



MURRAY
CITY COUNCIL

Council Meeting

April 18, 2023



Murray City Municipal Council Notice of Meeting

April 18, 2023

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

Meeting Agenda

4:30 p.m. **Committee of the Whole** – Conference Room #107
Garry Hrechkosy conducting

Approval of Minutes - Committee of the Whole – March 21, 2023

Discussion Items

1. Presentation from the Murray Chamber of Commerce. Loran Pasalich presenting. (15 minutes)
2. 2023 Legislative Summary. G.L. Critchfield, Dave Stewart and Kory Holdaway presenting. (30 minutes)
3. Discussion on grass removal rebate program. Pam Cotter presenting. (15 minutes)

Adjournment

Break for Redevelopment Agency Meeting (Separate Agenda)

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

6:30 p.m. **Council Meeting** – Council Chambers
Garry Hrechkosy conducting.

Opening Ceremonies

Call to Order
Pledge of Allegiance

Approval of Minutes

Council Meeting – March 21, 2023.

Special Recognition

1. Murray City Employee of the Month, Bruce Holyoak, Parks Superintendent. Garry Hrechkosy and Kim Sorensen presenting.

Special Presentations

1. Fiscal Year 2023-2024 Budget Address. Brenda Moore presenting.
2. Consider a resolution acknowledging receipt of the Fiscal Year 2023-2024 tentative budget from the Mayor and the Budget Officer and referring the Mayor's tentative budget for review and consideration to the Budget and Finance Committee of the Murray City Municipal Council. Brenda Moore 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

None Scheduled.

Public Hearings

None Scheduled.

Business Items

1. Consider an ordinance repealing paragraph (B) of sections 7.04.020, 13.48.060 and amending section 15.20.260 of the Murray City Municipal Code relating to operational transfers of the Solid Waste and Recycling Fund, the Stormwater Fund, and the Power Fund. Brenda Moore presenting.
2. Consider a resolution approving an interlocal cooperation agreement between the City and Granite School District relating to music education and instruction. Jennifer Kennedy presenting.

Mayor's Report and Questions

Adjournment

NOTICE

Supporting materials are available for inspection on the Murray City website at www.murray.utah.gov.

Special accommodations for the hearing or visually impaired will be made upon a request to the office of the Murray City Recorder (801-264-2663). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speaker phone. The speaker phone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

On Friday, April 14, 2023, at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder. A copy of this notice was posted on Murray City's internet website www.murray.utah.gov and the state noticing website at <http://pmn.utah.gov>.



Jennifer Kennedy
Council Executive Director
Murray City Municipal Council



MURRAY
CITY COUNCIL

Committee of the Whole



MURRAY
CITY COUNCIL

Committee of the Whole Minutes

**MURRAY MUNICIPAL COUNCIL
COMMITTEE OF THE WHOLE**

Meeting Minutes

Tuesday, March 21, 2023

Murray City Center - 5025 South State Street, Conference Room, Murray, Utah 84107

Attendance:

Council Members and others:

Phil Markham – Vice Chair	District #1
Diane Turner	District #4
Pam Cotter	District #2
Rosalba Dominguez	District #3 - Excused
Garry Hrechkosy – Chair	District #5

Brett Hales	Mayor	Pattie Johnson	Council Administration
Crystal Brown	Council Administration	Greg Bellon	Power Department
Doug Hill	Chief Administrative Officer	Tammy Kikuchi	Chief Communications Officer
Matt Youngs	Power Department	Joey Mittelman	Fire Chief
G.L. Critchfield	City Attorney	Craig Burnett	Police Chief
Brenda Moore	Finance Director	Bruce Turner	Power Department
Rob White	IT Director	Jared Hall	CED Director
Kim Sorensen	Parks and Recreation Director	Brooke Smith	City Recorder
Ben Gray	IT	Caren Lopez	Finance Department

Conducting: Council Member Hrechkosy called the meeting to order at 4:15 pm.

Approval of Minutes: City Council Initiatives Workshop – February 15, 2023
Committee of the Whole – February 21, 2023

Council Member Markham moved to approve both sets of minutes, and Council Member Cotter seconded the motion. All in favor 4-0.

Discussion Items:

- **An ordinance amending the City's Fiscal Year 2022-2023 budget.** – Ms. Moore gave a complete review about all items that were included in the requested budget opening. Transactions involved funding various capital improvement projects, the Capital Projects Fund, receiving Tourism Recreation Culture and Convention Funding and other grant funding, as well as various allocations to and from the GF (General Fund). In addition, the proposed ordinance included language allowing Ms. Moore to make all the necessary transfers and ensure that transfers could be made to keep reserves at 25%. It was noted that she would continue to monitor overtime budgets affected by ongoing record snowfall this year.
- **Code related to storm water and solid waste transfers.** – Ms. Moore explained that transfers from the Solid Waste and Storm Water Funds to the GF were discontinued two years ago so the ordinance should be changed. Two purposes for the proposed ordinance were reviewed. The first was to repeal a section of City Code that required the City to transfer funds from the Solid Waste Fund and from the Storm Water Fund to the GF. The second purpose was to add language allowing the City Council to change the Power Fund transfer by making it optional; and clean up language making the ordinance more consistent with other current enterprise fund transfers.
- **An ordinance updating power rates.** – Mr. Bellon said Active Power Engineering and Bowen Collins are working on a master plan for the Power Department. He suggested that going forward, the master plan be reevaluated every five years.

Mr. Bellon spoke about unprecedented power costs over the past few months. He said that the preliminary February 2023 UAMPS (Utah Associated Municipal Power Systems) power bill was \$1.1 million higher than it was in February of 2022. He introduced Rate Consultant Mr. Dave Berg, with DBC (Dave Berg Consulting) LLC, who joined the meeting via telecom to discuss the City's current power rate situation. Mr. Berg said although he is located in Minnesota, he has assisted the Murray City Power Department with electrical utility analysis for the past seven years and has also worked with about 15 other municipalities in the State of Utah.

Mr. Berg began by discussing the City's 2023 FY (Fiscal Year) operating budget that ends June 30, 2023. He said that on an operating basis, the budget reflected a \$4.2-million operating loss. In addition to that, there was \$2.9 million in a proposed transfer to the GF and \$9 million allocated to capital improvements.

This meant that there would be a \$16 million loss relative to the budget, with a beginning of year cash balance of just under \$30 million. Had the budget come to fruition, that would have negatively consumed half of the utility's operating cash. Mr. Berg noted that he had just become aware of the budget in the last couple of months.

Mr. Bellon said looking back at the operating loss of \$4.2 million, a rate increase should have been implemented a year ago. This was the first time in 15 years that the power department had a negative operating balance. He explained how cash reserves were built up year after year and said once they reached the point of going into a negative operating revenue, they decided to use cash reserves instead of implementing a rate increase. Mr. Berg agreed with Mr. Bellon.

Mr. Berg discussed the budget as of the end of December 2022. He said at that time net operating revenue was slightly positive and only 1% of capital improvements had been expended as projects were postponed. As a result, by the end of December the budget was breaking even because for the first 5 months of the fiscal year, power costs were slightly less than expected. Following this, power costs became progressively worse.

Mr. Hrechkosy asked now that we know where energy costs were trending, was there a revised budget for considering future projections. Ms. Moore said the budget has not been revised. Mr. Hrechkosy thought it would be helpful to provide future projections and asked what capital improvement projects were postponed.

Mr. Bellon said the AMI (advanced metering infrastructure) project budgeted for \$4.5 million this year was postponed until next year due to supply chain issues. Mr. Hrechkosy asked if that project was critical. Mr. Bellon said no; but the condition of two sinking substations located on 4800 South are considered critical. He said the estimated cost for two substations is \$3 million, but first survey work of the entire area must be finished, that is currently underway. The survey would determine where exactly to relocate and rebuild both substations. Once the survey is done, they would get a geotechnical study done, and then order two new transformers which are currently on a two-year backorder.

Mr. Markham discussed recent activation of the emergency SCA (supply cost adjustment) authorized by the administration and asked how long it was in place. Mr. Bellon said six months.

Mr. Markham wondered if that revenue was included in the operating budget, even though \$170,000 per month was not a substantial amount of money to help the problem. Mr. Bellon said no it was not. Ms. Moore confirmed the total amount would be approximately \$1 million. Mr. Markham requested they ensure the amount was well accounted for.

Mr. Berg described a perfect storm in the western region that attributed to the uncertain market. Coal transportation issues related to railroad and trucking problems impacted the market; and coal plants not being allowed to run at full output. In addition, the drought impacted hydro plants due to lack of water, resulting in significantly reduced generated electricity. Because natural gas is generally the fuel used for marginal needed resources, other transportation and storage issues made for bad impact also.

He said that natural gas pricing in our region was significantly higher than areas like Texas and Louisiana. Normal pricing for wholesale power is usually around \$30 per megawatt hour, but last September there were days when the price exceeded \$1,600 per megawatt hour. In December, the price exceeded over \$600 per megawatt hour and was consistently above \$200 per megawatt hour. In February of 2023, it was still in the hundred-dollar per megawatt hour range. Mr. Berg said considering all of the issues impacting market pricing, the cost for energy was driven to elevated levels that could not have been predicted.

He confirmed that Murray Power essentially gets its power from two places; the majority from UAMPS, and a certain amount from the federal hydro power plant, which is WAPA (Western Area Power Administration). To review the FY 2023 purchased power costs he reported on average the power department budgeted \$2 million per month for buying wholesale power; but from July 2022 through November of 2022 costs were below that amount; in December 2022 the total cost for power soared to over \$4 million per month, and in January of 2023 just over \$3 million per month that continued into February.

Mr. Berg said that as far as revising the budget to reflect what happened, or projecting what could happen in the future, it was hard to determine because every month the cost for wholesale power fluctuates. The swing in pricing is the biggest budget challenge related to uncertain wholesale power costs. In a good market some money can be gained, but in a bad market a lot of money is lost, which is essentially what occurred.

Mr. Hrechkosy said prebuying energy, especially natural gas, helps mitigate some of the market uncertainty. Mr. Bellon agreed and explained that in November of 2022 when the Hunter Coal plant was curtailed at the same time of natural gas prices soaring to \$60 per megawatt hour it was like two worlds colliding. Energy was purchased at \$400 per megawatt hour, when normally it was \$45 per megawatt hour. He said the situation was uncontrollable and unforeseen. There was no way to eliminate the challenge and they tried to purchase power from UAMPS when the cost was soaring on a daily basis.

Mr. Bellon said they mitigated soaring costs the best way they could, and they have pre-purchased natural gas through February 2024. Before the Hunter Coal plant shut down, coal purchases were prepaid from the Hunter Coal plant for the coming summer loads, which is not completely certain. The Hunter Coal Plant is scheduled to be back up and generating high load hours this June for Murray power.

Mr. Hrechkosy asked what the locked-in price for pre-purchasing natural gas until February 2024 was. Mr. Bellon said it was \$4 per megawatt hour through the summer months, and for December and January it was \$7. He did not think the price would escalate again to \$60.

Mr. Berg discussed the impact of purchased power, when over a five-month period there was a 15% increase of \$2.5 million to overall operating costs. He anticipated the average cost from January 2023 through May of 2023 would be more than that.

Mr. Berg said the last time the City implemented a power rate increase was 12 years ago in 2011.

Mr. Berg confirmed even though current capital projects were delayed, they would still need to happen; and clarified that at the beginning of the fiscal year, before the chaos of the market occurred in November of 2022, the Murray Power budget was already at a significant negative number. If the desire was to cash flow capital improvement projects, rather than issue debt, the power department was already behind before there was even a big increase in operating costs.

Mr. Berg recommended the City increase power rates 9% overall effective May 1, 2023, or as soon as possible. He recommended performing a full cost of service and rate design study immediately because the last power rate study Mr. Berg did for Murray City was completed in 2016.

Mr. Berg stated while no promise can be made about where future energy costs will go from here, it is common to consider raising rates 9% now, and then look again at the situation one year later. However, because things are so uncertain and ultimately a 9% increase only raises \$3 million per year, which is \$250,000 per month; and because Murray power department was spending \$1 million per month with recent high prices, there is still going to be a challenge with the budget. It all depends on where the market settles.

