



# MURRAY CITY LIBRARY BOARD OF TRUSTEES

## NOTICE OF MEETING AND AGENDA

June 19, 2024

05:30 PM

166 E 5300 S Murray, UT

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### CALL MEETING TO ORDER

### APPROVAL OF MINUTES

### CITIZEN COMMENT(S)

Comments will be limited to three minutes for individuals (approximately 300 words for emails) and to five minutes for a spokesperson, recognized as representing a group in attendance. Please begin by stating your name and city of residence. 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 [kfong@murray.utah.gov](mailto:kfong@murray.utah.gov). Other than this Public Comment section of the meeting or a required public hearing, members of the public may observe but will not be allowed to participate (speak) in the meeting.

### REPORT(S)

- 1) Financial Report
- 2) Director's Report

1. Financial Report, Kim Fong

Attachments

1. [boardbudgetreportjun24.pdf](#)

### OLD BUSINESS

Annex site--Information Item

### NEW BUSINESS ITEM(S)

Mission Statement Overview--Information Item

.gov Utah Legislation Requirement--Information Item

Background Check Policy--Action Item

1. Background Check Policy, Kim Fong

Attachments

1. [Background Checks.pdf](#)

### ANNOUNCEMENTS AND QUESTIONS

Independence Day parade help.

### ADJOURNMENT

### NEXT MEETING

The next scheduled meeting will be held on **Wednesday, July 17, 2024, at 5:30 p.m. MST located at 166 E 5300 S Murray, Utah.**

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present will be able to hear all discussions.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website [www.murray.utah.gov](http://www.murray.utah.gov) and the state noticing website at <http://pmn.utah.gov>.

| FULL ACCT     | ACCT DESCRIPTION               | TYPE | CY_REVISED_BUD | CY_REMAIN_BUD | CY_PCT_USED |
|---------------|--------------------------------|------|----------------|---------------|-------------|
| 23-0000-31110 | Real Property Taxes            | R    | -2,504,413.00  | -126,009.20   | 94.97       |
| 23-0000-31120 | Personal Property Taxes        | R    | -100,000.00    | 19,236.92     | 119.24      |
| 23-0000-31130 | Motor Vehicle Fee-In-Lieu      | R    | -125,000.00    | -18,914.14    | 84.87       |
| 23-0000-31150 | Prior Year's Tax Redemptions   | R    | -20,000.00     | 5,328.90      | 126.64      |
| 23-0000-33100 | Federal Grants                 | R    | -1,584.00      | 0.00          | 100.00      |
| 23-0000-33200 | State Grants                   | R    | -13,395.00     | -3,008.00     | 77.54       |
| 23-0000-34110 | Copies and Printing Fees       | R    | -3,500.00      | 2,597.85      | 174.22      |
| 23-0000-35125 | Library Fines                  | R    | -15,000.00     | 3,468.49      | 123.12      |
| 23-0000-36100 | Interest Income                | R    | -186,000.00    | 143,694.74    | 177.26      |
| 23-0000-36500 | Miscellaneous                  | R    | 0.00           | 3,777.11      | 0.00        |
| 23-2301-41100 | Regular Employees              | E    | 831,966.00     | 81,978.33     | 90.15       |
| 23-2301-41110 | Seasonal/Part Time Employees   | E    | 170,000.00     | 52,713.91     | 68.99       |
| 23-2301-41200 | Social Security                | E    | 76,848.00      | 12,025.29     | 84.35       |
| 23-2301-41300 | Group Insurance                | E    | 147,096.00     | 24,040.61     | 83.66       |
| 23-2301-41400 | Retirement                     | E    | 176,638.00     | 17,339.84     | 90.18       |
| 23-2301-41500 | Worker Comp                    | E    | 670.00         | -31.02        | 104.63      |
| 23-2301-42030 | Tuition Reimbursement          | E    | 2,500.00       | 0.00          | 100.00      |
| 23-2301-42040 | Service Awards                 | E    | 500.00         | 350.00        | 30.00       |
| 23-2301-42125 | Travel & Learning              | E    | 12,000.00      | 9,455.29      | 21.21       |
| 23-2301-42140 | Supplies                       | E    | 15,000.00      | 5,438.52      | 63.74       |
| 23-2301-42170 | Small Equipment                | E    | 13,800.00      | -1,581.17     | 111.46      |
| 23-2301-42180 | Miscellaneous                  | E    | 30,574.00      | 20,610.46     | 32.59       |
| 23-2301-42505 | Building & Grounds Maintenance | E    | 75,000.00      | 464.85        | 99.38       |
| 23-2301-42510 | Equipment Maintenance          | E    | 83,000.00      | 33,871.98     | 59.19       |
| 23-2301-42730 | Credit Card Fees               | E    | 2,000.00       | 258.06        | 87.10       |
| 23-2301-43000 | Professional Services          | E    | 60,000.00      | 48,273.85     | 19.54       |
| 23-2301-44000 | Utilities                      | E    | 30,000.00      | 5,502.90      | 81.66       |
| 23-2301-44010 | Internet/Telephone             | E    | 6,500.00       | 4,844.77      | 25.47       |
| 23-2301-45920 | Reserve Buildup                | E    | 573,923.00     | 573,923.00    | 0.00        |
| 23-2302-42110 | Children's Books               | E    | 59,800.00      | 7,482.51      | 87.49       |
| 23-2302-42111 | Children's Audio Visual        | E    | 7,560.00       | 1,685.71      | 77.70       |
| 23-2302-42112 | Children's Audio Books         | E    | 10,400.00      | 872.29        | 91.61       |
| 23-2302-42113 | Children's E-books             | E    | 16,200.00      | 852.74        | 94.74       |

