

DRAFT

Millcreek (State & Local Fiscal Recovery Funds) SLFRF

First Installment		US Dept. of Treasury Exp. Category	Second Installment	
Received 5/21/21	3,964,825.00		To be Received	3,964,825.00
Total	\$ 3,964,825.00		Total	\$ 3,964,825.00
Expended or Obligated			Expended or Obligated	
Asian Association of Utah	100,000.00	3.4	Asian Association of Utah	100,000.00
ULCT	7,000.00	7.1		
Requested			Requested	
WFWRD	9,327.84	1.5; 1.9		
UFA	130,261.00	1.5; 1.9		
Proposed Uses			Proposed Uses	
Promise Program	150,000.00	3.4	Promise Program	150,000.00
MC Parking Structure	2,258,236.16	2.11	MC Parking Structure	1,999,825.00
City Hall Employee Premium Pay	110,000.00	4.1	MC Phase II (land)	800,000.00
Millcreek Common Phase I	1,200,000.00	2.11	MC Phase II (landscaping)	915,000.00
Total	\$ 3,964,825.00		Total	\$ 3,964,825.00
Balance	\$ -		Balance	\$ -
Combined Balance	\$ -			



Appendix 1: Expenditure Categories

The Expenditure Categories (EC) listed below must be used to categorize each project as noted in Part 2 above. The term “Expenditure Category” refers to the detailed level (e.g., 1.1 COVID-10 Vaccination). When referred to at the summary level (e.g., EC 1) it includes all Expenditure Categories within that summary level.

1: Public Health	
1.1	COVID-19 Vaccination ^
1.2	COVID-19 Testing ^
1.3	COVID-19 Contact Tracing
1.4	Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.)*
1.5	Personal Protective Equipment
1.6	Medical Expenses (including Alternative Care Facilities)
1.7	Capital Investments or Physical Plant Changes to Public Facilities that respond to the COVID-19 public health emergency
1.8	Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine)
1.9	Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19
1.10	Mental Health Services*
1.11	Substance Use Services*
1.12	Other Public Health Services
2: Negative Economic Impacts	
2.1	Household Assistance: Food Programs* ^
2.2	Household Assistance: Rent, Mortgage, and Utility Aid* ^
2.3	Household Assistance: Cash Transfers* ^
2.4	Household Assistance: Internet Access Programs* ^
2.5	Household Assistance: Eviction Prevention* ^
2.6	Unemployment Benefits or Cash Assistance to Unemployed Workers*
2.7	Job Training Assistance (e.g., Sectoral job-training, Subsidized Employment, Employment Supports or Incentives)* ^
2.8	Contributions to UI Trust Funds
2.9	Small Business Economic Assistance (General)* ^
2.10	Aid to Nonprofit Organizations*
2.11	Aid to Tourism, Travel, or Hospitality
2.12	Aid to Other Impacted Industries
2.13	Other Economic Support* ^
2.14	Rehiring Public Sector Staff
3: Services to Disproportionately Impacted Communities	
3.1	Education Assistance: Early Learning* ^
3.2	Education Assistance: Aid to High-Poverty Districts ^
3.3	Education Assistance: Academic Services* ^
3.4	Education Assistance: Social, Emotional, and Mental Health Services* ^
3.5	Education Assistance: Other* ^
3.6	Healthy Childhood Environments: Child Care* ^
3.7	Healthy Childhood Environments: Home Visiting* ^
3.8	Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System* ^