Mr. Berg reiterated Murray Power's FY 2023 negativity of \$4 million in operating revenue existed before the GF enterprise fund transfer was allocated. A proposed 9% rate increase only raises \$3 million, which means that another rate increase may be necessary again later this year. Mr. Berg recommended that a new power rate study should be conducted soon.

He said many other utility companies borrow funds to rebuild substations, rather than use cash to pay for those projects. He felt there were other things that could be done over the next several months to improve the situation of the budget that will also help to determine future power rates and increases.

Mr. Berg discussed details about the proposed 9% rate increase for residential customers that would increase the customer charge from \$3.35 per month to \$8.00. He noted this was a 138.8% increase, which was equal to \$4.65. He suggested raising the second summer rate tier system so that residential customers will only see an increase if they use more than 600 kilowatt hours per month.

Mr. Berg said that in 2016 he recommended that Murray Power raise the customer charge to \$6, but it remained at \$3.35.

Ms. Cotter understood how the proposed increase would affect her own utility bill and discussed it

in terms of money. Her bill would increase from \$39.38 to \$44.12, and a 9% increase was on the base rate, not kilowatt hours or the entire utility bill. She said paying for the basic service, to bring power into the home from the meter was similar to paying a basic fee for a land line phone service. Mr. Bellon agreed. Ms. Cotter thought citizens would understand the increase better if money language was used in the ordinance to explain the increase instead of a percentage. In addition a 9% increase on a past summer bill would raise her amount up to \$3.12.

Ms. Cotter said because of this reasoning she can accept the proposed power rate increase more easily. Mr. Berg agreed Murray power rates are still very low comparatively and that when the increase was announced publicly, he would suggest telling citizens that the increase per month would be less than \$5.

Mr. Berg said in conclusion there is a cost to having a connection to the City's power system, even if energy is not used in the home, because a transformer had to be placed in neighborhoods, power lines had to be connected to homes, meters had to be installed on houses and the meter needs to read effectively to produce a utility bill.

Mr. Hill said the plan was for the City attorney's office to draft an ordinance incorporating all the recommendations into the rate. If Council Members proposed something different between now and the next meeting, he would ask them to communicate with Mr. Bellon, Mayor Hales, or Mr. Critchfield. He said changes could also be made during a council meeting.

Mr. Markham did not agree with raising rates now and then having to return with another increase in four months. He wanted to ensure it was done professionally and accurately the first time. Mayor Hales noted a past rate increase of another kind, and citizens felt a large increase of 45% was horrible. Mr. Markham asked since the City had not raised rates from 2011 until now, were citizens paying too much for energy all those years. Mr. Berg said no, the financials did not reflect that.

Adjournment: 5:19 p.m.

Pattie Johnson
Council Office Administrator III



Discussion Items



Discussion Item #1



MURRAY

City Council

Murray Area Chamber of Commerce

Council Action Request

Committee of the Whole

Meeting Date: April 18, 2023

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Loren Pasalich Required Time for Presentation 15 Minutes Is This Time Sensitive Yes Mayor's Approval Date April 5, 2023	Purpose of Proposal Presentation from the Murray Area Chamber of Commerce Action Requested Information Attachments Budget Impact None Description of this Item The Murray Area Chamber of Commerce will present information on their organization to the council.
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Discussion Item #2



MURRAY

City Attorney

2023 Legislative Summary

Council Action Request

Committee of the Whole

Meeting Date: April 18, 2023

Department Director G.L. Critchfield Phone # 801-801-2640 Presenters G.L. Critchfield, David Stewart (Lobbyist) and Kory Holdaway (Lobbyist) Required Time for Presentation 30 Minutes Is This Time Sensitive No Mayor's Approval Date April 5, 2023	Purpose of Proposal Provide an update of the 2023 Legislative Session Action Requested Informational only. Attachments 2023 Legislative Summary Budget Impact N/A Description of this Item The City Attorney and our contracted lobbyists will provide an update of the 2023 legislative session
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2023 LEGISLATIVE SUMMARY

LEGISLATIVE BILLS AND RESOLUTIONS

- 929 Introduced
- 575 Passed

UNDERSTANDING THE SUMMARY

Legend

Bill	Title	Sponsor
Bill Summary		
ULCT	CITY	VOTE

Each box represents one bill that passed may impact Murray City. Some will have greater impact than others.

The green row (moving left to right) has the bill's number, title and sponsor. The second row (white row) summarizes the bill. And the bottom, or gray, row, shows the positions taken for each bill by the Utah League of Cities and Towns ("ULCT"), the City and how each of the state legislators representing Murray voted. The City positions are based upon input from department heads or other employees as well as an educated guess at whether the legislation may have a positive or negative affect on the City.

The ULCT and City positions may be compared to the votes by those legislators who represent Murray City as part of their district. Those legislators include:

House of Representatives

34 – Carol Spackman-Moss

35 – Mark Wheatley

39 – Ken Ivory

40 - Andrew Stoddard

41 – Gay Lynn Bennion

Senate

13 - Nate Blouin

14 - Stephanie Pitcher

Positions taken by the ULCT and City are identified by "Support", "Oppose", "Neutral," or "NP" ("No Position"). Votes taken by our legislators will appear as "Unanimous" except where a legislator voted against the bill which will be identified as "Oppose." As with many summaries, we have not included every bill that may have at least some impact on the City. We have included those that seem of greatest importance.

The last section that is entitled "For Your Information" are bills that may not have a direct impact on the City but show the direction of the legislature in different areas of legislation.

This summary is divided into 12 sections:

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LAND USE AND DEVELOPMENT

Housing

HB 364	Housing Affordability Amendments	Whyte
<p>Since the mid 1990's the State Legislature has identified the development of moderate-income housing to be a statewide concern. As part of the city's general plan, we were required to incorporate a moderate income housing element. This element includes an analysis of how the City will provide opportunities for developing moderate income housing. The Legislature has in essence placed on cities the responsibility to prepare the way for the private sector (developers) to solve the housing needs of Utah. Affordable housing is a top priority for the Legislature.</p> <p>Moderate income housing is defined by state law as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."</p> <p>Planning for moderate income housing includes choosing from the Legislature's "menu" of strategies and demonstrating how the City will implement them within the general plan. Reports must be submitted for state review. Preparing and submitting reports with state overview apparently is designed to ensure the City regularly reviews its progress and makes updates and changes as needed.</p> <p>This bill continues to provide timelines for reports to be submitted. It makes reports an administrative function. Reports are submitted for review to the Department of Workforce Services (DWS). If the report does not meet the requirements set by the legislature, DWS informs a city and an appeal may be taken by the city. SB0174 from this session imposes a fee for noncompliance in the reporting process.</p> <p>The Legislatures mandate is simple: Plan. Implement. Report.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Neutral	VOTE Unanimous except Ivory

HB 406S05	LUDMA Modifications	Whyte
<p>The Land Use Task Force is made up of the Utah League of Cities and Towns, Utah Association of Counties, Property Rights Coalition (developers, landlords), and the Home Builders Association. Input is also received from local districts, the Utah Land Use Institute, other local government entities. This group meets between legislative sessions to formulate land use policy and to provide legislation on land use best practices. HB0406 is the task force's latest bill. Given the wide variety of land use issues, task force bills end up as a hodge-podge of changes, many to clarify existing laws.</p> <p>HB0406 addresses annexation (allows a city to reconsider a decision to deny an annexation petition), "residential roads" (roads primarily serving neighborhood traffic and not next to high traffic volume lots may not be required in excess of 32 feet wide), lot line adjustments (cannot be considered subdivision amendments), future development agreements (identify any rights an applicant may waive by signing the agreement), temporary land use regulations (moratoriums cannot be imposed to apply new temporary land use regulations on applications restrained by a prior temporary land use regulation) and landscape bonding (cannot require bond on private landscaping, public landscaping bond limited to 110% of estimated cost).</p> <p>Effective May 3, 2023.</p>		
ULCT NP	CITY Neutral	VOTE Unanimous except Ivory Moss absent or not voting

SB 174	Local Land Use and Development Revisions	Fillmore
<p>Amends provisions of LUDMA. Adds a \$250/day penalty for moderate income housing noncompliance (see HB 364); Expands Accessory Dwelling Units (ADUs) to include a garage that shares a wall with the primary residence; Makes the subdivision process administrative only (Murray's process is already administrative) and imposes a (very challenging) shot clock for approval subdivision plats.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Oppose	VOTE Unanimous except Ivory and Wheatley

SB 199	Local Land Use Amendments	McKell
<p>The Utah Constitution includes the clause that “All political power is inherent in the people.” This sentence forms the basis for a referendum. Not long ago the Utah Supreme Court declared that a zoning change is a legislative function and therefore, referable. This bill attempts to limit land use referendums. Specifically, SB 199 prohibits a referendum of a land use law passed by a unanimous vote. It should not be surprising if this law is challenged in court.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral/Oppose	VOTE For: Ivory, Stoddard, Blouin, Pitcher Against: Bennion, Moss, Wheatley

SB 271	Home Ownership Requirements	McKell
<p>Prohibits the Council from passing and the administration from enforcing a land use regulation that treats co-owned homes differently than other residential units.</p> <p>Effective: May 3, 2023</p>		
ULCT Oppose	CITY Oppose	VOTE For: Ivory, Stoddard, Blouin, Pitcher Against: Bennion, Moss, Wheatley

Homelessness

HB 499	Homeless Services Amendments	Eliason
<p>In 2018 the State established the “shelter city mitigation fund” recognizing that homelessness is a statewide issue. Every city may either host a qualifying shelter or contribute to the fund. Murray has contributed annually to the fund. There is a shortfall in the fund making it impossible to reimburse all public safety impacts on host cities. HB 499 increases both the state and local contributions into the mitigation fund to better cover the expenses of shelter cities. Murray will contribute 2.55% of the population distribution of its sales tax with a maximum cap of \$275,000 per year.</p> <p>HB 499 also requires Salt Lake County to submit a winter response plan for homelessness. Input is received from all cities within the county. If the plan is not submitted or found to be inadequate, the State may step in and initiate its own response.</p> <p>Provides that when the temperature is predicted to be 15 degrees or lower, shelters may expand their capacities and comply with other requirements. Cities, during such an event, must assist in street outreach to distribute resources for survival in cold weather. Cities may not enforce ordinances prohibiting camping, abate camps, seize personal items or impose restrictions on shelters, indoor facilities, including enforcing zoning ordinances for the duration of the event.</p> <p>Effective May 3, 2023; Mitigation Fund Increases Effective January 1, 2024</p>		
ULCT Support	CITY Support	VOTE Unanimous Ivory absent or not voting

TRANSPORTATION

SB 27S04	Transportation Revisions	Harper
<p>Requires cities to send comprehensive general plan updates to their respective association of governments within 45 days after adoption.</p> <p>It is now an infraction to pass a snowplow on the side where the plow blade is deployed if the snowplow is displaying flashing yellow lights or to pass snowplows in “echelon formation.”</p> <p>Requires drivers, if practical and with due regard to safety, when approaching a vehicle adjacent to the highway not parked in a legal parking area that has its hazard lights flashing to reduce speed, provide as much space as possible, and where traveling in a lane adjacent to the stationary vehicle to change lanes. Allows one traveling in an HOV lane and approaching a stationary vehicle near the HOV lane to make a lane change out of the HOV lane.</p> <p>Authorizes an interlocal agency, political subdivision or state agency to contract with a vendor who provides technology that increases efficiency, effectiveness, and transparency in dispatching vehicle towing providers and management of towing rotations.</p> <p>Clarifies that for station area plans, areas must have five continuous acres that are at least 51% inside the station area radius. Cities must also now notify their metropolitan planning organization within 45 days of receiving a land use petition that involves land within a station area plan and satisfies other criteria.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Neutral	VOTE Unanimous

SB 185S04	Transportation Amendments	Harper
<p>Establishes the Active Transportation Investment Fund to develop paved pedestrian and non-motorized trails as part of an approved active transportation plan.</p> <p>Authorizes revenue from the Road Usage Charge (RUC) program to be divided in the same manner as the motor fuel tax (70% to UDOT, and 30% to cities and counties.)</p> <p>(2) Extends the deadline from 2023 to 2026 to impose the .20% ("5th 5th") local option transportation sales tax.</p> <p>Effective March 8, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

