



**MURRAY**  
CITY COUNCIL

# Council Meeting March 19, 2024



# **Murray City Municipal Council**

## **City Council Meeting Notice**

**March 19, 2024**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Murray City Municipal Council will hold a City Council meeting beginning at 6:30 p.m. on Tuesday, March 19, 2024 in the Murray City Council Chambers located at Murray City Hall, 10 East 4800 South, Murray, Utah.

The public may view the Council Meeting via the live stream at [www.murraycitylive.com](http://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](mailto: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.

### **Meeting Agenda**

**6:30 p.m.**      **Council Meeting** – Council Chambers  
Paul Pickett conducting.

#### **Opening Ceremonies**

Call to Order  
Pledge of Allegiance

#### **Approval of Minutes**

Council Meeting – February 20, 2024

#### **Special Recognition**

1. Murray City Employee of the Month, Jordon Petersen, Battalion Chief – Brett Hales, Paul Pickett and Joey Mittelman 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 appointment of Robert Dunoskovic to the Ethics Commission for a term from March 2024 through March 2027.

#### **Public Hearings**

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

1. Consider a resolution adopting the 2024 Wastewater Collection and Treatment System Impact Fee Facility Plan and Impact Fee Analysis. Ben Ford presenting.

2. Consider an ordinance amending Section 3.14.110 of the Murray City Municipal Code relating to Wastewater System Impact Fees. Ben Ford presenting.
3. Consider a resolution approving the 2023 Municipal Wastewater Planning Program Report. Ben Ford presenting.

### **Business Items**

1. Consider a resolution ratifying the Mayor's appoint of Spencer Banks to serve as the Murray City Municipal Justice Court Judge. Mayor Hales presenting.
2. Consider a resolution approving an agreement between the City, the Redevelopment Agency of Murray City, and Salt Lake Neighborhood Housing Services DBA NeighborWorks Salt Lake. Elvon Farrell presenting.

### **Mayor's Report and Questions**

### **Adjournment**

#### **NOTICE**

Supporting materials are available for inspection on the Murray City website at [www.murray.utah.gov](http://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, March 15, 2024, 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](http://www.murray.utah.gov) and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Call to Order

# Pledge of Allegiance





**MURRAY**  
CITY COUNCIL

# Council Meeting Minutes

**MURRAY CITY MUNICIPAL COUNCIL  
COUNCIL MEETING**

Minutes of Tuesday, February 20, 2024

Murray City Hall, 10 East 4800 South, Council Chambers, Murray, Utah 84107

---

**Attendance:**

Council Members:

Paul Pickett	District #1
Pam Cotter	District #2 – Council Chair
Diane Turner	District #4
Adam Hock	District #5 – Council Vice-Chair

Excused: Rosalba Dominguez District #3

Others:

Brett Hales	Mayor	Jennifer Kennedy	City Council Executive Director
Doug Hill	Chief Administrative Officer	Pattie Johnson	Council Administration
G.L. Critchfield	City Attorney	Don Pati	Murray Police Officer
Chris Zawislak	Senior Civil Engineer	Brenda Moore	Finance Director
Craig Burnett	Police Chief	Brooke Smith	City Recorder
Ella Olsen	Murray Journal	Joey Mittelman	Fire Chief
Kim Sorensen	Parks and Recreation Director	Russ Kakala	Public Works Director
Citizens			

**Opening Ceremonies:**

Call to Order – Council Member Adam Hock called the meeting to order at 6:30 p.m.

Pledge of Allegiance – Kim Sorensen led the Pledge of Allegiance.

**Approval of Minutes:** Council Meeting – January 16, 2024 and Council Meeting – February 6, 2024.

**MOTION:** Ms. Cotter moved to approve both sets of minutes. Ms. Turner SECONDED the motion.

Voice vote taken, all “Ayes.” Approved 4-0

**Special Recognition: Murray City Employee of the Month, Don Pati – Police Officer.**

Presentation: Mayor Hales, Mr. Hock and Chief Burnett presented Officer Pati with a certificate, a \$50 gift card and thanked him for his hard work.

**Citizen Comments:**

Karl Jurek – Murray Resident

Mr. Jurek thanked Murray City for doing things well like removing snow quickly, sweeping streets regularly and keeping sewers clear. He discussed a safety concern on 5290 South where cars are traveling as fast as 50 miles per hour ever since Twin Peaks Elementary School closed. He felt 5290 South has become a bypass road between Van Winkle and 900 East, so he requested two speed bumps be installed on 5290 South and two speed bumps be placed on Revere Drive to slow traffic near the school. He suggested a right turn lane be installed on 900 East and 5290 South because there is no room to make the right turn, and cars speeding north on 900 East allow no time for slowing down to make the turn safely.

Laurence Horman – Homeless advocate

Mr. Horman asked the City Council to consider providing a homeless community center similar to the

senior center that Murray City currently operates. He thought such a place could provide a warming and cooling space, temporary overnight sheltering, minor medical help and a free veterinary clinic for homeless animals that need treatment. He thought an existing empty building already located in Murray could be used and other cities in the valley could contribute to its operation.

Clark Bullen – Murray Resident

Mr. Bullen favored the Form Based Code proposal as discussed in the previous Redevelopment Agency meeting. He felt the City had been delayed in developing the downtown area for a long time and there had been disconnect between what citizens want, what developers want and what the City thought should happen. He felt a Form Based Code would provide momentum the City needs to get things moving in the right direction.

**Business Items:**

1. **Consider an ordinance amending Section 3.10.410 of the Murray City Municipal Code relating to the procurement code and prior approval of contract modifications.**

City Recorder Brooke Smith explained that the proposed change order rule would mean that anything less than 5% and less than \$10,000 of a construction agreement would go through the normal signature process. Anything above 5% and over \$10,000 would go through the change order rule, and then only through procurement and the finance department once again. Mr. Pickett asked how the City would make sure contractors do not abuse the new threshold through change orders. Ms. Smith said the administrative procedure to flag foul play by purchasing and finance department staff would remain in place to carefully research all change orders.

**MOTION:** Mr. Pickett moved to adopt the ordinance. Ms. Turner SECONDED the motion.

**Council Roll Call Vote:**

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Turner	Aye
Mr. Hock	Aye
Motion passed:	4-0

2. **Consider a resolution approving an Interlocal Cooperation Agreement between Murray City ("CITY") and Salt Lake County ("COUNTY") relating to the Salt Lake CDBG (Community Development Block Grant) Urban County Program.**

Mr. Hill said all cities in the United States receive CDBG funding from the Department of Housing and Urban Development. Money is intended to benefit low to moderate income individuals, families or areas. Recently the City elected to enter into a Interlocal Agreement with the County Urban Program allowing them for the next three years to administer the City's funding appropriately. The Interlocal Agreement before the Council was a follow-up agreement to the original agreement signifying that the City would allow the County to appropriate this year's amount of grant money. Mr. Pickett noted the amount was \$147,000. Mr. Hill confirmed.

**MOTION:** Ms. Turner moved to adopt the resolution. Ms. Cotter SECONDED the motion.

**Council Roll Call Vote:**

Mr. Pickett	Aye
Ms. Cotter	Aye
Ms. Turner	Aye

Mr. Hock                      Aye  
Motion passed:            4-0

3. **Consider a resolution approving an Interlocal Cooperation Agreement between the City and Salt Lake County to reimburse the City for certain costs incurred by the city to complete installation of buffered bike lanes and additional transportation improvements on Vine Street.**

City Senior Civil Engineer Chris Zawislak took the initiative last year in writing a grant to apply for \$300,000 for the City. He confirmed that the money was approved and would be obtained upon City Council approval. He said the \$300,000 comes from fourth quarter sales tax revenue that Salt Lake County distributes to all the municipalities within the County for projects related to active transportation. The City had already planned on the Vine Street Rehabilitation project for this year, so funding would be directed towards milling and paving bike lanes and making other improvements starting at State Street and eastward to 900 East.

**MOTION:** Ms. Turner moved to adopt the resolution. Mr. Pickett SECONDED the motion.

**Council Roll Call Vote:**

Mr. Pickett                      Aye  
Ms. Cotter                      Aye  
Ms. Turner                      Aye  
Mr. Hock                      Aye  
Motion passed:            4-0

4. **Consider a resolution amending the Murray City Council Policies and Procedures.**

City Council Executive Director Jennifer Kennedy said that following the February 6, 2024 Committee of the Whole discussion, a few suggested items were removed from the proposed document. As a result, the new Policies and Procedures manual before the Council was simply the current Council Rules document and the current Council Handbook combined into one comprehensive document. Any further changes, additions or suggestions could be made in the future.

**MOTION:** Ms. Cotter moved to adopt the resolution. Ms. Turner SECONDED the motion.

**Council Roll Call Vote:**

Mr. Pickett                      Aye  
Ms. Cotter                      Aye  
Ms. Turner                      Aye  
Mr. Hock                      Aye  
Motion passed:            4-0

**Mayor's Report and Questions**

Mayor Hales complemented the fire, police, power, and public works departments on their response to the fire that took place a couple of weeks ago at the old Wagon Master restaurant across the street from the cemetery on 900 East.

**Adjournment:** 7:03 p.m.

**Pattie Johnson  
Council Office Administrator III**



**MURRAY**  
CITY COUNCIL

# Special Recognition



**MURRAY**

# City Council/Mayor

## Employee of the Month - Jordon Petersen

### Council Action Request

#### Council Meeting

Meeting Date: February 20, 2024

<b>Department Director</b> Jennifer Kennedy  <b>Phone #</b> 801-264-2622  <b>Presenters</b> Paul Pickett Brett Hales Joey Mittelman          <b>Required Time for Presentation</b>          <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>          <b>Date</b> March 5, 2024	<b>Purpose of Proposal</b> Employee of the Month recognition  <b>Action Requested</b> Informational only  <b>Attachments</b> Recognition Form  <b>Budget Impact</b> None     <b>Description of this Item</b> See Employee of the Month Recognition Form
---	---

## EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Fire Department

2-13-2024

NAME of person to be recognized:

Submitted by:

Jordon Petersen

Joey Mittelman

DIVISION AND JOB TITLE:

Battalion Chief

YEARS OF SERVICE:

19

REASON FOR RECOGNITION:

I highly recommend Battalion Chief Jordon Petersen for employee of the month. His leadership and dedication were evident during the recent fire incident where he and his firefighters displayed exemplary effort and commitment. Beyond his firefighting duties, Chief Petersen has been instrumental in Murray's mental health program, providing crucial support to the department. Moreover, his contributions extend to our retired firefighters, and the fire service as a whole. Chief Petersen's dedication and outstanding service make him a deserving candidate for this recognition.

COUNCIL USE:

MONTH/YEAR HONORED





**MURRAY**  
CITY COUNCIL

# Citizen Comments

Limited to three minutes, unless otherwise approved by Council





**MURRAY**  
CITY COUNCIL

# Consent Agenda



**MURRAY**


## Department/Agency Name

**Appointment of Robert Dunoskovic  
to the Ethics Commission.**

### Council Action Request

#### Council Meeting

Meeting Date: March 19, 2024

<b>Department Director</b> G. L. Critchfield	<b>Purpose of Proposal</b> Appointment of board member.
<b>Phone #</b> 801-264-2640	<b>Action Requested</b> Consider confirmation of the mayor's appointment of Robert Dunoskovic to the ethics commission.
<b>Presenters</b> Mayor Hales	<b>Attachments</b> Resume
	<b>Budget Impact</b> None
<b>Required Time for Presentation</b>	<b>Description of this Item</b> Robert Dunoskovic is being appointed to the ethics commission. His term will be term from March 2024 through March 2027 2025. This appointment will fill the position of Susan Gregory who has completed two terms.
<b>Is This Time Sensitive</b> Yes	
<b>Mayor's Approval</b> 	
<b>Date</b> March 5, 2024	

# ROBERT DUNOSKOVIC

Murray, UT

*Manufacturing Operations / Supply Chain /  
Materials Management / Change Management /  
Quality Management / Project Management /  
Contract Negotiations / Contract Life-Cycle  
Management / New Product Introduction /  
Training / Compliance / Direct Customer Sales  
and Service (Retail and Wholesale)*

## PROFESSIONAL EXPERIENCE:

**PaperLite Company, LLC, Scottsdale, AZ**

(Jan 2020 – Present)

**Vice President of Operations**

- \* Oversight of the organization's ongoing operations and procedures, as well as being responsible for the daily efficiency of business being conducted. Maintaining control of the organizations diverse business operations both efficiently and effectively through the design and implementation of business strategies, plans and procedures. Established comprehensive goals for performance and growth, as well as establishing policies which promote the organizations culture and vision through the encouragement of maximum employee performance and dedication.

**Colorado Technical University**

(Jun 2010 – Sept 2017)

**Adjunct Professor - International Business / Business Management**

- \* Lectures and instruction given for both Under-Graduate and Graduate (MBA) courses in: Trade in International Business; International Business Practices; Change Management and Analysis; International Business Communications; Business Communications; Organizational / Managerial Communication; Project Management, Organizational Leadership; Managing Diversity in Business.

**Philips Healthcare, Bothell, WA and Eindhoven (NL)**

(Nov 2012 – Feb 2015)

**Global Commodity Manager – Medical Devices North America (Commercial 3<sup>rd</sup> Party)**

- \* Management of Commercial 3<sup>rd</sup> Party Global Suppliers, Global Contracts, Global Supplier Agreements and Pricing, 3<sup>rd</sup> Party Solution, New Product Development (NPD) and Introduction (NPI), New Product/Components Research and Compatibility, Supporting Customer Requirements, Direct Retail Sales and support to Customers, Management of Direct Consumer Service issues and Complaints, End-of-Life Product Management, MRB Product Management, Managing Risk, Inventory Management and Distribution, Logistics and resolving/reviewing corrective actions to ensure accurate communication and deliverables. ISO3485 Proficient and Knowledgeable. Mentor and Liaison for Latin American Supply Chain and Contract groups (South America, Central America and Mexico).

**Mobile Medical International Corporation, St. Johnsbury, VT**

**Director of Quality / Change Management (Supply Chain/Procurement/Contract Management)**

**Linux Networkx, Sandy / Bluffdale, UT**

**Senior Vice President of Operations**

**Vice President of Manufacturing**

**Vice President, Global Supply Chain**

**IBM, Essex Junction, VT**

**Sr. Manager, Production Procurement - Components, Packaging & Materials**

**Global Procurement (Corporate) & MD (Micro Electronics Division) Outsourcing**

**First Security Corporation, (First Security Bank), Salt Lake City, UT**

**Vice President Technology Purchasing and Senior Corporate Contracts Administration Officer**

**Parvus Corporation, Salt Lake City, UT**

**Vice President of Manufacturing Operations**

**Senior Quality Manager**



## **BUSINESS VENTURE:**

**Medical Alignment Systems (MAS), Salt Lake City, UT**

(Aug 1985 - July 2000)

### **Founder and Owner**

\* Medical Alignment Systems is a Designer, Manufacturer and Supplier of Precision (solid-state and gas) patient positioning Laser Systems, which are compliant with standards established by the FDA - sold worldwide. Customers included: Siemens Medical; GE; Mitsubishi; Varian Medical and a variety of Medical and Cancer Treatment Centres and Clinics, as well as working directly with customers from the point-of-sale through installation and training. These precision laser systems are used for CT, Radiation Oncology, MRI and X-ray patient positioning. MAS has also performed research and feasibility studies on the designing and manufacturing In-Vitro Fertilization (IVF) incubators and storage units for the University of Utah Medical and Research Centre. MAS was sold and is still proving products and services within the market place.

## **EDUCATION:**

**PhD Post-Secondary and Adult Education**, (Dissertation Phase) Capella University

**MS Business Management**, Husson University

**Business Administration and Economics**, University of Utah

**Electronics, Electronics Installation and Repair, Microwave Communications Specialist**

United States Air Force (130<sup>th</sup> E&I - Electronics and Installation Squadron)

## **CONSULTING:**

**Novell**: ISO9001 Quality Documentation and Registration, BOM Verification/Components

**Alta Technology**: ERP implementation (MAS 500), Supply Chain, Materials Management, Inventory Management, Supplier Management, Contracts (life-cycle/storage), BOM Creation and Management, Component Engineering, Quality, Document Control, Customer Service Support  
**Racore Computer Products**: MRP Implementation, Contract Management System, Customer Support / Service (Sale Intervention through to Product Application)

**Hallowell International**: Business processes and improvements (Engineering, Sales / Marketing, Manufacturing, Customer Service, Supply Chain, Materials Management and Logistics, Document Control, Quality Assurance)

**Megahertz Corporation**: New Product Launch, Configuration Management, BOM, Documentation

**IDEXX Laboratories**: Review of Supply Chain processes, written findings/suggested improvements

## **PUBLICATIONS, PRESENTATIONS, and AFFILIATIONS:**

**Publications for the Salt Lake Community and Utah Valley Community Colleges on ISO 9001:**

Quality Assurance; Corrective and Preventive Action; Internal Auditing; Procedure and Work Instruction creation and Implementation; Materials Management Inventory control and traceability

**Article written for the Salt Lake Deseret News**: ISO 9001—May be Key to Survival in World Market

**Collection of 5 publications written for the State of Utah Governor's Small Business Focus**

**Group**: Series of papers on "Achieving Consistency, Conformity and Improved Quality through implementing ISO 9001 and Lean Principles"

**American Association of Physics in Medicine (AAPM)**: Radiology Patient Positioning Consultant

**University of Wisconsin School of Medicine**: Member of Task Group 1 – Improving Professional Information and Clinical Relations

**Canadian College of Physicists in Medicine**: Member and Consultant

**Guest Speaker/Breakout Sessions**: Governor's Business Conference (State of Utah)

**Presentation (Keynote Address) for the Salt Lake Community College**: The Importance of and the Implementation Process of ISO9001 Registration in Today's Global Market

**Instructor / Consultant for the Salt Lake Community College**: ISO 9001 Certification; Internal Systems Auditor Training; Quality Documentation (including Quality Manual); Corrective / Preventive Action Workshop; Creation and Control of Procedures / Work Instructions; Working With and Within Cross-Functional Teams; Contract Review; and How to Determine, Communicate and Mitigate Risk.



**MURRAY**  
CITY COUNCIL

# Public Hearings



**MURRAY**  
CITY COUNCIL

# Public Hearing #1



**MURRAY**


# PUBLIC WORKS DEPARTMENT

## Wastewater Collection and Treatment System Impact Fee Plan

### Council Action Request

### Council Meeting

Meeting Date: March 19, 2024

<b>Department Director</b> Russ Kakala  <b>Phone #</b> 801-270-2404  <b>Presenters</b> Ben Ford          <b>Required Time for Presentation</b> 30 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>   <b>Date</b> February 20, 2024	<b>Purpose of Proposal</b> Presentation of the Wastewater Impact Fee Study  <b>Action Requested</b> Discuss, review, and adoption in the March 19 2024 Council meeting.  <b>Attachments</b> Impact Fee Facility Plan, Impact Fee Analysis and Resolution.  <b>Budget Impact</b> Wastewater Impact Fees.    <b>Description of this Item</b> Updated impact fee structure and analysis for new developments.
--	---

## **Murray City Corporation**

### **NOTICE OF PUBLIC HEARING TO ADOPT AN UPDATED WASTEWATER IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS**

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of March 2024, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 10 East 4800 South, Murray, Utah, and pursuant to Utah Code Ann. §§ 11-36a-502 and 11-36a-504, the City intends to adopt an updated impact fee facilities plan (IFFP) and impact fee analysis (IFA) with respect to the wastewater collection and treatment.

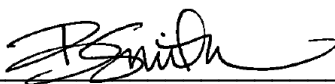
The geographic areas that will be included in the IFFP and IFA are all areas within the boundary of the Murray City wastewater collection service area.

The purpose of this hearing is to receive public comment concerning the proposed approval of the updated IFFP and IFA as described above. All interested persons are hereby invited to provide information for the City to consider in the process of preparing, adopting, and implementing or amending the referenced documents.

DATED this 1<sup>st</sup> day of March 2024.



MURRAY CITY CORPORATION

  
\_\_\_\_\_  
Brooke Smith  
City Recorder

DATE OF PUBLICATION: MARCH 8, 2024  
PH24-07 (Original: 2/22/2024. Updated 3/1/2024)

Per UCA §§ 11-36a-502 and 10-9a-205  
Mailed to Affected Entities  
Posted to the City's website  
Posted to the Utah Public Notice Website



RESOLUTION NO. 24-\_\_\_\_\_

A RESOLUTION ADOPTING THE 2024 WASTEWATER COLLECTION AND TREATMENT SYSTEM IMPACT FEE FACILITY PLAN AND IMPACT FEE ANALYSIS.

