

**5:30 P.M. - WORK MEETING - MULTI-PURPOSE ROOM**

**MAYOR AND COUNCIL DINNER - 5:00 P.M.**

*The Mayor and Council will meet in the Council Work Room for informal discussion and dinner. No action will be taken on any items.*

No decisions will be made at this meeting. The public is invited to observe the work session. Public comment is generally not taken during work sessions.

**CALL TO ORDER**

**COUNCIL BUSINESS**

1. Calendar

- Dec 25 - Christmas Holiday Observed (City Civic Center Closed Monday)
- Jan 01 - New Year Holiday Observed (City Civic Center Closed Monday)
- Jan 02 - Oath of Office for new Council Members 5:30 p.m.
- Jan 02 - Work Study Meeting 6:00 p.m., Regular Meeting 7:00 p.m.

2. **REVIEW OF THE 7:00 P.M. REGULAR MEETING AGENDA ITEMS**

- a) Invocation - Councilmember Sorensen
- b) Pledge of Allegiance - Councilmember Miller
- c) Consent Agenda
  1. Approval of the minutes for the November 14, 2023 work meeting and the December 05, 2023 work meeting and regular council meeting.
  2. Approval of a Resolution adopting the 2024 Annual Meeting Schedule - Kim Crane, City Recorder
  3. Approval of a Resolution and Cooperative Agreement for 911 Emergency Services with the Utah Department of Public Safety - Lance Haight, Public Safety Director
  4. Approval of an Ordinance amending Springville City Code Title 2 Chapter 16, Section 102 Definitions - Kim Crane, City Recorder
  5. Approval of adopting the Springville City FY 2023 Financial Statements and Independent Auditor's Report - Bruce Riddle, Assistant City Administrator/Finance Director

3. **WORK MEETING DISCUSSIONS/PRESENTATIONS**

- a) Audit Report - Bruce Riddle, Assistant City Administrator/Finance Director

**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

**ADJOURNMENT**

**CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.

**7:00 P.M. REGULAR COUNCIL MEETING - CITY COUNCIL ROOM**

**CALL TO ORDER**

**INVOCATION**

**PLEDGE**

**APPROVAL OF THE MEETING'S AGENDA**

**MAYOR'S COMMENTS**

**PUBLIC COMMENT** - Audience members may bring any item, not on the agenda to the Mayor and Council's attention. Please complete and submit a "Request to Speak" form. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.

**CONSENT AGENDA** - The Consent Agenda consists of items previously discussed or that are administrative actions where no additional discussion is needed. When approved, the recommendations in the staff reports become the action of the Council. The Agenda provides an opportunity for public comment. If after the public comment, the Council removes an item from the consent agenda for discussion, the item will keep its agenda number and will be added to the regular agenda for discussion unless placed otherwise by the Council.

1. Approval of the minutes for the November 14, 2023 work meeting and the December 05, 2023 work meeting and regular council meeting.
2. Approval of a Resolution adopting the 2024 Annual Meeting Schedule - Kim Crane, City Recorder
3. Approval of a Resolution and Cooperative Agreement for 911 Emergency Services with the Utah Department of Public Safety - Lance Haight, Public Safety Director
4. Approval of an Ordinance amending Springville City Code Title 2 Chapter 16, Section 102 Definitions - Kim Crane, City Recorder
5. Approval of adopting the Springville City FY 2023 Financial Statements and Independent Auditor's Report - Bruce Riddle, Assistant City Administrator/Finance Director

**PUBLIC HEARING AGENDA**

6. Public Hearing for consideration of adopting the 1600 South Corridor Plan - Josh Yost, Community Development Director
7. Public Hearing for consideration of an Ordinance amending Springville City Code Titles 11 and 14 to comply with the requirements of 2023 H.B. 406 Land Use, Development, and Management Act Modifications - Carla Wiese, Planner

**REGULAR AGENDA**

8. Consideration of an Ordinance amending Springville City Code Title 11 Chapter 6, Section 113 Off-Street Parking - Laura Thompson, Planner
9. Consideration of a Resolution approving the revised Southern Utah Valley Power Systems (SUVPS) Bylaws and Board Members - Brandon Graham, Power Distribution Superintendent
10. Consideration of a Resolution and Interlocal Agreement with Utah County Regarding 1200 West From 550 North to 1400 North for the expenditure of Mountainland Association of Government (MAG) Funds - Jeff Anderson, City Engineer

## MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

### ADJOURNMENT

#### **CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION**

The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.

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CERTIFICATE OF POSTING - THIS AGENDA IS SUBJECT TO CHANGE WITH A MINIMUM OF 24-HOURS NOTICE - POSTED 12/15/2023

In compliance with the Americans with Disabilities Act, the City will make reasonable accommodations to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Recorder at (801) 489-2700 at least three business days prior to the meeting.

Meetings of the Springville City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to Springville City Municipal Code 2-4-102(4) regarding electronic meetings.

s/s - Kim Crane, MMC, City Recorder



MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON  
TUESDAY, NOVEMBER 14, 2023, AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET,  
SPRINGVILLE, UTAH.

Presiding and Conducting: Mayor Pro Tem Snelson  
Elected Officials in Attendance: Liz Crandall  
Jason Miller  
Mike Snelson  
Chris Sorensen

Excused: Craig Jensen, Mayor Matt Packard

**City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, Deputy Recorder Jennifer Grigg, Parks and Recreation Director Stacey Child, Community Development Director Josh Yost, Public Works Director Brad Stapley, Police Chief Lance Haight, Fire Chief Hank Clinton, Library Director Dan Mickelson, Power Distribution Superintendent Brandon Graham, Administration Director Patrick Monney and Museum of Art Director Emily Larsen.

**Excused:** City Recorder Kim Crane, and Golf Pro Craig Norman.

## CALL TO ORDER

Councilmember Miller moved to appoint Councilmember Snelson as Mayor Pro Tem. Councilmember Crandall seconded and all present voted aye. Mayor Pro Tem Snelson welcomed everyone and called the meeting to order at 5:31 p.m.

## COUNCIL BUSINESS

### 1. Calendar

- Nov 21 - Springville Municipal General Election
- ~~Nov 21 - Work Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.~~
- Nov 23-24 - Thanksgiving Holiday Observed (City Offices Closed Thursday and Friday)
- Dec 05 - Springville Municipal General Election Canvass 7:00 p.m.
- Dec 05 - Work Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.

Administrator Fitzgerald informed the council that Mayor Packard canceled the November 21, 2023, City Council meeting.

### 2. MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

#### a) Community Board Update - Mayor Packard/Cl. Crandall

Councilmember Crandall acknowledged Director Larsen and her presentation at the Community Board last Thursday and Director Mickelson is scheduled for the December Meeting (which will be at the library). Director Yost has the Request for Bids/Qualifications ready for the new General Plan.

44           **b) Library**

45           Director Mickelson reviewed statistics at the library. He introduced the soundproof quiet study pod  
46 for adults which increased the number of enclosed study rooms from two to three and was funded by a  
47 \$22,000 grant from the Utah State Library administered through the LSTA (Library Services and  
48 Technology Act.) in addition, there was a generous donation of video games and the state health  
49 department is providing free COVID tests through the library. There are English classes every Tuesday  
50 with 30-40 people attending each evening. The library also hosted a solar eclipse event with 600 glasses  
51 funded by another grant. He reported that according to most surveys, the people of Springville are the  
52 favorite thing in town. Councilmember Snelson clarified volunteers are teaching the English class. Mayor  
53 Packard arrived at 5:41 p.m. Director Mickelson explained a change in the state code requiring all library  
54 staff to have a criminal background check, which is already policy for all Springville City employees. He  
55 explained *Open AI* and its increasing corporate valuation. The library is watching AI to see its impact on  
56 the book industry and looking forward to *Chat GPT* helping librarians. He introduced a new winter reading  
57 program starting December 1, 2023. Councilmember Snelson asked about competing with the new library  
58 in Spanish Fork. Director Mickelson explained competition is for residents' time—even the CRC is a  
59 competition. Many non-resident patrons pay for a \$125 out-of-town library card. Current programming is  
60 well attended and he looks forward to continued growth and the future of Springville. He noted that  
61 Spanish Fork is using some of the same programs as Springville, but quipped the staff are still friends.  
62 Mayor Packard said that is a huge compliment to the Springville Library. Councilmember Snelson agreed  
63 and confirmed that he used the library online while he was rehabilitating from his bicycle accident.

64

**c) Public Safety**

65           Chief Haight reported on one of the cases this week. An officer assigned to special enforcement  
66 was surveilling a particular drug dealer, known by his street name Tarzan, who was selling drugs out of  
67 his business. Orem Police reported that Tarzan fired three shots at one of his drug runners. After his  
68 name was entered into the database Springville Police contacted him and served a search warrant on  
69 several locations where four pounds of methamphetamine, 7700 fentanyl pills, (in the freezer) some  
70 marijuana, and two guns were recovered and two individuals were arrested. Chief Haight said this is one  
71 example of the great work Springville police officers are doing to get drugs off the street. Fentanyl in  
72 particular is a great danger to the community because there is little to no quality control when  
73 manufacturing these pills. A single dose of fentanyl could be lethal so the danger is to the community as  
74 well as law enforcement officers. Councilmember Sorensen asked about street value. Chief Haight  
75 answered about \$5 to \$20 a dose and fentanyl pills can be manufactured in China for a penny a piece.  
76 Mayor Packard said he is amazed at the drug smuggling process. Chief Haight said his officers are going  
77 after federal indictments instead of misdemeanors. He continued by explaining that firefighters work 48  
78 hours on with 96 hours off and some of them suggested changes to paid time off (PTO). He explained  
79 that when a 40-hour employee takes a sick day, it counts as an eight-hour day. When a firefighter gets  
80 sick and takes off a day, it is a 24-hour day. He is working with Chief Clinton to fix it.

81           Chief Clinton stated his presentation would cover issues with PTO, providing ambulance/fire  
82 service services to our residents as well as up the canyon, reserve recruitment to revitalize the volunteer  
83 fire department, and how the current staffing model (approved by the City Council earlier this year)  
84 reduced mutual aid by half. He said firefighters are concerned about PTO. Currently, they are earning 1.2  
85 hours which is 20% more than the average employee. Some cities are converting overtime into PTO.  
86 Chief Haight said in this policy, no day counts as a holiday as far as getting paid. Instead, they get 9.6  
87 extra hours and time and a half for working any holiday which is converted into PTO. Chief Clinton said  
88 the firefighters value time off more than extra pay. Councilmember Sorensen said it appears the staff is  
89 perfect for each shift and asked what happens when someone needs PTO. Chief Clinton answered there

90

92 is a way to fill vacancies with full or part-time firefighters from other schedules and the department is  
93 trying to add part-time firefighters as well.

94 He continued by stating Springville City opted out of the contract for ambulance/fire service in the  
95 canyon but service will continue until Utah County finds a replacement. Councilmember Snelson asked  
96 if the county has an incentive to find another resource. Chief Haight said Mapleton is working toward a  
97 contract at the latest the end of this fiscal year. Chief Clinton explained the plan to rejuvenate the volunteer  
98 system which would improve emergency response time. Councilmember Snelson asked how many  
99 current volunteer firefighters. Chief Clinton answered only three. Councilmember Sorensen asked about  
100 the definition of a volunteer firefighter. Chief Clinton said the volunteer/reserve firefighter is redefined  
101 because they are hired but on call. Chief Haight explained the past definitions of reserves and part-time  
102 firefighters when he was hired. He said that with the new dorms, firefighters hired as reserves are required  
103 to live in Springville. In the current job market, a trained firefighter can get a job anywhere—shrinking our  
104 pool of applicants. The pool of volunteers has also shrunk. Councilmember Snelson asked how the  
105 department is recruiting volunteers. Chief Clinton answered street flags, posters, and social media and  
106 said that Chief Silva started advertising for volunteers and has already found two recruits plus three  
107 volunteers. The goal is 36 total volunteer/reserve firefighters. Mayor Packard said people do not volunteer  
108 as much in today's society and asked about the alternate plan. Chief Clinton said Springville could return  
109 to increasing the use of mutual aid which works, but delays response time. Mayor Packard asked if  
110 volunteers left because of the frequency of calls at night or because they felt unappreciated. Chief Clinton  
111 said the volunteers have always been appreciated. Chief Haight said the training requirements and call  
112 volume increased which makes volunteering hard. Chief Haight said EMS training added to the time  
113 commitment, creating a huge demand in the past, but today reserve training is reduced to just firefighting.  
114 Chief Clinton explained the initial assignments in a fire structure response require 15 firefighters.  
115 Administrator Fitzgerald said Provo and Orem have 15 full-time firefighters and asked about other cities.  
116 Chief Clinton said other cities depend on mutual aid and volunteers.

117 Chief Clinton moved on to retention and using social media to recruit more firefighters. EMS is  
118 limited to full-time firefighters. He explained staffing before January 2023 compared to today and stated  
119 it will take 36 reserves to meet their goal to reduce mutual aid and response time. Councilmember  
120 Snelson asked about call volumes. Chief Clinton explained that 84% of our calls are EMS which matches  
121 national standards. 40% of medical calls require multiple units because they require more staff. He  
122 reported that Springville transports an average of 74 patients per month with a revenue of \$66,500  
123 deposited. Administrator Fitzgerald asked for clarification on revenue. Chief Clinton said his department  
124 switched billing companies which increased revenue. Councilmember Snelson asked about the range of  
125 ambulance transport costs and Chief Haight said it depends on how it is billed and the type of insurance.

126 Mayor Packard asked about the January 2023 switch to staffing the fire station 24/7 to decrease  
127 response time and mutual aid and asked if more people were saved. Chief Clinton said 24/7 staffing has  
128 reduced response time and human suffering because the patient was not alone and the problem was  
129 solved quicker. He explained how reduced response time increases survival. Mayor Packard said there  
130 is a point where value equals benefit and this change is good as Springville plans for the future. Chief  
131 Clinton said future Station 42 is strategically planned near Walmart and call volume will determine an  
132 increase in service. Councilmember Crandall clarified that all full-time firefighters are EMTs and  
133 ambulance drivers. Chief Clinton said yes which saves tax dollars. He added that if they choose, police  
134 officers can be trained as volunteer firefighters. Provo has five fire stations. Springville averages ten  
135 mutual aid requests each month. Councilmember Crandall asked why other cities do not need mutual  
136 aid. Chief Haight said Mapleton has voted to fund two ambulances staffed day and night and Spanish  
137 Fork is transitioning to more full-time staff.

#### 138 d) Finance

140 As Director Riddle set up his presentation, he reported that after a request to the City Council  
several meetings ago, only one Non-Resident Canyon Clyde Recreation Pass has been sold. He showed  
142 the internal audit program or self-evaluation program in the Finance Department which was implemented  
two years ago as a best practices recommendation from the state auditor. The Finance Department has  
144 a part-time employee working 12-15 hours a week on the audit functions including accounts payable,  
procurement policy, p-cards, the Amazon business account, Fuelman cards, credit card merchant  
146 accounts, cash receipting, payroll, utility billing, accounts receivable and Xpress Bill Pay. One of the  
discoveries during auditing was that many P-card transactions included sales tax over the last three years  
so refund paperwork was submitted and the anticipated return will be \$10,059. He said the key objective  
148 of auditing is a training mechanism for each department.

He showed where auditing found noncompliance in our city sales tax reporting/collected and  
150 energy sales and use tax. Additionally, the tax rate at the golf course is not the same as the city sales tax  
rate because the golf course is outside of city limits so that was corrected. Campground rentals should  
152 be charged the transient room tax so the city also corrected that. Utility accounts were audited as well. In  
addition to self-auditing the State Tax Commission audited the city over three years. When he worked in  
154 Provo the state audit resulted in about a six-digit remittance. Because Springville City started proactively  
self-correcting auditing, the state audit found an error rate of only .17%, the lowest error rate of current  
156 municipal audits—remitting only \$12,000. He said audits can help each department update new  
employees on compliance and policy. Councilmember Sorensen asked about fraud prevention. Director  
158 Riddle said an audit is not required but adds points in the recently discussed ethics assessment. Auditing  
is also a deterrent to fraud and each department knows someone is looking. Councilmember Sorensen  
160 stated there are two distinct purposes of an audit—find noncompliance mistakes and prevent fraud.

He asked about reading WIFI electric meters and Director Riddle turned the question over to  
162 Superintendent Graham who answered that the Power Department received a recent shipment and one  
crew changed 175 meters today. The new meters are read over power lines or with radio frequency (RF).  
164 The Power Department has switched about 50% of the meters in the city to RF meters. Administrator  
Fitzgerald said because there is no power to water meters there is not enough return on investment to  
166 change out the existing water meters. However, in all the new developments, for the last 10 years meters  
that are ready to have the module installed to be read remotely have been installed. Administrator  
168 Fitzgerald said there is a grant to install some water meter reading modules and staff can use that grant  
to study the associated cost. Director Stapley said hiring water meter readers can be problematic.

170

#### d) Community Development

172 Director Yost started his presentation by showing his department's quarterly development priority  
report. (Faded indicates completed and underlined indicates in progress. Out of 18, ten are complete,  
174 and six are in progress.)

- |                                     |   |
|-------------------------------------|---|
| 1. Allen's Block                    | 9. <u>Zoning and Subdivision Ordinance Overhaul</u> |
| 2. Accessory Dwelling Units         | 9. <u>Gateway Plans</u>                             |
| 2. Lakeside Master Plan             | 9. Highway Commercial Zone Study                    |
| 3. <u>1600 South Corridor Plan</u>  | 9. Active Transportation Plan                       |
| 4. Streamline Development Process   | 13. Short-term Rentals                              |
| 4. Commercial Design Standards      | 14. <u>Economic Development Leakage Analysis</u>    |
| 6. <u>General Plan Update</u>       | 15. Sign Ordinance Review                           |
| 7. Main Street (Reframing Downtown) | 15. Downtown A-Frame Signs                          |
| 7. Process to Update Council/City   | 15. <u>Downtown Beautification</u>                  |

176 He showed a flow chart illustrating how all these projects fit together and reviewed some projects  
like the adoption of the Active Transportation Plan and the Reframing Downtown Plan. The Station Area  
178 Plan will be in its final draft and the kick-off meeting for the North Main Street Plan will be this month. The

180 1600 South Plan numbers are being recalibrated and will be complete for adoption by the end of the year.  
Per Administrator Fitzgerald's approval, Director Yost is issuing the RFQ (Request for Qualifications) for  
the update to the General Plan next week.

182 He updated current construction including several buildings and developments completed or near  
completion including the new [Wavetronix](#) West Building, the Utah Food Bank, the [Lakeshore Industrial](#),  
184 and [Hobble Creek Business Park](#) including its upgraded public improvements. [Lakeside Landing](#)  
[Development](#) has preliminary approval for about 150 units on 15 acres, and staff received a preliminary  
186 application from [Thrive Development](#) for potentially 310 units on 28 acres to the north of [LGI](#) (contractor  
for Lakeside Landing Development) and [Westfields Central](#) has 40 lots contracted and 31 applications  
188 for design reviews. The Allen's Block site plan is approved but construction is not anticipated this fiscal  
year and there is a concept application for 25-32 townhomes east of the Jefferson School.

190 He continued by listing permits to date for the year by showing that single-family living permits are  
low. There are lots of remodels and alterations, not much commercial, and one pool for a total permit  
192 value of about \$14 million a third of the way through the fiscal year which is way behind 2023 and 2022.  
Two high-stakes projects could turn those numbers into Springville's best year ever, but make the big  
194 swings in building hard to keep inspection staff busy. Councilmember Sorensen asked about the new  
high school connection fees. Director Yost answered there are some impact fees, some credit for existing  
196 infrastructure and the school district will pay the difference.

### 198 3. ADJOURNMENT

**Motion: Councilmember Crandall moved** to adjourn the meeting at 6:47 p.m. **Councilmember Miller**  
200 **seconded** the motion. **Voting Yes:** Councilmember Crandall, Councilmember Jensen, Councilmember  
Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed Unanimously; 5-0**

### 202 4. CLOSED SESSION, IF NEEDED - TO BE ANNOUNCED IN MOTION

204 *The Springville City Council may temporarily recess the work/study meeting and convene in a closed*  
*session to discuss the character, professional competence, or physical or mental health of an individual,*  
206 *pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as*  
*provided by UCA 52-4-205.*

208 There was none.

210

212

214 *This document constitutes the official minutes for the Springville City Council Work/Study Meeting held on Tuesday,*  
*November 14, 2023.*

216 *I Jennifer Grigg, do hereby certify that I am the duly appointed, qualified, and acting Deputy Recorder for Springville*  
*City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true accurate, and complete record*  
218 *of this meeting held on Tuesday, November 14, 2023.*

220 DATE APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Jennifer Grigg  
Deputy Recorder

222





**MINUTES**  
**Springville City Council Work/Study Meeting - DECEMBER 05, 2023**

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MINUTES OF THE WORK/STUDY MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, DECEMBER 05, 2023 AT 5:30 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

**Presiding and Conducting:** Mayor Matt Packard

**Elected Officials in Attendance:** Liz Crandall  
Craig Jensen  
Jason Miller  
Mike Snelson  
Chris Sorensen

**City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Community Development Director Josh Yost, Director of Administrative Services Patrick Monney, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, Public Works Director Brad Stapley, Public Safety Director Lance Haight, Power Superintendent Brandon Graham, Assistant City Attorney Chris Creer, and Fire Chief Hank Clinton.

**CALL TO ORDER** - Mayor Packard welcomed everyone and called the Work/Study meeting to order at 5:45 p.m.

**COUNCIL BUSINESS**

1. Calendar

- Dec 12 - Work Study Meeting 5:30 p.m.
- Dec 19 - Work Study Meeting 5:30 p.m., Regular Meeting 7:00 p.m.
- Dec 25 - Christmas Holiday Observed (City Civic Center Closed Monday)
- Jan 01 - New Year Holiday Observed (City Civic Center Closed Monday)

2. **DISCUSSION ON THIS EVENING'S REGULAR MEETING AGENDA ITEMS**

- a) Invocation - Councilmember Jensen
- b) Pledge of Allegiance - Councilmember Sorensen
- c) Consent Agenda

5. Approval of the minutes for the work meeting and regular meeting held on November 07, 2023

6. Approval of a Resolution to recertify the Springville Justice Court - Chris Creer Assistant City Attorney

Mayor Packard asked if there was any discussion on the consent agenda. There was none.

42           3. **DISCUSSIONS/PRESENTATIONS**

44           a) **Discussion regarding Springville City Code Title 7 Business Licensing Amendments and**  
46           **State Legislative LUDMA updates to Springville City Code Title 11 and Title 14 - Carla Wiese,**  
48           **Economic Development Specialist**

46           Carla stated the business licensing portion of the agenda will be postponed. She reported on the  
state legislative Land Use, Development, and Management Act (LUDMA) updates. She explained the  
48           process of city council approvals for subdivision applications and the final plat approval process by the  
Planning Commission.

50           Attorney Penrod explained the process by which the council makes the rules for a subdivision and  
the differences between administrative and legislative processes. On the administrative side of a  
52           residential subdivision, the rules are in place. There is not much that can be changed by the Planning  
Commission. If the applicant wants to make a change it would go before the Planning Commission for a  
54           recommendation and the City Council as a legislative item.

56           Carla explained new state law requires the city to make changes to the city code by February 01,  
2024.

58           Troy explained the application process will need to be strict about the requirements. The code will  
need to be very black and white as well as the time requirements for processing.

60           Carla explained the review cycles required. If something is missed by the final review, the city will  
have to waive the requirement. Unless it is a matter of health and safety or state or federal law.

62           Bonding for landscaping has been removed and new requirements of what is allowed have been  
added. Development agreements could include more requirements.

64           Councilmember Sorensen asked how the council will be made aware of developments.  
Community Development Director Yost said they will do their best to keep the council informed.

66           Troy expressed that in the past council has requested to see administrative items. The issue is  
the speed of processing. The council would only be viewing information. He suggested including  
68           information on what has been approved in monthly council packets or in a form the council would like to  
see.

70           Councilmember Sorensen agreed the information would be very helpful for the council and being  
able to address questions from citizens.

72           Troy said staff could provide preliminary approvals to the council, then they will know what is in  
process.

74           Mayor Packard expressed there were probably areas the council may want to review for zoning  
and suggested the Community Board review them.

76           Carla expressed the state changed the language on a Land Use Appeal Authority. The City will  
need to designate a Land Use Appeal Authority and could have the Board of Adjustments do them, and  
78           language will be changed in requirements for the Board of Adjustments.

80           Mayor Packard asked Troy to look at schedules to meet with legislative representatives.

82           **MAYOR PACKARD, COUNCIL, AND ADMINISTRATIVE REPORTS**

84           Mayor Packard asked about the 1600 South Corridor Plan. Josh said it's all hands on deck, a  
public meeting is scheduled for this Thursday for public information, and next week staff will discuss it in  
a council work meeting.

86           Councilmember Sorensen asked about the Allen's block. Josh reported they have an approved  
site plan. It is unlikely anything moves before quarter two of next year and they are aware the site plan  
has a time limit.

88

**ADJOURNMENT CLOSED SESSION IF NEEDED - TO BE ANNOUNCED IN MOTION**

90 *The Springville City Council may temporarily recess the meeting and convene in a closed session as provided by UCA 52-4-205.*

92

**ADJOURN**

94 **Motion: Councilmember Sorensen moved to adjourn the work meeting at 6:23 p.m. and go into a closed session regarding property and personnel. Councilmember Snelson seconded the motion. Voting Yes:**  
96 **Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion Passed Unanimously; 5-0**

98

100

102 *This document constitutes the official minutes for the Springville City Council Work/Study Meeting held on Tuesday, December 05, 2023.*

104 *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this meeting held on Tuesday, December 05, 2023.*

108

110 *DATE APPROVED:* \_\_\_\_\_

\_\_\_\_\_  
*Kim Crane  
City Recorder*

112



MINUTES OF THE REGULAR MEETING OF THE SPRINGVILLE CITY COUNCIL HELD ON TUESDAY, DECEMBER 05, 2023, AT 7:00 P.M. AT THE CIVIC CENTER, 110 SOUTH MAIN STREET, SPRINGVILLE, UTAH.

**Presiding and Conducting:** Mayor Matt Packard

**Elected Officials in Attendance:** Liz Crandall  
Craig Jensen  
Jason Miller  
Mike Snelson  
Chris Sorensen

**City Staff in Attendance:** City Administrator Troy Fitzgerald, Assistant City Administrator/City Attorney John Penrod, Assistant City Administrator/Finance Director Bruce Riddle, City Recorder Kim Crane, Community Development Director Josh Yost, Director of Administrative Services Patrick Monney, Library Director Dan Mickelson, Museum of Art Director Emily Larsen, Parks and Recreation Director Stacey Child, Power Distribution Superintendent Brandon Graham, Public Works Director Brad Stapley, Public Safety Director Lance Haight, Fire Chief Hank Clinton, and Assistant City Attorney Chris Creer.

**CALL TO ORDER**

Mayor Packard called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE**

Councilmember Jensen offered the invocation, and Councilmember Sorensen led the Pledge of Allegiance.

**APPROVAL OF THE MEETING'S AGENDA**

**Motion:** Councilmember Snelson moved to approve this evening's agenda as written. Councilmember Miller seconded the motion. **Voting Yes:** Councilmember Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 5-0**

**MAYORS COMMENTS**

Mayor Packard welcomed the Council, staff, and those in attendance.

**CEREMONIAL AGENDA**

**1. Recognition of Outgoing City Council Members - Liz Crandall, Jason Miller, and Chris Sorensen**

Mayor Packard began the council meeting by expressing gratitude and acknowledging the dedication of each council member, stating it had been a privilege to work with them. The mayor conveyed regret at their departure, highlighting their significant contributions to the city.

Patrick Monney provided an overview of the council members' achievements, emphasizing the time and effort invested in making well-informed decisions. Patrick highlighted major projects, including

44 Lakeside Landing, Westfields Central, the 1600 South Interchange, the establishment of a 24-hour fire  
service, the city's response to the first pandemic, and increased influence in the state of Utah. Additionally,  
46 Patrick mentioned crucial efforts to improve Hobble Creek and prevent flooding this last spring. A  
noteworthy accomplishment during their tenure was the hiring of five new directors for the city.

48 Councilmember Crandall expressed gratitude for collaboration and service to the community,  
acknowledging personal growth and collective thriving through shared learning experiences. She  
specifically thanked the citizens for their support through voting.

50 Councilmember Miller conveyed appreciation for the opportunity to serve, considering it a great  
privilege. Miller acknowledged the significant role played by numerous volunteers in the community,  
52 contributing to the betterment of the city.

54 Councilmember Sorensen, who first served in 1992 and completed four elected terms on the  
council under four different mayors, reflected on the city's progress. Sorensen noted the improved  
expertise and knowledge currently present in the city, considering it a positive transformation. He  
56 expressed the hope that Springville maintains its identity as a unified community. Troy acknowledged  
Councilmember Sorensen's service, noting his tenure of over 14 years, making him the longest-serving  
58 council member to date.

## 60 2. CERT Graduates

Chief Haight provided a background on the Community Emergency Response Team (CERT)  
62 program, explaining that volunteers undergo an extensive training program comprising over 28 hours of  
classroom training and a practical test. He emphasized the valuable role CERT volunteers play as a great  
64 resource to the community, assisting not only in emergencies but also supporting their families and  
neighborhoods. Chief Haight introduced key individuals overseeing the CERT program, namely Mike  
66 Sawyer, Joanna Larsen, and Katherine Hereth. Additionally, he acknowledged the recent graduates of  
the CERT program. Lincoln Brown, Kelly Jensen, Matthew Holt, Carl Bockenstedt, Rebecca Gridley,  
68 Russel Gridley, Steven Boyd, Fuihui Taotua, Katelyn Cannon, Joshua Jones, and Seth Call.

## 70 3. Swearing in of Springville City Firefighters - Hank Clinton, Fire Chief

Mayor Packard introduced Fire Chief Hank Clinton, who highlighted the growth of the fire  
72 department. Chief Clinton expressed gratitude to the Mayor and City Council for their support in  
establishing and sustaining a full-time fire department. Chief Clinton swore in B Shift Firefighters. Grant  
74 Head, Landon Cook, Jonathan Spencer, Spencer Raleigh, Hunter Jackson, and Chris Whetton.

## 76 4. Swearing in of Police Officer Andrew Monney - Lance Haight, Public Safety Director

Chief Haight introduced the newest member of the police department, Andrew Monney, and  
78 administered the swearing-in ceremony.

## 80 PUBLIC COMMENT

Mayor Packard introduced the Public Comment section of the agenda and inquired if there were  
82 any written requests to speak.

84 Nicole Thorpe requested a crossing guard on 200 South and 200 East. She explained her  
daughter was almost hit by a car and jumped out of the way, while the car ran over her scooter. She has  
called the school district and the school and three different departments in the city. They did not know  
86 who made the decision. She asked that it be a consideration and would like to get a name of who she  
may contact. John explained in conjunction with the school district and engineering department school  
88 routes are reviewed at the beginning of each school year. He said he would speak with her and see if

90 engineering could be involved. Troy expressed the challenge is the school district assigns a route and it is not always a direct route.

92 **CONSENT AGENDA**

- 93 5. Approval of the minutes for the work meeting and regular meeting held on November 07, 2023  
94 6. Approval of a Resolution to recertify the Springville Justice Court - Chris Creer, Assistant City Attorney

96  
97 **Motion: Councilmember Snelson moved to approve the consent agenda as written. Councilmember Miller**  
98 **seconded the motion. Roll Call Vote; Voting Yes:** Councilmember Crandall, Councilmember Jensen,  
99 Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed 5-**  
100 **0. Resolution #2023-37 Approved**

102 Councilmember Miller stepped out of the meeting at 7:30 p.m.

104 **PUBLIC HEARING AGENDA**

- 105 7. **Public Hearing for consideration of a Resolution approving the sale of approximately 17.7 acres**  
106 **of Springville City property at the approximate location of 1725 North Mountain Springs Parkway**  
107 **in the Industrial Park - John Penrod, Assistant City Administrator/City Attorney**

108 Attorney Penrod reported Springville City owns 17.7 acres of property at the approximate location  
109 of 1725 North Mountain Springs Parkway. The City has owned the property for over 50 years and is  
110 located in the City's industrial park, it is part of a larger approximately 28-acre parcel, and Spring Creek  
111 runs along the edge of the Property. In 2022, after determining that the City had no long-term plans for  
112 the property, the City listed the property for sale. The City received several good offers on the property.  
113 The proposed offer and agreement were similar to the best offer the City has received and is equal to or  
114 exceeds the appraised value. The \$6.168 million purchase price is roughly \$10 a square foot of usable  
115 property.

116 Attorney Penrod reported the Buyer intends to use the property for office/warehouse buildings.  
117 During the due diligence period, the buyer will have the right to file an application with the City to see if  
118 the buyer is allowed to utilize the property as they desire.

120 Mayor Packard opened the public hearing. No comments were received.

122 **Motion: Councilmember Snelson moved to close the public hearing. Councilmember Jensen seconded**  
123 **the motion. Voting Yes** Councilmember Crandall, Councilmember Jensen, Councilmember Miller absent,  
124 Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously, 4-0 with 1**  
125 **absent.**

126  
127 **Motion: Councilmember Snelson moved to approve Resolution #2023-38 and the sale of approximately**  
128 **17.7 acres of Springville City property at the approximate location of 1725 North Mountain Springs**  
129 **Parkway for the amount of \$6,168,096.00. Councilmember Crandall seconded the motion. Roll Call Vote:**  
130 **Voting Yes:** Councilmember Crandall, Councilmember Jensen, Councilmember Miller absent,  
131 Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously 4-0 with 1**  
132 **absent. Resolution #2023-38 Approved**

134

136 Councilmember Sorensen stated for the record a good use for the money from the sale of this  
property would be to finish the Clyde Recreation Center.

138 8. **Public Hearing for consideration of an Ordinance and approval of amending the Employee Pay  
140 Scale for FY 2023-2024 and amending the Pay Scale document of the FY 2023-2024 Springville  
City Budget - Patrick Monney, Director of Administrative Services**

142 Director Monney reported each year Springville City conducts a compensation study of current  
markets for jobs related to the City, both within other municipalities as well as the private sector. Over the  
144 past 10 years, there have been small percentage increments in the pay scale charts that have allowed  
the city's compensation to stay competitive. This year, there was a need to make additional adjustments  
146 to increase both minimum and maximum pay ranges within certain established grades to keep the grades  
assigned to each job relevant within the pay scale chart. He noted approval of the increased pay scales  
does not affect current compensation to staff, elected and/or statutory officer salaries.

148 Councilmember Snelson asked how employees advance within the pay scale. Patrick explained  
each job is given a grade, each year there are annual reviews, and increases are based upon merit.  
150 Councilmember Snelson asked if the department supervisors determine the increase. Monney replied  
yes. Troy stated the council approves the pay increase percentage each year.

152 Mayor Packard opened the public hearing. There were no comments.

154 **Motion: Councilmember Jensen moved to close the public hearing. Councilmember Snelson seconded  
156 the motion. Voting Yes** Councilmember Crandall, Councilmember Jensen, Councilmember Miller absent,  
Councilmember Snelson, and Councilmember Sorensen. The motion **Passed unanimously, 4-0 with 1  
158 absent.**

160 **Motion: Councilmember Sorensen moved to approve Ordinance #16-2023 amending the Pay Scale  
Charts (Exhibit A) of the FY 2023-2024 Fiscal Budget outlining the defined pay scale limits for all  
162 employees including elected and statutory officer salaries within Springville City. Councilmember  
Snelson seconded the motion. Roll Call Vote: Voting Yes:** Councilmember Crandall, Councilmember  
164 Jensen, Councilmember Miller absent, Councilmember Snelson, and Councilmember Sorensen. The  
motion **Passed unanimously 4-0 with 1 absent. Ordinance #16-2023 Approved**

166 Councilmember Snelson wanted to bring attention to the fact that items on the council agenda are  
168 discussed at length prior to them coming to the council for consideration.

170 Councilmember Miller returned to the meeting at 7:50 p.m.

172 **REGULAR AGENDA**

174 9. **Consideration of a Resolution approving and certifying the Board of Canvassers Official Report  
of the November 21, 2023, Municipal General Election for Springville City, Utah - Kim Crane, City  
Recorder**

176 Recorder Crane reported on the official canvass for the November 21, 2023 Municipal General  
Election. According to the results candidates duly elected by the residents of Springville City to serve as  
178 City Council members with terms of four years from 2024 to 2028 were Mindi Wright, Jacob Gregg Smith,  
and Logan Millsap.

180

182 **Motion: Councilmember Crandall moved to approve Resolution #2023-39** approving and certifying the  
Board of Canvassers Official Report of the November 21, 2023, Municipal General Election for Springville  
184 City, Utah **Councilmember Sorensen seconded** the motion. **Roll Call Vote; Voting Yes:** Councilmember  
Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember  
186 Sorensen. The motion **Passed unanimously 5-0. Resolution #2023-39 Approved**

188 **10. Consideration of an Ordinance amending Springville Code Title 11 Chapter 4 Section 301 Land**  
**Use Matrix to refine the permitted uses in the Main Street South Gateway Zone - Josh Yost,**  
190 **Community Development Director**

Director Josh Yost reported when the Official Zone Map was amended to extend the Main Street  
192 South Gateway Zone (MSSG Zone) southward along Main Street from the Allen's Block, the City Council  
directed staff to reexamine the permitted uses in the zone to ensure that each permitted use was  
194 compatible with the purpose and intent of the zone.

After reviewing the land use table, staff determined that all the permitted uses were appropriate  
196 for the zone. Staff identified that the land use category General Retail Stores -< 15,000 sq. ft. was not  
permitted in the zone. As small general retail stores are essential to enabling vibrant development  
198 downtown, staff recommends adding that category to the permitted uses in the zone.

Councilmember Snelson asked if it included the Allen's block and was implemented because of  
200 the Allen's block. Josh explained the site plan and land use approvals have been done they will need to  
apply for a building permit. They currently have approval of a site plan and it expires in six months.

Councilmember Snelson stated citizens have expressed concern about traffic. Josh explained if  
202 a grocery store or retail business were there it would increase the traffic more than what is being proposed  
with commercial and residential use. Mayor Packard stated as it is now with no traffic, once it develops it  
204 will look like there is more.

206  
**Motion: Councilmember Snelson moved to approve Ordinance #17-2023** amending Springville City Code  
208 Title 11 Chapter 4 Section 301 Land Use Matrix to refine the permitted uses in the Main Street South  
Gateway Zone. **Councilmember Miller seconded** the motion. **Roll Call Vote; Voting Yes:** Councilmember  
210 Crandall, Councilmember Jensen, Councilmember Miller, Councilmember Snelson, and Councilmember  
Sorensen. The motion **Passed unanimously 5-0. Ordinance #17-2023 Approved**

212  
**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

214 Mayor Packard asked if there was any further discussion. There was none.

216 **CLOSED SESSION, AND ADJOURNMENT IF NEEDED - TO BE ANNOUNCED IN MOTION**

218 *The Springville City Council may adjourn the regular meeting and convene into a closed session as  
provided by UCA 52-4-205.*

220 **ADJOURNMENT**

**Motion: Councilmember Crandall moved to adjourn the regular meeting at 8:04 p.m. Councilmember**  
222 **Miller seconded** the motion. **Voting Yes:** Councilmember Crandall, Councilmember Jensen,  
Councilmember Miller, Councilmember Snelson, and Councilmember Sorensen. The motion **Passed**  
224 **unanimously 5-0**

226



228            *This document constitutes the official minutes for the Springville City Council Regular Meeting held on Tuesday, December 05, 2023.*

230            *I, Kim Crane, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Springville City, of Utah County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this meeting held on Tuesday, December 05, 2023*

234

DATE APPROVED: \_\_\_\_\_

236

\_\_\_\_\_  
Kim Crane  
City Recorder

238

DRAFT



## STAFF REPORT

**DATE:** December 19, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Kim Crane, City Recorder  
**SUBJECT:** 2024 ANNUAL MEETING SCHEDULE

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### **RECOMMENDED MOTION**

Motion to APPROVE RESOLUTION #2023 - \_\_\_\_ ADOPTING THE 2024 ANNUAL MEETING SCHEDULE FOR SPRINGVILLE CITY'S COUNCIL, AGENCIES, AUTHORITIES, BOARDS, COMMISSIONS, AND COMMITTEES AS ATTACHED IN EXHIBIT A

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

UCA 52-4-202 requires all public entities to adopt and publish an Annual Meeting Schedule if they hold regular meetings scheduled in advance over the course of a year. UCA 10-3-502 requires cities to hold regular monthly council meetings based on their population. Springville City is a third-class city (30,000 to 65,000 in population) required to hold at least one meeting per month.

Springville City Code 2-4-102 requires the City Council to hold regular meetings to be held on the first and third Tuesdays of each month, unless there is a holiday or election day. Regular Work/Study meetings are also scheduled accordingly.

### **DISCUSSION**

Please see the attached Exhibit A. All meetings will be held on their regular schedule, including Work/Study meetings. Special or Emergency Meetings may be held at the call of the Mayor or with the consent of two Council Members upon three hours' notice.

The Redevelopment Agency and Municipal Building Authority will hold regularly scheduled meetings to present and adopt their budgets in May and June. Other meetings may be held as necessary at the call of the Mayor and will be posted as required with 24 hours minimum notice.

Each of the other boards, commissions and committees have adopted their meetings as noted. They have anticipated holidays that fall on their regular meeting days and either cancelled or rescheduled their meetings accordingly. Please see the attached Exhibit A.

**ALTERNATIVES**

The Council may schedule, reschedule, or cancel meetings they wish as long as one meeting per month is held.

**FISCAL IMPACT**

None

**ATTACHMENTS** Proposed Resolution and Annual Meeting Schedule

Respectfully,

*Kim Crane*

Kim Crane, MMC  
City Recorder



**RESOLUTION #2023-\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF SPRINGVILLE CITY, UTAH  
ADOPTING A MEETING SCHEDULE FOR THE CALENDAR YEAR 2024**

**WHEREAS**, The Utah State Legislature has declared that cities of the third, fourth, or fifth class shall hold council meetings at least once a month in the Utah State Code Section 10-3-502

**WHEREAS**, Springville City has reached the classification of a third-class city by attaining a population between 30,000 and 65,000 as defined in the Utah State Code Section 10-2-301

**WHEREAS**, The Springville City Code Section 2-4-102 requires regular meetings of the City Council to be held on the first and third Tuesdays of each month, except these meetings may be held as scheduled, canceled, or rescheduled as directed by the mayor due to holidays or election days. In no case shall any less than one meeting per month be held in accordance with Utah State Code Section 10-3-502.

**WHEREAS**, The Utah State Legislature, in Utah State Code Section 52-4-202, has further required public bodies that hold regular meetings scheduled in advance over the course of a year to give public notice of the annual meeting schedule and to include the date, time, and place of such meetings.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Springville City, Utah, on this 19<sup>th</sup> day of December, 2023, to adopt the attached meeting schedule ("Exhibit A") as the official City Council, Agencies, Authorities, Boards, Commissions, and Committees meeting schedules for the calendar year 2024;

**AND FURTHERMORE, RESOLVE** to authorize its publication and posting according to Utah State Code Section 52-4-202.

**APPROVED and ADOPTED** by the City Council of Springville, Utah, this 19<sup>th</sup> day of December, 2023.

---

Matt Packard, Mayor

ATTEST:

---

Kim Crane, City Recorder

# EXHIBIT A

## 2024 Springville City Meeting Schedule



## ANNUAL MEETING SCHEDULE FOR 2024

### ANNUAL MEETING SCHEDULE OF THE SPRINGVILLE CITY COUNCIL

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule of the City Council of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	02 - 09 - 16
February.....	06 - 13 - 20
March.....	05 - 12 - 19
April.....	02 - 09 - 16
May.....	07 - 14 - 21
June.....	04 - 11 - 18
July.....	02 - 09 - 16
August.....	06 - 13 - 20
September.....	03 - 10 - 17
October.....	01 - 08 - 15
November.....	05 - 12 - 19
December.....	03 - 10 - 17

Regular meetings of the City Council are held in the Council Chambers of the Civic Center Building, 110 South Main Street, Springville, Utah commencing at 7:00 p.m. on the first and third Tuesday of each month. Work meetings begin at 5:30 p.m. in the Multipurpose Room and are held on the first and third Tuesday of each month. The second Tuesday is scheduled as the Directors' Meeting and begins at 5:30 p.m. in the Multipurpose Room. Call the City Offices at 801-489-2700 or check [www.springville.org](http://www.springville.org) for more information.

### ANNUAL MEETING SCHEDULE OF THE MUNICIPAL BUILDING AUTHORITY

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Municipal Building Authority of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
May.....	07
June.....	18

Regular meetings begin at 6:40 p.m. and convene in the Civic Center Council Chambers, 110 South Main Street. Other meetings may be held as necessary at the call of the chairman and will be posted as required with a minimum of 24-hours' notice. Call the City Offices at 801-489-2700 or check [www.springville.org](http://www.springville.org) for more information.

### ANNUAL MEETING SCHEDULE OF THE REDEVELOPMENT AGENCY

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Redevelopment Agency of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
May.....	07
June.....	18

Regular meetings begin at 6:50 p.m. and convene in the Civic Center Council Chambers, 110 South Main Street. Other meetings may be held as necessary at the call of the chairman and will be posted as required with a minimum of 24-hours' notice. Call the City Offices at 801-489-2700 or check [www.springville.org](http://www.springville.org) for more information.

### ANNUAL MEETING SCHEDULE OF THE PLANNING COMMISSION

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule of the Planning Commission is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	09 - 23
February.....	13 - 27
March.....	12 - 26
April.....	09 - 23
May.....	14 - 28
June.....	11 - 25
July.....	09 - 23
August.....	13 - 27
September.....	10 - 24
October.....	08 - 22
November.....	12 - 26
December.....	10

Meetings may be canceled due to holidays or lack of agenda items. Regular meetings begin at 7:00 p.m. and convene in the Civic Center Council Chambers, 110 South Main Street, as posted. The study session before the first meeting of the month begins at 7:00 p.m. in the Council Chambers. The second meeting each month is a study session and begins at 7:00 p.m. in the Civic Center Council Chambers. Call Community Development at 801-491-7861 or check [www.springville.org](http://www.springville.org) for more information.



**ANNUAL MEETING SCHEDULE OF THE BOARD OF ADJUSTMENT**

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule of the Board of Adjustment is as follows:

Meetings will be held only if there are agenda items. Meeting notices will be posted 24 hours in advance. Call Community Development at 801-491-7861 or check [www.springville.org](http://www.springville.org) to verify a scheduled meeting.

**ANNUAL MEETING SCHEDULE OF THE DEVELOPMENT REVIEW COMMITTEE**

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Development Review Committee of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	11 - 25
February.....	08 - 22
March.....	07 - 28
April.....	11 - 25
May.....	09 - 30
June.....	13 - 27
July.....	11 - 25
August.....	08 - 29
September.....	12 - 26
October.....	10 - 24
November.....	07 - 27
December.....	12

Regular meetings begin at 8:30 a.m. on Thursday of the week following the Planning Commission meeting unless otherwise scheduled, and convene in the Civic Center Multi-Purpose Room, 110 South Main Street. Meetings may be canceled due to holidays or lack of agenda items. Other meetings may be held as necessary at the call of the chair and will be posted as required with a minimum of 24-hours' notice. Call Community Development at 801-491-7861 or check [www.springville.org](http://www.springville.org) for more information.

**ANNUAL MEETING SCHEDULE OF THE LANDMARKS PRESERVATION COMMISSION**

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Landmarks Preservation Commission of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	18
April.....	18
July.....	18
October.....	17

Meetings will be held quarterly only if there are agenda items, on the second Thursday of the month at 6:00 p.m. in the Civic Center Room #217, 110 South Main Street. Call Community Development at 801-491-7861 or check [www.springville.org](http://www.springville.org) to verify a scheduled meeting.

**ANNUAL MEETING SCHEDULE OF THE COMMUNITY BOARD**

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Community Board of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	11
February.....	08
March.....	14
April.....	11
May.....	09
June.....	13
July.....	11
August.....	08
September.....	12
October.....	10
November.....	14
December.....	12

Meetings are at 7:00 p.m. the second Thursday of the month unless otherwise noticed and convene in the Springville Civic Center Multipurpose Room, 110 South Main Street, Springville, Utah. Meetings may be canceled due to holidays or lack of agenda items. Other meetings may be held as necessary at the call of the chair and will be posted as required with a minimum of 24-hours' notice. Call the City Offices at 801-489-2700 or check [www.springville.org](http://www.springville.org) for more information.

**ANNUAL MEETING SCHEDULE OF THE LIBRARY BOARD OF TRUSTEES**

**PUBLIC NOTICE** is hereby given that the 2024 Annual Meeting Schedule for the Library Board of Trustees of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	11
March.....	14
May.....	09
July.....	11
September.....	12
November.....	14

Regular meetings begin at 7:00 p.m. bi-monthly on the second Thursday of the month and convene in the Springville Library, 2<sup>nd</sup> Floor, Multipurpose Room, 45 South Main Street. Meetings may be canceled due to holidays, or lack of a quorum or agenda items. Other meetings may be held as necessary at the call of the chair and will be posted as required with a minimum of 24-hours' notice. Call the Library at 801-489-2720 or check [www.springville.org](http://www.springville.org) for more information.



**ANNUAL MEETING SCHEDULE OF THE  
PARKS, ARTS, AND RECREATION BOARD**  
PUBLIC NOTICE is hereby given that the 2024  
Annual Meeting Schedule for the Parks, Arts, and  
Recreation Board of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	23
February.....	27
March.....	26
April.....	23
June.....	25
July.....	30
August.....	27
September.....	24
October.....	22
November.....	26

Regular meetings begin at 5:45 p.m. on the fourth Tuesday of the month unless otherwise noticed and convene in the Springville Civic Center, Multipurpose Room, 110 South Main Street, Springville, Utah. Meetings may be canceled due to holidays or lack of agenda items. Other meetings may be held as necessary at the call of the chair and will be posted as required with a minimum of 24-hours' notice. Call the Parks & Cemeteries Secretary at 801-489-2770 or check [www.springville.org](http://www.springville.org) for more information.

**ANNUAL MEETING SCHEDULE OF THE  
UTILITY BOARD**

PUBLIC NOTICE is hereby given that the 2024 Annual Meeting Schedule for the Utility Board of Springville, Utah is as follows:

<b>REGULAR MEETING</b>	<b>DATE</b>
January.....	10
February.....	14
March.....	13
April.....	10
May.....	08
June.....	12
July.....	10
August.....	14
September.....	11
October.....	09
November.....	13
December.....	11

Regular meetings begin at 6:30 a.m. on the second Wednesday of the month and convene at the Springville Electric Operations Center, Conference Room, 777 North 425 West. Meetings may be canceled due to holidays or lack of agenda items. Other meetings may be held as necessary at the call of the chair and will be posted as required with a minimum of 24-hours' notice. Call the Planner/Inventory Secretary at 801-489-2772, or check [www.springville.org](http://www.springville.org) for more information.

MEETING LOCATION ADDRESSES

Springville Civic Center  
110 South Main Street  
Springville, Utah 84663

Springville Public Library  
45 South Main Street  
Springville, UT 84663

Springville Electric Operations Center  
777 North 425 West  
Springville, UT 84663







## STAFF REPORT

**DATE:** December 13, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Chief Lance Haight  
**SUBJECT:** 911 EMERGENCY DISPATCH SERVICES COOPERATIVE  
AGREEMENT WITH UTAH DEPARTMENT OF PUBLIC SAFETY

---

**Recommended Motion:** Approval of Cooperative Agreement with Utah Department of Public Safety to provide 911 Emergency Dispatch Services in our geographic area.

**Executive Summary:** This is a renewal of our cooperative agreement to coordinate Emergency Dispatch Services with the Utah Department of Public Safety.

**Focus of Action:** Review and approve the agreement by resolution.

**Background:** This agreement provides the framework for the parties to this agreement to explore the advantages of functionally consolidating the 9-1-1 emergency response from the answering of a 9-1-1 call by either the primary Utah County PSAPs, to dispatching the proper agency assets or either through a secondary PSAP or dispatch center.

Emergency communications and dispatch services that occur within the jurisdiction of SPRINGVILLE, except for law enforcement events that occur within the jurisdiction of the DPS-SLCC shall be the responsibility of SPRINGVILLE.

SPRINGVILLE shall provide emergency communications and dispatch services for ambulance and fire service for all contract areas within its boundaries and agreed upon service areas in and along the interstate and state highways as agreed upon by the PSAP's providing fire and EMS services in Utah County.

**Discussion:** Staff recommendation is for the council to approve the agreement.



**Alternatives:** We are a Public Safety Dispatch center, and so we are obligated to participate in this cooperative agreement.

**Fiscal Impact:** This cooperative agreement will not result in the need for additional staffing or equipment. We can accommodate this agreement with existing staffing and equipment.

A handwritten signature in blue ink that reads "Lance Haight".

---

Lance Haight  
Director of Public Safety

## COOPERATIVE AGREEMENT

### To Provide 911 Emergency Services to the Geographic Area Served by the DPS Salt Lake Communications Center in Utah County

This COOPERATIVE AGREEMENT (“Agreement”) is entered into between the UTAH DEPARTMENT OF PUBLIC SAFETY SALT LAKE COMMUNICATIONS CENTER (“DPS-SLCC”), and SPRINGVILLE POLICE DEPARTMENT (“SPRINGVILLE”), and all being public agencies as defined by the Interlocal Cooperation Act found in Title 11, Chapter 13 of the Utah Code.

#### RECITALS

The parties desire to enter into this Cooperative Agreement for the purpose of coordinating dispatch and communications services with the DPS Salt Lake Communications Center and Springville. The purpose of this Interlocal Agreement is to establish the relationships, roles, and responsibilities of each public safety agency that is party to this agreement in the processing of 9-1-1 emergency calls, dispatching the proper law enforcement agencies and sharing information through an integrated Computer Aided Dispatch system and telephone system in the Utah County and Wasatch Front areas.

The Parties to this agreement are all public safety agencies endowed by the statutory authority of the State of Utah to accept and process emergency 9-1-1 calls, text messages and other forms of emergency communications and to respond to emergency situations based on the information gathered by the authorized Public Safety Answering Points in Utah County and along the Wasatch Front areas;

This agreement provides the framework for the parties to this agreement to explore the advantages of functionally consolidating the 9-1-1 emergency response from the answering of a 9-1-1 call by either the primary Utah County PSAPs, to dispatching the proper agency assets or either through a secondary PSAP or dispatch center.

#### AGREEMENT

THEREFORE, in compliance with and pursuant to the terms and provisions of Title 69, Chapter 2 of the Utah Code and the Interlocal Co-operation Act, the parties do hereby contract and agree as follows:

1. Joint Cooperation Agreement. It is not the intent of this Agreement to create a new entity or agency, but rather to provide for dispatch and communications services through joint and cooperative agreements.

**To Provide 911 Emergency Services to the Geographic Area Served by the DPS Salt Lake  
Communications Center in Utah County**

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2. Dispatching Responsibilities.

- a. Emergency communications and dispatch services that occur within the jurisdiction of SPRINGVILLE, except for law enforcement events that occur within the jurisdiction of the DPS-SLCC shall be the responsibility of SPRINGVILLE.
  - b. SPRINGVILLE shall provide emergency communications and dispatch services for public safety functions including police departments, emergency medical services, fire departments, and other federal, state and local agencies operating on public safety-licensed frequencies and serve as the public safety answering point (PSAP) for 9-1-1 communications within its service areas, except when a request for emergency assistance dispatch services for law enforcement services occurs within the jurisdiction of the DPS-SLCC.
  - c. SPRINGVILLE shall provide emergency communications and dispatch services for ambulance and fire service for all contract areas within its boundaries and agreed upon service areas in and along the interstate and state highways as agreed upon by the PSAP's providing fire and EMS services in Utah County. SPRINGVILLE shall notify DPS-SLCC as soon as reasonably possible when a fire or EMS call is received and being responded to by all contracted fire and EMS personnel within their respective areas.
  - d. DPS and SPRINGVILLE will follow the Statewide CAD to CAD Calling Handling and 9-1-1 Transfer Protocol attached as Exhibit A, which is incorporated by reference.
  - e. If the Common CAD Platform, CAD-to-CAD, or Console to Console Relay is not available, either party may radio law enforcement on the agreed upon channel.
  - f. The parties may discuss the effectiveness of the transfer protocol to determine whether any changes need to be made.
3. Indemnification. All parties to this Agreement are governmental entities as defined in the Utah Governmental Immunity Act found in Title 63G, Chapter 7 of the Utah Code. Nothing in this Agreement shall be construed as a waiver by either or both parties of any rights, limits, protections or defenses provided by the act. Nor shall this Agreement be construed, with respect to third parties, as a waiver of any governmental immunity to

**To Provide 911 Emergency Services to the Geographic Area Served by the DPS Salt Lake  
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which a party to this Agreement is otherwise entitled. Subject to the act, each party will be responsible for its own actions and will defend any lawsuit brought against it and pay any damages awarded against it.

4. Amendments to Agreement. This Agreement may be amended, modified, or supplemented only by written amendment, executed by the Parties hereto pursuant to Section 11-13-202.5 of the Interlocal Cooperation Act.
5. Governing Laws. This Agreement shall be governed and interpreted pursuant to the laws of the State of Utah.
6. Interpretation of Agreement. Terms of this Agreement shall be interpreted to conform to the overall intent and purpose of this Agreement. The invalidity of any portion of this Agreement shall not prevent the remainder from being carried into effect, unless to do so would violate the intent and spirit of this Agreement. The paragraph and section headings in this Agreement are for convenience of reference only and do not constitute a part of the Agreement.
7. Effective Date. This amended agreement shall become effective immediately upon approval and execution by the governing body of each of the entities in accordance with the Interlocal Cooperation Act.
8. Term of Agreement. This Agreement shall continue in effect, unless terminated as set forth herein, for a period of six (6) years, commencing on October 1, 2023, at 12:01 a.m. and continuing through September 30, 2029, at 11:59 p.m.
9. Termination of Agreement. This Agreement may be terminated at any time upon the mutual written consent of the parties. In the event both parties consent to terminate this Agreement, the parties will consult prior to the date of termination to ensure termination on the most economical and equitable terms. Either party may terminate this Agreement upon 30 days written notification to the other party. Such notice will be the subject of immediate consultation by the parties to decide upon the appropriate course of action.
10. Documents on File. Executed copies of this Agreement shall be placed on file in the office of the Keeper of the Records of each of the parties and shall remain on file for public inspection during the term of this Agreement.
11. Execution in Counterparts. This Agreement may be executed in several counterparts,

**To Provide 911 Emergency Services to the Geographic Area Served by the DPS Salt Lake  
Communications Center in Utah County**

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each of which shall be an original and all of which shall constitute the same Agreement.

12. No Third Party Beneficiaries:

The Parties expressly agree that nothing contained in the Agreement shall create any legal right or inure to the benefit of any third party.

