3200 W 300 N, West Point, UT 84015
801.776.0970

WEST POINT CITY COUNCIL
MEETING NOTICE & AGENDA
November 16th, 2021
WEST POINT CITY HALL

Mayor
Erik Craythorne
Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

THIS PUBLIC MEETING WILL BE HELD IN-PERSON AT WEST POINT CITY HALL AND ALSO ELECTRONICALLY.

The Public may attend the meeting electronically and comment when appropriate by:

- **Join Zoom Meeting at**: https://us02web.zoom.us/j/88079619234 *or*
- **Connect via Telephone:** Dial 1(669) 900-6833 and enter **Meeting ID:** 880 7961 9234

The public may attend this meeting in-person at West Point City Hall under the following Guidelines:

- *Use of face coverings is required for all those not fully vaccinated*
- *Avoid entering if they have a fever of 100.4° or above, cough, trouble breathing, sore throat, muscle aches and pains, sudden changes in smell or taste, or feel generally unwell*
- *Maintain 6-foot physical distancing & avoid physical contact*
- *Sneeze/cough into cloth, tissue, elbow or sleeve (not hands*
- *Wash hands often, and for at least 20 seconds)*

The public may also participate in the Citizen Comment and Public Hearing Items prior to the meeting via email:

Comments must be received prior to the 7PM City Council Meeting

- **Email**: carnold@westpointcity.org
  Subject Line: Must be designated as "Citizen Comment – November 16, 2021 City Council Meeting"
- **Email Body**: **Must** include First & Last Name and Address and a succinct statement of your comment.

ADMINISTRATIVE SESSION

5:30 PM – OPEN TO THE PUBLIC

1. **Discussion Regarding the 2022 West Point City Council Meeting Schedule –** *Ms. Casey Arnold* pg. 5
2. **Discussion Regarding Employee Health Insurance Renewal –** *Mr. Kyle Laws* pg. 8
3. **Discussion Regarding the Final Plat of the Wildfire Estates Subdivision Phase 4 –** *Mrs. Bryn MacDonald* pg. 10
4. **Discussion Regarding Final Plat Approval of Phase 2 of the Westlake Subdivision –** *Mrs. Bryn MacDonald* pg. 17
5. **Discussion Regarding Security Cameras –** *Mr. Kyle Laws & Mr. Paul Rochell* pg. 23
6. **Discussion Regarding Water Analysis Software –** *Mr. Boyd Davis* pg. 32
7. **Discussion Regarding the Water Conservation Report –** *Mr. Boyd Davis* pg. 39
8. **Discussion Regarding Land Use Code Changes –** *Mrs. Bryn MacDonald* pg. 49
9. **Discussion Regarding the "Terraform Annexation" Application –** *Mr. Kyle Laws* pg. 116
10. **Other Items**

GENERAL SESSION

7:00 PM – OPEN TO THE PUBLIC

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer** (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought)
4. **Communications and Disclosures from City Council and Mayor**
5. **Communications from Staff**
6. **Citizen Comment** *(Emailed comments received prior to the meeting using the instructions above will be read to the Council at this time)*
   - Please clearly state your name and address prior to commenting and keep comments to a maximum of 2 ½ minutes
   - Do not repeat positions already stated; public comment is a time for the Council to receive new information and perspectives
   - If attending the meeting in-person, please approach the podium
   - If attending the meeting electronically, use the "raise hand" icon if on a computer or dial *9 on the phone to indicate that you would like to make a comment; when it is your turn, the meeting host will unmute you.
7. **Consideration of Approval of the Minutes from the August 17, 2021 West Point City Council Meeting** pg. 142
8. **Consideration of Approval of the Minutes from the August 24, 2021 West Point City Council Meeting** pg. 160
9. **Consideration of Approval of Ordinance No. 11-16-2021A, Approving the 2022 Meeting Schedule of the West Point City Council –** *Ms. Casey Arnold* pg. 5
10. **Approval of the 2021 General Election Canvass –** *Ms. Casey Arnold* pg. 59
11. **Consideration of Approval of Resolution No. 11-16-2021A, Approving a Contract with Verkada for Security Cameras –** *Mr. Kyle Laws & Mr. Paul Rochell* pg. 23
12. **Consideration of Approval of the Final Plat for the Legacy Storage Subdivision (Located at Approximately 4200 W 1800 N) –** *Mrs. Bryn MacDonald* pg. 61
13. **Consideration of Approval of the Water Conservation Report –** *Mr. Boyd Davis* pg. 39
14. **Consideration of Approval of Ordinance No. 11-16-2021B, Adopting an Impact Fee Facilities Plan & Impact Fee Enactment for the Sanitary Sewer System –** *Mr. Boyd Davis* pg. 64
    a. **Public Hearing**
    b. **Action**
15. **Motion to Adjourn the General Session**

Posted this 12th day of November, 2021

Casey Arnold

CASEY ARNOLD, CITY RECORDER

TENTATIVE UPCOMING ITEMS

Date: 12/07/2021

Administrative Session – 6:00 pm

1. Code Enforcement Update

General Session – 7:00 pm

1. Youth Council Update
2. Consideration of Approval of the FY2021 Financial Audit for West Point City – Mr. Ryan Harvey
3. Consideration of Final Plat Approval of Phase 2 of the Westlake Estates Subdivision – Mrs. Bryn MacDonald
4. Consideration of Approval of Ordinance No. 12-07-2021A, Regarding Amendments to West Point City Code
    a. Public Hearing
    b. Action

Date: 12/21/2021

Administrative Session – 6:00 pm

General Session – 7:00 pm

Date: 01/03/2022

Swearing-In Ceremony

Date: 01/04/2022

Administrative Session – 6:00 pm

1. Youth Council Update

General Session – 7:00 pm

Date: 01/18/2022

Administrative Session – 6:00 pm

General Session – 7:00 pm

Date: TBD

CITY COUNCIL VISIONING SESSION

Date: 02/01/2022

Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Youth Council Update

Date: 02/15/2022

Administrative Session – 6:00 pm

General Session – 7:00 pm

Date: 03/01/2022

Administrative Session – 6:00 pm

General Session – 7:00 pm

1. Youth Council Update
2. Update from the Davis County Sheriff's Office

Date: 03/15/2022

Administrative Session – 6:00 pm

General Session – 7:00 pm

WEST POINT CITY 2021 CALENDAR

2021

JANUARY

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FEBRUARY

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OCTOBER

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NOVEMBER

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DECEMBER

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*UPDATED AS OF NOVEMBER 8, 2021

IMPORTANT DATES

JANUARY

- 1 New Year's Day - CLOSED
- 5 City Council - 6 PM
- *11 Senior Lunch - CANCELED*
- 14 Planning Commission - 6 PM
- 18 MLK Jr. Day - CLOSED
- 19 City Council - 6 PM
- 28 Planning Commission - 6 PM
- TBD City Council Planning & Visioning Session

FEBRUARY

- 2 City Council - 6 PM
- *8 Senior Lunch - CANCELED*
- 11 Planning Commission - 6 PM
- 15 President's Day - CLOSED
- 16 City Council - 6 PM
- 25 Planning Commission - 6 PM

MARCH

- 2 City Council - 6 PM
- 11 Planning Commission - 6 PM
- *15 Senior Lunch - CANCELED*
- 16 City Council - 6 PM
- 25 Planning Commission - 6 PM

APRIL

- TBD EASTER EGG HUNT - 10 AM
- 6 City Council - 6 PM
- 8 Planning Commission - 6 PM
- *12 Senior Lunch - CANCELED*
- 20 City Council - 6 PM
- 22 Planning Commission - 6 PM

MAY

- TBD TAKE PRIDE IN WEST POINT
- 4 City Council - 6 PM
- 6 CEMETERY CLEANING
- 13 Planning Commission - 6 PM
- *17 Senior Lunch - CANCELED*
- 18 City Council - 6 PM
- 27 Planning Commission - 6 PM
- 31 Memorial Day - CLOSED

JUNE

- TBD MISS WEST POINT PAGEANT
- 1 City Council - 6 PM
- 10 Planning Commission - 6 PM
- *14 Senior Lunch - CANCELED*
- 15 City Council - 6 PM
- 24 Planning Commission - 6 PM

JULY

- 2-3 PARTY AT THE POINT EVENTS
- 5 Independence Holiday - CLOSED
- 6 City Council - 6 PM
- 8 Planning Commission - 6 PM
- *12 Senior Lunch - CANCELED*
- 20 City Council - 6 PM
- 22 Planning Commission - 6 PM
- 23 Pioneer Day Holiday - CLOSED

AUGUST

- 3 City Council - 6 PM
- 12 Planning Commission - 6 PM
- 17 City Council - 6 PM
- 18 Summer Party 5:30 - 7 PM
- 20 Senior Dinner - 5:30 PM
- 24 Special City Council Meeting - 7 P
- 26 Planning Commission - 6 PM

SEPTEMBER

- 6 Labor Day - CLOSED
- 7 City Council - 6 PM
- 9 Planning Commission - 6 PM
- 13 Senior Lunch - 11:30 AM
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM

OCTOBER

- 4 Senior Lunch - 11:30 AM
- 5 City Council - 6 PM
- 7 CEMETERY CLEANING
- 11 Employee Training - CLOSED
- 14 Planning Commission - 6 PM
- 15 HALLOWEEN CARNIVAL - 7 PM
- 19 City Council - 6 PM
- 20 Council/Staff Lunch - 11:30 AM
- 22-23 ANNUAL FALL CLEAN-UP
- 28 Planning Commission - 6 PM

NOVEMBER

- 2 ELECTION DAY
- 6 FLAGS ON VETERANS' GRAVES
- 11 Veterans Day - CLOSED
- 15 Senior Lunch - 11:30 AM
- 16 City Council - 6 PM
- 18 Planning Commission - 6 PM
- 25-26 Thanksgiving - CLOSED
- 29 CITY HALL LIGHTING - 6 PM

DECEMBER

- 3 Christmas Party - 7 PM
- 6 CHILD REMEMBRANCE - 7 PM
- 7 City Council - 6 PM
- 9 Planning Commission - 6 PM
- 13 Senior Lunch - 11:30 AM
- 17 CEMETERY LUMINARY - 4 PM
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM
- 24-27 Christmas Holiday - CLOSED
- 31 New Year's Holiday - CLOSED

WEST POINT CITY

2022 CALENDAR

2022

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FEBRUARY

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MARCH

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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*UPDATED AS OF NOVEMBER 3, 2021

IMPORTANT DATES

JANUARY

- 3 Swearing-In Ceremony - 12 PM
- 4 City Council - 6 PM
- 10 Senior Lunch - 11:30 AM
- 12 Council/Staff Lunch - 11:30 AM
- 13 Planning Commission - 6 PM
- 17 MLK Jr. Day - CLOSED
- 18 City Council - 6 PM
- 27 Planning Commission - 6 PM
- TBD City Council Planning & Visioning Session

FEBRUARY

- 1 City Council - 6 PM
- 7 Senior Lunch - 11:30 AM
- 10 Planning Commission - 6 PM
- 15 City Council - 6 PM
- 21 President's Day - CLOSED
- 24 Planning Commission - 6 PM

MARCH

- 1 City Council - 6 PM
- 10 Planning Commission - 6 PM
- 14 Senior Lunch - 11:30 AM
- 15 City Council - 6 PM
- 24 Planning Commission - 6 PM

APRIL

- TBD ANNUAL SPRING CLEAN-UP
- 5 City Council - 6 PM
- 11 Senior Lunch - 11:30 AM
- 14 Planning Commission - 6 PM
- 16 EASTER EGG HUNT - 10 AM
- 19 City Council - 6 PM
- 28 Planning Commission - 6 PM

MAY

- TBD TAKE PRIDE IN WEST POINT
- 3 City Council - 6 PM
- 5 CEMETERY CLEANING
- 11 Council/Staff Lunch - 11:30 AM
- 12 Planning Commission - 6 PM
- 16 Senior Lunch - 11:30 AM
- 17 City Council - 6 PM
- 26 Planning Commission - 6 PM
- 30 Memorial Day - CLOSED

JUNE

- 4 MISS WEST POINT PAGEANT
- 7 City Council - 6 PM
- 9 Planning Commission - 6 PM
- 13 Senior Lunch - 11:30 AM
- 17 MOVIE IN THE PARK - DUSK
- 21 City Council - 6 PM
- 23 Planning Commission - 6 PM

JULY

- 2 & 4 PARTY AT THE POINT EVENTS
- 5 Independence Day Holiday - CLO
- 14 Planning Commission - 6 PM
- 15 MOVIE IN THE PARK - DUSK
- 18 Senior Lunch - 11:30 AM
- 19 City Council - 6 PM
- 25 Pioneer Day Holiday - CLOSED
- 28 Planning Commission - 6 PM

AUGUST

- TBD Summer Party 5:30 - 7 PM
- 2 City Council - 6 PM
- 11 Planning Commission - 6 PM
- 12 MOVIE IN THE PARK - DUSK
- 16 City Council - 6 PM
- 19 Senior Dinner - 5:30 PM
- 25 Planning Commission - 6 PM

SEPTEMBER

- 5 Labor Day - CLOSED
- 6 City Council - 6 PM
- 8 Planning Commission - 6 PM
- 12 Senior Lunch - 11:30 AM
- 20 City Council - 6 PM
- 22 Planning Commission - 6 PM

OCTOBER

- TBD ANNUAL FALL CLEAN-UP
- 4 City Council - 6 PM
- 6 CEMETERY CLEANING
- 10 Employee Training - CLOSED
- 13 Planning Commission - 6 PM
- 14 HALLOWEEN CARNIVAL - 7 PM
- 17 Senior Lunch - 11:30 AM
- 18 City Council - 6 PM
- 19 Council/Staff Lunch - 11:30 AM
- 27 Planning Commission - 6 PM

NOVEMBER

- 1 ELECTION DAY
- 5 FLAGS ON VETERANS' GRAVES
- 10 Planning Commission - 6 PM
- 11 Veterans Day - CLOSED
- 14 Senior Lunch - 11:30 AM
- 15 City Council - 6 PM
- 24-25 Thanksgiving - CLOSED
- 28 CITY HALL LIGHTING - 6 PM

DECEMBER

- 2 Christmas Party - 7 PM
- 6 CHILD REMEMBRANCE - 7 PM
- 6 City Council - 6 PM
- 8 Planning Commission - 6 PM
- 12 Senior Lunch - 11:30 AM
- 20 City Council - 6 PM
- 22 Planning Commission - 6 PM
- 23 CEMETERY LUMINARY - 4 PM
- 26-27 Christmas Holiday - CLOSED

CITY COUNCIL STAFF REPORT

Subject: 2022 City Council Meeting Schedule
Author: Casey Arnold
Department: Executive
Meeting Date: November 16, 2021

Background

The West Point City Council has traditionally met on the 1st and 3rd Tuesdays of each month to consider and deliberate matters of the City. As required by State Law, municipalities must provide advance notice to the public of the date, time, and location for the holding of their regular meetings.

Analysis

Utah State Code §10-3-502(a) states that by ordinance, a municipality must approve their annual meeting schedule, complete with dates, times, and locations listed. To comply with State Statute and provide adequate notice to the public, the West Point City Council Meeting Schedule for 2022 must be adopted by ordinance. The proposed ordinance and 2022 meeting schedule is attached hereto and will be reviewed with the Council at the meeting.

Recommendation

Staff recommends the adoption of Ordinance No. 11-16-2021A, Setting the 2022 Meeting Schedule for the West Point City Council.

Significant Impacts

The Council will continue to meet regularly on the 1st and 3rd Tuesdays of each month throughout 2022, unless otherwise noticed.

Attachments

Ordinance No. 11-16-2021A
2022 West Point City Council Meeting Schedule

ORDINANCE NO. 11-16-2021A

AN ORDINANCE SETTING THE WEST POINT CITY COUNCIL MEETING SCHEDULE FOR CALENDAR YEAR 2022

WHEREAS, West Point City, a Municipal Corporation, hereafter referred to as the "City," is a public body of the State of Utah; and

WHEREAS, the City is governed by a Mayor and City Council duly elected according to law; and

WHEREAS, the City Council has traditionally met to consider and deliberate matters of City business on the first and third Tuesdays of every month; and

WHEREAS, the City is required by UCA §10-3-502 to set the schedule and venue of these regular meetings of the City Council by ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, UTAH as follows:

The Mayor and City Council of West Point City, Davis County, State of Utah, hereby set the City Council Meeting Schedule for the Calendar Year 2022, as put forth in Exhibit A, attached and included hereto.

This Ordinance shall become effective immediately upon passage.

Passed and adopted this 16th day of November, 2021

WEST POINT CITY, a Municipal Corporation

BY: _____
ERIK CRAYTHORNE,
MAYOR

ATTEST:

_____
CASEY ARNOLD,
CITY RECORDER

WEST POINT CITY COUNCIL 2022 MEETING SCHEDULE

WEST POINT CITY HALL

3200 W 300 N, West Point City UT 84015

LOCATIONS, DATES, TIMES, AND CONSIDERED ITEMS ARE SUBJECT TO CHANGE

Date	Time	Consideration/Significance of Day
January 3, 2022	12:00 PM	Swearing In Ceremony of Newly Elected Officials
January 4, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
January 18, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
January, 2022	*TBD*	*City Council Annual Planning and Visioning Session - Date, Time & Location TBD*
February 1, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
February 15, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
March 1, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
March 16, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
April 5, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
April 19, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
May 3, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Discussion of the FY2022 Amended Budget & FY2023 Tentative Budget for West Point City & CDRA
May 17, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Discussion of FY2023 Tentative Budgets for West Point City & CDRA, Public Hearing & Adoption of the FY2022 Amended Budget
June 7, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Public Hearing and Adoption of FY2023 Tentative Budget for West Point City & CDRA
June 21, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Discussion of FY2023 Final Budget & 2022 Property Tax Rate Public Hearing and Adoption of FY2023 CDRA Final Budget
~~July 5, 2022~~	*Canceled*	*Independence Day Holiday - City Hall Closed*
July 19, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
August 2, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Discussion of FY2023 Final Budget & 2022 Property Tax Rate for West Point City
August 16, 2022	6:00 PM - Administrative Session	Discussion of FY2023 Final Budget & 2022 Property Tax Rate for West Point City
	7:00 PM - SPECIAL BUDGET MEETING	Public Hearing & Adoption of 2022 Property Tax Rate Public Hearing & Adoption of FY2023 Final Budget
	7:30 (appx.) - General Session	*General Session Immediately Following Special Budget Meeting
September 6, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
September 20, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
October 4, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
October 18, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
November 1, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
November 15, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	Discussion and Approval of 2023 City Council Meeting Schedule
December 6, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	
December 20, 2022	6:00 PM - Administrative Session 7:00 PM - General Session	

CITY COUNCIL STAFF REPORT

Subject: Employee Health Insurance Renewal
Author: Kyle Laws
Department: Executive
Meeting Date: November 16, 2021

Background

Each year we are presented with the renewal for employee health insurance. Once we get the renewal from PEHP, our insurance broker, Keyes Insurance Services, Inc., puts together a package showing how our plan lines up with other insurance providers in the market. We do this each year to make sure there isn't something better out there.

Analysis

As mentioned above, the City's current health insurance provider is PEHP, and the renewal this year to stay with our existing plan for medical insurance is 4.7%. This current plan is a high deductible plan with a Health Savings Account (HSA). The current premium share with employees is 90/10, with the City paying 90% and the employee paying 10%. The City also contributes $5,000 per year to employees with family coverage and $2,500 per year for individual coverage to the employees' HSA. The dental insurance renewal has a 1.7% increase. The table below summarizes the health insurance plan:

	PEHP Current - STAR Opt 4	
	In - Network	Out-Of-Network
DEDUCTIBLE		
Per Person	$2,500	
Per Family	$5,000	
OUT-OF-POCKET MAX		
Per Person	$2,500	
Per Family	$5,000	
LIFETIME PLAN MAXIMUM	Unlimited	
PROFESSIONAL OFFICE SERVICES		
OFFICE VISITS PCP	Covered 100% AD	20% AD
OFFICE VISITS SCP	Covered 100% AD	20% AD
HOSPITAL SERVICES		
HOSPITALIZATION		
Inpatient	Covered 100% AD	20% AD
Outpatient	Covered 100% AD	20% AD
EMERGENCY ROOM	Covered 100% AD	
URGENT CARE	Covered 100% AD	20% AD
OTHER BENEFITS		
PREVENTATIVE CARE Routine exams, hearing	Covered 100%	20% AD
MENTAL / DRUG		
Office Visit	Covered 100% AD	20% AD
Inpatient	Covered 100% AD	20% AD
PRESCRIPTION DRUGS Generic / Brand Name / Non Preferred	Covered 100% AD	

The total annual cost went from $232,943.76 to $243,897.48. As we went through the budget process in June we budgeted for a 12% increase knowing that we wouldn't just take a 12% increase without looking at other options. So the impact to the City budget is significantly less than was budgeted.

There were a few renewal options provided by Keyes. One of them could save about $30,000 annually but would require us to change providers, networks, and doctors. While this is possible, the plan is significantly different from our current plan with a $10,000 family deductible and out of pocket maximum for in-network claims and $40,000 for out-of-network claims, and has a coinsurance requirement after the deductible; whereas, our current plan is $5,000 for both in-network and out-of-network claims, which no charge after the deductible is met. With a relatively low renewal on the existing plan, it would be my recommendation to avoid plan changes and accept the 4.7% increase to keep things where they are.

Recommendation

Having seen the results from bidding out our insurance, and taking into account the changes to the plan to get a smaller increase, my recommendation is to stay with the current plan with PEHP, resulting in a 4.7% increase.

Significant Impacts

The impact of this decision is a savings to the budgeted amount for health insurance. As mentioned we budgeted for a 12% increase and we will end up with a 4.7% increase.

Attachments

None

CITY COUNCIL STAFF REPORT

Subject: Discussion of Final Plat for Wildfire Ph 4
Author: Bryn MacDonald
Department: Community Development
Meeting Date: November 6, 2021

Background

Mark Sandberg, who represents Wildfire Estates, LLC, is seeking final plat approval for Wildfire Estates Phase 4. This development is located at approximately 50 South and 4500 West. The Planning Commission gave preliminary approval for the entire subdivision on December 13, 2018. Prior to that approval this development was rezoned to R-1 Residential with a PVFD overlay zone that was approved by the City Council on November 6, 2018.

The applicant received approval for an amendment to phase 4 during the Planning Commission meeting on October 28, 2021. The amendment was to remove a proposed stub road to an adjacent property. No additional lots were approved.

Analysis

The applicant is seeking final plat approval for Wildfire Phase 4. This phase consists of 17 lots, ranging in size from 12,060 square feet to 35,981 square feet.

Staff has reviewed the plans submitted and has provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed. We are still waiting to receive all of the required approval letters.

The subdivision ordinance requires only one phase be built at a time, unless an exception is granted by the City Council. On March 16, 2021, the City Council approved an exception to allow phases 2 and 3 be constructed at the same time. Phase 2 is now recorded and 50 percent of the building permits have been issued. The applicant will now need an exception to allow phases 3 and 4 to be constructed at the same time.

Phase 1	18 lots	18 building permits
Phase 2	21 lots	11 building permits
Phase 3	19 lots	Under construction
Phase 4	17 lots	Seeking approval

Recommendation

This item is on for discussion only. No action is required at this time.

Significant Impacts

N/A

Attachments

Plans

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's **below.** **Call** before you dig.

WILDFIRE ESTATES SUBDIVISION
PHASE 4

200 SOUTH 4700 WEST
WEST POINT CITY, UTAH

FOR APPROVAL
NOT FOR CONSTRUCTION

DATE PRINTED
August 23, 2021

INDEX OF DRAWINGS

1 OF 1	SUBDIVISION PLAT
C-001	GENERAL NOTES
C-002	OVERALL DEVELOPMENT SITE PLAN
C-100	GRADING PLAN
C-101	DRAINAGE PLAN
C-102	STORM DRAIN CALCULATIONS
C-200	UTILITY PLAN
C-300	EROSION CONTROL PLAN
PP-1	75 NORTH STREET PLAN AND PROFILE
PP-2	75 NORTH STREET PLAN AND PROFILE
PP-3	25 NORTH STREET PLAN AND PROFILE
C-400	DETAILS

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

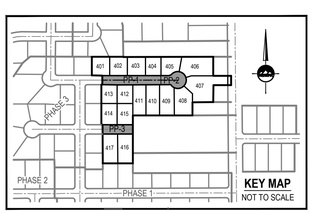
CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

NOTICE TO DEVELOPER/ CONTRACTOR

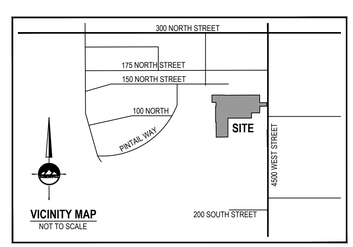
UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



KEY MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO WEST POINT CITY STANDARDS AND SPECIFICATIONS, AND WHERE APPLICABLE DAVIS AND WEBER CANAL COMPANY STANDARDS AND SPECIFICATIONS, HOOPER WATER IMPROVEMENT DISTRICT STANDARDS AND SPECIFICATIONS AND HOOPER IRRIGATION COMPANY STANDARDS AND SPECIFICATIONS.
2. CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.
3. BENCHMARK ELEVATION = NORTH QUARTER CORNER SECTION 6, T4N, R2W SALT LAKE BASE & MERIDIAN ELEV. = 4236.90

APPROVED FOR CONSTRUCTION

BY: _____ DATE: _____
CITY ENGINEER

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
BARLOW REALTY
377 NORTH MAIN STREET
LAYTON, UTAH 84041
CONTACT:
DUNCAN BARLOW
PHONE: 801-898-0643

WILDFIRE ESTATES SUBDIVISION
PHASE 4
200 SOUTH 4700 WEST
WEST POINT, UTAH

PROFESSIONAL ENGINEER
REGISTERED
No. 11264838-2202
8-23-2021
STATE OF UTAH
TRAVIS JAMES SHAFFER

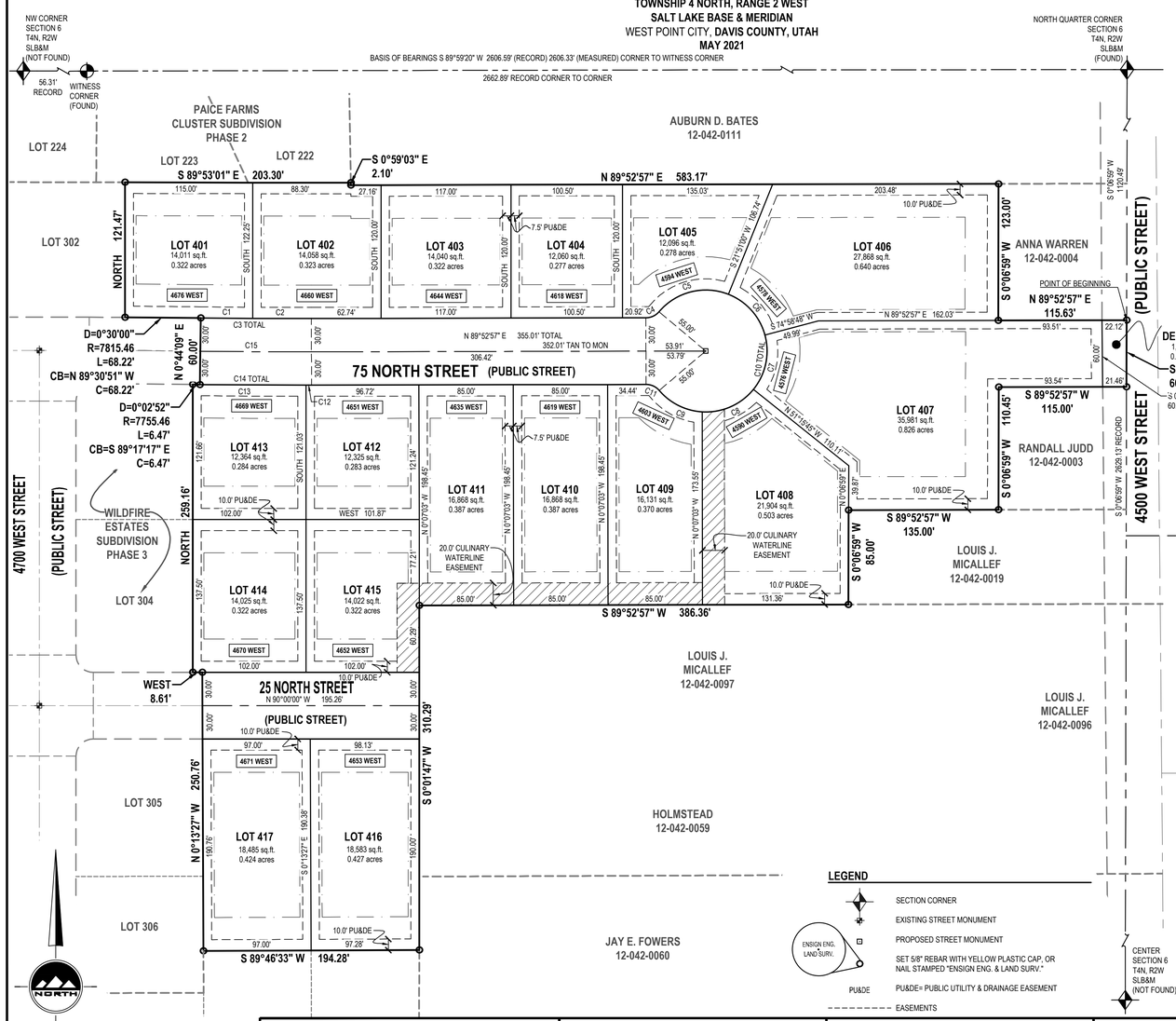
NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

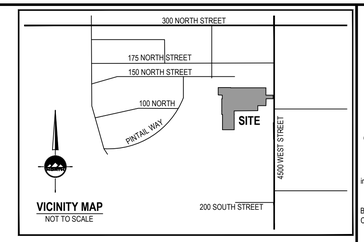
COVER

PROJECT NUMBER L2365	PRINT DATE 8/23/21
DRAWN BY J.MOSS	CHECKED BY T.SHAFFER
PROJECT MANAGER C.PRESTON	

WILDFIRE ESTATES SUBDIVISION - PHASE 4

LOCATED IN THE NORTH HALF OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, **DAVIS COUNTY, UTAH**
MAY 2021





VICINITY MAP
NOT TO SCALE

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	6683.67'	46.79'	0°24'04"	S89°27'53"E	46.79'
C2	6683.67'	52.76'	0°27'08"	S89°53'29"E	52.76'
C3	6683.67'	99.55'	0°51'12"	S89°41'27"E	99.55'
C4	15.50'	13.47'	49°48'18"	N64°58'48"E	13.05'
C5	55.00'	68.90'	71°46'21"	S75°57'49"W	64.48'
C6	55.00'	51.00'	53°07'48"	N41°35'06"W	49.19'
C7	55.00'	51.60'	53°45'27"	N11°51'32"E	49.73'
C8	55.00'	52.39'	54°34'36"	N66°01'33"E	50.43'
C9	55.00'	44.52'	46°22'25"	S63°29'57"E	43.31'
C10	55.00'	268.41'	279°36'37"	N0°07'03"W	70.99'
C11	15.50'	13.47'	49°48'18"	N65°12'54"W	13.05'
C12	6743.67'	4.91'	0°02'30"	N89°54'12"E	4.91'
C13	6743.67'	95.54'	0°48'42"	S89°40'12"E	95.54'
C14	6743.67'	100.44'	0°51'12"	S89°41'27"E	100.44'
C15	6713.67'	100.00'	0°51'12"	S89°41'27"E	100.00'

GENERAL NOTES:

1. PROPERTY IS ZONED R-1.
   A. FRONT YARD SETBACK IS 30' ON ALL LOTS'.
   B. REAR YARD SETBACK IS 30'
   C. SIDE YARD SETBACK IS 10'
   D. CORNER LOT SIDE YARD SETBACK IS 20' ARTERIAL STREET MINIMUM SIDE YARD.
2. ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 7.5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
3. UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.
4. THE LOTS ARE LOCATED IN THE LAND DRAIN ZONE C IN WEST POINT CITY. FOUNDATION DRAINS AND SUMP PUMPS WILL BE REQUIRED ON ALL HOMES WITH BASEMENTS.
5. PROTECT ALL EXISTING SECTION CORNERS AND STREET MONUMENTS. COORDINATE ALL SURVEY STREET MONUMENT INSTALLATION, GRADE ADJUSTMENT AND ALL REQUIRED FEES AND PERMITS WITH THE COUNTY SURVEYOR PRIOR TO DISRUPTION OF ANY EXISTING MONUMENTS
6. 5/8" X 24" REBAR AND CAP WILL BE PLACED AT ALL REAR LOT CORNERS AND FRONT LOT CORNERS WILL BE MARKED WITH A NAIL OR RIVET AT THE EXTENSION IN THE CURB.
7. LANDSCAPED ISLANDS WILL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION.

LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- PU&DE — PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS

ENSIGN ENG. LAND SURV.

DEVELOPER
WILDFIRE ESTATES L.L.CL.
377 NORTH MAIN STREET
LAYTON, UT 84041
801-898-0643

SURVEY RECORDING DATA
DATE: _____
DRAWING No. _____

SURVEYOR'S CERTIFICATE

I, **TRENT. R. WILLIAMS** do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. **8034679** as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **WILDFIRE ESTATES SUBDIVISION - PHASE 4** and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land, situate in the North Half of Section 6, Township 4 North, Range 2 West, Salt Lake Base and Meridian, said parcel also located in Davis County, Utah. Being more particularly described as follows:

Beginning at a point on the North-South Quarter Section line of said Section 6, said point being South 00°06'59" West 1120.49 feet (NAD83 Basis of Bearing being South 00°27'52" West between the North Quarter Corner and the Center Quarter Corner of Section 6 according to the Davis County Township Reference Plat) from the North Quarter Corner of said Section 6 and running thence:

South 0°06'59" West 60.00 feet along said quarter section line;

thence South 89°52'57" West 115.00 feet;

thence South 0°06'59" West 110.45 feet;

thence South 89°52'57" West 135.00 feet;

thence South 0°06'59" West 85.00 feet;

thence South 89°52'57" West 386.36 feet;

thence South 0°01'47" West 310.29 feet;

thence South 89°46'33" West 194.28 feet to a point on the East Line of Wildfire Estates Subdivision Phase 3;

thence northerly along said East Line of Wildfire Estates Subdivision Phase 3 and following seven (7) courses and distances:

1) North 00°13'27" West 250.76 feet;
2) West 8.61 feet;
3) North 259.16 feet;
4) thence easterly 6.47 feet along the arc of a 7755.46-foot radius non-tangent curve to the right (the long chord bears South 89°17'17" East 6.47 feet with a central angle of 00°02'52");
5) thence North 0°44'09" East 60.00 feet;
6) thence westerly 68.22 feet along the arc of a 7815.46-foot radius non-tangent curve to the left (the long chord bears North 89°30'51" West 68.22 feet with a central angle of 0°30'00");
7) thence North 121.47 feet to point on the South line of Paice Farms Cluster Subdivision Phase 2;

thence South 89°53'01" East 203.30 feet along said South Line of Paice Farms Cluster Subdivision Phase 2;

thence South 0°59'03" East 2.10 feet;

thence North 89°52'57" East 583.17 feet;

thence South 0°06'59" West 123.00 feet;

thence North 89°52'57" East 115.63 feet to the Point of Beginning.

Contains: 338,408 square feet or 7.77 acres.

_____
Date:
Trent R. Williams, PLS
License no. 8034679

OWNER'S DEDICATION

Known all men by these presents that I, the undersigned owner of the above described tract of land, having caused same to be subdivided, hereafter known as the

WILDFIRE ESTATES SUBDIVISION - PHASE 4

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.
In witness whereof I have hereunto set my hand this_____day of_____A.D., 20_____.

_____ _____
By:WILDFIRE ESTATES LLC
By: DON SANDBERG
IT'S: MANAGER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH)S.S.
County of Davis

On the _____ day of _____ A.D., 20____, DON SANDBERG , personally appeared before me, the undersigned Notary Public, in and for said County of DAVIS in the State of Utah, who after being duly sworn, acknowledged to me that He is the MANAGER of WILDFIRE ESTATES LLC a Limited Liability Company and that He signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES:_____,

_____ RESIDING IN_____ COUNTY.
NOTARY PUBLIC

WILDFIRE ESTATES SUBDIVISION - PHASE 4

LOCATED IN THE NORTH HALF
OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS_____ DAY OF _____ 20_____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE

_____
DAVIS COUNTY RECORDER
BY _____
DEPUTY RECORDER

HORIZONTAL GRAPHIC SCALE
60 0 30 60 120
(IN FEET)
HORZ: 1 inch = 60 ft.

ENSIGN

LAYTON
919 North 400 West
Layton UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

WWW.ENSIGNENG.COM

SALT LAKE CITY
Phone: 801.255.0529
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.896.2983

CITY ATTORNEY'S APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____,
BY THE WEST POINT CITY ATTORNEY.
_____
WEST POINT CITY ATTORNEY

PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____,
BY THE CITY PLANNING COMMISSION APPROVAL
_____
CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____,
BY THE WEST POINT CITY ENGINEER
_____
WEST POINT CITY ENGINEER

CITY COUNCIL APPROVAL
APPROVED THIS _____ DAY OF _____, 20_____,
BY THE WEST POINT CITY COUNCIL
_____
CITY RECORDER CITY MAYOR

SHEET 1 OF 1
PROJECT NUMBER : L2365
MANAGER : C.PRESTON
DRAWN BY : J.MOSS
CHECKED BY : T.WILLIAMS
DATE : 8/23/21

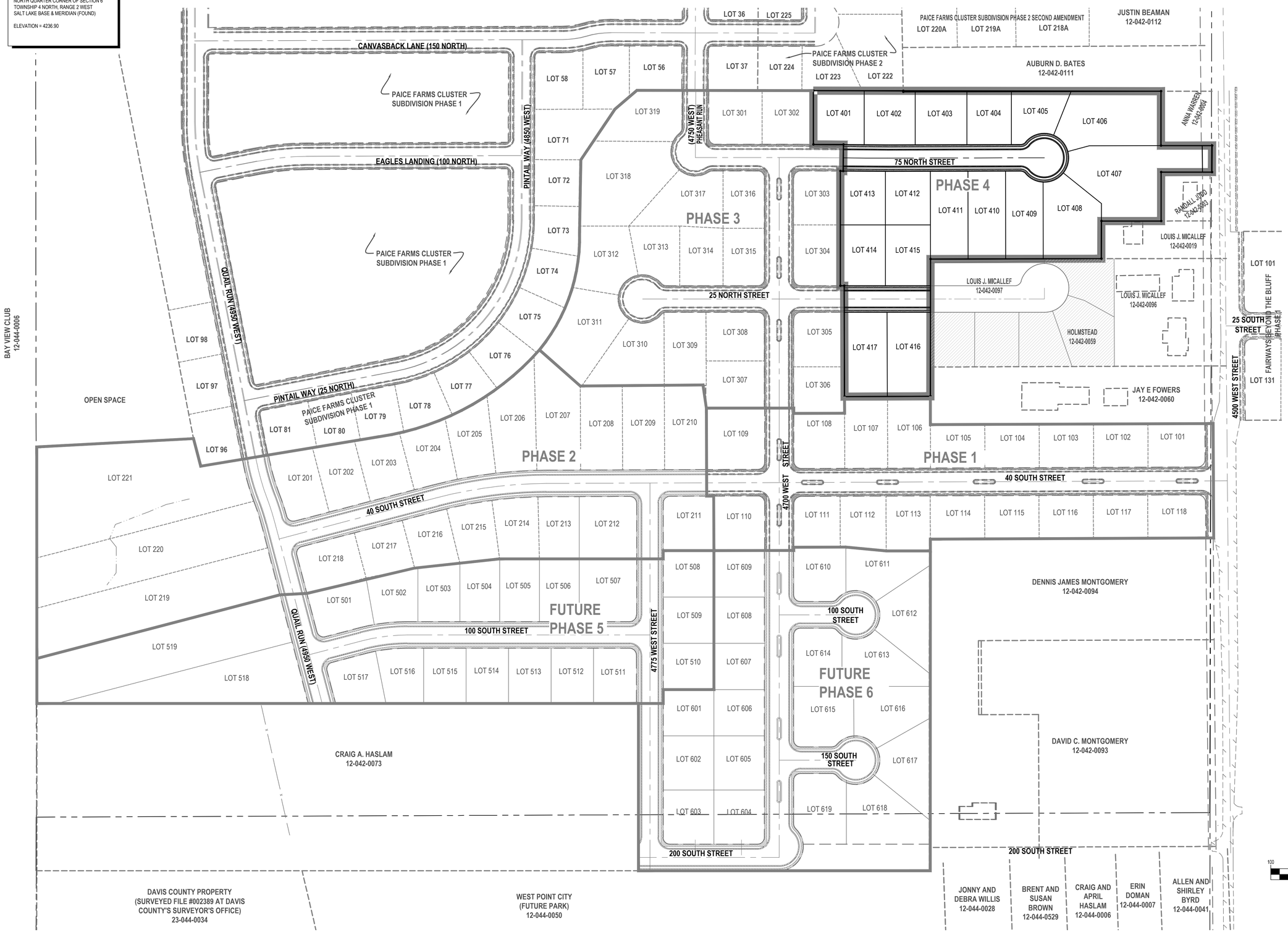
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

BENCHMARK

NORTH QUARTER CORNER OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN (FOUND)

ELEVATION = 4236.90



ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

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WWW.ENSIGNENG.COM

FOR:
BARLOW REALTY
377 NORTH MAIN STREET
LAYTON, UTAH 84041
CONTACT:
DUNCAN BARLOW
PHONE: 801-898-0643

WILDFIRE ESTATES SUBDIVISION PHASE 4

200 SOUTH 4700 WEST
WEST POINT, UTAH

PROFESSIONAL ENGINEER
REGISTERED
No. 11264838-2202
8-23-2021
STATE OF UTAH
TIMOTHY JAMES SHAFFER

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

OVERALL DEVELOPMENT SITE PLAN

PROJECT NUMBER: L2365
PRINT DATE: 8/23/21
DRAWN BY: J.MOSS
CHECKED BY: T.SHAFFER
PROJECT MANAGER: C.PRESTON

C-002

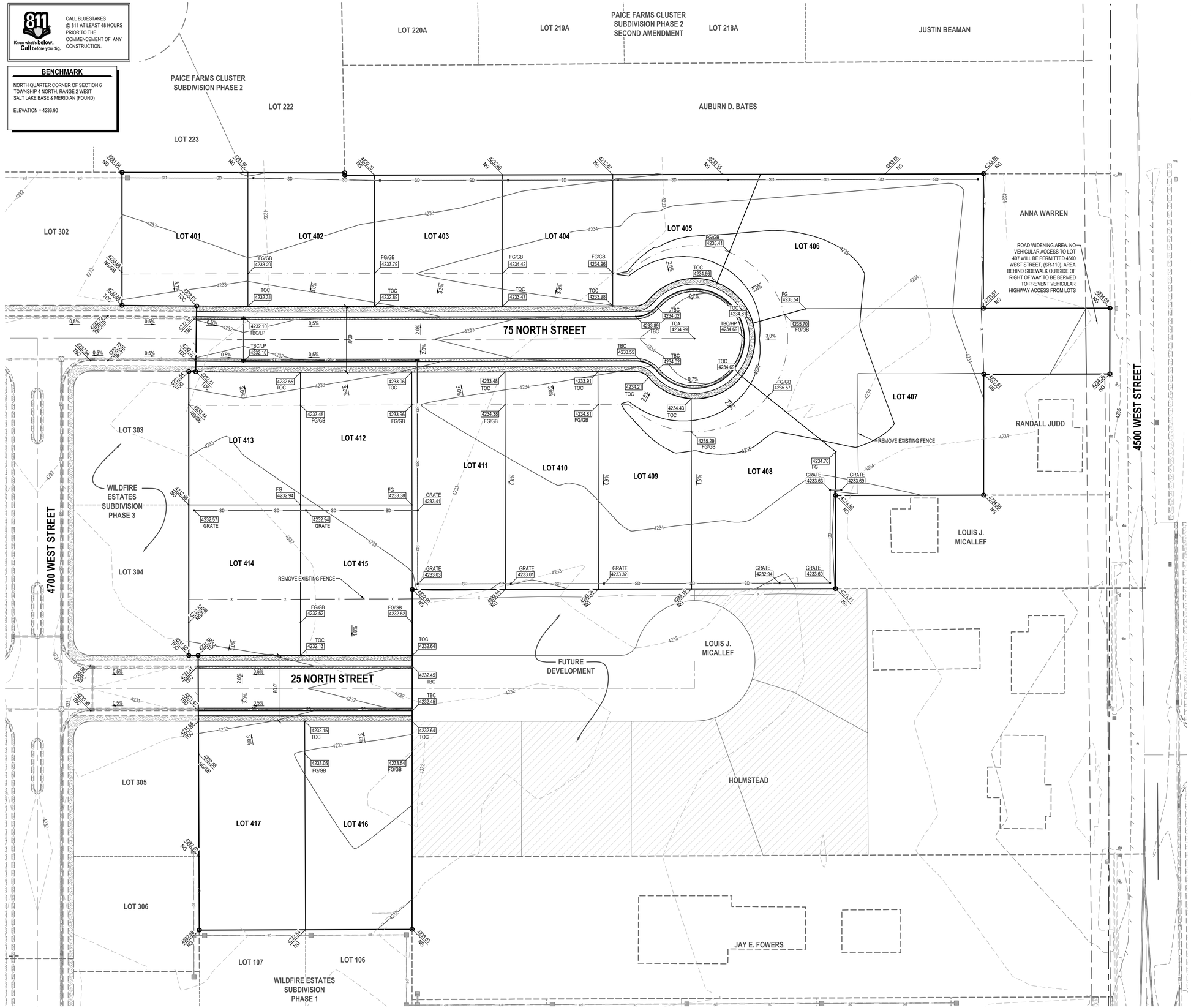
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

811 Know what's below. Call before you dig.

BENCHMARK

NORTH QUARTER CORNER OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN (FOUND)

ELEVATION = 4236.90



GENERAL NOTES

1. ALL WORK TO COMPLY WITH WEST POINT CITY STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
5. LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
6. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
7. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
8. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER WEST POINT CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.
9. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
10. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
11. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
12. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
13. ALL SUMP PUMPS WILL BE PLACED AT THE CORNER OF THE HOME SITUATED CLOSEST TO THE YARB BOX. DISCHARGE LINES WILL CONNECT TO THE YARD BOX AT EACH LOT CORNER.
14. ALL LOTS WILL BE GRADED TO DRAIN FRONT YARDS TO THE PUBLIC STREET AND SIDE/REAR YARDS TO THE YARD BOX AT THE BACK OF THE LOT.
15. NO DETENTION BASIN IS REQUIRED IN THIS PHASE. A DETENTION BASIN WAS CONSTRUCTED IN WILDFIRE PHASE 1 AND ALL STORM RUNOFF WATER FROM WILDFIRE PHASE 3 IS PIPED TO THAT EXISTING BASIN.
16. ALL FILL MATERIAL MUST BE IMPORTED AND COMPACTED TO MEET WEST POINT CITY STANDARDS AND SPECIFICATIONS.
17. ALL DITCHES ON THE PROPERTY MUST BE EITHER DIVERTED TO STORM DRIAN INLETS OR ABANDONED.