WHEREAS, Murray City ("City") owns and manages a wastewater collection system that serves a majority of the City; and

WHEREAS, the City recognizes the need to plan for increased demands on its wastewater collection system as a result of growth, and the collection of impact fees allows the City to help pay for future growth; and

WHEREAS, the impact fees for the City's wastewater collection system were last updated in 2011, and since that time construction costs have risen substantially due to several factors including material and labor shortages, supply chain constraints, and upgrades to the Central Valley Water Reclamation Facility to increase capacity and comply with new nutrient requirements mandated by the Utah Division of Water Quality; and

WHEREAS, to account for the rising costs, the City contracted for the preparation of a 2024 Wastewater Collection and Treatment System Impact Fee Facility Plan and Impact Fee Analysis ("2024 Impact Fee Plan and Analysis"); and

WHEREAS, the city believes the recommendations in the 2024 Impact Fee Plan and Analysis are necessary for the continued improvement of the City's wastewater collection system;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. That the 2024 Wastewater Collection and Treatment System Impact Fee Facility Plan and Impact Fee Analysis recommend improvements to the City's wastewater collection system that are in the best interest of the City, its residents and business; and
2. It hereby approves and adopts the 2024 Wastewater Collection and Treatment System Impact Fee Facilities Plan and Impact Fee Analysis, and the recommendations given therein.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

MURRAY CITY MUNICIPAL COUNCIL

---

Pam Cotter, Chair

ATTEST:

---

Brooke Smith, City Recorder



**MURRAY**

**WASTEWATER COLLECTION AND TREATMENT  
SYSTEM IMPACT FEE FACILITY PLAN**

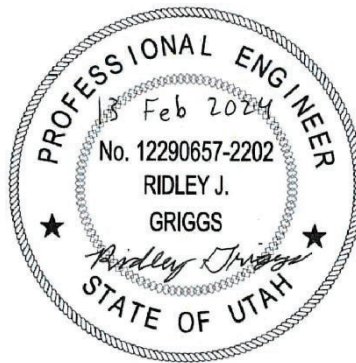
(HAL Project No.: 026.48.200)

**February 2024**

**MURRAY CITY**

**WASTEWATER COLLECTION AND TREATMENT  
SYSTEM IMPACT FEE FACILITY PLAN**

(HAL Project No.: 026.48.200)



**Ridley J. Griggs, P.E.**

**Project Manager**



**February 2024**

---

## **IMPACT FEE CERTIFICATION**

The Utah Impact Fee Act requires certification for the Impact Fee Facilities Plan (IFFP). Hansen, Allen & Luce provides this certification with the understanding that the recommendations in the IFFP are followed by City Staff and elected officials. If all or a portion of the IFFP is modified or amended, or if assumptions presented in this analysis change substantially, this certification is no longer valid. All information provided to Hansen, Allen & Luce, Inc. is assumed to be correct, complete, and accurate.

### **IFFP Certification**

Hansen, Allen & Luce, Inc. certifies that the Impact Fee Facilities Plan (IFFP) prepared for the wastewater collection system:

1. includes only the costs of public facilities that are:
  - a. allowed under the Impact Fees Act; and
  - b. actually incurred; or
  - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
  - a. costs of operation and maintenance of public facilities;
  - b. costs for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
  - c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. complies in each and every relevant respect with the Impact Fees Act.

**HANSEN, ALLEN & LUCE, INC.**

## TABLE OF CONTENTS

### Page No

<b>IMPACT FEE SUMMARY</b> .....	iii
---------------------------------	-----

### **SECTION 1 – INTRODUCTION**

1.1 Background.....	1-1
1.2 Purpose.....	1-1
1.3 Impact Fee Collection.....	1-1
1.4 Master Planning .....	1-2

### **SECTION 2 – EXISTING AND FUTURE WASTEWATER COLLECTION SYSTEM**

2.1 General .....	2-1
2.2 Existing and Future Equivalent Residential Units .....	2-1
2.3 Level of Service.....	2-2
2.4 Methodology Used to Determine Existing System Capacity .....	2-2
2.5 Collections.....	2-3
2.6 Capital Facilities to Meet System Deficiencies .....	2-3

### **SECTION 3 – IMPACT FEE FACILITIES PLAN**

3.1 General .....	3-1
3.2 Growth Projections.....	3-1
3.3 Capacity of Existing Facilities .....	3-2
3.4 Capacity of Future Facilities .....	3-4

Appendix A: Information from the Wastewater Collection System Master Plan

Appendix B: CVWRF Information

Appendix C: Estimated Future Project Costs

**LIST OF FIGURES**

Figure 3-1: Areas of Projected Growth .....	After 3-1
---	-----------

**LIST OF TABLES**

Table 2-1: System ERUs .....	2-1
Table 3-1: Growth Projections .....	3-1
Table 3-2: Cost and Impact Fee Eligibility of Existing Collection Facilities .....	3-2
Table 3-3: Murray Capital Contribution Rate .....	3-3
Table 3-4: CVWRF Capacity.....	3-3
Table 3-5: Cost and Impact Fee Eligibility of Existing Treatment Facilities .....	3-3
Table 3-6: Estimated Cost of Future Collection Facilities .....	3-4
Table 3-7: Future Nutrient Removal Projects .....	3-5
Table 3-8: Murray Remaining Treatment Capacity (after Treatment Projects).....	3-5
Table 3-9: Planning Component of Impact Fee .....	3-6

## IMPACT FEE SUMMARY

The impact fees for the Murray wastewater collection system were last updated in 2011. Since that time, construction costs have risen substantially due to a number of factors, including material shortages, labor shortages, and supply chain constraints. Additionally, Central Valley Water Reclamation Facility (CVWRF) is undergoing upgrades to meet new regulations and increase capacity. To properly account for these changes, Murray City commissioned this impact fee update.

This impact fee addresses the **collection and treatment systems**. Murray's existing collection system conveys wastewater to the CVWRF, where it is treated. The impact fee **service area** is outlined in Figure 2-1 of the Wastewater Master Plan and is included in Appendix A for reference.

The impact fee unit for wastewater collection is based on the Equivalent Residential Unit (ERU). An ERU is equal to the average hydraulic loading of one residential connection. The method of using ERUs for analysis is a way for allocating existing and future demands of non-residential land uses. The level of service for wastewater collection is 175 gpd per ERU.

The existing system served about 16,453 ERUs at the end of 2022. Projected **growth** adds 3,389 equivalent residential units in the next 10 years for a total of 19,841 connections or equivalent by 2033.

Impact fee calculations are based on the proportional historical buy-in costs of **excess capacity** in existing facilities and **new projects** required entirely to provide capacity for new development. The cost of providing capacity to resolve existing deficiencies is not included in the impact fee. Available capacity in existing facilities and capacity that is created through new projects is included in the impact fee. In addition to the proportionate share of costs of existing facilities, the impact fee is based on infrastructure that will be constructed within the next 10 years.

The purpose of this Impact Fee Facilities Plan is to provide key information to support the calculation of an impact fee. Impact fee calculations will be included in a separate Impact Fee Analysis document.



# **SECTION 1 INTRODUCTION**

## **1.1 Background**

Murray is located in central Salt Lake County. Murray owns and manages a wastewater collection system that serves the majority of the City, though some small areas in Murray are served by Cottonwood Improvement District and the Mt. Olympus Improvement District.

## **1.2 Purpose**

The City has recognized the need to plan for increased demands on its wastewater collection system as a result of growth. To do so, an Impact Fee Facility Plan (IFFP) was prepared to form the basis for an Impact Fee Analysis (IFA), which will allow the City to charge an impact fee to help pay for capital projects necessary to support future growth.

The impact fees for the Murray wastewater collection system were last updated in 2011. Since that time, construction costs have risen substantially due to a number of factors, including material shortages, labor shortages, and supply chain constraints. There have also been several upgrades made to the Central Valley Water Reclamation Facility (CVWRF) to increase capacity and comply with new nutrient regulations mandated by the Utah Division of Water Quality. To account for rising construction costs, Murray City commissioned this impact fee update.

This report identifies those items that the Utah Impact Fees Act specifically requires, including demands placed upon existing facilities by new development and the proposed means by which the municipality will meet those demands. The Wastewater Collection Master Plan that was prepared in 2021 was also used to support this analysis. Since then, actual growth has been tracked. Information from the master plan was updated to characterize existing conditions. The master plan identified several growth-related projects needed within the 10-year planning window. Therefore, the calculated impact fee is based on excess capacity and documented historic costs, as well as future capital projects.

## **1.3 Impact Fee Collection**

Impact fees enable local governments to finance public facility improvements necessary for growth, without burdening existing customers with costs that are exclusively attributable to growth.

An impact fee is a one-time charge on new development to pay for that portion of a public facility that is required to support that new development.

In order to determine the appropriate impact fee, the cost of the facilities associated with future development must be proportionately distributed. As a guideline in determining the “proportionate share”, the fee must be found to be roughly proportionate and reasonably related to the impact caused by the new development.

## **1.4 Master Planning**

The Murray City Wastewater Collection System Master Plan was prepared in 2021 and is incorporated by reference into this analysis. The master plan for the City's wastewater collection system is more comprehensive than the IFFP. It provides the basis for the IFFP and identifies all capital facilities required for the wastewater system inside the 20-year planning range, including maintenance, repair, replacement, and growth-related projects. This updated IFFP is also based on updated information on actual growth that has occurred since the last report was completed.

The recommendations made within the master plan are in compliance with current City policies and standard engineering practices.

A hydraulic model of the wastewater collection system was used to complete the Wastewater Collection System Master Plan. The model was used to assess existing performance, to establish a proposed level of service, and to confirm the effectiveness of the proposed capital facility projects to maintain the proposed level of service over the next 10 years.

## **SECTION 2**

### **EXISTING AND FUTURE WASTEWATER COLLECTION SYSTEM**

#### **2.1 General**

The purpose of this chapter is to provide information regarding the existing wastewater collection system, identify the current and proposed levels of service, and analyze the remaining capacity of the existing system's facilities.

Murray's existing wastewater collection system is comprised of gravity pipes including laterals, collectors, interceptors, lift stations, and force mains. All wastewater generated within the service area is conveyed to an outfall to the CVWRF system. Figure 2-1 of the wastewater collection system master plan illustrates the existing wastewater system and is included for reference in Appendix A.

#### **2.2 Existing and Future Equivalent Residential Units**

In order to compare the relative quantities of wastewater loading between different types of land use, it is helpful to use a common unit of measure. The unit of measure that is used with this analysis is the Equivalent Residential Unit (ERU). The use of ERUs is a typical approach to describe the wastewater collection system's usage. An ERU is equal to the average loading of residential connections. Once the ERU is established, non-residential uses can be quantified in terms of multiples or fractions of an ERU. An ERU is the ratio of non-residential wastewater loadings in comparison to an equivalent residential level of service. For this analysis all residential connections, including townhouses and apartments were equated to one ERU for indoor water demands.

Table 2-1 is a summary of ERUs in the existing system and the system at the design future condition as described in the Murray City wastewater master plan.

**Table 2-1**  
**System ERUs**

<b>Condition</b>	<b>Total ERUs</b>
Existing	16,453
Future	47,930
<b>Difference</b>	<b>+31,477</b>

## **2.3 Level of Service**

The level of service designated for the wastewater collection system has been established by the City to provide adequate wastewater collection capacity. It is based on analysis of data as described in the master plan.

### **ERU Loading and Treatment**

- The existing level of service is for average daily flow is 175 gpd per ERU.

### **Infiltration and Inflow**

- The existing wastewater collection system experiences infiltration at a level of approximately 0.6 MGD.
- The existing wastewater collection system experiences inflow at a level of approximately 1.0 MGD during major storm events.

These flow rates are included in the hydraulic model. Murray intends to manage infiltration and inflow to keep it at or below these levels.

### **Wastewater Collection System Capacity**

- Peak daily flow in the pipe must not exceed a depth/diameter ratio of 0.70 for pipe diameters 12 inches and greater and 0.50 for pipe diameters less than 12 inches. The remaining capacity is reserved for unexpected flows, peaking, or flow restrictions.
- Per State of Utah standards, no newly installed collection pipe may be less than 8 inches in diameter.

## **2.4 Methodology Used to Determine Existing System Capacity**

The method for determining the remaining capacity in the wastewater collection system was based on the defined level of service in terms of ERUs. The difference between the ERU capacity and ERU existing demand for each component is the remaining capacity.

### **Collection System Capacity**

A hydraulic model was developed for the purpose of assessing system operation and capacity taking into account additional water that results from inflow & infiltration (I&I). Inflow for Murray was assessed by evaluating wastewater flow records before and after storm events. Infiltration was determined by comparing billed winter water sales to wastewater flow records. For the collection system, the model was used to calculate remaining system capacity in terms of ERUs.

## **Wastewater Treatment Capacity**

The Murray City wastewater system is served by the CVWRF, which is a regional facility serving multiple member agencies. Murray is given a capital contribution rate (expressed as a percentage of total capital contributions required) based on annual flow volumes from Murray treated by the CVWRF. Flow capacity from CVWRF was used along with Murray's capital contribution rate to come up with the portion of the CVWRF capacity funded by Murray.

### **2.5 Collections**

The existing Murray City wastewater collection system consists of nearly 135 miles of pipeline and over 2,700 manholes. The pipes range in size from 6-inch diameter to 48-inch diameter. Lift stations are used to pump wastewater where gravity flow sewers are not capable of conveying flow to the CVWRF outfall.

### **2.6 Capital Facilities to Meet System Deficiencies**

The existing wastewater collection system is generally adequate to convey the anticipated wastewater to the wastewater treatment plant. However, there are a few areas with inadequate capacity. These are described in Table 6-1 in the Wastewater Collection System Master Plan (2021). These projects are not eligible for impact fee reimbursement and are not discussed further in this report.

## **CHAPTER 3**

### **IMPACT FEE FACILITIES PLAN**

#### **3.1 General**

This chapter relies on the data presented in the previous chapters to determine impact fee eligibility for projects planned in the next 10 years to increase capacity for new growth and an appropriate buy-in cost of available existing excess capacity previously purchased by the City.

The wastewater collection system facility projects planned in the next 10 years to increase capacity for new growth included within the IFFP are presented.

#### **3.2 Growth Projections**

The development of impact fees requires growth projections over the next ten years. Growth projections for Murray were made using the rates provided in the Murray Wastewater Master Plan. The existing system serves about 16,453 ERUs. Projected growth adds 3,389 ERUs in the next 10 years for a total of 19,841 ERUs. Total growth projections are summarized in Table 3-1. Further information on growth projections can be found in Figure 7-1 of the Wastewater Collection System Master Plan. This has been included in Appendix A for reference. The projected 10-year growth is shown in Figure 3-1.

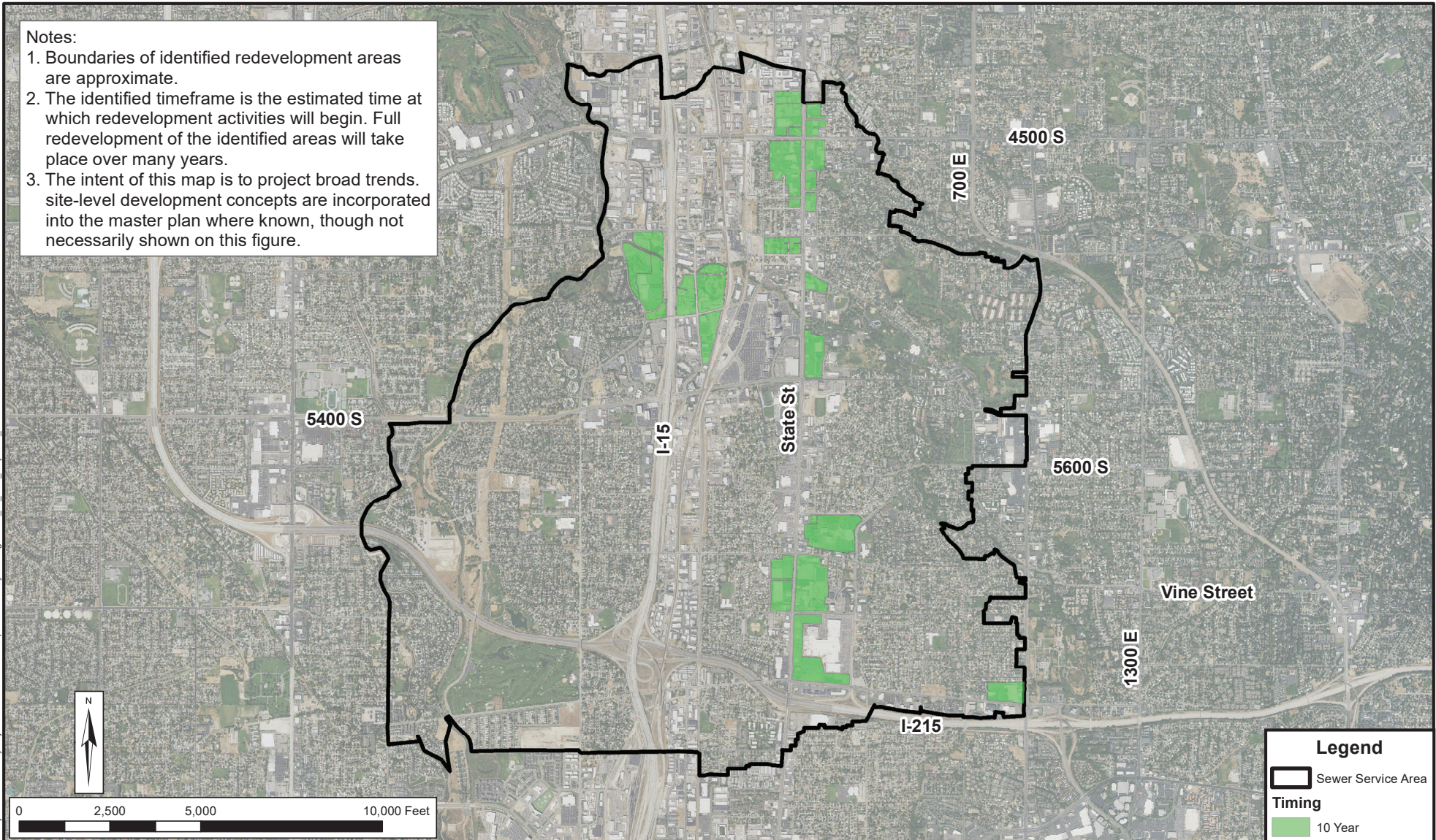
**Table 3-1**  
**Growth Projections**

<b>Year</b>	<b>Total ERUs</b>
2023	16,453
2024	16,817
2025	17,181
2026	17,546
2027	17,910
2028	18,274
2029	18,639
2030	19,003
2031	19,282
2032	19,562
2033	19,841
<b>Change</b>	<b>+3,389</b>



**Notes:**

1. Boundaries of identified redevelopment areas are approximate.
2. The identified timeframe is the estimated time at which redevelopment activities will begin. Full redevelopment of the identified areas will take place over many years.
3. The intent of this map is to project broad trends. site-level development concepts are incorporated into the master plan where known, though not necessarily shown on this figure.



Legend	
	Sewer Service Area
Timing	
	10 Year



### 3.3 Capacity of Existing Facilities

Future growth can be served either by excess capacity in existing facilities or by constructing new facilities. This section will focus on the existing capacity within the existing facilities.

#### Collection

The facilities and costs presented in Table 3-2 are existing facilities with remaining buy-in capacity. The historical costs for the existing facilities come from Murray City records. The impact fee eligibility for the existing collection facilities is also shown in Table 3-2. The cost of each facility associated with its remaining capacity is attributable to growth and can be counted towards the impact fee.

**Table 3-2**  
**Cost and Impact Fee Eligibility of Existing Collection Facilities**

Year	Project	Total Cost	% Impact Fee Eligible <sup>2</sup>
1998	Little Cottonwood 27" Bypass Sewer, I-15 to State Street	\$819,784.08	66%
2003	West Trunk Line	\$2,577,930.38	66%
2008	Fireclay Sewer Line	\$2,062,605.41	66%
2012	Mall Sewer Replacement	\$963,630.83	66%
2013	Edison Sewer and Fairbourne Force Main Improvements	\$44,479.60	66%
2015	500 W. Trunk Sewer Extension	\$1,668,451.24	66%
2018	Walden Glen Lift Station	\$1,757,494.46	66%
	<b>Total</b>	<b>\$9,894,376.00</b>	<b>-</b>

1. Records of costs for existing infrastructure were provided by the City.

2. Capacity remaining in existing facilities was conservatively estimated as the difference between the existing ERU count (16,453) and the projected ERU count at 2060 (47,930). See Table 2-1.