13. Interlocal Cooperation Act Requirements: In satisfaction of the requirements of the Interlocal Cooperation Act, §§ 11-13-101 *et seq.*, and in connection with this Agreement, the Parties agree as follows: (a) this Agreement shall be approved by each party pursuant to § 11-13-202.5; (b) this Agreement shall be reviewed as to the proper form and compliance with applicable law by an authorized attorney on behalf of each party pursuant to § 11-13-202.5; (c) an executed original counterpart shall be filed with the keeper of records for each party pursuant to § 11-13-209; (d) no separate legal entity is created by the terms of this Agreement; (e) to the extent that a party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other property of such party; and (f) except as otherwise specifically provided herein, each party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs.

14. Authorization. The individuals signing this Agreement on behalf of the parties confirm that they are the duly authorized representatives of the parties and are lawfully enabled to sign this Agreement on behalf of the parties.

IN WITNESS WHEREOF, the hands of the parties are set below:

UTAH DEPARTMENT OF PUBLIC  
SAFETY

APPROVED AS TO FORM

BY:

\_\_\_\_\_  
Jess L. Anderson  
Commissioner

BY:

\_\_\_\_\_  
Marcus R. Yockey  
Utah Assistant Attorney General

DATE:

DATE:

**To Provide 911 Emergency Services to the Geographic Area Served by the DPS Salt Lake  
Communications Center in Utah County**

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BY:

\_\_\_\_\_  
Travis Trotta  
Captain  
DPS Communications Bureau

SPRINGVILLE POLICE  
DEPARTMENT

APPROVED AS TO FORM

BY:

\_\_\_\_\_

BY:

\_\_\_\_\_

Attorney

DATE:

\_\_\_\_\_

DATE:

\_\_\_\_\_

SPRINGVILLE POLICE  
DEPARTMNET

BY:

\_\_\_\_\_

DATE:

\_\_\_\_\_



## STAFF REPORT

**DATE:** December 19, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Kim Crane, City Recorder  
**SUBJECT:** TITLE 2, CHAPTER 16, SECTION 102 DEFINITIONS

---

### **RECOMMENDED MOTION**

The recommended motion is to approve Ordinance No.\_\_\_\_ amending Title 2, Chapter 16, Section 102 Definitions of the Springville Municipal Code.

### **EXECUTIVE SUMMARY**

Utah Municipal Code Section 10-8-1(4) has been amended to comply with new notice requirements set by the Utah Legislature. This amendment would bring the Springville Municipal Code into compliance as it relates to the Utah Municipal Code and noticing.

### **SUMMARY OF ISSUES/FOCUS OF ACTION**

Update Springville City Municipal Code to bring it into compliance with State Code as it relates to noticing.

### **FISCAL IMPACT**

None



ORDINANCE #\_\_-2023

AN ORDINANCE AMENDING TITLE 1, CHAPTER 3, SECTION 106 OF THE SPRINGVILLE CITY MUNICIPAL CODE EFFECTIVE DATE OF ORDINANCES

WHEREAS, Utah Municipal Code Section 10-8-1(4) has been amended; and

WHEREAS, the City Council wishes to bring the Springville Municipal Code into compliance as it relates to the Utah Municipal Code and ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SPRINGVILLE, UTAH AS FOLLOWS:

SECTION 1.

CHAPTER 2  
Title 16  
DISPOSAL OF CITY-OWNED REAL PROPERTY

**2-16-102 Definitions.**

For purposes of this Chapter, the following terms shall mean:

- (1) "Significant parcel of real property" means a parcel with a value equal to or greater than \$50,000.00.
- (2) "Reasonable notice" means ~~publishing notice at least once in a newspaper of general circulation in the City of Springville to publish or post a notice in accordance with UCA 10-8-1(4)~~

EFFECTIVE DATE: This ordinance shall become effective immediately upon passage and posting.

PASSED, ADOPTED, AND ORDERED POSTED by the City Council of Springville City, Utah this 19<sup>th</sup> day of December 2023.

---

Matt Packard, Mayor

ATTEST:

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Kim Crane, City Recorder



## STAFF REPORT

**DATE:** December 14, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Bruce Riddle, Finance Director  
**SUBJECT:** FY 2023 FINANCIAL STATEMENTS AND AUDIT REPORT

### RECOMMENDED MOTION

The Finance Department recommends approving a motion to (1) accept the Springville City FY 2023 Financial Statements and Independent Auditor's Report as presented; (2) authorize the City Recorder to advertise and make available for public inspection the Springville City FY 2023 Financial Statements and Independent Auditor's Report; and (3) authorize the Finance Director to submit the Springville City FY 2023 Financial Statements and Independent Auditor's Report to the State Auditor as required by law.

### SUMMARY OF ISSUES/FOCUS OF ACTION

Utah State Code, Title 51, Chapter 2a requires an independent audit of all cities to be performed within 180 days after the close of each fiscal period. Additionally, the independent audit reports are required to be made available for public inspection and are to be filed with the State Auditor.

### BACKGROUND

The documents included with this staff report represent two distinct publications. First are the City's comprehensive annual financial statements. These statements reflect the financial activity and accounting entries made by the City during the year including year-end closing entries. The City contracts with HBME to put the City's accounting entries into acceptable form based on Governmental Accounting Standards Board (GASB) guidelines, which requires expertise that City staff does not currently have. Second is the Independent Audit Report, which is HBME's opinion on the financial statements along a Management Letter, which includes comments and findings regarding state compliance and internal controls.

### DISCUSSION

The Financial Statements, Independent Auditor's Report, and Management Letter have been provided as attachments to this report. The Management's Discussion and

Analysis section of the report provides a narrative overview of the financial activities of the City during FY 2023.

The audit resulted in no findings of internal control deficiencies or findings of non-compliance with State requirements.

### **ALTERNATIVES**

The Council can make comments and suggestions to the report and may chose not to accept it; however, the City is required to prepare acceptable financial statements and submit an independent auditor's report to the State Auditor by December 31, 2023.

### **FISCAL IMPACT**

None.



**SPRINGVILLE CITY CORPORATION**

**Financial Statements  
and  
Independent Auditor's Report**

**For the Year Ended June 30, 2023**

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COMMITTED. EXPERIENCED. TRUSTED.

**SPRINGVILLE CITY CORPORATION**

**Financial Statements  
and  
Independent Auditor's Report**

**For the Year Ended June 30, 2023**

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# SPRINGVILLE CITY CORPORATION

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**Financial Section**



## INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council  
Springville City, Utah

### **Report on the Audit of the Financial Statements**

#### ***Opinions***

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Springville City Corporation, Utah (the City), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Springville City Corporation, Utah, as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### ***Basis for Opinions***

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### ***Responsibilities of Management for the Financial Statements***

The City's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 5-16 and the pension schedules on pages 69-71 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is

required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Supplementary Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual nonmajor fund financial statements and budgetary comparison information are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and budgetary comparison information are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and budgetary comparison information are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### ***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated December 12, 2023 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

December 12, 2023

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## MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of Springville City, we offer readers of Springville City's financial statements this narrative overview and analysis of the financial activities of Springville City for the fiscal year ended June 30, 2023. We encourage readers to consider the information presented here in conjunction with the financial statements which follow this section.

### FINANCIAL HIGHLIGHTS

- The total net position of Springville City increased \$17,663,464 to \$318,038,115. The governmental net position increased by \$10,161,568 and the business-type net position increased by \$7,501,896.
- The total net position of \$318,038,115 is made up of \$222,195,641 in capital assets net of depreciation and related outstanding debt and \$95,842,474 in other net position.
- Total long-term liabilities of the City increased by \$14,523.
- The General Fund (the primary operating fund) had its fund balance decrease by \$576,632 to \$12,255,982. The decrease was primarily due to the transfer of restricted, street-related reserves to the Capital Improvement Fund for programming on street capital projects.

### REPORTING THE CITY AS A WHOLE

This discussion and analysis is intended to serve as an introduction to Springville City's basic financial statements. Springville City's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also includes required supplementary information and other supplementary information in addition to the basic financial statements.

*The government-wide financial statements* are designed to provide readers with a broad overview of Springville City's finances, in a manner similar to a private-sector business.

- *The Statement of Net Position* presents information on all of Springville City's assets, liabilities, and deferred outflows/inflows of resources, with the difference reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of Springville City is improving or deteriorating. However, you will also need to consider other non-financial factors.
- *The Statement of Activities* presents information showing how the City's net position changed during the fiscal year reported. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, all of the current year's revenues and expenses are considered regardless of when cash is received or paid. Both of the government-wide financial statements distinguish functions of Springville City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The government-wide financial statements can be found on Pages 17-18 of this report.

## REPORTING THE CITY'S MOST SIGNIFICANT FUNDS

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. Springville City also uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into two categories: governmental funds and proprietary funds.

- *Governmental funds* - These funds are used to account for the same functions reported as governmental activities in the government-wide financial statements. These fund statements focus on how money flows into and out of these funds and the balances left at year-end that are available for spending. These funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting, which measures cash and other financial assets that can be readily converted to cash. The governmental fund statements provide a detailed short-term view of the City's general government operations and the basic services it provides. Governmental fund information helps users determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs. We describe the relationship (or differences) between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds in a reconciliation included with the fund financial statements.

The only major governmental funds (as determined by generally accepted accounting principles) are the General Fund and Capital Projects Fund. The remaining governmental funds are determined to be nonmajor and are included in the combining statements within this report.

- *Proprietary funds* - Springville City maintains two different types of proprietary funds. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. Springville City uses enterprise funds to account for its Electric Utility, Water Utility, Sewer Utility, Storm Water Utility, Solid Waste Collection, and Golf Course. Internal service funds are an accounting device used to accumulate and allocate costs internally among Springville City's various functions. The City uses an internal service fund for procurement and maintenance of its vehicles and equipment as well as maintenance of the City's buildings and grounds. Because these services primarily benefit governmental activities, they have been included with governmental activities in the government-wide financial statements. As determined by generally accepted accounting principles, the Electric, Water, Sewer and Golf enterprise funds meet the criteria for major fund classification. The other enterprise funds are classified as nonmajor and are included in the combining statements within this report.

**Notes to the Financial Statements** are to provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found immediately following the fund statements for major funds.

**Other Information** – In addition to the basic financial statements and accompanying notes, this report also presents required supplementary information (RSI) on the City's pension program. It also contains the combining fund statements referred to earlier in connection with nonmajor governmental funds and enterprise funds. The RSI and combining and individual fund statements and schedules can be found after the notes to the financial statements.

## GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of Springville City, assets exceed liabilities by \$318,064,515.

The largest portion of Springville City's net position (\$222,195,641) reflects its investment in capital assets (e.g., land, buildings, infrastructure assets, and machinery and equipment) net of accumulated depreciation and less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

### STATEMENT OF NET POSITION

	Governmental Activities		Business-type Activities	
	2022-2023	2021-2022	2022-2023	2021-2022
Current and Other Assets	\$ 44,095,775	\$ 45,738,031	\$ 65,787,718	\$ 70,613,762
Capital Assets	131,014,292	124,550,871	118,439,976	111,600,885
Total Assets	175,110,067	170,288,902	184,227,694	182,214,647
Deferred Outflows of Resources	2,423,501	1,675,698	1,053,147	748,725
Long-term Debt Outstanding	18,776,317	18,230,804	11,624,384	12,184,420
Other Liabilities	5,349,034	5,645,366	3,987,573	6,326,037
Total Liabilities	24,125,351	23,876,170	15,611,957	18,510,457
Deferred Inflow of Resources	4,997,829	5,237,487	14,757	2,327,084
Net Position:				
Net Investment in Capital Assets	114,686,476	107,205,894	107,509,165	105,462,638
Restricted	12,511,393	13,256,761	8,444,746	13,905,175
Unrestricted	21,212,519	17,786,165	53,700,216	42,758,018
Total Net Position	\$ 148,410,388	\$ 138,248,820	\$ 169,654,127	\$ 162,125,831

At the end of the current fiscal year, Springville City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

## CHANGES IN NET POSITION

	Governmental		Business-type	
	Activities		Activities	
	<u>2022-2023</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2021-2022</u>
Revenues				
Program Revenues:				
Charges for Services	\$ 6,383,777	\$ 6,227,020	\$ 50,314,107	\$ 50,198,002
Operating Grants and Contributions	4,428,088	3,658,298	-	-
Capital Grants and Contributions	2,410,706	5,355,960	3,187,505	5,278,538
General Revenues:				
Property Taxes	5,332,752	4,876,097	-	-
Sales and Use Taxes	9,426,474	8,851,734	-	-
Other Taxes	5,301,887	4,228,658	-	-
Other Revenues	1,823,024	587,667	1,594,170	263,446
Total Revenues	<u>35,106,708</u>	<u>33,785,434</u>	<u>55,095,782</u>	<u>55,739,986</u>
Expenses				
General Government	6,443,332	4,843,887	-	-
Public Safety	8,197,310	6,891,534	-	-
Highways and Public Improvements	2,437,765	2,492,929	-	-
Community Development	1,493,383	1,092,331	-	-
Parks and Recreation	8,383,036	7,996,799	-	-
Interest on Long-Term Debt	406,104	450,020	-	-
Electric	-	-	32,524,360	27,070,682
Water	-	-	4,660,042	4,353,095
Sewer	-	-	3,606,150	3,386,730
Storm Water	-	-	1,536,871	1,108,744
Solid Waste Collections	-	-	1,776,308	1,741,353
Golf Course	-	-	1,047,965	939,275
Total Expenses	<u>27,360,930</u>	<u>23,767,500</u>	<u>45,151,696</u>	<u>38,599,879</u>
Increase in Net Position Before Transfers	7,745,778	10,017,934	9,944,086	17,140,107
Transfers – net	2,415,790	930,517	(2,415,790)	(930,517)
Change in Net Position	<u>10,161,568</u>	<u>10,948,451</u>	<u>7,528,296</u>	<u>16,209,590</u>
Net Position Beginning	138,248,820	127,300,369	162,125,831	145,916,241
Net Position Ending	<u>\$ 148,410,388</u>	<u>\$ 138,248,820</u>	<u>\$ 169,654,127</u>	<u>\$ 162,125,831</u>

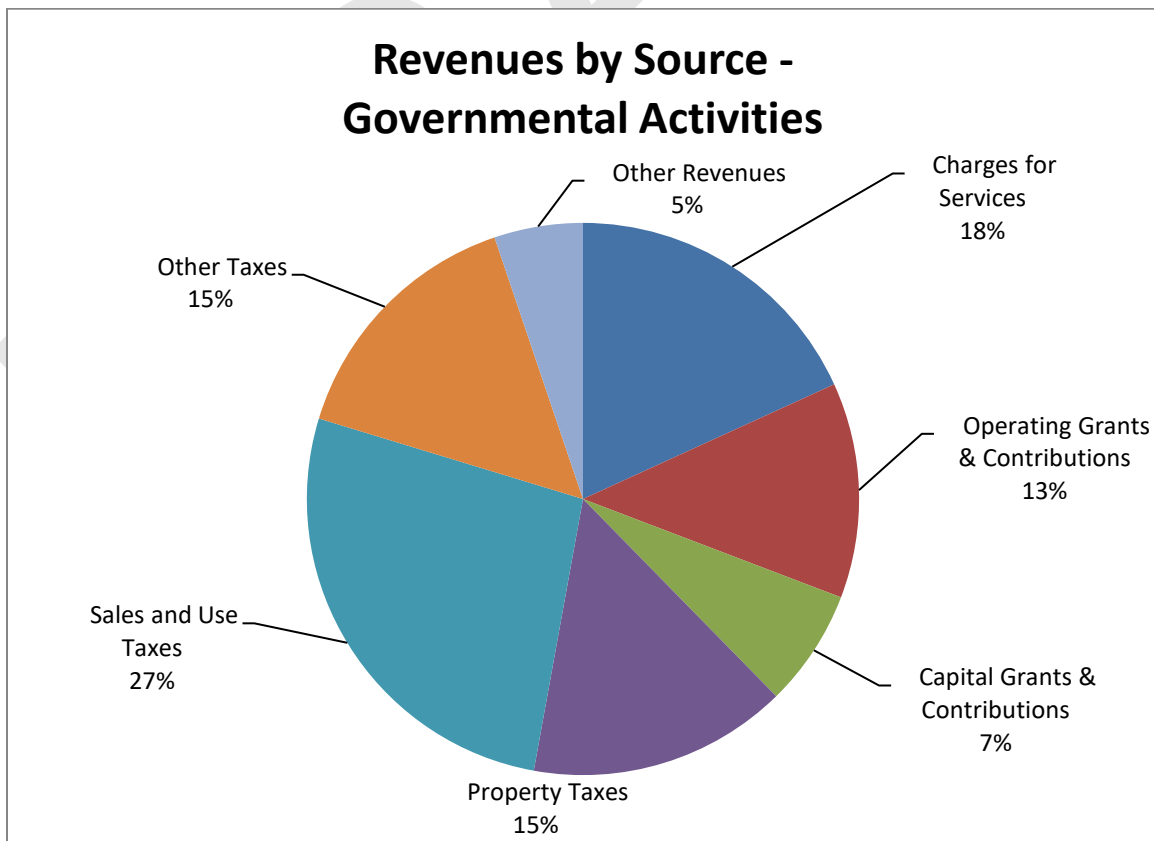


The post-pandemic Utah economy maintained momentum into FY 2023; although, inflation was a significant factor and adversely affected operating results. In the governmental activities, tax revenues continued to grow along with charges for services and operating grant revenue while capital grant revenue declined. Overall, revenues were up compared to FY 2022 primarily as a result of growth, fee increases and interest earnings. Sales tax revenues increased approximately 6% or \$574,740 in FY 2023 as a reflection of an expanding economy state-wide and new retail development in the City. Combined, operating and capital grants and contributions decreased approximately 24% or \$2,175,000 compared to FY 2022. This reduced amount is primarily the result of the grants for streets not received in FY 2023 and a reduction in developer contributions as a result of slowing new construction.

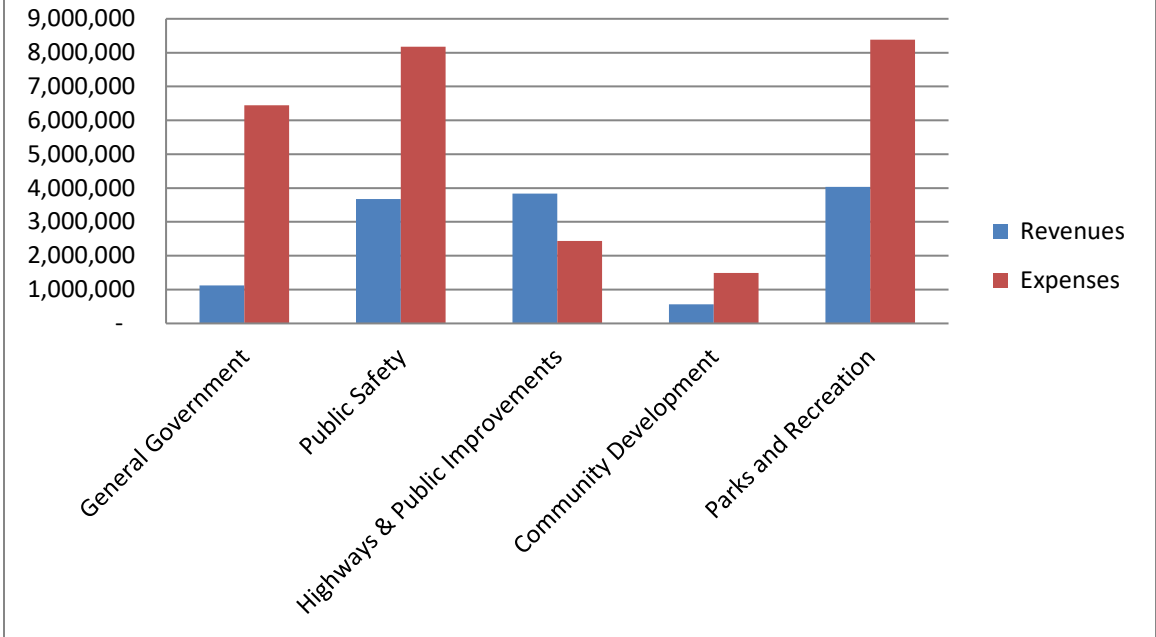
The general government expenditures increased approximately 15% or \$3,593,000 in FY 2023 compared to last year. Pressures from a continuing tight labor market along with significant inflation resulted in increased labor costs as well as increased costs for materials and supplies.

In the business-type funds, revenue decreases reflect slowing system growth, infrastructure contributions from developers, and weather. Total revenues decreased approximately 1% or \$644,000 in FY 2023. Expenses reflect inflationary costs for labor and materials and higher power purchase costs resulting from a volatile natural gas market. Expenses showed a total increase of approximately 17% or \$6,552,000 in FY 2023.

The graphs shown below display the government-wide activities reflected in the previous tables. Program revenues included in the second graph are fees charged for specific services performed by the various governmental functions (for purposes of this graph, general revenues such as property taxes, sales and uses taxes, etc. are not included).

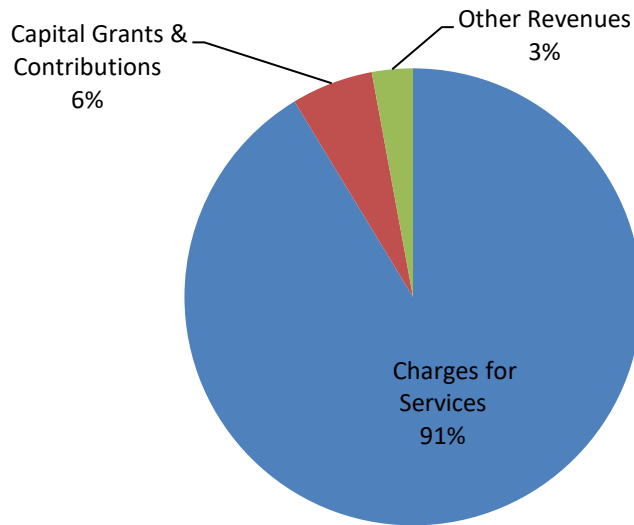


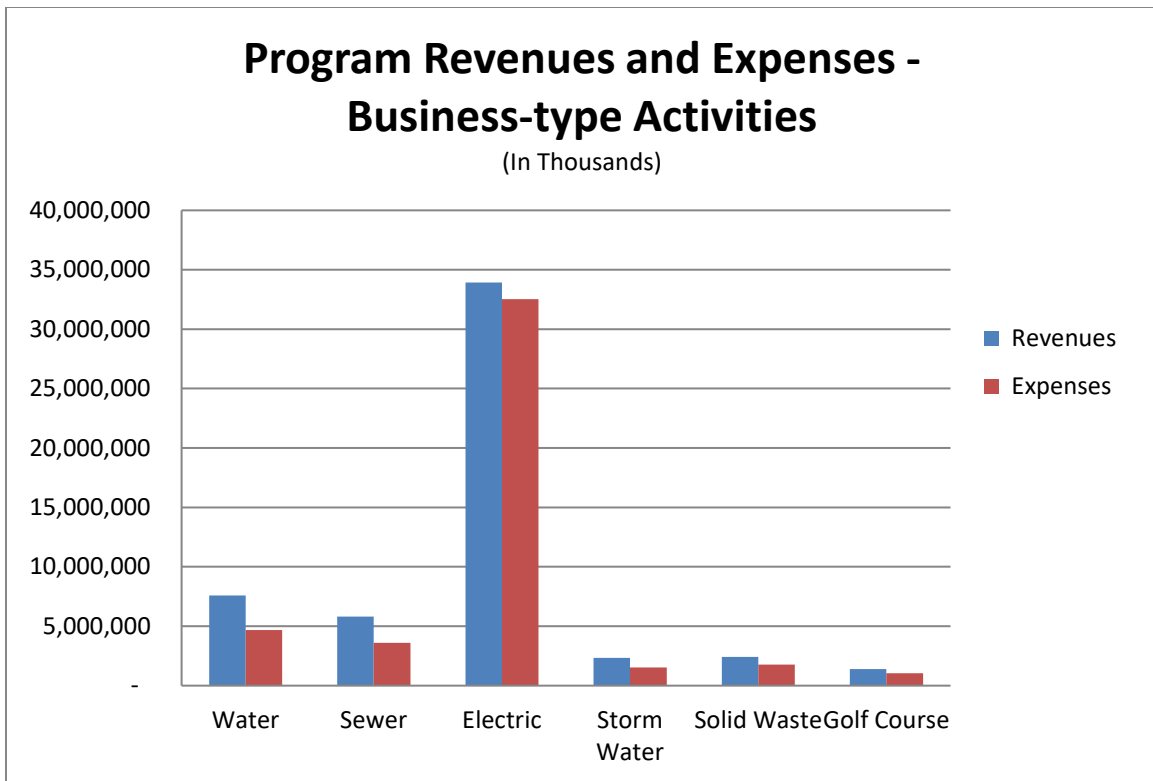
## Program Revenues and Expenses - Governmental Activities



As can be seen from the following charts, the majority of revenues in the business-type activities are from charges for services with 91% of the revenues coming from this source. The revenues from capital grants and contributions represent the value of grants or infrastructure systems donated to the City via subdivisions or other infrastructure being developed. Expenses for each fund only reflect direct operating costs. The expenses for capital projects, bond principal payments and inter-fund transfers are not included.

## Revenues by Source - Business-type Activities





## FINANCIAL ANALYSIS OF GOVERNMENT FUNDS

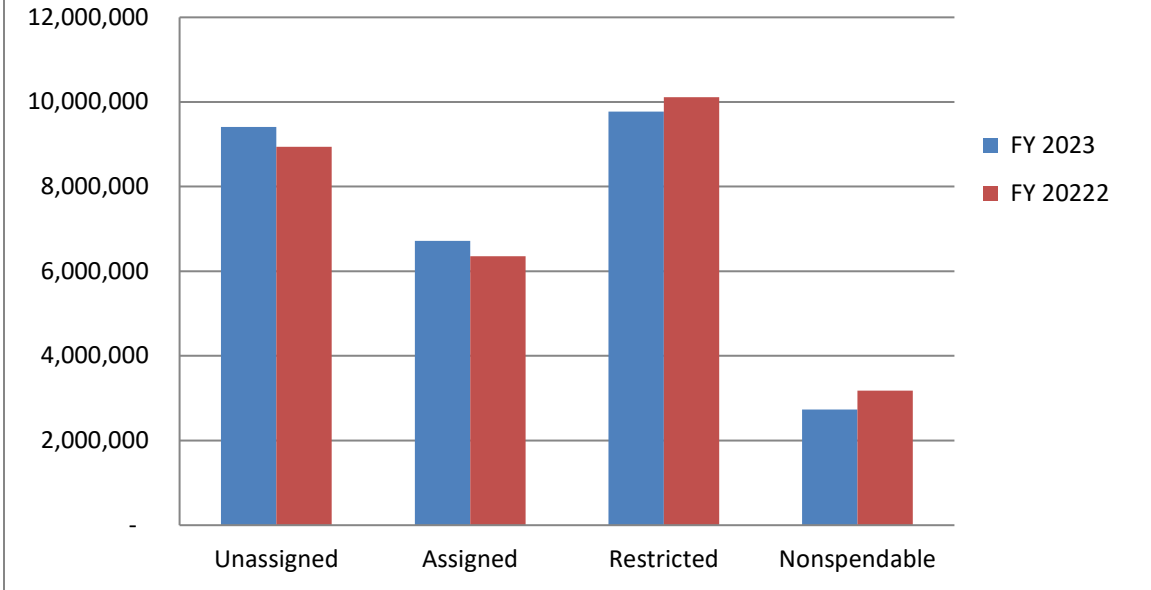
As noted earlier, Springville City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

**Governmental Funds.** The focus of the City’s *governmental fund* statements is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City’s financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government’s net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for use for particular purposes by the Springville City Council.

As of June 30, 2023, the City’s governmental funds (General, Capital Projects, Debt Service, Special Revenue, and Permanent) reported combined fund balance of \$28,690,879. This represents an increase of \$102,104 from last year’s ending balances (\$28,588,775). The *unassigned fund balance*, which is available for spending at the City’s discretion, is \$9,412,717 and represents 32.8% of the total fund balance. The remainder of the fund balance is either *nonspendable, restricted, committed, or assigned* to indicate that it is 1) not in spendable form (\$2,786,668), 2) legally restricted for particular purposes (\$9,775,351), 3) committed for particular purposes (\$0), or 4) assigned for particular purposes (\$6,716,143).

## Combined Governmental Funds Components of Fund Balance

(June 30, 2022 and 2023)



The General Fund is the chief operating fund of the City. All activities which are not required to be accounted for in separate funds, either by state or local ordinance or by a desire to maintain a matching of revenues and expenses, are accounted for in this fund. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures. The unassigned fund balance increased \$471,680 to \$9,412,717, which is approximately 37% of total general fund expenditures. The increase in fund balance is attributable to higher-than-expected revenues, coupled with lower-than-budgeted expenses. An additional consideration is the fact that the State statute requires that unassigned General Fund balance be at least 5% but no more than 35% of revenues. The current unassigned fund balance is 31% of revenues.

The Capital Projects Fund, a major fund, had a \$476,384 decrease in fund balance during the current fiscal year which put the overall fund balance at \$3,383,166. The decrease was primarily the result of property purchases that were made during the year.

Nonmajor governmental fund balances increased \$1,155,120 to \$13,051,731. These funds include the Springville Redevelopment Agency, Special Services Fund, Debt Service Fund, Municipal Building Authority, and Permanent Fund. The RDA has seen increased development activity in recent years resulting in tax increment revenues that can now be programmed for project expenses in the RDA boundaries. The RDA's fund balance increased \$377,162 to \$1,464,360. The Special Services Fund accounts for activities related to governmental services funded through impact fees or other restricted revenues. New development activity within the City has resulted in increased impact fee revenue, which can be programmed for growth-related projects contemplated in various impact fee facility plans. Additionally, the voters of Springville voted to implement a Parks, Arts and Recreation (PAR) tax in 2021 and those taxes began to be collected in 2022. Impact fee and PAR tax revenues combined to increase the Special Services fund balance by \$579,120 to \$7,017,349. The Permanent Fund includes the Cemetery Trust Fund, which retains a portion of plot sales revenue intended to support long-term maintenance of the City's cemeteries. The Permanent Fund assigned fund balance decreased \$615,623 to \$1,454,199. The increase was due

to cemetery plot sales and debt service payments from the golf course. The Permanent fund was used as an interfund loan mechanism to fund \$1,000,000 in capital improvements at the Hobble Creek Golf Course. The Permanent Fund now holds a note receivable from the golf course that will be repaid over time with market-rate interest.

**Proprietary Funds.** As stated earlier, the City maintains several proprietary funds to account for the business-type activities of the City. The separate fund statements included in this report provide the same information for business-type activities as is provided in the government-wide financial statements; however, the difference is that the fund statements provide much more detail.

The City’s major proprietary funds had unrestricted net position amounts as follows: Water Fund - \$9,035,306, an increase of \$5,340,420 from the previous year; Sewer Fund - \$9,855,607, an increase of \$1,641,136 over the previous year; and Electric Fund - \$22,370,688, a decrease of \$1,807,857 from the previous year. The changes in net position are results of a number of factors. It is typically the policy of the City to implement small, inflationary adjustments to rates when warranted. Rate increases were implemented in FY 2023 as inflation began to surge. These new revenues benefitted most funds in terms of net position. The Electric Fund had higher-than-expected power acquisition costs as a result of a volatile natural gas market, which negatively affected operating results and decreased net position. The Electric Fund also began to spend reserved net position on large capital projects, which contributed to the decrease in net position. Finally, a wetter and cooler weather pattern contributed to lower-than-expected water and electric sales.

The nonmajor proprietary funds (Storm Water, Solid Waste and Golf) had a combined unrestricted net position of \$6,779,755, which is a decrease of \$376,228 over the previous year. Factors contributing to the decrease include the planned expenditure of reserves for capital projects.

**GENERAL FUND BUDGETARY HIGHLIGHTS**

**Original budget compared to final budget.** During the fiscal year, the General Fund budget was amended from an original budget expenditure total (including transfers) of \$35,839,275 to a final budget of \$39,060,711. The budget increase represented adjustments of unanticipated expenditures related to grants received from various sources, mid-year funding of the Fire Department transitioning to a full-time, 24/7 operation and the transfer of general fund dollars to the capital improvement fund for previously unfunded projects and property acquisition.

**Final budget compared to actual results.** The most significant differences between estimated revenues and actual revenues were as follows:

Revenue Source	Estimated Revenues	Actual Revenues	Difference
Taxes	\$17,179,000	\$18,703,084	\$1,524,084
Licenses and permits	\$2,008,086	\$851,965	(\$1,156,121)

Tax revenues increases were mostly from sales tax, which increased significantly over the previous year. While significant commercial development occurred, anticipated residential development did not materialize, which resulted in lower-than-expected plan review and building permit fees. Charges for services were up modestly compared to the previous year.

As noted, expenditure budgets were amended during the year in order to provide for a number of unanticipated developments in economic conditions. Excess fund balances in the general fund were transferred to capital funds to pay for previously deferred capital improvements and property acquisition.

## CAPITAL ASSET AND DEBT ADMINISTRATION

Springville City's investment in capital assets for its governmental and business-type activities as of June 30, 2022, amounts to \$249,454,268 (net of accumulated depreciation). This investment in capital assets includes land, water shares, buildings and systems, improvements, infrastructure (streets, sidewalks, curb and gutter, bridges, etc.), machinery and equipment, and intangible right to use assets. The City's investment in capital assets (minus depreciation) for the current year increased by \$13,302,512. Governmental activities' capital assets increased by \$6,463,421 while the business-type activities' capital assets increased by \$6,839,091.

Major capital asset events during the current fiscal year included the following:

- Property Purchases - \$5,957,483
- Road Improvements and Reconstruction - \$585,736
- Park Improvements – \$269,712
- Vehicle and Equipment Acquisition and Replacement - \$1,126,417
- New Water Tank Construction - \$2,568,745
- Waste Water Treatment Plant Improvements - \$398,318
- New Development Infrastructure (Power Dept.) - \$1,362,050
- Whitehead Power Plant Generation Project – \$1,166,971
- Power Substation Improvements - \$557,479
- Storm Drain Pipelines - \$1,154,872
- Golf Course Irrigation System Improvements - \$986,077

## SPRINGVILLE CITY'S CAPITAL ASSETS

	Governmental		Business-type	
	Activities		Activities	
	<u>2022-2023</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2021-2022</u>
Land	\$ 41,967,144	\$ 35,305,363	\$ 1,719,507	\$ 1,719,507
Water Shares	-	-	1,374,919	1,374,919
Buildings	58,011,466	58,335,150	6,065,862	5,848,044
System Improvements	92,657,269	90,705,890	193,448,225	180,865,203
Machinery & Equipment	16,169,972	15,285,583	1,800,133	1,547,160
Construction in Progress	3,807,257	2,988,140	9,301,916	10,867,150
Right to use lease asset	-	-	224,110	224,100
Less Accumulated Depreciation	(81,598,816)	(78,069,255)	(95,494,696)	(90,845,208)
Total	<u>\$ 131,014,292</u>	<u>\$ 124,550,871</u>	<u>\$ 118,439,976</u>	<u>\$ 111,600,885</u>

Additional information on the City's capital assets can be found in the footnotes to this financial report and also the supplemental section.

Long-term debt - At June 30, 2023, the City had total long-term bonded debt balances of \$26,352,046. Of the total, \$9,045,000 is debt secured by specific revenue sources (i.e., revenue bonds within the Water and Sewer Utilities). The remainder is in a Municipal Building Authority Lease Revenue Bond of \$3,070,000, and general obligation bonds of \$12,245,000. The City also has unamortized premiums on bonds of \$1,992,046; accrued compensated absences of \$1,465,194; and leases payable of \$115,937.

## SPRINGVILLE CITY'S OUTSTANDING DEBT

	Governmental		Business-type	
	Activities		Activities	
	<u>2022-2023</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2021-2022</u>
General Obligation Bonds	\$ 12,245,000	\$ 13,195,000	\$ -	\$ -
Revenue Bonds	-	-	9,045,000	9,945,000
MBA Bonds	3,070,000	3,390,000	-	-
Unamortized Bond Premium	694,751	759,977	1,297,295	1,462,979
Net Pension Liability	-	-	-	-
Compensated Absences	899,639	885,827	565,555	605,752
Total	<u>\$ 16,909,390</u>	<u>\$ 18,230,804</u>	<u>\$ 10,907,850</u>	<u>\$ 12,013,731</u>

State statutes limit the amount of general obligation debt a governmental entity may issue to 4% of its total taxable value. The current limitation for the City is \$115,896,731. The City currently has \$12,245,000 outstanding in general obligation debt. State statute allows for an additional 8% to be used for water, sewer, storm water, or electrical projects. The current limitation for these water, sewer, storm water, and electrical projects is thus \$231,793,462. The City has issued significantly fewer bonds than this debt limit.

Additional information on the outstanding debt obligations of the City can be found in the footnotes to this report.

## **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES**

- The June 2023 unemployment rate for the Provo/Orem Metropolitan Area (of which Springville City is a part) was 2.8% compared to a state unemployment rate of 2.4% and a national rate of 3.6%. (Source: U.S. Bureau of Labor Statistics, Utah Department of Workforce Services)
- Sales tax revenues increase approximately 6% over last year; however, a Consumer Price Index (for All Urban Consumers) increase of 3.0% negated much of the impact of the increased revenues. Inflationary pressures are anticipated to continue into the next budget year.
- Expenditures in the General Fund were approximately 11% higher than the previous year; operating expenses in the Enterprise Funds were approximately 17% higher than the previous year. These increases reflect continued growth, inflationary factors, and service level increases (FT Fire Service) and increased power purchase costs. Actual expenditures for FY 2022-2023 were approximately 20% less than budgeted General Fund expenditures because of voluntary budget reductions, personnel savings from unfilled positions and other line-item savings that contributed to actual expenditures being less than budget.

## **REQUESTS FOR INFORMATION**

This financial report is designed to provide a general overview of Springville City's finances for all those with an interest in the City's finances. Questions concerning any information provided in this report or requests for additional financial information should be addressed to:

Finance Director, Springville City, 110 S Main St, Springville, UT 84663.



DRAFT

**Basic Financial Statements**

**SPRINGVILLE CITY CORPORATION**  
**Statement of Net Position**  
**June 30, 2023**

	<b>Governmental Activities</b>	<b>Business-type Activities</b>	<b>Total</b>
<b><u>ASSETS</u></b>			
Cash and cash equivalents	\$ 18,328,548	\$ 48,802,813	\$ 67,131,361
Investments	10,614,149	-	10,614,149
Receivables:			
Accounts, net	439,649	5,761,988	6,201,637
Property taxes	4,688,876	-	4,688,876
Other taxes	2,871,750	-	2,871,750
Prepays	41,435	-	41,435
Inventory	9,191	1,724,096	1,733,287
Internal balances	(5,658,860)	5,658,860	-
Interfund notes receivable (payable)	965,645	(965,645)	-
Lease receivables	224,900	-	224,900
Restricted cash and cash equivalents	11,338,472	1,345,247	12,683,719
Equity investment in joint venture	-	3,460,359	3,460,359
Net pension asset	232,020	-	232,020
Capital assets			
Non depreciable	45,774,401	12,396,342	58,170,743
Depreciable assets, net of depreciation	85,239,891	106,043,634	191,283,525
<b>Total assets</b>	<b>175,110,067</b>	<b>184,227,694</b>	<b>359,337,761</b>
<b><u>DEFERRED OUTFLOWS OF RESOURCES</u></b>			
Deferred outflows related to pensions	2,423,501	1,053,147	3,476,648
<b>Total deferred outflows of resources</b>	<b>2,423,501</b>	<b>1,053,147</b>	<b>3,476,648</b>
<b><u>LIABILITIES</u></b>			
Accounts payable	1,215,621	2,870,056	4,085,677
Accrued liabilities	683,970	211,331	895,301
Accrued interest payable	78,761	162,604	241,365
Developer and customer deposits	3,222,697	743,582	3,966,279
Unearned revenue	147,985	-	147,985
Noncurrent liabilities:			
Due within one year: bonds, leases, comp absences	1,764,820	1,329,647	3,094,467
Due in more than one year:			
Bonds, leases, compensated absences	15,144,570	9,694,140	24,838,710
Net pension liability	1,866,927	600,597	2,467,524
<b>Total liabilities</b>	<b>24,125,351</b>	<b>15,611,957</b>	<b>39,737,308</b>
<b><u>DEFERRED INFLOWS OF RESOURCES</u></b>			
Deferred property taxes	4,629,696	-	4,629,696
Deferred lease revenue	215,197	-	215,197
Deferred inflows related to pensions	152,936	14,757	167,693
<b>Total deferred inflows of resources</b>	<b>4,997,829</b>	<b>14,757</b>	<b>5,012,586</b>
<b><u>NET POSITION</u></b>			
Net investment in capital assets	114,686,476	107,509,165	222,195,641
Restricted for:			
Debt service	372,064	601,665	973,729
Impact fees	5,701,150	7,843,081	13,544,231
Perpetual care	2,736,042	-	2,736,042
Capital projects	2,410,468	-	2,410,468
Grants and other projects	1,291,669	-	1,291,669
Unrestricted	21,212,519	53,700,216	74,912,735
<b>Total net position</b>	<b>\$ 148,410,388</b>	<b>\$ 169,654,127</b>	<b>\$ 318,064,515</b>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Activities**  
**For the Year Ended June 30, 2023**

	Program Revenues				Net (Expense) Revenues and Changes in Net Position		
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
<b>Functions/Programs:</b>							
<b>Primary government:</b>							
<b>Governmental activities</b>							
General government	\$ 6,443,332	\$ 1,099,284	\$ 20,750	\$ -	\$ (5,323,298)		\$ (5,323,298)
Public safety	8,197,310	1,259,800	2,286,310	127,270	(4,523,930)		(4,523,930)
Community development	1,493,383	564,879	-	-	(928,504)		(928,504)
Highways and public improvements	2,437,765	278,968	1,508,218	2,044,675	1,394,096		1,394,096
Parks and recreation	8,383,036	3,180,846	612,810	238,761	(4,350,619)		(4,350,619)
Interest on long-term debt	406,104	-	-	-	(406,104)		(406,104)
<b>Total governmental activities</b>	<b>27,360,930</b>	<b>6,383,777</b>	<b>4,428,088</b>	<b>2,410,706</b>	<b>(14,138,359)</b>		<b>(14,138,359)</b>
<b>Business-type activities</b>							
Water	4,660,042	5,765,037	-	1,816,248		\$ 2,921,243	2,921,243
Sewer	3,606,150	5,497,127	-	324,807		2,215,784	2,215,784
Electric	32,524,360	33,472,691	-	467,223		1,415,554	1,415,554
Storm Water	1,536,871	1,786,506	-	558,118		807,753	807,753
Solid Waste	1,776,308	2,403,115	-	21,109		647,916	647,916
Golf	1,047,965	1,389,631	-	-		341,666	341,666
<b>Total business-type activities</b>	<b>45,151,696</b>	<b>50,314,107</b>	<b>-</b>	<b>3,187,505</b>		<b>8,349,916</b>	<b>8,349,916</b>
<b>Total primary government</b>	<b>\$ 72,512,626</b>	<b>\$ 56,697,884</b>	<b>\$ 4,428,088</b>	<b>\$ 5,598,211</b>	<b>(14,138,359)</b>	<b>8,349,916</b>	<b>(5,788,443)</b>
<b>General revenues and transfers:</b>							
General Revenues:							
Taxes							
Property					5,332,752	-	5,332,752
Sales					9,426,474	-	9,426,474
Other taxes					5,301,887	-	5,301,887
Investment earnings					1,271,318	1,594,170	2,865,488
Miscellaneous					551,706	-	551,706
Transfers - net					2,415,790	(2,415,790)	-
<b>Total general revenue and transfers</b>					<b>24,299,927</b>	<b>(821,620)</b>	<b>23,478,307</b>
<b>Change in net position</b>							
<b>Net position - beginning</b>					<b>138,248,820</b>	<b>162,125,831</b>	<b>300,374,651</b>
<b>Net position - ending</b>					<b>\$ 148,410,388</b>	<b>\$ 169,654,127</b>	<b>\$ 318,064,515</b>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Balance Sheet – Governmental Funds**  
**June 30, 2023**

	<b>General Fund</b>	<b>Capital Projects Fund</b>	<b>Nonmajor Governmental Funds</b>	<b>Total Governmental Funds</b>
<b><u>ASSETS</u></b>				
Cash and cash equivalents	\$ -	\$ 1,734,721	\$ 5,784,131	\$ 7,518,852
Investments	10,614,149	-	-	10,614,149
Receivables:				
Property taxes	4,288,876	-	400,000	4,688,876
Other taxes and grants	2,871,750	-	-	2,871,750
Special assessment	-	-	7,717	7,717
Other, net	430,538	-	1,394	431,932
Due from other funds	-	1,999,713	-	1,999,713
Interfund note receivable	-	-	965,645	965,645
Lease receivables	224,900	-	-	224,900
Inventory	9,191	-	-	9,191
Prepays	41,435	-	-	41,435
Restricted cash and cash equivalents	4,723,667	-	6,614,805	11,338,472
<b>Total assets</b>	<b>\$ 23,204,506</b>	<b>\$ 3,734,434</b>	<b>\$ 13,773,692</b>	<b>\$ 40,712,632</b>
<b><u>LIABILITIES</u></b>				
Accounts payable	\$ 612,971	\$ 203,283	\$ 321,961	\$ 1,138,215
Accrued liabilities	668,250	-	-	668,250
Due to other funds	1,999,713	-	-	1,999,713
Developer and customer deposits	3,222,697	-	-	3,222,697
Unearned revenue	-	147,985	-	147,985
<b>Total liabilities</b>	<b>6,503,631</b>	<b>351,268</b>	<b>321,961</b>	<b>7,176,860</b>
<b><u>DEFERRED INFLOWS OF RESOURCES</u></b>				
Deferred property taxes	4,229,696	-	400,000	4,629,696
Deferred lease revenue	215,197	-	-	215,197
<b>Total deferred inflows of resources</b>	<b>4,444,893</b>	<b>-</b>	<b>400,000</b>	<b>4,844,893</b>
<b><u>FUND BALANCES</u></b>				
Nonspendable	50,626	-	2,736,042	2,786,668
Restricted:				
Debt service	-	-	372,064	372,064
B & C roads	1,500,970	-	-	1,500,970
Transportation	1,291,669	-	-	1,291,669
Impact fees	-	-	5,701,150	5,701,150
Parks, art, and recreation projects	-	-	909,498	909,498
Assigned:				
Capital projects	-	3,383,166	-	3,383,166
Community improvements	-	-	3,332,977	3,332,977
Unassigned	9,412,717	-	-	9,412,717
<b>Total fund balances</b>	<b>12,255,982</b>	<b>3,383,166</b>	<b>13,051,731</b>	<b>28,690,879</b>
<b>Total liabilities, deferred inflows of resources and fund balances</b>	<b>\$ 23,204,506</b>	<b>\$ 3,734,434</b>	<b>\$ 13,773,692</b>	<b>\$ 40,712,632</b>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Reconciliation of the Balance Sheet of Governmental Funds**  
**To The Statement of Net Position**  
**June 30, 2023**

**Amounts reported for governmental activities in the Statement of Net Position are different because:**

Total fund balances for governmental funds	\$ 28,690,879
Capital assets used in governmental activities are not financial resources and therefore, are not reported in the funds.	131,014,292
Other long-term assets and deferred outflows of resources are not available for current period expenditures and, therefore, are not reported in the funds balance sheet.	2,655,521
The proprietary funds cumulative allocation of the internal service funds net income based on use of service are included in the entitywide statements.	(5,658,860)
Accrued interest on long-term debt is not due and payable in the current period and, therefore, is not recorded in the funds.	(78,761)
Long-term liabilities, including bonds, compensated absences, and notes are not due and payable in the current period and, therefore, are not reported in the funds.	(16,909,390)
Other long-term liabilities and deferred inflows of resources are not due and payable in the current period and, therefore, are not reported in the funds balance sheet.	(2,019,863)
The internal service fund is used by management to charge the cost of vehicles and related maintenance to other funds. The assets and liabilities of the internal services fund are included in the governmental activities in the Statement of Net Position.	<u>10,716,570</u>
Net position of governmental activities	<u>\$ 148,410,388</u>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Revenues, Expenditures, and Changes in Fund Balances – Governmental Funds**  
**For the Year Ended June 30, 2023**

	<b>General Fund</b>	<b>Capital Projects Fund</b>	<b>Nonmajor Governmental Funds</b>	<b>Total Governmental Funds</b>
<b><u>REVENUES</u></b>				
Taxes	\$ 18,703,084	\$ -	\$ 1,358,029	\$ 20,061,113
Licenses and permits	851,965	-	-	851,965
Intergovernmental	4,407,786	29,900	-	4,437,686
Charges for services	4,957,318	-	107,796	5,065,114
Impact fees	-	-	564,239	564,239
Fines and forfeitures	466,698	-	-	466,698
Interest	525,608	104,475	327,400	957,483
Donations and reimbursements	120,302	-	-	120,302
Miscellaneous	120,228	27,313	404,165	551,706
<b>Total revenues</b>	<b>30,152,989</b>	<b>161,688</b>	<b>2,761,629</b>	<b>33,076,306</b>
<b><u>EXPENDITURES</u></b>				
Current:				
General government	6,888,014	-	-	6,888,014
Public safety	8,284,643	-	-	8,284,643
Community development	1,269,167	-	325,914	1,595,081
Highways and public improvements	1,538,397	-	-	1,538,397
Park, recreation, and public property	7,492,301	-	4,561	7,496,862
Capital outlay	-	7,353,669	806,869	8,160,538
Debt service:				
Principal	-	-	1,270,000	1,270,000
Interest and fiscal expenses	-	-	479,703	479,703
<b>Total expenditures</b>	<b>25,472,522</b>	<b>7,353,669</b>	<b>2,887,047</b>	<b>35,713,238</b>
<b>Excess (deficiency) of revenues over (under) expenditures</b>	<b>4,680,467</b>	<b>(7,191,981)</b>	<b>(125,418)</b>	<b>(2,636,932)</b>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Sale of capital assets	-	323,246	-	323,246
Transfers in	3,207,237	6,433,794	1,376,454	11,017,485
Transfers out	(8,464,336)	(41,443)	(95,916)	(8,601,695)
<b>Total other financing sources (uses)</b>	<b>(5,257,099)</b>	<b>6,715,597</b>	<b>1,280,538</b>	<b>2,739,036</b>
<b>Net change in fund balances</b>	<b>(576,632)</b>	<b>(476,384)</b>	<b>1,155,120</b>	<b>102,104</b>
<b>Fund balances, beginning</b>	<b>12,832,614</b>	<b>3,859,550</b>	<b>11,896,611</b>	<b>28,588,775</b>
<b>Fund balances, ending</b>	<b>\$ 12,255,982</b>	<b>\$ 3,383,166</b>	<b>\$ 13,051,731</b>	<b>\$ 28,690,879</b>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balance of**  
**Governmental Funds To the Statement of Activities**  
**For the Year Ended June 30, 2023**

**Amounts reported for governmental activities in the Statement of Activities are different because:**

Net change in fund balances for governmental funds	\$ 102,104
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, assets with an initial cost of \$5,000 or more are capitalized and the cost is allocated over the assets estimated useful lives and reported as depreciation expense.	
Capital outlay	8,150,041
Depreciation expense	(3,244,261)
Contributed assets are not recorded in governmental funds because current resources are not expended for acquisition. The Statement of Activities records these contributed assets at their estimated fair value on the date of contribution.	
	1,696,567
The issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the payment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither type of transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts, and similar items when debt is first issued. These amounts are deferred and amortized in the Statement of Activities. These amounts are the net effect of these differences in the treatment of long-term debt and related items.	
Reduction of long-term liability	1,270,000
Amortization of bond premiums and deferred loss on refunding	65,226
Accrued pension costs are not reported as an expenditure in the current period for governmental funds but are recorded as an expense in the statement of activities.	
	815,931
Expenses are recognized in the governmental funds when paid or due; however, the Statement of Activities is presented on the accrual basis and expenses and liabilities are reported when incurred, regardless of when financial resources are available or expenses are paid or due.	
Accrued interest	8,373
Compensated absences	(37,228)
The proprietary funds allocation of the internal service fund net gain is based on use of service included in the entity-wide statements.	
	(643,817)
Internal service fund is used by management to charge the cost of centralized services to individual funds. The net income of the internal service fund is reported with governmental activities.	
	2,186,998
Change in net position of governmental activities	<u><u>\$ 10,161,568</u></u>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Revenues, Expenditures, and Changes in Fund Balance –**  
**Budget to Actual – General Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Taxes	\$ 17,179,000	\$ 17,179,000	\$ 18,703,084	\$ 1,524,084
Licenses and permits	2,008,086	2,008,086	851,965	(1,156,121)
Intergovernmental	4,095,842	4,206,675	4,407,786	201,111
Charges for services	5,044,584	5,099,584	4,957,318	(142,266)
Fines and forfeitures	389,500	389,500	466,698	77,198
Interest	109,000	109,000	525,608	416,608
Donations	159,400	159,400	120,302	(39,098)
Miscellaneous	158,000	158,000	120,228	(37,772)
<b>Total revenues</b>	<b>29,143,412</b>	<b>29,309,245</b>	<b>30,152,989</b>	<b>843,744</b>
<b><u>EXPENDITURES</u></b>				
Current:				
General government:				
City administrator	1,354,683	1,354,683	702,813	651,870
Information systems	592,484	592,484	447,289	145,195
Engineering	1,671,290	1,671,290	390,113	1,281,177
Cemetery	302,967	302,967	270,779	32,188
Mayor and city council	192,729	292,729	205,318	87,411
Finance and treasury	1,237,397	1,237,397	510,173	727,224
Nondepartmental	3,825,421	3,825,421	3,825,421	-
Legal services	847,771	847,771	536,108	311,663
Total general government	<b>10,024,742</b>	<b>10,124,742</b>	<b>6,888,014</b>	<b>3,236,728</b>
Public safety:				
Police	6,064,571	6,084,571	5,920,029	164,542
Fire	1,960,917	2,378,743	2,002,586	376,157
Court	381,717	381,717	362,028	19,689
Total public safety	<b>8,407,205</b>	<b>8,845,031</b>	<b>8,284,643</b>	<b>560,388</b>
Highways and public improvements:				
Public works	371,650	371,650	122,610	249,040
Streets	1,797,551	1,797,551	1,415,787	381,764
Total highways and public improvements	<b>2,169,201</b>	<b>2,169,201</b>	<b>1,538,397</b>	<b>630,804</b>

(Continued)

The accompanying notes are an integral part of this financial statement.



**SPRINGVILLE CITY CORPORATION**  
**Statement of Revenues, Expenditures and Changes in Fund Balance –**  
**Budget and Actual – General Fund (Continued)**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
Parks and recreation:				
Parks	1,788,392	1,793,392	1,512,124	281,268
Recreation	1,223,425	1,253,425	1,232,838	20,587
Art museum	1,241,832	1,347,442	1,282,534	64,908
Swimming pool	1,908,754	1,928,754	1,931,818	(3,064)
Library	1,309,314	1,324,314	1,320,159	4,155
Senior citizens	142,975	142,975	134,075	8,900
Arts commission	97,396	97,396	78,753	18,643
Total parks and recreation	<u>7,712,088</u>	<u>7,887,698</u>	<u>7,492,301</u>	<u>395,397</u>
Community development:				
Building inspection	679,927	679,927	627,764	52,163
Planning and zoning	762,980	762,980	641,403	121,577
Total community development	<u>1,442,907</u>	<u>1,442,907</u>	<u>1,269,167</u>	<u>173,740</u>
<b>Total expenditures</b>	<u>29,756,143</u>	<u>30,469,579</u>	<u>25,472,522</u>	<u>4,997,057</u>
<b>Excess (deficiency) of revenues         over (under) expenditures</b>	<u>(612,731)</u>	<u>(1,160,334)</u>	<u>4,680,467</u>	<u>5,840,801</u>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers in	6,287,987	6,287,987	3,207,237	(3,080,750)
Transfers out	(6,083,132)	(8,591,132)	(8,464,336)	126,796
<b>Net other financing sources (uses)</b>	<u>204,855</u>	<u>(2,303,145)</u>	<u>(5,257,099)</u>	<u>(2,953,954)</u>
<b>Net change in fund balance</b>	<u>\$ (407,876)</u>	<u>\$ (3,463,479)</u>	<u>(576,632)</u>	<u>\$ 2,886,847</u>
<b>Fund balance, beginning of year</b>			<u>12,832,614</u>	
<b>Fund balance, end of year</b>			<u>\$ 12,255,982</u>	

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Net Position – Proprietary Funds**  
**June 30, 2023**

	<b>Business-type Activities - Enterprise Funds</b>				<b>Total</b>	<b>Governmental Activities Internal Service Fund</b>
	<b>Water</b>	<b>Sewer</b>	<b>Electric</b>	<b>Nonmajor Enterprise Funds</b>		
<b>ASSETS</b>						
<b>Current assets:</b>						
Cash and cash equivalents	\$ 8,898,497	\$ 9,585,140	\$ 24,173,558	\$ 6,145,618	\$ 48,802,813	\$ 10,809,696
Accounts receivable, net	1,008,197	504,899	3,841,798	407,094	5,761,988	-
Inventory	397,197	-	1,326,899	-	1,724,096	-
<b>Total current assets</b>	<b>10,303,891</b>	<b>10,090,039</b>	<b>29,342,255</b>	<b>6,552,712</b>	<b>56,288,897</b>	<b>10,809,696</b>
<b>Noncurrent assets:</b>						
Restricted cash and cash equivalents	208,453	473,972	662,822	-	1,345,247	-
Capital assets:						
Land	201,267	40,860	273,498	1,203,882	1,719,507	-
Water shares	1,374,919	-	-	-	1,374,919	-
Construction in progress	221,606	641,963	3,755,622	4,682,725	9,301,916	-
Buildings	399,906	-	2,632,422	3,033,534	6,065,862	-
Improvements other than buildings	62,228,016	43,874,879	78,778,406	8,566,924	193,448,225	-
Machinery and equipment	272,918	466,325	372,094	688,796	1,800,133	10,811,545
Intangible right-to-use lease assets	-	-	-	224,110	224,110	-
Accumulated depreciation	(19,701,427)	(20,350,889)	(51,410,322)	(4,032,058)	(95,494,696)	(6,757,610)
Net capital assets	44,997,205	24,673,138	34,401,720	14,367,913	118,439,976	4,053,935
Other assets:						
Equity investment in joint venture	-	-	-	3,460,359	3,460,359	-
Total other assets	-	-	-	3,460,359	3,460,359	-
<b>Total noncurrent assets</b>	<b>45,205,658</b>	<b>25,147,110</b>	<b>35,064,542</b>	<b>17,828,272</b>	<b>123,245,582</b>	<b>4,053,935</b>
<b>Total assets</b>	<b>55,509,549</b>	<b>35,237,149</b>	<b>64,406,797</b>	<b>24,380,984</b>	<b>179,534,479</b>	<b>14,863,631</b>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>						
Deferred outflows related to pensions	205,315	111,475	588,634	147,723	1,053,147	103,098
<b>Total deferred outflows of resources</b>	<b>205,315</b>	<b>111,475</b>	<b>588,634</b>	<b>147,723</b>	<b>1,053,147</b>	<b>103,098</b>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Net Position – Proprietary Funds (Continued)**  
**June 30, 2023**

	<u>Business-type Activities - Enterprise Funds</u>				<u>Total</u>	<u>Governmental Activities Internal Service Fund</u>
	<u>Water</u>	<u>Sewer</u>	<u>Electric</u>	<u>Nonmajor Enterprise Funds</u>		
<b>LIABILITIES</b>						
<b>Current liabilities:</b>						
Accounts payable	\$ 115,507	\$ 300,005	\$ 2,161,344	\$ 293,200	\$ 2,870,056	\$ 77,406
Accrued liabilities	43,338	22,056	109,665	36,272	211,331	15,720
Deposits	80,760	-	662,822	-	743,582	-
Accrued interest payable	86,665	75,939	-	-	162,604	-
Compensated absences	47,511	24,234	177,206	33,827	282,778	12,401
Bonds payable	332,360	657,640	-	-	990,000	-
Leases payable	-	-	-	56,869	56,869	-
<b>Total current liabilities</b>	<b>706,141</b>	<b>1,079,874</b>	<b>3,111,037</b>	<b>420,168</b>	<b>5,317,220</b>	<b>105,527</b>
<b>Noncurrent liabilities:</b>						
Compensated absences	47,511	24,234	177,206	33,826	282,777	12,401
Bonds payable	5,845,084	3,507,211	-	-	9,352,295	-
Leases payable	-	-	-	59,068	59,068	-
Interfund note payable	-	-	-	965,645	965,645	-
Net pension liability	117,089	63,573	335,691	84,244	600,597	58,796
<b>Total noncurrent liabilities</b>	<b>6,009,684</b>	<b>3,595,018</b>	<b>512,897</b>	<b>1,142,783</b>	<b>11,260,382</b>	<b>71,197</b>
<b>Total liabilities</b>	<b>6,715,825</b>	<b>4,674,892</b>	<b>3,623,934</b>	<b>1,562,951</b>	<b>16,577,602</b>	<b>176,724</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>						
Deferred inflows related to pensions	2,877	1,562	8,248	2,070	14,757	1,445
<b>Total deferred inflows of resources</b>	<b>2,877</b>	<b>1,562</b>	<b>8,248</b>	<b>2,070</b>	<b>14,757</b>	<b>1,445</b>
<b>NET POSITION</b>						
Net investment in capital assets	38,819,761	20,342,591	34,094,837	14,251,976	107,509,165	4,157,033
Restricted for impact fees	1,013,402	-	4,897,724	1,931,955	7,843,081	-
Restricted for debt service	127,693	473,972	-	-	601,665	-
Unrestricted	9,035,306	9,855,607	22,370,688	6,779,755	48,041,356	10,631,527
<b>Total net position</b>	<b>\$ 48,996,162</b>	<b>\$ 30,672,170</b>	<b>\$ 61,363,249</b>	<b>\$ 22,963,686</b>	<b>163,995,267</b>	<b>\$ 14,788,560</b>

Amounts reported for business activities in the statement of net position are different because:

Internal service funds are used by management to charge the costs of vehicles and fleet services to other funds. The net adjustment to report the cumulative internal balance for the net effect of activity between the internal service funds and the enterprise funds over time.