3.9	Healthy Childhood Environments: Other* ^
3.10	Housing Support: Affordable Housing* ^
3.11	Housing Support: Services for Unhoused Persons* ^
3.12	Housing Support: Other Housing Assistance* ^
3.13	Social Determinants of Health: Other* ^
3.14	Social Determinants of Health: Community Health Workers or Benefits Navigators* ^
3.15	Social Determinants of Health: Lead Remediation ^
3.16	Social Determinants of Health: Community Violence Interventions* ^
4: Premium Pay	
4.1	Public Sector Employees
4.2	Private Sector: Grants to Other Employers
5: Infrastructure²⁷	
5.1	Clean Water: Centralized Wastewater Treatment
5.2	Clean Water: Centralized Wastewater Collection and Conveyance
5.3	Clean Water: Decentralized Wastewater
5.4	Clean Water: Combined Sewer Overflows
5.5	Clean Water: Other Sewer Infrastructure
5.6	Clean Water: Stormwater
5.7	Clean Water: Energy Conservation
5.8	Clean Water: Water Conservation
5.9	Clean Water: Nonpoint Source
5.10	Drinking water: Treatment
5.11	Drinking water: Transmission & Distribution
5.12	Drinking water: Transmission & Distribution: Lead Remediation
5.13	Drinking water: Source
5.14	Drinking water: Storage
5.15	Drinking water: Other water infrastructure
5.16	Broadband: "Last Mile" projects
5.17	Broadband: Other projects
6: Revenue Replacement	
6.1	Provision of Government Services
7: Administrative	
7.1	Administrative Expenses
7.2	Evaluation and Data Analysis
7.3	Transfers to Other Units of Government
7.4	Transfers to Non-entitlement Units (States and territories only)

*Denotes areas where recipients must identify the amount of the total funds that are allocated to evidence-based interventions (see Use of Evidence section above for details)

^Denotes areas where recipients must report on whether projects are primarily serving disadvantaged communities (see Project Demographic Distribution section above for details)

²⁷ Definitions for water and sewer Expenditure Categories can be found in the EPA's handbooks. For "clean water" expenditure category definitions, please see:

<https://www.epa.gov/sites/production/files/2018-03/documents/cwdefinitions.pdf>. For "drinking water" expenditure category definitions, please see: <https://www.epa.gov/dwsrf/drinking-water-state-revolving-fund-national-information-management-system-reports>.

Millcreek, Utah's Use of Funds Received from the American Rescue Plan Act (ARPA)

On May 21, 2021, Millcreek received its first installment of American Rescue Plan Act Funds in the amount of \$3,964,825.00. An equal amount is anticipated again in May 2022. The city is intending to use its funds for the following three areas, in harmony with Treasury Department guidelines:

1) Payments to Unified Fire Authority, Unified Police Department, and Millcreek City employees for supporting the public health response.

In Treasury's [FACT SHEET](#), the number one use of funds is in "supporting the public health response." Also authorized is "Providing premium pay for essential workers." Specifically, there is authorization to "cover the full payroll and covered benefits costs for employees or operating units or divisions primarily dedicated to the COVID-19 response."

Municipal and public safety employees in Millcreek have stepped up above and beyond during the COVID-19 response. These employees were collectively involved in responding to the public health and negative economic impacts of the pandemic; enforcement of public health orders; and public communication efforts encouraging mask wearing and vaccinations. Any reimbursement to UFA or UPD for such time would require the entity "maintains records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response." (Page 21 of the [INTERIM FINAL RULE](#)). A lump sum additional payroll payment is being considered by Millcreek for municipal and public safety employees. Such payments would not exceed the value of the mayor's attestation of the employee's time spent on supporting the public health response, often above and beyond their regular work hours or expectations.

2) Support the construction of the Millcreek Common public plaza and adjacent parking structure in Millcreek's City Center Community Reinvestment Area.

One of the authorized [uses of ARPA funds](#) is to "address the negative economic impacts caused by the public health emergency," specifically "Supporting small businesses," and "Speeding the recovery of the tourism, travel, and hospitality sectors. supporting industries that were particularly hard-hit by the COVID-19 emergency and are just now beginning to mend. Similarly impacted sectors within a local area are also eligible for support."

During the COVID-19 emergency, small businesses in Millcreek's City Center were devastated. Many businesses in the area like Riverbank Bar, Galley Grill, Europa Café & Deli, Salt City Dance & Fitness Studios, and more were forced to permanently close. Others, like Tokai Sushi, Cookie Cutters Haircuts for Kids, Aerial Arts of Utah, and Jung's Alterations saw record low sales. Millcreek intends to use ARPA

funds to leverage other city dollars to rejuvenate this central business district, including fostering a walkable business environment and increasing the availability of convenient customer parking.

