



WEST HAVEN CITY
COUNCIL AGENDA

AMENDED

WEDNESDAY, MAY 01, 2024 6:00 PM
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **May 01, 2024** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:00 PM**: COUNCIL WORKSHOP **6:00 PM**: REGULAR WEDNESDAY CITY COUNCIL MEETING. JOIN US DIGITALLY FOR THE WORK SESSION AND COUNCIL MEETING AT [HTTPS://US06WEB.ZOOM.US/J/81581435918](https://us06web.zoom.us/j/81581435918). WATCH LIVE AT [HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCEEQNQBTFZJWTOHMCNCBA](https://www.youtube.com/channel/UCEEQNQBTFZJWTOHMCNCBA).

5:00 Council Workshop – In City Council Chambers
NO ACTION CAN OR WILL BE TAKEN ON ANY CITY COUNCIL MEETING AGENDA ITEMS DISCUSSED DURING PRE-COUNCIL WORKSHOP - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.

MEETING TO ORDER: **MAYOR VANDERWOOD**

REPORTS AND DISCUSSION AS FOLLOWS:

1. **DISCUSSION-COUNCIL UPDATES**
2. **DISCUSSION-HEALTH INSURANCE FOR ELECTED OFFICIALS**
3. **DISCUSSION-4300 S ROADWAY IMPROVEMENT PROJECT**
4. **BUDGET DISCUSSION-COUNCIL WILL DISCUSS THE CURRENT 2023-2024 BUDGET AND PROPOSED 2024-2025 TENTATIVE BUDGET INCLUDING BUT NOT LIMITED TO REVENUES, EXPENSES, AND CAPITAL PROJECTS WITHIN THE GENERAL FUND, CAPITAL PROJECT FUND, CEMETERY FUND, AND STORM WATER FUND.**
5. **DISCUSSION-AGENDA ITEMS ON 6:00 PM REGULAR COUNCIL MEETING**

6:00 PM REGULAR CITY COUNCIL MEETING

1. **MEETING CALLED TO ORDER-**
MAYOR VANDERWOOD
2. **OPENING CEREMONIES**
 - A. **PLEDGE OF ALLEGIANCE-COUNCILMEMBER MORSE**
 - B. **PRAYER/MOMENT OF SILENCE-COUNCILMEMBER SWAPP**
3. **PUBLIC PRESENTATION:** Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a question about any issue that **IS NOT ON THE AGENDA** No action can or will be taken on any issue(s) presented.
4. **UPCOMING EVENTS**
Arbor Day-May 4, 2024-8:00 AM
Touch A Truck-May 6, 2024
West Haven Days-June 17-22, 2024
Art Festival-September 21, 2024
Review Possible Grant Projects-May 15, 2024
5. **COUNCIL UPDATES**
6. **ACTION ON CONSENT AGENDA**

*****AGENDA ACTION ITEMS*****

- A. CITY COUNCIL MINUTES-MEETING HELD-APRIL 3, 2024
- B. CKC OPERATIONS LLC-\$55,397.10-INV.#3993
- C. **THURGOOD EXCAVATING-\$504,467.28-INV#2402-01**

7. **ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**

- A. ACTION ON ORDINANCE 10-2024-REZONE FROM MIXED USE/MEDIUM/LOW DENSITY RESIDENTIAL TO C-3-1584 W 2100 S (PARCEL #150690082)
- B. ACTION ON RESOLUTION 13-2024-AMENDMENT TO MODERATE INCOME HOUSING

8. **PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON AN ORDINANCE WAIVING AN IMPACT FEE FOR ACCESSORY DWELLING UNITS**

9. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 11-2024-AN ORDINANCE WAIVING AN IMPACT FEE FOR ACCESSORY DWELLING UNITS**

10. **PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON AN ORDINANCE AMENDING THE CURRENT IMPACT FEE ORDINANCES TO ALLOW AN EXEMPTION FOR MODERATE INCOME HOUSING**

11. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 12-2024-AN ORDINANCE AMENDING THE CURRENT IMPACT FEE ORDINANCES TO ALLOW AN EXEMPTION FOR MODERATE INCOME HOUSING**

12. **PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON ADOPTING THE TENTATIVE 2024-2025 BUDGET**

13. **ACTION ON PUBLIC HEARING-ACTION ON RESOLUTION 14-2024-TO ADOPT THE TENTATIVE 2024-2025 BUDGET**

14. **ACTION ON RESOLUTION 09-2024-LKL ROAD REIMBURSEMENT AGREEMENT**

15. **ACTION ON RESOLUTION 15-2024-INTERLOCAL AGREEMENT BETWEEN WEST HAVEN CITY AND KAYSVILLE CITY, SYRACUSE CITY, AND FARMINGTON CITY FOR BUILDING INSPECTIONS**

16. **ACTION ON RESOLUTION 16-2024-AGREEMENT REGARDING THE OPERATION OF THE CONCESSION STAND**

17. **ADVICE & CONSENT OF; ONE (1) WEST HAVEN SPECIAL SERVICE DISTRICT BOARD MEMBER APPOINTMENT SUBMITTED BY MAYOR VANDERWOOD TO FILL ONE, REMAINDER OF A 4-YEAR TERM POSITION AVAILABLE DUE THE VACANT TERM LEFT BY CURTIS NIELSEN. THE TERM WILL BE FROM MAY 1, 2024 THRU DECEMBER 31, 2025**

18. **ADVICE & CONSENT OF; TWO (2) BEAUTIFICATION COMMITTEE MEMBER APPOINTMENTS-SUBMITTED BY MAYOR VANDERWOOD TO FILL TWO, 3-YEAR TERM POSITIONS. THE NEW TERMS WILL BE FROM MAY 1, 2024 THRU DECEMBER 23, 2026**

19. **BID AWARD-R. KENNETH BALDWIN COUNTRY PARK BLEACHERS**

20. **ADJOURNMENT**

Emily Green

Emily Green, City Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: emilyg@westhavencity.com at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at westhavencity.com; emailed to the Standard-Examiner with a request that it be posted in their Wednesday night meeting section, mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city attorney

STAFF REPORT

TO: Shawn Warnke
City Manager

FROM: Ed Mignone, City Engineer
Scott Venstra, Public Works Director

DATE: April 23, 2024

SUBJECT: 4300 S Roadway and Sidewalk Improvement Project



Background

4600 S is a local collector road with a sixty (60') foot right-of-way and has posted speed limit of 25 mph. It has rolled curb on both sides of the road; practically no sidewalk and the only striping is to delineate the shoulder on the south side. This is also a major pedestrian route for children walking to West Haven Elementary School.

The Council has expressed a need to install sidewalk along 4300 S between 3500 W and 3900 W. Just considering the installation of sidewalk there were unique challenges to developing a technically and economically feasible design. This included possible ROW acquisition, significant grade changes, utility relocations and existing ROW obstructions. Addressing these issues would have a great impact on the project cost and will cause delays in the schedule.

The Public Works Department had indicated that in addition to the lack of sidewalk, the road has a history of localized drainage issues which accounts for the significant deterioration of the roadway itself. Staff did not want to initiate a sidewalk project without including drainage and roadway improvements.

In acquiring site information, there was a survey crew in the area which brought the attention of several residents who live along 4300 S. When Staff spoke to each, all expressed the need and their understanding for the proposed improvements. They also expressed their individual property concerns, in terms of their perceived impact on site drainage, loss of property, movement/removal/replacement of obstructions, etc.

The proposed project is non-impact fee eligible and would not likely be a strong candidate project for WACOG grant funding. The City does have a standing balance in the Class B&C Road Fund, as well as the Transportation Tax Fund. Staff defers to City Management and the Council regarding the source(s) to fund the project.

Discussion

Based on the complexities involved, Staff endeavored to develop a plan that would provide the intended benefits, minimize, or negate local impacts, ensured that the large investment of City resources is expended on the actual improvements and provided at timely completion date.

Ultimately Staff developed a preliminary plan that addresses both the roadway/drainage improvements and installation of sidewalk. It does not require any ROW acquisition or any major reconstruction/relocation of existing encroachments by re-developing in the existing footprint of the road.

The project limits encompass approximately one-half (1/2 mile) of improvements. The road will have new base/sub-base installed where necessary. The six (6') foot wide sidewalk will be exclusively constructed on the south side of the street. This also aligns with the location crossing guards guide children across 3900 W (see plan, attached). The traveled way will essentially remain its current size and still adequate for two-way traffic.

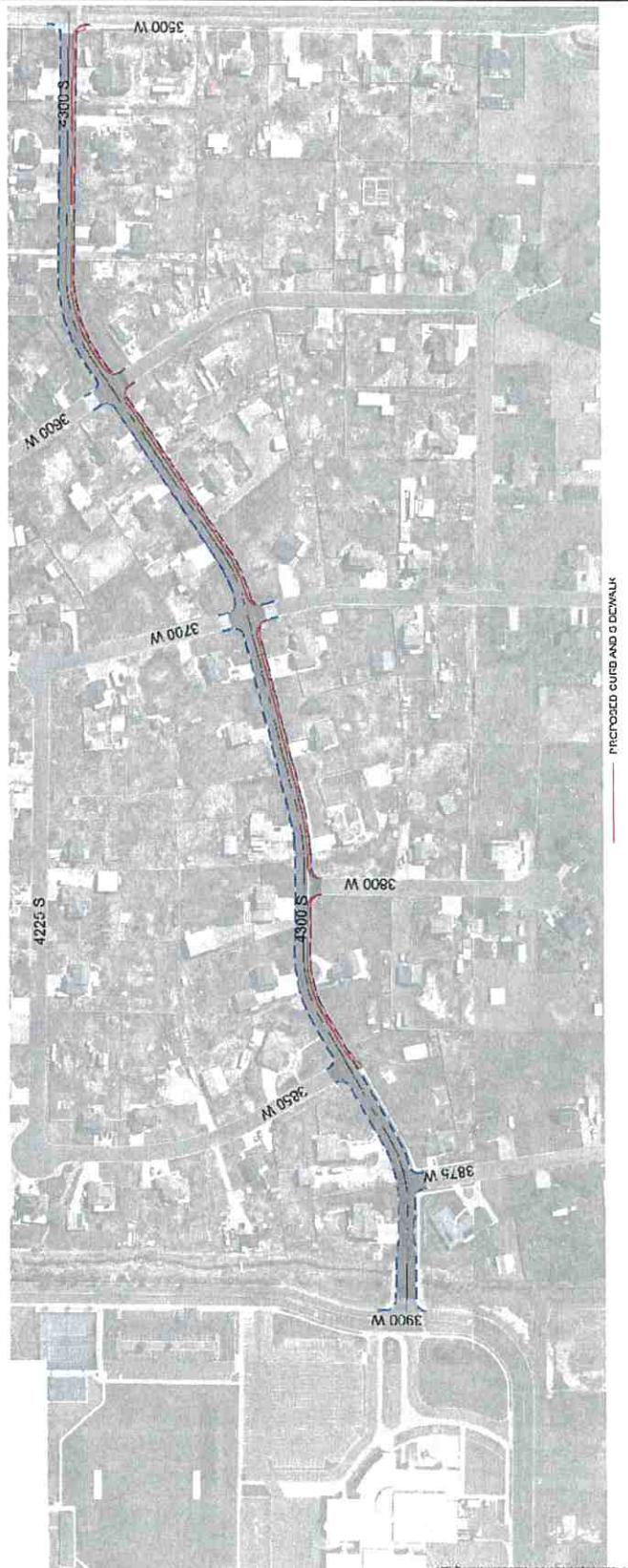
Shawn Warnke

April 24, 2024

Re: 4300 S Roadway and Sidewalk Improvement Project

Page 2 of 4

Preliminary Plan
4300 S. Roadway and Sidewalk Improvement Project
(Between 3500 W and 3900 W)



The engineer's estimate projects a budget of \$976,000; inclusive of design/survey and contingency. The line-item breakdown is shown in the table below:

4300 South West Haven, Utah					
Road reconstruction / Relocate south curb / 6' Sidewalk on south side					
4/16/2024					
Budget Estimate					
Item	4300 Sidewalk Project	QTY	Unit of Measure	Unit Cost	Total
1	Mobilization / Demobilization	1	LS	\$ 18,000.00	\$ 18,000.00
2	Site Clearing & Excavation	1	LS	\$ 75,000.00	\$ 75,000.00
3	Remove and Replace Curb and Gutter	2,500	LF	\$ 45.00	\$ 112,500.00
3	6' Wide Sidewalk	2,250	LF	\$ 30.00	\$ 67,500.00
4	Remove Asphalt	8,081	SY	\$ 6.00	\$ 48,483.33
5	12" Sub base course	5,091	TON	\$ 22.00	\$ 111,996.50
6	6" Base course	2,636	TON	\$ 26.00	\$ 68,543.31
6	4" Asphalt	1,879	TON	\$ 100.00	\$ 187,872.92
8	Adjust & Recollar Manholes & Valves	20	EA	\$ 800.00	\$ 16,000.00
9	ADA Ramps	6	EA	\$ 2,000.00	\$ 12,000.00
10	Misc Storm Drain Adjustments	1	LS	\$ 30,000.00	\$ 30,000.00
14	Landscape Restoration	11	PARCEL	\$ 2,500.00	\$ 27,500.00
16	Remove & Replace Concrete Driveway	4,000	SF	\$ 7.00	\$ 28,000.00
18	Replace/Relocate Mailboxes	9	EA	\$ 800.00	\$ 7,200.00
19	Striping	1	LS	\$ 3,000.00	\$ 3,000.00
20	Traffic Control	1	LS	\$ 25,000.00	\$ 25,000.00
21	SWPPP	1	LS	\$ 10,000.00	\$ 10,000.00
				SUBTOTAL	\$ 848,596.06
				15% DESIGN / SURVEY / CONTINGENCY	\$ 127,289.00
				TOTAL	\$ 975,885.06

Obviously, it would be the City's preference to have work substantially completed before the start of the 2024-2025 school year. Staff has developed an aggressive schedule that could meet this goal:

Bid Documents Ready: May 16th

Bid Opening: May 30th

Bid Award: June 6th

Substantial Completion: August 19th

Substantial completion means that the sidewalk will be installed, and the road returned to have a drivable surface at a minimum. Final paving and restoration might take place after school starts but would be coordinated to limit impact as much as possible.

Recommendation

Staff recommends that the City proceed according to the schedule presented.

Council should be aware that given the time of the year, there may not be many interested contractors since in most cases their upcoming summer work was planned as early as last fall. Also, if there is a delay with the award or if construction slips even by a week, there is a possibility that construction will be on-going when school starts. The bid documents will address this contingency by ensuring that safe pedestrian zones during active construction if that occurs.

If the project cannot be awarded and mobilized by the middle of June, the City could still proceed; however, there would be a likelihood that substantial completion will not occur by the start of school in August.

Another alternative would be to still complete the design documents in May but wait to put the project out to bid until early 2025 with the expectation that work could be fully underway by the time school closes in May.

Staff is prepared to proceed according to however the Council decides.

JM/SV:ejm

STAFF REPORT

TO: Mayor and City Council
FROM: Amy Hugie, City Attorney
DATE: April 25, 2024
SUBJECT: Proposed Policy Regarding Elected Officials and Health Insurance Benefits



The following staff report discusses an update to the proposed policy regarding elected officials being able to participate in the City's health insurance benefits.

Background and Analysis

Currently, no elected official (Mayor or City Councilmember) can participate in the City's health insurance benefits. In the past, PEHP has had a policy that unless an elected official was eligible, as defined in a City's personnel policies, and worked at least 20 hours per week then they could not participate. At this time, PEHP eliminated the requirement that an elected official has to work at least 20 hours per week.

The City Council has discussed at a previous work session regarding the possibility of allowing elected officials to be able to participate in the City's health insurance benefits if the elected official pays the full amount of premium, instead of being treated like the other employees that have 100% of the premium paid.

The following would be a possible proposed policy:

During their term of office, West Haven City Elected Officials may be eligible to participate in the City health, dental, and vision insurance plan. Elected Official's participation is subject to the City's insurance carrier's policies that govern enrollment eligibility permitting participation.

When the City's insurance carriers allow enrollment, the Elected Officials who choose to participate shall be responsible for one hundred (100%) of their monthly insurance premiums. Elected Officials shall pay their monthly insurance premiums in advance of the City's payment date to the insurance carrier.

At this time, this language has been sent to PEHP for their review. I have a concern as to whether PEHP will allow the elected officials to pay 100% of the premiums when the employees have 100% of their premiums paid. The City needs to hear back from PEHP regarding this issue and the language before we can move forward. If PEHP approves the language, then the City can move forward with instituting this policy if the City Council wishes.

The other issue is that there needs to be some specific changes to the Personnel Policy Handbook in order to enact this policy because of some of sections regarding elected officials and how they will be treated. I have started this work, but again in order to finish it, we need to have clarification from PEHP.



WEST HAVEN CITY COUNCIL MEETING MINUTES

April 03, 2024 6:00 PM
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

PRESENT

Mayor - Rob Vanderwood
Councilmember - Carrie Call
Councilmember - Ryan Saunders
Councilmember - Nina Morse
Councilmember - Kim Dixon
Councilmember - Ryan Swapp

EXCUSED

None

5:00 Council Workshop – In City Council Chambers

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MEETING TO ORDER: **MAYOR VANDERWOOD**

REPORTS AND DISCUSSION AS FOLLOWS:

1. INTRODUCTION-WEBER COUNTY SHERIFF-WEST HAVEN CITY'S NEW LIEUTENANT

Lieutenant Terance Lavelle was introduced as the new lieutenant for West Haven City.

2. DISCUSSION-COUNCIL UPDATES

Councilmember Dixon said that Easter Egg Hunt went well.

Councilmember Saunders said that we have two people who would like to be on the Beautification Committee.

Councilmember Swapp said he attended the Weber County Sheriff banquet and it was a great event.

3. DISCUSSION-ELIMINATION OF PUBLIC HEARINGS THAT ARE NOT REQUIRED BY STATE CODE OR CITY CODE

Shawn Warnke suggested not doing public hearings for ordinances that the state code does not require them on.

Councilmember Morse agreed to not have the public hearings when not necessary.

Councilmember Call said she would like to still have them.

Councilmember Saunders said he didn't mind not having them when not necessary.

Councilmember Swapp said he would like to have them still.

Councilmember Dixon said she would like to have them still.

4. DISCUSSION-HEALTH INSURANCE FOR ELECTED OFFICIALS

Shawn Warnke said that West Haven City could create a policy to add City Council members to the insurance policy where they pay their premiums.

Councilmember Dixon said that she feels it sends a bad message.

Mayor Vanderwood said that many cities have this kind of a policy.

Shawn Warnke suggested that we double check with Utah Retirement Systems to verify that wouldn't impact their benefits.

City Council agreed to look into a policy.

5. DISCUSSION-SET BUDGET WORK SESSION DATE AND TIME

City Council agreed to set the budget work session for April 23, 2024.

6. DISCUSSION-COMMITTEE ORDINANCE

Amy Hugie went over the requirements for public bodies and said that right now the committees would all be a public body. She suggested some modifications to the ordinance to make them not public bodies.

Mayor Vanderwood said these were really meant to be more advisory.

