

**CITY OF LOGAN
RESOLUTION NO. 21-46**

AMERICAN RESCUE PLAN ACT RESOLUTION

WHEREAS, the City of Logan has received American Cares Act Funding from the Federal government:

NOW THEREFORE BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH that the Council finds it necessary, based on supporting justification, to expend these funds in support of the following significant capital projects: 1) Administrative Support through the League of Cities and Towns, 2) Fire Station 70, and 3) the Bluff Water Storage Tank.

If any project or portion thereof were subsequently deemed ineligible, all remaining funds would be shifted to the Bluff Water Storage Tank project.

Administration

510-510-510600-443000 Professional and Technical	9,000
510-000-000000-331000 Federal Grants	9,000

Fire Station

300-300-140700-472000 Fire Capital Buildings	7,000,000
300-000-000000-331000 Federal Grant	7,000,000

Bluff Water Storage Tank

510-510-510600-473000 Improvements	6,806,781
510-000-000000-331000 Federal Grants	6,806,781

THIS RESOLUTION duly adopted upon this 21 day of September, 2021 by the following vote:

Ayes: A. Anderson, M. Anderson, Jensen, Lopez, Timmonds

Nays: none

Absent: none

ATTEST:

Teresa Harris
Teresa Harris, City Recorder



Mark A. Anderson
Mark A. Anderson, Chairman

TO: Mayor Holly Daines and Logan City Municipal Council
FROM: Rich Anderson, Finance Director
DATE: August 18, 2021
RE: American Rescue Plan Act of 2021 Fire Station 70 Justification

On March 11, 2021, The American Rescue Plan Act of 2021 (ARP) was signed into law by President Biden to provide \$350 billion in emergency funding for eligible State, local, territorial, and Tribal Governments. The Department of the Treasury subsequently released detailed guidance in an interim rule published in the Federal Register dated May 17, 2021.

The purpose of the funds is as follows from the interim rule:

The purpose of the Fiscal Recovery Funds is to provide fiscal relief that will permit State, local, and Tribal governments to continue ***to respond to the COVID-19 public health emergency.***

Per the interim rule, assistance is being provided for 4 main reasons, including “public health and economic impacts.” The interim rule states:

Assessing whether a program or service “responds to” the COVID-19 public health emergency requires the recipient to, first, ***identify a need or negative impact of the COVID-19 public health emergency*** and, second, ***identify how the program, service, or other intervention addresses the identified need or impact.***

Regarding responding to Covid-19, the interim rule states:

Other response and adaptation costs include **capital investments in public facilities to meet pandemic operational needs**, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics.

The interim rule allows for general infrastructure replacement under certain circumstances as follows:

A general infrastructure project, for example, typically would not be included **unless the project responded to a specific pandemic public health need (e.g., investments in facilities for the delivery of vaccines) ...**

The interim rule goes on to state:

The need for public health measures to respond to COVID-19 will continue **in the months and potentially years to come.**

The interim rule also states:

Within the eligible use categories outlined in the Fiscal Recovery Funds provisions of ARPA, State, local, and Tribal governments ***have flexibility to determine how best to use payments from the Fiscal Recovery Funds to meet the needs of their communities and populations.***

The interim rule further states:

Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with ***broad latitude to use the Fiscal Recovery Funds for the provision of government services.***

The interim rule defines government services as the following:

Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; ***health services***; environmental remediation; school or educational services; ***and the provision of police, fire, and other public safety services.***

The interim rule states the following as allowable expenses:

(vii) ***Emergency medical response expenses***, including emergency medical transportation, related to COVID-19;

(xvi) Expenses for ***the improvement of ventilation systems in congregate settings, public health facilities, or other public facilities***;

The Utah Governor's Office of Budget and Planning (GOPB) held a Zoom training on May 20, 2021 for cities through the Utah League of Cities and Towns. During that training GOBP recommended the following criteria for determining how to use ARP funds:

1. Proactive Investment
2. Targeted
3. Enduring Benefit
4. Accountable
5. Fiscally Prudent

In addition, the GOPB said "Our children are going to repay this debt, so let's make certain that it benefits them."

Based on this guidance (both Treasury and State of Utah), the Logan City has analyzed whether the necessary replacement of Fire Station 70 would be a qualifying project under ARP.

Existing Station 70

The Logan City Fire Department is the primary and sole EMS pre-hospital provider for the City of Logan, and under contract for the same emergency medical services to several neighboring communities (North Logan, Providence, and River Heights). The Fire Department's ability to respond is critical for the health and wellbeing of the citizens of these communities. The station design and function should reflect the ability to be a hub for emergency response and recovery. During the COVID-19 pandemic, Station 70 has also been used as a primary source of vaccine distribution.