NORTH

HORIZONTAL GRAPHIC SCALE

40 0 20 40 80

(IN FEET)
HORZ: 1 inch = 40 ft.

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
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WWW.ENSIGNENG.COM

FOR:
BARLOW REALTY
377 NORTH MAIN STREET
LAYTON, UTAH 84041
CONTACT:
DUNCAN BARLOW
PHONE: 801-898-0643

WILDFIRE ESTATES SUBDIVISION PHASE 4

200 SOUTH 4700 WEST
WEST POINT, UTAH

PROFESSIONAL ENGINEER
REGISTERED
No. 11244838-2202
8-23-2021
STATE OF UTAH
TIMOTHY JAMES SHAFFER

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

GRADING PLAN

PROJECT NUMBER L2365	PRINT DATE 8/24/21
DRAWN BY J.MOSS	CHECKED BY T.SHAFFER
PROJECT MANAGER C.PRESTON	

C-100

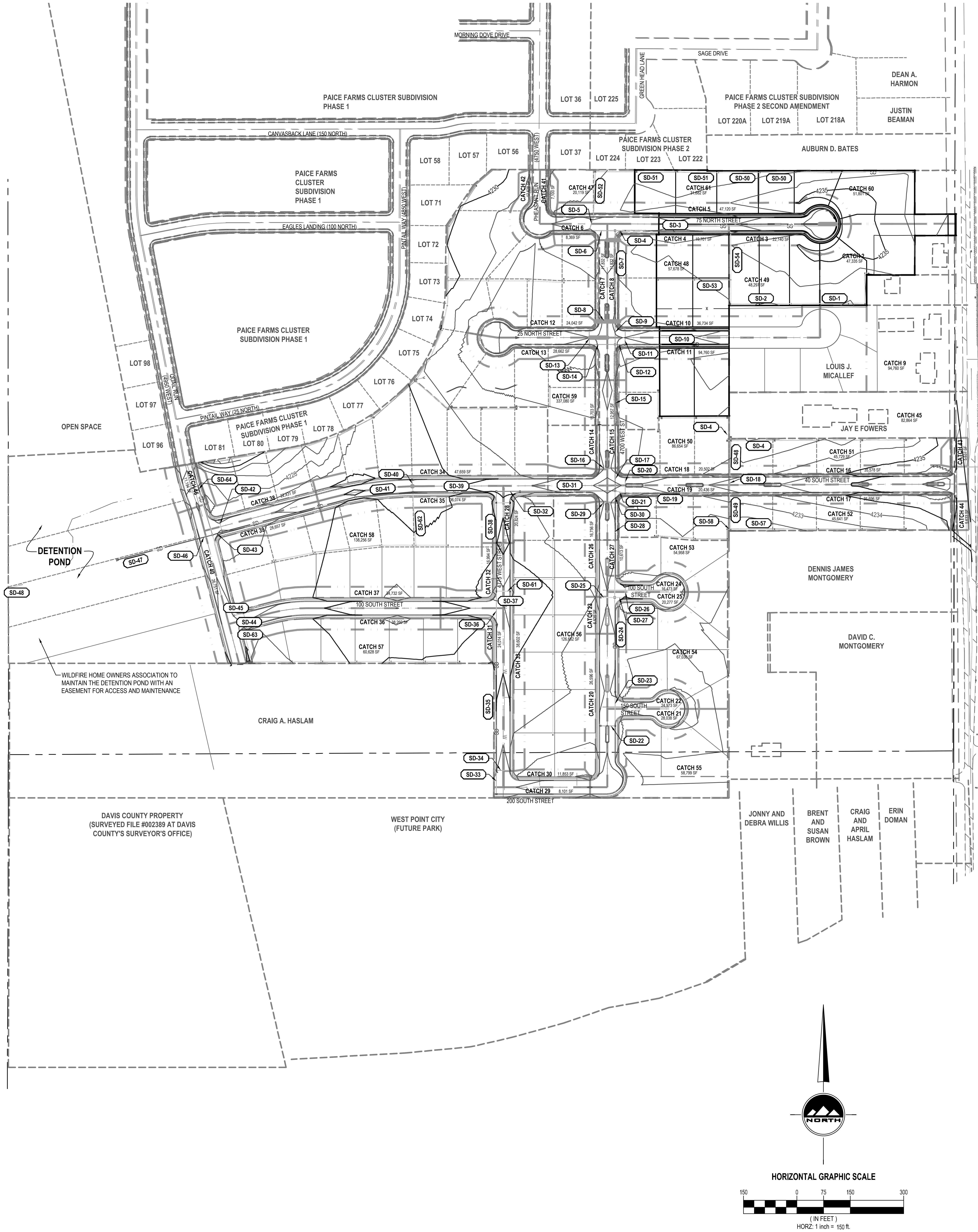
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

811 Know what's below. Call before you dig.

BENCHMARK

NORTH QUARTER CORNER OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN (FOUND)

ELEVATION = 4236.90



Catchment Calculations (10-year storm)

Time of Concentration: 15 min
Rainfall Intensity I: 1.72 in/hr
Mannings N 0.013

Catchment	Area (SF)	C	Flow (CFS)	Destination
1	NOT USED			
2	47,335	0.350	0.660	SD-2
3	22,140	0.350	0.309	SD-3
4	19,701	0.350	0.275	SD-4
5	51,287	0.350	0.715	SD-5
6	8,369	0.350	0.117	SD-6
7	11,832	0.350	0.165	SD-8
8	11,832	0.350	0.165	SD-9
9	94,760	0.350	1.320	SD-10
10	36,734	0.350	0.512	SD-11
11	94,763	0.350	1.321	SD-12
12	24,042	0.350	0.335	SD-13
13	28,662	0.350	0.399	SD-14
14	15,703	0.350	0.219	SD-16
15	12,957	0.350	0.181	SD-17
16	35,578	0.350	0.496	SD-18
17	35,696	0.350	0.497	SD-19
18	20,502	0.350	0.286	SD-20
19	20,436	0.350	0.285	SD-21
20	26,596	0.350	0.371	SD-22
21	28,038	0.350	0.391	SD-23
22	24,973	0.350	0.348	SD-24
23	6,536	0.350	0.091	SD-25
24	16,473	0.350	0.230	SD-26
25	20,277	0.350	0.283	SD-27
26	16,756	0.350	0.233	SD-29
27	10,613	0.350	0.148	SD-30
28	20,824	0.350	0.290	SD-32
29	8,101	0.350	0.113	SD-33
30	11,853	0.350	0.165	SD-34
31	24,014	0.350	0.335	SD-36
32	16,994	0.350	0.237	SD-38
33	38,602	0.350	0.538	SD-37
34	47,659	0.350	0.664	SD-40
35	36,074	0.350	0.503	SD-41
36	38,260	0.350	0.533	SD-44
37	34,732	0.350	0.484	SD-45
38	22,431	0.350	0.313	SD-42
39	28,657	0.350	0.399	SD-43
40	26,751	0.350	0.373	SD-47
41	7,100	0.350	0.099	OFFSITE
42	17,628	0.350	0.246	OFFSITE
43	5,637	0.350	0.079	OFFSITE
44	5,633	0.350	0.078	OFFSITE
45	82,864	0.400	1.320	SD-48
46	11,194	0.400	0.178	OFFSITE
47	20,119	0.350	0.280	SD-52
48	57,678	0.350	0.804	SD-53
49	48,297	0.350	0.673	SD-54
50	84,654	0.350	1.180	SD-55
51	45,729	0.350	0.637	SD-56
52	45,641	0.350	0.636	SD-57
53	54,958	0.350	0.766	SD-58
54	67,030	0.350	0.934	SD-60
55	58,799	0.350	0.819	SD-59
56	126,662	0.350	1.765	SD-61
57	60,628	0.350	0.845	SD-63
58	138,256	0.350	1.927	SD-62
59	241,791	0.350	3.369	SD-64
60	51,801	0.350	0.722	SD-50
61	31,682	0.350	0.441	SD-51

Orifice Calculations: $Q=C_dA_o(2gh)^{1/2}$

High Water Elevation:	4,217.35	FT
Box Invert	4,215.11	FT
Allowed Basin Discharge*	5.651	CFS
C_d	0.62	
Orifice Area	109.27	IN^2
Orifice Diameter	11.8	IN

Detention Calculations (100-year storm)

Basin Tributary Area 1,230,701
Runoff coefficient C: 0.350
Release Rate 0.20 cfs/acre
Peak Release 5.651 cfs

Time (min)	i(in/hr)	Cumulative Runoff to Basin (c.f.)	Net Allowed Basin** Discharge (c.f.)	Required Storage (c.f.)
5	3.12	9,256	1,695	7,561
10	2.46	14,596	3,390	11,205
15	2.08	18,511	5,086	13,426
30	1.44	25,631	10,171	**15,460**
60	0.91	32,395	20,342	12,053
90	0.78	41,651	30,513	11,137
120	0.65	46,278	40,684	5,594
180	0.56	59,806	61,026	(1,221)
360	0.43	91,845	122,053	(30,208)
720	0.29	123,884	244,106	(120,222)
1440	0.18	153,787	488,212	(334,425)
			Required Detention:	**15,460**
			Provided Detention:	58,653

Pipe Design (10-year storm)

Mannings N (ADS) 0.011
Mannings N (RCP) 0.013

Pipe	Tributary Basins	Surface Flow (CFS)	Upstream Pipes	Pipe Flow (CFS)	Total Flow (CFS)	Pipe Slope	Diameter (IN)	Pipe Type	Full Flow Capacity (CFS)	% of Full-Flow Capacity
SD-1	2	0.660	none	0.000	0.660	0.40%	8	ADS	0.906	72.8%
SD-2	49	0.673	SD-1	0.660	1.333	0.28%	10	ADS	1.374	97.0%
SD-53	48	0.804	none	0.000	0.804	0.50%	8	ADS	1.013	79.4%
SD-54	none	0.000	SD-2 and 53	2.136	2.136	0.27%	12	ADS	2.194	97.4%
SD-3	3	0.309	SD-54	2.136	2.445	0.25%	15	RCP	3.239	75.5%
SD-4	4	0.275	SD-3	2.445	2.719	0.30%	15	RCP	3.548	76.7%
SD-50	60	0.722	none	0.000	0.722	0.40%	8	ADS	0.906	79.7%
SD-51	61	0.441	SD-50	0.722	1.163	0.50%	10	ADS	1.836	63.4%
SD-52	47	0.280	SD-51	1.163	1.444	0.50%	10	ADS	1.836	78.6%
SD-5	5	0.715	SD-52	1.444	2.158	0.20%	15	RCP	2.897	74.5%
SD-6	6	0.117	SD-5	2.158	2.275	0.20%	15	RCP	2.897	78.5%
SD-7	none	0.000	SD-4 and 6	4.994	4.994	0.30%	18	RCP	5.769	86.6%
SD-8	7	0.165	none	0.000	0.165	0.20%	15	RCP	2.897	5.7%
SD-9	8	0.165	SD-7 and 8	5.159	5.324	0.35%	18	RCP	6.231	85.4%
SD-10	9	1.320	none	0.000	1.320	0.20%	15	RCP	2.897	45.6%
SD-11	10	0.512	none	0.000	0.512	0.20%	15	RCP	2.897	17.7%
SD-12	11	1.321	SD-10 and 11	1.832	3.153	0.20%	18	RCP	4.710	66.9%
SD-13	12	0.335	none	0.000	0.335	0.15%	15	RCP	2.509	13.4%
SD-14	13	0.399	SD-13	0.335	0.734	0.15%	15	RCP	2.509	29.3%
SD-15	none	0.000	SD-12 and 14	9.212	9.212	0.20%	24	RCP	10.144	90.8%
SD-16	14	0.219	none	0.000	0.219	0.40%	15	RCP	4.097	5.3%
SD-17	15	0.181	SD 15 and 16	9.430	9.611	0.40%	24	RCP	14.346	67.0%
SD-55	50	1.180	none	0.000	1.180	1.50%	8	ADS	1.754	67.3%
SD-56	51	0.637	none	0.000	0.637	0.65%	8	ADS	1.154	55.2%
SD-48	45	1.320	SD-55 and 56	1.817	3.137	0.40%	18	RCP	6.661	47.1%
SD-18	16	0.496	SD-48	3.137	3.632	0.40%	18	RCP	6.661	54.5%
SD-57	52	0.636	none	0.000	0.636	0.70%	8	ADS	1.198	53.1%
SD-58	53	0.766	none	0.000	0.766	0.60%	8	ADS	1.109	69.0%
SD-49	none	0.000	SD-57 and 58	1.402	1.402	0.40%	12	ADS	2.670	52.5%
SD-19	17	0.497	SD-18 and 49	5.034	5.532	0.40%	18	RCP	6.661	83.0%
SD-20	18	0.286	none	0.000	0.286	0.40%	15	RCP	4.097	7.0%
SD-21	19	0.285	SD-19 and 20	5.817	6.102	0.40%	18	RCP	6.661	91.6%
SD-22	20	0.371	none	0.000	0.371	0.40%	15	RCP	4.097	9.0%
SD-59	55	0.819	none	0.000	0.819	0.40%	10	ADS	1.642	49.9%
SD-23	21	0.391	SD-22 and 59	1.190	1.581	0.40%	15	RCP	4.097	38.6%
SD-60	54	0.934	none	0.000	0.934	0.40%	10	ADS	1.642	56.9%
SD-24	22	0.348	SD-23 and 60	2.515	2.863	0.40%	18	RCP	6.661	43.0%
SD-25	23	0.091	none	0.000	0.091	0.40%	15	RCP	4.097	2.2%
SD-26	24	0.230	none	0.000	0.230	0.40%	15	RCP	4.097	5.6%
SD-27	25	0.283	SD-26	0.230	0.512	0.40%	15	RCP	4.097	12.5%
SD-28	none	0.000	SD-24, 25 and 27	3.466	3.466	0.40%	18	RCP	6.661	52.0%
SD-29	26	0.233	none	0.000	0.233	0.40%	15	RCP	4.097	5.7%
SD-30	27	0.148	SD-28 and 29	3.699	3.847	0.40%	18	RCP	6.661	57.8%
SD-31	none	0.000	SD-17, 21, and 30	19.561	19.561	0.40%	30	RCP	26.011	75.2%
SD-32	28	0.290	SD-31	19.561	19.851	0.40%	30	RCP	26.011	76.3%
SD-33	29	0.113	none	0.000	0.113	0.40%	15	RCP	4.097	2.8%
SD-34	30	0.165	none	0.000	0.165	0.40%	15	RCP	4.097	4.0%
SD-35	none	0.000	SD-33 and 34	0.278	0.278	0.40%	15	RCP	4.097	6.8%
SD-36	31	0.335	SD-35	0.278	0.613	0.40%	15	RCP	4.097	15.0%
SD-61	56	1.765	none	0.000	1.765	1.00%	10	ADS	2.596	68.0%
SD-37	33	0.538	SD-61	1.765	2.303	0.40%	15	RCP	4.097	56.2%
SD-38	32	0.237	SD-36 and 37	2.916	3.153	0.40%	18	RCP	6.661	47.3%
SD-39	none	0.000	SD-32 and 38	23.003	23.003	0.40%	36	RCP	42.297	54.4%
SD-40	34	0.664	none	0.000	0.664	0.40%	15	RCP	4.097	16.2%
SD-62	58	1.927	none	0.000	1.927	0.50%	12	ADS	2.985	64.5%
SD-41	35	0.503	SD-39 and 40	23.667	24.170	0.40%	36	RCP	42.297	57.1%
SD-42	38	0.313	none	0.000	0.313	1.00%	15	RCP	6.477	4.8%
SD-43	39	0.399	SD-41 and 42	24.483	24.882	0.40%	36	RCP	42.297	58.8%
SD-63	57	0.845	none	0.000	0.845	0.40%	10	ADS	1.642	51.5%
SD-44	36	0.533	none	0.000	0.533	1.00%	15	RCP	6.477	8.2%
SD-45	37	0.484	SD-44	0.533	1.017	1.00%	15	RCP	6.477	15.7%
SD-64	59	3.369	none	0.000	3.369	0.50%	15	ADS	5.413	62.2%
SD-46	none	0.000	SD-43, 45 and 64	29.269	29.269	0.40%	36	RCP	42.297	69.2%
SD-47	40	0.373	SD-46	29.269	29.641	0.40%	36	RCP	42.297	70.1%
SD-48*	none	0.000	DET	5.585	5.585	0.40%	18	RCP	6.661	83.8%

*detained flow, 0.20 cfs/acre

ENSIGN
THE STANDARD IN ENGINEERING

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LAYTON, UTAH 84041
CONTACT:
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PHONE: 801-898-0643

WILDFIRE ESTATES SUBDIVISION
PHASE 4
200 SOUTH 4700 WEST
WEST POINT, UTAH

PROFESSIONAL ENGINEER REGISTERED No. 10234838-2202 8-23-2021 TIMOTHY JAMES SHAFFER STATE OF UTAH

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
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5			
6			
7			
8			

STORM DRAIN CALCULATIONS

PROJECT NUMBER L2365
PRINT DATE 8/24/21
DRAWN BY J.MOSS
CHECKED BY T.SHAFFER
PROJECT MANAGER C.PRESTON

C-102

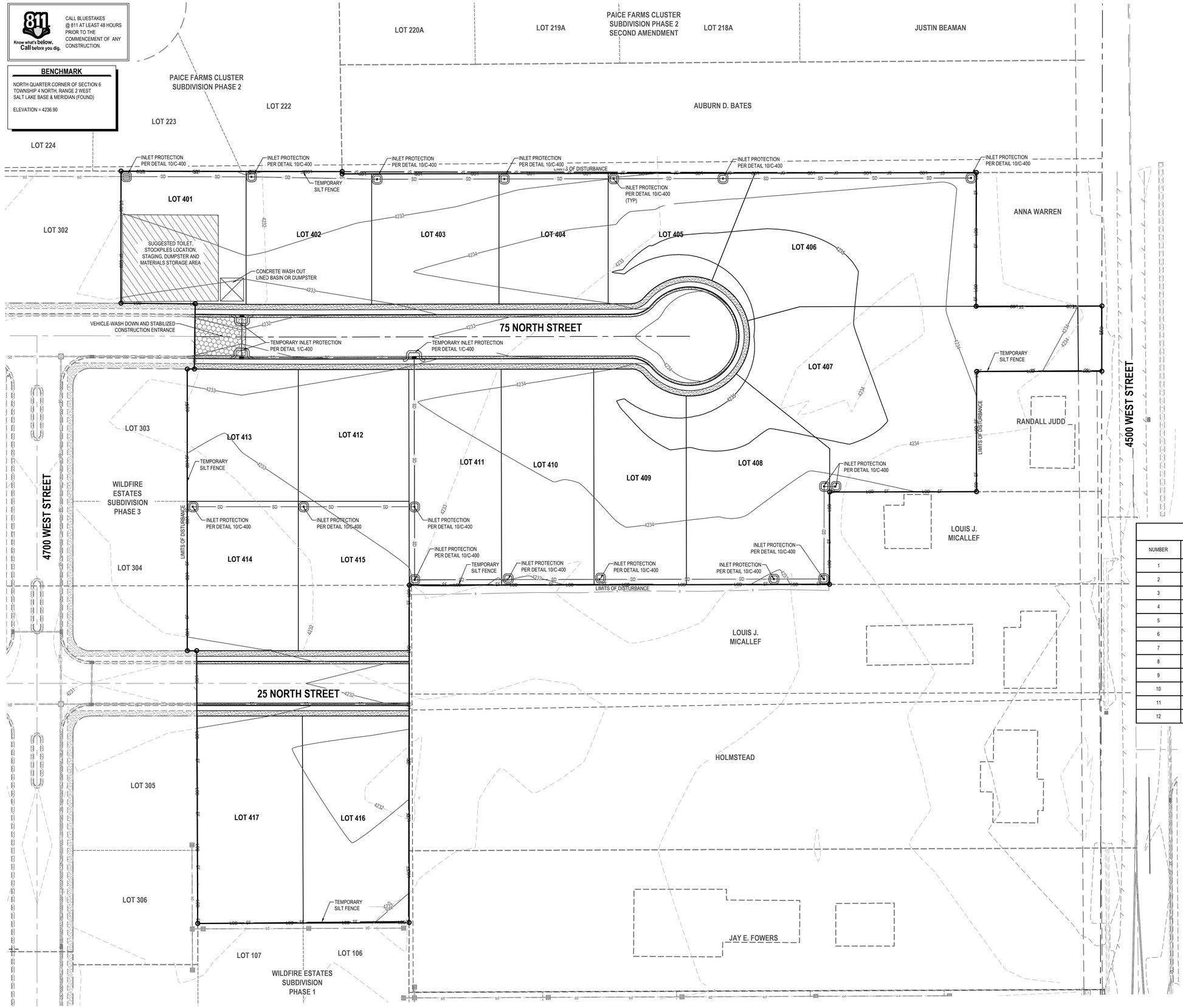
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

BENCHMARK

NORTH QUARTER CORNER OF SECTION 6
TOWNSHIP 4 NORTH, RANGE 2 WEST
SALT LAKE BASE & MERIDIAN (FOUND)

ELEVATION = 4236.90



GENERAL NOTES

1. THIS PLAN IS DESIGNED AS A FIRST APPRAISAL OF NECESSARY MEANS TO PROTECT THE WATERS OF THE STATE FROM POTENTIAL POLLUTION. IT IS THE RESPONSIBILITY OF THE OWNER/OPERATOR TO ADD WARRANTED BEST MANAGEMENT PRACTICES (BMP'S) AS NECESSARY. MODIFY THOSE SHOWN AS APPROPRIATE, AND DELETE FROM THE PROJECT THOSE FOUND TO BE UNNECESSARY. FEDERAL AND STATE LAW ALLOWS THESE UPDATES TO BE MADE BY THE OWNER/OPERATOR ONSITE AND RECORDED BY THE OWNER/OPERATOR ON THE COPY OF THE SWPPP KEPT ONSITE.
2. DISTURBED LAND SHALL BE KEPT TO A MINIMUM. STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. HOWEVER, WHERE CONSTRUCTION ACTIVITY ON A PORTION OF THE SITE IS TEMPORARILY CEASED, AND EARTH DISTURBING ACTIVITIES WILL BE RESUMED WITHIN 21 DAYS, TEMPORARY STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE.
3. RESEED DISTURBED LAND WITH NATIVE GRASS MIXTURE WITHIN 14 CALENDAR DAYS OF ACHIEVEMENT OF FINISH GRADE TO STABILIZE SOILS IF LAND IS NOT TO BE RE-WORKED WITHIN 14 CALENDAR DAYS OF THE CESSATION OF CONSTRUCTION ACTIVITIES AT THAT LOCATION.
4. DETAILS SHOWN ARE TO BE EMPLOYED TO PROTECT RUNOFF AS APPROPRIATE DURING CONSTRUCTION. NOT ALL DETAILS ARE NECESSARY AT ALL PHASES OF THE PROJECT. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/OPERATOR TO USE APPROPRIATE BEST MANAGEMENT PRACTICES AT THE APPROPRIATE PHASE OF CONSTRUCTION. SEE SWPPP FOR BMP IMPLEMENTATION SCHEDULE.
5. VARIOUS BEST MANAGEMENT PRACTICES HAVE BEEN SHOWN ON THE PLANS AT SUGGESTED LOCATIONS. THE CONTRACTOR MAY MOVE AND RECONFIGURE THESE BMPS TO OTHER LOCATIONS IF PREFERRED, PROVIDED THE INTENT OF THE DESIGN IS PRESERVED.
6. NOT ALL POSSIBLE BMP'S HAVE BEEN SHOWN. THE CONTRACTOR IS RESPONSIBLE TO APPLY CORRECT MEASURES TO PREVENT THE POLLUTION OF STORM WATER PER PROJECT SWPPP.
7. A UPDES (UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM) PERMIT IS REQUIRED FOR ALL CONSTRUCTION ACTIVITIES 1 ACRE OR MORE.

REVISION SCHEDULE

NUMBER	DATE	AUTHOR	COMPANY REPRESENTATIVE SIGNATURE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

NORTH

HORIZONTAL GRAPHIC SCALE

40 0 20 40 80

(IN FEET)
HORZ: 1 inch = 40 ft.

ENSIGN
THE STANDARD IN ENGINEERING

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WILDFIRE ESTATES SUBDIVISION PHASE 4

200 SOUTH 4700 WEST
WEST POINT, UTAH

PROFESSIONAL ENGINEER
REGISTERED
No. 11244838-2202
8-23-2021
STATE OF UTAH
TIMOTHY JAMES SHAFFER

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
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7			
8			

EROSION/CONTROL PLAN

PROJECT NUMBER: L2365
PRINT DATE: 8/24/21
DRAWN BY: J.MOSS
CHECKED BY: T.SHAFFER
PROJECT MANAGER: C.PRESTON

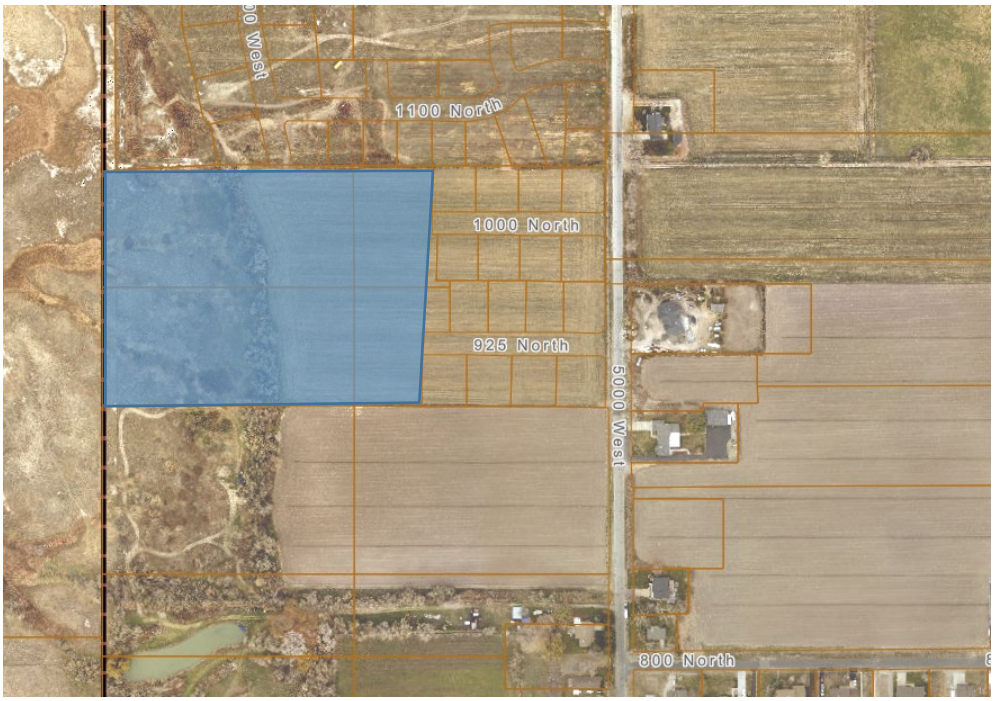
C-300

CITY COUNCIL STAFF REPORT

Subject: Discussion of Final Plat for Westlake Phase 2
Author: Bryn MacDonald
Department: Community Development
Meeting Date: November 6, 2021

Background

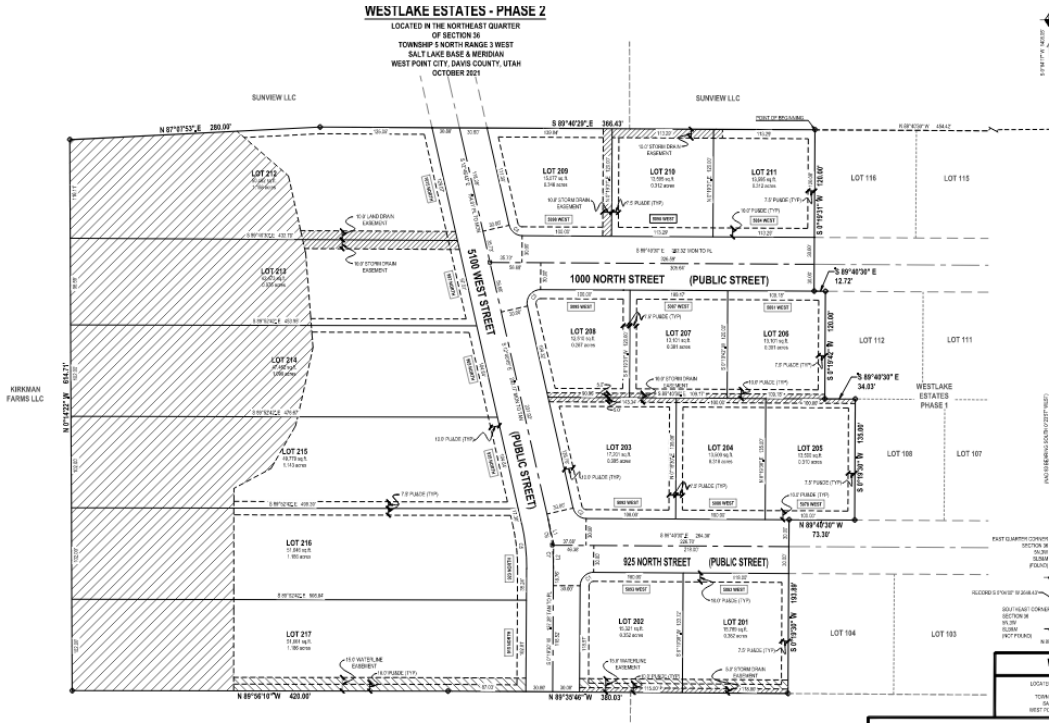
John Nelson, who represents Psion Homes, is seeking final plat approval for Westlake Phase 2. This development is located at approximately 5000 W 1000 N. The Planning Commission gave preliminary approval for the entire subdivision on March 12, 2020. The City Council approved the final plat for phase 1 on July 21, 2020. Building permits have been issued for all 16 lots in phase 1.



Analysis

The applicant is seeking final plat approval for Westlake Phase 2. This phase consists of 17 lots, ranging in size from 12,510 square feet to 1.158 acres.

Staff has reviewed the plans submitted and has provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed. We are still waiting to receive all of the required approval letters.



Recommendation

This item is on for discussion only. No action is required at this time.

Significant Impacts

N/A

Attachments

Plans

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

Know what's below. Call before you dig.

WESTLAKE ESTATES
PHASE 2

1000 NORTH 5000 WEST
WEST POINT CITY, UTAH

FOR CONSTRUCTION

DATE PRINTED
October 7, 2021

INDEX OF DRAWINGS

1 OF 1	PHASE 2 SUBDIVISION PLAT
2 OF 2	PHASE 2 SUBDIVISION PLAT
C-001	GENERAL NOTES
C-002	OVERALL DEVELOPMENT SITE PLAN
C-100	SITE PLAN
C-200	GRADING PLAN
C-201	DRAINAGE PLAN
C-300	UTILITY PLAN
C-400	EROSION CONTROL PLAN
PP-1	1000 NORTH STREET PLAN AND PROFILE
PP-2	925 NORTH STREET PLAN AND PROFILE
PP-3	5100 WEST STREET PLAN AND PROFILE
PP-4	5100 WEST STREET PLAN AND PROFILE
C-500	DETAILS

NOTICE TO CONTRACTOR

ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING WORK SHOWN ON OR RELATED TO THESE PLANS SHALL CONDUCT THEIR OPERATIONS SO THAT ALL EMPLOYEES ARE PROVIDED A SAFE PLACE TO WORK AND THE PUBLIC IS PROTECTED. ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLY WITH THE "OCCUPATIONAL SAFETY AND HEALTH REGULATIONS OF THE U.S. DEPARTMENT OF LABOR AND THE STATE OF UTAH DEPARTMENT OF INDUSTRIAL RELATIONS CONSTRUCTION SAFETY ORDERS." THE CIVIL ENGINEER SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS COMPLIANCE WITH SAID REGULATIONS AND ORDERS.

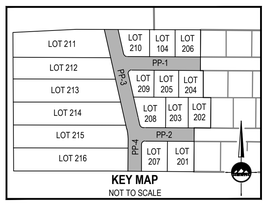
CONTRACTOR FURTHER AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB-SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND THE CIVIL ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR ENGINEER.

NOTICE TO DEVELOPER/ CONTRACTOR

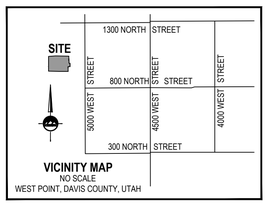
UNAPPROVED DRAWINGS REPRESENT WORK IN PROGRESS, ARE SUBJECT TO CHANGE, AND DO NOT CONSTITUTE A FINISHED ENGINEERING PRODUCT. ANY WORK UNDERTAKEN BY DEVELOPER OR CONTRACTOR BEFORE PLANS ARE APPROVED IS UNDERTAKEN AT THE SOLE RISK OF THE DEVELOPER, INCLUDING BUT NOT LIMITED TO BIDS, ESTIMATION, FINANCING, BONDING, SITE CLEARING, GRADING, INFRASTRUCTURE CONSTRUCTION, ETC.

UTILITY DISCLAIMER

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND / OR ELEVATIONS OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



KEY MAP
NOT TO SCALE



VICINITY MAP
NO SCALE
WEST POINT, DAVIS COUNTY, UTAH

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO WEST POINT CITY STANDARDS & SPECIFICATIONS.
2. CALL BLUE STAKES AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.
3. BENCHMARK ELEVATION = NORTH EAST CORNER OF SECTION 36 TOWNSHIP 2 NORTH, RANGE 3 WEST SALT LAKE BASE AND MERIDIAN. ELEVATION = 4229.80'

APPROVED FOR CONSTRUCTION

BY: _____ DATE: _____
CITY ENGINEER

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
PSION HOMES

CONTACT:

PHONE:

WESTLAKE ESTATES
PHASE 2
APPROX. 1000 NORTH 5000 WEST
WEST POINT, UTAH 84015

PROFESSIONAL ENGINEER
No. 5049039
10-6-21
CAMERON HESS PRESTON
STATE OF UTAH

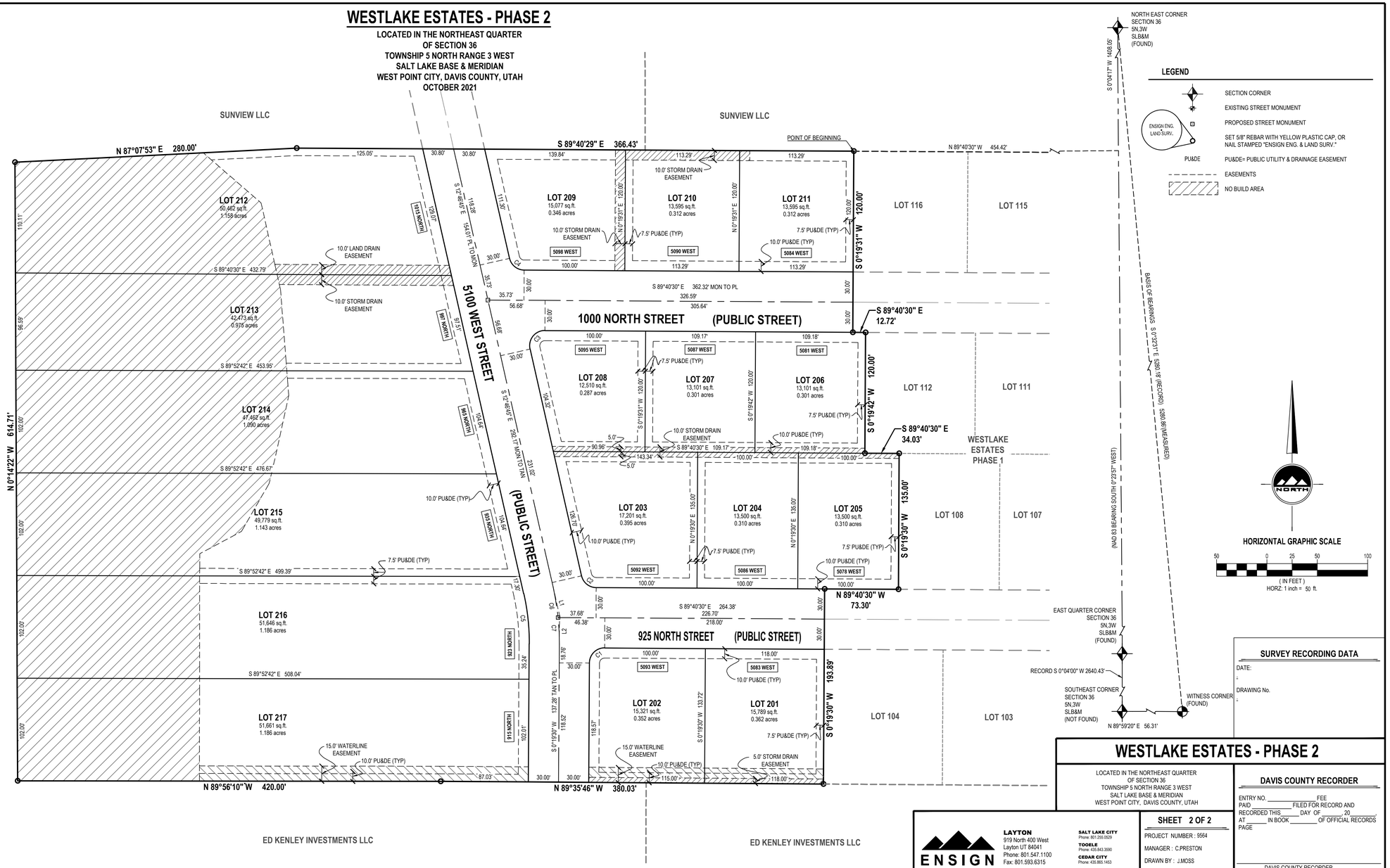
NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

COVER

PROJECT NUMBER 9564
PRINT DATE 10/7/21
DRAWN BY J.MOSS
CHECKED BY C.PRESTON
PROJECT MANAGER C. PRESTON

WESTLAKE ESTATES - PHASE 2

LOCATED IN THE NORTHEAST QUARTER
OF SECTION 36
TOWNSHIP 5 NORTH RANGE 3 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH
OCTOBER 2021



SURVEY RECORDING DATA

DATE:
-
DRAWING No.
-

WESTLAKE ESTATES - PHASE 2

LOCATED IN THE NORTHEAST QUARTER
OF SECTION 36
TOWNSHIP 5 NORTH RANGE 3 WEST
SALT LAKE BASE & MERIDIAN
WEST POINT CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____, 20
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE

DAVIS COUNTY RECORDER

BY _____
DEPUTY RECORDER

ENSIGN

LAYTON
919 North 400 West
Layton UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

WWW.ENSIGNENG.COM

SALT LAKE CITY
Phone: 801.255.0529
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.896.2983

SHEET 2 OF 2

PROJECT NUMBER : 9564
MANAGER : C.PRESTON
DRAWN BY : J.MOSS
CHECKED BY : T.WILLIAMS
DATE : 10/11/21

811 Know what's below. Call before you dig.

CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BENCHMARK

NORTH EAST CORNER OF SECTION 36
TOWNSHIP 5 NORTH, RANGE 3 WEST
SALT LAKE BASE AND MERIDIAN

ELEV. = 4229.80'

HORIZONTAL GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
HORZ: 1 inch = 50 ft.