#### Treatment

The Murray City wastewater system is served by the CVWRF, which is a regional facility serving multiple member agencies. CVWRF currently manages the treatment facilities and all upgrades. Murray is given a capital contribution rate (expressed as a percentage of total capital contributions



required) based on annual flow volumes from Murray treated by the CVWRF. Recent capital contribution rates for Murray are shown in Table 3-3.

**Table 3-3**  
**Murray Capital Contribution Rate**

Year	Percent
2024	7.2013%

Table 3-4 is a summary of the treatment capacity provided by CVWRF. This includes the existing average treatment rate and the future design capacity after treatment upgrades are completed.

**Table 3-4**  
**CVWRF Capacity**

Condition	WRF Flow Rate (MGD)	Murray Capital Contribution Rate <sup>1</sup>	Murray Capacity (MGD) <sup>2</sup>	Capacity (ERUs)
Current average daily treatment rate	50	7.2013%	3.60	20,575
Current average daily treatment design capacity	75	7.2013%	5.40	30,863
Design average daily capacity after upgrades	84	7.2013%	6.05	34,566

1. See Table 3-3

2. Computed as the WRF flow rate multiplied by the Murray capital contribution rate

Table 3-5 includes a summary of costs for existing treatment capacity and percent eligibility. Existing capacity in CVWRF is being paid for by bonds. Historic records of these bonds have been included in Appendix B.

**Table 3-5**  
**Cost and Impact Fee Eligibility of Existing Treatment Facilities**

Project	Total Cost <sup>1</sup>	% Impact Fee Eligible <sup>2</sup>
Bonds 2017A through 2021C	\$34,446,857.00	33%

1. See Appendix B

2. Capacity remaining in existing treatment facilities was computed as the portion of the total existing design capacity (75 MGD) not currently consumed by existing users. See Table 3-4.

### 3.4 Capacity of Future Facilities

This section will discuss the impact fee eligible costs for future facilities for both collection and treatment.

#### Collection

The facilities and costs presented in Table 3-6 are proposed collection projects essential to maintain the current level of service while accommodating future growth within the next 10 years. The facility sizing for the future proposed projects were developed in the 2021 Wastewater Collection System Master Plan. They were based on the level of service, the City's land use plan, and hydraulic modeling. All future projects have a design life greater than 10 years, as required by the Impact Fee Act. Detailed cost estimates are included in Appendix C. Depictions of these projects are shown in Figure 7-3 of the Wastewater Collection System Master Plan, which has been included in Appendix A for reference. Further details are included in the wastewater collection system master plan.

**Table 3-6**  
**Estimated Cost of Future Collection Facilities**

Project	Map ID <sup>1</sup>	Total Cost
State Street, 5800 S to 6100 S	1	\$2,983,000.00
State Street, Auto Mall, and Main Street	2	\$3,466,700.00
5900 S. State Street to 300 West	3	\$3,139,000.00
State Street, 6100 S to 6200 S	4	\$1,262,000.00
<b>Total</b>		<b>\$10,850,700.00</b>

1. Refer to Figure 7-3 of the Wastewater Collection System Master Plan for the project number. This figure is included in Appendix A for reference.

#### Treatment

Treatment facility upgrades are managed by CVWRF, which is undergoing several upgrades to be compliant with new regulations aimed at minimizing nutrients in the effluent. The process upgrades will apply to both existing and future users.

CVWRF provided a summary of upgrades for nutrient removal. See Table 3-7.

**Table 3-7  
Future Nutrient Removal Projects**

<b>Project</b>	<b>Cost</b>	<b>Existing Demand (MGD)<sup>1</sup></b>	<b>Planned Future Demand at Buildout (MGD)<sup>1</sup></b>
Sidestream Phosphorus	\$9,892,563	50	84
Sidestream Nitrogen	\$22,249,315	50	84
BNR Basins	\$125,602,969	50	84
Blower Buildings	\$51,796,150	50	84
Thickening & Straining	\$45,983,020	50	84
Dewatering	\$56,300,000	50	84
<b>Total</b>	<b>\$311,824,017</b>	<b>-</b>	<b>-</b>

1. See Table 3-4

Costs for these upgrades are shared amongst the member agencies according to their capital contribution rate. The additional capacity added to the Murray wastewater system with the treatment plant upgrades is summarized in Table 3-8.

**Table 3-8  
Murray Remaining Treatment Capacity (after Treatment Projects)**

	<b>Value</b>
Capacity Remaining (MGD) <sup>1</sup>	2.45 MGD
ERUs Remaining <sup>2</sup>	13,991 ERUs

1. Calculated as the difference between Murray's future treatment capacity after CVWRF projects are complete (6.05 MGD; see Table 3-4) and Murray's existing average daily capacity (3.60 MGD; see Table 3-4).
2. ERUs were found by converting Murray's flow contribution in MGD to ERUs with the LOS of 175 gpd/ERU.

## Planning

Planning services are also needed to support growth. The City intends to update their master plans approximately every 5 years and their impact fee studies approximately every 3 years. Considering this schedule, and the cost of the most recent impact fee updates, the ERUs served by each plan update were calculated as shown in Table 3-9.

**Table 3-9**  
**Planning Component of Impact Fee**

<b>Planning Document</b>	<b>Cost</b>	<b>% of Plan Associated with Growth<sup>1</sup></b>	<b>ERUs Served<sup>2</sup></b>
2021 Wastewater Collection System Master Plan	\$38,000.00	60%	1,821
2023 IFFP and IFA	\$17,900.00	100%	1,093
<b>Total</b>	<b>\$55,900.00</b>	<b>-</b>	<b>-</b>

1. Percentages to growth for the master plan was based on a review of the scope of the plan and associated fees for tasks associated with the existing system and future growth. The IFFP and IFA are 100% associated with growth.
2. ERUs served was defined as the amount of ERUs expected to develop during the 5-year life of the master plan and the 3-year life of the IFFP and IFA, respectively. See Table 3-1.

## REFERENCES

---

State of Utah. 2014c. Utah Code Annotated, Section Utah Code 11-36a: Impact Fees Act

Hansen, Allen & Luce. 2021. "Murray City Wastewater Collection System Master Plan"

---

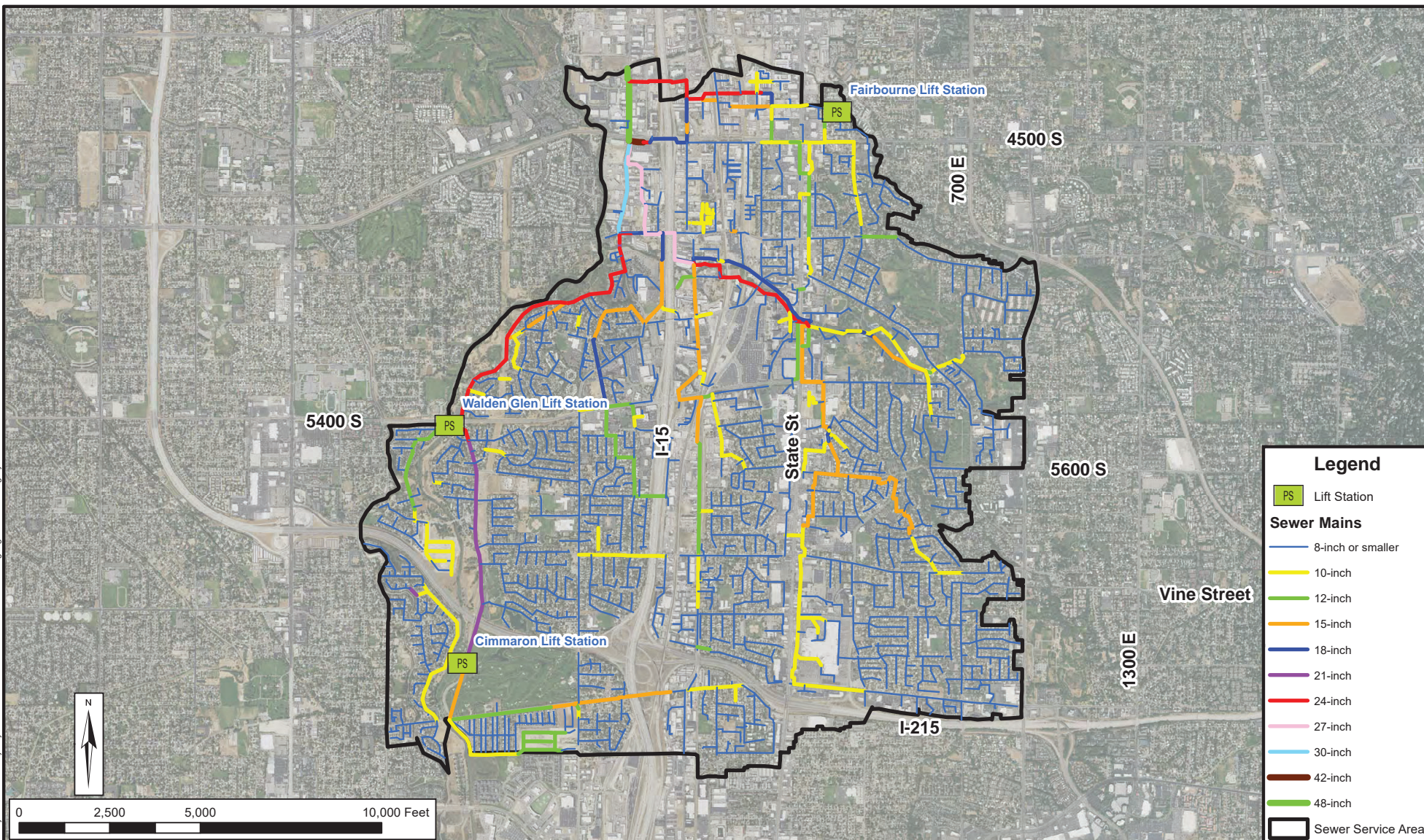
# **APPENDIX A**

## Information from the Wastewater Collection System Master Plan

---



Date: 4/6/2021  
Document Path: H:\Projects\026 - Murray City\14\_130 Wastewater Master Plan\GIS\Working\Figure 2-1 Existing System.mxd

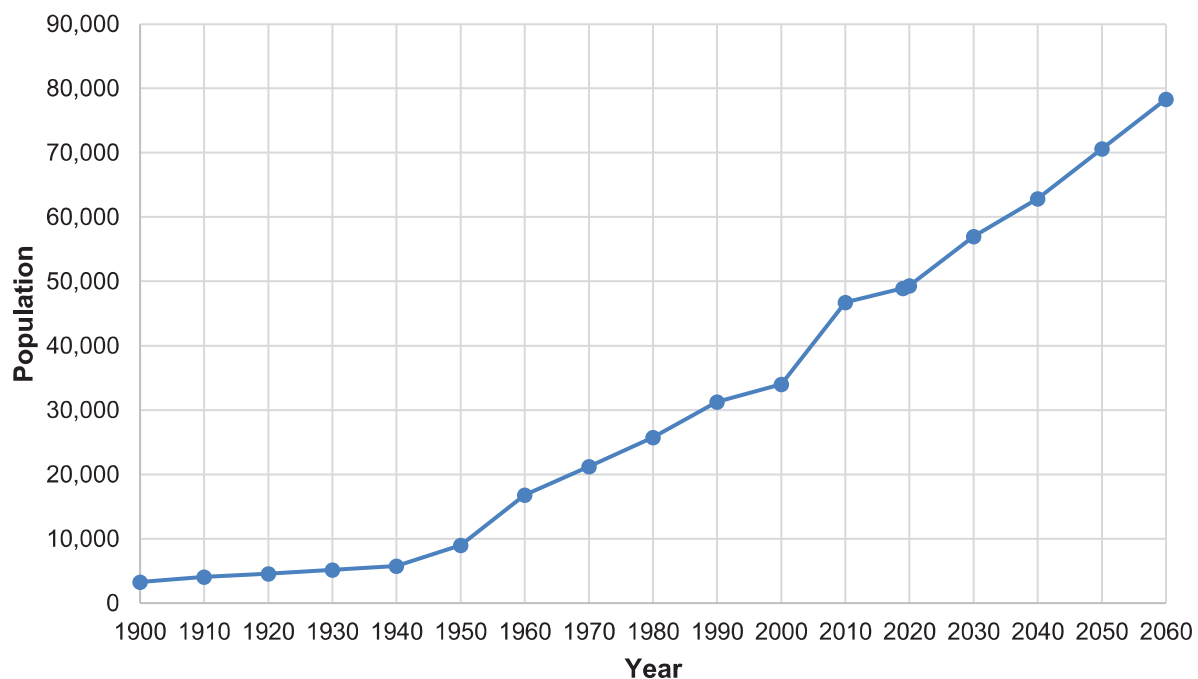




## CHAPTER 7 CAPITAL IMPROVEMENT PLAN

### GROWTH PROJECTIONS

Historic population data from the United States Census Bureau and population projections from the Utah Governor's Office of Management and Budget were evaluated and used to make population projections for this study. Future projections were scaled down to account for lower-than-expected growth during the 2010 – 2020 decade. However, substantial growth is expected to occur through 2060 which was selected as the planning horizon for this study. Figure 7-1 shows historic and projected population estimates used for this study.



**Figure 7-1: Historic and Projected Population**

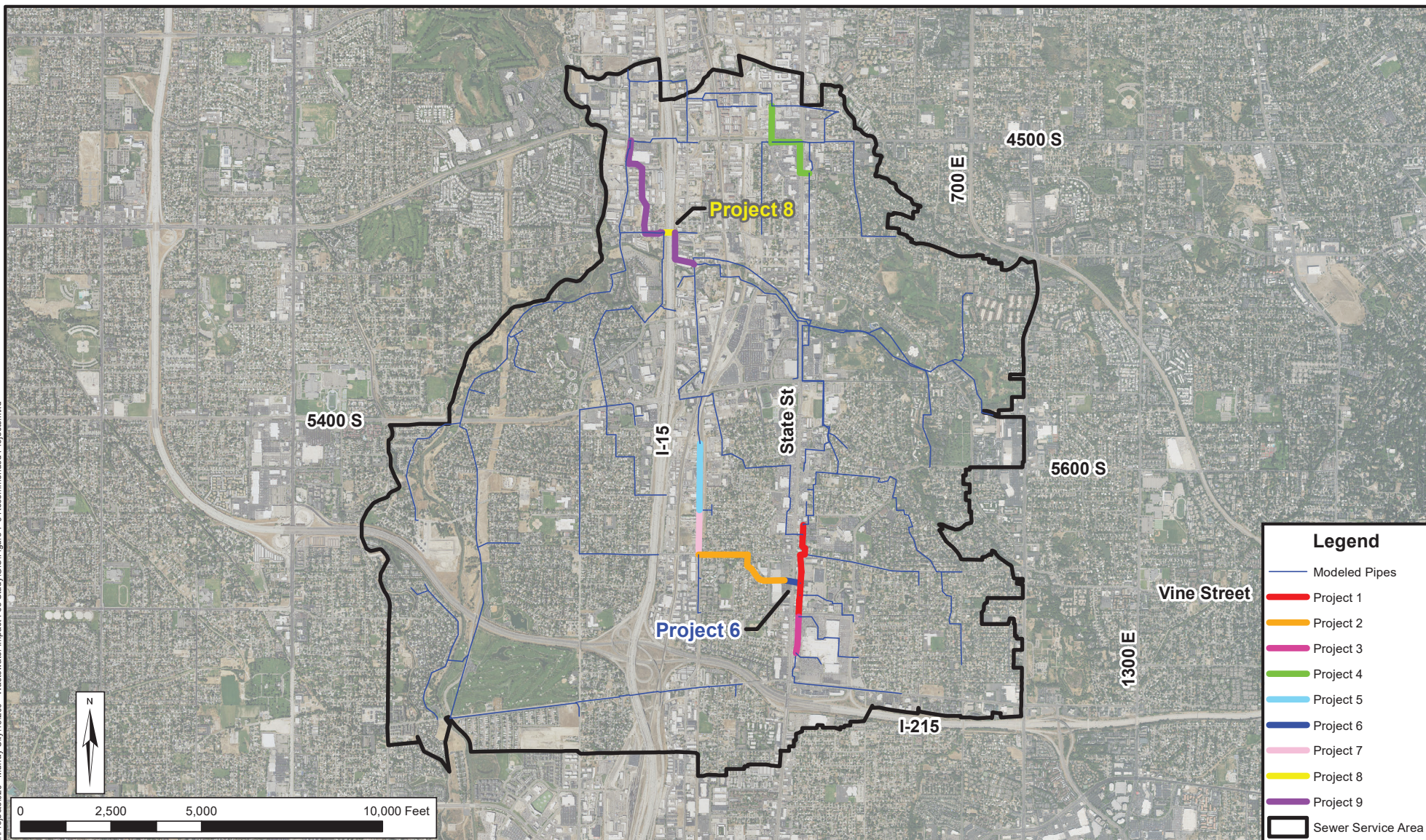
The Murray City planning department together with HAL and the Murray City Wastewater Division worked to identify the timing of growth and redevelopment projected to occur within the City (as discussed in Chapter 5). The projected timing of the development of these areas is shown on Figure 7-2. These projections are based on development concepts and interests known to the City, population projections, zoning code, and commonly accepted planning principles. These projections were used to assist the City in prioritizing future capital projects.

### COST ESTIMATES

The following were considered when developing the recommended projects:

- Input from operations personnel and City management
- Priority indicated by modeling efforts
- Expected pace and timing of developments
- Historic project cost estimates





**Legend**

- Modeled Pipes
- Project 1
- Project 2
- Project 3
- Project 4
- Project 5
- Project 6
- Project 7
- Project 8
- Project 9
- Sewer Service Area



**MURRAY CITY WASTEWATER COLLECTION  
SYSTEM MASTER PLAN**

**RECOMMENDED PROJECTS**

**FIGURE  
7-3**



---

# **APPENDIX B**

## CVWRF Information

---

## CVWRF Cost by Year

Account	Description	2024 Revised Budget	2023 Actual	2022 Actual	2021 Actual	2020 Actual	2019 Actual
52-5203-45105	Facility Operation	1,700,000.00	1,864,488.64	1,459,916.37	1,388,996.16	1,831,694.84	1,709,518.09
52-5203-45110	Interceptor Monitoring	0.00	0.00	0.00		3,042.69	968.89
52-5203-45115	Pretreatment Field	120,000.00	128,280.65	141,975.94	119,987.14	100,482.63	136,392.23
52-5203-45120	Laboratory Services	83,000.00	72,256.67	70,508.86	69,392.49	78,934.84	72,580.94
52-5203-45900	Depreciation	0.00	0.00	0.00			
52-5203-47800	Central Valley Capital	0.00	0.00	0.00			
52-5203-47801	Central Valley CIP	600,000.00	460,372.80	487,478.97	390,952.33	378,626.80	293,553.50
52-5203-48100	Bond Principal	1,900,000.00	1,796,893.34	1,475,697.70	774,725.37	821,691.95	346,662.98

## CVWRF - Murray Impact Fee Rate Study Information

Year	2017	2018	2019	2020	2021	2022	2023
Percentage Paid by Bond Proceeds	60.57%	57.16%	56.94%	67.47%	84.39%	95.97%	98.60%
Large Projects Capital	6,945,862	25,583,936	26,097,367	46,435,077	81,610,247	80,958,420	55,100,276.00
Cogen	5,438,213.34	7,345,896.80	6,513,776.49	3,859,368.00	1,616,680.00		
Influent Box	1,239,432.48	2,776,288.24	545,758.82				
Secondary Clarifiers 11 & 12	165,675.92	5,717,621.91	2,917,825.19	317,592.00			
Blend & Equalization Tank	102,540.12	1,496,926.56	747,429.45				
Odor Control			2,878,058.50	404,071.00			
Interceptor Lining		4,247,578.39	424,409.56	163,101.00	1,972,407.00		
3 Water		403,847.87	1,207,337.50	9,581,148.00	8,635,712.00	4,003,500.00	
BNR		3,595,776.84	8,294,650.27	11,905,827.00	32,394,653.00	32,295,828.00	24,972,355.00
Headworks			768,741.41	7,392,429.00	7,978,074.00		
South Interconnect			863,561.33	330.00			
South Salt Lake Force Main			507,672.06	1,382,276.00			
Blower Building			388,146.42	6,894,094.00	13,749,728.00	20,464,151.00	7,897,259.00
Sidestream P			20,000.00	915,308.00	5,371,439.00	4,402,465.00	993,375.00
Thickening				1,138,697.00	2,396,570.00	7,435,946.00	12,758,763.00
Sidestream N			20,000.00	897,618.00	3,534,887.00	10,637,746.00	6,224,090.00
Digester Lids Rehab				1,583,217.00	3,418,735.00		
Dewatering Upgrades					541,362.00	1,718,784.00	2,254,434.00
Paid by Bond Proceeds	4,206,993.38	14,622,806.00	14,860,870.00	31,329,574.00	68,870,111.66	77,697,131.00	54,330,803.98



---

# **APPENDIX C**

## Estimated Future Project Costs

**Murray City Master Plan  
Recommended Sewer Improvements  
Preliminary Engineers Cost Estimates**

	Item	Unit	Unit Price	Quantity	Total Price
<b>1</b>	<b><i>State Street, 5800 S to 6100 S</i></b>				
	15" Pipeline	LF	\$ 956	2600	\$ 2,485,912
			Engineering & Admin. (10%)		\$ 248,591
			Contingency (10%)		\$ 248,591
	<b>Total to State Street, 5800 S to 6100 S</b>				<b>\$ 2,983,000</b>
<b>2</b>	<b><i>Auto Blvd and Main Street</i></b>				
	15" Pipeline	LF	\$ 956	1700	\$ 1,625,404
	18" Pipeline	LF	\$ 1,013	1000	\$ 1,013,487
	Cross Major Road	LS	\$ 100,000	2	\$ 200,000
	Diversion Manhole	LS	\$ 50,000	1	\$ 50,000
			Engineering & Admin. (10%)		\$ 288,889
			Contingency (10%)		\$ 288,889
	<b>Total to Auto Blvd and Main Street</b>				<b>\$ 3,466,700</b>
<b>3</b>	<b><i>Approx 5900 S, State St. to 300 W</i></b>				
	12" Pipeline	LF	\$ 902	2900	\$ 2,615,800
			Engineering & Admin. (10%)		\$ 261,580
			Contingency (10%)		\$ 261,580
	<b>Total to Approx 5900 S, State St. to 300 W</b>				<b>\$ 3,139,000</b>
<b>4</b>	<b><i>State Street, 6100 S to 6200 S</i></b>				
	15" Pipeline	LF	\$ 956	1100	\$ 1,051,732
			Engineering & Admin. (10%)		\$ 105,173
			Contingency (10%)		\$ 105,173
	<b>Total to State Street, 6100 S to 6200 S</b>				<b>\$ 1,262,000</b>

**Total Costs \$ 10,850,700**

# Murray City Wastewater Treatment and Collection System

## Impact Fee Analysis



ZIONS PUBLIC FINANCE, INC.