SB 260S02	Transportation Funding Requirements	Cullimore
<p>Authorizes any county to impose the 0.20% local option sales tax (“5th 5th”) by removing the deadline to impose the tax. Counties with transit may impose the tax and divide the funds between transit, cites, and counties. Revenue would be distributed according to an entity’s compliance with the moderate-income housing plan required by the state. For the levy to take effect, the county must impose the tax.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous except Ivory

SB 24S01	Advanced Air Mobility Amendments	Harper
<p>This bill (and SB 161) looks to the (near?) future of aviation and how people and goods may be moved.</p> <p>Grants the division of Aeronautics the authority of oversight of “vertiports” (hubs for vertical take-off and landing aircraft, ie, air taxis and drones). Authorizes UDOT rulemaking authority for requirements for unmanned aircraft and registration fees. All operators of advanced air mobility systems must register with UDOT (Division of Aetonautics).</p> <p>The City may require an operation to obtain a business license to operate within the city but only if the operator does not have a valid license from another city.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Blouin did not vote or absent)

SB 161S01	Advance Air Mobility Revisions	Harper
<p>Prohibits the City from granting an exclusive right to one or more vertiport owners.</p> <p>Requires UDOT to study regulations relating to advanced air mobility systems: Vertiport locations, infrastructure, and parking need; best practices of air mobility technology implementation (ie, regulations, community engagement, weather reporting); unmanned aircraft traffic management and infrastructure and the creation of an advanced air mobility sandbox. UDOT must present their findings to the Transportation Interim Committee no later than September 2023.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

SB 84S02	Housing and Transit Reinvestment Zone	Harper
<p>Makes several changes to the process for establishing a Housing and Transit Reinvestment Zone (“HRTZ”). HRT zones are intended to make it easier to build affordable housing near public transit. One of the provisions of this bill grants entitlement to a development within Summit County that is connected to an existing HRTZ requirement in Summit County. This provision has no apparent application to any other jurisdiction.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Oppose	VOTE Unanimous

HB 301S03	Transportation Tax Amendments	Schultz
<p>Increases vehicle registration by \$7 for annual registration; Establishes the Electric Vehicle Charging Tax to be levied on retail charging stations at 12.5%; and temporarily reduces the motor fuel tax – decreases the rate to 14.2% and then gradually increases over time.</p> <p>Effective January 1, 2024</p>		
ULCT Support	CITY Neutral	<p>VOTE</p> <p>In Favor: Ivory Opposed: Bennion, Blouin, Pitcher, Spackman-Moss, Stoddard, Wheatley</p>

HB 51S04	Railroad Right of Way Amendments	Snider
<p>Allows a government entity to assess a railroad for any portion of the cost of a public infrastructure improvement that are at least partially in the railroad's right of way if the improvement benefits the railroad and the assessment is proportionate to the railroad's benefit. Improvements may include water, electrical, sewer, telecommunications, signage, signaling, or other transportation infrastructure.</p> <p>Effective March 31, 2024</p>		
ULCT Support	CITY Support	<p>VOTE</p> <p>Unanimous</p>

ELECTIONS

HB162S01	Voter Accessibility Amendments	M. Gwynn
<p>Requires an election officer to provide an accessible voting option for a voter with a disability and to provide notice of how to access this option. Provides rules for verifying the identity of individuals who are not able to sign their name consistently due to a disability.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	<p>VOTE</p> <p>Unanimous (Wheatley, absent or not voting)</p>

HB 69S03	Election Modifications	Musselman
<p>Clarifies what an election officer must do when a municipal candidate is disqualified for failing to file a campaign finance statement, after notifying the disqualified candidate:</p> <ol style="list-style-type: none"> 1. notify every opposing candidate of the disqualification, 2. send an email to each voter who is eligible to vote for the candidate that votes for the candidate will not be counted, 3. post the information on a public website, and if practicable, 4. remove or black out the candidates name on ballots. <p>Also clarifies the information that should go on the ballot for a municipal initiative or referendum.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

HB 73S01	Municipal Office Modifications	Welton
<p>Filling midterm vacancies in a city council.</p> <p>City Council Member: if a midterm vacancy occurs the city council member leaving the city council may interview and vote for their replacement.</p> <p>Mayor's Role: the mayor may not vote, veto the city council decision or vote in the case of a tie. . .</p> <p>unless, due to her/his election or appointment as mayor, she/he is resigning from the city council, then the mayor may, in the case of a tie, may cast a vote.</p> <p>Tie votes trigger a coin toss.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

SB 17S01	Voting and Voter Residency Amendments	Thatcher
<p>Allows an individual to challenge a voter's residency. Authorizes an individual to request help from an election official to determine the individual's residency. If election official receives or has "reasonable, articulable grounds" to question a voter's residency, authorizes the election official to require the voter to provide more information. Determining a person's principal place of residence takes into account "(i) the intent expressed by the individual; and (ii) acts of the individual that are consistent or inconsistent with the intent expressed by the individual." This bill provides additional factors (acts of the individual) to the existing list to help an election official determine an individual's principal place of residence. New factors include, where an individual's motor vehicles are registered, the address for which utilities are paid, any address associated with a hunting or fishing license, and the address associated with a professional license.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

HB 347	Ballot Drop Box Amendments	Petersen
<p>Increases the criminal penalty for tampering with a ballot drop box or its contents from a class A misdemeanor to a third-degree felony.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Neutral	VOTE Unanimously Against except Ivory

HB 269S02	Election Audit Requirements	Schultz
<p>Requires Utah's primary and general elections to be audited every other year to ensure election integrity.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Neutral	VOTE Unanimous

WATER

SB 76S03	Water Amendments	Sandall
<p>Among other things, requires the planning commission to consult with the Division of Water Resources regarding regional water conservation goals when drafting the water use and preservation element of the general plan. The Division is to assist the planning commission to determine how implementing the land use and water use elements of the general plans may affect the Great Salt Lake.</p> <p>Also requires the Division to study how greater efficiencies can be found through improved coordination, consolidation, and regionalization of public water systems.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Oppose (regional planning)	VOTE Unanimous

SB 119	Per Capita Consumptive Use	McKell
<p>Establishes how “per capita” water use is calculated. Frequently, Utah’s water use is compared to other western states water use but states do not all calculate water use the same way. Consequently, this bill defines “per capita consumptive use” as “a valid representation of total water consumed divided by the total population for a given area.</p> <p>Authorizes certain water districts to implement the codified calculation. This bill prohibits a political subdivision (the City) from calculating, publishing, or disseminating a statewide per capita consumptive use number; or per capita consumptive use number for a first class or second class county that is different from a number reported by a reporting district.</p>		
ULCT Neutral	CITY Neutral	VOTE For: Ivory, Moss, Stoddard, Wheatley, Blouin, Pitcher Against: Bennion

HB 307S03	Utah Water Ways	Mussleman
<p>Establishes a nonprofit partnership to address water conservation. The nonprofit will sponsor policy discussions, involve the private sector to support conservation efforts, promote grants, sponsorships, and rebate programs that support responsible water use, provide education and public awareness campaigns.</p> <p>Effective July 1, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous Wheatley, absent or not voting

SB118S05	Water Efficient Landscaping Incentives	Sandall
<p>Allocates \$3 million to water conservancy districts for local turf-replacement programs. Money used for the program is to be used as an incentive for households to remove grass and replace it with water-efficient landscaping. In order to qualify for funds, the property must be located in a municipality that has implemented water use efficiency standards established by the Division of Water Resources. .</p> <p>Effective March 14, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE For: Bennion, Blouin, Pitcher, Moss, Stoddard, Wheatley Against: Ivory

TAXATION

Property Tax

HB 345S01	Local District Property Tax Amendments	Peterson
<p>Requires unelected districts to report (through a member of the board) proposed property tax increases or bond issuances to the legislative body. Allows the legislative body to give its opinion on the tax increase or bond issuance. The belief is that this makes these actions more transparent.</p> <p>Effective Date: May 3, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

SB81S02	Property Tax Deferral Revisions	Fillmore
<p>SB 22 (2022) created a property tax deferment program for seniors to provide relief from rising property taxes. Under SB 22, eligible homeowners can defer paying property taxes until a title transfer. Upon transfer, the taxes would be due with interest. All taxing entities, under a deferral, would still be able to collect the revenue. SB 22 allocated \$8 million of state funding to keep local governmental entities harmless while the program began operation. SB 81 extends the deferment program to a surviving spouse. Property tax deferment may continue even when property is transferred (title to the property) to a surviving spouse.</p> <p>Effective January 1, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

Sales Tax

SB 75S02	Sand and Gravel Sales Tax Amendments	Sandall
<p>Changes the point of sale for gravel and ready-mix concrete sales to the weigh station. The intent was to provide more money to cities with gravel pits to help mitigate gravel pit impacts. However, since the 1980's, when an agreement was reached between cities, this would be the first time that sales tax has been reallocated outside the agreement.</p> <p>ULCT opposed the bill and when it passed sent a request for the governor to veto SB 75. The governor did not veto the bill.</p> <p>Effective May 3, 2023</p>		
ULCT Oppose	CITY Oppose	VOTE For: Ivory, Blouin, Pitcher Against: Bennion, Moss, Stoddard, Wheatley.

GENERAL GOVERNMENT

First Responders

HB59S03	First Responder Mental Health Amendments	Wilcox
<p>Adds spouses of retired first responders to the list of those who qualify for mental health services and requires that mental health services be provided on a regular and continuing basis.</p> <p>Effective March 1, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

Vaccine Passports

HB0131	Vaccine Passport Prohibition	.Brooks
<p>Prohibits a place of accommodation from discriminating (e.g. a restaurant from refusing entry) due to one's immunity status. Prohibits City from requiring proof of immunity status and from requiring employee to receive a vaccine.</p> <p>Effective May 3, 2023</p>		
ULCT Oppose	CITY Oppose	VOTE Against: Blouin, Pitcher, Bennion, Moss, Wheatley For: Ivory, Stoddard

Reciprocal Business Licensing

HB 408	Mobile Business Licensing Amendments	Spendlove
<p>Reciprocal licensing. Currently, we accept and honor business licenses issued by other cities or counties to businesses whose only activity is the delivery of property sold at a regular place of business licensed and maintained outside the City so long as the same city or county reciprocates and accepts and honors business licenses issued by Murray.</p> <p>HB 408 extends reciprocal business licensing to mobile businesses such as barbers, cell phones, computers, cosmeticians, cycling, footwear, media archive and transfer, pet grooming, sewing and tailoring, small engine, and tools.</p> <p>Does not affect regulatory authority of health department.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

Work Force

HB555S01	Talent Ready Utah Program Modifications	J. Moss
<p>Talent Ready Utah is an initiative of the Governor’s Office of Economic Opportunity that seeks to build a highly-skilled workforce by creating partnerships between education and industry. This bill creates an appointed apprenticeship intermediary position to bring together the Utah Ready Utah Program, industry leaders and local education agencies.</p> <p>Provides that an intern participating through an institution of higher education or public school is considered a volunteer government worker for purposes of workers’ compensation and liability.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY NP	VOTE Unanimous

SLAPP Suits

SB 18	Public Expression Protection Act	Bramble
<p>Enacts the Uniform Public Expression Protection Act (UPEPA). Designed to deter “SLAPP” suits, (strategic lawsuits against public participation) that are filed to suppress free speech by alleging meritless claims of defamation, privacy, or nuisance.</p> <p>UPEPA does not include lawsuits against government employees acting in their official capacities or lawsuits brought by the government to enforce public health or safety measures.</p> <p>If person sued files a motion to dismiss and convinces the judge that their speech is protected under UPEPA, the judge can dismiss the SLAPP. The judge then must award the person sued their court costs, attorney’s fees, and litigation expenses (related to the motion to dismiss). However, if the judge finds the motion to dismiss to be frivolous, then the plaintiff may recover the same fees from the defendant.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

Procurement

SB97S02	Public Contract Requirements	Wilson
<p>Public entities are prohibited from entering into a contract with a company who boycotts the state of Israel. This bill adds companies that engage in certain environmental boycott actions.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Oppose (local control)	VOTE Unanimously against, except Ivory