5,658,860

Net position (proprietary funds/entity-wide)

\$ 169,654,127

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Revenues, Expenses, and Changes in Net Position – Proprietary Funds**  
**For the Year Ended June 30, 2023**

	<u>Business-type Activities - Enterprise Funds</u>				<u>Total</u>	<u>Governmental Activities Internal Service Fund</u>
	<u>Water</u>	<u>Sewer</u>	<u>Electric</u>	<u>Nonmajor Enterprise Funds</u>		
<b><u>OPERATING REVENUES</u></b>						
Sales and charges for services	5,568,274	\$ 5,490,910	\$ 33,313,183	\$ 5,551,381	\$ 49,923,748	\$ 4,297,927
Connection fees	49,937	-	98,490	-	148,427	-
Miscellaneous income	146,826	6,217	61,018	27,871	241,932	-
<b>Total operating revenues</b>	<u>5,765,037</u>	<u>5,497,127</u>	<u>33,472,691</u>	<u>5,579,252</u>	<u>50,314,107</u>	<u>4,297,927</u>
<b><u>OPERATING EXPENSES</u></b>						
Salaries and benefits	1,290,572	744,801	3,509,372	1,057,245	6,601,990	656,101
Administrative	1,919,428	1,746,995	27,269,413	3,214,886	34,150,722	1,118,214
Depreciation	1,336,502	1,140,167	1,977,988	323,150	4,777,807	766,211
<b>Total operating expenses</b>	<u>4,546,502</u>	<u>3,631,963</u>	<u>32,756,773</u>	<u>4,595,281</u>	<u>45,530,519</u>	<u>2,540,526</u>
<b>Operating income</b>	<u>1,218,535</u>	<u>1,865,164</u>	<u>715,918</u>	<u>983,971</u>	<u>4,783,588</u>	<u>1,757,401</u>
<b><u>NONOPERATING REVENUES (EXPENSES)</u></b>						
Equity income of joint venture	-	-	-	21,109	21,109	-
Impact fees	323,633	120,715	467,223	183,984	1,095,555	-
Grants	1,000,000	-	-	-	1,000,000	20,000
Interest income	235,255	285,890	848,587	224,438	1,594,170	313,835
Interest and fiscal expenses	(160,654)	(98,801)	-	(5,539)	(264,994)	-
Gain (loss) on disposal of assets	-	-	-	-	-	95,762
<b>Total nonoperating revenues (expenses)</b>	<u>1,398,234</u>	<u>307,804</u>	<u>1,315,810</u>	<u>423,992</u>	<u>3,445,840</u>	<u>429,597</u>

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Revenues, Expenses, and Changes in Net Position – Proprietary Funds (Continued)**  
**For the Year Ended June 30, 2023**

<b>Income before contributions and transfers</b>	2,616,769	2,172,968	2,031,728	1,407,963	8,229,428	2,186,998
Capital contributions	492,615	204,092	-	374,134	1,070,841	-
Transfers in	-	92,000	-	755,004	847,004	-
Transfers out	(420,947)	(375,817)	(2,145,656)	(320,374)	(3,262,794)	-
<b>Change in net position</b>	<u>2,688,437</u>	<u>2,093,243</u>	<u>(113,928)</u>	<u>2,216,727</u>	<u>6,884,479</u>	<u>2,186,998</u>
<b>Total net position, beginning</b>	<u>46,307,725</u>	<u>28,578,927</u>	<u>61,477,177</u>	<u>20,746,959</u>	<u>157,110,788</u>	<u>12,601,562</u>
<b>Total net position, ending</b>	<u><u>\$ 48,996,162</u></u>	<u><u>\$ 30,672,170</u></u>	<u><u>\$ 61,363,249</u></u>	<u><u>\$ 22,963,686</u></u>	<u>163,995,267</u>	<u><u>\$ 14,788,560</u></u>

Change in net position (proprietary funds) 6,884,479

Amounts reported for business activities in the statement of activities are different because:

Internal service funds are used by management to charge the costs of vehicles and fleet services to other funds. The net current year activity associated with the internal service fund was allocated based on use of service to the individual funds in the statement of activities.

643,817

Change in net position (proprietary funds/entity-wide)

\$ 7,528,296

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Statement of Cash Flows – Proprietary Funds**  
**For the Year Ended June 30, 2023**

	<b>Business-type Activities - Enterprise Funds</b>				<b>Total Enterprise Funds</b>	<b>Governmental Activities Internal Service Fund</b>
	<b>Water</b>	<b>Sewer</b>	<b>Electric</b>	<b>Nonmajor Enterprise Funds</b>		
<b>Cash flows from operating activities</b>						
Receipts from customers and users	\$ 5,608,081	\$ 5,465,546	\$ 32,720,782	\$ 5,515,318	\$ 49,309,727	\$ 4,297,927
Payments to suppliers	(3,848,549)	(1,820,258)	(27,221,273)	(3,508,695)	(36,398,775)	(1,102,058)
Payments to employees	(1,349,263)	(772,667)	(3,734,687)	(1,120,257)	(6,976,874)	(712,751)
<b>Net cash provided by operating activities</b>	<b>410,269</b>	<b>2,872,621</b>	<b>1,764,822</b>	<b>886,366</b>	<b>5,934,078</b>	<b>2,483,118</b>
<b>Cash flows from noncapital financing activities</b>						
Transfers from other funds	-	92,000	-	755,004	847,004	-
Transfers to other funds	(420,947)	(375,817)	(2,145,656)	(320,374)	(3,262,794)	-
<b>Net cash provided (used) by noncapital financing activities</b>	<b>(420,947)</b>	<b>(283,817)</b>	<b>(2,145,656)</b>	<b>434,630</b>	<b>(2,415,790)</b>	<b>-</b>
<b>Cash flows from capital and related financing activities</b>						
Aquisition of capital assets	(3,063,518)	(803,352)	(4,026,672)	(2,652,515)	(10,546,057)	(845,967)
Grants	1,000,000	-	-	-	1,000,000	20,000
Proceeds from sale of assets	-	-	-	-	-	106,078
Impact fees received	323,633	120,715	467,223	183,984	1,095,555	-
Principal paid on interfund note payable	-	-	-	(534,355)	(534,355)	-
Principal paid on lease	(294,490)	(605,510)	-	(54,752)	(954,752)	-
Interest paid on lease	(293,361)	(198,874)	-	(5,539)	(497,774)	-
<b>Net cash used by capital and related financing activities</b>	<b>(2,327,736)</b>	<b>(1,487,021)</b>	<b>(3,559,449)</b>	<b>(3,063,177)</b>	<b>(10,437,383)</b>	<b>(719,889)</b>
<b>Cash flows from investing activities</b>						
Interest received	235,255	285,890	848,587	224,438	1,594,170	313,835
<b>Net cash provided by investing activities</b>	<b>235,255</b>	<b>285,890</b>	<b>848,587</b>	<b>224,438</b>	<b>1,594,170</b>	<b>313,835</b>

(Continued)

**SPRINGVILLE CITY CORPORATION**  
**Statement of Cash Flows – Proprietary Fund (Continued)**  
**For the Year Ended June 30, 2023**

	<b>Business-type Activities - Enterprise Funds</b>				<b>Total Enterprise Funds</b>	<b>Governmental Activities Internal Service Fund</b>
	<b>Water</b>	<b>Sewer</b>	<b>Electric</b>	<b>Nonmajor Enterprise Funds</b>		
<b>Net increase (decrease) in cash and cash equivalents</b>	(2,103,159)	1,387,673	(3,091,696)	(1,517,743)	(5,324,925)	2,077,064
<b>Cash and cash equivalents, beginning of year</b>	11,210,109	8,671,439	27,928,076	7,663,361	55,472,985	8,732,632
<b>Cash and cash equivalents, end of year</b>	<u>\$ 9,106,950</u>	<u>\$ 10,059,112</u>	<u>\$ 24,836,380</u>	<u>\$ 6,145,618</u>	<u>\$ 50,148,060</u>	<u>\$ 10,809,696</u>
<b>Unrestricted cash</b>	\$ 8,898,497	\$ 9,585,140	\$ 24,173,558	\$ 6,145,618	\$ 48,802,813	\$ 10,809,696
<b>Restricted cash</b>	208,453	473,972	662,822	-	1,345,247	-
<b>Total cash and cash equivalents</b>	<u>\$ 9,106,950</u>	<u>\$ 10,059,112</u>	<u>\$ 24,836,380</u>	<u>\$ 6,145,618</u>	<u>\$ 50,148,060</u>	<u>\$ 10,809,696</u>
<b>Reconciliation of operating income to net cash provided by operating activities</b>						
Operating income	\$ 1,218,535	\$ 1,865,164	\$ 715,918	\$ 983,971	\$ 4,783,588	\$ 1,757,401
Adjustments to reconcile operating income to net cash provided by operating activities:						
Depreciation and amortization	1,336,502	1,140,167	1,977,988	323,150	4,777,807	766,211
Changes in assets and liabilities:						
Accounts receivable	(150,866)	(31,581)	(777,094)	(63,934)	(1,023,475)	-
Prepays	(10,811)	-	66,189	-	55,378	-
Accounts payable	(1,918,310)	(73,263)	(18,049)	(293,809)	(2,303,431)	16,156
Accrued liabilities	12,420	(1,733)	6,816	(4,535)	12,968	1,652
Deposits	(6,090)	-	25,185	-	19,095	-
Compensated absences	(962)	9,515	(38,884)	(9,866)	(40,197)	(23,416)
Net pension liability	(70,149)	(35,648)	(193,247)	(48,611)	(347,655)	(34,886)
<b>Net cash provided by operating activities</b>	<u>\$ 410,269</u>	<u>\$ 2,872,621</u>	<u>\$ 1,764,822</u>	<u>\$ 886,366</u>	<u>\$ 5,934,078</u>	<u>\$ 2,483,118</u>
<b>Noncash investing, capital and financing activities</b>						
Capital contributions - developers	\$ 492,615	\$ 204,092	\$ -	\$ 374,134	\$ 1,070,841	\$ -
Equity investment adjustment for net income and ownership changes	\$ -	\$ -	\$ -	\$ 21,109	\$ -	\$ -

The accompanying notes are an integral part of this financial statement.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Springville (the City) was incorporated in 1903 under the laws of the State of Utah. The City operates under a Mayor-Council form of government. The City is a municipal corporation governed by an elected five-member Council and Mayor. The City provides the following services as authorized by its charter: general administrative services, public safety (police and fire), highway and streets, electric, water, solid waste, water reclamation, storm water, recreation and parks, public improvements, and planning and zoning.

The City's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations). The more significant accounting policies established in GAAP and used by the City are discussed below.

Reporting Entity

The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. Blended component units, although legally separate entities, are in substance, part of the primary government's operations. Thus, blended component units are appropriately presented as funds of the primary government.

The Redevelopment Agency of the City of Springville (RDA) was established to prepare and carry out plans to improve, rehabilitate and redevelop blighted areas within the City. The RDA is governed by a board of trustees composed of the City Mayor and members of the City Council. Although it is a legally separate entity from the City, the RDA is reported as if it were part of the primary government because of the City's ability to impose its will upon the operations of the RDA. The RDA is included in these financial statements as the Redevelopment Agency Special Revenue Fund. Separate financial statements are not issued for the RDA.

The Municipal Building Authority of the City of Springville (MBA) was established to finance and construct municipal buildings that are then leased to the City. The governing board of the MBA is comprised of the Mayor and members of City Council. Although it is a legally separate entity from the City, the MBA is reported as if it were part of the primary government because of the City's ability to impose its will upon the operations of the MBA. The MBA is included in these financial statements as the Municipal Building Authority Debt Service Fund. Separate financial statements are not issued for the MBA.

The joint venture with South Utah Valley Solid Waste District is included in the City's reporting entity because of the significance of its operational and financial relationships with the City. Complete financial statements of the joint venture, which issued separate financial statements, can be obtained from their administrative offices.



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements

The City's basic financial statements include both government-wide (reporting the City as a whole) and fund financial statements (reporting the City's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business-type. The City's general administrative services, police and fire protection (public safety), parks and recreation, and highways and public improvements are classified as governmental activities. The City's water, sewer, electric, storm water, solid waste services, and golf course are classified as business-type activities.

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the activities of the City and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes, charges for services, and intergovernmental revenues, are reported separately from business-type activities, which rely, to a significant extent, on fees and charges for support.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those which are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items properly excluded from program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The use of financial resources to acquire capital assets are capitalized as assets in the government-wide financial statements, rather than reported as an expenditure. Proceeds of long-term debt are recorded as a liability in the government-wide financial statements, rather than as an other financing source. Amounts paid to reduce long-term debt of the City are reported as a reduction of the related liability, rather than an expenditure in the government-wide financial statements.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt-service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, sales tax, use taxes, franchise taxes, licenses, interest, and earned but unreimbursed state and federal grants associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Property taxes are measurable as of the date levied (assessed) and are recognized as revenues when they become available. Available means when due, or past due, and received within the current period or collected soon enough thereafter (within 60 days) to be used to pay liabilities of the current period. All other revenues are considered to be measurable and available only when cash is received by the City.

The City reports the following major governmental funds:

- The General Fund is the government's primary operating fund. It accounts for all financial resources of the general government, except for those required to be accounted for in another fund.
- The Capital Projects Fund is used to account for financial resources to be used for the acquisition or construction of the major capital facilities of the City (other than those financed by proprietary funds).

The City reports the following major proprietary funds:

- The Water Fund accounts for the activities of the City's water production, treatment and distribution operations.
- The Sewer Fund accounts for the activities of the City's sewer treatment operations.
- The Electric Fund accounts for the activities of the City's electric generation and distribution operations.

Internal Service Fund – The internal service fund accounts for the costs of procurement and maintenance of vehicles and equipment owned by the City.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments to the General Fund by various enterprise funds for the providing of administrative and billing services for such funds. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. General revenues include all taxes imposed by the City.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of all enterprise funds are charges to customers for sales and services. Operating expenses for enterprise funds includes the cost of sales and services. Operating expenses for enterprise funds includes the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position

Cash, Cash Equivalents, and Investments The City considers all cash and investments with original maturities of three months or less to be cash and cash equivalents and includes deposits with financial institutions, money market accounts, bond reserve accounts, and accounts at the Utah Public Treasurer's Investment Trust (the State Treasurer's Pool). For the purpose of the statement of cash flows, cash and cash equivalents are defined as the cash and cash equivalent accounts and the restricted cash and cash equivalents accounts. Investments consist of debt securities and term deposits with financial institutions. Investments of the City are recorded at fair value in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income.

Receivables and Payables Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as "due to/from other funds". Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances".

Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate they are not available for appropriation and are not available financial resources.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position (Continued)

Receivables and Payables (Continued)

Management has estimated the allowance for uncollectibles to be \$308,304 for governmental funds and \$83,500 for proprietary funds, which is estimated based on historical trends related to collections.

Other receivables at June 30, 2023, consist of property taxes, franchise taxes, sales tax, grants and accounts (billings for user charged services, including unbilled utility services) and are shown net of an allowance for uncollectibles. The utility billings for charged services are billed to customers monthly.

Lease Receivables The City is a lessor for noncancellable leases of land for cell phone towers. The City's lease receivables are measured at the present value of lease payments expected to be received during the lease term. A deferred inflow of resources is recorded for the lease. The deferred inflow of resources is recorded at the initiation of the lease in an amount equal to the initial recording of the lease receivable. The deferred inflow of resources is amortized over the term of the lease. These receivables and deferred inflows are recognized on the government-wide and governmental fund financial statements.

Key estimates and judgments include how the city determines 1) the discount rate it used to discount expected lease receipts to present value, 2) lease term, and 3) lease receipts. The City uses its estimated incremental borrowing rate, if the rate is not stated in the agreement, as the discount rate for leases. The lease term is based on initial noncancellable period and anticipated renewal options that are expected to be exercised. Lease receipts included in the measurement of lease receivable are generally composed of fixed payments from the lessee. The City monitors changes in circumstances that would require a remeasurement of its lease and will adjust the lease receivable and related deferred inflow of resource for significant changes.

Restricted Assets Assets whose use is restricted for construction, debt service or by other independent third parties, enabling legislation, or other laws and statutes. When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

Inventories and Prepaid Items Inventories of materials and supplies in the proprietary funds, consisting principally of materials used in the repair of the transmission, distribution, collection and treatment systems, are valued at cost and accounted for on a first-in, first-out basis (FIFO). Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position (Continued)

Capital Assets Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair value at the date of donation. The City reports infrastructure assets on a network and subsystem basis. Accordingly, the amounts spent for the construction or acquisition of infrastructure assets are capitalized and reported in the government-wide financial statements.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets is included as part of the capitalized value of the assets constructed.

Upon retirement or disposition of capital assets, the cost and related accumulated depreciation are removed from the respective accounts. Depreciation of capital assets is computed using the straight-line method over their estimated useful lives as follows:

<u>Assets</u>	<u>Years</u>
Buildings and structures	20 - 40
Improvements and infrastructure	7 - 40
Machinery, equipment, and vehicles	5 - 15

Unearned Revenue Unearned revenue arises when resources are received by the City before it has a legal claim to them, as when grant monies are received prior to the incurrence of qualifying expenditures. In subsequent periods, when both revenue recognition criteria are met, or when the City has a legal claim to the resources, the revenue is recognized.

Compensated Absences The City has two benefit programs for compensated absences. Under the first program, accumulated unpaid vacation is accrued as incurred based on years of service for each employee. Vacation is accumulated monthly and is fully vested when earned. At retirement, death, or termination, all unpaid accrued vacation is paid to the beneficiary at designated maximum amounts per City policy. Accumulated sick leave is earned at a rate of one day per month and employees have an option to sell back to the City 25% of current year accrual each November. Sick pay amounts are charged to expenditures when incurred. Employees may accumulate unlimited sick leave. Employees who retire are paid 25% of accumulated sick leave at retirement. Under the second program, employees accrue paid time off based on years of service. At retirement, death, or termination, all unpaid paid time off is paid to the beneficiary at designated maximum amounts per City policy. Proprietary funds expense all accrued vacation amounts when incurred. Governmental funds report an expenditure as the vacation is paid or at termination. The current portion is determined by the City to be the portion of vacation pay due employees who terminated prior to year-end.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position (Continued)

Compensated Absences (Continued)

The total compensated absences liability is reported on the government-wide financial statements. Proprietary funds report the total compensated absences liability in each individual fund at the fund reporting level. Governmental funds report the compensated absence liability at the fund reporting level only when it is due for payment in the current fiscal year. Historically, compensated absences are paid by the individual funds as they become due, for governmental funds, most of the costs are paid by the General Fund.

Deferred Inflows and Outflows of Resources In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The governmental funds report unavailable revenues from property taxes (property taxes which will be levied and collected more than 60 days after year end) in this category. These amounts are deferred and recognized as an inflow of resources in the period in which the amounts become available. The City also has deferred inflows relating to pensions and leases.

Deferred outflows of resources represent a consumption of net assets that applies to a future period and is therefore deferred until that time. A deferred loss on refunding results from the difference in the carrying value of the refunded debt and the reacquisition price. The City also has deferred outflows relating to pensions.

Pensions For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Utah Retirement Systems Pension Plan (URS) and additions to/deductions from URS's fiduciary net position have been determined on the same basis as they are reported by URS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. Historically, pension costs are paid by the individual funds as they become due, for governmental funds, most of the costs are paid by the General Fund.

Long-Term Obligations and Leases In the government-wide financial statements and proprietary funds, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary funds' Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the applicable debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period as other financing sources or uses. The face amount of debt issued is also reported as other financing sources. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures in the current period.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position (Continued)

Long-Term Obligations and Leases (Continued)

The City recognizes a lease payable and an intangible right-to-use lease asset in the government-wide and proprietary fund financial statements for individual values over \$5,000. At the commencement of a lease, the City measures the lease payable at the present value of payments expected to be made during the lease term. Subsequently, the lease payable is reduced by the principal amount of the lease payments. The lease asset is measured at the initial amount of the lease payable, adjusted for lease payments made at or before the lease commencement date, plus initial direct costs. The lease asset is amortized over its useful life. The key estimates and assumption used in lease receivables, as described above, are also similarly applied here for the lease payable.

Fund Balance and Net Position Net position is classified in the government-wide financial statements in three components:

- (1) *Net investment in capital assets* - consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- (2) *Restricted net position* - consists of net position with constraints placed on the use either by (a) external groups such as creditors, grantors, contributors, or laws or regulations of other governments; or (b) law through constitutional provisions or enabling legislation.
- (3) *Unrestricted net position* - All other net position that does not meet the definition of “restricted” or “net investment in capital assets”.

GASB Statement No. 54 provided new reporting categories for fund balance in governmental funds. The categories and descriptions are as follows:

- (1) *Nonspendable fund balance* classification includes amounts that cannot be spent because they are either (a) not in spendable form, or (b) legally or contractually required to be maintained intact.
- (2) *Restricted fund balance* classifications are restricted by enabling legislation. Also reported if, (a) externally imposed by creditor, grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.
- (3) *Committed fund balance* classification includes amounts that can be used only for the specific purposes determined by a formal action of the government’s highest level of decision-making authority. The governing council is the highest level of decision-making authority for the government that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities, Deferred Outflows/Inflows, and Net Position (Continued)

Fund Balance and Net Position (Continued)

- (4) *Assigned fund balance* classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The governing council (council) has by resolution authorized the finance director to assign fund balance. The council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.
- (5) *Unassigned fund balance* classification is the residual classification for the General Fund or funds with deficit fund balances. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the General Fund.

Proprietary funds report net position in the same manner as the government-wide statements.

When restricted, committed, assigned, or unassigned resources are available for use, it is the City's policy to use restricted resources first, followed by committed resources, then assigned, and then unassigned as they are needed.

Estimates The preparation of the financial statements in accordance with GAAP requires management to make estimates and assumptions that affect the reported amounts of certain financial statement balances. Actual results could vary from those estimates.

Reclassifications

Certain amounts have been reclassified in the 2022 financial statements to conform with the 2023 presentation.



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Data

Annual budgets are prepared and adopted, in accordance with State law, by the City Council on or before June 22 for the following fiscal year. Estimated revenues and appropriations may be increased or decreased by resolution of the City Council at any time during the year. A public hearing must be held prior to any proposed increase in a fund's appropriations. Budgets include activities in several different funds, including the General Fund, Special Revenue Funds and Enterprise Funds. The Cemetery Fund (Permanent Fund) does not adopt an annual budget. Annual budgets are also adopted for capital projects which may include activities which overlap several fiscal years. The level of the City's budgetary control (that is, the level at which the City's expenditures cannot legally exceed the appropriated amounts) is established at the department level. Each department head is responsible to the City Administrator and City Council for operating within the budget for their departments. All annual budgets lapse at fiscal year-end.

Utah State law prohibits the appropriation of the sum of unassigned, assigned, and committed General Fund balance until it exceeds 5% of the General Fund revenues. Until the sum of the stated fund balance categories is greater than the above amount, it cannot be budgeted, but is used to provide working capital until tax revenue is received, to meet emergency expenditures, and to cover unanticipated deficits. Utah State law also prohibits the accumulation of the stated fund balance categories in the General Fund in any amounts greater than 35% of the current year's total actual revenues.

The Mayor, in conjunction with the appropriate department head, has the authority to transfer budget appropriations within and between any divisions of any budgetary fund. The City Council has the authority to transfer budget appropriations between individual budgetary funds by resolution. A public hearing must be held to increase the total appropriations of any one governmental fund type; however, after the original public hearing, operating and capital budgets or proprietary fund types may be increased by resolution without an additional hearing.

Annual budgets for the general fund, special revenue funds, debt service fund, and capital projects funds were legally adopted by the City and are prepared on the modified-accrual method of accounting. Annual budgets for the proprietary funds are legally adopted by the City and prepared on the accrual method of accounting.

Although Utah State law requires the initial preparation of budgets for all City funds (both governmental and proprietary), it only requires the reporting of comparisons of actual results to budgets for the general fund and any major special revenue funds.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

2. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY (CONTINUED)

Tax Revenues

Property taxes are collected by the County Treasurer and remitted to the City in two to three installments in November, December and a final settlement by March 31st. Taxes are levied and are due and payable on November 1st and delinquent after November 30th of each year at which time they become liens if not paid. An accrual of uncollected current and prior year's property taxes beyond that which was received within 60 days after the fiscal year end has not been made, as the amounts are not deemed to be material.

Sales taxes are collected by the Utah State Tax Commission and remitted to the City monthly. An accrual has been made for all taxes received by the State for the period ended June 30th and thus due and payable to the City.

Franchise taxes are charged to various utility companies doing business with the City including telephone, cable television, gas utility, and electric utility companies. The fees are remitted on a monthly, quarterly, semi-annual, or annual basis. An accrual has made for fees due and payable to the City at June 30th.

3. DEPOSITS AND INVESTMENTS

The City maintains a cash and investment pool that is available for use by all funds. Cash includes amounts in demand deposits as well as term deposits. Each fund's portion of this pool is displayed on the combined balance sheet as "cash and cash equivalents" and "restricted cash and cash equivalents," which includes cash accounts that are separately held by several of the City's funds. The State of Utah Money Management Council has the responsibility to advise the State Treasurer about investment policies, promote measures and rules that will assist in strengthening the banking and credit structure of the state, and review the rules adopted under the authority of the State of Utah Money Management Act (UMMA) that relate to the deposit and investment of public funds.

The City's follows the requirements of UMMA (*Utah Code*, Title 51, Chapter 7) in handling its depository and investment transactions. The Act requires the depositing of City funds in a qualified depository, which is defined as a financial institution whose deposits are insured by an agency of the Federal Government and which has been certified by the State Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council. UMMA defines types of securities authorized as appropriate investments for the City's funds and the conditions for making investment transactions. Investment transactions may be conducted only through qualified depositories, certified dealers, or directly with issuers of the investment securities.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

3. DEPOSITS AND INVESTMENTS (CONTINUED)

Statutes authorize the City to invest in negotiable or nonnegotiable deposits of qualified depositories and permitted negotiable depositories; repurchase and reverse repurchase agreements; commercial paper that is classified as “first tier” by two nationally recognized statistical rating organizations; bankers’ acceptances; obligations of the United States Treasury including bills, notes, and bonds; obligations, other than mortgage derivative products, issued by U.S. government sponsored enterprises (U.S. Agencies) such as the Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation (Freddie Mac), and Federal National Mortgage Association (Fannie Mae); bonds, notes, and other evidence of indebtedness of political subdivisions of the State; fixed rate corporate obligations and variable rate securities rated “A” or higher, or the equivalent of “A” or higher, by two nationally recognized statistical rating organizations; shares or certificates in a money market mutual fund as defined in UMMA; and the Utah State Public Treasurers’ Investment Fund.

The Utah State Treasurer’s Office operates the Public Treasurers’ Investment Fund (PTIF). The PTIF is available for investment of funds administered by any Utah public treasurer and is not registered with the SEC as an investment company. The PTIF is authorized and regulated by UMMA. The Act established the Money Management Council which oversees the activities of the State Treasurer and the PTIF and details the types of authorized investments. Deposits in the PTIF are not insured or otherwise guaranteed by the State of Utah, and participants share proportionally in any realized gains or losses on investments.

The PTIF operates and reports to participants on an amortized cost basis. The income, gains, and losses of the PTIF, net of administration fees, are allocated based upon the participant’s average daily balance. The fair value of the PTIF investment pool is approximately equal to the value of the pool shares.

Fair Value of Investments

The City measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles. These guidelines recognize a three-tiered fair value hierarchy, as follows:

- Level 1: Financial instruments with unadjusted, quoted prices listed on active market exchanges.
- Level 2: Financial instruments lacking unadjusted, quoted prices from active market exchanges, including over-the-counter traded financial instruments. The prices for the financial instruments are determined using prices for recently traded financial instruments with similar underlying terms as well as directly or indirectly observable inputs, such as interest rates and yield curves that are observable at commonly quoted intervals.
- Level 3: Financial instruments that are not actively traded on a market exchange. This category includes situations where there is little, if any, market activity for the financial instruments. The prices are determined using significant unobservable inputs or valuation techniques. Quoted prices for identical investments in active markets.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

3. DEPOSITS AND INVESTMENTS (CONTINUED)

At June 30, 2023, the City had the following recurring fair value measurements.

Investment Type	06/30/23	Fair Value Measurements Using		
		Level 1	Level 2	Level 3
PTIF	\$ 76,892,834	\$ -	\$ 76,892,834	\$ -
U.S. Govt Treasuries	1,382,192	1,382,192	-	-
U.S. Agencies	5,227,300	5,227,300	-	-
Corporate notes	548,559	548,559	-	-
Certificates of Deposits	1,906,245	1,906,245	-	-
Commercial paper	1,488,697	1,488,697	-	-
Money market	61,156	61,156	-	-
Total investments	<u>\$ 87,506,983</u>	<u>\$ 10,614,149</u>	<u>\$ 76,892,834</u>	<u>\$ -</u>

The City's cash and cash equivalents and investments are exposed to certain risks as outlined below:

*Custodial credit risk – deposits* is the risk that in the event of a bank failure, the City's deposits may not be returned. As of June 30, 2023, \$2,870,851 of the City's \$3,120,851 bank balance was exposed to custodial credit risk because it was uninsured and uncollateralized. UMMA does not require deposits to be insured or collateralized and the City has no formal policy regarding deposit credit risk. UMMA requires that the City keep deposits in a qualified depository, which the City has done.

*Custodial credit risk – investments* is the risk that in the event of the failure of the counterparty, the City will not be able to recover the value of its investments that are in the possession of an outside party. The City's policy for limiting credit risk of investments is to comply with the requirements of UMMA as described above. Of the City's investment in the Utah Public Treasurer's Investment Fund (PTIF) of \$76,892,834, the City has no custodial credit risk exposure as the PTIF is an external investment pool managed by the Utah State Treasurer and is not categorized as to custodial credit risk.

*Credit risk* is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The City's policy for limiting the credit risks of investments is to comply with UMMA.

At June 30, 2023, the City had the following investments and quality ratings:

	06/30/23	Quality Ratings		
		AAA	A	Unrated
PTIF	\$ 76,892,834	\$ -	\$ -	\$ 76,892,834
U.S. Govt Treasuries	1,382,192	1,382,192	-	-
U.S. Agencies	5,227,300	5,227,300	-	-
Corporate notes	548,559	-	548,559	-
Certificates of Deposits	1,906,245	1,906,245	1,906,245	-
Commercial paper	1,488,697	-	1,488,697	-
Money market	61,156	61,156	-	-
Total investments	<u>\$ 87,506,983</u>	<u>\$ 8,576,893</u>	<u>\$ 3,943,501</u>	<u>\$ 76,892,834</u>

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

3. DEPOSITS AND INVESTMENTS (CONTINUED)

*Interest rate risk* is the risk that changes in the interest rates will adversely affect the fair value of an investment. The City has no formal policy relating to specific investment-related interest rate risk. The City manages its exposure by investing mainly in the PTIF and by adhering to the Money Management Act. The Act requires that the remaining term to maturity may not exceed the period of availability of the funds to be invested. The Act further limits the remaining term to maturity on all investments in commercial paper, bankers' acceptances, fixed rate negotiable deposits, and fixed rate corporate obligations to 270 days - 15 months or less. The Act further limits the remaining term to maturity on all investments in obligations of the United States Treasury; obligations issued by U.S. government sponsored enterprises; and bonds, notes, and other evidence of indebtedness of political subdivisions of the State to 5 years. In addition, variable rate negotiable deposits and variable rate securities may not have a remaining term to final maturity exceeding 3 years.

As of June 30, 2023, the City's investments had the following maturities and ratings:

Investment Type	Fair Value	Investment Maturities (in Years)	
		Less Than 1	1-5
PTIF	\$ 76,892,834	\$ 76,892,834	\$ -
U.S. Govt Treasuries	1,382,192	-	1,382,192
U.S. Agencies	5,227,300	982,394	4,244,906
Corporate notes	548,559	548,559	-
Certificates of Deposits	1,906,245	-	1,906,245
Commercial paper	1,488,697	1,488,697	-
Money market	61,156	61,156	-
Total investments	\$ 87,506,983	\$ 79,973,640	\$ 7,533,343

*Concentration of credit risk* is the risk of loss attributed to the magnitude of a City's investment in a single issuer. The City's policy for reducing this risk of loss is to comply with the rules of the Money Management Council. Rule 17 of the Money Management Council limits investments in a single issuer of commercial paper and corporate obligations to 5-10% depending upon the total dollar amount held in the portfolio. The City's investment in the PTIF has no concentration of credit risk as the PTIF is an external investment pool managed by the Utah State Treasurer.

The PTIF invests in high-grade securities which are delivered to the custody of the Utah State Treasurer, assuring a perfected interest in the securities, and, therefore, there is very little credit risk except in the most unusual and unforeseen circumstances. The maximum weighted average life of the portfolio does not exceed 90 days. Twice a year, at June 30 and December 31, which are the accounting periods for public entities, the investments are valued at fair value and participants are informed of the fair value valuation factor. Additional information is available at the Utah State Treasures' Office.

For the year ended June 30, 2023, the City had investments of \$76,892,834 with the PTIF. The fair value of these investments was \$76,898,613 using a fair value factor of 1.00007516.

The City also invests with an outside financial advisor, who invests in mainly fixed income securities. These investments meet the requirements of UMMA.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

3. DEPOSITS AND INVESTMENTS (CONTINUED)

Following are the City's cash and cash equivalents at June 30, 2023:

	<b>Carrying Value</b>
<b>Cash on hand and on deposit:</b>	
Cash on hand	\$ 4,250
Cash on deposit	2,917,996
PTIF accounts	76,892,834
Total cash on hand and deposit	\$ 79,815,080

4. INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS

The purpose of the transfers was to provide cash flows, pay operating expenses, and to fund capital projects. Transfers among the funds during the current year were:

	<b>Transfers In</b>	<b>Transfers Out</b>
General Fund	\$ 3,207,237	\$ 8,464,336
Capital Projects Fund	6,433,794	41,443
Nonmajor Governmental Funds	1,376,454	95,916
Water Fund	-	420,947
Sewer Fund	92,000	375,817
Electric Fund	-	2,145,656
Golf Fund	755,004	4,720
Nonmajor Proprietary Funds	-	315,654
	\$ 11,864,489	\$ 11,864,489

The City also has an interfund receivable/payable between the Cemetery Fund and Golf Course Fund of \$965,645 as of June 30, 2023. The note between the funds was used to provide capital expenditures support for the Golf Course and repayment began in FY2023. Interest will be payable at a rate equal to what the City earns on its investments held with the Utah Public Treasurer's Investment Fund.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

5. CAPITAL ASSETS

Capital asset activity of the governmental activities, including the internal service fund, for the year ended June 30, 2023 was as follows:

	6/30/2022	Increases	Decreases	06/30/23
<u>Governmental activities</u>				
Capital assets, not being depreciated:				
Land	\$ 35,305,363	\$ 6,661,781	\$ -	\$ 41,967,144
Construction in progress	2,988,140	984,628	(165,511)	3,807,257
Total capital assets, not being depreciated	38,293,503	7,646,409	(165,511)	45,774,401
Capital assets, being depreciated:				
Buildings and structures	58,335,150	13,069	(336,753)	58,011,466
Improvements	90,705,890	1,951,379	-	92,657,269
Machinery, equipment, and vehicles	15,285,583	1,211,773	(327,384)	16,169,972
Total capital assets, being depreciated	164,326,623	3,176,221	(664,137)	166,838,707
Less accumulated depreciation	(78,069,255)	(4,010,472)	480,911	(81,598,816)
Total capital assets being depreciated, net	86,257,368	(834,251)	(183,226)	85,239,891
Governmental capital assets, net	\$ 124,550,871	\$ 6,812,158	\$ (348,737)	\$ 131,014,292

Capital asset activity of the business-type activities for the year ended June 30, 2023 was as follows:

	6/30/2022	Increases	Decreases	06/30/23
<u>Business-type activities</u>				
Capital assets, not being depreciated:				
Land	\$ 1,719,507	\$ -	\$ -	\$ 1,719,507
Construction in progress	10,867,150	4,409,530	(5,974,764)	9,301,916
Water shares	1,374,919	-	-	1,374,919
Total capital assets, not being depreciated	13,961,576	4,409,530	(5,974,764)	12,396,342
Capital assets, being depreciated:				
Buildings and structures	5,848,044	217,818	-	6,065,862
System improvements	180,865,203	12,583,022	-	193,448,225
Machinery, equipment, and vehicles	1,547,160	252,973	-	1,800,133
Intangible right-to-use lease asset	224,110	-	-	224,110
Total capital assets, depreciated	188,484,517	13,053,813	-	201,538,330
Less accumulated depreciation and amortization	(90,845,208)	(4,777,807)	128,319	(95,494,696)
Total capital assets being depreciated, net	97,639,309	8,276,006	128,319	106,043,634
Business-type capital assets, net	\$ 111,600,885	\$ 12,685,536	\$ (5,846,445)	\$ 118,439,976

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

5. CAPITAL ASSETS (CONTINUED)

In the government-wide financial statements, depreciation was charged as follows by program or activity:

Governmental activities:	
General government	\$ 394,926
Public safety	210,152
Community development	9,236
Highways and public improvements	1,261,081
Parks and recreation	1,368,866
Internal service funds	766,211
Total depreciation expense - governmental activities	<u>\$ 4,010,472</u>
Business-type activities:	
Water Fund	\$ 1,336,502
Sewer Fund	1,140,167
Electric Fund	1,977,988
Storm Water Fund	190,056
Solid Waste Fund	43,208
Golf Course Fund	89,886
Total depreciation expense - business-type activities	<u>\$ 4,777,807</u>

6. INVESTMENT IN JOINT VENTURES

South Utah Valley Solid Waste District

The City is party to a joint venture with five other municipalities in the South Utah Valley Solid Waste District (the District). The District was created for the purpose of building a landfill and transfer station and operating the same for the benefit of member municipalities. The majority of the District's solid waste revenue comes from these governmental entities. The District is owned by Springville City (15.00%), Provo City (69.75%), Spanish Fork City (11.75%), Mapleton City (2.00%) and Salem City (1.50%).

The District is governed by a board of directors, which is comprised of six members. The mayor and city council of each member city appoints one director. All decisions by the board are by majority vote, except in the case of a tie. In a tie, the votes would be taken by tonnage. For Provo City to prevail in a tie vote, they would need one additional city to vote with them. The District's board of directors governs the operations of the District through management employed by the board. The District is subject to the same laws as the creating entities, therefore, it must follow Utah State laws for cities in the areas of fiscal management, budgeting, and financing.

Annually, the City recognizes its pro-rata share of the District's operating income or loss. For fiscal year , the District reported an increase in net position of \$140,730. The City recognized its 15% of the District's income as equity income of a joint venture of \$21,109 in the Solid Waste Fund. The complete financial statements for Utah Valley Solid Waste District are available at the District's offices, 2450 West 400 South, Springville, Utah.



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

7. LONG-TERM DEBT

The following is a summary of changes in long-term debt for governmental activities of the City at June 30, 2023:

	<u>6/30/2022</u>	<u>Increases</u>	<u>Decreases</u>	<u>06/30/23</u>	<u>Due in One Year</u>
<u>Governmental activities</u>					
Bonds payable:					
General obligation bonds	\$ 13,195,000	\$ -	\$ (950,000)	\$ 12,245,000	\$ 985,000
Municipal Building Authority lease revenue bonds	3,390,000	-	(320,000)	3,070,000	330,000
Plus: unamortized premiums	759,977	-	(65,226)	694,751	-
Total bonds payable	<u>17,344,977</u>	<u>-</u>	<u>(1,335,226)</u>	<u>16,009,751</u>	<u>1,315,000</u>
Compensated absences	885,827	384,341	(370,529)	899,639	449,820
Total bonds and compensated absences	<u>\$ 18,230,804</u>	<u>\$ 384,341</u>	<u>\$ (1,705,755)</u>	<u>16,909,390</u>	<u>\$ 1,764,820</u>
Net pension liability				<u>1,866,927</u>	
Governmental activities, long-term liabilities				<u>\$ 18,776,317</u>	

Long-term debt and obligations for governmental activities payable at June 30, 2023 were as follows:

<u>Governmental Activities</u>	<u>Interest Rate</u>	<u>Maturity Dates</u>	<u>Current Portion</u>	<u>Long-Term Balance</u>
Municipal Building Authority Lease Revenue Bonds, Series 2008 (original amount - \$6,435,000)	2.55%	2031	\$ 330,000	\$ 2,740,000
General Obligation Bonds, Series 2016 (original amount - \$10,785,000)	2.00% to 5.00%	2036	500,000	7,440,000
General Obligation Bonds, Series 2020 (original amount - \$5,695,000)	2.00% to 3.00%	2031	485,000	3,820,000
Unamortized Premium on Bond			<u>-</u>	<u>694,751</u>
Total Governmental Activities Long-term Debt			<u>\$ 1,315,000</u>	<u>\$ 14,694,751</u>

The 2008 Municipal Building Authority lease revenue bonds were issued for the construction of the new civic center. A property note was used to purchase land at 1300 east to be used for the east fire substation. The City pledges general revenues of the City to repay this note through the maturity date listed above. On December 11, 2014, the City transacted a current refund on their 2008 lease revenue bonds with interest rates ranging between 4.10% and 5.25%. The new interest rate that resulted from the current refunding was 2.55%.

The 2016 general obligation bonds were used for the construction of an aquatics center. Debt service requirements will be met principally by the general fund through amounts levied in property taxes as their dedicated revenue stream.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

7. LONG-TERM DEBT (CONTINUED)

The City issued \$5,695,000 in General Obligation Refunding Bonds, Series 2020. These refunding bonds also had a premium with their issuance of \$337,019. The proceeds were used to immediately refund \$5,910,000 of the fully callable outstanding Series 2010 General Obligation Building America Bonds and pay the associated costs of issuance.

The following is a summary of changes in long-term debt for business-type activities of the City at June 30, 2023:

	<u>6/30/2022</u>	<u>Increases</u>	<u>Decreases</u>	<u>06/30/23</u>	<u>Due in One Year</u>
<u>Business-type activities</u>					
Water and sewer revenue bonds	\$ 9,945,000	\$ -	\$ (900,000)	\$ 9,045,000	\$ 990,000
Plus: unamortized premiums	1,462,979	-	(165,684)	1,297,295	-
Leases payable	170,689	-	(54,579)	115,937	56,869
Compensated absences	605,752	292,361	(332,558)	565,555	282,778
Total bonds, leases, and compensated absences	<u>\$ 12,184,420</u>	<u>\$ 292,361</u>	<u>\$ (1,452,821)</u>	11,023,787	<u>\$ 1,329,647</u>
Net pension liability				<u>600,597</u>	
Business-type activities, long-term liabilities				<u>\$ 11,624,384</u>	

Long-term debt and obligations for business-type activities payable at June 30, 2023 were as follows:

<u>Business-type Activities</u>	<u>Interest Rate</u>	<u>Maturity Dates</u>	<u>Current Portion</u>	<u>Long-Term Balance</u>
Water and Sewer Revenue and Refunding Bonds, Dated December 21, 2021 (original amount - \$9,945,000)	3.00% to 5.00%	2041	\$ 990,000	8,055,000
Unamortized Premium on Bond			-	1,297,295
Golf cart equipment lease	3.80%	2025	<u>56,869</u>	<u>59,068</u>
Total Business-type Activities Long-term Debt			<u>\$ 1,046,869</u>	<u>\$ 9,411,363</u>

The proceeds of the 2008 water and sewer revenue bonds were used to upgrade the sewer treatment plant, install the water main along 400 South and sewer lines along 1500 West. The City pledges the revenues of the water and sewer funds to repay these bonds (Series 2021 refunding) through 2028.

In December 2021, the City issued \$4,645,000 of Series 2021 Water Revenue Bonds for the construction of a new water tank. These bonds had a premium with their issuance of \$703,315.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

7. LONG-TERM DEBT (CONTINUED)

Principal and interest requirements to retire the City's long-term obligations are as follows:

Year Ending June 30,	Governmental Activities		Business-type Activities		Government-Wide	
	Principal	Interest	Principal	Interest	Principal	Interest
2024	\$ 1,315,000	\$ 429,215	\$ 1,046,869	\$ 393,672	\$ 2,361,869	\$ 822,887
2025	1,370,000	381,059	1,104,068	341,973	2,474,068	723,032
2026	1,425,000	330,820	1,095,000	288,500	2,520,000	619,320
2027	1,470,000	294,999	1,155,000	233,750	2,625,000	528,749
2028	1,515,000	258,045	1,210,000	176,000	2,725,000	434,045
2029-2033	6,115,000	720,670	1,195,000	477,100	7,310,000	1,197,770
2034-2038	2,105,000	127,650	1,410,000	271,200	3,515,000	398,850
2039-2041	-	-	945,000	57,300	945,000	57,300
	<u>\$ 15,315,000</u>	<u>\$ 2,542,458</u>	<u>\$ 9,160,937</u>	<u>\$ 2,239,495</u>	<u>\$ 24,475,937</u>	<u>\$ 4,781,953</u>

Principal and interest requirements to retire the City's business-type activities obligations are as follows:

Year Ending June 30,	Business-type Activities				
	Water & Sewer Revenue Bonds		Lease Payable		Totals
	Principal	Interest	Principal	Interest	
2024	\$ 990,000	\$ 390,250	\$ 56,869	\$ 3,422	\$ 1,440,541
2025	1,045,000	340,750	59,068	1,223	1,446,041
2026	1,095,000	288,500	-	-	1,383,500
2027	1,155,000	233,750	-	-	1,388,750
2028	1,210,000	176,000	-	-	1,386,000
2029-2033	1,195,000	477,100	-	-	1,672,100
2034-2038	1,410,000	271,200	-	-	1,681,200
2039-2041	945,000	57,300	-	-	1,002,300
	<u>\$ 9,045,000</u>	<u>\$ 2,234,850</u>	<u>\$ 115,937</u>	<u>\$ 4,645</u>	<u>\$ 11,400,432</u>

All outstanding revenue bonds are secured by a first lien on net revenues earned by the City. Net revenues are defined in the revenue bond agreements. The City is required to establish rates (including connection fees) sufficient to pay the operation and maintenance expenses and to provide net revenues in an amount not less than 130% of the aggregated annual debt service requirement for the forthcoming fiscal year.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

7. LONG-TERM DEBT (CONTINUED)

The following summarizes the debt service coverage calculations for the various revenue bonds:

	<b>Water Revenue Bonds</b>	<b>Sewer Revenue Bonds</b>
Net revenues		
Operating revenues	\$ 5,765,037	\$ 5,497,127
Operating expenses (excluding depreciation and amortization)	(3,210,000)	(2,491,796)
Impact fees	323,633	120,715
Interest income	235,255	285,890
Net revenues	<u>\$ 3,113,925</u>	<u>\$ 3,411,936</u>
Maximum Aggregate Debt Service	<u>\$ 523,000</u>	<u>\$ 802,000</u>
Ratio of Net Revenues to Aggregate Debt Service	<u>595%</u>	<u>425%</u>
Minimum Ratio	<u>130%</u>	<u>130%</u>

8. LEASES

A. Lease Receivables

The City has entered into three lease agreements, as lessor, for the use of portions of its land by cell phone providers for cell tower placements. The lease receivables are measured at the present value of the future minimum rent payments to be received during the lease term at a discount rate of 1.12%, which is the City's estimated incremental borrowing rate. These leases are for five to six years and the City will receive monthly payments ranging from \$3,433 to \$3,744 or annual payments ranging of \$8,267 to \$16,207. For the year ended June 30, 2023, the City recognized \$54,980 of lease revenue and \$2,849 of interest income under the leases. As of June 30, 2023, the City's receivable for lease payments was \$224,900 and the deferred inflow of resources associated with this lease that will be recognized as revenue over the lease term was \$215,197. These leases are recognized as a lease receivables and a deferred inflow of resources in the government-wide and governmental fund financial statements.

B. Lease Payable

The City has entered into a lease agreement, as a lessee, for the use of golf carts over a four-year period. The lease payable is measured as the present value of the future minimum rent payments to be made during the lease term at a discount rate of 3.80% as stated in the agreement. An initial lease payable was recorded in the amount of \$224,110 during the current year. As of June 30, 2023, the value of the lease payable was \$115,937. The City is required to make monthly principal and interest payments of \$5,024, the equipment has a 48 month useful life. The value of the intangible right-to-use lease asset as of June 30, 2023 was \$224,110, at cost, with accumulated amortization of \$112,055. The future minimum lease obligations as of June 30, 2023 are shown in the table above in note 7.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS

General Information about the Pension Plan

Plan description Eligible plan participants are provided with pensions through the Utah Retirement Systems. The Utah Retirement Systems are comprised of the following pension trust funds:

- Public Employees Noncontributory Retirement System (Noncontributory System)
- Firefighters Retirement System (Firefighters System); are multiple employer, cost sharing, retirement systems.
- The Public Safety Retirement System (Public Safety System) is a mixed agent, cost sharing, multiple employer public employee retirement system.
- Tier 2 Public Employees Contributory Retirement System (Tier 2 Public Employees System) is a multiple employer cost sharing public employee retirement system;
- Tier 2 Public Safety and Firefighter Contributory Retirement System (Tier 2 Public Safety and Firefighters System) is a multiple employer, cost sharing, public employee retirement system.

The Tier 2 Public Employees System became effective July 1, 2011. All eligible employees beginning work on or after July 1, 2011, who has no previous service credit with any of the Utah Retirement Systems, are members of the Tier 2 Retirement System.

The Utah Retirement Systems (Systems) are established and governed by the respective sections of Title 49 of the Utah Code Annotated 1953, as amended. The Systems' defined benefit plans are amended statutorily by the State Legislature. The Utah State Retirement Office Act in Title 49 provides for the administration of the Systems under the direction of the Board, whose members are appointed by the Governor. The Systems are fiduciary funds defined as pension (and other employee benefit) trust funds. URS is a component unit of the State of Utah. Title 49 of the Utah Code grants the authority to establish and amend the benefit terms.

URS issues a publicly available financial report that can be obtained by writing Utah Retirement System, 560 E 200 S, Salt Lake City, Utah 84102 or visiting the website: [www.urs.org](http://www.urs.org).

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Benefits Provided URS provides retirement, disability, and death benefits. Retirement benefits are as follows:

System	Final Average Salary	Years of Service Required and/or Age Eligible for Benefit	Benefit Percent Per Year of Service	COLA**
Noncontributory System	Highest 3 years	30 years any age 25 years any age* 20 years age 60* 10 years age 62* 4 years age 65	2.0% per year all years	Up to 4%
Public Safety System	Highest 3 years	20 years any age 10 years age 60 4 years age 65	2.5% per year up to 20 years; 2.0% per year over 20 years	Up to 2.5% or 4%
Firefighters System	Highest 3 years	20 years any age 10 years age 60 4 years age 65	2.5% per year up to 20 years; 2.0% per year over 20 years	Up to 4%
Tier 2 Public Employees System	Highest 5 years	35 years any age 20 years any age 60* 10 years age 62* 4 years age 65	1.5% per year all years	Up to 2.50%
Tier 2 Public Safety and Firefighter System	Highest 5 years	25 years any age 20 years any age 60* 10 years age 62* 4 years age 65	1.5% per year to June 30, 2020; 2.0% per year July 1, 2020 to present	Up to 2.50%

\*with actuarial reductions

\*\*All post-retirement cost-of-living adjustments are non-compounding and are based on the original benefit except for Judges, which is a compounding benefit. The cost-of-living adjustments are also limited to the actual Consumer Price Index (CPI) increase for the year, although unused CPI increases not met may be carried forward to subsequent years.

Contributions As a condition of participation in the Systems, employers and/or employees are required to contribute certain percentages of salary and wages as authorized by statute and specified by the Utah State Retirement Board. Contributions are actuarially determined as an amount that, when combined with employee contributions (where applicable), is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded actuarial accrued liability. Contribution rates as of June 30, 2023 are as follows:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Contributions (Continued)

**Utah Retirement Systems**

	<b>Employee Paid</b>	<b>Employer Contribution Rates</b>	<b>Employer Rate for 401(k) Plan</b>
Contributory System			
11 - Local Government Division Tier 1	6.00%	13.96%	N/A
111 - Local Governmental Division Tier 2	N/A	16.01%	0.18%
Noncontributory System			
15 - Local Governmental Division Tier 1	N/A	17.97%	N/A
Public Safety Retirement System			
Contributory			
122 - Tier 2 DB Hybrid Public Safety Contributory	2.59%	25.83%	N/A
Noncontributory			
43 - Other Division A Noncontributory with 2.5% COLA	N/A	34.04%	N/A
Firefighters Retirement System			
31 Other Division A	15.05%	3.61%	N/A
132 Tier 2 DB Hybrid Firefighters	2.59%	14.08%	N/A
Tier 2 DC Only			
211- Local Government	N/A	6.19%	10.00%
222-Public Safety	N/A	11.83%	14.00%
232-Firefighters	N/A	0.08%	14.00%

Tier 2 rates include a statutory required contribution to finance the unfunded actuarial accrued liability of the Tier 1 plans.

For fiscal year ended June 30, 2023, the employer and employee contributions to the Systems were as follows:

<b>System</b>	<b>Contributions</b>	<b>Contributions</b>
Noncontributory System	\$ 1,132,389	N/A
Public Safety System	297,232	-
Firefighters System	10,515	43,836
Tier 2 Public Employees System	687,206	-
Tier 2 Public Safety and Firefighter System	336,287	37,223
Tier 2 DC Only System	39,745	N/A
Tier 2 DC Public Safety and Firefighter System	25,188	N/A
Total Contributions	<u>\$ 2,528,562</u>	<u>\$ 81,059</u>

Contributions reported are the URS Board approved required contributions by System. Contributions in the Tier 2 Systems are used to finance the unfunded liabilities in the Tier 1 Systems.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Combined Pension Assets, Liabilities, Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2023, the City reported a net pension asset of \$232,020 and a net pension liability of \$2,467,524.

	<b>Measurement Date: December 31, 2022</b>				
	<b>Net Pension Asset</b>	<b>Net Pension Liability</b>	<b>Proportionate Share</b>	<b>Proportionate Share December 31, 2021</b>	<b>Change (Decrease)</b>
Noncontributory System	\$ -	\$1,313,023	0.7666174%	0.7116836%	0.0549338%
Public Safety System	-	910,532	0.7041606%	0.6294510%	0.0747096%
Firefighters System	232,020	-	0.8934019%	0.5186064%	0.3747955%
Tier 2 Public Employees System	-	207,563	0.1906183%	0.1854284%	0.0051899%
Tier 2 Public Safety and Firefighter	-	36,406	0.4363942%	0.3935830%	0.0428112%
Total Net Pension Asset / Liability	<u>\$ 232,020</u>	<u>\$2,467,524</u>			

The net pension asset and liability was measured as of December 31, 2022, and the total pension liability used to calculate the net pension asset and liability was determined by an actuarial valuation as of January 1, 2022 and rolled-forward using generally accepted actuarial procedures. The proportion of the net pension asset and liability is equal to the ratio of the employer's actual contributions to the Systems during the plan year over the total of all employer contributions to the System during the plan year.