6:00 PM REGULAR CITY COUNCIL MEETING

1. MEETING CALLED TO ORDER-MAYOR VANDERWOOD

The council met at their regularly scheduled meeting held in the council chambers. Mayor Vanderwood called the meeting to order at 6:01 pm. and welcomed those in attendance.

2. OPENING CEREMONIES

- A. PLEDGE OF ALLEGIANCE-COUNCILMEMBER SAUNDERS
- B. PRAYER/MOMENT OF SILENCE-COUNCILMEMBER CALL

3. PUBLIC PRESENTATION: Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a question about any issue that IS NOT ON THE AGENDA No action can or will be taken on any issue(s) presented.

No one came up at this time.

4. UPCOMING EVENTS

Dumpster Days-April 18, 2024-April 20, 2024
City Council Meeting Cancelled-April 17, 2024
Utah League of Cities and Towns Midyear Conference-April 17, 2024-April 19, 2024
Arbor Day-May 4, 2024
Touch a Truck-May 6, 2024-5:00 PM
Arts Festival-September 21, 2024

5. COUNCIL UPDATES

Councilmember Call thanked all of the volunteers for the Easter Egg Hunt. She said a special thanks to Tammy Warr, Vicki Kent, Brayden Young, Jon and Julie Price, Colleen Hunter, and the Youth Council.

*****AGENDA ACTION ITEMS*****

6. ACTION ON CONSENT AGENDA

- A. CITY COUNCIL MINUTES-MEETING HELD-MARCH 20, 2024

- B. WEBER COUNTY SHERIFF-\$456,290.00-INV#52347
- C. WEBER SCHOOL DISTRICT-\$335,894.00-INV# AR240056
- D. WEBER SCHOOL DISTRICT-\$423,314.00-INV# AR240057
- E. WEBER SCHOOL DISTRICT-\$3,189,111.00-INV# AR240055
- F. WEBER COUNTY-\$87,813.00-INV# 48382

Carrie Call made a motion to approve. Nina Morse seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

7. UPDATE-UTOPIA-ROGER TIMMERMAN

Kimberly McKinnley and Roger Timmerman answered questions from residents.

Councilmember Swapp asked if they would start posting milestones for West Haven.

Ms. McKinnley said those are coming soon.

Councilmember Swapp asked for an update for so far.

Ms. McKinnley said they could post that tomorrow.

8. PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON AN ORDINANCE REGARDING ADHERENCE TO THE GOVERNMENT RECORDS MANAGEMENT ACT AND SETTING FEES REGARDING FULFILLING REQUESTS

Nina Morse made a motion Enter into Public Hearing. Ryan Swapp seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

No one came up at this time.

Ryan Saunders made a motion Leave Public Hearing. Nina Morse seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

9. ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 09-2024-AN ORDINANCE REGARDING ADHERENCE TO THE GOVERNMENT RECORD AND ACCESS MANAGEMENT ACT AND SETTING FEES REGARDING FULFILLING REQUESTS

Nina Morse made a motion to adopt ordinance 09-2024. Ryan Swapp seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

NAYS:
RECUSED:

10. ACTION ON RESOLUTION 09-2024-LKL ROAD REIMBURSEMENT AGREEMENT

Nina Morse made a motion Table. Ryan Swapp seconded the motion.

AYES: Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:
RECUSED:

11. ACTION ON RESOLUTION 11-2024-UTAH LEAGUE OF CITIES AND TOWNS LEGISLATIVE POLICY COMMITTEE VOTING MEMBERS

Kim Dixon made a motion to adopt resolution 11-2024. Nina Morse seconded the motion.

AYES: Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:
RECUSED:

12. ACTION ON RESOLUTION 12-2024-CABLE AND FACILITIES EASEMENT BETWEEN WEST HAVEN CITY AND UTAH INFRASTRUCTURE AGENCY

Carrie Call made a motion to adopt ordinance 12-2024. Ryan Saunders seconded the motion.

AYES: Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:
RECUSED:

13. PRESENTATION-QUARTERLY CITY MANAGER AUDIT REPORT

Shawn Warnke presented his quarterly audit report.

14. DISCUSSION-CONTINUATION OF ANY AGENDA ITEMS NOT PREVIOUSLY DISCUSSED OR OTHERWISE COMPLETED ON THE 5:00 WORK SESSION

There were no items to discuss at this time.

15. EXECUTIVE SESSION-THE COUNCIL WILL ENTER INTO A CLOSED MEETING FOR THE PURPOSE OF A STRATEGY SESSION TO DISCUSS THE CHARACTER AND PROFESSIONAL COMPETENCE OF AN INDIVIDUAL; TO BE HELD IN ACCORDANCE WITH THE PROVISIONS OF UTAH CODE 52-4-205

Nina Morse made a motion Enter into Executive Session. Carrie Call seconded the motion.

AYES: Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:
RECUSED:

Mayor Vanderwood said the executive session was used to discuss the character and professional competence of an individual.

Ryan Saunders made a motion Leave Executive Session. **Nina Morse** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

16. ADJOURNMENT

Nina Morse made a motion to adjourn at 7:57 PM. Carrie Call seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Emily Green
City Recorder

Date Approve:

DRAFT

**City Council
Staff Review Memo
May 1, 2024**

Alika Murphy, Planner I



Rezone 1.43 Acres of Property from MU to C-3

Request: To rezone 1.43 acres of property from MU to C-3

Property Address: Parcel # 150690082

Property Zone: MU (Mixed Use)

Property Size: 1.43 acres

Applicant: Dan Beatty

Governing Document(s): WHC General Plan

Decision Type: Legislative Recommendation

Staff Recommendation: Recommend approval to the Council

Public Hearing Posting: The public hearing was noticed and posted on March 26, 2024

Background

The applicant (Dan Beatty) owns 1.43 acres of property (the property is highlighted in red). The applicant had come in for site plan approval back in March 17, 2022, but was tabled due to a few items missing from the site plan. Since then, the zoning map was corrected to reflect ordinances that were passed which ended up showing this property as mixed-use. The applicant has filed an application with the city to rezone Parcel# 150690082 from MU to C-3.

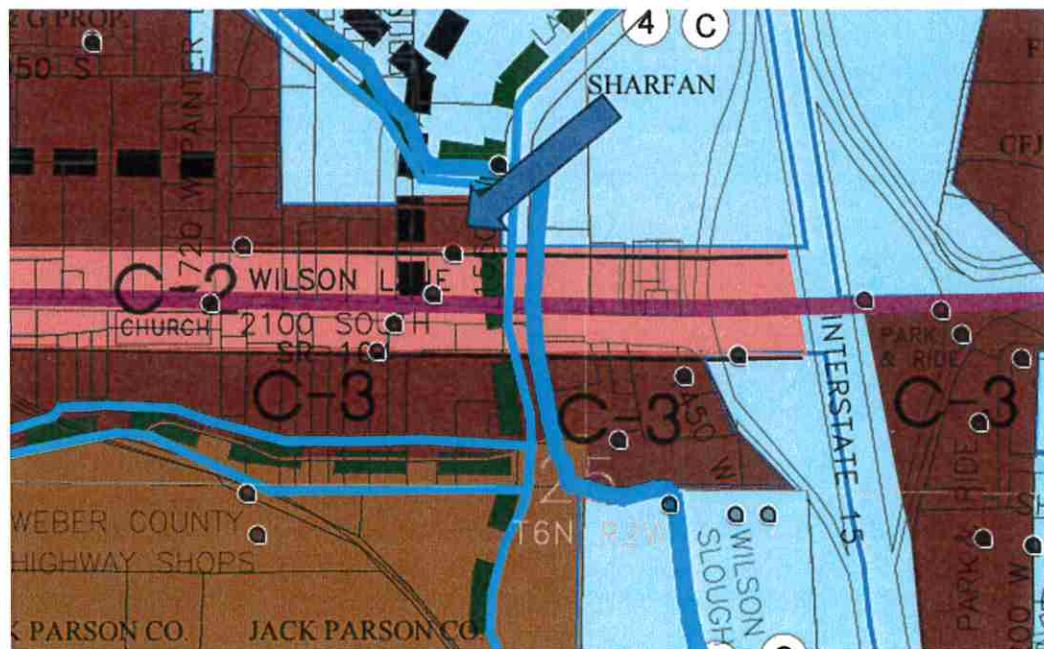


Staff Findings

The current zoning surrounding the property is MU as shown below, but there are commercial uses surrounding this property. There are offices in front of the property in question and there is a gas station and storage units west of the property across 1550 West.



The General Plan anticipates that this property will be C-3. This request does line up with the zoning the General Plan anticipates as seen below.



On April 10, 2024 Planning Commission recommended approval to City Council. Accordingly, Staff finds that the request is consistent with the General Plan and recommends that the City Council approve this request.

ORDINANCE NO. 10-2024

AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING CERTAIN PROPERTY WITHIN ITS BOUNDARIES FROM MIXED USE/MEDIUM/LOW DENSITY RESIDENTIAL, COMMERCIAL MU TO COMMERCIAL C-3, AMENDING THE ZONING MAP OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Section 1 - Recitals:

WHEREAS, the City Council finds that the planning commission has caused to be prepared and has recommended to the City Council a proposed zoning ordinance and general plan; and,

WHEREAS, the City Council finds that the full text of the zoning ordinance and its associated and related maps, representing the commission's recommendations for zoning all or any part of the area within the municipality have been subjected to the required public hearing prior to its adoption; and,

WHEREAS, the City Council finds that the City Council lawfully adopted the zoning ordinance as proposed with all later amendments thereto; and,

WHEREAS, the City Council finds that Utah Code ("UC") §10-9a-503 provides that the legislative body may amend the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provision of the zoning ordinance; and,

WHEREAS, the City Council finds that the City Council may make no amendment to the City's zoning ordinance or zoning maps unless the amendment was proposed by the planning commission or is first submitted to the planning commission for its approval, disapproval, or recommendations; and,

WHEREAS, the City Council finds that West Haven City desires to comply with the procedure specified in UC §10-9a-502 in preparing and adopting an amendment to the zoning ordinance or the zoning map; and,

WHEREAS, upon petition to West Haven City, and after having been reviewed by the West Haven City Planning Commission, the City Council determines it to be in the best interest of the City to change the existing zone of certain parcels in the City from Mixed Use MU, to Commercial C-3 as outlined herein; and,

WHEREAS, the City Council finds that such a change follows the City's General Plan; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN, UTAH that the City Zoning Ordinance is changed and amended as follows:

Zoning Changes:

These described lands and premises within the boundaries of the City are re-zoned from Mixed Use MU to Commercial C-3: Parcel 15-069-0082

15-069-0082

PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT NORTH 10.95 CHAINS AND WEST 9.50 CHAINS FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH 3 CHAINS; THENCE WEST 1 CHAIN; THENCE NORTH 217 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE LAYTON INTAKE CHANNEL; THENCE SOUTH 87D01' EAST 343.3 FEET; THENCE SOUTH 2D59' WEST 394.7 FEET TO A POINT EAST FROM THE POINT OF BEGINNING; THENCE WEST 255 FEET TO BEGINNING. CONTAINING 2.61 ACRES, MORE OR LESS. SUBJECT TO A RIGHT-OF-WAY FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED LAND: PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. A 60 FOOT RIGHT-OF-WAY RUNNING IN A NORTHERLY DIRECTION ADJACENT TO A PARALLEL WITH THE WEST LINE OF THE LAYTON CANAL, THE EAST LINE OF SAID RIGHT-OF-WAY IS DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER OF WILSON LANE AND THE WEST LINE OF THE LAYTON CANAL SAID POINT BEING NORTH 722.70 FEET AND WEST 372 FEET; RUNNING THENCE NORTH 2D59' EAST ALONG SAID CANAL 682 FEET, MORE OR LESS, TO THE ARC OF A CURVE; THENCE ALONG THE ARC OF A REGULAR CURVE TO THE RIGHT WITH A RADIUS OF 225 FEET FOR AN ARC DISTANCE OF 163.6 FEET TO THE NORTH LINE OF SAID RIGHT-OF-WAY, SAID POINT BEING THE SOUTH LINE OF THE PROPERTY CONVEYED TO PECK & SHAW FINE CARS, INC. IN BOOK 1278, PAGE 695 OF OFFICIAL RECORDS. THE ABOVE RIGHT-OF-WAY IS SUBJECT TO THE FEE SIMPLE OWNERSHIP OF THE U.S.A. IN AND TO THAT PORTION DEEDED AS THE LAYTON CANAL. THE ABOVE RIGHT-OF-WAY GIVEN AS INGRESS AND DEGRESS TO AND FROM THE PROPERTY DEEDED TO PECK-RENNERT INVESTMENT COMPANY AND THEIR SUCCESSORS IN INTEREST IN BOOK 1222 AT PAGE 869 AND BOOK 1267 AT PAGE 298 OF OFFICIAL RECORDS. (960-214) & (1361-862). LESS AND EXCEPTING: PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 21ST STREET AND THE WEST RIGHT-OF-WAY LINE OF THE LAYTON INTAKE CHANNEL BEING LOCATED NORTH 00D54'31" EAST 728.60 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER AND NORTH 90D00'00" WEST 372.05 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; RUNNING THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 89D05'29" WEST 255.00 FEET; THENCE NORTH 00D54'31" EAST 198.00 FEET; THENCE SOUTH 89D05'29" EAST 265.32 FEET TO SAID WEST RIGHT-OF-WAY LINE THENCE ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 03D53'31" WEST 198.27 FEET TO THE POINT OF BEGINNING. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]

Enactments:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part, repealed.

Section 3 - Prior Ordinances and Resolutions:

The body and substance of all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance be held or deemed or be invalid, inoperative, or unenforceable, such reason will render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect

BE IT FURTHER ORDAINED this Ordinance will become effective on the 1st day of May, 2024

DATED this 1st day of May, 2024.

WEST HAVEN, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and recorded

Emily Green, City Recorder

**City Council
Staff Review Memo**

April 24, 2024
Alika Murphy, City Planner I



Moderate Income Housing Reporting

Decision Type: Legislative

Staff Recommendation: See comments below

Background

At the beginning of last year Resolution 04-2023 was adopted by Council which amended the moderate-income housing element of the general plan. The resolution outlined four goals and their strategies that the city could report on to fulfill the state requirement. The minimum requirement is to report on three goals which is what the city ended up doing. Those goals included, updating the mixed-use ordinance, updating the parking ordinance, and setting a deadline to look at reducing the impact fees for moderate income housing developments. After the reporting period had closed, the city received a letter of noncompliance due to the wording of one of the goals not matching exactly to the state goal. Staff met with a representative from the state and updated the wording. Resolution 41-2023 was adopted on November 15, 2023 by the council and the city received a letter of compliance. Every year the city must report on the selected goals and the reporting is due by August otherwise we will have to pay a daily fine of \$250 per day and if it continues the consecutive year it will double to \$500 per day.

Staff Review

Staff started going over the goals that were adopted and how to best report on those goals for this cycle or make another amendment. A couple months ago staff had a meeting with a representative from the state to ask a few questions regarding the reporting, since the city had already completed two out of the three goals that we reported on, and missing a deadline that we set for ourselves. As far as missing a deadline, I was directed to a part of state code that says that if curing a deficiency involves making a legislative change then we can do so within the 90-day cure period. Staff is reporting on the goal of eliminating impact fees related to MIH. Other than that goal, we can report on the fourth adopted goal of allowing for single room occupancy and staff is suggesting adopting the goal of eliminating impact fees for any accessory dwelling units (ADUs). Staff has updated the resolution which now outlines new deadlines and new goal.

RESOLUTION NO. 13-2024

**A RESOLUTION ADOPTING AN AMENDMENT TO THE MODERATE-INCOME
HOUSING ELEMENT OF THE WEST HAVEN CITY GENERAL PLAN**

SECTION I – RECITALS:

WHEREAS, the City Council of West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and

WHEREAS, in conformance with the provisions of UCA § 10-3-717, the governing body of the City may exercise all administrative powers by resolution including, but not limited to adopting and amending elements of the City's General Plan promoting the health, safety, and welfare of the public; and

WHEREAS, over the years West Haven City has permitted a variety of housing options for the existing and future citizens of the City, including moderate income housing options; and

WHEREAS, Moderate Income Housing means housing occupied or reserved for occupancy by households with a gross household income of less than eighty percent (80%) of the Area Median Income (AMI) of the rural statistical area for households of the same size; and

WHEREAS, the State of Utah Legislature is committed to facilitating affordable housing options for the citizens of Utah and, to this end, has statutory requirements contained in Utah Code 10-9a-403 that requires cities to adopt Moderate Income Housing Plans as an element of their General Plan; and

WHEREAS, as part of creating a Moderate Income Housing Plan as an element of the City's General Plan, the City is required to select Strategies contained in Utah Code 10-9a-403(2)(b)(i); and

WHEREAS, Utah Code 10-9a-408 requires that the City prepare and submit an annual report on its progress in implementing its moderate income housing Strategies contained in its Plan to the Housing and Community Development Division of the Department of Workforce Services (hereafter "Division"); and

WHEREAS, if the Division, after reviewing West Haven's annual report, determines that the report does not comply with the Utah Code or the City's Moderate Income Housing Plan, the Division shall send a notice of noncompliance to the City Council along with a period to cure the noncompliance; and

WHEREAS, beginning in 2024, Utah Code requires West Haven City to pay a fee to the Olene Walker Housing Loan Fund of \$250 per day and in 2025, a fee of \$500 per day in a consecutive year, for noncompliance; and

WHEREAS, the West Haven City Council initiated a review of the Moderate Income Housing Plan as part of preparing its annual report; and

WHEREAS, West Haven City last amended its Moderate Income Housing Plan on November 15, 2023, with the adoption of Resolution No. 41-2023; and

WHEREAS, West Haven City desires to amend its Moderate Income Housing Plan to include amending the Plan's Goals and Strategies to ensure continued compliance with the requirements of Utah Code 10-9a-403(2)(b); and

WHEREAS, the Planning Commission posted a notice of a public hearing regarding the amending the City's Moderate Income Housing Plan and conducted a public hearing on April 24, 2024, to take public input regarding the same; and

WHEREAS, the Planning Commission has considered all written and oral statements made at the public hearing objecting to or supporting amending the Strategies contained in the West Haven City Moderate Income Housing Plan and recommends that the City Council adopt the said Plan as proposed; and

WHEREAS, the City Council has reviewed the final recommendation from the Planning Commission to amend the Strategies contained in the West Haven City Moderate Income Housing Plan; and

WHEREAS, after the adoption of the amended West Haven City Moderate Income Housing Plan, an electronic copy of the amended Plan is hereby ordered to be filed with the Wasatch Front Regional Council and the Housing and Community Development Division of the Utah Department of Workforce Services and posted on the West Haven City website; and

WHEREAS, the West Haven City Council finds that the proposed amendments to the West Haven City Moderate Income Housing Plan are in the best interest of the health, safety, and welfare of the residents of West Haven City

NOW, THEREFORE, be it resolved by the City Council of West Haven City, Utah, as follows:

SECTION II. AMENDMENTS:

A. The Section titled "Goals + Objectives: Housing" found on pages 62 and 63 is stricken in its entirety and replaced with the goals and strategies outlined below:

Goal 1: Strategy (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;

Strategy 1 – The City will create an ordinance which clearly defines mixed-use boundaries/sub-areas and what housing densities are allowed within each sub-area
Completion Timeline – after preparation and review by the Planning Commission, this ordinance will be before the Council for review and adoption by June 15, 2023

Strategy 2 – The City will create an ordinance that clearly defines the site development standards for commercial overlay within a mixed-use zone

Completion Timeline – after preparation and review by the Planning Commission, this ordinance will be before the Council for review and adoption by June 15, 2023

Goal 2 – Strategy (I) amend land use regulations to allow for single room occupancy developments;

Strategy 1— The City will ensure that multi-family developments may have ~~at least 25% studio apartments~~ ~~single room occupancy units~~ in their project.