PUBLIC SAFETY

Domestic Violence

SB117S04	Domestic Violence Amendments	Weiler
<p>Requires law enforcement officer to conduct a lethality assessment when responding to a report of domestic violence and describes the protocol for a lethality assessment. The results of the assessment must be included in the incident report and within the probable cause. The results must be submitted to the Department of Public Safety.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous

HB 43S02	Domestic Violence Modifications	Pierucci
<p>Creates a task force to compile lethality assessment data collected by officers and to provide the data throughout the state to agencies and courts.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB509S01	Criminal Protective Order Amendments	Stoddard
<p>Allows a victim to request a hearing regarding a continuous protective order for domestic violence.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous

School Safety

HB 61S04	School Safety Requirements	Wilcox
<p>Creates a security chief position in the Department of Public Safety. The security chief ensures that a new school has proper security in place. Requires a county to select a position within a sheriff's office to coordinate with the police chief, county sheriff, and security chief.</p> <p>Also creates a School Security Task Force to establish the security chief's responsibilities and minimum safety design standards for schools.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous (Moss, Ivory: absent or not voting)

CRIMINAL JUSTICE

HB 146S04	Sex Offender Restricted Area Amendments	Maloy
<p>Currently a registered sex offender may not access public pools and parks. This bill prohibits access to swimming pools, recreation rooms, and park facilities in apartment complexes, condominium projects and home owner associations.</p> <p>Effective February 27, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous

HB 143S01	Parental Kidnapping Amendments	Hawkins
<p>It is a third degree felony and considered parental kidnapping for a parent to</p> <ul style="list-style-type: none"> (a) takes, entices, conceals, detains, or withholds the child from an individual entitled to custody of the child; (b) intends to interfere with the custody of the child; and (c) (i) has never had a right to physical custody of the child; <li style="padding-left: 20px;">(ii) has never been granted parent-time with the child; <li style="padding-left: 20px;">(iii) has had all rights to physical custody of the child terminated by a court; or <li style="padding-left: 20px;">(iv) at the time of the parent's action under Subsection (2)(a), had parent-time with the child terminated or suspended by a court. <p>The penalty increases to a second degree felony if during the kidnapping the child is removed from the state.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous

SB 156S03	Investigative Genetic Genealogy Modifications ("Sherry Black bill")	Weiler
<p>Bill named after Sherry Black, a bookstore owner murdered in South Salt Lake in 2010. The case was solved through genealogy DNA testing.</p> <p>Currently police may search genetic testing databases that allow their users to opt-in. This bill limits warrantless searches of such databases to investigations for violent crimes. It excludes customers who don't agree to make their genetic information searchable by law enforcement. It allows genetic test customers' to voluntarily allow their test results to be searchable and it prohibits an arrest based only on data obtained from such databases.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous except Ivory

SB0049	Juvenile Custodial Interrogation Amendments	Riebe
<p>Creates Miranda rights for kids:</p> <p>Before the custodial interrogation of a child by a peace officer or a juvenile probation officer, the peace officer or juvenile probation officer shall disclose the following to the child:</p> <ul style="list-style-type: none"> (a) You have the right to remain silent. (b) If you do not want to talk to me, you do not have to talk to me. (c) If you decide to talk to me, you have the right to stop answering my questions or talking to me at any time. (d) Anything you say can and will be used against you in court. (e) If you talk to me, I can tell a judge and everyone else in court everything that you tell me. (f) You have the right to have a parent or guardian, or a friendly adult if applicable, with you while I ask you questions. (g) You have the right to a lawyer. (h) You can talk to a lawyer before I ask you any questions and you can have that lawyer with you while I ask you questions. (i) If you want to talk to a lawyer, a lawyer will be provided to you for free. (j) These are your rights. (k) Do you understand the rights that I have just told you? (l) Do you want to talk to me? <p>Increases allowable detention time from 2 hours to 4 (it was difficult getting parents off work and to the interview within 2 hours).</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 192S01	Traffic Violation Amendments	Teuscher
<p>Expands the availability of a deferred prosecution for certain traffic infractions to certain individuals if the individual completes a traffic school course as part of the deferred prosecution agreement.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Oppose	VOTE Unanimous except Stoddard

HB0236	Driving Under the Influence Testing	Burton
<p>Provides immunity from civil and criminal liability to a law enforcement agency arising out of a blood draw so long as the officer has reason to believe the suspect is driving under the influence and the blood drawn is at a law enforcement facility in a secure area not accessible by the public.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Neutral	VOTE Unanimous

SB148S03	Invisible Condition Information Amendments	.Anderegg
<p>Attempts to integrate awareness of invisible conditions into public safety. Invisible conditions are conditions that are not visible to the outside and include conditions such as physical or mental condition that may interfere with an individual's ability to communicate with a first responder, including a communication impediment, hearing loss, blindness or a visual impairment, autism spectrum disorder, a drug allergy, Alzheimer's disease or dementia, post-traumatic stress disorder, traumatic brain injury, schizophrenia, epilepsy, a developmental disability, Down syndrome, diabetes, a heart condition, or any other condition approved by the department.</p> <p>Allows an individual with an invisible condition to register their condition with the state and affix a decal to their car or add notification to their state-issued ID. When a police officer or dispatch enters the person's name or address into the dispatch system, authorities will be notified of the condition.</p> <p>Effective July 1, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous

JUSTICE COURT

HB 201S04	Justice Court Changes	Hawkins
<p>Creates the Justice Court Reform Task Force to review the structure of the court system and justice courts role in that system, appeals from justice courts, qualifications of justice court judges. Task Force is set to be repealed July 1, 2025.</p> <p>Requires that all justice court judges appointed after May 3, 2023 have a law degree. Current justice court judge who do not have a law degree may continue in office until the judge resigns, retires, is not retained, or is removed.</p> <p>Increases the bottom range of a salary for a justice court judge from between 50% to 70% of a district court judge's salary making the range (70% to 90%).</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral/Oppose	VOTE Unanimous

CYBERSECURITY

SB127S01	Cybersecurity Amendments	Harper
<p>Creates the Utah Cyber Center. Requires a governmental entity to contact the Center as soon as practicable after a breach of the entity's system security. Requires the Center to provide the governmental entity with assistance including: (a) conducting all or part of the investigation, (b) assisting law enforcement with the law enforcement investigation if needed, (c) determining the scope of the breach of system security, (d) assisting the governmental entity in restoring the reasonable integrity of the system or (e) providing any other assistance in response to the reported breach of system security.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 470S01	Government Digital Verifiable Record Amendments	Cutler
<p>Requires the state's Division of Technology Services to provide recommendations to governmental entities regarding the following:</p> <ul style="list-style-type: none"> (a) appropriate digital record schemas that allow a government to issue a digital verifiable credential or record; (b) policies and procedures to protect the privacy of personal identifying information maintained within distributed ledger programs; (c) the manner and format in which an issuer may certify a document through blockchain; and (d) processes and procedures for the preservation, auditability, integrity, security, and confidentiality of digital verifiable credentials and records; <p>Requires the Division to create a pilot program for the implementation of digital verifiable credentials by governmental entities; and</p> <p>Requires the Division to report to Public Utilities, Energy, and Technology Interim Committee by October 31, 2023, on the recommendations and pilot program.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous except Ivory

GRAMA

SB 231 S04	Government Records Access and Management Act Amendments	Bramble
<p>Enacts a new section of GRAMA to create a process to deal with “vexatious” requesters.</p> <p>Prior to this bill, a business the City is dealing with could claim that information provided to the city was confidential and not subject to GRAMA disclosure – this is known as the “business confidentiality claim. This bill requires that those claiming business confidentiality to indemnify the City in an action arising out of the City’s refusal to disclose the record subject to the confidentiality claim.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

HB 255S01	Vehicle Accident Reports Amendments	Stoddard
<p>Prior to this bill, we considered information from individuals involved in an accident different from witnesses to the accident. HB 255S01 requires the City to provide an unredacted accident report to those authorized to receive an accident report. Report must include cause of accident, existing conditions, and name, address, and phone number of everyone involved, <i>including witnesses</i>. If a witness requests to exclude the witness' address and phone number, the investigating officer may exclude this information from the accident report but must create a separate record with the name, address and phone number so that parties to a lawsuit can discover who witnessed the accident.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Support	VOTE Unanimous

PUBLIC MEETINGS

SB 43S03	Public Notice Requirements	Pitcher
<p>This bill is 380 pages in length in order to cover every notice requirement. This bill creates a new classification system for public notices: Class A and Class B. In summary, Class A notices require posting notice on the Utah Public Notice Website, the City's website, and posting within an area most affected in a manner that is "reasonably likely" to be seen by those affected. Class B notices require complying with the Class A requirements with the addition of mailing or delivering notice to residents in an affected geographic area.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

SB 245	Closed Public Meeting Amendments	Bramble
<p>Adds consideration of a loan application to the list of reasons a public meeting may be closed if public discussion of the loan application would disclose:</p> <ul style="list-style-type: none"> (a) nonpublic personal financial information; or (b) a nonpublic trade secret or nonpublic business financial information the disclosure of which would reasonably be expected to result in unfair competitive injury to the person submitting the information; or <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

FOR YOUR INFORMATION

HB 278	First Responder Mental Health Services Grant	Wilcox
<p>Creates the First Responder Mental Health Services Grant Program to be administered by the Utah Board of Higher Education. The Board will provide grants to an applicant who to become a mental health therapist who:</p> <ul style="list-style-type: none"> (a) is a full-time employee or a retiree, as that term is defined in Section 49-11-102, who is an active member of or has qualified for an allowance under the requirements of: <ul style="list-style-type: none"> (i) Public Safety Contributory Retirement Act; (ii) Public Safety Noncontributory Retirement Act; (iii) Firefighters' Retirement Act; or (iv) New Public Safety and Firefighter Tier II Contributory Retirement Act; and (b) is seeking a post-secondary degree or certification to become a mental health therapist, within the state system of higher education. <p>Effective July1, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

SB 128S05	Public Safety Officer Scholarship Program	Ipson
<p>Creates the Karen Mayne Public Safety Officer Scholarship Program for high school graduates to be administered by the Utah Board of Higher Education. A scholarship may be awarded to a qualified applicant who is a high school graduate; applies with a copy of the student's diploma; enrolls in an approved program; commits to working as a peace officer for at least five years after the day the individual is Post-certified. The Board determines the eligible programs including criminal justice, police administration, criminology, social sciences, and other disciplines.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous

SB 136S03	Legislative Office Amendments	Bramble
<p>The Utah Constitution provides:</p> <p>Article VI, Section 33 [Legislative auditor appointed.] The Legislature shall appoint a legislative auditor to serve at its pleasure. <i>The legislative auditor shall have authority to conduct audits of any funds, functions, and accounts in any branch, department, agency or political subdivision</i> of this state and shall perform such other related duties as may be prescribed by the Legislature. The legislative auditor shall report to and be answerable only to the Legislature.</p> <p>Among other things this bill requires the entity audited to provide immediate access to information the office of the legislative auditor deems necessary to conduct the audit.</p> <p>Effective March 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 512	Elected Official Education	Wilson
<p>Requires the state legislature to hold an annual “summit” to train (educate) local elected officials. Topics covered: taxation, revenue, professional development, legal requirements for elected officials, and budgeting and the interface between state and local jurisdiction.</p> <p>Effective May 3, 2023</p>		
ULCT Neutral	CITY Neutral	VOTE Unanimous

HB 506	Government Entity Compliance Amendments	Wilcox
<p>ULCT and the City opposed this bill believing that it was an example of State micromanagement.</p> <p>Requires a webpage (maintained by the Office of Legislative Research and General Counsel) that annually lists:</p> <p>All reports that a government employee, official, or entity is required to submit to a committee of the state legislature. There will be a link to the report with the following information: (1) submission deadline; (2) citation to the law requiring he report; (3) whether the report was submitted on time; and (4) whether the report contained the information required by law.</p> <p>Also, for each new law that requires a government employee, official, or entity to adopt a policy, there will be posted online (1) bill information; (2) citation to the law requiring the policy; (3) brief description of the policy; and a list of those required to adopt the policy.</p> <p>Effective July 1, 2023</p>		
ULCT Oppose	CITY Oppose	VOTE Unanimous (in favor)