For the year ended June 30, 2023, the City recognized pension expense of \$1,328,351.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 577,999	\$ 21,494
Changes in assumptions	358,856	9,418
Net difference between projected and actual earnings on pension plan investments	1,260,661	-
Changes in proportion and differences between contributions and proportionate share of contributions	112,316	136,781
Contributions subsequent to the measurement date	1,166,816	-
Total	<u>\$ 3,476,648</u>	<u>\$ 167,693</u>



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Combined Pension Assets, Liabilities, Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions (Continued)

\$1,166,816 was reported as deferred outflows of resources related to pensions results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Year Ended December 31,</b>	<b>Net Deferred Outflows (Inflows) of Resources</b>
2023	\$ (343,610)
2024	41,185
2025	501,015
2026	1,835,486
2027	20,583
Thereafter	87,480

Noncontributory System Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, the City recognized pension expense of \$575,697.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 445,358	\$ -
Changes in assumptions	215,187	5,243
Net difference between projected and actual earnings on pension plan investments	866,083	-
Changes in proportion and differences between contributions and proportionate share of contributions	36,783	13,692
Contributions subsequent to the measurement date	503,022	-
Total	<u>\$ 2,066,433</u>	<u>\$ 18,935</u>

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Noncontributory System Pension Expense and Deferred Outflows and Inflows of Resources (Continued)

\$503,022 reported as deferred outflows of resources related to pension results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows or resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Year Ended December 31,</b>	<b>Net Deferred Outflows (Inflows) of Resources</b>
2023	\$ (187,735)
2024	54,296
2025	347,872
2026	1,330,043

Public Safety System Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, the City recognized pension expense of \$289,309.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 4,031	\$ -
Changes in assumptions	24,421	-
Net difference between projected and actual earnings on pension plan investments	211,047	-
Changes in proportion and differences between contributions and proportionate share of contributions	26,887	11,020
Contributions subsequent to the measurement date	140,352	-
Total	\$ 406,738	\$ 11,020

\$140,352 reported as deferred outflows of resources related to pension results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Public Safety System Pension Expense and Deferred Outflows and Inflows of Resources (Continued)

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows or resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ended December 31,</u>	<u>Net Deferred Outflows (Inflows) of Resources</u>	
2023	\$	(140,426)
2024		(36,439)
2025		87,979
2026		344,252

Firefighters System Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, the City recognized pension expense of (\$92,830).

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 40,941	\$ 1,186
Changes in assumptions	28,839	-
Net difference between projected and actual earnings on pension plan investments	62,075	-
Changes in proportion and differences between contributions and proportionate share of contributions	217	96,858
Contributions subsequent to the measurement date	4,146	-
Total	<u>\$ 136,218</u>	<u>\$ 98,044</u>

\$4,146 reported as deferred outflows of resources related to pension results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows or resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Firefighters System Pension Expense and Deferred Outflows and Inflows of Resources (Continued)

<b>Year Ended December 31,</b>	<b>Net Deferred Outflows (Inflows) of Resources</b>
2023	\$ (31,032)
2024	(9,414)
2025	13,246
2026	61,228

Tier 2 Public Employees System Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, the City recognized pension expense of \$397,999.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 70,107	\$ 8,235
Changes in assumptions	67,385	528
Net difference between projected and actual earnings on pension plan investments	83,683	-
Changes in proportion and differences between contributions and proportionate share of contributions	38,089	9,662
Contributions subsequent to the measurement date	340,654	-
Total	<u>\$ 599,918</u>	<u>\$ 18,425</u>

\$340,654 reported as deferred outflows of resources related to pension results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows or resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Tier 2 Public Employees System Pension Expense and Deferred Outflows and Inflows of Resources (Continued)

<b>Year Ended December 31,</b>	<b>Net Deferred Outflows (Inflows) of Resources</b>
2023	\$ 11,990
2024	25,175
2025	39,952
2026	75,672
2027	18,171
Thereafter	69,879

Tier 2 Public Safety and Firefighter Pension Expense and Deferred Outflows and Inflows of Resources

For the year ended June 30, 2023, the City recognized pension expense of \$158,177.

At June 30, 2023, the City reported deferred outflows of resources and deferred inflows of resources relating to pensions from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 17,562	\$ 12,073
Changes in assumptions	23,024	3,647
Net difference between projected and actual earnings on pension plan investments	37,773	-
Changes in proportion and differences between contributions and proportionate share of contributions	10,340	5,549
Contributions subsequent to the measurement date	178,642	-
Total	<u>\$ 267,341</u>	<u>\$ 21,269</u>

\$178,642 reported as deferred outflows of resources related to pension results from contributions made by the City prior to the fiscal year end, but subsequent to the measurement date of December 31, 2022.

These contributions will be recognized as a reduction of the net pension liability in the upcoming fiscal year. Other amounts reported as deferred outflows or resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Tier 2 Public Safety and Firefighter Pension Expense and Deferred Outflows and Inflows of Resources (Continued)

<b>Year Ended December 31,</b>	<b>Net Deferred Outflows (Inflows) of Resources</b>
2023	\$ 3,593
2024	7,567
2025	11,966
2026	24,291
2027	2,412
Thereafter	17,601

Actuarial assumptions

The total pension liability in the December 31, 2022 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.50 percent
Salary increases	3.25 - 9.25 percent, average, including inflation
Investment rate of return	6.85 percent, net of pension plan investment expense, including inflation

Mortality rates were adopted from an actuarial experience study dated January 1, 2020. The retired mortality tables are developed using URS retiree experience and are based upon gender, occupation, and age as appropriate with projected improvement using 80% of the ultimate rates from the MP-2019 improvement assumption using a base year of 2020. The mortality assumption for active members is the PUB-2010 Employees Mortality Table for public employees, teachers, and public safety members, respectively.

The actuarial assumptions used in the January 1, 2022 valuation were based on an experience study of the demographic assumptions as of January 1, 2020, and a review of economic assumptions as of January 1, 2021.

The long-term expected rate of return of pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class and is applied consistently to each defined benefit pension plan. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic real rates of return or each major asset class are summarized in the following table:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Actuarial assumptions (Continued)

<b>Asset Class</b>	<b>Expected Return Arithmetic Basis</b>		
	<b>Target Asset Allocation</b>	<b>Real Return Arithmetic Basis</b>	<b>Long-Term Expected Portfolio Real Rate of Return</b>
Equity securities	35%	6.58%	2.30%
Debt securities	20%	1.08%	0.22%
Real assets	18%	5.72%	1.03%
Private equity	12%	9.80%	1.18%
Absolute return	15%	2.91%	0.44%
Cash and cash equivalents	0%	-0.11%	0.00%
Totals	100%		5.17%
	Inflation		2.50%
	Expected arithmetic nominal return		7.67%

The 6.85% assumed investment rate of return is comprised of an inflation rate of 2.50%, a real return of 4.35% that is net of investment expense.

Discount Rate

The discount rate used to measure the total pension liability was 6.95 percent. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the current contribution rate and that contributions from all participating employers will be made at contractually required rates that are actuarially determined and certified by the URS Board. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The discount rate does not use the Municipal Bond Index Rate.

Sensitivity to the Proportionate Share of the Net Pension Asset and Liability to Changes in the Discount Rate

The following presents the proportionate share of the net pension liability calculated using the discount rate of 6.85 percent, as well as what the proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.85 percent) or 1-percentage-point higher (7.85 percent) than the current rate:

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

9. RETIREMENT PLANS (CONTINUED)

Sensitivity to the Proportionate Share of the Net Pension Asset and Liability to Changes in the Discount Rate (Continued)

System	1% Decrease (5.85%)	Discount Rate (6.85%)	1% Increase (7.85%)
Noncontributory System	\$ 8,275,111	\$ 1,313,023	\$ (4,504,168)
Public Safety System	2,932,374	910,532	(733,702)
Firefighters System	184,925	(232,020)	(570,383)
Tier 2 Public Employees System	906,937	207,563	(331,216)
Tier 2 Public Safety and Firefighter System	291,419	36,406	(166,269)
Total	<u>\$ 12,590,766</u>	<u>\$ 2,235,504</u>	<u>\$ (6,305,738)</u>

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in the separately issued URS financial report.

10. DEFINED CONTRIBUTION SAVINGS PLAN

The City sponsors a defined contribution deferred compensation plan administered by The Benefit Source under the Internal Revenue Code Section 401(k) for City employees covered by the State's contributory and noncontributory retirement plans. The plan, available to all permanent full-time City employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency. The 401(k) deferred compensation monies are not available to the City or its general creditors. The City's contributions for each employee (and interest allocated to the employee's account) are fully vested in the employee's account from the date of employment. The City participates at rates between 0% and 2%, depending on the employees' contributions. The rate of City participation can be changed by the City Council.

Employee and employer contributions to the Benefit Source Defined Contribution Savings Plan for the fiscal year June 30, were as follows:

401(k) Plan	2023	2022	2021
Employer contributions	\$ 204,238	\$ 210,920	\$ 210,164
Employee contributions	264,267	268,462	262,185



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

10. DEFINED CONTRIBUTION SAVINGS PLAN (CONTINUED)

The City sponsors a defined contribution deferred compensation plan administered by The Benefit Source under the Internal Revenue Code Section 457 for City employees covered by the State's contributory and noncontributory retirement plans. The plan, available to certain permanent full-time City employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency. The 457 deferred compensation monies are not available to the City or its general creditors.

457 Plan	<u>2023</u>	<u>2022</u>	<u>2021</u>
Employee contributions	\$ 17,457	\$ 14,349	\$ 16,996

The City participates in a Defined Contribution Saving Plan, which is administered by the Utah Retirement Systems Board and is a supplemental plan to the basic retirement benefits of the Retirement Systems but may also be used as a primary retirement plan. These plans are voluntary tax-advantaged retirement savings programs authorized under section 401(k) of the Internal Revenue code. Detailed information regarding plan provisions is available in the separately issued URS financial report.

Employee and employer contributions to the Utah Retirement Defined Contribution Savings Plans for fiscal year ended June 30, were as follows:

401(k) Plan	<u>2023</u>	<u>2022</u>	<u>2021</u>
Employer contributions	\$ 113,171	\$ 98,676	\$ 96,058
Employee contributions	28,918	19,132	11,502
Roth IRA Plan			
Employer contributions	N/A	N/A	N/A
Employee contributions	1,300	1,300	850
Traditional IRA			
Employer contributions	N/A	N/A	N/A
Employee contributions	-	-	-

\* The employer paid 401(k) contributions include the totals paid for employees in the Tier 2 Defined Contribution 401(k) Plan.

11. REDEVELOPMENT AGENCY OF SPRINGVILLE CITY

In accordance with Utah State law, the City makes the following disclosures relative to the Redevelopment Agency of Springville City (RDA): The RDA collected \$647,027 of tax increment monies for its project areas of which \$325,414 was paid for development incentives. During 2023, the RDA expended \$0 for administrative costs.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

12. TAX ABATEMENTS

As of June 30, 2023, the City provides tax abatements under one program: the Redevelopment Agency of Springville City (the Agency). Pursuant to the provisions of the Utah Community Development and Renewal Agencies Act, Utah State Code Title 17C, the City established the Redevelopment Agency. The City authorizes the rebate of sales and property tax increment through the budget process. The annual budget is adopted by City ordinance. The amount of the tax rebate (abatement) is based on the provisions as stated in the written agreement between the Agency and the outside entity. The abatement recipient remits their full property or sales tax obligation to the taxing authority. Once the taxes have been paid and it has been verified that the provisions of the agreement have been met, then the agreed amount is rebated to the recipient entity. The qualifying provisions of the agreements generally focus on affordable housing and transit-oriented housing or business relocation, business development, job creation, and sales and property tax generation.

The Agency has entered into tax abatement agreements with two entities. These entities are in the category of sales and property tax generation. The following table provides details:

<b>Tax Abatement Program</b>	<b>Taxes Abated in 2023</b>	<b>Taxes Abated in Prior Years</b>	<b>Total Maximum Tax Abatement</b>	<b>Primary Purpose of Abatement</b>	<b>Abatement Expires</b>
Redevelopment Agency of Springville City					
Frontage Road Neighborhood HWP Properties, LLC	\$ -	\$ 36,560	Property tax: 100% through 2020, then reducing 10% per year.	Sales and Property Tax generations	2025
Olds Family Trust	\$ 268,675	\$ 626,661	Property tax: 70% per year	Sales and Property Tax generations	2025
Spring Pointe Tennis Partners, LLC	\$ 56,739	\$ -	Property tax: 80% per year	Property Tax generations	2024

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

13. COMMITMENTS AND CONTINGENCIES

Utah Associates Municipal Power System (UAMPS)

The City is a member of Utah Associated Municipal Power System (UAMPS), a political subdivision of the State of Utah created to secure electric power for the members of UAMPS. As a member, the City has entered into power supply agreements and contracts with respect to various projects in which UAMPS participates. The total cost of the power the City will be required to purchase in future years is not determinable. During the year ended June 30, 2023, the City purchased power totaling approximately \$24.05 million.

The City is obligated through power sales contracts with UAMPS for the consequences of “take or pay” contracts with UAMPS projects. The City is also obligated through power sales contracts to pay its proportionate share of bonded indebtedness. UAMPS monthly service charges to the City include the City’s proportionate obligation for the following items:

UAMPS Payson Nebo Generation Plant

In June 2002, the City entered into a power service contract with UAMPS which expires on the later of (1) the date the principal, premium, if any, and interest on all of the UAMPS Payson Nebo Generation Plant revenue bonds have been paid or (2) the final shutdown date of the Payson Nebo Generation Plant. The contract entitles the City to approximately 19.12 percent of the output of the Payson Nebo Generation Plant. The City is obligated for 19.12 percent of the total project debt service of approximately \$13,220,000 (City portion - \$2,526,990) in revenue bonds outstanding at June 30, 2023, issued to finance construction of the plant.

UAMPS - Horse Butte Wind Project

In August of 2010 the City entered into Power Sales Contract with UAMPS to take delivery of energy from a 57.6 MW nameplate capacity wind farm located 16 miles east of the City of Idaho Falls in Bonneville County, Idaho. The PSC entitles the City to approximately 5.21% of the daily output associated with the 32 Vestas V-100 1.8 MW wind turbines installed on the project site. Construction of the Facility was completed in August of 2012 and commenced commercial operation. The City is obligated for 5.18% and 5.21% of the total project debt service of approximately \$72,370,000 (City portion - \$3,770,260) outstanding at June 30, 2023, issued to finance a prepayment for a specified supply of electricity to be delivered over a 20-year term.

**SPRINGVILLE CITY CORPORATION**  
**Notes to the Financial Statements (Continued)**  
**June 30, 2023**

13. COMMITMENTS AND CONTINGENCIES (CONTINUED)

Future Commitments and Contingencies

San Juan – An equity purchase of 4 megawatts of energy from the San Juan coal-fired plant started in July 2005. The four megawatts represents approximately 11.43% of the UAMPS entitlement to the plant's capacity and Springville City is obligated for 14.87% of the 2011 (1998 refunding) bonded debt and 16.39% of the 2008 bond-ed debt. These bonds were fully retired with final payments during fiscal year June 30, 2022, respectively. This power is a base load project, meaning that power is delivered 24 hours per day whenever the plant is operating. Springville City expects to receive approximately 25-30.0 million kilowatt hours of energy over the course of an average year.

14. RELATED PARTY TRANSACTIONS

In all cases where a conflict-of-interest could result from a related party transaction the person involved recuses themselves from votes awarding bids. Businesses owned by members of the City Council are disclosed formally in writing.

15. RISK MANAGEMENT

The City has joined the Utah Local Governments Trust (Trust). Founded in 1974, the Utah Local Governments Trust is licensed in Utah as a public agency insurance mutual. Trust policies are designed specifically for government agencies, including cities, towns, counties, special service districts, and school districts. The Trust provides low-cost liability and property coverage for local governments, claims adjustment services, loss prevention and safety training to its members. Utah Local Governments Trust is reinsured through Munich America RE & Clarendon, two national insurance companies with members from municipal leagues across the US.

16. RECENT ACCOUNTING PRONOUNCEMENT

In May 2020, the GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements (SBITA)*. The statement is meant to enhance the relevance and reliability of the City's financial statements by requiring the City to report subscription assets and subscription liability for a SBITA and to disclose essential information about the arrangement. The disclosures will allow users to understand the scale and important aspects of the City's SBITA activities and evaluate a government's obligations and assets resulting from SBITAs. The City adopted and implemented this statement for the fiscal year ended June 20, 2023. However, after an in-depth analysis of the City's software agreements, no SBITAs were found that are subject to recognition under GASB 96.

**SPRINGVILLE CITY CORPORATION**

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**Required Supplementary Information**

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Proportionate Share of the Net Pension Liability**  
**Last Ten Fiscal Years**

	<b>As of December 31,</b>	<b>Proportion of Net Pension Liability (Asset)</b>	<b>Proportionate Share of the Net Pension Liability (Asset)</b>	<b>Covered Payroll</b>	<b>Proportionate Share of the Net Pension Liability (Asset) as a Percentage of its Covered Payroll</b>	<b>Plan Fiduciary Net Position as a Percentage of the Total Pension Liability (Asset)</b>
Noncontributory System	2014	0.8173763%	\$ 3,549,240	\$ 7,022,000	50.50%	90.20%
	2015	0.8157080%	4,615,673	6,986,652	66.06%	87.80%
	2016	0.7984120%	5,126,782	6,917,208	74.12%	87.30%
	2017	0.7552263%	3,308,873	6,311,269	52.43%	91.90%
	2018	0.7615219%	5,607,637	6,391,261	87.74%	87.00%
	2019	0.7414277%	2,794,344	6,286,171	44.45%	93.70%
	2020	0.7141967%	366,342	5,962,447	6.14%	99.20%
	2021	0.7116836%	(4,075,888)	5,880,373	-69.31%	108.70%
	2022	0.7666174%	1,313,023	6,695,433	19.61%	97.50%
	Contributory System	2014	0.2162152%	\$ 62,366	\$ 115,606	53.90%
2015		0.1624709%	114,193	69,227	164.96%	85.70%
2016		0.2191155%	71,894	52,575	136.75%	92.90%
Public Safety System	2014	0.8436610%	\$ 1,060,974	\$ 1,277,517	83.00%	90.50%
	2015	0.7830661%	1,402,668	1,190,697	117.80%	87.10%
	2016	0.7358229%	1,493,188	1,122,930	132.97%	86.50%
	2017	0.6793483%	1,065,665	1,009,058	105.61%	90.20%
	2018	0.6680134%	1,718,521	960,909	178.84%	84.70%
	2019	0.6461895%	1,037,533	850,836	121.94%	90.90%
	2020	0.7077670%	587,617	893,393	65.77%	95.50%
	2021	0.6294510%	(538,408)	780,925	-68.94%	104.20%
	2022	0.7041606%	910,532	818,119	111.30%	93.60%
	Firefighters System	2014	0.0048448%	\$ (27,646)	\$ 127,036	-21.80%
2015		0.5238695%	(9,488)	140,853	-6.74%	101.00%
2016		0.4948301%	(3,901)	139,102	-2.80%	100.40%
2017		0.5260681%	(32,856)	153,906	-21.35%	103.00%
2018		0.4924004%	63,937	152,669	41.88%	94.30%
2019		0.4527187%	(56,146)	144,949	-38.74%	105.00%
2020		0.5180401%	(144,854)	169,004	-85.71%	110.50%
2021		0.5186064%	(302,460)	172,903	-174.93%	120.10%
2022		0.8934019%	(232,020)	323,029	-71.83%	108.40%
Tier 2 Public Employees System		2014	0.1155009%	\$ (3,500)	\$ 566,929	-0.60%
	2015	0.1220505%	(266)	788,707	-0.03%	100.20%
	2016	0.1565131%	17,459	1,283,531	1.36%	95.10%
	2017	0.2009037%	17,713	1,966,429	0.90%	97.40%
	2018	0.1933419%	82,804	2,259,183	3.67%	90.80%
	2019	0.1813525%	40,788	2,520,371	1.62%	96.50%
	2020	0.1858030%	26,116	2,903,091	0.90%	98.30%
	2021	0.1854284%	(78,480)	3,440,406	-2.28%	103.80%
	2022	0.1906183%	207,563	4,153,877	5.00%	92.30%
	Tier 2 Public Safety and Firefighter System	2014	0.7602135%	\$ (11,246)	\$ 314,072	-3.60%
2015		0.6507001%	(9,507)	387,183	-2.46%	110.70%
2016		0.5275480%	(4,579)	435,875	-1.05%	103.60%
2017		0.5000307%	(5,786)	527,821	-1.10%	103.00%
2018		0.4670312%	11,702	625,103	1.87%	95.60%
2019		0.4662243%	43,855	768,520	5.71%	89.60%
2020		0.4273484%	38,331	852,902	4.49%	93.10%
2021		0.3935830%	(19,893)	941,206	-2.11%	102.80%
2022		0.4363942%	36,406	1,342,686	2.71%	96.40%

**Note:**

\* This schedule usually covers the 10 most recent fiscal years; however, this is the information available as of the implementation year of GASB 68.

**SPRINGVILLE CITY CORPORATION**  
**Schedule of Pension Contributions**  
**Last Ten Fiscal Years**

	As of fiscal year ended June 30,	Actuarial Determined Contributions	Contributions in Relation to the Contractually Required Contribution	Contribution Deficiency (Excess)	Covered Payroll	Contributions as a Percentage of Covered Payroll
Noncontributory System	2014	\$ 1,239,038	\$ 1,239,038	\$ -	\$ 7,232,984	17.13%
	2015	1,275,631	1,275,631	-	6,925,081	18.42%
	2016	1,290,326	1,290,326	-	700,657	18.43%
	2017	1,215,101	1,215,101	-	6,606,911	18.39%
	2018	1,169,372	1,169,372	-	6,368,944	18.36%
	2019	1,169,703	1,169,703	-	6,365,799	18.37%
	2020	1,127,301	1,127,301	-	6,123,310	18.41%
	2021	1,083,686	1,083,686	-	5,872,054	18.45%
	2022	1,131,988	1,131,988	-	6,144,866	18.42%
	2023	1,132,389	1,132,389	-	6,388,596	17.73%
Contributory System	2014	\$ 15,157	\$ 15,157	\$ -	\$ 114,135	13.28%
	2015	14,530	14,530	-	100,484	14.46%
	2016	7,822	7,822	-	54,094	14.46%
	2017	3,728	3,728	-	25,785	14.46%
Public Safety System	2014	\$ 375,860	\$ 375,860	\$ -	\$ 1,279,356	29.38%
	2015	390,158	390,158	-	1,260,158	30.96%
	2016	345,081	345,081	-	1,122,174	30.75%
	2017	327,949	327,949	-	1,079,312	30.38%
	2018	294,671	294,671	-	985,351	29.91%
	2019	264,272	264,272	-	896,951	29.46%
	2020	295,502	295,502	-	841,707	35.11%
	2021	293,824	293,824	-	848,042	34.65%
	2022	247,218	247,218	-	726,027	34.05%
	2023	297,232	297,232	-	873,186	34.04%
Firefighters System	2014	\$ 3,675	\$ 3,675	\$ -	\$ 124,142	2.96%
	2015	5,119	5,119	-	133,992	3.82%
	2016	5,439	5,439	-	132,324	4.11%
	2017	5,864	5,864	-	150,738	3.89%
	2018	6,018	6,018	-	153,129	3.93%
	2019	7,138	7,138	-	154,832	4.61%
	2020	9,801	9,801	-	150,167	6.53%
	2021	9,114	9,114	-	169,477	5.38%
	2022	10,562	10,562	-	245,764	4.30%
	2023	10,515	10,515	-	290,742	3.62%
Tier 2 Public Employees System*	2014	\$ 59,033	\$ 59,033	\$ -	\$ 421,962	13.99%
	2015	94,905	94,905	-	635,651	14.93%
	2016	157,435	157,435	-	1,055,839	14.91%
	2017	243,094	243,094	-	1,626,048	14.95%
	2018	324,744	324,744	-	2,151,431	15.09%
	2019	366,027	366,027	-	2,357,624	15.53%
	2020	428,169	428,169	-	2,734,868	15.66%
	2021	487,002	487,002	-	3,087,748	15.77%
	2022	601,625	601,625	-	3,743,779	16.07%
	2023	687,206	687,206	-	4,294,733	16.00%
Tier 2 Public Safety and Firefighter System*	2014	\$ 57,093	\$ 57,093	\$ -	\$ 291,898	19.56%
	2015	70,386	70,386	-	345,953	20.35%
	2016	79,980	79,980	-	396,966	20.15%
	2017	100,909	100,909	-	495,223	20.38%
	2018	125,570	125,570	-	579,013	21.69%
	2019	154,074	154,074	-	710,560	21.68%
	2020	172,121	172,121	-	811,379	21.21%
	2021	200,071	200,071	-	830,171	24.10%
	2022	276,967	276,967	-	1,157,194	23.93%
	2023	336,287	336,287	-	1,446,019	23.26%
Tier 2 Public Employees DC Only System*	2015	\$ 2,041	\$ 2,041	\$ -	\$ 30,377	6.72%
	2016	2,142	2,142	-	32,016	6.69%
	2017	4,289	4,289	-	64,118	6.69%
	2018	2,708	2,708	-	40,476	6.69%
	2019	8,320	8,320	-	124,369	6.69%
	2020	16,173	16,173	-	241,746	6.69%
	2021	22,054	22,054	-	329,658	6.69%
	2022	33,147	33,147	-	495,470	6.69%
	2023	39,745	39,745	-	643,152	6.18%
Tier 2 DC Public Safety and Firefighter DC Only System*	2017	\$ 741	\$ 741	\$ -	\$ 6,262	11.83%
	2018	5,020	5,020	-	75,634	6.64%
	2019	5,161	5,161	-	43,628	11.83%
	2020	6,669	6,669	-	56,391	11.83%
	2021	16,256	16,256	-	138,287	11.76%
	2022	21,901	21,901	-	186,736	11.73%
	2023	25,188	25,188	-	233,597	10.78%

**Note:**

This schedule usually covers the 10 most recent fiscal years; however, this is the information available as of the implementation year of GASB 68.

Contributions as a percentage of covered-employee payroll may be different than the Board certified rate due to rounding or other administrative issues.

\* Contributions in Tier 2 include an amortization rate to help fund the unfunded liabilities in the Tier 1 systems. Tier 2 systems were created effective July 1, 2011.



**SPRINGVILLE CITY CORPORATION**  
**Notes to the Required Supplementary Information**  
**June 30, 2023**

1. CHANGES IN ASSUMPTIONS

No changes were made in actuarial assumptions from the prior year's valuation.

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**SPRINGVILLE CITY CORPORATION**

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**Supplementary Information**

**SPRINGVILLE CITY CORPORATION**  
**Combining Balance Sheet**  
**Nonmajor Governmental Funds**  
**June 30, 2023**

	Special Revenue		Capital Projects		Debt Service		Permanent Fund	Total Nonmajor Governmental Funds
	Special Improvement District	Redevelopment Agency	Community Theater	Special Services	Debt Service	Municipal Building Authority		
<b>ASSETS</b>								
Cash and cash equivalents	\$ -	\$ 1,464,360	\$ -	\$ 724,766	\$ 363,785	\$ 4,122	\$ 3,227,098	\$ 5,784,131
Receivables:								
Accounts	-	-	-	-	-	-	1,394	1,394
Special assessment	7,717	-	-	-	-	-	-	7,717
Property taxes	-	400,000	-	-	-	-	-	400,000
Interfund note receivable	-	-	-	-	-	-	965,645	965,645
Restricted cash and cash equivalents	-	-	-	6,610,648	4,016	141	-	6,614,805
<b>Total assets</b>	<b>\$ 7,717</b>	<b>\$ 1,864,360</b>	<b>\$ -</b>	<b>\$ 7,335,414</b>	<b>\$ 367,801</b>	<b>\$ 4,263</b>	<b>\$ 4,194,137</b>	<b>\$ 13,773,692</b>
<b>LIABILITIES</b>								
Accounts payable	\$ -	\$ -	\$ -	\$ 318,065	\$ -	\$ -	\$ 3,896	\$ 321,961
<b>Total liabilities</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>318,065</b>	<b>-</b>	<b>-</b>	<b>3,896</b>	<b>321,961</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>								
Unavailable revenue-property taxes	-	400,000	-	-	-	-	-	400,000
<b>Total deferred inflows of resources</b>	<b>-</b>	<b>400,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>400,000</b>
<b>FUND BALANCES</b>								
Nonspendable	-	-	-	-	-	-	2,736,042	2,736,042
Restricted:								
Impact fees	-	-	-	5,701,150	-	-	-	5,701,150
Parks, art, and recreation projects	-	-	-	909,498	-	-	-	909,498
Debt Service	-	-	-	-	367,801	4,263	-	372,064
Assigned	7,717	1,464,360	-	406,701	-	-	1,454,199	3,332,977
<b>Total fund balances</b>	<b>7,717</b>	<b>1,464,360</b>	<b>-</b>	<b>7,017,349</b>	<b>367,801</b>	<b>4,263</b>	<b>4,190,241</b>	<b>13,051,731</b>
<b>Total liabilities and fund balances</b>	<b>\$ 7,717</b>	<b>\$ 1,864,360</b>	<b>\$ -</b>	<b>\$ 7,335,414</b>	<b>\$ 367,801</b>	<b>\$ 4,263</b>	<b>\$ 4,194,137</b>	<b>\$ 13,773,692</b>

**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Revenues, Expenditures, and**  
**Changes in Fund Balances**  
**Nonmajor Governmental Funds**  
**For the Year Ended June 30, 2023**

	Special Revenue		Capital Projects		Debt Service			Total Nonmajor Governmental Funds
	Special Improvement District	Redevelopment Agency	Community Theater	Special Services	Debt Service	Municipal Building Authority	Permanent Fund	
<b>REVENUES</b>								
Taxes	\$ -	\$ 647,027	\$ -	\$ 711,002	\$ -	\$ -	\$ -	\$ 1,358,029
Charges for services	-	-	-	-	-	-	107,796	107,796
Impact fees	-	-	-	564,239	-	-	-	564,239
Interest	-	41,049	-	149,832	4,468	678	131,373	327,400
Miscellaneous	-	-	-	-	-	404,165	-	404,165
<b>Total revenues</b>	-	688,076	-	1,425,073	4,468	404,843	239,169	2,761,629
<b>EXPENDITURES</b>								
Current:								
Community development	-	325,914	-	-	-	-	-	325,914
Park, recreation, and public property	-	-	-	-	-	-	4,561	4,561
Debt service:								
Principal	-	-	-	-	950,000	320,000	-	1,270,000
Interest and fiscal expenses	-	-	-	-	395,538	84,165	-	479,703
Capital outlay	-	-	-	806,869	-	-	-	806,869
<b>Total expenditures</b>	-	325,914	-	806,869	1,345,538	404,165	4,561	2,887,047
<b>Excess of revenues over (under) expenditures</b>	-	362,162	-	618,204	(1,341,070)	678	234,608	(125,418)
<b>OTHER FINANCING SOURCES (USES)</b>								
Transfers in	-	15,000	-	15,916	1,345,538	-	-	1,376,454
Transfers out	-	-	(15,916)	(55,000)	-	-	(25,000)	(95,916)
<b>Total other financing sources (uses)</b>	-	15,000	(15,916)	(39,084)	1,345,538	-	(25,000)	1,280,538
<b>Net change in fund balance</b>	-	377,162	(15,916)	579,120	4,468	678	209,608	1,155,120
<b>Fund balance, beginning of year</b>	7,717	1,087,198	15,916	6,438,229	363,333	3,585	3,980,633	11,896,611
<b>Fund balance, end of year</b>	\$ 7,717	\$ 1,464,360	\$ -	\$ 7,017,349	\$ 367,801	\$ 4,263	\$ 4,190,241	\$ 13,051,731

**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Net Position**  
**Nonmajor Enterprise Funds**  
**June 30, 2023**

	<u>Business-type Activities - Enterprise Funds</u>			<u>Total Nonmajor Enterprise Funds</u>
	<u>Storm Water</u>	<u>Solid Waste</u>	<u>Golf Course</u>	
<b><u>ASSETS</u></b>				
<b>Current assets:</b>				
Cash and cash equivalents	\$ 3,150,084	\$ 1,290,621	\$ 1,704,913	\$ 6,145,618
Accounts receivable, net	166,626	237,968	2,500	407,094
<b>Total current assets</b>	<b>3,316,710</b>	<b>1,528,589</b>	<b>1,707,413</b>	<b>6,552,712</b>
<b>Noncurrent assets:</b>				
Capital assets:				
Land	374,929	487,433	341,520	1,203,882
Construction in progress	1,148,836	-	3,533,889	4,682,725
Buildings	-	850,266	2,183,268	3,033,534
Improvements other than buildings	8,566,924	-	-	8,566,924
Machinery and equipment	205,596	336,292	146,908	688,796
Intangible right-to-use lease assets	-	-	224,110	224,110
Accumulated depreciation and amortization	(1,614,755)	(527,887)	(1,889,416)	(4,032,058)
Net capital assets	8,681,530	1,146,104	4,540,279	14,367,913
Other assets:				
Equity investment in joint venture	-	3,460,359	-	3,460,359
Total other assets	-	3,460,359	-	3,460,359
<b>Total noncurrent assets</b>	<b>8,681,530</b>	<b>4,606,463</b>	<b>4,540,279</b>	<b>17,828,272</b>
<b>Total assets</b>	<b>11,998,240</b>	<b>6,135,052</b>	<b>6,247,692</b>	<b>24,380,984</b>
<b><u>DEFERRED OUTFLOWS OF RESOURCES</u></b>				
Deferred outflows related to pensions	17,326	67,810	62,587	147,723
<b>Total deferred outflows of resources</b>	<b>17,326</b>	<b>67,810</b>	<b>62,587</b>	<b>147,723</b>

(Continued)

**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Net Position (Continued)**  
**Nonmajor Enterprise Funds**  
**June 30, 2023**

	<b>Business-type Activities - Enterprise Funds</b>			<b>Total Nonmajor Enterprise Funds</b>
	<b>Storm Water</b>	<b>Solid Waste</b>	<b>Golf Course</b>	
<b><u>LIABILITIES</u></b>				
<b>Current liabilities:</b>				
Accounts payable	\$ 181,602	\$ 58,802	\$ 52,796	\$ 293,200
Accrued liabilities	2,507	10,829	22,936	36,272
Compensated absences	2,402	8,960	22,465	33,827
Leases payable	-	-	56,869	56,869
<b>Total current liabilities</b>	<b>186,511</b>	<b>78,591</b>	<b>155,066</b>	<b>420,168</b>
<b>Noncurrent liabilities:</b>				
Compensated absences	2,401	8,960	22,465	33,826
Lease payable	-	-	59,068	59,068
Interfund notes payable	-	-	965,645	965,645
Net pension liability	9,881	38,671	35,692	84,244
<b>Total noncurrent liabilities</b>	<b>12,282</b>	<b>47,631</b>	<b>1,082,870</b>	<b>1,142,783</b>
<b>Total liabilities</b>	<b>198,793</b>	<b>126,222</b>	<b>1,237,936</b>	<b>1,562,951</b>
<b><u>DEFERRED INFLOWS OF RESOURCES</u></b>				
Deferred inflows related to pensions	243	950	877	2,070
<b>Total deferred inflows of resources</b>	<b>243</b>	<b>950</b>	<b>877</b>	<b>2,070</b>
<b><u>NET POSITION</u></b>				
Net investment in capital assets	8,681,530	1,146,104	4,424,342	14,251,976
Restricted for impact fees	1,931,955	-	-	1,931,955
Unrestricted	1,203,045	4,929,586	647,124	6,779,755
<b>Total net position</b>	<b>\$ 11,816,530</b>	<b>\$ 6,075,690</b>	<b>\$ 5,071,466</b>	<b>\$ 22,963,686</b>

**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Revenues, Expenses, and**  
**Changes in Fund Net Position**  
**Nonmajor Enterprise Funds**  
**For the Year Ended June 30, 2023**

	<b>Business-type Activities - Enterprise Funds</b>			<b>Total Nonmajor Enterprise Funds</b>
	<b>Storm Water</b>	<b>Solid Waste</b>	<b>Golf Course</b>	
<b><u>OPERATING REVENUES</u></b>				
Sales and charges for services	\$ 1,765,516	\$ 2,402,445	\$ 1,383,420	\$ 5,551,381
Miscellaneous income	20,990	670	6,211	27,871
<b>Total operating revenues</b>	<b>1,786,506</b>	<b>2,403,115</b>	<b>1,389,631</b>	<b>5,579,252</b>
<b><u>OPERATING EXPENSES</u></b>				
Salaries and benefits	106,780	427,130	523,335	1,057,245
Administrative	1,295,534	1,448,356	470,996	3,214,886
Depreciation	190,056	43,208	89,886	323,150
<b>Total operating expenses</b>	<b>1,592,370</b>	<b>1,918,694</b>	<b>1,084,217</b>	<b>4,595,281</b>
<b>Operating income</b>	<b>194,136</b>	<b>484,421</b>	<b>305,414</b>	<b>983,971</b>
<b><u>NONOPERATING REVENUES (EXPENSES)</u></b>				
Equity income of joint venture	-	21,109	-	21,109
Impact fees	183,984	-	-	183,984
Interest income	111,947	38,732	73,759	224,438
Interest and fiscal expenses	-	-	(5,539)	(5,539)
<b>Total nonoperating revenues (expenses)</b>	<b>295,931</b>	<b>59,841</b>	<b>68,220</b>	<b>423,992</b>
<b>Income before contributions and transfers</b>	<b>490,067</b>	<b>544,262</b>	<b>373,634</b>	<b>1,407,963</b>
Capital contributions	374,134	-	-	374,134
Transfers in	-	-	755,004	755,004
Transfers out	(110,653)	(205,001)	(4,720)	(320,374)
<b>Change in net position</b>	<b>753,548</b>	<b>339,261</b>	<b>1,123,918</b>	<b>2,216,727</b>
<b>Total net position, beginning</b>	<b>11,062,982</b>	<b>5,736,429</b>	<b>3,947,548</b>	<b>20,746,959</b>
<b>Total net position, ending</b>	<b>\$ 11,816,530</b>	<b>\$ 6,075,690</b>	<b>\$ 5,071,466</b>	<b>\$ 22,963,686</b>



**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Cash Flows**  
**Nonmajor Enterprise Funds**  
**For the Year Ended June 30, 2023**

	<b>Storm Water</b>	<b>Solid Waste</b>	<b>Golf Course</b>	<b>Total Nonmajor Enterprise Funds</b>
<b>Cash flows from operating activities</b>				
Receipts from customers and users	\$ 1,760,877	\$ 2,367,197	\$ 1,387,244	\$ 5,515,318
Payments to suppliers	(1,149,825)	(1,457,706)	(901,164)	(3,508,695)
Payments to employees	(114,584)	(458,198)	(547,475)	(1,120,257)
<b>Net cash provided by operating activities</b>	<b>496,468</b>	<b>451,293</b>	<b>(61,395)</b>	<b>886,366</b>
<b>Cash flows from noncapital financing activities</b>				
Transfers from other funds	-	-	755,004	755,004
Transfers to other funds	(110,653)	(205,001)	(4,720)	(320,374)
<b>Net cashused by noncapital financing activities</b>	<b>(110,653)</b>	<b>(205,001)</b>	<b>750,284</b>	<b>434,630</b>
<b>Cash flows from capital and related financing activities</b>				
Aquisition of capital assets	(1,338,235)	(110,385)	(1,203,895)	(2,652,515)
Principal paid on interfund note payable	-	-	(534,355)	(534,355)
Principal paid on lease	-	-	(54,752)	(54,752)
Impact fees received	183,984	-	-	183,984
Interest paid on capital debt	-	-	(5,539)	(5,539)
<b>Net cash used by capital and related financing activities</b>	<b>(1,154,251)</b>	<b>(110,385)</b>	<b>(1,798,541)</b>	<b>(3,063,177)</b>
<b>Cash flows from investing activities</b>				
Interest received	111,947	38,732	73,759	224,438
<b>Net cash provided by investing activities</b>	<b>111,947</b>	<b>38,732</b>	<b>73,759</b>	<b>224,438</b>
<b>Net increase (decrease) in cash and cash equivalents</b>	<b>(656,489)</b>	<b>174,639</b>	<b>(1,035,893)</b>	<b>(1,517,743)</b>
<b>Cash and cash equivalents, beginning of year</b>	<b>3,806,573</b>	<b>1,115,982</b>	<b>2,740,806</b>	<b>7,663,361</b>
<b>Cash and cash equivalents, end of year</b>	<b>\$ 3,150,084</b>	<b>\$ 1,290,621</b>	<b>\$ 1,704,913</b>	<b>\$ 6,145,618</b>
<b>Total cash and cash equivalents</b>	<b>\$ 3,150,084</b>	<b>\$ 1,290,621</b>	<b>\$ 1,704,913</b>	<b>\$ 6,145,618</b>

(Continued)

**SPRINGVILLE CITY CORPORATION**  
**Combining Statement of Cash Flows (Continued)**  
**Nonmajor Enterprise Funds**  
**For the Year Ended June 30, 2023**

	<b>Storm Water</b>	<b>Solid Waste</b>	<b>Golf Course</b>	<b>Total Nonmajor Enterprise Funds</b>
<b>Reconciliation of operating income to net cash provided by operating activities</b>				
Operating income	\$ 194,136	\$ 484,421	\$ 305,414	\$ 983,971
Adjustments to reconcile operating income to net cash provided by operating activities:				
Depreciation	190,056	43,208	89,886	323,150
Changes in assets and liabilities:				
Accounts receivable	(25,629)	(35,918)	(2,387)	(63,934)
Accounts payable	145,709	(9,350)	(430,168)	(293,809)
Accrued liabilities	(2,353)	(2,072)	(110)	(4,535)
Compensated absences	(425)	(6,178)	(3,263)	(9,866)
Net pension liability	(5,026)	(22,818)	(20,767)	(48,611)
<b>Net cash provided by operating activities</b>	<b>\$ 496,468</b>	<b>\$ 451,293</b>	<b>\$ (61,395)</b>	<b>\$ 886,366</b>
<b>Noncash investing, capital and financing activities</b>				
Capital contributions - developers	\$ 374,134	\$ -	\$ -	\$ 374,134
Equity investment adjustment for net income and ownership changes	\$ -	\$ 21,109	\$ -	\$ 21,109

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Capital Projects Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual</u> <u>Amounts</u>	<u>Variance with</u> <u>Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Intergovernmental	\$ 3,947,000	\$ 3,976,900	\$ 29,900	\$ (3,947,000)
Interest	-	-	104,475	104,475
<b>Total revenues</b>	<u>3,947,000</u>	<u>3,976,900</u>	<u>161,688</u>	<u>(3,815,212)</u>
<b><u>EXPENDITURES</u></b>				
Current:				
Capital outlay	7,806,351	20,236,990	7,353,669	12,883,321
<b>Total expenditures</b>	<u>7,806,351</u>	<u>20,236,990</u>	<u>7,353,669</u>	<u>12,883,321</u>
<b>Excess (deficiency) of revenues over (under) expenditures</b>	<u>(3,859,351)</u>	<u>(16,260,090)</u>	<u>(7,191,981)</u>	<u>9,068,109</u>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Sale of capital assets	-	-	323,246	323,246
Transfers in	3,870,794	6,433,794	6,433,794	-
Transfers out	(11,443)	(41,443)	(41,443)	-
<b>Net other financing sources (uses)</b>	<u>3,859,351</u>	<u>6,392,351</u>	<u>6,715,597</u>	<u>323,246</u>
<b>Net change in fund balance</b>	<u>\$ -</u>	<u>\$ (9,867,739)</u>	<u>(476,384)</u>	<u>\$ 9,391,355</u>
<b>Fund balance, beginning of year</b>			<u>3,859,550</u>	
<b>Fund balance, end of year</b>			<u>\$ 3,383,166</u>	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Special Improvement District Fund**  
**For the Year Ended June 30, 2023**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
<b><u>REVENUES</u></b>				
Charges for services	\$ -	\$ -	\$ -	\$ -
Total revenues	-	-	-	-
<b><u>EXPENDITURES</u></b>				
Total expenditures	-	-	-	-
Excess (deficiency) of revenues over (under) expenditures	-	-	-	-
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers in	-	-	-	-
Net other financing sources (uses)	-	-	-	-
Net change in fund balance	\$ -	\$ -	-	\$ -
Fund balance, beginning of year			7,717	
Fund balance, end of year			\$ 7,717	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Redevelopment Agency Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Property tax	\$ 475,000	\$ 475,000	\$ 647,027	\$ 172,027
Interest	-	-	41,049	41,049
<b>Total revenues</b>	<u>475,000</u>	<u>475,000</u>	<u>688,076</u>	<u>213,076</u>
<b><u>EXPENDITURES</u></b>				
Current:				
RDA expenditures	400,000	400,000	325,914	74,086
<b>Total expenditures</b>	<u>400,000</u>	<u>400,000</u>	<u>325,914</u>	<u>74,086</u>
<b>Excess of revenues under expenditures</b>	<u>75,000</u>	<u>75,000</u>	<u>362,162</u>	<u>287,162</u>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers in	15,000	15,000	15,000	-
<b>Net other financing sources (uses)</b>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>	<u>-</u>
<b>Net change in fund balance</b>	<u>\$ 90,000</u>	<u>\$ 90,000</u>	<u>377,162</u>	<u>\$ 287,162</u>
<b>Fund balance, beginning of year</b>			<u>1,087,198</u>	
<b>Fund balance, end of year</b>			<u>\$ 1,464,360</u>	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Community Theater Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Miscellaneous	\$ -	\$ -	\$ -	\$ -
<b>Total revenues</b>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers out	-	(15,819)	(15,916)	(97)
<b>Net other financing sources (uses)</b>	<u>-</u>	<u>(15,819)</u>	<u>(15,916)</u>	<u>(97)</u>
<b>Net change in fund balance</b>	<u>\$ -</u>	<u>\$ (15,819)</u>	<u>(15,916)</u>	<u>\$ (97)</u>
<b>Fund balance, beginning of year</b>			<u>15,916</u>	
<b>Fund balance, end of year</b>			<u>\$ -</u>	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Special Services Fund**  
**For the Year Ended June 30, 2023**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
<b><u>REVENUES</u></b>				
Taxes	\$ 550,000	\$ 550,000	\$ 711,002	\$ 161,002
Impact fees	2,083,375	2,083,375	564,239	(1,519,136)
Interest	-	-	149,832	149,832
<b>Total revenues</b>	2,633,375	2,633,375	1,425,073	(1,208,302)
<b><u>EXPENDITURES</u></b>				
Capital outlay	1,964,000	5,409,667	806,869	4,602,798
<b>Total expenditures</b>	1,964,000	5,409,667	806,869	4,602,798
<b>Excess of revenues over expenditures</b>	669,375	(2,776,292)	618,204	3,394,496
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers out	-	(55,000)	(55,000)	-
<b>Net other financing sources (uses)</b>	-	(39,181)	(39,084)	97
<b>Net change in fund balance</b>	\$ 669,375	\$ (2,815,473)	579,120	\$ 3,394,593
<b>Fund balance, beginning of year</b>			6,438,229	
<b>Fund balance, end of year</b>			\$ 7,017,349	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Debt Service Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Interest	\$ -	\$ -	\$ 4,468	\$ 4,468
<b>Total revenues</b>	<b>-</b>	<b>-</b>	<b>4,468</b>	<b>4,468</b>
<b><u>EXPENDITURES</u></b>				
Debt service:				
Principal	950,000	950,000	950,000	-
Interest and fiscal expenses	397,338	397,338	395,538	1,800
Total debt service	1,347,338	1,347,338	1,345,538	1,800
<b>Total expenditures</b>	<b>1,347,338</b>	<b>1,347,338</b>	<b>1,345,538</b>	<b>1,800</b>
<b>Excess (deficiency) of revenues over (under) expenditures</b>	<b>(1,347,338)</b>	<b>(1,347,338)</b>	<b>(1,341,070)</b>	<b>6,268</b>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers in	1,347,338	1,347,338	1,345,538	(1,800)
<b>Net other financing sources (uses)</b>	<b>1,347,338</b>	<b>1,347,338</b>	<b>1,345,538</b>	<b>(1,800)</b>
<b>Net change in fund balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>4,468</b>	<b>\$ 4,468</b>
<b>Fund balance, beginning of year</b>			<b>363,333</b>	
<b>Fund balance, end of year</b>			<b>\$ 367,801</b>	



**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Municipal Building Authority Fund**  
**For the Year Ended June 30, 2023**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
<b><u>REVENUES</u></b>				
Miscellaneous	\$ 404,165	\$ 404,165	\$ 404,165	\$ -
Interest	-	-	678	678
<b>Total revenues</b>	404,165	404,165	404,843	678
<b><u>EXPENDITURES</u></b>				
Debt service:				
Principal	320,000	320,000	320,000	-
Interest and fiscal expenses	84,165	84,165	84,165	-
<b>Total expenditures</b>	404,165	404,165	404,165	-
<b>Net change in fund balance</b>	\$ -	\$ -	678	\$ 678
<b>Fund balance, beginning of year</b>			3,585	
<b>Fund balance, end of year</b>			\$ 4,263	

**SPRINGVILLE CITY CORPORATION**  
**Schedule of the Revenues, Expenditures, and Changes in Fund Balance -**  
**Budget and Actual – Permanent Fund**  
**For the Year Ended June 30, 2023**

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance with Final Budget</u>
	<u>Original</u>	<u>Final</u>		
<b><u>REVENUES</u></b>				
Charges for services	\$ 137,600	\$ 137,600	\$ 107,796	\$ (29,804)
Interest	15,000	15,000	131,373	116,373
Donations	-	-	-	-
<b>Total revenues</b>	<u>152,600</u>	<u>152,600</u>	<u>239,169</u>	<u>86,569</u>
<b><u>EXPENDITURES</u></b>				
Current:				
Park, recreation, and public property	-	5,000	4,561	439
<b>Total expenditures</b>	<u>-</u>	<u>5,000</u>	<u>4,561</u>	<u>439</u>
<b>Excess (deficiency) of revenues over (under) expenditures</b>	<u>152,600</u>	<u>147,600</u>	<u>234,608</u>	<u>87,008</u>
<b><u>OTHER FINANCING SOURCES (USES)</u></b>				
Transfers out	(25,000)	(25,000)	(25,000)	-
<b>Net other financing sources (uses)</b>	<u>(25,000)</u>	<u>(25,000)</u>	<u>(25,000)</u>	<u>-</u>
<b>Net change in fund balance</b>	<u>\$ 127,600</u>	<u>\$ 122,600</u>	209,608	<u>\$ 87,008</u>
<b>Fund balance, beginning of year</b>			<u>3,980,633</u>	
<b>Fund balance, end of year</b>			<u>\$ 4,190,241</u>	

**SPRINGVILLE CITY CORPORATION**

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**Compliance Section**

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Honorable Mayor and Members of the City Council  
Springville City, Utah

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Springville City Corporation, Utah (the City), as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated December 12, 2023.

***Report on Internal Control Over Financial Reporting***

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

### ***Report on Compliance and Other Matters***

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

December 12, 2023

**INDEPENDENT AUDITOR’S REPORT ON COMPLIANCE AND  
REPORT ON INTERNAL CONTROL OVER COMPLIANCE  
AS REQUIRED BY THE *STATE COMPLIANCE AUDIT GUIDE***

Honorable Major and Members of the City Council  
Springville City, Utah

***Report On Compliance***

We have audited Springville City Corporation, Utah's (the City) compliance with state compliance requirements described in the *State Compliance Audit Guide* issued by the Office of the Utah State Auditor, that could have a direct and material effect on the City for the year ended June 30, 2023.

State compliance requirements were tested for the year ended June 30, 2023 in the following areas:

Budgetary Compliance	Restricted Taxes and Related Revenues
Fund Balance	Governmental Fees
Justice Courts	Open and Public Meetings Act
Fraud Risk Assessment	

***Opinion on Compliance***

In our opinion, Springville City Corporation complied, in all material respects, with the state compliance requirements referred to above for the year ended June 30, 2023.

***Basis for Opinion***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the *State Compliance Audit Guide (Guide)*. Our responsibilities under those standards and the *State Compliance Audit Guide* are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Our audit does not provide a legal determination of the City’s compliance with the compliance requirements referred to above.

### ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's government programs.

### ***Auditor's Responsibilities for the Audit of Compliance***

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the *Guide* will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of the government program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the *Guide*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the *State Compliance Audit Guide* but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.



### ***Report On Internal Control over Compliance***

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses or significant deficiencies, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or to detect and correct noncompliance with a state compliance requirement on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a state compliance requirement will not be prevented or detected and corrected on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

### ***Purpose of This Report***

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the *Guide*. Accordingly, this report is not suitable for any other purpose.

December 12, 2023



## STAFF REPORT

**DATE:** December 13, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Josh Yost, Community Development Director  
**SUBJECT:** ADOPTION OF THE 1600 SOUTH CORRIDOR PLAN

---

**Recommended Motion: Move to adopt the 1600 South Corridor Plan.**

### **Executive Summary:**

The intent of the 1600 South Corridor Plan is to plan for a community of lasting value, composed of walkable neighborhood units centered on commercial and civic amenities, connected by a complete network of transportation and open spaces, with an intentional focus on design and character.

The plan document outlines an implementation framework that provides guidelines about the developed area's land use, look, feel, and atmosphere. It establishes policies for maximum land use intensities and describes the general location of transportation corridors and the allocation of public open spaces. The recommended implementation of this plan is a Form-Based Code, and this document is structured to provide the baseline information that will make up this code.

Adopting this plan does not create any land use entitlement, change any zoning, or approve any development. The plan's goals and policies will be implemented, and all development will be entitled by creating and adopting appropriate zoning districts, most likely through a form-based code described above.

### **Focus of Action:**

Does the proposed Corridor Plan further the health, safety, and welfare of Springville residents, now and in the future, and does the proposed plan provide for the orderly and sustainable development of Springville City?

### **Background:**

The 1600 South Corridor Plan began in March of 2021 with a request for qualifications for multidisciplinary consultant teams to create an area plan for an area surrounding the 1600 South Corridor between the planned I-15 interchange and SR-51. CRSA was selected as the lead consultant with a team that included Avenue Consulting and Downtown Redevelopment Services. Planning work commenced in the spring of 2021.



This plan fulfills the City Council's desire to plan for the long-term growth of this area in anticipation of the construction of a new I-15 interchange at 1600 South. Because of the high demand for industrial development as the planning process began, the council adopted amendments to the Official Zoning Map on August 17, 2021, which changed most of the planning area from existing zoning that permitted industrial development. This action reduced the pressure for development in the area and allowed the city time to consider the best opportunities for the area's future thoroughly.

A public kick-off and joint meeting of the City Council and Planning Commission was held on August 12, 2021, as part of an extended planning workshop. Additional review and presentation meetings were held on August 13, August 16, and August 18. Much of this work was focused on the Dry Creek area at the northeast corner of the study area. Still, it provided an opportunity to convene stakeholders from across the planning area.

Additional Planning Commission meetings were held to review the plan on August 9, 2022, October 25, 2022, and October 10, 2023.

The City Council participated heavily in the planning process with presentations and discussions on the following dates.

**2021**

10/19/2021 Work Meeting

**2022**

02/15/2022 Work Meeting

03/08/2022 Work Meeting

06/07/2022 Work Meeting

08/02/2022 Work Meeting

**2023**

10/03/2023 Work Meeting

10/17/2023 Work Meeting

11/28/2023 Mid-Year Strategy Meeting/1600 South Zoning Discussion

Property owners and residents were individually invited to many of these meetings and had the opportunity to share their comments with the Council and staff.

**Discussion:**

Process

The 1600 South Plan used a scenario planning process to evaluate multiple alternative outcomes for the planning area. The modeling of these scenarios provides a sample range of potential development types and densities, costs that the City may incur, and other demographic



realities. The city council then directed the selection of a preferred scenario based on the overall vision for the area as directed by the Springville City Council as described in Chapter 4. This direction has been based on feedback from local developers, landowners, and stakeholders that participated in the December 2021 Developer Forum call, further confirmed by direct outreach to the City and consultant team by participants in the call during the planning process.

The results of the scenario modeling process informed the assignment of future land use types to the whole of the planning area. In short, the maximum development potential allowed by the plan is as follows:

Total area	813 acres
Parks	49 acres
Developable area	646 acres
Housing	4,676 units
Commercial	5,248,959 square feet

Impacts on utilities and other city services were evaluated in the plan, and the fiscal impact on the city from anticipated property and sales tax revenues. The plan further considers the area's demographics, regional context, transportation (including trails and active transportation facilities), urban design, parks, and open space. The plan also makes specific recommendations for the design of the 1600 South roadway.

### Future Land Use

The plan identifies six general land use districts listed below, described in detail on page 52 of the draft document.

- Commercial-Retail/Strip Mall
- Commercial - Village Mixed-Use
- Housing - Medium High
- Housing - Medium
- Housing - Medium Low
- Mixed-Use - Lifestyle Center

These land use districts roughly correlate to Springville's current zones as follows:

- |                                  |   |
|----------------------------------|---|
| • Commercial-Retail/Strip Mall   | Community Commercial, Regional Commercial |
| • Commercial - Village Mixed-Use | Village Center                            |
| • Housing - Medium High          | R-MF2                                     |
| • Housing - Medium               | R-2                                       |
| • Housing - Medium Low           | R1-5, R1-8                                |
| • Mixed-Use - Lifestyle Center   | Town Center, Main Street South Gateway    |



The maximum intensity of the exclusively residential land use districts in the 1600 South Plan is greater than the similarly named districts in the Westfields Community Plan.

	<b>1600 South Plan</b>	<b>Westfields Community Plan</b>
Housing - Medium-Low	6 units/acre	5 units/acre
Housing - Medium	10 units/acre	7 units/acre
Housing - Medium High	18 units/acre	10 units/acre

The housing-medium high designation in the 1600 South Plan aligns more with the mid-range of the current Village Center Zone and falls between the T4 (15 units/acre) and the T5 (20 units/acre) transects in the Lakeside Landing Special District Overlay. Detailed development yields are listed on page 42 of the draft document.

### Implementation

The plan document outlines an implementation framework that provides guidelines about the developed area's land use, look, feel, and atmosphere. The recommended implementation of this plan is a Form-Based Code, and this document is structured to provide the baseline information that will make up this code.

Adopting this plan does not create any land use entitlement, change any zoning, or approve any development. The plan's goals and policies will be implemented by creating and adopting appropriate zoning districts, most likely through a form-based code as described above.

### **Planning Commission Discussion:**

The Planning Commission held a properly noticed public hearing on Tuesday, December 12, to consider the plan.

The commission's discussion centered on the high-level strategic nature of the plan and the way it will be implemented by future land use regulations.

Three citizens addressed the Planning Commission during the public hearing.

Mindi Wright expressed concern over the location of the mixed-use village center away from the primary arterial streets. She also questioned the quick transition from the mixed-use district to the single-family housing district to the south.

Chad Tripp asked the Commission to carefully consider the interests of residents on the edge of existing neighborhoods adjacent to new development. He expressed concern about appropriate transitions from the existing homes to new single-family attached homes. He also requested that the location of new parks be carefully considered to serve both new and current residents.



After the public hearing, the Commission briefly discussed the comments and contemplated a motion that would include direction to add policy statements to the plan regarding appropriate transitions from existing development and the careful siting of parks.

Commissioner Nelson moved to recommend approval of the 1600 South Corridor Plan with the note that consideration will be given to existing homeowners to create an appropriate transition that will not negatively affect those homeowners or the area they live in. As well as an adjustment to make sure parks are accessible to all. Commissioner Farrer seconded the motion.