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
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SALT LAKE CITY
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WWW.ENSIGNENG.COM

FOR:
PSION HOMES

CONTACT:

PHONE:

WESTLAKE ESTATES PHASE 2

APPROX. 1000 NORTH 5000 WEST
WEST POINT, UTAH 84015

PROFESSIONAL ENGINEER
STATE OF UTAH
No. 5049039
10-6-21
CAMERON HESS PRESTON

NO.	DATE	REVISION	BY
1		FOR REVIEW	
2			
3			
4			
5			
6			
7			
8			

OVERALL DEVELOPMENT SITE PLAN

PROJECT NUMBER 9564
PRINT DATE 10/7/21
DRAWN BY J.MOSS
CHECKED BY C.PRESTON
PROJECT MANAGER C. PRESTON

C-002

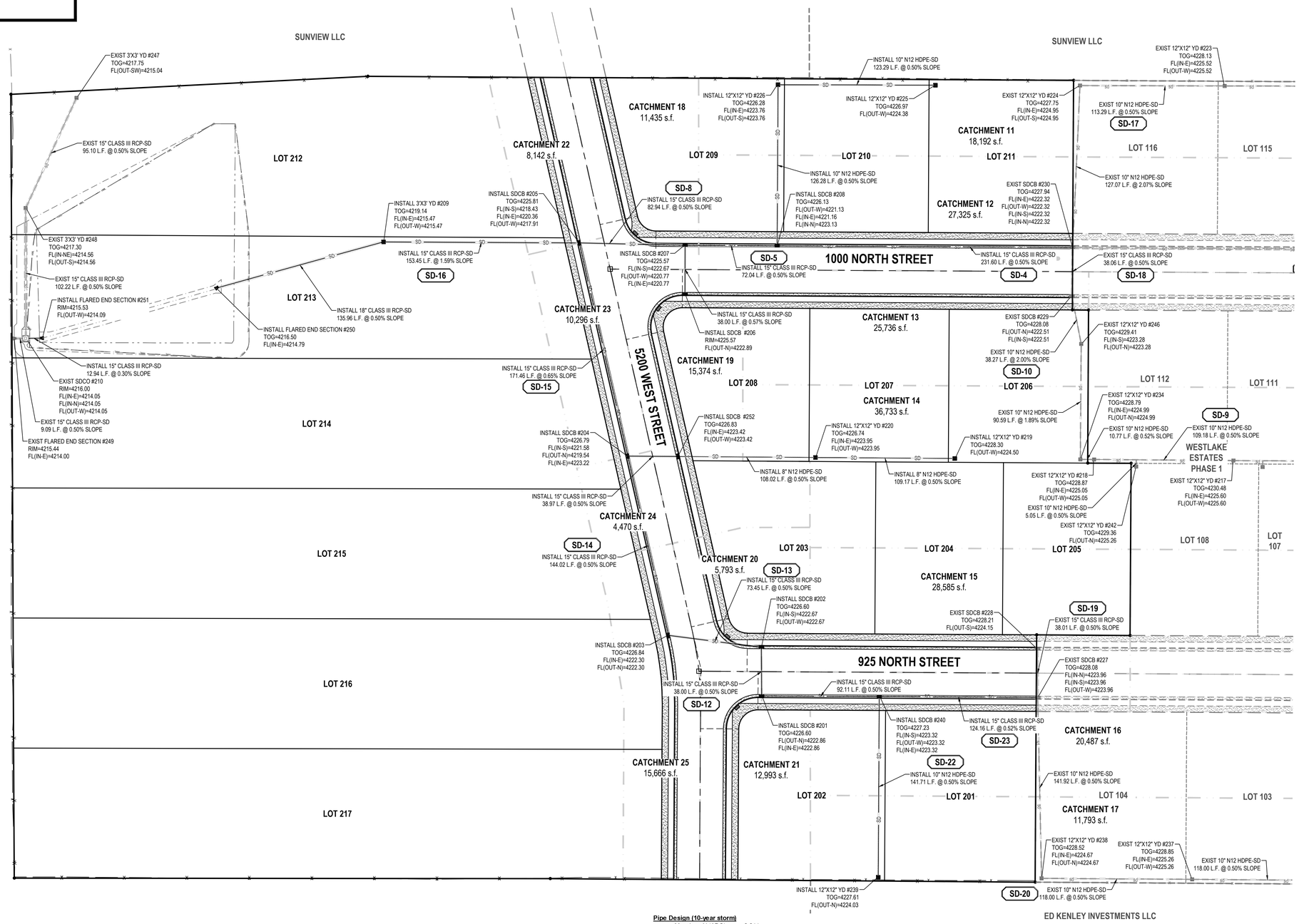
CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

811 Know what's below. Call before you dig.

BENCHMARK

NORTH EAST CORNER OF SECTION 36
TOWNSHIP 5 NORTH, RANGE 3 WEST
SALT LAKE BASE AND MERIDIAN

ELEV. = 4229.80'



Study Summary Statistics
Phase 1:

	Area	C Value
Building Area		0.9
Total Hardscape	104,249	0.9
Landscaped Area	448,862	0.15
Total Area	553,111	
Weighted Average C		**0.291**
Total Area	553,111 SF	
Total Area	12.70 Acres	
Composite C	0.291	

Pipe Design (10-year storm)

Mannings N (ADS) 0.011
Mannings N (RCP) 0.013

Pipe	Tributary	Surface	Upstream	Pipe Flow	Total	Pipe	Diameter	Pipe Type	Full Flow	% of Full-
SD-1	1	0.208	none		0.208	0.50%	15	RCP	4.580	4.5%
SD-2	2	0.403	none		0.403	0.50%	15	RCP	4.580	8.8%
SD-3	none	0.000	SD1, 2	0.611	0.611	0.50%	15	RCP	4.580	13.3%
SD-18	6	0.463	SD10	0.663	1.125	0.50%	15	RCP	4.580	24.6%
SD-4	5	0.476	SD3,17,18	2.072	2.548	0.50%	15	RCP	4.580	55.6%
SD-17	4	0.335	none		0.335	0.50%	10	ADS	1.836	18.2%
SD-5	11	0.254	none		0.254	0.50%	10	ADS	1.836	13.8%
SD-7	12	0.381	SD4,5	2.801	3.182	0.50%	15	RCP	4.580	69.5%
SD-6	13, 19	0.573	none		0.573	0.50%	15	RCP	4.580	12.5%
SD-8	18	0.159	SD7,6	3.755	3.914	0.50%	15	RCP	4.580	85.5%
SD-9	7	0.663	none		0.663	0.50%	15	RCP	4.580	14.5%
SD-19	8	0.483	none		0.483	0.50%	15	RCP	4.580	10.5%
SD-10	none	0.000	SD9	0.663	0.663	0.50%	15	RCP	4.580	14.5%
SD-23	9	0.544	SD19, 20	0.880	1.425	0.50%	15	RCP	4.580	31.1%
SD-11	14	0.512	none		0.512	0.50%	15	RCP	4.580	11.2%
SD-20	10	0.397	none		0.397	0.50%	10	ADS	1.836	21.6%
SD-21	17	0.164	none		0.164	0.50%	10	ADS	1.836	9.0%
SD-22	16	0.285	SD21,23	1.589	1.874	0.50%	15	RCP	4.580	40.9%
SD-12	21	0.181	SD22	1.874	2.056	0.50%	15	RCP	4.580	44.9%
SD-13	15, 20	0.479	SD12	2.056	2.535	0.50%	15	RCP	4.580	55.3%
SD-14	25	0.218	SD13	2.535	2.753	0.50%	15	RCP	4.580	60.1%
SD-15	24	0.062	SD11, 14	3.265	3.327	0.50%	15	RCP	4.580	72.6%
SD-16	22,23	0.257	SD8, 15	7.241	7.498	2.00%	15	RCP	9.160	81.9%

*detained flow, 0.20 cfs/acre

GENERAL NOTES

1. ALL WORK TO COMPLY WITH WEST POINT CITY STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
4. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
5. LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
6. SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
7. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
8. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER WEST POINT CITY OR APWA STANDARD PLANS AND SPECIFICATIONS.
9. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
10. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
11. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
12. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

Detention Calculations (100-year storm)

Basin Tributary Area	553,111	SF
Runoff coefficient C:	0.350	
Release Rate	0.20	cfs/acre
Peak Release	2.540	cfs

Time (min)	i(in/hr)	Cumulative Runoff to Basin (c.f.)	Net Allowed Basin** Discharge (c.f.)	Required Storage (c.f.)
5	3.12	4,160	762	3,398
10	2.46	6,560	1,524	5,036
15	2.08	8,320	2,286	6,034
30	1.44	11,519	4,571	**6,948**
60	0.91	14,559	9,142	5,417
120	0.65	20,799	18,285	2,514
180	0.56	26,878	27,427	(549)
360	0.43	41,278	54,854	(13,576)
720	0.29	55,677	109,708	(54,031)
1440	0.18	69,116	219,416	(150,300)
		-	-	-
		Required Detention:		6,948
		Provided Detention:		8,393

Catchment Calculations (10-year storm)

Time of Concentration: 15 min
Rainfall Intensity I: 1.72 in/hr
Mannings N 0.013

Catchment	Area (SF)	C	Flow (CFS)	Destination
1	14,946	0.350	0.208	SD-1
2	28,920	0.350	0.403	SD-2
3	15,031	0.350	0.209	OFFSITE
4	24,037	0.350	0.335	SD-17
5	34,171	0.350	0.476	SD-4
6	33,208	0.350	0.463	SD-18
7	47,554	0.350	0.663	SD-9
8	34,662	0.350	0.483	SD-19
9	39,066	0.350	0.544	SD-23
10	28,506	0.350	0.397	SD-20
11	18,192	0.350	0.254	SD-5
12	27,325	0.350	0.381	SD-7
13	25,736	0.350	0.359	SD-6
14	36,733	0.350	0.512	SD-11
15	28,585	0.350	0.398	SD-13
16	20,487	0.350	0.285	SD-22
17	11,793	0.350	0.164	SD-21
18	11,435	0.350	0.159	SD-8
19	15,374	0.350	0.214	SD-6
20	5,793	0.350	0.081	SD-13
21	12,993	0.350	0.181	SD-12
22	8,142	0.350	0.113	SD-16
23	10,286	0.350	0.143	SD-16
24	4,470	0.350	0.062	SD-15
25	15,666	0.350	0.218	SD-14

NORTH

HORIZONTAL GRAPHIC SCALE

40 0 20 40 80
(IN FEET)
HORZ: 1 inch = 40 ft.

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

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Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
PSION HOMES

CONTACT:

PHONE:

WESTLAKE ESTATES PHASE 2

APPROX. 1000 NORTH 5000 WEST
WEST POINT, UTAH 84015

PROFESSIONAL ENGINEER
No. 5049039
10-6-21
CAMERON HESS PASSMORE
STATE OF UTAH

NO.	DATE	REVISION	BY
1		FOR REVIEW	
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DRAINAGE PLAN

PROJECT NUMBER 9564
PRINT DATE 10/7/21
DRAWN BY J.MOSS
CHECKED BY C.PRESTON
PROJECT MANAGER C. PRESTON

C-201

CITY COUNCIL STAFF REPORT

Subject: CARES Act & Security Cameras
Author: Kyle Laws
Department: Executive
Meeting Date: November 16, 2021

Background

In order to provide appropriate aid and relief to the US economy, the US Congress passed a law called the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"). This act included disbursements to local governments to assist with our own response to COVID-19. There were three disbursements, also called tranches, given throughout 2020. The guidelines for use of these funds must be related to COVID-19 response. The City received two of the three tranches for a total of 636,724. Most of the funds have been spent on wide range of enhancements including, technology upgrades, new website design (main website, Recreation specific website, and Clerk/Recorder specific application to the website), ransomware, a plotter/scanner for large development plans, sound system, iPads City App to communicate with residents, installing internet in the parks, automatic door openers at city hall, glass shields at the front desk, and some software upgrades (new modules in iWorq to help us be more paperless and more up to speed with the latest technology).

Analysis

While we understand that the funds must be directly tied to COVID-19 relief and response, the guidelines are not really specific. We do know that audits will happen though and we need to be careful about how we use the funds. The City has about $100K remaining to spend by the end of November 2021.

For several years, there has been talk of adding security cameras here at City Hall both inside and outside, as well as at our parks. This is a justifiable purchase with CARES Act money. Throughout the pandemic there has been much encouragement to socialize outdoors rather than in enclosed spaces. This has increased traffic at our parks and, as a result, vandalism has increased. Installing security cameras in these locations will help reduce vandalism and provide an extra measure of security for our residents while the participate in outdoor activities at the parks.

We have been working with a company named Verkada to purchase this system. There is a state contract price with them which will allow us to move more quickly to secure a contract and eliminate the need to get more bids. The total cost for a 10-year license with Verkada is $53,752.53 and would provide multiple cameras at each of our three parks, the Public Works Shop, and at City Hall. The footage will be stored in the cloud and will save data for 30 days.

Staff would like to know if this is still something the Council desires. Additionally, we have followed the purchasing policy and practice of bringing any CARES Act requests over $30,000 to the Council for approval.

For your information, below is a list of projects and items that Staff compiled previsously and that we have discussed with the Council. Some of these items overlap with the list above, but will help give an idea for where the money has been spent over the last two years.

City CARES Act Funded Projects:

- Upgrade the technology in the Council Chambers and Conference Room to allow for seamless broadcast of remote meetings, including an additional screen, cameras, and audio support for virtual or broadcast meetings. ($16,000)
- Reducing touch points and upgrading restroom facilities, with automatic flushing toilets, automatic faucets, automatic soap dispensers, etc.
- Cough Shields for the front desk
- Cubicle Walls and workstations for changes to existing work areas in City Hall, including moving front desk personnel back away from the desk in a newly designed workspace.
- Redesign and upgrades to the back office area to better utilize the space and add protection to the employees working in that area (this could require installing permanent walls, doors and interior windows as well as new cubicle walls and desk space)
- Additional license purchases for Caselle, Spatial Generations, and other software programs to allow those working from home to connect and be more efficient.
- Purchase of 4-6 laptops and docking stations that can be used by those telecommuting, allowing desktop computers to remain at City Hall. (~$3,000 each)
- Locking the interior vestibule doors, and allowing the exterior front doors to remain unlocked during business hours. This will allow residents to come in out of the cold to drop off documents or wait for scheduled meetings. We would also have a sanitation station inside the vestibule for those entering the building.
- New firewall (~$12,000) to provide added protection with those working from home and remoting in to access the server.
- Document Management System that will allow for residents and applicants to find documents and fill out forms online without needing to come to City Hall (~$25,000)
- Additional VPN licenses (~$300 each) – this is what allows employees to access the server remotely
- PPE, masks, gloves, sanitizing supplies, etc.

Recommendation

Staff recommends that Council approve Resolution No. 11-16-2021B, approving a contract with Verkada and authorizing the Mayor to sign this contract for security cameras.

Significant Impacts

None

Attachments

Resolution No. 11-16-2021A
Quote from Pine Cove on behalf of Verkada

RESOLUTION NO. 11-16-2021A

A RESOLUTION AUTHORIZING A CONTRACT WITH VERKADA FOR SECURITY CAMERAS

WHEREAS, the West Point City Council has received CARES Act funding from the Federal Government; and

WHEREAS, West Point City has to contract with Verkada to provide security cameras and data storage; and

WHEREAS, the West Point City Purchasing Procedures allows for Cooperative Procurement (WPCC 3.25.050(C)); and

WHEREAS, the West Point City Council finds that using state contracted vendors provides significant benefits that are in the City's best interest;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED, by the City Council of West Point City that the Mayor is authorized to sign a contract with Verkada for said security system in the amount of $53,752.53.

PASSED AND ADOPTED this 16th day of November, 2021.

WEST POINT CITY,
A Municipal Corporation

By:_____
Erik Craythorne, Mayor

ATTEST:

_____
Casey Arnold, City Recorder

PO Box 11150
Bozeman, MT 59719-1150
http://www.pinecc.com
800.432.0346

pine cove CONSULTING

Verkada

Quote # 005997 v4

Prepared for:

City of West Point

Prepared by:

Andy Johnson

10 Year

Description	Price	Qty	Ext. Price
Verkada ACC-MNT-10 - camera mounting bracket	$139.30	3	$417.90
Verkada ACC-MNT-2 - camera mounting bracket	$62.30	3	$186.90
Verkada ACC-MNT-3 - camera mounting kit	$90.30	6	$541.80
Verkada ACC-MNT-8 - camera pendant cap	$48.30	3	$144.90
Verkada ACC-MNT-7 - Angle Mount	$104.30	3	$312.90
Verkada CD41 - network surveillance camera - with 30 days of storage Product Link: https://www.verkada.com/docs/security-cameras/verkada_dome_series_overview_datasheet.pdf	$559.30	1	$559.30
Verkada Dome Series CD62-E - network surveillance camera - dome - with 30 days storage Product Link: https://www.verkada.com/docs/security-cameras/verkada_dome_series_overview_datasheet.pdf	$1,189.30	5	$5,946.50

Description	Price	Qty	Ext. Price
Verkada CF81-E Fisheye Camera, 30 Days of storage	$1,399.30	12	$16,791.60
Verkada Command - subscription license (10 years) - 1 camera	$1,119.30	18	$20,147.40
Shipping, Handling and Insurance	$475.90	1	$475.90
Installation Includes: Install on 29 Exterior Cameras, 1 Interior. Wiring (cat 6) for 1 interior camera and 21 exterior cameras. Includes metal conduit and wiring at Lloyd Blake Splashpad Bathroom Includes patch panels, and patch cables.	$7,125.00	1	$7,125.00
NETGEAR 8-Port Gigabit Ethernet Unmanaged PoE Switch (GS108PP) - with 8 x PoE+ @ 123W Upgradeable, Desktop, Wall Mount or Rackmount, and Limited Lifetime Protection	$157.49	7	$1,102.43
Contract Fee for PEPPM Agreement - Contract #528897-284	$0.00	1	$0.00
		Subtotal:	**$53,752.53**

5 Year

*Optional

Description	Price	Qty	Ext. Price
Verkada ACC-MNT-10 - camera mounting bracket	$139.30	3	$417.90
Verkada ACC-MNT-2 - camera mounting bracket	$62.30	3	$186.90
Verkada ACC-MNT-3 - camera mounting kit	$90.30	6	$541.80
Verkada ACC-MNT-8 - camera pendant cap	$48.30	3	$144.90
Verkada ACC-MNT-7 - Angle Mount	$104.30	3	$312.90
Verkada CD41 - network surveillance camera - with 30 days of storage Product Link: https://www.verkada.com/docs/security-cameras/verkada_dome_series_overview_datasheet.pdf	$559.30	1	$559.30
Verkada Dome Series CD62-E - network surveillance camera - dome - with 30 days storage Product Link: https://www.verkada.com/docs/security-cameras/verkada_dome_series_overview_datasheet.pdf	$1,189.30	5	$5,946.50

Description	Price	Qty	Ext. Price
Verkada CF81-E Fisheye Camera, 30 Days of storage	$1,399.30	12	$16,791.60
5 year command license	$559.30	18	$10,067.40
Shipping, Handling and Insurance	$908.60	1	$908.60
Installation Includes: Install on 29 Exterior Cameras, 1 Interior. Wiring (cat 6) for 1 interior camera and 21 exterior cameras. Includes metal conduit and wiring at Lloyd Blake Splashpad Bathroom Includes patch panels, and patch cables.	$7,125.00	1	$7,125.00
NETGEAR 8-Port Gigabit Ethernet Unmanaged PoE Switch (GS108PP) - with 8 x PoE+ @ 123W Upgradeable, Desktop, Wall Mount or Rackmount, and Limited Lifetime Protection	$157.49	7	$1,102.43
Contract Fee for PEPPM Agreement - Contract #528897-284	$0.00	1	$0.00
		***Optional Amount:**	**$44,105.23**

Prepared for:

City of West Point
Paul Rochell
3200 West 300 North
West Point, UT 84015
prochell@westpointcity.org
(801) 776-0970

Quote Information:

Quote #: 005997
Version: 4
Delivery Date: 10/25/2021
Expiration Date: 10/28/2021

Quote Summary

Description	Amount
10 Year	$53,752.53
Total:	**$53,752.53**

*Options

Description	Amount
5 Year	$44,105.23

This proposal shall not be used for the creation of RFP/RFQ documents, by the customer.

TERMS: Due on receipt of invoice.

Access to the customer portal for online payment is @ https://pinecc.connectboosterportal.com

Applicable fees and taxes not included.

Signature _____ Date _____ PO Number _____

CITY COUNCIL STAFF REPORT

Subject: Water Analysis Software
Author: Boyd Davis
Department: Engineering
Meeting Date: November 16, 2021

Background

The City was recently approached by Josh Palmer with a company named GovFriend, Inc. who has created a software platform that will allow residents to monitor their water usage via an online portal. Josh is a former employee of the Utah Division of Water Resources and recently started his own company to meet the growing need for this type of software. He also informed us of a grant opportunity to pay for the software.

Analysis

Staff recently viewed a demonstration of the software and felt that it would be a valuable tool for residents of the City. Other water providers, such as Weber Basin, have similar software systems that have been very expensive to develop. We would only recommend obtaining this software if we are able to get a grant to pay the costs.

The software will allow residents to view both their secondary and culinary water usage. They will log into an online portal that will be branded as West Point City, even though the secondary water comes from Davis & Weber. The consultant feels that this will be more successful as residents identify with the City more than with D&W.

The grant application is for $100,000 and a match from the City $8,625. However, that match will actually be in form of staff time rather than actual cash.

This appears to be a great opportunity to obtain this type of software and will be valuable to the residents while assisting the City in meeting our water conservation goals.

Recommendation

No action required, this is for discussion purposes only.

Significant Impacts

None

Attachments

Grant Application

Conservation through Comparison

Leveraging Use Transparency Software to Empower Efficiency

CONTACT INFORMATION:			
Applicant (Irrigation Company, Municipality, District, etc.)		Federal Tax Identification Number	
West Point City		87-6176206	
Official Business Address	City	State	Zip Code
3200 West 300 North	West Point	UT	84015
President, Chairman, Mayor, etc. (First & Last Name, Title)	Phone	Email Address	
Erik Craythorne, Mayor	801 776 0970	erik.craythorne@westpointcity.org	
Address	City	State	Zip Code
3200 West 300 North	West Point	UT	84015
Primary Contact (If different from President, Chairman, Mayor, etc. above)	Phone	Email Address	
Paul Rochell, Public Works Director	801 336 6196	prochell@westpointcity.org	
Address	City	State	Zip Code
3200 West 300 North	West Point	UT	84015
Secretary, Clerk, Treasurer, Finance Director (First & Last Name, Title)	Phone	Email Address	
Megan Mills, City Treasurer	801 776 0970	mmills@westpointcity.org	
Address	City	State	Zip Code
3200 West 300 North	West Point	UT	84015
Project Engineer (First & Last Name, Company)	Phone	Email Address	
Boyd Davis	801 776 0971	bdavis@westpointcity.org	
Address	City	State	Zip Code
3200 West 300 North	West Point	UT	84015
Attorney (First & Last Name, Firm)	Phone	Email Address	
Felshaw King	801-543-2288	Felshaw.King@yahoo.com	
Address	City	State	Zip Code
330 Main St	Kaysville	UT	84037

Project Information:

Aqua Median™

Creating Water Use Balance

Aqua Median™ gives water systems the tools needed to fight the waste that impedes future growth and increases resource risk. The software empowers water providers to make a supply difference via comparative data analytics, regional trend visualization, and fun, yet impactful, public engagement tools. It uniquely works with any billing program that can export a data file...and yes, it will convert THAT measurement to gallons. Using Aqua Median™ changes customer water use behavior while keeping individual customer data absolutely safe. The platform is customizable to the needs of the individual water system.

What Aqua Median Counts:

- Who is wasting? Comparisons are tied to lot size so 0.5 acre lots aren't compared with 0.15 acre lots.
- Which neighborhoods are drowning in water waste? We built in spatial analysis (data mapping technology) so you can identify which neighborhoods need the most help.
- Customer efficiency rating based on a gallons/acre analysis and system-wide comparisons
- Transparent water use can be communicated to customers, incentivizing them to use less water to save money.
- Identifies which customers are high use outliers who may have leaks in their system.

Water Conservation Promoting Customer Engagement

The value doesn't stop at analysis. Aqua Median™ builds a water use profile for each of your customers, allows them to set water efficiency goals and access customizable resources. The profile looks like a tool built by your water system, including your branding and logo. Water systems are able to export custom mailers from the platform to inform people about their comparative use and invite them to learn more via a private profile. The software also makes saving water fun, allowing customers to participate in efficiency competitions.

Aqua Median's goal is to empower water systems to extend their supply and options by eliminating water waste.

Funding Agency Portal Overview

A core piece of the Aqua Median platform is the Funding Agency Portal. The Aqua Median team recognized early on that the funding agency and community water system wouldn't always be one in the same. They wanted Aqua Median to simultaneously provide value to both entities by providing transparent and proactive reporting to the funding agency while lessening the reporting burden on the community water system. As a result, they created a funding agency portal that meets all of these demands.

The core funding agency portal elements include:

1. Queryable macro data for each individual water system as well as comparisons among systems
2. BAR (Baseline, Action, Result) Analysis
    a. Baseline trend for month (June 2021, June 2020, June 2019, June 2018).
        *i. *This will be limited by the amount of historic data the community water system supplies.*
    b. Action taken: (Flier sent, email sent, social media posts)
    c. Result: (How many portal sign ins, any water use changes)
3. Historic trends that consider evapotranspiration rates
4. Portal activity trends (Which use categories accessed which resources, selected goals, etc)
5. Spatial Analysis Heat Map
    a. While the funding agency isn't given access to individual customer data or pinpoints, it can see spatial analysis that visualizes high use zones.

These elements will be added iteratively, and funding agencies should not expect portal access on day one of the contract with the Water System. The Water System Portal will be prioritized because all subsequent portals are based on the data extracted from said portal. The funding agency portal/funding agency data accessibility for a given water system will not be available until the water system is completely integrated.

Additional Funding Agency Portal elements may be integrated as more community water systems receive funding from the funding agency. GovFriend is dedicated to working collaboratively with funding agencies to create a useful data portal that informs data-driven decision making.

Proposed Delivery Timeline:

Fall 2021

- Assessment of data and customization needs
- Data gathering and interpretation

Winter 2021-2022

- Baseline data integration and initial analysis/use categorization
- Solidify categories and customized public engagement tools
- Further analysis and preparation of macro trend portal for State of Utah

Winter 2022

- Platform fully functional, empowering analysis, customer engagement and conservation

Spring 2022

- Hard launch with increased customized engagement

Summer 2022

- Customized use and outreach to target conservation gains

Fall 2022

- Annual success analysis communicated via portals

System Information:

Number of System Connections	Number of secondary connections
2600	Total Connections: 3,418 Metered Connections: 1,346
Average Lot Size (acres)	
.25	
List Water Sources:	
Bought from Weber Basin WCD (WS004/005), Well #1 2250 W 300 N (WS001) and Well #3 1750 W 300 N (WS003), Davis and Weber Counties Canal Companies, Hooper Improvement District, Sunset Reservoir, Hooper Irrigation Company	
If applicable, describe the secondary distribution system (include the type: lined or unlined canal/ditch, pipeline, etc.)	
Pipeline	
ESTIMATED WATER CONSERVATION:	
Estimated water conserved by project (acre-feet)	
The combination of secondary water metering and education has shown savings greater than 30 percent in some areas. That being said, savings can vary based on a variety of factors.	

PROPOSED FINANCING PLAN:			
Utah Division of Water Resources Contribution	$100,000	85%	The applicant contribution will be an in-kind donation, due to the time and effort it will take to work with the vendor to gather data, collaborate about available customization, launch the program and analyze results.
West Point City (Applicant)	$8,625	7.5%	
Davis Weber Counties Canal Company	$8,625	7.5%	
Other (Specify)	$0	0.00%	
TOTAL	**$117,250**	**100%**	

ACKNOWLEDGEMENT AND SIGNATURE:

By signing below (including electronically typing your name) and submitting this application, you acknowledge that you:
(1) Are authorized to make an application for assistance on behalf of the applicant.
(2) Are a qualified applicant and accept the policies and conditions enumerated therein and above.
(3) Request grant assistance in developing the project described.

Kyle W. Lowe Name of West Point City Authorized Agent	10/26/2021 Date
Richard D Smith Name of DWCCC Authorized Agent	10/26/21 Date

TO BE COMPLETED BY THE APPROVING UDWRe STAFF MEMBER

I have reviewed this application and forward it to staff of the Division of Water Resources to prepare a feasibility report.

Comments (if any):

Staff Member Signature	Date

CITY COUNCIL STAFF REPORT

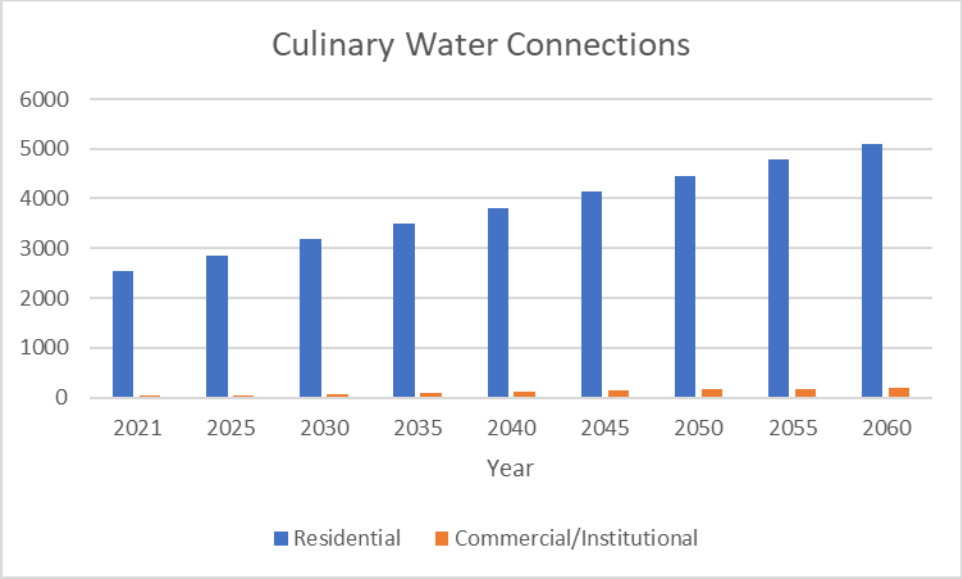
Subject: Water Conservation Report
Author: Boyd Davis
Department: Engineering
Meeting Date: November 16, 2021

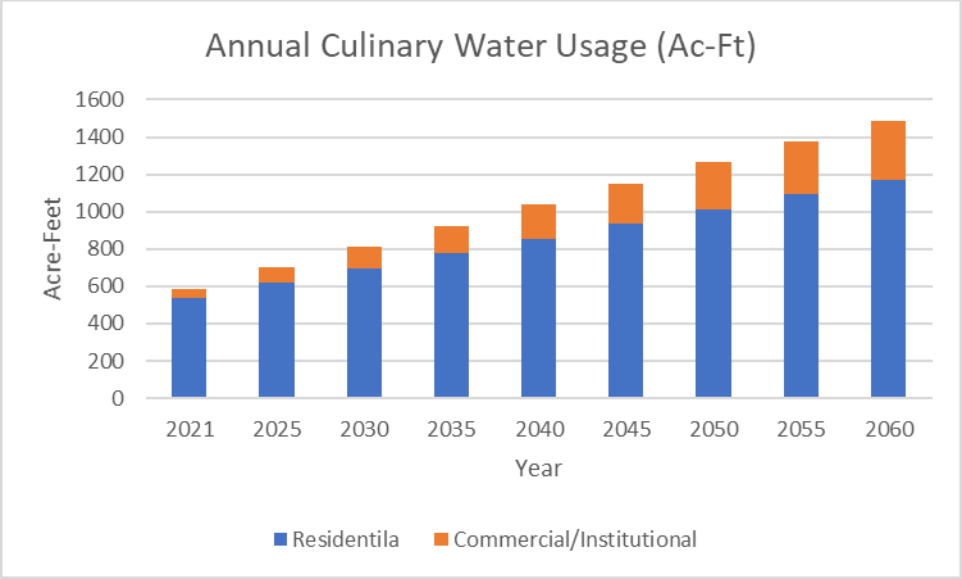
Background

Every five years, the State Code requires water systems with over 500 connections to submit a water conservation plan to the Utah Division of Water Resources to comply with the Water Conservation Act. These plans contain existing and proposed water conservation measures that outline how the entity and the end culinary water user will conserve water and limit or reduce per capita consumption so that adequate water supplies are available for future needs and meet Regional Water Conservation Goals. The Utah Division of Water Resources reviews these plans and provides assistance as systems work to improve water efficiency. Non-compliant water systems are ineligible for state loans or funding.

Analysis

Staff has prepared an updated water conservation plan that has been reviewed by the State and now must be approved by the City Council. The plan includes the following data:





We currently have nearly 2,600 connections and use about 600 acre-ft of culinary water annually. Those numbers are expected to double over the next 40 years to 5300 connections using nearly 1,500 acre-ft of water. To meet the future water demands the City exacts water shares from all new developments.

To ensure that the water resources of the City will be able to meet the current and future demands, water conservation measures must be promoted. The water conservation plan incudes the following goals for the next five-year period:

- Reduce water usage by 3%
- Continue to use a tiered water rate structure
- Provide water conservation tips and information to the residents by means of the City Newsletter and water bills.
- Apply for the Water Analysis Software Grant that will be used to create an online portal where residents can track their water usage.

Recommendation

Staff recommends approval of resolution 11-16-2021A adopting the Water Conservation Plan.

Significant Impacts

None

Attachments

Resolution 11-16-2021B
Water Conservation Plan

WEST POINT CITY
UPDATED
WATER CONSERVATION PLAN

MAYOR
ERIK CRAYTHORNE

CITY COUNCIL
JERRY CHATTERTON
GARY PETERSEN
ANDY DAWSON
KENT HENDERSON
ANNETTE JUDD

CITY MANAGER
KYLE LAWS

JULY 2021

Prepared by:

WEST POINT CITY ENGINEER
BOYD DAVIS, P.E.

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III. Water Loss----------2

IV. Water Problems, Conservation Measures and Goals ---------- 2

V. Current Conservation Practices---------- 3

VI. Current Water Rates ---------- 3

VII. Implementing and Updating the Water Conservation Plan---------- 4

APPENDICES

A. CONSERVATION PLAN ORDINANCE
B. SERVICE AREA MAP

I. Introduction

In July 1999 the West Point City "Water Management & Conservation Plan" was written to meet the requirements of the Utah Water Conservation Plan Act (73-10-32, UCA). The Act also requires that the plan be updated every 5 years. This plan is intended to meet the update requirement. Since the original 1999 was lacking in information, the reader will note that this updated plan is significantly different.

II. Description of the West Point City Water System

West Point City is located in the northwest corner of Davis County bordered by Weber County on the North, Clinton and Clearfield to the East, Syracuse to the South, and the Great Salt Lake to the West. West Point City is served by two water systems. The east half of the city is served by the West Point Water System and the west half is served by the Hooper Water Improvement District. This plan will focus on the West Point Water System.

The current population of West Point City is approximately 10,957, with 9,500 persons being served by the West Point Water System. It is anticipated that the buildout population will be 26,000 with 19,900 being served by the West Point System. Generally the growth has been residential; however we anticipate commercial developments to come in the near future and we are planning our water system now to be able to serve both the residential and commercial users.

Secondary water is available throughout the City. The secondary water system is owned and operated by the Davis and Weber Counties Canal Company.

Inventory of Water Resources

The majority of the water supply in the West Point System comes from Weber Basin Water Conservancy District. West Point City has an annual contract with the district to purchase the water. West Point also owns water rights in two wells located in the City that act as a backup to the water purchased from Weber Basin. The wells are regularly sampled and tested to ensure that they meet drinking water standards. The wells are able to pump directly into the West Point City Water System in the event that they are needed so no additional contract with Weber Basin or any other agency is needed. The City also owns two 1 million gallon water storage tanks that provides fire suppression, emergency, and equalization storage.

West Point City Culinary Water Sources

Source Name	Type	Water Right #	Acre-ft
Well # 1	Underground Well	31-3205	744
Well # 3	Underground Well	31-1828; 31-2577	2911

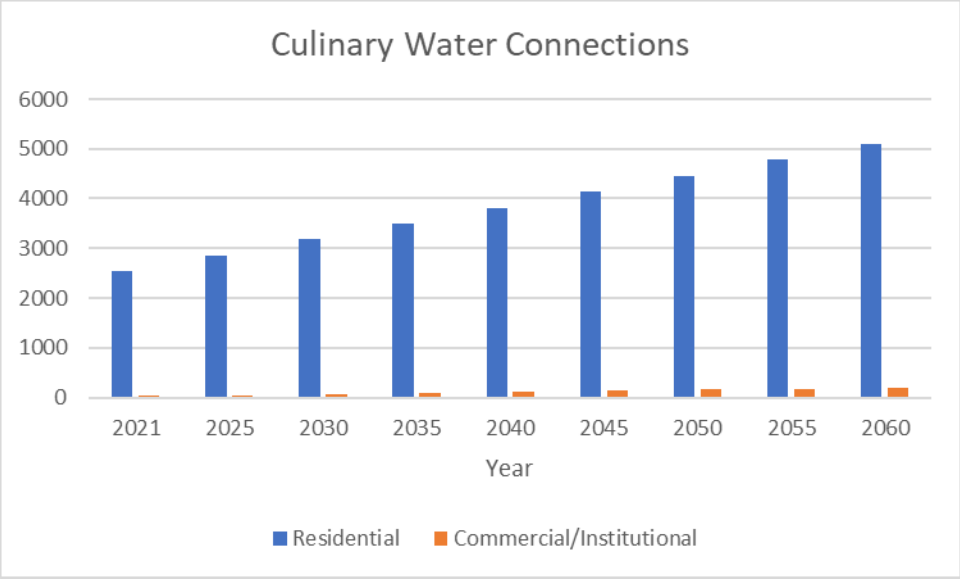
West Point City Culinary Water Purchases		
Source Name	Annual AF	Price per AF
Weber Basin	500	$313.09
Weber Basin	200	$246.60

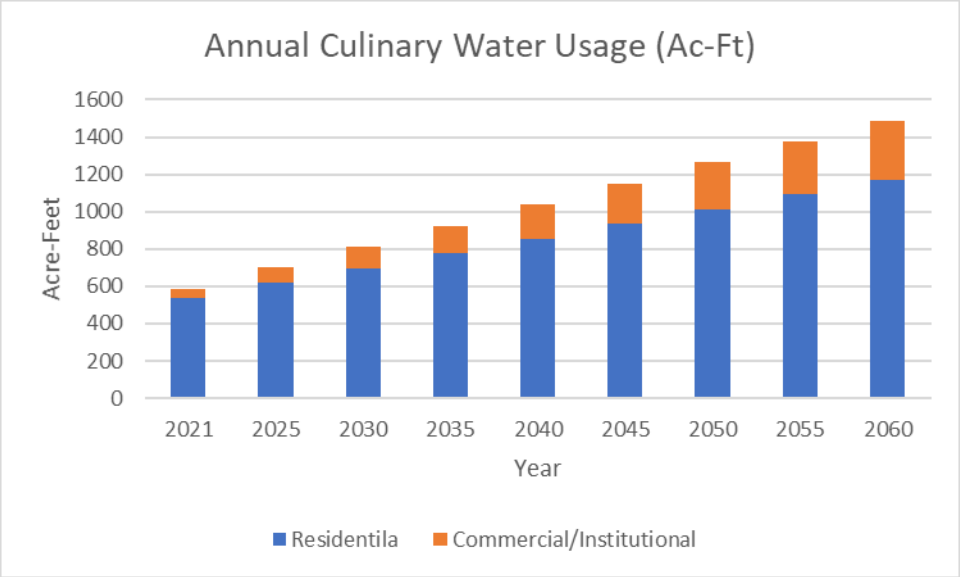
Existing and Projected Connections and Water Use

The majority of the connections in West Point City are residential connections, however there are a number of commercial connections as well as institutional connections such as churches and schools.

Existing Culinary Water Use				
Conn. Type	Connections	Yearly Use per connection (AF)	Use (af/yr)	Gal/capita/day
Residential	2553	0.23	540	51
Institutional	13	1.4	18	
Commercial	18	1.6	28	

Projected Water Use - 40 yrs			
Conn. Type	Connections	Yearly Use per connection (AF)	Use (AF/yr)
Residential	5100	0.23	1,173
Institutional	25	1.4	35
Commercial	175	1.6	280





Secondary Water Use

Secondary water is provided by the Davis and Weber Counties Canal Company. We estimate that 95% of all residents of West Point City are connected to the secondary water system. All new construction is required to connect to the system. There are also a number of different irrigation companies that provide irrigation water for agricultural purposes.

Future Water Supply

To ensure that future water needs will be met, West Point City has enacted an ordinance that requires all new construction to provide water shares to the City. Those water shares are converted from agricultural water to municipal water through a contract that the City has with the Weber Basin Water Conservancy District. Nearly all lands in the City have water shares associated with them the future. If any property does not have water shares then they will not be allowed to develop. which ensures that we will have adequate supply into the future.

III. Water Loss

We are able to measure water loss through the system by taking the difference between the water delivered to us from Weber Basin and the water usage measured by our meters. The water loss has been calculated to be 0.72%.

IV. Water Problems, Conservation Measures and Goals

Problems Identified

1. Lack of education. Many residents do not follow the appropriate watering times or over water their lawns and gardens.
   a. Goal – West Point City would like to reduce indoor water usage by 3%. To accomplish this the City plans educations measures and a tiered water rate structure. West Point City has started and plans to continue to send out informational brochures and newsletters with suggestions on appropriate watering. The City has also hired a compliance officer who has the charge to notify residents who are violating the watering restrictions. The officer does this by means of a door tag. West Point City is also applying for a grant that will be used to purchase software that will allow residents to view current data of their water usage, both indoor and outdoor.
2. Evaluation. In order to evaluate the progress we will review the water usage annually when the water data is submitted to the Division of Water Rights. We will include these metrics in the next update to this Water Conservation report which is due in 2026.

V. Current Conservation Practices

West Point City has already implemented several water conservation measures and policies to encourage the residents of the City to conserve water. The following describes many of these measures.