Completion Timeline —after preparation and review by the Planning Commission, ~~an ordinance allowing for studio apartment projects will be before the Council for review and adoption by June 15, 2023, the mixed-use ordinance allowing for single room occupancy units will be before the Council for review and adoption by the end of October 2024.~~

Goal 3 – Strategy (L) reduce, waive, or eliminate impact fees related to moderate income housing;

Strategy 1 – The City will examine the feasibility of providing a credit against certain impact fees for moderate income housing projects, ~~specifically multi family development.~~

Completion Timeline – ~~By October 1, 2023, the City will be under contract for review and update of the transportation impact fee, with an expected deliverable of strategies for reducing impact fees related to multi family developments. By the end of October 2024, after review by the Planning Commission, an ordinance will be before the Council for review and adoption.~~

Goal 4 –Strategy (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;

Strategy 1 – require developers to submit a parking study if they are requesting reduced parking in a multi-family development

Strategy 2 – create an ordinance dictating that the number of required parking stalls in multi-family projects will be based on the number of bedrooms as opposed to the number of units.

Strategy 3 – create an ordinance simplifying and, where practical, reducing the number of required parking stalls in commercial areas

Strategy 4 – ~~provide a credit against required parking for projects located within 1000' of a major transit investment corridor or senior living facilities~~

Completion Timeline – after review and recommendation by the Planning Commission, an ordinance outlining strategies 1-4 above will be before the Council for review and adoption by December 15, 2023.

Goal 5 – Strategy (R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;

Strategy 1 – The City will adopt an ordinance eliminating the impact fees for external ADUs.

Completion Timeline – By the end of October 2024, the City will review and adopt an ordinance eliminating ADUs impact fees.

The foregoing Recitals are fully incorporated herein.

SECTION III. PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution be held or deemed or be invalid, inoperative, or unenforceable, such reason will render no other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

SECTION VI. DATE OF EFFECT

This Resolution shall be effective immediately upon its passage on the 1st day of May 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 1st day of May 2024.

WEST HAVEN, a municipal corporation

by: _____

Mayor Rob Vanderwood

Attested and recorded

Emily Green
City Recorder

Mayor Rob Vanderwood
Councilmember Carrie Call
Councilmember Kim Dixon
Councilmember Nina Morse
Councilmember Ryan Saunders
Councilmember Ryan Swapp

Yes _____ No _____
Yes _____ No _____

DRAFT

ORDINANCE NO. 11-2024

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CURRENT
IMPACT FEE ORDINANCES TO EXEMPT AND ELIMINATE IMPACT FEES FOR
ACCESSORY DWELLING UNITS; AND ESTABLISHING AN EFFECTIVE DATE
FOR THESE ACTIONS.**

Section 1. Recitals

WHEREAS, the City of West Haven (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of the laws of the State of Utah, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 11-36a-101 et.seq., the City is authorized to enact and promulgate certain impact fees within the City; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 11-36a-101 et seq., the City has in the past enacted and promulgated certain impact fees within the City, including storm water, transportation, and regional parks and recreation impact fees; and

WHEREAS, the City Council finds that the City Council passed Ordinance 34-2019 regarding Transportation and Regional Parks and Recreation Impact Fees on October 7, 2019; and

WHEREAS, the City Council finds that the City Council amended Ordinance 34-2019 by passing Ordinance 09-2022 to add additional facilities and information regarding the Regional Parks and Recreation Impact Fees; and

WHEREAS, the City Council finds that the City Council passed Ordinance 35-2022 regarding Storm Water Impact Fees; and

WHEREAS, as stated in UCA 11-36a-202 (2) (a) (vi) impact fees may not be imposed on the construction of an internal accessory dwelling unit within a primary dwelling unit; and

WHEREAS, on May 1, 2024 the City Council adopted a resolution amending its moderate income housing plan to include Strategy R, which according to UCA 10-9a-403(2)(b)(iii)(R), states to, "eliminate impact fees for any accessory dwelling that is not an internal accessory dwell unit.."; and

WHEREAS, the City Council finds that at this time there is a need to amend all three of these impact fee ordinances to allow for an exemption and elimination of impact fees for internal and external accessory dwelling units in order to be compliant with the City's Moderate Income Housing Plan goals; and

WHEREAS, the Utah State Code allows a city to include an exemption and elimination of impact fees of this nature regarding accessory dwelling unit housing in an impact fee enactment; and

WHEREAS, the City Council finds that the City has held a public hearing to hear public comment on this ordinance in accordance with the notice and hearing requirements of the Utah State Code; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter; now,

THEREFORE, BE IT ORDAINED by the City of West Haven City as follows:

Section 2. Impact Fee Ordinances Amended:

Ordinance 34-2019, Ordinance 09-2022, and Ordinance 35-2022 shall be amended to allow the City Manager or their designee to exempt and eliminate the payment of impact fees for all accessory dwelling units to comply with the goals and strategies of providing moderate income housing within the City. Specifically, the City Manager or designee may exempt or eliminate the payment of Transportation Impact Fees, Regional Parks and Recreation Impact Fees, and Storm Water Impact Fees for accessory dwelling units.

The definition of an accessory dwelling unit contained in UCA 10-9a-103(1) "Accessory dwelling unit" means, "a habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot."

The foregoing Recitals are fully incorporated herein.

Section 3. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 4. - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not

have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5. Date of Effect

BE IT FURTHER ORDAINED that this Ordinance shall be approved on the 1st day of May 2024, shall be published or posted as required by law, and shall become effective immediately.

DATED this 1st day of May 2024.

WEST HAVEN CITY, a municipal corporation

by: _____
Rob Vanderwood, Mayor

Attested and recorded

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
: ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. ____-2024**, entitled "**AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CURRENT IMPACT FEE ORDINANCES TO EXEMPT AND ELIMINATE IMPACT FEES FOR ACCESSORY DWELLING UNITS; AND ESTABLISHING AN EFFECTIVE DATE FOR THESE ACTIONS**," adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on May 1, 2024 which appears of record in my office, with the date of posting or publication being May ____, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this ____ day of May 2024.

Emily Green
City Recorder

(city seal)

ORDINANCE NO. 12-2024

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CURRENT
IMPACT FEE ORDINANCES TO ALLOW AN EXEMPTION OR ELIMINATION FOR
MODERATE INCOME HOUSING; AND ESTABLISHING AN EFFECTIVE DATE
FOR THESE ACTIONS.**

Section 1. Recitals

WHEREAS, the City of West Haven (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of the laws of the State of Utah, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 11-36a-101 et.seq., the City is authorized to enact and promulgate certain impact fees within the City; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 11-36a-101 et seq., the City has in the past enacted and promulgated certain impact fees within the City, including storm water, transportation, and regional parks and recreation impact fees; and

WHEREAS, the City Council finds that the City Council passed Ordinance 34-2019 regarding Transportation and Regional Parks and Recreation Impact Fees on October 7, 2019; and

WHEREAS, the City Council finds that the City Council amended Ordinance 34-2019 by passing Ordinance 09-2022 to add additional facilities and information regarding the Regional Parks and Recreation Impact Fees; and

WHEREAS, the City Council finds that the City Council passed Ordinance 35-2022 regarding Storm Water Impact Fees; and

WHEREAS, the City Council previously adopted its moderate income housing plan to include Strategy L, which according to UCA 10-9a403(2)(b)(iii)(L), states to, "reduce, waive, or eliminate impact fees related to moderate income housing."; and

WHEREAS, the City Council finds that at this time there is a need to amend all three of these impact fee ordinances to allow for an exemption to impact fees for moderate income housing in order to be compliant with the City's Moderate Income Housing Plan goals; and

WHEREAS, the Utah State Code allows a city to include an exemption of this nature regarding housing in an impact fee enactment; and

WHEREAS, the City Council finds that the City has held a public hearing to hear public comment on these amendments in accordance with the notice and hearing requirements of the Utah State Code; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare is at issue in this matter; now,

THEREFORE, BE IT ORDAINED by the City of West Haven City as follows:

Section 2. Impact Fee Ordinances Amended:

Ordinance 34-2019, Ordinance 09-2022, and Ordinance 35-2022 shall be amended to allow the City Manager or designee to grant an exemption or elimination for the payment of impact fees for newly constructed Moderate Income housing units. Specifically, the City Manager or designee may exempt or eliminate the payment of Transportation Impact Fees, Regional Parks and Recreation Impact Fees, and Storm Water Impact Fees.

The definition of Moderate Income Housing used when considering this exemption of Impact Fees shall be as defined in Utah State Code §10-9a-103(39), and as amended, as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."

2.1. Housing Units Owned by a Moderate Income Household. For housing units that shall be owned by a Moderate Income household, the exemption or elimination for the payment of impact fees is subject to the requester of the exemption certifying and providing written documentation to the City Manager's or their designee's satisfaction that the owners' (of the housing unit) household income meets the Moderate Income Housing definition contained in Utah State Code §10-9a-103(39).

If the exemption is granted, the City shall record an Addendum to Deed of Trust and Note so that if the original qualifying owner sells the home prior to occupying the home for a period of five (5) consecutive years to an owner that does not qualify regarding income requirements under the definition of Moderate Income Housing (Utah State Code §10-9a-103(39)), then the impact fees shall be paid to the City. *Addendum to Deed of Trust and Note* shall be in substantially the same form as the document contained in Attachment "A."

2.2 Housing Unit Reserved as a Rental Unit for Moderate Income Household. For housing units that shall be deed-restricted as rentals for Moderate Income households, the developer or owner of the rental units shall certify and

provide written documentation to the City Manager's or designee's satisfaction that the rental units are deed-restricted as rentals for households meeting the Moderate Income Housing definition contained in Utah State Code §10-9a-103(39). The deed restriction shall last for a minimum of ten (10) years.

The foregoing Recitals are fully incorporated herein.

Section 3. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 4. - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5. Date of Effect

BE IT FURTHER ORDAINED that this Ordinance shall be approved on the 1st day of May, 2024, shall be published or posted as required by law, and shall become effective immediately.

DATED this 1st day of May, 2024.

WEST HAVEN CITY, a municipal corporation

by: _____

Rob Vanderwood, Mayor

Attested and recorded

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
County of Weber) : ss.

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. ____-2024**, entitled "**AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CURRENT IMPACT FEE ORDINANCES TO ALLOW AN EXEMPTION OR ELIMINATION FOR MODERATE INCOME HOUSING; AND ESTABLISHING AN EFFECTIVE DATE FOR THESE ACTIONS**," adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on May 1, 2024 which appears of record in my office, with the date of posting or publication being May ____ , 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of May 2024.

Emily Green
City Recorder

(city seal)

Attachment "A"

ADDENDUM TO DEED OF TRUST AND NOTE

This amount, being \$ _____, is loaned by WEST HAVEN CITY ("City") for the purposes of homeownership for moderate income homeowners to _____ (Insert Owner's Name) _____ for the purposes of paying City's Impact Fees. Provided that the subject property, being (Insert Address of the Property) _____, West Haven Utah is owned and occupied by _____ (Insert Owner's Name) _____, there are no payments on this note and if the subject property is retained in ownership for a minimum of five (5) consecutive years, there shall be no remuneration required to WEST HAVEN CITY, its successors or heirs.

The amount of the loan of \$ (Insert total amount of the Impact Fee Exemption) _____ shall be due and payable to WEST HAVEN CITY, its successors or heirs, if _____ (Insert Owner's Name) _____ fail to occupy and retain ownership of a property located at (Insert Address of the Property) _____, West Haven Utah for a minimum of five (5) consecutive years, and as follows:

1. If the subject property is sold by the owners to a qualified Moderate Income Homebuyer, WEST HAVEN CITY, its successors or heirs, may apply this note to the purchase price of the property in exchange for an assumption agreement from the qualified buyer. A "Moderate Income Home Buyer" is defined as one whose household income is equal to or less than 80% of the median gross income for households of the same size in Weber County in which the City is located.
2. If the subject property is sold to a buyer who does not qualify as a Moderate Income Homebuyer, WEST HAVEN CITY shall be paid the face value of this note without accrued interest at the time of sale or transfer.
3. If the subject property is no longer occupied as the primary residence of _____ (Insert Owner's Name) _____ the owner-occupant, the note shall be due and payable within 90 (ninety) days of the date of discovery that the house is no longer owner-occupied, and shall be paid to WEST HAVEN CITY, its successors or heirs, in an amount of the principal value plus simple interest for the duration of the note at the rate of six (6) percent per annum.
4. This note shall be due and payable in the event of any foreclosure action against the subject property.

WEST HAVEN CITY, ITS SUCCESSORS OR HEIRS, SHALL NOT SUBORDINATE THIS NOTE. THE EQUITY CREATED BY THIS NOTE SHALL BE REPAYED UPON THE GRANT OF ANY SUBSEQUENT DEED OF TRUST THAT RESULTS IN A LOAN AGAINST THE EQUITY IN THE PROPERTY.

Trustor(s) Signed: _____ Date _____

Trustor(s) Signed: _____ Date _____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF WEBER)
:ss.

On the _____ day of _____, 2024, personally appeared before me _____ the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.

Notary Public

Resolution No. 14-2024

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY ADOPTING
A TENTATIVE BUDGET FOR FY 2024-2025 FOR THE GENERAL FUND, CAPITAL
PROJECTS FUND, CEMETERY FUND AND, STORM WATER FUND FOR THE
PERIOD COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025.**

SECTION I – RECITALS:

WHEREAS, the City Council of West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of UCA § 10-3-717, the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, in conformance with UCA §10-6-111, the budget officer of the City has prepared for the coming fiscal year period, (FY 2024-2025) on forms provided by, or acceptable to, the state auditor, a tentative budget for the General Fund, Capital Projects Fund, Cemetery Fund, and Storm Water Fund for which a budget is required; and,

WHEREAS, in conformance with UCA §10-6-112, the adopted tentative budget – with all supporting schedules and data – shall be declared a public record which shall be lodged in the office of the city recorder, available for public inspection during business hours for a period of at least 10 (ten) days prior to the adoption of a final budget; and,

WHEREAS, the City has caused a public hearing notice to be published on the Public Notice Website, West Haven City's Website, and has otherwise provided the required notice that the West Haven City Council was considering adopting the tentative budget for the FY 2024-2025 for the General Fund, Capital Projects Fund, Cemetery Fund, and Storm Water Fund on May 1, 2024; and

WHEREAS, in conformance with UCA §10-6-114, the City Council held a public hearing on the tentative budget on May 1, 2024, and gave all interested persons in attendance at that hearing the opportunity to be heard, for or against, the estimates of revenue and expenditures or any item in the tentative budget of any fund; and,

WHEREAS, the City Council has considered all written and oral statements made at the public hearing objecting to or supporting the City's plan to adopt the tentative budget;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
WEST HAVEN CITY, UTAH THAT:**

1. The tentative budget of the City of West Haven for the General Fund, Capital Projects Fund, Cemetery Fund, and Storm Water Fund for FY 2024-2025 commencing July 1, 2024, and ending June 30, 2025, is adopted as submitted, with all attachments thereto as contained in Attachment "A."

2. A public hearing on the final budget shall be held on the 19th day of June 2024, at the offices of West Haven City, at 6:00 P.M. or as soon thereafter as may be practicable.

The foregoing Recitals are fully incorporated herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION III. PRIOR RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION VI. DATE OF EFFECT

This Resolution shall be effective immediately upon its passage on the 1st day of May 2024, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 1st day of May 2024.

WEST HAVEN CITY

Mayor Rob Vanderwood

ATTEST:

City Recorder

Mayor Rob Vanderwood
Councilmember Carrie Call
Councilmember Kim Dixon
Councilmember Nina Morse
Councilmember Ryan Saunders
Councilmember Ryan Swapp

Yes _____ No _____
Yes _____ No _____

DRAFT

ATTACHMENT “A”

RESOLUTION NO. ___-2024

**A Resolution of the City Council of West Haven City, Utah, Establishing and Adopting a
Tentative Budget for FY 2024-2025**

DRAFT

ADMINISTRATIVE MEMORANDUM

TO: Mayor and City Council

FROM: Shawn Warnke, City Manager

DATE: April 23, 2024

SUBJECT: **Draft Tentative Budget Message FY 2025**

- Discussion and consideration of adopting Resolution No. ##-2024 adopting the Tentative Budget, entitled "The West Haven City Annual Implementation Budget 2024-2025 (General Fund, Capital Fund, and Enterprise Fund" for the period commencing July 1, 2024, and ending June 30, 2025

Budget Overview- All Funds.

Preface. As you know, the budgeting process is the best estimate of revenues and expenses. To the best of our ability, West Haven City staff believe that the Budget represents what is reasonably anticipated for revenues and expenses; however, many variables can affect the Budget during the upcoming fiscal year. The Budget also sets spending maximums for the funds and accounts. The Department Heads' responsibility is to execute the Budget to the best of their ability within appropriate limits set by the City Council, barring unforeseen events.

The current chart of accounts for the budget has few expense line items and is broader in their description. Consequently, a variety of different expenses are consolidated into these few expense line items. There is a balance between having too few and too many expense line items. To find the best balance in expense line items, it is proposed that the City keep the chart of accounts relatively constant for a few years to build up a history of expenses and thereafter make adjustments as necessary. Additionally, changes to the chart of accounts take time and are disruptive to the budget and accounting process.

To give more detail than is otherwise exhibited in the budget document with the broad expense line items, City staff has created a more detailed budget memo. This process of obtaining and writing the information contained in this budget was instructive for me as I am becoming oriented to the operations of West Haven City. **Realizing that this budget memo is long, important budget details in this memo have been highlighted in yellow. Also since the last City Council meeting on April 23, 2024, there have been a few amendments made to this memo, with the text appearing with underlines.**

This budget memo has also been prepared to comply with the statutory budget message requirements in Utah Code 10-6-111(2) (b). It is hoped that this budget memo is consistent with one of the strategic priorities outlined in Resolution No. 03-2022 of Champion Fiscal Responsibility of providing a "...prudent, transparent stewardship of public funds to promote resident confidence in government using fiscal policies and practices to maintain, enhance, and invest in our already outstanding quality of life."

Public Hearings. The public hearing and adoption of the Tentative City Budget is scheduled for May 1, 2024. The public hearing and adoption of the Final Budget is scheduled for June 19, 2024.

Notable Items All Funds. Several significant items that are included throughout all the Funds of the Budget are as follows:

- **New Compensation Philosophy and Methodology.** Near the beginning of FY 2024, the City created a Compensation Committee to create job descriptions and recommend a compensation philosophy and methodology. The Committee is comprised of the Mayor, two City Council Members, the City Manager, and two employees. As part of the process, the City engaged Mike Swallow with Personnel Systems, & Services to help in the creation of a Pay Plan.