SB 125	Transportation Infrastructure Amendments	Wilson
<p>Designates USU (ASPIRE Engineering Research Center) as a research center for planning the electrification of transportation infrastructure in Utah.</p> <p>Effective May 3, 2023</p>		
ULCT	CITY	VOTE

NP	NP	Unanimous
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HB 374S02	County Sheriff Amendments	Teuscher
<p>Dissolves the Unified Police Department of Greater Salt Lake in 2025.</p> <p>Effective May 3, 2023</p>		
ULCT NP	CITY Neutral	VOTE For: Bennion, Ivory Against: Blouin, Pitcher, Moss, Stoddard, Wheatley

SCR 002	Concurrent Resolution Regarding the Environmental Impact of Vehicle Idling	Fillmore
<p>The state legislature resolves that:</p> <p>The Legislature of the state of Utah, the Governor concurring therein, encourages all Utahns to "Turn Your Key, Be Idle Free" and turn off their engine when idling for more than ten seconds at the drive-through, school pickup, airports, and any areas where sensitive populations congregate, to improve air quality and save on fuel. This resolution encourages Utahns, businesses, and other entities to take steps to reduce idling.</p> <p>Businesses along with chambers of commerce, schools, hospitals, and airports are encouraged to place signs educating the public on how ten seconds of idling wastes more gas than restarting the engine and spread awareness of the "Turn Your Key, Be Idle Free" campaign.</p> <p>Effective February 27, 2023</p>		
ULCT Neutral	CITY Support	VOTE Unanimous except Ivory

HB 409S01	State Construction and Fire Code Amendments	Peterson
<p>Repeals Tall Wood Buildings of Mass Timber Construction Incorporated as Part of State Construction Code; adopts the 2021 edition of the International Fire Code, with amendments; and adopts and amends certain National Fire Protection Association codes and standards.</p> <p>Effective May 3, 2023</p>		
ULCT Support	CITY Support	VOTE Unanimous



Discussion Item #3



MURRAY

City Council

Grass Removal Rebate Program

Council Action Request

Committee of the Whole

Meeting Date: April 18, 2023

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Pam Cotter	Purpose of Proposal To receive information on the State's grass removal rebate program. Action Requested Information Attachments Overview of the State's grass removal rebate program, Tree and Lawn article, Conservation Garden Park information Budget Impact None Description of this Item During the 2022 legislative session, the Division of Water Resources received \$5 million to implement a statewide grass removal rebate program. Murray City is currently not part of the state's program. Pam would like to discuss the probability of Murray City implementing our own rebate program to encourage citizens to utilize waterwise landscaping.
Required Time for Presentation 15 Minutes Is This Time Sensitive Yes Mayor's Approval Date April 5, 2023	



During the 2022 legislative session, the Division of Water Resources received \$5 million to implement a statewide grass removal rebate program. The program encourages waterwise landscaping, including having lawns only where they're actively used.

The statewide program will launch through [Utah Water Savers](#) in spring 2023.

The division has partnered with Central Utah, Jordan Valley, Washington County, and Weber Basin Water Conservancy Districts to increase program awareness and funding and develop program requirements. These requirements include waterwise landscape standards for new residential developments. Residents in areas that have adopted qualifying landscape standards are eligible for state rebate funding.

A list of eligible cities, information for communities interested in adopting water-efficient landscape policy, and information about rebate applications are found below.

Eligible Locations

The following cities have adopted qualifying water-efficient landscape ordinances for new residential developments. Residents in these areas are eligible for rebates. Cities will be added as landscape ordinances are updated to meet state requirements.

Bluffdale	Kearns Metro Township	South Jordan
Cedar Hills	La Verkin	St. George
Clearfield	Lehi	Syracuse
Cottonwood Heights	North Salt Lake	Washington
Farr West	Ogden	West Haven
Fruit Heights	Riverdale	West Jordan
Heber City	Riverton	West Valley City
Herriman	Roy	Woods Cross
Hyde Park	Sandy City	
Ivins	Santa Clara	

Program funding is available statewide. If your community does not currently qualify for rebates, contact your elected municipal representative and encourage them to adopt qualifying landscape standards.

Landscape Policy

Communities can work with either a partner water district or the division to adopt landscape standards that qualify for the statewide program. Communities are welcome and encouraged to add additional standards based on local need.

Partner water districts include:

- Central Utah Water Conservancy District.
- Jordan Valley Water Conservancy District.
- Washington County Water Conservancy District.
- Weber Basin Water Conservancy District.

Communities within these districts' service areas should work with their district to adopt qualifying landscape standards.

Communities outside of a partner water district's service area, including unincorporated areas, should work with the division. At minimum, the following water-efficient landscape ordinances for new construction are required:

- No lawn on parking strips or areas less than eight feet in width in new residential development.
- No more than 50% of front and side yard landscaped area in new residential developments is lawn. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area.
- In new commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.

Apply

Except for Washington County, the statewide landscape rebate program is facilitated through [Utah Water Savers](#). Expect more information in spring 2023.

Rebate information for Washington County residents is available on the [Washington County Water Conservancy District site](#).

Through state and district partnerships, eligible participants may receive up to \$3 per square foot of lawn replaced with waterwise landscaping. **Rebate amount varies by location.** Once your application has been approved, you have up to one year to complete your landscaping project.

COMMUNITY OCTOBER 13, 2020

Trees and lawns beat the heat

As climate change pushes cities towards dangerous temperatures, planners must balance mitigating heat and preserving water resources.

LISA POTTER - SCIENCE WRITER, UNIVERSITY OF UTAH COMMUNICATIONS

In cities, humans replace the natural ground cover with roofs, pavement and other artificial materials that are impervious to water. These surfaces significantly change how the land absorbs and releases energy and cause the urban heat island effect, a phenomenon where developed areas get hotter than nearby rural areas. As climate change pushes many cities towards dangerous temperatures, planners are scrambling to mitigate excessive heat.

One strategy is to replace artificial surfaces with vegetation cover. In water-limited regions such as Utah, a state with one of the lowest annual rainfall rates in the United States, municipalities have to balance the benefit of cooler temperatures with using precious water for irrigation.

A new University of Utah [study](#) will make those decisions easier for the semi-arid Salt Lake Valley, the largest metropolitan area in Utah located in the northern part of the state. The researchers used 60 sensors to analyze the microclimate in five locations throughout the valley. They found that neighborhoods dominated by impervious surfaces were warmer and drier than the urban parks—up to 2 degrees warmer in both the daytime and nighttime.

“It’s intuitive—we’ve all stood in a parking lot on a hot summer day, and you feel the heat from the ground. And when you’re standing on a lawn, it’s cooler,” said lead author Carolina Gomez-Navarro, a postdoctoral researcher at the U. “But we need to back up intuition with data to determine the best strategy for our semi-arid cities.”

Gomez-Navarro and the team measured the temperature and humidity inside five parks and in their adjacent residential areas from June through August in 2016. They also analyzed how the surrounding landscape impacted air temperature. Surprisingly, they found that lawns reduced daytime and nighttime temperatures even more than trees did. While trees provide shade, lawns and turfgrass act like a swamp cooler—water moves through the plant, evaporating from tiny holes in the leaves and cooling the air.



(events)

Events & Classes

Classes at Conservation Garden Park allow you to learn directly from experts in horticulture and waterwise landscaping. Topics range from landscape design to yard maintenance and upkeep. View our class schedule for details and registration.

[LEARN MORE \(/EVENTS\)](#)

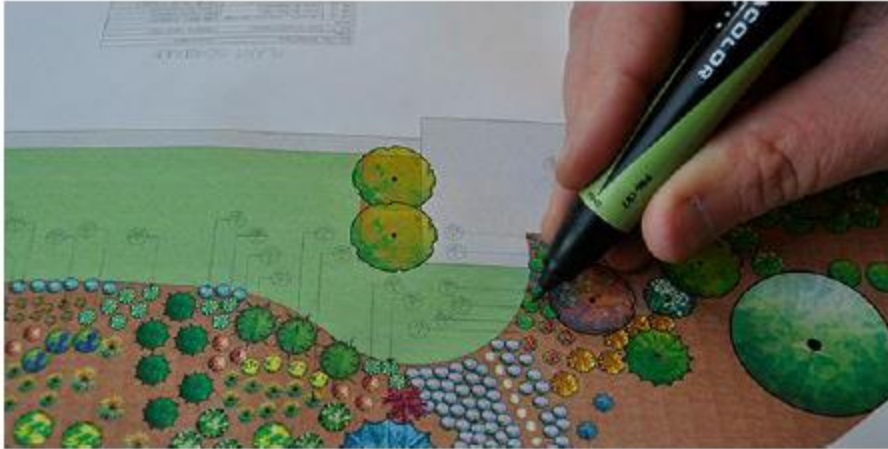


(plants)

Find Plants

Search our database of more than 1,000 waterwise plants tried and tested at Conservation Garden Park. Learn about maintenance requirements, blooming seasons, and water needs before you make picks for your personal landscape.

LEARN MORE (/PLANTS)



(landscapinghelp)

Landscaping Help

Find tools to help you get started on your own landscaping project. You can view sample landscape designs, watch instructional videos, find a qualified landscaper, and start making changes in your landscape today.

LEARN MORE (/LANDSCAPINGHELP)

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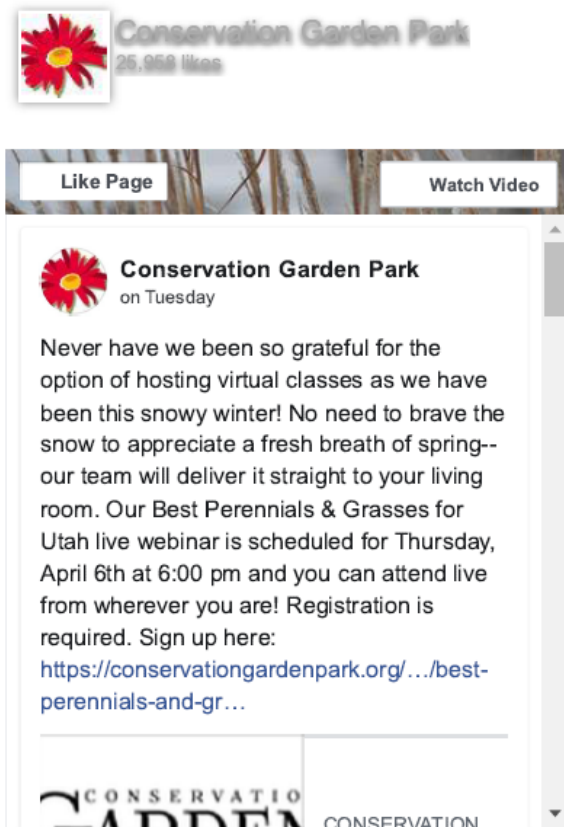


(<https://www.instagram.com/conservationgardenpark/>)



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(/blog)

Friday, August 12



(/blog/638/4-elements-of-a-monarch-haven)

4 Elements of a Monarch Haven

Monday, November 01



3 Ways to enjoy the **GARDEN** at **HOME**

(/blog/601/3-ways-to-enjoy-the-garden-at-home)

3 Ways to Enjoy the Garden at Home



CONSERVANCY DISTRICT

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PHOTO CREDIT: NAVARRO ET AL (2021) AGRICULTURAL AND FOREST METEOROLOGY

A map of the park and residential sites in the Salt Lake Valley.

[DOWNLOAD FULL-RES IMAGE](#)

acts like a greenhouse, trapping heat close to the ground. The study concluded that a mixture of dispersed trees and grass is the most effective way to cool temperatures in the Salt Lake Valley.

“Understanding how ground cover impacts temperature is crucial for city planners to weigh the benefits and costs of its landscape design,” said Gomez-Navarro. “This land used to be a valley of bushes and bare soil. Any vegetation we add is going to need lots of irrigation and modify the landscape in many ways.”

The paper was published on Oct. 13, 2020, in the journal Agricultural and Forest Meteorology.

Is the grass always greener?

Gomez-Navarro focused on five parks and the adjacent neighborhoods throughout the Salt Lake Valley: Hunter (northwest), Lone Peak (southeast), Midvale City (south-central), Southridge (northwest) and Sugar House (northeast). Each location had 12 sensors that measured temperature and humidity: six within the park and six in the residential areas. Gomez-Navarro analyzed ground cover in a 10-meter diameter around each sensor using satellite images to estimate the percentage of the roofs, pavement, trees or turfgrass. She found that the more turfgrass in a given area, the lower the temperature.