1. Water Ordinance. The City currently has an ordinance that makes it unlawful to waste water or to use it for inappropriate uses. This ordinance also allows the City to restrict water use in times of shortage.

2. City Newsletter. Every month a newsletter is mailed to the home of each resident of West Point City. The topics of the newsletter are varied, but often focus on water conservation practices, especially during the watering season. The newsletters have been very effective.

3. Davis & Weber Canal Co. This company owns and operates the secondary water system. They send out regular information regarding water restrictions and water efficient landscaping.

4. Secondary Water Meters. The secondary water company has installed hundreds of meters on the secondary system. All new connections are also required to install meters. They send out regular usage reports and have found that this greatly reduces the water usage.

VI. Current Water Rates

West Point City has adopted a tiered water rate structure that incentivizes water conservation. It will be reviewed regularly to determine if it should be adjusted. The city has also installed radio read meters that allow an accurate monthly reading to ensure that residents are being accurately billed for the water they use. The following table lists the current water rates.

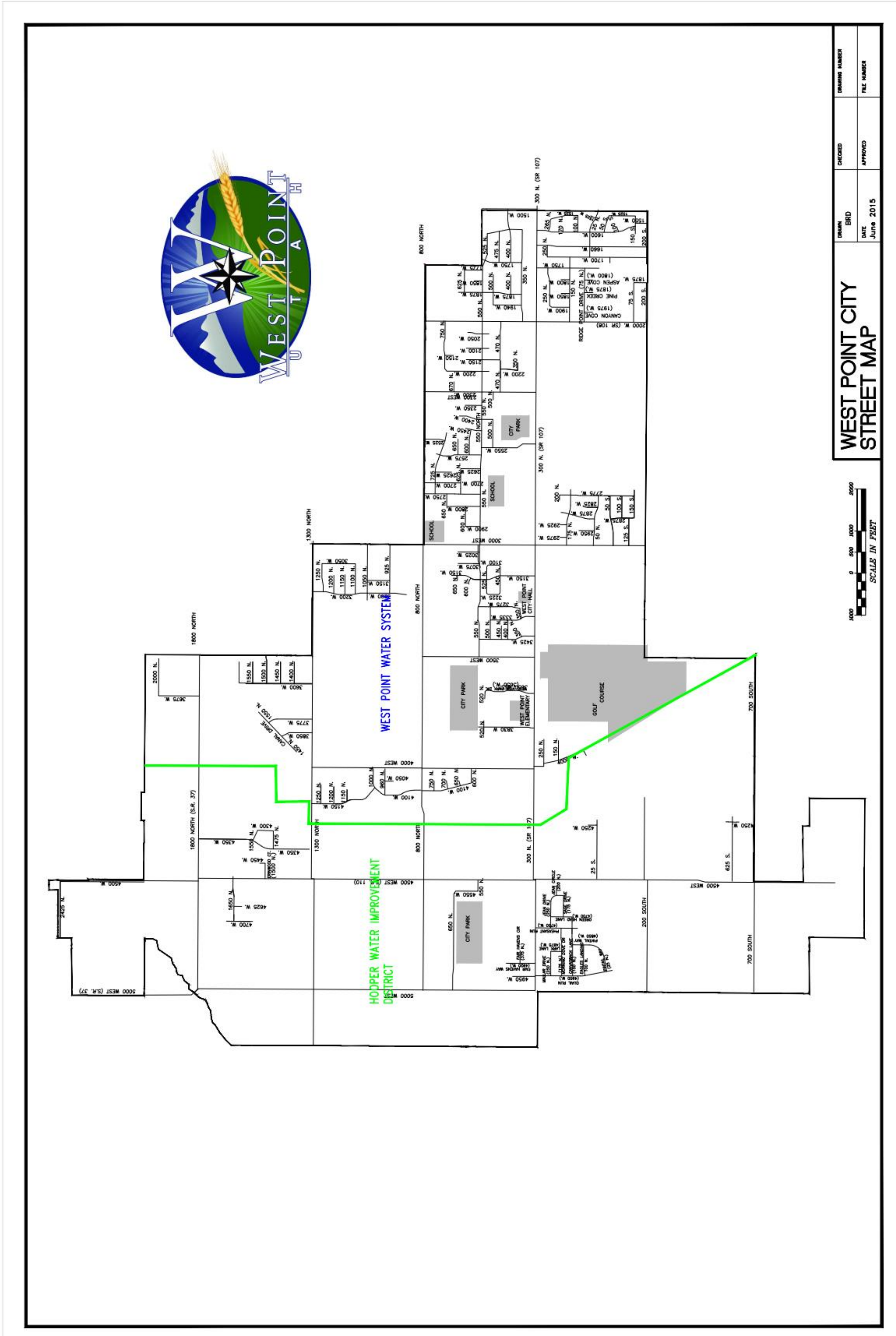
Current Water Rates - Monthly			
Conn. Type	base rate (includes 6,000 gal)	Each additional 1,000 gal up to 10,000	Each additional 1,000 gal over 10,000
all	$23.75	$1.40	$1.65

VII. Implementation, Monitoring and Evaluation

The implementation schedule and responsible person for each program is listed below. This conservation report with be updated every 5 years as required.

Implementation, Monitoring and Evaluation				
Program	Responsible Person	Begin Date	End Date	Evaluation Schedule
Review Water Ordinance	City Engineer	2022	none	yearly
City Newsleter	Communications Mngr	unknown	none	monthly
Secondary Water Meters	Davis & Weber Canal Co.	2017	none	Yearly

Appendix B – Service Area Map



CITY COUNCIL STAFF REPORT

Subject: Changes to Land Use and Development Code
Author: Bryn MacDonald
Department: Community Development
Meeting Date: November 16, 2021

Background

The City Council recently adopted the new Title 17 Land Use and Development Code. As we have been using the new code, we have found a few changes that need to be made.

Process

This item is an amendment to the zoning ordinance. This requires a public hearing be held by the Planning Commission and a recommendation be made to the City Council. The City Council will then hold a public hearing and adopt the amendment as proposed, modify the amendment, or reject the amendment.

Analysis

The proposed changes are in the following sections:

1. ***Amendments to the Land Use Regulations and the General Plan***: Applications for General Plan Amendments are currently accepted during the months of April and October. With limited meetings during the holiday months it is proposed that the months be changed to March and September for adequate time to review the proposals.

2. ***Table of Land Use Regulations***: The following changes are proposed.
    a. Changing the "CC" approval back to "PC" approval within the table. This was an oversight that never got changed back prior to final adoption.
    b. Adding "Internal Accessory Apartments" and "External Accessory Apartments" to the table to comply with new State code requirements.
    c. Adding back to the table "Open Storage for Recreational Vehicle, Boat and Trailers" that was inadvertently removed prior to final adoption

3. ***Residential Dwellings:*** Utah State Code 10-9a-534 prohibits municipalities from enforcing regulations on "building design elements" (this includes brick and minimum square footage). The proposal removes sections that are not in compliance with state code.

4. ***Accessory Buildings:*** On December 15, 2020 the City Council adopted changes to accessory buildings code that removed the requirement to be limited to one story. As the new code draft was being finalized the wording for those changes made by City Council was not adjusted prior to final adoption. These changes correct the wording.

5. ***Accessory Dwelling Units:*** Utah State Code 10-9a-530 requires municipalities to approve "Internal ADU's." This section addresses those requirements.

Recommendation

The Planning Commission recommended approval of the proposed text changes. This item is on for discussion only. A public hearing will be scheduled for the next meeting.

Significant Impacts

Attachments

Draft Land Use and Development Code

17.00.90 **Amendments to the Land Use Regulaions and the General Plan**

A. The City Council shall only accept applications to amend the General Plan twice a year, during the months of ~~April and October~~ March and September. This section shall not limit the City Council, Planning Commission, or authorized City staff from initiating a general plan amendment at any time.

17.60.050 **Table of land use regulations.**

A. **Table of Land Use Regulations**. Glossary and Requirements:

P = PERMITTED USE (P) A site plan application might be required as outlined in chapter 17.30 of this Title. ~~is required with staff processing.~~

AC = ADMINISTRATIVE CONDITIONAL USE (AC). A site plan application with an administrative staff review is required.

PC = PLANNING COMMISSION CONDITIONAL USE REVIEW (PC). A site plan application with Planning Commission review is required.

B. If a use is not specifically designated below, then it is prohibited.

LAND USE ZONES	A-5	A-40	R-1	R-2	R-3	R-4	R-5	P-O	N-C	C-C	R-C	R/I-P
Agricultural Uses												
1. Agriculture – crop production	P	P	P	P	P	P	P		P	P	P	P
2. Intensive commercial agricultural operations	AC	AC										
3. Farm Animals	P	P	P	P	AC							
4. Accessory Building (Small) up to 1200 sq ft	P	P	P	P	P	P	P	P	P	P	P	P
5. Accessory Building (Medium) 1201 – 1,499 on a lot under 15,000 square feet	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC
6. Accessory Building (Large) 1,500 sq ft +	PC	PC	PC	PC	PC	PC	PC					
7. Accessory Building (Side Yard)	AC	AC	AC	AC	AC	AC	AC					
8. Animal Enclosures	P	P	AC	AC	AC							
9. Beekeeping (Apiary)	P	P	P	P	P							
10. Kennels, Private > 2 dogs	PC	PC										
11. Agricultural Subdivision	P	P										
Residential Uses												
1. Dwelling, Single-Family	P	P	P	P	P	P	P					
2. Minor Home Occupations (see 17.70.140)	AC	AC	AC	AC	AC	AC	AC					
3. Major Home Occupations (see 17.70.140)	PC	PC	PC	PC	PC	PC	PC					
4. In-Home Daycare/Pre-School (see 17.70.140)	PC	PC	PC	PC	PC	PC	PC					

5. Townhomes, duplexes, patio homes, single story or stacked flat condominiums						P	P					
6. Dwelling, Multiple Unit							~~C~~PC					
~~7. Accessory Apartment~~	~~PC~~	~~PC~~	~~PC~~	~~PC~~	~~PC~~							
7. Internal Accessory Dwelling Units (see 17.70.060)	P	P	P	P	P							
8. External Accessory Dwelling Units (see 17.70.060)	PC	PC	PC	PC	PC							
~~8~~9. Residential Subdivision (including a model home as a permitted use after the preliminary plat is approved)	P	P	P	P	P	P	P					
Institutional/Quasi-Public												
1. Cemetery	PC	PC	PC	PC	PC	PC	PC					
2. Religious places of worship and support facilities	P	P	P	P	P	P	P	P	P	P	P	P
3. Commercial Day Care Center and/or Pre-School								P~~C~~C	P~~C~~C	AC	AC	AC
5.Senior Care Facilities/Nursing Homes								P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
6. Private/Quasi-Public/Charter School	P	P	P	P	P	P	P	P	P	P	P	P
7.Utility buildings and structures, Electric substations	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
8. Telecommunications Towers (see 17.90 for specific types), and Small Cell Installations. * *Monopole type only and only allowed on public property.			PC*	PC*	PC*	PC*	PC*	PC	PC	PC	PC	PC
9. Public Utilities (including substations). Shops and Storage Yards, and Public Buildings	P	P	P	P	P	P	P	P	P	P	P	P
10. Public Water Reservoir/ Public Storage Tank	P	P	P	P	P	P	P	P	P	P	P	P
11. Group Homes in residential structure	P	P	P	P	P	P	P					

Entertainment/Recreation Uses												
1. Golf Course (Public & Private)	P	P										
Automobile-Related Uses												
1. Gas/convenience store with or w/o car wash									P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
General Retail/Commercial/Hospitality												
1. Retail shops/Services (under 10,000 sq. ft)									P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
2. Mid-box retail (10,001 to 80,000 sq. ft)										P~~C~~C	P~~C~~C	
3. Big Box Retail 80,001 and larger)											P~~C~~C	
4. Financial Institutions								P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
5.Restaurants, bars, including fast food								P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
6. Professional offices, Business Medical/Dental/Optical Office/Clinics and Laboratories								P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
7. Private Instructional Studio - Artist, Photography, Dance, Music, Drama, Health, Exercise									P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
8. Commercial Complex								P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C	P~~C~~C
9. Commercial/Industrial Subdivisions								P	P	P	P	P
10. Signs (see 17.110)	P	P	P	P	P	P	P	P	P	P	P	P
11. Firework stands (temporary) (see 5.25)									P	P	P	P
Commercial Related/Manufacturing												
1. Light Manufacturing (within an enclosed building)											P~~C~~C	P~~C~~C

2. General Manufacturing												P~~C~~C
3. Contractor Storage Yard												P~~C~~C
4. Self- Storage Units												P~~C~~C
5. Warehouse												P~~C~~C
6. Open Storage for Recreational Vehicle, Boat, and Trailer.												P
~~6~~7. Office or retail shop/warehouse											P~~C~~C	P~~C~~C
~~7~~8. Sexually Oriented Businesses (see 5.50)												P~~C~~C
~~8~~9. Cannabis Facilities: cultivation, processing, and pharmacies												P

17.70.020 Residential dwellings

The following regulations apply to all residential and agricultural zone unless otherwise specified in the respective zone sections in this Title.

A. Minimum dwelling sizes in the A-1, A-5, R-1, R-2, R-3 zones

Minimum Dwelling Size						
Dwelling Type	**Rambler**	**Slab on grade**	**Bi-level**	**Tri-Level**	**Multi-level**	**Two Story**
Minimum size of dwelling (sq ft)	1,000~~400~~	1,000~~1,400~~	1,000~~2,000~~	1,000~~1,400~~	1,000~~1,400~~	1,000~~2,000~~

~~**Note**: 10% variance between floors. Buildings above 2,200 sq. ft., no minimum variance~~

B. Residential dwellings.

1. The real property and the dwellings thereon shall be held in common ownership and taxed as real property.

~~2. Dwellings must be at least 20 feet wide.~~

~~3.~~2. Dwellings shall be attached to a foundation in accordance with plans prepared by a registered engineer providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the International Building Code.

~~4.~~3. Dwellings shall be permanently connected to and approved for all required utilities.

~~5.~~4. For purposes of this subsection, the definition of "facade" means all exterior walls.

~~6. Regulations for new residential construction must meet one of these two options:~~

~~a. **Option 1:** A minimum of 40 percent of the front exterior wall construction for all single-family, duplex, and townhomes shall be constructed of brick, rock, or stone. The 40 percent requirement shall be calculated by measuring the front facade of the structure from the foundation to the top plate line of the uppermost level, excluding openings for windows, doors, and trim, and by multiplying that figure by 40 percent. The builder of the structure shall be authorized to satisfy the 40 percent requirement by the lacing of brick, rock, or stone. No vinyl siding shall be allowed on any facade that faces a street unless it is a rear facade. In addition to the 40 percent requirement on the front of the structure, the sides of the structure shall have a minimum of a three-foot-high wainscot of brick, rock, or stone along the entire length of the wall on each side of the structure.~~

~~b. **Option 2:** All front and side exterior walls, including corner lots for single-family, duplex, and townhomes shall be constructed of 100 percent brick, rock, stone or engineered siding (includes fiber cement boards such as Hardie or engineered wood siding such as LP Smartside) as a stand-alone product or in combination with other materials previously mentioned. Specific to the front face of the house, homes with 100 percent engineered siding, must use a different pattern on the gables.~~

17.70.30 Accessory buildings and other structures on residential lots

A. Accessory building standards. All accessory buildings shall not be located in the front yard. Accessory buildings located in the rear yard shall be located at least five feet from any on-site dwelling structure and at least 15 feet from any dwelling structure on an adjacent lot.

1. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of all ordinances applicable to the main building. If an accessory building is attached to the main building, it is no longer an accessory building. It is a portion of the main building and all setbacks for the structure must be maintained.
2. Accessory buildings in any zone shall occupy no more than 20 percent of the lot area less the area of the footprint of the main building and shall be separated by not less than five feet. If there is more than one accessory building on a lot, the combined area of all accessory buildings shall occup
3. Accessory buildings on a lot of 20,000 square feet or less shall have a roofline equal to or less than the residential dwelling on the same lot.
4. Accessory buildings that are more than 1,200 square feet or occupy more than 15 percent of the lot area and are located on lots that are less than 15,000 square feet shall require a conditional use permit.
5. All accessory buildings that are more than 1,500 square feet no matter the size of the lot shall require a conditional use permit.
6. The following setbacks from property lines shall apply for all accessory buildings. See 17.70.30(A)(7) for minimum setbacks of accessory buildings located in the side yard.

~~7. Accessory buildings shall be limited to one story on lots less than 20,000 square feet, shall have a roofline equal to or less than the residential dwelling on the same lot.~~

~~8.~~7. Living space in any accessory building may be permitted as regulated in 17.70.060 in this title.

~~9.~~8. Accessory buildings on a vacant lot shall not be allowed except in agricultural zones.

17.70.060 Accessory dwelling units

A. **Accessory Dwelling Units Defined**: An accessory dwelling unit (ADU) is a second dwelling unit in an owner-occupied single-family property that is clearly incidental and accessory to the main dwelling on the property. ADUs can be either internal or external.
   1. An internal ADU is a separate dwelling unit located entirely within the footprint of a single-family residence on a residentially zoned property. Internal ADUs must meet the standards in section 10-9a-530 of the Utah Code.
   2. An external ADU is a dwelling in a separate structure on the same residentially zoned property as a single-family residence, and which is detached from the single-family residence.

B. **Permitted and Conditional Uses:** See Use Table Section 17.60.050 for specific zoning designations that include permitted and conditional uses. If the ADU is not designated within a particular zone on the table, then it is prohibited.

C. **General standards:**

~~A. **Accessory apartments (PC) process.**~~

1. All accessory apartments shall be ~~processed as a Planning Commission conditional use and be~~ subordinate in size and prominence to the primary unit. The property must be owner occupied. This means that the owner must reside in the primary home or the detached structure at all times (except as specified herein, and may not delegate, assign, or transfer this responsibility to another party).
2. The applicant shall have a fee simple title to the property.

3. The applicant has not been notified or fined by the city for any code violations relating to this property or any other property within the previous 12 months.
4. The Accessory Apartment shall have a separate entrance that faces away from the street and that does not disrupt the single-family appearance of the existing structure.
5. The Accessory Apartment shall have at least one additional paved off-street parking space, which may be in a tandem configuration.
6. The Accessory Apartment shall have a minimum of one bedroom and a three-quarter bath.
7. The Accessory Apartment shall have a kitchen.
8. The Accessory Apartment shall meet all building code and obtain all required permits prior to occupancy of the Accessory Apartment.
9. The primary unit shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.
10. The primary or secondary unit shall not be occupied by more than three persons per bedroom.
11. No vehicles shall be parked on the front lawn or other landscaped areas.
12. The property shall be neatly maintained and shall meet all current codes regarding property maintenance and public health standards.
13. An accessory building located in the rear yard, may be used as an Accessory Apartment, but shall maintain a 5' distance from the principal dwelling, a 10' rear setback, and a minimum of 10' for a side yard setback. The height to the peak of the roof shall be no more than 20'.
14. The owner may request a leave of absence for up to three years for personal, business, military, and/or ecclesiastical reasons, through a letter requesting such absence filed with the Community Development Department. During that time, a manager shall be identified that lives in the home and that person's contact information provided within the letter of absence request.
15. ~~The property owner shall record a document with the Davis County Recorder indicating that this property is a single-family residence, that the secondary unit is inseparable from the primary unit, that the owner agrees to live in the unit at all times (except as provided above) and that the permit may be revoked at any time for violation of the conditional use requirements.~~
16. ~~The property owner shall renew the conditional use permit each year through the payment of a business license fee to the City to cover administrative expenses. A fee schedule may be obtained from the City Recorder.~~
15. ADU's are not allowed on lots 6,000 square feet or less in size regardless of the zone.
16. Only one ADU per property is permitted.
17. The ADU must be rented for periods of 30 consecutive days or more.

CITY COUNCIL STAFF REPORT

Subject: 2021 Municipal General Election Canvass
Author: Casey Arnold
Department: Executive
Meeting Date: November 16, 2021

Background

Every two years, West Point City must hold a Municipal Election, and this year, two City Council seats and the Mayor position were up for election. During the Candidate Filing Period, six individuals declared candidacy for the two Council seats and three individuals declared candidacy for the Mayor position. Those individuals are as follows: (listed in ballot order pursuant to UCA 20A-6-305):

Mayor	City Council
Gary L Petersen	Andy Dawson
Brain Vincent	Michele Swenson
Jerry G. Chatterton	Jeremy Strong
	Joelle Caruso
	Brad Lee
	Jeffrey Howard Turner

As the number of declared candidates twice exceeded the number of persons needed to fill the available offices, a Primary Election was required and held on August 10, 2021. The four candidates for City Council and two candidates for Mayor with the highest number of votes received proceeded to the General Election held on November 2, 2021. The Official Primary Election Results were approved by the Board of Canvassers on August 24, 2021 and the following candidates proceeded to be on the ballot for the General Election:

Mayor	City Council
Gary L Petersen	Andy Dawson
Brain Vincent	Michele Swenson
	Jeremy Strong
	Brad Lee

West Point City contracted with the Davis County Clerk/Auditor's Office to provide election services for both the Primary and General Elections and were vote-by-mail as required by State Law. Registered voters received ballots in the mail and had the ability to either return them via mail, place them in a ballot drop box, or vote on Election Day between 7 AM and 8 PM. A ballot drop box and polling location was located at West Point City Hall, however voters could use a ballot drop-box or vote at a polling location located at any of the approved Vote Centers located throughout Davis County. As part of the election services provided, the Davis County Clerk/Auditor's Office processed and counted all ballots received. State Law requires that the election canvass (final results) must be approved no sooner than 7 days and no later than 14 days following the election by the Board of Canvassers. The City Council operates as the Board of Canvassers for the City.

Analysis

Final results of the General Election will be provided and reviewed with the Council at the meeting.

Recommendation

Staff recommends the City Council, as the Board of Canvassers, approve the Official Canvass Report of the 2021 Municipal General Election.

Significant Impacts

The two City Council candidates and Mayor candidate that received the highest number of votes will serve in those offices for a 4-year term. They will be sworn in to office by the City Recorder at the Swearing-In Ceremony on Monday, January 3rd, 2022 at 12:00 PM.

Attachments

The official documents will be presented at the City Council Meeting.

CITY COUNCIL STAFF REPORT

Subject: Final Plat for the Legacy Storage Subdivision
Author: Bryn MacDonald
Department: Community Development
Meeting Date: November 16, 2021

Background

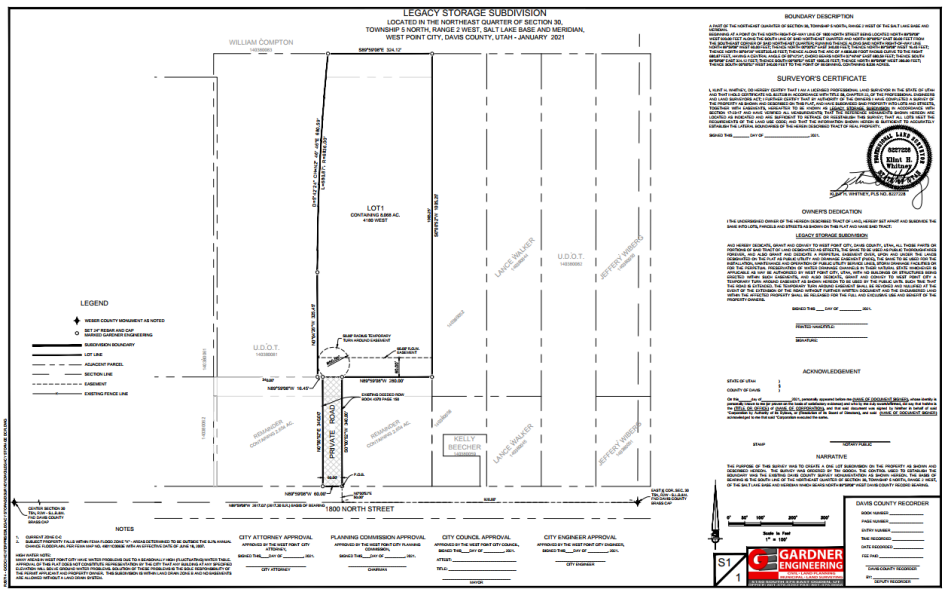
The applicant, Tim Gooch, is seeking final plat approval for the Legacy Storage Subdivision, located at approximately 4300 West 1800 North.

The City Council rezoned this property to R/I-P (Industrial) in March of 2019. The development consists of 8 acres of land with 1 proposed lot. The development will be a mix of storage units and outdoor RV storage. After the plat has been approved the applicant will need to come back for a site plan review and approval from the Planning Commission and City Council on site specific improvements.

The Planning Commission approved the preliminary plat for the subdivision September 23, 2021.

Analysis

Staff has reviewed the plans submitted and has provided comments back to the developer and project engineer. All of the items that are required before Final Plat have been addressed.



Recommendation

Staff recommends approval of the final plat for a 1 lot subdivision for Legacy Storage.

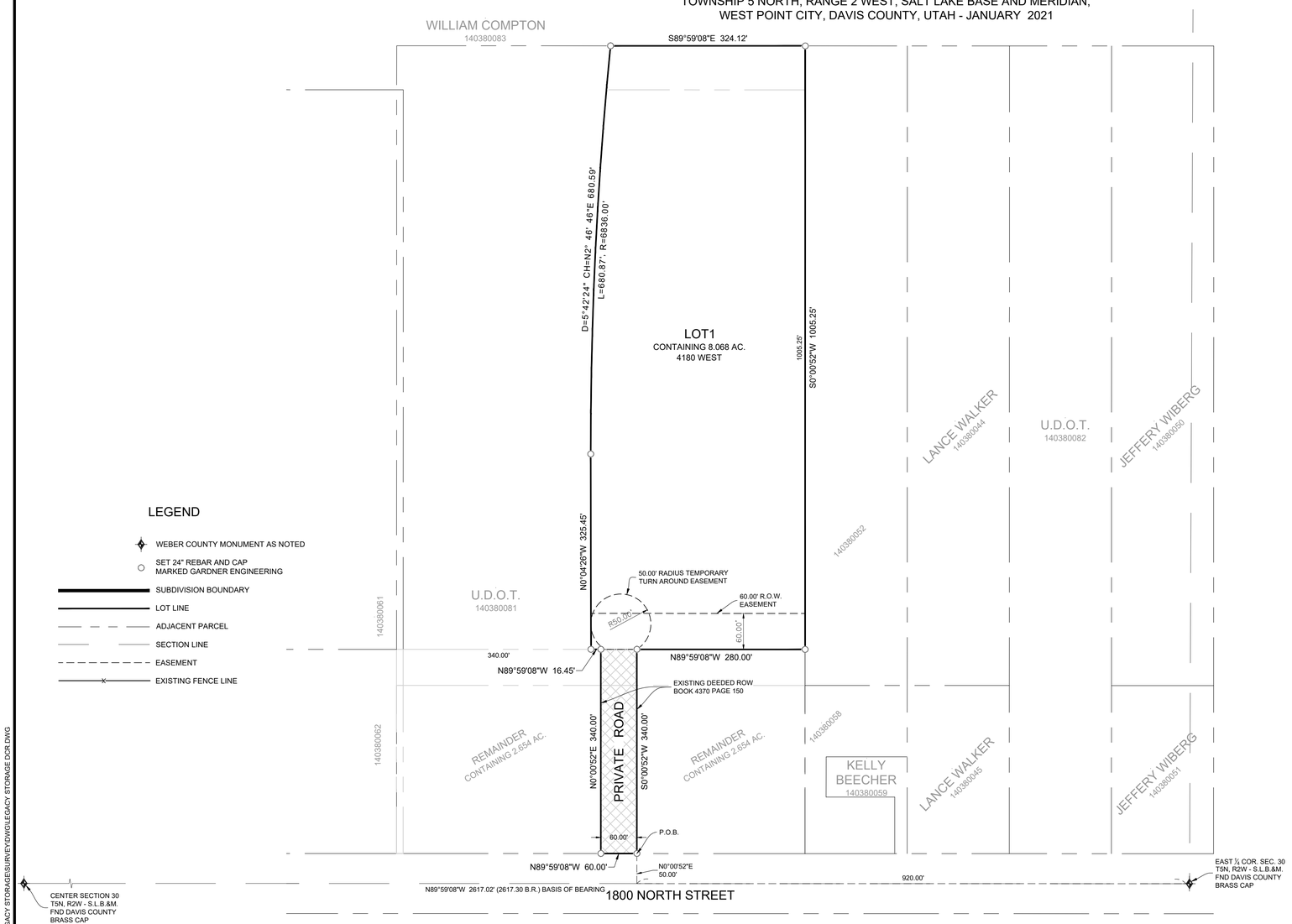
Significant Impacts

Attachments

Plat

LEGACY STORAGE SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 30,
TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN,
WEST POINT CITY, DAVIS COUNTY, UTAH - JANUARY 2021



LEGEND

- WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- EASEMENT
- EXISTING FENCE LINE

BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUAR4TER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 1800 NORTH STREET BEING LOCATED NORTH 89°59'08" WEST 920.00 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER AND NORTH 00°00'52" EAST 50.00 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89°59'08" WEST 60.00 FEET; THENCE NORTH 00°00'52" EAST 340.00 FEET; THENCE NORTH 89°59'08" WEST 16.45 FEET; THENCE NORTH 00°04'26" WEST325.45 FEET; THENCE ALONG THE ARC OF A 6836.00 FOOT RADIUS CURVE TO THE RIGHT 680.87 FEET, HAVING A CENTRAL ANGLE OF 05°42'24", CHORD BEARS NORTH 02°46'46" EAST 680.59 FEET; THENCE SOUTH 89°59'08" EAST 324.12 FEET; THENCE SOUTH 00°00'52" WEST 1005.25 FEET; THENCE NORTH 89°59'08" WEST 280.00 FEET; THENCE SOUTH 00°00'52" WEST 340.00 FEET TO THE POINT OF BEGINNING. CONTAINING 8.536 ACRES.

SURVEYOR'S CERTIFICATE

I, KLINT H. WHITNEY, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NO. 8227228 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY AS SHOWN AND DESCRIBED ON THIS PLAT, AND HAVE SUBDIVIDED SAID PROPERTY INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS LEGACY STORAGE SUBDIVISION IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN HEREON ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS SURVEY; THAT ALL LOTS MEET THE REQUIREMENTS OF THE LAND USE CODE; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY.

SIGNED THIS _____ DAY OF _____, 2021.

PROFESSIONAL LAND SURVEYOR
8227228
Klint H. Whitney
STATE OF UTAH

KLINT H. WHITNEY, PLS NO. 8227228

OWNER'S DEDICATION

I THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

LEGACY STORAGE SUBDIVISION

AND HEREBY DEDICATE, GRANT AND CONVEY TO WEST POINT CITY, DAVIS COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY AND DRAINAGE EASEMENT (PUDE), THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY WEST POINT CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS, AND ALSO DEDICATE, GRANT AND CONVEY TO WEST POINT CITY A TEMPORARY TURN AROUND EASEMENT AS SHOWN HEREON TO BE USED BY THE PUBLIC UNTIL SUCH TIME THAT THE ROAD IS EXTENDED. THE TEMPORARY TURN AROUND EASEMENT SHALL BE REVOKED AND NULLIFIED AT THE EVENT OF THE EXTENSION OF THE ROAD WITHOUT FURTHER WRITTEN DOCUMENT AND THE ENCUMBERED LAND WITHIN THE AFFECTED PROPERTY SHALL BE RELEASED FOR THE FULL AND EXCLUSIVE USE AND BENEFIT OF THE PROPERTY OWNERS.

SIGNED THIS ____ DAY OF _____ 2021.

_____
PRINTED NAME/TITLE:

_____
SIGNATURE:

ACKNOWLEDGEMENT

STATE OF UTAH)
§
COUNTY OF DAVIS)

On this_____day of_____2021, personally appeared before me (NAME OF DOCUMENT SIGNER), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the (TITLE OR OFFICE) of (NAME OF CORPORATION), and that said document was signed by him/her in behalf of said *Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said (NAME OF DOCUMENT SIGNER) acknowledged to me that said *Corporation executed the same.

STAMP

_____
NOTARY PUBLIC

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A ONE LOT SUBDIVISION ON THE PROPERTY AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY TIM GOOCH. THE CONTROL USED TO ESTABLISH THE BOUNDARY WAS THE EXISTING DAVIS COUNTY SURVEY MONUMENTATION AS SHOWN HEREON. THE BASIS OF BEARING IS THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 89°59'08" WEST DAVIS COUNTY RECORD BEARING.

0' 50' 100' 200' 300'
Scale in Feet
1" = 100'

NOTES

1. CURRENT ZONE C-C
2. SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD ZONE "X" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FEMA MAP NO. 49011C0063E WITH AN EFFECTIVE DATE OF JUNE 18, 2007.

HIGH WATER NOTE:
MANY AREAS IN WEST POINT CITY HAVE WATER PROBLEMS DUE TO A SEASONALLY HIGH (FLUCTUATING) WATER TABLE. APPROVAL OF THIS PLAT DOES NOT CONSTITUTE REPRESENTATION BY THE CITY THAT ANY BUILDING AT ANY SPECIFIED ELEVATION WILL SOLVE GROUND WATER PROBLEMS. SOLUTION OF THESE PROBLEMS IS THE SOLE RESPONSIBILITY OF THE PERMIT APPLICANT AND PROPERTY OWNER. THIS SUBDIVISION IS WITHIN LAND DRAIN ZONE B AND NO BASEMENTS ARE ALLOWED WITHOUT A LAND DRAIN SYSTEM.

CITY ATTORNEY APPROVAL

APPROVED BY THE WEST POINT CITY ATTORNEY,
SIGNED THIS___DAY OF _____, 2021.

_____
CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED BY THE WEST POINT CITY PLANNING COMMISSION,
SIGNED THIS___DAY OF _____, 2021.

_____
CHAIRMAN

CITY COUNCIL APPROVAL

APPROVED BY THE WEST POINT CITY COUNCIL,
SIGNED THIS___DAY OF _____, 2021.

ATTEST: _____

TITLE: _____

_____
MAYOR

CITY ENGINEER APPROVAL

APPROVED BY THE WEST POINT CITY ENGINEER,
SIGNED THIS___DAY OF _____, 2021.

_____
CITY ENGINEER

S1
1

GARDNER ENGINEERING
CIVIL • LAND PLANNING
MUNICIPAL • LAND SURVEYING
5150 SOUTH 375 EAST OGDEN, UT
OFFICE: 801.476.0202 FAX: 801.476.0066

DAVIS COUNTY RECORDER

BOOK NUMBER _____
PAGE NUMBER _____
ENTRY NUMBER _____
TIME RECORDED _____
DATE RECORDED _____
FEE PAID _____

_____
DAVIS COUNTY RECORDER

BY: _____
DEPUTY RECORDER

R:\0714 - GOOCH ENTERPRISES\LEGACY STORAGE\SURVEY\DWG\LEGACY STORAGE DCR.DWG

CITY COUNCIL STAFF REPORT

Subject: Sewer Impact Fee
Author: Boyd Davis
Department: Engineering
Meeting Date: November 16, 2021

Background

During the past several months we have been in the process of preparing an impact fee facilities plan (IFFP) for the proposed sewer system in the annexation area on the northwest corner of the City. We have also been preparing the impact fee analysis for the proposed sewer system. We have worked closely with Bowen Collin's Engineers, a consulting firm, to complete the impact fee analysis. They will be at the City Council meeting to answer any questions that you may have.

Analysis

The service area for the proposed sewer system will be a new service area that has never had an impact fee. This new service area will be separate from the current service area of the City and will have its own fee that will be unique to that area. We expect the fee in this area to be much higher than the impact fee for other areas of the City because this will be a brand new system and nearly 100% of the costs will be borne by new growth. It should also be noted that the service area is currently outside of the City boundaries. The City will not be able to impose the impact fee until the area is annexed into the City.

The purpose of the impact fee facilities plan is to identify new projects that will be required to meet the future needs. It also provides an estimated cost of the improvements and possible financing sources. The Executive Summary for the storm drain Impact Fee Analysis states the following:

> A fair impact fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from the unused capacity. Only the capacity that is needed to serve the projected growth within in the next ten years is included in the fee. Costs used in the calculation of impact fees include:
>
> - New facilities required to maintain (but not exceed) the proposed level of service in the
> system; only those expected to be built within ten years are considered in the final calculations of the impact fee.
>
> - Historic costs of existing facilities that will serve new development
>
> - Cost of professional services for engineering, planning, and preparation of the Impact Fee Facilities Plan and impact fee analysis

Costs not used in the impact fee calculation

- Operational and maintenance costs
- Cost of facilities constructed beyond 10 years
- Cost associated with capacity not expected to be used within 10 years
- Cost of facilities funded by grants, developer contributions, or other funds which West Point City is not required to repay
- Cost of renovating or reconstructing facilities which do not provide new capacity or needed enhancement of services to serve future development

IMPACT FEE CALCULATION

Impact fees for this analysis were calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years based on ERUs. This is done for all of the needed gravity collection, lift station, and force main facilities within the study area. Calculated impact fees by component are summarized in Table ES-1.

Table ES-1
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	$ 15,784,110	24.5%	$ 3,870,251	1049	$ 3,689
10-Year Project Interest Costs	$ 6,760,806	24.5%	$ 1,657,744	1049	$ 1,580
Credit for User Fees Paid Toward Existing					$ (128.96)
Subtotal	$ 22,544,916		$ 5,527,995		$ 5,141
Studies					
All Studies	$ 65,300	96.3%	$ 62,867	1049	$ 59.93
TOTAL	$ 22,610,216		$ 5,590,862		$ 5,201

Before enacting the impact fee ordinance, the State Code requirements must be followed as outlined below:

1. Publish a notice of a public hearing on the State Website.

2. Make a copy of the report available to the public.
3. Obtain a written certification from the consultant.
4. Make a copy of the ordinance available to the public.
5. Hold a public hearing.
6. Adopt the impact fee ordinance.

Following the public hearing, the Council will consider adopting the new fee. If adopted, the fee will go into effect 90 days after the date the ordinance is passed.

Recommendation

Staff recommends approval of Ordinance 11-16-2021B and that the impact fee be set at $5,200

Significant Impacts

A new impact fee of $5,200 will be charged to all new residents in the service area

Attachments

Ordinance 11-16-2021B
Impact Fee Facilities Plan
Impact Fee Analysis

ORDINANCE NO. 11-16-2021B

AN ORDINANCE ADOPTING AN IMPACT FEE FACILITIES PLAN AND AN IMPACT FEE ENACTMENT AND CREATING A NEW SERVICE AREA FOR THE SANITARY SEWER SYSTEM AND NOTICE OF PUBLIC HEARING

WHEREAS, West Point City (the "City") is a political subdivision of the State of Utah, authorized and organized under applicable provisions of Utah law; and

WHEREAS, the City has legal authority, pursuant to Title 11, Chapter 36a of the Utah Code Annotated, as amended ("Impact Fees Act" or "Act"), to impose development impact fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to new development activity; and

WHEREAS, the City has previously enacted and imposed impact fees for facilities plans, known and referred to as the "Sanitary Sewer Impact Fee", as more particularly set forth in the West Point City Fee Schedule; and

WHEREAS, the City desires to amend such fees and to create an additional service area to be referred to hereafter as "Sanitary Sewer Impact Fee" in accordance with applicable provisions of the Impact Fees Act in order to appropriately assign capital infrastructure costs to development in an equitable and proportionate manner as more particularly provided herein; and

WHEREAS, the City properly noticed its intent to prepare the Sanitary Sewer Impact Fee Facilities Plan and the Impact Fee Analysis as required by law and the City has through its consultants, completed the Sanitary Sewer Impact Fee Facilities Plan and Impact Fee Analysis in accordance with applicable provisions of the Impact Fees Act, which Sanitary Sewer Impact Fee Facilities Plan and Impact Fee Analysis are more particularly described and adopted herein; and

WHEREAS, the City has provided the required notice and held a public hearing before the City Council regarding the proposed Sanitary Sewer Impact Fees, Sanitary Sewer Impact Fee Facilities Plan and Sanitary Sewer Impact Fee Analysis in accordance with applicable provisions of the Impact Fees Act; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST POINT CITY, STATE OF UTAH, AS FOLLOWS:

SECTION I
PURPOSE

This Sanitary Sewer Impact Fees Ordinance establishes the City's Sanitary Sewer Impact Fees policies and procedures and is promulgated pursuant to Title 11, Chapter 36a, Part 4, Enactment of Impact Fees, and other requirements of the Impact Fees Act. This Ordinance adopts Sanitary Sewer Impact Fees for Sanitary Sewer facilities within a new Service Area as defined herein, provides a schedule of Sanitary Sewer Impact Fees for development activity, and

sets forth direction for challenging, modifying and appealing Sanitary Sewer Impact Fees. This Ordinance does not replace, supersede, or modify the existing Sanitary Sewer Impact Fee ordinance for the existing service area of the City, nor any ordinance regarding impact fees unrelated to Sanitary Sewer facilities and improvements.

SECTION II
DEFINITIONS

Words and phrases that are defined in the Impact Fees Act shall have the same definition in this Sanitary Sewer Impact Fees Ordinance. The following words and phrases are defined as follows:

1. "*City*" means a political subdivision of the State of Utah and is referred to herein as the City of West Point, Utah.

2. "*Development Activity*" means, except as otherwise provided in the Impact Fees Act, any construction or expansion of a building, structure or use, any change in use of a building or structure, or any changes in the use of land within the Service Area that creates additional demand and need for public facilities related to Sanitary Sewer.

3. "*Development Approval*" means any written authorization from the City that authorizes the commencement of development activity.

4. "*Impact Fee*" means a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. "Impact fee" does not include a tax, special assessment, building permit fee, hookup fee, fee for project improvements, or other reasonable permit or application fee.

5. "*Impact Fee Analysis*' means the written analysis of each impact fee required by Section 11-36a-303 of the Impact Fees Act.

6. "*Impact Fee Facilities Plan*" means the plan required by Section 11-36a-301 of the Impact Fees Act.

7. "*Project Improvements*" means site improvements and facilities that are: planned and designed to provide service for development resulting from a Development Activity; necessary for the use and convenience of the occupants or users of development resulting from a Development Activity; and not identified or reimbursed as a system improvement. "Project Improvements" does not mean system improvements as more particularly defined herein.

8. "*Proportionate Share*" means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any Development Activity.

9. "*Public Facilities*" means impact fee facilities as defined in the Impact Fees Act that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision or private entity. For purposes of this Ordinance, and as defined in the

Impact Fees Act, impact fee facilities include "Sanitary Sewer facilities" of the City for the Service Area.

10. "*Service Area*" means a geographic area designated by the City on the basis of sound planning or engineering principles in which a public facility, or a defined set of public facilities, provides service within the area. The Service Area for purposes of this Ordinance is more particularly described in Section V.

11. "*System Improvements*" means existing public facilities that are: identified in the impact fee analysis under Section t1-36a-304 of the Impact Fees Act; and designed to provide services to service areas within the community at large and future public facilities identified in the impact fee analysis under Section I1-36a-304 that are intended to provide service to service areas within the community at large. "System Improvements" do not include project improvements as defined herein.