During meetings, the Compensation Committee has focused on creating a compensation philosophy and methodology that includes the following:

- Pay Plan that includes the minimum pay and a range of pay for each position,
- Each pay range has 18 step scale reflecting increases in pay as illustrated in the table below
- Creating a Step Increase Criteria for each position that defines how employees would be eligible to receive a step increase annually (i.e. merit increase)

The 18-step scale, illustrated below, starts at a 4% increase in step 2, and each step decreases until it ends with a 2.1% increase in steps 17 and 18.

West Haven Employee Salary Range

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
Min								Mid									Max	Range
	4.0%	4.0%	3.5%	3.5%	3.4%	3.2%	3.1%	3.0%	2.9%	2.8%	2.7%	2.6%	2.5%	2.4%	2.2%	2.1%	2.1%	50%

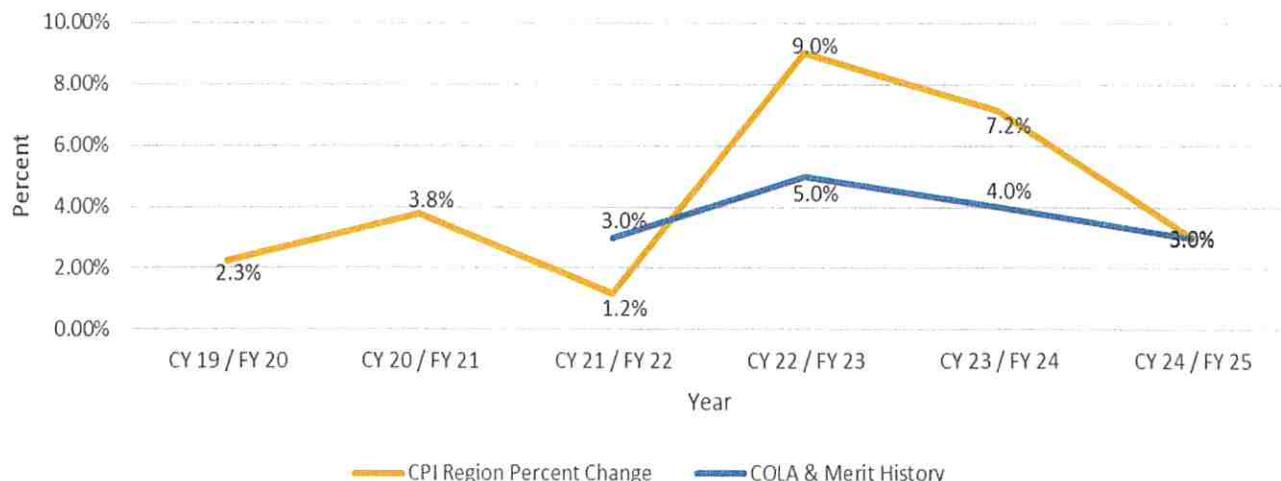
In contemplating the implementation of the compensation philosophy and methodology the Compensation Committee has discussed the following objectives for FY 2025:

- 1st Objective to adjust employees' pay to at least the minimum of their new pay range in FY 2025 (currently 11 of 26 full-time employees are identified as receiving a pay increase with the City implementing this objective) Budget between \$61,000 and \$79,500.
- 2nd Objective is to implement a Cost of Living Adjustment (COLA) increase based upon changes in CPI (all employees will receive a pay increase with the City implementing this objective). More details of the proposed COLA are contained in the section below. Budget \$70,000
- 3rd Objective is to adjust employees' pay to best match the step within their pay range based on their experience and certifications. The budget is currently unknown.
- COLA. The FY 2025 Budget includes a COLA for employee pay. The COLA increases 1) the minimums and maximums of the pay grade; 2) uniformly increases every employee's current wage and other miscellaneous pay; and 3) is meant to offset inflation. COLA is essential because it helps the City stay current with comparable public entities for pay ranges and mitigates the City from falling behind in the market for starting pay, which helps recruit employees. Every employee, regardless of performance, receives COLA adjustments.

In harmony with the policy contained in the City Personnel Manual, the City uses the US Bureau of Labor Statistics Mountain Region Consumer Price Index (CPI) to determine the cost of living adjustments to pay. This CPI shows that inflation has increased by 3% from January 2023 to January 2024.

Below is a chart and table that records what the City has granted these past few years with COLA and Merit Increases compared to January to January CPI percent change.

US Bureau of Labor Statistics Mountain Region Consumer Price Index (CPI) vs West Haven City Cost of Living Adjustment (COLA) and Mert Increase



West Haven City's Recent COLA & Merit Increases

	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Proposed
Cost of Living Adjustments (COLA)	0%	7% for employees less than \$50k 5% for employees above \$50k 3% for employees above \$100k	4%	3%
Merit Increases	2% - 4%		0%	0%
Specific Position Adjustments Based Upon Salary Survey Findings	0%			Varied based on salary survey findings

- *Utah Retirement System.* The City has received the Utah Retirement System's final contribution rates for FY 2025, all of which have dropped from FY 2024 as shown below:

Employee Classification	Contribution Rates FY 2024	Contribution Rates FY 2025
○ Retirement Tier 1	17.97%	16.97%
○ Retirement Tier 2, Hybrid System	16.89%	15.89%
○ Retirement Tier 2, Defined Contribution	16.19	15.19%

- *Eliminating Shared Employees and Additional Staffing.* Currently, the Public Works, Parks, and Sewer Departments have employees that are shared. This arrangement has proven to be difficult for both the employee and supervisor. Generally, employees tend to gravitate towards the work particular to one department, and generally, one department uses the employee more than the other departments. It is also difficult for the employee to know which department they should be working for and for supervisors to know the availability of the employee.

The FY 2025 budget proposes eliminating shared employees, by budgeting an additional .5 of an employee in both the 10-4511 Parks and 10-6111 Sewer line items. It is estimated that the budgetary impacts of these staffing adjustments will be \$83,000, with the WHSSD reimbursing the City approximately \$41,500 as described in more detail in 10-3410 Administrative Services WHSSD.

Public Works FY 2024	Parks FY 2024	WHSSD FY 2024
1- Scott	1- Brock	1- John
1- Duane Freed	1- Garrit	1- Charis
1- Wyatt Z.	1- Michael	1- Nate
.5 Jace	1- Dirk.	.5 Jace
.5 Carter	.5- Carter	1- Christina
4 FTE	1- Vacant FY 24	4.5 FTE
	5.5 FTE	

Public Works	Parks	WHSSD
FY 2025	FY 2025	FY 2025
1- Scott V.	1- Brock	1- John
1- Duane Freed	1- Garrit	1- Charis
1- Vacant	1-Michael	1- Nate
1- Jace	1- Dirk	1- Vacant
4 FTE	1- Carter	1- Christina
	1- Vacant FY 2024	5 FTE
	<u>.5- Proposed FY 2025 ¹</u>	
	6.5 FTE	

Note ¹: As described in line 10-4511 *Part-Time Employee (Maintenance 1)* an additional .5 FTE is being proposed in conjunction with the additional park acreage and amenities that the City will be maintaining.

- **Flex Spending Accounts (FSA).** It is proposed that West Haven City provides employees receiving medical insurance a flex spending account (FSA), which is a type of savings account that provides employees with specific tax advantages. An FSA is established by an employer for employees. One of the key benefits of a flexible spending account is that employee's contributions to the FSA are deducted from their earnings before taxes, lowering their taxable income. As a result, regular contributions to an FSA can reduce an employee's annual tax liability. The City also saves money by not paying taxes on the portion of payroll that employees set into their accounts. Flex spending accounts function in summary as follows.

At the beginning of the year, employees declare how much money they want set aside from their paychecks each pay period. At the beginning of the year, the total amount of funds declared by the employee is available to be spent by the employee even though the City has not collected these funds from the employee's paycheck. As employees incur medical expenses they can pull from the account to pay for the costs.

There is some risk to the City in that employees have access to all the funds at the beginning of the year. If the employee quits work the City would lose the amount that employees may have spent ahead of collecting from their paycheck.

The IRS limits how much can be contributed to an FSA each year. For medical expense FSA accounts, the annual contribution limit is \$3,200 for 2024. The Funds have a "use it or lose it" provision. Generally, employees must use the money in an FSA within the plan year but the City may offer one of two options: a "grace period" of up to 2 1/2 more months to use the money in your FSA, or let you carry over up to \$610 from 2023 into 2024, and \$640 from 2024 into 2025.

The cost associated with having a third-party administrator oversee the flexible spending accounts is \$33.72 annually for employees who elect to participate in this program. Budget \$33.72 for participating employees.

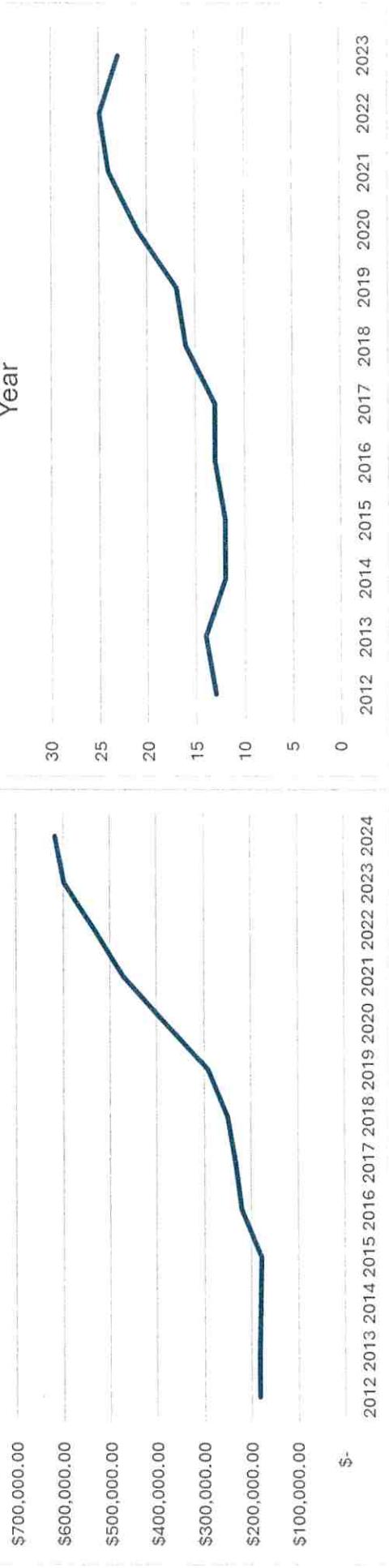
- **Health Insurance.** For FY 2025, the City originally received a 4.2% increase in the insurance premiums from the Public Employee Health Insurance Plan (PEHP) the City's current health insurance provider. The 4.2% increase equaled estimated annual premiums of \$623,489, an increase annually of \$25,131 above the premiums paid in FY 2024. Encore Benefits, the City's insurance broker received other quotes from insurance carriers and was able to renegotiate a reduction in renewal quote from PEHP equal to a 3.2% increase, which equaled estimated annual premiums of \$617,505, an increase annually of \$19,147 above the premiums paid in FY 2024. It is worth noting that West Haven City's insurance premium renewal is based upon the collective performance of the small group insurance pool, and not on the City's specific claim history during FY 2024.

Below is a chart and table that records the increased costs and the increase in the number of employees receiving health insurance benefits. The number of employees receiving health insurance is attributed to increased staffing.

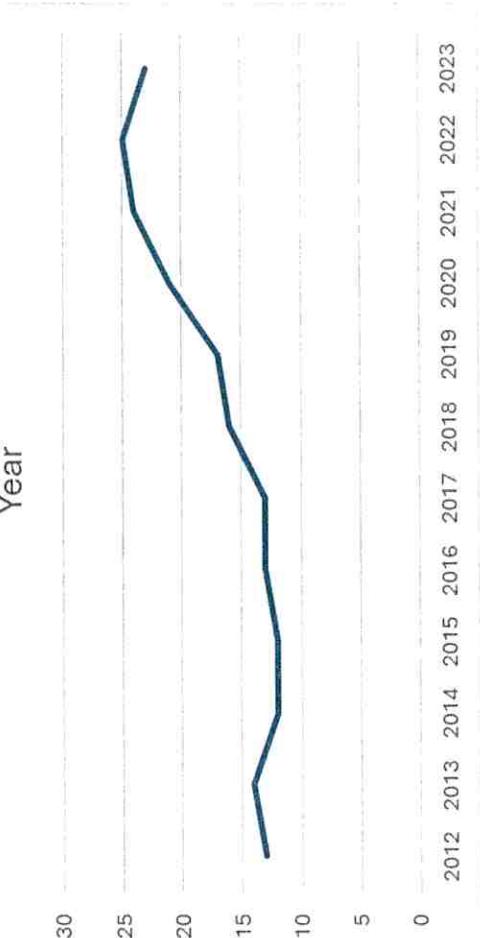
West Haven City Medical Insurance Renewal History

Plan Year	Carrier	Percentage Increase/Decrease	Annual Premium	Rebates	Enrolled	Notes	Average Enrolled	Plan Year Enrolled
2012	PEHP		\$ 181,651.46	\$ 13,728.00	13	Advantage - opt 1, Summit Opt 1 - started with Encore	13	13
2013	PEHP		\$ 182,221.18		13	stayed same plans - no changes	13	14
2014	PEHP	0.5% decrease	\$ 180,939.77	\$ 1,725.00	13	stayed same plans - no changes	13	12
2015	PEHP	3.5% increase	\$ 177,594.48	\$ 1,928.00	12	stayed same plans - no changes	12	12
2016	PEHP	9% increase	\$ 221,302.35	\$ 6,154.00	15	stayed same plans - no changes	13	13
2017	PEHP	9% increase	\$ 233,929.98	\$ 3,890.00	15	switched network to summit exclusive	13	13
2018	PEHP	2.1% increase	\$ 249,584.08	\$ 10,024.00	16	stayed same plans - no changes	15	16
2019	PEHP	4% increase	\$ 292,994.57	\$ 8,145.00	15	stayed same plans - no changes	17	17
2020	PEHP	4.8% increase	\$ 383,921.85	\$ 6,942.00	21	stayed same plans - no changes	21	21
2021	PEHP	5.4% increase	\$ 471,436.55	\$ 7,694.00	23	stayed same plans - no changes	23	24
2022	PEHP	5.8% increase	\$ 535,161.74	\$ 11,083.00	25	stayed same plans - no changes	25	25
2023	PEHP	2.5% increase	\$ 598,358.16		22	stayed same plans - no changes	23	
2024	PEHP	3.2% Increase	\$ 617,505.62		22			

West Haven City Annual Medical Premium



Final Month of Employees Enrolled for Plan Year



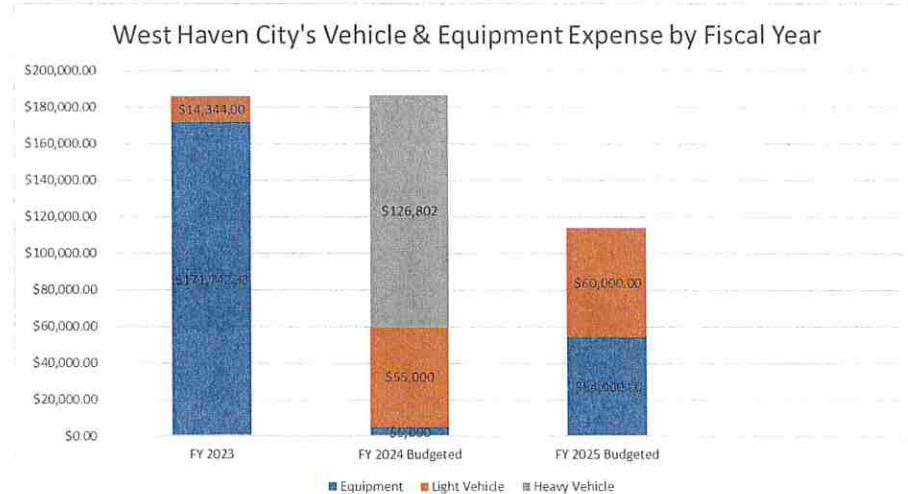
- **Equipment & Vehicle Replacement.** In FY 2025 for all Funds combined, it is estimated that the City will spend \$3,615,205.65 in employee costs, which represents the City's primary investment in providing services to its residents. A secondary investment that is needed in providing services to residents is equipping employees with the equipment and tools needed to perform their job duties. The upfront cost to provide employees with the proper equipment and tools is an expensive investment, but this investment is likely to be offset by the following outcomes:

- **Enhancing productivity.** Having the right equipment enables City employees to work more efficiently and accomplish more in less time, leading to increased productivity.
- **Better Quality Work.** Investing in the right equipment ensures that the result of City employee's work is of higher quality.
- **Workplace Safety.** Using the appropriate equipment reduces the risk of accidents and injuries of City employees.

West Haven City plans for the purchase of equipment and vehicles by accumulating financial resources in the General Fund's and Capital Projects' fund balances, and the Storm Water Fund's reserves.

Below is a chart showing actual expenses for contractor equipment (e.g. mini ex, bobcat), light vehicles (passenger vehicles), and heavy vehicles (dump trucks, vac trucks) from all funds in FY 2024 and the budgeted expenses for all Funds in FY 2025 for equipment and vehicles. For more details about the equipment and vehicles that are proposed for FY 2025, see the sections with the following headings:

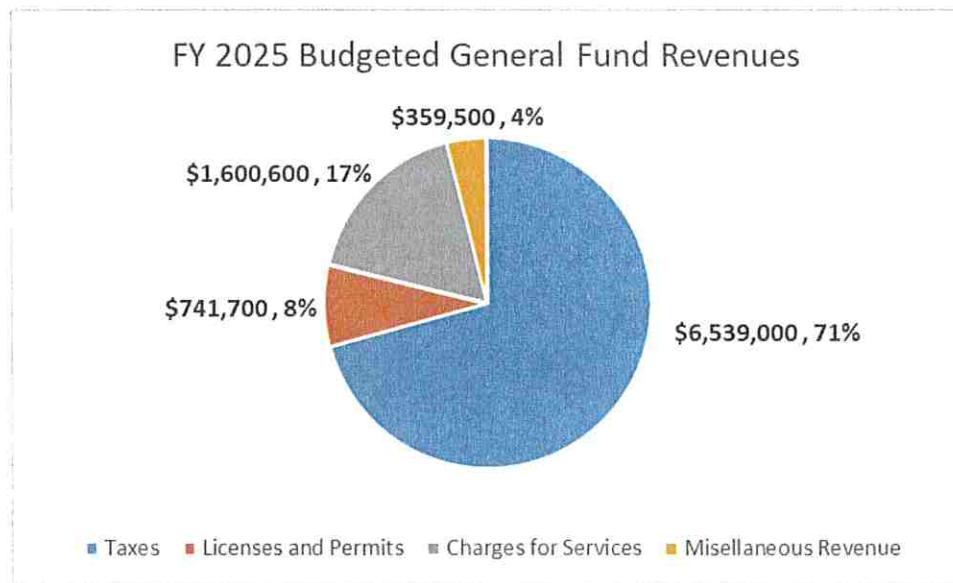
○ 10-4575 Parks Capital Outlay (Ferris Mower Trade)	\$14,000
○ 10-4740 Materials and Supplies (Recreation Vehicle).	\$50,000
○ 10-6050 Vehicle Maintenance (Truck Bed Replacement).	\$10,000
○ 10-6075 Capital Outlay- Equipment (Line Laser Airless Line Sprayer).	\$40,000
	Budget Total: \$114,000



10 - General Fund.

