the buildings that sit upon it. The CLT retains ownership of the land and leases it to the homeowner. In theory, the purchase price is more affordable because the homeowner is only buying the structure, not the land. The homeowners lease the land from the CLT in a long-term (often 99-year), renewable lease. Finally, the homeowners often must agree to sell the home at a restricted price to keep it affordable in perpetuity, but they may be able to realize appreciation from improvements they make while they live in the house. See also: https://groundedsolutions.org/strengthening-neighborhoods/community-land-trusts

Transfers of development rights (TDR) programs are voluntary programs that allow the owner of one property (the “sending site”) to transfer its development rights to the owner of a second property (the “receiving site”). Most commonly used in conservation efforts, these can also be used to preserve affordable housing. Some places use TDRs to encourage the preservation of affordable housing developments and generate revenue to support their (affordable housing development’s) continued operations. In this context, the sending site – an existing affordable housing development – sells its unused development capacity to a receiving site. The sale preserves the current use of affordable housing and raises funds that can be reinvested in the development to help preserve it for the long-term. The owner of the receiving site may then build at a higher density or building height than would ordinarily be allowed by the underlying zoning code. These programs are most likely to be effective in areas where there is a strong demand for additional density on potential receiving sites. In some cases, the city managing the TDR program plays an interim role by purchasing development rights from sending sites and holding them for a future buyer in a TDR “bank”. By maintaining a TDR bank, local jurisdictions ensure that sending sites can sell their development rights when needed, even if a buyer is not immediately available. TDR programs require careful planning and design. See also: <https://localhousingsolutions.org/housing-policy-library/transfers-of-development-rights/>



MURRAY
CITY COUNCIL

Adjournment



MURRAY
CITY COUNCIL

Council Meeting 6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Special Recognition



MURRAY
CITY COUNCIL

Special Recognition #1



MURRAY


Mayor's Office

Recognition of Danny Astill

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Brett Hales Phone # 801-264-2600 Presenters Mayor Hales Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval  Date June 21, 2022	Purpose of Proposal Resolution of appreciation for Danny Astill Action Requested Present the Resolution to Danny Astill and thank him for his many years of service. Attachments Budget Impact None Description of this Item See Resolution
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**JOINT RESOLUTION #R-22-32
A JOINT RESOLUTION OF THE
MAYOR AND MURRAY CITY MUNICIPAL COUNCIL
IN APPRECIATION FOR
DANNY ASTILL**

WHEREAS, Danny has worked for Murray City for 27 years and 5 months and has chosen to retire July 15, 2022; and

WHEREAS, Danny has held the positions of Assistant Water Superintendent, Water Superintendent, and most recently, Public Works Director; and

WHEREAS, with Danny's leadership, residents know they'll always have their trash and recycling picked up each week, safe sidewalks to walk on, clean water to wash their hands with, and safe road conditions for when they go out and make essential trips; and

WHEREAS, during his time with Murray City, Danny instituted a water use accounting methodology that lowered water loss from 35% to 10%; established a system-wide water and wastewater specification manual, implemented a career ladder system for employee advancement; developed several water conservation programs that resulted in a significant reduction in water use; served as a board member for the Central Valley Water Reclamation Facility; and

WHEREAS, Danny was instrumental in the construction of two water reservoirs, one new water well, the upgrade of seven other water wells and associated facilities, the reconstruction and consolidation of three wastewater lift stations, and many other transportation and water system improvements throughout the city; and

WHEREAS, although Danny is retiring from Murray City, his adventures will continue as he and his wife Karen will serve as missionaries for The Church of Jesus Christ of Latter-day Saints in Slovakia and the Czech Republic.

BE IT THEREFORE RESOLVED, by the Mayor and Council of Murray City that the city expresses its most sincere appreciation and gratitude to Danny Astill for the many years of service and contributions.

PASSED, APPROVED AND ADOPTED this 5th day of July 2022.

Murray City Corporation

Murray City Municipal Council

Brett A. Hales, Mayor

Kat Martinez, Chair, District 1

Pam Cotter, District 2

Rosalba Dominguez, District 3

Attest:

Diane Turner, District 4

Brooke Smith, City Recorder

Garry Hrechkosy, District 5



Special Recognition #2



MURRAY

Mayor/City Council

Water Conservation

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Mayor Hales	Purpose of Proposal Joint Resolution supporting water conservation Action Requested Pass a Joint Resolution Attachments Joint Resolution Budget Impact None Description of this Item The Council will consider adopting a Joint Resolution for water conservation.
Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval Date June 23, 2022	

RESOLUTION NO. R22-33

A JOINT RESOLUTION OF THE MAYOR AND CITY COUNCIL ENCOURAGING INCREASED WATER CONSERVATION DUE TO DROUGHT CONDITIONS.

WHEREAS, on April 21, 2022, Utah Governor Spencer J. Cox declared a state of emergency due to the continuation of an extreme drought that has “impacted the state eight of the last 10 years”; and

WHEREAS, the state of Utah experienced a statewide snowpack peak at 25% below normal which has led to a decline in spring water; and

WHEREAS, counties and cities across the state are experiencing drought conditions and record high temperatures; and

WHEREAS, many of the reservoirs around the state that provide drinking and irrigation water are well below their capacities; and

WHEREAS, water is a valuable resource and an essential element for life that should be used wisely and as efficiently as possible to provide a stable water supply for the community; and

WHEREAS, Mayor Brett A. Hales and the Murray City Municipal Council encourage all residents to increase their efforts to conserve water.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Murray City Municipal Council that the Mayor and Council ask Murray residents and businesses to implement the following water conservation practices:

1. Don't water the lawn more than three times per week (as suggested by the Utah Department of Natural Resources).
2. Don't water when it's windy.
3. Don't water between 10 a.m. – 6 p.m.
4. Prioritize your watering to impact the most valuable plants in your landscape first: Trees, shrubs, perennials, annuals then grass. Grass is resilient and will enter dormancy during times of drought and high temperatures and recover when conditions improve.
5. Mow your lawn higher. Set mower blades to 3-4 inches. Taller grass means deeper roots that can access water that is deeper in the soil. Tall grass also shades roots and soil to reduce water loss through evaporation.
6. Manually shut off systems during rain and wind events in areas without rain and wind sensors.
7. Audit and repair all landscape irrigation systems so they are operating at maximum efficiency.
8. Install a smart irrigation controller.

PASSED, APPROVED, AND ADOPTED by the Mayor and Municipal Council of Murray City, Utah this 5th day of July, 2022.

MAYOR

MURRAY CITY MUNICIPAL COUNCIL

Brett A. Hales

Kat Martinez, District 1

Pam Cotter, District 2

Rosalba Dominguez, District 3

Diane Turner, District 4

Garry Hrechkosy, District 5

ATTEST:

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



MURRAY
CITY COUNCIL

Consent Agenda



MURRAY

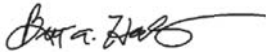
Mayor's Office

Re-appointment of Darin Bird to the Shade Tree Commission

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Blaine Haacke	Purpose of Proposal Re-appointment of board member
Phone # 801-264-2715	Action Requested Consider confirmation of the mayor's re-appointment of Darin Bird to the Shade Tree Commission.
Presenters Mayor Hales	Attachments Resume
	Budget Impact None
Required Time for Presentation	Description of this Item Darin Bird will be re-appointed to the Shade Tree and Beautification Commission from 6/30/2021 - 6/30/2023.
Is This Time Sensitive Yes	
Mayor's Approval 	
Date June 21, 2022	

Darin G. Bird

WORK EXPERIENCE

Utah Department of Natural Resources *Deputy Director* 1/05 - Present

Deputy Director of an agency with over 1,200 employees and an annual budget of over \$200 million. Supervise the Divisions of State Parks, Forestry, Fire and State Lands, Water Resources and the Utah Geological Survey as well as administrative functions and legislative/federal issues. Represent Executive Director at numerous functions as well as board and committee positions.

Utah Dept of Natural Resources *Communication/Legislative Affairs Director* 11/98-3/02 & 12/02-1/05

Managed Department Public Affairs Team, Legislative Team, and served as Olympic Coordinator and member of the State Olympic Coordinating Council. Represented department at the Utah State Legislature and at meetings and boards statewide. Coordinated departmental publications.

Office of Lt. Governor Olene Walker *Transitional Information Officer* (Temp. Assignment) 10/03 - 11/03

Requested by Governor's office to assist Lt. Governor Walker with media and speaking events during transition from the Leavitt to Walker administrations. Began work on the Governor's Watershed Initiative as part of the "Walker Works" program.

U.S. House of Representatives, Committee on Resources *Senior Policy Advisor* 3/02 - 12/02

Worked directly with the Chairman of the House Resource Committee to complete the legislative agenda during the 107th Congress. This committee has oversight on all public lands, forests, parks, Native American and U.S. Territories, wildlife, fisheries and marine issues.

Utah State Olympic Office *Special Projects* (Temp. Assignment) 1/02 - 3/02

Requested by State Olympic Coordinator Lane Beattie just prior to and during the 2002 Winter Olympics to coordinate special projects including torch lightings at the Utah State Capitol for the Olympics and Paralympic events. Hosted VIP visitors at the Soldier Hollow Olympic Venue.

Office of United States Senator Robert F. Bennett 1/93 - 11/98

Special Assistant for Energy, Agriculture and Natural Resources

Represented the Senator in Utah with issues, policy and legislation regarding the Departments of Interior, Energy and Agriculture as well as all natural resource, rural issues, healthcare and 2002 Olympic issues. Briefed the Senator on issues and case work within area of responsibility. Completed special projects and tasks as assigned by Senator.

Office of Governor Norman Bangerter *Director of Constituent Services/Special Assistant* 6/89 - 1/93

Directed Office of Constituent Services including all services for the general public offered by the Governor's office. Advised, briefed and wrote speeches for Governor Bangerter on issues, policy and legislation regarding the state Departments of Agriculture, Insurance, Utah National Guard, Military and Veterans Affairs.

EDUCATION

***Southern Utah University* - Cedar City, Utah 1989 Full Academic or Leadership Scholarships/two years**

BS: Communication, Public Relations/Advertising Emphasis/Minors: Business Administration and Political Science

LEADERSHIP: ***President, Southern Utah University Student Association - 1988-89***

Chair, Utah Council of Studentbody Presidents - 1988-89

Led an effort that registered over 30,000 new student voters statewide for 1988 election.

President, Utah Student Association, Represented over 100,000 college students in Utah.

Member, Southern Utah University Board of Trustees - 1988-89

Legislative Internship, Utah House of Representatives - 1987 General Session

AWARDS: ***Male Contributor of the Year Award - 1988 (Thunderbird Awards)***

Thunderbird Special Recognition Award for Outstanding Service - 1989

***Dixie State College* - St. George, Utah 1986 Full academic scholarship/two years**

Associate of Science: Business Administration

Congressional Internship, Rep. James V. Hansen, Washington DC - Fall 1986

COMMUNITY SERVICE AND AWARDS

Roadless Area Conservation National Advisory Council, Member, Appointed by the U.S. Secretary of Agriculture, 2006-2009
Murray Shade Tree & Beautification Commission, Appointed by the Mayor & confirmed by the City Council, 2009-present
Best State Program in the Nation Award, 2004, Take Pride in America, U.S. Department of the Interior
Olene S. Walker Nonpoint Source Watershed Improvement Award, 2004, For leadership with Watershed Initiative
Young Alumni Award, 2002, Southern Utah University (First recipient of the award)
Board of Advisors, 2000-present, Michael O. Leavitt Center for Politics and Public Service, Southern Utah University
Alumni Chapter President, Southern Utah University, Salt Lake Chapter, 2006-08
Board of Trustees, This Is The Place Heritage Park 2000-2005 and 2014-present
Board of Directors, Bonneville Resource Conservation & Development (RC&D), 1998-2002
Board of Advisors, Red Butte Garden & Arboretum; University of Utah, 1999-2002
True Friend of the Veteran Award, 1992, presented by the Utah Council of Veterans Affairs
Member, Board of Directors, Sons of the Utah Pioneers, Twin Peaks Chapter, 1998-2002
The Great Salt Lake Chili Affair Committee Member, Fund raiser for Salt Lake Homeless Shelter, 1994-96
Utah Special Olympics Winter Games Volunteer, 1996-97
State Delegate, 1992-94-96-98-2000 Republican State Conventions., *Precinct Vice Chair*, 2000-04
Sterling Scholar in Social Sciences, Studentbody Officer and Diamond "D" Service Award - Dixie High School, 1983 and *Eagle Scout*, 1980



MURRAY


Mayor's Office

Re-appointment of Janice Evans to the Shade Tree Commission

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Blaine Haacke Phone # 801-264-2715 Presenters Mayor Hales	Purpose of Proposal Re-appointment of board member Action Requested Consider confirmation of the mayor's re-appointment of Janice Evans to the Shade Tree Commission. Attachments Resume Budget Impact None Description of this Item Janice Evans will be re-appointed to the Shade Tree and Beautification Commission from 6/30/2022 - 6/30/2025.
Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval  Date June 21, 2022	




Janice D. Evans, Ed.D

Positions in Business

NCF Distributing, Murray, Utah Co-Owner	October 2012– Present
New Concept Furniture, Murray, Utah Co-Owner	October 2011– Present
Evans New Concept Furniture, Murray, Utah Sales, Public Relations, and Accounts Receivable/Payable	Oct 1988– October 2011
Take Five Drive Inn, Murray, Utah Accounts Receivable/Payable and Public Relations	October 1988– October 2009

Positions in Education

Principal Longview Elementary, Murray District, Murray, Utah	August 1998– August 2003
Director Elementary Education, Murray District, Murray, Utah	August 1986 – August 1998
Principal Horizon Elementary, Murray District, Murray, Utah	August 1984 – August 1986
First Grade Teacher Libbie Edward Elementary School, Granite District, Salt Lake City, Utah	August 1983 – August 1994
Third Grade Teacher Whittier Elementary School, Granite District, Salt Lake City, Utah	August 1982 – August 1983
Educational Consultant Harcourt Brace Javonovich Publishers Western Region Office San Francisco, California	July 1980 - August 1982
Research Fellow University of Utah	September 1979 – June 1980



Instructional Center, Staff Development
Granite School District

August 1979 – July 1980

Chapter 1/Title I Program
Granite School District & State of Utah

August 1974 - August 1989

Fourth Grade Teacher
Woodstock Elementary, Granite School District

September 1971 – June 1974

Service to Murray City

Murray Shade Tree and Beautification Commission

Fall 2003 – Present

Arbor Day Celebrations Committee Member

August 1986 – August 1998

Degrees

Ed.D University of Utah, 1979
 Major – Educational Administration
 Area of Specialization – Educational Law and Collective Bargaining

M.Ed University of Utah, 1974
 Major – Curriculum and Instruction
 Area of Specialization – Reading

B.S. University of Utah, 1971
 Major – Elementary Education



MURRAY


Mayor's Office

Re-appointment of Geneal Nelson to the Shade Tree Commission

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Blaine Haacke Phone # 801-264-2715 Presenters Mayor Hales Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval  Date June 21, 2022	Purpose of Proposal Re-appointment of board member Action Requested Consider confirmation of the mayor's re-appointment of Geneal Nelson to the Shade Tree Commission. Attachments Biography Budget Impact None Description of this Item Geneal Nelson will be re-appointed to the Shade Tree and Beautification Commission from 6/30/2021 - 6/30/2024.
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Bio for Geneal Nelson
Murray City Shade Tree Commission Member
District #3 Representative

My name is Geneal Nelson. Our family has been Murray residents for the past 13 years. My husband works in an established private orthopedic practice here in Murray and our children have attended Murray schools. We have grown to love our Murray community and all it has to offer our family.

I have been a stay at home mother for many years now raising our five amazing children ranging in ages from 23 to 10 years of age. I also serve currently as Parkside Elementary PTA President. This will be my third year serving. I have filled positions such as Treasurer, Art Literacy coordinator, Teacher Appreciation coordinator and on the Red Ribbon Week committees. I also volunteer in my children's classrooms assisting where needed. I am also currently serving as the Treasurer for the Murray High School Renaissance Association providing monthly expense reports. My hobbies in addition include reading, sewing, hiking, snow and water skiing with my family, gardening and interior decorating. I am always looking for ways to beautify my surroundings.

Serving as a member of the Murray Shade Tree Commission has been a fulfilling position for me and complement things I am already interested in. I am a confident and social person who gets along with others easily. This position has allowed me to contribute to the community in a small but meaningful way.



MURRAY


Mayor's Office

Re-appointment of Judith Payne to the Shade Tree Commission

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Blaine Haacke Phone # 801-264-2715 Presenters Mayor Hales	Purpose of Proposal Re-appointment of board member Action Requested Consider confirmation of the mayor's re-appointment of Judith Payne to the Shade Tree Commission. Attachments Resume Budget Impact None Description of this Item Judith Payne will be re-appointed to the Shade Tree and Beautification Commission from 6/30/2021 - 6/30/2024.
Required Time for Presentation	
Is This Time Sensitive Yes	
Mayor's Approval 	
Date June 21, 2022	

JUDITH O. PAYNE
Murray, Utah 84123

EDUCATION: B.A. University of Utah (Honors), SLC, UT
Major: English Teaching
Minor: German

Utah Master Naturalist in Aquatic and Wetland Systems
Utah State University Extension

WORK 2001 – PRESENT: Program Coordinator/Teacher

EXPERIENCE: Kennecott Nature Center of Murray
Murray School District

2011 – Outstanding Educator/Pinnacle Award
Murray School District

1998 – 2001: Teacher, Murray School District
Hillcrest Junior High School
Substitute Teacher

1983 – 1987: Teacher, SLC, Granite School Districts
English and German Classes

VOLUNTEER: 2015 – PRESENT: Murray City Shade and Beautification
Commissioner representing District 1

2001 – 2015: Murray City Arbor Day/Earth Day Celebration
Murray School District liaison to Murray City

Other: Cub Scout Den Leader, Church Youth Group Leader,
PTA Safety Commissioner and School Community Council

PERSONAL: Married to Douglas Payne
Enjoy reading and the great outdoors!



