

MILLCREEK, UTAH
ORDINANCE NO. 22-25

**AN ORDINANCE APPROVING A MONETARY CONTRIBUTION OF UP TO \$10,000
TO TRAILS UTAH**

WHEREAS, the Millcreek Council (“Council”) met in a regular session on May 23, 2022, to consider, among other things approving a monetary contribution of up to \$10,000 to Trails Utah (the “Appropriation”); and

WHEREAS, Utah Code Ann. § 10-8-2 requires, among other things, a study to support a monetary donation; and

WHEREAS, on or about May 4, 2022, a study ("Study") was completed by Bonneville Research, setting forth an analysis and demonstrating the purpose for the appropriation up to \$10,000 to Trails Utah. A copy of the Study is attached to this Ordinance; and

WHEREAS, on May 5, 2022, the Study was made available in Millcreek for review by interested parties; and

WHEREAS, on May 5, 2021, notice of a public hearing was posted in at least three conspicuous places within Millcreek and on the Utah Public Notice Website created in Section 63A-12; and

WHEREAS, on May 23, 2022, the Council held the requisite public hearing to receive public comments concerning the Appropriation; and

WHEREAS, all interested persons in attendance at the public hearing were given the opportunity to be heard, and written comments were solicited; and

WHEREAS, the Council finds that based on the Study and comments at the public hearing, the Appropriation will be used to enhance the safety, health, prosperity, moral wellbeing, peace, order, comfort, and convenience of the inhabitants of Millcreek; and

WHEREAS, the Council finds that the Appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of Millcreek. Such goals and objectives include, but are not limited to, economic development, job creation, and job preservation; and

WHEREAS, the Council finds that the net value received for the monetary contribution is equivalent and includes certain intangible benefits to Millcreek, including, but not limited to, prosperity, moral well-being, comfort, and convenience to the inhabitants of Millcreek and economic development, job creation, and job preservation in Millcreek; and

WHEREAS, the Council finds that it has satisfied all the requirements of Utah Code Ann. § 10-8-2 to make the Appropriation.

NOW, THEREFORE, BE IT ORDAINED that the Council hereby approves a monetary contribution of up to \$10,000 to Trails Utah.

This Ordinance assigned Ordinance No. 22-25, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 23rd day of May, 2022.

MILLCREEK

By: _____
Jeff Silvestrini, Mayor

ATTEST:

Alexander Wendt, Deputy Recorder

Roll Call Vote:

Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 22-25: AN ORDINANCE APPROVING A MONETARY CONTRIBUTION OF UP TO \$10,000 TO THE TRAILS UTAH was passed and adopted this 23rd day of May, 2022 and certifies that copies of the foregoing Ordinance 22-25 were posted in the following locations within the municipality this ____ day of May, 2022.

1. Millcreek City Hall, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Holladay Lions Recreation Center, 1661 E. Murray Holladay Rd., Millcreek, UT 84117

Alexander Wendt, Deputy Recorder



Bonneville Research

May 4th, 2022

Introduction:

This analysis intends to provide Millcreek, a Utah Municipality, and the Millcreek City Council with the information required by the Utah Code Section 10-8-2. Appropriations -- Acquisition and disposal of property -- Corporate purpose -- Procedure.

Reason for the Study:

Utah Code § 10-8-2 and case law require a more rigorous review and approval process before the City can provide grants to nonprofit organizations. The process requires that the City complete a Study before awarding the grants.

Key Elements of the Study:

The Study shall consider the following factors:

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1. Completion of a study that addresses the following:
 - a. The benefit the City will receive—tangible or intangible—in return for appropriated funds.
 - b. An analysis of how the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or the convenience of Millcreek residents.
 - c. Whether the appropriation is necessary and appropriate to accomplish goals and objectives of the City, such as:
 - i. Removing blight or underdeveloped properties;
 - ii. Increasing the City's tax base;
 - iii. Creating jobs;
 - iv. Retaining jobs, and
 - v. Any other identified public purpose that the appropriation might serve.
 - d. Completing a financial analysis showing projected financial returns to the City, if any, and the period over which the City will recoup the appropriation amount.
2. A finding by the Council that the development will promote safety, health, prosperity, moral well-being, peace, order, comfort, or the convenience of the Millcreek residents shall be adopted by Resolution citing the Study as evidence to support that finding.
3. The processes outlined in Utah Code Ann. § 10-8-2h will complete the final appropriation:

- a. If the appropriation is made as an amendment to the current year's fiscal budget, then the appropriation shall be approved according to the process outlined in Utah Code Ann. § 10-8-2(3)(d).
- b. If the appropriation is made as part of a future fiscal year budget, then the appropriation shall be approved during the regular annual budget process.

Millcreek Agreement – Millcreek proposes to make the following monetary appropriation for the Fiscal Year 2021/2022:

- Trails Utah – Up to \$10,000.00

“Trails Utah” Proposal:

- Trails Utah is a 501(c)(3) nonprofit dedicated to improving trail-based recreation and transportation in Utah.
- Trails Utah will construct two miles of new Bonneville Shoreline Trail (BST) on the west flank of Grandeur Peak.
- This new trail section will connect the west end of the Pipeline Trail in Millcreek Canyon to the Grandeur Peak Trailhead.
- This trail extension will create a continuous BST segment from Millcreek Canyon to Parleys Canyon within the Millcreek city boundary.
- Construction will be completed from August through October 2022.
- This new trail connection from the community below Grandeur Peak into the Millcreek Trail system will be highly valued.
- Convenient Millcreek residents' access to a well-designed and constructed trail that connects trail users to National Forest system trails will provide many physical and mental health benefits to the surrounding community. It will increase the neighborhood's desirability, thus directionally increasing home values.
- Increased trail users coming into the area may also increase business at nearby stores such as Smiths, REI, IME, Level 9 Sports, and Momentum Climbing.