Preface. Activities of local government that benefit the City as a whole are to be included in the general fund. This Fund is the primary operating budget and addresses the planning and financing of the City's day-to-day activities.

Revenues. West Haven City's General Fund is comprised of four categories of revenue, which include Taxes, Licenses & Permits, Charges for Services, and Miscellaneous Revenues. Within each category, there are a variety of revenues, which are summarized in the chart below and the narratives that follow.



Tax – Revenues.

10-3130 General Sales & Use Tax. With the adoption of Ordinance No. 03-1991 West Haven City levied the 1% Local Sales & Use Tax on goods sold within the community (Utah Code 59-12-203). The general sales and use taxes are imposed upon the sale or consumption of goods and/or services and paid by the general public as an addition to the sale price of retail purchases.

The General Sales & Use Tax does not have any restrictions associated with this revenue source and as such it may be used for any general governmental purpose; however, Utah Code 59-12-202 (1), declares the State Legislature's purpose and intent of sales tax as codified in which states:

It is the purpose of this part to provide the counties, cities, and towns of the state with an added source of revenue and to thereby assist them in meeting their growing financial needs. It is the legislative intent that this added revenue be used to the greatest possible extent by the counties, cities, and towns to finance their capital outlay requirements and to service their bonded indebtedness.

As noted in The general sales and use tax are collected by retailers and online retailers, respectively for products sold or shipped within West Haven incorporated limits. The retailer who collects the tax then remits these monies to the State Tax Commission which distributes the general sales and use tax to the city or town based on a formula. Currently, 50% of the tax is distributed to the entity in which the tax was collected, and 50% percent is pooled and distributed to cities and towns statewide based on the relative population of the city or town.

It should be noted that before the State Tax Commission distributes sales tax to West Haven City certain deductions are applied including administrative fees retained by the State Tax Commission and a percentage that goes to emergency food agencies (food pantries). Additionally, since January 2019, there has been a deduction of 1.8% (of the population share) that goes to homeless shelters in the state. This amount is determined once per year on the prior year's sales tax and divided equally among the next twelve months. So that deduction will remain the same for twelve months at a time. The deduction is limited to \$200,000 per year per locality.

General Sales and use tax rates vary from one location to another depending on which taxes are imposed, and West Haven City's combined sales tax rate is 7.25% (as of January 1, 2024) and is comprised of the following different tax sales tax rates.

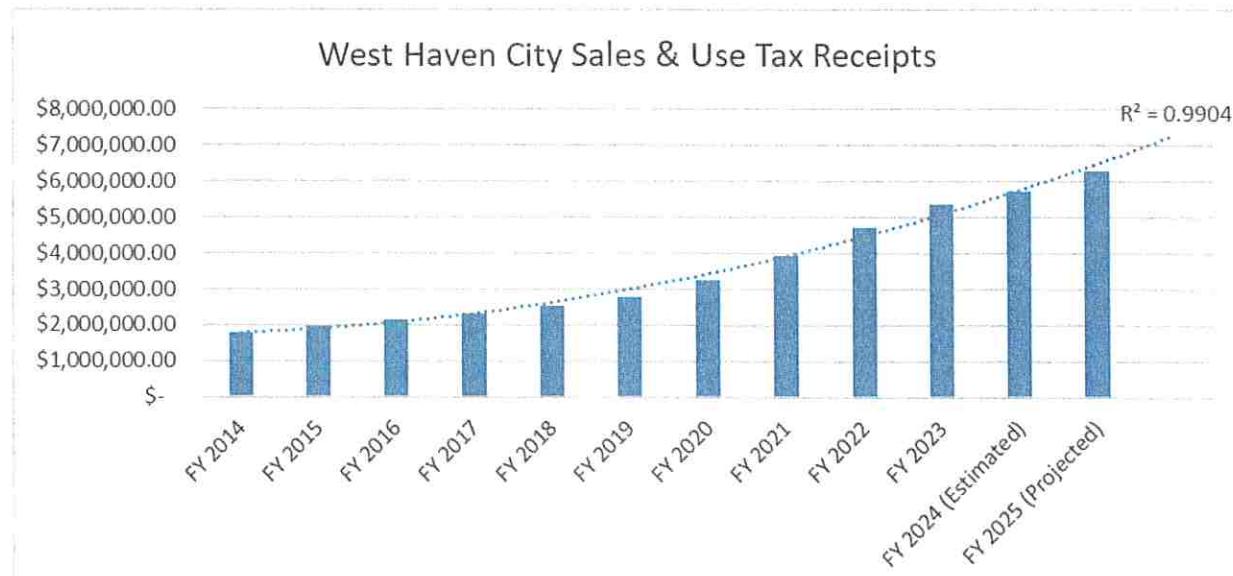
Tax Rate	Description	WHC %	WHC FY 2025 Estimated Revenue
○ 4.85%	State Sales & Use Tax		
○ 1.00%	Local Sales & Use Tax	1.00%	\$6,286,800
○ 0.25%	County Option Sales Tax		
○ 0.25%	Mass Transit Tax		
○ 0.25%	Additional Mass Transit Tax		
○ 0.25%	County Option Transportation Tax		\$6,602,300 WACOG Grants ¹
○ 0.25%	Transportation Infrastructure Tax	0.10%	\$626,500
○ 0.05%	Supplemental State Sales & Use Tax		
○ <u>0.10%</u>	Botanical, Cultural, Zoo Tax (RAMP Tax)		\$238,700 (\$16.7k Municipal Grant & \$222k)
○ 7.25% Combined Sales Tax Rate			\$13,127,800

Note ¹: Weber County, through WACOG grants for transportation has committed to provide West Haven City approximately \$15.6 million over the next several years. For more information please see the narrative in the Capital Projects Fund.

This revenue stream can vary yearly based on sales tax collected locally and throughout Utah although in the recent past sales tax revenue has been steadily increasing as shown in the bar graph entitled "West Haven City's Sales & Use Tax Receipts." The most recent sales tax receipts show that as of March of FY 2024, the City is 14% ahead of the last fiscal. One explanation for this growth in sales tax may be attributed to population growth in West Haven City and inflationary increases in the price of goods.

Below is a chart, entitled "West Haven City's Sales & Use Tax Receipts," which shows past fiscal years' sales and use tax revenue (unaudited), and an estimate of future years' sales tax based on a linear trend line. Fiscal Year 2024 was estimated using the actual tax receipts from July 1, 2023, to February 29, 2024. For the remainder of the sales tax receipts for FY 2024, namely the months of March through June, the City estimated receiving the same monthly sales tax that it did in FY 2023. This approach to estimating FY 2024 showed a 7% increase in sales and use tax received in FY 2024 compared to FY 2023. To project the sales and use tax in FY 2025, the annual percent change estimated in FY 2024 (7%) and annual percent change in FY 2023 (13%), were averaged to project that sales tax receipts would be 10% higher than in FY 2024. More specifically, West Haven City is projecting that sales and use tax received in FY 2025 will be \$6,286,864.

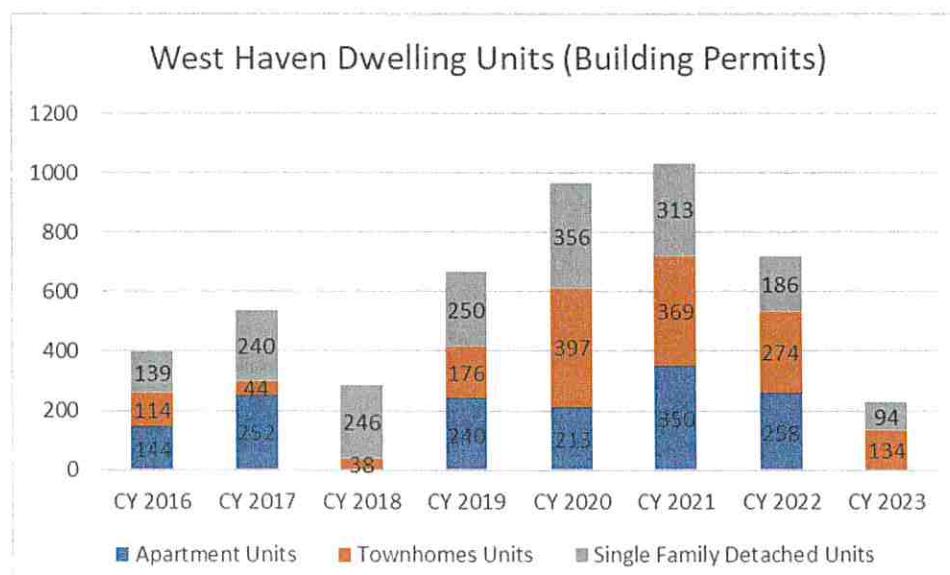
Additionally, the chart shows a dashed trend line, projecting future receipt of Sales & Use Tax. This trend line includes an R² that shows how well the trend line fits the historical data set. More specifically, the R² values range from 0 to 1, with the higher number representing the better fit of the trend line to the data. Using the trend line confirmed that the City's projected sales and use tax of \$6,286,864, was appropriate.



- **10-3140 Franchise Tax.** Comcast pays West Haven City between \$27,000 to \$28,000 quarterly. The franchise tax is imposed upon privately owned utilities that have been given a franchise to operate in the governmental entity, using the governmental unit's property for standards, wiring, underground pipes, etc. Budget \$108,000.
- **10-3191 Telecommunication Tax.** The state authorizes cities to collect a Municipal Telecommunications License Tax on both landline and cell phones. More specifically, Utah Code 10-1-403 allows a municipality to levy a tax rate of 3.5% of the telecommunications provider's gross receipts from telecommunications services that are attributed to the municipality. Budget \$55,000.
- **10-3192 Municipality Grant.** As noted in the section on Sales Tax above, Weber County residents have approved the optional sales tax of 0.10% Botanical, Cultural, and Zoo Tax commonly referred to as the RAMP Tax in Weber County. The County receives one penny for every dollar spent, to fund new and existing facilities for recreation, arts, museums, and parks. Most of the RAMP Funding is distributed to eligible entities through a competitive grant application process, facilitated by Weber County. However, this revenue line items Weber County distributes RAMP taxes to cities within the County based on the 2020 census, each city receives one dollar per citizen, with a minimum of \$5,000. West Haven City's 2020 census population was 16,739 and as such the City receives \$16,739 based on this formula. Budget \$16,700.
- **10-3193 Transient Room Tax.** Utah Code Annotated 59-12-301 enables cities to impose a transient room tax (TRT) not to exceed 1% on charges for the rental of temporary lodging at hotels, motels, inns, trailer courts, campgrounds, tourist homes, and similar accommodations for stays of less than 30 consecutive days. With the adoption of Ordinance No. 03-2009, West Haven City imposed 1% TRT which is charged in addition to sales tax and other applicable taxes. TRT is collected by the Utah State Tax Commission and remitted to the City. The Municipal Transient Room Tax can be used for any general governmental purpose. Budget \$72,500.

License & Permit Revenues.

- **10-3210 Business License Fees.** Utah Code 10-1-203 allows a municipality to license a business to regulate that business within the limits of the municipality and to impose fees on businesses. It is estimated that the City will receive \$120,000 based on the actuals of business license fees in FY 2024. This budget contemplates performing a comprehensive business license study as described in **10-4333 Outside Services (Comprehensive Business License Study)**. If this business license fee study is completed, the new fees would likely not take effect until FY 2026. Budget \$120,000.
- **10-3220 Miscellaneous Building Permit Fees & 10-3221 Building Permits.** From the calendar year 2016 through 2023, West Haven City has experienced an average 603 units increase annually. However, in the calendar year 2023, the City experienced a noticeable decrease from this average in dwelling units constructed with only 228 units constructed (134 townhome units and 94 single-family detached units).



City staff believes it prudent to estimate growth-related revenue, such as building permits, conservatively due to variables such as interest rates, local economy, and cost of materials supplies. All revenue estimates associated with building permits are derived from the 94 single-family detached building permits and 134 townhome building permits, which were the same number of units constructed during the calendar year 2023.

Building-related revenue is divided into two revenue line items, with 10-3220 Miscellaneous Building Permit Fees accounting for the Plan Review Fee and the State of Utah Fee. Below is a chart that shows the estimated revenue associated with each revenue line account based upon there being 134 townhome units and 94 single-family detached units being constructed.

	134 Units of Townhomes	94 Units of Single Family	Totals
Plan Review Fee Per Unit	\$ 43,201.68	\$ 60,513.52	\$ 103,715.20
State Fee Per Unit	\$ 2,073.70	\$ 3,025.66	\$ 5,099.36
10-3220 Miscellaneous Building Permit Fees			\$ 108,814.56
Building Fee Per Unit	\$ 207,368.77	\$ 302,567.28	\$ 509,936.05
10-3221 Building Permits			\$ 509,936.05

Budget \$108,800 in 10-3220 Miscellaneous Building Permit Fees and \$509,900 in 10-3221 Building Permits.

Intergovernmental Revenues- Revenues

10-3345 Local Grants. In FY 2024 the City budgeted \$55,000 in local grants. From reviewing the actuals in FY 2023, it seems that local grants received during that fiscal year were small in number and amount. It is well to not budget grants until after they are received or awarded, except when it is known that the City will receive an annual amount such as the Municipal Grant (RAMP). Budget \$0.00.

Charge for Services – Revenues.

- 10-3410 Administrative Services WHSSD. In September of 1999, West Haven City and the West Haven Special Service District entered into an Interlocal Agreement to provide reimbursement to West Haven City for costs incurred by the City associated with providing administrative services to the West Haven Special Sewer District.

The administrative services listed within the 1999 Interlocal Agreement for reimbursement generally included, but were not limited to, space, utilities, personnel, etc. Within the Interlocal Agreement was to be a detailed list of administrative services that the WHSSD would reimburse West Haven City entitled Attachment "A" of the Interlocal Agreement. However, Attachment "A" of the Interlocal Agreement appears that it was never completed because it lacks the detailed administrative services to be reimbursed. In addition to the shortcomings of Attachment "A", the term of this Interlocal Agreement expired on June 30, 2004.

The City Staff is working to prepare a new Interlocal Agreement for the City Council and District Board to consider. More specifically, the City Attorney has a draft of an Interlocal Agreement and the City Treasurer has prepared a draft Attachment "A" that details the administrative services shown as a percentage that the District would reimburse the City.

LINE ITEM NO.	DESCRIPTION	ALLOCATION %
10-61XX	SEWER SUPERVISOR ASSISTANT	100%
10-61XX	SEWER MAINTENANCE TECH	100%
10-61XX	UTILITY CLERK	100%
10-61XX	WHSSD RECORDER	100%
10-61XX	SEWER SUPERVISOR	100%
10-4311	CITY MANAGER	5%
VARIOUS	ENGINEER	50%
10-4332	ATTORNEY	5%
10-5135	WORKERS COMPENSATION FUND	10%
10-5145	TELEPHONE	10%
10-5150	INSURANCE	10%
10-4390	EDUCATION - COMMUNITY PROMOTION	10%
10-5170	MAINTENANCE	10%
10-5211	JANITOR WAGES	10%

10-5213	JANITOR TAXES	10%
10-5175	UTILITIES	10%
	BILLING/CUSTOMER SERVICE	(20)%

As noted above a significant percentage of the administrative reimbursement expense is attributed to staff expense. As noted elsewhere in the memo, the City is working on creating a Pay Plan, early versions of this Plan show that some of the employees who provide administrative services to the District will receive a pay increase. Additionally, as described elsewhere in this memo the City is proposing eliminating shared employees by budgeting additional funds. In the Sewer departmental expense account, it is proposed that there be an increase of .5 of an employee to eliminate sharing an employee with the Public Works Department. Budget \$613,000.

It should be noted that this updated Interlocal Agreement should also detail reimbursement that West Haven City needs to provide WHSSD for providing billing services to the City for both the storm water utility (Fund 51) and sanitation services, i.e. curbside collection of residential garbage (Fund 10). More specifically, the WHSSD billing services include the following sending utility bills, entering utility payments, coordinating new utility accounts, and overseeing collections and bankruptcies.

- 10-3471 *Heritage Days*. From reviewing the actuals in FY 2023, it seems that Heritage Days revenue is attributed to sponsors' donations, dinner and breakfast fees, and fees for vendors' booths. This revenue line item seems to be rather constant. Budget \$55,000.
- 10-3475 *Recreation Fees*. The City intends to balance cost recovery when setting the recreation participation fees while keeping program fees affordable to encourage/allow participation in these programs. Recreation participant fees generally pay for the direct expense of programs. Specifically, the participation fees cover such costs as referees, uniforms, and equipment, etc. However, the participant fees do not cover indirect costs such as salaries and benefits of the Recreation Coordinators, administrative supplies, utilities, overhead, etc.

With fluctuating costs, it is recommended that the City's fee schedule not identify the specific cost for participation fees, but rather include language such as "The Recreation Director is authorized to determine and charge the cost of participant fees based on the estimated actual direct costs per estimated participant numbers." In this way, recreation fees are more likely to stay current. Budget \$125,000.

- 10-3477 *Recreation Fee Waivers*. This is a new contra-revenue line item that proposes that the City Council authorizes Recreation Fee Waivers that would allow otherwise underserved youth to participate in recreational activities provided by the City. This Recreation Fee Waiver program would not be advertised but would allow the City staff not to turn youth away from participating in recreational programs.

From a budgetary perspective, this recreation fee waiver program is accomplished through this contra-revenue account. More specifically, this line item will have a negative amount in the line item which reduces the amount of revenue otherwise earned by the City for Recreation Fees. Budgeting a contra-revenue amount provides the City Council with an accounting of the amount of waivers that are being granted by City staff during a year. The nominal amount of budgeting \$500 in waivers is being proposed. Budget (\$500).

- 10-3485 *Sanitation Services*. The City contracts with Waste Management of Utah, a national company that has a regional office in West Haven, to provide residential curbside solid waste collection.

Since the City first required consolidated curbside collection in 2021 the fee charged to residents for services has been \$11.73 for each first garbage container and \$7.48 for each additional garbage container. As of February 2024, the City had 4,304 first garbage containers and 1,899 additional garbage containers. The City anticipates receiving \$605,831 in revenue for the first garbage and \$170,454 in revenue for the additional garbage cans, totaling \$776,285 in revenue for FY 2025. It should be noted that there is a corresponding expense line item in 10-6037 *Sanitation Services*. Budget \$776,285.

Miscellaneous – Revenues.