MURRAY


Mayor's Office

Appointment of Joelle Rasmussen to the Library Board

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Kim Fong Phone # 801-264-2585 Presenters Mayor Hales	Purpose of Proposal Appointment of board member Action Requested Consider confirmation of the mayor's appointment of Joelle Rasmussen to the Library Board. Attachments Resume Budget Impact None Description of this Item Joelle Rasmussen will be appointed to the Library Board from July 2022 - June 2025. Joelle will take the place of Brent Gardner who has completed his term.
Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval  Date June 21, 2022	

CURRICULUM VITAE

Joelle Rasmussen

Murray, UT 84107

EDUCATION

University of Phoenix Salt Lake City, Utah Campus License in Educational Leadership	2012
University of Utah Salt Lake City, Utah Master of Science, Speech-Language Pathology	1999
University of Utah Salt Lake City, Utah Bachelor of Science, Communication Disorders	1996

EMPLOYMENT

Assistant Professor, Clinical Speech-Language Pathologist University of Utah Speech, Language and Hearing Clinic Department of Communication Sciences and Disorders	2021 - Current
Speech-Language Pathologist in the Public Schools <ul style="list-style-type: none">• Canyons School District, Pre-k - Adult<ul style="list-style-type: none">o Midvalley Elementaryo Canyons Assistive Technology Teamo Jordan Valley Extended School Yearo Bell View HeadStarto Midvalley HeadStart• Murray School District, K - Adult<ul style="list-style-type: none">o Parkside Elementaryo Longview Elementaryo Hillcrest Junior Higho Creekside Extended School Yearo Liberty Elementaryo Granite and Murray Assistive Technology Teams• Park City School District, Pre-K – 12<ul style="list-style-type: none">o Trailside Elementaryo Park City High Schoolo Park City Preschoolo Parley's Park Elementaryo Ecker Hill Middle Schoolo Park City Assistive Technology Team	22 Years of Experience 2016 – 2021 2002 – 2016 1999 – 2002

SCHOOL BASED LEADERSHIP

Utah Assistive Technology Specialist/Team Leader

2001 - Present

- Coordinated with IEP Teams in Canyons, Murray, Granite, and Park City
- Initiated and established the new Murray School District Assistive Technology Team
- Planned and led bi-monthly meetings and consultation with teachers and individual students throughout the district
- Organized and presented at school and district-wide trainings
- Evaluated and supported individual students
- Organized parent trainings and annual open houses
- Purchased and maintained high- and low-tech equipment
- Trainings included Snap Core First, Touch Chat, LAMP, PECS, Read & Write for Google, CoughDrop, Step-by-Step, 7-Level Communication Builder, Go Talks, Adapted Stories

Building Leadership Team

2013 - Present

- Made schoolwide decisions on scheduling, curriculum, behavior, budgeting and school improvement goals for Midvalley Elementary in Canyons School District and Parkside Elementary in Murray School District

Speech-Language Pathology Coordinator Murray District

2005 - 2016

- Hired, Trained, Supervised, and Mentored SLPs
- Interviewed and hired for speech-language pathologist and assistant positions
- Coordinated with other districts and the state to establish file audit procedures for Speech-Language Impairment Classification
- Established mutually productive partnerships within the field, the community, and other educational institutions (Murray, Jordan, Salt Lake, Davis, Canyons, and Alpine Districts)

Title I Summer School Coordinator Parkside Elementary

2015

- Created, staffed, and ran a summer program available to all students, free of charge
- Ensured successful implementation for science, reading, math, P.E., and art

Extended School Year Coordinator Murray School District

2009 - 2014

- Selected, trained, and managed staff, families, and communities in order to include as many eligible special needs children with Individual Education Plans (IEPs) as possible
- Created progress monitoring procedures to inform parents and case managers of IEP goal present levels for each student

Community Council Hillcrest Junior High

2009 - 2011

- Coordinated monthly with Administrators, Teachers, and Parents
- Provided input on spending Land Trust Funds to ensure academic success
- Reviewed Academic Success and progress for all students

Autism Team Murray School District

2005 - 2009

- Consulted for individual students, teachers, and classrooms.
- Presented for parents, schools, districts, USBE, and the Autism Council of Utah

STATE LEADERSHIP

ASHA State Education Advocacy Leader (ASHA SEAL) 2016 - 2019 and 2021 - Current

- Advocated for workloads, salary supplements, and supervision concerns
- Testified before the House Education Committee in 2019
- Helped update USHA Bylaws
- Assisted with the yearly USHA Conference
- Participated with the USHA Board of Directors in monthly meetings
- Participated in monthly ASHA SEAL Conference Calls

Utah Assistive Technology Leadership Council 2014 - 2016

- Collaborated with state and district leaders to plan and organize the 2015 State Assistive Technology Conference held at the Ogden Eccles Conference Center.
- Reevaluated and wrote Assistive Technology policy for the State.
- Coordinated with national presenters, Chris Bugay and Gayl Bowser, to provide Assistive Technology trainings throughout the state of Utah.
- Attended Conferences: ATIA (Assistive Technology Industry Association), CTG (Closing the Gap), and CSUN (International Technology for Persons with Disabilities Conference sponsored by California State University at Northridge)

Utah Speech-Language Pathology Coordinator Member 2005 - 2012

- Collaborated quarterly with other coordinators from almost every district in Utah and with Jocelyn Taylor, Director of Speech-Language Pathology and Autism Services at the Utah State Office of Education
- Reviewed state policies for speech-language impairments
- Provided input on needed state trainings and supports for SLPs
- Established expectations for state file auditing for speech-language impairment

State Technology Grant 2011

- Worked with the School Special Education team to receive the Utah State Office of Education Technology Grant for Education of \$50,000, the largest awarded that year
- Purchased, trained, implemented, and maintained 100 iPod Touches for Parkside Elementary School students K – 6th grade to access digital academic activities

Utah Mentor Teacher Academy 2009 - 2011

- Collaborated with State and District leaders in an effort to increase student performance in all subject areas
- Gained strategies for individual and school-wide performance from national presenters, which were implemented through individual and group projects

Autism Trainings for the Autism Council of Utah 2005 - 2007

- Trained parents and teachers to increase social communication using STAR, PECS, and Joint Attention Skills at various Autism conferences from Ogden to St. George

PROFESSIONAL DEVELOPMENT/TEACHING EXPERIENCE

Guest Lecture for Graduate Students at the University of Utah

2015 - Present

- Yearly presentations for second year graduate students in Dr. Mathy's Externship Boot Camp Lecture Series on the Role of the SLP in School Work Settings, 1 hour class
- Yearly presentations for first year graduate students in Dr. Manwaring's class on School-Age Language Disorders, 3 hour class

Instructor for Speech-Language Technician Institute

2016 - 2019

- Taught and Supervised for multiple days of the licensure program each summer
- Assisted with program planning and selecting additional speakers
- Trained by Utah Professional Development Network

Professional Development Speaker for Canyons School District

2017-2019

- Informed SLPs of the Top 10 Issues ASHA is following in Schools
- Trained District SLPs on Narrative Retell and Assistive Technology

UNIVERSITY AFFILIATIONS

Externship Supervisor

2005 - Present

- The University of Utah, including Mini-Rotations
- Idaho State University
- Utah State University, including the Extension Program
- Brigham Young University
- The University of Oregon
- The University of Colorado

University of Utah Department of Communication Sciences and Disorders (CSD)

Public School SLP Focus Group

2015 - 2017

- Discussed issues that may assist the bridging of the school extern supervisors and the CSD clinic.
- Established mutually productive partnerships with the field, the community, and other educational institutions (Murray, Jordan, Salt Lake, Davis, Canyons, and Alpine School Districts).
- Conducted a meeting among current University of Utah CSD faculty, myself, and the USBE Teacher Specialist over Related Service Providers in an effort to address service delivery issues and how to improve recruitment and retainment of SLPs in Utah schools.

PROFESSIONAL DEVELOPMENT FOR SUPERVISION (16+ hours)

Supervision of Graduate Students and Speech-Language Assistants, 2 hours By Lee Robinson, BYU Faculty, at Canyons District PD	2019
Roles and Responsibilities in the Clinical Education Process, 2.5 hours	2018
Knowledge and Skills for Effective Clinical Education, 2.5 hours	2018
Evidence-Based Principles in Clinical Education, 2.5 hours	2018
Methods of Clinical Education, 2.5 hours	2018
The Importance of Clinical Education, 2.5 hours	2018
Supervision of Graduate Students and Speech-Language Technicians, 2 hours By Pamela Mathy, U of U Faculty, at Canyons District PD	2017

SCHOOL BASED CERTIFICATION AND LICENSURE

Educational Administration License, USBE	Current
Level 3 Teaching License, USBE	Current
Speech-Language Pathology Endorsement K-12, USBE	Current
ESL Endorsement, USBE	Current
Safety Care Trained	2015-2020
Level 1 Technology Certification, Canyons School District	2018

PROFESSIONAL MEMBERSHIPS AND LICENSURE

American Speech-Language Hearing Association	1999 – Present
• Certificate of Clinical Competence (ASHA CCCs)	2002 – Present
Utah Speech-Language Hearing Association	1999 – Present
UT Division of Occupational & Professional Licensing, Speech Language Pathologist	2020-2021

AWARDS AND RECOGNITIONS

Murray School District Pinnacle Award for Excellence in Education	2015
Parkside Elementary PTA Teacher of the Year	2012
Autism Council of Utah "For outstanding service in enhancing the lives of individuals with Autism."	2007



MURRAY
CITY COUNCIL

Public Hearing



MURRAY


Power Department

Ordinance to Vacate PUE for 4800 Lofts 448 W 4800 S

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Blaine Haacke Phone # 8015589626 Presenters Bruce Turner Required Time for Presentation Is This Time Sensitive Yes <input type="button" value="v"/> Mayor's Approval  Date June 7, 2022	Purpose of Proposal Murray City Power to vacate easement at 448 W. 4800 S. Action Requested To have the ordinance of vacating the easement granted. Attachments Budget Impact No impacts on budget are to be expected. Description of this Item Murray City Power has a large blanket easement covering most of the property at 447 W. 4800 S. This easement is no longer needed as changes in overhead and underground power will require a new PUE for the 4800 Lofts development.
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MURRAY CITY CORPORATION

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on the 5th day of July 2022, 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 closing and vacating an unused public utility easement on property located at 447 West 4800 South, Murray City, Salt Lake County, State of Utah.

The purpose of this public hearing is to receive public comment concerning the proposal to close and vacate the described portion of the unused public easement and right-of-way.

DATED this 14th day of June 2022.



MURRAY CITY CORPORATION

A handwritten signature in blue ink, appearing to read "Brooke Smith", is written over a horizontal line.

Brooke Smith
City Recorder

DATES OF PUBLICATION: **June 24, 2022**
PH22-23

UCA §10-9a-208

- 10 days prior to the public hearing:
 - o Post on or near the utility easement in a manner calculated to alter the public
 - o Mail to each affected entity
 - o Mail to record owners of property within 300 feet of the property
 - o Post on the City website
 - o Post on Utah Public Notice Website

After recording, return to:
City Attorney's Office
Murray City Corporation
5025 South State Street
Murray UT 84107

Mail tax notice to:

Affected Parcel ID Nos:
21-12-129-007
21-12-129-017
21-12-129-026
21-12-129-027
21-12-129-028

ORDINANCE NO. _____

AN ORDINANCE PERMANENTLY CLOSING AND VACATING AN
UNUSED PUBLIC UTILITY EASEMENT AT 447 WEST 4800 SOUTH,
MURRAY CITY, SALT LAKE COUNTY, STATE OF UTAH

WHEREAS, the Murray City Municipal Council received a petition to vacate an unused public utility easement from IMH 4800 Lofts, LLC; and

WHEREAS, the petition requested that an unused public utility easement located on the property at 447 West 4800 South, Murray, Salt Lake County, State of Utah, be permanently closed and any rights-of-way vacated; and

WHEREAS, the petition meets the requirements of U.C.A. §10-9a-609.5, 1953 as amended; and

WHEREAS, the request was made in order to facilitate the proposed construction of the 4800 Lofts Apartment development; and

WHEREAS, the Murray City Municipal Council finds good cause to permanently close the requested portion of the unused public utility easement at 447 West 4800 South, Murray, Salt Lake County, State of Utah, and to vacate any right-of-way; that the action will not be detrimental to the public interest, nor materially injure any person or

the public interest; and that said unused public utility easement should be permanently closed and the right-of-way vacated; and

WHEREAS, the Murray City Municipal Council finds that there is filed a written consent to the vacation by the owners of the properties adjacent to the portion of right-of-way being vacated; that affected entities have been given notice and have been consulted; that owners of record of each parcel accessed by the right-of-way have been given notice; and that notice has been published and a public hearing has been held on _____, 2022 pursuant thereto, all as required by law.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. That the unused public utility easement located at 447 West 4800 South, Murray, Salt Lake County, State of Utah, is permanently closed and vacated and that the City releases any and all title, right or interest it may have in the described parcel, SUBJECT TO any easement or right-of-way of any lot owner and the franchise rights of any public utility. The public utility easement hereby vacated is particularly described as follows:

447 West 4800 South

Commencing 144.05 feet, South and North 89° 49' West 388.03 feet, and South 0° 11' West 241.5 feet, from North ¼ corner, Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian, South 7° West 515.6 feet, North 65° West 350 Feet, North 6° West 384.09 feet, South 89° 49 feet, East 373.19 feet to beginning.

3.05 acres

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 _____, 2022.

MURRAY CITY MUNICIPAL COUNCIL

Kat Martinez, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved.

DATED this ____ day of _____, 2022.

Brett A. Hales, Mayor

ATTEST:

Brooke Smith, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance or a summary hereof was published according to law on the ____ day of _____, 2022.

Brooke Smith, City Recorder

1853781'

BOOK 1936 PAGE 334

Recorded at Request of Murray City Corp JUN 26 1962
at 2:01 P M Fee Paid None NELLIE M. JACK, Recorder Salt Lake County, UtahBy Easement Dep. Ref. 5461 South State St, Murray, 324

George A. Wood, and Mable Wood, His wife, hereby convey and warrant to MURRAY CITY, a municipal corporation of the State of Utah, its successors and assigns, Grantee, for the sum of One (\$1.00) Dollar and other valuable consideration, a perpetual easement and right of way for the installation and continued maintenance, repair, alteration and replacement of Utility

of the Grantee, also upon and across the premises of the Grantor, in Salt Lake County, State of Utah, along a line described as follows:
Commencing 144.05 feet, South and North 89° 49' West 388.03 feet, and South 0° 11' West 241.5 feet, from North ¼ corner, Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian, South 7° West 515.6 feet, North 65° West 350 Feet, North 6° West 384.09 feet, South 89° 49 feet, East 373.19 feet to beginning. 3.05 acres.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the easement granted and all rights and privileges incident thereto, with Grantee's use, occupation or enjoyment of this easement.

Grantee agrees to hold and save the Grantor, harmless from any and all damages arising from its use of the right, easement, and right of way herein granted and agrees to repair any damage or pay the reasonable value of said damages, at Grantee's option, which may arise to the premises through Grantees use, occupation and possession of the rights herein granted.

WITNESS the hand of the Grantor, this _____ day of _____, 19____.

STATE OF UTAH }
COUNTY OF SALT LAKE } SS.

On this 31st day of May, 1962, personally appeared before me, George A. Wood and Mabel Wood, his wife, the signers of the above instrument who duly acknowledged before me that they executed the same.



Wm B. Fading
Notary Public

Residing in Murray, Utah

My Commission Expires:



MURRAY CITY CORPORATION
PUBLIC WORKS

Murray City Right-of-Way / Easement Vacation Application – Fee \$500

Petitioner:

Name: IMH 4800 Lofts LLC; John Thomas Phone: 801-833-3501

Email: jthomas@nlhbuilders.com

Address: 1808 Ashton Ave, Suite 220

City: Carlsbad State: CA ZIP: 92008

Authorized Representative:

Name: Ridgemark; Roy Bartee Phone: 801-599-7772

Email: rbartee@ridgemarkllc.com

Address: PO Box 900787

City: Sandy State: UT ZIP: 84090

Engineer/Surveyor:

Name: Johanson Surveying; Shane Johanson Phone: 801-815-2541

Email: sjohansoneng@gmail.com

Address: PO Box 18941

City: Salt Lake City State: UT ZIP: 84118

PETITIONER(S) ACKNOWLEDGEMENT

All fees must be paid at the time of application submittal. The payment of fee and / or acceptance of such fee by the City does not constitute approvals or signify that the application is complete or appropriate in any manner. The collection of fees is simply a requirement to begin the review process that will make such determination.

Petitioner(s) Signature:  Date: 4/19/2022

Murray City right-of-way vacation process and required submittals

1. Petition: Submit petition addressed to City Council to vacate all or some of a street, right-of-way, or easement. Petition must include:
 - a. Name and address of each owner of record of land that is:
 - (i) adjacent to the street, right-of-way, or easement and
 - (ii) accessed exclusively by (or within 300 feet of) the street, right-of-way, or easement.
 - b. Signatures of adjacent owners who consent to the vacation.
2. Provide location, street address range, depiction and description.
3. Present the proposed request to vacate in a bi-monthly Planning Review Meeting to get staff level comments and requirements on the feasibility of the proposed vacation (optional).
4. If the Applicant chooses to proceed after staff review, the following items will need to be provided to the City Engineer:
 - a. Survey and legal description.
 - b. Title report.
 - c. Approval letters from all public and utility companies that have facilities in, on, or above the property, right-of-way or easement.
 - d. Appraisal Report. This may be omitted if it's determined that the City received the property, easement or right-of-way through a no cost dedication.
 - e. Record ownership information for each parcel that is accessed by the public street, right-of-way or easement.
5. The City will provide all required notices.
6. The City will prepare the required ordinance. Applicant must provide plat.
7. The City will schedule and hold a Public Hearing with the City Council. The Applicant should attend this Hearing.
8. If the vacation is approved, the City will record the ordinance and/or the plat.

