



# MURRAY CITY MUNICIPAL COUNCIL COMMITTEE OF THE WHOLE

The Murray City Municipal Council met on Tuesday, November 10, 2020 for a meeting held electronically in accordance with the provisions of Utah Code 52-4-207(4), Open and Public Meeting Act, due to infectious disease COVID-19 Novel Coronavirus. Council Chair, Ms. Dominguez, determined that to protect the health and welfare of Murray citizens, an in-person City Council meeting, including attendance by the public and the City Council is not practical or prudent.

**Council Members in Attendance:**

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

**Others in Attendance:**

Blair Camp	Mayor	Janet Lopez	City Council Director
Jennifer Heaps	Chief Communications Officer	Jennifer Kennedy	City Recorder
Doug Hill	Chief Administrative Officer	Pattie Johnson	City Council Office Admin.
Danny Astill	Public Works Director	Cory Wells	Water Superintendent
Brenda Moore	Finance Director	Bill Francis	The Imagination Company
G.L. Critchfield	City Attorney	Allen Packard	JVWCD (Jordan Valley Water

Ms. Dominguez called the meeting to order at 5:15 p.m. with the following statement:

Considering the continued rise of COVID-19 case counts in Utah, meeting in an anchor location presents substantial risk to the health and safety of those in attendance because physical distancing measures may be difficult to maintain in the Murray City Council Chambers. The Center for Disease Control states that COVID-19 is easily spread from person to person between people who are in close contact with one another. The spread is through respiratory droplets when an infected person coughs, sneezes or talks and may be spread by people who are non-symptomatic. The intent is to safeguard the lives of Murray residents, business owners, employees and elected officials by meeting remotely through electronic means without an anchor location.

The public may view the meeting via the live stream at:  
[www.murraycitylive.com](http://www.murraycitylive.com) or <https://www.facebook.com/Murraycityutah/>

Citizen comments or public hearing comments may be submitted by sending an email in advance or during the meeting to [city.council@murray.utah.gov](mailto:city.council@murray.utah.gov). Comments are limited to less than three minutes, include your name and contact information, and they will be read into the record.

**Approval of Minutes** – Ms. Dominguez asked for comments or a motion on the October 6, 2020, Committee of the Whole minutes. Ms. Turner moved approval. Mr. Hales seconded the motion.  
 (Approved 5-0)

## Discussion Items

Solid Waste RFP (Request for Proposal) Responses – Mr. Astill discussed results of RFP responses and the recommendation for a new solid waste contract.

The Council was notified in September 2020 that RFPs were underway to attain a new solid waste contract for the next 3-5 years; a new contract is needed by January 1, 2021. Two entities responded to the request; Waste Management, and ACE Disposal, the City's current provider. A Solid Waste RFP Comparison sheet was created to review bid pricing from each company. (Attachment #1)

Mr. Astill said a great deal was learned by comparing prices, which helped to determine that ACE Disposal would be granted the contract; he noted their overall costs were higher than the previous contract. He said ACE was chosen for being the most responsive, and the lowest bidder based on the analysis of their proposal. As part of the ACE contract, it was recommended that the City change to biweekly recycling pick-up, to offset the cost for a new Neighborhood Clean-up program; the program has shown strong interest for some time. The cleanup program provides 400 Loads, including tipping fees for a cost of \$83,000 the first year.

Because the cost for the Neighborhood Clean-up program was significant, Mr. Astill explained how they determined to pay for it by changing the recycling pickup schedule. The cost difference between weekly and biweekly recycling pick-up is over \$1.00 per can, per month; or \$96,100 per year. ACE proposed in their contract, that the monthly fee would include recycling tipping fee expenses. This was the difference between the Waste Management bid, and the ACE bid. By choosing ACE Murray will not receive disposal fees during this contract.

In addition, by changing to a biweekly recycling service, the City will avoid the need to immediately institute a fee increase to fund a Neighborhood Clean-up program. Mr. Astill recognized that costs for disposal would continue to rise because waste will need to be transported further away, as the landfill reaches its capacity and closes. He emphasized the City is doing everything now to look ahead and provide long-term solutions for refuse disposal.

