

NOTICE AND AGENDA
MONROE CITY COUNCIL MEETING
NOVEMBER 5, 2020

Pursuant to §52-4-6(2), UCA, notice is hereby given that the City Council of Monroe City, Sevier County, Utah, will hold a regular council meeting on November 5, 2020 at the City Hall, 10 N Main, commencing at 6:00 p.m. The agenda shall be as follows: (The order of business may be changed as time permits.)

7:00 p.m.

1. Welcome and call to Order: Mayor Johnny Parsons
2. Pledge of Allegiance and Prayer: By invitation
3. Roll Call
4. Consider a motion to approve the minutes of the meeting held October 27, 2020.
5. Citizen input
6. Business
 - a. Consider Resolution 11 1 2020 recommending economic development enterprise zones.
 - b. Consider water transfer from Michael Murdock (approximately at 1225 W SR 118) to Wyatt Shakespeare (approximately at 310 W 500 N)
 - c. Consider expenditures of Utah Coronavirus Relief Funds (CARES).
 - d. Set November and December City Council meeting schedule.
 - e. Approval of employee holiday bonus and volunteer gifts.
 - f. Consider participation level with Carbon Free Power Project (CFPP).
 - g. Consider Resolution 11 2 2020 authorizing and approving adjustment to the participant's entitlement share for the Carbon Free Power Project (CFPP)
7. Other Business
 - a. Staff Reports
 - b. Department Business-Council
8. Adjournment

Posted this 4th day of November, 2020

I hereby certify that the foregoing notice and agenda was posted at the Monroe City Hall, website littlegreenvalley.com, posted on the Utah Public Notice website and personally delivered to each member of the Monroe City Council.

Allison Leavitt, Monroe City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations, or assistance during this meeting shall notify Allison Leavitt, City Recorder, at 435-527-4621 at least 24 hours prior to this meeting. Meetings of the Monroe City Council may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207.

MONROE CITY COUNCIL MEETING
October 27, 2020
MINUTES

7:00 p.m.

1. The regular meeting of the Monroe City Council was called to order by Mayor Parsons at 7:00 p.m.

2. The Pledge of Allegiance was led by Councilmember Mathie. A prayer was offered by Councilmember Buchmiller.

3. Roll Call

Mayor Johnny Parsons

Councilmembers:

Dane Buchmiller

Janet Cartwright-absent

Michael Mathie

Perry Payne

Erica Serrine

Public Works Director Devin Magleby

City Recorder Allison Leavitt

Utility Clerk Marisa Mathie

4. Consider a motion to approve the minutes of the meeting held September 22, 2020

Councilmember Serrine moved to approve the September 22, 2020 Regular City Council Meeting Minutes as submitted. The motion was seconded by Councilmember Mathie. A roll call vote was called. Voting yes: Councilmembers Buchmiller, Mathie, Payne, and Serrine. The vote was unanimous. The motion carried. 4-0

5. Citizen input

Stacey Whitmore, President of Central Utah Air Sports Association (CUASA – Red Rock Flyers) presented a check from CUASA in the amount of \$500.00 to Mayor Parsons for Monroe City for their support of the Red Rock Fall Fly-In. Monroe City provided entertainment and peach cobbler at the Lion’s park, helped with dust control, sound, and many other minor items.

41 Mr. Whitmore stated that they had planned for 250 flyers but with many fly-ins being canceled
42 due to COVID-19 they had 394 flyers, which was the largest in the country. Many of the flyers
43 were impressed with the fly-in and plan to come again next year. Mr. Whitmore explained that
44 he is excited to have more flyers come next year, however they plan to cap it at 500 flyers, so
45 that they can manage the event. Council thanked Mr. Whitmore for the \$500.00 and explained
46 these monies would be used to help defray costs of improvements at the landing area.
47

48 Public Works Director Davin Magleby and Councilmember Serrine will arrange for the tailings to
49 be delivered and rocks removed from landing strip area.
50