COVID-19 has been an awakening toward the current station concerns regarding employee safety, operational efficiencies, and adequate space and configuration for healthy first responders. COVID-19

presents significant challenges to maintaining emergency medical operational viability in the face of the COVID-19 pandemic.

Government Technology recently published an article written by Jim McKay entitled “COVID-19 Sparks Innovative Designs for ‘Ideal’ Fire Station”. He suggests the ideal fire station would be able to mitigate the onset of pathogens, like COVID-19, with advanced HVAC systems, decontamination and isolation rooms, as well as address social distancing and serve the community by providing surge capacity for mass vaccinations that could be used during other disasters, including natural hazards and civil unrest. Station design should incorporate FEMA criteria for critical infrastructure and spaces to resist a threat. They also should include elements that protect the mental health of firefighters. The additional stress associated with COVID-19 for Fire/EMS personnel was extreme. Multiple times every day during the pandemic crews have been exposed to contaminants, infected patients, and the stress of properly disinfecting equipment to avoid exposure. Those risks of exposure and re-exposure were compounded when they returned to Station 70 without proper decontamination rooms, ventilation systems, and effective separation between operations and living quarters. The inability to isolate due to limited space or the isolation due to limits to air quality, both increase anxiety.

Furthermore, the U.S. Fire Administration is conducting a 5-year study on the impacts of COVID-19 on first responders. Research from the University of Maryland and Second Sight Training Systems analyzed over 500 publications related to the impacts the pandemic had on first responders. In their findings, factors shown to influence exposure rates included, “adjustments to physical space, ...and improving ventilation”, both of which require a larger station with an improved ventilation system. Neither of these enhancements can be adequately addressed in the current footprint.

Why can't the station be upgraded to meet these standards?

Station 70 has been used during the COVID-19 pandemic for vaccine administration utilizing the station bays. While this location, replete with the same challenges found in any garage including but not limited to dirt, grease, and diesel exhaust contaminants, certainly wasn't optimal, there wasn't adequate space anywhere else to accommodate such an undertaking.

One of the major concerns and flaws of the current design, besides adequate ventilation and filtration, is the cross contamination of emergency response crews and administrative/prevention staff. The current design doesn't allow for separation between staff. Neither proper social distancing nor isolation are possible in the current station, leaving us vulnerable to rapid spread and cross contamination. A new station could provide detailed zoning spaces for isolation to limit hazardous elements and contaminants in the living spaces. These zones are considered best practices that the existing station cannot accommodate. Furthermore current high touch surfaces are inadequate to limit or contain the spread of COVID-19.

Furthermore, Station 70 was constructed in the early 1970's prior to reinforced steel being required and used in masonry construction. Even with the seismic upgrades in the early 2000's the building is still subject to major damage in an earthquake or natural disaster (a 5.7 magnitude earthquake struck Salt Lake City on March 18, 2020 at the beginning of the COVID-19 pandemic damaging many buildings and structures).

According to Cartwright Engineers regarding existing station 70, “The building does not currently meet the requirements to qualify for the Immediate Occupancy seismic performance level, which would allow

it to be occupied and utilized directly following a design earthquake event.” This is a major concern and further precludes the option of upgrading the current building.

Due to the masonry block design and structure, it also doesn’t allow for increasing space, nor is it reasonably possible to effectively redesign the structure to prevent cross contamination of crews and staff during daily operations.

Outdated ventilation configurations, poor energy efficiency, seismic concerns, and a fixed footprint are all barriers to remodeling the current building.

Again, the COVID-19 pandemic has exposed more building design flaws that have equally devastating consequences to our staff and emergency response crews.

Another complication and possibly the greatest challenge to a remodel is trying to maintain adequate and appropriate emergency response capabilities while renovating a building.

Based on the above factors, we have determined that it would not be operationally feasible nor economically viable to renovate station 70.

A New Station 70

A new building will provide larger work spaces for social distancing, decontamination and isolation areas, technologically improved ventilation systems, proper construction material surfaces, areas for vaccination clinics, and improved access and egress for employee health and safety, all of which are not possible under the current configuration. Furthermore, all of these improvements are necessary to adequately address operational functionality during the COVID-19 pandemic. Finally, building a new fire station in a new location will address these concerns without disrupting critical emergency response services.

Conclusion

Per the interim rule, Logan City has identified the **need of a new main fire station 70** to maintain **pandemic operational viability**. Without the new station, we are not certain that we can maintain operational viability should the COVID-19 pandemic surge. The new station will address all current COVID-19 concerns. We believe that this investment in infrastructure will address a specific pandemic public health need (e.g., **operational viability of emergency medical services** in Logan City and the surrounding areas, as well as **adequate space to perform vaccinations**).