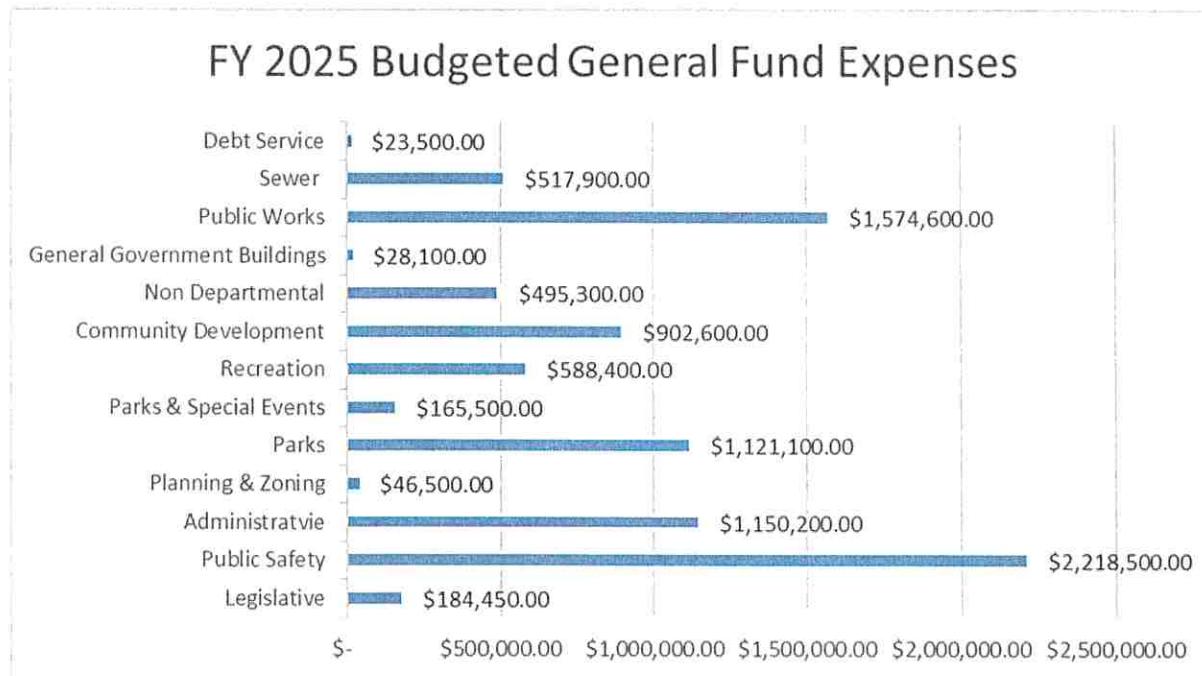
- 10-3605 *Court Fines and Forfeitures*. The Justice Court is the City's judicial system to administer justice pertaining to class B and C misdemeanors, small claim cases, and violations of West Haven City's ordinances within the City's incorporated limits.

The Justice Court Judge is required to use the Uniform Fine/Bail Forfeiture Schedule prepared by the Utah Administrative Office of the Courts (a state agency) for violations of state laws for which an individual is cited. If an individual is cited for breaking a municipal ordinance the Justice Court Judge uses the City's Consolidated Bail Schedule following UCA 10-3-703 which allows cities to impose fines for violating municipal ordinances.

With courts being the judicious branch of government, their mission is to provide the people with an open, fair, efficient, and independent system for the advancement of justice under the law. Court fines and forfeitures are not meant to be a cost recovery for operating a court, and the imposition of fines and forfeitures is a means of dealing with justice. As such the City should not try to compare fines and forfeitures (revenue) with the expenses associated with operating the Justice Court. Rather, the Justice Court should be considered an essential governmental service that the City provides to the public. Budget \$160,000.

- **10-3610 Interest Earnings.** West Haven City invests the General Fund's fund balance in the State of Utah Public Treasurer Investment Fund (PTIF). The PTIF accrues interest, and from FY 2021- FY 2024, the average interest rate paid by the PTIF was 4.5%. Using the 4.5% interest rate, the City Treasurer estimated the amount of money that was attributed to the General Fund that would be invested in the PTIF and estimated that interest earnings for FY 2025 would be approximately \$133,500. Budget \$133,500.
- **10-36-40 Sale of Fixed Assets.** It has been a strategy to trade in relatively new vehicles with less than 10,000 miles to a dealership and receive a new vehicle without any or little out-of-pocket expense. This strategy has worked because the City purchases vehicles under the State Purchase Contract, and as such gets new vehicles lower than market rates. The Parks & Recreation Director would like to purchase a new vehicle anticipating that there is little to no out-of-pocket expense to the City. Currently, the trade-in values at the dealership are lower than in the recent past, so the Parks and Recreation Truck would need to be sold on the open market. The Parks and Recreation Director would use a government surplus website and set the minimum bid at the amount close to the City's replacement costs for a new truck. If bid proceeds exceed or are close to the City's cost for a new truck then the City would sell the existing truck and purchase a new truck. There is a corresponding expense line item in 10-4575 Parks Capital Outlay. Budget \$46,000.

Expenses - Departmental Accounts. West Haven City's General Fund uses departmental expense accounts to budget expenses which are summarized in the chart below and the narratives that follow.



10-41 Legislative. The Mayor and City Council are the governing body of West Haven City and have the ultimate responsibility for overseeing the affairs of the City by making laws and policies within West Haven City. The City Council also reviews and adopts the annual operating and capital improvement budgets; enters into contracts, sets fees and rates, and adopts plans and policies. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- **10-4116 City Council Projects (Resident Survey).** The City commissioned Y2 Analytics to perform a Resident Survey in 2021. Invitations for residents to participate were sent via email and postcards. Nearly 600 households participated in the survey which provided a statistical representation of the City as a whole with a margin of error of +- 4.0 percentage points.

In the survey, residents were asked questions regarding current and future City services, satisfaction with the direction of the City, the effectiveness of law enforcement efforts, community priorities, and other important issues for the future. The survey provided a method for gauging general views of the City from its residents and provided an important reference point for elected officials and staff. At the February 15, 2024, budget retreat it was suggested that another survey perform during this budget year. Budget \$15,000.

10-4116 City Council Projects (Contingency Funds). This line item contains \$20,000 as a contingency to carry out any special projects that the City Council identifies or requests during FY 2025. Budget \$20,000.

10-42 Public Safety. The Public Safety Department is comprised of several different divisions that are responsible for enhancing public safety within West Haven City. Specifically, Law Enforcement, Crossing Guards, Emergency Management, and Animal Control are all funded from this departmental expense account. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

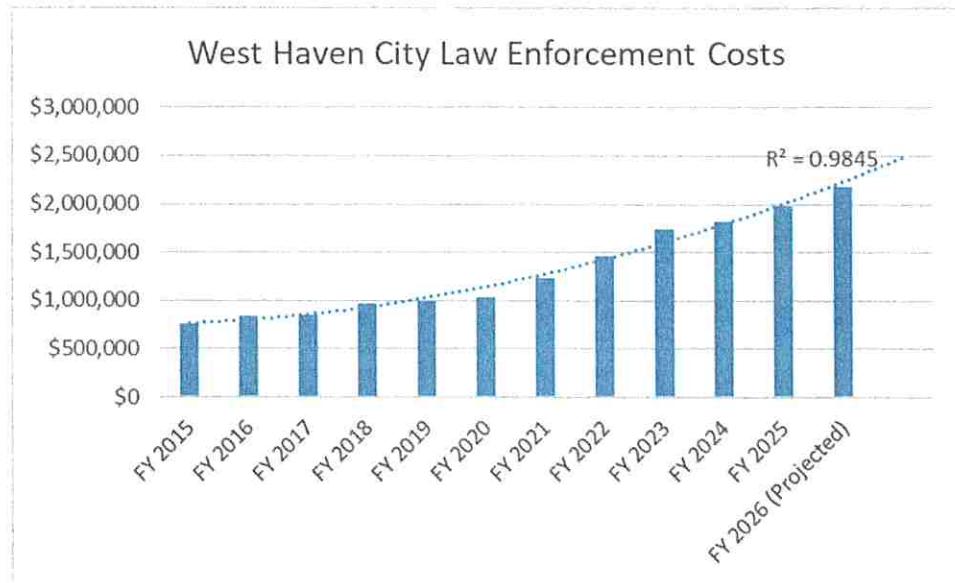
- **10-4210 Police Department.** Two expenses comprise the Police Department line item which includes the law enforcement contract with Weber County and the Flock Camera System. These two expenses enhance the public's safety by enforcing the law, and preventing, detecting, and investigating criminal activities.
 - **Law Enforcement Contract with Weber County.** West Haven City Council adopted Resolution No. 06-2022 approving an Interlocal Agreement for Law Enforcement Services with Weber County. Through this Interlocal Agreement, the City authorizes the County to investigate and enforce the State laws and City ordinances and conduct traffic enforcement, felony, and misdemeanor investigations, follow-up investigations, and other services. The term of this Agreement started on July 1, 2022, and continues through June 30, 2027. West Haven City can request to extend the contract for another five years by making such a request to the County Commissioners by March 31, 2027.

There is a funding formula associated with the Interlocal Agreement in which the City pays Weber County for law enforcement services which is adjusted each year based on the County's cost of operation. The costs of these operations are apportioned to the entities participating in this interlocal agreement on a formula that is based on 40% population and 60% of calls for services and is adjusted annually based on these factors. A chart below entitled "West Haven City Law Enforcement Costs" shows the annual increases that have occurred over time associated with West Haven City's growth in crime and calls for service.

The City does receive a reduction in the payment based upon receiving a credit associated with West Haven City's liquor allotment being directed to Weber County Sheriff's Office. Specifically, West Haven City is entitled to receive State Liquor Allotment to prevent, detect, or prosecute alcohol-related offenses. These funds are distributed to cities based on a formula that includes the following factors: population, convictions for alcohol-related offenses, number of state liquor stores, package agencies, liquor licenses in the jurisdiction, etc. With the Sheriff's Office receiving the City's liquor allotment the City's annual bill for law enforcement is reduced equal to the State Liquor Allotment amount which for West Haven is approximately \$20,700.

Below is a chart, entitled "West Haven City Law Enforcement Costs," which shows past fiscal years' costs paid to the Weber County Sheriff's Office, and a projected year cost based on a trend line. To project the law enforcement costs for FY 2026, the average annual percent change from FY 2015 to FY 2025, was averaged to project that cost would be 10% higher than in FY 2025. For FY 2026 West Haven City is projecting that its law enforcement costs paid to the County will be \$2,182,174.50.

For FY 2025 the Weber County Sheriff's Office has informed the City that the law enforcement costs will be \$1,983,795 which represents an 8.69% increase (\$158,636) over FY 2024 costs. Budget \$1,983,800.



- **Flock Cameras.** West Haven City and some of its neighboring cities (Ogden PD and Roy PD) have adopted a Flock Camera System to assist with solving and preventing crime. More specifically, West Haven City has deployed five (5) flock cameras at strategic locations within the City. The second set of five (5) cameras was approved by West Haven City Council several months ago and is in the process of being deployed.

Flock Cameras are owned and maintained by Flock with West Haven City being charged an annual service fee per camera. Specifically, the \$3,000 per year camera includes maintenance of hardware defects (not if the cameras are stolen or subject to vandalism), cloud storage, and cellular LTE (i.e. wireless service for the cameras.) The invoice for the initial 5 cameras, occurs in January in a given fiscal year, with the second set of cameras expected to be invoiced in the May or June timeframe. Budget \$30,000

- **10-4211 Crossing Guard (New Crossing Guard 5100 East 3300 South).** Crossing Guards assist children crossing the street, on their way to and from school at the following locations: 3500 West 4300 South; 4400 South 4100 West; 3500 West 2900 South; 4800 South 4700 West; 3500 West 4300 South; and 3900 West 4350 South. Each crossing guard receives 3 hours per day. In conversation with the Weber County School District, it is proposed that an additional school crossing guard be added to the intersection of 5100 West 3300 South for the new Haven Bay Elementary School. Budget Increase of \$7,000.
- **10-4253 Animal Control (Animal Control & Animal Shelter).** West Haven City Council adopted Resolution No. 08-2019 approving an Interlocal Agreement for Animal Control and Animal Sheltering services with Weber County. Through this Interlocal Agreement, the City authorizes the County to enforce the City's Animal Control Ordinance by issuing licenses, picking up stray animals, issuing citations, and collecting. The term of this Agreement started in July 2019, and continues through and including July 1, 2024. The agreement may be extended on a year-to-year basis for periods after July 1, 2024.

There is a funding formula associated with the Interlocal Agreement in which the City pays Weber County for Animal Control and Animal Sheltering Services which is adjusted each year based on the County's cost of operation. The costs of these operations are apportioned to the entities participating in this interlocal agreement based upon a formula based on population and utilization of animal control services. Below is a chart, entitled "West Haven City Animal Services Costs," which shows the annual increases that have occurred over time associated with West Haven City's growth in crime and calls for service.

In addition to paying a service fee based upon the aforementioned formula, the City agrees that all funds collected for dog licenses, pick-up charges, and other charges collected from animal owners under the City Animal Control Ordinance, except fines levied or imposed by any Court where the action is commenced by the City, will be paid to and retained by the County.

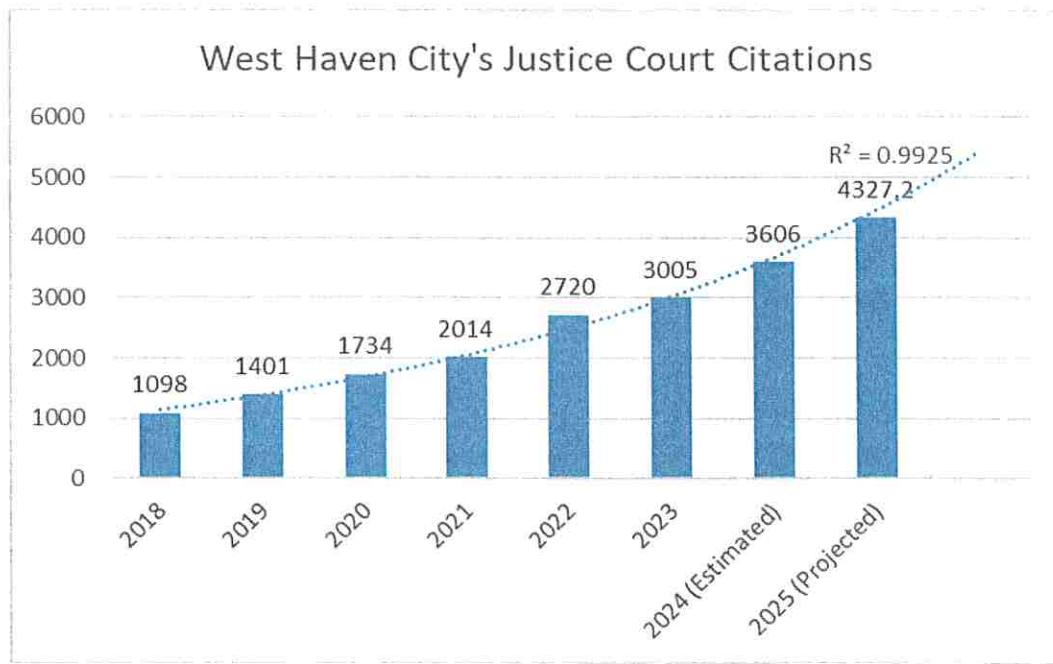
Below is a chart, entitled "West Haven City Animal Services Costs," which shows past fiscal years' costs paid to the Weber County Sheriff's Office, and a projected year cost based on a trend line. To project the animal control cost for FY 2026, the average annual percent change from FY 2021 to FY 2025, was averaged to project that cost would be 10% higher than in FY 2025. More specifically, West Haven City is projected to pay \$130,000 in FY 2026.

For FY 2025 the Weber County Sheriff's Office has informed the City that the Animal Control and Shelter costs will be \$118,700. Budget \$118,700.



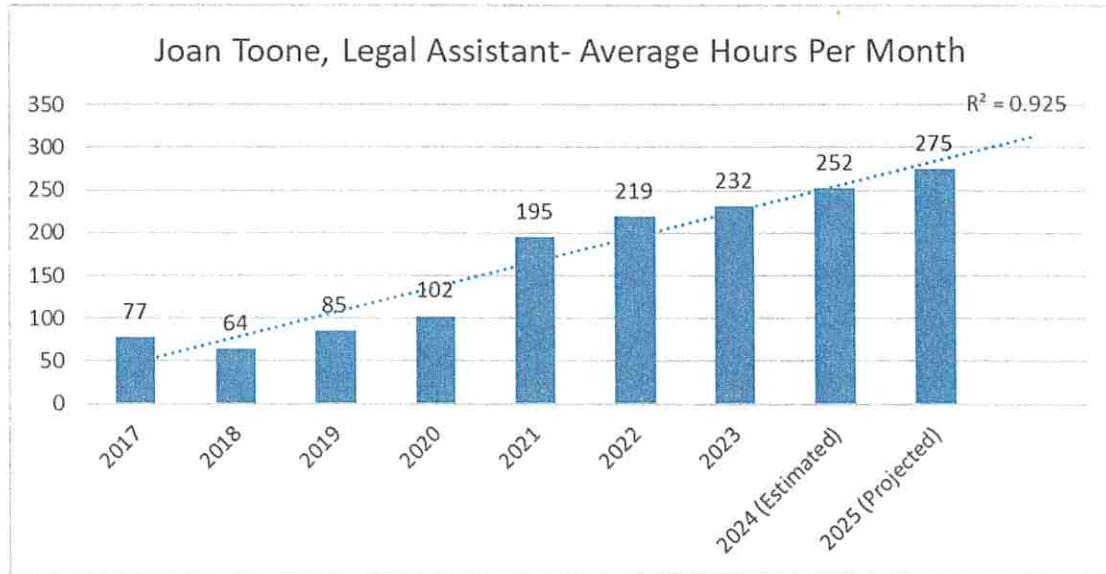
10-43 Administrative. The Administrative Department is comprised of several different positions given the responsibility of managing the day-to-day affairs of the City. Additionally, the Administrative Department carries out the decision of the City Council or otherwise supports the Mayor and City Council in the discharge of their duties. Specifically, the positions comprised in the Department include the City Manager, City Recorder, City Attorney, and City Treasurer. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- 10-4332 Attorney
 - *(City Attorney -Amy Hugie Contract).* The City contracts with the law firm of Amy F. Hugie, Attorney at Law to provide both civil and criminal legal services. The City Attorney represents the City in all civil legal issues. To this end the City Attorney as requested prepares or reviews all contracts, ordinances, resolutions, litigation, and other documents and provides the City Council and staff legal advice in compliance with applicable laws. The City Attorney assumes the responsibility of taking care of legal questions arising in the general conduct of City business including defending the City and City officials in civil proceedings. Amy Hugie also provides the prosecuting service for the City in connection with the West Haven City cases prosecuted in the Roy/Weber County Justice Court. Utah Code Annotated (UCA) 10-3-928 describes the duties of the City Attorney. For all this work performed by the City Attorney, the City has a flat fee contract that pays \$100,000 annually. Budget \$100,000.
 - *10-4332 Attorney (Legal Assistant -Joan Toone Contract).* There is a steady increase year over year in the citations processed through the Roy/Weber Justice Court. West Haven and Roy now have 40% of the citations that comprise the Roy/Weber County Justice Court with 3,005 and 2,984 citations respectively. The graph below entitled "West Haven City's Justice Court Citations" shows the steady increase in citations. There is a trend line used to project future citations based on the citations realized in years past. This steady increase in citations is significant as it impacts the workload of the City Attorney, City's Legal Assistant, and City Public defender when processing these citations through the Justice Court System.



