

# Bonneville Research

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## **Introduction:**

This analysis is intended to provide Millcreek, a Utah Municipality and the Millcreek 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 Section 10-8-2 (e) provides that: A study shall be performed before notice of the public hearing is given and shall be made available at the municipality for review by interested parties at least 14 days immediately prior to the public hearing, setting forth an analysis and demonstrating the purpose for the appropriation.

## **Key Elements of the Study:**

In making the study, the following factors shall be considered:

(1)(b) A municipality may:

- (i) Furnish all necessary local public services within the municipality;
- (3) It is considered a corporate purpose to appropriate money for any purpose that, in the judgment of the municipal legislative body, provides for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality subject to the following:
- (a) The net value received for any money appropriated shall be measured on a project-by-project basis over the life of the project.
  - (b) The criteria for a determination under this Subsection (3) shall be established by the municipality's legislative body. A determination of value received, made by the municipality's legislative body, shall be presumed valid unless it can be shown that the determination was arbitrary, capricious, or illegal.
  - (c) The municipality may consider intangible benefits received by the municipality in determining net value received.

(e) A study shall be performed before notice of the public hearing is given and shall be made available at the municipality for review by interested parties at least 14 days immediately prior to the public hearing, setting forth an analysis

and demonstrating the purpose for the appropriation. In making the study, the following factors shall be considered:

- (i) what identified benefit the municipality will receive in return for any money or resources appropriated;
- (ii) the municipality's purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality; and
- (iii) whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the municipality in the areas of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose.

#### **GENERAL LIMITING CONDITIONS**

Every reasonable effort has been made to assure that the data contained in this study reflect 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 during March of 2018, and Bonneville Research has not undertaken any update of its research since this date.

Bonneville Research makes no warranty that any of the projected values or results contained in this study will actually be achieved. This report is not to be used in conjunction with any public or private offering of securities or other similar purpose. This study is qualified in its entirety by, and should be considered in light of these limitations, conditions and considerations.

**Millcreek Agreement** – Millcreek proposes to make the following monetary appropriations:

- Community Councils - \$45,000
- Events (Utah Venture Outdoors, Inc, our special events group; Millfreaks, the annual Halloween party; and Millcreek Community Theater) - \$100,000
- Rain Barrel Program (partnering with Utah Rivers Council to provide subsidized water barrels for Millcreek residents) - \$5,000
- Millcreek Arts Council - \$3,500

### ***ANALYSIS***

Chapter 2.56 of the Millcreek City Ordinance states the purpose of establishing community districts and recognizing community councils in the city is to provide a mechanism by which a geographical area may be identified as a community for purposes of formulating and presenting recommendations on actions within the authority of the city which affect that geographical area by force of law or practice, and:

Chapter 3.71.050 of the “Millcreek Code of Ordinances, 2017” states the City may appropriate funds or resources in aid of a private enterprise project as provided by state law.

The stated purposes of the proposed Millcreek, a Utah Municipal Corporation, appropriations are as follows:

- Each community council shall be encouraged to develop priorities regarding municipal services and facilities for its community district. These recommendations should be communicated in writing to the city council on an annual basis for use in policy development and in the budget process. Community councils are encouraged to arrive at such recommendations pursuant to duly held and well publicized public hearings in each community district.
- Community councils are encouraged to make recommendations concerning such applications to the city planning commission.
- The council may budget monies annually for the community councils which will be spent for administrative costs, including, but not limited to, legal notices, elections, newsletters, computers and software, other

office equipment, dues to the association of community councils, city sponsored community events and community council outreach activities or events, postage, stationary, and duplication costs. Funding will be provided pursuant to budgeted amounts and upon direction of the city council.

- To plan and execute Millcreek City sponsored community building special events that include a Friday night festival series and a Halloween event known as Millfreaks.
- Rain Barrel Program – Will partner with Utah Rivers Council to reduce water consumption by providing subsidized water barrels for Millcreek residents.
- Millcreek Arts Council – To plan and develop a Community Theater and other Arts programs for Millcreek.

The municipality of Millcreek's purpose for the above-listed appropriations, will be to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality; and the appropriations are necessary and appropriate to accomplish the reasonable goals and objectives of Millcreek, a Utah Municipal Corporation, in the areas of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose.

**Conclusion and Required Finding:**

The appropriations are necessary and appropriate to accomplish the public purposes of Millcreek, a Utah Municipal Corporation, in the areas of economic development, job creation, job preservation, in order to enhance the safety, health, prosperity, moral well being, peace, order, comfort, or convenience of the inhabitants of Millcreek, and therefore Millcreek, a Utah Municipal Corporation, will receive adequate benefit in return for any money or resources appropriated.

## **Robert Springmeyer**

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

Mr. Springmeyer is actively involved in redevelopment and other economic impact projects. He has provided independent economic 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 and 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 and has been listed in Who's Who in Finance, and Who's Who in the West.