51 **6. Business**

52
53 a. Presentation of Certified Municipal Clerk Certificate to City Recorder Allison Leavitt –
54 Leigh Ann Warnock, Ephraim City Recorder and UMCA Board Past President.
55

56 Leigh Ann Warnock, MMC, Ephraim City Recorder and Utah Municipal Clerk Association (UMCA)
57 Board Past President presented to City Recorder Allison Leavitt her Certified Municipal Clerk
58 Certificate. Ms. Warnock explained that this designation comes through the International
59 Institute of Municipal Clerks (IIMC) to those municipal clerks who have completed education
60 and experience requirements.
61

62 Ms. Warnock congratulated City Recorder Allison Leavitt, presented here with her certificate, a
63 plant from UMCA and encouraged the Council to support City Recorder Allison Leavitt on
64 continuing learning and working towards a Master Municipal Clerk (MMC) certificate.
65

66 b. Planning Commission Business: Chairperson Bart Lee

67 1. Conditional Use License located at 434 W 230 N “Legacy Auto Detailing”
68 submitted by Dalton Harward.
69

70 Planning Commission Chairperson Bart Lee stated the Planning Commission recommends
71 approval of conditional use license application submitted by Dalton Harward for a detailing
72 business located at 434 W 230 N “Legacy Auto Detailing”. Chairperson Lee explained that Mr.
73 Harward previously had the same business at a different location and there were no problems
74 nor complaints from neighbors.
75

76 **Councilmember Mathie moved to approve conditional use business license located at 434 W**
77 **230 N “Legacy Auto Detailing” submitted by Dalton Harward. Motion was seconded by**
78 **Councilmember Buchmiller. A roll call vote was called. Voting yes: Councilmembers**
79 **Buchmiller, Serrine, Mathie and Payne. The vote was unanimous. The motion carried 4-0.**
80

81 2. Single lot split submitted by Kirt Nilsson for property located at approximately
82 580 S 100 W.

83
84 Chairperson Bart Lee stated the Planning Commission recommends approval of single lot split
85 submitted by Kirt Nilsson. Chairman Lee explained that the City's frontage and acreage
86 requirements are met with the draft property split submitted and there are no utility issues.
87

88 **Councilmember Buchmiller moved to approve single lot split, submitted by Kirt Nilsson for**
89 **property located at approximately 580 S 100 W. Motion was seconded by Councilmember**
90 **Payne. A roll call vote was called. Voting yes: Councilmembers Buchmiller, Serrine, Mathie and**
91 **Payne. The vote was unanimous. The motion carried 4-0.**

92
93 c. Consider abatement and code enforcement- Charles Billingsley

94
95 1. 390 S Main property nuisance abatement

96
97 Mayor Parsons explained that the property owner of 390 S Main was involved in an unforeseen
98 accident and would like to postpone action on the property abatement at this time. Council
99 agreed and Code Enforcement Officer Charles Billingsley stated he would not proceed with
100 abatement action until further notice from the Council is received.
101

102 2. 254 W 300 N property nuisance complaint

103
104 Council reviewed a citizen complaint and pictures concerning the number of automobiles being
105 stored at 254 W 300 N. Mr. Billingsley explained that this appears to be a junkyard and not a
106 permitted use within Monroe City limits.
107

108 Mr. Billingsley explained that with Council approval he will start the process with a 30-day
109 notice to remedying the non-compliant issue.
110

111 **Councilmember Mathie made a motion to have Code Enforcement Officer Charles Billingsley**
112 **initiate the nuisance complaint process. Motion was seconded by Councilmember Serrine. A**
113 **roll call vote was called. Voting yes: Councilmembers Buchmiller, Payne, Serrine and Mathie.**
114 **Motion carried. 4-0**

115
116 3. 454 S 575 W zoning enforcement

117
118 Mayor Parsons explained that the City was notified by Sevier County Building inspector that
119 when a sheer inspection of a garage/outbuilding, being built by James Payne at 454 W 575 W,
120 was conducted, it appeared the permitted use was not being followed.