PETITION TO VACATE EASEMENT
4800 Lofts – 447 West, 4800 South, Murray, Utah

Murray City Council
5025 South State Street
Murray, Utah 84107

April 11, 2022

RE: Petition to vacate unused easement located parcels that make up the 4800 Lofts Apartments

Murray City Council,

This letter of petition is submitted to request the vacation of an "Utility Easement" granted in favor of Murray City. The easement was recorded June 26, 1962; Record number 1853781 Book 1936 Page 334.

According to City Engineer Trae Stokes, the easement is not currently used by Murray City. There are no Murray City Utilities including water, sewer, storm water, or power within the easement.

The easement is an impediment to the successful construction of the 4800 Lofts Apartments project. It affects three of the four buildings previously approved during the Conditional Use Permit Process. There are adjacent landowners also affected by this easement.

We respectfully request the vacation of the easement as cited above.

Attached to this letter of petition are signatures from the adjacent Landowners also affected by this easement.

Sincerely,

A handwritten signature in black ink, appearing to read 'John D. Thomas', is written over a horizontal line.

John D. Thomas
Manager
IMH 4800 Lofts, LLC


Continues next page...

PETITION TO VACATE EASEMENT
4800 Lofts – 447 West, 4800 South, Murray, Utah 84123

Parcels Affected By Easement and Signature Consenting to Vacation of Easement

Owner: IMH 4800 Lofts, LLC
Address: 1808 Aston Avenue, Suite 220
Carlsbad, California 92008
Parcels: 21-12-129-007 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-017 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-026 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-027 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-028 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
The above Parcels have been consolidated into one Parcel (See attached Notice of Approval)

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: 
Printed Name: John D. Thomas
Title: Manager

Owner: 48th Street LLC (Storage Units)
Address: 457 West – 461 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-022 48th Street LLC – Storage Units

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: _____
Printed Name:
Title:

Continues next page...

PETITION TO VACATE EASEMENT
4800 Lofts – 447 West, 4800 South, Murray, Utah 84123

Parcels Affected By Easement and Signature Consenting to Vacation of Easement

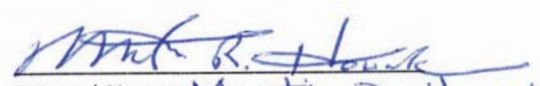
Owner: IMH 4800 Lofts, LLC
Address: 1808 Aston Avenue, Suite 220
Carlsbad, California 92008
Parcels: 21-12-129-007 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-017 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-026 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-027 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
21-12-129-028 IMH 4800 Lofts, LLC – 4800 Lofts Apartments
The above Parcels have been consolidated into one Parcel (See attached Notice of Approval)

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: _____
Printed Name: John D. Thomas
Title: Manager

Owner: 48th Street LLC (Storage Units)
Address: 457 West – 461 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-022 48th Street LLC – Storage Units

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: 
Printed Name: Martin R. Honck
Title: Managing member of
48th Street LLC

Continues next page...

Owner: Merrill A & Jim Wood
Address: 409 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-004 Jim & Merrill Wood – Home Owner

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.


Signature:


Printed Name: Merrill Wood Jim Etter C. Wood
Title:

Owner: Teddy L Wardle
Address: 393 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-005 Teddy L Wardle – Home Owner

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature:


Printed Name:
Title:

Owner: RL Property One, LLC
Address: 385 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-030 RL Property One – Rehab facility

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature:

Printed Name:
Title:

Owner: Merrill A & Jim Wood
Address: 409 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-004 Jim & Merrill Wood – Home Owner

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: _____
Printed Name:
Title:


Owner: Teddy L Wardle
Address: 393 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-005 Teddy L Wardle – Home Owner

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: _____
Printed Name:
Title:

Owner: RL Property One, LLC
Address: 385 West 4800 South
Murray, Utah 84123
Parcel: 21-12-129-030 RL Property One – Rehab facility

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature:  _____
Printed Name: James Petersen
Title: President / Managing Member

Owner: School House Galleria, LLC
Address: 4998 South Galleria, Drive
Murray, Utah 84123
Parcel: 21-12-176-016 School House Galleria

I hereby Consent to the proposed Vacation of the Easement Record Number 1853781 Book 1936 Page 334.

Signature: _____
Printed Name:
Title:

PETITION TO VACATE EASEMENT
4800 Lofts – 447 West, 4800 South, Murray, Utah 84123

Attachments:

- Letter of Representation
- Existing Easement to be vacated Record Number 1853781 Book 1936 Page 334
- Aerial Overlay of existing easement
- ALTA Survey
- Notice of Approval of Parcel Consolidation



Murray City Council
C/O Trae Stoke – Murray City Engineer
5025 South State Street
Murray, Utah 84107

April 20, 2022

RE: Supplement Letter of Representation to Petition to Vacate Easement
4800 Lofts – 447 West 4800 South, Murray, Utah

Trae and Murray City Council,

This letter is a supplemental letter to the Petition to Vacate Easement dated April 11, 2022. The subject easement was recorded June 26, 1962; Record number 1853781 Book 1936 Page 334.

IMH 4800 Lofts LLC hereby represents, to the best of its knowledge, there are no public or private utilities in, on, or over the land covered by the easement cited above and in the accompanying petition. The Murray City Engineer indicated to 4800 Lofts LLC there are currently no Murray City facilities in, on, or over the land covered by the easement.

Sincerely,

DocuSigned by:

14F8B55C478B495...

John D. Thomas
Manager
IMH 4800 Lofts, LLC

1853781'

BOOK 1936 PAGE 334

Recorded at Request of Murray City Corp JUN 26 1962
at 2:01 P M Fee Paid None NELLIE M. JACK, Recorder Salt Lake County, UtahBy E. A. S. E. M. E. N. T Dep. Ref. 5461 South State St, Murray, 324

George A. Wood, and Mable Wood, His wife, hereby convey and warrant to MURRAY CITY, a municipal corporation of the State of Utah, its successors and assigns, Grantee, for the sum of One (\$1.00) Dollar and other valuable consideration, a perpetual easement and right of way for the installation and continued maintenance, repair, alteration and replacement of Utility

of the Grantee, also upon and across the premises of the Grantor, in Salt Lake County, State of Utah, along a line described as follows:
Commencing 144.05 feet, South and North 89° 49' West 388.03 feet, and South 0° 11' West 241.5 feet, from North ¼ corner, Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian, South 7° West 515.6 feet, North 65° West 350 Feet, North 6° West 384.09 feet, South 89° 49 feet, East 373.19 feet to beginning. 3.05 acres.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the easement granted and all rights and privileges incident thereto, with Grantee's use, occupation or enjoyment of this easement.

Grantee agrees to hold and save the Grantor, harmless from any and all damages arising from its use of the right, easement, and right of way herein granted and agrees to repair any damage or pay the reasonable value of said damages, at Grantee's option, which may arise to the premises through Grantees use, occupation and possession of the rights herein granted.

WITNESS the hand of the Grantor, this _____ day of _____, 19____.

STATE OF UTAH }
COUNTY OF SALT LAKE } SS.

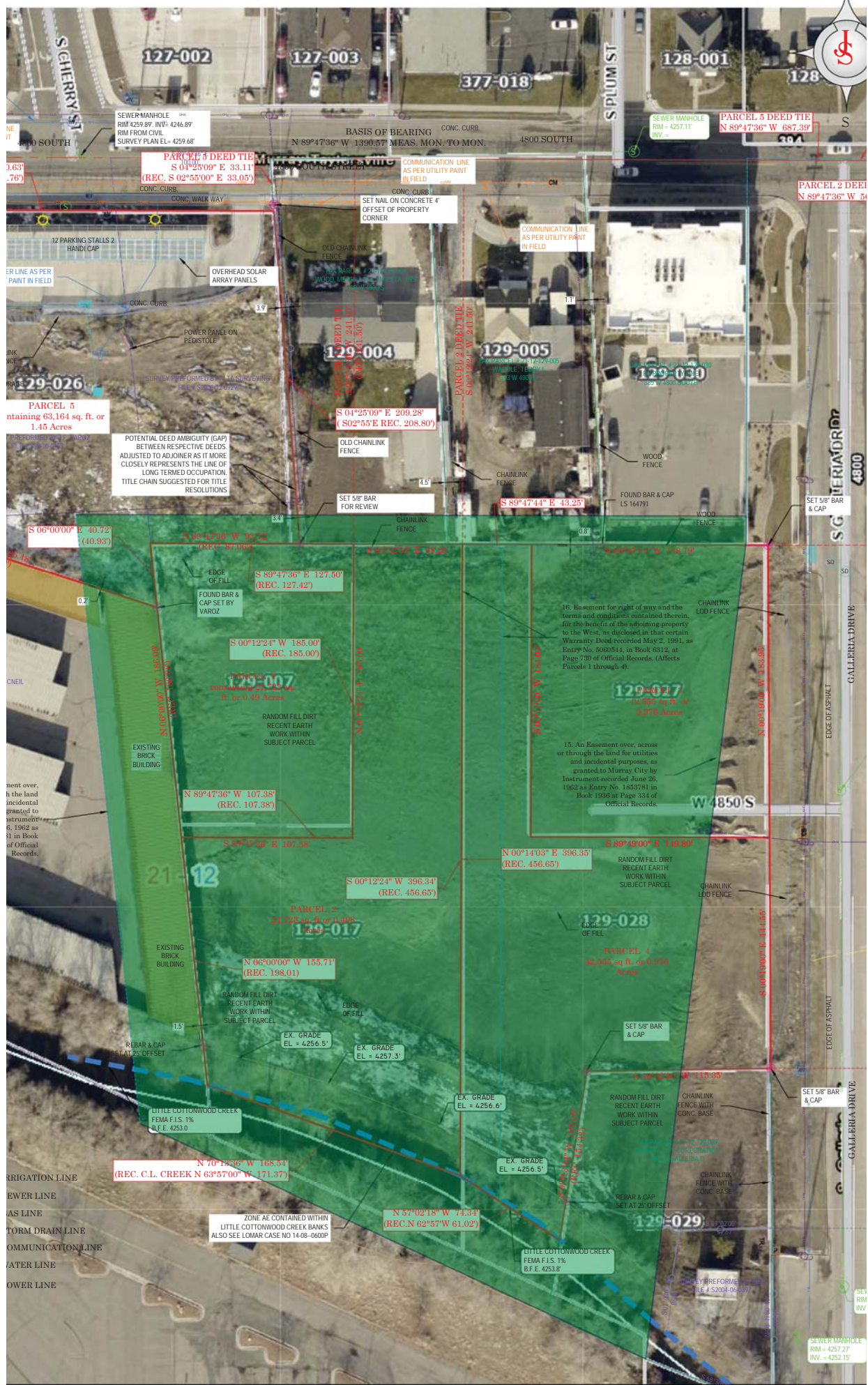
On this 31st day of May, 1962, personally appeared before me, George A. Wood and Mabel Wood, his wife, the signers of the above instrument who duly acknowledged before me that they executed the same.

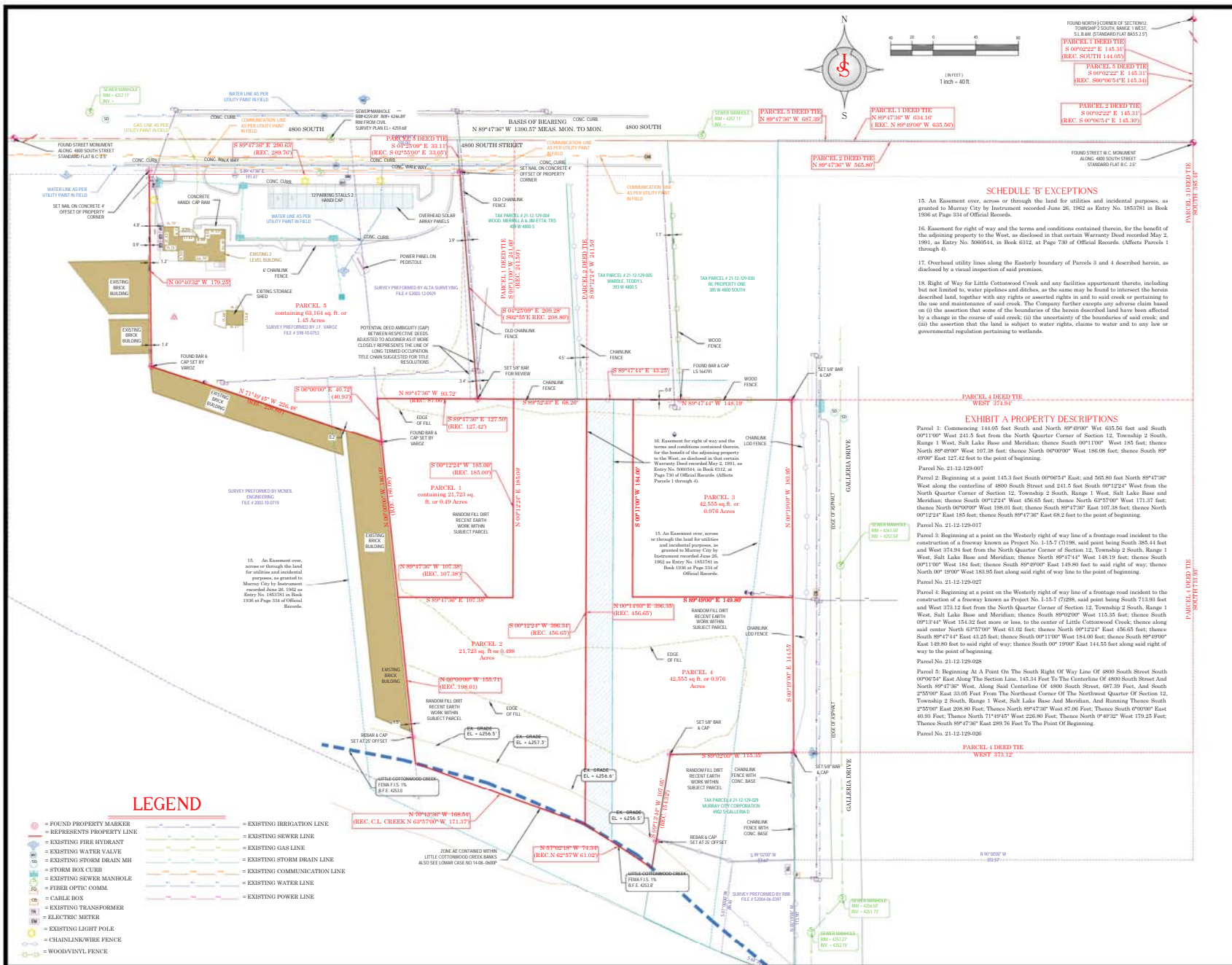


Wm B. Fading
Notary Public

Residing in Murray, Utah

My Commission Expires:





DRAWING TITLE

ALTA NSPS SURVEY

CLIENT CONTACT

KYLE DENOS
NEXT LEVEL HOMES, LLC
385-557-4079

SURVEYORS CERTIFICATE A NARRATIVE

The undersigned, being a registered surveyor of the State of Utah certifies to Next Level Homes, LLC limited liability company, First American Title Insurance Company, as follows:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 7(b), 8, 9, 11a, 13, 14, 16, 17, 18, and 19 of Table A thereof. The fieldwork was completed on December 28, 2021. Further certifies as a land surveyor registered in the State of Utah, holding License No. 7075114, concludes the following:

- The location of each easement, right of way, and other plottable information affecting the subject property as shown have been relied upon as listed in the title insurance commitment dated August 17, 2021, issued First American Title Company, File # 20975, with respect to the subject property. Title items are labeled with appropriate recording references, to the extent that such matters can be located. The property shown on the survey is the property described in that title commitment. All information of record has been solely relied upon as shown in the said title commitment. Underground utilities shown are as per utility staining provided by blue staining and/or utility companies concerning their lines.
- Utilities shown are based on ground evidence, together with a request for utility maps. Such information related to the survey is to the best of our knowledge in regards to evidence provided from requesting utility companies, and the current data they have on hand. It is recommended that a utility review, together with a physical on-site blue stake report, be made prior to any construction/alteration for the utility to update any final construction plans.
- Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has knowledge of.
- Above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets, or alleys, or (b) by the improvements on adjoining properties, streets, or alleys upon the subject property, are as shown.
- The location of each easement, right of way, and other plottable information affecting the subject property as shown herein are as listed in the title report listed above.
- The subject property has access to and from a duly dedicated and accepted public street or highway as shown herein.
- Record descriptions of the subject property forms a mathematically closed figure. Found discrepancies from record are shown herein as measured/calculated vs. (REC).
- The basis of bearing was derived from the first and second Return Measurements along the 4800 South Street and utilized on this survey as South 89°47'30" East (also as described in the area deeds and previous surveys as recorded).
- Described property is located with same X, areas determined to be outside of the 0.2% annual chance of flood zone FEMA FIRM, Map # 49045C0202, Panel 441 of 625 dated Sept. 21, 2001. ALSO SEE LOMAR CASE NO 14-08-0000P
- Subject property lies within the properties are located in the Murray Canal Mixed Use (MCMU) Zone which was amended in July of 2021. Prior to the July 2021 amendment, a development application had been.
- There are currently 12 striped parking stalls, 2 handicap with the subject property.

R. Shane Johanson P.L.S.
Licensed No. 7075114

JOHANSON
PROFESSIONAL LAND SURVEYORS

SURVEY, DESIGN, SETTING, PLANNING
SURVEYING

P.O. BOX 9041
SALT LAKE CITY, UTAH 84105
Phone: (801) 451-1041 Fax: (801) 451-1041

COPYRIGHT

This drawing is and at all times remains the exclusive property of Johanson Surveying and shall not be used with out complete authorization and written approval.