The vote to approve the motion was 5:0, with Commissioners Parker and Calder excused.

**Alternatives:**

Continue consideration of the 1600 South Corridor Plan.

Move to deny the adoption of the 1600 South Corridor Plan.



## STAFF REPORT

**DATE:** December 12, 2023

**TO:** Honorable Mayor and City Council

**FROM:** Carla Wiese-Planner/Econ Dev Specialist

**SUBJECT:** **SPRINGVILLE COMMUNITY DEVELOPMENT REQUESTS  
AMENDMENTS TO SPRINGVILLE CODE TITLES 11 AND 14 TO  
COMPLY WITH THE REQUIREMENTS OF 2023 SB 174 LOCAL LAND  
USE AND DEVELOPMENT REVISIONS AND HB 406 LOCAL LAND  
USE, DEVELOPMENT, AND MANAGEMENT ACT MODIFICATIONS.**

---

**Recommended Motion:** Motion to approve Ordinance No. \_\_\_\_\_-2023 amending Springville City Code Titles 11 and 14 to comply with requirements of SB 174 Local Land Use and Development Revisions and HB 406 Local Land Use, Development, and Management Act Modifications.

**Executive Summary:** The proposed amendments bring Springville City into compliance with the requirements of SB 176 and HB 406, passed in the 2023 legislative session, delete redundancies, and clarify definitions.

**Focus of Action:**

Do these amendments bring Springville into compliance with state code requirements, clarify and streamline the subdivision process, and remove redundancies in city code?

**Background:**

The Utah State Legislature passed SB 176 in the 2023 session. The bill requires cities that must file Moderate-Income Housing Plans, of which Springville is one, to implement the subdivision changes by February 1, 2024. The legislation set up a process meant to expedite review for residential subdivisions. Commercial subdivisions, including multi-family, are not impacted by this legislation.

SB 176 limits the number of review cycles on the Final Plan to four; if a preliminary and final plan are submitted concurrently, the total number of review cycles is limited to four.



A review cycle is defined by the legislation as an applicant submission, a municipal review and response, and the applicant’s response that must address each of the required modifications. If the applicant does not address the required modifications, that round of review is not considered one of the four review cycles. If the city doesn’t identify a required modification within the four review cycles, that modification is waived by the City unless the modification is an issue of health and safety or is required by state or federal law. We added Article 3 (which had been reserved) to outline the commercial subdivision process to clarify that the review cycle limitations in SB 176 do not apply to commercial subdivisions. The residential subdivision approval process has been removed from the City Council, and an Administrative Land Use Authority has been designated as residing with the Community Development Director. The subdivision process is an administrative action, and the legislation intended to remove the city councils from the process.

HB 406 addressed landscape bonding for landscape improvements. Cities are no longer allowed to require a bond for landscape improvements unless those improvements are on public property or are to be dedicated to the city, adjacent to trails, or maintained by an HOA.

We also took this opportunity to clean up Titles 11 and 14 and eliminate the redundancy of quoting state code requirements for general plans, listing site plan requirements in the code, and ensuring that definitions in the code were consistent.

**Discussion:**

The Planning Commission considered the proposed amendments on November 28, 2023, and held a public hearing.

**Public Hearing:**

There were no comments from the public.

**Planning Commission Discussion:**

The Planning Commission discussed the proposed amendments; the full discussion can be found in the attached DRAFT minutes. They identified some inconsistencies in language, which have been addressed.

**Planning Commission Recommendation:**





Commissioner Baker moved to recommend approval of the amendment to Springville City Code Titles 11 and 14 to comply with the 2023 SB 174 Local Land Use and Development Revisions requirements and HB 406 Local Land Use, Development, and Management Act Modifications with the changes as discussed. Commissioner Anderson seconded the motion.

The vote to approve the Legislative Session item was unanimous.

**Alternatives:**

1. Adopt the amendment/ordinance as proposed.
2. Amend and adopt the proposed amendment/ordinance.
3. Reject the proposed amendment/ordinance.

**Fiscal Impact:**

None

*Carla Wiese*

Carla Wiese



# MINUTES

Planning Commission  
Regular Session  
Tuesday, November 28, 2023

## IN ATTENDANCE

**Commissioners Present:** Chair Karen Ellingson, Genevieve Baker, Rod Parker, Ann Anderson and Brett Nelson

**Commissioners Excused:** Michael Farrer, Ralph Calder

**City Staff:** Josh Yost, Community Development Director  
Carla Wiese, Planner II/Economic Development Specialist  
Heather Goins, Executive Assistant

**City Council:** Liz Crandall

## CALL TO ORDER

Chair Ellingson called the meeting to order at 7:31 p.m. The meeting started late to gather a quorum to hold the meeting.

## APPROVAL OF THE AGENDA

Commissioner Baker moved to approve the agenda as written. Commissioner Anderson seconded the motion. The vote to approve the agenda was unanimous.

## APPROVAL OF THE MINUTES

### *November 14, 2023*

Commissioner Anderson moved to approve the November 14, 2023 meeting minutes. Commissioner Calder seconded the motion. The vote to approve the meeting minutes was unanimous.

## CONSENT AGENDA

- 1. K Barr, Co. seeking commercial site plan approval for expanding the Tyton Self-Storage facility located at 203 W 700 S within the L-IM Light Industrial Manufacturing Zone.*
- 2. Plat amendment approval for Westfields Central, Plat B, located in the area of 800 S 950 W within the Westfields Central Traditional Neighborhood Development.*

With no objections or comments, the items pass without further consideration.

## ADMINISTRATIVE SESSION

*No Items*

50 LEGISLATIVE SESSION:  
51

- 52 3. *Springville Community Development requests amendments to Springville Code*  
53 *Title 11 Chapter 2 Article 3 Board of Adjustment to comply with Title 10 Chapter*  
54 *9a Part 7 UCA Appeal Authority and Variances.*  
55

56 Carla Wiese, City Planner, asked for this item to be continued. The staff report did not  
57 get sent out in time for review.  
58

59 Commissioner Anderson moved to open the public hearing. Commissioner Baker  
60 seconded. The vote to open the public hearing was unanimous and it opened at 7:33  
61 p.m. Seeing no speakers, Commissioner Baker moved to close the public hearing.  
62 Commissioner Anderson seconded. The public hearing was closed at 7:33 p.m.  
63

64 Commissioner Baker moved to continue Item #3 to the next Planning Commission  
65 meeting. Commissioner Calder seconded the motion. The vote to continue the  
66 Legislative Session item was unanimous.  
67

- 68 4. *Springville Community Development requests amendments to Springville Code*  
69 *Titles 11 and 14 to comply with the requirements of 2023 S.B. 174 Local Land*  
70 *Use and Development Revisions and H.B 406 Local Land Use, Development,*  
71 *and Management Act Modifications.*  
72

72 3:45

73 Carla Wiese, City Planner and Economic Development Assistant, presented. In the last  
74 session, Senate Bill 176 was passed with House Bill 406. SB 176 is the majority of what  
75 we are looking at today. It sets criteria for the subdivision review process. This is to get  
76 some consistency for the process, as it had been done in various ways in Utah cities.  
77 Springville is a Moderate-Income Housing Plan City which means we have to do a  
78 Moderate Income Housing plan on our own. It needs to be completed by February 1,  
79 2024. HB 406 addressed the bonding for public landscape improvements. The  
80 amendments are included, and she broke down all the sections. She took questions  
81 rather than going through the whole document.  
82

83 Chair Ellingson asked why the beginning sections were removed. Ms. Wiese State code  
84 already says what a General Plan does, and we wanted to clean it up. Rather than have  
85 it duplicated, we made a statement that we will do a general plan that complies with  
86 Utah State Code. Chair Ellingson asked where that language is added in. Ms. Weise  
87 said it's in 11-2-101. We kept the paragraph and updated the code reference.  
88 Everything after that is the latest legislation. We had to designate a Land Use Authority  
89 to the State and that is the Community Development Director.  
90

91 Commissioner Calder asked what the city is required to do to comply with State code or  
92 do they adopt only some sections of it. Ms. Wiese said we can't pick and choose. The  
93 LMA (Land Use Development and Management Act) sets up all the parameters for land  
94 use decisions and power and authority for cities. Sometimes there is a little leeway,  
95 other times it must be very specific like it has to be with the subdivision rewrite.  
96

97 Commissioner Calder asked what major changes it will make to how the City operates.  
98 Ms. Wiese said the changes in state law are only for single family residential,  
99 townhomes or duplexes. This does not apply to condominiumized or multi-family

100 residential. It limits the review process for a preliminary plan. The City must respond in  
101 15 days. And it doesn't control the developer's response time. Commissioner Calder  
102 said in that scenario they submit a plan, and they say their information was complete  
103 then at the end of 15 days can we tell them here's the information you need to provide  
104 us because we can't comment on something that is incomplete.

105  
106 Ms. Wiese said we won't accept an incomplete application. Applications are reviewed  
107 for completion before the actual departments do their review. Some cities tend to be  
108 arbitrary. Springville is good because we say this is our specification for this and refer to  
109 this specification when making notes or red lines on a plan. The State is now saying you  
110 must do that and not be arbitrary. There are some questions with ULCT attorneys and  
111 other land attorneys that have looked at it. The most recent consensus is there is no  
112 limit on the number of preliminary reviews if you review within 15 days. They must  
113 respond to the comments, or it doesn't count as a review cycle. If the city leaves  
114 something out, then we lose the right to that item. That is how we have always handled  
115 it. The City gets 4 days on the final review.

116  
117 Commissioner Calder said he has experienced it on both sides. He has an appreciation  
118 for that 15-day initial review. If they miss a fire hydrant, on the first review, are we able to  
119 come back on that. Ms. Wiese said health and safety things must be addressed.

120  
121 Rod Parker arrived at 7:47 p.m.

122  
123 17:15

124 Director Yost said our review is a parallel review, compiled and provided to the  
125 applicant. Commissioner Calder asked if that is DRC. Director Yost said yes. Staff gets  
126 together to review these plans. With final reviews, we have 20 days, and it runs on a  
127 two-week cycle. So, if you apply on Thursday but the cycle started on Wednesday, you  
128 will have to wait two more weeks for your review.

129  
130 They discussed the review timeline.

131  
132 Commissioner Calder asked if we do internal reviews. Director Yost said reviews are all  
133 internal.

134  
135 20:35

136 Ms. Wiese said this only applies to residential. We had a section set aside for  
137 commercial subdivisions. We took the old subdivision review that we applied across the  
138 board and put it in here for Commercial Subdivision and then updated and made  
139 specific changes to our residential code in Chapter 2.

140  
141 21:30

142 Chapter 3 is the creation of commercial and industrial subdivision, which is defined as  
143 being multi-family, condominium, commercial or industrial in nature. The residential  
144 subdivision applies only to the single family, two family and town homes.

145  
146 22:07

147 Commissioner Ellingson asked about Chapter 3 page 42 where it defines the  
148 Administrative Land Use Authority but does not include the Planning Commission. In  
149 Chapter 2, the Administrative Land Use Authority includes the Planning Commission.

150 Ms. Wiese said subdivisions can be taken away from the Planning Commission. That is  
151 what we've done. They will be noticed for public comment but no longer come to  
152 Planning Commission for review. Director Yost clarified we don't have a public hearing  
153 on administrative items. All subdivisions are consent items and then they go to City  
154 Council. That is another big underpinning motivation. Some cities that require multiple  
155 times to Planning Commission and City Council. And opening the public forum for things  
156 that meet the code and then the public gets upset because the item must be approved,  
157 despite their objections.

158

159 25:55

160 Chair Ellingson asked about the new text in both sections. Ms. Wiese said we never had  
161 anything in Chapter 3, so it is all new there. Director Yost asked where that is located.  
162 Chair Ellingson said it's on page 22, 14-2-102 has the first definition of Land Use  
163 Authority. Ms. Wiese said we would make that change.

164

165 Ms. Wiese continued saying there are changes on public landscaping bonds. We cannot  
166 require bonds for landscaping improvements that aren't going to be dedicated to City for  
167 landscape and maintenance. Commissioner Calder asked if that is commercial and  
168 residential. Ms. Wiese said it is for anything that is dedicated to the City. Commissioner  
169 Calder asked if someone has to bond with the City to put in a front yard in a certain time  
170 period. Ms. Wiese said it won't change HOA requirements. Director Yost said we can no  
171 longer require bonding on private property period. Ms. Wiese said this went into effect in  
172 May. We have stopped that and now we are codifying it.

173

174 Ms. Wiese said when we met with John Penrod about whether we should keep the  
175 landscape bonds we had, he felt it was easier to let those go.

176

177 Chair Ellingson asked with the everything crossed out on 27, 28, 29 are those existing  
178 somewhere else? Ms. Wiese said we listed everything that we required on a plan. We  
179 wanted to make sure we weren't overcomplicating the process. We did what we refer to  
180 as a preliminary plan residential checklist, so we get what we needed. We took them out  
181 of the code because it was a lot to have in code.

182

183 30:37

184 Director Yost wants to get rid of procedure or policy or something that wasn't a Land  
185 Use Regulation or something that is a procedural policy or something that can change. If  
186 something changes on a checklist, we can update the checklist without having to go to  
187 this process to change it.

188

189 31:24

190 Commissioner Calder asked if the checklist would be on the website and if it would be  
191 updated by date. Ms. Wiese said yes, when it was adopted.

192

193 This goes into effect on February 1<sup>st</sup>.

194

195 Commissioner Calder asked if paper plans need to be submitted. Ms. Wiese said we  
196 take electronic submissions. Director Yost said they are reviewed and retained  
197 electronically. Commissioner Calder said some cities asked for printed plans.

198

199 Commissioner Calder asked if we should have the changes made before make a  
200 motion. Commissioner Baker said we can recommend approval with the changes. They  
201 are feeling they understand this better now. Ms. Wiese said if you feel you want more  
202 time with this, that is up to you. Commissioner Baker said this wouldn't go to City  
203 Council. Ms. Wiese said it would be in the work session. We want to take it to seated  
204 City Council and if you didn't recommend it wouldn't make their deadlines.

205  
206 38:18

207 Commissioner Baker moved to open the Public Hearing. Commissioner Anderson  
208 seconded. The public hearing was opened at 8:08 p.m. Seeing no comment.  
209 Commissioner Anderson moved to close the Public Hearing. Commissioner Calder  
210 seconded. The public hearing was closed at 8:09 p.m.

211  
212 38:47

213 Commissioner Baker feels confident that staff will check for inconsistencies before  
214 taking it to City Council. Commission Calder wants to look through it more. He can do it  
215 on his own and make a phone call if he needs to. It is a lot of change. Commissioner  
216 Anderson said it is OK to move forward as there is a work session first. Commissioner  
217 Parker has no issues. He feels it is just cleaning it up and streamlining it to make it  
218 easier.

219  
220 40:00

221 Commissioner Baker moved to recommend approval of the amendment to Springville  
222 City Code Titles 11 and 14 to comply with the 2023 S.B. 174 Local Land Use and  
223 Development Revisions requirements and H.B. 406 Local Land Use, Development, and  
224 Management Act Modifications with the changes as discussed. Commissioner Anderson  
225 seconded the motion. The vote to approve the Legislative Session item was unanimous.

226  
227  
228 ***5. Springville Community Development requests amendment to Springville Code***  
229 ***Title 11 Chapter 4 Section 301 Land Use Matrix to refine the permitted uses in***  
230 ***the Main Street South Gateway Zone.***

231 40:38

232 Josh Yost, Community Development Director, presented. When City Council reviewed  
233 the map amendment to extend the MSSG to the South, they asked us to review the  
234 Land Use Matrix for that zone to make sure all uses were aligned in the zone. While  
235 checking, it was noticed that the P for permitted was missed in Retail Sales there is no  
236 less than 15,000 square feet. We want to allow general retail at that size as it is an  
237 essential use in downtown.

238  
239 Chair Ellingson said they are redundant. Director Yost said it is based on how it aligns  
240 with Business License categories. Commissioner Parker asked if there can be a range  
241 in there. Commissioner Parker said you can recommend it. Commissioner Calder said it  
242 Director Yost is OK to make it 0-15,000 square feet. Commissioner Parker said it  
243 doesn't matter if it is less than 15,000 if it for licensing of a store. Chair Ellingson said it  
244 only matters if you put something bigger in.

245  
246 Commissioner Baker asked if this was anywhere in the definitions. Director Yost said  
247 some of the uses are defined in definitions. He looked it up.

248

249 Chair Ellingson said it should be clarified. Director Yost said that is covered is at the end  
250 of the Land Use Matrix.

251  
252 Commissioner Baker said it should be clarified with the range. Now it says everything  
253 less than 80,000 is a certain set of Conditional and Permitted uses. Commissioner  
254 Parker said there already is less than 25,000 square feet. Director Yost said let's not  
255 complicate it.

256  
257 Chair Ellingson asked what will prevent conflict with a future developer. Clarity helps the  
258 issue. Commissioner Baker asked if it gets more conflicting as you look at each of the  
259 boxes. Director Yost said our code is set up differently in tables, because you can cross  
260 reference. This is generally better but has created an odd condition here.

261  
262 Commissioner Calder said if you put the P in, it is clear. Some are overstated but gives  
263 criteria you can quickly look at. Director Yost said it could be simplified by switching the  
264 inequality. Then no. Not to exceed X square feet. Commissioner Parker said if you do  
265 that you have to start at 0. Director Yost said you would start with 0-15,000. This may  
266 not be the categories in licensing. Commissioner Parker said to stay with what mirrors  
267 licensing.

268  
269 Director Yost said if you tell us General Retail no greater than 15,000, then we will use  
270 that.

271  
272 Chair Ellingson said goal with things like this is to be easily read by anybody.

273  
274 Commissioner Anderson moved to open the Public Hearing. Commissioner Baker  
275 seconded. The public hearing was opened at 8:26 p.m. Seeing no speakers,  
276 Commissioner Baker moved to close the Public Hearing. Commissioner Calder  
277 seconded. The public hearing was closed at 8:27 p.m.

278  
279 56:56

280 Commissioner Baker moved to recommend approval of the amendment to Springville  
281 Code Title 11 Chapter 4 Section 301 Land Use Matrix to refine the permitted uses in the  
282 Main Street South Gateway Zone with the addition of clarification on General Retail  
283 Stores permitted uses. Commissioner Calder seconded the motion. The vote to approve  
284 the Legislative Session item was unanimous.

285  
286 Chair Ellingson asked Chair Ellingson asked if Planning Commission will be held on  
287 December 26<sup>th</sup>. Director Yost said no.

288  
289 With nothing further to discuss, Commissioner Baker moved to adjourn the meeting.  
290 Commissioner Parker seconded the motion. Chair Ellingson adjourned the meeting at  
291 8:29 p.m.

ORDINANCE NO. \_\_\_\_-2023

**AN ORDINANCE AMENDING TITLE 11 OF THE SPRINGVILLE DEVELOPMENT CODE AND TITLE 14 SUBDIVISION REGULATIONS TO COMPLY WITH THE REQUIREMENTS OF 2023 S.B. 174 LOCAL LAND USE AND DEVELOPMENT REVISIONS AND H.B 406 LOCAL LAND USE, DEVELOPMENT, AND MANAGEMENT ACT MODIFICATIONS.**

**WHEREAS** the Springville City Development Code governs land use decisions within Springville City in fulfillment of the recommendations of the General Plan as well as the future vision of the City as established by the Mayor and Council; and

**WHEREAS** the Utah State Legislature adopted standards for the municipal residential subdivision review process in 2023; and

**WHEREAS** Springville City is required to adopt these standards to be in compliance with the Utah State Code; and

**WHEREAS** the Planning Commission conducted a public hearing on November 28, 2023, and reviewed the proposed amendments, and has recommended favorably of the amendments; and

**WHEREAS** the City Council held a properly noticed public meeting on December 19, 2023, to consider amendments to Springville Code

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Springville, Utah, that:

**Section 1:** The amendments to Springville City Code Springville Code Titles 11 and 14 are incorporated into this ordinance as if fully stated herein as Exhibit A.

**Section 2:** This ordinance shall become effective February 1, 2024, as adopted by the Springville City Council and publication as required by law.

ADOPTED by the City Council of Springville, Utah, on the 19<sup>th</sup> day of December 2023.

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Matt Packard, Mayor

ATTEST:

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Kim Crane, City Recorder



# Exhibit A

## **Title 11**

### **DEVELOPMENT CODE**

#### **Chapters:**

- 1 General Provisions**
- 2 Municipal Planning**
- 3 Zoning**
- 4 Zoning District Regulations**
- 5 Overlay District Regulations**
- 5a New Neighborhood Plans**
- 6 Supplementary Regulations**
- 7 Administration**
- 8 Enforcement and Penalties**
- 9 Lakeside Landing Special District Overlay Zone**

**CHAPTER 1**  
**GENERAL PROVISIONS**

Sections:

Article 1 – GENERAL PROVISIONS

- 11-1-101 Title.
- 11-1-102 Intent and Purpose.
- 11-1-103 Interpretation and Conflict.

**Article 1 – GENERAL PROVISIONS**

**11-1-101 Title.**

This Title shall be known and may be cited as the Development Code of Springville, Utah.

(1979 Code 11-1-101)

**11-1-102 Intent and Purpose.**

It is the intent of the City Council of Springville, Utah, to avail itself of the powers granted pursuant to the Municipal Land Use, Development, and Management Act, Title 10, Chapter 9aA, Utah Code Annotated 1953, as amended, in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Springville, and to this end:

- (1) To encourage and facilitate orderly growth and development within the City.
- (2) To secure economy in municipal expenditures and to facilitate adequate provision for transportation, water, sewerage, parks, schools and other public requirements.
- (3) To lessen congestion in the streets, prevent the overcrowding of land, and provide adequate light and air.
- (4) To secure safety from fires, floods, traffic hazards and other dangers.
- (5) To stabilize and improve property values.
- (6) To protect the tax base.
- (7) To promote the development of a more attractive, wholesome and serviceable City.
- (8) To create conditions favorable to prosperity, civic activities and recreational, educational, and cultural opportunities.

(1979 Code 11-1-102; amended by Ordinance No. 21-92; Ord. No. 06-2012, 07/17/2012)

**11-1-103 Interpretation and Conflict.**

- (1) In interpreting and applying this Code, the provisions thereof shall be held to be the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City.
- (2) Conflict with Other Provisions. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or provision of law. Where any provision of these regulations is in conflict with any other provision of these regulations or any other ordinance, adopted standard or policy, rule or regulation, the provision which is more restrictive or imposes the higher standard shall control.
- (3) Further, these regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, that where the provisions of these regulations are more restrictive or impose higher standards or regulation than such easement, covenant or other private agreement or restrictions are more restrictive

or impose a higher standard than these regulations, then the private provisions shall be operative and supplemental to these regulations and conditions imposed; however, Springville City shall not be responsible to enforce those private provisions.

(1979 Code 11-1-103; Ord. No. 06-2012, 07/17/2012)

**CHAPTER 2**  
**MUNICIPAL PLANNING**

Sections:

Article 1 – GENERAL PLAN AND STREET MAP

- 11-2-101 General Plan.
- 11-2-102 ~~Plan Preparation.~~ Effect of General Plan on Public Uses
- ~~11-2-103 Plan Adoption.~~
- ~~11-2-104 Effect of General Plan on Public Uses.~~

Article 2 – PLANNING COMMISSION

- 11-2-201 Establishment of Planning Commission.
- 11-2-202 Term of Office.
- 11-2-203 Organization.
- 11-2-204 Duties and Powers.
- 11-2-205 Qualifications.
- 11-2-206 Sub-Committees Authorized.

Article 3 – BOARD OF ADJUSTMENT

- 11-2-301 Establishment of Board of Adjustment.
- 11-2-302 Organization and Procedure.
- 11-2-303 Duties and Powers.
- 11-2-304 Community Development Director’s Determination.
- 11-2-305 Appeals to Board.
- 11-2-306 Variances.
- 11-2-307 District Court Review of ~~Board of Adjustment~~ Appeal Authority Decisions.

Article 4 – ZONING ADMINISTRATOR

- 11-2-401 Zoning Administrator.
- 11-2-402 Powers and Duties of Zoning Administrator.

Article 5 – PLANNING ADMINISTRATOR

- 11-2-501 Planning Administrator.
- 11-2-502 Powers and Duties of Planning Administrator.

**Article 1 – GENERAL PLAN AND STREET MAP**

**11-2-101 General Plan.**

(1) In order to accomplish the purposes set forth in this Title and in accordance with the Utah State Municipal Land Use, Development, and Management Act 10-9a-4 UCA, 1953, the City shall prepare and adopt a comprehensive, long-range General Plan ~~for:~~

- ~~(a) Present and future needs of the City; and~~
- ~~(b) Growth and development of the land within the City or any part of the City.~~

~~(2) The General Plan may provide for:~~

- ~~(a) Health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;~~

- ~~(b) — The reduction of the waste of physical, financial, or human resources that results from either excessive congestion or excessive scattering of population;~~
- ~~(c) — The efficient and economical use, conservation, and production of the supply of:
 
  - ~~(i) — Food and water; and~~
  - ~~(ii) — Drainage, sanitary and other facilities and resources;~~~~
- ~~(d) — The use of energy conservation and solar and renewable energy resources;~~
- ~~(e) — The protection of urban development;~~
- ~~(f) — The protection and promotion of air quality;~~
- ~~(g) — Historic preservation;~~
- ~~(h) — Identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and~~
- ~~(i) — An official map.~~

~~(3) — The City Council may determine the comprehensiveness, extent, and fullness of the General Plan.~~

(1979 Code 11-2-101; repealed and readopted by Ordinance No. 21-92; Ord. No. 06-2012, 07/17/2012)

**11-2-102 Plan Preparation.**

~~(1) — (a) — The Planning Commission shall make and recommend to the City Council a proposed General Plan for the area within the City.~~

~~(b) — The plan may include areas outside the boundaries of the City if, in the Planning Commission’s judgment, such areas are related to the planning of the City’s territory.~~

~~(c) — Except as may be otherwise provided by law, when the plan of the City involves territory outside the boundaries of the City, the City shall not take action affecting such territory except with the concurrence of the County or other affected municipalities.~~

~~(2) — The General Plan, with the accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Planning Commission’s recommendations for the development of the territory covered by the plan, and may include, among other things:~~

~~(a) — A land use element that:~~

~~(i) — Designates the proposed general distribution and location and extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and~~

~~(ii) — May include a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan;~~

~~(b) — A transportation and circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that are appropriate, all correlated with the land use element of the plan;~~

~~(c) — An estimate of the need for the development of additional moderate income housing within the City, and a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long term projections for land use and development occur;~~

~~(d) — An environmental element that addresses:~~

~~(i) — The protection, conservation, development, and use of natural resources, including the quality of air, energy, forests, soils, rivers and other waters, wildlife, minerals, and other natural resources; and~~

~~(ii) — The reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of water sheds and wetlands, and the mapping of known geologic hazards;~~

~~(e) — A public services and facilities element showing general plans for sewage, waste disposal, drainage, local utilities, rights of way, easements and facilities for them, police and fire protection, and other public services;~~

~~(f) — A rehabilitation, redevelopment, and conservation element consisting of plans and programs for:~~

~~(i) — Historic preservation; and~~

~~(ii) — The elimination of blight and for redevelopment, including housing sites, business and industrial sites, and public building sites;~~

~~(g) — An economic element composed of appropriate studies and an economic development plan that may include review of City revenue and expenditures, revenue sources, identification of base industry, poverty in secondary market areas, employment, and retail sales activity;~~

~~(h) — Recommendations for implementing the plan, including the use of zoning ordinances, subdivision ordinances, capital improvement plans, and other appropriate actions; and~~

~~(i) — Any other elements that the Planning Commission or City Council considers appropriate.~~

~~(1979 Code 11-2-102; repealed and readopted by Ordinance No. 21-92; Ord. No. 06-2012, 07/17/2012)~~

**~~11-2-103 Plan Adoption.~~**

~~(1) (a) — After completing a proposed General Plan for all or part of the area within the City, the Planning Commission shall schedule and hold a public hearing on the proposed plan.~~

~~(b) — The Planning Commission shall provide reasonable notice of the public hearing at least ten (10) days before the date of the hearing.~~

~~(c) — After the public hearing, the Planning Commission may make changes to the proposed General Plan.~~

~~(2) — The Planning Commission shall then forward the proposed General Plan to the City Council.~~

~~(3) (a) — The City Council shall hold a public hearing on the proposed General Plan recommended to it by the Planning Commission.~~

~~(b) — The City Council shall provide reasonable notice of the public hearing at least ten (10) days before the date of the hearing.~~

~~(4) — After the public hearing, the City Council may make any modifications to the proposed General Plan that it considers appropriate.~~

~~(5) — The City Council may:~~

~~(a) — Adopt the proposed General Plan without amendment;~~

~~(b) — Amend the proposed General Plan and adopt or reject it as amended; or~~

~~(c) — Reject the proposed General Plan.~~

~~(6) — The City Council may amend the General Plan by following the procedures required by this Section.~~

~~(7) “Reasonable notice” is the notice required by Section 11-7-102.~~

(Adopted by Ordinance No. 21-92; Ord. No. 01-2011, 01/18/2011)

**11-2-104(2) Effect of General Plan on Public Uses.**

After the City Council has adopted a General Plan or any amendments to the General Plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized unless and until it conforms to the Plan or it has been considered by the Planning Commission, and after receiving the advice of the Planning Commission, approved by the City Council as an amendment to the General Plan.

(Adopted by Ordinance No. 21-92; Ord. No. 06-2012, 07/17/2012)

**Article 2 – PLANNING COMMISSION**

**11-2-201 Establishment of Planning Commission.**

There is hereby created a Planning Commission which shall have seven (7) members of the general public appointed by the Mayor, with the approval of the City Council. Members of the Commission shall serve without compensation, except that the City may make provision for payment of necessary expenses incurred by them in carrying out the duties specified in this Chapter. Members shall be selected without respect to political affiliations.

The Mayor shall designate one (1) member of the City Council and one (1) alternate member selected from the City Council to be assigned to attend the Planning Commission meetings. City Council members shall serve as nonvoting members of the Commission. In addition, selected staff members shall attend Commission meetings.

(1979 Code 11-2-201; amended by Ordinance No. 9-91, and #10-2007, 03/20/2007; Ord. No. 06-2012, 07/17/2012)

**11-2-202 Term of Office.**

Each member of the Planning Commission, except the City Council members who serve on the Commission, shall serve for a term of four (4) years and until his successor is appointed; provided, that the members first appointed shall be appointed for such terms that the terms of the members shall be staggered to expire every two (2) years. The term of the City Council members who sit on the Planning Commission shall be for two (2) year segments concurrent with the term on the Council. The term of office of each voting member shall commence on the first (1st) day of April in the year in which such member is appointed. Planning Commission members serve at the pleasure of the City Council. Vacancies shall be filled in the same manner as the original appointment for the unexpired term.

(1979 Code 11-2-202; amended by Ordinance No. 9-91, and #10-2007, 03/20/2007; Ord. No. 06-2012, 07/17/2012)

**11-2-203 Organization.**

(1) At its first (1st) meeting in February of each year, the Planning Commission shall elect one (1) of its members as Chairman. The Chairman shall serve for a term of one (1) year and until a successor is chosen in the same manner. A vacancy in the chairmanship shall be filled for the unexpired term by election at the next meeting of the Planning Commission. A person may be elected to serve consecutive terms as Chairman.

(2) The Planning Commission shall adopt rules for its own organization and for the transaction of business. Meetings of the Planning Commission shall be held monthly or more frequently as the Commission deems advisable. Reports of official acts and recommendations of the Planning Commission shall be made by the Chairman in writing to the City Council and shall indicate how each member of the Commission voted with respect to such act or recommendation. Any member of the Commission may also make a concurring or dissenting report or recommendation to the City Council whenever he so desires.

(3) All meetings of the Planning Commission shall comply with the requirements of the Utah Open and Public Meetings Act.

(1979 Code 11-2-203; amended by Ordinance Nos. 21-92 and 4-93; Ord. No. 06-2012, 07/17/2012)

**11-2-204 Duties and Powers.**

The Planning Commission shall have the following powers and duties:



- (1) The Planning Commission, as provided by Sections 11-2-101 to 11-2-103, shall prepare and recommend to the City Council a General Plan and amendments to the General Plan.
- (2) The Planning Commission may make reports and recommendations relating to the planning and development of the City to public officials and agencies, and other organizations and citizens. The Planning Commission, its members, and employees, in the performance of its functions, may enter upon any land at reasonable times to make examinations and surveys.
- (3) The Planning Commission or designee shall prepare regulations governing the subdivision of land within the City or amendments to such regulations and submit said regulations or amendments to the City Council for adoption.
- ~~(4) The Planning Commission shall review and recommend approval or denial of all subdivisions of land as provided in Title 14.~~
- (5) The Planning Commission may, or by order of the City Council shall, make and recommend to the City Council a zoning plan, including both the full text of the zoning regulations and maps and amendments thereto. The zoning regulations, including the maps, may be amended from time to time by the City Council.
- (6) The Planning Commission shall hear and decide all applications for conditional use permits.
- (7) The Planning Commission shall prepare regulations governing the approval, construction and maintenance of condominium projects, or amendments to such regulations, and shall submit said regulations to the City Council for adoption.
- ~~(8) The Planning Commission shall review and recommend for approval or denial all condominium projects as provided in Title 14.~~
- (9)(8) The Planning Commission, by order of the City Council, shall make and recommend to the City Council a multiyear improvement program which shall set forth an orderly program for the acquisition of land, buildings and other facilities that are needed for City purposes.
- ~~(10)(9)~~ (9) The Planning Commission may conduct hearings and meetings with interested property owners, officials and citizens in the process of carrying out its functions.

(1979 Code 11-2-205; amended by Ordinance Nos. 21-92 and 31-92; Ord. No. 06-2012, 07/17/2012)

**11-2-205 Qualifications.**

All members of the Commission shall be residents of the City of Springville.

(Adopted by Ordinance #10-2007, 03/20/2007)

**11-2-206 Sub-Committees Authorized.**

(1) The Planning Commission may elect to establish a sub-committee consisting of Commission members to oversee specific areas of concern to the Commission. In authorizing a sub-committee, the Commission shall establish rules and procedures for members, terms, and duties of the sub-committee.

(2) In the event the Planning Commission elects to appoint an individual who is not a member of the Commission to any sub-committee, the Commission shall present the recommendation and all rules and procedures for the non-Commission member, including terms and duties, to the Mayor for appointment and potential confirmation by the City Council.

(Adopted by Ordinance #10-2007, 03/20/2007)

## Article 5 – PLANNING ADMINISTRATOR

### 11-2-501 Planning Administrator.

The Community Development Director ~~or his or her~~ or their designee shall serve as the Planning Administrator. It shall be the duty of the Planning Administrator to assist the Planning Commission in the performance of its duties, along with other duties as set forth below.

(1979 Code 11-2-501, amended by Ord. No. #19-2007, 04/03/2007)

### 11-2-502 Powers and Duties of the Planning Administrator.

The Planning Administrator shall have the following powers and duties:

- (1) To review all applications for annexation, residential and commercial subdivisions, condominium projects and other site plans, ~~which the Planning Commission is required to review and to advise the Planning Commission regarding the completeness of said application and any plans, documents, or other supplementary data submitted therewith.~~
- (2) To review and approve ~~certain~~ commercial and residential subdivisions and site plans as specifically defined in the Development Code;
- (3) To respond to requests for information from citizens and officials regarding the details of the City's General Plan, subdivision requirements, and the activities of the Planning Commission.
- (4) To make technical studies relating to amendments of the Development Code.
- (5) To cooperate and coordinate ~~his~~ their work with the City Engineer, City Attorney, and representatives from the Public Works Department, Public Safety Department, Power Department, Buildings and Grounds Department, and other City officers and employees as may be appropriate, along with representatives of utility service providers.
- (6) To assist the Planning Commission in updating the General Plan ~~in~~ and carrying out any part of the Plan into greater detail.
- (7) To assist the Planning Commission in the preparation of its annual, multi-year improvement program for the City.
- (8) To enforce the provisions of the Development Code relating to subdivisions and site developments. Whenever violations occur, to consult with the City Attorney, post or issue citations and to prepare exhibits, testimony, and other data which may be needed in such enforcement.
- (9) To serve as secretary of the Planning Commission.

(1979 Code 11-2-502, amended by Ord. No. 19-2007, 04/03/2007)

## Article 4 – DEFINITIONS

### 11-3-402 Definitions.

The following words, as used in this Title, shall have the meaning ascribed to them:

Commercial Parking Lot and/or Structure – An open area or partially open and/or enclosed area other than a street or lane used for the parking of motor vehicles and available for public and/or private use whether or not for compensation.

Commercial Subdivision shall mean any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms or condition for the use of commercial, industrial, residential or commercial condominium, or multi-family development. For purposes of clarification, any remaining portion of the original lot from which additional lots were subdivided shall be counted as one (1) lot.

Common Area – An area designed to serve two (2) or more dwelling units in separate ownership with convenient access to all dwelling units.

Community Use – A publicly owned facility or office building which is primarily intended to serve the administrative, recreational, educational, and cultural or entertainment needs of the community as a whole. Community uses also include public parks and playgrounds.

Conditional Use – A land use that because of its unique characteristics or potential impact on the City, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. A conditional use may be allowed, allowed with conditions, or denied in designated zoning districts, based on compliance with standards and criteria set forth in this Title for those uses.

Conventional Construction – A structure which is constructed in compliance with the provisions of the International Building Code, International Mechanical Code, National Electric Code, International Plumbing Code and International Gas Code as adopted by the City.

Condominium – The ownership of a single unit in a multi unit project, together with an undivided interest in common areas and facilities of the property.

Condominium Project – A plan or project whereby two or more units, together with an undivided interest in the common area or facility, are separately offered or proposed to be offered for sale. This definition shall apply to existing or proposed residential, commercial or industrial buildings or structures which are intended to be sold separately. Condominium projects shall also mean the property when the context so requires.

Condominium Ownership Act ~~of 1975~~, or Act for purposes of Article 4 of Chapter 4 of this Title, shall mean the provisions of ~~Chapter 8 of Title 57~~ Title 57 Chapter 8, Utah Code Annotated 1953, as amended.

### NOTE: NO FURTHER CHANGES IN DEFINITIONS UNTIL THE FOLLOWING

“Residential Subdivision” shall mean any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease or development either on the installment plan or upon any and all other plans, terms or conditions for the use of single family, two family, and or townhome dwellings only. For purposes of clarification, any remaining portion of the original lot from which additional lots were subdivided shall be counted as one (1) lot.

**TITLE 14**

**SUBDIVISION REGULATIONS**

**Chapters:**

- 1 General Provisions**
- 2 ~~Application and Approval Process~~ SUBDIVISION APPLICATION AND APPROVAL PROCESS  
FOR SINGLE FAMILY, TWO FAMILY AND TOWNHOME DWELLINGS ONLY**
- 3 Commercial and Industrial Subdivisions**
- 4 Westfield Overlay Zone**
- 5 Requirements for Subdivision Improvements, Reservations, Design & Layout**
- 6 Condominiums**
- 7 Plat Amendments, Alterations and Vacations**

**CHAPTER 1**  
**GENERAL PROVISIONS**

Sections:

Article 1 GENERAL PROVISIONS

- 14-1-101 Title.
- 14-1-102 Policies.
- 14-1-103 Public Purpose.
- 14-1-104 Purposes.
- 14-1-105 Authority.
- 14-1-106 Jurisdiction.
- 14-1-107 Interpretation and Conflict.
- 14-1-108 Provisions, Relationship to Previous Ordinance.
- 14-1-109 Amendments to the Title.
- 14-1-110 Variances, Exceptions and Waiver of Standards.

Article 2 DEFINITIONS

- 14-1-201 Interpretation.
- 14-1-202 Definitions.

**Article 1 GENERAL PROVISIONS**

**14-1-101 Title.**

The provisions of this title known, cited and referred to as the Subdivision Regulations of Springville City are intended to implement subdivision regulations of the Utah Municipal Land Use Development and Management Act, Utah Code, Title 10, Article 9a, Part 6.

**14-1-102 Policies.**

(1) Springville City considers the subdivision of land and the subsequent development of the subdivided plat subject to its control and according to the official general plan of the City for the orderly, planned, efficient, and economical development of the City.

(2) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until adequate public facilities and improvements exist and/or proper provision has been made for drainage, water, sewerage, electrical power and capital improvements such as schools, parks, recreational facilities, transportation facilities and improvements.

(3) The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the General Plan, with accompanying maps and illustrations, along with the capital improvement plan and annual program of Springville City. These regulations are intended to supplement and facilitate the enforcement of the provisions and standards contained in the Building Code, zoning ordinance, General Plan with accompanying maps and illustrations, and the capital improvement plan and annual program of Springville City.

**14-1-103 Public Purpose.**

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State of Utah to Springville City. The developer has the duty of compliance with reasonable conditions laid down by the City Council for design, dedication, improvement and restrictive use of the land to conform to the physical and economic development of the municipality and to the health, safety and general welfare of the future lot owners in the subdivision and of the community at large.

#### **14-1-104 Purposes.**

These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety, and general welfare of the municipality;
- (2) To guide the future growth and development of the municipality in accordance with the General Plan;
- (3) To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger and to prevent overcrowding of the land and undue congestion of population;
- (4) To protect the character and the social and economic stability of all parts of Springville;
- (5) To encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development, promotion of infill development in existing neighborhoods and non-residential areas with adequate public facilities;
- (6) To assure proper urban form and open space separation of urban areas;
- (7) To protect environmentally critical areas and areas premature for urban development;
- (8) To protect and conserve the value of land throughout Springville and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings;
- (9) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, electric power, schools, parks, playgrounds, recreation and other public requirements and facilities;
- (10) To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movement appropriate to the various uses of land and buildings;
- (11) To provide for the proper location and size of streets and buildings;
- (12) To establish reasonable standards of design and procedures for subdivisions and re-subdivisions of land that will maximize buildable area and insure the orderly layout and use of land, recognizing that this may not allow developers to create irregular lots or use other mechanisms to maximize the number of lots created, but lot design will be in the best interest of current and future residents and the community;
- (13) To ensure proper legal descriptions and monumenting of subdivided land;
- (14) To ensure that public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision and that the community will be required to bear no more than its fair share of the cost of providing the facilities and services through requiring the development to pay fees, furnish land or establish mitigation measures to ensure that the development provides its fair share of capital facilities needs generated by the development;
- (15) To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout Springville in order to preserve the integrity, stability and beauty of the community and the value of the land;
- (16) To preserve the natural beauty, topographic and geologic features of the municipality and to ensure appropriate development with regard to these natural features;
- (17) To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum widths and area of lots, while preserving the density of development as established in the zoning ordinance;
- (18) To remedy the problems associated with boundary line disputes; and

(19) To eliminate existing property line gaps and overlaps, inappropriately subdivided lands, including premature subdivision, excess subdivision, partial or incomplete subdivision, scattered and sub-standard subdivision.

(Amended by Ord, No. 28-2006, 10/17/2006)

#### **14-1-105 Authority.**

In accordance with Section **10-9a-108**, Utah Code Annotated 1953 and by authority of the Springville City Code, the City Council exercises the power and authority to establish subdivision regulations, ~~along with the review, approval, disapproval, and amendment to plats for major subdivision as defined in these regulations. The Planning Commission also exercises power and authority to review, approve and disapprove minor subdivisions in accordance with Section 10-9-806, Utah Code Annotated 1953, as defined in these regulations.~~

#### **14-1-106 Jurisdiction.**

(1) These regulations apply to all subdivision of land or subdivision of real property as defined in Section 14-1-202 located within any portion of the corporate limits of Springville City as provided by Section **10-9a-801(1)(a)**, Utah Code Annotated 1953.

(2) No real property, whether wholly or partially within the corporate limits of Springville City, shall be considered legally subdivided unless and until the applicant has completed the procedure for subdivision approval as defined in Chapters 2 and 3 of this Title. This includes ~~concept plan~~, preliminary plan approval, and final plat approval and recordation and filing of the plat with the Utah County Recorder's Office.

(3) No owner or agent of any parcel of land may transfer, sell or otherwise exchange any subdivided real property unless and until the proposed subdivision has been approved by the City Council and filed in the Office of the Utah County Recorder. The subdivision of any lot or parcel of land by the use of metes and bounds descriptions for the purpose of sale, transfer or lease with the intent of evading these regulations shall not be permitted. The City may approve metes and bounds descriptions for the purposes of minor subdivisions, lot line adjustments and resolving conflicting boundary descriptions.

(4) All lots, parcels, sites, plots, units or other divisions of real property created by subdivision shall comply with the City's lot size, lot width and buildable area requirements and shall abut on a public street.

(5) A building permit or certificate of occupancy may only be issued for real property which was legally subdivided or existed as a lot of record prior to the adoption of subdivision regulations.

(6) The excavation of land or construction of any public or private improvements must conform to the applicable City regulations.

(7) A proposed subdivision that makes an existing structure illegal as to current setback and other relevant City ordinances shall not be allowed.

#### **14-1-107 Interpretation and Conflict.**

(1) Interpretation. These provisions shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. These regulations shall be construed broadly by the City to promote the purposes for which they are adopted.

(2) Conflict with Other Provisions. These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or provision of law. Where any provision of these regulations is in conflict with any other provision of these regulations or any other ordinance, adopted standard or policy, rule or regulation, the provision which is more restrictive or imposes the higher standard shall control.

(3) Further, these regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided, that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, these regulations shall govern. Where any easement, covenant or other private agreement or restrictions are more restrictive or impose a higher standard than these regulations, then the private provisions shall be operative and supplemental to these

regulations and conditions imposed; however, Springville City shall not be responsible to enforce those private provisions.

#### **14-1-108 Provisions, Relationship to Previous Ordinance.**

(1) These regulations shall not be interpreted as abating any action under the previous existing subdivision regulations or in any way affecting any penalty accruing or about to accrue, nor the liability of any person, firm, or corporation, or waiving any right of Springville under any section or provision existing at the time of adoption of these regulations. These regulations shall also not be interpreted as vacating or annulling any rights obtained by any person, firm or corporation by lawful action of the City.

(2) The procedures set forth in this Title are intended to supersede any inconsistent procedural provisions in the previous regulations. All final actions under the previous existing ordinance are subject to the appeal processes set forth herein. All applications for subdivision approval are subject to termination as set forth herein.

#### **14-1-109 Amendments to the Title.**

(1) For the purpose of protecting the public health, safety and general welfare, the City Council may, from time to time, amend the provisions of these subdivision regulations. Any amendments to this Title should be consistent with the Springville General Plan. Public hearings on all proposed amendments shall be held in accordance with the Section ~~10-9-803~~ 10-9a-205, Utah Code Annotated 1953 and the Springville City Code. The process for amending this Title is intended to be consistent with the provisions of the Utah Code. All amendments will be completed in the following manner:

(2) Initiation of Amendments. Amendments to the provisions of this Title may be initiated by the City Council, the Planning Commission, a member of the general public, or the City staff. When amending this Title results in the need to amend the Springville General Plan, the need for the General Plan amendment should be noted on the petition and may proceed concurrently.

(3) Petition for Amendment. A petition initiated by the general public to amend this Title shall be filed with the Community Development Department on a form provided for this purpose. The form shall contain a statement of the petitioner's interest in the amendment. The petition shall indicate the proposed amendment and indicate the reasoning for the change. The petition shall include proposed amending language. A fee adopted by the City Council for acting of the petition to amend the Title shall be paid prior ~~at~~ the time the petition is submitted for consideration.

(4) Petitions initiated by the City shall indicate the proposed amendment and purpose for the change being sought. The proposed amending language shall also be provided.

(5) Notice of Public Hearing. Notice of hearing before the Planning Commission and City Council concerning amendments to this Title shall be given at least ten (10) days before the date of the hearing in accordance with the Utah Code ~~10-9a-205~~.

~~(a) — Posted Notice Requirements. City staff shall post, or cause to be posted, notice of the proposed amendment to this Title in at least three (3) public places within Springville City. The notice shall state that an amendment has been proposed to Title 14 and give general information regarding the proposed amendment and indicate where detailed information concerning the proposed amendment may be reviewed. The notice shall state the time, place and date set for the public hearing.~~

~~(b) — Published Public Notice. Published notice, to be covered by the application fee, shall be given by publication in a newspaper having general circulation in Springville City. Published notice shall state that an amendment has been proposed to Title 14 and give general information concerning the proposed amendment being reviewed and indicate where detailed information concerning the proposed amendment may be reviewed. The notice shall state the time, place and date set for the public hearing.~~

(e) (a) Proof of Notice. Proof that notice was given as required in subsection (5)(a) or (b) of this section is prima facie evidence that notice was properly given. If notice given under authority of this Section is not challenged as provided under State Law, within thirty (30) days from the date of the meeting for which the notice was given, the notice is considered adequate and proper.



(6) Hearing before the Planning Commission. The Planning Commission shall hold a public hearing on a proposed amendment to the Title to allow for comments from citizens and property owners affected by the change. Notice of all amendments shall be given as set forth in subsection (5) of this section.

(7) Action by the Planning Commission. Following the public hearing, the Planning Commission shall prepare a formal recommendation to City Council. The recommendation shall be to approve, approve with modifications or deny the petitions. The Planning Commission may act on the petitions at the time of the hearing or continue to the next regular meeting. Failure to act on the petition following the next regular Planning Commission meeting shall be deemed a recommendation for denial by the Planning Commission and the petition shall be forwarded to the City Council for their consideration.

(8) Hearing before the City Council. The City Council shall hold a public hearing on the recommendation of the Planning Commission for all petitions to amend this Title. Notice of all amendment hearings before the City Council shall be given as set forth in subsection (5) of this section. The public hearing may be continued to a time certain without public notice. Following the public hearing, the City Council shall approve, approve with modifications or deny the recommendation of the Planning Commission. Council action on amendments to this Title requires the affirmative vote of three (3) or more members of the City Council. The Council may act on the petition at the time of the hearing or at a subsequently scheduled meeting.

(Ord. No. 02-2011, 02/15/2011)

#### **14-1-110 Variances, Exceptions and Waiver of Standards.**

(1) The Board of Adjustment, upon application and payment of the appropriate fee by the property owner or agent, may grant variances, exceptions and waivers of standards from the terms of this Title. Variances, exceptions and waivers of standards may be granted only if the literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title. The variance shall not nullify the purpose and intent of this Title. Before any variance, exception or waiver of standards may be granted, findings justifying such shall be made by the Board of Adjustment based on the evidence presented in each specific case that:

- (a) Granting a variance, exception or waiver of standards will not be detrimental to the public safety, health or welfare or injurious to other property;
- (b) Granting a variance, exception or waiver of standards will not substantially affect the Springville City General Plan or development ordinances;
- (c) The literal enforcement of a code or standard would result in unreasonable hardship that is not necessary to carry out the purposes of the General Plan and development ordinances;
- (d) There are conditions specific to the property that are not applicable generally to other properties in the same zoning district; and
- (e) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would occur to the applicant that would not occur to other properties in the vicinity and the variance is essential to the enjoyment of a substantial property right enjoyed by other properties in the same zoning district.

(2) Any variance, exception, or waiver of standards shall be noted on the final subdivision plat.

### **Article 2 DEFINITIONS**

#### **14-1-201 Interpretation.**

For the purpose of this Title, certain words and terms are defined as follows:

- (1) Words in the present tense include the future, and the future includes the present.
- (2) The singular number includes the plural and the plural the singular; the word “lot” includes the word plot, tract or parcel of land, as the sense may require it.

- (3) The term “erected” means constructed, altered, moved or repaired.
- (4) The words “shall” and “must” are always mandatory.
- (5) The word “district” is synonymous with the word “zone.”

**14-1-202 Definitions.**

For the purpose of this Title, the following definitions shall apply:

“Administrative land use authority” means an individual, board, or commission, appointed or employed by Springville City, including the staff or the planning commission. Administrative land use authority does not include the Springville City Council or a member of the City Council.

“Alley” shall mean a public or private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on a public street.

“Application” shall mean all plan maps, improvement drawings, City forms and supporting documents determined necessary for review.

“Arterial street” shall mean a street that is designated as an arterial street in the Springville City Streets Master Plan.

“Condominium” shall mean the ownership of a single unit in a multi-unit project, together with an undivided interest in common areas and facilities of the property.

“Cul-de-sac” shall mean a local street with only one outlet that terminates in a vehicular turnaround appropriately sized for the safe and convenient reversal of traffic.

“Design criteria” shall mean standards that set forth specific improvement requirements.

“Developer” shall mean the owner of land proposed to be developed, or the appointed representative who is responsible for any undertaking that requires review and/or approval under these regulations.

Development Review Committee. This committee may include the Community Development Director, Planning Staff, City Engineer, City Attorney, representatives from the Public Safety Department, Public Works Department, Building Division of the Nebo School District, Springville Irrigation Company, Springville Power, Questar Gas Company, and/or other parties as deemed appropriate.

“Excavation” shall mean the removal of earth from its natural position, or the cavity resulting from the removal of earth.

“Improvement completion assurance” means a surety bond, letter of credit, cash, or other security required pursuant to Section 14-5-202 to guaranty the proper completion of landscaping or infrastructure that is required as a condition precedent to:

- (1) Recording a subdivision plat; or
- (2) Beginning development activity.

“Improvement warranty” means an applicant’s unconditional warranty that the accepted landscaping or infrastructure:

- (1) Complies with Springville City ordinances and the Springville Standard Specifications and Drawings for design, materials, and workmanship; and
- (2) Will not fail in any material respect, as a result of poor workmanship or materials, within the improvement warranty period.

“Improvement warranty period” means a period of:

- (1) One year after the City accepts required landscaping improvements; or
- (2) One year after the City accepts required infrastructure, unless the City:
  - (a) Determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare; and
  - (b) Has substantial evidence, on record:
    - (i) Of prior poor performance by the applicant; or
    - (ii) That the area upon which the infrastructure will be constructed contains suspect soil and the City has not otherwise required the applicant to mitigate the suspect soil.

“Lot combination” shall mean the elimination of the boundary line between two (2) or more lots within the same subdivision, which lots are held in common ownership.

“Lot line adjustment” shall mean the relocation of a property boundary line between two adjoining properties within the same subdivision with the consent of the owners of record.

“Major change” shall mean a major change shall include, but not be limited to:

- (1) Any amendment that results in or has the effect of decreasing open space in the subdivision by ten percent (10%) or more, increasing density in the subdivision by ten percent (10%) or more, increasing the number of lots by ten percent (10%) or more, or increasing the lot size of more than ten percent (10%) of the number of lots by an amount of five hundred (500) square feet or greater; or
- (2) A change in the alignment, connection or grade of a public or private street, that could alter the locations, alignments or connections of water, sanitary sewer, storm sewer lines and facilities.

“Commercial Subdivision” shall mean any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms or conditions. For purposes of clarification, any remaining portion of the original lot from which additional lots were subdivided shall be counted as one (1) lot.

(1) “Commercial Subdivision” includes:

- (a) The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument;
- (b) Divisions of land for all multi-family residential, residential condominiums, and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes; and
- (c) Creation of commercial condominiums, or any other project that results in individual ownership in fee title, airspace or cooperatively.

(2) “Commercial Subdivision” does not include:

- (a) A bona fide division or partition of agricultural land for the purpose of joining one (1) of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if certified by the Director that neither the resulting combined parcel nor the parcel remaining from the subdivision or partition violates an applicable zoning ordinance;
- (b) A recorded agreement between owners of adjoining properties adjusting their mutual boundary if, certified by the Director that:
  - (i) No new lot is created; and

(ii) The adjustment does not result in a violation of applicable zoning ordinances;

(c) A recorded document, executed by the owner of record, revising the legal description of more than one (1) contiguous parcel of property into one (1) legal description encompassing all such parcels of property; or

(d) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a “subdivision” under this definition as to the unsubdivided parcel of property. This does not subject the unsubdivided parcel to the requirements of this Title.

(e) any subdivision of land for the purpose of single family, two-family or townhome development.

“Commercial Subdivision, minor” shall mean the subdivision of land for residential purposes into not more than nine (9) lots, which does not require the dedication of land for the creation of a new street or any other public purpose. A small subdivision may not be allowed if the property proposed for subdivision is traversed by the mapped lines of a proposed street as shown in the Springville General Plan.

“Plat vacation” shall mean the elimination of a plat, in whole or in part, which vacation may apply to subdivided lots as well as roads, alleys, easements, and other areas depicted or dedicated on the plat.

“Property, real” shall mean land, including the surface, whatever is attached to the surface (e.g., buildings or trees), whatever is beneath (e.g., minerals), and the area above the surface.

“Public Landscaping Improvement” means landscaping that an applicant

(a) is required to install; and

(b) Will- be dedicated to and maintained by Springville City; or

(c) Are associated with and proximate to trail improvements that connect to planned or existing- public infrastructure.

“Residential Subdivision” shall mean any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease or development either on the installment plan or upon any and all other plans, terms or conditions for the use of single family, two family, and or townhome dwellings only. For purposes of clarification, any remaining portion of the original lot from which additional lots were subdivided shall be counted as one (1) lot.

(1) “Residential Subdivision” includes:

(a) The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument;

(c) Creation of single family, two family, or, townhouses, or any other project that results in individual ownership in fee title, airspace or cooperatively except for condominiums as defined in commercial subdivision .

(2) “Residential Subdivision” does not include:

(a) Residential Condominiums pursuant to Title 57 Chapter 8, UCA

(b) a recorded agreement between owners of adjoining properties adjusting their mutual boundary if, certified by the Director that:

(i) No new lot is created; and

(ii) The adjustment does not result in a violation of applicable zoning ordinances;

(c) a recorded document, executed by the owner of record, revising the legal description of more than one (1) contiguous parcel of property into one (1) legal description encompassing all such parcels of property; or

(d) the joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a “subdivision” under this definition as to the unsubdivided parcel of property. This does not subject the unsubdivided parcel to the requirements of this Title.

“Residential Subdivision, minor” shall mean the subdivision of land for residential purposes into not more than nine (9) lots, which does not require the dedication of land for the creation of a new street or any other public purpose. A small subdivision may not be allowed if the property proposed for subdivision is traversed by the mapped lines of a proposed street as shown in the Springville General Plan.

“Street tree” shall mean a tree located in the street right-of-way as provided in these regulations.

~~“Subdivision” shall mean any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms or conditions. For purposes of clarification, any remaining portion of the original lot from which additional lots were subdivided shall be counted as one (1) lot.~~

~~(1) “Subdivision” includes:~~

~~(a) The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument;~~

~~(b) Divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes; and~~

~~(c) Creation of condominiums, townhouses, planned unit developments or any other project that results in individual ownership in fee title, airspace or cooperatively.~~

~~(2) “Subdivision” does not include:~~

~~(a) A bona fide division or partition of agricultural land for the purpose of joining one (1) of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if certified by the Director that neither the resulting combined parcel nor the parcel remaining from the subdivision or partition violates an applicable zoning ordinance;~~

~~(b) A recorded agreement between owners of adjoining properties adjusting their mutual boundary if, certified by the Director that:~~

~~(i) No new lot is created; and~~

~~(ii) The adjustment does not result in a violation of applicable zoning ordinances;~~

~~(c) A recorded document, executed by the owner of record, revising the legal description of more than one (1) contiguous parcel of property into one (1) legal description encompassing all such parcels of property; or~~

~~(d) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a “subdivision” under this definition as to the unsubdivided parcel of property. This does not subject the unsubdivided parcel to the requirements of this Title.~~

“Subdivision, minor” shall mean the subdivision of land into not more than nine (9) lots, which does not require the dedication of land for the creation of a new street or any other public purpose. A small subdivision may not be allowed if the property proposed for subdivision is traversed by the mapped lines of a proposed street as shown in the Springville General Plan.