### Council Comments and Discussion:

- Mr. Hales asked how and when Neighborhood Clean-up programs would start; and what type of items can be disposed of. Mr. Astill said logistics are in the planning phase; but during the first year one dumpster-drop would begin in late spring and continue through the summer. One large dumpster will accommodate approximately 9-10 homes; several dumpsters would be placed in different sections of City neighborhoods. Everything except tires and hazardous waste can be disposed of; large tree limbs, couches, and big bulky items like mattresses are acceptable.
- Ms. Martinez asked what a 30-yard roll-off is.
- Mr. Astill described a 30-yard roll-off as the size of a dumpster; these are located in Murray Park for the leaf disposal program. However, Neighborhood Clean-up dumpsters will be the 20-yard roll-off size because they are easier to access.
- Ms. Dominguez wondered if the program would supplement the need for citizens to rent personal dumpsters regularly. Mr. Astill replied, for \$200, citizens may still rent 30-yard roll-offs for personal use; this size is good for large house renovations, and roof replacements projects.
- Ms. Dominguez thought recycling material increased, due to people staying home more; she asked if a bi-weekly recycling pick-up would create overflow. Mr. Astill said surprisingly, tonnage for

regular garbage had increased; but recycling material had not.

- Ms. Martinez thought the biweekly recycling schedule was adequate; she expressed excitement about the Neighborhood Clean-up program; and affirmed the leaf program was drop-off only. Mr. Astill said every fall, the City provides two locations for leaf drop-off; on average, 10 loads per year are hauled away.
- Ms. Dominguez asked if a survey was conducted for the cleanup program. Mr. Astill replied no.
- Ms. Dominguez asked if glass recycling pick-up was included in the new contract. Mr. Astill confirmed the City would continue to provide two locations year-round for glass drop-off; otherwise residents can hire outside help for personalized glass pick-up.

JVWCD (Jordan Valley Water Conservancy District) Service Area – Mr. Astill and Mr. Wells discussed details on whether the City should convert an area in Murray that gets water from the JVWCD, to the Murray City water system. Mr. Packard with JVWCD was introduced.

A brief history was given that in November of 2018, the JVWCD general manager approached the City Council to brief them about issues related to water service areas located in Murray, east of 900 East. JVWCD inquired about Murray taking over portions of their water service because of existing customers located within the Murray service boundary. JVWCD has been unable to collect property tax increments from those homeowners. A map was displayed to reflect light blue service areas belonging to JVWCD. Mr. Astill pointed out Murray City serves very few areas east of 900 East; and, the very eastern part of the City gets water from Salt Lake City. (Attachment #2)

After the November meeting, Murray Public Works was asked to study and determine whether the request was possible. Ten years of JVWCD data was collected and analyzed; for example, age of infrastructure, miles of pipes, material, and number of service connections; also, hydrants, valves, meters and types of maintenance issues. Costs were compared to measure against the City's current cost for water service operations and maintenance. Staff included the cost of water, including JVWCD peaking factors; and their fee in lieu of property tax. In the end, it was determined that unless the peaking factor cost or fee/tax was removed, the project would not be feasible without a City-wide fee increase.

This result prompted staff to ensure that their assumptions were correct; so, a consulting engineering group (Bowen Collins Associates) was hired to review the data and assess if the City's current system could handle additional water demands. Consequently, the consultants confirmed initial findings made by City staff, and they provided an Engineering Consultant Executive Summary to explain the same conclusion.

Mr. Astill discussed the report and highlighted the following: (Attachment #3)

- Murray has enough peak day supply capacity to accommodate anticipated growth in its existing water service area through the year 2060.
- Alternative 1 – Transfer customers using JVWCD water sources. The only significant change would be that customers outside Murray's existing water service area would receive water bills from Murray instead of JVWCD. However, a minimum capital investment of \$1 million would be required to add key pipelines and install new wholesale meters.
- Alternative 2 – Murray water sources could supply water to JVWCD retail service area. But the City would have to purchase a significant amount of water from JVWCD to meet the needs of the combined services. The City does not have adequate capacity, or storage capacity to service JVWCD retail service area, and meet the current demands of Murray. The cost to do this was estimated at \$8 million.