121 Mayor Parsons stated that the permit was for no living quarters with only a toilet and sink to be
122 installed in the garage/outbuilding. Sevier County Building inspector stated that it appears
123 living quarters are being constructed. Monroe City Land Use Ordinance states that a one-family
124 dwelling shall not be constructed on an area less than 14,000 square feet in the rural residential
125 zone and this garage/outbuilding with living quarters violates our ordinance by having two
126 family dwellings on a single lot.

127
128 Mayor Parsons had asked City Recorder Allison Leavitt to prepare a draft letter, for Council
129 review tonight, to be sent to Mr. Payne stating the apparent violation of his building permit and
130 if the violation was not remedied the building permit will be revoked and work on the
131 garage/outbuilding must cease. Included with the letter the Council would like a copy of the
132 septic permit from Central Utah Health Department, copies of minutes from City Planning
133 Commission and City Council meetings when the building permit was approved.

134
135 Council reviewed the letter and will forward any desired changes to City Recorder Allison
136 Leavitt.

137
138 **Councilmember Serrine made a motion to send documentation to James Payne located at 454**
139 **S 575 W stating violation of issued building permit for garage/outbuilding. Motion was**
140 **seconded by Councilmember Buchmiller. A roll call vote was called. Voting yes:**
141 **Councilmembers Buchmiller, Payne, Serrine and Mathie. Motion carried. 4-0**

142
143 d. Consider Resolution 10 1 2020 amending Monroe City Cemetery Policy to specify use
144 of Perpetual Care funds.

145
146 City Recorder Allison Leavitt explained to the Council that our current cemetery policy does not
147 specify how perpetual care funds may be spent. This resolution will amend the cemetery policy
148 to state that perpetual care funds may be spent on capital improvements to the cemetery.

149
150 Monroe City plans to use existing perpetual care funds to fund our cemetery expansion project,
151 which we have partnered with the Community Impact Board (CIB) on the project.

152
153 **Councilmember Mathie made a motion to adopt Resolution 10 2 2020 amending Monroe City**
154 **Cemetery Policy to specify use of Perpetual Care funds. Motion was seconded by**
155 **Councilmember Payne. A roll call vote was called. Voting yes: Councilmembers Buchmiller,**
156 **Payne, Serrine and Mathie. Motion carried. 4-0**

157
158 e. Consider property quit claim deed at approximately 560 S 200 E to Joseph and
159 Melody Demaris

160

161 Public Works Director Devin Magleby explained to the Council that Sevier County recently quit
162 claimed deeded parcel 1-M3C-22 to the City, and Joseph and Melody Demaris have requested
163 the City quit claim deed them a small portion of this parcel to square up the property lines in
164 this area.

165
166 Council determined if the Demaris's were willing to pay the costs associated with recording
167 documentation with Sevier County Recorder's Office, they agree to quit claim deed them the
168 portion of parcel 1-M3C-22 to square up their property.

169
170 **Councilmember Mathie made a motion to quit claim deed portion of 1-M3C-22 to Joseph and**
171 **Melody Demaris with the agreement that Demaris's will pay costs associated with recording**
172 **documentation with Sevier County Recorder's Office. Motion was seconded by**
173 **Councilmember Payne. A roll call vote was called. Voting yes: Councilmembers Buchmiller,**
174 **Payne, Serrine and Mathie. Motion carried. 4-0**

175

176 **7. Other Business**

177

178 a. Staff Reports

179

180 City Recorder Allison Leavitt -

181

182 *Shared thank you card from Margaret Gadd for flowers sent to Doug Gadd's funeral service
183 from the City.

184

185 *Reviewed CARES monies status.