|               |                         |   |            |            |        |
|---------------|-------------------------|---|------------|------------|--------|
| 23-2302-42600 | Children's Programs     | E | 4,000.00   | 1,289.01   | 67.77  |
| 23-2303-42110 | Young Adult Books       | E | 14,040.00  | 1,301.57   | 90.73  |
| 23-2303-42112 | Young Adult Audio Books | E | 10,000.00  | 4,469.56   | 55.30  |
| 23-2303-42113 | Young Adult E-books     | E | 19,160.00  | 1,305.87   | 93.18  |
| 23-2303-42600 | Young Adult Programs    | E | 2,000.00   | 3.64       | 99.82  |
| 23-2304-42110 | Adult Books             | E | 54,000.00  | 26.06      | 99.95  |
| 23-2304-42111 | Adult Audio Visual      | E | 32,000.00  | 5,959.29   | 81.38  |
| 23-2304-42112 | Adult Audio Books       | E | 10,000.00  | 1,332.49   | 86.68  |
| 23-2304-42113 | Adult E-Books           | E | 110,760.00 | 562.82     | 99.49  |
| 23-2304-42114 | Adult Periodicals       | E | 2,800.00   | -342.89    | 112.25 |
| 23-2304-42600 | Adult Programs          | E | 2,000.00   | 1,212.20   | 39.39  |
| 23-2362-42140 | Grant Supplies          | E | 495.00     | 495.00     | 0.00   |
| 23-2370-47200 | Buildings               | E | 169,524.00 | 110,524.00 | 34.80  |
| 23-2390-49000 | Risk Assessment         | E | 13,637.00  | 2,277.00   | 83.30  |
| 23-2390-49310 | Admin Cost Wages        | E | 91,876.00  | 22,764.00  | 75.22  |
| 23-2390-49311 | Admin Cost O&M          | E | 30,625.00  | -470.00    | 101.53 |

## **BACKGROUND CHECK POLICY**

### **PURPOSE**

Murray City ("City") finds that background checks support workplace productivity, safety and security by ensuring applicant backgrounds and qualifications are suitable for the position being considered and that background checks maintain the public trust.

### **SCOPE**

This policy applies to all prospective employees and volunteers and to certain current employees. "Employees" includes full time, part time, temporary, seasonal and contract employees. Employee and volunteer may collectively be referred to as "applicant." This Policy does not apply to the Police Department.