Proposed “Trails Utah” Budget:

- The total project cost is estimated at \$110,000, of which \$10,000 will be 'in-kind' volunteer labor, \$50,000 is from an approved Utah Office of Outdoor Recreation matching grant, and \$50,000 remains to be raised.
- Trails Utah requests that Millcreek consider appropriating \$10,000 toward constructing this trail.

ANALYSIS:

Utah code 10-8-2: Completion of a study that addresses the following:

- a. The benefit the City will receive—tangible or intangible—in return for appropriated funds.

Millcreek will receive a significant new recreational trail with ten-to-one funds leveraging. Salt Lake County has agreed to take on the long-term maintenance costs as most of the trail will be on Salt Lake County Open Space property.

- b. An analysis of how the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or the convenience of Millcreek residents.

This new significant trail section will directly improve the health and well-being of Millcreek residents through outdoor recreation. Millcreek residents will be able to safely access the USFS Millcreek trail system without having to drive vehicles up Millcreek Canyon.

- c. Whether the appropriation is necessary and appropriate to accomplish any of the goals and objectives of the City, such as:
 - i. Removing blight or underdeveloped properties;
 - ii. Increasing the City's tax base;
 - iii. Creating jobs;
 - iv. Retaining jobs, and
 - v. Any other identified public purpose that the appropriation might serve.

Adding a new trail supports Millcreek's theme of "Connected by Nature" and directionally supports outdoor recreation businesses in Millcreek.

- d. Completion of a financial analysis showing projected financial returns to the City, if any, and the period over which the City will recoup the appropriation amount.

No direct financial return is expected, but indirect business improvements may well occur. Increased local property desirability and values may also occur.

CONCLUSION AND REQUIRED FINDINGS:

The municipality of Millcreek's purpose for the appropriation to Trails Utah provides:

1. EDUCATION:

The Bonneville Shoreline Trail will directly support Millcreek's "Connected by Nature" Theme.

2. HEALTH AND SAFETY:

This new significant trail section will directly improve the health and well-being of Millcreek residents through outdoor recreation.

Millcreek residents will also be able to safely access the USFS Millcreek trail system without driving vehicles up Millcreek Canyon.

2. ECONOMIC WELL-BEING:

All Millcreek residents have opportunities to access a significant new recreational trail with a ten-to-one leveraging of trail development funding. Salt Lake County has agreed to take on the long-term maintenance costs as most of the trail will be on Salt Lake County Open Space.

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Convenient access to a well-designed and constructed trail that connects trail users to National Forest system trails will provide many physical and mental health benefits to Millcreek and the surrounding community. It will increase the neighborhood's desirability, thus increasing home values. Increased trail users coming into the area may also grow business at nearby stores such as Smiths, REI, IME, Level 9 Sports, and Momentum Climbing.

The appropriation is necessary and appropriate to accomplish Millcreek's reasonable goals and objectives, a Utah Municipal Corporation, in economic development, job creation, affordable housing, blight elimination, job preservation, and preservation of historic structures and property for any other public purpose.

GENERAL LIMITING CONDITIONS:

Every reasonable effort has been made to ensure that this Study's data reflects accurate and timely information, and it is believed to be reliable.

- *The Study is based on estimates, assumptions, and other information developed by Bonneville Research from its independent research effort, general knowledge of the region, primary data sources including Millcreek, the Utah State Tax Commission, and the Utah State Auditor's Office, and consultations with the Client's representatives.*
- *No responsibility is assumed for inaccuracies in reporting by the Client, its agents, or any other data sources used in preparing or presenting this Study. This report is based on information collected in May of 2022, and Bonneville Research has not undertaken any update of its research since that date. Bonneville Research makes no warranty that any of the values or results contained in this Study will be achieved. This report is not to be used with any public or private offering of securities or other similar purposes. This Study is qualified in its entirety and should be considered considering these limitations, conditions, and considerations.*

Robert Springmeyer

Robert Springmeyer, the Principal of Bonneville Research, performed this 10-8-2 Appropriations Study.

Mr. Springmeyer is actively involved in the redevelopment and other economic impact projects. He has supplied independent financial and redevelopment analysis for numerous urban renewal agencies within the State and completed "Fair Value Analyses" for Holladay and South Salt Lake Cities. Mr. Springmeyer is the Chairman of Bonneville Research. He has directed the Economic Analysis/Tax Studies completed for the Downtown Alliance, the Utah State Tax Review Commission, Salt Lake County, Brigham City, Salt Lake, Sandy, Bountiful, and South Jordan Cities, including the Urban Renewal Agencies of Salt Lake, Taylorsville, Holladay, South Salt Lake, Draper, West Jordan, Ogden, South Jordan, Sandy, and Murray. He is educated in Political Science, Economics, and Business Management and has consulted with local governments for over 40 years. He has been listed in Who's Who in Finance and Who's Who in the West.