February 2024



## Contents

<b>Contents</b>	<b>1</b>
Executive Summary	2
Wastewater System Overview	2
Level of Service – Equivalent Residential Unit	2
Wastewater Service Area	2
Existing Excess Capacity	2
New Construction Costs	2
Wastewater Impact Fee Calculation	2
Non-Standard Demand Adjustments	4
Chapter 1: Overview of the WASTEWATER Impact Fees	4
Summary	4
Costs to be Included in the Impact Fee	5
Utah Code Legal Requirements	5
Notice of Intent to Prepare Impact Fee Analysis	5
Preparation of Impact Fee Analysis	5
Certification of Impact Fee Analysis	6
Chapter 2: Impact From Growth Upon the CITY’s Facilities and Level of Service	7
Service Area	7
Wastewater Demands	7
Existing and Proposed LOS Analysis	7
Excess Capacity	8
Chapter 4: System Improvements Required from Development Activity	9
Future 10-Year Wastewater Capital Projects	9
Chapter 5: Proportionate Share Analysis	10
Maximum Legal Wastewater Impact Fee per ERU	10
Existing Projects with Excess Capacity	10
New Construction	11
Consultant Fees	11
Summary of Gross Impact Fee	12
Credits for Outstanding Bonds	12
Summary of Fees	14
Non-Standard Demand Adjustments	<b>Error! Bookmark not defined.</b>
Certification	14

## EXECUTIVE SUMMARY

---

Murray City (“City”) commissioned Hansen Allen Luce (HAL) to draft the City’s Wastewater Treatment and Collection System Impact Fee Facilities Plan (“IFFP”) and Zions Public Finance, Inc. (ZPFI) to draft a Wastewater Treatment and Collection System Impact Fee Analysis (“IFA”) in accordance with Utah law. An impact fee is a payment of money imposed upon new development activity to mitigate the impact of new development on public infrastructure.

The recommended impact fee structure presented in this analysis has been prepared to satisfy the Impact Fees Act, Utah Code Ann. § 11-36a-101 et. seq., and represents the maximum impact fees that the City may assess. The City will be required to use revenue sources other than impact fees to fund any projects identified in the IFFP that constitute repair and replacement, cure any existing deficiencies, or increase the level of service for existing users.

### Wastewater System Overview

---

#### Level of Service – Equivalent Residential Unit

Level of service (LOS) defines the wastewater demands that a new residential user, expressed as an Equivalent Residential Unit (ERU), will typically require and should pay for through impact fees. The City intends to maintain existing service levels as described in more detail in the body of this analysis and as taken from the IFFP.

In 2023 the City served 16,453 ERUs and is anticipated to grow to approximately 19,841 ERUs by 2033, for an increase of 3,388 ERUs over the 10-year period. A residential unit is equated to one ERU and non-residential properties are charged based on meter size.

### Wastewater Service Area

---

The Service Area covers Murray City with the exception of a small eastern portion of the City that is served by the Cottonwood Improvement District and a small area that is served by Mt. Olympus Service District. A map of the service area is included as Appendix A. The City provides wastewater collection services and contracts with Central Valley Water Reclamation Facility (CVWRF) for treatment.

### Existing Excess Capacity

---

The IFFP identifies total excess capacity in its collection system that will serve an additional 31,477 ERUs with an actual cost of roughly \$6.5 million. In addition, there is excess capacity in CVWRF’s treatment facilities of approximately 30,863 ERUs with an actual cost of about \$34.4 million.

### New Construction Costs

---

The IFFP identifies a total of \$10.85 million in new construction costs for collection facilities and \$9.1 million in treatment costs. Over the next 10 years, new development is responsible for \$1,167,906 of collection costs and \$2.2 million of treatment costs.

### Wastewater Impact Fee Calculation

---

The impact fee calculation shown in Table 1 below results in a gross fee of \$2,359.96 per ERU before credits are made for the City’s outstanding bond, for CVWRF’s outstanding bond and for the portion of the CVWRF new construction costs that will benefit existing development.

TABLE 1: PROPORTIONATE SHARE ANALYSIS - GROSS FEE BEFORE CREDITS

Summary of Gross Impact Fee	Amount
Existing Excess Capacity - Collection	\$207.46
Interest on City Bond for Existing Capacity	\$13.11
Existing Excess Capacity - Treatment	\$1,116.13
New Improvements - Collection	\$344.72
New Improvements - Treatment	\$649.64
Consultant Costs	\$28.90
Fund Balance	\$0.00
<b>Total Gross Fee</b>	<b>\$2,359.96</b>

Because of the two outstanding bonds, as well as new construction projects that will benefit existing development, new development cannot be expected to pay a full impact fee and then pay for these same facilities again through higher rates to cover the portion of the bond payments that benefit existing users. Maximum impact fees are shown in the far-right shaded column of Table 2 where the credits for the outstanding CVWRF bond, the City bond and the new construction costs that will benefit existing development are subtracted from the gross fee of \$2,359.96 per ERU.

TABLE 2: MAXIMUM FEE PER ERU BY YEAR

Year	NPV - CVWRF Bond	NPV City Series 2012	NPV CVWRF Future - Benefits Existing	Maximum Fee
2024	\$704.56	\$24.62	\$428.64	\$1,202.14
2025	\$669.51	\$22.41	\$410.33	\$1,257.71
2026	\$634.47	\$20.13	\$391.95	\$1,313.40
2027	\$599.34	\$17.83	\$373.46	\$1,369.33
2028	\$564.06	\$15.48	\$354.82	\$1,425.60
2029	\$528.58	\$13.08	\$335.99	\$1,482.31
2030	\$492.84	\$10.61	\$316.93	\$1,539.59
2031	\$456.78	\$8.09	\$297.61	\$1,597.49
2032	\$420.34	\$5.48	\$277.83	\$1,656.31
2033	\$383.21	\$2.79	\$257.55	\$1,716.40

All single-family and multi-family residential wastewater fees will be charged based on one ERU. All non-residential development will be charged based on the meter sizes shown in Tables 3 and 4 below.

TABLE 3: MAXIMUM IMPACT FEE PER 1 ERU AND METER SIZE, 2024-2028

Water Meter Sizes	Ratio	2024	2025	2026	2027	2028
1	1.00	\$1,202	\$1,258	\$1,313	\$1,369	\$1,426
1.5	2.00	\$2,404	\$2,515	\$2,627	\$2,739	\$2,851
2	3.20	\$3,846	\$4,024	\$4,203	\$4,381	\$4,562

Water Meter Sizes	Ratio	2024	2025	2026	2027	2028
3	6.00	\$7,213	\$7,546	\$7,880	\$8,216	\$8,554
4	10.00	\$12,021	\$12,577	\$13,134	\$13,693	\$14,256
6	20.00	\$24,043	\$25,154	\$26,268	\$27,387	\$28,512
8	32.03	\$38,500	\$40,280	\$42,063	\$43,855	\$45,657
10	67.06	\$80,610	\$84,336	\$88,071	\$91,821	\$95,594

TABLE 4: MAXIMUM IMPACT FEE PER 1 ERU AND METER SIZE, 2029-2033

Water Meter Sizes	Ratio	2029	2030	2031	2032	2033
1	1.00	\$1,482	\$1,540	\$1,597	\$1,656	\$1,716
1.5	2.00	\$2,965	\$3,079	\$3,195	\$3,313	\$3,433
2	3.20	\$4,743	\$4,926	\$5,111	\$5,300	\$5,492
3	6.00	\$8,894	\$9,238	\$9,585	\$9,938	\$10,298
4	10.00	\$14,823	\$15,396	\$15,975	\$16,563	\$17,164
6	20.00	\$29,646	\$30,792	\$31,950	\$33,126	\$34,328
8	32.03	\$47,473	\$49,307	\$51,162	\$53,045	\$54,970
10	67.06	\$99,397	\$103,238	\$107,120	\$111,064	\$115,094

### Non-Standard Demand Adjustments

The City reserves the right under the Impact Fees Act (Utah Code Ann. § 11-36a-402(1)(c, d)) to assess an adjusted fee to respond to unusual circumstances and to ensure that the impact fees are assessed fairly. The impact fee ordinance should include a provision that permits adjustment of the fee for a development based upon studies and data submitted by the developer that indicate a more realistic and accurate impact upon the City's infrastructure.

## CHAPTER 1: OVERVIEW OF THE WASTEWATER IMPACT FEES

### Summary

An impact fee is intended to recover the City's costs of building excess wastewater capacity from new residential or non-residential development rather than passing these growth-related costs on to existing users through rates.

The Utah Impact Fees Act allows only certain costs to be included in an impact fee so that only the fair cost of expansionary projects or existing unused capacity paid by the City is assessed through an impact fee. Eligible costs include future projects, historic costs of existing assets that still have capacity available to serve growth, future or outstanding debt related to these eligible projects, and certain professional

expenses related to planning for growth. Project improvements that only serve a specific development or subdivision cannot be included. System improvements that cure a deficiency or enhance the Level of Service (LOS) cannot be included without an appropriate credit.

The impact fee analysis provides documentation of a fair comparison, or rational nexus, between the impact fee charged to new development and the demands that new growth will have on the system.

### Costs to be Included in the Impact Fee

---

The impact fees proposed in this analysis are calculated based upon:

- Buy-in to existing excess capacity;
- New capital infrastructure that will serve new development; and
- Professional and planning expenses related to the construction of system improvements that will serve new development.

The costs that cannot be included in the impact fee are as follows:

- Projects that cure system deficiencies for existing users;
- Projects that increase the level of service above that which is currently provided;
- Operations and maintenance costs;
- Costs of facilities funded by grants or other funds that the City does not have to repay;
- Interest costs related to outstanding or future bonds that have been issued to fund non-impact fee eligible projects such as repair and replacement and curing deficiency; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

### Utah Code Legal Requirements

---

Utah law requires that entities prepare an Impact Fee Analysis (IFA) before enacting an impact fee. Utah law also requires that entities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. The City has retained Zions Public Finance, Inc. (ZPFI) to prepare this Impact Fee Analysis in accordance with legal requirements.

#### Notice of Intent to Prepare Impact Fee Analysis

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Plan (Utah Code §11-36a-503). This notice must be posted on the Utah Public Notice website.

#### Preparation of Impact Fee Analysis

Utah Code requires that each local political subdivision, before imposing an impact fee, prepare an impact fee analysis. (Utah Code 11-36a-304).

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis:

- (1) An impact fee analysis shall:
  - (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;
  - (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;

- (c) demonstrate how the anticipated impacts described in subsections (1)(a) and (b) are reasonably related to the anticipated development activity;
  - (d) estimate the proportionate share of:
    - (i) the costs for existing capacity that will be recouped; and
    - (ii) the costs of impacts on system improvements that are reasonably related to the new development activity; and
  - (e) identify how the impact fee was calculated.
- (2) In analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:
- (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
  - (b) the cost of system improvements for each public facility;
  - (c) other than impact fees, the manner of financing for each public facility, such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;
  - (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by such means as user charges, special assessments, or payment from the proceeds of general taxes;
  - (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
  - (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
  - (g) extraordinary costs, if any, in servicing the newly-developed properties; and
  - (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

#### Certification of Impact Fee Analysis

Utah Code states that an Impact Fee Analysis shall include a written certification from the person or entity that prepares the Impact Fee Analysis. This certification is included at the conclusion of this analysis.

## CHAPTER 2: IMPACT FROM GROWTH UPON THE CITY'S FACILITIES AND LEVEL OF SERVICE

*Utah Code 11-36a-304(1)(a)*

### Service Area

The service area includes all areas within Murray City's boundaries with the exception of a small eastern portion of the City that is served by Cottonwood Improvement District and a small area that is served by Mt. Olympus Improvement District. A map of the service area is included in Appendix A.

### Wastewater Demands

The table below shows Equivalent Residential Unit (ERU) growth projections as obtained from the City's IFFP.

TABLE 5: GROWTH IN DEMAND

Year	ERUs
2023	16,453
2024	16,817
2025	17,181
2026	17,546
2027	17,910
2028	18,274
2029	18,639
2030	19,003
2031	19,282
2032	19,562
2033	19,841
<b>Growth in ERUs, 2023-2033</b>	<b>3,388</b>

### Existing and Proposed LOS Analysis

The level of service designated for the wastewater collection system has been established by the City to provide adequate wastewater collection capacity. It is based on analysis of data as described in the master plan and as summarized in the IFFP and quoted herein.

### ERU Loading and Treatment

- The existing level of service is for average daily flow is 175 gpd per ERU.

### Infiltration and Inflow

- The existing wastewater collection system experiences infiltration at a level of approximately 0.6 MGD.
- The existing wastewater collection system experiences inflow at a level of approximately 1.0 MGD during major storm events. These flow rates are included in the hydraulic model. Murray intends to manage infiltration and inflow to keep it at or below these levels.

### Wastewater Collection System Capacity

- Peak daily flow in the pipe must not exceed a depth/diameter ratio of 0.70 for pipe diameters 12 inches and greater and 0.50 for pipe diameters less than 12 inches. The remaining capacity is reserved for unexpected flows, peaking, or flow restrictions.
- Per State of Utah standards, no newly installed collection pipe may be less than 8 inches in diameter.

### Excess Capacity

With growth of 3,388 ERUs over the 10-year time frame of this study (2023-2033), the IFFP identifies \$6,530,288.16 of costs related to existing, excess capacity in the collection system that will be consumed by the added capacity demands of new development. The total remaining excess capacity is 31,477 ERUs.

TABLE 6: EXISTING EXCESS CAPACITY—COLLECTION SYSTEM

Project	Actual Cost	% Impact Fee Eligible	Impact-Fee Eligible Cost
Little Cottonwood- 27" Bypass Sewer, 1-15 to State Street	\$819,784.08	66%	\$541,057.49
West Trunk Line	\$2,577,930.38	66%	\$1,701,434.05
Fireclay Sewer Line	\$2,062,605.41	66%	\$1,361,319.57
Mall Sewer Replacement	\$963,630.83	66%	\$635,996.35
Edison Sewer and Fairbourne Force Main Improvements	\$44,479.60	66%	\$29,356.54
500 W Trunk Sewer Extension	\$1,668,451.24	66%	\$1,101,177.82
Walden Glen Lift Station	\$1,757,494.46	66%	\$1,159,946.34
<b>TOTAL</b>	<b>\$9,894,376.00</b>		<b>\$6,530,288.16</b>

Source: IFFP, p. 3-2

The above impact-fee eligible cost can be increased by the interest costs of the Series 2012 Sewer Bond that is paying for the above facilities. The remaining capacity of these projects is 31,477 ERUs, or 66 percent of the total capacity of 47,930 ERUs served by the bond projects. Total interest on the Series 2012 bond is \$628,350 which covers 47,930 ERUs.

The IFFFP also identifies excess capacity in the treatment system - \$34,446,557 of excess capacity that will serve 30,863 ERUs.<sup>1</sup>

<sup>1</sup> Source: IFFP, p. 3-3



## CHAPTER 4: SYSTEM IMPROVEMENTS REQUIRED FROM DEVELOPMENT ACTIVITY

*Utah Code 11-36a-304(1)(b)(c)*

### Future 10-Year Wastewater Capital Projects

The City intends to build the following projects within the impact fee planning horizon to serve the demands of new growth.

TABLE 7: IMPACT-FEE ELIGIBLE CAPITAL PROJECTS - COLLECTION SYSTEM

Project	Cost
State Street, 5800 S to 6100 S	\$2,983,000
State Street, Auto Mall, and Main Street	\$3,466,700
5900 S. State Street to 300 West	\$3,139,000
State Street, 6100 S to 6200 S	\$1,262,000
<b>TOTAL</b>	<b>\$10,850,700</b>
Source: IFFP, p. 3-4	

CVWRF is planning for nearly \$312 million in new construction projects. Of this amount roughly 40 percent, or \$126 million, is attributable to new growth.

TABLE 8: IMPACT-FEE ELIGIBLE CAPITAL PROJECTS - TREATMENT SYSTEM

Project	Cost	Existing Demand (MGD)	Planned Future Demand at Buildout (MGD)	% to New Growth	Cost to New Growth
Sidestream Phosphorus	\$9,892,563	50	84	40%	\$4,004,133
Sidestream Nitrogen	\$22,249,315	50	84	40%	\$9,005,675
BNR Basins	\$125,602,969	50	84	40%	\$50,839,297
Blower Buildings	\$51,796,150	50	84	40%	\$20,965,108
Thickening & straining	\$45,983,020	50	84	40%	\$18,612,175
Dewatering	\$56,300,000	50	84	40%	\$22,788,095
<b>TOTAL</b>	<b>\$311,824,017</b>				<b>\$126,214,483</b>
Source: IFFP, p. 3-5					

Approximately 60 percent of the costs will benefit existing development and therefore credits must be made in the calculation of impact fees so that new development does not pay twice. Murray City is responsible for only 7.2013 percent of these costs, thereby reducing the costs to new growth to \$9,089,084. The amount that will benefit existing development is \$185,609,533.93, which is reduced by 7.2013 percent of these costs to \$13,366,299.

## CHAPTER 5: PROPORTIONATE SHARE ANALYSIS

The Impact Fees Act requires the Impact Fee Analysis to estimate the proportionate share of the future and historic cost of existing system improvements that benefit new growth that can be recouped through impact fees. The impact fee for existing assets must be based on the actual costs while the fees for construction of new facilities must be based on reasonable future costs of the system. This chapter will show that the proposed impact fee for system improvements is reasonably related to the impact on the wastewater system from future development activity.

### Maximum Legal Wastewater Impact Fee per ERU

#### Existing Projects with Excess Capacity

The existing excess capacity to be consumed over the next ten years is \$702,882 as shown in detail in Table 9. With projected growth of 3,388 ERUs over the next 10 years, the cost per ERU is \$207.46 for buy-in to the existing collection system.