SECTION III
STATUTORY AUTHORITY AND RESTRICTIONS

1. *Impact Fees Act Authority*. The City is authorized to impose impact fees subject to and in accordance with applicable provisions of the Impact Fees Act. An impact fee is defined as a payment of money imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. Impact fees may only be established for public facilities as defined in Section l1-36a-102 that have a life expectancy of 10 or more years and are owned or operated by or on behalf of a local political subdivision. Public facilities for which impact fees may be imposed include public facilities for Sanitary Sewer facilities.

2. *Impact Fees Act Restrictions*. Pursuant to Section 1l-36a-202 of the Impact Fees Act, the City may not impose an impact fee to: (1) cure deficiencies in public facilities serving existing development; Q) raise the established level of service of a public facility serving existing development; (3) recoup more than the local political subdivision's costs actually incurred for excess capacity in an existing system improvement; or (4) include an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the Federal Office of Management and Budget for federal grant reimbursement.

SECTION IV
SERVICE AREA

The Impact Fees Act requires the City to establish one or more service areas within which the City will calculate and impose a particular impact fee. The City currently has one service area that includes all of the area within the West Point City Corporate Boundaries as they currently exist. Said service area was created and defined by Ordinance 08-21-2018C and remains in place. This new ordinance creates a new service area informally know as the "Proposed Annexation Area" and is defined and depicted on a map in the Impact Fee Facilities Plan attached hereto.

SECTION V
IMPACT FEE FACILITIES PLAN

1. *Impact Fee Facilities Plan Required*. Pursuant to Section 11-36a-301 of the Impact Fees Act, before imposing or amending an impact fee, the City is required to prepare an impact fee facilities plan to determine the public facilities required to serve development resulting from new development activity. The impact fee facilities plan shall identify the demands placed upon existing public facilities by new development activity and the proposed means by which the City will meet those demands.

2. *Sanitary Sewer Impact Fee Facilities Plan*. The City has, through its consultants, researched and analyzed the factors set forth in Section 11-36a-302 of the Impact Fees Act and has caused to be prepared a Sanitary Sewer Impact Fee Facilities Plan ("IFFP"), as more particularly set forth in Exhibit A, attached hereto and incorporated herein by this reference. The Sanitary Sewer IFFP has been prepared based on reasonable growth assumptions for the City and general demand characteristics of current and future users of Sanitary Sewer facilities. The Sanitary Sewer IFFP identifies the impact on system improvements created by development activity and estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to new development activity. As shown in the Sanitary Sewer IFFP, the City has considered all revenue sources to finance the impacts on system improvements, including grants, bonds, interfund loans, impact fees, and anticipated or accepted dedications of system improvements. The Sanitary Sewer IFFP establishes that impact fees are necessary to maintain proposed level of service that complies with applicable provisions of Section I1-36a 302 of the Impact Fees Act.

3. *Plan Certification*. The Sanitary Sewer IFFP includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the plan certifying that the Sanitary Sewer IFFP complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements*. All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with the summary, and this Ordinance, in the City Recorder's Office at West Point City Hall at least ten (10) days before the public hearing.

5. *Adoption of Sanitary Sewer Impact Fee Facilities Plan*. The Sanitary Sewer IFFP as set forth in Exhibit A is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VI
IMPACT FEE ANALYSIS

1. *Impact Fee Analysis Required*. Pursuant to Section ll-36a-303 of the Impact Fees Act, each local political subdivision intending to impose an impact fee shall prepare a written analysis of each impact fee to be imposed and a summary of the impact fee analysis designed to be understood by a lay person. The impact fee analysis shall identifies the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity; identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility; demonstrate how the anticipated impacts are reasonably related to the anticipated development activity; estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity and identify how the impact fee is calculated.

2. *Sanitary Sewer Impact Fee Analysis*. The City has, through its consultants, researched and analyzed the factors set forth in Section 11-36a-304 of the Impact Fees Act, including the proportionate share analysis required therein, and has caused to be prepared a Sanitary Sewer Impact Fee Analysis ("IFA"), as more particularly set forth in Exhibit A, attached hereto and incorporated herein by this reference. The Sanitary Sewer IFA identifies the impacts upon public facilities required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity, estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to the development activity, and identifies how the Sanitary Sewer Impact Fees are calculated.

3. *Analysis Certification*. The Sanitary Sewer IFA includes a written certification in accordance with Section 11-36a-306 of the Impact Fees Act from the person or entity that prepared the analysis certifying that the Sanitary Sewer IFA complies in each and every relevant respect with the Impact Fees Act.

4. *Compliance with Noticing Requirements*. All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with the summary, and this Ordinance, in City Recorder's Office at West Point City Hall at least ten (10) days before the public hearing.

5. *Adoption of Sanitary Sewer Impact Fee Analysis*. The Sanitary Sewer IFA as set forth in Exhibit A is hereby adopted in its entirety by the City in accordance with applicable provisions of the Impact Fees Act.

SECTION VII

CALCULATION OF IMPACT FEE

1. *Impact Fee Calculations*. Pursuant to Section 11-36a-305, in calculating an impact fee, the City may include: the construction contract price; the cost of acquiring land, improvements, materials, and fixtures; the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and debt service charges if the City might use impact fees as a revenue stream to pay principal and interest on bonds, notes, or other obligations issued to finance the costs of the system improvements. In calculating the proposed Sanitary Sewer Impact Fees, the City has based such amounts calculated on realistic estimates and the assumptions underlying such estimates are more particular disclosed in the Sanitary Sewer IFA set forth in Exhibit A.

2. *Previously Incurred Costs*. To the extent that new growth and development will be served by previously constructed improvements, the City's Sanitary Sewer Impact Fees may include public facility costs and outstanding bond costs related to the Sanitary Sewer improvements previously incurred by the City. However, as provided in the Sanitary Sewer IFA, a buy-in component is not contemplated in the analysis and therefore the interest costs associated with any outstanding Sanitary Sewer bond obligations have not been included in the calculation of the Sanitary Sewer Impact Fee.

SECTION VIII
IMPACT FEE SCHEDULE AND FORMULA

1. *Impact Fee Schedule or Formula Required*. Pursuant to Section 11-36a-402 of the Impact Fees Act, the City is required to provide a schedule of impact fees for each type of development activity that specifies the amount of the impact fee to be imposed for each type of system improvement or the formula that the City will use to calculate each impact fee.

2. *Maximum Sanitary Sewer Impact Fee Schedule*. Based on the Sanitary Sewer IFA, the maximum Sanitary Sewer Impact Fees which the City may impose on development activity within the defined Service Area for Sanitary Sewer facilities is set forth in the following schedule:

Maximum Sanitary Sewer Impact Fee Schedule

Sanitary Sewer Impact Fee……$5,200 per ERU

3. *Rates Established by Resolution*. The City Council, by this Ordinance, approves the maximum Sanitary Sewer Impact Fees in accordance with the Sanitary Sewer IFA set forth in Exhibit A. The City reserves the right to establish the Sanitary Sewer Impact Fees as established in this Ordinance by Rate Resolution or Resolution amending the Consolidated Fee Schedule. In no event will the Sanitary Sewer Impact Fees established by Resolution exceed the maximum supportable Sanitary Sewer Impact Fee Schedule as set forth herein.

SECTION IX
ADJUSMENTS AND CREDITS

1. *Adjustments*. In accordance with Section ll-36a-402 of the Impact Fees Act, the City may adjust the Sanitary Sewer Impact Fees at the time the fee is charged to respond to unusual circumstances in specific cases, to address development activity by the State or school district, or to ensure that impact fees are imposed fairly The Sanitary Sewer Impact Fees may be adjusted at the time the fee is charged in response to unusual circumstances or to fairly allocate costs associated with impacts created by a development activity or project. The Sanitary Sewer Impact Fees assessed to a particular development may also be adjusted should the developer supply sufficient written information, studies and/or data to the City showing a discrepancy between the fee being assessed and the actual impact on the system.

2. *Developer Credits*. In accordance with Section 11-36a-402 of the Impact Fees Act, a developer may be allowed a credit against Sanitary Sewer Impact Fees or proportionate reimbursement of Sanitary Sewer Impact Fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement; or dedicates a public facility that the City and the developer agree will reduce the need for a system improvement; provided that the system improvement is: (i) identified in the City's Sanitary Sewer IFFP; and (ii) is required by the City as a condition of approving the development activity. To the extent required in Section 1l-36a-402, the City shall provide a credit against Sanitary Sewer Impact Fees for any dedication of land for, improvement to, or new construction of any system improvements provided by the developer if the facilities are system improvements, as defined herein and included in the Sanitary Sewer IFFP; or are dedicated to the public and offset the need for an identified system improvement.

3. *Waiver for "Public Purpose"*. The City Council may, on a project by project basis, authorize exceptions or adjustments to the Sanitary Sewer Impact Fees for those projects the City Council determines to be of such benefit to the community as a whole to justify the exception or adjustment. Such projects may include affordable housing and other development activities with broad public purposes. The City Council may elect to waive or adjust Sanitary Sewer Impact Fees for such projects. Applications for exceptions are to be filed with the City at the time the applicant first requests the extension of service to the applicant's development or property.

SECTION X
NOTICE AND HEARING

1. *Notice*. All noticing requirements set forth in the Impact Fees Act, including, but not limited to, provisions of Title 11, Chapter 36a, Part 5, Notice, including notice of intent to prepare an impact fee facilities plan, notice to adopt or amend an impact fee facilities plan, notice of preparation of impact fee analysis, and notice of intent to adopt impact fee enactment, have been provided. Copies of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with a summary designed to be understood by a lay person, and this Impact Fee Ordinance, have been made available to the public by placing a copy of the Sanitary Sewer IFFP and Sanitary Sewer IFA, together with the summary, and this Ordinance, in the Recorder's Office at West Point City

Hall at least ten (10) days before the public hearing. Notice has also been provided in accordance with applicable provisions of Utah Code Ann. § 10-9a-205.

2. *Hearing*. The City Council held a public hearing regarding the Sanitary Sewer IFFP, the Sanitary Sewer IFA, and this Sanitary Sewer Impact Fee Ordinance, on September 7, 2021, and a copy of the Ordinance was available in its substantially final form at the City Recorder's Office in the West Point City Hall at least ten (10) days before the date of the hearing, all in conformity with the *requirements* of Utah Code Ann. § 70-9a-205 and applicable noticing provisions of the Impact Fees Act.

SECTION XI
IMPACT FEE ACCOUNT AND EXPENDITURES

1. *Impact Fees Accounting*. Pursuant to Section 11-36a-601 of the Impact Fees Act, the City will establish a separate interest bearing ledger account for each type of public facility for which an impact fee is collected, deposit a receipt for an impact fee in the appropriate ledger account established herein, and retain the interest earned on each fund or ledger account in the fund or ledger account.

2. *Reporting*. At the end of each fiscal year, the City shall prepare a report on each fund or ledger account showing the source and expenditures as required by law. Annually, the City shall produce and transmit to the State Auditor a certified report in accordance with Section l1-36a-601 in a format developed by the State Auditor.

3. *Impact Fee Expenditures*. Pursuant to Section ll-36a-602 of the Impact Fees Act, the City may expend Sanitary Sewer Impact Fees only for a system improvement: (i) identified in the Sanitary Sewer IFFP; and (ii) for the specific public facility type for which the fee was collected. Impact fees will be expended on a First-In First-Out basis.

4. *Time of Expenditure*. Except as otherwise provided by law, the City shall expend or encumber Sanitary Sewer Impact Fees for a permissible use within six (6) years of their receipt. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.

5. *Extension of Time*. Pursuant to Section lI-36a-602 of the Impact Fees Act, the City may hold the impact fees for longer than six (6) years if it identifies in writing: (i) an extraordinary and compelling reason why the fees should be held longer than six (6) years; and (ii) an absolute date by which the fees will be expended.

6. *Refunds*. Pursuant to Section 11-36a-603 of the Impact Fees Act, the City shall refund any Sanitary Sewer Impact Fees paid by a developer, plus interest earned, when: (i) the developer does not proceed with the development activity and has a written request for a refund; (ii) the fees have not been spent or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund from the City may include any impact reasonably identified by the City, including, but not limited to, the City having sized facilities and/or paid for, installed and/or caused the installation of facilities based in whole or in part upon the

developer's planned development activity even though that capacity may, at some future time, be utilized by another development.

7. *Other Impact Fees*. To the extent allowed by law, the City Council may negotiate or otherwise impose impact fees and other fees different from those currently charged. Those charges may, at the discretion of the City Council, include but not be limited to reductions or increases in impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City's system.

8. *Additional Fees and Cos*ts. The Sanitary Sewer Impact Fees authorized herein are separate from and in addition to user fees and other charges lawfully imposed by the City and other fees and costs that may not be included as itemized component parts of the Sanitary Sewer Impact Fee Schedule. In charging any such fees as a condition of development approval, the City recognizes that the fees must be a reasonable charge for the service provided.

9. *Fees Effective at Time of Payment*. Unless otherwise provided in the City's Consolidated Fee Schedule, the City will collect the Sanitary Sewer Impact Fees prior to final plat recording or prior to building permit issuance, as applicable. The fees will be calculated by the City. Unless the City is otherwise bound by a contractual requirement, the Sanitary Sewer Impact Fees shall be determined from the fee schedule in effect at the time of payment.

10. *Imposition of Additional Fee or Refund after Develo*pment. Should any developer undertake development activities such that the ultimate acreage or other impact of the development activity is not revealed to the City, either through inadvertence, neglect, a change in plans, or any other cause whatsoever, and/or the Sanitary Sewer Impact Fee is not initially charged against all acreage within the development, the City shall be entitled to charge an additional Sanitary Sewer Impact Fee to the developer or other appropriate person covering the acreage for which an impact fee was not previously paid.

SECTION XII
CHALLENGES TO IMPACT FEES

1. *Request for Information*. Pursuant to Section 11-36a-701, a person or entity required to pay a Sanitary Sewer Impact Fee who believes the impact fee does not meet the requirements of law may file a written request for information with the City Manager. As required by law, the City Manager shall, within two (2) weeks after the receipt of the request for information provide the person or entity with the Sanitary Sewer IFFP, the Sanitary Sewer IFA, and any other relevant information relating to the Sanitary Sewer Impact Fee.

2. *Advisory Opinion*. A potentially aggrieved person may request an advisory opinion from a neutral third party regarding compliance of the Sanitary Sewer Impact Fees with the Impact Fees Act by filing such request with the Office of the Property Rights Ombudsman in accordance with the procedures and provisions of Title 13, Chapter 43, known as the Property Rights Ombudsman Act. The aggrieved party requesting an advisory opinion is not required to exhaust the administrative appeals procedures set forth in Subsection 4 before requesting an advisory opinion.

3. *Appeal*. A person or entity that has paid Sanitary Sewer Impact Fees under the provisions of this Ordinance may challenge such impact fees pursuant to the provisions set forth in Title 11, Chapter 36a, and Part 7 of the Impact Fees Act regarding Challenges.

a. *Grounds for Challenge*. Pursuant to Section ll-36a-701, a person or entity that has paid Sanitary Sewer Impact Fees under the provisions of this Ordinance may challenge: (1) the impact fees; (2) whether the City complied with the notice requirements of the Impact Fees Act with respect to the imposition of the impact fees; and/or (3) whether the City complied with other procedural requirements of the Impact Fees Act for imposing the impact fee.

b. *Sole Remedy*. The sole remedy for challenging the notice requirements is the equitable remedy of requiring the City to correct the defective notice and repeat the process. The sole remedy for challenging the impact fee is a refund of the difference between what the person or entity paid as an impact fee and the amount the impact fee should have been if it had been correctly calculated. Reasonable attorney's fees may be awarded to the substantially prevailing party to the extent provided in the Impact Fees Act.

c. *Imitation*. A challenge to an impact fee is initiated by filing:

i. An appeal to the City Council pursuant to the administrative appeal procedures set forth herein;
ii. A request for arbitration as provided in Section Ll-36a-705 of the Impact Fees Act; or
iii. An action in district court.

d. *Time Restrictions*. The time for filing a challenge to the impact fees shall be filed in accordance with the time limitations set forth in Section 11-36a-702, depending upon the type of challenge. The deadline to file an action in district court is tolled from the date that a challenge is filed using the administrative procedures set forth in Subsection 4 until thirty (30) days on which a final decision is rendered in the administrative appeals procedure.

4. *Administrative Appeal Procedure*. The City hereby adopts an administrative appeal procedure to consider and decide challenges to the Sanitary Sewer Impact Fees. Any person or entity that has paid a Sanitary Sewer Impact Fee pursuant to this Ordinance may challenge or appeal the impact fee by filing written notice of administrative appeal with the City Manager within thirty (30) days after the day on which the person or entity paid the impact fee. The notice of appeal shall set forth the grounds for the appeal and shall include any applicable filing fees as set forth in the City's Consolidated Fee Schedule. Upon receiving the written notice of appeal, the City Council shall set a hearing date to consider the merits of the challenge or appeal. The person or entity challenging or appealing the fee may appear at the hearing and present any written or oral evidence deemed relevant to the challenge or appeal. Representatives of the City may also appear and present evidence to support the imposition of the fee. The City Council

shall hold a hearing and make a decision within thirty (30) days after the date the challenge or appeal is filed.

5. *Mediation*. In addition to the methods of challenging an impact fee as provided herein, a specified public agency may require the City to participate in mediation of any applicable impact fee in accordance with the provisions of Section l7-36a-704 of the Impact Fees Act. A written request for mediation must be filed in accordance with Section 1l-36a-704 no later than thirty (30) days after the day on which the impact fee is paid.

6. *Declaratory Judgment Action*. Pursuant to Section 11-36a-701, a person or entity residing in or owning properly within the Service Area, or an organization, association, or a corporation representing the interests of persons or entities owning property within the Service Area are deemed to have standing to file a declaratory judgment action challenging the validity of an impact fee.

SECTION XIII
MISCELLANEOUS

1. *Severability*. If any section, subsection, paragraph, clause or phrase of this Sanitary Sewer Impact Fee Ordinance shall be declared invalid for any reason, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and for this purpose, the provisions of this Sanitary Sewer Impact Fee Ordinance are declared to be severable.

2. *Interpretation*. This Sanitary Sewer Impact Fee Ordinance has been divided into sections, subsections, paragraphs and clauses for convenience only and the interpretation of this Ordinance shall not be affected by such division or by any heading contained herein.

3. *Other Impact Fees Not Repealed*. Except as otherwise specifically provided herein, this Sanitary Sewer Impact Fee Ordinance shall not repeal, modify or affect any impact fee of the City in existence as of the effective date of this Ordinance.

SECTION XIV
EFFECTIVE DATE

In accordance with the provisions of Utah Code Ann. Section 11-36a-401, this ordinance and the impact fees adopted herein or pursuant hereto shall take effect immediately upon approval of this ordinance.

[Signature Page to Follow)

PASSED AND APPROVED this 16th Day of November, 2021.

_____
Mayor Erik Craythorne

[SEAL]

VOTING:

Jerry Chatterton	Yea__ Nay___
Andy Dawson	Yea__ Nay___
Kent Henderson	Yea__ Nay___
Gary L. Petersen	Yea__ Nay___
Annett Judd	Yea__ Nay___

ATTEST:

_____
Casey Arnold
City Recorder

PREPARED FOR:

PREPARED BY:

WEST POINT CITY

SEWER IMPACT FEE FACILITIES PLAN and IMPACT FEE ANALYSIS

SEPTEMBER 2021

SEWER IMPACT FEE FACILITIES PLAN

SEPTEMBER 2021

Prepared for:

Prepared by:

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EXECUTIVE SUMMARY
SEWER IMPACT FEE FACILITIES PLAN

The purpose of an Impact Fee Facilities Plan (IFFP) is to identify demands placed upon West Point City facilities by future development within the city and future annexation areas and to evaluate how these demands will be met by West Point City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

WHY IS AN IFFP NEEDED

The IFFP provides a technical basis for assessing updated impact fees throughout West Point City. This document addresses the future infrastructure needed to serve the study area within West Point City, see Figure 1. The existing and future capital projects documented in this IFFP will ensure that level of service standards is maintained for all existing and future residents who reside within the service area. Local governments must pay strict attention to the required elements of the Impact Fee Facilities Plan which are enumerated in the Impact Fees Act.

PROJECTED FUTURE GROWTH

Before evaluating system capacity, it is first necessary to calculate the demand associated with existing development and projected growth. Using available information for existing development and growth projections from City Officials it was determined that 104.9 ERUs would be developed each year. Projected growth in system demand is summarized in Table ES-1 in terms of Equivalent Residential Units (ERUs).

Table ES-1
West Point Service Area Projections

Year	Connected Service Area ERUs	Estimated Dry Weather Sewer Flows (MGD)
2021	0	0.00
2031	1,049	0.27
2041	2,098	0.53
2051	3,147	0.80
2061	4,196	1.07
2066	4,721	1.20

An ERU represents the demand that a typical single-family residence places on the system. Service Area ERUs shows the existing ERUs within the study area. The basis of an ERU for historical flow rates is summarized in Table ES-2.

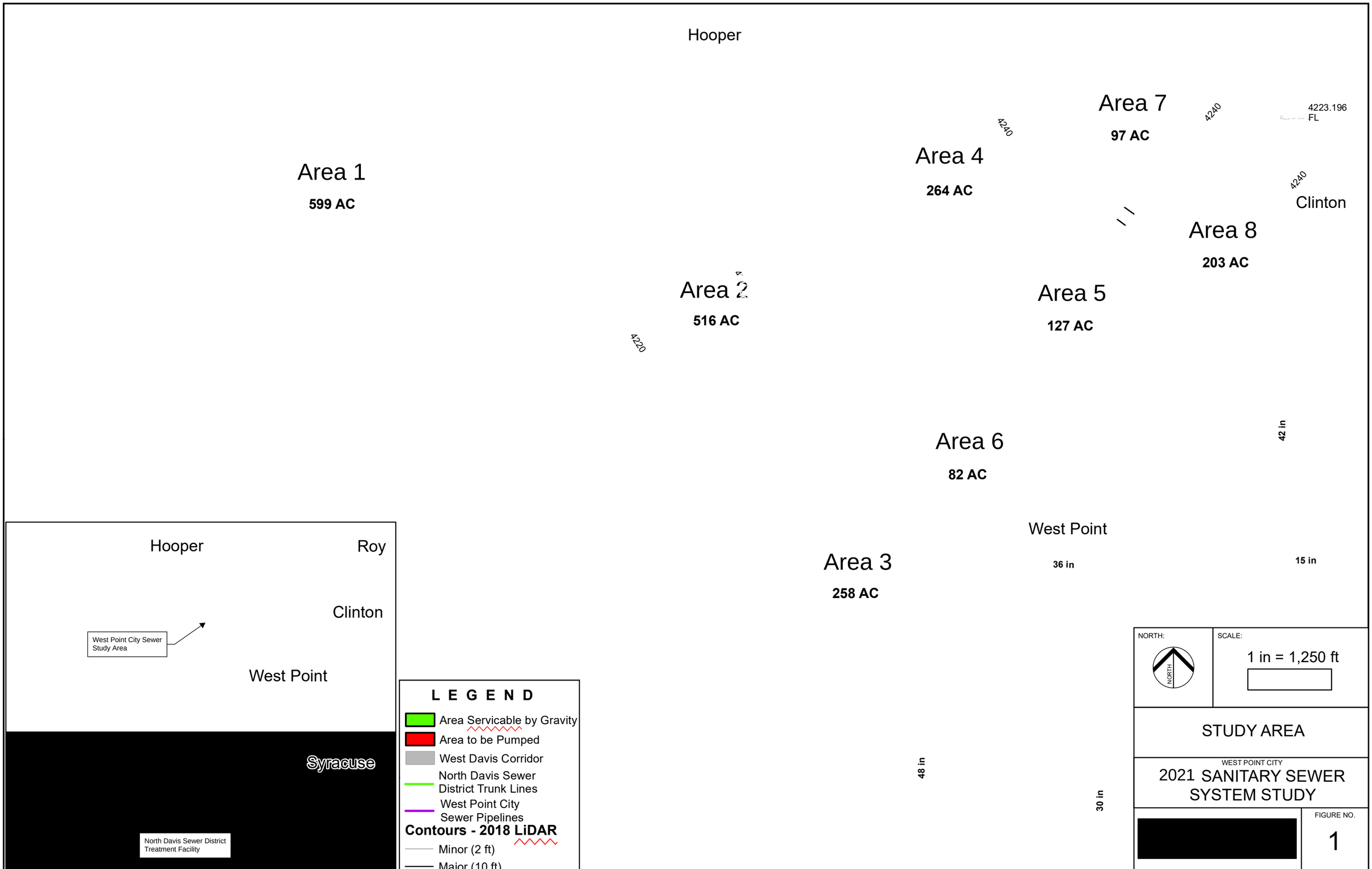

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Table ES-2
Service Area Historic Flows

Item	Value for Existing Conditions[1]	Value for 10-Year Growth	Total 10-Year Conditions
Equivalent Residential Connections (ERUs)	n/a	1,049	1,049
Domestic Wastewater Production (mgd)	n/a	0.23	0.23
Infiltration, Maximum Month (mgd)	n/a	0.04	0.04
Average Day, Maximum Month Flow (mgd)	n/a	0.27	0.27
Peak Hour Flow (mgd)	n/a	0.84	0.84
Flows per ERU			
Domestic Wastewater Production (gpd/ERU)	220	220	220
Average Day, Maximum Month Flow (gpd/ERU)	255	255	255
Peak Hour Flow (gpd/ERU)	800.7	800.7	800.7

[1]There is no existing regional sewer collection system within the study area. All existing residents are serviced by individual septic systems or temporary lift stations. Residents are anticipated to connect to a regional sewer system as it becomes available.

LEVEL OF SERVICE

Level of service is defined in the Impact Fees Act as "the defined performance standard or unit of demand for each capital component of a public facility within a service area". Summary values for both existing and proposed levels of service are contained in Table ES-3.

Table ES-3
Sanitary Sewer Level of Service

	Existing Level of Service[2]	Proposed Level of Service
Gravity Lines - Maximum Ratio of Flow[1] to Pipeline Capacity/Percent of Collection System that Meets the Standard	n/a	0.75/100%
Force Mains - Maximum Velocity (ft/s)/Percent of Collection System that Meets the Standard	n/a	7/100%
Lift Station - Maximum Ratio of Peak Flow to Pumping Capacity/Percent of Collection System that Meets the Standard	n/a	0.85/100%
Design Flow - Average Day, Peak Month Flow (gpd per ERU)	n/a	255

[1] Peak hour, dry weather flow
[2]No existing level of service within study area because there is no existing sewer collection system. The level of service was determined based on industry standards, other existing sewer collection within West Point City (outside of the study area) and input from West Point City.

EXISTING CAPACITY AVAILABLE TO SERVE FUTURE GROWTH

There is currently no existing system capacity in the area. Projected future growth will be met through construction of additional system level capacity through new facilities.

REQUIRED SYSTEM IMPROVEMENTS

Additional improvements required to serve new growth are summarized in Table ES-4. To satisfy the requirements of state law, Table ES-4 provides a breakdown of the percentage of the project costs attributed to future users of the system. For future use, capacity has been divided into capacity to be used by growth within the 10-year planning horizon of this IFFP and capacity that will be available for growth beyond the 10-year horizon. These project components' locations are displayed in Figure 2. The order of the projects shown in Table ES-4 are non-consequential and do not represent a chronological order of when projects would be needed. Project order will most likely be determined by specific growth demands and needs of the City. If projects change significantly from what is shown, the IFFP and IFA will need to be updated to reflect these changes.

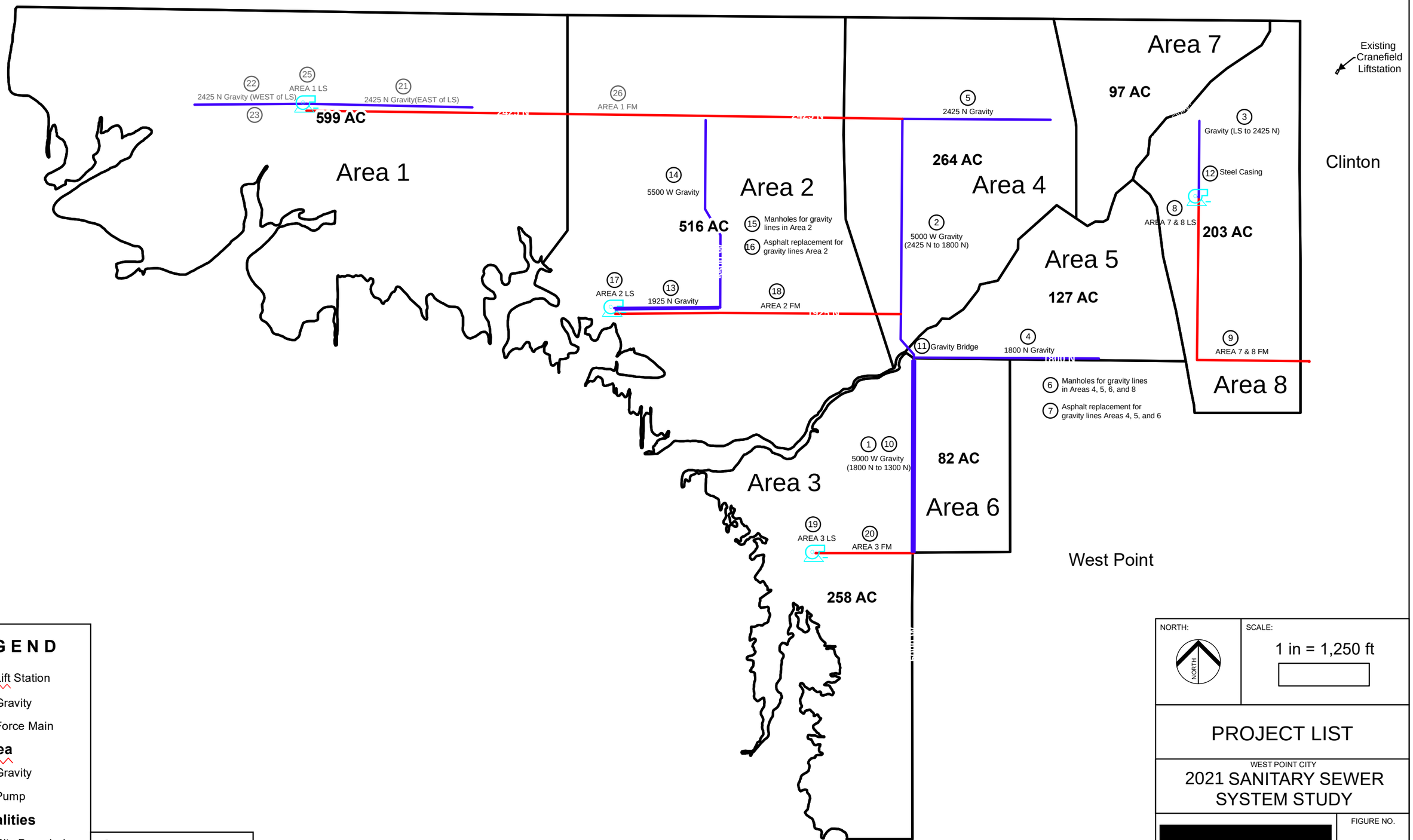
Hooper
Clinton
West Point
Existing Cranefield Liftstation
Area 1
599 AC
Area 2
516 AC
Area 3
258 AC
Area 4
264 AC
Area 5
127 AC
Area 6
82 AC
Area 7
97 AC
Area 8
203 AC
22 2425 N Gravity (WEST of LS)
25 AREA 1 LS
21 2425 N Gravity(EAST of LS)
23
26 AREA 1 FM
5 2425 N Gravity
3 Gravity (LS to 2425 N)
12 Steel Casing
8 AREA 7 & 8 LS
14 5500 W Gravity
15 Manholes for gravity lines in Area 2
16 Asphalt replacement for gravity lines Area 2
2 5000 W Gravity (2425 N to 1800 N)
17 AREA 2 LS
13 1925 N Gravity
18 AREA 2 FM
11 Gravity Bridge
4 1800 N Gravity
9 AREA 7 & 8 FM
6 Manholes for gravity lines in Areas 4, 5, 6, and 8
7 Asphalt replacement for gravity lines Areas 4, 5, and 6
1 10 5000 W Gravity (1800 N to 1300 N)
19 AREA 3 LS
20 AREA 3 FM
LEGEND
Lift Station
Gravity
Force Main
StudyArea
Gravity
Pump
Municipalities
City Boundaries
West Point City
XX Projects required beyond 10-years
XX Projects required within 10-years
NORTH:
SCALE:
1 in = 1,250 ft
PROJECT LIST
WEST POINT CITY
2021 SANITARY SEWER SYSTEM STUDY
FIGURE NO.
2

Table ES-4
Project Costs Allocated to Projected Development, 10 Year Planning Horizon

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to Existing	Percent to 10 Year Growth	Percent to Growth 2031 through Buildout	Cost to Existing	Cost to 10 Year Growth	Cost to Growth 2031 through Buildout
	Gravity Line Projects										
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	$ 1,480,275	2.8%	17.9%	79.3%	$ 41,448	$ 264,969	$ 1,173,858
2	2021	4	1, 2 & 4	5000 W: 24-inch PVC Sewer Pipeline	$ 1,560,600	2.4%	15.5%	82.1%	$ 37,454	$ 241,893	$ 1,281,253
3	2021	8	7 & 8	Clinton Drain Crossing: 12-inch PVC Sewer Pipeline(deeper excavation)	$ 461,700	5.0%	33.2%	61.8%	$ 23,085	$ 153,284	$ 285,331
4	2021	5	5	1800 N: 12-inch PVC Sewer Pipeline	$ 719,550	7.9%	32.2%	59.9%	$ 56,844	$ 231,696	$ 431,010
5	2021	4	4	2425 N: 10-inch PVC Sewer Pipeline	$ 518,805	2.9%	34.0%	63.1%	$ 15,045	$ 176,394	$ 327,366
6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	$ 388,800	3.1%	20.3%	76.6%	$ 12,053	$ 78,926	$ 297,821
7	2021	4,5, & 6	1, 2, 4, 5 & 6	Asphalt Replacement for Gravity Sewer Pipelines in Areas 4, 5, and 6 only	$ 1,076,040	2.8%	17.9%	79.3%	$ 30,129	$ 192,611	$ 853,300
11	2021	4 & 5	1, 2 & 4	24-inch Pipe Bridge (80' bridge)	$ 337,500	2.4%	15.5%	82.1%	$ 8,100	$ 52,313	$ 277,088
12	2021	7 & 8	7 & 8	Steel Casing (Clinton Drain)	$ 119,475	5.0%	33.2%	61.8%	$ 5,974	$ 39,665	$ 73,836
13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	$ 668,250	2.9%	24.3%	72.8%	$ 19,379	$ 162,385	$ 486,486
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	$ 1,205,820	2.9%	24.3%	72.8%	$ 34,969	$ 293,014	$ 877,837
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	$ 388,080	2.9%	24.3%	72.8%	$ 11,254	$ 94,304	$ 282,522
16	2026	2	2	Sewer Manholes(assumed standard 5-foot diameter) Area 2 Only	$ 142,560	2.9%	24.3%	72.8%	$ 4,134	$ 34,642	$ 103,784
				Subtotal	$ 9,067,455.0				$ 299,868	$ 2,016,096	$ 6,751,492
	Lift Stations & Force Mains Projects										
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	$ 1,559,250	5.0%	33.2%	61.8%	$ 77,962	$ 517,671	$ 963,617
9	2021	7 & 8	7 & 8	FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 583,200	5.0%	33.2%	61.8%	$ 29,160	$ 193,622	$ 360,418
17	2026	2	2	Area 2 Lift Station (1.0 MGD)	$ 2,338,875	2.9%	24.3%	72.8%	$ 67,827	$ 567,721	$ 1,703,327
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 672,030	2.9%	24.3%	72.8%	$ 19,489	$ 163,123	$ 489,418
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	$ 1,336,500	6.0%	26.4%	67.6%	$ 80,190	$ 352,243	$ 904,067
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 226,800	6.0%	26.4%	67.6%	$ 13,608	$ 59,775	$ 153,417
				Subtotal	$ 6,716,655				$ 288,236	$ 1,854,155	$ 4,574,264
				Total	$ 15,784,110				$ 588,104	$ 3,870,251	$ 11,325,756

IMPACT FEE FACILITIES PLAN (SEWER)

INTRODUCTION

West Point City has retained Bowen Collins & Associates (BC&A) to prepare an Impact Fee Facilities Plan (IFFP) for sewer collection services provided by the City. The purpose of an IFFP is to identify demands placed upon the City's facilities by future development and evaluate how these demands will be met by the City. The IFFP is also intended to outline the improvements which may be funded through impact fees.

Much of the analysis forming the basis of this IFFP has been taken from the City's 2021 Sewer Study conducted by BC&A. The reader should refer to this document for additional discussion of planning and evaluation methodology beyond what is contained in this report.

SERVICE AREA

The service area for the IFFP and subsequent IFA is defined as the same study area as the 2021 Sewer Study. The current study area includes areas not served by the sewer system currently within West Point City and nearby unincorporated areas of Davis County that may potentially be annexed by West Point City in the future. Generally, the service area is defined on the west by the Great Salt Lake floodplain boundary (officially the 4,217 contour), on the north by the Weber/Davis County line, on the east by the proposed West Davis Corridor, and the south does not extend further south than 500 N (see Figure 1). This study area will be treated as a single service area for the calculation of the Impact Fee. The remainder of the City will not be impacted by this new Impact Fee Study.

IMPACT FEE FACILITY PLAN COMPONENTS

Requirements for the preparation of an IFFP are outlined in Title 11, Chapter 36a of the Utah Code Annotated (the Impact Fees Act). Under these requirements, an IFFP shall accomplish the following for each facility:

1. Identify the existing level of service
2. Establish a proposed level of service
3. Identify excess capacity to accommodate future growth at the proposed level of service
4. Identify demands placed upon existing public facilities by new development
5. Identify the means by which demands from new development will be met
6. Consider the following additional issues:
    a. revenue sources to finance required system improvements
    b. necessity of improvements to maintain the proposed level of service
    c. need for facilities relative to planned locations of schools

The following sections of this report have been organized to address each of these requirements.

EXISTING LEVEL OF SERVICE – Utah Code Annotated 11-36a-302(1)(a)(i)

Level of service is defined in the Impact Fees Act as "the defined performance standard or unit of demand for each capital component of a public facility within a service area". This section discusses the level of service being currently provided to existing users.

Unit of Demand

For the purposes of this analysis, it is useful to define these various demands in terms of Equivalent Residential Units (ERUs). An ERU represents the demand that a typical single-family residence places on the system. Historic water consumption and sewer flow data gathered as part of the ongoing North Davis Sewer District (NDSD) Impact Fee Study was used to estimate average sewer flows for the study area, including allowance for inflow and infiltration (I&I). Based on this data an assumed 220 gpd/ERU (domestic wastewater production) + 55 gpd/ERU (I&I) = 255 gpm/ERU was used as the average day, maximum month domestic wastewater flow. This is summarized in Table 1.

Table 1
Service Area Historic Flows and Definition of an ERU

Item	Value for Existing Connections[1]	Value for 10-Year Growth (connected to system)	Total 10-Year Conditions
Equivalent Residential Connections (ERUs)	n/a	1,049	1,049
Domestic Wastewater Production (mgd)	n/a	0.23	0.23
Infiltration, Maximum Month (mgd)	n/a	0.04	0.04
Average Day, Maximum Month Flow (mgd)	n/a	0.27	0.27
Peak Hour Flow (mgd)	n/a	0.84	0.84
Flows per ERU			
Domestic Wastewater Production (gpd/ERU)	220	220	220
Average Day, Maximum Month Flow (gpd/ERU)	255	255	255
Peak Hour Flow (gpd/ERU)	800.7	800.7	800.7

[1]There is no existing system level sewer collection system in the study area.

Included in the table is the flow per ERU in terms of both average and peak flows. Conveyance pipelines, lift stations, and force mains must be designed based on peak hour flow (function of daily flow and diurnal flow variation).

Performance Standard

Performance standards are those standards that are used to design and evaluate the performance of facilities. This section discusses the existing performance standards for the study area.

1. **Peak Design Flows** – Peaking factors used are based on the State of Utah Peak Instantaneous Demand equation (refer to Utah Code R309-105-9). Peaking factors were adjusted based on the contributing area size. Peaking factors ranged from 2.3 to 4.0 depending on the

contributing area size. Gravity pipelines, force mains and lift stations were designed based on these peaking factors.

2. **Gravity Pipeline Capacity** – City standards require that all gravity driven sewer mains be designed such that the peak flow in the pipe is less than or equal to 75 percent of the pipe's full capacity using a manning's roughness factor of 0.013.
3. **Gravity Pipeline Slopes** – Due to the flat terrain and shallow existing sewer, the City's standards require that all system level gravity trunk lines and most project level sewer pipelines be installed at minimum slopes as defined by the State of Utah [R317-3-2.3(D)(4)]. If pipelines are installed at greater slopes, the serviceable area by gravity will be reduced. Some sewer pipes were upsized to minimize the required slope and maximize the area serviceable by gravity. These upsized pipes can potentially create additional operation and maintenance (O&M) costs for the City. These potential increases in O&M were discussed with City officials and were determined to be an economical solution to service the study area.
4. **Force main capacity** - City standards require that all force mains be designed such that the maximum flow velocity is no greater than 7 feet per second.
5. **Lift stations -** City standards require that all lift stations be designed such that the maximum ratio of the peak flow to pumping capacity is no greater than 0.85.

These design standards were used as the level of service for the system evaluation.

Existing Level of Service Summary

Currently, there is no existing system level sewer service in the City's study area. The level of service was determined based on industry standards, other existing sewer collection within West Point City (outside of the study area) and input from City personnel. The majority of the existing residents in the study area rely on septic systems for the disposal and treatment of their wastewater. There is a small subdivision (Sunview Estates) within the study area that has a temporary lift station, that will eventually be replaced by a regional lift station, that conveys wastewater to an existing gravity line. As the development is not currently complete (as of this study), it was assumed that 15 out of the 30 possible units would be existing for the purposes of the Impact Fee calculations.

PROPOSED LEVEL OF SERVICE - Utah Code Annotated 11-36a-302(1)(a)(ii)

The proposed level of service is the performance standard used to evaluate system needs in the future. The Impact Fee Act indicates that the proposed level of service may:

1. diminish or equal the existing level of service; or
2. exceed the existing level of service if, independent of the use of impact fees, the City implements and maintains the means to increase the level of service for existing demand within six years of the date on which new growth is charged for the proposed level of service.

In the case of this IFFP, no changes are proposed to the existing level of service for design standards. Thus, future growth will essentially be evaluated based on the same design standards level of service as identified for existing.

Proposed Level of Service Summary

The resulting proposed level of service for the City is summarized in Table 2.