Based on this analysis and interim rule guidance (and relying on the **broad latitude** granted in the interim rule) and also considering the State of Utah guidance regarding ARP projects, we believe that the replacement of Fire Station 70 does qualify as an ARP eligible project and should be proposed by the Mayor and subsequently approved by the Logan City Municipal Council.

Specific Proposal to Council

1. Build a new station 70 in close proximity to existing station 70.
2. Use Logan City capital funds to acquire the land, selling existing station 70 land and building to assist with the land acquisition.
3. Use ARP funds to construct the new Station 70 to meet pandemic operational needs, estimated to be \$5.5 to \$7.5 M.

TO: Mayor Holly Daines and Logan City Municipal Council
FROM: Rich Anderson, Finance Director
DATE: August 18, 2021
RE: American Rescue Plan Act of 2021 Fire Station 70 Contingency

Contingent Project Eligibility

While we strongly believe based on treasury guidance and our analysis that the Fire Station 70 project does meet ARP eligibility, the Finance Department intends to also accumulate qualifying expenses from water, sewer and stormwater projects during the qualifying time period as well. Thus, in the unlikely event that subsequent audits reach a different conclusion regarding Fire Station 70, the City could submit the accumulated water, sewer and stormwater project invoices as secondarily eligible qualifying expenses in place of the Fire Station project expenses.

TO: Mayor Holly Daines and Logan City Municipal Council
FROM: Rich Anderson, Finance Director
DATE: August 18, 2021
RE: American Rescue Plan Act of 2021 Water Storage Tank Justification

On March 11, 2021, The American Rescue Plan Act of 2021 (ARP) was signed into law by President Biden to provide \$350 billion in emergency funding for eligible State, local, territorial, and Tribal Governments. The Department of the Treasury subsequently released detailed guidance in an interim rule published in the Federal Register dated May 17, 2021.

The purpose of the funds is as follows from the interim rule:

The purpose of the Fiscal Recovery Funds is to provide fiscal relief that will permit State, local, and Tribal governments to continue ***to respond to the COVID-19 public health emergency***.

Per the interim rule, assistance is being provided for 4 main reasons, including:

To make necessary investments in **water**, sewer, or broadband **infrastructure**.

The interim rule further states:

The ARPA provides funds to State, local, and Tribal governments to make **necessary investments in water** and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs, **Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health**. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, **the interim final rule provides these governments with wide latitude to identify investments in water** and sewer infrastructure **that are of the highest priority for their own communities**, which may include projects on privately-owned infrastructure.

The interim rule further states:

Recipients may use Fiscal Recovery Funds to invest in a broad range of projects that improve drinking water infrastructure, such as building or upgrading facilities and transmission, distribution, **and storage systems**, including replacement of lead service lines.

The Utah Governor's Office of Budget and Planning (GOPB) held a Zoom training on May 20, 2021 for cities through the Utah League of Cities and Towns. During that training GOPB recommended the following criteria for determining how to use ARP funds:

1. Proactive Investment
2. Targeted
3. Enduring Benefit
4. Accountable
5. Fiscally Prudent

In addition, the GOPB said "Our children are going to repay this debt, so let's make certain that it benefits them."

Based on this guidance (both Treasury and State of Utah), Logan City has analyzed whether the necessary design and construction of the Bluff Water Storage Tank and associated water piping would be a qualifying project under ARP.

Analysis of Project

The City of Logan completed an update to its Water Master Plan in 2016. Within that plan is an analysis of the City's culinary water storage needs and situation. Using guidelines from the Utah Division of Drinking Water and Utah Administrative Code R309, a deficiency in water storage has been documented. The top priority storage project within the Master Plan is the Bluff Water Storage Tank and the associated transmission piping. This project is a major part of reducing the current water storage deficiency and increasing the reliability and availability of the City of Logan's culinary water system.

Conclusion

Per the interim rule, Logan City has identified the **need of constructing the Bluff Water Storage tank and associated supply piping** to maintain **a supply of clean drinking water**. This project will provide storage for a pressure zone that currently has no directly connected storage, provide redundancy to another pressure zone, significantly improve conveyance restrictions, and stabilize pressures within an area that experiences low water pressures during peak demands. We believe that this investment in infrastructure will address a specific pandemic public health need (e.g., **improving the availability of clean drinking water**).