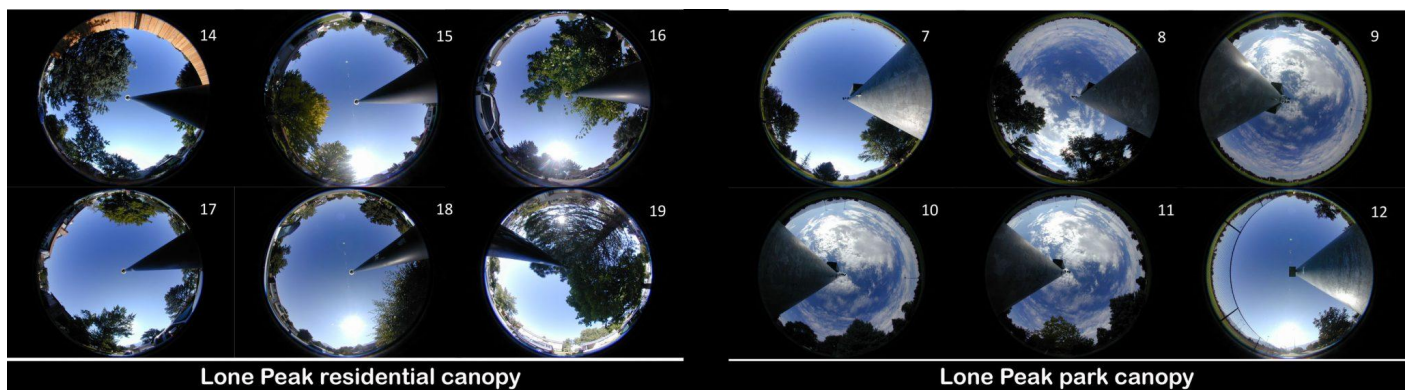


PHOTO CREDIT: CAROLINA GOMEZ-NAVARRO

The fisheye images of the sky above a park (right) and a residential area (left) around Lone Peak park have different canopy coverage—the park has a more open sky than in the residential areas. The canopies influence the different ground surface temperatures.

[DOWNLOAD FULL-RES IMAGE](#)

She analyzed canopy cover by taking photos of the sky above each sensor with a fisheye lens. She used software that calculated the area that trees obstructed the sky. She found that the more open the landscape, the hotter the daytime temperature. The more canopy cover, the more shade reduced temperature.

The authors expected there to be temperature and humidity differences between the parks and neighborhoods. They were surprised, however, that turfgrass had nearly the same impact on air temperature as trees. It seems counterintuitive because of the difference between air temperature and perceived temperature. Perceived temperature is how humans feel the environment. Wind, air temperature, humidity and solar radiation all factor into how comfortable we are.

“We didn’t measure human comfort in this study, but we know that the amount of solar radiation on our skin has a big impact on the perceived temperature,” said Gomez-Navarro. “Even if the air temperature is the same, we feel much cooler under the shade of a tree because it blocks some of the radiation.”

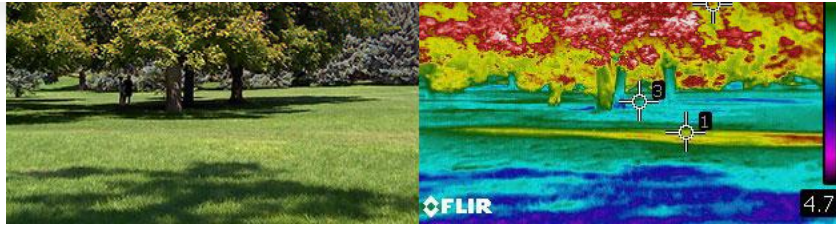


PHOTO CREDIT: CAROLINA GOMEZ-NAVARRO

Thermal images showing the surface temperature variation in a Sugar House park setting.

[DOWNLOAD FULL-RES IMAGE](#)

Smart city planning

Next, Gomez-Navarro will study how different landscapes directly affect how humans feel comfortable in their environment, and how plant cover type affect soil water loss.

“It’s going to keep getting hotter and parks can be a refuge from the heat. But exactly how many degrees can they cool the air? And what should we plant to maximize this cooling?” said co-author Diane Pataki, professor of biology at the U. “It’s getting easier and cheaper to measure temperature all over parks and neighborhoods, and we’re going to need this information to make good decisions about future park designs.”

Eric Pardyjak of the U’s Department of Mechanical Engineering and David Bowling from the U’s School of Biological Sciences were authors of the paper. The research was supported by the NSF EPSCoR cooperative agreement IIA-1208732 and Red Butte Garden at the U.

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MURRAY
CITY COUNCIL

Adjournment



MURRAY
CITY COUNCIL

Council Meeting 6:30 p.m.

Call to Order

Pledge of Allegiance



MURRAY
CITY COUNCIL

Council Meeting Minutes



MURRAY CITY MUNICIPAL COUNCIL

MEETING MINUTES

The Murray City Municipal Council met on **Tuesday, March 21, 2023, at 06:30 PM** for a meeting held in the Murray City Council Chambers, 5025 S State Street, Murray, Utah.

The public was able to view the meeting via the live stream at www.murraycitylive.com or <https://www.facebook.com/Murraycityutah/>. A recording of the City Council meeting can be viewed [HERE](#).

OPENING CEREMONIES

DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT - DRAFT

Council in Attendance:

Philip Markham, District #1
Pamela Cotter, District #2
Rosalba Dominguez, District #3 (Excused)
Diane Turner, District #4 (Conducting)
Garry Hrechkosy, District #5
Jennifer Kennedy, Council Director (Excused)
Pattie Johnson, Council Office Administrator III
Crystal Brown, Officer Administrator

Administrative Staff in Attendance:

Brett A. Hales, Mayor
Doug Hill, Chief Administrative Office
Tammy Kikuchi, Chief Communication Officer
G.L. Critchfield, City Attorney
Brooke Smith, City Recorder
Brenda Moore, Finance and Administration Director
Craig Burnett, Police Chief
Joey Mittelman, Fire Chief
Greg Bellon, Interim General Manager of Power
Bruce Turner, Power Operations Manager
Matt Youngs, Power Energy Services Compliance Manager
Jared Hall, Community and Economic Development Director
Kim Sorensen, Parks and Recreation Director
Kim Fong, Library Director
Robert White, IT Service Director
Ben Gray, Sr. IT Technician
Laura Bown, Purchasing Agent
Wendy Saunders, Passport Agent

Others in Attendance:

Charles Turner, Lawrence Horman, Clark Bullen, Sheri Van Bibber, Jay Van Bibber, Dave Carr, Harold Saunders,

Opening Ceremonies

Call to Order – Councilmember Turner called the meeting to order at 6:30 p.m.

The audience was invited to recite the Pledge of Allegiance led by Sheri Van Bibber.

APPROVAL OF MINUTES

1. Council Meeting - March 7, 2023

MOTION

Councilmember Cotter moved to approve the Council Meeting on March 7, 2023. The motion was SECONDED by Councilmember Hrechkosy.

Roll Call:

Ayes: Councilmember Markham, Councilmember Cotter, Councilmember Turner, Councilmember Hrechkosy

Excused: Councilmember Dominguez

Motion passes 4-0

SPECIAL RECOGNITION

1. Employee of the Month - Wendy Saunders, Diane Turner and Mayor Hales presenting.

Councilmember Turner introduced Wendy Saunders, as the March recipient of Employee of the Month. Wendy Saunders is the AM Passport Agent for Murray City who consistently went above and beyond her duties to ensure that clients received the best customer service possible. She received a certificate; a \$50 gift card; and her name will appear on the plaque located in the Council Chambers.

Mayor Hales shared a personal story about the first time he met Wendy and expressed gratitude and appreciation for the kindness she showed to him.

Brooke Smith, City Recorder is Wendy Saunders' supervisor. She said Wendy Saunders showed exceptional dedication and commitment to her work. Wendy was very reliable and treated everyone with respect and kindness when they came to City Hall. She also demonstrated great patience when helping applicants fill out difficult forms. During her time on the team, Wendy processed approximately 3000 new applications and photos, assisted over 500 people with renewing their passports, and helped over 500 walk-in clients. Her positive attitude and fun energy created an enjoyable work environment for her colleagues. Wendy was a valuable asset to the organization, and her contributions were greatly appreciated.

Wendy Saunders introduced her spouse and thanked the council and Mayor for the special recognition. Wendy loves to travel, and she recalled when she applied for the job online she had the desire to help people get their passports, so they could travel and explore.

Councilmembers thanked Wendy Saunders for her service and stated they appreciate her being a part of Murray City.

2. Consideration of a Joint Resolution for Child Abuse Prevention., Mayor Hales and Sheri Van Bibber presenting.

Sheri Van Bibber was invited to the podium by Mayor Hales. Mayor Hales read into the record the proposed Joint Resolution.

The resolution acknowledged the importance of investing in the welfare, safety, and livelihood of children in the city. It also recognized the responsibility of all Murray citizens to protect children and strengthen families, as child abuse is a serious problem that affects the entire community. The resolution highlighted the Murray Exchange Club's positive contributions to the city, and called upon citizens to become more aware of child abuse and actively support parents in raising their children in a safe and nurturing environment. In support of the Murray

Exchange Club's efforts, the city of Murray agreed to fly the Child Abuse Prevention Flag in front of City Hall from April 1st through April 30th. The resolution commended the Murray Exchange Club for their continued efforts to help families break free from the vicious cycle of child abuse and emphasized that all children deserve to grow up in a safe and nurturing environment to reach their full potential.

MOTION

Councilmember Hrechkosy moved to adopt the Joint Resolution for Child Abuse Prevention. The motion was SECONDED by Councilmember Markham.

Roll Call:

Ayes: Councilmember Markham, Councilmember Cotter, Councilmember Turner,
Councilmember Hrechkosy

Excused: Councilmember Dominguez

Motion passes 4-0

Mayor Hales thanked Sheri Van Bibber for her dedication to the youth program and child abuse prevention. He expressed gratitude for her contributions to the city and praised her involvement in various areas beyond child abuse prevention.

During the meeting, Sheri Van Bibber expressed her gratitude towards Murray city and the council for their support of the youth program. The Murray Exchange Club, which has been active since 2001, focuses on city service and Americanism. They give out American flags during the parade, organize events like the childhood abuse prevention campaign, and support various groups such as the YWCA. They also host the Haunted Woods in Murray City, whose proceeds go towards preventing child abuse. Last year, the event attracted about 12,000 people and raised \$26,000 which was donated to programs that support the prevention of child abuse. The speaker discussed statistics related to child abuse and neglect and mentioned that the Exchange Club works with hospitals to provide services to families that are deemed to be at risk.

Councilmembers expressed gratitude and praised the efforts of Sheri Van Bibber who spearheaded the events every year.

Councilmember Hrechkosy emphasized the importance of paying attention and listening in order to identify potential cases of abuse and make a positive impact.

CITIZEN COMMENT(S)

Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to city.council@murray.utah.gov. Comments are limited to three minutes or less (approximately 300 words for emails) and must include your name and address.

The meeting was open for public comment.

Lawrence Horman

Lawrence Horman introduced himself and advocated for the homeless during a presentation. He mentioned his personal connection to the issue and noted that child abuse often leads to homelessness. He hoped that someday there would be a similar effort to address homelessness as there is for child abuse. He suggested getting acknowledgment from state and national legislatures during the time when they are in session and advocating for funding to help find solutions. He also emphasized the importance of taking a housing-first approach to provide stability and help homeless people get back on their feet.

Clark Bullen

Clark Bullen from District Three spoke about the great things Murray city has to offer, including the Exchange Club, Murray Youth Community Council, and the Murray Power Department. He also mentioned the proposed power rate increase of 9% and his concerns about its impact on citizens who are already feeling the effects of increased costs for necessities like water, sewer, groceries, and

gasoline. He suggested reevaluating the increase to a smaller percentage and implementing yearly increases of 1%. He encouraged the council to consider this option and also to re-look at the Supply Cost Adjustment (SCA) as referred to in section 15.20.240 of the city code to fill the gap and go up to a higher rate cap so that rates don't have to be permanently increased.

No additional citizen comments were given, and the open citizen comment period was closed.