Unstable Soil shall mean soils determined by a geotechnical report signed and stamped by a licensed professional engineer as not suitable for the placement of streets, buildings, and or other loadings, or excavation

“Utility easement” shall mean the area designated for access to construct or maintain utilities on privately or publicly owned land.

(Ord. No. 05-2014 § 2, 02/18/2014)

**CHAPTER 2**  
**SUBDIVISION APPLICATION AND APPROVAL PROCESS FOR SINGLE FAMILY, TWO FAMILY AND TOWNHOME DWELLINGS ONLY**

Sections:

Article 1 GENERAL SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS **FOR SINGLE FAMILY, TWO FAMILY AND TOWNHOME DWELLINGS ONLY**

- 14-2-101 ~~General Procedure.~~ Applicability
- 14-2-102 ~~Preapplication Meeting~~ Definitions-
- 14-2-103 ~~Concept Plan~~ Designation of a Single Administrative Land Use Authority for Review and Approval of Preliminary and Final Subdivision Applications-
- 14-2-104 ~~Preliminary Plan.~~ General Procedure.
- 14-2-105 ~~Final Plat Approval.~~ Pre-application Meeting
- 14-2-106 Establishment of Process and Application for Preliminary Subdivision Application
- 14-2-107 Establishment of Process and Application for Final Subdivision Application
- 14-2-108 Specific Review Cycle Process for Review of Preliminary and Final Applications
- 14-2-109 Final Plat Approval
- 14-2-110 Concurrent Processing of the Final Subdivision application with the Preliminary Subdivision application.

**Article 1 GENERAL SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS FOR SINGLE FAMILY, TWO FAMILY AND TOWNHOME DWELLINGS ONLY**

**14-2-101 Applicability**

- (1) This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.
- (2) This section does not apply to land use regulations adopted, approved or agreed upon by the Springville City Council exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.
- (3) The review cycle restrictions and requirements of this section do not apply to the review of single-family dwellings, two-family dwellings, or townhome subdivision applications affecting property within identified geological hazard areas under the Springville City Code.

**14-2-102 Definitions**

“Administrative land use authority” means an individual, board, or commission, appointed or employed by Springville City, including the staff or the planning commission.

- (1) Administrative land use authority” does not include the Springville City Council or a member of the City Council.

“Review cycle” means the occurrence of:

- (1) The applicant’s submittal of a complete subdivision land use application;
- (2) The City’s review of that subdivision land use application;
- (3) The City’s response to that subdivision land use application, in accordance with this section; and
- (4) The applicant’s reply to the City’s response that addresses each of the municipality’s required modifications or requests for additional information.

“Subdivision improvement plans” means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

“Subdivision ordinance review” means review by the City to verify that a subdivision land use application meets the criteria of the City’ subdivision ordinances.

“Subdivision plan review” means a review of the applicant’s subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.

**14-2-103 Designation of a Single Administrative Land Use Authority for Review and Approval of Preliminary and Final Subdivision Applications**

The Springville Community Development Director, or their designee, shall act as the Administrative Land Use Authority for review and approval of Preliminary and Final Subdivision applications.

**14-2-104 Preliminary Plan General Procedure**

Classification of Residential Subdivisions. Before any land is subdivided for residential purposes, the owner of the property to be subdivided, or the owner’s authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures, which includes ~~two (2)~~ one (1) steps for minor subdivisions and ~~three (3)~~ two (2) steps for subdivisions:

- (1) Minor Subdivision:



- (a) ~~Concept plan;~~
- ~~(b)~~ (a) Preliminary plan;
- (2) -Subdivision:
  - (a) ~~Concept plan;~~
  - (b) Preliminary plan;
  - (c) Final plat.

**14-2-105 Final Plat Approval Preapplication Meeting**

Before preparing a ~~concept~~ preliminary plan for a residential subdivision, the applicant ~~shall schedule an appointment~~ may request a preapplication meeting prior to application submission with the Community Development Department to discuss the procedure for approval of a subdivision plan with regard to zoning requirements and to review a ~~concept~~ plan. As relevant to the proposed subdivision, general layout of streets and required reservation of land, street improvements, drainage, sewerage, fire protection and similar matters, as well as the general availability of existing services will also be discussed. The applicant will then be advised, when appropriate, to discuss the proposed residential subdivision with those officials who must eventually approve those aspects of the residential subdivision plat for which they have responsibility. The Director may also request other members of the Development Review Committee to be present to provide early assistance to the applicant.

- (1) If an applicant requests a preapplication meeting, the Community Development Director, or their designee, shall schedule the meeting to review the concept plan and give initial feedback within fifteen (15) business days after the request is made.
- (2) At the Preapplication Meeting, the staff shall provide or have available on the City website the following:
  - a. Copies of applicable land use regulations;
  - b. A complete list of standards required for the project;
  - c. Preliminary and final application checklists; and
  - d. Feedback on the concept plan

**14-2-103 Concept Plan.**

(1) ~~Submission. The applicant shall prepare and submit a concept plan with the accompanying application provided by the Springville Community Development Department, along with the applicable fee. The purpose of the concept plan is:~~

- (a) ~~To provide an opportunity for the members of the Development Review Committee (DRC) to review the proposal and prepare written comments concerning the general feasibility of the proposed subdivision prior to proceeding with an application for preliminary plat approval; and~~
- (b) ~~To determine whether or not the plan can comply with the subdivision requirements that include lot configuration, street layout, and general availability of electrical power, water, sanitary and storm sewer facilities in the vicinity of the proposed subdivision property.~~

(2) ~~The applicant shall provide a completed application along with a digital copy of the plans in Vector scalable format, for distribution to members of the DRC. The plan shall show the following:~~

- (a) ~~North point, scale and date of preparation;~~
- (b) ~~Vicinity map with a one quarter (0.25) mile radius;~~
- (c) ~~Names, addresses and phone numbers of the applicant and engineer and/or surveyor for the proposal;~~
- (d) ~~Proposed lot and street layout;~~
- (e) ~~Total acreage; and~~

~~(f) — Proposed subdivision name.~~

~~(3) — Simultaneous Submission of Concept and Preliminary Plans. An applicant may choose to submit both a concept and Preliminary Plan simultaneously for review by the Development Review Committee. If this approach is taken, the applicant needs to be aware that if the DRC determines that changes are needed in the Concept Plan, the Preliminary Plans will need to be corrected to reflect the changes identified by the DRC. Simultaneous submissions will not assure applicants that their preliminary plans will be considered at the next Planning Commission, even if deadlines for that meeting are met by the applicant.~~

~~(4) — Staff Action. The Concept Plan shall be distributed to the members of the DRC for their review and comment. The time frame for submissions and review shall be set by policy of the Community Development Department. Members of the DRC should submit their written comments on the Concept Plan to the Community Development Department, with advice to the applicant for specific changes, if any, needed in the layout. Members of the DRC will be invited to attend a meeting with the applicant to discuss concerns with the applicant. Additional changes may be required by the DRC, Planning Commission and City Council as part of the Preliminary Plan and Final Plat approvals for which the applicant will be responsible. While there is no approval of a Concept Plan required or given, the Planning Commission shall not review any Preliminary Plan prior to completion of a Concept Plan reviewed by members of the DRC and a meeting to discuss concerns and recommendations with the applicant. Upon completion of this process, the Planning staff will inform the applicant that the Preliminary Plan may be considered by the DRC.~~

~~(5) — Effective Period of Conceptual Review. The applicant shall have six months from the date of DRC action to prepare and submit a complete application for Preliminary Plan review.~~

~~(Adopted by Ord. No. 1-03, amended by 6-03; Ord. No. 21-2017 § 2, 09/19/2017)~~

**14-2-1046- Establishment of Process and application for Preliminary Subdivision Application**

- (1) Preliminary Subdivision Application. The application for preliminary subdivision applications and materials can be found on the City’s website at the City Offices. These materials include provisions for:
  - a. The owner’s affidavit
  - b. An electronic copy of all plans in PDF format;
  - c. The preliminary subdivision plat drawings; and
  - d. A breakdown of fees due upon application.
- (2) Review Process and Timing
  - a. The Administrative Land Use Authority may complete a preliminary residential subdivision application review in a public meeting or at a municipal staff level.
  - b. The Administrative Land Use Authority may
    - i. Receive public comment; and
    - ii. Hold no more than one public hearing
  - c. No later than fifteen (15) business days after the day on which an applicant submits a complete application, Springville City shall complete a review of the applicant’s preliminary subdivision
  - d. and use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, including subdivision improvement plans.
  - e. In reviewing the preliminary subdivision land use application, the City may require:
    - i. Additional information relating to an applicant’s plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements; and
    - ii. Modifications to plans that do not meet current ordinances, applicable standards or specifications or do not contain complete information.
- (3) The City’s request for additional information or modifications to plans under Subsection (2)(d)(i) or (ii) shall be specific and include citations for all City ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

**14-2-107 Establishment of Process and Application for Final Subdivision Application**

- (1) Final Residential Subdivision Application. The application for final subdivision application and materials can be found on the City’s website and at the City Office.
- (2) Review Process and Timing,
  - a. No later than twenty (20) business days after the day on which the applicant submits a complete application, the municipality shall complete a review of the applicant’s final subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes including all subdivision plan reviews.
  - b. In reviewing the final subdivision land use application, the City may require:
    - i. The additional information relating to an applicant’s plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
    - ii. Modifications to plans that do not meet current ordinances, applicable standards, or specifications or do not contain complete information.
  - c. The City’s request for additional information to plans under Subsection (2)(b)(i) or (ii) shall be specific and include citations for all City ordinances, standards, or specifications that require the modifications to plans and shall be logged in an index or requested modifications or additions.

**14-2-108 Specific Review Cycle Process for Review of Preliminary and Final applications.**

Springville City requires the following review cycles with no more than four (4) in total permitted for final application:

**(1) Preliminary Plan.**

- a. ~~(1) Purpose and Application Submission. Following the completion of concept plan-submission and review by the members of the DRC, the applicant may begin the process for preliminary plan review and action. The purpose of the preliminary plan is to prepare a complete and detailed set of subdivision plans that addresses the issues included in the concept plan review~~

~~and meets the requirements detailed in the Residential Subdivision Preliminary Plan Checklist and Application as adopted by the City Council, which follow.~~

- b. Submission and Determination of Completeness. The Community Development Department shall review the Preliminary Plan to determine the  
a-c. completeness of the application. All information required in the application along with all required application fees, prior shall be provided prior to scheduling the item for the Development Review Committee (DRC) ~~the Planning Commission~~ agenda. Once the application is determined complete by the staff, the applicant shall submit:

- (a) ~~All fees;~~
- (b) ~~The completed application form;~~
- (c) ~~Digital copy of the plans in Vector scalable format;~~
- (d) ~~One (1) eleven inch (11") by seventeen inch (17") reproducible copy of the proposed preliminary plat;~~
- (e) ~~One (1) copy of the preliminary drainage study with narrative (must be stamped and signed by a licensed engineer);~~
- (f) ~~One (1) preliminary or draft copy of any restrictive covenants (CC&Rs), bylaws, environmental studies, etc. (if applicable);~~
- (g) ~~One (1) copy of the preliminary title report issued within the last six (6) months.~~

~~When all materials are submitted, the request will be scheduled for Development Review Committee (DRC).~~

- (2) ~~The Preliminary Plan Map submission shall include:~~

~~Format and General Items~~

- (a) ~~All engineering and/or surveying documents stamped by engineer or land surveyor in accordance with the procedures of the Utah State Board for Professional Registration.~~
- (b) ~~A title block showing:~~
  - (i) ~~Name of subdivision.~~
  - (ii) ~~Type of development (residential, commercial, industrial, etc.)~~
  - (iii) ~~Name and address of owner of record, developer and designer.~~
  - (iv) ~~Name and address of engineer or land surveyor.~~
  - (v) ~~Date of preparation.~~
  - (vi) ~~Tabulation of acres, lots, open space and units per acre.~~
- (c) ~~Graphic and written scale at no more than one (1) inch equals fifty (50) feet or as recommended by City Engineer.~~
- (d) ~~North arrow.~~
- (e) ~~Township and Range, section lines, and other monuments.~~
- (f) ~~Vicinity map at a scale of one (1) inch equals one thousand (1,000) feet with a one quarter mile radius.~~
- (g) ~~Topographic contour intervals of no greater than two (2) feet, unless otherwise stipulated by City Engineer.~~

- (h) — Surveyed boundary and topography of the subdivision.
- (i) — Location and names of adjacent properties/property owners and platted subdivisions.
- (j) — Location of zoning boundary lines within and adjacent to the proposed subdivision.
- (k) — Location, height and type of existing fence lines within and contiguous to the subdivision.
- (l) — Location, use, and dimensions of all existing buildings within the proposed subdivision. Indicate which buildings are to remain and which are to be removed.
- (m) — Location of all proposed lots including:
  - (i) — Lot dimensions,
  - (ii) — Lot frontage.
  - (iii) — Lot area (square feet).
  - (iv) — Building set-back lines (building envelopes).
- (n) — Lots consecutively numbered or lettered in alphabetical order.
- (o) — Location of existing features within the proposed subdivision and within two hundred (200) feet of the boundary including:
  - (i) — Existing public utility easements.
  - (ii) — Irrigation ditches.
  - (iii) — Drain pipes, drainage channels, and culverts.
  - (iv) — Railroads.
  - (v) — Bridges.
  - (vi) — Power lines.
  - (vii) — Water bodies, springs or water sources within two hundred (200) feet.
  - (viii) — Equestrian, pedestrian and bicycle trails.
- (p) — Location and dimensions of any common space or open space areas including property to be set aside for parks, playgrounds, trails, or other public or private uses, with a designation of the purpose of those areas, and conditions, if any, of the dedication or reservation.
- (q) — Location and extent of all cuts and fills exceeding two (2) feet anywhere on the project site and any associated retaining walls.

#### Roads

- (r) — The location and width of all existing and proposed roads, rights of way, alleys, and other public ways (all main roads must comply with the Springville City Transportation Master Plan.
- (s) — Cross sections of all existing and proposed roads (including road dimensions and location of utilities within the road.)
- (t) — Proposed names of all new roads. Streets shall not be given names other than the appropriate number designation (e.g. 700 South) for the street, except in the case of streets that cannot be readily assigned

numerical designations because of configuration which crosses (does not exclusively align with) east-west or north-south coordinates.

(u) — Location of all existing and proposed curb, gutter and sidewalk within the subdivision including:

(i) — An indication of the grades.

(ii) — Flow arrows showing direction of storm water surface flows.

(v) — Location of any necessary temporary turnaround easements for emergency access on dead end roads.

(w) — Proper cul de sac lengths of no greater than four hundred (400) feet and with no more than twelve (12) units located on it.

(x) — Block lengths no greater than the block standards as described in 14-5-102.

(y) — Street intersection offsets of not less than one hundred fifty (150) feet.

(z) — If adjacent to a state road specify UDOT access size and location (UDOT approval will be required at final plat).

#### Water/Sewer

(aa) — Location and size of existing and proposed culinary and pressure irrigation water lines (including existing lines adjacent to and/or affected by the proposed subdivision). Show main lines only.

(bb) — Location of existing and proposed sewer main lines including size, depth, and slope (show any sewer lines adjacent to or affected by the proposed subdivision).

(cc) — Letter(s) of intent for any necessary offsite water or sewer easements across privately owned land.

#### Drainage

(dd) — Preliminary Drainage System Report (calculations and an explanatory narrative) stamped and checked by a licensed engineer prepared per the outline included with the checklist.

(i) — Use Springville City rainfall curves in the drainage study and calculate 24 and 100 year floods (attach Springville City rainfall curves to drainage calculations).

(ii) — For detention basins, submit calculations to justify sizing based on 25 year design storm with a release rate of 0.15 cfs per acre.

(ee) — Detailed drainage plans showing existing and proposed storm drainage improvements including:

(i) — Major drainage facilities, outfalls, and discharge.

(ii) — Drainage pipe locations, sizes and depths.

(iii) — Catch basin locations, types and depths.

(ff) — Location of detention basins designed in accordance with the Springville City Engineering Designs Standards.

(gg) — A written statement from the appropriate agency accepting responsibility for all surface and subsurface drainage, which is directed into channels owned, by the agency (such as irrigation companies, private land-owners, etc.).

(hh) — Letter(s) of intent for any necessary offsite drainage easements across privately owned land.

### ~~Irrigation Ditches~~

~~(ii) — A written statement from the appropriate agency (such as irrigation companies, private land owners, etc.) regarding the effect of the proposed subdivision on any irrigation channels or ditches and any piping or other mitigation required.~~

~~(jj) — The location, size and grade of any required piping for irrigation ditches as per the irrigation company letter.~~

### ~~Sensitive Lands~~

~~(kk) — Identification of natural features or sensitive lands including, but not limited to:~~

~~(i) — Wetlands. A wetland report and letter from the Army Corp of Engineers, if potential wetlands are located on the site.~~

~~(ii) — Floodplains, floodways and areas that would be covered in water in a 100-year storm event.~~

~~(iii) — Areas where ground water rises periodically to within two (2) feet of the surface of the ground.~~

~~(iv) — Slopes exceeding twenty five (25) percent and/or area within the Hillside Overlay Zone.~~

~~(v) — Vegetation areas (including name and size of all existing trees and shrubs which could be incorporated into the subdivision).~~

~~(vi) — Threatened or endangered species habitat areas.~~

~~(ll) — A letter from the Army Corp of Engineers regarding any wetland areas within the boundaries of the proposed plat.~~

### ~~Buffering~~

~~(mm) — The proposed treatment of the perimeter of the development, including materials and techniques used such as:~~

~~(i) — Fences.~~

~~(ii) — Berms.~~

~~(iii) — Walls.~~

~~(iv) — Landscaping.~~

### ~~Required Notes~~

~~(nn) Provide a note on the preliminary plat which states that the following items will be reviewed at the time of Final Plat review (because these items will be reviewed with the final plat, please do not show them on the Preliminary Plat):~~

~~(i) — Plan and profiles/construction drawings of public improvements.~~

~~(ii) — All pipe details (bends, detector tape, etc.).~~

~~(iii) — Blow offs and Automatic Release Valves (ARV) including size, type and protection.~~

~~(iv) — Manhole and box details.~~

~~(v) — Water and sewer service details.~~

- (vi) — Lot line utility easements.
- (vii) — Street lights/street signs/traffic signs.
- (viii) — Power line extensions and dome/transformer locations.
- (ix) — Lot addresses.
- (x) — CBR values and road sub base.
- (xi) — Subdivision monumentation and lot corner markers.

#### Other Required Documents

- (oo) — A surveyor's plat showing existing fence lines, existing deed lines, existing road rights of way and rights of way widths, and proposed subdivision boundary lines shall included with each set of the preliminary subdivision plans.
- (pp) — If the subdivision is in the Westfield Overlay Zone, the applicant must include detailed information regarding proposed features including building elevations, materials, amenities, and any other provision of the Westfield Overlay.
- (qq) — Landscaping plan for all park, open space, and common ownership areas including:
  - (i) — Location, name and size of all proposed trees, shrubs, and plants.
  - (ii) — Indication of proposed grass areas.
  - (iii) — Indication of proposed irrigation facilities (underground sprinkler system).
  - (iv) — Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at appoints 35 feet in each direction from the intersection) and an indication that no landscaping or other obstruction in excess of three (3) feet above finished grade shall be allowed in the clear view area.
- (rr) — Phasing Schedule — If the developer is proposing phasing the development into two or more sections for purposes of recording final plats, such information must be included as a part of the preliminary plan submission.
  - (i) — A phasing plan describing each phase, the approximate size in area of each phase, the order of phasing and the projected time for recording and development of each phase shall be submitted.
  - (ii) — The requirements of the Concept Plan as described in 14-02-103 shall be submitted for all phases not being proposed for preliminary approval.
  - (iii) — The Planning Commission may impose conditions upon the filing of each section proposed as may be necessary to ensure orderly development of the overall subdivision and the area in which it is located.
  - (iv) — Application for subsequent phases must be submitted within one year of recordation of the previous phase.
- (ss) Written approval by the fee simple owner(s) in an affidavit which gives the subdivider the authority to act for and in behalf of the fee simple owner to make all decisions on any requirements set by the Planning Commission or City Council.
- (tt) — Preliminary title report or policy of title insurance on the property, which identifies ownership, easements of record, liens or other encumbrances, prepared by a title company license to practice in the State of



~~Utah. The City may require that the owner/developer resolve any boundary overlaps, gaps or other title discrepancies before approval of the preliminary plat.~~

~~(uu) — Evidence of water rights proposed to be tendered to Springville City.~~

~~(vv) — Draft copies of any proposed restrictive covenants or other private reservations.~~

~~(ww) — An electronic (CD or email) copy of the proposed subdivision layout in DGN or DXF format (used by the Building Official for street and lot addressing) tied to the State Plane, NAD 83 coordinate system.~~

~~(xx) — Applicant and/or Applicant's engineer/surveyor has purchased the latest Springville City Design Standards and Specifications and Drawings.~~

~~(yy) — Applicant and/or Applicant's engineer/surveyor has reviewed Springville City's existing and master plan utility maps.~~

~~(zz) — Any other material or information required by the Planning Commission to assist them in their decision.~~

#### Minor Subdivisions

~~(aaa) — Relevant items required of final plans (14-2-105(2)) as determined by the Community Development Director and the City Engineer.~~

~~d. (3) — Determination of Completeness – The Preliminary Plan shall be reviewed by the Community Development Department to determine the completeness of the application. An incomplete application may shall not be accepted. Completed applications shall be forwarded to members of the Development Review Committee.~~

~~e. (4) — DRC Review – The DRC shall review all applications to determine conformance with all applicable City ordinances and standards. If the preliminary plan is determined to meet City ordinances and standards, the DRC will forward the application to the Planning Commission Administrative Land Use Authority. Otherwise, the application will be returned to the applicant for appropriate modification. The application should not proceed to the Planning Commission Administrative Land Use Authority if it does not meet the requirements of City ordinances and standards as listed in the Subdivision Preliminary Plan Checklist as adopted by the City Council. However, the DRC may forward applications to the Planning Commission subject to variances, waivers, modifications or amendments being made by the appropriate body.~~

~~f. (5) — Upon review by the DRC and determination that the item shall be considered by the Administrative Land Use Authority, the item shall be noticed in compliance with UCA Title 52 Chapter 4-Part 102 Planning Commission, notice of the Planning Commission meeting during which the subdivision shall be posted no less than three (3) calendar days before the Planning Commission meeting, on the property proposed for subdivision, in a visible location to passers-by, and shall be mailed to Utah County and each municipality whose boundaries are within one mile of the subject property.~~

~~(6) — Planning Commission Review and Action — The Planning Commission shall review the completed application, along with comments from the DRC and the Planning Staff report. The Commission may then approve, conditionally approve or deny the application request.~~

~~(a) — The Planning Commission shall approve the preliminary plan if it complies with all applicable City ordinances and standards and there is no need to attach any conditions to the approval. The Planning Commission may impose conditions upon its approval if it finds that such conditions are reasonably necessary to meet the requirements of this Title.~~

~~(b) — The Planning Commission may deny an application for preliminary plan provided that reasons for the denial are stated. The Planning Commission may deny preliminary plan approval for any of the following reasons:~~

~~(i) — There is insufficient evidence to establish that the applicant either owns or has authority to represent the owners of all of the property included on the preliminary plan; or~~

~~(ii) — Issues associated with property gaps overlaps or other property disputes which affect the property contained within the preliminary plan; or~~

~~(iii) — The preliminary plat does not comply with all of the applicable City ordinances and standards.~~

(2) Subject to Subsection 2(a) , unless the change or correction is necessitated by the applicant’s adjustment to a plan set or an update to a phasing plan that adjusts ~~the~~ infrastructure needed for the specific development, a change or correction not addressed or referenced in plan review is waived.

a. a modification or correction necessary to protect public health and safety or to enforce a state of federal law may not be waived.

(3) If an applicant makes a material change to a plan set, the City has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material changes substantively effects.

(4) If an applicant does not submit a revised plan within twenty (20) business days after the notice of a required modification or correction, the City shall have an additional twenty (20) business days to respond to the plans.

(5) After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City’s previous review cycle, the City may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

(6)

a. In addition to the revised plans, an applicant shall provide a written explanation in response to the City’s review comments, identifying and explaining the applicant’s revisions and reasons or declining to make revisions, if any.

b. The applicant’s written explanation shall be comprehensive and specific including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

c. If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle by the City may not begin until all comments are addressed.

(7) If on the fourth or final review, the City fails to respond within twenty (20) business days, the City shall, upon request of the property owner, and within ten (10) business days after the day on which the request is received:

a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code Subsection 10-9a-508(5)(d) et seq. to review and approve or deny the final revised set of plan. Unless otherwise agreed by the applicant and the City, the panel shall consist of the following three (3) experts:

i. one (1) licensed engineer designated by the City

ii. one (1) licensed engineer designated by the land use applicant; and

iii. one (1) licensed engineer, agreed upon and designated by the two (2) designated engineers as appointed in subsection (a)(i)(ii).

b. A member of the panel assembled by the City under subsection (a) may not have an interest in the application that is the subject of the appeal.

c. The land use applicant shall pay:

i. Fifty percent (50%) of the cost of the panel; and

ii. The City published appeal fee; or

d. For a dispute arising from the residential subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a the Board of Adjustment.

~~(7)~~(8) Amendments to Preliminary Plans – At any time after preliminary plan approval and before submission of a final plat, the applicant may request that an amendment be made in the approval of the preliminary plat. The Community Development Department may agree to proposed amendments ~~that are determined to be minor. Any major change to the proposed Preliminary Plan must be approved by the Planning Commission.~~ Consideration of amendments will be limited to the proposed amendment. The ~~Planning Commission~~ Administrative Land Use Authority may approve or disapprove the proposed amendment and may make any modifications in the terms and conditions of preliminary plan approval reasonably related to the proposed amendment. If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the ~~Planning Commission~~ Administrative Land Use Authority, the applicant may withdraw the proposed amendment. No more than two amended plans, whether major or minor, may be proposed for any approved preliminary plan.

~~(8)~~(9) Effective Period of Preliminary Approval

(a) Non-phased Subdivisions: The approval of a Preliminary Plan application ~~by the Planning Commission~~ shall be effective for a period of one (1) year from the time that approval is granted ~~by the Planning Commission~~. The effective period of preliminary approval may be extended for more than a year when a final plat for the subdivision is submitted prior to one (1) year, but only for the amount of time that the final plat is under review ~~by the Planning Commission and City Council~~. If a final plat is not approved ~~by the City Council~~ or if the approval of the final plat ~~by the Council~~ expires prior to recording the subdivision, the preliminary plan also expires, unless the preliminary plan approval was less than one (1) year prior to the ~~City Council's~~ action on the final plat.

(b) Phased Subdivisions: The approval of a Preliminary Plan application ~~by the Planning Commission~~ shall be effective for a period of one (1) year from the time that approval is granted ~~by the Planning Commission~~.

First Phase. The effective period of preliminary approval may be extended for more than a year when a final plat for the first phase of the subdivision is submitted prior to one (1) year from the original preliminary plan approval, but only for the amount of time that the final plat is under review ~~by the Planning Commission and City Council~~. If the final plat for the first phase is not approved ~~by the City Council~~ or if the approval of the final plat ~~by the Council~~ expires prior to recording the subdivision, the preliminary plan approval was less than one (1) year prior to the ~~City Council's~~ action on the final plat for the first phase.

Subsequent Phases (after the first phase). The effective period of preliminary approval may further be extended when a final plat for any subsequent phase of the subdivision is submitted prior to one (1) year of the recording of the most previous phase of the subdivision and for the time that the final plat of the most recent phase is under consideration. If the final plat for the most recent phase is not approved ~~by the City Council~~ or if the approval of the final plat ~~by the council~~ expires prior to recording the most recent phase of the subdivision, the preliminary plan for the remainder of the unrecorded portion of the subdivision also expires, unless recording of the previous phase was less than one (1) year prior to the ~~City Council's~~ action on the final plat for the most recent phase.

~~(9)~~(10) Preliminary plan approval does not result in any vested right to develop the property.

(Ord. No. 12-2012, 12/18/2012; Ord. No. 21-2017 § 3, 09/19/2017)

**14-2-1059 Final Plat Approval.**

(1) Submission. Following approval of the preliminary plan by the ~~Planning Commission~~ Administrative Land Use Authority, the applicant may submit an application for final plan approval. The purpose of the final plat is to prepare a complete and detailed subdivision plat that addresses the issues included in the preliminary plan review and approval and meets the requirements ~~which that~~ follow in preparation for recording the subdivision plat with the Utah County Recorder's Office. All information required in the application shall also be provided prior to scheduling the item for ~~review by the DRC the Planning Commission agenda~~. Once the application is determined complete by the staff, the applicant shall submit:

- (a) All fees.
- (b) The completed application form.

~~(e)I All documents as required and described in the Final Plat Checklist as adopted by the City Council. Digital copy of the final plat and improvement drawings plans in Vector scalable format.~~

~~(d) One (1) eleven inch ("11") by seventeen inch ("17") reproducible copy of the final plat and improvement drawings.~~

~~(e) One (1) copy of the final drainage report with narrative (must be stamped and signed by a licensed engineer).~~

~~(f) One (1) copy of any restrictive covenants (CC&Rs), bylaws, environmental studies, etc. (if applicable).~~

~~(g) One (1) copy of the geotechnical report.~~

~~When all materials and fees are submitted, the request will be scheduled for Development Review Committee (DRC). Applications are scheduled on a first come, first served basis and space is limited.~~

~~(2) The final plat and improvement drawings shall include:~~

~~(a) Acknowledgement/proof of preliminary plat approval provided by the owner/authorized agent.~~

~~(b) A title block which contains the following:~~

~~(i) Name of the subdivision.~~

~~(ii) Type of development (residential, commercial, etc.).~~

~~(iii) Surveyor's certificate that has been signed and dated, showing the name and registration number of the surveyor responsible for making the survey.~~

~~(iv) A legal description of the subdivision boundaries that includes the quarter quarter section, section, township, range, principal median and the County of its location.~~

~~(v) The owner's dedication that includes the dedication of all public ways or spaces. The owner's dedication shall be signed by every person having a security interest in the subdivision property, dated, and notarized and should include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.~~

~~(vi) Signature blocks prepared for the dated signatures of the City Engineer, City Attorney, Mayor, Planning Commission Chair, and City Recorder.~~

~~(c) Written and graphic scale, not smaller than one inch ("1") to fifty feet ('50') or as recommended by the City Engineer.~~

~~(d) The basis of bearings used and a north point.~~

~~(e) A vicinity map at a scale of one inch ("1") equals one thousand feet (1,000') with a one quarter (1/4) mile radius.~~

~~(f) The exterior boundaries of the platted areas giving lengths and bearings of the boundary lines. All subdivisions must have proper closure.~~

~~(g) Location of existing easements of rights of way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the County's records.~~

~~(h) Location of proposed easements including any required easements for water, sewer, drainage or irrigation, temporary turnaround easements and a ten foot ('10') public utility easement shown on the front of each lot and any side or rear of a lot adjacent to a road right of way and five feet ('5') on the sides and back of all other lots.~~

~~(i) — All lots, blocks, rights of way and easements (including open space) created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose. For curved boundaries the curve radius, central angle, and length of arc and chord length and veering shall be given in a table. All lots must have proper closure.~~

~~(j) — Indication of lot areas (square feet).~~

~~(k) — The buildable envelopes shall not be shown on the final plat.~~

~~(l) — Lots consecutively numbered or lettered in alphabetical order.~~

~~(m) — Proposed addresses shown on each lot as obtained from a Springville City Planning and Zoning Official. All proposed new streets named or numbered in accordance with the street naming and numbering system of the City. Streets shall not be given names other than the appropriate number designation (e.g., 700-South) for the street, except in the case of streets that cannot be readily assigned numerical designations because of a configuration which crosses (does not exclusively align with) east-west or north-south coordinates.~~

~~(n) — Location and names of adjacent properties/property owners and platted subdivisions.~~

~~(o) — Location of zoning boundary lines within and adjacent to the proposed subdivision.~~

~~(p) — Location of all existing homes or buildings within the proposed subdivision that are to remain.~~

~~(q) — All existing monuments found during the course of the survey (including a physical description such as “brass cap”).~~

~~(r) — All monuments erected, corner, and other points established in the field. The monuments shall be made of brass and the legend shall indicate the diameter, length, and weight of the monuments. All exterior boundary angle points of the subdivision and lot corners shall be marked in accordance with the Springville City Standard Specifications and Drawings.~~

~~(s) — Show frontage on corner lots in relation to service line locations.~~

~~(t) — A detailed diagram showing typical setbacks for a corner and interior lots and a typical thirty five foot (35') clear view area (sight triangle) on the corner lot.~~

#### **Required Notes on the Final Plat**

~~(u) — A notation of the distance (shown as a dimension and note on the plat) from the centerline of each existing road right of way (centerline of existing asphalt) to the new property line of the subdivision.~~

~~(v) — A detail diagram showing typical setbacks for corner and interior lots.~~

~~(w) — A summary of total project acreage, total acreage in lots, total acreage in roads and lane miles of road.~~

~~(x) — A notation of any limited access restrictions on the lots that are affected.~~

~~(y) — If a detention pond is required, note the capacity of the pond on the final plat.~~

~~(z) — If there is no detention pond on the plat, provide a note explaining how detention is handled.~~

~~(aa) — If surface drainage is to be directed onto a privately owned area for detention as part of the storm drainage system, show an easement around the detention/retention area on the final plat with the following note on the easement area:~~

~~Permanent detention facility to be owned and maintained by the owners of this property not to be altered without approval by Springville City Council and City Engineer.~~

(bb) — If a temporary turnaround is required, add the following note on the final plat with a reference to the turnaround:

~~'50' radius temporary asphalt turnaround with appropriate road base, 3 no parking signs installed, and no above ground utilities allowed in the turnaround area.~~

### **Construction Drawings**

(cc) — Final construction/plat and profile drawings of all required public improvements consistent with Springville City Design Standards Specifications and Drawings. An engineer or land surveyor must stamp all construction drawings in accordance with the procedures of the Utah State Board for Professional Registration. Construction drawing shall include:

(i) — An overall public improvement plat or index sheet that includes a summary of all improvement and utility information (this sheet is used by City staff to prepare the bond for public improvements).

(ii) — Location, pipe type, and size of existing and proposed culinary and pressurized irrigation lines and associated fire hydrants, valves, and blowoffs (note where bends are required on water lines and what type is to be used).

(iii) — Location, depth, pipe type (pipe type may be noted in a legend), and slope of all drainage and sewer lines, including the location and proper spacing of all boxes, manholes and other improvements.

(iv) — Location of water and sewer service laterals for each lot including the location of the laterals in relation to each other (water laterals must be located at the center of the lot and sewer laterals ten feet ('10') downstream from the water laterals).

(v) — The location of the lot frontage for all corner lots in relation to service line locations.

(vi) — Details of detention basin(s) including:

(A) — Piping and orifices.

(B) — A note stating that the bottom of the basin will be sloped towards the outlet.

(C) — Cross section of detention pond.

(D) — Twenty five (25) year water level. Note: The maximum water depth shall not exceed allowances outlined in the Springville City Engineering Designs Standards.

(E) — Capacity of detention pond in cubic feet.

(F) — Other details as required by the Springville City Engineering Design Standards.

(vii) — If the placement of irrigation system improvements is required, show all irrigation improvements including piping, head gates, boxes, grates, etc. (in conformance with letter issued by the irrigation company) and provide a signature block for the irrigation company on all applicable construction drawing sheets.

(viii) — Cross sections of all roads including pavement design, base and sub base amounts (per Springville Standards or as directed by the geotechnical report) and location of utilities within the street right-of-way.

(ix) — Location of power line extensions and relocations, streetlights, domes and transformers.

(x) — Location of existing power infrastructure and ownership.

(xi) — Location, type, and height of existing fencing and new fencing, berming, landscaping or other buffering to be installed as part of the development.

(xii) — Street signs and traffic control signs.

~~(xiii) — All other specifications, details, and references required by the Springville City Standard Specifications and Drawings.~~

~~(dd) — Construction drawings are to include the following notes:~~

~~(i) — A note stating that one (1) color electronic copy of as-built drawing, formatted in accordance with Springville City Standard Specifications and Drawings, shall be submitted to the City upon completion of the public improvements; including water, sewer, storm drain and power.~~

~~(ii) — A note stating that all construction is to be done as per the Springville City Standard Specifications and Drawings.~~

~~(iii) — A note stating that all ADA accessible sidewalk ramps will be constructed in accordance with Springville City Standard Specifications and Drawings.~~

~~(iv) — A note stating that, prior to construction, a storm water prevention pollution plan (SWPPP) will be submitted to the Public Works Director for approval.~~

~~(v) — A note stating that, prior to commencement of any work, a preconstruction meeting will be held with the Public Works Director, Chief Building Official, city inspectors, the contractor and all subcontractors and the property owner.~~

~~(ee) — Landscaping plan for all park, open space, and common ownership areas including:~~

~~(i) — Planting areas with a list of the name, number and size of plants designated for each area.~~

~~(ii) — Location, name and size of all existing and proposed trees and shrubs.~~

~~(iii) — Location and sizes of proposed irrigation facilities adequate to maintain the planting areas.~~

~~(iv) — Indication of proposed grass areas and whether it is to be sodded or seeded.~~

~~(v) — Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at points thirty five feet (‘35’) in each direction from the intersection) and an indication that no landscaping or other obstruction in excess of three feet (‘3’) above finished grade shall be allowed in the clear view area.~~

### **Other Required Items**

~~(ff) — An engineer’s estimate of costs, including quantity take offs, for construction of all required public improvements.~~

~~(gg) — A final copy of any restrictive covenants (CC&Rs), reservations, or private easements.~~

~~(hh) — Three (3) copies geotechnical study.~~

~~(ii) — Evidence that all property taxes are current and that roll back taxes have been paid, and that no other debts or obligations are outstanding and no liens or encumbrances are placed on the property.~~

~~(jj) — Warranty deed/title insurance on property dedicated to the City (open space, detention, City park property, City trails, some road dedication).~~

~~(kk) — Prepared easements for any necessary off site water, sewer, or drainage easements across privately owned land, or for temporary turnarounds.~~

~~(ll) — A copy of any necessary deeds or boundary line agreements necessary for recording of the final plat.~~

~~(mm) — Any required UDOT approvals for access, etc.~~

~~(nn) — An electronic (computer disc or email) copy of the proposed final plat and construction drawings in a format acceptable to the City Engineer (DGN or DXF) tied to the State Plane, NAD 83 coordinate system.~~

~~(oo) — Prior to the preconstruction meeting, the developer will make copies of plans for the meeting from the approved and signed check set. When changes need to be made to a check set, revise the affected sheets only and return the revised sheets to the City for approval and signatures. Copies of the revised sheets will be distributed only after approval and signatures given. Copies for the preconstruction meeting must be made prior to the preconstruction meeting being scheduled. Any/all construction documents used in the field will be a copy of the approved check set with the approval stamped, signed and dated on the front cover.~~

~~(pp) — Documents evidencing the ability to tender water rights, any property or easements to Springville City.~~

~~(qq) — Proposed development agreement, if applicable.~~

~~(3) — DRC Review. The DRC shall review all applications to determine whether corrections have been made in accordance with preliminary plan application approval and conformance with all applicable City ordinances and standards. If the final plat is determined to meet City ordinances and standards, the DRC will forward the application to the Planning Commission. Otherwise, the application will be returned to the applicant for appropriate modification. In no case shall the application proceed to the Planning Commission if it does not meet the requirements of City ordinances and standards. However, the DRC may forward applications to the Planning Commission subject to variances, waivers, modifications or amendments being made by the appropriate body.~~

~~(4) — In reviewing the final plat, City staff will consider the items listed below:~~

~~(a) — The Community Development Director or the Director's designee shall determine whether the submitted plat complies with the approved preliminary plan application and conditions of approval, along with the applicable City ordinances affecting the subdivision of land.~~

~~(b) — The City Engineer shall:~~

~~(i) — Review and approve the improvement drawings and quantity estimates for construction of the improvements. The improvements shall be approved when the City Engineer determines that the proposed improvements are in accordance with the requirements of this Title, the adopted engineering standards and specifications of Springville City and any applicable conditions of preliminary plan approval;~~

~~(ii) — Verify that the drawings of streets, easements, storm detention facilities and other improvements comply with the requirements of this Title, engineering standards and specifications, and conditions of preliminary approval;~~

~~(iii) — Verify that the boundary descriptions are correct;~~

~~(iv) — Verify existing easements of record; and~~

~~(v) — Verify submission and approval of any financial guarantees, deeds, conveyances or other agreements required for final approval and recordation.~~

~~(c) — The City Attorney shall:~~

~~(i) — Review the language and forms on the plat to assure compliance with the requirements of Springville City and appropriately addresses the requirements of the Planning Commission;~~

~~(ii) — Review any financial guarantees, deeds, conveyances or other agreements for final approval and recordation;~~

~~(iii) — Review any required declaration of conditions, covenants and restrictions to be recorded with the plat to ensure their consistency with the plat and they are in conformance with applicable City ordinances and standards;~~



- ~~(iv) — Verify creation of any required homeowners association;~~
- ~~(v) — Review the current title report and verify, prior to signing and recordation of the plat by the mayor, that:~~
  - ~~(A) — The owner’s dedication is properly executed by all of the owners of the subject property;~~
  - ~~(B) — Easements of record are reflected on the final plan; and~~
  - ~~(C) — The owner’s dedication is free of liens or encumbrances.~~

(5) ~~Planning Commission Review and Action. The Planning Commission~~ The Administrative Land Use Authority shall review the completed application, along with comments from the DRC ~~and the Planning staff report.~~ ~~The Commission~~ Administrative Land Use Authority may then approve, conditionally approve or deny the application request.

(a) ~~The Planning Commission~~ The Administrative Land Use Authority ~~recommends~~ shall grant approval of the final plat application if it complies with preliminary plan approval and is in conformity with all applicable City ordinances and standards, and there is no need to attach any conditions to the approval. ~~The Planning Commission~~ The Administrative Land Use Authority may impose conditions upon its ~~recommendation of~~ approval if it finds that such conditions are reasonably necessary to meet the requirements of this Title.

(b) ~~The Planning Commission~~ Administrative Land Use Authority may ~~recommend denial of the~~ deny the final plat for either of the following reasons:

- (i) The final plat does not comply with the preliminary plat approval; or
- (ii) The final plat does not comply with all of the applicable City ordinances and standards.

~~(6) — Upon action by the Planning Commission on the final plat, notice of the City Council meeting during which the subdivision shall be considered shall be mailed to Utah County and each municipality whose boundaries are within one (1) mile of the subject property.~~

~~(7) — Effective Period of Recommendation of Approval by the Planning Commission. The recommendation of final plat approval by the Planning Commission shall be effective for a period of ninety (90) days from the date of the Commission’s action of recommended approval.~~

~~(8) — City Council Review and Action. The City Council shall review the completed application, along with the comments from the DRC, Planning staff and the Planning Commission. The City Council may then approve, conditionally approve or deny the application request. If denied, the City Council shall give reason for such disapproval. If additional conditions are required by the City Council, such conditions shall be referred to the Planning Commission for their review and approval prior to City Council’s final action on the application.~~

(9) Minor Corrections to Final Plat Map. The City Engineer may approve minor changes to approved final plats before the plat is recorded if the Engineer finds that the proposed changes do not jeopardize the interests of the City or adjoining property owners. Examples of minor changes contemplated by this Section include legal descriptions mistakes, minor boundary changes and items that should have been included in the original final plat.

(10) Required Submissions. After making all required revisions, the subdivider shall submit the final plat, which plat shall be certified by a professional engineer or land surveyor, and properly executed and acknowledged by all owners of the property and any other parties required for recordation. Additionally, all required bonds, fees, water rights and necessary documents shall be provided prior to recording.

(11) Signing and Recordation of Final Plat. The executed plat shall then be submitted for the signature of the City Engineer, followed by the City Attorney and then forwarded to the Mayor for the final signature on the plat. The final plat, bearing all official approvals as required in this Section, shall be recorded and filed in the office of the Utah County Recorder and the office of the Springville City Recorder.

(12) Effective Period of Final Approval. Submission of the executed plat and all required submissions must occur within six (6) months of approval ~~by the City Council~~. The construction of all subdivision improvements shall be completed pursuant to the time period allowed pursuant to Section 14-5-101. In the event that the subdivision improvements are not installed within the time period allowed under Section 14-5-101, final approval of any unrecorded plat ~~by the City Council~~ expires.

(13) Overall Compliance with Requirements. All property shall be developed in strict compliance with the approved final plat, plans, the approved construction drawings, the City's development standards and specifications and all notes, restrictions, covenants, dedications, boundaries and other commitments shown on the approved plan and/or final plat. Failure to note any improvement required by this Title on the preliminary plan, final plat or the construction drawings shall not eliminate the developer's responsibility to complete the improvement or meet the obligation required for the subdivision.

**14-2-110 Concurrent Processing of the Final Subdivision application with the Preliminary Subdivision application.**

(14) The City shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and municipal ordinances, which provides for or permits concurrent processing of the final subdivision plat application with the preliminary subdivision plat application. Final subdivision review cycle restrictions will apply to concurrent processing applications. The review for concurrent processing, the City may not require Planning Commission or City Council approval and must concur with 14-2-1071) The following items are required for a combined application:

(a) All information listed in the Residential Subdivision Preliminary Plan Checklist and Application; and

(14) All information listed in the Residential Subdivision Final Plan Checklist and Applicatio2) Review Process: The review process for concurrent review of the Preliminary and Final Plan shall follow the process detailed in 14-2-108 of Springville City Code.

**CHAPTER 3**  
**COMMERCIAL AND INDUSTRIAL SUBDIVISIONS**

**Article 1 ~~Reserved~~**

Sections:

Article 1 GENERAL COMMERCIAL AND INDUSTRIAL SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS

14-3-101 Applicability

14-3-102 Definitions

14-3-103 Designation of a Single Administrative Land Use Authority for Review and Approval of Preliminary and Final Commercial Subdivision Applications.

14-3-104 General Procedure

14-3-105 Preapplication Meeting

14-3-106 Preliminary Plan

14-3-107 Final Plat Approval

Article 1 GENERAL COMMERCIAL AND INDUSTRIAL SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS

**14-3-101 Applicability**

(1) This section applies to land use decisions arising from subdivision applications for multi-family, condominium, commercial, and industrial development.

(2) This section does not apply to land use regulations adopted, approved or agreed upon by the Springville City Council exercising land use authority in reviewing land use applications for zoning or other land use regulation approvals

**14-3-102 Definitions**

“Administrative land use authority” means an individual, board, or commission appointed or employed by Springville City, including the staff.

(2) Administrative land use authority” does not include the Springville Planning Commission, City Council or a member of the City Council.

“Commercial subdivision improvement plans” means the civil engineering plans associated with the required infrastructure and municipally controlled utilities required for a multi-family, commercial, or industrial subdivision.

“Commercial subdivision ordinance review” means review by the city to verify that a multi-family, condominium, commercial, or industrial subdivision land use application meets the criteria of the City’s commercial and industrial subdivision ordinances.

“Commercial subdivision plan review” means a review of the applicant’s multi-family, condominium, commercial, or industrial subdivision improvement plans and other aspects of the commercial subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.

“Review cycle” means the occurrence of:

- (5) The applicant’s submittal of a complete commercial subdivision land use application;
- (6) The City’s review of that commercial subdivision land use application;
- (7) The City’s response to that commercial subdivision land use application, in accordance with this section;  
and
- (8) The applicant’s reply to the City’s response that addresses each of the municipality’s required modifications or requests for additional information.

#### **14-3-103 Designation of a Single Administrative Land Use Authority for Review and Approval of Preliminary and Final Commercial Subdivision Applications**

The Springville Community Development Director, or their designee, shall act as the Administrative Land Use Authority for review and approval of Preliminary and Final Subdivision applications.

#### **14-3-104 General Procedure**

Classification of Subdivisions. Before any land is subdivided, the owner of the property to be subdivided, or the owner’s authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures, which includes one (1) step for minor subdivisions and two (2) steps for subdivisions:

(1) Minor Subdivision:

\_\_\_\_\_ (a) Preliminary plan;

(2) Subdivision:

\_\_\_\_\_ (a) Preliminary plan;

\_\_\_\_\_ (b) Final plat.

#### **14-3-105 Preapplication Meeting.**

Before preparing a concept plan for a commercial subdivision, the applicant may request a pre-application meeting with the Community Development Department to discuss the procedure for approval of a subdivision plan regarding zoning requirements and to review a concept plan. As relevant to the proposed commercial subdivision, the general layout of streets and required reservation of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the general availability of existing services, will also be discussed. The applicant will then be advised, when appropriate, to discuss the proposed commercial subdivision with those officials who must eventually approve those aspects of the subdivision plat for which they have responsibility. The Director may also request other members of the Development Review Committee to be present to provide early assistance to the applicant.

#### 14-3-106 Preliminary Plan.

(1) Submission and Determination of Completeness. The purpose of the preliminary plan is to prepare a complete and detailed set of commercial subdivision plans that meet the requirements detailed in the Commercial Subdivision Preliminary Plan Checklist. The Community Development Department shall review the Preliminary Plan to determine the completeness of the application. All information required in the application, along with all required application fees, shall be provided prior to scheduling the item for the Development Review Committee (DRC).

(2) DRC Review – The DRC shall review all applications to determine conformance with all applicable City ordinances and standards. If the preliminary plan is determined to meet City ordinances and standards, the DRC will forward the application to the Planning Commission. Otherwise, the application will be returned to the applicant for appropriate modification. The application should not proceed to the Planning Commission if it does not meet the requirements of City ordinances and standards. However, the DRC may forward applications to the Planning Commission subject to variances, waivers, modifications or amendments being made by the appropriate body.

(5) Upon review by the DRC and determination that the item shall be considered by the Administrative Land Use Authority.

(6) The Administrative Land Use Authority shall review the completed application, along with comments from the DRC and the Planning Staff report. The Authority may then approve, conditionally approve or deny the application request.

(a) The preliminary plan shall be approved if it complies with all applicable City ordinances and standards and there is no need to attach any conditions to the approval. The Administrative Land Use Authority may impose conditions upon its approval if it finds that such conditions are reasonably necessary to meet the requirements of this Title.

(b) The Administrative Land Use Authority may deny an application for preliminary plan provided that reasons for the denial are stated. Preliminary Plan approval may be denied for any of the following reasons:

(i) There is insufficient evidence to establish that the applicant either owns or has authority to represent the owners of all of the property included on the preliminary plan; or

(ii) Issues associated with property gaps overlaps or other property disputes which affect the property contained within the preliminary plan; or

(iii) The preliminary plat does not comply with all of the applicable City ordinances and standards.

(7) Amendments to Preliminary Plans – At any time after preliminary plan approval and before submission of a final plat, the applicant may request that an amendment be made in the approval of the preliminary plat. The Community Development Department may consider amendments to the preliminary plat. Consideration of amendments will be limited to the proposed amendment. Community Development Department may approve or disapprove the proposed amendment and may make any modifications in the terms and conditions of preliminary plan approval reasonably related to the proposed amendment. If the applicant is unwilling to accept the proposed amendment under the terms and conditions required by the Administrative Land Use Authority, the applicant may withdraw the proposed amendment. No more than two amended plans, whether major or minor, may be proposed for any approved preliminary plan.

(8) Effective Period of Preliminary Approval

(a) Non-phased Subdivisions: The approval of a Preliminary Plan application shall be effective for a period of one (1) year from the time that approval is granted. The effective period of preliminary approval may be extended for more than a year when a final plat for the subdivision is submitted prior to one (1) year, but only for the amount of time that the final plat is under review. If a final plat is not approved or if the approval of the final plat expires prior to recording the subdivision, the preliminary plan also expires, unless the preliminary plan approval was less than one (1) year prior to the action on the final plat.

(b) Phased Subdivisions: The approval of a Preliminary Plan application shall be effective for a period of one (1) year from the time that approval is granted.

First Phase. The effective period of preliminary approval may be extended for more than a year when a final plat for the first phase of the subdivision is submitted prior to one (1) year from the original preliminary plan approval, but only for the amount of time that the final plat is under review. If the final plat for the first phase is not approved or if the approval of the final plat expires prior to recording the subdivision, the preliminary plan also expires, unless the preliminary plan approval was less than one (1) year prior to the action on the final plat for the first phase.

Subsequent Phases (after the first phase). The effective period of preliminary approval may further be extended when a final plat for any subsequent phase of the subdivision is submitted prior to one (1) year of the recording of the most previous phase of the subdivision and for the time that the final plat of the most recent phase is under consideration. If the final plat for the most recent phase is not approved or if the approval of the final plat by the expires prior to recording the most recent phase of the subdivision, the preliminary plan for the remainder of the unrecorded portion of the subdivision also expires, unless recording of the previous phase was less than one (1) year prior to action on the final plat for the most recent phase.

(9) Preliminary plan approval does not result in any vested right to develop the property.

(Ord. No. 12-2012, 12/18/2012; Ord. No. 21-2017 § 3, 09/19/2017)

#### **14-3-107 Final Plat Approval.**

(1) Submission. Following approval of the preliminary plan by the Administrative Land Use Authority the applicant may submit an application for final plan approval. The purpose of the final plat is to prepare a complete and detailed subdivision plat that addresses the issues included in the preliminary plan review and approval and meets the requirements which follow in preparation for recording the subdivision plat with the Utah County Recorder's Office. All information required in the application shall also be provided prior to scheduling the item for the Administrative agenda. Once the application is determined complete by the staff, the applicant shall submit:

(a) All fees.

(b) The completed application form.

(c) all items listed on the Commercial and Industrial Subdivision Checklist

When all materials and fees are submitted, the request will be scheduled for Development Review Committee (DRC). Applications are scheduled on a first come, first served basis and space is limited.

(2) The final plat and improvement drawings shall include all required elements listed on the Commercial and Industrial Subdivision Checklist and Application as adopted by the City Council:

(a) Prior to the preconstruction meeting, the developer will make copies of plans for the meeting from the approved and signed check set. When changes need to be made to a check set, revise the affected sheets only and return the revised sheets to the City for approval and signatures. Copies of the revised sheets will be distributed only after approval and signatures given. Copies for the preconstruction meeting must be made prior to the preconstruction meeting being scheduled. Any/all construction documents used in the field will be a copy of the approved check set with the approval stamped, signed and dated on the front cover.

(b) Documents evidencing the ability to tender water rights, any property or easements to Springville City.

(c) Proposed development agreement, if applicable.

(3) DRC Review. The DRC shall review all applications to determine whether corrections have been made in accordance with preliminary plan application approval and conformance with all applicable City ordinances and standards. If the final plat is determined to meet City ordinances and standards, the DRC will forward the application to Administrative Land Use Authority. Otherwise, the application will be returned to the applicant for appropriate modification. In no case shall the application proceed to the Administrative Land Use Authority if it does not meet the requirements of City ordinances and standards. However, the DRC may forward applications to

the Planning Commission subject to variances, waivers, modifications or amendments being made by the appropriate body.

(4) In reviewing the final plat, City staff will consider the items listed below:

(a) The Community Development Director or the Director's designee shall determine whether the submitted plat complies with the approved preliminary plan application and conditions of approval, along with the applicable City ordinances affecting the subdivision of land.

(b) The City Engineer shall:

(i) Review and approve the improvement drawings and quantity estimates for construction of the improvements. The improvements shall be approved when the City Engineer determines that the proposed improvements are in accordance with the requirements of this Title, the adopted engineering standards and specifications of Springville City and any applicable conditions of preliminary plan approval;

(ii) Verify that the drawings of streets, easements, storm detention facilities and other improvements comply with the requirements of this Title, engineering standards and specifications, and conditions of preliminary approval;

(iii) Verify that the boundary descriptions are correct;

(iv) Verify existing easements of record; and

(v) Verify submission and approval of any financial guarantees, deeds, conveyances or other agreements required for final approval and recordation.

(c) The City Attorney shall:

(i) Review the language and forms on the plat to assure compliance with the requirements of Springville City and appropriately addresses the requirements of the Administrative Land Use Authority;

(ii) Review any financial guarantees, deeds, conveyances or other agreements for final approval and recordation;

(iii) Review any required declaration of conditions, covenants and restrictions to be recorded with the plat to ensure their consistency with the plat and they are in conformance with applicable City ordinances and standards;

(iv) Verify creation of any required homeowners association;

(v) Review the current title report and verify, prior to signing and recordation of the plat by the mayor, that:

(A) The owner's dedication is properly executed by all of the owners of the subject property;

(B) Easements of record are reflected on the final plan; and

(C) The owner's dedication is free of liens or encumbrances.

(5) Effective Period of Recommendation of Approval. The recommendation of final plat shall be effective for a period of ninety (90) days from the date of the action of recommended approval.

(6) Minor Corrections to Final Plat Map. The City Engineer may approve minor changes to approved final plats before the plat is recorded if the Engineer finds that the proposed changes do not jeopardize the interests of the City or adjoining property owners. Examples of minor changes contemplated by this Section include legal descriptions mistakes, minor boundary changes and items that should have been included in the original final plat.

(7) Required Submissions. After making all required revisions, the subdivider shall submit the final plat, which plat shall be certified by a professional engineer or land surveyor, and properly executed and acknowledged by all owners of the property and any other parties required for recordation. Additionally, all required bonds, fees, water rights and necessary documents shall be provided prior to recording.

(8) Signing and Recordation of Final Plat. The executed plat shall then be submitted for the signature of the City Engineer, followed by the City Attorney and then forwarded to the Mayor for the final signature on the plat. The final plat, bearing all official approvals as required in this Section, shall be recorded and filed in the office of the Utah County Recorder and the office of the Springville City Recorder.

(9) Effective Period of Final Approval. Submission of the executed plat and all required submissions must occur within six (6) months of approval. The construction of all subdivision improvements shall be completed pursuant to the time period allowed pursuant to Section 14-5-101. In the event that the subdivision improvements are not installed within the time period allowed under Section 14-5-101, final approval of any unrecorded plat expires.

(10) Overall Compliance with Requirements. All property shall be developed in strict compliance with the approved final plat, plans, the approved construction drawings, the City's development standards and specifications and all notes, restrictions, covenants, dedications, boundaries and other commitments shown on the approved plan and/or final plat. Failure to note any improvement required by this Title on the preliminary plan, final plat or the construction drawings shall not eliminate the developer's responsibility to complete the improvement or meet the obligation required for the subdivision.