### **POLICY**

It is the policy of the City, as part of its hiring procedures, to conduct pre-employment background checks on finalist(s) for all positions within the City. Re-screens are conducted biannually on employees who have significant contact with minors or vulnerable adults. All checks will be job-related, consistent with business necessity and conducted pursuant to all applicable laws, rules, policies, and procedures. Consent to a background check is deemed to be a condition of employment. An offer of employment is contingent upon clear and satisfactory results of a background check. Continued employment is likewise contingent upon satisfactory results of a background check.

Background checks may include, but are not limited to, employment history, education and licensing/credential verification, driving record (where applicable), criminal background, and references. Employment offers will generally be made after successful completion of applicable background check(s). However, any offers of employment made prior to completion of the background check(s) shall be contingent upon successful completion of the check(s). Deliberate falsification of information, inaccurate information, on an employment application or during the hiring process will result in denial or forfeiture of employment or volunteer service with the City. Failing to fully participate in a required background check will also result in denial or forfeiture of employment or volunteer placement with the City.

### **TYPE OF BACKGROUND CHECKS**

The Human Resource Department will conduct the background checks listed within this section for all positions. Criminal record and driver license record checks (where applicable) may not be assigned. All other checks may be assigned to the hiring department.

The City will:

- A. Verify all job-related information, including employment history, licenses and certifications required as a minimum qualification for the position.

B. Conduct driver's license and motor vehicle records checks on the finalist(s) and incumbents of all positions determined to be covered by City policy.

C. Conduct a criminal history records check and sex offender registry check. This check may not be conducted before an initial interview unless the position is a volunteer position or in a department that works with children or vulnerable adults, or in the Police Department, or in the Finance and Administration Department.

Minors under age 18 applying for employment or volunteer positions are exempt from this policy. However, a minor who is an exempt employee or volunteer who reaches the age of 18 must undergo a background check.

### **ADDITIONAL BACKGROUND CHECKS**

In addition to the minimum background checks described above, each position will be evaluated by the Human Resource Department and the hiring supervisor prior to posting or recruitment. The review will determine whether a job-related basis exists, given the nature of the work and the job duties, to require additional background checks.

**Job Classifications To Be Checked Every Two Years:** The City shall conduct background criminal investigations bi-annually during the summer of odd-numbered years, on all current employees\*/volunteers that work in the following classifications:

#### **PARKS AND RECREATION**

Parks & Recreation Director  
Recreation Director  
Recreation Coordinators  
Cultural Program Manager  
Cultural Program Admin  
Parks Superintendent  
Office Administrators  
Field Supervisors  
Lead Workers  
Equipment Operators  
Maintenance Workers  
Irrigation Specialists/Leadworker  
Museum Curator  
Theater Operations Manager  
Stage Technician

Park Center Director  
Assistant Park Center Director  
Aquatics Manager  
Lifeguards  
Facilities Supervisor  
Service Desk/Customer Service  
Facilities Manager  
Facilities Maintenance Supervisor  
Custodians  
Child Care Attendants  
Group Fitness Instructors  
Recreation Staff/ Supervisors  
Water Slide Attendant  
Swim Coach  
Amphitheater Technical Director

#### **SENIOR RECREATION CENTER**

Senior Center Director  
Recreation Coordinators

#### **LIBRARY**

Library Director  
Assistant Library Director

Meal Program Supervisor  
Office Administrator  
Maintenance Custodian  
Van Drivers  
Ceramic Instructor  
Kitchen Assistant  
Volunteer and Contracted Instructors  
Facilities Supervisor  
Group Fitness Instructor

Senior Librarians  
Librarians  
Customer Service Librarian  
Library Security Monitor  
Associate Librarians  
Assistant Librarians  
Library Service Aides  
Library Page  
Library IT Technician  
Marketing & Design Specialist

### **POWER DEPARTMENT**

Energy Services Manager

### **GOLF PRO**

Golf Pro  
Assistant Golf Pro

**\*Biannual background criminal investigations apply to all full time, part time, temporary, seasonal and contract employees working in the above classifications and all volunteers working in the above classifications. These classifications have been determined to involve significant contact with minors or vulnerable adults.**

If a criminal history is found, the Human Resource Director will then review the record to determine if the employee/volunteer is eligible to work for the City and if needed, will confer with the City Attorney as to whether the employee/volunteer should be considered for continued employment by the City. The hiring authority will then be contacted to discuss the details of the background investigation and to determine if the employee/volunteer is eligible for continued employment/volunteer service.