Mr. Astill believed both suggested alternatives were financially unfavorable, due to such significant cost, and noted Murray is currently not providing water to anyone outside City boundaries. He expressed confidence that the City is in good shape to provide water within Murray's existing boundaries going forward into the future; and agreed with the overall conclusion - taking over JVVCD water customers is not feasible.

He emphasized that Murray has been interested in taking over portions of the JVVCD system located in Murray, however, it is finally realized that without a very significant fee increase to all residents in that area, as well as, to all Murray citizens it is not possible. He displayed a second map to show additional locations in the northern part of Murray that cannot be brought into Murray's water system either. Mr. Astill assured the Council they considered all possibilities to make it happen.

Council Comments and Discussion:

- Ms. Turner expressed disappointment, because she often received questions from her constituents about why they do not get Murray water; however, she was grateful for specific information that she will pass on to citizens. She appreciated City staff putting in efforts to try.
- Mr. Astill confirmed there was no comfortable way to feel good about the significant cost increase. In addition, water was a big issue, which would mean adding another 25% to Murray's system.
- Mr. Hales understood the ramifications. Mr. Astill said it was not that the City cannot do this, it is that the cost is so extensive. Mr. Hales noted residents in the same area often request Murray power that Utah Power is not willing to relinquish. Mr. Astill agreed.
- Mr. Packard confirmed JVVCD shared a great deal of information with Murray, in hopes of a win-win situation for both entities. He respected the analysis and agreed the final conclusion made sense.
- Ms. Dominguez said Murray has precious water; and when campaigning last year, she was asked the question also about getting Murray services in that area. Mr. Astill agreed Murray is in such a good situation with water, the hope is to maintain that supply for the future, with the existing system.

Define "Significant Parcel of Real Property" – Mr. Critchfield led a discussion about the need to define a significant parcel of real property in City Code for procurement purposes, by using size and/or value. The proposed ordinance would be considered during the next council meeting.

Mr. Critchfield explained the issue came about, as a result of a conversation he had with City Engineer, Mr. Stokes. Mr. Stokes was approached by UDOT (Utah Department of Transportation) who requested the City deed property to them. The Murray-owned property is approximately 2400 square feet, located right in 900 East, which cannot be sold or developed by the City.

Mr. Critchfield reported that approximately 10 years ago, State law was passed regarding this type of city parcel transfer, where the State Legislature required that each city define for them what a "significant parcel" of real property is. In addition, State law required a 14-day public notice, and a public hearing be held prior to any such land transfer. At that time, cities defined every city-owned piece of land as a "significant parcel" no matter the shape, size or location; and the property would have to come before the city council process before it could be disposed of, or transferred to another entity.

Mr. Critchfield noted comparison information that resulted from research conducted by Mr. Stokes, related to how other cities define significant parcels of real property. (Attachment #4)

Mr. Stokes suggested that the City follow part of what the majority of cities decided, which is consistent with long-standing case law. The definition would be as follows:

- Any parcel of City-owned real property- greater than one-half acre or that has a reasonable value in excess of \$50,000 would be disposed of administratively; and not have to go through the public hearing process in order to dispose of the parcel.

Mr. Critchfield reported that between UDOT, UTA (Utah Transportation Authority), and the private sector, this situation occurs about four times per year; where small parcels that have been in the City's name for a long time; were either forgotten, or not well tracked because they can't be developed. Therefore, he believed it made sense for such small parcels noted as "significant parcels of real property" be defined as suggested, to avoid having this type of land go through a public hearing process.

Council Comments:

- Ms. Martinez asked when this type of transaction occurred within the private sector; and were such parcels discovered in residential areas, when zone changes occur. Mr. Critchfield confirmed small landlocked City-owned parcels are discovered near other parcels, which can be transferred to a property owner or developer to become part of a useful piece of land.

**Announcements:** None.

**Adjournment:** 5:56 p.m.

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