TABLE 9: PROPORTIONATE SHARE ANALYSIS-EXCESS CAPACITY BUY-IN TO COLLECTION SYSTEM

Existing Excess Capacity - Collection	Amount
Impact-Fee Eligible Actual Cost - Remaining	\$6,530,288.16
Growth in ERUs, 2023-2033	3,388
Capacity of System in ERUs	47,930
% of Capacity Consumed, 2023-2033	11%
Cost to Development, 2023-2033	\$702,882
<b>Cost per ERU</b>	<b>\$207.46</b>

Because the collection excess capacity is funded by the City's outstanding Series 2012 Sewer Bond, interest costs of the bond can be added to the actual buy-in costs.

TABLE 10: INTEREST COSTS ON SERIES 2012 BOND

Interest on Series 2012 Wastewater Bond	Amount
Total Interest	\$628,350
Total Capacity in ERUs Served by Bond	47,930
<b>Interest Cost per ERU</b>	<b>\$13.11</b>

There is also existing, excess capacity in the Central Valley Water treatment facility. According to the IFFP, the cost attributable to Murray City is \$34.4 million, with remaining capacity of 30,863 ERUs.

TABLE 11: PROPORTIONATE SHARE ANALYSIS-EXCESS CAPACITY BUY-IN TO TREATMENT SYSTEM

Existing Excess Capacity - Treatment	Amount
Cost of Facility	\$34,446,857
Total Capacity in ERUs	30,863
<b>Cost per ERU</b>	<b>\$1,116.13</b>

## New Construction

Table 7 summarizes the cost of future collection system improvements to be constructed within the next 10 years and what portion of these costs is attributable to 10-year growth. The total projected cost of new collection facilities is \$10,850,700, with \$1,167,906 of these costs attributable to the demands of new development over the next 10 years.

TABLE 12: PROPORTIONATE SHARE ANALYSIS- NEW CONSTRUCTION OF COLLECTION FACILITIES

Future Facilities - Collection	Amount
Cost of New Collection Facilities	\$10,850,700
Growth in ERUs, 2023-2033	3,388
Capacity of System in ERUs	31,477
% of Capacity Consumed, 2023-2033	11%
Cost to Development, 2023-2033	\$1,167,906
<b>Cost per ERU</b>	<b>\$344.72</b>

Additional new construction costs are attributable to the increased demands placed on treatment at the CVWRF. Since Murray is responsible 7.2013 percent of the demand at the facility, it is responsible for \$9,089,084 of total costs.

TABLE 13: PROPORTIONATE SHARE ANALYSIS- NEW CONSTRUCTION OF TREATMENT FACILITIES

Future Facilities - Treatment CVWRF	Amount
Cost to New Growth	\$126,214,483
Murray Percent Share	7.2013%
Cost to Murray for New Growth	\$9,089,084
Capacity ERUs	13,991
Growth in ERUs, 2023-2033	3,388
Percent to New Growth, 2023-2033	24%
Cost to New Growth, 2023-2033	\$2,200,973.14
<b>Cost per ERU</b>	<b>\$649.64</b>

## Consultant Fees

The Impact Fees Act allows for fees charged to include the reimbursement of engineering and consultant costs incurred in the preparation of wastewater plans and analyses.

TABLE 14: PROPORTIONATE SHARE ANALYSIS – CONSULTANT FEES

Consultant Fees	Cost	ERUs Served	% of Plan Associated with Growth	Cost to Growth	Cost per ERU
2021 Wastewater Collection System Master Plan	\$38,000	1,821	60%	\$22,800	\$12.52
2023 IFFP and IFA	\$17,900	1,093	100%	\$17,900	\$16.38
<b>TOTAL</b>	<b>\$55,900</b>			<b>\$40,700</b>	<b>\$28.90</b>

### Summary of Gross Impact Fee

The gross impact fee is the impact calculated before credits for the outstanding bonds are taken into account.

TABLE 15: PROPORTIONATE SHARE ANALYSIS- GROSS IMPACT FEE PER ERU

Summary of Gross Impact Fee	Amount
Existing Excess Capacity - Collection	\$207.46
Interest on City Bond for Existing Capacity	\$13.11
Existing Excess Capacity - Treatment	\$1,116.13
New Improvements - Collection	\$344.72
New Improvements - Treatment	\$649.64
Consultant Costs	\$28.90
Fund Balance	\$0.00
<b>Total Gross Fee</b>	<b>\$2,359.96</b>

### Credits for Outstanding Bonds

The City has one outstanding bond, the Series 2012 Sewer Bond, and CVWRF has one outstanding bond for which credits must be made. Credits must be made only for the portion of the bond that benefits existing development as the impact fees collected should be sufficient to cover the obligations and fair share of new development.

TABLE 16: PROPORTIONATE SHARE ANALYSIS- CREDITS ON SERIES 2012 BOND

Year	P + I	Payments to Existing	ERCs	Payment per ERU	NPV*
2024	\$169,025	\$58,021	16,817	\$3.45	\$24.62
2025	\$169,725	\$58,262	17,181	\$3.39	\$22.41
2026	\$169,325	\$58,124	17,546	\$3.31	\$20.13
2027	\$168,850	\$57,961	17,910	\$3.24	\$17.83
2028	\$169,300	\$58,116	18,274	\$3.18	\$15.48
2029	\$169,650	\$58,236	18,639	\$3.12	\$13.08
2030	\$168,900	\$57,979	19,003	\$3.05	\$10.61
2031	\$169,075	\$58,039	19,282	\$3.01	\$8.09
2032	\$169,150	\$58,064	19,562	\$2.97	\$5.48
2033	\$169,125	\$58,056	19,841	\$2.93	\$2.79

\*NPV = net present value discounted at 5 percent

TABLE 17: PROPORTIONATE SHARE ANALYSIS- CREDITS ON SERIES CVWRF BOND

Year	P+I	ERUs	Total Credit Amt	Payment per ERU	NPV* - CVWRF
2024	\$2,168,671	16,453	\$1,156,125	\$70.27	\$704.56
2025	\$2,161,536	16,817	\$1,152,321	\$68.52	\$669.51

Year	P+I	ERUs	Total Credit Amt	Payment per ERU	NPV* - CVWRF
2026	\$2,154,651	17,181	\$1,148,651	\$66.86	\$634.47
2027	\$2,147,454	17,546	\$1,144,814	\$65.25	\$599.34
2028	\$2,139,221	17,910	\$1,140,425	\$63.68	\$564.06
2029	\$2,131,373	18,274	\$1,136,241	\$62.18	\$528.58
2030	\$2,122,308	18,639	\$1,131,408	\$60.70	\$492.84
2031	\$2,112,891	19,003	\$1,126,388	\$59.27	\$456.78
2032	\$2,103,080	19,282	\$1,121,158	\$58.15	\$420.34
2033	\$2,093,567	19,562	\$1,116,086	\$57.05	\$383.21

\*NPV = net present value discounted at 5 percent

The credits shown in tables 16 and 17 above are for existing outstanding debt only. In addition, credits must be made for any portion of future projects that benefits existing development. The IFFP does not identify any part of the future collections facilities that will benefit existing development (i.e., cure deficiencies) and therefore no credit needs to be made.

However, the IFFP does identify a portion of the new construction costs for CVWRF treatment facilities that will benefit existing development. Therefore, a credit needs to be made so that new development does not pay twice. The credit is made by taking the fair share to Murray for existing development (\$13,366,299) and spreading the costs over 20 years to arrive at an estimated \$668,315 per year that will benefit existing development.

TABLE 18: CREDITS FOR CVWRF NEW PROJECTS THAT BENEFIT EXISTING DEVELOPMENT

Description	Amount
Total New Construction Cost	\$311,824,017
Total Amount Benefitting Existing Development	\$185,609,534
Murray City Allocation	7.2013%
Amount to Murray City for Existing Development	\$13,366,299
Number of Years	20
Cost per Year	\$668,315

The impact per year per ERU is calculated by dividing the annual payments by the total projected ERUs in the City and calculating a net present value of those future payments.

TABLE 19: CREDITS FOR CVWRF NEW PROJECTS THAT BENEFIT EXISTING DEVELOPMENT

Year	Payment per Year	ERUs	Payment per ERU	NPV*
2024	\$668,315	16,817	\$39.74	\$428.64
2025	\$668,315	17,181	\$38.90	\$410.33
2026	\$668,315	17,546	\$38.09	\$391.95
2027	\$668,315	17,910	\$37.32	\$373.46
2028	\$668,315	18,274	\$36.57	\$354.82
2029	\$668,315	18,639	\$35.86	\$335.99
2030	\$668,315	19,003	\$35.17	\$316.93
2031	\$668,315	19,282	\$34.66	\$297.61

Year	Payment per Year	ERUs	Payment per ERU	NPV*
2032	\$668,315	19,562	\$34.16	\$277.83
2033	\$668,315	19,841	\$33.68	\$257.55

\*NPV = net present value discounted at 5 percent

## Summary of Fees

Because of the two outstanding bonds, as well as new construction projects that will benefit existing development, new development cannot be expected to pay a full impact fee and then pay for these same facilities again through higher rates to cover the portion of the bond payments that benefit existing users. Maximum impact fees are shown in the far-right shaded column of Table 2 where the credits for the outstanding CVWRF bond, the City bond and the new construction costs that will benefit existing development are subtracted from the gross fee of \$2,359.96 per ERU.

TABLE 20: MAXIMUM FEE PER ERU BY YEAR

Year	NPV - CVWRF Bond	NPV City Series 2012	NPV CVWRF Future - Benefits Existing	Maximum Fee
2024	\$704.56	\$24.62	\$428.64	\$1,202.14
2025	\$669.51	\$22.41	\$410.33	\$1,257.71
2026	\$634.47	\$20.13	\$391.95	\$1,313.40
2027	\$599.34	\$17.83	\$373.46	\$1,369.33
2028	\$564.06	\$15.48	\$354.82	\$1,425.60
2029	\$528.58	\$13.08	\$335.99	\$1,482.31
2030	\$492.84	\$10.61	\$316.93	\$1,539.59
2031	\$456.78	\$8.09	\$297.61	\$1,597.49
2032	\$420.34	\$5.48	\$277.83	\$1,656.31
2033	\$383.21	\$2.79	\$257.55	\$1,716.40

All single-family and multi-family residential wastewater fees will be charged based on one ERU. All non-residential development will be charged based on the meter sizes shown in Tables 21 and 11 below.

TABLE 21: MAXIMUM IMPACT FEE PER METER SIZE, 2024-2028

Water Meter Sizes	Ratio	2024	2025	2026	2027	2028
1	1.00	\$1,202	\$1,258	\$1,313	\$1,369	\$1,426
1.5	2.00	\$2,404	\$2,515	\$2,627	\$2,739	\$2,851
2	3.20	\$3,846	\$4,024	\$4,203	\$4,381	\$4,562
3	6.00	\$7,213	\$7,546	\$7,880	\$8,216	\$8,554
4	10.00	\$12,021	\$12,577	\$13,134	\$13,693	\$14,256
6	20.00	\$24,043	\$25,154	\$26,268	\$27,387	\$28,512
8	32.03	\$38,500	\$40,280	\$42,063	\$43,855	\$45,657
10	67.06	\$80,610	\$84,336	\$88,071	\$91,821	\$95,594

TABLE 22: MAXIMUM IMPACT FEE PER METER SIZE, 2029-2033

Water Meter Sizes	Ratio	2029	2030	2031	2032	2033
1	1.00	\$1,482	\$1,540	\$1,597	\$1,656	\$1,716
1.5	2.00	\$2,965	\$3,079	\$3,195	\$3,313	\$3,433
2	3.20	\$4,743	\$4,926	\$5,111	\$5,300	\$5,492
3	6.00	\$8,894	\$9,238	\$9,585	\$9,938	\$10,298
4	10.00	\$14,823	\$15,396	\$15,975	\$16,563	\$17,164
6	20.00	\$29,646	\$30,792	\$31,950	\$33,126	\$34,328
8	32.03	\$47,473	\$49,307	\$51,162	\$53,045	\$54,970
10	67.06	\$99,397	\$103,238	\$107,120	\$111,064	\$115,094

### Non-Standard Demand Adjustments

The City reserves the right under the Impact Fees Act (Utah Code Ann. § 11-36a-402(1)(c, d)) to assess an adjusted fee to respond to unusual circumstances and to ensure that the impact fees are assessed fairly. The impact fee ordinance should include a provision that permits adjustment of the fee for a development based upon studies and data submitted by the developer that indicate a more realistic and accurate impact upon the City's infrastructure.

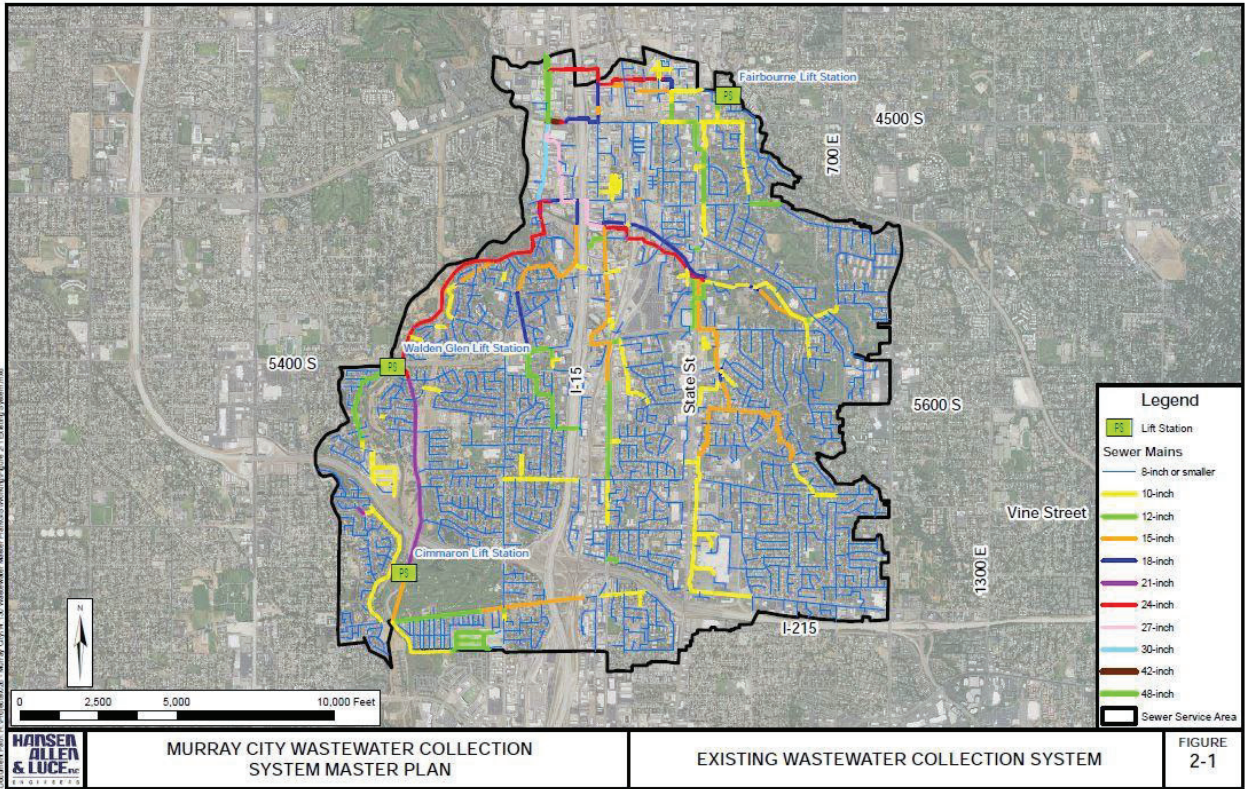
## CERTIFICATION

Zions Public Finance, Inc. certifies that the attached impact fee analysis:

1. includes only the cost of public facilities that are:
  - a. allowed under the Impact Fees Act; and
  - b. actually incurred; or
  - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
  - a. costs of operation and maintenance of public facilities; or
  - b. cost for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
3. offset costs with grants or other alternate sources of payment; and
4. complies in each and every relevant respect with the Impact Fees Act.



APPENDIX A







**MURRAY**  
CITY COUNCIL

# Public Hearing #2



**MURRAY**


## PUBLIC WORKS DEPARTMENT

### Wastewater Collection and Treatment System Impact Fee Plan

#### Council Action Request

#### Council Meeting

Meeting Date: March 19, 2024

<b>Department Director</b> Russ Kakala  <b>Phone #</b> 801-270-2404  <b>Presenters</b> Ben Ford          <b>Required Time for Presentation</b> 30 Minutes  <b>Is This Time Sensitive</b> No  <b>Mayor's Approval</b>   <b>Date</b> February 20, 2024	<b>Purpose of Proposal</b> Presentation of the Wastewater Impact Fee Study  <b>Action Requested</b> Discuss, review, and adoption in the March 19 2024 Council meeting.  <b>Attachments</b> Ordinance  <b>Budget Impact</b> Wastewater Impact Fees.  <b>Description of this Item</b> Updated impact fee structure and analysis for new developments.
--	---

## **MURRAY CITY CORPORATION**

### **NOTICE OF PUBLIC HEARING TO ADOPT AN ORDINANCE AMENDING SECTION 3.14.110 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO AN INCREASE TO THE WASTEWATER SYSTEM IMPACT FEES**

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> Day of March, 2024, at the hour of 6:30 p.m., in the City Council Chambers of the Murray City Hall, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will hold and conduct a Public Hearing on and pertaining to text amendments to section 3.14.110 of the Murray City Municipal Code relating to an increase to the Wastewater System Impact Fees.

The purpose of this hearing is to receive public comment concerning the proposed amendments as described above.

DATED this 5<sup>th</sup> day of March 2024.



MURRAY CITY CORPORATION

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

Brooke Smith  
City Recorder

DATES OF POSTING: MARCH 8, 2024  
PH24-10

LOCATIONS OF POSTINGS – AT LEAST 10 CALENDAR DAYS BEFORE THE PUBLIC HEARING:

1. Utah Public Notice Website.
2. City's Official Website.
3. (City Hall) Public Location Reasonably Likely to be Seen by Residents (where proposed impact fee facilities will be located – i.e., service area).

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

AN ORDINANCE AMENDING SECTION 3.14.110 OF THE MURRAY CITY  
MUNICIPAL CODE RELATING TO WASTEWATER SYSTEM IMPACT FEES.

PREAMBLE

Murray City (the “City”) commissioned Hansen, Allen, & Luce, Inc. to draft the City’s Wastewater Treatment and Collection System Impact Fee Facilities Plan (“IFFP”) and Zions Public Finance, Inc. to draft a Wastewater Treatment and Collection System Impact Fee Analysis (“IFA”) for the purpose of updating the current wastewater system impact fees. The City recognizes the need to plan for increased demands on its wastewater collection system as a result of growth. The IFFP and IFA will allow the City to charge applicable impact fees to help pay for capital projects necessary to support future growth. The updated impact fee structure satisfies the Utah Impact Fees Act, Utah Code Ann. § 11-36a-101 et. Seq., and represents the maximum impact fees the City may assess.

The impact fees for the City wastewater collection system were last updated in 2011. Since that time, construction costs have risen substantially due to a number of factors, including material shortages, labor shortages, and supply chain constraints. There have also been several upgrades made to the Central Valley Water Reclamation Facility to increase capacity and comply with new nutrient regulations mandated by the Utah Division of Water Quality. To account for rising constructions costs, the City has undertaken this impact fee update.

The City assesses wastewater system impact fees in order to recover the City’s costs of building excess wastewater capacity from new residential or non-residential development rather than passing these growth-related costs on to existing users through rates.

A duly noticed public hearing was held to consider amendments to the wastewater system impact fee. The Murray City Municipal Council, having heard public comment, wants to adopt amendments to the wastewater system impact fees.

BE IT ORDAINED BY THE MURRAY CITY MUNICIPAL COUNCIL:

*Section 1. Purpose.* The purpose of this ordinance is to amend Section 3.14.110 of the Murray City Municipal Code relating to wastewater system impact fees.

*Section 2. Amendment to Section 3.14.110 of the Murray City Municipal Code.* Section 3.14.110 of the Murray City Municipal Code shall be amended to read as follows:

### 3.14.110: SCHEDULE OF IMPACT FEES:

...