**Self-Reporting of Criminal Records:** Every employee and volunteer must inform the Human Resource Department of a job-related criminal record within five (5) business days of the entry of a criminal record. Employees and volunteers must also report traffic violations if they have driving responsibilities. Self-reporting of criminal records is applicable to all employees and volunteers. The City may conduct a background check of an existing employee who reports a criminal record.

### **ELIGIBILITY TO WORK**

For background checks that include criminal convictions (including deferred sentences or adjudications, guilty or no contest pleas at any time) or pending criminal charges (including without limiting plea in abeyance and diversion agreements which will be considered a charge unless and until the agreement is fulfilled and the charge(s) dismissed), the following shall apply:

A. For any City job that involves significant contact with minors, the applicant shall not be eligible to work for the City if the City finds, in the applicant's background, that

the applicant is a sex offender registrant or has a conviction or a pending charge of any crime against a minor.

For purposes of this Policy, “minor” and “child” are interchangeable and refer to an individual under 18 years of age.

B. Except as provided in paragraph A., an applicant shall not be eligible to work for the City if the applicant has any felony convictions, multiple misdemeanor convictions, or pending felony charges within five (5) years prior to the date of application. If an applicant has a felony conviction that occurred more than five (5) years from the date of application, the applicant may be eligible to work for the City if the applicant has no other criminal convictions during the five (5) years prior to the application date, including misdemeanors.

C. For applicants who have illegal drug or alcohol convictions that are misdemeanors and that are not related to crimes against children as provided in paragraph A., the applicant is eligible to work if the conviction occurred more than five (5) years from the date of application and the applicant has no other criminal convictions during the five (5) years prior to the date of application.

However, for purposes of this Paragraph C, if the conviction occurred less than five (5) years from the date of application, the Human Resource Director may review the record to determine if the employee/volunteer may still be eligible to work for the City and if needed, will confer with the City Attorney as to whether the employee/volunteer should be considered for employment or volunteer placement by the City. In making the determination, the Human Resource Director will consider the nature and seriousness of the offense, the time that has passed since the offense and/or completion of the sentence, how recently the unfavorable incident occurred; the frequency and severity of the incident(s); the age of the individual at the time of the incident; the accuracy of information provided on the application and/or during the interview process; references; evidence of rehabilitation; the nature of the job being sought, and the safety and security of City employees and volunteers, City assets, and the members of the community.

D. Applicants shall not be eligible to work for the City if they have outstanding warrants.

E. For a prospective employee or volunteer who is not eligible to work for the City as a result of his or her criminal record under paragraphs B. and C., the respective Department Director or Division Supervisor may petition to the Human Resource Director for an exception to the eligibility requirements, based on personal knowledge or other information that demonstrates that the applicant’s criminal record does not accurately reflect the character of the applicant. The Human Resource Director may grant the petition if there are legitimate reasons for the exception.

F. In special circumstances, new hires/volunteers may be allowed to begin work before the background check is completed but may be subject to immediate dismissal if the background criminal investigation reveals a criminal record. This provision does not apply to applicants whose job would involve significant contact with minors.

## **PROCEDURE**

All offers of employment will be contingent on satisfactory results of the background check. The City will ensure that all background checks are conducted in compliance with applicable federal and state statutes.

**Information Collection:** An Application for Employment and a signed authorization is required before criminal record information or background information may be obtained.

## **Results of Background Checks**

A. If the background check is favorable, the Human Resource Department will notify the hiring supervisor that the candidate is approved to begin employment.

