



**MINUTES OF THE CITY OF WEST JORDAN
COMMITTEE OF THE WHOLE
Wednesday, August 16, 2023 – 6:00 p.m.
Approved October 11, 2023**

Thomas M. Rees Justice Center
8040 S Redwood Road • West Jordan, UT 84088

1. CALL TO ORDER

COUNCIL: Chair Chris McConnehey, Vice Chair Pamela Bloom, Kelvin Green, David Pack, Kayleen Whitelock, Melissa Worthen

STAFF: Deputy Police Chief Jeremy Robertson, Administrative Services Director Danyce Steck, Council Office Director Alan Anderson, Council Office Clerk Cindy Quick, Mayor Dirk Burton, Assistant City Administrator Jamie Davidson, Budget & Management Analyst Rebecca Condie, City Administrator Korban Lee, Fire Chief Derek Maxfield, Assistant City Attorney Duncan Murray

Chair McConnehey called the meeting to order at 6:00 pm and noted that Council Member Worthen was participating via Zoom.

2. DISCUSSION TOPICS

a. Presentation of the Impact Fee Analysis and Study for Parks, Police, and Fire

Budget & Management Analyst Becky Condie introduced Fred Philpot, Vice President/COO of LRB Public Finance Advisors. Council Member Whitelock asked if Mr. Philpot had experience working with the Utah State Legislature. Council Member Green asked how much the City paid for LRB's services. Administrative Services Director Danyce Steck said the City paid approximately \$72,000 for the study, and emphasized that updates every year or two would be much less expensive. Chair McConnehey asked if it was common to not have a non-residential impact fee for parks.

Mr. Philpot said LRB worked with the Utah League of Cities and Towns (ULCT) and attended Legislature meetings but was not involved in actively lobbying. He outlined the need for, and process involved, in an impact fee analysis and study. Mr. Philpot explained that frequency of updates depended on many variables, including assumptions in the study, changes in development and growth, and inflation.

Council Member Green commented that the document included with the agenda packet was stamped DRAFT, and Mr. Philpot confirmed changes could be made until the study was formally adopted by ordinance. Mr. Philpot said the City's impact fees were last updated in 2017, and LRB was engaged to complete an update to the City's Impact Fee Schedule. He outlined the process for crafting a working Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA): determine demand; provide inventory of existing facilities; establish existing and future level of service; identify existing and future capital

facilities necessary to serve new growth; consider all revenue resources to finance system improvements; and conduct a proportionate share analysis.

Mr. Philpot explained that impact fees for parks and public safety were based on existing and future population and calls for service. He explained the collection of data and answered questions from the Council. Chair McConnehey expressed interest in how the average time per call changed over time, and said he hoped some of the nuance in the measurements could be captured. Mr. Philpot suggested regular updates would help capture change in need over time. Council Member Green expressed interest in looking at the complexity of public safety calls and suggested a yearly update of the demand analysis to determine how to better fund fire and police. Mr. Philpot commented that there was a delicate balance between specificity and ambiguity in those types of reports, and mentioned it was not unheard of for the legality of impact fees to be challenged. He said LRB tried to establish methodology that complied with the statute while protecting the city with regards to future challenges.

Mr. Philpot presented data for parks and public safety regarding level of service, and existing facilities. Responding to a question from Chair McConnehey, Mr. Philpot explained that within Utah it was not standard practice to assess a park impact fee to non-residential development. He said he had considered what type of study could evaluate the impacts of non-residential development on parks and be used to help support calculation of a fee on non-residential, recognizing that it was not a standard across the state and may be challenged. Chair McConnehey suggested the City approach the ULCT regarding the possibility of park impact fees for non-residential development.

Council Member Green liked the idea of exploring a trail impact fee. He would prefer a transportation impact fee but believed it would not be approved. He believed the City would need to find the right balance with a non-residential park impact fee so that commercial development would not be chased away. He referred to development agreements and public infrastructure districts (PIDs), and asked what other mechanisms were available for collecting impact-related revenue. Mr. Philpot listed special improvement districts, community reinvestment areas (tax increment investing), funding from other government industries, and general fund and utility revenues.

Mr. Philpot presented data regarding the future needs of parks and public safety based on level of service and answered questions from the Council. He explained that impact fees needed to be proportionate to demand and should not be used to correct an imbalance. Mr. Philpot presented a proportionate share analysis, with a proposed increase in single family and multifamily Park Impact Fees, a proposed increase in Fire Impact Fees, and a proposed increase in Police Impact Fees.

Council Member Whitelock expected that residents of multifamily development would use parks more than residents of single-family development, and asked why the proposed impact fee for multifamily was lower than single family. Mr. Philpot responded that, according to data, multifamily units had a lower average household size than single family units on a per unit basis. Responding to a question from Chair McConnehey, Mr. Philpot explained that the impact fee study was an impact fee eligible expense. Council Member

Green asked how the proposed impact fees compared with other cities, and Mr. Philpot responded that based on his experience they were comparable.

Mr. Philpot explained the next steps in the process, including a public hearing on September 27, 2023. The Council and staff discussed the proposed timeline.

Responding to a question from Council Member Green, Mr. Philpot said establishment of impact fees did not prohibit use of tools such as PIDs, with careful evaluation of impact. Council Member Green suggested the Council consider PIDs as a potential replacement for impact fees because money was provided up front instead of piecemeal. He wanted to be creative in offsetting impacts. Chair McConnehey would be willing to have the conversation but had a lot of questions. He said such a plan might work for larger scale developments. Mr. Philpot said the financing mechanism did exist to bond finance, front load to build infrastructure now, and collect overtime.

Council Member Green made a motion to move the agenda item out of the Committee of the Whole to the Council meeting on September 27, 2023 for public hearing and further consideration without modification of the document. Vice Chair Bloom seconded the motion, which passed by unanimous vote (6-0).

Council Member Worthen left the meeting.

3. ADMINISTRATIVE ITEMS

None

4. ADJOURN

Council Member Green moved to adjourn the meeting. Council Member Whitelock seconded the motion. All voted in favor and the motion passed unanimously (5-0).

The meeting adjourned at 7:47 pm

I hereby certify that the foregoing minutes represent an accurate summary of what occurred at the meeting held on August 16, 2023. This document constitutes the official minutes for the West Jordan City Council Committee of the Whole.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 11th day of October 2023