186 Monroe City has now received all three tranches totaling \$198,975.00 with \$83,642.57
187 expended. \$46,3000.00 is for committed expenses to be paid, leaving a balance of
188 \$69,032.43. Consider CARES expenses will be on next City Council Meeting agenda for
189 Council approval.

190

191 *Distributed monthly budget report.

192

193 Public Works Director Devin Magleby –

194

195 *There has been a request for handicap parking spaces to be installed at the Monroe
196 Community Center. Council agreed that this needs to be done and Public Works Director Devin
197 Magleby will follow through with this.

198

199 Utility Clerk Marisa Mathie –

200

201 No further business

202

203 b. Department Business-Council

204

205 Councilmember Mathie –

206

207 No further business

208

209 Councilmember Serrine –

210

211 *Asked Dane Buchmiller, Full Draw Design to move forward on the Splash Pad sign.

212

213 *Discussed plans for next year's fly-in event. Due to a larger group Councilmember Serrine will
214 work with Stacey Whitmore, President of CUASA, to work out details especially with
215 advertisement and possible funding from Sevier County.

216

217 Councilmember Payne –

218

219 No further business

220

221 Councilmember Buchmiller –

222

223 *Sunrise Engineering has requested a meeting with Monroe City Power department to answer
224 a few questions before finalizing their bid for re-licensing of the upper hydro. Formal
225 presentations will be held during a future Council meeting for selection of a firm to handle the
226 re-licensing.

227

228 *Update on the Carbon Free Power Plant (CFPP). A few participants have withdrawn from the
229 project and UAMPS is working on documents to detail what the remaining participants cost
230 share will be. Monroe City Power department needs to decide whether we pull out of the
231 project, increase our subscription or remain in the project with our current subscription.
232 UAMPS will not be able to provide Monroe City actual cost amounts until November 1, 2020
233 and they will need our decision before November 9, 2020, so Council chose to cancel the
234 regular schedule Council meeting for November 10, 2020 and hold Council meeting on
235 November 5, 2020 at 6:00 p.m.

236

237 *UAMPS has provided Monroe City Power Department an opportunity to purchase power for
238 June – September 2022 – 2026. These months have historically been our high usage months
239 when we purchase power from the open market.

240

241 The power department did pre-purchase power for the past summer and this was beneficial to
242 the department. This lock-in will be for five years with the price decreasing over the five years.
243 Council discussed the pros and cons of signing the lock-in, stating that at this time everything is
244 a gamble, but with the amount of new homes being built in our area, our demand is only going
245 to increase.

246
247 Purchase will be for 100 kWh in June, 500 kWh in July and August, and 200 kWh in September.
248 The highest cost will be for July 2022 and August 2022 at 10.5 cents per kWh.

249
250 Councilmember Buchmiller stated that Josey Parsons, Power Foreman, supports entering the
251 lock-in agreement and decided that the power department will enter the agreement.

252
253 Mayor Parsons-

254
255 No further business

256
257 **8. Adjournment**

258
259 **There being no further business to come before the Council for consideration, Councilmember**
260 **Payne moved the Regular Council Meeting adjourn at 8:36 p.m. The motion was seconded by**
261 **Councilmember Mathie. The vote was unanimous. The motion carried. 4-0**

262
263 The next regular City Council meeting is scheduled to be held on Thursday, November 5, 2020
264 starting at 6:00 p.m. at Monroe City Office.

265
266 Approved this 5th day of November 2020

267 *Allison Leavitt*
268 Monroe City Recorder

269
270

Resolution Number: 11 1 2020

A RESOLUTION OF THE MONROE CITY COUNCIL, UTAH, RECOMMENDING
ECONOMIC DEVELOPMENT ENTERPRISE ZONES

WHEREAS, the Monroe City Council supports economic development efforts to enhance the quality of life through job creation; and,

WHEREAS, the Monroe City Council supports the concept and use of state tax credits to advance business growth and expansion within City boundaries; and,

WHEREAS, Monroe City desires to encourage commercial growth and activities in appropriate areas within the community.