CONSENT AGENDA

None scheduled.

PUBLIC HEARING(S)

Staff, sponsor presentations, and public comments will be given prior to Council action on the following matter. The Council Meeting Agenda Packet can be found [HERE](#).

1. Consider a resolution approving the donation of city services and/or nonmonetary assistance to the Navajo Tribal Utility Authority's "Light Up Navajo" initiative project., Bruce Turner presenting.

PRESENTATION

Bruce Turner presented the proposed resolution requesting the donation of city services and/or non-monetary assistance to the Navajo Tribal Utility Authority's "Light Up Navajo" initiative project.

The purpose of this city service trip initiative was launched to expedite electrification projects within the Navajo Nation and to train the apprentices and one foreman in building power lines from scratch, which is something they do not get to do in their regular work. The crew would build power lines in Tuba City, which would help the people there immensely. Bruce Turner had gone on a previous trip in 2021 and witnessed how happy the people were to have power for the first time in their life. He believed that despite the cost, the benefits of the trip were tenfold.

CITIZEN COMMENTS

The Public Hearing was open for citizen comment.

No citizen comments were given, and the open public comment period was closed.

MOTION

Councilmember Markham moved to adopt the resolution approving the donation of city services and/or non-monetary assistance to the Navajo Tribal Utility Authority's "Light Up Navajo" initiative project. The motion was SECONDED by Councilmember Cotter.

Roll Call:

Ayes: Councilmember Markham, Councilmember Cotter, Councilmember Turner, Councilmember Hrechkosy

Excused: Councilmember Dominguez

Motion passes 4-0

The mayor thanked Bruce Turner for enlightening them about the trainee program and the benefits it provides to city staff.

Councilmembers express their appreciation for the program and note the added benefit of blessing other people's lives.

BUSINESS ITEM(S)

1. Consider a resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District regarding the conveyance by the City of real property of which the City will continue to own, operate, and maintain the Murray City Library. G.L. Critchfield presenting.

City Attorney, G.L. Critchfield discussed the history of a ground lease between the city and

school district for a library building. The lease was initially for 50 years and renewed for another 50 years, with an expiration date of December 4, 2091.

The school district transferred the land to the city to build the library and financed the building's construction with bonds. When the bonds were paid off in 2013, the city notified the school district that they could exercise their option to take back the property. The land is owned by the school district, but the building is owned by the city.

The first item on the agenda was to convey the land back to the school district, which required signing an agreement and sending it to the title company.

The second agreement was the ground lease, which began in 1991 and has an expiration date of December 4, 2041, and included provisions for notice and payment if either party wanted to vacate or keep the building.

The district needs to give five years' notice to take back the building after the first 50 years. If they don't give notice, the city can stay there for another 50 years. If the city gives notice, they can vacate at the same time. If the district gives notice, they pay the market value for the building at that time.

Councilmember Markham asked if there was any exchange of monetary value for the ground lease. Attorney Critchfield replied there is an agreement in place for one dollar per year.

MOTION

Councilmember Cotter moved to adopt the resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District regarding the conveyance by the City of real property which the City will continue to own, operate, and maintain the Murray City Library. The motion was SECONDED by Councilmember Hrechkosy.

Roll Call:

Ayes: Councilmember Markham, Councilmember Cotter, Councilmember Turner, Councilmember Hrechkosy

Excused: Councilmember Dominguez

Motion passes 4-0

2. Consider a resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District to provide for a ground lease of property owned by the board of education of the Murray City School District Located at 166 East 5300 South Street. G.L. Critchfield presenting.

MOTION

Councilmember Hrechkosy moved to adopt the resolution authorizing the execution of an interlocal cooperation agreement between the City and the Board of Education of the Murray City School District to provide for a ground lease of property owned by the board of education of the Murray City School District Located at 166 East 5300 South Street. The motion was SECONDED by Councilmember Markham.

Roll Call:

Ayes: Councilmember Markham, Councilmember Cotter, Councilmember Turner, Councilmember Hrechkosy

Excused: Councilmember Dominguez

Motion passes 4-0

MAYOR'S REPORT AND QUESTIONS

Mayor Hales thanked the council for making tough decisions and asking questions throughout the

meeting. He also reported that the power supply for the new city hall was coming from Taiwan but was delayed, and the furniture for City Hall is being delivered. He praised the public works department for being ready with sandbags and reported that rain barrels were available for purchase through public works. He also announced that the golf course superintendent, Dave Carruth, was retiring after 27 years of service and a new superintendent, Jason Lundberg, had been selected. A retirement party for Dave Carruth is scheduled for March 31 at City Hall.

ADJOURNMENT

The meeting was adjourned at 7:18 p.m.



MURRAY
CITY COUNCIL

Special Recognition



MURRAY

City Council/Mayor

Employee of the Month - Bruce Holyoak

Council Action Request

Council Meeting

Meeting Date: April 18, 2023

Department Director Jennifer Kennedy Phone # 801-264-2622 Presenters Garry Hrechkosy Brett Hales Kim Sorensen Required Time for Presentation Is This Time Sensitive No Mayor's Approval Date April 4, 2023	Purpose of Proposal Employee of the Month recognition Action Requested Informational only Attachments Recognition Form Budget Impact None Description of this Item See Employee of the Month Recognition Form
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EMPLOYEE OF THE MONTH RECOGNITION

DEPARTMENT:

DATE:

Parks and Recreation

3/29/2023

NAME of person to be recognized:

Submitted by:

Bruce Holyoak

Kim Sorensen

DIVISION AND JOB TITLE:

Parks, Park Superintendent

YEARS OF SERVICE:

26 years

REASON FOR RECOGNITION:

Bruce Holyoak currently serves as the Park Superintendent. He has been the Superintendent for five years. The Park Superintendent has a large area of responsibility. Bruce takes pride in his work and always represents Murray with pride. Most of the work he does is never highlighted, or understood, but if not completed many are impacted

This winter has been a difficult one with snow removal. Bruce has worked hard and many hours to coordinate and make sure park facilities, recreation buildings, senior rec center, trails, etc are clear of snow and safe for public use. This is a small example of the behind the scenes service he oversees.

Employee of the Month award is well deserving to Mr. Holyoak.

COUNCIL USE:

MONTH/YEAR HONORED





MURRAY
CITY COUNCIL

Special Presentations



MURRAY
CITY COUNCIL

Special Presentation #1



MURRAY

Mayor

2024 Budget

Council Action Request

Council Meeting

Meeting Date: April 18, 2023

Department Director Brett Hales Phone # 801-264-2600 Presenters Brenda Moore Required Time for Presentation Is This Time Sensitive Yes Mayor's Approval Date April 4, 2023	Purpose of Proposal Present the Mayor's proposed budget for fiscal year 2024. Action Requested Accept the Mayor's budget for consideration. Attachments Proposed fiscal year 2024 budget Budget Impact Description of this Item After consultations with department heads, the Budget Officer, Brenda Moore has created the budget for Murray City. Budget Officer, Brenda Moore, will present the budget proposal to the Council, who will deliberate before approval.
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MURRAY
CITY COUNCIL

Special Presentation #2



MURRAY


Mayor's Office

Mayor and Budget Officer Fiscal Year 2023-2024 Tentative Budget

Council Action Request

Council Meeting

Meeting Date: April 18, 2023

Department Director Mayor Brett Hales Phone # 801-264-2600 Presenters Brenda Moore, Finance and Administration Director Required Time for Presentation 20 minutes Is This Time Sensitive Yes Mayor's Approval  Date April 4, 2023	Purpose of Proposal Acknowledge receipt of the Fiscal Year 2023-2024 tentative budget from the mayor and budget officer. Action Requested Consider approval of Resolution Attachments Resolution Budget Impact n/a Description of this Item Mayor Brett Hales and budget officer Brenda Moore are submitting their fiscal year 2023-2024 tentative budget to the budget and finance committee of the Murray City Council for their review and consideration.
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RESOLUTION NO. _____

A RESOLUTION ACKNOWLEDGING RECEIPT OF THE FISCAL YEAR 2023-2024 TENTATIVE BUDGET FROM THE MAYOR AND THE BUDGET OFFICER, AND REFERRING THE MAYOR'S TENTATIVE BUDGET FOR REVIEW AND CONSIDERATION TO THE BUDGET AND FINANCE COMMITTEE OF THE MURRAY CITY MUNICIPAL COUNCIL.

WHEREAS, Section 10-6-111 of the Utah Code requires that on or before the first regularly scheduled meeting of the governing body in May of the current fiscal year, the Mayor and the City's Budget Officer shall prepare the Mayor's tentative budget for each fund for which a budget is required for the ensuing fiscal year; and

WHEREAS, the Mayor and the City's Budget Officer, Brenda Moore, submitted the Mayor's tentative budget for fiscal year 2023-2024 on April 18, 2023 to the Murray City Municipal Council; and

WHEREAS, the Murray City Municipal Council wants to acknowledge receipt of the Mayor's tentative budget and refer it to the Budget and Finance Committee.

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

1. It hereby acknowledges receipt of the fiscal year 2023-2024 Mayor's tentative budget from the Mayor and the City's Budget Officer, Brenda Moore, on April 18, 2023.
2. The submitted Mayor's tentative budget is hereby referred to the Budget and Finance Committee of the Murray City Municipal Council for review and consideration.

DATED this _____ day of _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder



MURRAY
CITY COUNCIL

Citizen Comments

Limited to three minutes, unless otherwise approved by Council



Business Items



MURRAY
CITY COUNCIL

Business Item #1



MURRAY

Department/Agency Finance & Administration

Enterprise Funds Transfer Repeal for Solid Waste and Storm Water

Council Action Request

Council Meeting

Meeting Date: April 18, 2023

Department Director Brenda Moore Phone # 801-264-2513 Presenters Brenda Moore	Purpose of Proposal Repeal Section B of ordinance 7.04.020, and 13.48.060 Action Requested consideration Attachments Ordinance Budget Impact None Description of this Item The purpose of this request is to repeal the section 7.04.020 and 13.48.060 which as written requires the City to do an operational transfer from the Solid Waste and Storm water funds to the General Fund. We stopped doing the transfer from the Storm water fund in FY2019, and from the Solid Waste Fund in FY2021. It recently came to my attention that the ordinance required the transfers, so I would like to change the code to match our current practice.
Required Time for Presentation 10 Minutes Is This Time Sensitive No Mayor's Approval Date April 10, 2023	

ORDINANCE NO. 23-__

AN ORDINANCE REPEALING PARAGRAPH (B) OF SECTIONS 7.04.020 AND 13.48.060 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO OPERATIONAL TRANSFERS OF THE SOLID WASTE AND RECYCLING FUND AND THE STORMWATER FUND.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to repeal paragraph (B) of sections 7.04.020 and 13.48.060 of the Murray City Municipal Code relating to operational transfers of the solid waste and recycling fund and the stormwater fund.

Section 2. Repeal Paragraph (B) of Sections 7.04.020. Paragraph (B) of Sections 7.04.020 and 13.48.060 of the Murray City Municipal Code shall be repealed as follows:

Chapter 7.04
SOLID WASTE AND RECYCLING MANAGEMENT

...

7.04.020: FUND:

...

~~B. Annual Transfer: Beginning fiscal year 2014, there shall be, each fiscal year, an operational transfer from the City's Solid Waste and Recycling Management Fund to the City's General Fund of eight percent (8.00%) of total operating revenue as used and defined in the Utah Uniform Fiscal Procedures Act. Such transfer shall not prohibit acts and other services being rendered to other departments of the City.~~

~~C~~**B.** Investments, Cash And Cash Equivalents Reserves (Reserve): The reserve level for the Solid Waste and Recycling Management Fund (the "fund") is twenty five percent (25%) of operating revenue ("reserve level"). This reserve level is to provide cash liquidity and operational stability in case of situations such as natural disasters, equipment failure, economic uncertainty, and weather variations. As a result of onetime expenses, the reserve level may fluctuate, provided however that the reserve level should not be drawn upon for ongoing operational expenses. If reserves are drawn below the reserve level, the fund will replenish reserves to the reserve level within five (5) years. (Ord. 16-01)

Chapter 13.48
STORM WATER UTILITY

...

13.48.060: STORMWATER FINANCIAL STANDARDS:

...