DATE: 5/21/2022
BY: R. SHANE JOHANSON
OVERSEEN BY: SHANE R. JOHANSON P.L.S.
SHEET NUMBER: 1
SHEET-1

When Recorded Return To:

IMH 4800 LOFTS, LLC
Attn: John D. Thomas
11616 S State Street, Suite 1504
Draper UT 84020

13907892 B: 11315 P: 1195 Total Pages: 6
03/09/2022 02:57 PM By: asteffensen Fees: \$40.00
NOTICE- NOTICE
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: HIGHLAND TITLE
6622 S 1300 ESALT LAKE CITY, UT 84121

Affected Parcel ID Numbers: #21-12-129-026, 21-12-129-027, 21-12-129-028,
21-12-129-007 & 21-12-129-017


NOTICE OF APPROVAL OF PROPERTY PARCEL CONSOLIDATION

447 West 4800 South and 380 West 4850 South
Murray UT 84123

Address for Parcel Consolidation to remain as: 477 West 4800 South

The Murray City Community Development Division approves the application for parcel consolidation that adjusts the property lines between Parcels ID#s #21-12-129-026, 21-12-129-027, 21-12-129-028, 21-12-129-007 & 21-12-129-017 (the "Parcels"). The original legal descriptions of the Parcels and the new legal description of the approved Parcel Consolidation are attached as Exhibit A. The parcel consolidation does not vacate or amend a public street, right-of-way or easement and does not result in a violation of any City land use ordinance. This Notice of Approval does not act as a conveyance of title of real property.

OWNER(s) OF PARCEL ID# #21-12-129-026, 21-12-129-027, 21-12-129-028, 21-12-129-007 & 21-12-129-017


By: 
John D. Thomas, Manager/Member
IMH 4800 Lofts, LLC

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 7th day of March.

2022, by John D. Thomas




Notary Public

Residing in: Salt Lake County

MURRAY CITY APPROVAL

I, Jared Hall, serving in my capacity as the Murray City Community Development Manager, approve the described property parcel consolidation as proposed on Exhibit A, by the property owner(s) of record, whereas:

- (a) No new dwelling lot or housing unit results from the property line adjustment/consolidation.
- (b) The adjoining property owner(s) consent to the property line adjustment/consolidation.
- (c) The property consolidation does not result in remnant land that did not previously exist; and
- (d) The property line adjustment/consolidation does not result in a violation of applicable zoning requirements.

Signed this 7th day of March, 2022.



Jared Hall,
Murray City Community Development Manager

STATE OF UTAH)

ss

COUNTY OF SALT LAKE)

On this 7th day of March, 2022, personally appeared before me Jared Hall, Murray City Community Development Manager, the signer of the above, who, being duly subscribed and sworn, did acknowledge to me that he executed the same.


Notary Public

My Commission Expires:

5/9/2023 Residing in Salt Lake County



"EXHIBIT A"

Existing Legal Descriptions

Parcel 1:

Commencing 144.05 feet South and North 89°49'00" West 635.56 feet and South 00°11'00" West 241.5 feet from the North Quarter Corner of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°11'00" West 185 feet; thence North 89°49'00" West 107.38 feet; thence North 06°00'00" West 188.08 feet; thence South 89°49'00" East 127.42 feet to the point of beginning.

Parcel No. 21-12-129-007

Parcel 2:

Beginning at a point 145.3 feet South 00°06'54" East; and 565.80 feet North 89°47'36" West along the centerline of 4800 South Street and 241.5 feet South 00°12'24" West from the North Quarter Corner of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°12'24" West 456.65 feet; thence North 63°57'00" West 171.37 feet; thence North 06°00'00" West 198.01 feet; thence South 89°47'36" East 107.38 feet; thence North 00°12'24" East 185 feet; thence South 89°47'36" East 68.2 feet to the point of beginning.

Parcel No. 21-12-129-017

Parcel 3:

Beginning at a point on the Westerly right of way line of a frontage road incident to the construction of a freeway known as Project No. I-15-7 (7)198, said point being South 385.44 feet and West 374.94 feet from the North Quarter Corner of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence North 89°47'44" West 148.19 feet; thence South 00°11'00" West 184 feet; thence South 89°49'00" East 149.80 feet to said right of way; thence North 00°19'00" West 183.95 feet along said right of way line to the point of beginning.

Parcel No. 21-12-129-027

Parcel 4:

Beginning at a point on the Westerly right of way line of a frontage road incident to the construction of a freeway known as Project No. I-15-7 (7)298, said point being South 713.93 feet and West 373.12 feet from the North Quarter Corner of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian; thence South 89°02'00" West 115.35 feet; thence South 08°13'44" West 154.32 feet more or less, to the center of Little Cottonwood Creek; thence along said center North 63°57'00" West 61.02 feet; thence North 00°12'24" East 456.65 feet; thence South 89°47'44" East 43.25 feet; thence South 00°11'00" West 184.00 feet; thence South 89°49'00" East 149.80 feet to said right of way; thence South 00°19'00" East 144.55 feet along said right of way to the point of beginning.

Parcel No. 21-12-129-028

Parcel 5:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4800 SOUTH STREET SOUTH 00°06'54" EAST ALONG THE SECTION LINE, 145.34 FEET TO THE CENTERLINE OF 4800 SOUTH STREET

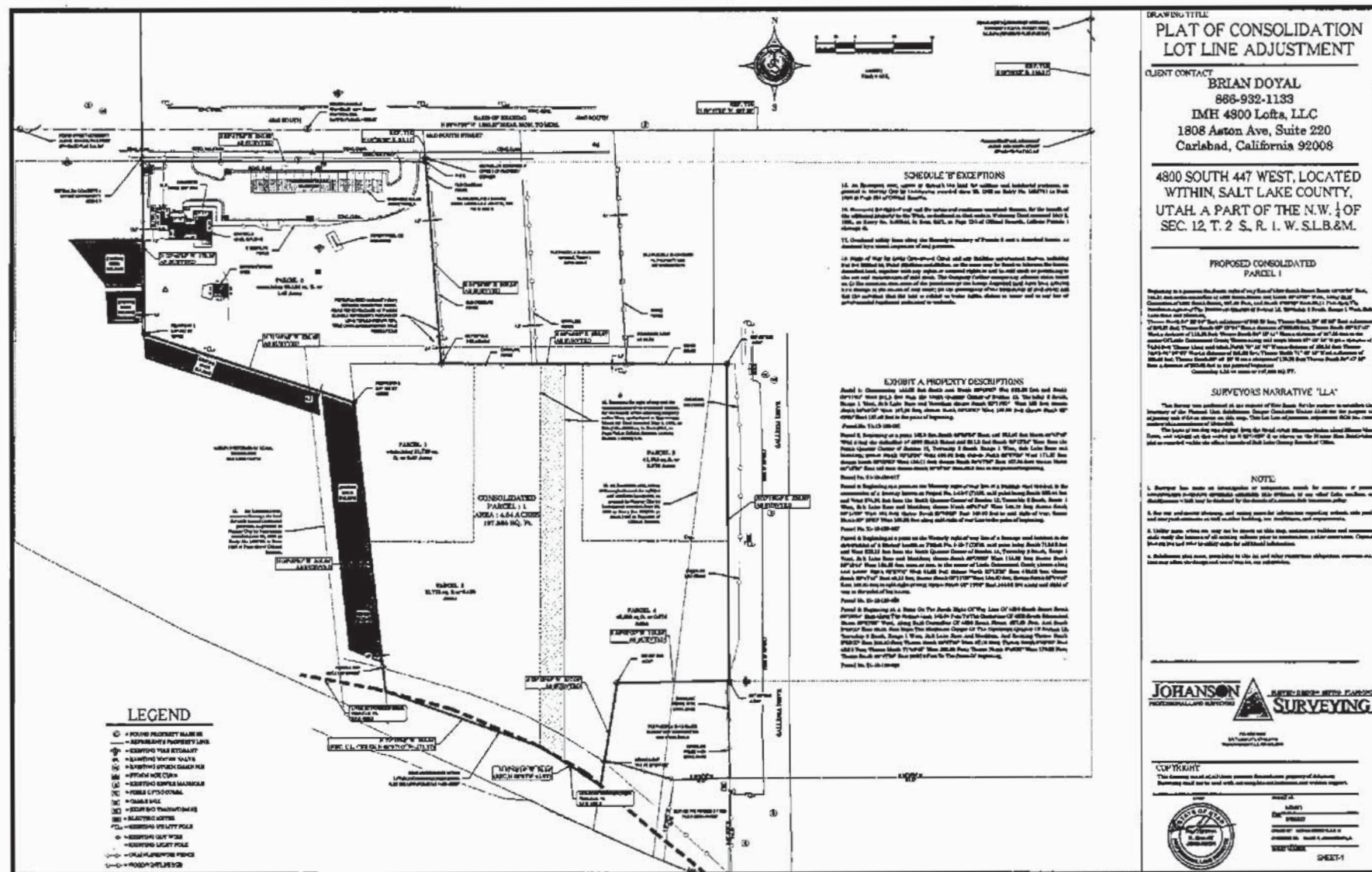
AND NORTH 89°47'36" WEST, ALONG SAID CENTERLINE OF 4800 SOUTH STREET, 687.39 FEET, AND SOUTH 2°55'00" EAST 33.05 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 2°55'00" EAST 208.80 FEET; THENCE NORTH 89°47'36" WEST 87.06 FEET; THENCE SOUTH 6°00'00" EAST 40.93 FEET; THENCE NORTH 71°49'45" WEST 226.80 FEET; THENCE NORTH 0°40'32" WEST 179.25 FEET; THENCE SOUTH 89°47'36" EAST 289.76 FEET TO THE POINT OF BEGINNING.

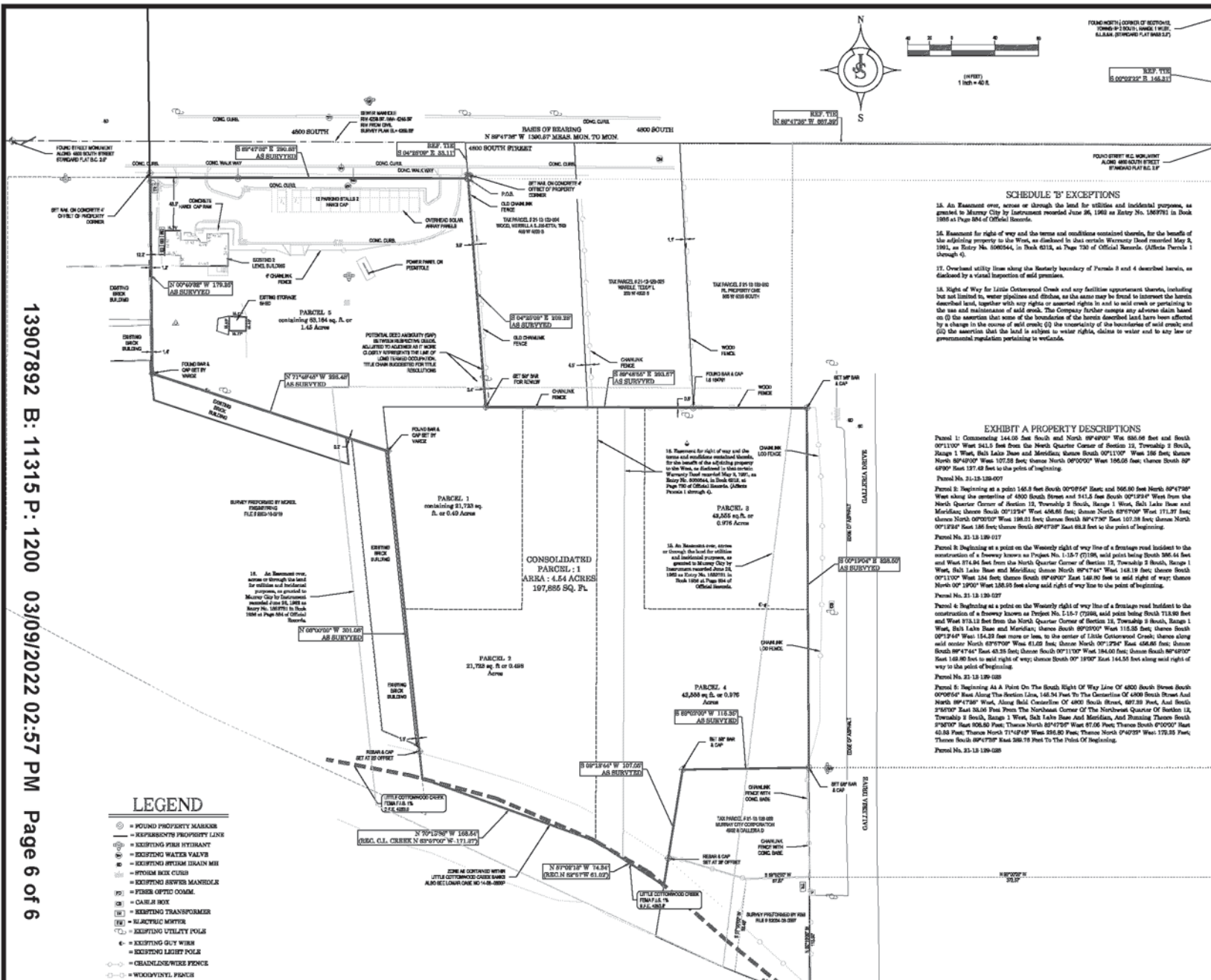
PARCEL NO. 21-12-129-026

Proposed Legal Description

Beginning at a point on the South right of way line of 4800 South Street South 00°02'22" East, 145.31 feet to the centerline of 4800 South Street and North 89°47'36" West, Along Said Centerline of 4800 South Street, 687.39 Feet, and South 4°25'09" East 33.11 Feet from The Northeast corner of The Northwest Quarter of Section 12, Township 2 South, Range 1 West, Salt Lake Base and Meridian, Thence South 04° 25' 09" East a distance of 209.28 feet; Thence South 89° 48' 55" East a distance of 293.67 feet; Thence South 00° 19' 04" East a distance of 328.50 feet; Thence South 89° 02' 00" West a distance of 115.35 feet; Thence South 09° 13' 44" West a distance of 107.05 feet to the center of Little Cottonwood Creek; Thence along said creek North 57° 02' 18" West a distance of 74.34 feet; Thence along said creek North 70° 13' 36" West a distance of 168.54 feet; Thence North 06° 00' 00" West a distance of 301.08 feet; Thence North 71° 49' 45" West a distance of 226.48 feet; Thence North 00° 40' 32" West a distance of 179.25 feet; Thence South 89° 47' 36" East a distance of 290.63 feet to the point of beginning.

Containing 4.54 +/- acres or 197,885 SQ. FT.





PLAT OF CONSOLIDATION LOT LINE ADJUSTMENT

CLIENT CONTACT
BRIAN DOYAL
 866-932-1133
IMH 4800 Lofts, LLC
 1808 Aston Ave, Suite 220
 Carlsbad, California 92008

4800 SOUTH 447 WEST, LOCATED WITHIN, SALT LAKE COUNTY, UTAH. A PART OF THE N.W. 1/4 OF SEC. 12, T. 2 S., R. 1. W. S.L.B.&M.

PROPOSED CONSOLIDATED PARCEL 1

Beginning at a point on the South Right of Way Line of 4800 South Street South 00°02'30" East, 140.51 feet to the centerline of 4800 South Street and North 89°47'39" West, along the Centerline of 4800 South Street, 137.39 feet, and South 89°02'30" East 25.11 feet to the Northeast corner of The Northwest Quarter of Section 12, Township 2 South, Range 1 West, Salt Lake Range and Meridian, Thence South 04°00'00" East a distance of 203.28 feet, Thence South 69°49'50" East a distance of 288.71 feet, Thence South 09°13'04" East a distance of 826.50 feet, Thence South 89°02'30" West a distance of 113.82 feet, Thence South 09°13'44" West a distance of 107.06 feet to the center of Little Cottonwood Creek, Thence along said creek North 87°02'18" West a distance of 74.34 feet, Thence along said creek North 70°13'30" West a distance of 109.54 feet, Thence North 09°02'30" West a distance of 80.11 feet, Thence North 71°49'40" West a distance of 235.48 feet, Thence North 89°49'50" West a distance of 179.55 feet, Thence North 89°47'39" West a distance of 288.62 feet to the point of beginning. Containing 4.54 +/- acres or 197,806 sq. ft.

SURVEYORS NARRATIVE "LLA"

"This survey was performed at the request of the client for the purpose of establishing the boundary of the Planned Unit Subdivision Deed Recordable Under 40-40 for the purpose of adjusting land 0.04 as shown on this map. This lot line adjustment adjustment 0.04 has been made within accordance of 13-3-530.

The basis of bearing was derived from the Broad Street communication along Main Street Drive, and utilized on this survey as a 0°00'00" it is shown on the Minute Main Subdivision plat as recorded within the official records of Salt Lake County Recorder's Office.

NOTE:

- Surveyor has made no investigation or independent search for monuments of record encumbrances restrictive encumbrances ownership this address, or any other facts, and/or, encumbrances which may be located by the records of a current title insurance policy.
- The city and county planning, and zoning maps for information regarding setbacks, site plan, and new yard encumbrances as well as other building, use restrictions, and requirements.
- Utility poles, wires etc, may not be shown on this map, contractors building and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact the utility and refer to utility maps for additional information.
- Subdivision plot notes, pertaining to this lot and other restrictions, covenants, etc. that may affect the design and use of this lot, are not shown.

JOHANSON
 PROFESSIONAL LAND SURVEYORS
 SURVEYING

COPYRIGHT
 This drawing is and as all times remain the exclusive property of Johanson Surveyors. Republishing shall not be used with out complete authorization and written support.

PROJECT
 6-21-21
DATE
 3/9/2022
DRAWN BY
 N. SHANE JOHANSON
CHECKED BY
 D. SHANE JOHANSON
SHEET NUMBER
 SHEET-1



MURRAY
CITY COUNCIL

Business Items



MURRAY
CITY COUNCIL

Business Item #1



MURRAY

City Council

Council Rules

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Kat Martinez Required Time for Presentation Is This Time Sensitive No Mayor's Approval Date June 21, 2022	Purpose of Proposal Discuss Council Rules Action Requested Information Attachments Current, Red-lined, and Proposed Council Rules Budget Impact None Description of this Item Council will consider adopting proposed changes to the Council Rules.
--	---

Current Council Rules

RULES OF THE MURRAY CITY MUNICIPAL COUNCIL MURRAY CITY CORPORATION

Adopted January 5, 1982. Re-adopted February 23, 1988. Amended April 26, 1988. Amended August 23, 1988. Amended April 25, 1989. Amended July 11, 1989. Amended December 12, 1989. Amended January 28, 1992. Amended January 25, 1994. Amended August 23, 1994. Amended July 11, 1995. Amended March 10, 1998. Amended June 9, 1998. Amended September 21, 1998. Amended January 4, 2000. Amended January 16, 2001. Amended May 15, 2001. Amended January 8, 2002. Amended April 29, 2003. Amended November 13, 2007. Amended October 7, 2008, October 20, 2009. Amended November 17, 2009, September 3, 2013, amended February 14, 2017, amended March 20, 2018, amended August 27, 2019, amended October 15, 2019.