The Millcreek Common plaza and adjacent parking structure are fulfilling the intent of pages 36 and 37 of the [INTERIM FINAL RULE](#), which specifies “Aid may be considered responsive to the negative economic impacts of the pandemic if it supports businesses, attractions, business districts” affected by the pandemic. This part of the rule also authorizes “aid for a planned expansion or upgrade of tourism, travel, and hospitality facilities delayed due to the pandemic.”

In Treasury’s [Frequently Asked Questions 2.18](#), it was asked “Would investments in improving outdoor spaces (e.g. parks) be an eligible use of funds as a response to the public health emergency and/or its negative economic impacts?” Treasury answered yes and noted “investments in parks, public plazas, and other public outdoor recreation spaces may be responsive to the needs of disproportionately impacted communities by promoting healthier living environments and outdoor recreation and socialization to mitigate the spread of COVID-19.”

Furthermore, the open space provided by Millcreek Common and the shared parking structure adjacent are designed to assist the city in attracting and absorbing hundreds of additional housing units into the city center. In the [FACT SHEET](#) under “3. Serving the hardest-hit communities and families” they authorize: “Investments in housing and neighborhoods” and building open space and a parking structure to help facilitate the construction of hundreds of new households in our city center certainly qualifies. This section specifically authorizes funds for “Promoting healthy childhood environments” which open space in proximity to hundreds of apartments would be. While Treasury states that such investments must be “within a Qualified Census Tract (a low-income area as designated by the Department of Housing and Urban Development);” the census tract of city center has been so designated through the Opportunity Zone process.

The hundreds of apartments being built adjacent to Millcreek Common will be much more affordable than the single-family homes in the area. Funds may be spent on “Affordable housing development to increase supply of affordable and high-quality living units,” according to page 39 of the [INTERIM FINAL RULE](#). The housing development of Millcreek City Center is an important component of the Community Reinvestment Plan in that area, which is why 15% of the tax increment in that plan and budget is to go towards affordable housing.

Most ARPA infrastructure projects will likely be water or broadband related, however, there are exceptions to where something like Millcreek Common certainly qualifies. Page 42 of the [INTERIM FINAL RULE](#) notes that “A general infrastructure project, for example, typically would not be included unless the project responded to a specific pandemic public health need.” The need for additional open space close to Millcreek’s present and future housing stock in this area was a glaring need identified during the pandemic as individuals were encouraged to exercise in well-ventilated and outdoor places by the Center for Disease Control. Millcreek Common supports this pandemic public health need. Other infrastructure exceptions are to support “affordable housing in a QCT” [Qualified Census Tract], of which Millcreek Common’s census tract is.

3) Support of Afterschool Programs through Millcreek Promise and Sunnyvale Elementary Afterschool.

Treasury's [FACT SHEET](#) authorizes the use of funds for "Addressing educational disparities" through "offering educational services like tutoring or afterschool programs as well as services to address social, emotional, and mental health needs." Millcreek intends to use some of their ARPA funds to keep the afterschool program going at Sunnyvale Elementary, as well as greatly enhancing the afterschool outreach of the Millcreek Promise Program. These services are intended to assist families in some of Millcreek's Qualified Census Tracts and neighborhoods of Millcreek disproportionately impacted by the pandemic.

Page 40 of the [INTERIM FINAL RULE](#) supports "educational services and practices to address the academic needs of students, including tutoring, summer, afterschool, and other extended learning and enrichment programs;" as well as "practices to address the social, emotional, and mental health needs of students." This is exactly what these programs do.

PROFESSIONAL RESPONSES OF THE ABOVE PROPOSED USE OF FUNDS

From Millcreek's auditor:

"I think that is a good write up of the intended use of the funds. Based on my understanding of the grant, the City seems to be in line with the permitted uses of the funds."

—Jeff Miles, Partner, HBME, LLC email to City Finance Director Laurie Johnson, June 7, 2021

From Millcreek's financial advisor:

"I think this supporting document of the City's vision of utilizing the ARPA Funds is excellent. Very clearly presented and consistent with the Treasury's Fact Sheet. It sounds like these are safe areas for utilizing the ARPA Funds."