#### B. Wastewater Impact Fee And Tapping Charges:

~~1. Wastewater system impact fees are computed on an equivalent dwelling unit (EDU) calculation assigned to each applicable land use or type of service, and shall be imposed on all sewer connections made on or after the effective date hereof, as follows:~~

-

User Type	Percent	Impact Fee per EDU Unit
Single Family Dwelling	100%	\$1,372.00
Multiple Family Dwelling	75%	\$1,029.00 per single unit or unit
Hotel/motel	50%	\$686.00 per room

-

~~21. The wastewater system impact fee for all other uses is the greater of the meter size as listed in the table below in Subsection (a) or the Equivalent Residential Unit (ERU) in Subsection (b) based on the total number of fixture traps where one ERU is equal to fifteen (15) plumbing fixture traps as defined in the adopted Plumbing Codes and as determined by the City building officials.:~~

a. Meter Size ~~The following fee based on the water meter size serving the property to be served by the wastewater system:~~

Water Meter Size	Impact Fee
1.0 inch	\$ 1,372.00
1.5 inch	2,744.00
2.0 inch	4,390.00
3.0 inch	8,232.00
4.0 inch	13,720.00
6.0 inch	27,440.00
8.0 inch	43,904.00
10.0 inch	92,000.00

		Effective Date				
Water Meter Sizes	Ratio	April 1, 2024	April 1, 2025	April 1, 2026	April 1, 2027	April 1, 2028
1	1.00	\$1,202.00	\$1,258.00	\$1,313.00	\$1,369.00	\$1,426.00
1.5	2.00	\$2,404.00	\$2,515.00	\$2,627.00	\$2,739.00	\$2,851.00
2	3.20	\$3,846.00	\$4,024.00	\$4,203.00	\$4,381.00	\$4,562.00

<u>3</u>	<u>6.00</u>	<u>\$7,213.00</u>	<u>\$7,546.00</u>	<u>\$7,880.00</u>	<u>\$8,216.00</u>	<u>\$8,554.00</u>
<u>4</u>	<u>10.00</u>	<u>\$12,021.00</u>	<u>\$12,577.00</u>	<u>\$13,134.00</u>	<u>\$13,693.00</u>	<u>\$14,256.00</u>
<u>6</u>	<u>20.00</u>	<u>\$24,043.00</u>	<u>\$25,154.00</u>	<u>\$26,286.00</u>	<u>\$27,387.00</u>	<u>\$28,512.00</u>
<u>8</u>	<u>32.03</u>	<u>\$38,500.00</u>	<u>\$40,280.00</u>	<u>\$42,063.00</u>	<u>\$43,855.00</u>	<u>\$45,657.00</u>
<u>10</u>	<u>67.06</u>	<u>\$80,610.00</u>	<u>\$84,336.00</u>	<u>\$88,071.00</u>	<u>\$91,821.00</u>	<u>\$95,594.00</u>

<u>Water Meter Sizes</u>	<u>Ratio</u>	<u>Effective Date</u>				
		<u>April 1, 2029</u>	<u>April 1, 2030</u>	<u>April 1, 2031</u>	<u>April 1, 2032</u>	<u>April 1, 2033</u>
<u>1</u>	<u>1.00</u>	<u>\$1,482.00</u>	<u>\$1,540.00</u>	<u>\$1,597.00</u>	<u>\$1,656.00</u>	<u>\$1,716.00</u>
<u>1.5</u>	<u>2.00</u>	<u>\$2,965.00</u>	<u>\$3,079.00</u>	<u>\$3,195.00</u>	<u>\$3,313.00</u>	<u>\$3,433.00</u>
<u>2</u>	<u>3.20</u>	<u>\$4,743.00</u>	<u>\$4,962.00</u>	<u>\$5,111.00</u>	<u>\$5,300.00</u>	<u>\$5,492.00</u>
<u>3</u>	<u>6.00</u>	<u>\$8,894.00</u>	<u>\$9,238.00</u>	<u>\$9,585.00</u>	<u>\$9,938.00</u>	<u>\$10,298.00</u>
<u>4</u>	<u>10.00</u>	<u>\$14,823.00</u>	<u>\$15,396.00</u>	<u>\$15,975.00</u>	<u>\$16,563.00</u>	<u>\$17,164.00</u>
<u>6</u>	<u>20.00</u>	<u>\$29,646.00</u>	<u>\$30,792.00</u>	<u>\$31,950.00</u>	<u>\$33,126.00</u>	<u>\$34,328.00</u>
<u>8</u>	<u>32.03</u>	<u>\$47,473.00</u>	<u>\$49,307.00</u>	<u>\$51,162.00</u>	<u>\$53,045.00</u>	<u>\$54,970.00</u>
<u>10</u>	<u>67.06</u>	<u>\$99,397.00</u>	<u>\$103,238.00</u>	<u>\$107,120.00</u>	<u>\$111,064.00</u>	<u>\$115,094.00</u>

b. ERU Fee: A fee of one thousand two hundred and two dollars (\$1,202.00)~~one thousand three hundred seventy-two dollars (\$1,372.00)~~ per EDUERU, where one EDUERU is equal to fifteen (15) plumbing fixture traps, as defined in the adopted Plumbing Codes and as determined by the City building official.

c. A person aggrieved by the calculation of the number of plumbing traps may appeal to a Hearing Officer appointed by the Mayor.

....

*Section 3.* Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith  
City Recorder

Transmitted to the Office of the Mayor of Murray City on this \_\_\_\_ day of \_\_\_\_\_, 2023.

MAYOR'S ACTION: Approved

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
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 \_\_\_\_\_, 2024.



Brooke Smith  
City Recorder



**MURRAY**  
CITY COUNCIL

# Public Hearing #3



**MURRAY**


## Public Works/Wastewater Division

### Murray City Municipal Wastewater Planning Program Report

#### Council Action Request

#### Council Meeting

Meeting Date: March 19, 2024

<b>Department</b> <b>Director</b> Russ Kakala  <b>Phone #</b> 801-270-2404  <b>Presenters</b> Ben Ford     <b>Required Time for Presentation</b> 15 Minutes  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>  <b>Date</b> March 4, 2024	<b>Purpose of Proposal</b> Presentation of Murray City's Municipal Wastewater Planning Program Report (MWPP)  <b>Action Requested</b> Review, comment, approve and adopt the 2023 MWPP report being submitted to the State of Utah Division of Water Quality.  <b>Attachments</b> MWPP report, Public Notice and Council Resolution.  <b>Budget Impact</b> No budget impacts with the report.  <b>Description of this Item</b> Attached is our calendar year 2023, MWPP report. This report is a requirement of our wastewater collections system operating permit and a condition of receiving any State of Utah financial assistance loans such as the loans we are participating in with the Central Valley Water Reclamation Facility. This report provides general and specific information about the following: <ul style="list-style-type: none"><li>* The overall condition of our collection system.</li><li>* Average yearly user charges.</li><li>* Financial health of the Wastewater fund.</li><li>* If we are in compliance with our written Management plan.</li><li>* If we have completed a Capacity Assurance Plan with hydraulic modeling of our collection system.</li></ul>
---	---

## Murray City Corporation

NOTICE IS HEREBY GIVEN that on the 19<sup>th</sup> day of March 2024, at the hour of 6:30 p.m. of said day in the Council Chambers of Murray City Center, 10 East 4800 South, Murray, Utah, the Murray City Municipal Council will consider and intends to approve by resolution the 2023 Municipal Wastewater Planning Program Report. A copy of the 2023 Municipal Wastewater Planning Program Report will be available for public inspection at the Murray City Public Works Department offices located at 4646 South 500 West, Murray, Utah 84123, and the Murray City Library located at 166 East 5300 South, Murray, Utah 84107.

The purpose of this hearing is to receive public comment concerning the proposed approval of the 2023 Municipal Wastewater Planning Program Report as described above.

DATED this 1<sup>st</sup> day of March 2024.



MURRAY CITY CORPORATION

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

Brooke Smith  
City Recorder

DATE OF PUBLICATION: March 8, 2024  
PH24-06 (Original: 2/22/2024. Updated 3/1/2024)

Posted to the City's website  
Posted to the Utah Public Notice Website  
Posted at City Hall (Public location reasonably likely to be seen by residents)

RESOLUTION NO. 24-\_\_\_\_\_

A RESOLUTION APPROVING THE 2023 MUNICIPAL  
WASTEWATER PLANNING PROGRAM REPORT

WHEREAS, Murray City has prepared its 2023 Municipal Wastewater Planning Program (“MWPP”) Report; and

WHEREAS, a copy of the MWPP report is available for public inspection at the Murray City Public Works Department, 4646 South 500 West, Murray, Utah; and

WHEREAS, pursuant to proper notice, the Murray City Municipal Council (“Council”) on \_\_\_\_\_, 2024, held a public hearing to receive public comment on the MWPP; and

WHEREAS, the Council has reviewed the MWPP and after considering the public input, the Council is prepared to approve and adopt the MWPP;

NOW, THEREFORE, BE IT RESOLVED by the Murray City Municipal Council as follows:

1. It hereby adopts the Murray City 2023 Municipal Wastewater Planning Program Report, a copy of which is attached.
2. The City has taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit.
3. The Murray City 2023 Municipal Wastewater Planning Program Report shall be available for public inspection at the office of the Department of Public Services, 4646 South 500 West, Murray Utah.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

MURRAY CITY MUNICIPAL COUNCIL

\_\_\_\_\_  
Pam Cotter, Chair

ATTEST:

\_\_\_\_\_  
Brooke Smith, City Recorder

**From:** [Google Forms](#)  
**To:** [Ben Ford](#)  
**Subject:** [EXTERNAL]Full MWPP Survey - 2024  
**Date:** Wednesday, February 28, 2024 7:26:18 AM



Thanks for filling out [Full MWPP Survey - 2024](#)

Here's what was received.

[Edit response](#)

## Full MWPP Survey - 2024

Municipal Wastewater Planning Program survey for 2024.

Email \*

[bford@murray.utah.gov](mailto:bford@murray.utah.gov)

### Section I: General Information

Name of the Facility? \*

Murray City Public Services

What is the name of the person responsible for this organization?

\*

Benjamin Ford

What is the title of the person responsible for this organization? \*

Wastewater Superintendent

What is the email Address for the person responsible for this organization? \*

bford@murray.utah.gov

What is the phone number for the person responsible for this organization? \*

8012702474

Facility Location? \*

Please provide either Longitude and Latitude, address, or a written description of the location (with area or point).

4646 South 500 West Murray UT 8123

### Federal Facility Section

Are you a federal facility?

A federal facility is a military base, a national park, a facility associated with the forest service, etc.

☐ Yes

☒ No



## Financial Evaluation Section

This form is completed by [name]? \*

Benjamin Ford

### Part I: GENERAL QUESTIONS

Please answer the following questions regarding GENERAL QUESTIONS.

Are sewer revenues maintained in a dedicated purpose enterprise/district account?

☒ Yes

☐ No

Are you collecting 95% or more of your anticipated sewer revenue?

\*

☒ Yes

☐ No

Are Debt Service Reserve Fund requirements being met?

☒ Yes

☐ No

Where are sewer revenues maintained?

☐ General Fund

☐ Combined Utilities Fund

☒ Other

What was the average annual User Charge for 2023?

If there is more than one rate divide the total municipal yearly User Charge collected, by the total number of connections.

\$612.36

Do you have a water and/or sewer customer assistance program (CAP)?

☐ Yes

☒ No

## Part II: OPERATING REVENUES AND RESERVES

Please answer the following questions regarding OPERATING REVENUES AND RESERVES.

Are property taxes or other assessments applied to the sewer systems?

☐ Yes

☒ No

Revenue from these taxes =

NA

Are sewer revenues sufficient to cover operations & maintenance costs, and repair & replacement costs (OM&R) at this time?

☒ Yes

☐ No

Are projected sewer revenues sufficient to cover operation, maintenance, and repair (OM&R) costs for the next five years?

☒ Yes

☐ No

Does the sewer system have sufficient staff to provide proper OM&R?

☒ Yes

☐ No

Has a repair and replacement sinking fund been established for the sewer system?

☒ Yes

☐ No

Is the repair & replacement sinking fund sufficient to meet anticipated needs?

☒ Yes

☐ No

### Part III: Capital Improvements, Revenues and Reserves.

Please answer the following questions regarding Capital Improvements, Revenues and Reserves.

Are sewer revenues sufficient to cover all costs of current capital improvements projects?

☒ Yes

☐ No

Has a Capital Improvements Reserve Fund been established to provide for anticipated capital improvement projects?

☒ Yes

☐ No

Are projected Capital Improvements Reserve Funds sufficient for the next five years?

☒ Yes

☐ No

Are projected Capital Improvements Reserve Funds sufficient for the next ten years?

☒ Yes

☐ No

Are projected Capital Improvements Reserve Funds sufficient for the next twenty years?

☐ Yes

☒ No

#### Part IV: FISCAL SUSTAINABILITY REVIEW

Please answer the following questions regarding FISCAL SUSTAINABILITY REVIEW.

Have you completed a rate study within the last five years?

☒ Yes

☐ No

Do you charge Impact fees?

☒ Yes

☐ No

Impact Fee (if not a flat fee, use average of all collected fees) =

1372.00 .....

Have you completed an impact fee study in accordance with UCA 11-36a-3 within the last five years?

☒ Yes

☐ No

Do you maintain a Plan of Operations?

☒ Yes

☐ No

Have you updated your Capital Facility Plan within the last five years?

☒ Yes

☐ No

In what year was the Capital Facility Plan last updated?

2023 .....

Do you use an Asset Management system for your sewer systems?

☒ Yes

☐ No

Do you know the total replacement cost of your sewer system capital assets?

☒ Yes

☐ No

Replacement Cost =

7,014,000 .....

Do you fund sewer system capital improvements annually with sewer revenues at 2% or more of the total replacement cost?

☒ Yes

☐ No

What is the sewer/treatment system annual asset renewal cost as a percentage of its total replacement cost?

2.25

Describe the Asset Management System.

Check all that apply

- ☐ Spreadsheet
- ☐ GIS
- ☐ Accounting Software
- ☐ Specialized Software

Please answer the following: - 2023 Capital Assets Cumulative Depreciation?

\$701,400

Please answer the following: - 2023 Capital Assets Book Value?

Book Value = total cost - accumulated depreciation

\$6,312,600

#### Part V: PROJECTED CAPITAL INVESTMENT COSTS

Please answer the following questions regarding PROJECTED CAPITAL INVESTMENT COSTS.

Cost of projected capital improvements - Please enter a valid numerical value.  
- 2023?



1,150,000.00

Cost of projected capital improvements - Please enter a valid numerical value.  
- 2024 through 2028?

4,300,000.00

Cost of projected capital improvements - Please enter a valid numerical value.  
- 2029 through 2033?

4,000,000.00

Cost of projected capital improvements - Please enter a valid numerical value.  
- 2034 through 2038?

6,000,000.00

Cost of projected capital improvements - Please enter a valid numerical value.  
- 2039 through 2043?

8,000,000.00

### Purpose of Capital Improvements - 2023?

Check all that apply.

☐

Replace/Restore

☐

- ☐ New Technology
- ☒ Increased Capacity

#### Purpose of projected Capital Improvements - 2024 through 2028?

Check all that apply.

- ☒ Replace/Restore
- ☐ New Technology
- ☒ Increased Capacity

#### Purpose of projected Capital Improvements - 2029 through 2033?

Check all that apply.

- ☒ Replace/Restore
- ☒ New Technology
- ☒ Increased Capacity

#### Purpose of projected Capital Improvements - 2034 through 2038?

Check all that apply.

- ☒ Replace/Restore
- ☒ New Technology
- ☒ Increased Capacity

#### Purpose of projected Capital Improvements from 2039 through 2043?

Check all that apply.

- ☒ Replace/Restore

☐ New Technology

☐ Increased Capacity

To the best of my knowledge, the Financial Evaluation section is completed and accurate.

☒ True

☐ False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to [wqinfodata@utah.gov](mailto:wqinfodata@utah.gov) and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

Do you have a collection system?

The answer to this question is obvious in most cases, but for clarification, some wastewater systems consist of only wastewater collections (answer Yes). Some wastewater systems do not have a collection system but receive wastewater from separate collection system jurisdictions (answer No). Some wastewater systems have treatment and collections and consider their entire system as one entity (answer Yes). Some wastewater systems have treatment and collections, but consider their collections a separate entity from treatment (answer No). If you have treatment but have an independent collection system and you answered "No," you must enter your collection system separately as an independent response to the survey.

☒ Yes

☐ No

## Collection System

The collection of wastewater in a system of pipes and possibly pump stations that deliver wastewater to a

treatment system that may or may not be independent of the treatment system.

This form is completed by [name]?

The person completing this form may receive Continuing Education Units (CEUs).

Benjamin Ford

### Part I: SYSTEM DESCRIPTION

Please answer the following questions regarding SYSTEM DESCRIPTION.

What is the largest diameter pipe in the collection system?

Please enter the diameter in inches.

42"

What is the average depth of the collection system?

Please enter the depth in feet.

8 Feet

What is the total length of sewer pipe in the collection system?

Please enter the length in miles.

135

How many lift/pump stations are there in the collection system?

3

What is the largest capacity lift/pump station in the collection system?

Please enter the design capacity in gpm.

650 GPM Fairbourne Lift Station

Do seasonal daily peak flows exceed the average peak daily flow by 100 percent or more?

☐ Yes

☒ No

What year was your collection system first constructed (approximately)?

1917

In what year was the largest diameter sewer pipe in the collection system constructed, replaced or renewed?

If more than one, cite the oldest.

1972

## Part II: DISCHARGES

Please answer the following questions regarding DISCHARGES.

How many days last year was there a sewage bypass, overflow or basement flooding in the system due to rain or snowmelt?

0

How many days last year was there a sewage bypass, overflow or basement flooding due to equipment failure (except plugged laterals)?

0 .....

### Sanitary Sewer Overflow (SSO)

**Class 1** - a Significant SSO means a SSO backup that is not caused by a private lateral obstruction or problem that:

- (a) affects more than five private structures;
- (b) affects one or more public, commercial or industrial structure(s);
- (c) may result in a public health risk to the general public;
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or
- (e) discharges to Waters of the State.

**Class 2** - a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria

What is the number of Class 1 SSOs in Calendar year 2023?

0 .....

What is the number of Class 2 SSOs in Calendar year 2023?

0 .....

Please indicate what caused the SSO(s) in the previous question.

NA .....

Please specify whether the SSOs were caused by contract or tributary community, etc.

NA

### Part III: NEW DEVELOPMENT

Please answer the following questions regarding NEW DEVELOPMENT.

Did an industry or other development enter the community or expand production in the past two years, such that flow or wastewater loadings to the sewerage system increased by 10% or more?

☐ Yes

☒ No

Are new developments (industrial, commercial, or residential) anticipated in the next 2 - 3 years that will increase flow or BOD5 loadings to the sewerage system by 25% or more?

☐ Yes

☒ No

What is the number of new commercial/industrial connections in 2023?

7

What is the number of new residential sewer connections added in 2023?

27



How many equivalent residential connections are served?

9474

#### Part IV: OPERATOR CERTIFICATION

Please answer the following questions regarding OPERATOR CERTIFICATION.

How many collection system operators do you employ?

9

What is the approximate population served?

37,000

State of Utah Administrative Rules require all public system chief operators considered to be in Direct Responsible Charge (DRC) to be appropriately certified at no less than the Facility's Grade. List the designated Chief Operator/DRC for the Collection System by: First and Last Name, Grade, and email.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Benjamin Ford Grade IV bford@murray.utah.gov

Please list all other Collection System operators with DRC responsibilities in the field, by name and certification grade. Please separate names and certification grade for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Jayson Perkins Grade IV, Gary Gustafson Grade IV

Please list all other Collection System operators by name and certification grade. Please separate names and certification grades for each operator by commas.

Grades: Grade I, Grade II, Grade III, and Grade IV.

Brandon Richards Grade IV, Milke Blair Grade IV, Lawrence Roybal Grade IV, Landon Hoggan Grade I, Brandon Boer Grade I, TJ Darger Grade I, .....

Is/are your collection DRC operator(s) currently certified at the appropriate grade for this facility?

☒ Yes

☐ No

#### Part V: FACILITY MAINTENANCE

Please answer the following questions regarding FACILITY MAINTENANCE.

Have you implemented a preventative maintenance program for your collection system?

☒ Yes

☐ No

Have you updated the collection system operations and maintenance manual within the past 5 years?

☒ Yes

☐ No

Do you have a written emergency response plan for sewer systems?

☒ Yes

☐ No

Do you have a written safety plan for sewer systems?