Table 2
Proposed Sanitary Sewer Level of Service

	Existing Level of Service[2]	Proposed Level of Service
Gravity Lines - Maximum Ratio of Flow[1] to Pipeline Capacity/Percent of Collection System that Meets the Standard	n/a	0.75/100%
Force Mains - Maximum Velocity (ft/s)/Percent of Collection System that Meets the Standard	n/a	7/100%
Lift Station - Maximum Ratio of Peak Flow to Pumping Capacity	n/a	0.85/100%
Design Flow - Average Day, Peak Month Flow (gpd per ERU)	n/a	255

[1]Peak hour, dry weather flow
[2]No existing system level City sewer within the study area.

EXCESS CAPACITY TO ACCOMMODATE FUTURE GROWTH - Utah Code Annotated 11-36a-302(1)(a)(iii)

There is no existing system level sewer service in the study area. As such, there is no excess capacity in the current system to accommodate for future growth. All future growth capacity will be accommodated by the future system level sewer system.

DEMANDS PLACED ON FACILITIES BY NEW DEVELOPMENT - Utah Code Annotated 11-36a-302(a)(iv)

Growth within the City's study area, and projections of sewer flows resulting from said growth is discussed in detail in the City's Sewer Study. Growth in terms of both Equivalent Residential Units and corresponding sewer flows is summarized in Table 3.

Table 3
West Point Projections of Growth

Year	Total Area ERUs[1]	Connected ERUs[2]	Domestic Wastewater (MGD)	Max Month Infiltration (MGD)	Total Max Month, Average Day Flow (MGD)	Peak Hour Flows - City Area (MGD)
2021	164	0	0.00	0.00	0.00	0.00
2031	1,158	1,049	0.23	0.04	0.27	0.84
2041	2,176	2,098	0.46	0.07	0.53	1.68
2051	3,194	3,147	0.69	0.11	0.80	2.52
2061	4,211	4,196	0.92	0.15	1.07	3.36
2066	4,721	4,721	1.04	0.17	1.20	3.78

[1] Total area ERUs are the total number of ERUs within the study area. There are approximately 164 existing ERUs that will connect to the system as the system is built out. For this study, it was assumed that 15 out of the 30 total units of the Sunview Estates Subdivision were considered existing.
[2] This column represents the assumed total ERUs connected to the City's sewer system within the study area.

It is important to track the existing ERUs connecting to the system as the City has not yet fully decided whether existing residents will be required to pay impact fees. However, for the purposes of this analysis, it has been assumed that existing residents will not be required to pay the sewer impact fee. This will result in a slightly lower impact fee for all users than if they were included in the impact fee calculation. If the City does want to collect impact fees from existing residents within the study area, the impact fee would need to be updated to reflect this change.

INFRASTRUCTURE REQUIRED TO MEET DEMANDS OF NEW DEVELOPMENT – Utah Code Annotated 11-36a-302(1)(a)(v)

To satisfy the requirements of state law, demands placed upon existing system facilities by future development was projected using the process outlined below. Each of the steps were completed as part of this plan's development:

1. **Existing Demand** – There is no existing demand that will be placed on the City's system level sewer system. The existing ERUs in the study area will connect to the system as it becomes available but is currently being served by individual septic systems or a temporary lift station.
2. **Existing Capacity** – There is no existing system level capacity, as the City currently has no existing system level collection system facilities within the study area.
3. **Existing Deficiencies** – There is no existing deficiencies, as the existing ERUs are serviced by individual septic tanks or a temporary lift station.
4. **Future Demand** - The demand future development will place on the system was estimated based on development projections (See the 2021 Sewer Study).
5. **Future Deficiencies** – There will be no future deficiencies within the study area because the sewer system will be initially built for build-out conditions.
6. **Recommended Improvements** – Needed system improvements were identified to meet demands associated with future development.

The steps listed above "identify demands placed upon existing public facilities by new development activity at the proposed level of service; and… the means by which the political subdivision or private entity will meet those growth demands" (Section 11-36a-302(1)(a) of the Utah Code Annotated).

10 Year Improvement Plan

In the City's 2021 Sewer Study, capital facility projects needed to provide service to customers of the study area were identified. Some of the projects identified in the study will not be needed within the next 10 years. Only infrastructure to be constructed within a 10-year horizon will be considered in the calculation of impact fees to avoid uncertainty surrounding improvements further into the future. Table 4 summarizes the components of projects identified in the sewer study that will need to be constructed within the next ten years. These project components' locations are displayed in Figure 2.

Table 4
Project Costs Allocated to Projected Development, 10 Year Planning Horizon

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to Existing	Percent to 10 Year Growth	Percent to Growth 2031 through Buildout	Cost to Existing	Cost to 10 Year Growth	Cost to Growth 2031 through Buildout
Gravity Line Projects											
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	$ 1,480,275	2.8%	17.9%	79.3%	$ 41,448	$ 264,969	$ 1,173,858
2	2021	4	1, 2 & 4	5000 W: 24-inch PVC Sewer Pipeline	$ 1,560,600	2.4%	15.5%	82.1%	$ 37,454	$ 241,893	$ 1,281,253
3	2021	8	7 & 8	Clinton Drain Crossing: 12-inch PVC Sewer Pipeline(deeper excavation)	$ 461,700	5.0%	33.2%	61.8%	$ 23,085	$ 153,284	$ 285,331
4	2021	5	5	1800 N: 12-inch PVC Sewer Pipeline	$ 719,550	7.9%	32.2%	59.9%	$ 56,844	$ 231,696	$ 431,010
5	2021	4	4	2425 N: 10-inch PVC Sewer Pipeline	$ 518,805	2.9%	34.0%	63.1%	$ 15,045	$ 176,394	$ 327,366
6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	$ 388,800	3.1%	20.3%	76.6%	$ 12,053	$ 78,926	$ 297,821
7	2021	4,5, & 6	1, 2, 4, 5 & 6	Asphalt Replacement for Gravity Sewer Pipelines in Areas 4, 5, and 6 only	$ 1,076,040	2.8%	17.9%	79.3%	$ 30,129	$ 192,611	$ 853,300
11	2021	4 & 5	1, 2 & 4	24-inch Pipe Bridge (80' bridge)	$ 337,500	2.4%	15.5%	82.1%	$ 8,100	$ 52,313	$ 277,088
12	2021	7 & 8	7 & 8	Steel Casing (Clinton Drain)	$ 119,475	5.0%	33.2%	61.8%	$ 5,974	$ 39,665	$ 73,836
13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	$ 668,250	2.9%	24.3%	72.8%	$ 19,379	$ 162,385	$ 486,486
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	$ 1,205,820	2.9%	24.3%	72.8%	$ 34,969	$ 293,014	$ 877,837
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	$ 388,080	2.9%	24.3%	72.8%	$ 11,254	$ 94,304	$ 282,522
16	2026	2	2	Sewer Manholes(assumed standard 5-foot diameter) Area 2 Only	$ 142,560	2.9%	24.3%	72.8%	$ 4,134	$ 34,642	$ 103,784
				Subtotal	$ 9,067,455.0				$ 299,868	$ 2,016,096	$ 6,751,492
Lift Stations & Force Mains Projects											
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	$ 1,559,250	5.0%	33.2%	61.8%	$ 77,962	$ 517,671	$ 963,617
9	2021	7 & 8	7 & 8	FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 583,200	5.0%	33.2%	61.8%	$ 29,160	$ 193,622	$ 360,418
17	2026	2	2	Area 2 Lift Station (1.0 MGD)	$ 2,338,875	2.9%	24.3%	72.8%	$ 67,827	$ 567,721	$ 1,703,327
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 672,030	2.9%	24.3%	72.8%	$ 19,489	$ 163,123	$ 489,418
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	$ 1,336,500	6.0%	26.4%	67.6%	$ 80,190	$ 352,243	$ 904,067
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 226,800	6.0%	26.4%	67.6%	$ 13,608	$ 59,775	$ 153,417
				Subtotal	$ 6,716,655				$ 288,236	$ 1,854,155	$ 4,574,264
				Total	$ 15,784,110				$ 588,104	$ 3,870,251	$ 11,325,756

Project Cost Attributable to Future Growth

To satisfy the requirements of state law, Table 4 provides a breakdown of the capital facility projects and the percentage of the project costs attributed to existing and future users. As defined in Utah Code Annotated 11-36a-102(15), the Impact Fee Facilities Plan should only include the proportionate share of "the cost of public facilities that are roughly proportionate and reasonably related to the service demands and needs of any development activity." Some projects identified in the table are required solely to meet future growth, but some projects also provide a benefit to existing users. Projects that benefit existing users include those projects addressing existing capacity needs and maintenance related projects.

All projects within the City's study area needed to service existing residents and new growth, costs have been divided proportionally between existing and future users based on their use of the facility. A few additional notes regarding specific projects are as follows:

Project Cost Attributable to 10 Year Growth

Included in Table 4 is a breakdown of capacity use associated with growth both through the next 10 years and for growth beyond 10 years. A challenge of sewer infrastructure is that it is not cost effective to add capacity in small increments. Once a pipeline is being built, it needs to be built to satisfy long term capacity needs. As a result, the improvements proposed in the Impact Fee Facility Plan will include capacity for growth beyond the 10-year planning window. To most accurately evaluate the cost of providing service for growth during the next ten years, added consideration has been given to evaluating how much of each improvement will be used in the next 10 years. This has been done following the same methodology as described above.

Basis of Construction Cost Estimates

The costs of construction for projects to be completed within ten years have been estimated based on past BC&A experiences with projects of a similar nature. Pipeline project costs are based on average per foot costs for pipes of a similar nature. Lift Station project costs include consideration of other components of the sanitary sewer system including manholes and surface restoration as appropriate for each project. Details of the cost estimates can be found in the City's 2021 Sewer Study.

ADDITIONAL CONSIDERATIONS

MANNER OF FINANCING – Utah Code Annotated 11-36a-302(2)

The City may fund the infrastructure identified in this IFFP through a combination of different revenue sources.

Federal and State Grants and Donations

West Point City is pursuing grant donations but have not secured any at this time. Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Grants and donations are not currently contemplated in this analysis. If grants become available for constructing facilities, impact fees will need to be recalculated and an appropriate credit given.

Bonds

None of the costs contained in this IFFP include the cost of bonding. The cost of bonding required to finance impact fee eligible improvements identified in the IFFP may be added to the calculation of the impact fee. This will be considered in the impact fee analysis.

User Rate Revenue

Because infrastructure must generally be built ahead of growth, there often arises situations in which projects must be funded ahead of expected impact fee revenues. In some cases, the solution to this issue will be bonding. In others, funds from existing user rate revenue will be used to complete initial construction of impact fee eligible projects and will be reimbursed later as impact fees are received. Consideration of potential use of user rate revenue to pay for impact fee eligible expenditures will be included in the impact fee analysis and should also be considered in subsequent accounting of impact fee expenditures.

Impact Fees

It is recommended that impact fees be used to fund growth-related capital projects as they help to maintain the proposed level of service and prevent existing users from subsidizing the capital needs for new growth. Based on this IFFP, an impact fee analysis will be able to calculate a fair and legal fee that new growth should pay to fund the portion of the existing and new facilities that will benefit new development.

Developer Dedications and Exactions

Developer exactions are not the same as grants. Developer exactions may be considered in the inventory of current and future infrastructure. If a developer constructs facilities or dedicates land within the development for the construction of facilities identified in this IFFP, the value of the dedication is credited against that particular developer's impact fee liability.

If the value of the dedication/exaction is less than the development's impact fee liability, the developer will owe the balance of the liability to the City. If the value of the improvements dedicated is worth more than the development's impact fee liability, the City must reimburse the difference to the developer from impact fee revenues collected from other developments.

It should be emphasized that the concept of impact fee credits pertains to system level improvements only. For project level improvement (i.e. projects not identified in the Impact Fee Facility Plan),

developers will be responsible for the construction of the improvements without credit against the impact fee.

NECESSITY OF IMPROVEMENTS TO MAINTAIN LEVEL OF SERVICE - Utah Code Annotated 11-36a-302(3)

According to State statute, impact fees cannot be used to correct deficiencies in the City's system and must be necessary to maintain the proposed level of service established for all users. Only those facilities or portions of facilities that are required to maintain the proposed level of service for future growth have been included in this IFFP. This will result in an equitable fee as future users will not be expected to fund any portion of the facilities that will benefit existing residents.

SCHOOL RELATED INFRASTRUCTURE - Utah Code Annotated 11-36a-302(2)

As part of the noticing and data collection process for this plan, information was gathered regarding future school District and charter school development. The locations of schools are unknown; however, the study did account for 3 schools within the study area. Where the City is aware of the planned location of a school, required public facilities to serve the school have been included in the Impact Fee Facility Plan.

NOTICING AND ADOPTION REQUIREMENTS - Utah Code Annotated 11-36a-502

The Impact Fees Act requires that entities must publish a notice of intent to prepare or modify any IFFP. If an entity prepares an independent IFFP rather than include a capital facilities element in the general plan, the actual IFFP must be adopted by enactment. Before the IFFP can be adopted, a reasonable notice of the public hearing must be published in a local newspaper at least 10 days before the actual hearing. A copy of the proposed IFFP must be made available in each public library within the City during the 10-day noticing period for public review and inspection. Utah Code requires that the City must post a copy of the ordinance in at least three places or on the City's website. These places may include the City offices and the public libraries within the City's jurisdiction. Following the 10-day noticing period, a public hearing will be held, after which the City may adopt, amend and adopt, or reject the proposed IFFP.

IMPACT FEE CERTIFICATION - Utah Code Annotated 11-36a-306(1)

This IFFP has been prepared in accordance with Utah Code Annotated Title 11, Chapter 36a (the "Impact Fees Act"), which prescribes the laws pertaining to the imposition of impact fees in Utah. The accuracy of this IFFP relies in part upon planning, engineering, and other source data, provided by the City and its designees.

In accordance with Utah Code Annotated, 11-36a-306(1), Bowen Collins & Associates makes the following certification:

I certify that the attached Impact Fee Facilities Plan:

1. Includes only the costs of public facilities that are:
   a. allowed under the Impact Fees Act; and
   b. actually incurred; or
   c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
   a. costs of operation and maintenance of public facilities;
   b. cost for qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
   c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.

Keith Larson, P.E.

SEWER IMPACT FEE ANALYSIS

SEPTEMBER 2021

Prepared for:

Prepared by:

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EXECUTIVE SUMMARY
SEWER IMPACT FEE ANALYSIS

The purpose of the impact fee analysis (IFA) is to calculate the allowable impact fee that may be assessed to new development in accordance with Utah Code.

WHY ASSESS AN IMPACT FEE?

Until development utilizes the full capacity of existing facilities, West Point City can assess an impact fee to recover its cost of latent capacity available to serve future development. The general impact fee methodology divides the available capacity of existing and future capital projects between the number of existing and future users. Capacity is measured in terms of Equivalent Residential Units, or ERUs, which represents the demand that a typical single-family residence places on the system.

HOW ARE IMPACT FEES CALCULATED?

A fair impact fee is calculated by dividing the cost of existing and future facilities by the amount of new growth that will benefit from the unused capacity. Only the capacity that is needed to serve the projected growth within in the next ten years is included in the fee. Costs used in the calculation of impact fees include:

- New facilities required to maintain (but not exceed) the proposed level of service in the system; only those expected to be built within ten years are considered in the final calculations of the impact fee.
- Historic costs of existing facilities that will serve new development
- Cost of professional services for engineering, planning, and preparation of the Impact Fee Facilities Plan and impact fee analysis

Costs not used in the impact fee calculation

- Operational and maintenance costs
- Cost of facilities constructed beyond 10 years
- Cost associated with capacity not expected to be used within 10 years
- Cost of facilities funded by grants, developer contributions, or other funds which West Point City is not required to repay
- Cost of renovating or reconstructing facilities which do not provide new capacity or needed enhancement of services to serve future development

IMPACT FEE CALCULATION

Impact fees for this analysis were calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years based on ERUs. This is done for all of the needed gravity collection, lift station, and force main facilities within the study area. Calculated impact fees by component are summarized in Table ES-1.

Table ES-1
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	$ 15,784,110	24.5%	$ 3,870,251	1049	$ 3,689
10-Year Project Interest Costs	$ 6,760,806	24.5%	$ 1,657,744	1049	$ 1,580
Credit for User Fees Paid Toward Existing					$ (128.96)
Subtotal	$ 22,544,916		$ 5,527,995		$ 5,141
Studies					
All Studies	$ 65,300	96.3%	$ 62,867	1049	$ 59.93
TOTAL	$ 22,610,216		$ 5,590,862		$ 5,201

RECOMMENDED IMPACT FEE

The total calculated impact fees are summarized in Table ES-2. Included in this table is the appropriate user fee credit and corresponding overall fee. The calculated user fee credit associated with the impact fees will decrease over time. As a result, the allowable impact fee will increase over time as shown in the table. This is the legal maximum amount that may be charged as an impact fee. A lower amount may be adopted if desired, but a higher fee is not allowable under the requirements of Utah Code.

Table ES-2
Recommended Per ERU Impact Fee – West Point City Service Area

Maximum Allowable Impact Fee (Per ERU, by year)						
	2021	2022	2023	2024	2025	2026
Base Impact Fee (includes study costs)	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71
User Fee Credit	$ (128.96)	$ (122.73)	$ (116.80)	$ (111.16)	$ (105.78)	$ (100.67)
Total Overall Fee	$ 5,200.74	$ 5,206.97	$ 5,212.90	$ 5,218.55	$ 5,223.92	$ 5,229.04

IMPACT FEE ANALYSIS (SEWER)

INTRODUCTION

West Point City has retained Bowen Collins & Associates (BC&A) to prepare an impact fee analysis (IFA) for its sewer system based on a recently completed impact fee facilities plan. An impact fee is a one-time fee, not a tax, imposed upon new development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. The purpose of an IFA is to calculate the allowable impact fee that may be assessed to new development in accordance with Utah Code.

Service Areas

The service area for the IFA is defined as the same study area as the IFFP and the 2021 Sewer Study. The current study area includes areas not served by the sewer system currently within West Point City and nearby unincorporated areas of Davis County that may potentially be annexed by West Point City in the future. Generally, the service area is defined on the west by the Great Salt Lake floodplain boundary (officially the 4,217 contour), on the north by the Weber/Davis County line, on the east by the proposed West Davis Corridor, and the south does not extend further south than 500 N (see Figure 1). This study area will be treated as a single service area for the calculation of the Impact Fee. The remainder of the City will not be impacted by this new Impact Fee Study.

Requirements

Requirements for the preparation of an IFA are outlined in Title 11, Chapter 36a of the Utah Code (the Impact Fees Act). Under these requirements, an IFA shall accomplish the following for each facility:

1. Identify the impact of anticipated development activity on existing capacity
2. Identify the impact of anticipated development activity on system improvements required to maintain the established level of service
3. Demonstrate how the impacts are reasonably related to anticipated development activity
4. Estimate the proportionate share of:
    a. Costs of existing capacity that will be recouped
    b. Costs of impacts on system improvements that are reasonably related to the new development activity
5. Identify how the impact fee was calculated
6. Consider the following additional issues
    a. Manner of financing improvements
    b. Dedication of system improvements
    c. Extraordinary costs in servicing newly developed properties
    d. Time-price differential

The following sections of this report have been organized to address each of these requirements.

IMPACT ON SYSTEM - 11-36A-304(1)(A)(B)

Growth within West Point City's service area, and projections of sewer flows resulting from said growth is discussed in detail in the City's Impact Fee Facilities Plan. For the purposes of impact fee calculation, growth in the system has been expressed in terms of equivalent residential units (ERUs). An ERU represents the demand that a typical single-family residence places on the system. Growth in ERUs projected for the service area is summarized in Table 1.

Table 1
Projected West Point Water Sewer System Growth – Flow ERUs

Year	Connected Service Area ERUs	Estimated Dry Weather Sewer Flows (MGD)
2021	0	0.00
2031	1,049	0.27
2041	2,098	0.53
2051	3,147	0.80
2061	4,196	1.07
2066	4,721	1.20

As indicated in the table, projected growth for the 10-year planning window of this impact fee analysis is 1,049 ERUs or about 105 ERUs per year. New facilities will be constructed to increase capacity to meet the needs of future projected growth. These required system improvements are detailed in the Impact Fee Facilities Plan.

RELATION OF IMPACTS TO ANTICIPATED DEVELOPMENT - 11-36A-304(1)(C)

To satisfy the requirements of state law, it is necessary to show that all impacts identified in the impact fee analysis are reasonably related to the anticipated development activity. This has been documented in detail in the Impact Fee Facilities Plan. In short, only that capacity directly associated with demand placed upon existing system facilities by future development has been identified as an impact of the development. The steps completed to identify the impacts of anticipated development are as follows.

1. **Existing Demand** – There is no existing demand that will be placed on the City's system level sewer system. The existing ERUs in the study area will connect to the system as it becomes available but is largely currently being served by individual septic systems. There is one small subdivision (Sunview Estates) within the study area this is currently being constructed and will be serviced by a temporary lift station, that will eventually be replaced by a regional lift station. As this development is not currently complete (as of this study), it was assumed that 15 out of the 30 possible units would be existing for the purposes of the Impact Fee calculations.
2. **Existing Capacity** – There is no existing system level capacity, as the City currently has no existing system level collection system facilities within the study area.
3. **Existing Deficiencies** – There is no existing deficiencies, as the existing ERUs are serviced by individual septic tanks or a temporary lift station.
4. **Future Demand** - The demand future development will place on the system was estimated based on development projections as discussed in the Impact Fee Facilities Plan.

5. **Future Deficiencies** – There will be no future deficiencies within the study area because the sewer system will be initially built for build-out conditions.
6. **Recommended Improvements** – Needed system improvements were identified to meet demands associated with future development.

Proportionate Share Analysis – 11 – 36A-304(D)

A comprehensive proportionate share analysis associated with anticipated future development and its impact on the system was completed as part of the Impact Fee Facilities Plan. A summary of that analysis is contained here with additional discussion of the costs of facilities impacted by growth.

Excess Capacity to Accommodate Future Growth

There is no existing sewer collection service within the West Point City study area. This means that there is no excess capacity in the current system to accommodate for future growth. The residents in the area rely on septic systems for the disposal of wastewater. The needs of projected future growth will be met solely through construction of additional capacity in new facilities.

Existing System Infrastructure Costs

West Point City currently has no existing infrastructure costs; the city currently has no existing sewer collection system in the study area.

Reimbursement Agreements

There are no current reimbursement agreements existing within West Point City's system that have not already been accounted for in the existing infrastructure analysis.

Future Improvements

All demand within the study area associated with projected future development will be met through the construction of additional capacity in new facilities. A primary focus of the Impact Fee Facilities Plan was the identification of projects required to serve new development. The results of the Impact Fee Facilities Plan are summarized in Table 2. Included in the table are the costs of each required project and the portion of costs associated with development for the 10-year planning window. All cost estimates contained in this IFA have been taken directly from the IFFP. The basis of these estimates is documented in the IFFP.

Table 2
Impact Fee Eligible Capital Projects

Project ID	Year	Project Location	Contributing Areas	Project	Total Project Cost	Percent to 10-Year Growth	Cost to 10-Year Growth
Gravity Line Projects							
1 & 10	2021	6	1, 2, 4, 5 & 6	5000 W: 30-inch PVC Sewer Pipeline & Drainage Pipe Loops	$ 1,480,275	17.9%	$ 264,969
2	2021	4	1, 2 & 4	5000 W: 24-inch PVC Sewer Pipeline	$ 1,560,600	15.5%	$ 241,893
3	2021	8	7 & 8	Clinton Drain Crossing: 12-inch PVC Sewer Pipeline(deeper excavation)	$ 461,700	33.2%	$ 153,284
4	2021	5	5	1800 N: 12-inch PVC Sewer Pipeline	$ 719,550	32.2%	$ 231,696
5	2021	4	4	2425 N: 10-inch PVC Sewer Pipeline	$ 518,805	34.0%	$ 176,394
6	2021	4,5,6, & 8	1, 2, 4, 5, 6, 7 & 8	Sewer Manholes (assumed standard 5-foot diameter) Area 4, 5, 6, and 8 Only	$ 388,800	20.3%	$ 78,926
7	2021	4,5, & 6	1, 2, 4, 5 & 6	Asphalt Replacement for Gravity Sewer Pipelines in Areas 4, 5, and 6 only	$ 1,076,040	17.9%	$ 192,611
11	2021	4 & 5	1, 2 & 4	24-inch Pipe Bridge (80' bridge)	$ 337,500	15.5%	$ 52,313
12	2021	7 & 8	7 & 8	Steel Casing (Clinton Drain)	$ 119,475	33.2%	$ 39,665
13	2026	2	2	1925 N: 18-inch PVC Sewer Pipeline (deeper excavation)	$ 668,250	24.3%	$ 162,385
14	2026	2	2	5500 W: 15-inch PVC Sewer Pipeline (deeper excavation)	$ 1,205,820	24.3%	$ 293,014
15	2026	2	2	Asphalt Replacement for Gravity Sewer Pipelines in Area 2 Only	$ 388,080	24.3%	$ 94,304
16	2026	2	2	Sewer Manholes(assumed standard 5-foot diameter) Area 2 Only	$ 142,560	24.3%	$ 34,642
				Subtotal	$ 9,067,455		$ 2,016,096
Lift Stations & Force Mains Projects							
8	2021	7 & 8	7 & 8	Lift Station (0.7 MGD)	$ 1,559,250	33.2%	$ 517,671
9	2021	7 & 8	7 & 8	FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 583,200	33.2%	$ 193,622
17	2026	2	2	Area 2 Lift Station (1.0 MGD)	$ 2,338,875	24.3%	$ 567,721
18	2026	2	2	Area 2 FM: 8-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 672,030	24.3%	$ 163,123
19	2031	3	3	Area 3 Lift Station (0.6 MGD)	$ 1,336,500	26.4%	$ 352,243
20	2031	3	3	Area 3 FM: 6-inch Force Main - (DR11 HDPE) w/ Asphalt	$ 226,800	26.4%	$ 59,775
				Subtotal	$ 6,716,655		$ 1,854,155
				Total	$ 15,784,110		$ 3,870,251

Planning and Impact Fee Studies

Utah Code allows for the cost of planning and engineering associated with impact fee calculations to be recovered as part of an impact fee. The final impact fee will include the cost of this study and recommended planning projects in the next ten years as summarized in Table 3.

Table 3
Impact Fee Costs Associated with Studies per ERU

System Components	Total Cost of Component	% Serving 10-Year Growth	Cost Serving 10-Year Growth	10-Year ERUs Served	Cost Per ERU
2021 Sewer Impact Fee Facility Plan & Sewer Study	$ 54,000	96.3%	$ 51,988	1,049	$ 49.56
2021 Impact Fee Analysis	$ 11,300	96.3%	$ 10,879	1,049	$ 10.37
Subtotal	$ 65,300		$ 62,867		$ 59.93

IMPACT FEE CALCULATION - 11-36A-304(1)(E)

Using the information contained in the previous sections, impact fees can be calculated by dividing the proportional cost of facilities required to service 10-year growth by the amount of growth expected over the next 10-years. Calculated impact fees by component are summarized in Table 4 for West Point City.

Table 4
Impact Fee Calculation per ERU – West Point City Service Area

System Components	Total Cost of Component	% Serving 10-year Growth	Cost Serving 10-year Growth	10-year ERUs Served	Cost Per ERU
Collection Facilities					
10-Year Projects	$ 15,784,110	24.5%	$ 3,870,251	1049	$ 3,689
10-Year Project Interest Costs	$ 6,760,806	24.5%	$ 1,657,744	1049	$ 1,580
Credit for User Fees Paid Toward Existing					$ (128.96)
Subtotal	$ 22,544,916		$ 5,527,995		$ 5,141
Studies					
All Studies	$ 65,300	96.3%	$ 62,867	1049	$ 59.93
TOTAL	$ 22,610,216		$ 5,590,862		$ 5,201

Bonding Interest Costs

In addition to construction costs, Table 4 includes the cost of bond interest expense where applicable. This includes both historic interest costs on existing facilities where new growth will benefit from excess capacity (does not apply to this specific IFA) and future interest costs for bonds required to build projects needed for growth as identified in the Impact Fee Facilities Plan. Similar to project construction costs, only that portion of interest expense associated with capacity for growth is

included in the impact fee calculation. In the case of West Point City's wastewater system, the following bonds were included in the study

- **Future 2021 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Areas 4, 5, 6, 7 and 8. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2021 or 2022 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to $12,576,723. This was included in the table above and impact fee calculation.
- **Future 2026 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Area 2. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2026 or 2027 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to $7,735,285. This was included in the table above and impact fee calculation.
- **Future 2031 Wastewater Bond** – This is the recommended bond that the City would need to fully fund the system level projects to service Areas 3. For this study it was assumed that these projects would be fully funded through bonding. Based on guidance from the City, it is expected that this bond will be issued in 2031 or 2032 and would be a 20-year bond at 3.5 percent interest. This brings the total bond payment to $2,232,908. This was included in the table above and impact fee calculation.

This equates to a total bond payment of $22,544,916.

Credit for User Fees

As currently structured, future users will pay for their portion of capacity via impact fees. They cannot also be expected to pay through user rates the portion of future bonds that will be used to build capacity for existing users. This creates the need for a credit for future users. Calculation of this credit is summarized in Table 5. These tables include the following information:

- **Existing Portion of Loan Paid Through User Fees** – This represents the total amount paid each year by West Point City toward the portion of any loans used to build capacity for existing users.
- **Cost Per ERU** – This column takes the total amount paid and divides it by the number of ERUs projected for each year. This represents the amount paid in each year by each ERU.
- **Present Value Cost per ERU** – This column takes into account the time value of money assuming a rate of return of 2 percent annually.
- **Total User Fee Credit** – At the bottom of the table, the present value costs for all future years are added together to develop the total user fee credit.

It will be noted that, because the user fee credit is the summation of user fees paid toward existing deficiencies in each year, a new user who joins the system in five or ten years will pay less in total user fees than someone who joins the system next year. Thus, the user fee credit will decrease over time. The appropriate user fee can be calculated by adding the present value cost for all years subsequent to a new user's connection to the system.

Table 5
Credit for User Fees Paid Toward Existing – West Point City Collection System

Year	West Point ERUs	Existing Capacity Portion of Loans Paid Through User Fees	Cost Per ERU	Present Value Cost Per ERU
2021	3579	n/a	n/a	n/a
2022	3687	$ 23,430	$ 6.36	$ 6.23
2023	3797	$ 23,430	$ 6.17	$ 5.93
2024	3911	$ 23,430	$ 5.99	$ 5.65
2025	4028	$ 23,430	$ 5.82	$ 5.37
2026	4149	$ 23,430	$ 5.65	$ 5.11
2027	4274	$ 37,841	$ 8.85	$ 7.86
2028	4402	$ 37,841	$ 8.60	$ 7.48
2029	4534	$ 37,841	$ 8.35	$ 7.12
2030	4670	$ 37,841	$ 8.10	$ 6.78
2031	4810	$ 37,841	$ 7.87	$ 6.45
2032	4955	$ 42,000	$ 8.48	$ 6.82
2033	5103	$ 42,000	$ 8.23	$ 6.49
2034	5256	$ 42,000	$ 7.99	$ 6.18
2035	5414	$ 42,000	$ 7.76	$ 5.88
2036	5576	$ 42,000	$ 7.53	$ 5.60
2037	5744	$ 42,000	$ 7.31	$ 5.33
2038	5916	$ 42,000	$ 7.10	$ 5.07
2039	6093	$ 42,000	$ 6.89	$ 4.83
2040	6276	$ 42,000	$ 6.69	$ 4.59
2041	6465	$ 42,000	$ 6.50	$ 4.37
2042	6658	$ 18,570	$ 2.79	$ 1.84
2043	6858	$ 18,570	$ 2.71	$ 1.75
2044	7064	$ 18,570	$ 2.63	$ 1.67
2045	7276	$ 18,570	$ 2.55	$ 1.59
2046	7494	$ 18,570	$ 2.48	$ 1.51
2047	7719	$ 4,160	$ 0.54	$ 0.32
2048	7951	$ 4,160	$ 0.52	$ 0.31
2049	8189	$ 4,160	$ 0.51	$ 0.29
2050	8435	$ 4,160	$ 0.49	$ 0.28
2051	8688	$ 4,160	$ 0.48	$ 0.26
Total User Fee Credit			$ 161.92	$ 128.96

Recommended Impact Fee

The total calculated impact fees are summarized in Table 6. Included in this table is the appropriate user fee credit and corresponding overall fee. This is the legal maximum amount that may be charged as an impact fee. A lower amount may be adopted if desired, but a higher fee is not allowable under the requirements of Utah Code.

Table 6
Recommended Per ERU Impact Fee – West Point City Service Area

Maximum Allowable Impact Fee (Per ERU, by year)						
	2022	2023	2024	2025	2026	2027
Base Impact Fee (includes study costs)	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71	$ 5,329.71
User Fee Credit	$ (128.96)	$ (122.73)	$ (116.80)	$ (111.16)	$ (105.78)	$ (100.67)
Total Overall Fee	$ 5,200.74	$ 5,206.97	$ 5,212.90	$ 5,218.55	$ 5,223.92	$ 5,229.04

As discussed previously, the calculated user fee credit associated with the impact fees will decrease over time. As a result, the allowable impact fee will increase over time as shown in the table. Impact fees beyond 2026 can be calculated by reducing the user fee credit by the amount shown for each successive year in Table 5.

Calculation of Non-Standard Impact Fees

The calculations above have been based on an ERU. The Impact Fee Enactment should include a provision that allows for calculation of a fee for customers other than typical residential connections. Consistent with the level of service standards established in the Impact Fee Facilities Plan, the following formula may be used to calculate an impact fee for a non-standard user based on the calculated daily indoor water use for an average residential connection[1].

$$\frac{Estimated\ Indoor\ Water\ Use}{220\ gallons\ per\ day} X\ Impact\ Fee\ per\ ERU = Impact\ Fee$$

Calculation all non-standard impact fees should be completed by City personnel using the formula above based on information regarding water use as provided for each non-standard use. This approach will be used for all commercial and industrial development.

[1] Based on average annual domestic water usage of 220 gpd/ERU and an average day maximum month flow of 240 gpd/ERU, this equates to a domestic wastewater production of 220 gpd/ERU. With an additional 35 gpd/ERU for I&I, total domestic wastewater flow is equal to 255 gpd/ERU, consistent with previous calculations.

ADDITIONAL CONSIDERATIONS - 11-36A-304(2)

MANNER OF FINANCING - 11-36A-304(2)(A-E)

As part of this impact fee analysis, it is important to consider how each facility has been or will be paid for. Potential infrastructure funding includes a combination of different revenue sources.

User Charges

Because infrastructure must generally be built ahead of growth, there often arises situations in which projects must be funded ahead of expected impact fee revenues. In some cases, the solution to this issue will be bonding. In others, funds from existing user rate revenue will be loaned to the impact fee fund to complete initial construction of the project and will be reimbursed later as impact fees are received. Interfund loans should be considered in subsequent accounting of impact fee expenditures.

Special Assessments

Where special assessments exist, the impact fee calculation must take into account funds contributed. No special assessments currently exist in the West Point City wastewater system.

Pioneering Agreements

Where pioneering agreements exist, the impact fee calculation must take into account payback requirements under each pioneering agreement. West Point City currently does not have any pioneering agreements.

Bonds

Where West Point City financial plans identify bonding will be required to finance impact fee eligible improvements, the portion of bond cost and interest expense attributable to future growth has been added to the calculation of the impact fee.

General Taxes

If taxes are used to pay for infrastructure, they should be accounted for in the impact fee calculation. Specifically, any contribution made by property owners through taxes should be credited toward their available capacity in the system. In this case, no taxes are proposed for the construction of infrastructure.

Federal and State Grants and Donations

West Point City is pursuing grant donations but have not secured any at this time. Impact fees cannot reimburse costs funded or expected to be funded through federal grants and other funds that the City has received for capital improvements without an obligation to repay. Grants and donations are not currently contemplated in this analysis. If grants become available for constructing facilities, impact fees will need to be recalculated and an appropriate credit given.

DEDICATION OF SYSTEM IMPROVEMENTS - 11-36A-304(2)(F)

Developer exactions are not the same as grants. If a developer constructs a system improvement or dedicates land for a system improvement identified in this IFFP or dedicates a public facility that is recognized to reduce the need for a system improvement, the developer may be entitled to an

appropriate credit against that particular developer's impact fee liability or a proportionate reimbursement.

If the value of the credit is less than the development's impact fee liability, the developer will owe the balance of the liability to West Point City. If the recognized value of the improvements/land dedicated is more than the development's impact fee liability, West Point City may be required to reimburse the difference to the developer.

It should be emphasized that the concept of impact fee credits pertains to system level improvements only. Developers will be responsible for the construction of project improvements (i.e. improvements not identified in the Impact Fee Facilities Plan) without credit against the impact fee.

EXTRAORDINARY COSTS - 11-36A-304(2)(G)

The Impact Fees Act indicates the analysis should include consideration of any extraordinary costs of servicing newly developed properties. In cases where one area of potential growth may cost significantly more to service than other growth, a separate service area may be warranted. No areas with extraordinary costs have been identified as part of this analysis.

TIME-PRICE DIFFERENTIAL - 11-36A-304(2)(H)

Utah Code allows consideration of time-price differential in order to create fairness for amounts paid at different times. To address time-price differential, this analysis includes a conversion to present value cost for future expenditures. In the case of future construction costs, it has been assumed that the return rate on investment will be roughly equivalent to construction inflation and current construction estimates have been used in the calculation of impact fees. Per the requirements of the Code, existing infrastructure cost is based on actual historical costs without adjustment.

IMPACT FEE CERTIFICATION - 11-36A-306(2)

This report has been prepared in accordance with Utah Code Title 11, Chapter 36a (the "Impact Fees Act"), which prescribes the laws pertaining to the imposition of impact fees in Utah. The accuracy of this IFFP relies in part upon planning, engineering, and other source data, provided by West Point City and its designees.

In accordance with Utah Code Annotated, 11-36a-306(2), Bowen Collins & Associates makes the following certification:

I certify that the attached impact fee analysis:

1. Includes only the costs of public facilities that are:
    a. allowed under the Impact Fees Act; and
    b. actually incurred; or
    c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. Does not include:
    a. costs of operation and maintenance of public facilities;
    b. costs of qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents; or
    c. an expense for overhead, unless the expense is calculated pursuant to a methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.

Keith J. Larson, P.E.

OGDEN, UTAH OFFICE
2036 LINCOLN AVENUE
SUITE 104
OGDEN, UTAH 84401
PHONE: 801.495.2224

DRAPER, UTAH OFFICE
154 E 14075 S
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776 E RIVERSIDE DRIVE
SUITE 250
EAGLE, IDAHO 83616
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ST. GEORGE, UTAH OFFICE
20 NORTH MAIN
SUITE 107
ST.GEORGE, UTAH 84770
PHONE: 435.656.3299

BOWEN COLLINS & ASSOCIATES

WWW.BOWENCOLLINS.COM

CITY COUNCIL STAFF REPORT

Subject: "Terraform Annexation" Petition
Author: Kyle Laws
Department: Executive
Meeting Date: November 16, 2021

Background

On Wednesday, November 10th, 2021, a complete Annexation Petition was submitted to the City. The Petition Title is "Terraform Annexation" and includes property in the area around 1800 N 4300 W, north to the county line and west to approximately 6000 W, consisting of 95 different parcels. In accordance with State law, the Annexation Petition must be placed on a City Council agenda for acceptance of the Annexation Petition for further consideration within 14 days after Petition is submitted. According to Utah Code Section 10-2-405, the City has no obligation to accept the petition for further consideration, even if the property is within the City's future annexation area, and can deny the Petition at this point. However, if the Council fails to either accept or deny the Petition, it is considered as accepted for further consideration. Acceptance of the Petition for further consideration does not mean that the property is annexed or that it *will* be annexed – it only means that the Council is allowing the process to continue.

Analysis

The annexation process is dictated by Utah State Code and is found in §10-2-4. If the petition is accepted, whether through approval or non-action, a series of deadlines and processes are initiated. To briefly summarize, a 30-day deadline will begin for the City Recorder to obtain any records or further information needed from the County or Petitioner and work with other Staff and our legal counsel to determine if the Petition meets the requirements of the applicable annexation statutes. Should it not, the City Recorder must reject the Petition and deliver notice of and reasons for the rejection to the City Council, Petitioner, and Davis County Board of Commissioners.

If the Petition is determined to meet the requirements, the City Recorder must certify the Petition and a Notice of Certification must be sent to the Council, Petitioner, and County. Within 10 days of the Council's receipt of the Notice of Certification, the City Recorder must begin the noticing process to affected entities, surrounding property owners, and the public. Public notice must be given for three successive weeks.

Protests to the Petition must be filed within 30 days from the Council's receipt of the Notice of Certification. Protests may be filed by the legislative or governing body of an affected entity, including counties, local districts, special service districts, etc., and are filed directly with the Davis County Board of Commissioners. Another process begins at that point, but the main takeaway is that accepting the Petition begins a roughly two to three-month annexation process. Attached is an "Annexation Process" outline Staff has put together that details the responsibilities of each party and the various deadlines and requirements.

Again, it is important to understand that Acceptance of the Petition for further consideration does not mean that the property is annexed or that it *will* be annexed or even that the Council is in favor of the annexation – it only means that the Council is allowing the process to continue. It is also important to

understand that the Council does not have to approve an annexation, regardless of whether it meets all of the requirements – the decision is completely at the discretion of the City Council.

Recommendation

Staff has no recommendation to the Council on whether to accept or deny this annexation for further consideration.

Significant Impacts

If the petition is accepted for further consideration, the immediate significant impact is that a 30-day deadline is initiated in which the City Recorder must either certify or deny the petition in accordance with the applicable requirements. If certified, the City Council will be given a Notice of Certification and a public noticing process begins.

Attachments

Annexation Process Outline
Terraform Annexation Petition

WEST POINT CITY ANNEXATION PROCESS

1- PETITIONER
2- CITY/COUNTY
3- PROTESTS
4- APPROVAL

(Disclaimer: The information provided herein is provided for general information and educational purposes only and does not replace the laws of the State of Utah or West Point City. Petitioner is responsible for knowing and abiding by all requirements and deadlines regarding the annexation process as outlined in the applicable statutes.)

1 - PETITIONER

PRE-PETITION STEPS

1. **Review West Point City Code Chapter 18.25** – Annexation Policy Plan (Attached hereto as Appendix A)
2. **Review Utah State Code Chapter 10-2-4 - *Annexation***, paying particular attention to Section 10-2-4-403 regarding the petition process
3. Understand that a petition may not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.
4. **Verify the area** considered for annexation is generally located within the City's annexation area (map attached hereto as Appendix B) and meets the descriptions indicated in West Point City Code Chapter 18.25.
5. **Verify the boundaries** of the area proposed for annexation shall, if possible, be drawn:
    a. along the boundaries of existing local districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
    b. to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
    c. to facilitate the consolidation of overlapping functions of local government;
    d. to promote the efficient delivery of services; and to encourage the equitable distribution of community resources and obligations.
6. **File a notice of intent to file an annexation petition**, including an accurate map of the area that is going to be proposed to be annexed
    a. Must be filed with the City Recorder
    b. Sent to each affected entity as defined in UCA 10-2-401
7. **File a written request with Davis County to mail** the required Notice of Intent to property owners, along with payment of an amount equal to the County's expected actual cost of mailing the notice.
    a. The Notice of Intent sent by the County **must contain the language** in UCA 10-2-403(2)(b)(i)(A)

b. The County shall mail the Notice of Intent within 20 days after receiving the written request to mail the notice to:
    i. Each owner of real property located within the area to be annexed
    ii. Each owner of real property located within 300 ft. of the area proposed to be annexed
c. The County must send West Point a copy of the Notice of Intent and a certificate indicating that it was mailed as required.