NOW, THEREFORE BE IT RESOLVED by the Monroe City Council, County of Sevier County, State of Utah that:

1. Monroe City make application to the Utah Governor's Office of Economic Development for the creation of enterprise zones in designated areas of the City.
2. Monroe City supports the concept of businesses receiving enterprise zone tax credits if they meet Utah State Tax Commission criteria and Utah regulations applicable at the time of the tax credit.

PASSED AND APPROVED this _____ day of _____, 2020

Johnny Parson, Mayor
Monroe City

Attest:

Allison Leavitt, City Recorder

Recorded this _____ day of _____, 2020

COUNCIL MEMBERS

Dane Buchmiller
Janet Cartwright
Michael Mathie
Perry Payne
Erica Sirrine

Monroe City Corporation

"Little Green Valley"



Officers

Allison Leavitt, City Recorder
Jacee Barney, Treasurer
Devin Magleby, Public Works Director
Josey Parsons, Power Foreman

Johnny C. Parsons, Mayor

Approved by Monroe City Council during City Council meeting held November 5, 2020 a water tap right transfer from Michael Murdock (approximate location of 1225 W SR 118) to Wyatt Shakespeare (approximate location of 310 W 500 N).

Johnny Parsons, Mayor

Date _____

Michael Murdock

Date _____

Wyatt Shakespeare

Date _____

**CARBON FREE POWER PROJECT
NOTICE OF INCREASE IN DEVELOPMENT COST SHARES**

BACKGROUND AND RECENT DEVELOPMENTS

On July 15, 2020, the Project Management Committee for the Carbon Free Power Project (the “CFPP”) and the UAMPS Board of Directors conditionally approved a revised Budget and Plan of Finance for the CFPP.* Under the CFPP Power Sales Contracts, UAMPS then gave notice to the Participants of the conditional approval of the revised Budget and Plan of Finance and of their option to deliver a Notice of a Withdrawal or a Notice of Reduction with respect to their continued participation in the CFPP. As the October 31 deadline that had been established by the PMC, eight Participants elected to withdraw from the CFPP, one Participant elected to reduce its Entitlement Share, and two Participants elected to maintain all of their Entitlement Shares (including their JUMP entitlements). As of November 1, 2020, the withdrawing entities will no longer be Participants in the CFPP under the Power Sales Contracts.

On September 16, 2020, the PMC and the Board adopted a resolution providing that the Participants have an additional option to withdraw from the CFPP or to reduce their Entitlement Shares upon notice from UAMPS after the delivery of the Class 3 Project Cost Estimate under the Development Cost Reimbursement Agreement between UAMPS and NuScale Power, LLC. It is expected that UAMPS will complete its review of the Class 3 Project Cost Estimate and the related run of the Economic Competitiveness Test during the first quarter of 2022, and will then give notice to the Participants of their option to exercise the additional withdrawal or reduction rights.

At its meeting on November 10, 2020, UAMPS expects that the PMC will adopt a significantly reduced interim budget that will focus on obtaining additional subscription for the CFPP (the “Minimal Subscription Budget”). UAMPS expects to provide a proposed dollar amount for the Minimal Subscription Budget to the PMC on November 5, 2020 for its consideration.

On October 16, 2020, the U.S. Department of Energy (“DOE”) issued an Assistance Agreement to UAMPS under which it will provide up to \$1.355 billion of funding for the Development Costs of the CFPP over a number of years (the “New Multi-Year Award”). On October 21, 2020, the PMC and the Board voted to approve and accept the New Multi-Year Award.