I. INTRODUCTION

A. Function of Rules. These Rules shall be the governing procedures of the Murray City Municipal Council, hereafter referred to as the "Council".

B. Adoption. The Council shall adopt these Rules in a regular Council meeting.

C. Amendment. Any member of the Council may propose amendments to these Rules. Amendments shall be submitted in writing to Council members. Amendments shall be approved by a two-thirds vote of the entire Council in a regular Council Meeting.

D. Suspension. The Council may suspend the Rules by a two-thirds vote of Council members present.

II. ORGANIZATION

A. Chair. A Chair shall be elected for each calendar year by majority vote of the Council in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair.

The Chair shall be a member of the Council and its presiding officer, sign all ordinances, resolutions, and official correspondence, supervise staff, approve Council agendas, issue Council-approved press releases, represent the Council at meetings, represent the Council at official ceremonies where required, and shall serve as official spokesperson for the Council. The Chair shall also perform all other such duties prescribed by these Rules.

B. Vice-Chair. A Vice-Chair shall be elected for each calendar year by majority vote of the Council in the first regular meeting in January.

The Vice-Chair shall be the presiding Council officer in the temporary absence of the Chair, in the event that the Chair is incapacitated due to illness or is otherwise unable to attend Council meetings and shall sign as the Chair on all ordinances, resolutions, and official correspondence.

C. Vacancy in Office of Chair. In the event that the Chair shall vacate his/her office for any reason before the term has expired, the Vice-Chair shall become Chair for the remainder of that term.

D. Vacancy in the Office of Vice-Chair. In the event that the Vice-Chair shall vacate his/her office for any reason before his/her term has expired, the Council members, by a simple majority vote, shall elect a Vice-Chair to complete the term at the first regular Council meeting following the

vacancy announcement.

E. Committees. The Council shall have two standing committees: (1) Committee of the Whole and (2) Budget and Finance Committee.

1. The Budget and Finance Committee will convene exclusively for budget related meetings.
2. Ad hoc committees may be formed as necessary by majority vote of the Council.

F. Committee Membership. Each Council member shall be a member of both standing committees. The membership of ad hoc committees shall be determined by the Council at the time such committees are created.

G. Committee Chairs. Committee Chairs shall be as follows:

1. The Council Chair shall serve as the Chair of the Committee of the Whole.
2. A Chair and Vice Chair of the Budget and Finance Committee shall be elected for a term of one calendar year in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair of the Budget and Finance Committee.
3. Board and Committee Membership. Membership on the following committees shall be determined in the Committee of the Whole meeting.
 - a. Association of Municipal Councils/Salt Lake County Council of Governments
 - b. Utah League of Cities and Towns/Legislative Policy Committee.
 - c. Murray Area Chamber of Commerce Board.
 - d. Capital Improvement Program (two members).
 - e. Murray City Business Enhancement Committee (two members).
 - f. Other committees as deemed necessary.

Committee members above shall be elected for a term of one calendar year in the first regular Committee of the Whole meeting in January.

I. Absences. Any Council member absent in excess of six times from Council meetings and Budget and Finance Committee meetings (except those absences due to personal illness, urgent family matters or due to Council or personal business) shall forfeit whatever Council leadership position that member holds. Any Council member exceeding these guidelines (1) may appeal the case to the Council and (2) the Council, by majority vote, may excuse any of the absences and waive the penalty. (See Murray City Code 2.06. 050 for compensation penalty relating to Council member absences).

III. MEETINGS

A. Regular Meetings. The City Council shall meet not less than once monthly.

B. Open Meetings. All Council meetings shall be governed by the Utah Open and Public Meetings Act.

C. Type of Meetings. The Council shall meet in Council Meetings, closed meetings, workshops,

retreats and committee meetings as provided by State law.

D. Time and Place. As provided by City ordinance, the Council shall meet for Council Meetings, and committee meetings at the following times and places:

1. Committee of the Whole. The first and third Tuesdays of each month, at a time determined by the Council Chair, in Conference Room #107 in the Murray City Center, unless cancelled by the Chair.
2. Budget and Finance Committee. As approved by the Council.
3. Council Meeting. The first and third Tuesdays of each month at 6:30 p.m., (or otherwise at a time determined by the Council) in the Council Chambers in the Murray City Center, unless cancelled by the Chair.
4. Special meetings including workshops and retreats may be held as provided by State law and City Ordinance.
5. Closed meetings. As per State Code Sections 52-4-204 and 52-4-205, before any part of a public meeting may be closed for one of the valid reasons detailed below, the Council must be called together in an open meeting. At least two-thirds (2/3) of the Council members present must vote to close the meeting. The Council may close portions of its meetings to do the following:
 - a. Discuss the character, professional competence, or physical or mental health of an individual.
 - b. Hold a strategy session to discuss collective bargaining.
 - c. Hold a strategy session to discuss pending or reasonable imminent litigation.
 - d. Hold a strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction.
 - e. Hold a strategy session to discuss the sale of real property.
 - f. Discuss the deployment of security devices and investigative proceedings regarding criminal conduct.

No ordinance, resolution, rule, regulation, contract or appointment can be approved at a closed meeting. The closed portion of a meeting must be recorded and detailed minutes may be kept. These recordings and minutes are protected records under the Government Records Access and Management Act.

D. Neighborhood Meetings. Neighborhood meetings may be scheduled away from the Council's usual meeting place for the purpose of gathering or sharing information regarding current matter(s) being considered by the Council. The Council Executive Director shall arrange for a suitable place for such meetings.

F. Rules. The Council shall conduct its meetings according to the most current edition of *Robert's Rules of Order*, as amended by these Rules, provided the Council may, by majority vote, waive a rule.

G. Minutes. The Council Executive Director ensures that minutes are taken of all Council, committee and special meetings. The City Recorder shall cause to be kept, in a format adopted by the Council, minutes of all proceedings of all regular and special Council meetings. A recording shall be kept of all Council, committee and special meetings.

H. Presiding Officer at Meetings. The presiding officer at Council Meetings shall be rotated monthly among Council members according to district (District 1, District 2, etc.). If the presiding officer is not present or declines this responsibility, the Council Chair shall preside.

I. Order of Calling the Vote. The City Recorder shall call the vote beginning with the Council District number immediately higher than the District number of the Council Member presiding at that meeting. This shall ensure that the Council Member presiding shall always vote last.

J. Electronic Means of Meeting Participation. Section 52-4-207 of the *Utah Code Annotated* authorizes public bodies to hold meetings electronically by means of a telephonic, telecommunications or computer conference. The Council adopts the use of electronic means for a Council Member to participate in a meeting under the following conditions:

1. The meeting will be held with a quorum (3 members) physically present;
2. Electronic means will be used only for a declared City emergency or to accommodate Council Members who are traveling outside the City;
3. The meeting will be held within City limits at a facility that allows the public to attend, monitor and participate in open portions of the meeting;
4. Comments of Council Members participating electronically will be audible to the public;
5. As with any public meeting, electronic meetings must be properly noticed in compliance with the Utah Open and Public Meetings Act. Additionally, the notice must inform the public that electronic means will be used and how Council Members will be electronically connected to the meeting.

IV. AGENDAS

A. Responsibility. The Council Executive Director shall see that agendas are properly prepared, posted, and published in a timely manner according to the Utah Open and Public Meetings Act.

B. Public Notice. Council agendas shall be posted in the Murray City Center, submitted to a newspaper of general circulation in Murray City, posted on the Utah Public Notice Website and on the Murray City website.

C. Submission of Agenda Items. Procedures for submitting items for the agenda are as follows:

1. Anyone wishing to bring a matter before the Council shall submit it in writing, together with forms approved by the Council, to the Council staff.
2. All new items for the agenda must be submitted by 5:00 p.m. the Wednesday thirteen (13) days prior to the Council meeting. The Chair may waive an item from this requirement.
3. The Council Executive Director shall ensure that all matters are submitted in a timely manner to the Council. Before matters are placed on the agenda, they must first be reviewed by the Council Chair.
4. Council staff shall review supporting materials to be considered by the Council and ensure the completeness of the materials.

D. Delivery to Council Members. The agenda, together with all documents relating to items on it,

shall be delivered to Council members as preliminary documents approximately eleven (11) days prior to the meeting, and the final agenda and documents will be delivered by the Friday prior to the Council meeting. The Chair may waive this requirement.

E. Notice of Meeting. All Council agendas and "Notice of Meeting" documents shall contain the following:

NOTICE

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST DIRECTED 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.

F. Order of Business. The Council agenda shall conform to the following order of business:

1. Committee of the Whole
 - a. Approval of Minutes
 - b. Discussion Items
 - c. Internal Council Business or Announcements
 - (1) Staff Report
 - (2) Other
 - d. Adjournment
2. Council Meeting
 - a. Opening Ceremonies
 - (1) Pledge of Allegiance
 - (2) Approval of Minutes
 - (3) Special Recognition(s)
 - b. Citizen Comments
 - c. Consent Agenda
 - d. Public Hearings
 - e. Unfinished Business
 - f. New Business
 - g. Mayor
 - (1) Report
 - (2) Questions to the Mayor
 - h. Adjournment

NOTE: Paragraphs G through N elaborate on the various provisions of the agenda.

G. Committee of the Whole. The purpose of the Committee of the Whole meeting is: (1) To consider items of internal Council business, (2) To give further consideration to items of business referred to the Committee of the Whole from the New Business section of the agenda, and (3) To review items that may require future action by the Council.

Business items referred to Committee of the Whole from the Council agenda are sent for discussion purposes. No vote will be taken on these business items in Committee of the Whole.

All business items considered in Committee of the Whole shall be scheduled for a specific time.

H. Opening Ceremonies. This portion of the Council agenda shall consist of the following

1. Call to Order

2. Pledge of Allegiance

I. Approval of Minutes

- J. Special Recognition. Under this part of the Opening Ceremonies section of the agenda, the Council shall consider resolutions of commendation, condolences and appreciation, and similar ceremonial matters.

The order of business for consideration of resolutions under this section shall be as follows:

- a. Reading of the resolution
- b. Motion to adopt
- c. Discussion
- d. Vote on motion
- e. Presentation of resolution and response.

K. Citizen Comments. This section allows any citizen or organization to speak before the Council and the Mayor. Items for which the Council would like to receive additional public input will be specifically listed for that purpose in this section. Comments are limited to three minutes, unless otherwise approved by a majority vote of Council members,

L. Consent Agenda. This section contains items of routine business, all requiring action, but not expected to generate discussion. Each item is briefly reviewed by the presiding officer and any Council Member wishing to do so may ask for any of the items on the Consent Agenda to be taken out and placed on the regular agenda.

M. Public Hearings. This section will be used for all public hearings. The presiding officer shall conduct the public hearing in the following manner, except as waived by the Council:

1. Introduction. The presiding officer informs those attending of the procedure and order of business for the hearing and reads the item for consideration.
2. Staff presentation. City staff briefly summarizes the request that prompted the public hearing. This presentation shall not exceed five minutes, unless otherwise approved by a majority vote of Council members.
3. Sponsor presentation. If desired, the sponsor of the request may also make a presentation. This presentation shall not exceed fifteen minutes, unless otherwise approved by a majority vote of Council members.
4. Comment. The presiding officer asks for public comment on the matter before the Council. Comments are limited to three minutes, unless otherwise approved by a majority vote of Council members, and each speaker shall be allowed to speak only once, unless otherwise approved by a majority of Council members. Speakers are requested to:
 - a. Complete the appropriate form.
 - b. Wait to be recognized before speaking.
 - c. Come to the microphone and state their name and city of residence.
 - d. Be brief and to the point.
 - e. Not restate points made by other speakers.
 - f. Address questions through the presiding officer.
 - g. Confine remarks to the topic, avoiding personality differences.

After all citizens who wish to comment have spoken, Council members may ask additional questions of participants before the presiding officer closes the hearing.

5. Sponsor summation/response. Following citizen comment and questions by the Council, the sponsor or staff shall be given the opportunity to give a fifteen-minute summation and/or response prior to closing of the public hearing.
6. Closing the hearing. If there is no further public comment, questions by Council members, or final response by the sponsor, the presiding officer declares the hearing closed.
7. Consideration of item. At the close of the public hearing, the Council shall consider the item for action.
- N. Unfinished Business. The Unfinished Business section is to be used for consideration of:
 1. Items which have been referred out of a committee.
 2. Items which have appeared as New Business on a previous agenda and which no action has been taken on the item.

O. New Business. The New Business section of the Council agenda shall be for the introduction of all new business to be considered by the Council. The Council may, by majority vote, (1) send a business item to committee, (2) postpone final action to a future meeting, or (3) take final action on the matter.

P. Mayor. "Report" affords the Mayor the opportunity to regularly report to the Council about City business. "Questions to the Mayor" affords all members of the Council an opportunity to ask questions or raise issues of concern to the Mayor and to request appropriate action.

Q. Adjournment.

V. VACANCY IN ELECTED OFFICE

- A. Council. If a Council member vacates his/her seat on the Council before the term of office expires, the Council shall fill the vacant seat, as provided by State laws and City ordinance, and in accordance with the following rules:
 1. Applicants shall be qualified for the office in accordance with all applicable State laws and City ordinance.
 2. Applicants shall complete an application form available through the Council office.
 3. The Council shall, within thirty (30) days of the occurrence and declaration of such Vacancy, appoint a qualified resident of the City and the appropriate Council District to fill the unexpired term.
- B. Mayor. If the Mayor vacates his/her office before the term of office expires, the Council shall fill that office, as provided by State laws and the City Ordinance, and in accordance with the following rules:
 1. Applicants shall be qualified for the office in accordance with all applicable State laws and City ordinance.

2. Applicants shall complete an application form available through the Council office.
3. The Council shall, within thirty (30) days of the occurrence and declaration of such Vacancy appoint a qualified resident of the City to fill the unexpired term.
4. The City Council Chair shall become acting Mayor until the vacancy in the office of the Mayor is filled by the City Council as above provided.

VI. PERSONNEL

A. Council Staff. The Council staff shall consist of a Council Executive Director an Office Administrator II, and such other full-and part time staff as the Council may deem necessary.

B. Appointment. All Council staff members are appointed by the Council as follows:

1. Job Descriptions. The Council reviews and approves all job descriptions for Council staff members.
2. Posting and interviews. All arrangements for job posting and interviews are handled by the Council staff.
3. Council Executive Director. Applicants are interviewed by the Council Chair and Vice Chair. Finalists may be interviewed by the Council, which selects the person by majority vote from that group.
4. Other staff. The Council Executive Director with council member involvement interviews applicants and recommends finalists to the Council, which selects the person from that group.

C. Reporting relationships. The Council Executive Director is supervised by the Chair of the Council. The Council Executive Director supervises all other Council staff.

D. Performance appraisal. Performance appraisals of Council staff shall be conducted annually using the Performance Pro program provided by the City Human Resource office as follows:

1. The Council Chair and Vice Chair shall conduct the performance appraisal for the Council Executive Director.
2. The Council Executive Director shall conduct the appraisal for all other staff members.
3. Compensation increases, exclusive of COLAs, shall be based on the performance appraisal subject to appropriation of funds.

E. Compensation and Step Plan. Council staff compensation is determined by the Council and changed as follows:

1. Council Executive Director compensation may be reevaluated periodically, and changes made based on performance and/or completion of a Wasatch Compensation Salary Survey, subject to appropriation of funds.
2. Council staff compensation is based on the annual performance appraisal and the Step Plan, subject to appropriation of funds.

3. Each staff member shall receive an annual COLA in the same amount and at the same time as other City employees.

VII. FINANCES

A. Council Budget. Each year, the Council Executive Director shall work with the Council Chair and submit a proposed budget for Council operations to the members of the Council for their review and approval.

B. Review of Council Expenditures. The Council Chair shall have general responsibility to see that all expenditures are made on time and within budget.

C. Public Relations Account. The Council hereby authorizes the creation of a public relations account.

D. Purpose of the Public Relations Account. The purpose of the public relations account is to provide a mechanism for the Council as a whole to purchase and deliver token remembrances or acknowledgments. The events listed below shall be considered first priority use for account funds; all secondary uses not listed, and the donation amounts shall be informally approved by a majority of Council Members. Council Staff will assist in all transactions.

1. Death or serious illness of an employee or an employee's immediate family;
2. Retirement of a City employee.

E. Funds to the Public Relations Account. The public relations account is to be funded solely from the pay of Council members by payroll deduction. The amount deducted shall be decided by a vote of the Council.

F. Review of Public Relations Account Expenditures. The Council Chair shall have general responsibility to see that all expenditures are made properly. Disbursement from the Account shall require authorized signature. Those authorized to sign on the Account are the Council Chair, Council Vice-Chair, Council Executive Director or a designee appointed by the Council Chair in writing.

G. Expenses Relating to Neighborhood Meetings. Costs associated with Neighborhood meetings shall be funded from the Council Office budget.

H. Cellular Phones. Council Members will be provided with cellular phone allowances for use in conducting City business during their term of office as determined by the City cell phone policy.

I. Electronic Device. Council Members will be provided an iPad or similar tablet for use in conducting City business during their term of office.

J. Expense Allowance. Council Members will be provided a monthly allowance to offset the costs for meetings, meals and local travel while conducting City business during their term of office.

VIII. INDEPENDENT FINANCIAL AUDIT.

- A. The City is required to have an annual independent audit or review of the City's basic financial statements and Comprehensive Annual Financial Report to determine whether the City's financial reporting accurately reflects the financial condition of the City and is prepared in

conformity with criteria established by Generally Accepted Audit Standards, Government Auditing Standards, the Single Audit Act Amendments of 1996, and General Guidance Audits for State, Local Governments and Non-Profit Organizations.