Filing the Annexation Petition

1. **Compile a complete Annexation Petition**, which must include:
    a. An accurate map, prepared by a licensed surveyor, of the area proposed for annexation; and
    b. Designation of up to five signers as sponsors, one of whom shall be designated as the Main Contact. Mailing addresses must be included.
    c. **Official Signatures** of Property Owners:
        i. Signatures must be on the Official Signatures page(s) that includes the required Notice to Property Owners. This page may be duplicated as needed for circulation in obtaining signatures.
        ii. Signatures of owners of a majority of private real property located within the area proposed for annexation (property must be equal to at least one third of the value of all private property located within the area proposed for annexation); AND
        iii. Owners of 100% of the private land area within the area proposed for annexation if the area is within:
            1. An agricultural protection area created under UCA Title 17, Chapter 41; or
            2. Migratory bird production area created under UCA Title 23, Chapter 28 *(property must be equal to at least one third of the value of all private property located within the area proposed for annexation)*
2. **File Petition with the West Point City Recorder** during regular West Point City Hall business hours
3. **Deliver or mail a copy of the Petition to the Davis County Clerk's Office** on the date of filing with the West Point City Recorder

2 - CITY

After Receipt of Petition by City Recorder

1. Annexation Petition to be taken to the City Council within 14 days from the date Petition was filed with the City Recorder. At that time, the City Council may:
    - **a.** Accept the Petition for further consideration.
        - i. If the Petition is not acted upon at this meeting, the Petition is considered accepted for further consideration
    - **b.** Deny the Petition
        - i. If denied, the City Recorder shall, within five days after denial, mail written notice of denial to the Main Contact and County Clerk

If Annexation Petition Accepted for Further Consideration

1. Within 30 days of acceptance, City Recorder shall:
    - **a.** Obtain any records from the County Assessor, Clerk, Surveyor, and Recorder necessary to determine whether the Petition meets the requirements of UCA 10-2-403(3), (4), and (5); and
    - **b.** Determine, with any necessary assistance from the City Attorney or City Staff, if the Petition meets those same requirements of UCA 10-2-403(3), (4), and (5)
        - **i.** If Petition is determined to meet requirements:
            1. City Record shall certify the Petition
            2. Mail or deliver written Notice of Certification to the City Council, the Main Contact, and the Davis County Board of Commissioners
        - **ii.** If Petition is determined as failing to meet requirements:
            1. City Recorder must reject the Petition
            2. Mail or deliver notice of rejection and the reasons for rejection to the City Council, Main Contact, and the Davis County Board of Commissioners.
                - **a.** If Petition is rejected, the Petition may be modified and re-filed as a newly filed petition (process starts all over).

If Annexation Petition is Certified by City Recorder

1. The City Council must advise the public of the Notice of Certification and intent to consider the Petition (UCA 10-4-206):
    - **a.** No later than 10 days after Notice of Certification, notice is to be provided within the area proposed for annexation and the unincorporated area within ½ mile of the proposed annexation area by:

i. Posting one notice and one additional notice per 2,000 population within the combined area (proposed area and ½ mile unincorporated radius) in places most likely to give notice to the residents within; or
ii. By mailing the notice to each residence and property owner within the combined area.

b. Beginning no later than 10 days after receipt of the Notice of Certification by the City Council, the Notice must be posted for three weeks on the Utah Public Notice Website and on the City's website.

c. Within 20 days from receipt of Notice of Certification mail notice to each affected entity.

d. Notice must include the following:

i. State that a petition has been filed with West Point City proposing the annexation of an area to the City;
ii. State the date the City Council received Notice of Certification from the City Recorder
iii. Describe the area proposed for annexation in the annexation petition
iv. State that the complete Annexation Petition is available for inspection and copying at the office of the City Recorder;
v. State in conspicuous and plain terms that West Point City may grant the Petition and annex the area described in the Petition unless, within the time required under UCA 10-2-407(2)(a)(i), a written protest to the Annexation Petition is filed with the Davis County Boundary Commission and a copy of the protest is delivered to the West Point City Recorder. The actual date of the deadline for filing a written protest must be specified rather than just by reference to statute;
vi. State the address of the Davis County Boundary Commission where a protest to the Annexation Petition may be filed; and
vii. State, IF the proposed annexation area is not already within their boundaries, that the area proposed for annexation to West Point City will also automatically be annexed to the North Davis Fire District and the Davis County Sheriff's Office, which are the local districts providing, respectively, fire protection, paramedic, emergency services, and law enforcement service. If this is the case, further language must also be included as outlined in UCA 10-2-406(vii) and (vii)
viii. Notice may not be included with any information unrelated to Petition

e. The City Council may request the petitioner to provide additional information as outlined in WPCC 18.25.060.

3 - PROTESTS

Protests to Annexation Petition

1. Protests may be filed by:
    a. the legislative body or governing board of an affected entity:
        i. Affected entity is defined as: the county, any local district, special service district, school district whose boundary includes any part of the proposed annexation area if the boundary is proposed to be adjusted as a result of the annexation, and any municipality whose boundaries are with ½ mile of the proposed annexation area
    b. An owner of rural real property
        i. Rural real property means an area that is zoned primarily for manufacturing, commercial, or agricultural purpose and does not include residential units with a density greater than one unit per acre.
2. Filing a Protest:
    a. Must be filed within 30 days of City Council's receipt of Notice of Certification
    b. Must be filed with the Davis County Boundary Commission
    c. A copy of the protest must be delivered or mailed to the West Point City Recorder on the date protest is filed
    d. Protests must:
        i. State each reason and justification for protest, as well as any other information deemed to be pertinent to the protest
        ii. State the name and address of a contact person to receive notice from the Davis County Boundary Commission
        iii. Contain other information that the Davis County Boundary Commission by rule requires
3. Receipt of Protest:
    a. Davis County Clerk shall immediately notify Davis County Legislative Body of any protest and deliver protest to the Davis county Boundary Commission within five days of receipt.
    b. If a protest is filed within the 30 days, the City Council may, at the next regular meeting thereafter the expiration of the 30-day protest period, deny the Petition.
        i. If City Council denies, written notice of denial shall be mailed within 5 days after denial to Petition Main Contact, Davis County Boundary Commission, and each entity that filed a protest.
            1. Notice of the denial of the Petition must be sent to the contact sponsor, the commission, and the protestor within 5 days.
        ii. If not denied or considered, the City Council <u>cannot</u> take any further action until after receipt of the Davis County Boundary Commission's notice of it's decision on a protest.

iii. If the Commission approves the Petition for Annexation, the City Council may:
    1. Deny the Petition
    2. Approve the Petition consistent with the Commission's decision
        a. Rural real property shall be excluded unless the property owner provides written consent to include the property.

If No Protests Are Received

1. If no protests are received within the 30 days following the City Recorder's Notice of Certification, then the City Council may approve the annexation, AFTER:
    a. Noticing a public hearing at least 7 days before the hearing on the Utah Public Notice Website and the City Website.
    b. Noticing a public hearing by posting one notice and one additional notice per 2,000 combined population total of the City and the area proposed for annexation where most likely to be seen
    c. Holding the public hearing

4 - ANNEXATION APPROVAL

If Approved

1. City Council shall grant the Petition and annex the area by ordinance
2. Within 60 days of adopting the ordinance, the City Council shall file with the Lieutenant Governor a copy of approved final local entity plat, and notice of an impending boundary action as defined in (UCA 67-1a-6.5) that meets the requirements of 67-1a-6.5(3) and a copy of an approved final local entity plat as required.
3. Upon receipt of Lieutenant Governor's issuance of a Certificate of Annexation, the City Council shall:
    - **a.** Submit to Davis County Recorder the original:
        - **i.** Notice of impending boundary action
        - **ii.** Certificate of Annexation
        - **iii.** Approved final local entity plat
        - **iv.** Certified copy of ordinance approving the annexation
    - **b.** Send notice to each affected entity and any local district whose boundaries have been modified, pursuant to UCA to UCA 17B-1-416 and/or 17B-1-502(2). Notice must contain effective date:
        - **i.** Date of the Lieutenant Governor's Issuance of a Certificate of Annexation
    - **c.** File with the Department of Health (UCA 26-8a-414):
        - **i.** Certified copy of ordinance approve annexation
        - **ii.** Copy of the approved local entity plat
4. The annexation is completed and takes effect the date of the Lieutenant Governor's issuance of a Certificate of Annexation

WEST POINT CITY
3200 W 300 N
West Point, UT 84015
801.776.0970

ANNEXATION PETITION

(Submit to City Recorder's Office)

PETITION TITLE: Terraform Annexation

PROPERTY LOCATION: 1800 N 4300 W, West Point, UT **ACREAGE:** Approx. 482 Acres

AFFECTED PROPERTY OWNER NAMES *(within Annexation Area)*: **AFFECTED PARCEL ID#:**

See Attached Spreadsheet.

Attach additional sheet as needed

MAIN CONTACT PERSON:

(It is the Main Contact's responsibility to notify/inform other property owners of any notifications or information received regarding this Annexation Petition)

Name: Joshua Davis Phone: 801- 687-8089

Mailing Address: 2901 W Bluegrass Blvd Unit 200 City: Lehi

State: UT Zip: 84043 Email: josh@terraformdevelopment.com

INCLUDE WITH THIS PETITION (in accordance with UCA §10-2-403):

1. A copy of the Notice of Intent to File an Annexation Petition sent to affected entities as required, the date the notice was sent, and a list of the affected entities to which notice was sent.
2. Signature page(s) (**must include the required statement**) of property owners that are within the proposed annexation area.
3. One 24" x 36" accurate and recordable (mylar) map, prepared by a licensed surveyor, of the area proposed for annexation. Mylar copy must be stamped by the surveyor and meet the requirements of UCA§ 17-23-20(4).
4. Four 11" x 17" paper copies of the map prepared by the licensed surveyor.
5. Electronic copy of prepared map sent to carnold@westpointcity.org
6. A legal property description in word format sent to: carnold@westpointcity.org
7. On the date of filing with the City Recorder, deliver or mail a copy of petition (including paper copy of map) to Davis County Recorder

Signature of Applicant: _____ _____

Date Submitted

Applicant Information ***(If different than Main Contact):***

Name: Mike Hatch Phone: 801-836-3990

Mailing Address: 2901 W Bluegrass Blvd Unit 200 City: Lehi

State: UT Zip: 84043 Email: mike@terraformdevelopment.com

List of Affected Property Owner/Parcel ID #'s

AFFECTED PROPERTY OWNER NAMES (Within Annexation Area)	**AFFECTED PARCEL ID #**
COMPTON, WILLIAM W - TRUSTEE	140380067
HARWARD, JERRY	141750005
BENNETT, DENNIS L & CHRISTY	141750012
WILDE, ROBERT KIM & JUDY S	141750011
DAVIS, MARGARET M - TRUSTEE	141750014
KOPECKY, EDWARD J & BROCK	141750007
KOPECKY, MATTHEW S & BROCK	141750006
WEAVER, KENT DEAN	141750013
NEBEKER, MARK A	141750010
PERCIVAL, JOHN DAVID & CINDY SUE	141750009
CRONQUIST, JESSICA	141750008
COOK, KEVIN T & SUSAN B	133380001
KENDRICK, ALAN DEAN & JANET - TRUSTEES	130460023
UTAH DEPARTMENT OF TRANSPORTATION	130460040
KENDRICK, DENNIS R & MARLENE - TRUSTEES	130460008
KENDRICK, DALE R & LAURIE M	130460017
KUNZE, RONALD T & MICHELLE	130460009
THURGOOD, BRAD W AND EURICH, TAMARA LEE	130460012
THURGOOD, TARA LEE	130460039
PROBST-HOWELL, CHERI - TRUSTEE	130460041
KENDRICK, ELLIS R - TRUSTEE	130460049
RUSSELL, ROBERT PATTERSON	130460006
LASERTECH FARMING LLC	130460016
FOWERS, DON EARL & JANETTE JOHNSON - TRUSTEES	130460045
LASERTECH FARMING LLC	130460001
SHIMIZU, NATALIE Y - TRUSTEE	130460050
HASTY, GEOFFREY P & SEVANA	130460038
UHARRIET, RAYMOND & MARILYN B-TRUSTEES	141750015
UHARRIET, JENNIFER - TRUSTEE	141750016
YAMASHITA, DENNIS & MITZIE A	130460013
GATES, COLLIN & HEATHER	141700002
PRICE, DANENE W & MARK E	141700003
HALES, RONALD J & PAMELA L	141700004
THOMPSON, NORMAN SCOTT & DIANE BAILEY -TRUSTEES	141700005
STRATFORD, CHAD	133380002
ADAMS, BARBARA A	141700001
HOOPER IRRIGATION COMPANY	130460025
BENNETT, LINDA RAE AND NELSON, JENNIFER AND CHRISTIANSEN, BECKY	141000019
WYCHERLEY, NATHAN P & NICOLE	141560007
HANCOCK, JARED & JAIMIE	145740001
GRAHAM, ROGER S & VICKIE C	145580001
HUNTER, JUSTIN & ANGELA	145580005
BROWN, RONALD L & EDITH A	143910011
WINTERS, SCOTT AND GILLETTE, KELLI	143910010
WYCHERLEY, NATHAN P & NICOLE	140990024
BENNETT, MAX BRUCE - TRUSTEE	141000008
HUNT, RENA R	144900001
BENNETT, MAX BRUCE - TRUSTEE	144170002
KING, ELIZABETH & MEB B	141010029
HIGLEY, CODI LEE & MICHAEL K	144590002
CAMPBELL, DARCY T & AMY R	133310003
KING, ELIZABETH & MEB B	141010031

AFFECTED PROPERTY OWNER NAMES (Within Annexation Area)	**AFFECTED PARCEL ID #**
FOWERS, RULON K - TRUSTEE	130450048
PAZ, MARIA TERESA - TRUSTEE	130450049
TUTTLE, DARRELL L & PHYLLIS & WILMA P	141010024
THURGOOD, BRENT K & LINDA F - TRUSTEES	141000005
VAN KOMEN, MARK & JULIE P	145580003
CIRCLE F LAND & LIVESTOCK LLC	141010025
FOWERS, RULON K & KATHLEEN	141010003
FOWERS, RULON K - TRUSTEE	141010001
SNP PROPERTIES LLC	141010010
H L PARKER FARMS LTD	141000038
HIRASUNA, EMY - ETAL - TRUSTEES	141010014
FOWERS, RULON K - TRUSTEE	130450050
ALEXANDER, KELLEY	141010015
PICKARD, SKYLER D & GABRIELLE	130450014
FOWERS, BLAINE C & PEGGY W	141000006
LARSEN, CATHERINE - TRUSTEE	130450033
CHRISTIANSEN, BECKY AND NELSON, JENNIFER	144170001
PETERSON, JENNIFER A & JEFF K	141000020
FOWERS, RULON K. & KATHLEEN -TRUSTEES	130450034
MCQUIDDY, CLINT E & TAUTTANNI Y	141560002
GARDNER, DARRELL	141560006
HANSEN, BRITTANI A & DOUGLAS	141560005
HANSEN, MARK J & EMILY F	141560004
REYNOLDS, ROBERT B & RAELYN H - TRUSTEES	141560003
WRIGHT, RICKY	130450019
SPRENKLE, JOHN	141010011
WOOD, SUZANNE V	145350002
HAWKES, DAVE & PAMELA	145580002
NESSEN, JUSTIN & AMY	145580004
ANDERSON, ERIC MORRIS & LEANN	145700003
TUCKETT, DAREK J & ALEXIS L	145700002
BROWN, NICK & ALLISON	145700001
COLE, CHARLES EDWIN, JR & LINDA G	141010012
DEVEREAUX, BRAD	145700004
ADAMS, STANLEY B & BARBARA T	145450002
ADAMS, NATHAN T & DEVREE	145450001
SMITH, LUCAS J & JESSIE	141000018
FOWERS, STAN & TAUNI	144590001
HARDING, TERRY & MICHELLE	133310002
VANDERWOOD, SHERRY - TRUSTEE	145350001
PAGE, JAMES K & KATHY A - TRUSTEES	133310001
SHIMIZU, NATALIE Y - TRUSTEE	130450047
ALEXANDER, STEVE N & DEBRA KAY	133030001

OFFICIAL PROPERTY OWNER(S) SIGNATURE PAGE OF ANNEXATION PETITION

(This Official Signature Page may be duplicated as needed for circulation when obtaining signatures)

NOTICE TO PROPERTY OWNERS:

There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the West Point City Recorder.

If you choose to withdraw your signature, you shall do so no later than 30 days after West Point City receives notice that the petition has been certified.

PLEASE SIGN THIS PETITION AND INDICATE YOUR POSITION ON THIS ANNEXATION REQUEST.

SIGNATURE	NAME	IN FAVOR	NOT IN FAVOR
		❑	❑
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TERRAFORM ANNEXATION
A PLAT OF ADDITION TO THE CORPORATE LIMITS OF WEST POINT CITY

A PART OF THE SOUTH HALF OF SECTION 19 AND NORTH HALF OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, SOUTH HALF OF SECTION 24, AND SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN

N
W E
S

100 400 1600
0 200 800

(24"x36")
SCALE 1" = 400'
(11"x17")
SCALE 1" = 800'

SURVEYOR'S CERTIFICATE

I, KENNETH BARNEY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, LICENSE NO. 172762 , DO HEREBY CERTIFY THAT THIS PLAT OF ADDITION TO THE CORPORATE LIMITS OF WEST POINT CITY, DAVIS COUNTY, UTAH, HAS BEEN DRAWN TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM A SURVEY MADE BY ME AND FROM RECORDS ON FILE IN THE DAVIS COUNTY RECORDER'S OFFICE.

SIGNED THIS_____DAY OF_____20__.

KENNETH BARNEY

WEST POINT CITY ACCEPTANCE

I HEREBY CERTIFY THAT THIS PLAT OF ADDITION TO THE CORPORATE LIMITS OF WEST POINT CITY WAS ACCEPTED BY THE MAYOR ND THE CITY COUNCIL OF WEST POINT CITY, DAVIS COUNTY, UTAH.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND AFFIX THE CORPORATE SEAL OF WEST POINT CITY.

APPROVED THIS_____DAY OF_____20__.

MAYOR

ATTEST

DAVIS COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE CAREFULLY INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING ANNEXATION PLAT AND LEGAL DESCRIPTION OF THE LAND EMBRACED THEREIN, AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE LINES AND MONUMENTS ON RECORD IN THIS OFFICE.

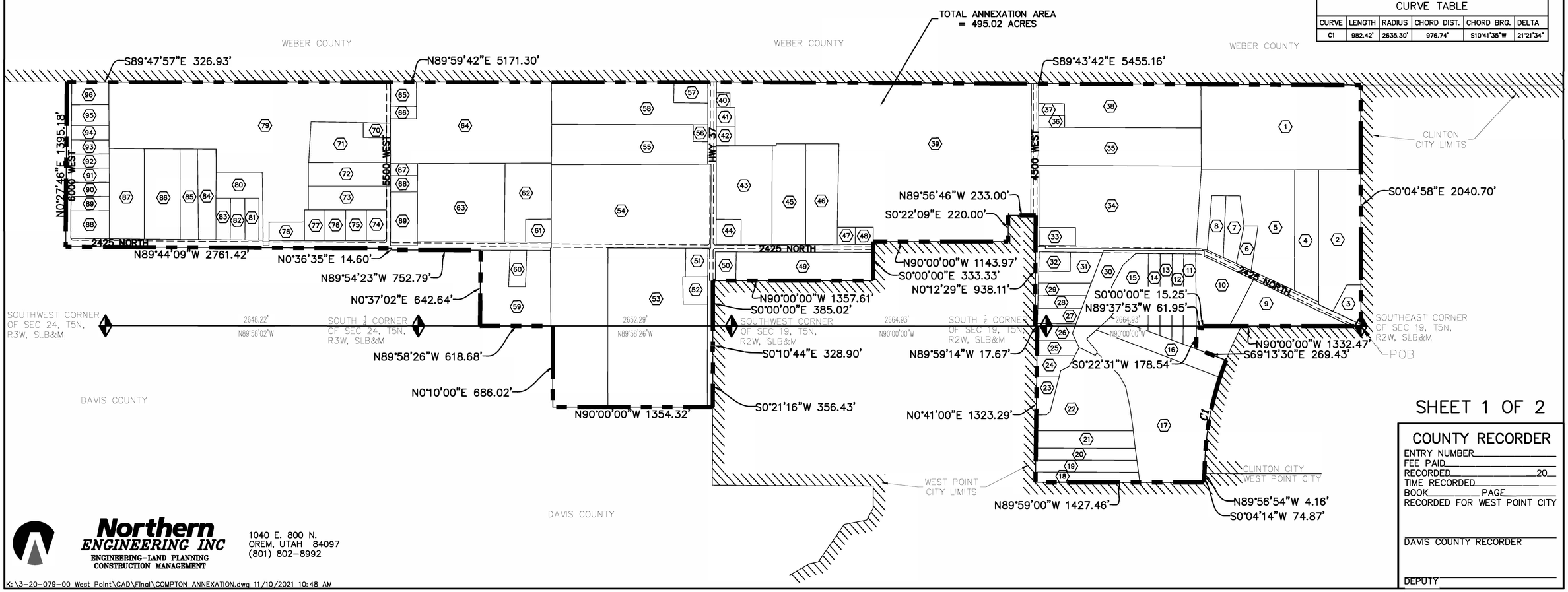
SIGNED THIS_____DAY OF_____20__.

SIGNATURE

LEGEND

- ANNEXATION BOUNDARY
- PARCEL LINES
- ROADWAYS
- SECTION LINES
- PARCEL ID LABEL (SEE SHEET 2)
- SECTION CORNER

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	982.42'	2635.30'	976.74'	S10°41'35"W	21°21'34"



SHEET 1 OF 2

COUNTY RECORDER

ENTRY NUMBER_____
FEE PAID_____
RECORDED_____20__
TIME RECORDED_____
BOOK_____ PAGE_____
RECORDED FOR WEST POINT CITY

DAVIS COUNTY RECORDER

DEPUTY

Northern ENGINEERING INC
ENGINEERING–LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802–8992

K:\3-20-079-00 West Point\CAD\Final\COMPTON ANNEXATION.dwg 11/10/2021 10:48 AM

PARCEL ID TABLE

1	130460006	49	130450047
2	130460041	50	133030001
3	130460040	51	141010011
4	130460009	52	141010012
5	130460049	53	141010010
6	130460023	54	141010014
7	130460017	55	141010003
8	130460008	56	141010015
9	130460012	57	141010024
10	130460039	58	141010025
11	141700005	59	145350001
12	141700004	60	145350002
13	141700003	61	145740001
14	141700002	62	141010029
15	141700001	63	141010031
16	140380063	64	141010001
17	140380067	65	141000005
18	141750005	66	141000006
19	141750006	67	141000020
20	141750007	68	141000019
21	141750008	69	141000008
22	141750009	70	144170001
23	141750010	71	144170002
24	141750011	72	141000018
25	141750012	73	144900001
26	141750013	74	145580001
27	141750014	75	145580002
28	141750015	76	145580003
29	141750016	77	145580004
30	130460025	78	145580005
31	133380002	79	141000038
32	133380001	80	145700004
33	130460013	81	145700003
34	130460050	82	145700002
35	130460045	83	145700001
36	130460038	84	145450002
37	130460016	85	145450001
38	130460001	86	144590002
39	130450050	87	144590001
40	130450048	88	140990024
41	130450034	89	141560007
42	130450033	90	141560006
43	133310001	91	141560005
44	130450019	92	141560004
45	133310002	93	141560003
46	133310003	94	141560002
47	130450049	95	143910010
48	130450014	96	143910011

BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 19 AND NORTH HALF OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, SOUTH HALF OF SECTION 24, AND SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 WEST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; SAID POINT BEING ON A CORNER OF CLINTON CITY LIMITS:

RUNNING THENCE S.90°00'00"W. A DISTANCE OF 1332.47 FEET ALONG THE SECTION LINE AND CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334);

THENCE S.0°00'00"W. A DISTANCE OF 15.25 FEET;

THENCE N.89°37'53"W. A DISTANCE OF 61.95 FEET TO A POINT ON THE EAST BOUNDARY LINE OF THE DAVIS FARMS NORTH SUBDIVISION;

THENCE S.0°22'31"W. A DISTANCE OF 178.54 FEET ALONG THE EAST LINE OF LOT 5 OF THE DAVIS FARMS NORTH SUBDIVISION TO A POINT ON THE NORTH BOUNDARY LINE OF THE COUNTY STORM DRAIN PARCEL;

THENCE S.69°13'30"E. A DISTANCE OF 269.43 FEET ALONG THE NORTH LINE OF THE COUNTY STORM DRAIN PARCEL TO A POINT ON THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334), ALSO BEING

TO A POINT OF CURVATURE OF A 2635.30-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334) A DISTANCE OF 982.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 21°21'34" AND A CHORD THAT BEARS S.10°41'35"W. A DISTANCE OF 976.74 FEET, TO A POINT ON THE WEST POINT CITY LIMIT LINE;

THENCE N.89°56'54"W. A DISTANCE OF 4.16 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 1724690);

THENCE S.0°04'14"W. A DISTANCE OF 74.87 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 1724690) TO A POINT ON THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 392199);

THENCE N.89°59'00"W. A DISTANCE OF 1427.46 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 392199) TO A POINT ON THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2237819);

THENCE N.0°41'00"E. A DISTANCE OF 1323.29 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2237819);

THENCE N.89°59'14"W. A DISTANCE OF 17.67 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2237819) TO A POINT ON THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142);

THENCE N.0°12'29"E. A DISTANCE OF 938.11 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142);

THENCE N.89°56'46"W. A DISTANCE OF 233.00 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142);

THENCE S.0°22'09"E. A DISTANCE OF 220.00 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142);

THENCE S.90°00'00"W. A DISTANCE OF 1143.97 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142);

THENCE S.0°00'00"W. A DISTANCE OF 333.33 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2347142) TO A POINT ON THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2273093);

THENCE S.90°00'00"W. A DISTANCE OF 1357.61 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2273093);

THENCE S.0°00'00"W. A DISTANCE OF 385.02 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2273093);

THENCE S.0°10'44"E. A DISTANCE OF 328.90 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2273093);

THENCE S.0°21'16"W. A DISTANCE OF 356.43 FEET ALONG THE WEST POINT CITY LIMIT LINE (ANNEXATION ENTRY 2273093);

THENCE S.90°00'00"W. A DISTANCE OF 1354.32 FEET;

THENCE N.0°10'00"E. A DISTANCE OF 686.02 FEET TO A POINT ON THE SECTION LINE;

THENCE N.89°58'26"W. A DISTANCE OF 618.68 FEET ALONG THE SECTION LINE;

THENCE N.0°37'02"E. A DISTANCE OF 642.64 FEET TO A POINT ON THE SOUTH SIDE OF 2425 NORTH STREET;

THENCE N.89°54'23"W. A DISTANCE OF 752.79 FEET ALONG THE SOUTH SIDE OF 2425 NORTH STREET;

THENCE N.0°36'35"E. A DISTANCE OF 14.60 FEET TO A POINT ON THE SOUTH SIDE OF 2425 NORTH STREET NEAR THE INTERSECTION WITH HWY 37;

THENCE N.89°44'09"W. A DISTANCE OF 2761.42 FEET ALONG THE SOUTH SIDE OF 2425 NORTH STREET TO A POINT ON THE WEST SIDE OF 6000 WEST STREET;

THENCE N.0°27'46"E. A DISTANCE OF 1395.18 FEET ALONG THE WEST SIDE OF 6000 WEST STREET TO A POINT ON THE DAVIS COUNTY LINE;

THENCE S.89°47'57"E. A DISTANCE OF 326.93 FEET ALONG THE DAVIS COUNTY LINE;

THENCE N.89°59'42"E. A DISTANCE OF 5171.30 FEET ALONG THE DAVIS COUNTY LINE;

THENCE S.89°43'42"E. A DISTANCE OF 5455.16 FEET ALONG THE DAVIS COUNTY LINE TO A POINT ON THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334);

THENCE S.0°04'58"E. A DISTANCE OF 2040.70 FEET ALONG THE CLINTON CITY LIMIT LINE (ANNEXATION ENTRY 1926334) TO THE POINT OF BEGINNING.

CONTAINING 495.02 ACRES

BASIS OF BEARING

N.90°00'00"E. 2664.93 FEET BETWEEN THE SOUTH QUARTER CORNER AND THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, FROM THE DAVIS COUNTY SURVEY TOWNSHIP REFERENCE PLAT, ENTRY NO. 311274)

Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

K:\3-20-079-00 West Point\CAD\Final\COMPTON ANNEXATION.dwg 11/10/2021 10:39 AM

PETITION MAIN CONTACT PERSON: Beverly Parker Bailey **PHONE:** 801-628-6276

OFFICIAL PROPERTY OWNER(S) SIGNATURE PAGE OF ANNEXATION PETITION

(This Official Signature Page may be duplicated as needed for circulation when obtaining signatures)

NOTICE TO PROPERTY OWNERS:

There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

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PLEASE INDICATE YOUR POSITION ON THIS ANNEXATION REQUEST & PROVIDE SIGNATURE VERIFICATION.

IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☒	☐	Darrell L. Tuttle	Darrell L. Tuttle	2761 N 5000 W
☒	☐	Rulon K. Fowers	Rulon K. Fowers	2734 N 5000 W
☒	☐	Rulon K. Fowers for Circle F Land & Livestock	Rulon K Fowers	2734 N 5000 W
☒	☐	Tammy Bell for Lasertech Farming	Tammy Bell	appr. 2600 N 4500 W
☐	☐			

PETITION MAIN CONTACT PERSON: _____ **PHONE:** _____

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IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☒	☐	Julie VanKomen	Julie Van Komen	5584 W. 2425 N Hooper UT 84315
☒	☒	[illegible]	Angela Hunter	5724 W. 2425 N. Hooper, UT 84315
☒	☐	Emy Hirasuna Yayoi Yamashita	EMY Hirasuna YAYOI YAMASHITA	2435 N. 5000 W Hooper 84315
☒	☐	M. Teresa Paz	M. TERESA PAZ	4750 W. 2425 N
☒	☐	Nikkol Perkes SNP Properties	Nikkol Perkes	2425 N. 5000 W

PETITION MAIN CONTACT PERSON: _____ **PHONE:** _____

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IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☐	☒	Rena R Hunt	RENA R. HUNT	2505 N 5500 W Hooper UT 84315
☐	☒	Barbara A. Grumbein	Barbara A. Grumbein	1925 N 5000 W, Hooper UT 84315
☒	☐	Beverly Parker Bailey - HL Parker Farms	Beverly P. Bailey	2425 N 6000 W.
☒	☐	Don E Fowers	DON E FOWERS	2451 N. 4500 W.
☐	☐			

PETITION MAIN CONTACT PERSON: _____ **PHONE:** _____

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IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☐	☒	Dorella Hanford	Dorella Hanford	2611 N 6000 W
☐	☒	Becky Christiansen	Becky Christiansen	6149 S. 6300 W.
☐	☒	Bruce Bennett	Bruce Bennett	2581 N. 5500 W.
☒	☐	[illegible]	Brent & Linda Thurgood	2692 N 5500 W
☐	☒	[illegible]	Darc & Amy Campbell	4851 W 2425 N

ETITION MAIN CONTACT PERSON: Michael Higley PHONE: 801-430-2013

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IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☐	☒	Codi Higley	Codi + Mike Higley	5916 W 2425 N
☐	☒	Roger Graham	Roger & Vickie Graham	5522 W 2425 N
☐	☒	Scott Wintera	Scott Winters	2618 N. 6000 W Hooper
☐	☒	Nate Wychenley	Nate Wychenley	2488 N 6000 W Hooper
☐	☒	Ronald Lee Budwah	Ronald Lee Budwah	2646 N. 6000 W Hooper

PETITION MAIN CONTACT PERSON: _____ **PHONE:** _____

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IN FAVOR	NOT IN FAVOR	Signature	Name	Property Address
☐	☒		Cole Tubbs	2655 N 6000 W
☐	☒	(not a property owner)	MARSHA FOWLES	2411 N 5300 W
☐	☒	(not a property owner) Erica Higley	Erica Higley	5198 W 1925 N Hooper 84315
☐	☒		Jared Hancock	5262 W. 2425 N.
☐	☒		Liz King	(PARCEL) 5262 W 2425 N

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...this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the West Point City Recorder.

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SIGNATURE	NAME	IN FAVOR	NOT IN FAVOR
[illegible]	Kelly C Beecher	☑	☐
[illegible]	Karen Walker	☐	☑ GB
R. King Wilde	Robert King Wilde	☒	☐
[illegible] Bennett	Dennis Bennett	☒	☐
[illegible]	Kent Weaver	☑	☐
[illegible]	KEVIN COOK	☐	☒
Margaret M. Davis	Margaret M. Davis	☑	☐
[illegible]	Rosemary Cure	☐	☐
[illegible]	Brooke Hopecky	☑	☐
[illegible]	Robert Cure	☐	☐
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Office DEPOT.
bound presentation book with 12 pockets

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SIGNATURE	NAME	IN FAVOR	NOT IN FAVO
N Scott Thompson	N. Scott Thompson	☒	☐
Jen Adams	Jennifer Adams	☐	☒
Marlene Kendrick	Marlene Kendrick	☐	☒
Ferrald Konze	Ferrald Konze	☐	☒
Tara Thurgood	Tara Thurgood	☐	☒
Danene Price	Danene Wallace	☐	☒
Text to 801-310-1973	Kent Thurgood	☐	☒
		☐	☐
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dotloop signature verification: dtlp.us/6Pqe-zTIG-JxRH

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SIGNATURE	NAME	IN FAVOR	NOT IN FAVOR
Chad Stratford (dotloop verified 09/07/21 8:30 PM EDT E5PM-RTVV-YOUB-WIE6)	Chad Stratford	☑	☐
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SIGNATURE	NAME	IN FAVOR	NOT IN FAVOR
Jerry Hansen		☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
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dotloop signature verification: dtlp.us/RGGv-2W3E-ZYaH

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SIGNATURE	NAME	IN FAVOR	NOT IN FAVOR
Kevin Howell dotloop verified 10/19/21 7:06 AM MDT 9ZZS-UQCE-EVPA-DR8T	Kevin Howell	☑	☐
		☐	☐
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		☐	☐
		☐	☐

3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES

WEST POINT CITY HALL

August 17th, 2021

Mayor
Erik Craythorne
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

Administrative Session

6:00 PM

Minutes for the West Point City Council Administrative Session on August 17, 2021 at 6:00 PM with Mayor Erik Craythorne presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID #873 7622 0504 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Kent Henderson, Council Member Gary Petersen, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

EXCUSED: None

VISITORS PRESENT: Mike Flood, Brian Vincent, Ryan Christensen, Michele Swenson, Matt Leavitt, Leon Thurgood, Reed Child, Roger Hughes, Ray Cornia, Clair Hamblin, and Michael Hatch. No sign-in required for online attendees.

1. **Discussion Regarding the FY2022 Final Budget and 2021 Property Tax Rate for West Point City – Mr. Ryan Harvey**
Mr. Harvey stated that in the time since the FY2022 Tentative Budget was approved by the Council in June, Staff is proposing additional items to be added to the Final Budget. Two of those items were discussed during the previous meeting (additional funds to replace the soccer goals and pitching machines for the Recreation Department) and the other three items are new positions that Staff proposes be added and funded in the FY2022 Budget:

- Public Works Supervisor: (Salary/Benefits Budget Increase - $5,100) – This position would replace the current Public Works Lead Position in the Public Work Department.
- Building Inspector (back up position): (Salary/Benefits Budget Increase $2,700) – This position/responsibility would be given to one of our current Public Works Employees. The idea is to get another employee certified as a building inspector to assist during particularly busy times or when our current inspector is off.
- Management Analyst/Communications Specialist: (Salary/Benefits $84,020.87) – This would be a full-time position in the Executive Department, reporting directly to the City Manager, and would be available to help on various projects for the different departments. This person would also handle the communications for the City (i.e., website, social media, poly platform app, etc.). The initial hiring may be as an intern to see how well the position works and to determine the best employee "fit" for the organization, with the hope of turning it into a full-time position.

Mr. Harvey explained that the City is a part of the Wasatch Compensation Group, which operates a database for local governments to input their salary ranges for all of their positions, and that data is then used by Staff to determine market salary ranges. The amounts proposed to fund these new positions are based upon those market ranges.

In regards to the 2021 Property Tax Rate, Mr. Harvey reviewed the information discussed by the Council at the previous meeting, stating that Davis County has set the Certified Tax Rate for 2021 at .000792, which is lower than the 2020 rate adopted by the Council of .000910. The Council may choose to accept the certified rate, maintain the rate from 2020, or approve a rate somewhere between the two. A list of some possible rates, with corresponding revenue amounts, is shown in the table below.

Proposed Rate	Projected Revenue	Amount over Certified Rate
0.000910 – 2020 Rate	$655,347	$84,979

0.000900	$648,146	$77,778
0.000880	$633,743	$63,375
0.000860	$619,339	$48,971
0.000850	$612,138	$43,209
0.000840	$604,936	$34,568
0.000820	$590,533	$20,165
0.000800	$576,130	$5,762
0.000792 – 2021 Certified Rate	$570,368	$0

If the Council chooses to approve the certified rate, our estimated property tax revenue will be $570,368, an increase of $25,884 over 2020. The increase is a result of new growth. If the Council chooses to maintain the 2020 rate, our estimated property tax revenue will be $655,347, an increase of $110,863 over 2020. Choosing to maintain the rate would increase the property tax of a $369,000 residence by $23.94 per year, or $2.00 per month over the Certified Tax Rate.

As in most years, the biggest increase to the budget comes from employee salaries and benefits. The increase for the FY2022 budget includes $84,514 for Salaries and $76,112 for Benefits, for a total of $160,262.

Mr. Harvey displayed the following graph showing the Certified and Adopted Property Tax Rates since 2006 – the highlighted years are the years that the Council adopted a rate different than the Certified Tax Rate set by the County:

YEAR	CERTIFIED RATE	ADOPTED RATE	REVENUE
2021	0.000792	TBD	TBD
2020	0.000877	0.000910	$544,484
2019	0.000859	0.000917	$509,283
2018	0.000881	0.000917	$459,924
2017	0.000902	0.000945	$434,260
2016	0.000984	0.000984	$400,443
2015	0.001005	0.001036	$376,649
2014	0.000996	0.001036	$356,700
2013	0.001041	0.001111	$337,970
2012	0.001111	0.001111	$313,495
2011	0.001008	0.001008	$308,326
2010	0.000910	0.000936	$302,867
2009	0.000876	0.000876	$281,926
2008	0.000773	0.000895	$281,925
2007	0.000834	0.000834	$228,710
2006	0.000909	0.000909	$199,212

Council Member Petersen stated that property tax revenue is one of the core sources of revenue for operational costs in the City. While there is sales tax and other types of revenue received, those sources fluctuate based upon market conditions; as such, it is important to not rely too heavily on those other sources in order to keep a healthy ratio of revenue expectations in the budget. Council Member Chatterton, who knew he would be absent for this meeting, had asked him to relay his opinion that the tax rate be around a 5% increase. In response to Council Member Dawson, Mr. Harvey stated that the contract with the Davis County Sheriff's Office for law enforcement services is only increasing by 5% this year, however it is unknown what the contract fee will be in the future once the logistics surrounding paramedic services are worked through and a multi-year contract is negotiated.

The Council will continue the discussion regarding the 2021 Property Tax Rate and FY2022 Final Budget in tonight's Special Budget Meeting after holding public hearings for both items.

2. Discussion Regarding Final Plat Approval of Bluff View Subdivision Phase 3 (3830 W 300 N) – Mrs. Bryn MacDonald

Mrs. MacDonald stated that Phases 1 and 2 of this subdivision have already been approved and the developers are now requesting approval of Phase 3. The entire project consists of six phases, with a mix of patio-style homes and traditional townhomes. Phase 3 is located directly south of Phase 2 and consists of six buildings with four units each, for a total of 24 units. Mrs. MacDonald noted that Phase 3 is the last phase that can be developed until the second access for the subdivision is completed.

The plans have been reviewed and all have the required items have been received and concerns addressed. The Planning Commission granted approval at their last meeting and Staff recommends approval.

The Council had no further discussion at this time and will consider approval of the Final Plat for Phase 3 at the next meeting.

3. Discussion Regarding a Cell Tower Request – Mr. Kyle Laws

Mr. Laws stated that he is aware that many years ago, requests for cell phone towers in the City were discussed and the City Council at that time did not express much interest in having them in West Point. However, in the last month, Mr. Laws stated that he has been approached by two different cell tower companies inquiring about the possibility of constructing a cell tower on the west side of the City, preferably below the bluff; both companies suggested Bingham Park as their preferred location. They have asked that the Council revisit the possibility to see if their stance has changed in the last decade. Mr. Laws explained that both companies are pushing to install the cell tower for one carrier (AT&T), but there an option for the tower to be available for multiple carriers to utilize. The tower would have about a 50 ft. by 50 ft. footprint and both companies have said they would like for the tower to be 100 ft. tall, but are flexible on height.

Mr. Laws explained that City Code requires that any cell towers in the City must be placed on public property, which would include property owned by the City, Davis School District, etc. With that, there could be a small revenue source (anywhere from $800-$1,500 per month) from the lease agreement if the tower was on City-owned property such as Bingham Park. Mr. Laws stated that there are different options for "hiding" a tower to make it not so noticeable and unattractive and displayed a few examples of existing cell towers to provide some ideas to the Council on how they can be obscured.

Mayor Craythorne expressed his opinion that a tower that is 60 ft. – 75 ft. tall would be much less unsightly than one that is 100 ft. tall and much more preferable for the City. He also feels that a park is not the ideal place for a cell tower – if there is to be one, it should be located at the new public works facility once built or the substation. Additionally, he also would want to ensure that the tower could serve multiple carriers and not just AT&T.

Council Member Dawson stated that he agrees with Mayor Craythorne and "in no way' foresees a cell tower in any of the City's parks and that the public works facility or along the corridor in a more industrial-type area is more appropriate.

Council Member Petersen stated that the back of his home is adjacent to Bingham Park and can attest that acquiring cell service is difficult on the west side of the City; although his current carrier is T-Mobile and not AT&T, he is unable to get service unless he is actually inside of his home, and only then because he has an antennae booster. When the request was received several years ago, he was "almost immediately sorry." As such, he is in favor of a cell tower being installed on the west side of the City, with the requirement that it is permitted to be used by all carriers. Council Member Henderson agreed.