During 2019, most of the Participants elected to increase their Entitlement Shares in the CFPP to enable UAMPS to make one of the CFPP’s small modular reactors (the “JUMP SMR”) available for the use of DOE under a Lay-Off Power Sales Agreement. DOE and UAMPS eventually determined not to pursue completion of the Lay-Off Power Sales Agreement. In light of this determination, on October 21, 2020, UAMPS gave notice to the Participants that it was

* Capitalized terms used and not defined in this Notice have the meanings assigned to them in the Carbon Free Power Project Power Sales Contracts and the DCRA.

eliminating (*i.e.*, reducing to zero) the additional Entitlement Shares that they had elected for the JUMP SMR.

REVISED SCHEDULE I TO POWER SALES CONTRACTS

Attached to this notice is a revised copy of Schedule I to the Power Sales Contracts, showing the Entitlement Shares and Development Cost Shares of the Participants (a) as of August 21, 2019 (the date on which the original Schedule I was approved by the PMC and the Board and (b) as of November 1, 2020, giving effect to (1) the withdrawal of the former Participants, (2) the Entitlement Share reduction elected by one Participant, (3) the elimination of the JUMP SMR Entitlement Shares, (4) the elections made by two Participants to maintain their Entitlement Shares notwithstanding the elimination of the JUMP SMR, and (5) the addition of one new Participant. As a result of the withdrawal of the former Participants, the Development Cost Shares of those Participants that maintained their original Entitlement Shares (net of the JUMP SMR) increase by approximately 46 percent as of November 1, 2020.

In addition to the elections made by various Participants that are described above, certain Participants imposed caps on their Development Cost Shares, either in dollars or as a percentage of Development Costs. These caps are noted in the right-hand column of Schedule I and described in the footnotes to the Schedule. Some of these caps do not align with the Development Cost Shares shown on Schedule I for these Participants, and we will be following up them for clarification on their intent.

ADDITIONAL WITHDRAWAL/REDUCTION RIGHT

The Power Sales Contracts provide that increases in Development Costs Shares resulting from withdrawals from the CFPP or elective reductions in Entitlement Shares provide the remaining Participants with an additional option to deliver a Notice of Withdrawal or a Notice of Reduction to UAMPS. Attached to this notice are the forms of the Notice of Withdrawal and the Notice of Reduction that you should complete and deliver to UAMPS if you would like to exercise either of these options. Please note that the decision to deliver a Notice of Withdrawal or a Notice of Reduction must be made by your governing body.

In addition, we also request that you advise us if your governing body determines not to deliver a Notice of Withdrawal or a Notice of Reduction (*i.e.*, determines to retain your existing Entitlement Share (in kW) and your Development Cost Share as of November 1, 2020 as shown on the enclosed Schedule I). A short form is enclosed for you to complete and send to us if your governing body elects to maintain your existing Entitlement Share.

As the Participants have recently consulted with their governing bodies on their option to give a Notice of Withdrawal or a Notice of Reduction in connection with the conditional approval of the revised Budget and Plan of Finance, the PMC has determined that a reasonable period of time for the Participants to deliver a Notice of Withdrawal or a Notice of Reduction under this notice is November 9, 2020.