- B. Upon expiration of a financial audit agreement, the City Council shall work with the Council Executive Director, City Recorder/Purchasing Agent, and Finance and Administration Director to create a Request for Proposals (RFP) to provide auditing services.
- C. The City Council will form an Audit Committee to review and score proposals and recommend an independent audit firm to the City Council for consideration.
- D. Upon approval of the audit firm and agreement, the City Council Chair shall be authorized to execute the agreement for auditing services.
- E. The Audit Committee shall consist of the City Council Budget and Finance Committee Chair and Vice-Chair, and the Council Executive Director as staff support. This committee shall convene as required:
 - 1. During the selection of the audit firm;
 - 2. Annually to review audit procedures and conclusions, and
 - 3. For any other such purposes as the City Council deems appropriate.

IX. **COUNCIL RELATIONS**

A. Anti-Harassment Policy

- 4. It is City policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by City Councilmembers toward fellow Councilmembers, City Staff or members of the public. City Councilmembers are expected to show respect for one another and the public at all times, despite individual differences.
- 5. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 or older), disability, genetic information, marital status, sexual orientation, honorably discharged veteran or military status or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability. In some circumstances, it can be deemed unlawful discrimination that violates federal laws and/or state laws. The making of demeaning comments, whether verbally or in writing, or use of unwelcome epithets, gestures or other physical conduct, based on the above-referenced protected classes, toward employees, Councilmembers or members of the public are prohibited. Councilmembers are strongly urged to report all incidents of harassment.
- 6. Sexual harassment is a form of unlawful discrimination.

B. Reporting Discrimination or Harassment

- 1. If the incident involves a city employee, or an appointee to an advisory board or a commission, the incident should be reported as soon as possible to the Mayor.

2. If the incident involves a Councilmember, the incident should be reported as soon as possible to the City Attorney.
3. All complaints will be investigated promptly. Upon receiving a complaint, an investigation shall be initiated within 24 hours, or as reasonably practicable, usually, by the end of the next business day.
4. All complaints will be kept confidential to the fullest extent possible and will be disclosed only as necessary to allow an investigation and response to the complaint. No one will be involved in the investigation or response except those with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.
5. Anyone who is found to have violated this policy is subject to corrective action. Corrective action will depend on the gravity of the offense. The City Council will take whatever action it deems necessary to prevent an offense from being repeated.
6. The City Council will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation.
7. Both the person filing the complaint and the alleged offender shall receive a written response that contains the findings of the investigation and any action taken. Unless extra time is needed for a thorough investigation, the response will normally be given within thirty (30) days of when the complaint was received. All parties will be notified of an extended investigation if such an extension is necessary to complete the findings.

Proposed Council Rules (Red-lined)

RULES OF THE MURRAY CITY MUNICIPAL COUNCIL MURRAY CITY CORPORATION

Adopted January 5, 1982. Re-adopted February 23, 1988. Amended April 26, 1988. Amended August 23, 1988. Amended April 25, 1989. Amended July 11, 1989. Amended December 12, 1989. Amended January 28, 1992. Amended January 25, 1994. Amended August 23, 1994. Amended July 11, 1995. Amended March 10, 1998. Amended June 9, 1998. Amended September 21, 1998. Amended January 4, 2000. Amended January 16, 2001. Amended May 15, 2001. Amended January 8, 2002. Amended April 29, 2003. Amended November 13, 2007. Amended October 7, 2008, October 20, 2009. Amended November 17, 2009, September 3, 2013, amended February 14, 2017, amended March 20, 2018, amended August 27, 2019, amended October 15, 2019.

I. INTRODUCTION

A. Function of Rules. These Rules shall be the governing procedures of the Murray City Municipal Council, hereafter referred to as the "Council".

B. Adoption. The Council shall adopt these Rules in a regular Council meeting.

C. Amendment. Any member of the Council may propose amendments to these Rules. Amendments shall be submitted in writing to Council members. Amendments shall be approved by a two-thirds vote of the entire Council in a regular Council Meeting.

D. Suspension. The Council may suspend the Rules by a two-thirds vote of Council members present.

II. ORGANIZATION

A. Chair. A Chair shall be elected for each calendar year by majority vote of the Council in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair.

The Chair shall be a member of the Council and its presiding officer, sign all ordinances, resolutions, and official correspondence, supervise staff, approve Council agendas, issue Council-approved press releases, represent the Council at meetings, represent the Council at official ceremonies where required, and shall serve as official spokesperson for the Council. The Chair shall also perform all other such duties prescribed by these Rules.

B. Vice-Chair. A Vice-Chair shall be elected for each calendar year by majority vote of the Council in the first regular meeting in January.

The Vice-Chair shall be the presiding Council officer in the temporary absence of the Chair, in the event that the Chair is incapacitated due to illness or is otherwise unable to attend Council meetings and shall sign as the Chair on all ordinances, resolutions, and official correspondence.

C. Vacancy in Office of Chair. In the event that the Chair shall vacate his/her office for any reason before the term has expired, the Vice-Chair shall become Chair for the remainder of that term.

D. Vacancy in the Office of Vice-Chair. In the event that the Vice-Chair shall vacate his/her office for any reason before his/her term has expired, the Council members, by a simple majority vote, shall elect a Vice-Chair to complete the term at the first regular Council meeting following the

vacancy announcement.

E. Committees. The Council shall have two standing committees: (1) Committee of the Whole and (2) Budget and Finance Committee.

1. The Budget and Finance Committee will convene exclusively for budget related meetings.
2. Ad hoc committees may be formed as necessary by majority vote of the Council.

F. Committee Membership. Each Council member shall be a member of both standing committees. The membership of ad hoc committees shall be determined by the Council at the time such committees are created.

G. Committee Chairs. Committee Chairs shall be as follows:

1. The Council Chair shall serve as the Chair of the Committee of the Whole.
2. A Chair and Vice Chair of the Budget and Finance Committee shall be elected for a term of one calendar year in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair of the Budget and Finance Committee.
3. Board and Committee Membership. Membership on the following committees shall be determined in the Committee of the Whole meeting.
 - a. Association of Municipal Councils/Salt Lake County Council of Governments
 - b. Utah League of Cities and Towns/Legislative Policy Committee.
 - c. Murray Area Chamber of Commerce Board.
 - d. ~~Capital Improvement Program (two members).~~
 - e. ~~Murray City Business Enhancement Committee (two members).~~
 - f.d. Other committees as deemed necessary.

Committee members above shall be elected for a term of one calendar year in the first regular Committee of the Whole meeting in January.

I. Absences. ~~Any Council member absent in excess of six times from Council meetings and Budget and Finance Committee meetings (except those absences due to personal illness, urgent family matters or due to Council or personal business) shall forfeit whatever Council leadership position that member holds. Any Council member exceeding these guidelines (1) may appeal the case to the Council and (2) the Council, by majority vote, may excuse any of the absences and waive the penalty. (See Murray City Code 2.06.050 for compensation penalty relating to Council member absences).~~ Council Members shall forfeit any leadership position by failing to attend four consecutive regular meetings of the Council (not including Work Sessions) without being excused by the Council. Members of the Council may ask to be excused by following the procedure described in this paragraph. The member shall contact the Council Chair (and if the Chair seeks an excused absence, the Vice-Chair) prior to the meeting and state the reason for the inability to attend the meeting. If the member is unable to contact the Chair, the member shall contact the Vice-Chair or the Executive Director, who shall convey the message to the Chair. Following the call to order, the Chair (or councilmember conducting) shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and appropriate notations in the minutes.

Commented [JK1]: This is sort of in City Code. The City Codes states the following:

2.06.050: ATTENDANCE REQUIREMENT FOR CITY COUNCIL MEMBERS:

The compensation paid to the members of the City Council shall be reduced, for the applicable pay period, one hundred dollars (\$100.00) for each unexcused absence in excess of four (4) occurring during any calendar year from regularly scheduled City Council meetings and scheduled Budget Committee meetings. Any Council member violating this section shall have the right to request from the remaining members of the City Council an exception to this section. The definition of absences and unexcused absences shall be found in the rules of the City Council. (Ord. 16-17)

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III. MEETINGS

- A. Regular Meetings. The City Council shall meet not less than once monthly.
- B. Open Meetings. All Council meetings shall be governed by the Utah Open and Public Meetings Act.
- C. Type of Meetings. The Council shall meet in Council Meetings, closed meetings, workshops, retreats and committee meetings as provided by State law.
- D. Time and Place. As provided by City ordinance, the Council shall meet for Council Meetings, and committee meetings at the following times and places:
1. Committee of the Whole. The first and third Tuesdays of each month, at a time determined by the Council Chair, ~~in Conference Room #107 in the Murray City Center,~~ unless cancelled by the Chair.
 2. Budget and Finance Committee. As approved by the Council.
 3. Council Meeting. The first and third Tuesdays of each month at 6:30 p.m., (or otherwise at a time determined by the Council) in the Council Chambers in the Murray City Center, unless cancelled by the Chair.
 4. Special meetings including workshops and retreats may be held as provided by State law and City Ordinance.
 5. Closed meetings. As per State Code Sections 52-4-204 and 52-4-205, before any part of a public meeting may be closed for one of the valid reasons detailed below, the Council must be called together in an open meeting. At least two-thirds (2/3) of the Council members present must vote to close the meeting. The Council may close portions of its meetings to do the following:
 - a. Discuss the character, professional competence, or physical or mental health of an individual.
 - b. Hold a strategy session to discuss collective bargaining.
 - c. Hold a strategy session to discuss pending or reasonable imminent litigation.
 - d. Hold a strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction.
 - e. Hold a strategy session to discuss the sale of real property.
 - f. Discuss the deployment of security devices and investigative proceedings regarding criminal conduct.

No ordinance, resolution, rule, regulation, contract or appointment can be approved at a closed meeting. The closed portion of a meeting must be recorded and detailed minutes may be kept. These recordings and minutes are protected records under the Government Records Access and Management Act.

~~D~~E. Neighborhood Meetings. Neighborhood meetings may be scheduled away from the Council's usual meeting place for the purpose of gathering or sharing information regarding current matter(s)

being considered by the Council. The Council Executive Director shall arrange for a suitable place for such meetings.

F. Rules. The Council shall conduct its meetings according to the most current edition of *Robert's Rules of Order*, as amended by these Rules, provided the Council may, by majority vote, waive a rule.

G. Minutes. The Council Executive Director ensures that minutes are taken of all Council, committee and special meetings. The City Recorder shall cause to be kept, in a format adopted by the Council, minutes of all proceedings of all regular and special Council meetings. A recording shall be kept of all Council, committee and special meetings.

H. Presiding Officer at Meetings. The presiding officer at Council Meetings shall be rotated monthly among Council members according to district (District 1, District 2, etc.). If the presiding officer is not present or declines this responsibility, the Council Chair shall preside.

I. Order of Calling the Vote. The City Recorder shall call the vote beginning with the Council District number immediately higher than the District number of the Council Member presiding at that meeting. This shall ensure that the Council Member presiding shall always vote last.

J. Electronic Means of Meeting Participation. Section 52-4-207 of the *Utah Code Annotated* authorizes public bodies to hold meetings electronically by means of a telephonic, telecommunications or computer conference. The Council adopts the use of electronic means for a Council Member to participate in a meeting under the following conditions:

1. The meeting will be held with a quorum (3 members) physically present;
2. Electronic means will be used only for a declared City emergency or to accommodate Council Members who are traveling outside the City;
3. The meeting will be held within City limits at a facility that allows the public to attend, monitor and participate in open portions of the meeting;
4. Comments of Council Members participating electronically will be audible to the public;
5. As with any public meeting, electronic meetings must be properly noticed in compliance with the Utah Open and Public Meetings Act. Additionally, the notice must inform the public that electronic means will be used and how Council Members will be electronically connected to the meeting.

IV. AGENDAS

A. Responsibility. The Council Executive Director shall see that agendas are properly prepared, posted, and published in a timely manner according to the Utah Open and Public Meetings Act.

B. Public Notice. Council agendas shall be posted in the Murray City Center, submitted to a newspaper of general circulation in Murray City, posted on the Utah Public Notice Website and on the Murray City website.

C. Submission of Agenda Items. Procedures for submitting items for the agenda are as follows:

1. In the event a member of the Council desires to add an item or items to an agenda, consent must be obtained from one other Council member. The Mayor may also add an item or items to the agenda. Topics may be added to the agenda: (a) at the discretion of the Mayor; or (b) as

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directed by at least two Council members.

- ~~42.~~ Anyone wishing to bring a matter before the Council shall submit ~~it~~ their request in writing, together with forms approved by the Council, to the Council staff. In order to add such matters, the request must be approved by the Mayor or two Council Members.
- ~~32.~~ All new items for the agenda must be submitted by 5:00 p.m. the Wednesday thirteen (13) days prior to the Council meeting. The Chair may waive an item from this requirement.
- ~~34.~~ The Council Executive Director shall ensure that all matters are submitted in a timely manner to the Council. Before matters are placed on the agenda, they must first be reviewed by the Council Chair.
- ~~45.~~ Council staff shall review supporting materials to be considered by the Council and ensure the completeness of the materials.

D. Delivery to Council Members. The agenda, together with all documents relating to items on it, shall be delivered to Council members as preliminary documents approximately eleven (11) days prior to the meeting, and the final agenda and documents will be delivered by the Friday prior to the Council meeting. The Chair may waive this requirement.

E. Notice of Meeting. All Council agendas and "Notice of Meeting" documents shall contain the following:

NOTICE

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST DIRECTED 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.

F. Order of Business. The Council agenda shall conform to the following order of business:

1. Committee of the Whole
 - a. Approval of Minutes
 - b. Discussion Items
 - c. Internal Council Business or Announcements
 - (1) Staff Report
 - (2) Other
 - d. Adjournment
2. Council Meeting
 - a. Opening Ceremonies
 - (1) Pledge of Allegiance
 - (2) Approval of Minutes
 - (3) Special Recognition(s)
 - b. Citizen Comments
 - c. Consent Agenda
 - d. Public Hearings
 - e. ~~Unfinished Business~~ Business Items
 - ~~f. New Business~~
 - ~~g.~~ Mayor
 - (1) Report

- (2) Questions to the Mayor
hg. Adjournment

NOTE: Paragraphs G through N elaborate on the various provisions of the agenda.

G. Committee of the Whole. The purpose of the Committee of the Whole meeting is: (1) To consider items of internal Council business, (2) To give further consideration to items of business referred to the Committee of the Whole from the New Business section of the agenda, and (3) To review items that may require future action by the Council.

Business items referred to Committee of the Whole from the Council agenda are sent for discussion purposes. No vote will be taken on these business items in Committee of the Whole.

All business items considered in Committee of the Whole shall be scheduled for a specific time.

H. Opening Ceremonies. This portion of the Council agenda shall consist of the following

1. Call to Order
2. Pledge of Allegiance

I. Approval of Minutes

J. Special Recognition. Under this part of the Opening Ceremonies section of the agenda, the Council shall consider resolutions of commendation, condolences and appreciation, and similar ceremonial matters.

The order of business for consideration of resolutions under this section shall be as follows:

- a. Reading of the resolution
- b. Motion to adopt
- c. Discussion
- d. Vote on motion
- e. Presentation of resolution and response.

K. Citizen Comments. This section allows any citizen or organization to ~~email comments to or~~ speak before the Council and the Mayor, or to email comments if unable to attend the Council meeting in person. Items for which the Council would like to receive additional public input will be specifically listed for that purpose in this section. Comments are limited to three minutes, unless otherwise approved by a majority vote of Council members. Emailed comments are limited to 300 words, and must include the person's name and address in order to be included in the record.

L. Consent Agenda. This section contains items of routine business, all requiring action, but not expected to generate discussion. Each item is briefly reviewed by the presiding officer and any Council Member wishing to do so may ask for any of the items on the Consent Agenda to be taken out and placed on the regular agenda.

M. Public Hearings. This section will be used for all public hearings. The presiding officer shall conduct the public hearing in the following manner, except as waived by the Council:

1. Introduction. The presiding officer informs those attending of the procedure and order of business for the hearing and reads the item for consideration.
2. Staff presentation. City staff briefly summarizes the request that prompted the public hearing. This presentation shall not exceed five minutes, unless otherwise approved by a majority vote of Council members.

3. Sponsor presentation. If desired, the sponsor of the request may also make a presentation. This presentation shall not exceed fifteen minutes, unless otherwise approved by a majority vote of Council members.
4. Comment. The presiding officer asks for public comment on the matter before the Council. This public comment portion allows any citizen or organization to speak to the item before the Council. Comments ~~may be emailed in or spoken and~~ are limited to three minutes, unless otherwise approved by a majority vote of Council members, and each speaker shall be allowed to speak only once, unless otherwise approved by a majority of Council members. If unable to attend the Council meeting in person, a person may submit email comments on the public hearing. Emailed comments are limited to 300 words and must include the person's name and address in order to be included in the record. Speakers are requested to:
 - a. Complete the appropriate form.
 - b. Wait to be recognized before speaking.
 - c. Come to the microphone and state their name and city of residence.
 - d. Be brief and to the point.
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After all citizens who wish to comment have spoken, Council members may ask additional questions of participants before the presiding officer closes the hearing.

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6. Closing the hearing. If there is no further public comment, questions by Council members, or final response by the sponsor, the presiding officer declares the hearing closed.
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- Q. Adjournment.

V. VACANCY IN ELECTED OFFICE

- A. Council. If a Council member vacates his/her seat on the Council before the term of office expires, the Council shall fill the vacant seat, as provided by State laws and City ordinance, and in accordance with the following rules:
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 2. Applicants shall complete an application form available through the Council office.
 3. The Council shall, within thirty (30) days of the occurrence and declaration of such Vacancy, appoint a qualified resident of the City and the appropriate Council District to fill the unexpired term.
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- C. Reporting relationships. The Council Executive Director is supervised by the Chair of the Council.

The Council Executive Director supervises all other Council staff.

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2. Council staff compensation is based on the annual performance appraisal and the Step Plan, subject to appropriation of funds.
3. Each staff member shall receive an annual COLA in the same amount and at the same time as other City employees.