Council Member Judd stated that she would like to know if the City would bear any of the costs of installing the tower and how the functionality of a tower is affected by different stealth options.

Jason Evans withJ5 Infrastructure Partners was in attendance at the meeting and explained that a shorter tower, such as 60 ft. like the Mayor mentioned, limits the number of carriers that can be served by the tower, which would result in multiple, shorter towers rather than one tall structure. Referring to the examples provided to the Council, he stated that the more "disguised" a tower is, the more limit there is on how many carriers' equipment can be placed on it. He also explained that other carriers using the tower can happen in a few different ways – some carriers may wait and see the type of coverage a cell tower is able to provide before wanting to join on or some may want to partner from the start. Regardless of what other carriers choose to do, Mr. Evans stated that the customer feedback AT&T is receiving about how poor the coverage is in the area is "not acceptable" and being able to provide a better product for their clients is the driving force behind approaching the City with the request to install a cell tower. He added that as long as AT&T's coverage objectives are still met, they are willing to locate the tower wherever the Council feels is the best option.

The Council asked that Mr. Evans reach out to other carriers to see if they would find it enough of a benefit to utilize a cell tower in our area, as they want to avoid such a large structure being installed in the City, on public property, if it is only going to serve a small portion of residents.

4. Presentation of the 2021 Storm Drain Masterplan and Impact Fee Analysis – Mr. Boyd Davis

Mr. Davis stated that during the past several months, Staff has been working with consultants Gardner Engineering and Lewis Young Robertson & Burningham on updating the impact fee facilities plans (IFFP) for the storm drainage systems, as well as an impact fee

analysis for the system. Ryan Christensen with Gardner Engineering and Fred Philpot with Lewis Young were in attendance at the meeting to present the information to the Council.

Mr. Christensen stated that the process for developing a master plan begins with working with City Staff to evaluate factors such as existing system inventory, drainage basin locations, land use standards, the General Plan and future zoning, growth projections, etc., to determine the future needs and system improvements for the next ten years. A priority project list and project map are created based upon those needs, which are then used to conduct the impact fee analysis. Mr. Christensen reviewed the Executive Summary of the Analysis with the Council as follows:

1. The service area for the storm drain impact fees includes all areas within the City.
2. The demand units utilized in this analysis are based on undeveloped residential and commercial land. As residential and commercial growth occurs within the City, additional impervious surface will generate additional run-off. The storm drain capital improvement identified in the IFFP are based on maintaining the current level of service.
3. Impact fees cannot be used to finance an increase in the level of service to current or future users of capital improvements. The IFFP identifies the future storm drain system improvements that are needed to manage the runoff caused by 10-year and 100-year events. Therefore, the City's storm drain infrastructure is sized to manage runoff safely and adequately from the storm intensities and durations indicated in the Impact Fee Facilities Plan.
4. The IFFP identifies the percentage of existing facilities that the ten-year demand will use is 17.19% with an estimated buy-in component of $272,187 based upon a total system value of $5,178,479.
5. The total estimated construction year cost for capital projects needed over the next ten years equals $4,497,641. Approximately $1,456,915 has been identified as growth-related capital improvements that are impact fee eligible.
6. This analysis assumes future growth-related will be funded on a pay-as-you-go basis when possible, utilizing impact fee and utility fee revenues to pay for capital facilities.

In response to Council Member Chatterton's inquiry regarding the future annexation area, Mr. Christensen stated that this study only analyzed areas within the City's current boundary; the future annexation area was not included. A large annexation would likely require a review of the projected needs and projects to see whether or not they are sufficient enough to serve the new area as well. He noted that it would be a much smaller review and possible modification as it would be focused on the annexed area and not the entire City.

Mr. Philpot explained that an impact fee analysis is based upon the findings of the impact fee facilities plan. The methodology used to calculate the fee is as follows:

1. The next ten years projects were taken from the Capital Facilities plan.
2. The projects were divided into impact fee eligible and non-impact fee eligible projects.
3. A value was determined for the remaining capacity in the existing system that will serve future residents. This is the buy in amount and must be the original "book value" of the improvement by state code.
4. The cost of the existing capacity was added to the cost of next ten year's impact fee projects.
5. A credit was given for anticipated interest earnings on impact fee revenues.
6. The total cost is divided by the number of expected acres to be developed that will be supported by the projects.
7. This becomes the recommended impact fee.

The recommended impact fee is as follows:

Existing Fee	Proposed Fee	Difference
$4,204/acre	**$3674/acre**	-13% (decrease)

Before enacting the impact fee ordinance, the State Code requirements must be followed as outlined below:

1. Publish a notice of a public hearing on the State Website.
2. Make a copy of the report available to the public.
3. Obtain a written certification from the consultant.
4. Make a copy of the ordinance available to the public.
5. Hold a public hearing.
6. Adopt the impact fee ordinance.

Following the public hearing, the Council will consider adopting the new fee. If adopted, the fee will go into effect immediately because it is a decrease, rather than going into effect 90 days after the date the ordinance is passed in the case of a fee increase.

The Council will continue the discussion of the study and analysis in future meetings before moving forward with enact a new impact fee.

The full presentation of the 2021 Storm Water Master Plan & Impact Fee Update as given by Mr. Christensen and Mr. Philpot can be viewed at https://youtu.be/K6zJdOtB7Z4?t=2093

5. Other Items

No other items were discussed.

The Administrative Session adjourned.

DRAFT

3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

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Special Budget Meeting

7:00 PM

Minutes for the West Point City Council Special Budget Meeting held on August 17, 2021 at 7:00 PM with Mayor Erik Craythorne presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID #873 7622 0504 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Kent Henderson, Council Member Gary Petersen, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

VISITORS PRESENT: Mike Flood, Brian Vincent, Ryan Christensen, Michele Swenson, Matt Leavitt, Leon Thurgood, Reed Child, Roger Hughes, Ray Cornia, Clair Hamblin, and Michael Hatch. No sign-in required for online attendees.

1. **Call to Order –** Mayor Craythorne welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer –** Given by Mayor Craythorne
4. **Communications and Disclosures from City Council and Mayor**

Council Member Judd – none

Council Member Petersen – none

Council Member Dawson – There is a Syracuse City Council Member that currently serves on the North Davis Sewer District Board who is proposing that a large 40-acre sports complex be installed on the south end of the District's property. The property was originally purchased by the District as a buffer around the treatment plant from surrounding development. He stated that he is not totally on board with the idea at this point, and the District's land use attorney is looking into whether there are any issues that it may cause. He asked the Council if they had any thoughts on the proposal, as the North Davis Sewer District is a special services district that supports and serves West Point, even though the plant is located in Syracuse. He added that the proposal does not seem to have a lot of support currently from the Board, but it is something that is being considered. Mayor Craythorne stated that he would not be in favor of a project like this, with his main concern being in regards to the reason the property was purchased in the first place. Council Member Petersen agreed, adding that it would be hard to give the property a new use if it is still needed for what it was intended for. Council Member Chatterton stated that with he knows about the proposal right now, he is also not in favor of the project, but his opinion could possibly change if there is more information that he is unaware of. Council Member Dawson stated that he would relay the Council's opinion to the Board.

Council Member Chatterton – none

Council Member Henderson – none

Mayor Craythorne – none

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5. Communications from Staff

Mr. Laws stated that the population numbers gathered by the 2020 Census were recently published and the data says that West Point City's population is just under 11,000. He noted that this data was collected in April of 2020, we have almost definitely exceeded that number with all of the new growth that has happened in the time since. He explained that it is important for the City to have the most accurate population count as possible, as it is a contributing factor to the amount of sales tax revenue received. Mrs. MacDonald is going to do some research to see if there is a way to report an updated population count.

6. Citizen Comment

Joelle Caruso – 457 N 3650 W: Ms. Caruso stated that in regards to the updated land use ordinance that is being considered in tonight's General Session, she still has concerns about allowing developers to request amendments to the General Plan. In her opinion, she does not feel that the General Plan should be open for amendment applications.

Reed Child – 4674 W 650 N: Mr. Child stated that he wants to address "the good, the bad, and the ugly." For the good part, he applauded the City for the installation of the flashing speed limit signs as they help make the streets much safer. The bad part is the planning and development that is going on in the City currently. He feels that following the examples of cities like West Valley and littering the community with multi-family, high density housing is only going to result in long-term problems; they may look good now, but as time goes on and the units get older the problems will start. He stated that he has been told that all of the high-density housing being approved is due to housing requirements enacted by the State Legislature, but thinks that Clinton City is a good example of this not actually being the case. Clinton City has one area, by Wells Fargo Bank, with multi-family housing and apartments "and that is where all of their police problems are." However, Clinton City learned from that and doesn't allow those types of projects anymore – the "State doesn't tell them what to do." They are developing their city with single-family homes, retirement communities, decent sized lots, etc. and West Point is heading in a direction that is going to lead to crime, graffiti, gangs, etc. in 15-20 years.

7. Consideration of Approval of Resolution No. 08-17-2021A, Adopting the Property Tax Rate for the 2021 Taxable Year for West Point City – Mr. Ryan Harvey

Mr. Harvey stated that the City Council chose to go through the Truth in Taxation process in June of this year and have discussed the property tax rate for 2021 several times in the meetings since. Mr. Harvey explained that the City is entitled to receive the same amount in total property tax revenue as received in the previous year, plus an additional amount from new growth. The County sets the Certified Tax Rate to ensure this. If the City wishes to collect more property tax revenue than is allowed by the certified tax rate, the Council must hold a public hearing and approve an alternative tax rate. It has been the Council's practice to go through the Truth in Taxation process each year to allow more time to evaluate budgetary needs and expected revenue from other sources before approving the property tax rate and final budget.

Mr. Harvey explained that because property values in West Point City have increased again this year, the County has set our certified rate at 0.000792, which is lower than the 2020 approved rate. The Council may choose to accept the certified rate, maintain the rate from 2020, or approve a rate somewhere between the two. If the Council chooses to approve the certified rate, our estimated property tax revenue will be $570,368, an increase of $25,884 over 2020. The increase is a result of new growth. If the Council chooses to maintain the 2020 rate, our estimated property tax revenue will be $655,347, an increase of $110,863 over 2020. Choosing to maintain the rate would increase the property tax of a $369,000 residence by $23.94 per year, or $2.00 per month over the Certified Tax Rate. A list of some possible rates, with corresponding revenue amounts, is shown in the table below:

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0.000910 – 2020 Rate	$655,347	$84,979
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0.000800	$576,130	$5,762
0.000792 – 2021 Certified Rate	$570,368	$0

Mr. Harvey also displayed the following graph showing the Certified and Adopted Property Tax Rates since 2006 – the highlighted years are the years that the Council adopted a rate different than the Certified Tax Rate set by the County:

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2007	0.000834	0.000834	$228,710
2006	0.000909	0.000909	$199,212

Mayor Craythorne explained that it is important to understand that the property tax rate approved by the City Council only affects West Point's portion of the tax collected – the Davis School District, North Davis Fire District, etc., will all set their own property tax rates. He then opened the public hearing.

a. Public Hearing

Roger Hughes – 677 N 5000 W: Mr. Hughes stated that the current Mayor and City Council have been consistent in several areas – the Smith's Marketplace development was a good accomplishment as well as the high-density housing project there. However, the rapid rate of growth and high-density housing in other areas is highly suspect, as is the City's repeated catering to contractors and developers. Mr. Hughes is also concerned about the yearly and consistent increase in taxes. He stated that currently, residents are facing a 14.89% City property tax increase, combined with a 46.22% increase from the North Davis Fire District, for a total increase of about 61%. This is compared to Clinton City residents who are experiencing a 36% increase and a 16.7% increase for Syracuse residents. He stated that all three cities are creating or extending their paramedic services and he understands that this is a contributing factor to tax rates, however the other two cities supplement their fire districts and city revenue with sales tax and property tax from businesses. Rather than alleviating the tax burden on residents by using sales tax revenue from businesses like Smiths, all of that revenue "goes into the City's piggy bank or capital improvement plan to be used as the Council sees fit." In addition to property tax, residents pay monthly franchise fees on electricity, natural gas, and cell phones, and also pay for secondary water all 12 months of the year even though the secondary water is only received for five months out of the year, and there is also the fact that he and his neighbors pay a monthly storm drain fee, even though they do not have a storm drain on their street. Further, West Point has the second highest property tax in Davis County. Mr. Hughes stated that as if all of this is not enough, the City is still wanting to increase the property tax rate by 14.89%. He questioned where the impact fees and additional revenue from new residents go in the City's budget. He concluded his comments by stating that residents don't want more growth, even though it is going to happen, but the City needs to plan for it rather than turning West Point into a traffic gridlock and congested area that residents can no longer enjoy in, and residents don't need another tax increase.

Reed Child - 4674 W 650 N: Mr. Child agreed with Mr. Hughes statement that West Point is the second highest-taxed city in Davis County, and is "by a long shot" and it looks like the City is "gunning for the number one spot" with a proposed almost 15% tax increase. Residents pay their property tax with their income and, as the Mayor's newsletter message a few months ago mentioned, one of the biggest employers in our city is Hill Air Force Base, and many residents that do not currently work there are either retired from there or from the IRS. These current federal employees are receiving only about a 2%-3% increase in income each year, and retired employees even less than that. This means that residents are

trying to pay tax increases that are higher than the rate their income is increasing; – with the City continually increasing the property tax rate by 5%-8% each year, it is really making it difficult for residents. He stated that it is even worse this year with the North Davis Fire District going "hog wild with what they have done." He noted here that the NDFD is 400% the cost of the South Davis Fire District and there is no question that "it is being grossly mismanaged." In summary, he feels that the City needs to do a better job reeling in its expenses just like residents have to do – when residents want a splash pad or swimming pool or to remodel their house, they can't go to their employee and say that a 2% or 3% salary increase isn't going to be enough, but the City sets it's budget based upon what it wants and then increases the taxes in order to pay for those wants, rather than adjusting to a set income like residents have to do.

Michele Swenson – 890 N 4100 W: Mrs. Swenson stated that a main concern she has is in regards to the volatility of the housing market. On the tax notice that the County sends out to homeowners each year, it lists the assessed value of the home and also the market value of the home. In the 20 days since this year's notice was sent, she stated that her home has gone down $20,000 in market value. With such a change in just a short amount of time evidence of how much fluctuation there is in the housing market, she is concerned about whether the Council is taking into consideration the possibility of another market crash like was experienced in 2007-2008. She also wants to know if the commercial developments that are coming into the City are "paying their fair share." Additionally, she is concerned about whether or not the new developments, for example the three projects on 300 N across from West Point Elementary, are paying additional fees for the wear and tear they will be causing on 300 N, or if they are only paying impact fees for their one little subdivision. As a resident, she is also worried about her taxes increasing every year, and knows that many citizens in West Point are on fixed incomes, especially the senior citizens. An additional $10 a year may not seem like much to some, but the impact of that increase for those on a fixed income is likely "more than any of us in this room can really understand."

Council Member Dawson motioned to close the public hearing
Council Member Chatterton seconded the motion
The Council unanimously agreed.

Mayor Craythorne stated that there some valid concerns raised by residents during the public hearing and great questions asked. In regards to impact fees and how they are used, it is quite a complicated system and he encourages residents to meet with City Staff who can provide a detailed explanation. He thanked those who commented for sharing their concerns and opinions and for all those attending the meeting.

b. Action

Council Member Dawson stated that it has been a great economy the last few years and the sales tax revenue the City has been able to receive has allowed for more projects to be done, noting that the capital improvements fund pays for roads and other infrastructure. The Storm Drain Master Plan was recently completed, and even though the projects will be funded by impact fees received, the City still has to front the costs for some of those projects and so it is important to plan the budget for the future. He believes that it is usually easier to pay a little less with small incremental increases rather than having to adjust to a very large tax increase of 40% or more because the Council hasn't been doing their due diligence and planning ahead. He stated that the Council is not actually considering a 14% property tax rate increase, and suggested that a 5% rate increase be considered. He also noted that most everyone is on a fixed income and aren't able to get more money from their employer just because they need it, regardless of whether they work for or are retired from the federal government or dependent on social security.

Council Member Petersen stated that going through the truth in taxation process in order to consider a tax increase is not an enjoyable or fun process for anyone on the Council, but the practice of going through it each year, regardless of whether the tax rate is increased or not, has been very beneficial because it allows the Council to consider and discuss in-depth the City's needs and level of service being provided. He appreciates the comments that were made and the concerns and opinions voiced are always taken into account. The increases proposed in this year's budget are not being solely funded by property tax revenue, but are funded through impact fees, sales tax revenue, franchise tax fees, etc. He stated that he has done many calculations in his deliberations, and believes that a property tax rate increase of 5% is reasonable; he stated that it is his responsibility as a Council Member to "not do too much, but to do enough" so that the City does not end up in a situation where a drastic rate increase is needed because the Council has not kept up with inflation and rises in costs. He feels that a 5% increase is responsible and realistic.

Council Member Chatterton stated that the City tries to avoid relying too heavily on sales tax revenue to fund the budget because of how it fluctuates with market and a 5% property tax rate increase is reasonable; the maximum rate increase of 14.89% is definitely unreasonable.

Council Member Henderson agreed with Council Member Chatterton that an almost 15% rate increase is much too high and a 5% increase is much more appropriate. Council Member Judd agreed.

Council Member Chatterton motioned to approve Resolution No. 08-17-2021A, Adopting the Property Tax Rate for the 2021 Taxable Year for West Point City at the rate of .0008316 for a 5% rate increase over the 2020 rate.
Council Member Judd seconded the motion
The Council unanimously agreed

Mayor Craythorne again expressed his appreciation to those residents that attended this meeting and shared their comments. The public's input is very important, especially on issues like this and other important land use decisions, yet very, very few residents actually come to the meetings and voice their opinions.

8. Consideration of Approval of Ordinance No. 08-17-2021A, Adoption of the FY2022 Final Budget for West Point City and All Related Agencies – Mr. Ryan Harvey

Mr. Harvey reviewed some of the changes that have been proposed to and discussed by the Council in the time since the Tentative Budget was approved in June, which include the following additions:

- **Soccer Goals ($8,000) -** The two sets of soccer goals that the City uses for 3rd/4th grade need to be replaced, as the quality is not good enough to withstand the abuse they get from being in the park. We also need to replace the goals that we use for the 5th/6th grade league. They have been fixed many times but are now at a point where they can't be repaired.

- **Pitching Machines ($3,200) –** The City is in need of 2 new pitching machines, one for Baseball ($2,200), and one for Softball ($1,000). The current pitching machines are getting old and have to be repaired regularly, and if they went down it would shut down the program until it could be replaced.

- **Capital Projects –** The Budget has been updated to reflect Capital Project Expenditures that happened between the adoption of the Tentative Budget and the end of the 2021 Fiscal Year.

- **Public Works Supervisor: (Salary/Benefits Budget increase - $5,100)** – This position would replace the current Public Works Lead Position in the Public Work Department.

- **Building Inspector (back up position): (Salary/Benefits Budget Increase $2,700)** – This position/responsibility would be given to one of our current Public Works Employees. The idea is to get another employee certified as a building inspector to assist during particularly busy times or when our current inspector is off.

- **Management Analyst/Communications Specialist: (Salary/Benefits $84,020.87)** – This would be a full-time position in the Executive Department, reporting directly to the City Manager, and would be available to help on various projects for the different departments. This person would also handle the communications for the City (i.e., website, social media, poly platform app, etc.). The initial hiring may be as an intern, with the hope of turning it into a full-time position.

Mr. Harvey also stated that the Final Budget will also be adjusted to reflect the revenue from property tax at the rate the Council just approved of .0008316.

In regards to the Management Analyst/Communications Specialist, Council Member Dawson inquired as to whether it is still the plan to fill this position with an intern initially rather than as a permanent position, which would reduce the amount actually spent on salary and benefits. Mr. Laws confirmed that he would like to start with an intern in this position, feeling that it allows for the ability to determine how well the position works and to determine the best employee "fit" without having to go through the termination process that would be required with a full-time, permanent employee. He continued to state that this position, while not an uncommon one, has a fairly unique combination of duties and it would be good to see if this position actually helps fill the needs it is intended to do and if the workload justifies a full-time schedule. Although the proposed amount of $84,020.87 would fund a full-time position with benefits, an intern would be much less, especially as benefits would not be provided.

Council Member Chatterton stated that budgeting for a full-time, benefited position is "good planning" by Staff, because while an intern would cost less, if the right person came along as an intern and the position worked, the budget can support promoting that intern to full-time.

Mr. Laws also confirmed for Council Member Judd that if it is found that the workload does not seem to justify a full-time employee, making this a part-time position would also be considered.

Mayor Craythorne opened the public hearing

a. Public Hearing

Ray Cornia – 615 N 4500 W: As a professional in the field of communications and doing similar work described (for the proposed Management Analyst/Communications Specialist), he thinks that $84,000 is "ridiculous" and this position could easily be filled for $40,000 to $50,000. He agrees that this is a valuable and needed position, but a salary that high is just "excessive." It is an "excellent" idea to hire an intern and the proper way to fill this position because it allows an opportunity "to see what you have" because in his experience, a lot of people claiming to be communication experts because they have been through all the schooling have no idea what they are actually doing when it comes to putting it in practice. Again, having expertise in this field, Mr. Cornia reiterated that he would "hate to see that much money wasted."

Mayor Craythorne noted that the proposed amount of $84,000 includes the costs for benefits and is not the actual salary. Mr. Laws stated that he conducted a market study to determine the salary for this position, and the $84,000 includes a salary of up to $55,0000 (the maximum salary in the range was about $70,000). The remaining amount, as the Mayor stated, is the cost of providing benefits.

Council Member Petersen motioned to close the public hearing
Council Member Chatterton seconded the motion
The Council unanimously agreed.

b. Action

Council Member Petersen stated that he wouldn't be surprised if less than half of the $84,000 proposed for the new Management Analyst/Communications Specialist position was actually spent this fiscal year, and because the cost of providing benefits to full-time positions is so expensive, approving these positions is not something the Council takes lightly. Hiring an intern to initially fill this position is a good decision to make sure that we get the right person and doing so will not cost the full $84,000. Mr. Laws stated that if the Council feels more comfortable approving a smaller budget for this position this fiscal year and then increasing it in future budget years as needed, they definitely can choose to do so. Council Member Petersen stated that he would be in favor of decreasing the amount for this year's budget, which Council Member Dawson also agreed with and suggested lowering the amount to $40,000. Mr. Laws stated that taking out the benefits portion ($30,000) and the salary of an intern would be about half of the $55,000 that was included for a full-time employee. Based on that information, Council Member Petersen stated that $40,000 would still be more than what is needed but more appropriate for the FY2022 budget.

Council Member Petersen motioned to approve Ordinance No. 08-17-2021A with the Property Tax Rate of .0008316 and reducing the proposed budget amount for the Management Analyst/Communications Specialist position to $40,000
Council Member Dawson seconded the motion

Roll Call:

Council Member Chatterton – Aye
Council Member Dawson – Aye
Council Member Petersen – Aye
Council Member Judd – Aye
Council Member Henderson – Aye

The Council unanimously agreed

9. Motion to Adjourn the Special Budget Meeting

Council Member Dawson motioned to adjourn the Special Budget Meeting

Council Member Judd seconded the motion
The Council unanimously agreed

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3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES

WEST POINT CITY HALL

August 17th, 2021

Mayor
Erik Craythorne
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council General Session on August 17, 2021 beginning at approximately 8:05 PM with Mayor Erik Craythorne presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID #873 7622 0504 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Kent Henderson, Council Member Gary Petersen, Council Member Andy Dawson, and Council Member Jerry Chatterton

EXCUSED: None

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

VISITORS PRESENT:
No sign-in required for online attendees.

1. **Call to Order –** Mayor Craythorne welcomed those attending the meeting and called the General Session to order.

2. **Consideration of Approval of the Minutes from the July 20th, 2021 West Point City Council Meeting**

   Council Member Petersen motioned to approve the minutes
   Council Member Judd seconded the motion
   The Council unanimously agreed

3. **Consideration of Approval of Resolution No. 08-17-2021B, Expressing Intent to Adjust a Common Boundary Line with Clinton City – Mrs. Bryn MacDonald**
   Mrs. MacDonald stated that this item was discussed by the Council in their last meeting, reviewing that the City has received a request from a developer to do a boundary line adjustment with Clinton City. The adjustment would move approximately 25 acres from Clinton into West Point. The applicant originally planned to submit a petition to annex all of this property, but has withdrawn the application and is requesting a boundary line adjustment for the portion of the property that is in Clinton City. The City's General Plan shows the boundary of the future annexation area following the West Davis Corridor, which location has since shifted to the east into Clinton City from the time the future annexation area was adopted over 10 years ago, leaving about 25 acres on West Point's side of the highway. This adjustment would move that area into West Point rather than remain in Clinton City. Below is a map of the adjustment area (circled in blue):

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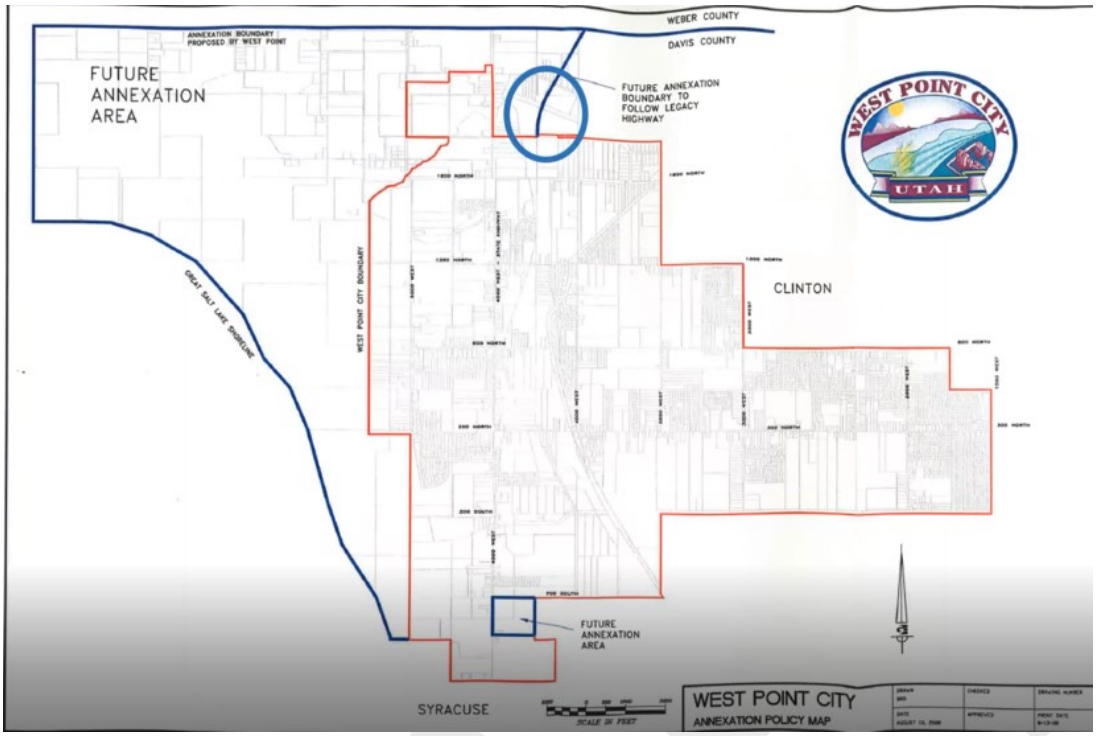

Mrs. MacDonald stated that the boundary line adjustment process is much simpler than the annexation process, even with some of the property in this case being owned by UDOT; State Statute requires an extra time requirement to provide notice to all publicly-owned property. She outlined the process for the Council as follows:

1. Adopt a resolution indicating the intent to adjust a common boundary.
2. Hold a public hearing on the proposed adjustment NO LESS THAN 60 days after adoption of the resolution of intent.
3. Post public notice at least 3 weeks before the public hearing.
4. Provide notice at least 50 days before the public hearing to UDOT.
5. After holding a public hearing, the City Council may adopt an ordinance approving the adjustment of the common boundary, unless a protest is received at or before the hearing.

Clinton City is planning to talk about the adjustment at their meeting on August 24th and consider adoption at their next meeting in September. The two cities do not have to be on the same timeline, but Mrs. MacDonald stated it would probably be best to try to do it concurrently. She also confirmed for Council Member Chatterton that in her conversations with Clinton City officials, they are in agreeance that with the adjusted route of the West Davis Corridor, the boundary line should also be adjusted as they recognize that the highway was informally agreed upon many years ago by the Boundary Annexation Commission to be the separation between the two cities. She noted, however, that she has only had conversations with Clinton City Staff and their City Council may have a different opinion or other concerns.

The Council asked questions regarding the boundary line adjustment process, which were answered and clarified by Mrs. MacDonald. Council Member Petersen wanted to reiterate to residents that this adjustment, and the possible annexation of some of the surrounding area, were not initiated by the City. The Council had no further discussion.

Council Member Chatterton motioned to approve Resolution No. 08-17-2021B
Council Member Petersen seconded the motion
The Council unanimously agreed

4. **Consideration of Approval of Ordinance No. 08-17-2021B, Amending West Point City Code to Repeal Titles 16 & 18 and Chapters 2.60, 15.15, & 15.20, and Create a New "Title 17 – *Land Use and Development*" – Mrs. Bryn MacDonald**

Mrs. MacDonald explained that this project began over a year ago with the primary purpose of revising these parts of the City's code to make sure that it is in conformity with State Code and also to consolidate standards in other titles, streamline approval processes, and address and update standards on specific topics. During the process, there has also been some formatting and clarification revisions. The Planning Commission has had several discussions on the proposed revisions of the City's land use and development codes, having gone through the entire draft twice before holding a public hearing and approving a final draft for recommendation of approval to the City Council. The City Council has also had numerous discussions and made some amendments throughout its review, and also held a public hearing at the last meeting. The following is a summary of the timeline of these discussions.

Mrs. MacDonald explained that this major code revision removes all sections of the current City Code regarding land use and development and replaces them with one new "Land Use and Development" title. The proposed changes can be placed in one of four categories and are summarized as follows (*the proposed draft is included in its entirety with the Staff Report for this item and is color-coded, with blue representing State Code changes, red representing policy changes, and green representing text/technical changes*):

1. ***Compliance***: Several proposed changes/additions fall within this category. The current code does have language that is not in line with the current State Code. For example, the Conditional Use chapter allows for the City to "deny" an applicant, whereas State Code states that conditional uses are permitted and should be allowed as long as reasonable conditions are used. The following are specific areas where this category applies:
   a. Temporary regulations, exactions, and vested rights
   b. Noticing requirements for zoning amendments
   c. Appeal authority
   d. Conditional uses
   e. Cannabis production and pharmacy
   f. Manufactured homes
   g. Nonconforming use and noncomplying structures

2. ***Repeal and Replace***: In the process of consolidating standards the following titles were affected and brought into the updated Title 17 Land Use and Development Code:
   a. Title 2.60 (Planning Commission) – Moved planning commission from Title 2.60 to Title 17
   b. Title 15 (Building and Construction Standards) – Residential construction (15.15) and commercial development standards (15.20) all moved to Title 17 while the rest stays
   c. Title 16 (Subdivision) – All moved to Title 17
   d. Title 18 (Land Use) – All moved to Title 17

3. ***Minor Text Changes:*** There are over 200 "minor text" changes in the proposed document. Some of those changes include adding "as adopted by the City" to the end of a sentence or adding "Community Development Director or designee" in place of "Zoning Administrator" to be consistent throughout the code and help clarify the text.

4. ***Policy Changes:*** The changes listed above in the other categories only add clarification and are not major policy changes. There are, however, several proposed policy changes throughout the code, including the following:

   a. Process for amendments to the Land Use code and/or General Plan (17.00.090)
   b. Addition of "Zoning Conditions" (17.00.090(J))
   c. Clarifying standards and approval procedures for Conditional Uses (17.20.030)
   d. Adding "administrative review/approval" for certain uses in the Table of Land Use Regulations (17.60.050)
   e. Addition of "Zoning Chapters" (17.60.060) Each zone will be represented by each chapter with individual standards and references to applicable regulations
   f. Deck and patio encroachment standards (17.70.020 (D))
   g. New setback standards for Accessory Buildings (17.70.030)
   h. Subdivision approving bodies (17.130.040)(17.130.050) Planning Commission will see all preliminary plats and will not see final plat. City Council will only see final plats

Below is a summary of the proposed changes and where they are located:

Type	Current	Proposed	Proposed Code Reference
Amendments to the Land Use Code and/or General Plan	Amendments to the Land Use Code or General Plan are initiated by City Council, Planning Commission, or Staff.	Changes can be initiated with an application and supporting documentation by any person seeking an amendment to the code, map, or General Plan. Changes to the General Plan and Zoning Map can be done at the same time. Amendment applications will only be accepted in the months of April of October, and a new application cannot be submitted for the same piece of property for one year after being denied.	17.00.090 (page 2)
Zoning Conditions	Not allowed or defined	This will allow the Land Use Authority at the time of rezoning to set conditions on the property. Some of those conditions could be the type of use, density, building square footage, or height of structures. The Zoning Map will have a "ZC" showing those conditions.	17.00.090(J) (page 3)
Appeal Authority	Currently, the Board of Adjustment serves fills this role.	City Council will appoint a Hearing Officer that will serve for 2 years. That person will be law trained or significate experience with land use law.	17.20.040 (page 37)
Conditional Uses	Conditional Uses have been the "catch-all" for most land use items. The current code language violates State Code (however practice has been in line with State Code) that allows the Land Use Authority the right to deny any application.	This section uses State Code language like: "The applicant shall adequately demonstrate that the reasonably anticipated detrimental effects of the proposed use can be mitigated through the imposition of reasonable conditions based on standards in this chapter."	17.40 (page 44)
Administrative Review (Staff)	Administrative review is done for items like minor home occupations, house plans, commercial licensing, fence permits, smaller accessory buildings, etc.	The proposed changes allow Administrative Review to include daycares, preschools, model homes, accessory buildings up to 1,500 square feet. The Table of Land Use Regulations was also updated to show these changes and clarify other uses.	17.60.050 (page 53-57)
Residential Encroachment Standards	Architectural features like porches, decks, and balconies are allowed to project into the rear yard. No minimum distance is defined to the rear property line.	The proposed changes allow the architectural features to project but not closer than 10' from the rear property line.	17.70.020(D) (page 100)

Accessory Building Setback Standards	Accessory buildings are allowed to a minimum distance of 1' from the property line including the drip line of the roof.	Accessory building setbacks are based on the size of the "wall height" of the structure as defined in the code. A sliding scale was created to push the structure further away based on the height of the wall adjacent to that property line.	17.70.030(A) (page 101)
Subdivision approving bodies	The Preliminary Plan is approved by Planning Commission. Final Plat is approved by Planning Commission and City Council.	Planning Commission will not see Final Plat. Only City Council will see the Final Plat for subdivisions	17.130 (page 140-142)

Mrs MacDonald noted that the Council spent a considerable amount of time discussing the process for amending the General Plan. In those discussions, the Council decided to include a restriction on when applications to amend the General Plan could be submitted to the City, and also a time limit on how soon a new application for the same property, requesting a similar zoning, could be submitted after being denied. The following language was added to reflect those decisions:

- *The City Council shall only accept applications to amend the General Plan twice a year, during the months of April and October. This section shall not limit the City Council, Planning Commission, or authorized City staff from imitating a general plan amendment at any time.*
- *Effect of Disapproval: City Council denial of an application to amend the General Plan shall preclude a person from filing another application covering substantially the same subject or property, or any portion thereof, for one-year from the date of disapproval. This section shall not limit the City Council, Planning Commission, or authorized City staff from imitating a general plan amendment at any time*.

Mrs. MacDonald also clarified for the Council that the Planning Commission does have the authority, by State Statute, to initiation an amendment to the General Plan, but that it would be rare for them to do so, and even rarer that the City Council would not know about it; it would most likely be the City Council requesting to open the General Plan.

In regards to the Hearing Officer with appeal authority, the Council directed Staff to reach out to Meg Ryan, who acts as the hearing officer for several other cities and was one of the land use consultants the City contracted with on this project, to see if she would fill this role or research others with similar experience and land use expertise to present to the Council as possible options to be appointed. Mrs. MacDonald stated that an appeal fee should be established to pay the fee charged by the Hearing Officer in the case of an appeal.

In regards to the subdivision approval process, a concept plan and attendance at a technical review meeting will first be required for all developments. The concept plan would be distributed to the relevant staff departments, such as engineering and public works, and also go to the different utility and special services districts and agencies (i.e., fire district, sewer district, etc.) for thorough review before the meeting so that all issues can be addressed with the developer and resolved before a preliminary plat is submitted to the Planning Commission for approval. This technical, in-depth review step at the beginning of the subdivision approval process will help make sure that all standards and requirements have been met and any changes requested by the Planning Commission made before the Council is presented with an extensively reviewed final plat to approve. She confirmed that this review is not intended to be done by an official committee, but just as an administrative, technical review. The Council felt that it was important to remove the proposed terminology of "committee" to make it clear that a committee is not being created.

Council Member Judd motioned to approve Ordinance No. 08-17-2021B as proposed, with the amendment to change the terminology from "Technical Committee Meeting" to "technical coordinating meeting."
Council Member Petersen seconded the motion

Roll Call:

Council Member Chatterton – Aye
Council Member Dawson – Aye
Council Member Petersen – Aye

Council Member Judd – Aye
Council Member Henderson – Aye

The Council unanimously agreed

5. Motion to Move into a Closed Session

Council Member Chatterton motioned to move into a Closed Session
Council Member Petersen seconded the motion
The Council unanimously agreed

Closed Session

1. Motion to Open Closed Session

Council Member Chatterton motioned to open the Closed Session
Council Member Petersen seconded the motion
The Council unanimously agreed

2. Call to Order and Roll Call

Mayor Erik Craythorne called the August 17th, 2021 Closed Session to order

Roll Call -

Mayor Erik Craythorne	Kyle Laws, City Manager
Council Member Gary Petersen	Boyd Davis, Assistant City Manager
Council Member Annette Judd	Ryan Harvey, Administrative Services Director
Council Member Jerry Chatterton	Bryn MacDonald, Community Development Director
Council Member Andy Dawson	Paul Rochell, Public Works Director
Council Member Kent Henderson	Casey Arnold, City Recorder

3. Closed Discussion Regarding Pending or Imminent Litigation, Pursuant to UCA §52-4-205(1)(c)

4. Motion to Adjourn Closed Session and enter the General Session

Council Member Dawson motioned to close the Closed Session and enter the General Session
Council Member Henderson seconded the motion
The Council unanimously agreed

6. Motion to Adjourn the General Session

Council Member Chatterton motioned to adjourn the General Session
Council Member Petersen seconded the motion
The Council unanimously agreed

_____ November 16th, 2021
ERIK R. CRAYTHORNE, MAYOR

_____ November 16th, 2021
CASEY ARNOLD, CITY RECORDER

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3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY COUNCIL MEETING MINUTES

WEST POINT CITY HALL

August 24th, 2021

Mayor
Erik Craythorne
City Council
Gary Petersen, Mayor Pro Tem
Jerry Chatterton
Andy Dawson
R. Kent Henderson
Annette Judd
City Manager
Kyle Laws

General Session

7:00 PM

Minutes for the West Point City Council Meeting held on August 24, 2021 at 7:00 PM with Mayor Erik Craythorne presiding. This meeting was held at West Point City Hall and also electronically via Zoom. Zoom meeting was accessible to attendees by entering Meeting ID #88188391682 at https://zoom.us/join or by telephone at (669) 900-6833.

MAYOR AND COUNCIL MEMBERS PRESENT: Mayor Erik Craythorne, Council Member Annette Judd, Council Member Kent Henderson, Council Member Gary Petersen, and Council Member Andy Dawson

EXCUSED: Council Member Jerry Chatterton

CITY EMPLOYEES PRESENT: Kyle Laws, City Manager; Boyd Davis, Assistant City Manager; Bryn MacDonald, Community Development Director; Ryan Harvey, Administrative Services Director; Paul Rochell, Public Works Director; Troy Moyes, City Planner; and Casey Arnold, City Recorder

VISITORS PRESENT: None
No sign-in required for online attendees.

1. **Call to Order –** Mayor Craythorne welcomed those attending the meeting.
2. **Pledge of Allegiance**
3. **Prayer –** Given by Council Member Petersen
4. **Communications and Disclosures from City Council and Mayor**

   Council Member Judd – none

   Council Member Petersen – none

   Council Member Dawson – none

   Council Member Henderson – none

   Mayor Craythorne – none

5. **Communications from Staff**
   None

6. **Citizen Comment**

   None

7. **Consideration of Approval of the Official Election Results of the 2021 West Point City Primary Election by the Board of Canvassers – Ms. Casey Arnold**

Ms. Arnold stated that the Primary Election was held on August 10th, 2021 and State Code requires that the official election results be approved by the Board of Canvassers within 14 days, which is why tonight's meeting has been called and is not on the regular meeting schedule.

At the time of the election, there were 6,163 registered voters in West Point and 1,959 ballots cast. This equates to a voter turnout rate of almost 32%, which Ms. Arnold noted is a fairly high voter turnout for a primary election. Of all the ballots received, there were 30 ballots that were not counted. 1 ballot was returned with a note that the voter was deceased, 5 had no signature, 7 signatures did not match, and 17 ballots were not returned on time.

Ms. Arnold presented the following election results (listed in ballot order):

MAYOR	VOTES	% of VOTES
Gary L Petersen	840	43.10%
Brian Vincent	845	43.36%
Jerry Chatterton	264	13.55%
	1949	**100.00%**

CITY COUNCIL	VOTES	% of VOTES
Andy Dawson	741	20.09%
Michele Swenson	857	23.23%
Jeremy Strong	521	14.12%
Joelle Caruso	307	8.32%
Brad Lee	841	22.80%
Jeffrey Howard Turner	422	11.44%
	3689	**100.00%**

The four candidates for City Council and two candidates for Mayor with the highest number of votes received will proceed to the General Election on November 2, 2021 and are as follows:

MAYOR	VOTES
Gary L Petersen	840
Brian Vincent	845

CITY COUNCIL	VOTES
Andy Dawson	741
Michele Swenson	857
Jeremy Strong	521
Brad Lee	841

Ms. Arnold stated that Staff recommends that the City Council, as the Board of Canvassers, approve the official Canvass Report of the August 10, 2021 Primary Election.

The Council had no further discussion

Council Member Petersen motioned to approve official Canvass Report of the August 10, 2021 Primary Election
Council Member Judd seconded the motion

Roll Call:

Council Member Chatterton – Absent
Council Member Dawson – Aye
Council Member Petersen – Aye
Council Member Judd – Aye
Council Member Henderson – Aye

The Council unanimously agreed

8. Motion to Adjourn the General Session

Council Member Dawson motioned to adjourn the General Session
Council Member Henderson seconded the motion
The Council unanimously agreed

_____ November 16th, 2021
ERIK R. CRAYTHORNE, MAYOR

_____ November 16th, 2021
CASEY ARNOLD, CITY RECORDER