SCHEDULE I
SCHEDULE OF PARTICIPANTS, ENTITLEMENT SHARES
AND DEVELOPMENT COST SHARES

PARTICIPANT	ENTITLEMENT SHARE (KW)		DEVELOPMENT COST SHARE (%)		CAPS ⁽³⁾
	8/21/19 ⁽¹⁾	11/1/20 ⁽²⁾	8/21/19 ⁽¹⁾	11/1/20 ⁽²⁾	
Beaver	2,936	0	1.3784	0.0000	
Blanding	3,496	2,500	1.6413	2.4026	A
Bountiful	6,991	0	3.2822	0.0000	
Brigham City	21,323	15,250	10.0108	14.6560	
Enterprise	839	600	0.3939	0.5766	B
Ephraim	4,195	3,000	1.9695	2.8831	C
Fairview	1,258	900	0.5906	0.8649	
Fallon	2,000	2,000	0.9390	1.9221	
Fillmore	4,894	3,500	2.2977	3.3637	
Heber	13,983	0	6.5648	0.0000	
Holden	699	500	0.3282	0.4805	
Hurricane	14,122	14,122	6.6300	13.5719	D
Hyrum	13,983	10,000	6.5648	9.6105	
Idaho Falls	13,983	5,000	6.5648	4.8052	E
Kanosh	415	300	0.1948	0.2883	
Kaysville	6,859	0	3.2202	0.0000	
Lassen MUD	4,195	3,000	1.9695	2.8831	F
Lehi	20,974	0	9.8469	0.0000	
Logan	6,991	0	3.2822	0.0000	
Los Alamos	11,186	8,000	5.2516	7.6884	G
Lost River REC	1,398	1,000	0.6563	0.9610	
Monroe	839	600	0.3939	0.5766	
Morgan	1,398	1,000	0.6563	0.9610	H
Mt. Pleasant	2,517	1,800	1.1817	1.7299	
Murray	14,332	0	6.7286	0.0000	
Oak City	699	500	0.3282	0.4805	
Paragonah	280	200	0.1315	0.1922	I
Parowan	4,195	3,000	1.9695	2.8831	J
Payson	6,991	5,000	3.2822	4.8052	K
Salmon River REC	1,398	0	0.6563	0.0000	
Santa Clara	4,195	3,000	1.9695	2.8831	
SESD	2,797	2,000	1.3131	1.9221	
Spring City	559	400	0.2624	0.3844	
Washington	15,381	15,381	7.2211	14.7819	L
Weber Basin	699	500	0.3282	0.4805	M
Wells REC	0	1,000	0	0.9610	
TOTAL	<u>213,000</u>	<u>104,053</u>	<u>100.0000</u>	<u>99.9994</u>	

- (1) Entitlement Shares and Development Cost Shares as of August 21, 2019 include all original Participants and the JUMP SMR Entitlement Shares.
- (2) Entitlement Shares and Development Cost Shares as of November 1, 2020 (a) remove the withdrawing Participants, (b) remove the JUMP SMR Entitlement Shares and (c) reflect elections made by certain Participants to maintain/increase their Entitlement Shares.
- (3) This column shows caps on Development Cost Share (in \$ or %) imposed by the Participants noted.

Cap Footnotes

- A. Blanding has capped its Development Cost Share at 2%.
- B. Enterprise has capped its Development Cost Share at 0.39%.
- C. Ephraim has approved adjusting its Development Cost Share to up to 3%.
- D. Hurricane has approved a Development Cost Share of up to 25%.
- E. Idaho Falls has capped the dollar amount of its Development Cost Share at \$6,062,308 (gross) and \$930,070 (net).
- F. Lassen has capped the dollar amount of its Development Cost Share at \$360,000.
- G. Los Alamos County has capped the dollar amount of its Development Cost Share at \$1,260,000.
- H. Morgan has approved adjusting its Development Cost Share to up to 1.4%.
- I. Paragonah has capped the dollar amount of its Development Cost Share at \$30,000.
- J. Parowan has approved adjusting its Development Cost Share to up to 3.1%.
- K. Payson has capped the dollar amount of its Development Cost Share at \$300,000.
- L. Washington has capped the dollar amount of its Development Cost Share at \$1,725,000 (gross).
- M. Weber Basin has capped the dollar amount of its Development Cost Share at \$125,000.

ATTACHMENT 3

NO CHANGE NOTICE

November __, 2020

Utah Associated Municipal Power Systems
155 North 400 West, Suite 480
Salt Lake City, Utah 84103
Attention: General Manager
General Counsel

Re: Carbon Free Power Project Power Sales Contract

Gentlemen,

We are in receipt of the Notice of Increase in Development Cost Shares dated November __, 2020 from UAMPS. After consultation, our governing body has determined to retain its existing Entitlement Share (in kW) and its Development Cost Share as of November 1, 2020, as shown on the revised Schedule I attached to such Notice.