Based on this analysis and interim rule guidance (and relying on the **broad latitude** granted in the interim rule) and also considering the State of Utah guidance regarding ARP projects, we believe that the design and construction of the Bluff Water Storage Tank does qualify as an ARP eligible project and should be proposed by the Mayor and subsequently approved by the Logan City Municipal Council.

Specific Proposal to Council

1. Design and construct the Bluff Water Storage Tank estimated to cost more than \$20,000,000
2. Use ARP funds to partially offset construction costs estimated to be \$6.5 M or all available funds after the construction of a new Fire Station 70.



NOTICE OF PUBLIC HEARING Logan Municipal Council

Resolution 21-46 - Consideration of a proposed American Rescue Plan Act Resolution to expend funds in support of the following significant Capital Projects: 1) \$9,000 for Administrative Support through the League of Cities and Towns; 2). \$7,000,000 for Fire Station 70; 3) \$6,806,781 for the Bluff Water Storage Tank Project. If any project or portion thereof were subsequently deemed ineligible, all remaining funds would be shifted to the Bluff Water Storage Tank Project.

Resolution 21-47 - The Municipal Council of the City of Logan, Utah will hold a public hearing to consider the following: \$9,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Hillcrest and Wilson Schools; \$65,000 a grant the Fire Department received from the State of Utah to be used to help pay for part time firefighter wages; \$2,780 funding the Communication Center received from the State of Utah for the EMS FY2022 grant to be used for medical related training for personnel; \$7,500 a donation received by the Police Department to be used for first aid kits; \$9,618 a grant the Fire Department received from the State of Utah to be used to purchase EMS equipment and for training of fire personnel; \$50,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Adams, Bridger, Ellis and Woodruff Schools; \$40,000 funds the City will receive from Cigna to be used to promote wellness among the City employees with activities, newsletters, and other wellness programs; \$14,929,958 funds for the completion of the Library project.

Said public hearings will be held on Tuesday, September 21, 2021, not before 5:30 p.m. in the Logan Municipal Council Chamber, 290 North 100 West, Logan, Utah.

Full texts of the resolutions are available for inspection at the Logan City Recorder's Office during regular business hours, on the Logan City Website at www.loganutah.org or the Utah Public Notice Website at <https://www.utah.gov/pmn/index.html>

Teresa Harris, City Recorder
435-716-9002
teresa.harris@loganutah.org



Entity: Logan

Body: Municipal Council

Subject: Budgeting

Notice Title: Budget Adjustment(s)

Meeting Location: 290 N 100 W

Logan UT 84321

Event Date & Time: September 21, 2021
September 21, 2021 05:30 PM

Description/Agenda:

The Municipal Council of the City of Logan, Utah will hold a public hearing to consider the following: \$9,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Hillcrest and Wilson Schools; \$65,000 a grant the Fire Department received from the State of Utah to be used to help pay for part time firefighter wages; \$2,780 funding the Communication Center received from the State of Utah for the EMS FY2022 grant to be used for medical related training for personnel; \$7,500 a donation received by the Police Department to be used for first aid kits; \$9,618 a grant the Fire Department received from the State of Utah to be used to purchase EMS equipment and for training of fire personnel; \$50,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Adams, Bridger, Ellis and Woodruff Schools; \$40,000 funds the City will receive from Cigna to be used to promote wellness among the City employees with activities, newsletters, and other wellness programs; \$14,929,958 funds for the completion of the Library project.

Consideration of a proposed American Rescue Plan Act Resolution to expend funds in support of the following significant Capital Projects: 1) \$9,000 for Administrative Support through the League of Cities and Towns; 2). \$7,000,000 for Fire Station 70; 3) \$6,806,781 for the Bluff Water Storage Tank Project. If any project or portion thereof were subsequently deemed ineligible, all remaining funds would be shifted to the Bluff Water Storage Tank Project

Said public hearing will be held on Tuesday, September 21, 2021, not before 5:30 p.m. in the Logan Municipal Council Chamber, 290 North 100 West, Logan, Utah.

Full text of the resolution is available for inspection at the Logan City Recorder's Office during regular business hours, on the Logan City Website at www.loganutah.org or the Utah Public Notice Website at <https://www.utah.gov/pmn/index.html>

Teresa Harris, City Recorder
435-716-9002

teresa.harris@loganutah.org

Notice of Special Accommodations: Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request.

Notice of Electronic or telephone participation: A council member may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A council member participating electronically will be connected to the meeting by telephone.

Other information:

Contact Information: Teresa Harris, City Recorder
(435)716-9002
teresa.harris@loganutah.org

Posted on: September 07, 2021 07:17 PM

Last edited on: September 07, 2021 07:17 PM

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