The increase in citations is affecting the City's Legal Assistant Joan Toone. In July 2022, the City entered into a contract with Joan Toone with the adoption of Resolution No. 20-2022. The Legal Assistant provides all the legal assistance services for the City Attorney regarding the City Attorney's responsibilities in prosecuting criminal citations that occur within the City's limits in the Roy/Weber County Justice Court.

Below is a chart, entitled "Joan Toone, Legal Assistant- Average Hours Per Month," which shows the average hours worked in a month by calendar year. From 2020 to 2021 there was a significant increase in Joan Toone's average monthly hours worked associated with the pent-up demand of court cases associated with the pandemic. The City is estimating and projecting the average number of hours for 2024 and 2025 respectively. The rate of change in use in 2024 and 2025 is a 9% increase year over year.



The current contract pays the Legal Assistant on an hourly basis (\$24.00/hour) and the monthly amount of time spent on legal matters. Based upon the current hourly rate that is within the professional services agreement, adopted by Resolution No. 20-2022, with Joan Toone, the City would expect to pay \$72,678 in 2024 and \$79,219 in 2025. Joan Toone is requesting that the structure of the contract be changed from an hourly rate to a flat rate. Part of this desire is to eliminate the hourly rate is the time spent in preparing monthly invoicing associated with the lengthy caseload. On the City side, the flat rate has the administrative benefit of making the

budget more predictable and easier. It has been proposed that the term of a new contract with a flat rate amount of \$72,000 would be three years. Budget \$72,000.

- *Public Defender -Zachary Holbrook Contract.* *Public Defender.* The Public Defender provides legal services to indigent persons entitled thereto upon appointment by the Justice Court Judge. The Public Defender is a constitutional right of every citizen of the United States and once the Public Defender is appointed, the City is obligated to pay for these legal services. The Public Defender defends the facts and legal reasons as to why a person is innocent.

The West Haven City Council adopted Resolution No. 15-2023, approving a Professional Service Agreement between West Haven City and Zachary Holbrook to provide for indigent legal services. The Public Defender typically receives a flat amount per case; however, the Justice Court cases have been increasing in the recent past, and as such the number of cases that are assigned to the Public Defender has also increased. Budget \$45,000.

- **10-4333 Outside Services (Comprehensive Business License Study).** It is not known if West Haven City has performed a business license study to determine the cost of the City accessing business license fees. More specifically, Utah Code 10-1-203 allows a municipality to license a business to regulate that business within the limits of the municipality and to impose fees on businesses associated with recovering the municipality's costs of:

- Regulating the business (e.g. cost of issuing the business license, cost of performing inspections, etc.);
- Providing municipal services at a rate that is disproportionate to the baseline rate of providing services typically compared to a single-family detached home. (e.g. cost of providing law enforcement to apartments, big box grocery stores, motels, gas, and convenience stores- see Utah Code 10-1-203 (5) (c)).
- Providing enhanced municipal services to businesses within a geographic area (e.g. services within a business district such as removal of snow on sidewalks, maintaining flowerbeds, decorative street lighting, etc.)

To impose this type of business licensing structure the City must perform a business license fee study to determine the costs noted above. Once a study is completed the business license study will calculate the maximum business license fees allowable in West Haven City under current State law. The City Council may choose a lower business license fee, and factors that the City Council may want to consider as it establishes new business license fees include, but are not limited to, the recognition of other revenues generated by some business types such as sales tax, transient room tax, etc. Budget \$15,000.

- **10-4334 Economic Development (Urban & Main Consulting).** One of the strategic priorities outlined in Resolution No. 03-2022 included the City proactively pursuing commercial development, developing sustainable business districts, and strengthening relationships with local, regional, and state stakeholders. To accomplish this strategic initiative City Staff is proposing to engage Rob Sant, with Urban & Main Consulting to provide the following economic development services:

- Develop an Economic Development Strategic Plan. \$30,500;
- Develop Area Specific Economic Development Plans. \$12,000; and
- General Economic Development Services – \$10,000 (billed at an hourly rate of \$180.00 which allows for 56 hours of work to be completed).

10-44 Planning & Zoning. The Planning Commission is a seven-member body that acts as the land use authority for development applications that are an administrative decision and as an advisory body to the City Council for applications that are legislative decisions. Members are appointed by the Mayor upon advice and consent of the City Council. The essence of this departmental expense account is to pay Planning Commissioners a monthly stipend (is this done through payroll and commissioners are given a 10-99 tax form). Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

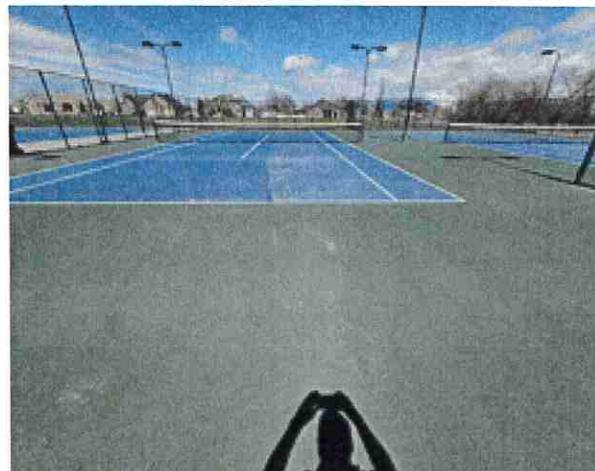
- *No significant changes to this departmental expense account for FY 2025.*

10-45 Parks. The Park Department maintains the City's parks, open spaces, entryways, park structures, and equipment for the benefit of residents and visitors. More specifically, the Parks Department plants and trim trees; maintains grass areas; fixes irrigation lines; inspects and maintains playground equipment; applies pesticides; weed abatement, trash and

graffiti removal; maintains the cemetery, and maintenance of restrooms. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- **10-4511 Part-Time Employee (Maintenance 1).** This position would be a part-time position assisting with Poulter Pond, Green Farms, and Prevedel Park. The City now has more than one hundred (100) acres of native vegetation areas in addition to seventy (70) acres of manicured grass. The need for more full-time employees might be imminent, however, the Parks Department wants to hire a part-time employee first to meet the additional park acreage. The Parks Department is hoping to bring in an experienced individual to focus on helping manage the pond and campgrounds. Budget \$26,500
- **10-4540 Materials and Supplies (Trees).** Several years ago, the City had numerous trees planted in the City parks parish due to the effect of the drought. The quality of the parks in part is attributed to the number and quality of the trees within these public spaces. Trees are incrementally a small investment to improve the overall look and function of the park space. City staff is recommending that the City make a concerted effort to improve the urban forest in the park by consistently planting trees, while some losses are expected, due to the harsh conditions that public trees are subject to, and the consistent effort will make a difference for generations to come. Budget \$6,000.
- **10-4541 Maintenance.** The City has tennis and basketball courts at the Sports Park. These concrete courts have an applied playing surface that requires maintenance. The Parks Director contacted a vendor who evaluated the courts and provided this assessment of these courts, "At this point a while longer is not going to hurt anything. It is down to concrete. No surface left. It won't play very well. But they are past due."

City staff is recommending that these courts be resurfaced to improve both the playability of the courts and the appearance of these facilities. Essentially, the vendor will clean and pressure wash these courts, supply and install 3-coat acrylic sports surfaces, and restripe these courts. It is being proposed that the tennis courts also be restriped to include pickleball courts. Budget \$47,200.

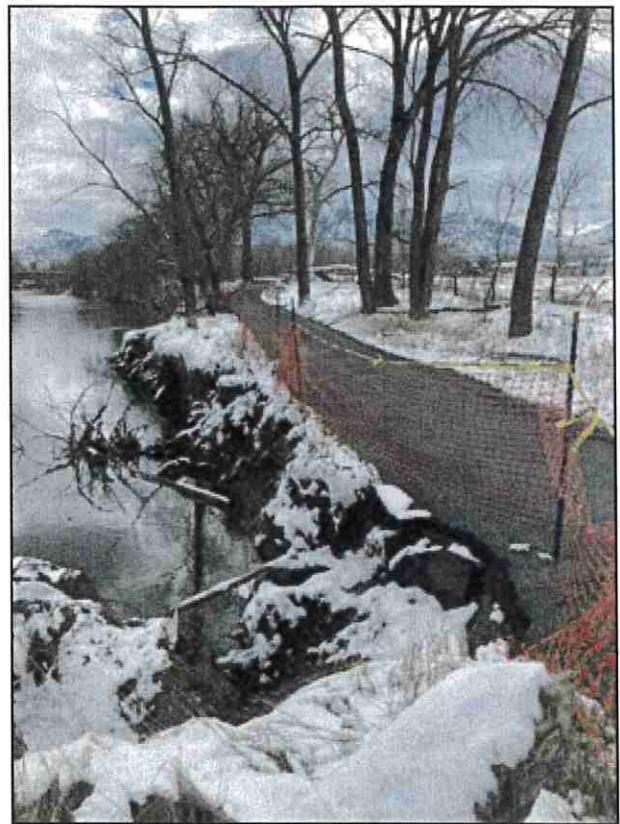


- **10-4575 Parks Capital Outlay.**

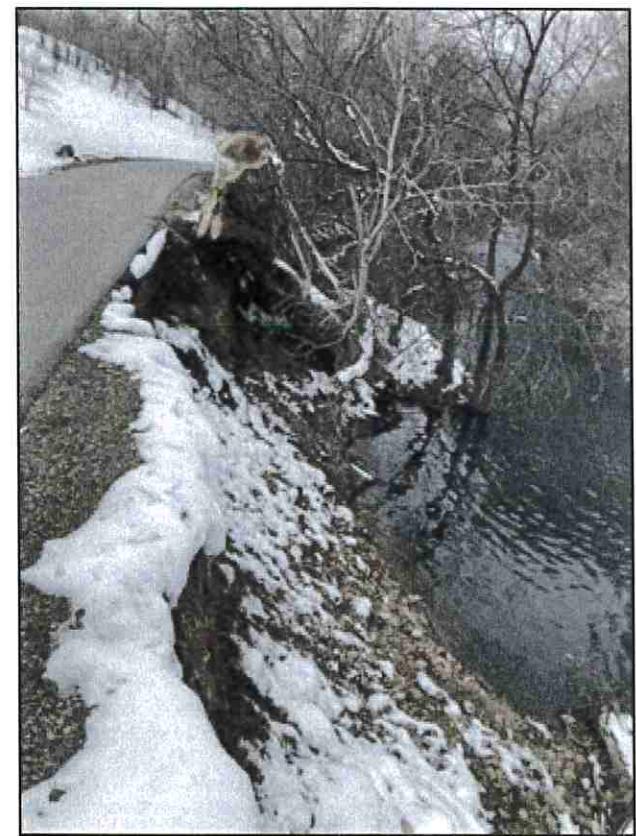
- **Ferris Mower Trade-In.** The City owns two (2) Ferris Mowers with a sixty (60") inch deck. These mowers are referred to as trim mowers because the mowing deck is small enough to mow around obstacles such as headstones, trees, signs, etc. The City uses a large John Deer mower to mow the open areas. The City has two Ferris mowers that are approximately 5 years old and it is proposed that one mower be replaced in FY 2025 and FY 2026. The trade-in value for the mower is approximately \$3,000 with the cost of the new mower being \$14,000. Budget \$14,000.
- **Parks Director's Truck Trade-In.** It has been a strategy to trade in relatively new vehicles with less than 10,000 miles to a dealership and receive a new vehicle without any or little out-of-pocket expense. This strategy has worked because the City purchases vehicles under the State Purchase Contract, and as such gets new vehicles lower than market rates. The Parks & Recreation Director would like to purchase a new vehicle anticipating that there is little to no out-of-pocket expense to the City. Currently, the trade-in values at the dealership are lower than in the recent past, and for this reason, the Parks and Recreation Truck would need to be sold on the open market. The Parks and Recreation Director would use a government surplus website and set the minimum bid at the amount close to the City's replacement costs for a new truck. If bid proceeds exceed or are close to the City's cost for a new truck then the City would sell the existing truck and purchase a new truck. There is a corresponding revenue line item in **10-36-40 Sale of Fixed Assets**. Budget \$50,000.
- **Scoreboard Replacements- R. Kenneth Baldwin Country Park.** The Parks Department is having issues with three (3) baseball scoreboards installed in 1998 at the baseball tri-plex. The Parks Department has been working with Daktronics through the years to keep these scoreboards functioning, but at this point, they are no longer able to obtain parts for these boards. Daktronics is recommending the replacement of all three (3) scoreboards with the newer technology as these scoreboards have not been able to fully functional the past couple of seasons. Budget \$26,000

- **10-4577 Riverbank Restoration.**

- **Weber River Bank and Trail Restoration Project.** The riverbank east of the campgrounds has been eroding along the bank near the trail and needs to be addressed. The Parks Director has worked with Weber County and local businesses to find a repair solution. The plan places 3'-4' boulders down along the riverbank backfill with river rock (donated by the County) and then cap with 2' rock. This is about a 180' stretch of bank. The trail will be realigned at a distance further away from the river along this fixed stretch to make this a long-term solution. Currently, the Parks Department has caution signs placed at the entrances to those sections of the trail and has put cones, candlesticks, and fencing for the safety of those using the trail; some of these safety items have been stolen, lost in the river, or otherwise been removed. This project is a maintenance project and as such is not a capital project; for this reason, the project is budgeted in the General Fund. Budget \$92,507.
- **Ogden River Bank and Trail Restoration Project.** The Ogden River, east of Molding and Sons Park, has a similar situation to the Weber River. A large tree came down on the trail and created a bank stabilization problem impacting the trail. The Parks Department will do the same fix as previously noted and move the trail away from the bank. That plan again would be to place 3'-4' boulders down and backfill with river rock (donated by Weber County) and then cap with 2' rock. This is about a 110' stretch of bank. The trail will also be realigned further away from the river along this stretch to make this a long-term solution. Currently, the Parks Department has caution signs placed at the entrances to those sections of the trail and has put cones, candlesticks, and fencing to garner safety. This project is a maintenance project and as such is not a capital project; for this reason, the project is budgeted in the General Fund. Budget \$58,485.



Weber River Bank and Trail Restoration Project.



Ogden River Bank and Trail Restoration Project.

10-46 Parks & Special Events. Each year West Haven City hosts several fun, family-friendly events. These events are part of the City Council's strategic initiative of Strengthening Community Identity by cultivating a stronger, more connected community by fostering and providing resources for events, activities, and facilities that reflect our heritage.

Starting in 2023, these events are organized through an appointed committee that coordinates volunteers and staff involvement to bring about the following events: Touch-a-Truck Event, West Haven Days, and Heart of the Holidays. Additionally, the West Haven City Youth City Council organizes the Easter Egg Hunt and Pumpkin Walk. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- Previously events organized by the Youth City Council were budgeted and expended out of the 10-4143 Youth Council, in the Legislative Department Expense Account. To be more precise in showing total expenditures related to Special Events budgeted, these expenditures are being budgeted in 10-4626 Other Events. Budget \$3,250 for the Easter Egg Hunt and \$3,250 for the Touch a Truck Event.

10-47 Recreation. The Recreation Department facilitates recreational and leisure opportunities for the community, including such activities as Baseball, Softball, Machine Pitch, T-Ball, Boys/Girls Basketball, Flag Football, WFFL Tackle Football, Tennis, Pickleball, Karate, Fishing, Archery, outdoor recreation camp and manages all sports equipment, facilities, and concessions. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- 10-4775 Recreation- Capital Outlay (Recreation Vehicle). The Recreation Department has only one truck and two (2) full-time employees, and one (1) part-time employee. There are simply not enough vehicles for routine operations, which results in employees being less productive as they do not have the tools to perform their duties. As such it is recommended that the City purchase one (1) additional truck. Budget \$50,000

10-48 Community Development. The Community Development Department is comprised of the Planning Division, Building Division, and Code Enforcement Division which are aimed at protecting the general health, safety, and welfare of the public related to the built environment of West Haven City. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- 10-4821 Professional Services.
 - Amending the Annexation Plan. Utah Code 10-2-401.5 states that no municipality may annex an unincorporated area into their City unless the municipality has adopted an annexation policy plan. While West Haven City does have an annexation policy plan, City staff believes that more thoughtful and thorough consideration of some of the State Code requirements in 10-2-401.5 may aid City Council in deciding if any amendments should occur to the City's current Annexation Plan. Some of the State Code requirements to consider when preparing or amending an Annexation Plan include the following:
 - the character of the community;
 - the need for municipal services in developed and undeveloped unincorporated areas;
 - the municipality's plans for the extension of municipal services;
 - how the services will be financed;
 - an estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area;
 - consider current and projected costs of infrastructure, urban services, and public facilities necessary:
 - to facilitate the full development of the area within the municipality; and
 - to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area;

A complete listing of the State Code requirements that the City should consider when developing an annexation policy plan is included in the Appendix at the end of this Memo. The cost of the planning efforts is unknown. However, as a placeholder, it is proposed that the City budget \$35,000

- Water Use and Preservation Element of the General Plan. West Haven City is required to create a Water Use and Preservation Element, which will be an element of the General Plan as required by recent state legislative decisions. More specifically, this plan address how land use planning impacts water use and needs to be completed by the end of the calendar year 2025. Accordingly, the plan will address the effect of permitted development or patterns of development on water demand and water infrastructure, methods of

reducing water demand and per capita consumption for future and existing development, and opportunities to modify municipal operations to conserve water.

In conjunction with this required water use and preservation element, the City also desires to meet state requirements (HB 282) that will modify the existing landscape ordinance to encourage a waterwise approach to landscape in West Haven. It is proposed that West Haven City also engage a landscape architect to update the City's landscape ordinance. Working on these two interrelated projects concurrently will ensure that these two distinct yet interrelated projects are integrated to achieve the common objective of conserving water. Budget \$35,000.

- **On-Call Planning Consultant/Firm.** Over the past year, the City has been advertising the vacant Community Development Director position. There have been no qualified applicants that have applied for this position. To supplement the efforts of the current Planner, it is proposed that the City solicit a request for qualifications and select a Planning Consultant/Firm, that can help the City on various land use issues including tasks such as long-range planning projects and current planning when the volume of applications necessitate additional support. This arrangement would be similar to the arrangement that the City has with Gardner Engineering. Budget \$35,000.