☒ Yes

☐ No

Is the entire collections system TV inspected at least every 5 years?

☒ Yes

☐ No

Is at least 85% of the collections system mapped in GIS?

☒ Yes

☐ No

#### Part VI: SSMP EVALUATION

Please answer the following questions regarding SSMP EVALUATION.

Have you completed a Sewer System Management Plan (SSMP)?

☒ Yes

☐ No

Has the SSMP been adopted by the permittee's governing body at a public meeting?

☒ Yes

☐ No

Has the completed SSMP been public noticed?

☒ Yes

☐ No

SSMP Public Notice Date

Date of public notice?

MM DD YYYY

04 / 03 / 2015

Continue 1

During the annual assessment of the SSMP, were any adjustments needed based on the performance of the plan?

☐ Yes

☒ No

What adjustments were made to the SSMP (i.e. line cleaning, CCTV inspections, manhole inspections, and/or SSO events)?

NONE

During 2023, was any part of the SSMP audited as part of the five year audit?

☒ Yes

☐ No

If yes, what part of the SSMP was audited and were changes made to the SSMP as a result of the audit?

Standard Operating Procedure's updated.

Have you completed a System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Plan?

☒ Yes

☐ No

## Part VII: NARRATIVE EVALUATION

Please answer the following questions regarding NARRATIVE EVALUATION.

Describe the physical condition of the sewerage system: (lift stations, etc. included)

Murray City's collection system is in good operational condition. Existing trouble spot areas are defined and maintained on a weekly basis. Lines that have been identified for rehabilitation are on a scheduled list according to need. All 3 lift stations in the system are in good operational condition.

What sewerage system capital improvements does the utility need to implement in the next 10 years?

Upsizing a 10" line to 15" to prepare for future redevelopment. Diversion of flow away

from Fairbourne Lift station by installing 2700 feet to prepare for future redevelopment. Identified collection lines and manholes will be rehabilitated using the process of pipe and manhole lining.

---

What sewerage system problems, other than plugging, have you had over the last year?

Root intrusion, manhole lid failures.

---

Is your utility currently preparing or updating its capital facilities plan?

☒ Yes

☐ No

Does the municipality/district pay for the continuing education expenses of operators?

☒ 100%

☐ Partially

☐ Does not pay

Is there a written policy regarding continued education and training for wastewater operators?

☐ Yes

☒ No

Do you have any additional comments?

NA

---

To the best of my knowledge, the Collections System section is completed and accurate

- ☒ True
- ☐ False

Note: This questionnaire has been compiled for your benefit to assist you in evaluating the technical and financial needs of your wastewater systems. If you received financial assistance from the Water Quality Board, annual submittal of this report is a condition of the assistance. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please send an email to [wqinfodata@utah.gov](mailto:wqinfodata@utah.gov) and we will contact you as soon as possible. You may also visit our [Frequently Asked Questions](#) page.

### Wastewater Treatment Options

You have either just completed or just bypassed questions about a Collection System. This section (the questions below) determines the next set of questions that you will be presented based on the choice you make for treatment.

What kind of wastewater treatment do you have in your wastewater treatment system?

If you have treatment, you must choose from Mechanical Plant, Discharging Lagoon, or Non-Discharging Lagoon. If you don't have treatment then choose "No Treatment." Choose only one answer.

- ☐ Mechanical Plant
- ☐ Discharging Lagoon
- ☐ Non-Discharging Lagoon
- ☒ No Treatment of Wastewater



## Adopt & Sign

I have reviewed this report and to the best of my knowledge the information provided in this report is correct. \*

- ☒ True
- ☐ False

Has this been adopted by the City Council or District Board? \*

- ☐ yes
- ☒ No

## Not Adopted by Council

What date will it be presented to the City Council or District Board? \*

MM DD YYYY

03 / 19 / 2024

## End of Survey

This is the end of the survey. Please make sure you have submitted your responses for each section.  
Thank you for your participation.



**MURRAY**  
CITY COUNCIL

# Business Items



**MURRAY**  
CITY COUNCIL

# Business Item #1



**MURRAY**


# Mayor's Office

## Mayor's Appointment of Justice Court Judge

### Council Action Request

### Council Meeting

Meeting Date: March 19, 2024

<b>Department</b> <b>Director</b> Mayor Brett Hales  <b>Phone #</b> 801-264-2600  <b>Presenters</b> Mayor Brett Hales          <b>Required Time for Presentation</b> 10 Minutes  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> March 1, 2024	<b>Purpose of Proposal</b>  Consider Resolution ratifying the Mayor's appointment of Spencer Banks as Murray City Municipal Justice Court Judge  <b>Action Requested</b>  Actionable  <b>Attachments</b>  Resolution, Resume, Administrative Office of the Courts Letter  <b>Budget Impact</b>  N/A    <b>Description of this Item</b>  Judge Paul Thompson is retiring from the Justice Court and Mayor Hales is asking the City Council to ratify his appointment of Spencer Banks as the new Murray City Municipal Justice Court Judge.
--	--

RESOLUTION \_\_\_\_\_

RESOLUTION RATIFYING THE MAYOR'S APPOINTMENT OF SPENCER BANKS TO SERVE AS THE MURRAY CITY MUNICIPAL JUSTICE COURT JUDGE.

WHEREAS, Mayor Brett A. Hales has appointed Spencer Banks to fill the vacancy of the Murray City Municipal Justice Court Judge subject to ratification by the Murray City Municipal Council and certification by the Utah Judicial Council; and

WHEREAS, Spencer Banks has the qualifications to be the Murray City Municipal Justice Court Judge and has demonstrated maturity of judgment, integrity, and the ability to understand and apply appropriate law with impartiality; and

WHEREAS, Utah Code Annotated §78A-7-206 authorizes the Council to determine the compensation of the justice court judge and requires the salary be set at not less than 70% nor more than 90% of district court judge's salary; and

WHEREAS, a district court judge's salary is currently set at \$203,700; and

WHEREAS, the Mayor recommends a beginning annual salary of \$155,000.00 which is within the range set by state law; and

WHEREAS, the Murray City Municipal Council wants to ratify the Mayor's appointment of Spencer Banks as the Murray City Municipal Justice Court Judge, request that the Utah Judicial Council certify Spencer Banks as the Murray City Municipal Justice Court Judge, and set the beginning annual salary for Spencer Banks as the Murray City Municipal Justice Court Judge at \$155,000.00.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Murray City Municipal Council ratifies the Mayor's appointment of Spencer Banks as the Murray City Municipal Justice Court Judge and submits his name to the Utah Judicial Council for certification.
2. The beginning annual salary for Spencer Banks as the Murray City Municipal Justice Court Judge shall be set at \$155,000.00.
3. This Resolution shall become effective upon adoption.

PASSED, APPROVED, AND ADOPTED, by the Murray City Municipal Council this \_\_\_\_ day of March, 2024.

MURRAY CITY MUNICIPAL COUNCIL

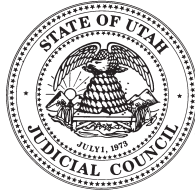
---

Pam Cotter, Chair

ATTEST:

---

Brooke Smith, City Recorder



# Administrative Office of the Courts

**Chief Justice Matthew B. Durrant**  
Utah Supreme Court  
Chair, Utah Judicial Council

**Ronald B. Gordon, Jr.**  
State Court Administrator  
**Neira Siaperas**  
Deputy Court Administrator

February 8, 2024

Brett A. Hales  
Murray City Mayor  
10 East 4800 South  
Murray, UT 84107

Re: Nominees for the Murray Justice Court

Dear Mayor Hales:

We are pleased to submit the nominees below for your consideration as you decide whom to select as the new Justice Court Judge for the Murray Justice Court.

The Murray Nominating Commission received applications, conducted background and reference checks, and interviewed selected candidates. The commission determined that the following nominees meet the statutory and constitutional qualifications for the position of Justice Court Judge. The names are listed in alphabetical order and reflect no ranking of preference by the commission:

- Spencer Banks, J.D., Attorney at Law, resident of Bluffdale,
- Matthew Brass, J.D., Attorney at Law, resident of Farmington,
- Kimberly M. Crandall, J.D., Attorney at Law, resident of Riverton, and
- Colleen K. Magee, J.D., Attorney at Law, resident of Midvale.

The names of the nominees were made public by the commission and written comments regarding the nominees have been requested pursuant to the procedure established by the Judicial Council. The public comments, along with the applications and materials relating to each of the nominees, will be provided in subsequent emails.

Although the commission members have expended considerable time in finalizing the nominees, the authority of the nominating commission ends with the nomination of candidates. It is important that commission members make no effort to influence or persuade the local government executive in the appointment. Therefore, the Administrative Office of the Courts (AOC) has advised commission members not to contact you directly with their input.

**The mission of the Utah judiciary is to provide an open, fair,  
efficient, and independent system for the advancement of justice under the law.**

The AOC has also stated that you should be encouraged, at your discretion, to contact any member or all members of the commission to discuss candidate qualifications and to gather feedback. Contact information for commission members may be obtained from the AOC. The commission encourages you to conduct further review of the nominees as you deem appropriate. You may also seek additional public response to assist you in the appointment of the best qualified candidate.

After you have selected your finalist, the Murray County Council will need to ratify your decision as contemplated by Section 78A-7-202(2)(f)(iii) of the Utah Code. Once they have done that, please inform Jim Peters, Justice Court Administrator, by relaying your decision on official letterhead. The entire selection process (including receipt of your letter) must be completed by March 20, 2024 for the new judge to participate in New Judge Orientation scheduled for early April.

Upon successfully completing New Judge Orientation, your appointee will be presented to the Judicial Council on April 22, 2024 for certification. Assuming that request is approved, he or she can then be sworn into office immediately thereafter. If you have any questions or concerns, please contact Mr. Peters at (801) 578-3824 or [jamesp@utcourts.gov](mailto:jamesp@utcourts.gov).

Sincerely,

Murray Judicial Nominating Commission

cc: Javier Alegre  
G.L. Critchfield  
Karen Gallegos  
Michael Langford  
Erika Larsen



SPENCER R. BANKS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## EDUCATION

---

**University of Utah S.J. Quinney College of Law**, Salt Lake City, Utah

*Juris Doctor*, May 2011

- 3.16 cumulative GPA

**University of Utah**, Salt Lake City, Utah

*Bachelor of Arts*, International Studies, May 2008

- 3.634 cumulative GPA
- Dean's List 7 semesters

*Minors*, Spanish, Latin American Studies

## PROFESSIONAL EXPERIENCE

---

**Salt Lake County District Attorney's Office**, Salt Lake City, UT (full-time)

*Deputy District Attorney* October 2019-September 2022, January 2023-present

- Criminal prosecution of Class A misdemeanors and all felonies.
- Criminal prosecution of Salt Lake City Justice Court appeals.
- Prepared weekly case load of approximately 60-80 cases for scheduling conferences, pretrial conferences and other hearings, including preliminary hearings, motions to suppress, detention hearings, sentencing, orders to show cause, restitution hearings, and other evidentiary hearings on the Major Crimes team (general felonies and misdemeanors).
- Prepared weekly case load of approximately 20-30 cases for scheduling conferences, pretrial conferences and other hearings, including preliminary hearings, motions to suppress, detention hearings, sentencing, orders to show cause, restitution hearings, and other evidentiary hearings on the Family and Sexual Violence team (domestic violence, sexual violence, child physical/sexual abuse).
- Conduct legal research, write motions and accompanying memoranda, and conduct oral argument on motions.
- Negotiate case resolutions with defense counsel and pro se defendants.
- Prepare for and conduct jury trials and bench trials, including meet with and prepare witnesses and conduct opening statements, closing arguments, and direct examinations and cross examinations of witnesses.
- Review warrant requests from law enforcement prior to submitting for judicial approval.
- Supervise intern legal work.
- Screen cases from law enforcement for filing or charges and draft accompanying probable cause statements.

**Utah State Board of Education - Utah Professional Practices Advisory Commission**, Salt Lake City, UT (full-time)

*UPPAC Attorney/Investigator*

- Conduct investigations into allegations of a variety of educator misconduct, rule violations or illegal actions.
- Receive research and respond to incoming UPPAC questions or complaints; provide information, explain policies and procedures, and/or facilitate UPPAC recommendations and resolutions.
- Prosecute for UPPAC in administrative hearings.
- Maintain detailed investigative records; prepare reports and attend to other related administrative requirements.
- Provide assistance and professional development regarding educator ethics, professionalism, and school law issues, as requested and appropriate.
- Develop and revise model policies and forms for statewide use by schools/school districts and charter schools on UPPAC and school law issues.

**Murray City Attorney's Office, Murray, UT (full-time)**

*Assistant City Prosecutor April 2018-October 2019*

- Criminal prosecution of Class B and C misdemeanors and Infractions.
- Prepare for and conduct pretrial conferences and other hearings, including motions to suppress, expungements, sentencing, orders to show cause, and restitution hearings.
- Negotiating case resolutions with defense counsel and pro se defendants.
- Prepare for and conduct jury and bench trials.
- Handle de novo appeals to the Third District Court.
- Screen potential criminal cases from law enforcement.
- Conduct legal research, including civil legal research as needed.
- Train law enforcement officers regarding legislative and case law updates.
- Assist the City Attorney with civil work as needed.

**Utah Crime Victims Legal Clinic, Salt Lake City, UT (full-time)**

*Intern September 2009-May 2011*

*Contract Attorney June 2013-December 2013*

*Staff Attorney January 2014-April 2018*

- Provided legal counseling, in-court representation, and legal research and writing for crime victims in criminal cases and petitioners in protective order and civil stalking injunction hearings.
- Trained criminal justice and victim advocacy professionals about crime victims' rights, orders of protection, and the criminal justice system and process.
- Researched legal issues and prepared and argued motions and briefs, at both trial and appellate court levels.
- Tracked grant statistics and data and assisted with grant writing and renewal.
- Recruited, directed, and supervised law student interns and pro bono attorneys in providing services to crime victim clients.
- Managed 50-100 client case files.

**Banks Leota P.C., West Valley, UT (full-time)**

*Managing Partner/Attorney September 2012-December 2013*



- General practice law firm including criminal defense, family law, contract law, debt collection, landlord-tenant law, employment and labor law, and personal injury law.
- Litigation, conducted legal research and investigation, drafted and filed legal documents and pleadings, counseled and advised clients to develop case strategies and solve legal issues, negotiated and collaborated with opposing counsel, debt collection for delinquent accounts of other law firms, judgment collection and enforcement.
- Managed all business aspects of the firm, from day-to-day operations to long-term management and organization.
- Merged Nova Law P.L.L.C. with David K. Pang, Attorney at Law, P.L.L.C.

**University Law Group, Salt Lake City, UT (part-time)**

- *Attorney* February 2012-October 2013
- Provided low-bono and pro-bono legal services to the low-income population, including divorce, child custody, and support actions, landlord-tenant disputes, employment issues, and breach of contract claims.

**Nova Law P.L.L.C., Salt Lake City, UT (full-time)**

*Managing Partner/Attorney* October 2011-September 2012

- General practice law firm, including criminal defense, family law, estate planning, contract law, employment and labor law, and personal injury law.
- Litigation, conducted legal research and investigation, drafted and filed legal documents and pleadings, counseled and advised clients to develop case strategies and solve legal issues, negotiated and collaborated with opposing counsel, document review and court filing review.
- Founded and managed law firm with partner attorney, managing all business aspects of the firm from inception to merger.

**Salt Lake Legal Defenders Association, Salt Lake City, UT (part-time school internship)**

*Intern* September 2010-May 2011

- Assisted staff public defenders in conducting research, reviewed legal documents and court filings, drafted and filed legal documents, interviewed and counseled clients, and prepared cases for trial.
- Assisted in trying misdemeanor trials and arguing legal motions.

**OTHER**

- 
- Utah State Bar member currently licensed to practice law in Utah state courts (October 2011-present)
  - Languages
    - o Read and Write Spanish and Portuguese fluently.
    - o Speak Spanish and Portuguese highly proficiently.
  - Utah Domestic Violence Coalition (UDVC) Board of Directors member (May 2015-March 2018)
    - o Board Chair October 2017-March 2018
  - UDVC Legislative Policy Committee Member (2014-2018)



## Business Item #2



**MURRAY**


# Community and Economic Development

## NeighborWorks Salt Lake (NWSL) Agreement

### Council Action Request

### Council Meeting

Meeting Date: March 19, 2024

<b>Department Director</b> Phil Markham  <b>Phone #</b> 801-270-2427  <b>Presenters</b> Elvon Farrell          <b>Required Time for Presentation</b> 5 Minutes  <b>Is This Time Sensitive</b> Yes  <b>Mayor's Approval</b>   <b>Date</b> February 21, 2024	<b>Purpose of Proposal</b>  Our agreement with NeighborWorks Salt Lake has lapsed and we need to renew the agreement.  <b>Action Requested</b>  Resolution to approve agreement between the City, Redevelopment Agency of Murray City, and NWSL  <b>Attachments</b>  NeighborWorks Salt Lake Agreement and Resolution   <b>Budget Impact</b>  RDA Budget   <b>Description of this Item</b>  Our agreement with NeighborWorks Salt Lake has lapsed and we need to renew the agreement. There have been some revisions to the agreement which include: <ul style="list-style-type: none"><li>-Taking out a reference to the Covid pandemic</li><li>- Changing the term of the agreement</li><li>- Clarifying requirements for termination</li><li>- Explicitly states administrative fees</li></ul>
--	--

RESOLUTION NO. R24-XXXX

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY,  
THE REDEVELOPMENT AGENCY OF MURRAY CITY, AND SALT LAKE  
NEIGHBORHOOD HOUSING SERVICES DBA NEIGHBORWORKS  
SALT LAKE.

WHEREAS, the City and Salt Lake Neighborhood Housing Services dba  
NeighborWorks® Salt Lake (“NeighborWorks”) have a common interest in addressing  
the City’s housing goals and in facilitating neighborhood revitalization and development  
through increased homeownership in the community; and

WHEREAS, the parties have engaged in a collaborative effort by agreement  
since at least May, 2011; and

WHEREAS, the latest Agreement expired in January 2024, and the City and  
NeighborWorks want to continue to partner and enter into a new Agreement to extend  
their contractual relationship (“Agreement”); and

WHEREAS, the City intends to use Community Development Block Grant funds  
to continue to fund part of the scope of work provided in the Agreement; and

NOW, THEREFORE, be it resolved by the Murray City Municipal Council as  
follows:

1. It hereby approves the Agreement between the City, the Redevelopment  
Agency of Murray City and NeighborWorks in substantially the form  
attached as Exhibit “A”.
2. The Agreement is in the best interest of the City.
3. Mayor Brett A. Hales is hereby authorized to execute the Agreement on  
behalf of the City and to act in accordance with its terms.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council this  
\_\_\_\_\_ day of \_\_\_\_\_, 2024.

Murray City Municipal Council

---

Pam Cotter, Chair

ATTEST:

---

Brooke Smith, City Recorder

## **EXHIBIT “A”**

Agreement between NeighborWorks Salt Lake, the Redevelopment  
Agency of Murray City, and Murray City Corporation



## **Agreement between NeighborWorks® Salt Lake, the Redevelopment Agency of Murray City and Murray City Corporation**

This Agreement (the “Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_ 2024, (the “Effective Date”) between Salt Lake Neighborhood Housing Services, DBA as NeighborWorks® Salt Lake (“NeighborWorks” or “NWSL”), the Redevelopment Agency of Murray City (“RDA”) and Murray City Corporation (“City”).

### **RECITALS**

- A. The mission of NeighborWorks, a private nonprofit organization incorporated in the State of Utah, is to build on the strengths of neighborhoods, creating opportunities through housing, resident leadership, youth and economic development. The organization works in partnership with residents, government and businesses to build and sustain neighborhoods of choice.
- B. In May 2017, the Murray City Council adopted a new General Plan. The General Plan includes Neighborhood & Housing Goals and Moderate-Income Housing Goals as follows:
  - Provide information to homeowners on available grants, loans and other programs to assist in restoration and rehabilitation efforts;
  - Continue to work with NeighborWorks Salt Lake on Housing rehabilitation and infill project;
  - Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles;
  - Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics;
  - Promote the construction of smaller-scaled residential projects that are integrated with current and future employment, retail, and cultural areas;
  - Continue to support Accessory Dwelling Units (ADUs) in all single-family residential zones.
- C. The RDA and City have an interest in a continuing partnership with NeighborWorks to address the housing goals and to facilitate neighborhood revitalization in the community.
- D. All parties have a vital interest in strengthening underserved communities and promoting community revitalization and development through facilitation of increased homeownership within the City.