## STAFF REPORT

**DATE:** December 12, 2023

**TO:** Honorable Mayor and City Council

**FROM:** Name, Title

**SUBJECT:** SPRINGVILLE COMMUNITY DEVELOPMENT REQUESTS  
AMENDMENT OF SPRINGVILLE CODE TITLE 11 CHAPTER 6,  
SECTION 113 OFF-STREET PARKING.

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**Recommended Motion:**

Motion to approve Ordinance No. \_\_\_\_\_-2023, amending Section 11-6-113 of Springville City Code, pertaining to off-street parking requirements.

**Executive Summary:**

The purpose of the proposed amendments is simple formatting and wording clarifications to be consistent with State Code and more straightforward to administer. The changes also address the City Council's request to evaluate ways to facilitate the reuse of buildings downtown hampered by parking requirements that arise from the change of use of those buildings.

**Focus of Action:**

Are the proposed code amendments in keeping with the goals and objectives of the Springville City General Plan?

**Background:**

The purpose of the proposed amendments is to make simple formatting corrections and change wording to be consistent with the State Code regarding referencing the Land Use Authority as the administrative body when considering off-street parking requirements.

The City Council asked staff to evaluate ways to facilitate the reuse of buildings downtown that may consider a change of use. Current regulations require that when the use of an existing building changes, the new use will not be permitted unless the



premises can comply with the off-street parking requirements. This can hinder potential businesses downtown when residential properties are converted to small commercial establishments. To accommodate those challenges, the requirement to meet the off-street parking standard for the new use will not apply to properties changing use from 400 South to 400 North and from 100 West to 100 East.

The proposed amendments will also add specific criteria for parking reduction requests and for considering uses not specifically listed. Currently, an applicant may apply to the Planning Commission for up to a 20% reduction in the parking amount by demonstrating that the required parking spaces aren't necessary for the use and any possible future use. The specific criteria added will be based on the intensity of the use, hours of operation, whether there is shared parking, trip generations and peak demands and could allow up to a 25% reduction.

The specific use table is being reformatted to be in alphabetical order. No changes are being made to the required number of spaces.

**Discussion:**

The Planning Commission considered the proposed amendments on November 14, 2023, and held a public hearing.

**Public Hearing:**

There were two public comments each in support of the proposed amendments.

Mindy Wright was recognized and stated parking is a big issue. We don't have a parking problem. If you want princess parking, then it is. This allows business to come to our city, which we need. It allows them to come and start on a good foot. This should be passed, and if we have an issue in the future, we can look at it then. She is all about Reframing Downtown, and that parking will need a study. This shouldn't stop us from passing these changes.

Logan Millsap appreciated the discussion and getting into the details, and impact of the choices. Sometimes we are worried about hypothetical situations, but now we know some of these parking requirements are preventing businesses from opening or opening



timely. Focus on the current problem we have and leave the hypotheticals to a future parking plan. Worry more about downtown's vitality.

**Planning Commission Discussion:**

The Planning Commission discussed the proposed amendments at length, which discussion can be found in the attached DRAFT minutes.

**Planning Commission Recommendation:** Commissioner Nelson moved to recommend approval of the proposed amendments to Springville Code, Title 11, Chapter 6, Section 113, Off-Street Parking, with the understanding that the City will pursue a parking study and address parking if the study shows the need. Commissioner Baker seconded.

Farrer - aye  
Anderson - nay  
Parker - nay  
Baker - aye  
Calder - nay  
Nelson - aye  
Ellingson - aye

Passed 4:3

**Alternatives:**

1. Adopt the zoning amendment/ordinance as proposed.
2. Amend and adopt the proposed zoning amendment/ordinance.
3. Reject the proposed zoning amendment/ordinance.

*Laura Thompson*  
Laura Thompson

## IN ATTENDANCE

**Commissioners Present:** Chair Karen Ellingson, Genevieve Baker, Michael Farrer, Rod Parker, Ralph Calder, Ann Anderson and Brett Nelson

**City Staff:** Josh Yost, Community Development Director  
Heather Goins, Executive Assistant

**City Council:** Liz Crandall

## CALL TO ORDER

Chair Ellingson called the meeting to order at 7:02 p.m.

## APPROVAL OF THE AGENDA

Commissioner Nelson moved to approve the agenda as written. Commissioner Baker seconded the motion. The vote to approve the agenda was unanimous.

## APPROVAL OF THE MINUTES

### *October 10 & 24, 2023*

Commissioner Baker moved to approve the October 10 & 24, 2023 meeting minutes. Commissioner Anderson seconded the motion. The vote to approve the meeting minutes was unanimous.

## CONSENT AGENDA

*No Items*

## ADMINISTRATIVE SESSION

### *Approval of the 2024 Meeting Schedule*

Commissioner Anderson moved to accept the 2024 Meeting Schedule. Commissioner Calder seconded the motion. The vote to approve the Administrative Session item was unanimous.

## LEGISLATIVE SESSION:

- 1. Springville Community Development requests amendments to Springville Code Titles 11 and 14 to comply with the requirements of 2023 S.B. 174 Local Land Use, Development, and Management Act Modifications.*

Josh Yost, Community Development Director, asked for this item to be continued to a future meeting.

Commissioner Baker opened the public hearing at 7:06 p.m. Commissioner Farrer seconded. Seeing no one coming to the podium, Commissioner Baker closed the public hearing. Commissioner Calder seconded. The vote to close the public hearing was unanimous. The public hearing was closed at 7:06 p.m.

Commissioner Baker moved to continue this item until a future date. Commissioner Nelson seconded the motion. The vote to continue the Legislative Session item was unanimous.

***3. Springville Community Development requests an amendment of Springville Code Title 11 Chapter 4 Section 301 Land Use Matrix to refine the permitted uses in the Main Street South Gateway Zone.***

Josh Yost, Community Development Director, asked for this item to be continued to a future meeting.

Commissioner Nelson moved to open the public hearing. Commissioner Anderson seconded. The public hearing was opened at 7:08 p.m. Seeing no one coming to the podium, Commissioner Baker moved to close the public hearing. Commissioner Calder seconded. The public hearing was closed at 7:08 p.m.

Commissioner Parker arrived at 7:08 p.m.

5:58

Commissioner Calder moved to continue the Springville Community Development requests an amendment of Springville Code Title 11 Chapter 4 Section 301 Land Use Matrix to refine the permitted uses in the Main Street South Gateway Zone item until a further date. Commissioner Baker seconded the motion. The vote to continue the Legislative Session item was unanimous.

***2. Springville Community Development requests amendment of Springville Code Title 11 Chapter 6, Section 113 Off-Street Parking.***

6:28

Josh Yost, Community Development Director, presented. This item's genesis is for 2 reasons: 1. Most of the proposed code amendments are simply formatting corrections and clarifications to wording to be consistent with State Code and be easier to administer. 2. The City Council requested a few months ago at the request of some downtown property owners, to evaluate ways to facilitate the reuse of buildings downtown that was hampered by parking requirements that arose from the change of use of those buildings.

The amendments will add criteria for parking reduction requests that are easier to evaluate and for uses not listed in the parking table that need to be cleaned up. For parking reduction and uses not consistently listed, it makes those administrative or Staff level determinations. One of the amendments will go over the Historic Downtown area

from change of use requirements for parking. Also, provide an alphabetized list of parking off of required minimum parking.

The required parking table is also being reformatted, listing the uses alphabetically. None of the parking amounts are being changed.

He talked about a change in State code that allows the Staff to make decisions on many of these items and without having to come to Planning Commission. We are proposing that this not apply to the Historic Downtown area as defined as 400 S to 400 N from 400 S to 400 N through 100 W to 100 E.

Chair Ellingson is worried about why that isn't being applied there. Director Yost said it is to permit the conversion of the change of use in buildings and not require additional parking. Providing the required parking based on their square footage is prohibitive of having those buildings change use. It furthers the goals of the downtown plan. It won't permit any changes not allowed by zoning.

15:15

Commissioner Calder said this feels like a blanket change and there would be no more discussions about parking for anyone. Director Yost said that rule would not apply to new construction, just existing buildings.

Director Yost said this is where a larger parking discussion comes into play. He feels it is the City's role to adequately control, monetize and control the market for what is essentially the public good which is on-street parking. By providing it free of charge with no time limits, we are distorting the market for that. Any good provided for free is over-utilized. That demand needs to be managed actively.

Commissioner Nelson wants a parking plan in place now so it isn't addressed when applicants are asking for it and so it doesn't become a problem. Director Yost said we have lead time and that is why he is addressing it now.

Commissioner Calder is concerned about taking everything that was coming to the Planning Commission and turning it over to the Land Use Authority. Director Yost said some of those items didn't already come to the Planning Commission. You would only see a plan for parking construction if it were part of a site plan and that site plan would only come to you if it is larger than a certain size. With changes in the Land Use Development Management Act, the State is pushing the majority of Administrative Action to the Staff level. Unless it is a legislative item, something that would go to Council, they push it to the lowest level of approval possible. It can still come to Planning Commission if there is an issue or the applicant requests it to be heard here. Commissioner Nelson loves that part of getting rid of the red tape. He asked if there is enough on-street parking around for the intent of a vibrant Main Street.

Commissioner Calder is worried about the current amount of available parking and how it will be affected when there is a vibrant downtown. He is also very concerned about the Land Use Authority making decisions that he feels should still come to Planning Commission. He wants more eyes on the applications. Director Yost explained the

difference between administrative items (that just need to be checked that they meet the code) and legislative items (that need opinions, experience and diversity). Once the laws and regulations are made, the ability to discretionally make decisions is decreased to the point based on the evidence of the record as to whether something meets the requirements. Commissioner Nelson feels it is OK for Staff to approve applications.

Commissioner Parker wants a parking plan in place before deciding. It cuts red tape, but he agrees with Commissioner Calder.

Commissioner Baker said we are discussing two separate things. Planning Commission to Land Use Authority and changes to historic downtown parking. Commissioner Baker said we would both have to work with the criteria and if it's met, we have to approve. Whether it is Staff or Planning Commission means we still have to follow the same criteria. This way we don't have to wait to talk about it twice a month. It's not taking away from our ability to make decisions on things because the same criteria are being met.

Director Yost continued. For a use not listed, we asked people to amend the parking code. And that is expensive and takes time. We will now evaluate the intensity of the proposed use as well as operation, needs for shared parking, trip generation, and peak demands.

The use table is alphabetized and there are no changes to the table.

41:07 Director Yost clarified the difference between Additions and Change of Use for parking. If you are changing the use, it can be done in the building. You don't have to meet the off-street parking for that use. If you are building new square footage, you have to provide parking for that square footage.

Director Yost said he is with Commissioner Calder in that you may have a more robust discussion on whether it meets the criteria or not, but he has only seen improvement to the outcomes when administrative items are taken to Staff level.

Commissioner Parker is concerned about lessening the parking downtown when there are places that don't have enough parking. Director Yost said that is why we have the criteria to base the decision on. If 20% isn't merited, we don't have to grant the 25% reduction.

Commissioner Anderson wants to solve the parking problem first. Commissioner Calder agrees. Some businesses are being driven to other cities when there isn't enough parking.

Chair Ellingson asked about bike racks mentioned in #8 on the last page. We haven't had a lot of new development that is subject to that, but we haven't been doing a good job of implementing them. It is a big part of our Active Transportation Plan. Chair Ellingson asked if there is a way to ask businesses to help with this. Director Yost said we can. Provo has had great success with this. We would like to get caught up front for

anything new. Chair Ellingson asked if the City could lead the way by adding some at the Rec Center. Director Yost said yes. She said that would be great as there are many bikes there and they are just leaning up against the building. We should be as concerned about the bike parking as the car parking.

Commissioner Nelson asked if there are any plans for parking. Director Yost said there is a plan to go through a process. Commissioner Nelson said we are increasing demand by decreasing parking and asked if it is wise to go about it this way. Director Yost thinks it's OK as there is not a quick runway to problems. The number of big buildings downtown that could change is small. The changes on Main that could be made are very small. The commercial uses are very established. We are 18 months away from that.

51:30

Director Yost doesn't like planning under duress. If we change the geographic boundary to the north of Center Street, then it will address the items the Council asked him to address. It doesn't apply to the Downtown core, and it wouldn't impact things in the near future. Commissioner Baker said if nothing passes, then there are two businesses not able to be licensed. Director Yost said one - the bike shop will be able to pave their side yard to meet the required parking. Sharee Killpack owns the Reynold's home and wants to do more with it but can't because of the parking requirement.

Commissioner Parker said what is going on is nebulous. Part of the problem with the government is saying we will look at it down the road. He wants to get a plan and then have Director Yost run with it. Commissioner Calder feels that this needs to be addressed so we don't move backward.

Director Yost mentioned that downtown parking is not something that is on his list from the Council as a priority project. And it still isn't a priority.

Provision E is the one the Council asked him to work on. He started with the simplest way to make it achieve what they were asking him to do. If we need to get more prescriptive, then we can.

Commissioner Anderson asked how many businesses complain about parking. Director Yost said the elderly ladies going to the salon have been the only ones to complain about parking, that he has heard.

Director Yost said the end goal is that there are always a couple of spaces available on each block face. When it isn't managed well, traffic gets congested from people cruising for parking.

Commissioner Calder said there is a common parking area, that would help. He is concerned about the established businesses and their parking being taken. Commissioner Baker suggested time limits on parking. Commissioner Nelson is supportive of this. Director Yost said when we go to the planning, we do a lot of data gathering.



Chair Ellingson asked for Commissioner Farrer's opinion. He said what bothers him is we plan an Active Transportation system, yet no one is willing to walk two blocks. He feels the UPS Store is in a bad location. Chair Ellingson said it brings people downtown. Commissioner Farrer expressed we can beat this to death, and it won't accomplish anything because it isn't going to change.

Chair Ellingson asked how long it would take to put together a well-thought-out parking plan. Director Yost said one year and \$100,000. Chair Ellingson asked if he is willing to wait until this is done. Director Yost said he knows the people who made the request in Council don't want to. Chair Ellingson said we could address that piece separately. Director Yost said the rest of it, aside from the reduction percentage, has a substantial impact on parking demand and supply downtown. He has no opposition to waiting but he doesn't see there is a benefit to waiting on those administrative or clerical items. He said you can make a very specific motion that you move to recommend approval except for whatever provisions you'd like to strike.

Commissioner Anderson asked for more clarification on what Director Yost's assignment was and if this goes beyond the scope of what they were asking him to do. He said he got two lines of direction in the public comment period. He chose to make a proposal and then discuss it. Commissioner Anderson clarified that someone was there in the public comment. Director Yost said yes, Sharee Killpack addressed the Council and the Council asked Director Yost to look at this. Commissioner Parker said this is for one individual. Commissioner Anderson asked if the person asked you for this, could they ask for some kind of policy change, can you change it. Director Yost said up to 20%. Commissioner Parker said the Council isn't asking for a huge change. Maybe we are making this issue larger than it is. We want to make sure that we have some plan in place where we haven't created a messy problem in 5 - 10 years. He doesn't see Council approving \$100,000 for parking downtown. Director Yost agrees.

Director Yost said once we finish the General Plan and the Reframing Downtown Plan needs a parking plan, it should be an easy sell to use the \$250,000 he has been allocating for professional services about every year to spend that much on downtown parking. It is people's first and last impression. Up to this point, we haven't received a lot of push on it. There is a clear argument to be made to invest.

Chair Ellingson told the Commissioners we can continue the whole item, pull out things we are OK with and recommend continuance of the other, or recommend denial to the council.

Commissioner Baker feels that we shouldn't stymie growth or create parking wastelands just because the parking requirement requires it. We have a vitality problem not a parking problem on Main Street. Important to encourage small businesses and not make it cost-prohibitive and then they go to another City.

Commissioner Nelson said it's a good argument, although not strategic. that he doesn't know if it is even going to be a problem. We are doing the Reframing Downtown, shouldn't that be addressed with this? That is a strategic level of addressing it. He doesn't want to discourage small businesses here. He doesn't want to do something today that causes problems tomorrow. Commissioner Parker agrees, but when you have a small business, you know what those costs are going to be going in. It isn't the City's responsibility to provide parking up and down the street.

Chair Ellingson said it isn't. But if we have a standard that isn't meant to be universally applied, then adjusting the standard is necessary.

Commissioner Parker doesn't feel there is a comprehensive plan.

Chair Ellingson asked how the Commissioners are going to move forward tonight. Commissioner Calder said that there are 3 items: 1- moving authority from Planning Commission to Staff, 2- Allowing applicants to apply for a bigger parking exception and 3- administrative alphabetizing of the table. He is confused about the motivation to move it from the Planning Commission. He doesn't want someone to make his job easier. Director Yost said the Council tells us to do that. This is all Staff-initiated. The criteria for evaluating this isn't that we are trying to make your job easier, rather we are trying to make the administration of the development process easier, more straightforward and more predictable. Commissioner Calder is very concerned about only one person approving those. Director Yost said it is one person's interpretation of the criteria. Commissioner Calder said he is saying if one person applies for a 25% increase anyone can apply and then it will be approved by the Land Use Authority. Chair Ellingson added 'according to the criteria.'

Commissioner Calder said we are making a change to the way we are doing government in the City. Director Yost said no and explained what you are doing now is legislative, such as when you make a recommendation to the Council. When you approve a site plan, conditional use permit or a parking reduction, that is administrative. You are not acting in a recommending function, you are simply evaluating applications and determining if they meet the code. You have no discretion to approve or deny the application aside from substantial evidence on a record that tells you whether it meets the code. If you deny the application when it meets the code, it is arbitrary and capricious and we get sued and they get to do what they want. All we are doing is saying the standard is still the same for the applicant, they just don't have to come to the Planning Commission and go through the presentation, Staff doesn't have to write a Staff Report and we don't have to deal with the timing of agendas. Staff can do this on an as-needed basis to streamline and remove any additional perceived risk from the development.

The Planning Commission is a legislative body. You have no discretion to approve or deny with substantial evidence that it meets the code. Staff can do this on an as-needed basis and reduce stress on the pipeline for the development community. We don't feel that you are doing a bad job or don't want to bring things to the Planning Commission.

We also know that Planners in the State are running the legislative side of things and we need to take everything we can where public input doesn't factor in and get that out of the public meeting session. It generally provides negative outcomes where people feel their voices weren't heard and didn't make a difference whereas legally it can't make a difference.

127:45

Where additional discretion or arbitrariness comes into a process that should be very straightforward and clerical. That is what these Land Use and Development Management Act changes are doing across the board. It is limiting the number of reviews we can do and limiting discretion in a way these items are subject to that kind of discretion. He sees it as anything we can do to get ahead of the State Legislature's quest to do that and be proactive and strategic he is in favor of because they continue to ratchet it down on us. We are doing a great job in Springville. There are some cities with have items come back to the Planning Commission 2 or 3 times for a plat. Responding to some of those less good actors in the State, the Legislators really cracked down on us. We are confident that you could handle the load. But we don't see it as a necessary part of the development review process. We would rather have you spend your time doing this kind of thing and going in-depth on detailed discussions on codes, policies and plans. That is where we get the most value. The City Council has communicated that a lot recently. Director Yost relayed back to the Commissioners that the City Council really appreciates their detailed work on the plans that have come to them.

Commissioner Nelson moved to open the public hearing. Commissioner Baker seconded. The public hearing was opened at 8:34 p.m.

Mindy Wright 853 E 1000 S

She has only been able to listen to what has been changed today. Parking is a big issue. We don't have a parking problem. If you want princess parking, then it is. This allows business to come to our city, which we need. It allows them to come and start on a good foot. This should be passed and, if we have an issue in the future, we can look at it then. She is all about Reframing Downtown and that will need a study. This shouldn't stop us from passing these changes.

Logan Millsap 133 S 880 E

He appreciated the discussion and getting into the details, and the impact of the choices. Sometimes we are worried about hypothetical situations, but we know now some of these parking requirements are preventing businesses from opening or opening timely. Focus on the current problem we have and leave the hypotheticals to a future parking plan. Worry more about downtown's vitality.

Commissioner Baker moved to close the public hearing. Commissioner Nelson seconded. The public hearing was closed at 8:38 p.m.

1:36:00

Commissioner Ellingson went through the whole document to get the Commissioner's vote.

PG 1 Commissioners are OK with this.

PG 2 Commissioner Calder has a problem with the Land Use Authority. Commissioner Nelson and Commissioner Baker do not object to this. Commissioner Parker agrees with Commissioner Calder.

Item E) Commissioner Baker said no problems as is but would support it if it was reduced to Center to 400 N. Commissioner Anderson's concern is whether this is what Council asked for, or does this go beyond what they asked. Commissioner Calder said and why does it go beyond the Council's ask. Chair Ellingson suggested that they take that section out and ask Staff to bring direction back from Council.

PG 3 Accessible parking - all Commissioners are OK with this.

PG 4 addition of standards - I-X - Commissioner Calder has issue with it. He wants to know why are we making all of these changes.

Chair Ellingson asked about the 25% reduction - Commissioners Calder and Parker don't agree with it. Commissioner Nelson is fine with the whole thing as long as we say we get on top of the strategic part with Reframing Downtown. Commissioner Baker feels that is time-prohibitive. Commissioner Calder says it's working. Commissioner Baker said it isn't because people want to have businesses and can't. Commissioner Farrer said it is opening the floodgates to get rid of all parking requirements. Commissioner Baker said it's not opening the floodgates where no one has to put in parking or if they build something new, they don't have to put parking in. It is so a house can be converted into a business. It is to accommodate existing smaller buildings on Main Street so that they can be used for something other than a residence.

1:42:45

Commissioner Nelson moved to recommend approval of the proposed amendments to Springville Code, Title 11, Chapter 6, Section 113, Off-Street Parking with the understanding that the City will pursue a parking study and address parking if the study shows the need. With the understanding the City will provide a strategic plan for parking. Commissioner Baker seconded.

Roll call vote:

Farrer - aye

Anderson - nay

Parker - nay

Baker - aye

Calder - nay

Nelson - aye

Ellingson - aye

1:44:18

Chair Ellingson said the recommendation carries to City Council but we strongly want the parking plan in place. Commissioner Parker said like Commissioner Anderson said we have gone way beyond the scope of what the Council is asking. Commissioner Anderson asked Director Yost to communicate that to the council. Director Yost said it will include minutes and he does his best to crystalize the discussion. Commissioner Baker said this is why it is so important for us to discuss so it does go into the minutes

and so the Council can read through it. Commissioner Nelson hopes they will take the time to read this.

Director Yost reiterated that the Mayor was really pleased with your work on the Active Transportation plan. He read the minutes and the reports on the plan. Knowing it was vetted so thoroughly allowed the Council to make an informed, efficient decision. With the scope of their duties, they will generally not have the ability to go to that level of detail. It is appreciated that they can trust that this Commission has gone to that level. When there are differences in discussion and opinion, he doesn't see any instance when public policy is not well served by having thorough discussion. Airing disagreement and perspective is always productive.

Commissioner Calder appreciates the discussion. He doesn't like sending the item to the Council without an approach. Commissioner Nelson said in most scenarios, he would agree but feels some issues in downtown Springville need to be addressed. He feels that parking is several years out.

Commissioner Baker said with Calder's analogy, we send it down the raft, but we have Staff as the helmsman. They go to the City Council and convey what we talk about and the provisions we put on there. They are there to make sure those changes we recommend don't get lost. That is an important and valued function that Staff does provide for the Planning Commission.

Director Yost said he needs to do a better job at closing that loop, specifically with the Active Transportation Plan. The Mayor asked me to convey that your recommendations have a direct impact on the discussion that the City Council has and on the plan. The plan now has a section on the policy recommendations that evaluates the safety of each facility so we aren't encouraging behavior that is inappropriate to the context based on signage, or bike boulevards in neighborhoods. And then it has a section on education that Commissioner Farrer asked for. The last provision in the adoption ordinance directs Staff with Public Works as the lead department to develop a policy for public involvement and public notice for all capital projects in the City. Your push on the Active Transportation Plan, led to the Council adopting something broader that will lead to how we do capital projects in the future. All of your messages were picked up. Councilwoman Crandall said they really do listen and she is glad she comes to these in person. It is a lot better because of your discussions.

With nothing further to discuss, Commissioner Farrer moved to adjourn the meeting. Commissioner Baker seconded the motion. Chair Ellingson adjourned the meeting at 9:00 p.m.

ORDINANCE NO. \_\_\_\_-2023

**AN ORDINANCE AMENDING SPRINGVILLE CODE TITLE 11 CHAPTER 6 SECTION 113 OFF-STREET PARKING.**

**WHEREAS** the Springville City Development Code governs land use decisions within Springville City in fulfillment of the recommendations of the General Plan as well as the future vision of the City as established by the Mayor and Council; and

**WHEREAS** Springville City may, from time to time, examine the regulatory provisions of the zones within the Code and amend its Code to reflect its commitment to maintaining the vision established in the General Plan and as established by the Mayor and Council and

**WHEREAS** The Springville City Council directed staff to evaluate ways to facilitate the reuse of buildings downtown hampered by parking requirements that arise from the change of use of those buildings and

**WHEREAS** the Planning Commission conducted a public hearing on November 14, 2023, and reviewed the proposed amendments, and has recommended favorably of the amendments; and

**WHEREAS** the City Council held a properly noticed public meeting on December 19, 2023, to consider amendments to Springville Code Title 11 Chapter 6 Section 113 Off-Street Parking, attached as Exhibit A,

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Springville, Utah, that:

**Section 1:** The amendments to Springville City Code Springville Code Title 11 Chapter 6 Section 113 Off-Street Parking, attached as Exhibit A, are incorporated into this ordinance as if fully stated herein.

**Section 2:** This ordinance shall become effective upon adoption by the Springville City Council and publication as required by law.

ADOPTED by the City Council of Springville, Utah, on the 19<sup>th</sup> day of December 2023.

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Matt Packard, Mayor

ATTEST:

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Kim Crane, City Recorder

## Exhibit A

### Springville Code Title 11 Chapter 6 Section 113 Off-Street Parking

#### 11-6-113 Off-Street Parking.

(1) The purpose ~~for~~of off-street parking requirements is to provide adequate parking for the intended use of a parcel while eliminating the need to park in the public right-of-way. Every building, structure, improvement, and use shall provide permanent, maintained off-street parking as specified in this Chapter. The Off-street parking shall be a continuing obligation of the property owner as long as the use continues. It shall be unlawful for a ~~land-owner~~landowner to eliminate required off-street parking unless otherwise provided on the parcel and approved by the City.

(a) Parking for Non-Conforming Uses: Any use of property which, on the effective date of this Chapter or of any subsequent amendment, is non-conforming only with the regulations relating to off-street parking facilities may continue in the same manner; provided, that parking facilities shall not be further reduced.

(b) Parking for Mobile Home Parks: This section shall not apply to the R-MHP Zone. Regulations for off-street parking in that zone are contained in the development and design standards for mobile home parks.

(2) General Provisions. The following general provisions apply to all off-street parking requirements of this Chapter.

(a) Location. The location of off-street parking facilities shall be as follows, and shall not be located within the public right-of-way:

(i) For single-family, duplex, and multi-family residential dwellings, required parking shall be located on the same lot as the building which they are required to serve. Required off-street parking shall not be located in a required front yard or side yard that abuts a street setback.

(ii) Parking for multiple-family buildings shall be located either behind the building or twenty feet (20') behind the front setback of a building within an interior side yard. The Commission may approve front loaded garages in multi-family buildings when the designated parking is at least twenty feet (20') behind the front facade and the width of the garage facade facing the street is less than thirty-four percent (34%) of the total building facade facing the street. Common underground parking garages with internal circulation may also be considered.

(iii) Parking in the VC-Village Center and TC-Town Center Districts shall be located behind the building.

(iv) For all other uses, including commercial and industrial uses, required parking shall be located on the same lot or on an abutting lot. In no case shall required parking be located across a public street without written approval of the [Planning Commission Land Use Authority](#) and only when the parking area is within two hundred feet (200').

(v) If parking is located on a lot or parcel under different ownership, a perpetual easement must be recorded in the office of the Utah County Recorder prior to final approval.

(vi) Tandem parking (one (1) space in front of another) will not be allowed to satisfy the requirements found herein, except as defined in the Design Standards for New Construction in the Springville Historic District [or in any adopted Traditional Neighborhood Plans or Special Zoning Overlay Districts](#).

(b) Lighting. Exterior lighting shall be appropriate to the task. Any lights provided or required to illuminate a parking area shall be arranged in a manner that will reflect light away from adjacent properties.

(c) Shared Parking. The [Planning Commission Land Use Authority](#) may approve the joint use of a parking lot or facility; provided, that the applicant can show that conflict between the different users can be effectively eliminated. For instance, willing parties such as a church and a commercial business may share parking facilities if typical heavy use parking times allow. [Copy a copy of a](#) recorded perpetual easement shall be provided to the Community Development Director.

(d) Construction plans for any parking facility or the alteration of any parking facility shall be submitted to the City for review and shall be approved by the [Planning Commission Land Use Authority](#). A parking lot or structure may be approved as part of the project approval.

(e) Change of Use. Whenever the use of any building is changed, the new use shall not be permitted and a business license shall not be issued until and unless the premises comply with the requirements contained herein. [This requirement shall not apply to the Historic Downtown area from 400 South to 400 North and from 100 West to 100 East.](#)

(3) Design and Construction Standards. All parking facilities shall satisfy the following minimum standards for design of parking stalls and construction standards:

(a) All parking facilities shall be hard surfaced with asphalt or concrete or similar impervious materials. The materials shall meet the approved standards and specifications and be capable of handling the anticipated size and weight of vehicles, including public safety vehicles.



(b) Each parking lot shall be surrounded by a concrete curb or other border approved by the City Engineer to ensure the life of the surface and to limit the access to approved ingress and egress.

(c) All parking spaces shall have minimum dimensions of nine feet (9') by eighteen feet (18') for parking at right angles and shall require twenty-four feet (24') backing distance in aisle width. Parallel parking spaces shall have a minimum length of twenty-two feet (22').

(d) Requirements for parking developed at varying angles are according to Table 1 below and included in this Section. Parking stalls designed at less than a ninety (90) degree angle shall be allowed for one (1) way traffic only.

(e) Parking shall be designed to avoid backing onto a public street, except on minor local streets where the size or shape of the parcel is such that development would be precluded otherwise.

(f) Accessible parking~~Parking for the handicapped~~ shall be provided at a size, number, location, ~~and~~ with signage as specified by State and federal regulations and shall count towards fulfilling the minimum parking requirements.

(g) Parking in R-1 zones shall have two (2) covered spaces except those lots of less than sixty feet (60') in width located in the Springville historic district which shall have at least one (1) covered space. Single-family dwellings in all other zones shall have at least one (1) covered parking space. For all two (2) unit and multiple-family dwellings there shall be one (1) covered stall per dwelling unit.

(h) In addition to any other landscaping requirements listed in Sections 11-6-208 through 11-6-210, parking lots with two hundred (200) spaces or more shall include a landscaped area, which includes a walkway connecting the street right-of-way to the store entrance of at least ten feet (10') in width.

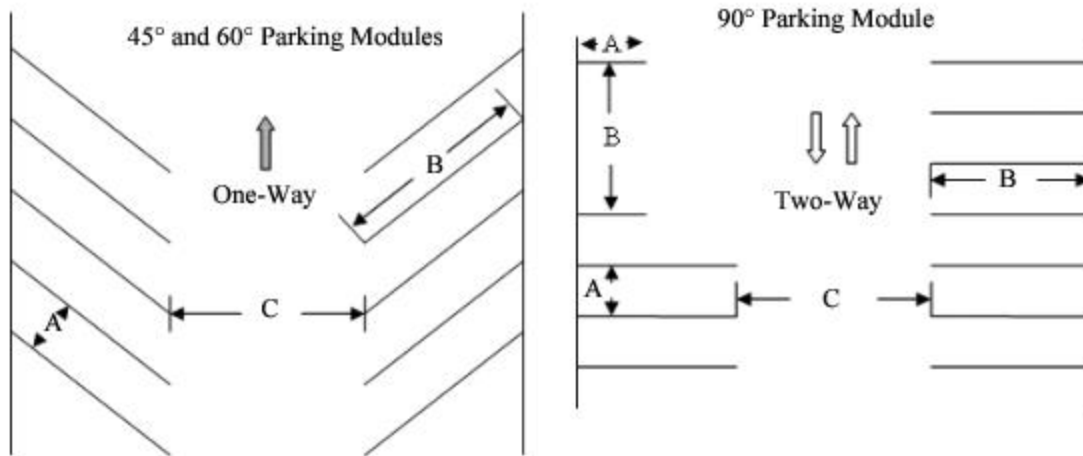
(i) Separation from Buildings. Excluding single-family and two (2) family dwellings, all off-street parking spaces and interior access drives shall maintain a minimum five-foot (5') separation from the wall of a building.

(j) Underground Parking Structures. All parking spaces within a common underground parking structure with internal circulation shall have minimum dimensions of nine feet (9') by eighteen feet (18') for parking at right angles with a minimum two feet (2') of spacing between the parking stop and the wall.

**TABLE 1. PARKING ANGLE SPACE DIMENSIONS**

	A	B	C
Parking Angle	Stall Width	Stall Length	Aisle Width
45°	9'	18'	13'
60°	9'	19'	17'
90°	9'	18'	24'
Parallel	9'	22'	

**FIGURE 1. FIGURE 2.**



The letters in the Figures 1 and 2 correspond to the dimensions in Table 1 above.

(4) Maintenance. All parking facilities shall be maintained and kept free of garbage and debris. Striping of parking stalls shall be kept in a manner that allows each stall to be identified. Potholes, cracks, and other damage to the surface shall be repaired in a timely manner.

Any violation of this Section shall be determined to be a Zoning Violation and shall be punishable by a Class B misdemeanor pursuant to Section [12-2-21](#) of Springville City Code.

(5) Reduction in Parking Standards.

(a) ~~An applicant may apply to the Planning Commission for a reduction in the amount of parking spaces. The applicant must clearly demonstrate that the required number of parking stalls is unnecessary for the proposed use and any possible future use of the building. The parking requirements may be reduced from the minimum standards when the Land Use Authority~~

determines that the reduction meets the intent of this chapter. Any reductions shall be based on the following criteria:

- (i) the intensity of the proposed use.
- (ii) the hours of operation.
- (iii) whether there is shared parking.
- (ix) trip generations; and
- (x) peak demands.

Any request ~~which that~~ lowers the amount of parking stalls by more than twenty-five percent (~~2025~~%) shall not be approved.

(b) For the Historic Downtown Area (which is defined as that area zoned as TC Town Center and generally located between Center Street and 400 South from 100 East to 100 West) the Planning Commission Land Use Authority may grant a parking reduction based upon the following considerations:

- (i) A reduction in parking will still adequately meet the unique needs of the proposed land ~~use;~~ use.
- (ii) A reduction in parking will not cause a shortage for other uses located in the area; and
- (iii) A reduction in parking will contribute to the vitality and overall well being of the Historic Downtown Area.

(6) Parking Spaces Required. Off-street parking shall be provided as follows for all new buildings and structures, or enlargement of any existing buildings or structures. Should the required parking stalls as calculated using the following standards end in a fraction, the standard shall be rounded up to the next whole number.

(a) Requirements for types of buildings and uses not specifically listed herein shall be determined by the Planning Commission Land Use Authority, based upon the ~~requirements for the most comparable uses specified herein.~~ following criteria:

- (i) the intensity of the proposed use.
- (ii) the hours of operation.

(iii) whether there is shared parking.

(ix) trip generations; and

(x) peak demands.

Buildings with more than one (1) use shall provide parking required for each use.

<b>USE</b>	<b>MINIMUM NUMBER OF PARKING SPACES REQUIRED</b>
<del>Single-Family Residential (detached or attached)</del>	<del>Two (2) spaces per unit.</del>
<del>Multi-Family Residential</del>	<del>Two (2) spaces per unit plus one-quarter (0.25) space per unit for visitor parking.</del>
<del>Public Agency Owned Senior Housing</del>	<del>Three-quarter (0.75) space per unit.</del>
<del>Elderly/Assisted Living Facility</del>	<del>One (1) space per every two (2) beds + one (1) space per employee.</del>
<del>Business Office</del>	<del>One (1) space per three hundred (300) square feet of floor area.</del>
<del>Medical/Professional Office/Clinic</del>	<del>One (1) space per two hundred fifty (250) square feet of floor area.</del>
<del>Commercial /Retail</del>	<del>One (1) space per three hundred (300) square feet of floor area.</del>
<del>Restaurant</del>	<del>One (1) space per four (4) seats or one (1) space per one hundred (100) square feet of gross floor area, including outside seating, whichever is greater.</del>
<del>Health/Amusement</del>	<del>One (1) space per one hundred fifty (150) square feet of floor area.</del>
<del>Aquatic/Recreation</del>	<del>One (1) space per two hundred fifty (250) square feet of floor area.</del>
<del>Automotive Service/Repair</del>	<del>Five (5) spaces per service bay.</del>
<del>Hotels/Motels</del>	<del>One (1) space per room + two (2).</del>
<del>Churches</del>	<del>One (1) space per one hundred (100) square feet of floor area.</del>
<del>Schools/Elementary</del>	<del>Two (2) spaces per classroom.</del>
<del>Schools/Secondary</del>	<del>One (1) space per employee + one (1) space per four (4) students.</del>
<del>Personal Services/Barbers/Beauty/Travel</del>	<del>One (1) space per two hundred (200) square feet of floor area.</del>

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
<u>Public Service or Utility</u>	<u>One (1) space per employee on the largest work shift + one (1) space per company vehicle normally stored or parked on the premises + one (1) space per five hundred (500) square feet of floor area.</u>
<u>Self Storage Facilities</u>	<u>Three (3) spaces per one thousand (1,000) square feet of floor area devoted to office space, plus one (1) space per resident/manager, plus one (1) space for each fifty (50) storage units. Required parking spaces shall not be utilized as rental or leased spaces.</u>
<u>Theater — Indoor</u>	<u>One (1) space for every three (3) seats.</u>
<u>Manufacturing</u>	<u>One (1) space per employee on the largest work shift.</u>
<u>USE</u>	<u>MINIMUM NUMBER OF PARKING SPACES REQUIRED</u>
<u>Assisted Living Facility</u>	<u>One (1) space per every two (2) beds + one (1) space per employee.</u>
<u>Aquatic/Recreation</u>	<u>One (1) space per two hundred fifty (250) square feet of floor area.</u>
<u>Automotive Service/Repair</u>	<u>Five (5) spaces per service bay.</u>
<u>Business Office</u>	<u>One (1) space per three hundred (300) square feet of floor area.</u>
<u>Churches</u>	<u>One (1) space per one hundred (100) square feet of floor area.</u>
<u>Commercial /Retail</u>	<u>One (1) space per three hundred (300) square feet of floor area.</u>
<u>Health/Amusement</u>	<u>One (1) space per one hundred fifty (150) square feet of floor area.</u>
<u>Hotels/Motels</u>	<u>One (1) space per room + two (2).</u>
<u>Manufacturing</u>	<u>One (1) space per employee on the largest work shift.</u>
<u>Medical/Professional Office/Clinic</u>	<u>One (1) space per two hundred fifty (250) square feet of floor area.</u>
<u>Personal Services/Barbers/Beauty/Travel</u>	<u>One (1) space per two hundred (200) square feet of floor area.</u>
<u>Public Service or Utility</u>	<u>One (1) space per employee on the largest work shift + one (1) space per company vehicle normally stored or parked on the premises + one (1) space per five hundred (500) square feet of floor area.</u>
<u>Public Agency Owned Senior Housing</u>	<u>Three-quarter (0.75) space per unit.</u>
<u>Residential Single-Family</u>	<u>Two (2) spaces per unit.</u>

<b>USE</b>	<b>MINIMUM NUMBER OF PARKING SPACES REQUIRED</b>
<u>(detached or attached)</u>	
<u>Residential- Multi-Family</u>	<u>Two (2) spaces per unit plus one-quarter (0.25) space per unit for visitor parking.</u>
<u>Restaurant</u>	<u>One (1) space per four (4) seats or one (1) space per one hundred (100) square feet of gross floor area, including outside seating, whichever is greater.</u>
<u>Schools/Elementary</u>	<u>Two (2) spaces per classroom.</u>
<u>Schools/Secondary</u>	<u>One (1) space per employee + one (1) space per four (4) students.</u>
<u>Self-Storage Facilities</u>	<u>Three (3) spaces per one thousand (1,000) square feet of floor area devoted to office space, plus one (1) space per resident/manager, plus one (1) space for each fifty (50) storage units. Required parking spaces shall not be utilized as rental or leased spaces.</u>
<u>Theater – Indoor</u>	<u>One (1) space for every three (3) seats.</u>

(b) Floor areas used in calculating the required number of parking spaces shall be gross floor areas of the building, calculated from the exterior outside wall without regard to specific inside uses. In mixed-use facilities, calculations shall be based on gross square footage of each identifiable use within the building and the total square footage of each identifiable use shall be the same as the gross floor area calculated from outside wall to outside wall.

(7) Stacking Space for Drive-In Businesses. All plans shall show the location, size and dimensions of all such facilities. The plans shall follow the stacking space schedule and shall demonstrate that such facilities will not result in the stacking of vehicles on public rights-of-way.

(a) Drive-in facilities shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian frontage.

(b) The length of stacking spaces shall be twenty feet (20').

<b>Use</b>	<b>Minimum Number of Stacking Spaces</b>	<b>Measured From</b>
Bank teller lane	4	Teller or window

Use	Minimum Number of Stacking Spaces	Measured From
Automated teller machine	3	Teller
Restaurant drive-in	8	Pick up window
Car wash stall – automatic – manual	6 2	Entrance Entrance
Attended parking lot or structure	3	Attendant
Gasoline pump	2	Each end of pump island
Pharmacy	4	Pick up window
Other		Determined by the City of Springville’s Community Development Director

(c) Allow existing sites to propose a means of stacking requirements while still meeting the intent of the ordinance codified in this Section as determined by the Planning Commission.

(8) Bicycle Parking. Every parking facility which is required to provide at least forty (40) vehicular parking spaces shall be required to provide bicycle parking spaces at a rate of one (1) bicycle parking space per every twenty (20) vehicular parking spaces.

(a) Bicycle parking spaces shall have a minimum width of two feet (2') and a minimum length of six feet (6'), unless the spaces are provided by a pre-manufactured bicycle rack or locker, which differ from this dimension, in which case the dimension of the pre-manufactured rack or locker shall suffice.

(b) Required bicycle parking facilities shall, at a minimum, provide a stationary object to which the operator can lock the bicycle frame and both wheels with a user-provided U-shaped lock or cable and lock.



## STAFF REPORT

**DATE:** December 15, 2023  
**TO:** Honorable Mayor and City Council  
**FROM:** Brandon Graham, Distribution Superintendent  
**SUBJECT:** SOUTHERN UTAH VALLEY POWER SYSTEMS AMENDED BYLAWS  
AND COST REALLOCATION PAYMENTS

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### **Recommended Motion:**

Springville City Power Department staff recommends the Springville City Council approve a resolution approving the South Utah Valley Power System (SUVPS) Organization Agreement and authorizing Springville City's representative to the SUVPS Board of Directors to vote in favor of the Organization Agreement, Bylaws and Member Cost Reallocation resolution.

### **Executive Summary:**

Southern Utah Valley Power Systems ("SUVPS") is an interlocal entity created by Payson City, Salem City, Spanish Fork City, Springville City, and South Utah Valley Electric Service District (the "Members") to provide electric transmission services to the Members, each of which operates its own retail electric system.

The SUVPS Board is considering three resolutions in an effort to reorganize the structure and cost allocation methodology of SUVPS: (1) revised Organization Agreement, (2) revised Bylaws, and (3) Cost Reallocation Resolution. The goal is to make all parties equal participants based on peak demand percentage in the SUVPS power system.

### **Focus of Action:**

To approve the revised Organization Agreement and authorize Springville's SUVPS Board representative to vote in favor of the Organization Agreement, Bylaws and Cost Reallocation resolution.





**Background:**

Historically, SUVPS members participated in system transformation and transmission projects based on current and forecasted system loads of the member city, but had the option to only participate in SUVPS projects to the capacity levels anticipated by the city individually without necessarily considering the overall system needs of SUVPS. This approach has resulted in both deficiencies in the SUVPS system and an imbalance of capacity ownership among the member cities.

**Discussion:**

The resolutions being considered by the SUVPS Board would shift the participation by member cities from a project-based approach to a more wholistic, system-based approach recognizing the fact that the transmission and transformation components function as an interconnected system that provides capacity and redundancy to all members connected to the SUVPS system. Further, the cost allocation methodology will shift to costs being allocated on a peak demand basis such that member cities will bear system costs proportional to their respective contribution to the SUVPS system peak. As such, it is anticipated that Springville will contribute a smaller share to the overall system peak in coming years and as such, will bear a smaller proportional cost of system improvements.

It is important to note that the revised Organization Agreement represents a fundamental philosophical approach to how the SUVPS system is constructed and paid for. Because the new model represents a system-based approach, it will be very difficult for the City to leave the SUVPS system. The benefit, however, is that the system will be more reliable and cost sharing will be more equitable.

The bylaws are being revised to reflect the changes made to the Organization Agreement and clarifying some procedural issues. The revision of the bylaws is under the authority of the SUVPS Board.

The Cost Reallocation Resolution ensures that the member cities' respective ownership in previous projects along with credit for excess capacity held in the system by virtue of those projects is properly recognized going forward and that all member cities are at parity as the new allocation methodology is implemented with the revised Organization Agreement.



**Alternatives:**

The SUVPS Organization Agreement requires member city governing body approval in order to move forward. The Council could direct staff and its Board representative to negotiate different terms, but without approving the Organization Agreement, the new cost allocation methodology cannot be implemented.

**Fiscal Impact:**

Springville's percentage responsibility should go down based on other member's load demand growing faster than Springville's.

*Brandon Graham*

RESOLUTION #2023-\_\_\_\_\_

**A RESOLUTION APPROVING THE SOUTH UTAH VALLEY POWER SYSTEM (SUVPS) ORGANIZATION AGREEMENT AND AUTHORIZING SPRINGVILLE CITY'S REPRESENTATIVE TO THE SUVPS BOARD OF DIRECTORS TO VOTE IN FAVOR OF THE ORGANIZATION AGREEMENT, BYLAWS AND MEMBER COST REALLOCATION RESOLUTION.**

**WHEREAS** Southern Utah Valley Power Systems ("SUVPS") is an interlocal entity created by Payson City, Salem City, Spanish Fork City, Springville City, and South Utah Valley Electric Service District (the "Members") to provide electric transmission service to the Members, each of which operates its own retail electric system.

**WHEREAS SUVPS** was created and continues to exist pursuant to the Utah Interlocal Cooperation Act, Utah Code § 11-13-101, *et seq.* (the "Interlocal Act").

**WHEREAS** the Interlocal Act allows public entities to enter into agreements for joint and cooperative action.

**WHEREAS SUVPS** exists and operates pursuant to the Southern Utah Valley Power Systems Amended and Restated Agreement for Joint and Cooperative Action, dated February 28, 2005 (the "Existing Agreement").

**WHEREAS** Section 15 of the Existing Agreement allows for Amendments to the Existing Agreement upon a majority vote of the Board and approval of at least three-fourths of the Members.

**WHEREAS** the Board now desires to approve the amended and restated Organization Agreement for SUVPS, attached hereto as Exhibit A (the "Organization Agreement").

**NOW THEREFORE, BE IT RESOLVED BY THE SPRINGVILLE CITY COUNCIL AS FOLLOWS:**

1. The Springville City Council hereby approves the Organization Agreement, replacing the Existing Agreement in its entirety, except that Section 8 (Operation and Capital Costs) and Section 9 (Budget and Financing) of the Organization Agreement shall be effective as of July 1, 2024, which the start of the SUVPS fiscal year. Until July 1, 2024, SUVPS shall continue assessing the Members for SUVPS operational costs as has been done under the Existing Agreement.

2. The Springville City Representative to the SUVPS Board is hereby authorized to vote in favor of the Organization Agreement at an upcoming SUVPS Board meeting.

3. This resolution shall take effect immediately.

APPROVED AND ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

END OF RESOLUTION.

PASSED AND APPROVED this 19<sup>th</sup> day of December, 2023.

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Matt Packard, Mayor

ATTEST:

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Kim Crane, City Recorder

**BYLAWS  
OF  
SOUTHERN UTAH VALLEY POWER SYSTEMS**

**ARTICLE I  
DEFINITIONS**

Capitalized terms used in these Bylaws shall have the meanings set forth in the Southern Utah Valley Power Systems Organization Agreement, dated as of \_\_\_\_\_, as amended from time to time (the “**Organization Agreement**”).

**ARTICLE II  
NAME AND LOCATION**

The name of this organization is SOUTHERN UTAH VALLEY POWER SYSTEMS, herein called “SUVPS”, with a principal place of business located at 14 North Main Street, Springville, Utah 84663.

SUVPS may also maintain offices at such other places, both within and without the State of Utah, as the Board may designate from time to time.

**ARTICLE III  
MEMBERSHIP**

The membership of SUVPS consists from time to time of those entities who are Members of SUVPS pursuant to the Organization Agreement.

**ARTICLE IV  
BOARD OF DIRECTORS**

Section 1. Appointment of Directors. The affairs of SUVPS shall be governed by and be under the control of the Board. Each Member shall appoint a Director to the Board to act in its behalf as provided for in the Organization Agreement, under these Bylaws, and under the laws of the State of Utah. Each Member may also appoint an alternate to act in the event of the absence or unavailability of the individual designated as the Director. Such appointments shall be made pursuant to the authority of the governing body of the Member and shall remain in effect until the earlier of the resignation of the Director or the appointment of a successor by the Member. A Director may resign by following the procedures set forth below.

Section 2. Power and Duties. The Board shall have all power and authority necessary to direct the management, administration, and conduct of the affairs of SUVPS and may do all such acts and things as are not inconsistent with the laws of the State of Utah, the Organization Agreement, or these Bylaws. Each Director shall make diligent efforts to keep the governing body of the Member informed of the business of SUVPS as it may affect the Member and the nature of the contracts between SUVPS and the Member or between SUVPS and a third party which affect the Member's interests, to deliver pertinent correspondence between SUVPS and the Member to the governing body of the Member, and to see that the Member considers and acts on matters proposed by SUVPS in a timely manner and promptly returns executed documents.

Section 3. Vacancies. Vacancies caused by the resignation, removal, death, or incapacity of a Director, or for any other cause, shall, for the unexpired term of the vacancy, be filled as soon as practicable by the governing body of the Member whose Director position is vacant. The Board shall notify the governing body of the Member as soon as its Director position becomes vacant.

Section 4. Removal of Directors. The Board may not remove Directors, but in the event of concern, may notify the governing body of the Member of its concerns. The Board may make a recommendation, in writing, to the governing body of the Member stating why its Director should be removed.

Section 5. Resignation of Directors. Any Director may resign at any time by giving written notice to the Chair and to the governing body of the Member. Any such resignation shall take effect at the time specified in the notice, or if the time be not specified, upon receipt thereof, and unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective.

Section 6. Compensation and Allowances. ~~Each Director~~Directors shall not receive compensation for ~~authorized~~ time spent in conducting the affairs of SUVPS, ~~as established from time to time by the Board.~~ Each Director shall ~~also~~ be reimbursed for all travel and lodging expenses necessarily incurred in the conduct of business for SUVPS as may be allowed by the Board.

Section 7. Emergency Successors. At the first Board meeting of each calendar year, each Director shall provide the Secretary/Treasurer with the Director's designation of an interim emergency successor, as provided in the Utah Emergency Interim Succession Act, Utah Code Ann. § 5253-2a-801, *et seq.*

## **ARTICLE V MEETINGS**

Section 1. Place of Meetings. Meetings of the Board of Directors shall be held at the principal office of SUVPS or at such other suitable place within or without the State of Utah as may be designated by the Board in a notice of Meeting.

Section 3. Regular Meetings.

(a) Regular Meetings of the Board shall be held monthly or as otherwise determined by the Directors but in no case less than four times yearly at such time and place, either within or without the State of Utah, as shall be determined from time to time, by a majority of the Directors. Annual notice of the Meeting schedule of the Board shall be given as and to the extent required by the open and public meeting laws of the State of Utah. Notice of and the agenda for regular Meetings shall be mailed to each Director, emailed to each Director or communicated to each Director personally at least seven days prior to the day named for such Meeting. Each notice and agenda shall state the time and place of such Meeting and, in general terms, the purpose of such Meeting.

(b) To the extent applicable, public notice of such regular Meetings shall be given as required by the laws of the State of Utah relating to open and public meetings of political subdivisions.

Section 4. Special Meetings. Special Meetings of the Board may be called by the Chair on twenty-four hours' notice, which notice shall state the time and place of such Meeting and, in general terms, the purposes of such Meeting. Special Meetings shall be called by the Chair or Secretary/Treasurer in like manner and on like notice upon the written request of at least two Directors delivered to the Chair. To the extent applicable, public notice of special Meetings shall be given as required by the laws of the State of Utah relating to open and public meetings of political subdivisions.

(a) Each Director shall file with SUVPS a written statement setting forth the Director's preferred means of receiving notice of special Meetings which shall include at least two of the following (i) written notice via electronic means (e-mail), in which case the written notice shall specify the appropriate electronic address; (ii) telephonic notice in which case the written notice shall specify the appropriate telephone number; or (iii) hand delivery, in which case the written notice shall specify the street address.

(b) SUVPS shall forward a notice of special Meeting by the means specified in the written statement filed by the Director. Promptly upon receipt of notice of a special Meeting, each Director shall notify SUVPS by telephone or email of the Director's receipt of such notice and

shall also state (i) whether such Director intends to attend such Meeting and (ii) whether such Director will attend such Meeting via telephonic or telecommunications conference.

(c) In the event that SUVPS has not received notice back from any Director under subsection (b) above before the close of business on the business day preceding a special Meeting, SUVPS shall use its best efforts to immediately contact any such Director by telephone.

Section 5. Election of Officers. Officers are to be elected at the first Board meeting of the year, or as soon thereafter as possible.

Section 6. Waiver of Notice. Before or at any Meeting of the Board, any Director may, in writing, waive notice of such Meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a Director at any Meeting of the Board shall be a waiver of notice by him or her of such Meeting except where such attendance shall be for the express purpose of objecting that any such Meeting has been unlawfully convened.

Section 7. Quorum. A majority of the Directors (or their alternates) shall constitute a quorum for, the transaction of business at all Meetings of the Board. Meetings of the Board may be held in whole or in part by means of telephonic or telecommunications conference, as provided in the Interlocal Cooperation Act, the open and public meeting laws of the State and in the written procedures for such Meetings adopted by the Board. Directors participating in a Meeting by means of telephonic or telecommunication conference shall be deemed to be physically present for all purposes of such Meeting, including the formation of a quorum and voting purposes.

Section 8. Adjourned Meetings. If any Meetings cannot be organized because a quorum is not present, the Directors who are present may reschedule the Meeting to be held, upon not less than 24 hours' notice to all Directors and such public notice as may be required by applicable law.

Section 9. Organization. Each Meeting of the Board shall be presided over by the Chair, or, in the Chair's absence, by the Vice Chair, or, if neither of such officers is present at the Meeting, by any other person selected to preside over such Meeting by a majority vote of the Directors present and voting at the Meeting.

Section 10. Voting. At every Meeting of the Board, each Director present shall have the right to cast one vote on each matter presented for a vote of the Board. A majority of these votes cast shall decide any question brought before such Meeting unless the question is one upon which, by express provision of law, the Organization Agreement, or these Bylaws, a different vote is required, in which case such express provision shall govern and control. Any member may call for a weighted vote, and in such event, passage of the motion shall require the vote of a majority of the percentage of shares of the Members, with the "percentage share" for purposes of a



weighted vote being the percentage Demand Share [for the previous year](#) for each Member as described in the Organization Agreement.

Section 11. Electronic Meetings. As provided in the Interlocal Cooperation Act, the open and public meeting laws of the State, and in the written procedures adopted by the Board, any regular or special Meeting of the Board may be held in whole or in part by electronic means. Any Director who participates in any Meeting by such means shall be deemed present at such Meeting for all purposes whatsoever including the determination of whether a quorum is present and voting on all matters that shall come before such Meeting.

## **ARTICLE VI AGENDAS**

Section 1. Preparation of Agenda. Except as provided for below, the Chair, in consultation with SUVPS management, shall determine the topics to be included on an agenda for consideration at a meeting of the Board of Directors. The agenda shall provide reasonable specificity to notify the Directors and the public of the topics to be considered at the Board meeting.

Section 2. Additional Agenda Topics. Any two Directors may direct the Chair, in writing, to include a topic on an agenda provided that there is reasonable time to satisfy the applicable public notice requirements.

## **ARTICLE VII BOARD COMMITTEES**

Section 1. Creation of Committees. By motion, the Board may create one or more Board Committees to assist and advise the Board or SUVPS management. A motion creating a committee shall state the committee's duties and responsibilities and shall direct the committee to make recommendations to the Board for action or to SUVPS management where no Board action is required. A committee shall have no authority to act for the Board on any issue unless the Board has expressly granted such authority.

Section 2. Committee Members. When creating a Committee, the Board shall establish requirements for membership on that Committee. Committee members need not be Board Members, unless otherwise specified by the Board. The Board shall appoint all Committee members. The Board may remove any Committee member at any time, with or without cause.

Section 3. Committee Meetings. Regular Meetings of the Committees of the Board will be held on an as needed basis at such time and place, either within or without the State of Utah, as shall be determined, from time to time, by the respective Chair of such Committees. Notice of and the

agenda for Meetings shall be mailed to the persons serving on such Committees or communicated personally at least seven days prior to the day named for such Meeting. Each notice and agenda shall state the time and place of such Meeting and, in general terms, the purpose of such Meeting. To the extent applicable, public notice of Meetings of any Committee shall be given as required by the laws of the State of Utah relating to open and public meetings of political subdivisions.

Section 4. Compensation and Allowances. Committee members shall not receive compensation for time spent in conducting the affairs of SUVPS. Each committee member shall be reimbursed for all travel, lodging, and other expenses necessarily incurred in the conduct of business for SUVPS, as may be allowed by the Board.

Section 5. Default Committees. The following Committees are hereby established:

Technical Committee. The power department directors (or a person with similar expertise as designated by a Member) of each Member shall constitute the Technical Committee of the Board. The Technical Committee shall meet, as needed, to address matters (i) that are referred to the Technical Committee by the Board or (ii) that are of a technical nature as relating to the transmission and distribution of electric energy. The Technical Committee shall report its proceedings to the Board and, as appropriate, make recommendations for Board action.

Finance Committee. The persons with overall finance responsibility for each Member (or a person with similar expertise as designated by a Member) shall constitute the Finance Committee of the Board. The Finance Committee shall meet, as needed, to address matters (i) that are referred to the Finance Committee by the Board or (ii) that are of a financial nature impacting SUVPS or the Members. The Financial Committee shall report its proceedings to the Board and, as appropriate, make recommendations for Board action.