VII. FINANCES

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F. Review of Public Relations Account Expenditures. The Council Chair shall have general

responsibility to see that all expenditures are made properly. Disbursement from the Account shall require authorized signature. Those authorized to sign on the Account are the Council Chair, Council Vice-Chair, Council Executive Director or a designee appointed by the Council Chair in writing.

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VIII. **INDEPENDENT FINANCIAL AUDIT.**

- A. The City is required to have an annual independent audit or review of the City's basic financial statements and Comprehensive Annual Financial Report to determine whether the City's financial reporting accurately reflects the financial condition of the City and is prepared in conformity with criteria established by Generally Accepted Audit Standards, Government Auditing Standards, the Single Audit Act Amendments of 1996, and General Guidance Audits for State, Local Governments and Non-Profit Organizations.
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 - 1. During the selection of the audit firm;
 - 2. Annually to review audit procedures and conclusions, and
 - 3. For any other such purposes as the City Council deems appropriate.

IX. **COUNCIL RELATIONS**

A. Anti-Harassment Policy

- 4. It is City policy to foster and maintain a work environment that is free from discrimination

and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by City Councilmembers toward fellow Councilmembers, City Staff or members of the public. City Councilmembers are expected to show respect for one another and the public at all times, despite individual differences.

5. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 or older), disability, genetic information, marital status, sexual orientation, honorably discharged veteran or military status or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability. In some circumstances, it can be deemed unlawful discrimination that violates federal laws and/or state laws. The making of demeaning comments, whether verbally or in writing, or use of unwelcome epithets, gestures or other physical conduct, based on the above-referenced protected classes, toward employees, Councilmembers or members of the public are prohibited. Councilmembers are strongly urged to report all incidents of harassment.
6. Sexual harassment is a form of unlawful discrimination.

B. Reporting Discrimination or Harassment

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2. If the incident involves a Councilmember, the incident should be reported as soon as possible to the City Attorney.
3. All complaints will be investigated promptly. Upon receiving a complaint, an investigation shall be initiated within 24 hours, or as reasonably practicable, usually, by the end of the next business day.
4. All complaints will be kept confidential to the fullest extent possible and will be disclosed only as necessary to allow an investigation and response to the complaint. No one will be involved in the investigation or response except those with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.
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6. The City Council will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation.
7. Both the person filing the complaint and the alleged offender shall receive a written response that contains the findings of the investigation and any action taken. Unless extra time is needed for a thorough investigation, the response will normally be given within thirty (30) days of when the complaint was received. All parties will be notified of an extended investigation if such an extension is necessary to complete the findings.

Proposed Council Rules (Clean)

RULES OF THE MURRAY CITY MUNICIPAL COUNCIL MURRAY CITY CORPORATION

Adopted January 5, 1982. Re-adopted February 23, 1988. Amended April 26, 1988. Amended August 23, 1988. Amended April 25, 1989. Amended July 11, 1989. Amended December 12, 1989. Amended January 28, 1992. Amended January 25, 1994. Amended August 23, 1994. Amended July 11, 1995. Amended March 10, 1998. Amended June 9, 1998. Amended September 21, 1998. Amended January 4, 2000. Amended January 16, 2001. Amended May 15, 2001. Amended January 8, 2002. Amended April 29, 2003. Amended November 13, 2007. Amended October 7, 2008, October 20, 2009. Amended November 17, 2009, September 3, 2013, amended February 14, 2017, amended March 20, 2018, amended August 27, 2019, amended October 15, 2019, amended July 5, 2022.

I. INTRODUCTION

A. Function of Rules. These Rules shall be the governing procedures of the Murray City Municipal Council, hereafter referred to as the "Council".

B. Adoption. The Council shall adopt these Rules in a regular Council meeting.

C. Amendment. Any member of the Council may propose amendments to these Rules. Amendments shall be submitted in writing to Council members. Amendments shall be approved by a two-thirds vote of the entire Council in a regular Council Meeting.

D. Suspension. The Council may suspend the Rules by a two-thirds vote of Council members present.

II. ORGANIZATION

A. Chair. A Chair shall be elected for each calendar year by majority vote of the Council in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair.

The Chair shall be a member of the Council and its presiding officer, sign all ordinances, resolutions, and official correspondence, supervise staff, approve Council agendas, issue Council-approved press releases, represent the Council at meetings, represent the Council at official ceremonies where required, and shall serve as official spokesperson for the Council. The Chair shall also perform all other such duties prescribed by these Rules.

B. Vice-Chair. A Vice-Chair shall be elected for each calendar year by majority vote of the Council in the first regular meeting in January.

The Vice-Chair shall be the presiding Council officer in the temporary absence of the Chair, in the event that the Chair is incapacitated due to illness or is otherwise unable to attend Council meetings and shall sign as the Chair on all ordinances, resolutions, and official correspondence.

C. Vacancy in Office of Chair. In the event that the Chair shall vacate his/her office for any reason before the term has expired, the Vice-Chair shall become Chair for the remainder of that term.

D. Vacancy in the Office of Vice-Chair. In the event that the Vice-Chair shall vacate his/her office for any reason before his/her term has expired, the Council members, by a simple majority vote, shall elect a Vice-Chair to complete the term at the first regular Council meeting following the

vacancy announcement.

E. Committees. The Council shall have two standing committees: (1) Committee of the Whole and (2) Budget and Finance Committee.

1. The Budget and Finance Committee will convene exclusively for budget related meetings.
2. Ad hoc committees may be formed as necessary by majority vote of the Council.

F. Committee Membership. Each Council member shall be a member of both standing committees. The membership of ad hoc committees shall be determined by the Council at the time such committees are created.

G. Committee Chairs. Committee Chairs shall be as follows:

1. The Council Chair shall serve as the Chair of the Committee of the Whole.
2. A Chair and Vice Chair of the Budget and Finance Committee shall be elected for a term of one calendar year in the first regular Council meeting in January. Council members may not serve more than two consecutive calendar years as Chair of the Budget and Finance Committee.
3. Board and Committee Membership. Membership on the following committees shall be determined in the Committee of the Whole meeting.
 - a. Association of Municipal Councils/Salt Lake County Council of Governments
 - b. Utah League of Cities and Towns/Legislative Policy Committee.
 - c. Murray Area Chamber of Commerce Board.
 - d. Other committees as deemed necessary.

Committee members above shall be elected for a term of one calendar year in the first regular Committee of the Whole meeting in January.

I. Absences. Council Members shall forfeit any leadership position by failing to attend four consecutive regular meetings of the Council (not including Work Sessions) without being excused by the Council. Members of the Council may ask to be excused by following the procedure described in this paragraph. The member shall contact the Council Chair (and if the Chair seeks an excused absence, the Vice-Chair) prior to the meeting and state the reason for the inability to attend the meeting. If the member is unable to contact the Chair, the member shall contact the Vice-Chair or the Executive Director, who shall convey the message to the Chair. Following the call to order, the Chair (or councilmember conducting) shall inform the Council of the member's absence, state the reason for such absence, and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and appropriate notations in the minutes.

III. MEETINGS

A. Regular Meetings. The City Council shall meet not less than once monthly.

B. Open Meetings. All Council meetings shall be governed by the Utah Open and Public Meetings

Act.

C. Type of Meetings. The Council shall meet in Council Meetings, closed meetings, workshops, retreats and committee meetings as provided by State law.

D. Time and Place. As provided by City ordinance, the Council shall meet for Council Meetings, and committee meetings at the following times and places:

1. Committee of the Whole. The first and third Tuesdays of each month, at a time determined by the Council Chair, unless cancelled by the Chair.
2. Budget and Finance Committee. As approved by the Council.
3. Council Meeting. The first and third Tuesdays of each month at 6:30 p.m., (or otherwise at a time determined by the Council) in the Council Chambers in the Murray City Center, unless cancelled by the Chair.
4. Special meetings including workshops and retreats may be held as provided by State law and City Ordinance.
5. Closed meetings. As per State Code Sections 52-4-204 and 52-4-205, before any part of a public meeting may be closed for one of the valid reasons detailed below, the Council must be called together in an open meeting. At least two-thirds (2/3) of the Council members present must vote to close the meeting. The Council may close portions of its meetings to do the following:
 - a. Discuss the character, professional competence, or physical or mental health of an individual.
 - b. Hold a strategy session to discuss collective bargaining.
 - c. Hold a strategy session to discuss pending or reasonable imminent litigation.
 - d. Hold a strategy session to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction.
 - e. Hold a strategy session to discuss the sale of real property.
 - f. Discuss the deployment of security devices and investigative proceedings regarding criminal conduct.

No ordinance, resolution, rule, regulation, contract or appointment can be approved at a closed meeting. The closed portion of a meeting must be recorded and detailed minutes may be kept. These recordings and minutes are protected records under the Government Records Access and Management Act.

E. Neighborhood Meetings. Neighborhood meetings may be scheduled away from the Council's usual meeting place for the purpose of gathering or sharing information regarding current matter(s) being considered by the Council. The Council Executive Director shall arrange for a suitable place for such meetings.

F. Rules. The Council shall conduct its meetings according to the most current edition of *Robert's Rules of Order*, as amended by these Rules, provided the Council may, by majority vote, waive a rule.

G. Minutes. The Council Executive Director ensures that minutes are taken of all Council, committee and special meetings. The City Recorder shall cause to be kept, in a format adopted by

the Council, minutes of all proceedings of all regular and special Council meetings. A recording shall be kept of all Council, committee and special meetings.

H. Presiding Officer at Meetings. The presiding officer at Council Meetings shall be rotated monthly among Council members according to district (District 1, District 2, etc.). If the presiding officer is not present or declines this responsibility, the Council Chair shall preside.

I. Order of Calling the Vote. The City Recorder shall call the vote beginning with the Council District number immediately higher than the District number of the Council Member presiding at that meeting. This shall ensure that the Council Member presiding shall always vote last.

J. Electronic Means of Meeting Participation. Section 52-4-207 of the *Utah Code Annotated* authorizes public bodies to hold meetings electronically by means of a telephonic, telecommunications or computer conference. The Council adopts the use of electronic means for a Council Member to participate in a meeting under the following conditions:

1. The meeting will be held with a quorum (3 members) physically present;
2. Electronic means will be used only for a declared City emergency or to accommodate Council Members who are traveling outside the City;
3. The meeting will be held within City limits at a facility that allows the public to attend, monitor and participate in open portions of the meeting;
4. Comments of Council Members participating electronically will be audible to the public;
5. As with any public meeting, electronic meetings must be properly noticed in compliance with the Utah Open and Public Meetings Act. Additionally, the notice must inform the public that electronic means will be used and how Council Members will be electronically connected to the meeting.

IV. AGENDAS

A. Responsibility. The Council Executive Director shall see that agendas are properly prepared, posted, and published in a timely manner according to the Utah Open and Public Meetings Act.

B. Public Notice. Council agendas shall be posted in the Murray City Center, submitted to a newspaper of general circulation in Murray City, posted on the Utah Public Notice Website and on the Murray City website.

C. Submission of Agenda Items. Procedures for submitting items for the agenda are as follows:

1. Topics may be added to the agenda: (a) at the discretion of the Mayor; or (b) as directed by at least two Council members.
2. Anyone wishing to bring a matter before the Council shall submit their request in writing, together with forms approved by the Council, to the Council staff. In order to add such matters, the request must be approved by the Mayor or two Council Members.
3. All new items for the agenda must be submitted by 5:00 p.m. the Wednesday thirteen (13) days prior to the Council meeting. The Chair may waive an item from this requirement.
4. The Council Executive Director shall ensure that all matters are submitted in a timely manner to the Council. Before matters are placed on the agenda, they must first be reviewed by the

Council Chair.

5. Council staff shall review supporting materials to be considered by the Council and ensure the completeness of the materials.

D. Delivery to Council Members. The agenda, together with all documents relating to items on it, shall be delivered to Council members as preliminary documents approximately eleven (11) days prior to the meeting, and the final agenda and documents will be delivered by the Friday prior to the Council meeting. The Chair may waive this requirement.

E. Notice of Meeting. All Council agendas and "Notice of Meeting" documents shall contain the following:

NOTICE

SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST DIRECTED 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.

F. Order of Business. The Council agenda shall conform to the following order of business:

1. Committee of the Whole
 - a. Approval of Minutes
 - b. Discussion Items
 - c. Internal Council Business or Announcements
 - (1) Staff Report
 - (2) Other
 - d. Adjournment
2. Council Meeting
 - a. Opening Ceremonies
 - (1) Pledge of Allegiance
 - (2) Approval of Minutes
 - (3) Special Recognition(s)
 - b. Citizen Comments
 - c. Consent Agenda
 - d. Public Hearings
 - e. Business Items
 - f. Mayor
 - (1) Report
 - (2) Questions to the Mayor
 - g. Adjournment

NOTE: Paragraphs G through N elaborate on the various provisions of the agenda.

G. Committee of the Whole. The purpose of the Committee of the Whole meeting is: (1) To consider items of internal Council business, (2) To give further consideration to items of business referred to the Committee of the Whole from the New Business section of the agenda, and (3) To review items that may require future action by the Council.

Business items referred to Committee of the Whole from the Council agenda are sent for discussion

purposes. No vote will be taken on these business items in Committee of the Whole.

All business items considered in Committee of the Whole shall be scheduled for a specific time.

H. Opening Ceremonies. This portion of the Council agenda shall consist of the following

1. Call to Order
2. Pledge of Allegiance

I. Approval of Minutes

J. Special Recognition. Under this part of the Opening Ceremonies section of the agenda, the Council shall consider resolutions of commendation, condolences and appreciation, and similar ceremonial matters.

The order of business for consideration of resolutions under this section shall be as follows:

- a. Reading of the resolution
- b. Motion to adopt
- c. Discussion
- d. Vote on motion
- e. Presentation of resolution and response.

K. Citizen Comments. This section allows any citizen or organization to speak before the Council and the Mayor, or to email comments if unable to attend the Council meeting in person. Items for which the Council would like to receive additional public input will be specifically listed for that purpose in this section. Comments are limited to three minutes, unless otherwise approved by a majority vote of Council members. Emailed comments are limited to 300 words, and must include the person's name and address in order to be included in the record.

L. Consent Agenda. This section contains items of routine business, all requiring action, but not expected to generate discussion. Each item is briefly reviewed by the presiding officer and any Council Member wishing to do so may ask for any of the items on the Consent Agenda to be taken out and placed on the regular agenda.

M. Public Hearings. This section will be used for all public hearings. The presiding officer shall conduct the public hearing in the following manner, except as waived by the Council:

1. Introduction. The presiding officer informs those attending of the procedure and order of business for the hearing and reads the item for consideration.
2. Staff presentation. City staff briefly summarizes the request that prompted the public hearing. This presentation shall not exceed five minutes, unless otherwise approved by a majority vote of Council members.
3. Sponsor presentation. If desired, the sponsor of the request may also make a presentation. This presentation shall not exceed fifteen minutes, unless otherwise approved by a majority vote of Council members.
4. Comment. The presiding officer asks for public comment on the matter before the Council. This public comment portion allows any citizen or organization to speak to the item before the Council. Comments are limited to three minutes, unless otherwise approved by a majority vote of Council members, and each speaker shall be allowed to speak only once, unless otherwise approved by a majority of Council members. If unable to attend the Council

meeting in person, a person may submit email comments on the public hearing. Emailed comments are limited to 300 words and must include the person's name and address in order to be included in the record. Speakers are requested to:

- a. Complete the appropriate form.
- b. Wait to be recognized before speaking.
- c. Come to the microphone and state their name and city of residence.
- d. Be brief and to the point.
- e. Not restate points made by other speakers.
- f. Address questions through the presiding officer.
- g. Confine remarks to the topic, avoiding personality differences.

After all citizens who wish to comment have spoken, Council members may ask additional questions of participants before the presiding officer closes the hearing.

5. Sponsor summation/response. Following citizen comment and questions by the Council, the sponsor or staff shall be given the opportunity to give a fifteen-minute summation and/or response prior to closing of the public hearing.
6. Closing the hearing. If there is no further public comment, questions by Council members, or final response by the sponsor, the presiding officer declares the hearing closed.
7. Consideration of item. At the close of the public hearing, the Council shall consider the item for action.
- N. Unfinished Business. The Unfinished Business section is to be used for consideration of:
 1. Items which have been referred out of a committee.
 2. Items which have appeared as New Business on a previous agenda and which no action has been taken on the item.

O. New Business. The New Business section of the Council agenda shall be for the introduction of all new business to be considered by the Council. The Council may, by majority vote, (1) send a business item to committee, (2) postpone final action to a future meeting, or (3) take final action on the matter.

P. Mayor. "Report" affords the Mayor the opportunity to regularly report to the Council about City business. "Questions to the Mayor" affords all members of the Council an opportunity to ask questions or raise issues of concern to the Mayor and to request appropriate action.

Q. Adjournment.

V. VACANCY IN ELECTED OFFICE

- A. Council. If a Council member vacates his/her seat on the Council before the term of office expires, the Council shall fill the vacant seat, as provided by State laws and City ordinance, and in accordance with the following rules:
 1. Applicants shall be qualified for the office in accordance with all applicable State laws and City ordinance.

2. Applicants shall complete an application form available through the Council office.
 3. The Council shall, within thirty (30) days of the occurrence and declaration of such Vacancy, appoint a qualified resident of the City and the appropriate Council District to fill the unexpired term.
- B. Mayor. If the Mayor vacates his/her office before the term of office expires, the Council shall fill that office, as provided by State laws and the City Ordinance, and in accordance with the following rules:
1. Applicants shall be qualified for the office in accordance with all applicable State laws and City ordinance.
 2. Applicants shall complete an application form available through the Council office.
 3. The Council shall, within thirty (30) days of the occurrence and declaration of such Vacancy appoint a qualified resident of the City to fill the unexpired term.
 4. The City Council Chair shall become acting Mayor until the vacancy in the office of the Mayor is filled by the City Council as above provided.