--Jason Burningham, Principal/Owner, Lewis Young Robertson & Burningham Inc. emails to City Assistant City Manager Mike Winder, June 11, 2021

REPORTING

Metropolitan cities, like Millcreek, will be required to submit one interim report and thereafter quarterly Project and Expenditure reports through the end of the award period on December 31, 2026. The interim report will include a recipient's expenditures by category at the summary level from the date of award to July 31, 2021. Recipients must submit their interim report to Treasury by August 31, 2021.

Based on the above proposed uses, the categories Millcreek would be reporting in would be:

1. **Supporting the public health response** (Payments to Unified Fire Authority, Unified Police Department, and Millcreek City employees) *Expenditure Categories: 4.1 Public Sector*

Employees Premium Pay; also 1.9 Payroll Costs for Public Health, Safety, and Other Public Sector Staff Responding to COVID-19

2. **Addressing the negative economic impacts caused by the public health emergency** (Support the construction of the Millcreek Common public plaza and adjacent parking structure in Millcreek's City Center Community Reinvestment Area.) *Expenditure Categories: 2.11 Aid to Tourism, Travel, or Hospitality; or 2.9 Small Business Economic Assistance (General); or 2.13 Other Economic Support; or 3.13 Social Determinants of Health: Other*
3. **Serving the hardest-hit communities and families** (Support of Afterschool Programs through Millcreek Promise and Sunnyvale Elementary Afterschool.) *Expenditure Categories: 3.3 Education Assistance: Academic Services; or 3.4 Education Assistance: Social, Emotional, and Mental Health Services*

Comment/Questions for the Millcreek City Council by Marv Poulson during open public comment at the beginning of regular Council Meeting of 7-26-21

Governor Scott Matheson was a student of public policy principals and Utah Governor at a crucially important time in Utah and American history when the deployment of the proposed MX Missile system was being planned to occupy more public land than any project in American history. It called for withdrawing millions of acres across western Utah beyond Tooele Valley, over Nevada, nearly to Carson City and Reno for military purposes. Governor Matheson, in assessing that massive public issue, as he did with every public policy question he addressed while in office, asked the basic question: "Is this good public policy?"

That seems to me to be a most deeply incisive question every level of government should ask in approaching every public policy question, no matter how simple or complex: "Is this good public policy?"

This question carries a meaning for the present as well as future consequences.

With this thesis in mind, I have 4 questions for you this evening.

1. Does The Millcreek City Council and city staff have a responsibility to defend established city zoning ordinances?
2. Is it good public policy for the City Staff and City Council to ignore defending established city zoning ordinances?
3. What should the criteria be for making changes to exiting city ordinances using the good public policy test as a beginning point?
4. Is it good public policy to preemptively change city zoning ordinances to specifically pander to the singular corporate financial interests that offers no tangible benefit to Millcreek citizens?