Capitalized terms used and not otherwise defined herein have the meanings assigned to them in the Power Sales Contract.

[NAME OF PARTICIPANT]

By _____
Authorized Officer

A RESOLUTION AUTHORIZING AND APPROVING ADJUSTMENT OF THE PARTICIPANT'S ENTITLEMENT SHARE UNDER THE CARBON FREE POWER PROJECT POWER SALES CONTRACT FOR THE REMAINING 1ST PHASE OF THE LICENSING PERIOD FOR THE CARBON FREE POWER PROJECT; AND RELATED MATTERS.

***** ***** *****

WHEREAS, the Monroe City, Utah (the "*Participant*") is a member of Utah Associated Municipal Power Systems ("*UAMPS*") pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as amended (the "*Joint Action Agreement*");

WHEREAS, the Participant has previously approved, executed and delivered the Carbon Free Power Sales Contract dated as of April 1, 2018 (the "*Power Sales Contract*") with UAMPS, with an Entitlement Share that represents 839 kW of the capacity of the Project, which includes 239 kW of capacity relating to the "JUMP SMR" (as defined in Resolution No. 7 01 2019 of the Participant adopted on July 15, 2019; other initially capitalized terms used and not defined herein have the meanings assigned to them in the Power Sales Contract);

WHEREAS, the Project Management Committee (a) has notified the Participants that the JUMP SMR will not be included in the Project and has eliminated the portions of the Participants' Entitlement Shares relating to the JUMP SMR and (b) believes that the Participants are best served if they approve limited adjustments to their Entitlement Shares in light of the elimination of the JUMP SMR as well as withdrawals or Entitlement Share reductions that may be elected by other Participants to the time of delivery of the Class 3 Project Cost Estimate and the associated running of the economic competitiveness test ;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Monroe City, as follows:

Section 1. Adjustment of Participant Entitlement Share for the Remaining 1st Phase of the Licensing Period Through the Class 3 Project Cost Estimate. (a) The Participant hereby authorizes and approves maintaining its Entitlement Share in the Project in an amount that represents [] kW of capacity.

(b) The Participant's Entitlement Share (in kW) may be adjusted to that amount that would cause its Development Cost Share of the Development Costs to be incurred to the time of delivery of the Class 3 Project Cost Estimate and the associated running of the economic competitiveness test to be []% (the "*Development Cost Share Cap*").

(c) Upon receipt of written notice from UAMPS of the elections by other Participants to withdraw from the Project, reduce their Entitlement Shares or otherwise adjust their Entitlement Shares, the Participant's Representative is hereby authorized by and on behalf of the Participant to

give notice to UAMPS of (i) the Participant's election to increase its Entitlement Share (in kW) and (ii) the amount of such increase, which in any case shall not cause the Participant's Development Cost Share to exceed the Development Cost Share Cap.

(d) In the event that elections by other Participants to withdraw from the Project or to reduce their Entitlement Shares would cause the Participant's Development Cost Share to exceed the Development Cost Share Cap, the Participant's Representative is hereby authorized in his or her discretion to give notice to UAMPS of either (i) (A) the Participant's election to reduce its Entitlement Share (in kW) and (B) the amount of such reduction, which shall be in the smallest amount necessary to cause the Participant's Development Cost Share not to exceed the Development Cost Share Cap or (ii) the Participant's election to withdraw from the Project.

Section 2. Miscellaneous; Effective Date. (a) Notwithstanding the provisions of Section 1, this resolution shall be and remain irrevocable until the Participant provides subsequent adjustment to its Entitlement Share pursuant to the Power Sales Contract in accordance with its terms.

(b) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict. In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this ____ day of _____, 2020.

MONROE CITY

By _____
Johnny C. Parsons, Mayor

ATTEST:

Allison H. Leavitt, City Recorder

[SEAL]