B. If the background check is unfavorable, the Human Resource Department will review the information in consultation with the City Attorney, as necessary. Other individuals that need to be consulted include the hiring supervisor, and the Department Director. A decision to hire an applicant with a job-related conviction requires the approval of the hiring supervisor, Department Head and Mayor.

C. A written notice (email or letter) and a copy of the background check will be sent to inform the applicant that based on the background check, the applicant is not eligible to work for the City including the reasons the applicant is ineligible. The notice will also inform the applicant that the applicant may provide a written response disputing the accuracy of the information on which the City's determination is based within seven (7) calendar days of the date of the written notice.

"Disputing the accuracy of the information" means that the applicant shows to the satisfaction of the City that the background check results show a conviction for, or a pending charge of, a crime that the applicant was not convicted of or charged with. An applicant may not dispute the accuracy of the information or seek an exemption from the City's determination if the information is accurate.

If an applicant does not dispute the City's determination or if after considering the applicant's written response the City determines it is still appropriate to deny the applicant employment with the City, a final written notice will be sent informing the applicant of the City's decision.

D. In making the determination of job-relatedness, the Human Resource Department will consider the nature and seriousness of the offense, the time that has passed since the offense and/or completion of the sentence, how recently the

unfavorable incident occurred; the frequency and severity of the incident(s); the age of the individual at the time of the incident; the accuracy of information provided on the application and/or during the interview process; references; evidence of rehabilitation; the nature of the job being sought, and the safety and security of City employees and volunteers, City assets, and the members of the community, which will be the most important consideration.

## **CONFIDENTIALITY**

Only the Human Resource Department may initiate a criminal background check and receive results for applicants, employees, and volunteers. Results of all background checks will be kept confidential and will not be disclosed to any person except to the extent necessary to administer and enforce this policy (as noted above), or as required by law or appropriate legal process. Criminal background investigation records will be maintained as part of a confidential file (to the degree possible) in the Human Resource Department, separate from employee personnel files. Violation of the confidentiality requirement is grounds for discipline, up to and including termination of employment.

## **ROLES AND RESPONSIBILITIES**

### **Applicants**

- Provide accurate and truthful information and fully participate in the background checks required by the City.
- Complete and sign THE required release return to the Human Resource Department.

### **Hiring Supervisor**

- Provide information to Human Resource concerning the specific duties of the position sufficient to decide regarding the job-relatedness and scope of all applicable background checks.
- Ensure that the scope of the background check is an accurate reflection of the work described in the job description for the job being filled.
- Contact the applicant's current/former supervisors and references to conduct a reference check (if assigned by Human Resource Department).

### **Human Resource Representative**

- Conduct all background checks not assigned to the hiring supervisor.
- Ensure that written notice, a copy of the background check and the option to provide a written response disputing the accuracy of the background check requirements are met.

### **Human Resource Director**

- Establish standard background check procedures.
- Ensure that proper documentation is maintained regarding:
  - the job-relatedness and the business necessity of the background check(s) being conducted; and

- decisions to remove a finalist from further consideration due to the contents, in whole or part, of a background check.
- Ensure that all background checks are conducted in compliance with laws, rules, policies and procedures.
- Assign background check roles and responsibilities to Human Resource staff.
- Ensure that those provided access to background data have a job-related basis for the access, and their use of the data is consistent with their assigned roles and responsibilities.
- Train agency staff (Human Resource staff and hiring supervisors) to conduct lawful and effective background checks.
- In consultation with the hiring supervisor/Division Director (and legal counsel, if necessary), make the determination of whether an individual should be removed from consideration based on job-related data obtained in the background check process.
- Ensure that background check information is stored and retained securely and in accordance with the City's Records Retention policy and in the event where an applicant is not hired, retain the background check data is destroyed no later than two years after the application date.

### **Employees**

- Inform their supervisor immediately about:
  - Loss of professional license or credential required for their position;
  - Loss of driver's license through suspension, revocation, cancellation, disqualification or expiration.

### **HISTORY**

Adopted May , 2024.