Unified Police Department
Millcreek Precinct
Millcreek City Council

July 2021



June 2021 Millcreek City Statistics

Calls For Service: 3424

Total Cases: 1031

Total Citations: 427

Booking Arrests: 44



June 2021 Millcreek City Crime Review

Assault:	33
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Burglary :	21
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Drug Offense:	20
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Family Offense:	92
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Homicide:	0
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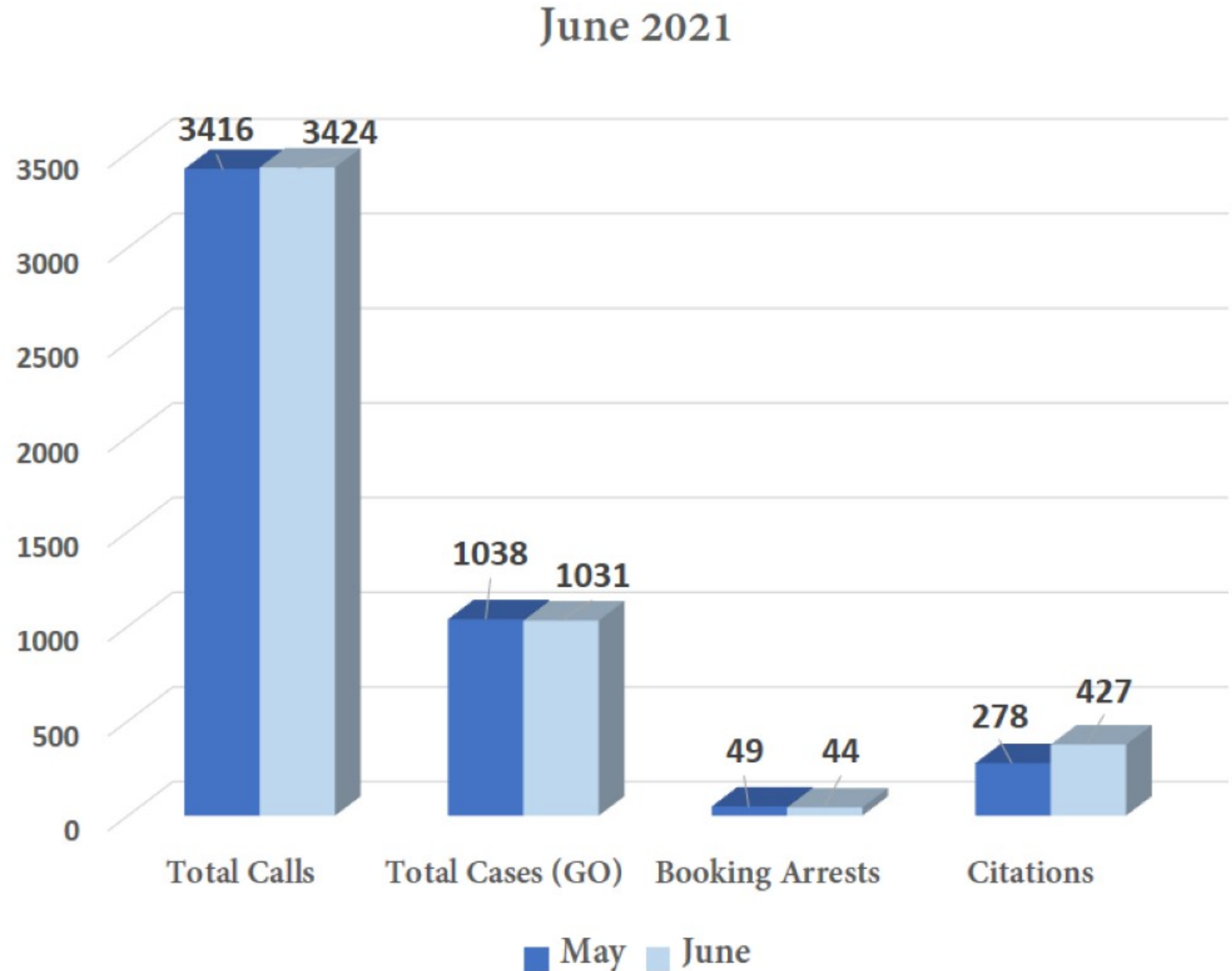
Larceny:	113
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Robbery:	2
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Sex Offense:	5
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Stolen Vehicle:	28
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Millcreek City Statistics Crime Trends May - June



UPD Special Operations / Millcreek Traffic

On 06-22-2021, the motor squad conducted speed/traffic enforcement at three locations in the Millcreek area. 13 motor officers enforced speed and traffic related laws at the below locations:

#1. 2585 E. 3900 S. (21-81800) **40**
tickets/contacts

#2. 3500 S. Wasatch Blvd. (21-81783) **17**
tickets/contacts

#3. 1871 E. 3300 S. (21-81787) **24**
tickets/contacts

Total tickets/contacts for the time period **81.**



Transient Encampment Abatement Program

- C.O.P Detectives partnered with Salt Lake County Health Dept clean-up 3,840 lbs of encampment at 1326 east 3300 south.





C.O.P

- The Unified Police Department's Millcreek Precinct participated in Millcreek City's weekly summer event Venture Out.
- U.P.D. 's Millcreek Precinct C.O.P. Detectives set up a booth and handed out stickers, fans, frisbees and other prizes. Police equipment, including the Mobile Crime Lab were also in attendance.



ILLEGAL FIREWORKS CALLS

**Between July 3rd – July 6th Unified Police
Department responded to 76 illegal
fireworks calls**



Millcreek 4TH of July Parade