- E. The parties wish to continue a collaborative effort which will result in the opportunity for NeighborWorks to expand its lines of business to the City.
- F. This Agreement is executed in consideration of the mutual promises of the parties contained herein.

## **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

### **1.0 Purposes of this Agreement between NeighborWorks, the RDA and the City**

- A. To agree to a mutual process and commitments for lending and future development of NeighborWorks to meet City housing goals and objectives during the Term of this Agreement.
- B. To delineate roles, responsibilities and/or expectations of parties involved.

### **2.0 Background**

NeighborWorks will serve as a centralized resource for affordable homeownership opportunities in the City, providing seamless homeownership education and counseling services to low-and moderate-income households.

The collaboration aims to collectively build the capacity of NeighborWorks' lending and development lines of business and increase leverage of RDA and City housing dollars to meet their housing goals. The objectives of this partnership are to provide housing counseling, act as a conduit for land banking, property acquisition, affordable housing development, administering a housing rehabilitation program and appropriate neighborhood revitalization efforts. The goal of the parties is to facilitate home improvement loans, maintain homeownership and revitalize neighborhoods experiencing decline.

### **3.0 Partner Roles, Responsibilities and Deliverables**

Homeownership promotion is one of NeighborWorks's core lines of business. NeighborWorks will help the City meet its home rehabilitation goals. To do so, the Parties shall take on the following roles and responsibilities:

<b>Activity</b>	<b>Responsible Party</b>	<b>Outcome</b>
Maintain a centralized website of information about affordable homeownership opportunities, special mortgage products, and homeownership education and counseling services	NWSL	NWSL website will have current and accurate information about affordable homeownership opportunities, special mortgage products, homeownership education and counseling services, and affordable rehab loan products

Maintain a neighborhood based NeighborWorks office in the City	NWSL	NWSL will maintain a presence in within the City through operating an office within the City limits when possible
Continue a city-wide public awareness campaign to promote home improvement loan opportunities, to improve awareness of, and access to, such offerings by all segments of the qualifying public, particularly households that are historically underserved for homeownership opportunities	NWSL City	NWSL and the City will jointly conduct at least one annual city-wide public awareness campaign per year
Maintain an advisory committee reflecting a resident/private/public sector representation not to exceed nine members	NWSL	NWSL will hold regular meetings with its advisory committee throughout the contract period
Maintain a loan committee reflecting a resident/private/public sector representation not to exceed five members	NWSL	NWSL will hold regular meetings with its loan committee throughout the contract period
Host four community meetings or events in the City. These events could include Paint Your Heart out or community action planning	NWSL	NWSL will host four community meetings or events during the contract period
Process eight loans during the two-year contract period	NWSL	NWSL will process eight loans for properties located within the City which may include, but is not limited to, first mortgages, second mortgages, home improvement loans, 80/20 loans or down payment assistance forgivable loans up to \$30,000 or \$35,000 for "Champions". Champions are defined as health care workers, police, fire, teachers, veterans, active military or Murray City employees.
Acquire, rehabilitate or construct at least two properties	NWSL	NWSL will acquire at least two problem properties within the City as the market allows
Maintain open lines of communication and reporting	NWSL	NWSL will provide quarterly activity reports to the City and report to the RDA as needed

Designate CDBG funding	City	The City will prioritize housing as a critical funding issue for CDBG funds. CDBG funds are contingent upon appropriations from Congress and allocation approval by the Murray City Council and the advisory committee. Based on the Housing Market Study goals and objectives adopted by the City Council, the City will advocate for resources to address housing needs in the City
Designate RDA TIF funding	RDA	The RDA will designate at least 20% of RDA TIF housing funds for homeowners that are at or below 120% Area Median Income for housing programs to NWSL each year during the contract period. Funding is contingent upon property tax allocation
Maintain representation on NWSL Board of Directors	City	The City will maintain current membership on the NWSL Board of Directors
Maintain representation on the advisory committee	City	The City will maintain current membership on the Murray Advisory Committee
Assist in the hiring of staff for the NWSL Murray office	City	City's representative on the NWSL board shall, upon the request of NWSL and time permitting, serve on NWSL's hiring panel for the Murray Office
Participate in training and planning opportunities, when available, that contribute to strengthening the partnership and services to the City	City	City staff will actively participate in training and planning opportunities throughout the contract period

## 4.0 Performance and Deliverables

### 4.1 Term

Unless otherwise terminated early under the terms and conditions of this Agreement, this Agreement shall continue for an Initial Term of three (3) years from the Effective Date. At the end of the Initial Term, this Agreement may be renewed upon the written mutual agreement of both Parties for up to two (2) additional three-year Renewal Terms.

#### **4.2 Termination**

For Breach: In the event of breach of this Agreement or failure by any of the parties to perform the services described hereunder, NeighborWorks, the RDA, or the City shall be entitled to terminate this Agreement upon thirty (30) days' notice, to permit the other parties the opportunity to cure if possible. This Agreement may be terminated by any party for any reason on thirty (30) days written notice to the other parties.

For Convenience: Either party may terminate this Agreement at any time with or without cause upon giving thirty (30) days prior written notice to the other Party. Termination under this section shall not give rise to any claim against the terminating party for damages or for compensation in addition that provided hereunder.

#### **4.3 Independent Contractor**

This Agreement represents the entire agreement and understanding of matters between the parties and supersedes any prior agreements. It is understood that NeighborWorks is an independent contractor and both the RDA and the City are public agencies and neither is a partner, agent or employee of NeighborWorks. NeighborWorks shall be responsible for its own employment taxes, worker's compensation and similar expenses. NeighborWorks shall comply with all Federal, State and Local laws.

#### **4.4 Contacts**

Coordination of work on this Agreement will be the responsibility of:

##### **For NeighborWorks:**

Maria Garciaz  
Chief Executive Officer  
622 West 500 North  
Salt Lake City, Utah 84116  
[maria@nwsaltlake.org](mailto:maria@nwsaltlake.org)  
801-539-1590

and

##### **For Murray City and the RDA:**

Elvon Farrell  
Economic Development Specialist  
10 East 4800 South, Suite 260  
Murray, Utah 84107  
801-270-2428

All inquiries regarding this agreement and implementation of the Scope of Work should be directed to these contact persons.

#### **4.5 Ownership of Documents**

All documents and records, produced by NeighborWorks in connection with this Agreement, without limitation, shall become and remain the City's property. NeighborWorks shall not publicly disclose the records without prior approval of the City. NeighborWorks understands that the records produced in connection with this Agreement are subject to the Utah Government Records Access and Management Act (GRAMA).

#### **4.6 Program Income**

All program income generated from the use of RDA funds will be put into a revolving fund that will be managed by NeighborWorks Salt Lake. Program income has the same restrictions as outlined above for RDA funding, including a 20% cap on program delivery expenses. A set monthly invoice approved by RDA will be submitted for program delivery expenses. NeighborWorks Salt Lake will report all program income to the RDA and the City. In addition, if this Agreement is terminated, all program income will be returned to the RDA and/or City, respectively.

#### **4.7 Administrative Fees**

The RDA and City shall pay a monthly Administrative Fee of **THREE THOUSAND TWO HUNDRED DOLLARS AND NO CENTS (\$3,200.00)** throughout the term of the Agreement. NeighborWorks shall submit an invoice to the City by the 15<sup>th</sup> day of the month for the previous month's Administrative Fee. Payments are to be made within fifteen (15) days after the invoice is received. Administrative Fees may be reviewed annually and adjusted as needed upon the mutual written agreement of both Parties.

#### **4.8 Immigration Status Verification**

NeighborWorks shall comply with section 63G-12-402 of the Utah Code in dispensing public benefits, as defined in State and Federal law. NeighborWorks shall fully comply with section 63G-12-302 of the Utah Code in hiring employees after July 1, 2009, including participation in a Status Verification System.

#### **4.9 Assignability**

This Agreement shall not be assigned by NeighborWorks without written consent of both RDA and City.

*(Signature Page to Follow)*

IN WITNESS THEREOF the parties have caused this Agreement to be executed and in effect as of the day and year first written above. It is understood that the signatures bind the parties to this Agreement of which the signatories are a part and that without all signatures, this Agreement shall be void.

**Salt Lake Neighborhood Housing Services, dba NeighborWorks® Salt Lake**

_____	_____
(Signature)	(Date)
Maria Garciaz	
Chief Executive Officer	

**Redevelopment Agency of Murray City**

_____	_____
(Signature)	(Date)
Rosalba Dominguez	
RDA Chair	

Attest:

\_\_\_\_\_  
Brett Hales  
RDA Executive Director

**Murray City Corporation**

_____	_____
(Signature)	(Date)
Brett Hales	
Murray City Corporation	

**Attest**

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

**Approved as to Form**

\_\_\_\_\_  
City Attorney’s Office

## **Agreement between NeighborWorks® Salt Lake, the Redevelopment Agency of Murray City and Murray City Corporation**

This Agreement (the "Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, ~~2022~~2024, (the "Effective Date") between Salt Lake Neighborhood Housing Services, DBA as NeighborWorks® Salt Lake ("NeighborWorks" or "NWSL"), the Redevelopment Agency of Murray City ("RDA") and Murray City Corporation ("City").

### **RECITALS**

- A. The mission of NeighborWorks, a private nonprofit organization incorporated in the State of Utah, is to build on the strengths of neighborhoods, creating opportunities through housing, resident leadership, youth and economic development. The organization works in partnership with residents, government and businesses to build and sustain neighborhoods of choice.
- B. In May 2017, the Murray City Council adopted a new General Plan. The General Plan includes Neighborhood & Housing Goals and Moderate-Income Housing Goals as follows:
- Provide information to homeowners on available grants, loans and other programs to assist in restoration and rehabilitation efforts;
  - Continue to work with NeighborWorks Salt Lake on Housing rehabilitation and infill project;
  - Promote affordable housing options that address the needs of low to moderate income households and individuals and offer options for a range of demographics and lifestyles;
  - Support a range of housing types, including townhomes, row-homes, and duplexes, which appeal to younger and older individuals as well as a variety of population demographics;
  - Promote the construction of smaller-scaled residential projects that are integrated with current and future employment, retail, and cultural areas;
  - Continue to support Accessory Dwelling Units (ADUs) in all single-family residential zones.
- C. The RDA and City have an interest in a continuing partnership with NeighborWorks to address the housing goals and to facilitate neighborhood revitalization in the community.
- D. All parties have a vital interest in strengthening underserved communities and promoting community revitalization and development through facilitation of increased homeownership within the City.



- E. The parties wish to continue a collaborative effort which will result in the opportunity for NeighborWorks to expand its lines of business to the City.
- F. This Agreement is executed in consideration of the mutual promises of the parties contained herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

**1.0 Purposes of this Agreement between NeighborWorks, the RDA and the City**

- A. To agree to a mutual process and commitments for lending and future development of NeighborWorks to meet City housing goals and objectives ~~from January 2022 through January 2024~~during the Term of this Agreement.
- B. To delineate roles, responsibilities and/or expectations of parties involved.

**2.0 Background**

NeighborWorks will serve as a centralized resource for affordable homeownership opportunities in the City, providing seamless homeownership education and counseling services to low-and moderate-income households.

The collaboration aims to collectively build the capacity of NeighborWorks’ lending and development lines of business and increase leverage of RDA and City housing dollars to meet their housing goals. The objectives of this partnership are to provide housing counseling, act as a conduit for land banking, property acquisition, affordable housing development, administering a housing rehabilitation program and appropriate neighborhood revitalization efforts. The goal of the parties is to facilitate home improvement loans, maintain homeownership and revitalize neighborhoods experiencing decline.

**3.0 Partner Roles, Responsibilities and Deliverables**

Homeownership promotion is one of NeighborWorks’s core lines of business. NeighborWorks will help the City meet its home rehabilitation goals. To do so, the Parties shall take on the following roles and responsibilities:

Activity	Responsible Party	Outcome
Maintain a centralized website of information about affordable homeownership opportunities, special mortgage products, and homeownership education and counseling services	NWSL	NWSL website will have current and accurate information about affordable homeownership opportunities, special mortgage products, homeownership

		education and counseling services, and affordable rehab loan products
Maintain a neighborhood based NeighborWorks office in the City	NWSL	NWSL will maintain a presence in within the City through operating an office within the City limits when possible
Continue a city-wide public awareness campaign to promote home improvement loan opportunities, to improve awareness of, and access to, such offerings by all segments of the qualifying public, particularly households that are historically underserved for homeownership opportunities	NWSL City	NWSL and the City will jointly conduct at least one annual city-wide public awareness campaign per year
Maintain an advisory committee reflecting a resident/private/public sector representation not to exceed nine members	NWSL	NWSL will hold regular meetings with its advisory committee throughout the contract period
Maintain a loan committee reflecting a resident/private/public sector representation not to exceed five members	NWSL	NWSL will hold regular meetings with its loan committee throughout the contract period
Host four community meetings or events in the City. These events could include Paint Your Heart out or community action planning	NWSL	NWSL will host four community meetings or events during the contract period
Process eight loans during the two-year contract period	NWSL	NWSL will process eight loans for properties located within the City which may include, but is not limited to, first mortgages, second mortgages, home improvement loans, 80/20 loans or down payment assistance forgivable loans up to \$30,000 or \$35,000 for "Champions". Champions are defined as health care workers, police, fire, teachers, veterans, active military or Murray City employees.
Acquire, rehabilitate or construct at least two properties	NWSL	NWSL will acquire at least two problem properties within the City as the market allows

Formatted: Not Highlight

Maintain open lines of communication and reporting	NWSL	NWSL will provide quarterly activity reports to the City and report to the RDA as needed
<del>Provide Mortgage Payment Assistance to Murray homeowners experiencing financial difficulties due to the Covid pandemic</del>	<del>NWSL</del>	<del>Provide up to \$5000 in up to 6 disbursements to Murray homeowner mortgage companies</del>
Designate CDBG funding	City	The City will prioritize housing as a critical funding issue for CDBG funds. CDBG funds are contingent upon appropriations from Congress and allocation approval by the Murray City Council and the advisory committee. Based on the Housing Market Study goals and objectives adopted by the City Council, the City will advocate for resources to address housing needs in the City
Designate RDA TIF funding	RDA	The RDA will designate at least 20% of RDA TIF housing funds for homeowners that are at or below 120% Area Median Income for housing programs to NWSL each year during the contract period. Funding is contingent upon property tax allocation
<del>Program Delivery with funds</del>	<del>NWSL</del>	<del>NWSL will allocate at least 80% of TIF funding towards program activity and 20% may be used toward administrative expenses</del>
Maintain representation on NWSL Board of Directors	City	The City will maintain current membership on the NWSL Board of Directors
Maintain representation on the advisory committee	City	The City will maintain current membership on the Murray Advisory Committee
Assist in the hiring of staff for the NWSL Murray office	City	City's representative on the NWSL board shall, upon the request of NWSL and time permitting, serve on NWSL's hiring panel for the Murray Office

Participate in training and planning opportunities, when available, that contribute to strengthening the partnership and services to the City	City	City staff will actively participate in training and planning opportunities throughout the contract period
---	------	--

#### 4.0 Performance and Deliverables

##### 4.1 Period of Performance Term

The services specified are to be performed commencing as of the effective date of this agreement to January 2024, in accordance with the timelines described in this Agreement. Unless otherwise terminated early under the terms and conditions of this Agreement, this Agreement shall continue for an Initial Term of three (3) years from the Effective Date. At the end of the Initial Term, this Agreement may be renewed upon the written mutual agreement of both Parties for up to two (2) additional three-year Renewal Terms.

##### 4.2 Termination

For Breach: In the event of breach of this Agreement or failure by any of the parties to perform the services described hereunder, NeighborWorks, the RDA, or the City shall be entitled to terminate this Agreement upon thirty (30) days' notice, to permit the other parties the opportunity to cure if possible. This Agreement may be terminated by any party for any reason on thirty (30) days written notice to the other parties.

For Convenience: Either party may terminate this Agreement at any time with or without cause upon giving thirty (30) days prior written notice to the other Party. Termination under this section shall not give rise to any claim against the terminating party for damages or for compensation in addition that provided hereunder.

##### 4.3 Independent Contractor

This Agreement represents the entire agreement and understanding of matters between the parties and supersedes any prior agreements. It is understood that NeighborWorks is an independent contractor and both the RDA and the City are public agencies and neither is a partner, agent or employee of NeighborWorks. NeighborWorks shall be responsible for its own employment taxes, worker's compensation and similar expenses. NeighborWorks shall comply with all Federal, State and Local laws.

##### 4.4 Contacts

Coordination of work on this Agreement will be the responsibility of:

##### **For NeighborWorks:**

Maria Garciaz  
Chief Executive Officer  
622 West 500 North  
Salt Lake City, Utah 84116



[maria@nwsaltlake.org](mailto:maria@nwsaltlake.org)  
801-539-1590

and

**For Murray City and the RDA:**

~~TBD~~ [Elvon Farrell](#)  
[Economic Development Specialist](#)  
[10 East 4800 South, Suite 260](#)  
[Murray, Utah 84107](#)  
[801-270-2428](#)  
[Community & Economic Development Director](#)  
[4646 South 500 West](#)  
[Murray, Utah 84123](#)  
[801-270-2428](#)

All inquiries regarding this agreement and implementation of the Scope of Work should be directed to these contact persons.

**4.5 Ownership of Documents**

All documents and records, produced by NeighborWorks in connection with this Agreement, without limitation, shall become and remain the City's property. NeighborWorks shall not publicly disclose the records without prior approval of the City. NeighborWorks understands that the records produced in connection with this Agreement are subject to the Utah Government Records Access and Management Act (GRAMA).

**4.6 Program Income**

All program income generated from the use of RDA funds will be put into a revolving fund that will be managed by NeighborWorks Salt Lake. Program income has the same restrictions as outlined above for RDA funding, including a 20% cap on program delivery expenses. A set monthly invoice approved by RDA will be submitted for program delivery expenses. NeighborWorks Salt Lake will report all program income to the RDA and the City. In addition, if this Agreement is terminated, all program income will be returned to the RDA and/or City, respectively.

**4.7 Administrative Fees**

The RDA and City shall pay a monthly Administrative Fee of **THREE THOUSAND TWO HUNDRED DOLLARS AND NO CENTS (\$3,200.00)** throughout the term of the Agreement. NeighborWorks shall submit an invoice to the City by the 15<sup>th</sup> day of the month for the previous month's Administrative Fee. Payments are to be made within fifteen (15) days after the invoice is received. Administrative Fees may be reviewed annually and adjusted as needed upon the mutual written agreement of the Parties.

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Superscript

**4.7.8 Immigration Status Verification**

NeighborWorks shall comply with section 63G-12-402 of the Utah Code in dispensing public benefits, as defined in State and Federal law. NeighborWorks shall fully comply with section 63G-12-302 of the Utah Code in hiring employees after July 1, 2009, including participation in a Status Verification System.

**4.8.9 Assignability**

This Agreement shall not be assigned by NeighborWorks without written consent of both RDA and City.

*(Signature Page to Follow)*

**Formatted:** Font: Italic

**Formatted:** Centered

IN WITNESS THEREOF the parties have caused this Agreement to be executed and in effect as of the day and year first written above. It is understood that the signatures bind the parties to this Agreement of which the signatories are a part and that without all signatures, this Agreement shall be void.

**Salt Lake Neighborhood Housing Services, dba NeighborWorks® Salt Lake**

_____ (Signature) Maria Garciaz Chief Executive Officer	_____ (Date)
--	-----------------

**Redevelopment Agency of Murray City**

_____ (Signature) <del>Diane Turner</del> <u>Rosalba Dominguez</u> RDA Chair	_____ (Date)
---	-----------------

Attest:

\_\_\_\_\_  
Brett Hales  
RDA Executive Director

**Murray City Corporation**

_____ (Signature) Brett Hales Murray City Corporation	_____ (Date)
--	-----------------

Attest;

---

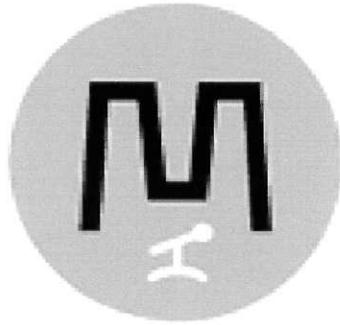
City Recorder

Approved as to Form

---

City Attorney's Office





**MURRAY**  
CITY COUNCIL

# Mayor's Report And Questions



**MURRAY**  
CITY COUNCIL

**Adjournment**