~~—B. Transfer For Administrative Services: Transfer for administrative services to the General Fund shall be in an amount not to exceed the value of the actual services rendered. Such amount shall be set not less than every five (5) years by the City Council after the performance of an independent audit to determine the value of the service performed.~~

~~CB.~~ Investments, Cash And Cash Equivalents Reserves (Reserve): The minimum reserve level for the Stormwater Utility Enterprise Fund (the "fund") is twenty five percent (25%) of operating revenue ("reserve level"). This level of reserves provides the minimum cash liquidity and operational stability in case of natural disasters, equipment failure, economic uncertainty and weather variations. As a result of onetime expenses, the reserve level may fluctuate, provided however that the reserve level should not be drawn upon for ongoing operational expenses. If reserves are drawn below the minimum reserve level, the fund will replenish reserves to the reserve level within five (5) years. (Ord. 17-40)

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 _____, 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2023.

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 _____, 2023.

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 _____, 2023.

Brooke Smith, City Recorder



Business Item #2



MURRAY

City Council

Interlocal Agreement with Granite School District for Music Education

Council Action Request

Council Meeting

Meeting Date: April 18, 2023

Department Director Jennifer Kennedy	Purpose of Proposal Consider an agreement to provide matching funds to Granite School District for music education
Phone # 801-264-2622	Action Requested Approve agreement for Granite School District to receive funds for music education
Presenters Jennifer Kennedy	Attachments Memo, FY22-23 Budget Addendum, Interlocal Agreement, Resolution
	Budget Impact \$16,500
Required Time for Presentation	Description of this Item This is a request from Granite School District to receive funds for music education.
Is This Time Sensitive Yes	
Mayor's Approval	
Date April 5, 2023	



MURRAY CITY CORPORATION
CITY COUNCIL

Phil Markham, District 1

Pam Cotter, District 2

Rosalba Dominguez, District 3

Diane Turner, District 4

Garry Hrechkosy, District 5

Jennifer Kennedy
Council Executive Director

MEMORANDUM

TO: Murray City Municipal Council

FROM: Jennifer Kennedy, Council Executive Director

DATE: March 16, 2023

RE: Funding Request for Music Education

The budget for Fiscal Year 2022-2023 allocated the donation of up to \$40,000 of matching funds to Murray School District (MSD) for a music specialist position. On January 17, 2023, the City Council approved a resolution authorizing an Interlocal Cooperation Agreement between the City and Murray School District which appropriated \$21,577.46 to MSD to assist with the hiring and providing a Music Specialist and a District Music Trainer.

Since that time, several councilmembers have expressed an interest in donating funds to Granite School District (GSD) as they also have schools within Murray City. On January 24, 2023, Doug Hill, Chief Administrative Officer, sent an email to GSD notifying them of the potential opportunity to receive matching funds for their music education programs.

We have received an official request form GSD for you to review. Since the Council awarded \$21,577.46 to MSD, there is still \$18,422.54 that could be awarded to GSD for their music education programs if the council chooses to do so.

BUDGET ADDENDUM

Public hearings are required before the City waive fees, donates services, or provide funds/property to non-profit entities. To avoid the need for separate hearings throughout the year, the Mayor's budget includes the following annual or one-time requests:

1. **Volunteers of America** Donate funds for operation expenses at the Volunteers of America Center for Women and Children in Murray. Value: \$10,000
2. **Murray Education Foundation** Waive golf cart rental fees for annual tournament at Murray Parkway Golf Course. Value: \$1,400
3. **Utah Community Action** Reduce fees for Murray City utilities for low income residents based on HEAT qualifications. Value: \$10,000
4. **American Legion** Waive park rental fees for Easter Egg Hunt. Value: \$225
5. **Utah Farm Bureau Farmers Market** Waive park rental fees for Farmers Market. Value: \$2,000
6. **Boys and Girls Club of Greater Salt Lake** Donate funds for operation expenses at the Murray Boys and Girls Club. Value: \$100,000
7. **Miss Murray Pageant** Donate funds for scholarships and Murray City float and parade expenses. Value: \$6,200
8. **Murray Area Chamber of Commerce** Donate funds for operations and the youth chamber. Value: \$24,600
9. **Murray Area Chamber of Commerce** Waive golf cart rental fees for annual tournament at Murray Parkway Golf Course. Value: \$1,400
10. **Economic Development Corporation of Utah** Donate funds for operations. Value: \$7,500
11. **Murray Symphony Orchestra** Donate funds for operations. Value: \$2,500
12. **Murray Concert Band** Donate funds for operations. Value: \$2,500
13. **Murray School District** Donate matching funds for the music specialist position. Value: Up to \$40,000
14. **Murray School District** Provide water education through the National Energy Foundation and associated prizes. Value: \$8,350
15. **Murray Exchange Club** Waive park rental fees for Haunted Trail. Value: \$975
16. **American Red Cross** Waive park rental fees for up to 10 blood drives. Value: \$1,000
17. **Utah Community Forest Council** Provide labor assistance for the annual Utah State Tree Climbing competition. Value: Up to \$2,000.

RESOLUTION _____

A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND GRANITE SCHOOL DISTRICT ("DISTRICT") RELATING TO MUSIC EDUCATION AND INSTRUCTION.

WHEREAS, Title 11, Chapter 13, of the Utah Code provides that two or more public agencies may enter into an agreement with one another for joint or cooperative actions; and

WHEREAS, the City and the District are "public agencies" as contemplated in Utah Code Ann. § 11-13-101, *et. seq.*, Interlocal Cooperation Act; and

WHEREAS, the City wants to encourage music education and instruction in the District; and

WHEREAS, the City, subject to appropriation of funds by the City Council, wants to allocate up to Sixteen Thousand Five Hundred Dollars and No Cents (\$16,500.00) to provide the District with music education opportunities within the District, subject to certain terms and conditions; and

WHEREAS, the Parties want to specify, in an Agreement, their respective responsibilities with regard to the funds provided by the City to the District for music education opportunities.

NOW, THEREFORE, BE IT RESOLVED, BY THE Murray City Municipal Council as follows:

1. It hereby approves the Interlocal Cooperation Agreement, in substantially the form attached hereto.
2. The Interlocal Cooperation 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 act in accordance with its terms.

PASSED AND APPROVED this _____ day of _____ 2023.

MURRAY CITY MUNICIPAL COUNCIL

Garry Hrechkosy, Chair

ATTEST:

Brooke Smith, City Recorder

ATTACHMENT

(Interlocal Cooperation Agreement)

INTERLOCAL COOPERATION AGREEMENT

BETWEEN MURRAY CITY CORPORATION AND

THE GRANITE SCHOOL DISTRICT

For Music Education Support

This Interlocal Cooperation Agreement (“Agreement”) is made and entered into this ____ day of _____, 2023, by and between Murray City Corporation, a Utah municipal corporation (the “City”) and the Granite School District, a political subdivision of the State of Utah (the “District”).

RECITALS

1. The City and the District are “public agencies” authorized by the Utah Interlocal Cooperation Act, Title 11, Chapter 13 of the Utah Code, to enter into agreements with each other for joint and cooperative action which will enable them to make the most efficient use of their powers on a basis of mutual advantage.
2. The City wants to encourage and support music education in the District.
3. The City, subject to appropriation by the City Council, wants to allocate up to **SIXTEEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$16,500.00)** to provide the District assistance with music education opportunities within the District subject to the terms and conditions of this Agreement.
4. The Parties want to outline their respective responsibilities regarding the funds provided by the City to the District for such music education opportunities.

NOW THEREFORE, based on the conditions herein, the Parties agree as follows:

AGREEMENT

1. The City shall allocate up to **SIXTEEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$16,500.00)** to the District for the remainder of the 2022-2023 School Year and for the 2023-2024 School Year to provide assistance to the District for music education as further outlined below. This assistance is intended to help the District provide music-related instruction and equipment to students. City assistance shall be matched by the District at least 1:1 for verified expenses related to music education opportunities in the District.
2. On a semi-annual basis (July through December and January through June), the District shall forward to the City documentation of the actual expenses incurred by the District related to the music education opportunities provided for under this Agreement, and shall provide a written report showing that the conditions set forth in this Agreement have been met (the “Semi-Annual Reports”). The Semi-Annual Reports shall be submitted to the City by the 15th of the month following each reporting term (January 15th and July 15th, respectively).
3. Assistance from the City to the District is conditioned upon the funds being used consistent with what is listed in the Granite School District Funding Request, attached hereto as “Exhibit A”, and incorporated herewith.
4. Should the conditions set forth in this Agreement not be met to the reasonable satisfaction of the City, the City shall have no obligation to provide any financial assistance to the District, regardless of expenditures made by the District and regardless of whether the City previously approved the District’s request for assistance.

5. The District and the City are governmental entities under the Utah Governmental Immunity Act (“Act”). Therefore, consistent with the terms of the Act, the District and the City agree that each is responsible and liable for any wrongful or negligent acts which it commits or is committed by its agents or employees. Neither the District nor the City waives any defenses or limits of liability otherwise available under the Act and all other applicable laws and both the District and the City maintain all privileges, immunities and other rights granted by the Act and other applicable laws.
6. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written contract shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the Parties.
7. The Parties mutually agree that funding will be allocated by the Parties as a part of their respective annual budgeting processes. Nothing in this Agreement shall be construed to bind the decision of the future legislative bodies of the City.
8. No separate legal entity is created by the terms of this Agreement.
9. The District and the City shall not subcontract, assign, or transfer any rights or duties under this Agreement without prior written consent of the other party.
10. The provisions of this Agreement are severable, and should any provision herein be deemed void, voidable, unenforceable, or invalid, such void, voidable, unenforceable, or invalid provision shall not affect the other provisions of this Agreement.
11. This Agreement may be terminated early by either Party for any or no reason upon fifteen (15) days written notice of termination. Both Parties agree that the terminating Party's

election to terminate this Agreement will not be deemed a termination for default nor will it entitle the other Party to any rights or remedies provided by law or this Agreement for breach of contract by the terminating Party, or any other claim or cause of action.

12. This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

(Signature Page to Follow)

DATED as of the day and year first written above.

MURRAY CITY CORPORATION

GRANITE SCHOOL DISTRICT

Brett A. Hales, Mayor

Granite School District Superintendent

ATTEST:

Brooke Smith, City Recorder

APPROVED AS TO FORM:

G.L. Critchfield, City Attorney

APPROVED AS TO CONTENT:

Parks and Recreation Department

APPROVED AS TO AVAILABILITY OF FUNDS:

Finance Department

EXHIBIT A

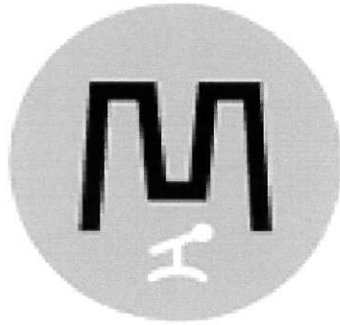
GRANITE SCHOOL DISTRICT FUNDING REQUEST

Elementary School Level Request

- Salary assistance for the 2023-2024 School Year for a Hired Music Assistant paid according to Granite School District's pay schedule. Granite School District to match funds 1:1.
- Teaching Load for the Hired Music Assistant would be fourteen (14) class-sessions per week at Woodstock Elementary School and two (2) hours of prep-time each week.
- Funding for Standard BTS Music Kits. Each Music Kit includes an assortment of instruments such as recorders, drumheads, triangles, maracas, cymbals, mini drums, bell sets, rhythm sticks, blocks, jingle sticks, etc. Cost for a BTS Music is \$3,500.00.
- In-Service training for the Hired Music Assistant to be provided through a professional learning community model in collaboration with the University of Utah.

Cottonwood High School Level Request

- Salary assistance for the remainder of the 2022-2023 School Year and the 2023-2024 School Year for a Music Instructor to provide sectional and instrumental instruction with a focus on percussion according to Granite School District's pay schedule. The Music Instructor will also support and provide assistance in other areas such as string, woodwinds, brass, guitar and piano accompaniment. Granite School District to match funds 1:1.
- In-Service training for the Music Instructor to be provided by the Cottonwood High School music faculty.



MURRAY
CITY COUNCIL

Mayor's Report And Questions



MURRAY
CITY COUNCIL

Adjournment