Safety Committee. The Safety Committee shall consist of a representative from each Member, as designated by the Member from time to time. The Safety Committee shall meet, as needed, to address matters (i) that are referred to the Safety Committee by the Board or (ii) that are relating to safety standards, codes, regulations, or other applicable requirements. The Safety Committee shall report its proceedings to the Board and, as appropriate, make recommendations for Board action.

Audit Committee. The Audit Committee shall consist of three Directors, as appointed by vote of the Board. The Audit Committee's authority and responsibilities shall include: (i) retaining an audit firm to conduct the annual audit, (ii) assisting and advising the Board on the oversight of the financial reporting process, internal controls, and audit, (iii) making recommendations to the Board concerning these processes and controls, and (iv) exercising such

other authority or performing such other responsibilities as directed by the Board. The Audit Committee may rely on such other experts or professionals with relevant financial knowledge to advise and assist the Committee.

## **ARTICLE VIII OFFICERS**

Section 1. Officers of SUVPS. The officers of SUVPS shall consist of a Chair, a Vice Chair, and a Secretary/Treasurer, and such assistants as the Board may designate by resolution. The Chair and Vice Chair shall be members of the Board of Directors, or alternates. The Secretary/Treasurer and assistants need not be members of the Board.

Section 2. Election of Officers. The officers of SUVPS shall be elected for one-year term by vote of the Board. Vacancies in any office shall be filled by the Board for the unexpired portion of the term of office of the person vacating such office.

Section 3. Removal of Officers. At any Meeting of the Board, upon an affirmative majority three-fourths vote of the Directors, any officer may be removed by the Board for cause, and his or her successor elected.

Section 4. Resignation of Officers. Any officer may resign at any time by giving written notice to the Board, or to the Chair. Any such resignation shall take effect at the time specified therein or, if the time be not specified, upon receipt thereof, and unless otherwise specified therein, no acceptance of such resignation shall be necessary to make it effective.

Section 5. Chair. The Chair shall preside at all Meetings of the Board, sign resolutions of the Board, execute contracts on behalf of SUVPS, and shall also perform such other duties and possess such other powers as shall from time to time be assigned to him or her by the Board.

Section 6. Secretary/Treasurer. The Secretary/Treasurer shall keep the minutes of all Meetings of the Board, any Committee of the Board, and notify the Directors and committee members of their respective Meetings as required by these Bylaws and shall ensure that public notice of such Meetings, as required by law, be given in accordance with the laws of the State of Utah relating to open and public meetings of political subdivisions; have the custody of the seal of SUVPS, if any; have charge of such books and papers as the Board may direct; keep all financial books and records of SUVPS; be responsible for preparing budgets and financial reports; be responsible for the receipt of, and the issuance of receipts for, all moneys due to and payable by SUVPS and for the deposit of all moneys and other valuable effects in the name and to the credit of SUVPS in such depositories as may be designated by the Board; and perform all duties incident to the office

of Secretary/Treasurer and such other duties and possess such other powers as shall from time to time be assigned by the Board or the Chair.

## **ARTICLE IX SEAL**

The Board may provide a suitable seal containing the name of SUVPS, which seal shall be in the charge of the Secretary/Treasurer or his or her designee.

## **ARTICLE X FISCAL MANAGEMENT**

Section 1. Fiscal Year. The fiscal year of SUVPS shall be from July 1 to June 30.

Section 2. Auditing. At the close of each fiscal year, the books and records of SUVPS shall be audited by a certified public accountant or a firm of certified public accountants, whose reports shall be prepared in accordance with the requirements of any bond resolutions or contracts adopted or entered into by SUVPS, and which audit shall comply with the requirements of the Government Accounting Standards Board (GASB).

Section 3. Annual Budget. The Board shall annually adopt a budget for the ensuing fiscal year in accordance with the requirements of the Organization Agreement.

Section 4. Inspection of Records. Financial reports and records of SUVPS shall be available at the principal office of SUVPS for inspection at reasonable times by any Member or an approved designee of any Member or as otherwise required by agreements adopted or entered into by SUVPS.

Section 5. Execution of Documents. Except as otherwise determined by the Board, all notes, bonds, contracts and other documents shall be executed on behalf of SUVPS by the Chair, and all checks and drafts shall be executed by the Secretary/Treasurer and signed by two persons authorized by the Board.

## **ARTICLE XI LITIGATION**

SUVPS shall not initiate or voluntarily participate in any litigation without the approval of the Board.

**ARTICLE XII  
RULES OF ORDER**

The Board and any Committee of the Board may establish their own rules of order insofar as they are not inconsistent with these By-laws nor the laws of the State of Utah.

**ARTICLE XIII  
AMENDMENTS**

These Bylaws may be altered, amended, restated or repealed, and new Bylaws may be made, by a three-fifths vote of the entire Board cast at a Meeting, provided, however, that such alteration, amendment, repeal, or new Bylaws shall not be inconsistent with the requirements of the Organization Agreement.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
\_\_\_\_\_, Board Chair

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Secretary/Treasurer

*[additional signatures follow]*



## SOUTHERN UTAH VALLEY POWER SYSTEMS ORGANIZATION AGREEMENT

This SOUTHERN UTAH VALLEY POWER SYSTEMS ORGANIZATION AGREEMENT (the “**Organization Agreement**”) is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_ among PAYSON CITY, SALEM CITY, SPANISH FORK CITY, SPRINGVILLE CITY, and SOUTH UTAH VALLEY ELECTRIC SERVICE DISTRICT (each a “**Member**” and together the “**Members**”) pursuant to the provisions of the Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-1, et seq., as amended (the “**Act**”).

### RECITALS

A. Southern Utah Valley Power Project (“**SUVP**”) was created as a joint power board by the Inter-local Cooperation Agreement Establishing Southern Utah Valley Power Project dated as of April 15, 1977 (the “**Original Agreement**”) pursuant to the provisions of the Act for the purpose of administering the joint and cooperative undertaking of the parties to the Original Agreement.

B. The Board of Directors of SUVPS adopted Bylaws on February 9, 1978 and incorporated a nonprofit corporation known as Southern Utah Valley Power Corporation, a Utah nonprofit corporation on November 14, 1980, which was allowed to expire in 2007.

C. The Original Agreement has been amended and restated from time to time, including the Cooperation Agreement Establishing Southern Utah Valley Power Project To Provide For Termination Of Membership Of Two Parties dated as of February 1, 1987, and the Amended and Restated Agreement for Joint and Cooperative Action dated as of January 12, 2000 (collectively, the “**Restated Agreement**”).

D. In furtherance of the purposes of the Original Agreement and the Restated Agreement, SUVP developed facilities and expertise to enable and allow SUVP to provide electric utility services to its Members as allowed by the Act.

E. The members of SUVP established Southern Utah Valley Power Systems (“**SUVPS**”), a separate legal entity and political subdivision of the State of Utah on January 1, 2001 by adopting the Southern Utah Valley Power Systems Agreement For Joint And Cooperative Action (“**2001 Agreement**”).

F. The then-current Members of SUVPS adopted the Southern Utah Valley Power Systems Amended and Restated Agreement for Joint and Cooperative Action, dated February 28, 2005 (the “**2005 Agreement**”).

G. South Utah Valley Electric Service District became a Member of SUVPS in 2008 and a signatory to the 2005 Agreement in 2008.

H. The 2005 Agreement allows for amendments thereto by approval of a majority of the Board of SUVPS and approval of at least three-fourths of the Members.

I. The Board of SUVPS and the Members wish to amend, modify, and restate their agreement for joint and cooperative action as set forth in this Organization Agreement.

J. The Members desire and intend for this Organization Agreement to replace and supersede all prior agreements among Payson City, Salem City, Spanish Fork City, Springville City, and South Utah Valley Electric Service District relating to SUVPS's creation, organization, management and powers, and concerning the Members' respective rights and interests in SUVPS or its assets.

## **AGREEMENT**

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Members agree as follows:

### **Section 1. Definitions.**

1. The following terms used herein shall have the meanings ascribed to them in the recitals and the meanings set forth below:
  - a) "2001 Agreement" means the Southern Utah Valley Power Systems Agreement For Joint And Cooperative Action, as described in the Recitals, above.
  - b) "2005 Agreement" means the Southern Utah Valley Power Systems Amended and Restated Agreement for Joint and Cooperative Action, as described in the Recitals, above.
  - c) "Act" means the Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-1, et seq., as amended.
  - d) "Additional Services" means any services provided by SUVPS to the Members not directly related to the transmission of electricity.
  - e) "Board" or "Board of Directors" means the SUVPS board of directors of SUVPS as established in Section 7 of this Organization Agreement.



- f) “Bylaws” means the set of Bylaws adopted by the Board, as may be amended from time to time.
- g) “Capital Costs” means expenses incurred for the acquisition of property, equipment, assets (tangible or intangible), and other expenditures required for the provision of electrical transmission services to the Members by SUVPS.
- h) “Chair” means the chairperson of the Board of Directors.
- i) “Demand Share” means each Member’s proportionate share of the coincident peak demand experienced by the SUVPS system during the SUVPS fiscal year.
- j) “Director” means any member of the Board of Directors.
- k) “Immunity Act” means the Utah Governmental Immunity Act, Utah Code Ann. §§ 63G-7-101, et seq., as amended and supplemented.
- l) “Meeting” means any meeting of the Board of Directors, whether regular or special.
- m) “Member” means any of the entities that are party to this Organization Agreement and as listed in the Preamble, above.
- n) “Officers” means a Chair, Vice Chair, a Secretary/Treasurer, and such other officers as necessary or desirable and as provided for in the Bylaws.
- o) “Operational Costs” means all costs associated with the operation, maintenance, management, repair, and protection of the electrical infrastructure owned and/or operated by SUVPS.
- p) “Organization Agreement” means this Organization Agreement entered into among the Members as of the date first written above.
- q) “Original Agreement” means the Inter-local Cooperation Agreement Establishing Southern Utah Valley Power Project dated as of April 15, 1977.
- r) “Public Ways” means the areas in, upon, above, along, across, under and over the public streets, sidewalks, roads, lanes, courts, ways, alleys, boulevards, buildings, and any other public places owned by and within the boundaries of a Member as the same now or may hereafter exist and which are under the permitting jurisdiction of that Member.
- s) “Restated Agreement” means, together, the Cooperation Agreement Establishing Southern Utah Valley Power Project To Provide For Termination Of Membership Of

Two Parties dated as of February 1, 1987, and the Amended and Restated Agreement for Joint and Cooperative Action dated as of January 12, 2000.

- t) “Secretary/Treasurer” means the secretary/treasurer of the Board of Directors.
- u) “SUVPS” means Southern Utah Valley Power Systems, a separate legal entity and political subdivision of the State of Utah.
- v) “Total Costs”
- w) “Vice Chair” means the vice-chairperson of the Board of Directors.

## **Section 2. Creation of SUVPS**

1. The Members hereby confirm: (a) that SUVPS is an interlocal entity created by the Members pursuant to the Act to accomplish the purposes of their joint or cooperative action as set forth herein, (b) that, as an interlocal entity created and existing under the Act, SUVPS is a body politic and political subdivision of the State of Utah, and (c) that SUVPS is a legal entity separate and distinct from the Members. Unless dissolved by the Members through termination of this Organization Agreement pursuant to Section 14, below, SUVPS shall remain in existence until the later to occur of (a) fifty (50) years after the date of the adoption of this Organization Agreement or later amendment hereto, (b) five (5) years after SUVPS has fully paid or otherwise discharged all of its indebtedness, (c) five (5) years after SUVPS has abandoned, decommissioned, or conveyed or transferred all of its interest in its facilities and improvements, or (d) five years after the facilities and improvements of SUVPS are no longer useful in providing the service, output, product, or other benefit of the facilities and improvements, as determined under the agreement governing the sale of the service, output, product, or other benefit. ~~have a perpetual existence.~~
2. From and after the effective date of this Organization Agreement, this Organization Agreement shall replace and supersede all prior agreements among Payson City, Salem City, Spanish Fork City, Springville City, and South Utah Valley Electric Service District relating to SUVPS’s creation, organization, management, and powers, and concerning the Members’ respective rights and interests in SUVPS or its assets.
3. SUVPS shall be bound by each and every resolution, contract, and agreement enacted or executed by SUVPS prior to the effective date of this Organization Agreement, including, without limitation, all resolutions, bond resolutions and indentures, ownership agreements, participation agreements, transmission service agreements or contracts, transmission purchase contracts, and similar agreements. The current rights and obligations of SUVPS

under such resolutions, contracts, and agreements shall in no way be affected by this Organization Agreement.

### **Section 3. Purpose**

1. This Organization Agreement and the creation of SUVPS as a separate legal entity is to (a) promote the efficient, economic and reliable operation of the Members' respective local electric systems, (b) develop facilities and improvements that will facilitate the coordinated operation of the Members' respective utilities, (c) protect and foster the benefits of public power, (d) assist Members to provide reliable, competitive, low-cost electric service to their consumers, and (e) plan, finance, develop, acquire, construct, reconstruct, improve, enlarge, operate, and/or maintain facilities, services, and improvements that are necessary or desirable for the acquisition, generation, transmission, management, and distribution of electric energy for the benefit of the Members.

### **Section 4. Powers**

1. In furtherance of the purposes of this Agreement, SUVPS shall have all powers conferred upon SUVPS as a separate legal entity pursuant to the Act, ~~including the powers set forth in Section 11-13-5.5 of the Act,~~ and all powers possessed by the Members with respect to electric utility undertakings, and such powers are hereby delegated to SUVPS as contemplated by the Act. The powers delegated to SUVPS shall be exercised by the Board and any committees of the Board. The powers thus delegated include, without limitation, the powers to do the following:
  - a) adopt, amend, and repeal rules, bylaws, policies, and procedures for the regulation of its affairs and the conduct of its business;
  - b) set rates for services and charge fees as appropriate;
  - c) make and execute contracts and other instruments necessary or convenient for the performance of its duties and the exercise of its powers and functions;
  - d) own, purchase, lease acquire by eminent domain, or otherwise, construct, operate, maintain, and repair or cause to be constructed, operated, maintained, and repaired any property, facilities, or infrastructure to provide or deliver electric energy to the Members or otherwise accomplish the purposes for which SUVPS was created;
  - e) incur debts, liabilities or obligations which are those of SUVPS and not the debts liabilities or obligations of any of the Members;

- f) offer, issue, and sell warrants, options, or other rights related to the bonds, notes, or other obligations issued by SUVPS;
- g) sell or contract for the sale of the services, output, product, or other benefits provided by SUVPS;
- h) exercise all powers conferred upon Members by the Electric Power Facilities Act, Utah Code Ann. §§ 54-9-1, et seq., as amended (or any similar or successor statute);
- i) employ or contract with persons or firms for personnel to accomplish its purposes and powers;
- j) sue and be sued in its own name;
- k) take such other actions, engage in such other transactions, enter into such contracts and agreements, and do all other things as may be necessary, convenient or appropriate to accomplish its purposes or carry out any of its powers.

#### **Section 5. Use of Public Rights of Way**

1. Each Member hereby agrees that SUVPS shall have the right, without payment therefor, to use the public rights of way of each Member (the “**Public Ways**”) for purposes for which SUVPS has been created, as described in Section 3, above. Nothing in this Section 5 shall be read as restricting or eliminating the authority of each Member over land use and permitting relating to SUVPS’s activities within the Public Ways.
2. Notwithstanding the foregoing paragraph, each Member shall have the ability to place reasonable restrictions on the routing of SUVPS facilities through the Public Ways of that Member.

#### **Section 6. Assets**

1. SUVPS’s assets shall include all real and personal property, whether tangible or intangible, used in any way in the SUVPS’s transmission, management, and distribution of electric energy and related services. These assets may include, without limitation, generators, transformers, transmission lines, storage devices, office supplies and equipment, accounts receivable and cash, real estate, easements, distribution facilities, equipment and inventory, trade name, and going concern value. SUVPS’s assets shall be held in the name of SUVPS

and owned solely by SUVPS. The Members confirm their relinquishment and transfer to SUVPS of any ownership interest that the Member may have in the assets of SUVPS.

## **Section 7. Board of Directors**

1. SUVPS shall be governed and managed by a Board of Directors and Officers as provided for below and in accordance with the Bylaws. The Bylaws provide, among other things, for (i) the calling and holding of Meetings, (ii) the operation of the Board, and (iii) the election and duties of the Officers.
2. SUVPS shall be managed by the Board, comprised of one Director representing each Member. The Director representing each Member shall be the designated elected official of such Member and/or a person selected and appointed by the governing body of such Member for a period of four (4) years. Members shall appoint Directors to their respective four-year terms to foster continuity on the Board. Each Director serves at the pleasure of the Member and its respective governing body. Members may appoint an alternate Director to serve in the absence or unavailability of the appointed Director. The Board shall, by majority vote, select a Chair from among the Directors. The Chair shall hold office for a one-year term. Director vacancies shall be filled for any unexpired term(s) by resolution adopted by the governing body of the Member that the vacant seat represents. Each Member may remove its Director at its own discretion, [at any time, and for any reason.](#)
3. Three (3) Directors (or alternates) shall constitute a quorum of the Board for the purpose of conducting the business of SUVPS and exercising its powers and for all other purposes. When a quorum is in attendance, action may be taken by the Board upon a vote of the majority of its Directors present except as otherwise provided in this Organization Agreement.
4. Meetings of the Board may be held through electronic communication, as provided for in written procedures adopted by the Board. A Director participating in a meeting through such means shall be considered present for purposes of a quorum and voting.
5. The Board is hereby authorized and empowered to make, alter, or repeal the Bylaws and to exercise all powers conferred upon SUVPS by the Act and this Agreement.
6. The officers of SUVPS shall consist of a Chair, Vice Chair, a Secretary/Treasurer, and such other officers as necessary or desirable and as provided for in the Bylaws. Each officer shall be elected annually by the Board for a one-year term. In addition to such officers, the Board may appoint such assistant officers as the Board determines necessary or desirable.

7. No Director shall be liable to SUVPS for breach of any fiduciary duty owed by such Director, except for damages arising out of: (a) a breach of the Director's duty of loyalty to SUVPS; (b) any act or omission not in good faith or which involves intentional misconduct or a knowing violation of law; or (c) any transaction from which the Director derived an improper personal benefit.
8. The Members agree that the protection afforded to the Members under the Immunity Act shall be extended to SUVPS, its board, officers, and employees, pursuant to the Act. The Members expressly intend that all of the protection afforded to the Members under the Immunity Act shall be extended to SUVPS, its Board, Officers, and employees. Each Member hereby delegates to SUVPS, to the extent permitted by law, all of the powers, privileges, and immunities conferred by the Immunity Act.
9. Each Director shall make diligent efforts to inform the governing body of the Member, that the Director represents, of SUVPS's business including, but not limited to, operations, long-term contracts, debts, and general financial condition. The Members agree that they are individually responsible for ensuring that their Director representative keeps them properly informed of the business of SUVPS.

#### **Section 8. Operational and Capital Costs**

1. The Members are responsible for the operational and capital costs of SUVPS. SUVPS has no other significant source of revenue beyond payments and contributions from the Members. The responsibility for the Total Costs (Operational and Capital) shall be shared proportionately among the Members based on each Member's proportionate share of the coincident peak demand experienced by the SUVPS system during the SUVPS fiscal year.
2. At the beginning of each fiscal year (July 1 to June 30), SUVPS shall make reasonable estimates of the anticipated Demand Share for each Member for the year. The estimated Demand Share for each Member shall be that Member's proportion of projected Total Costs for the year.
3. SUVPS shall make such calculations (including reasonable adjustments as may be appropriate) and invoice each Member on a monthly basis for its proportionate share of the projected Total Costs for the year, based on the budget adopted by SUVPS. Each Member shall pay the full amount of such invoice within thirty (30) days of receipt.
4. At the end of each fiscal year, SUVPS shall calculate the actual Demand Share for the year for each Member and compare that actual Demand Share to the estimated Demand Share. In the event that the actual Demand Share is greater than the estimated Demand Share for

any Member, SUVPS shall invoice that Member based on actual Demand Share and SUVPS shall make refunds to any Member for which the actual Demand Share was less than the estimated Demand Share so that the proportionate amount of Total Costs paid by each Member for a given calendar year matches that Member's actual Demand Share. Refunds shall be distributed to Members according to a reasonable process established by the Board.

5. SUVPS may, from time to time, provide services to the Members not directly related to the transmission of electricity ("**Additional Services**"). Any such Additional Services shall be approved in advance by the Board and shall be invoiced separately to the Members.

## **Section 9. Budget and Financing**

1. The operation and maintenance of SUVPS will be financed with revenue from the Members and related services and other available moneys.
2. SUVPS may also finance improvements, such as new construction and upgrades of existing facilities, through the issuance of revenue bonds. Revenue bonds may be issued by SUVPS from time to time for any purpose permitted under the Act or this Organization Agreement. Any bond issued by SUVPS is not a debt of any Member, and such bonds may be issued without the consent of the Members' governing bodies.
3. Annually, on or before July 1, SUVPS shall adopt a budget for the ensuing year in accordance with Utah law and in accordance with the requirements of its bond resolutions or indentures. At a minimum, each annual budget shall set forth, in reasonable detail, estimates of:
  - a) revenues and operating and maintenance expenses;
  - b) debt service and reserve requirements;
  - c) cost of upgrade and/or replacement of existing facilities; and
  - d) amount of contingency reserves.
4. SUVPS will send a copy of the proposed annual budget to each Member on or before April 1. At this time, SUVPS shall also provide the projected Demand Share for each Member, and any anticipated payments due to or from each Member based on the true up between estimated and actual Demand Share for the current year.
5. SUVPS shall monthly provide the Member representatives on the Board with a monthly statement of revenue and expenses.
6. Budget adjustments may be made from time to time as needed with approval of the Board, as allowed by law.

7. No Party to this Organization Agreement shall be liable for any bond, note, indebtedness or other obligation incurred by SUVPS, or be liable for the indebtedness of any other Member, or be liable for any indebtedness or contractual or other obligation with respect to the operation of SUVPS.

#### **Section 10. Relationship of Parties; Liability**

1. The Members shall not be deemed under this Agreement to be partners, joint ventures, or associated in any manner which obligates them for the debts, defaults or mistakes of any other Member, or which renders them individually liable for any obligations of SUVPS.
2. Directors shall have no liability to any Member for any act or omission in the performance of his/her duties as a Director. The Members hereby agree not to make any claim or file any case of action arising from any act or omission of a Director in the performance of his/her duties as a Director.

#### **Section 11. Amendments**

1. This Agreement may be amended by a majority vote of the Board. Any amendments shall become effective when at least three-fourths (3/4) of the Members have executed and approved the amendment(s) agreed to by the Board. To be effective, any amendment(s) shall be approved by an authorized attorney as required by the Act and Section 12, below.

#### **Section 12. Attorney Review**

1. This Agreement shall be submitted by each Member to an attorney duly licensed and practicing within the State of Utah who is familiar with SUVPS and the requirements of the Act and is authorized to review the same by the Member. The attorney shall determine whether this Agreement complies with the laws of the State of Utah. The attorney shall approve this Agreement by execution of the endorsement below.

#### **Section 13. Withdrawal of a Member**

1. In accordance with these terms, a Member may withdraw from SUVPS. The withdrawal of any Member shall not constitute termination of this Agreement or of SUVPS, and the remaining Members shall do all things necessary to maintain operation of SUVPS. No such withdrawal shall constitute a termination of any contract between SUVPS and the terminated Member, nor shall such withdrawal discharge or relieve the terminated Member of is



obligation under any bond, contract, or other agreement to which the terminated Member is then a party.

2. A Member may withdraw from SUVPS on the following terms and conditions:
  - a) The withdrawing Member shall give SUVPS and the remaining Members at least twelve months' written notice of the Member's intention to withdraw.
  - b) Within thirty days of the receipt of the notice of withdrawal, the Board shall reject the notice of withdrawal only if (1) the Member's withdrawal would adversely affect SUVPS's contract rights or bond obligations.
  - c) To the extent that SUVPS facilities are already in place, the withdrawing Member shall not revoke or alter the rights granted to SUVPS to use the public rights of way or other property owned or controlled by the withdrawing Member.
  - d) A Member that withdraws shall be entitled to ownership of those SUVPS assets that exist solely to serve the needs of the withdrawing member. The withdrawing Member shall not be entitled to any other assets of SUVPS (including any SUVPS assets that are used to serve the withdrawing Member and one or more of the other Members) or to payments of any sort from the remaining Members.
  - e) The withdrawing Member is responsible to make SUVPS whole at the Member's own expense, including but not limited to the costs of relocating transformers, breakers, switches, and other substation equipment where such SUVPS equipment is located on property owned by the withdrawing Member.
3. A Member may only be removed as a member of SUVPS upon request of that Member. No action of the Board or action by any combination of the Members may be taken to force removal of a Member without the consent to withdrawal from that Member. Notwithstanding Section 11, this Section 13(3) may only be amended or removed from this Agreement by a unanimous vote of the Board.

#### **Section 14. Termination**

1. The Members, through a unanimous vote of the Board and consent from the governing body of each Member, may terminate this Organization Agreement and dissolve SUVPS.

2. Upon the termination of this Organization Agreement, the Board will sell the assets of SUVPS, pay its debts and obligations and distribute the balance to each Member pro rata based on each Member's average Demand Share for the shorter of (1) the period of time since the effective date of this Agreement or (2) the preceding ten (10) years.

**Section 15. Governing Law**

1. This Organization Agreement is made in the State of Utah, under the Constitution and laws of the State of Utah and is to be construed pursuant to such laws.

**Section 16. Severability**

1. Should any part, term, provision of this Agreement be held by the courts as void, illegal, in conflict with any law of the State of Utah, or otherwise rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected.

**Section 17. Effective Date**

1. This Agreement shall be effective on and as of the date of the authorization and execution of this Agreement by all of the Members of SUVPS.

This Organization Agreement was approved by the Board of Directors of Southern Utah Valley Power Systems on \_\_\_\_\_, with voting as follows:

<b>Board Member</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**SOUTHERN UTAH VALLEY POWER SYSTEMS**

By: \_\_\_\_\_

Name:  
Title:

Attest:

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Name:  
Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of Southern Utah Valley Power Systems and finds it to be in compliance with Utah law.

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Adam S. Long

IN WITNESS WHEREOF, each Member has caused this Agreement to be executed and attested by its proper officers, pursuant to a written resolution of its governing body, and is bound hereby.

*[signature pages follow]*

**PAYSON CITY**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_  
Name:

Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of Payson City and finds it to be in compliance with Utah law.

\_\_\_\_\_  
Name:

[*signatures continue*]

**SALEM CITY**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_

Name:

Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of Salem City and finds it to be in compliance with Utah law.

\_\_\_\_\_

Name:

[*signatures continue*]

**SPANISH FORK CITY**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_  
Name:

Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of Spanish Fork City and finds it to be in compliance with Utah law.

\_\_\_\_\_  
Name:

[*signatures continue*]

**SPRINGVILLE CITY**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_

Name:

Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of Springville City and finds it to be in compliance with Utah law.

\_\_\_\_\_

Name:

*[signatures continue]*

**SOUTH UTAH VALLEY ELECTRIC  
SERVICE DISTRICT**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_  
Name:

Title:

*Attorney Review:*

The undersigned attorney, who is licensed to practice law in the State of Utah, has reviewed the foregoing Organization Agreement on behalf of South Utah Valley Electric Service District and finds it to be in compliance with Utah law.

\_\_\_\_\_  
Name:

[*end of signatures*]



SOUTHERN UTAH VALLEY POWER SYSTEMS  
BOARD RESOLUTION No. 2023-\_\_

***RESOLUTION APPROVING MEMBER COST REALLOCATION PAYMENTS***

WHEREAS Southern Utah Valley Power Systems (“SUVPS”) is an interlocal entity created by Payson City, Salem City, Spanish Fork City, Springville City, and South Utah Valley Electric Service District (the “Members”) to provide electric transmission service to the Members, each of which operates its own retail electric system.

WHEREAS the Members share the operational and capital costs of SUVPS, with such costs historically allocated based on “ownership” of substation capacity by the respective Members.

WHEREAS the Board and the Members desire to change the cost allocation methodology such that operational and capital costs of SUVPS will be allocated proportionally among the Members based on actual peak demand for each Member on the SUVPS system, with this change in cost allocation formalized through the adoption of the Southern Utah Valley Power Systems Organization Agreement (the “Organization Agreement”).

WHEREAS the change in cost allocation methodology from a MVA ownership basis to a demand basis necessitates a rebalancing of the contributions of the Members to SUVPS.

WHEREAS certain Members “own” a greater share of the SUVPS capacity than their share of total SUVPS peak demand, while other Members “own” less than their share of total SUVPS peak demand.

WHEREAS to rebalance the Members’ contributions to SUVPS, the Members will “buy” and “sell” their existing capacity so that Member contributions match SUVPS actual peak demand.

WHEREAS the Board has carefully considered the suggested adjustments to the Member cost allocations.

NOW THEREFORE, BE IT RESOLVED BY BOARD OF DIRECTORS OF SOUTHERN UTAH VALLEY POWER SYSTEMS AS FOLLOWS:

1. The table below shows the MVA ownership of each Member of the total current SUVPS capacity of 244.5 MVA. and the MVA of each Member at the 2022 SUVPS coincident peak demand. The table also shows the MVA shortage for the Members for which 2022 peak demand was greater than MVA ownership.

	<b>Payson</b>	<b>Salem</b>	<b>SESD</b>	<b>Spanish Fork</b>	<b>Springville</b>	<b>Total</b>
SUVPS MVA Ownership	39.49	13.19	23.11	79.81	88.9	244.5

2. The current capacity of the SUVPS system is 244.5 MVA, and the anticipated loads served in 2024 are expected to utilize that entire amount of existing SUVPS transmission capacity.

3. In order to continue to serve the transmission needs of its members, SUVPS will construct a new substation that will add approximately 50 MVA of new capacity to the SUVPS system (the “Dry Creek Substation”), for a total system capacity of approximately 294.5 MVA.

4. The current MVA ownership allocation among the Members will likely not match the proportionate actual demand for some or all of the Members. In order to reallocate costs of system capacity among the Members, the costs of the additional transformer capacity in the Dry Creek Substation are to be allocated in a way that serves as a true-up between current capacity ownership of each Member and the respective share of SUVPS peak demand for each Member.

5. To properly allocate costs of SUVPS capacity, at the end of the 2024 calendar year, the percentage of peak SUVPS system demand attributable to each Member shall be calculated for calendar year 2024, and that percentage shall be multiplied by the actual total system capacity with the addition of the Dry Creek Substation, which is anticipated to be 294.5 MVA. The result of this calculation for each Member shall be that Member’s ownership of SUVPS system capacity going forward (the “Ownership Goal”).

6. To determine each Member’s share of the costs of the Dry Creek Substation, that particular Member’s current ownership (as shown above) shall be subtracted from the Ownership Goal for that Member. The result of this calculation is referred to as the “Dry Creek Allocation” for each Member. The sum of the Dry Creek Allocation for all Members will equal the actual capacity added by the Dry Creek Substation.

7. The actual costs of the additional transformer capacity installed in the Dry Creek Substation shall be allocated among the Members (the “Allocated Cost”) by multiplying the Dry Creek Allocation for each member by the actual cost per MVA of the SUVPS system capacity added by the Dry Creek Substation. For a Member with a negative Dry Creek Allocation, the results of this calculation will result in payments to that Member.

8. SUVPS shall invoice the Members for portions of the Allocated Cost from time to time during the construction of the Dry Creek Substation. Each Member shall pay that Member’s invoiced Allocated Cost amount to SUVPS within 90 days of such invoice. Any amounts not paid by this deadline shall bear interest, compounding annually, at a rate equal to the average PTIF rate for the preceding calendar year plus three percent (3%). SUVPS shall make payments to any Member with a negative Cost Allocation upon receipt of payments from those Members with positive Cost Allocations.

9. This resolution shall take effect immediately, contingent upon the approval of the new Organization Agreement and revised SUVPS Bylaws by the Board and, for the Organization Agreement, by the respective governing bodies of the Members.

APPROVED AND ADOPTED the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

**SOUTHERN UTAH VALLEY POWER  
SYSTEMS**

\_\_\_\_\_  
\_\_\_\_\_, Board Chair

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Board Secretary



## STAFF REPORT

**DATE:** December 12, 2023

**TO:** Honorable Mayor and City Council

**FROM:** Jeffrey L. Anderson, Assistant Public Works Director/City Engineer

**SUBJECT:** INTER-LOCAL COOPERATION AGREEMENT - 1200 WEST- 550 N TO 1400 N (PHASE 4) FUNDING

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### **Recommended Motion:**

Motion to execute an Inter-Local Cooperation Agreement (ILA) between Utah County and Springville City outlining the respective rights and responsibilities for funding of the design and construction of the 1200 West - 550 North to 1400 North, Phase 4 project.

### **Executive Summary/Focus of Action:**

This Inter-local Agreement between Utah County and Springville City will provide and authorize the expenditure of \$5.168 million funding for the continuation of a pilot roadway (1200 West) from approximately 550 North to 1400 North in Springville, Utah.

The funding, as part of the MAG Transportation Improvement Program (TIP) became available in October 2023, but no funds can be expended until the ILA is executed.

### **Background:**

Springville City Public Works received approval from MAG for the construction of a two-lane pilot roadway project known as 1200 West - Segment #4 which consists of a two-lane pilot roadway (initially accommodating north-south traffic) on 1200 West from 550 North to 1400 North in Springville, Utah.

Springville has received funding for three (3) previous segments of 1200 W through the MAG TIP program. The status of the Phases is listed below:

- Phase 1 - 400 South to 1500 South
  - Completed
- Phase 2 - 1500 South to Canyon Creek Parkway (Spanish Fork)

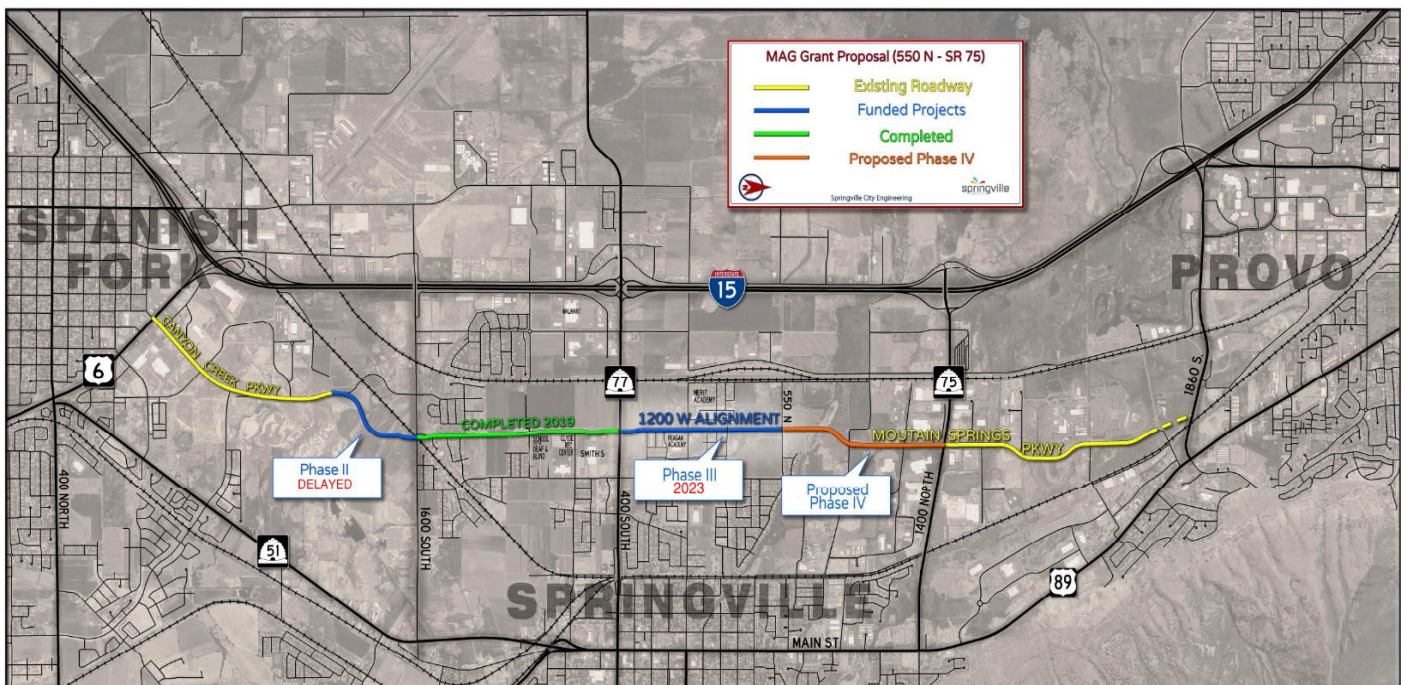


- This section has been delayed due to the Tintic Railroad relocation project. The City cannot build this until the rail line is abandoned.
- Phase 3 - 400 S to 550 North
  - The segment from Center St to 550 North is currently out for bid with bids due on December 14, 2023. Construction will begin in 2024.
  - The City is pursuing property acquisition for the segment from 400 South to Center Street.

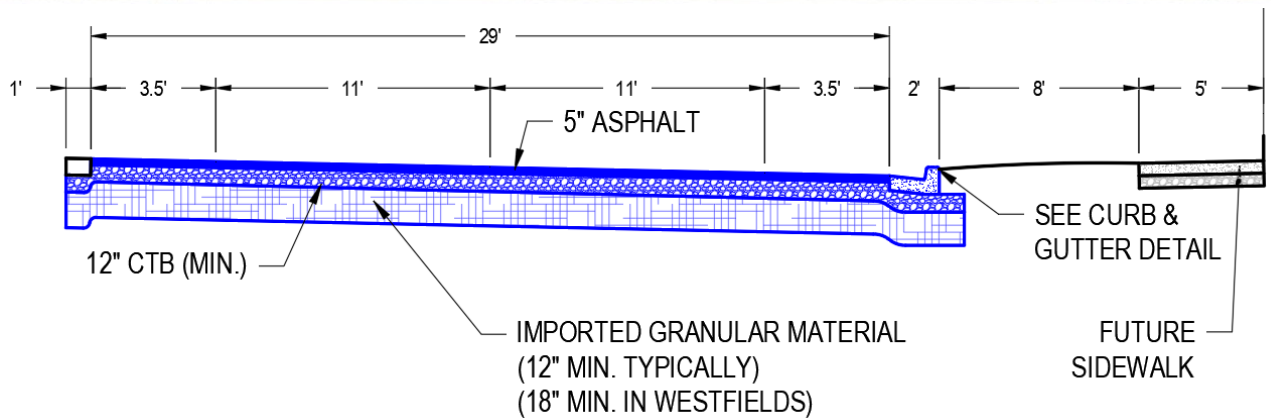
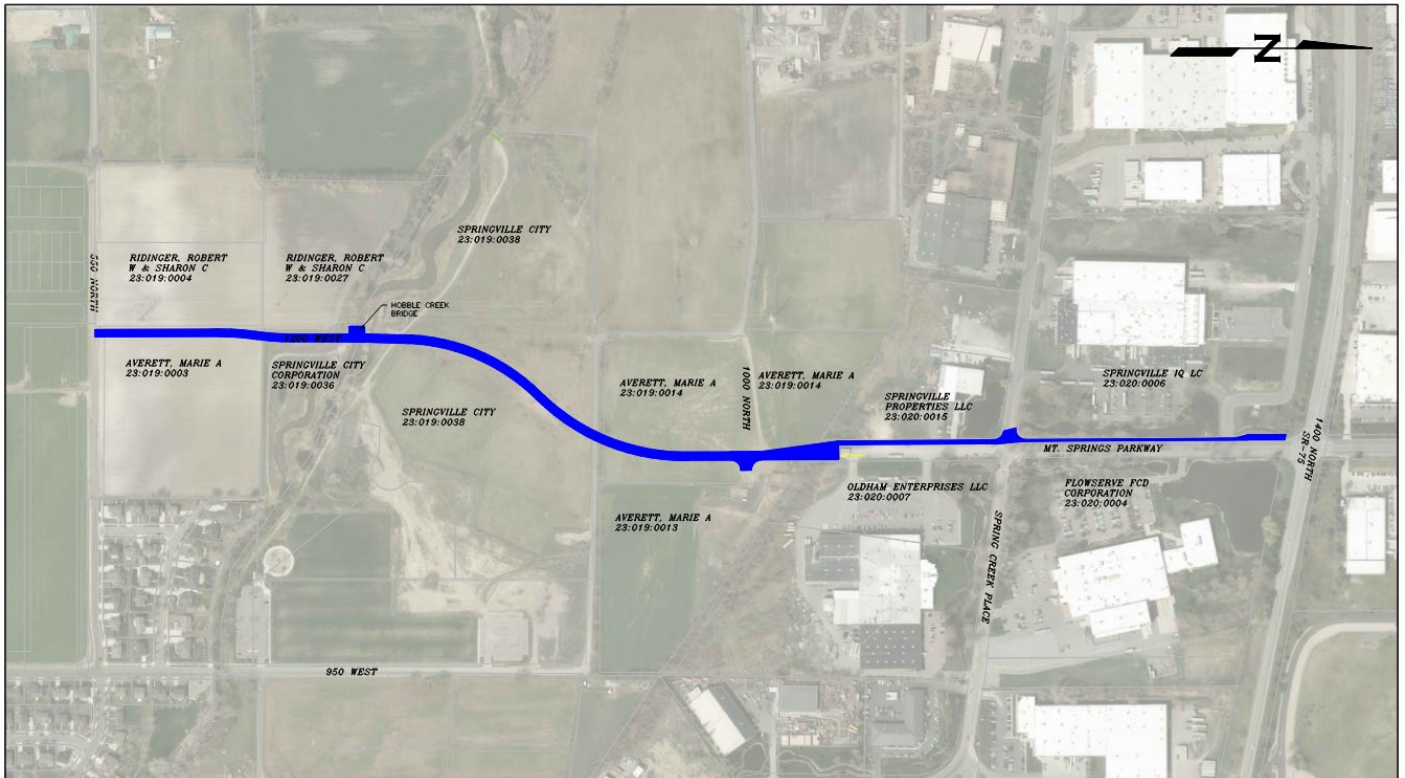
**Discussion:**

1200 West is planned as a major north-south arterial roadway with trail in the City’s Transportation Master Plan as shown below. Through the MAG TIP program, the city has been able to fund a “pioneer”/pilot roadway for the entire length of the City consisting of 4 separate phases/segments. The pilot roadway will be a two-lane asphalt roadway (one lane in each direction) that will serve as a pilot roadway until development occurs along the roadway route. With development, the roadway will be expanded to a divided four-lane arterial.

Phase 4 of the 1200 West Project is shown below:



This segment will include a bridge crossing of Hobble Creek. The route then swings east and connects to the existing section of Mountain Springs Parkway from approx. 1100 North to 1400 North. This section will be widened to the fully improved 5-lane cross-section with a raised median.





**Alternatives:**

Do not enter into the Inter-Local Agreement and do not extend 1200 W from 550 N to 1400 N.

**Fiscal Impact:**

The 1200 West - 550 N to 1400 N, Phase 4 project was selected for funding in the amount of \$5,168,000.00 for design and construction.

The MAG TIP program requires a 6.77% local match for all awards.

The City plans to utilize a “soft match” by performing the construction management and construction inspection for the project. Additionally, this segment will run through Springville’s Community Park and the City will provide/donate the right of way for this portion. The CM/Inspection and property value will fulfill our match requirements.

Respectfully,

*Jeffrey L. Anderson*

Jeffrey L. Anderson, P.E., CFM

Assistant Director of Public Works/City Engineer.

RESOLUTION #2023-\_\_

**A RESOLUTION ENTERING INTO AN INTER-LOCAL COOPERATIVE AGREEMENT WITH UTAH COUNTY FOR THE 1200 WEST - 550 NORTH to 1400 NORTH, PHASE 4 PROJECT FUNDING.**

**WHEREAS**, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties, inter-local agencies, and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

**WHEREAS**, Utah County (Program Manager) and Springville City (Project Sponsor) desire to facilitate the construction of a two-lane pilot roadway project known as 1200 West - 550 North to 1400 North, Phase #4 (**Approved Project**) which consists of a two-lane pilot roadway (initially accommodating north-south traffic) on 1200 West from 550 North to 1400 North in Springville, Utah; and

**WHEREAS**, the Program Manager and the Project Sponsor held duly noticed public meetings wherein this Agreement was considered and an Authorizing Resolution was presented for approval by the respective legislative bodies.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Springville, Utah that:

**SECTION 1: Agreement Approval.** The Inter-Local Cooperative Agreement, substantially in the same form as Exhibit A, is approved and shall be executed by Springville City.

**SECTION 2: Legal Review.** The Inter-Local Cooperative Agreement has been reviewed by Springville City legal counsel for review and approval as to form and legality.

**SECTION 3: Filing with Records Keeper.** An executed original counterpart of the Inter-Local Agreement shall be filed immediately with the keeper of records of Springville City.

**SECTION 4: Effective Date.** This resolution shall become effective immediately upon its execution.



END OF RESOLUTION.

PASSED AND ADOPTED this 19<sup>th</sup> day of December, 2023.

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Matt Packard, Mayor

Attest:

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Kim Crane, City Recorder

## EXHIBIT A

Agreement No. 2023-

**INTER-LOCAL COOPERATION AGREEMENT**  
**between**  
**UTAH COUNTY and**  
**SPRINGVILLE CITY**

**For A Project Known As**

**1200 WEST – 550 NORTH TO 1400 NORTH, PHASE 4**

**THIS AGREEMENT**, made and entered into this 19 day of December 2023, by and between **UTAH COUNTY (Program Manager)**, a political subdivision of the State of Utah, with principle offices located at 100 East Center ST, Suite 2300, Provo, Utah 84606 and **SPRINGVILLE CITY (Project Sponsor)**, a political subdivision of the State of Utah, with principle offices located at 110 South Main Street, Springville, UT.

### **RECITALS:**

**WHEREAS**, the Utah Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties, inter-local agencies and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

**WHEREAS**, the Program Manager and the Project Sponsor desire to facilitate the construction of a roadway project known as 1200 West – 550 North to 1400 North, Phase 4 (**Approved Project**) which consists of a two-lane pilot roadway (initially accommodating north-south traffic) on 1200 West from 550 North to 1400 North in Springville, Utah; and

**WHEREAS**, the Program Manager and the Project Sponsor held duly noticed public meetings wherein this Agreement was considered and an Authorizing Resolution was presented for approval by the respective legislative bodies.

**NOW THEREFORE**, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, the Program Manager and the Project Sponsor hereby agree as follows:

#### **Section 1. PURPOSES.**

This Agreement has been established and entered into between the Program Manager and the Project Sponsor for the purpose of outlining the respective rights and responsibilities of the Program Manager and the Project Sponsor in the construction of the Approved Project.

#### **Section 2. ADMINISTRATION OF AGREEMENT.**

The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, the Utah County Public Works Director shall act as the administrator responsible for the administration of this Agreement. The parties

further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times.

**Section 3. MULTIPLE JURISDICTIONS.**

If a project is within multiple jurisdictions and/or agencies, one jurisdiction or agency will enter in to this interlocal agreement and interface with the Program Manager as the Project Sponsor. Multiple jurisdictions and/or agencies interactions will be outlined within a separate interlocal agreement between said jurisdictions and/or agencies. This agreement shall be referenced in this agreement as an Exhibit.

**Section 4. EFFECTIVE DATE; DURATION.**

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the Program Manager and the Project Sponsor. The term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in no event, longer than 3 years from the execution date.

**Section 5. NO SEPARATE LEGAL ENTITY.**

The Program Manager and the Project Sponsor do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

**Section 6. TERMS.**

- 1) **Project Scope** – To construct a two-lane pilot roadway (initially accommodating north-south traffic) on 1200 West from 550 North to 1400 North in Springville, Utah
- 2) **Procurement** - The Project Sponsor will designate a qualified project engineer from its staff or hire a project engineer from the Project Sponsors consultant pool or the prequalified UDOT pool, who will be responsible for project delivery. The Project Sponsor shall follow Utah state code Section 63G-6a-101 or its own procurement/purchasing policy. Different project engineers can be designated or hired for different phases of the project.
- 3) **Project Development** - The Project Sponsor and the designated project engineer, will design, acquire the necessary rights-of-way (ROW), bid out and manage the construction of the Approved Project.
  - a) **Design Standard** - The design and construction of the Approved Project will meet or exceed Springville City standards.
  - b) **Environmental Work** - The Project Sponsor will acquire the appropriate clearances and permits through the design process. The Project Sponsor can follow their own adopted environmental process, or follow the Recommended Environmental Guidance / Mountainland & Utah County Programmed Projects document (including designating with the Program Manager the type of

environmental work to be completed), or any other stricter environmental process under local or federal law. The Project Sponsor must follow any National Environmental Policy Act (NEPA) requirements required (Endangered Species Act, Clean Water Act, etc.), and any other local or government agency requirements for the Approved Project.

c) **Design Work** - The Project Sponsor will involve the Program Manager at the following design milestones:

- (1) Kickoff Meeting,
- (2) 30% Scope and Schedule Review,
- (3) 60% On Site Plan Review,
- (4) 90% Plans, Specifications and Estimate,

d) **Final Design Approval** - Once project design is completed, the Project Sponsor will review the final design with the Program Manager. Both parties shall agree that the project is ready for the construction phase.

e) **ROW Acquisition** - The Project Sponsor will be responsible to acquire all necessary ROW adhering to state and local laws. The Project Sponsor can follow their own adopted ROW acquisition process or follow the Recommended Right of Way Acquisition Guidance / Mountainland & Utah County Programmed Projects guidance document, or as required by Utah law.

f) **Construction Advertising** - To advertise construction, the Project Sponsor shall follow Utah state code Section 63G-6a-101 or its own procurement/purchasing policy. All construction bids will include a 10% construction contingency. The Project Sponsor will provide a copy of the advertisement and the notice of award to the Program Manager.

4) **Project Signage/Contact Info** - It is recommended that the Project Sponsor install signage informing the public of the following:

- a) Project name.
- b) Project description.
- c) Start and completion dates (general).
- d) Contact name, phone number, website address, email.
- e) Use the sentence “This project funded with Mountainland Transportation Funding”.
- f) List project sponsors and their logos (Project Sponsor, Mountainland, Utah County).
- g) Generally, one sign at each access point to the project shall be installed.
- h) Signs should be at least 4’ x 6’, or large enough for passing motorists to read.

- i) Signs should be installed prior to construction and stay in place through construction.
- 5) **Construction Process** - The Project Sponsor will manage the construction process.
- a) The Program Manager will be notified of any changes that affect the scope of the project or costs that exceed the construction contingency.
- 6) **Project Completion** - Program Manager staff will be notified and allowed to attend the final inspection of the completed project.
- 7) **Project Hold** - The Program Manager has the authority to place a project on hold at any time during the project development process or withhold reimbursement of invoices during the construction process if the Program Manager deems that the Approved Project is not within the Approved Project scope or budget. The Program Manager shall notify the Project Sponsor of the hold in writing and will work with the Project Sponsor to rectify the issues promptly. If the Project Sponsor and Program Manager cannot bring the Approved Project back into scope or if additional funding is needed above what the Program Manager or the Project Sponsor can provide, the issues will be brought to the Mountainland TAC committee and MPO Board for their review, recommendations, resolutions, and approvals.
- 8) **Total Project Cost** - Both the Program Manager and Project Sponsor acknowledge that the Approved Project has been authorized by the Mountainland MPO Board (Utah County Commission must also approve if county funds are used) to be funded at an amount not to exceed \$5,168,000.00 (Total Project Cost) for the direct costs of the Approved Project.
- a) **Matching Funds** - The Project Sponsor is required to pay a match or portion of the Total Project Cost. This amount is 6.77% of the Total Project Cost. The use of Project Sponsor equipment and/or Project Sponsor employee time for the project shall not be reimbursable, but can be claimed by the Project Sponsor as a soft match toward the required 6.77% matching funds required from the Project Sponsor. The Project Sponsor is required to pay the difference between the required match and the value of the soft match, if any.
  - b) **Multi-Year Funding** - Some projects require funding across multiple fiscal years. Reimbursement for Approved Project activities can only be made up to the available amount identified in a single fiscal year. Any balance from a prior year where available funds have not been expended for the Approved Project are then advanced to the next fiscal year and are added to the funds available that fiscal year. Fiscal year for County Transportation Sales Tax Funds starts on January 1<sup>st</sup>. The Approved Project has \$5,168,000.00 beginning in 2023.
  - c) **Funding Availability** - MAG Exchange funds are distributed to the MPO generally in October each year through a cooperative agreement with UDOT. The exchange process requires that MPO federal funds be exchanged with UDOT for state funds on an annual basis. The federal funds are made available by congress, the release of funds can fluctuate yearly. County Transportation Sales Tax funds are generally available each January and are generated by sale tax revenue, which can fluctuate with the economy. MAG will not reimburse expenses on an Approved Project

unless funding is made available by UDOT and Utah County. This could require the Approved Project to be placed on hold by the Program Manager or that the Project Sponsor advance their own funds toward the Approved Project with reimbursement to be made by the Program Manager upon receipt of available funding from UDOT and/or Utah County.

- d) **Reimbursement** - The Project Sponsor, if desiring reimbursement for the direct costs of the Approved Project, will provide the Program Manager with one monthly itemized invoice detailing actual costs for the ROW acquisition, design, utility relocation, construction, or other approved elements of the project. Appropriate backup materials shall also be supplied by the Project Sponsor to the Program Manager without requiring separate inquiry. The Program Manager agrees to reimburse the Project Sponsor within 30 days of receiving acceptable itemized invoices establishing the validity of the direct costs of the Approved Project. The maximum amount of reimbursement from the Program Manager to the Project Sponsor for any fiscal year shall be the available funds actually received by the Program Manager for such fiscal year. The maximum amount of reimbursement from the Program Manager to the Project Sponsor for the entire cost of the Approved Project shall not exceed \$4,818,126.00 (Total Project Cost less Matching Funds). Any costs which exceed \$4,818,126.00 shall be the sole responsibility of the Project Sponsor. The Program Manager will review and approve monthly each itemized invoice and will reimburse the total invoice amount less the required matching funds.
  - e) **Cost Overruns** - The Program Manager maintains a contingency account for cost overruns. The Project Sponsor may request additional funds above the approved Total Project Cost with supporting documentation demonstrating the need for additional funds. The Program Manager may approve up to 10% of the Total Project Cost up to a maximum of \$500,000. The MPO Regional Planning Committee can approve higher amounts (Utah County Commission must also approve if county funds are used). The addition of these contingency funds would require a modification to this Agreement. If no additional funds are awarded or the Approved Project still requires additional funds, the Project Sponsor will be responsible to fund the overrun.
  - f) **Surplus Funds** - Any surplus funds remaining after the completion of the Approved Project will be returned to the Utah County fund balance to be reallocated to other projects selected through the MPO project selection process. Note that Mountainland and Utah County selects and funds projects, not project sponsors. Surplus funds cannot be moved to a new project not already approved through the MPO project selection process. Any surplus funds paid by the Project Sponsor shall be returned to the Project Sponsor.
- 9) **Liability, Ownership and Maintenance of Approved Project** - The Project sponsor bears all liability through all stages of project development and construction. The Project Sponsor shall own and be responsible for maintenance, repair and replacement of the completed project.
- 10) **Inspection of Approved Project** - The Program Manager and its designees, upon reasonable notice, reserve the right to enter upon the Approved Project to inspect the same to verify compliance with this Agreement.
- 11) **Other Expenses** - Except as otherwise expressly stated herein, all expenses not identified as a part of the Approved Project or executed prior to the Agreement shall be the sole responsibility of the Project Sponsor.
- 12) **No Third-Party Rights** - The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the Project Sponsor and Program Manager. This Agreement is not intended to nor shall it be construed to benefit any third party.

13) **Recitals** - The Recitals portion of this Agreement constitutes a part of this Agreement.

**Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT.**

Executed copies of this Agreement shall be placed on file with the official keeper of records of the Program Manager and the Project Sponsor, and shall remain on file for public inspection during the term of this Agreement.

**Section 8. AMENDMENTS.**

- 1) **Amending this Agreement** - This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.
- 2) **Change Orders** - Changes can occur throughout a project. Changes that are outside the scope outlined in this contract must be amended as stated above. Minor changes and adjustments that fall within the original project scope can be addressed with a change order. A change order does not require amending this agreement. A change order is defined as that additional effort necessary by reason of changed conditions which are radical, unforeseen, and completely beyond the control of the Project Sponsor. The Project Sponsor shall create the change order and keep records of them. Any additional costs incurred can be covered by the construction contingency or by added local funding and should be addressed in the change order. If additional costs are more than the construction contingency and available local funds, the Project Sponsor shall contact the Program Manager to review funding options.

**Section 9. EXTRA WORK**

Extra work shall be undertaken only when previously authorized in writing by the Program Manager, and is defined as additional work which is neither shown nor defined in this Agreement. Extra work includes additional improvements adjacent to the Approved Project or in other locations that the Project Sponsor desires to complete as a package of projects. Extra work can be for utility projects, facilities that tie into the Approved Project, project betterments, or other work desired by the Project Sponsor. No costs incurred by extra work can be billed to the Approved Project. Any invoices submitted by the Project Sponsor shall clearly detail costs incurred by the Approved Project and list separately costs incurred by the extra work. This agreement shall be referenced in this agreement as an Exhibit.

**Section 10. SEVERABILITY.**

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Agreement unenforceable.

**Section 11. GOVERNING LAW.**

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

**Section 12. INDEMNIFICATION.**

The Project Sponsor shall indemnify and hold the Program Manager harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Approved Project or any part thereof. The Project Sponsor shall further indemnify and hold the Program Manager harmless from and against any and all claims arising from any breach or default in the performance of any obligation on the Project Sponsor's part to be performed under the terms of this Agreement, or arising from any act or negligence of the Project Sponsor, or any of the Project Sponsor's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the Project Sponsor and Program Manager agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act, U.C.A. 63G-1-101, et. seq. The Project Sponsor's obligations under this provision shall survive the expiration or other termination of this Agreement.

**Section 13. ENTIRE AGREEMENT**

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.



IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

**UTAH COUNTY**

Authorized and passed on this 6 day of December 2023,

BOARD OF COUNTY COMMISSIONERS,  
UTAH COUNTY, UTAH

\_\_\_\_\_  
AMELIA POWERS GARDNER, Chair

ATTEST:  
AARON R. DAVIDSON  
Utah County Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM AND LEGALITY:  
JEFFREY S. GRAY  
Utah County Attorney

By: \_\_\_\_\_  
Deputy County Attorney

**SPRINGVILLE CITY**

Authorized and passed on this \_\_\_ day of December 2023,

SPRINGVILLE CITY  
UTAH COUNTY, UTAH

\_\_\_\_\_  
Matt Packard, Mayor

ATTEST:

\_\_\_\_\_  
Kim Crane, City Recorder

REVIEWED AS TO FORM AND  
COMPATIBILITY WITH APPLICABLE  
LAW:

By: \_\_\_\_\_  
John Penrod, City Attorney