VI. PERSONNEL

- A. Council Staff. The Council staff shall consist of a Council Executive Director an Office Administrator II, and such other full-and part time staff as the Council may deem necessary.
- B. Appointment. All Council staff members are appointed by the Council as follows:
1. Job Descriptions. The Council reviews and approves all job descriptions for Council staff members.
 2. Posting and interviews. All arrangements for job posting and interviews are handled by the Council staff.
 3. Council Executive Director. Applicants are interviewed by the Council Chair and Vice Chair. Finalists may be interviewed by the Council, which selects the person by majority vote from that group.
 4. Other staff. The Council Executive Director with council member involvement interviews applicants and recommends finalists to the Council, which selects the person from that group.
- C. Reporting relationships. The Council Executive Director is supervised by the Chair of the Council. The Council Executive Director supervises all other Council staff.
- D. Performance appraisal. Performance appraisals of Council staff shall be conducted annually using the Performance Pro program provided by the City Human Resource office as follows:
1. The Council Chair and Vice Chair shall conduct the performance appraisal for the Council Executive Director.
 2. The Council Executive Director shall conduct the appraisal for all other staff members.

3. Compensation increases, exclusive of COLAs, shall be based on the performance appraisal subject to appropriation of funds.

E. Compensation and Step Plan. Council staff compensation is determined by the Council and changed as follows:

1. Council Executive Director compensation may be reevaluated periodically, and changes made based on performance and/or completion of a Wasatch Compensation Salary Survey, subject to appropriation of funds.
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- A. The City is required to have an annual independent audit or review of the City's basic financial statements and Comprehensive Annual Financial Report to determine whether the City's financial reporting accurately reflects the financial condition of the City and is prepared in conformity with criteria established by Generally Accepted Audit Standards, Government Auditing Standards, the Single Audit Act Amendments of 1996, and General Guidance Audits for State, Local Governments and Non-Profit Organizations.
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- 5. Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, age (40 or older), disability, genetic information, marital status, sexual orientation, honorably discharged veteran or military status or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability. In some circumstances, it can be deemed unlawful discrimination that violates federal laws and/or

state laws. The making of demeaning comments, whether verbally or in writing, or use of unwelcome epithets, gestures or other physical conduct, based on the above-referenced protected classes, toward employees, Councilmembers or members of the public are prohibited. Councilmembers are strongly urged to report all incidents of harassment.

6. Sexual harassment is a form of unlawful discrimination.

B. Reporting Discrimination or Harassment

1. If the incident involves a city employee, or an appointee to an advisory board or a commission, the incident should be reported as soon as possible to the Mayor.
2. If the incident involves a Councilmember, the incident should be reported as soon as possible to the City Attorney.
3. All complaints will be investigated promptly. Upon receiving a complaint, an investigation shall be initiated within 24 hours, or as reasonably practicable, usually, by the end of the next business day.
4. All complaints will be kept confidential to the fullest extent possible and will be disclosed only as necessary to allow an investigation and response to the complaint. No one will be involved in the investigation or response except those with a need to know. Any special concerns about confidentiality will be addressed at the time they are raised.
5. Anyone who is found to have violated this policy is subject to corrective action. Corrective action will depend on the gravity of the offense. The City Council will take whatever action it deems necessary to prevent an offense from being repeated.
6. The City Council will not permit retaliation against anyone who makes a complaint or who cooperates in an investigation.
7. Both the person filing the complaint and the alleged offender shall receive a written response that contains the findings of the investigation and any action taken. Unless extra time is needed for a thorough investigation, the response will normally be given within thirty (30) days of when the complaint was received. All parties will be notified of an extended investigation if such an extension is necessary to complete the findings.



Business Item #2



MURRAY

City Council

Council Travel Policy

Council Action Request

Council Meeting

Meeting Date: July 5, 2022

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Kat Martinez Required Time for Presentation Is This Time Sensitive No Mayor's Approval Date June 21, 2022	Purpose of Proposal Discuss Council Travel Policy Action Requested Information Attachments Current, Red-lined, and Proposed Council Travel Policy Budget Impact None Description of this Item Council will consider adopting proposed changes to the Council Travel Policy.
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Current Council Travel Policy

Murray City Council Travel Policy

Travel refers to any approved trip to a destination which is more than 100 miles from the City or which requires an overnight stay.

Council travel plans shall be determined and approved during the annual budget process.

Travel that was not anticipated during the budget process should be presented to the Council for approval on a case-by-case basis to determine intent and benefit in order for expenditures to be covered by the City Council budget.

Conferences pre-approved for attendance by Council Members

- Utah League of Cities and Towns, Annual and Mid-Year Conferences (All Council Members and Council Executive Director)
- National League of Cities, Washington, D.C (All Council Members and Council Executive Director; one conference per fiscal year)
- American Public Power Association conference (All Council Members; one conference per fiscal year. Three Council Members from the Council Budget; Two Council Members from Power Department budget.)
- UAMPS conference in August. (All Council Members; paid from the Power Department Budget.)

Purposes of travel

- To conduct official City business;
- As the official City representative on a board, committee or other official body;
- Professional development or national conference;
- Educational and training seminars.

General Criteria

Council Members may be invited to participate in travel related to City matters sponsored by another City Department. Travel sponsored by another Department is subject to that Department's travel budget and may be rotated between Council Members.

Only one City Council Member may be approved for City related business travel during the time of a scheduled City Council meeting.

Council Members are expected to attend meetings and sessions to further the purpose for which they are traveling related to City Council responsibilities, City functions or programs.

Upon return, Council Members will provide a follow-up report to the full Council at the earliest opportunity.

City Council Members whose terms are terminating and have determined not to run for another term of office, shall not use Murray City funding to travel during the last four months of office, and those who have been defeated during elections and are leaving office in January shall not use Murray City funding

to attend conferences unless serving as the official City representative on a board, committee or other official body.

Council Members Elect are encouraged to attend training and educational seminars prior to taking office.

Travel Arrangements

- Council Staff will make travel arrangements for City Council, coordinating with each Council Member.
- Hotel reservations – An individual room will be provided for each Council Member at a reasonable rate based on available options, location in relation to the conference, availability and safety. Extra nights will be paid directly by the Council Member.
- Airlines – Council Members are expected to travel the most direct route and make reservations as far in advance as possible. The City will pay full coach roundtrip airfare.
- Mileage – When using a personal vehicle mileage will be paid at the rate allowed by GSA (U.S. General Services Administration). Mileage will be paid on day trips greater than a 50-mile radius of the City. Mileage will be covered when it does not exceed the average cost of airfare, car rental and incidentals. Travel less than a 50-mile radius of Murray City will be considered covered by Council Member's monthly expense allowance.
- Per Diem – Per diem to cover meals and minor expenses will be paid at the rate authorized by the GSA (U.S. General Services Administration) for each day of travel, with no reduction for first and last days.
- Vehicle rental will be approved when it is the most economical and convenient way to travel within an area to conduct City business.
- Generally, per diem, conference registration and mileage will be paid in advance. The City will cover other expenses with prior notice from the Council Member.
- Council Members are responsible for turning in their receipts for reimbursement on all other covered expenses within 10 days of returning. These expenses include the following:
 - Airline tickets & baggage expense
 - Lodging expense
 - Ground transportation (taxi, public transportation or rental car)
 - City related phone calls
 - Parking expense at the airport or other long-term facilities
- Family expenses, tours, movies, mini-bar and social events will be the responsibility of each Council Member according to their usage.

Revised and approved CM 3.17.20 Diane moved, Kate second, passed 5-0.

Proposed Council Travel Policy (Red-lined)

Murray City Council Travel Policy

The Murray City Municipal Council adopts, subject to the provisions below, the Murray City travel policy put into effect by Executive Order 19-01 of July 7, 2019, a copy of which is attached.

Council Specific Provisions and Amendments

1. Future Amendments. In the event of any future amendment by the City administration to Executive Order 19-01, the Council shall automatically adopt such amendments unless within 60 days of the amendment, the Council reviews and affirmatively declines to adopt such amendment or to adopt the amendment with modifications.

~~Travel refers to any approved trip to a destination which is more than 100 miles from the City, or which requires an overnight stay.~~

2. Council travel plans shall be determined and approved during the annual budget process.
 - a. Travel that was not anticipated during the budget process should be presented to the Council for approval on a case-by-case basis to determine intent and benefit in order for expenditures to be covered by the City Council budget.

Conferences pre-approved for attendance by Council Members

3. The following conferences have traditionally been pre-approved for attendance by Council Members:
 - Utah League of Cities and Towns, Annual and Mid-Year Conferences (All Council Members and Council Executive Director)
 - National League of Cities; ~~Washington, D.C.~~ Congressional City Conference or City Summit. (All Council Members and Council Executive Director; **one conference per fiscal year**)
 - American Public Power Association; ~~conference~~ Legislative Rally or National Conference (All Council Members; **one conference per fiscal year.** Three Council Members from the Council Budget; Two Council Members from Power Department budget.)
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- ~~To conduct official City business;~~
- ~~As the official City representative on a board, committee or other official body;~~
- ~~Professional development or national conference;~~
- ~~Educational and training seminars.~~

General Criteria

4. Council Members may be invited to participate in travel related to City matters sponsored by another City Department. Travel sponsored by another Department is subject to that Department's travel budget and may be rotated between Council Members.

5. Only one City Council Member may be approved for City related business travel during the time of a scheduled City Council meeting.

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~~Council Members are expected to attend meetings and sessions to further the purpose for which they are traveling related to City Council responsibilities, City functions or programs.~~

~~Upon return, Council Members will provide a follow-up report to the full Council at the earliest opportunity.~~

- ~~5-6.~~ City Council Members whose terms are terminating and have determined not to run for another term of office, shall not use Murray City funding to travel during the last ~~four~~ six months of office, and those who have been defeated during elections and are leaving office in January shall not use Murray City funding to attend conferences unless serving as the official City representative on a board, committee, or other official body.

7. Council Members ~~Elect~~ are encouraged to attend training and educational seminars prior to taking office.

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- ~~6-8.~~ Council staff will coordinate with Council Members to make travel arrangements. If a Council Member would like to stay extra nights before or after a conference, they will be responsible to make their own hotel reservations. Extra hotel nights may not be reserved or paid for with a City issued credit card.

9. Family expenses, including tours, movies, mini-bar and other social events, will be the responsibility of each Council Member according to their usage. Council Members are responsible for turning in their receipts for reimbursement on all other covered expenses within ten (10) days of returning. These expenses include the following:

- a. Airline tickets and baggage expense
- b. Lodging expense
- c. Ground transportation (taxi, public transportation or rental car)
- d. City related phone calls
- e. Parking expense at the airport or other long-term facilities

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Travel Arrangements

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- ~~Per-Diem — Per diem to cover meals and minor expenses will be paid at the rate authorized by the GSA (U.S. General Services Administration) for each day of travel, with no reduction for first and last days.~~
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 - ~~City related phone calls~~
 - ~~Parking expense at the airport or other long term facilities~~
- ~~Family expenses, tours, movies, mini-bar and social events will be the responsibility of each Council Member according to their usage.~~

~~Revised and approved CM 3-17-20 Diane moved, Kat second, passed 5-0.~~

Revised and Approved: _____

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Proposed Council Travel Policy (Clean Version)

Murray City Council Travel Policy

The Murray City Municipal Council adopts, subject to the provisions below, the Murray City travel policy put into effect by Executive Order 19-01 of July 7, 2019, a copy of which is attached.

Council Specific Provisions and Amendments

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4. Council Members may be invited to participate in travel related to City matters sponsored by another City Department. Travel sponsored by another Department is subject to that Department's travel budget and may be rotated between Council Members.
5. Only one City Council Member may be approved for City related business travel during the time of a scheduled City Council meeting.
6. Council Members whose terms are terminating and have determined not to run for another term of office, shall not use Murray City funding to travel during the last six months of office, and those who have been defeated during elections and are leaving office in January shall not use Murray City funding to attend conferences unless serving as the official City representative on a board, committee, or other official body.
7. Council Members are encouraged to attend training and educational seminars prior to taking office.

8. Council staff will coordinate with Council Members to make travel arrangements. If a Council Member would like to stay extra nights before or after a conference, they will be responsible to make their own hotel reservations. Extra hotel nights may not be reserved or paid for with a City issued credit card.
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 - a. Airline tickets and baggage expense
 - b. Lodging expense
 - c. Ground transportation (taxi, public transportation or rental car)
 - d. City related phone calls
 - e. Parking expense at the airport or other long-term facilities

Revised and Approved:

EXECUTIVE ORDER EO19-01

City-Wide Travel Policy

CONFLICT AND REPEAL

This Executive Order supersedes, rescinds and replaces Executive Order #15-03, dated July 16, 2015; #12-01 dated April 2, 2012; and #2, dated January 14, 1982, each of which shall be of no further force nor effect. Any and all other Executive Orders relating to City travel are hereby rescinded and superseded by this Order.

PURPOSE

The purpose of this order is to adopt a City-wide travel policy in order to ensure consistent application of cost reimbursement and other matters related to employee travel for City business.

IMPLEMENTATION OF POLICY

The attached City-Wide Travel Policy is hereby approved and adopted.

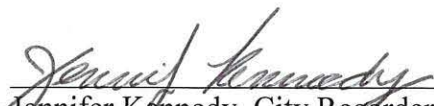
EFFECTIVE DATE

This Travel Policy shall be effective June 7, 2019

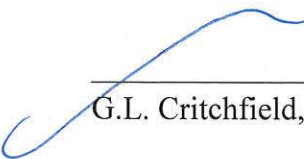
Dated this 6th day of June, 2019.


D. Blair Camp, Mayor

Attest:


Jennifer Kennedy, City Recorder

Approved as to form:


G.L. Critchfield, City Attorney



Murray City Travel Policy

All overnight travel, whether in-state or out-of-state, is governed by this policy. When traveling for work-related meetings, conferences, and training programs, the city will pay reasonable amounts for expenses. Every effort should be made to make cost effective choices for lodging, transportation, and other related expenses. All travel is subject to review and audit. When requesting funds for travel, the employee agrees to only use the money as intended according to this policy.

1.0 Definitions

- 1.1 "Travel" means any work-related, overnight trip for the city.
- 1.2 "Employee" means all city personnel, city council and staff, boards and commission members, or others who travel using executive branch funds as approved by the department head and Mayor.
- 1.3 "Per Diem" means the amount provided to an employee who is traveling to cover the costs of meals and incidental expenses without the necessity of supporting receipts. "Incidental expenses" include fees and tips for porters, baggage handlers, room service tips, and other similar services. "Incidental expenses" does not include ground transportation, fuel (if traveling in a city vehicle), airport parking, baggage fees, or rental cars.
- 1.4 "Ground Transportation" means the cost of transporting the employee to and from the Salt Lake City airport (if approved by the department head), from the destination airport to the lodging and back to the airport, and from one place of business to another place of business.

2.0 General Provisions

- 2.1 A Travel Authorization Form must be completed and approved prior to traveling. Travel Authorization Forms will be approved by the department head as to the availability of funds prior to being submitted to the Mayor. It is the responsibility of each department head to ensure that all forms and documentation submitted by their employees are in proper order.
- 2.2 When possible, employees should pay for travel-related expenses using a city credit card. If not possible, a receipt of payment must be submitted for reimbursement.
- 2.3 Employees may travel with guests. However, the city will only reimburse employee expenses. Guest expenses should not be charged on city credit cards.
- 2.4 Non-exempt employees will be compensated for travel time as required by the Fair Labor Standards Act (FLSA).
- 2.5 Upon completion of approved travel, a Travel Reconciliation Form, along with receipts, must be submitted to the department head within ten business days for final review and authorization of any payment due.
- 2.6 Violations of this policy or making false statements on any travel forms will constitute grounds for disciplinary action.

3.0 Event Registration

- 3.1 Registration fees for conferences and seminars will be paid by the city.
- 3.2 Fees for optional social events or non-business-related activities will not be paid by the city.

Murray City Travel Policy

4.0 Transportation

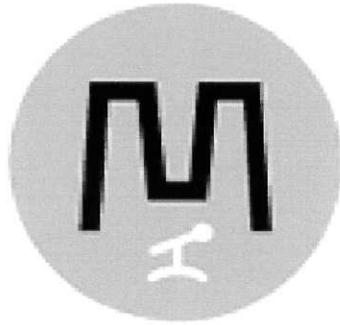
- 4.1 Considering travel time, the least costly mode of transportation to the destination should be used for travel. This includes airlines, city vehicle, rental car, or mileage for personal vehicle. If an employee chooses another mode of transportation other than the least costly mode, the city will pay for the least costly method.
- 4.2 When possible, employees are encouraged to use city-owned vehicles for travel.
- 4.3 Employees requesting to use a personal vehicle will calculate mileage advances as stated by the IRS POV mileage allowance rate. (www.gsa.gov)
 - 4.3.1 Use of a personal vehicle requires verification of liability, personal injury and property damage insurance coverage when submitting the Travel Authorization Form. If an accident occurs while using a personal vehicle, all costs related to the accident, except those covered by workers compensation, will be paid solely through the personal insurance.
 - 4.3.2 If more than one employee rides in the same vehicle, only the owner of the vehicle will be reimbursed for mileage.
- 4.4 A rental car may be used when work-related travel is required or is less expensive (including the cost of parking) than other transportation modes. The city will not pay for rental cars that are used for non-work-related travel.
 - 4.4.1 When renting a car for work-related use, a liability insurance supplement and loss damage waiver must be purchased.
- 4.5 The city will pay the lowest price, with fewest stops (including baggage fees), domestic coach class airfare when making airline reservations. Airline ticket purchases should be booked as far in advance as possible to get the best price. Reservations inside of 21-days require department head approval. Frequent flyer memberships should not influence airline ticket purchases.
- 4.6 The city will pay for ground transportation, including ground transportation tips up to 20%, and airport parking.

5.0 Lodging

- 5.1 The city will pay conference rates for single occupancy lodging plus tax. Upgrades, room service, and entertainment fees will not be paid by the city.

6.0 Per Diem

- 6.1 The city will advance funds for Per Diem as stated by the IRS destination city per diem rate schedule. (www.gsa.gov)
- 6.2 The first and last day of travel will be paid at 75% per diem.
- 6.3 In lieu of per diem, an employee may pay for meals and incidental expenses and request reimbursement up to the per diem limit. A receipt documenting the expense is required.



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment