

**MILLCREEK COMMUNITY FOUNDATION
RESOLUTION NO. 25-01**

**A RESOLUTION OF THE MILLCREEK COMMUNITY FOUNDATION APPROVING
A MONETARY CONTRIBUTION OF UP TO \$1,500 TO PURCHASE DISCOUNTED
HUMAN SERVICES UTA PASSES FOR MILLCREEK RESIDENTS IN NEED**

WHEREAS, the Millcreek Community Foundation ("Foundation") met in a special session on February 24, 2025, to consider, among other things, approving a monetary contribution of up to \$1,500 to purchase discounted human services UTA passes for Millcreek residents in need (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 October 16, 2024, a study ("Study") was completed by Bonneville Research, setting forth an analysis and demonstrating the purpose for the appropriation up to up to \$1,500 to purchase discounted human services UTA passes for Millcreek residents in need. A copy of the Study is attached to this Resolution; and

WHEREAS, on October 23, 2024, the Study was made available in Millcreek for review by interested parties; and

WHEREAS, on November 12, 2024, the Millcreek City 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 Millcreek City Council found that based on the Study and comments at the public hearing, the Appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, and convenience of the inhabitants of Millcreek; and

WHEREAS, Utah Code Ann. § 10-8-2 appears to apply only to municipalities, and the Foundation is not a municipality; and

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

WHEREAS, notwithstanding this difference the Foundation 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 Foundation finds that all the requirements of Utah Code Ann. § 10-8-2 to make the Appropriation have been satisfied by reference.

NOW, THEREFORE, BE IT RESOLVED that the Foundation hereby approves a monetary contribution of up to \$1,500 to purchase discounted human services UTA passes for Millcreek residents in need.

This Resolution assigned Resolution No. 25-01 shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED this 24th day of February 2025.

MILLCREEK

By: _____
Jeff Silvestrini, President

ATTEST:

Elyse Sullivan, Secretary

Roll Call Vote:

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

October 16, 2024

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 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, it 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 2024/2025:

“Human Service Fare Program” Proposal:

- Millcreek City and UTA desire to promote and facilitate the use of public transit by low-income individuals in need and
- Millcreek City desires to purchase, and UTA desires to sell discounted transit passes for use by the low-income population that it serves, and
- UTA and Millcreek City desire to establish a program whereby Millcreek City is authorized to purchase discounted transit passes and discounts for use by low-income individuals within the transit district. Millcreek City shall be permitted to buy from UTA Standard Passes at a discounted rate equal to seventy-five percent (75%) of the standard face value fare charged by the Authority. It shall be authorized to purchase UTA Premium Passes at a discounted rate equal to fifty percent (50%) of the standard face value the Authority charges. UTA reserves the right to determine the type of fare products eligible for the discount under this Agreement.
- Millcreek City shall be authorized to qualify Low-Income Individuals for the “Millcreek City Human Service Fare Program” as defined by the U.S. Department of Health and Human Services with the Poverty Guidelines attached as Exhibit A.
- Issuance of Passes. Millcreek City will be responsible for the issuance of Passes. It will complete the following upon issuance: (a) confirm the eligibility of the recipient, (b) print the recipient's name on the card in permanent ink, and (c) record the recipient's name and the card number issued to them.

ANALYSIS:

- A. Millcreek City has found that while working with local partners serving low-income individuals, transportation has been repeatedly discussed as a barrier.
- B. Millcreek City is seeking to create a short-term pilot where discount transit passes may be available to qualified low-income individuals in Millcreek.

CONCLUSION AND REQUIRED FINDING:

The municipality of Millcreek's purpose for the above-listed appropriation to Millcreek Promise is to seek to achieve the following Community Objectives:

The municipality of Millcreek's purpose for the appropriation is to establish a contract with the Utah Transit Authority (UTA) to Increase access to qualified low-income people in Millcreek, Utah, by accomplishing the following public purposes:

1. EDUCATION: All Millcreek youth have the support to maximize academic success on their path to high school graduation and post-secondary education.
2. HEALTH AND SAFETY: All Millcreek residents can access health and safety services and resources.
3. ECONOMIC WELL-BEING: All Millcreek residents have opportunities to provide a high quality of life for themselves and their families.

FINDING:

The appropriation is necessary and appropriate to accomplish Millcreek, a Utah Municipal Corporation's reasonable goals and objectives in economic development, job creation, affordable housing, blight elimination, job preservation, preservation of historic structures and property, and 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 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 February and October 2024, and Bonneville Research has not updated its research since October 2024.*
- *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 and should be considered based on 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.



**Minutes of the
Millcreek Community Foundation
August 26, 2024
7:00 p.m.
Special Meeting**

The Millcreek Community Foundation, a nonprofit corporation, met in a special public meeting on August 26, 2024, at Millcreek City Hall, located at 1330 E. Chambers Avenue, Millcreek, UT 84106.

PRESENT:

Directors

Jeff Silvestrini, Chair
Silvia Catten
Thom DeSirant
Cheri Jackson
Bev Uipi (electronic)

City Staff

Francis Lilly, Assistant City Manager
Elyse Sullivan, City Recorder
John Brems, City Attorney
Kurt Hansen, Facilities Director

Attendees: None

**SPECIAL MEETING – 7:00 p.m.
TIME COMMENCED – 8:46 p.m.**

Chair Silvestrini called the meeting to order.

1. Discussion and Consideration of Resolution 24-05, Amending the Millcreek Community Foundation Bylaws

Chair Silvestrini said the amendment will allow the city manager to act as the chief administrative officer.

Board Member Catten moved to approve Resolution 24-05, Amending the Millcreek Community Foundation Bylaws. Board Member Jackson seconded. Chair Silvestrini called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes, Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

2. Approval of July 8, 2024 Regular Meeting Minutes

Board Member DeSirant moved to approve the July 8, 2024 regular meeting minutes. Board Member Jackson seconded. Chair Silvestrini called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes,

Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

ADJOURNED: Board Member DeSirant moved to adjourn the meeting at 8:47 p.m. Board Member Catten seconded. Chair Silvestrini called for the vote. Board Member Catten voted yes, Board Member DeSirant voted yes, Board Member Jackson voted yes, Board Member Uipi voted yes, and Chair Silvestrini voted yes. The motion passed unanimously.

APPROVED: _____ **Date**
Jeff Silvestrini, Chair

Attest: _____
Elyse Sullivan, Secretary