10-51 Non-Departmental. Non-departmental account expenditures are expenses that do not apply to any one specific department and are a cost of general government. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- 10-5155 *Computer Equipment & Software (Computer Replacements)*. The City should invest in pieces of equipment that employees use most frequently and for office employees that equipment is their computer and software. It is proposed that the City budget for the replacement computers that are over four years old but does not mandate the replacement of the computers. In total, the City has 25 computers, and this budget provides funding to replace 7 computers because they will exceed the four-year mark within FY 2025. The City budgets approximately \$1,300 for each computer. Budget \$9,100

Computer Name	Logged On Users	Device Model
BKOENIG-OPT3070	Brianh	OptiPlex 3070
CHARIS-OPT3060	teahar	OptiPlex 3060
CONF-OPTI3050		OptiPlex 3050
MARILYN	mcook	OptiPlex 3070
REC-FRONT	recreation	OptiPlex 3060
TREASURER	treasurer	OptiPlex 7020
TYLERSURFACE		Surface Book

- **10-5161 Non-Departmental- Other (City Storage Off-Site).** The Events Committee, Arts Council, Youth Council, emergency management, and City Hall all have storage needs. These needs are temporarily being met with enclosed trailers as well as using bays within the parks and street shop which has displaced the parks, recreation, and street equipment. Rather than building a \$53,500 single bay building with a dimension of 20'x50', it is recommended that the City rent an off-site storage building with the dimensions of 10'x29'. Budget \$2,800.
- **10-5164 Bad Debt.** The WHSSD sends utility bills on behalf of West Haven City for garbage and storm water once a month. Based on historical experience and industry standards, a percentage of these utility bills become delinquent. The WHSSD has made diligent efforts to collect delinquent accounts, and these accounts have been sent to a collection company for their continued efforts to collect on these accounts. Writing-off delinquent accounts receivable balances, as bad debt, is a critical component in accurately reflecting the City's assets in the financial statements. Amounts shown in this line item have been officially designated as bad debt related to garbage services. Budget \$15,000.

10-52 General Governmental Buildings. This departmental expense account appropriates funds for paying the labor costs for cleaning governmental buildings.

- No significant changes to this departmental expense account for FY 2025.

10-60 Public Works. The Public Works Department maintains safe roadways, sidewalks, streetlights, traffic signage, and striping, and inspects all work within the public right-of-way, including underground utilities. As needed replace

hazardous curbs, gutters, and sidewalks. The Public Works Department also maintains the City's fleet of vehicles and City-owned buildings. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- **10-6037 Sanitation Services.** Starting on April 1, 2021, West Haven City assumed coordination of residential curb-side garbage collection through a contract with Waste Management. The initial term of the contract with Waste Management is 5 years, which will end January 1, 2026. If both the City and Waste Management agree the contract can be renewed for two additional three-year terms. Waste Management is required to notify the City around July 1, 2025, to discuss the conversation regarding renewing the contract for an additional three-year term.

Since instituting the coordinated curb-side garbage collection in 2021 the fee that the City has charged residents has remained the same at \$11.73 for each first garbage container and \$7.48 for each additional garbage container. As of February 2024, the City had 4,304 first garbage containers and 1,899 additional garbage containers. The City anticipates receiving \$605,831 in revenue for the first garbage container and \$170,454 in revenue for the additional garbage containers. In total, the City anticipates receiving \$776,285 as explained in the revenue line item **10-3485 Sanitation Services**.

While the City fees for garbage have remained constant, the fees that Waste Management charges West Haven City have increased each year as shown in the chart below. The contract with Waste Management allows for a maximum increase of 3% annually and a clause that if there are extenuating circumstances, Waste Management may request additional increases, but this would require City Council approval to go into effect. Waste Management recently notified the City that starting in April 2024 there will be a 3% increase in their rates. It is anticipated that for FY 2025 the City will pay Waste Management \$434,731 in fees.



The rates that Waste Management charges the City do not include fees charged at the Weber County Transfer Station. For general waste, Weber County charges \$50.00 per ton. To estimate Weber County Transfer Station fees applicable for curb-side garbage collection, the City used numbers supplied by Waste Management of the number of tons per month that were taken to the County transfer station for calendar year 2023 and a portion of calendar year 2024.

For calendar year 2023, Waste Management collected 6,809 tons of garbage that was delivered to the Weber County Transfer Station. If the amount of garbage delivered to Weber County in calendar year 2023 (6,809 tons) remains the same in the City for FY 2025 the City will essentially break even in providing curb-side garbage collection as shown below.

Annual Estimated Revenue	
Anticipated Billings	\$776,285.28
Annual Estimated Expenses	
Waste Management Collection Fees Contract	\$434,731.92
Weber County Transfer Station Fees	\$340,450.00 (6,809 tons of Trash)

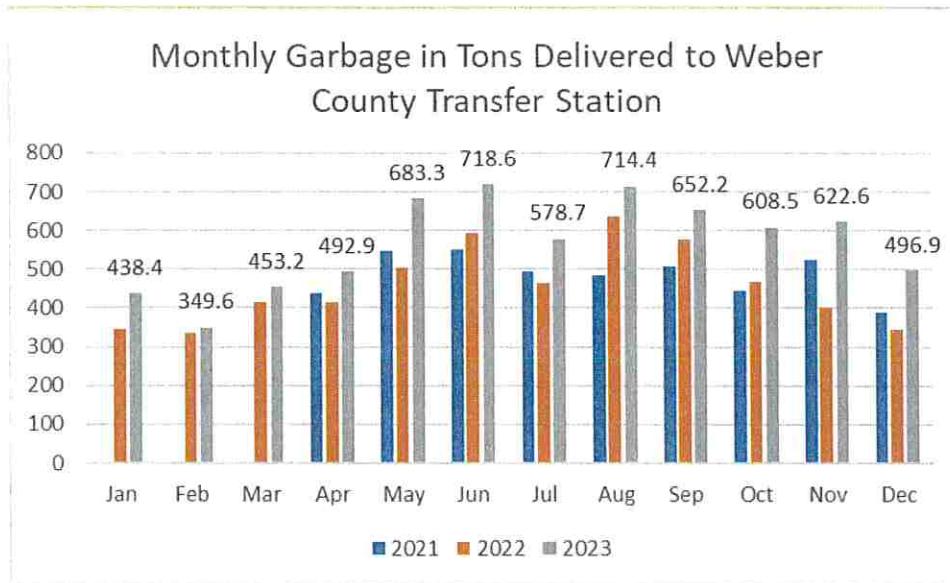
	\$775,181.92
Revenue over Expenses	\$1,103.36

However, in the first three months of the calendar year 2024, there has been on average a 14% increase in waste delivered to the transfer station. Additionally, the percentage change there was 26% increase in total tons delivered to the Weber County Transfer Station from calendar 2021 to 2022, and 24% increase in tons from calendar year 2022 to 2023. As such it is likely that expected percentage increase in tons delivered to the Weber County Transfer Station will be between 14% to 26%.

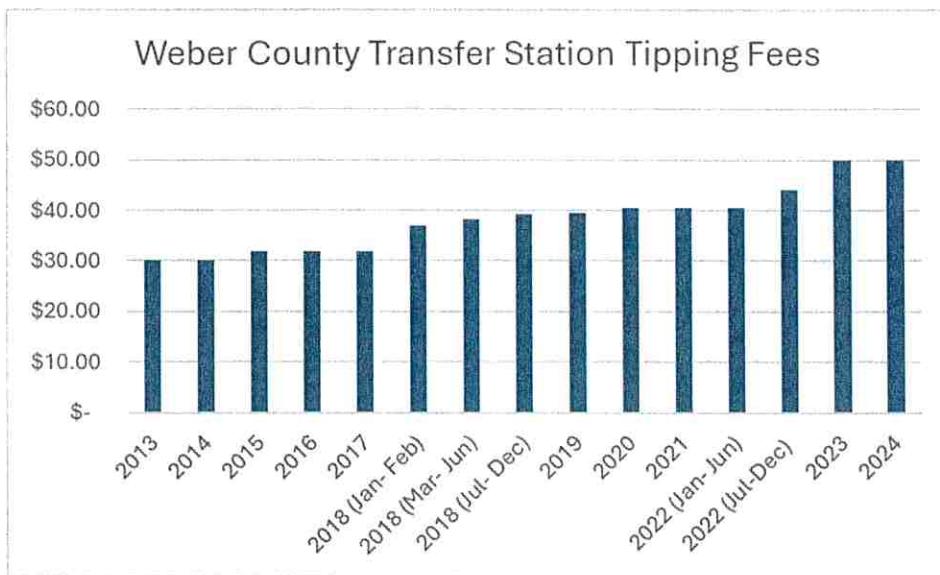
This budget is estimating that in FY 2025, 7,762 tons of trash (14% increase from 2023) will be collected by Waste Management and delivered to the Weber County transfer station which would equal the City paying \$388,130 in tipping fees in Fiscal Year 2025.

In conclusion, it is estimated that West Haven City's anticipated billings of residents for curb-side garbage collection will not cover the costs of services if there is an increase in the amount of garbage over calendar year 2023 delivered to Weber County Transfer Station as shown below.

Annual Estimated Revenue	\$776,285.28
Anticipated Billings	
Annual Estimated Expenses	
Waste Management Collection Fees Contract	\$434,731.92
Weber County Transfer Station Fees	\$388,130.00 (7,762 tons of Trash)
	\$822,861
Revenue over Expenses	\$(-46,576.64)

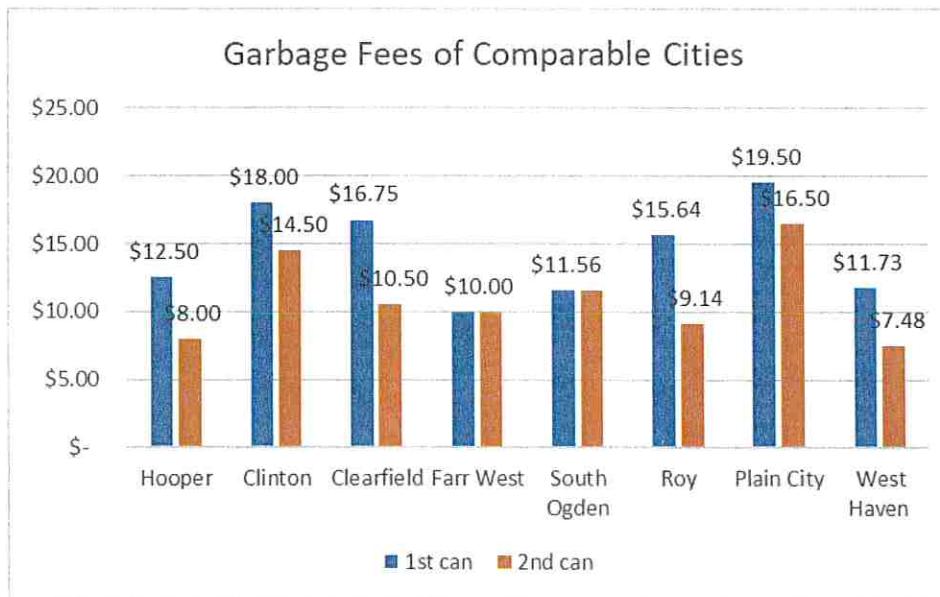


In addition to the increase in tonnage another variable that is likely to increase in the future are the tipping fees that the Weber County Transfer Station assesses. From 2020 to 2024 the Weber County Transfer Station Fees increased from \$40.49 to \$50.00 per ton, a 23% increase. From 2015 to 2019, the Weber County Transfer Station Fees have increased from \$32.00 to 39.49 per ton, a 23% increase. Below is a chart that shows these increases over a 12 year period.



It is recommended that the City Council consider increasing the fees charged to its residents for providing curbside garbage collection. City Staff surveyed seven comparable cities within Weber and Davis County and found that on average these cities charged \$14.85 for the first can and \$11.46 for the second can. Currently, West Haven City charges \$11.73 for the first can and \$7.48 for the second can. A graph of these comparable cities is located below.

For Fiscal Year 2025, it is recommended that the City estimate expenses as follows \$434,731.92 for the Waste Management contract and \$388,130 (7,762 tons of trash) for Weber County Transfer Station Fees. Budget \$822,900.



- 10-6050 *Vehicle Maintenance (Truck Bed Replacement)*. The sander bed on the 2009 Ford F-550 Extended Cab has completely rusted through in several locations. The Public Works Department has literally patched the piece of equipment using street signs to continue to make it operational. While the truck still has life, the bed is at the end of its life, and the Public Works Department would like to replace the bed with a flatbed.

The FY 2024 Budget includes the purchase of a new snowplow truck with a sander which will keep the number of trucks capable of sanding constant. Additionally, this 2009 Ford F-550 will continue to be outfitted with a plow during the winter months. Once the new truck arrives the City will have seven (7) trucks with plows and sanders plus two trucks with plows only. Budget \$10,000.



The Public Works Dept. has literally patched the holes in the sander bed using street signs to continue to make it operational.

- 10-6075 Capital Outlay- Equipment (Line Laser Airless Line Sprayer). As noted elsewhere in this memo, the City has 79.82 miles of roads within its incorporated limits and it is estimated that at least 120 to 240 hours employee hours out of the year are spent painting school and railroad crossings, red curbs, stop bars, pavement messages, striping parking lots, covering graffiti, etc. The City's obligation to perform painting is continuing to grow. For example, there will be three new pedestrian crossings at Mountain View Junior High School and two new school crossings at Haven Bay Elementary School.

It is proposed that the City purchase a new sprayer that will be more efficient for Public Works employees to operate and clean. For some jobs like striping a parking lot, it will change the task from a three-person project to a one-person job, as this new piece of equipment is equipped with a laser line and will eliminate the need to have two other employees snap chalk lines and has a programming system, which will help with parking lot setup.

Additionally, the proposed sprayer will have two separate 15-gallon paint hoppers allowing an employee to use two different colors such as white and yellow on a striping job, otherwise, there is one hour of cleaning and travel time to the shop associated with switching colors with existing sprayer. Budget \$40,000.

10-61 Sewer. This departmental expense account appropriates funds for paying the labor costs for employees who are hired and employed by West Haven City that operate and maintain the WHSSD sewer system and employees who provide the administrative function to the WHSSD for such items as billing and collecting user fees. Some of the notable changes in the FY 2025 Budget in this departmental expense account include:

- As explained in line item 10-3410 Administrative Services WHSSD the City is proposing that a new Interlocal Agreement be approved by the District that details the administrative services that the WHSSD would reimburse West Haven City. A significant percentage of the administrative reimbursement expense is attributed to staff expense which appears in this departmental expense account.

10-69 Contribution to Other Units. UTOPIA Fiber is an inter-local agency that provides Fiber-to-the-Home services in 14 Utah cities. West Haven City adopted Resolution No. 23-2022 approving an agreement with UTOPIA (via the Utah Infrastructure Agency UIA) to have a fiber network constructed within the City.

UTOPIA Fiber is an Open Access network, meaning that UTOPIA Fiber builds the infrastructure and allows private sector internet service providers (ISPs) to offer internet services through UTOPIA Fiber's lines. Starting in June 2024, the UTOPIA network should be complete and West Haven City residents can access fiber internet services starting at

approximately \$65/month for 250/250 Mbps and with options up to 10 Gbps (up to 100 Gbps for business) from eleven local providers—the fastest internet speeds in the nation.

- **10-69### Contributions to UTOPIA.** As noted above UTOPIA and West Haven City entered into an agreement wherein UTOPIA would design, bond, and construct a fiber network in West Haven. UTOPIA is nearly completion of constructing the fiber network. To fund the construction of the fiber network UTOPIA entered into a 25 year bond (payments required until 2049).

The primary source of repaying UTOPIA's bond is revenues derived from subscribers in West Haven City. As a secondary source of payment for the UTOPIA bonds the City has pledged sales tax, but only if there are not enough subscriber revenues to cover the debt payment incurred by UTOPIA Fiber. In that case, the City will only pay the shortfall between subscriber revenues and the debt service payment. Annually, subscribers' revenue will need to equal approximately \$1.3 million in West Haven to cover the bond payment.

There have been several other cities in Utah that have entered into a similar arrangement with UTOPIA and so far none of these cities have had shortfalls in subscriber revenues paying for the debt payment. UTOPIA's first bond payment associated with the fiber network in West Haven is approximately \$465,000 and is due in April 2025. All estimations are that subscribers' revenues will make the payments without any contribution for West Haven City, and for this reason, the City is not budgeting a contribution to UTOPIA in FY 2025. Budget \$0.00.

10-71 Debt Service. The Governmental Accounting Standards Board (GASB) issued a pronouncement referred to as GASB 96 which requires governmental entities to report long-term software agreements/payments similarly to debt service payments. While West Haven City does not have any long-term debt it does have lease payments for such items as copiers.

- **10-7110 Debt Service Principal and 10-7120 Debt Service Interest.** West Haven City has four long-term software agreements that make up the GASB 96 entries contained in these line items: PrimeGov, Enfusion Technologies, Revize, and TextMyGov. Budget \$22,000 for *10-7110 Debt Service Principal* and \$1,500 for *10-7120 Debt Service Interest*

10-72 Other Funds. Utah Code Annotated 10-6-116 (2) allows the accumulation of fund balance up to 35% of the total estimated revenue of the General Fund for the current fiscal period. As a matter of practice, West Haven City has retained 30% of the total estimated revenue in the General Fund so as not to violate the State of Utah requirement.

- **10-7320 Transfers to Other Funds.** The City Treasurer's Office is estimating that the City needs to transfer \$1,021,794 from the General Fund to meet the requirements of UCA 10-6-116(2). Budget \$1,021,794.

13- Capital Projects Fund.

Preface. The Capital Projects Fund is used to accumulate appropriate funds for the acquisition of capital equipment and the construction of capital improvements. Capital Projects commonly include the purchase of vehicles and equipment and the acquisition of land or the construction of a building or facility; streets; parks, and utility infrastructure. The capital facilities budgets are project-length budgets that carry over from one fiscal year and the appropriations lapse after the project, although as a matter of practice, the City re-appropriates funds each new budget year if a project has not been completed in the previous fiscal year.

Revenues. There are several sources of revenues for capital projects funds which include: Recreation, Arts, Museums, and Parks (RAMP) Grants, Weber Area Council of Government (WACOG) Grants, Road Impact Fees, Class C Road Allotments, Transportation Sales Tax, Park Impact Fees, and transfers from the General Fund.

Source 33: – Revenues.

- 13-3310 *Federal/Local Grants.* Three sources of grants comprise this revenue line item which include the Recreation, Arts, Museums, and Parks (RAMP) Grants, the Utah Department of Natural Resources, and the Weber Area Council of Government (WACOG) Grants. All of these revenue sources are reimbursable, that is the City needs to expense the funds, and then submit an invoice and proof of payment and completion of the project to the Grantor for reimbursement. Below is a summary of these grants and the specific projects that they are related to:
 - *RAMP Grant.* The RAMP Grant is derived from revenues from a .1% optional sales tax enacted by the voters of Weber County. The proceeds from this tax funds new and existing facilities for recreation, arts, museums, and parks. For FY 2025 the budget is programming receiving RAMP Grant funding for the following projects:
 - \$222,000- Windsor Park- Funding Year 2024
 - \$142,700- Bleachers at Country Park- Funding Year 2023
 - \$ 70,000- Fishing Dock- Funding Year 2023
 - The City received a grant from the Utah Department of Natural Resources, Division of Wildlife Resources. For FY 2025 the budget is programming receiving DNR Grant funding for the following projects:
 - \$70,000- Fishing Dock
 - *WACOG Grants.* Weber County voters recognized the growing need to invest in transportation infrastructure and transit services in 2007 by voting to approve the County Option Sales and Use Tax for Transportation. The County then implemented the Local Transportation Funds program, which allows the County to utilize revenue generated for transportation and transit projects (Weber County Ordinance No. 2007-35). At the core of the Local Transportation Fund program is the county option sales and use tax for transportation (3rd quarter) and the local highway and transportation corridor preservation fund, providing crucial funding for a wide range of transportation and transit projects.

The Weber Area Council of Governments (WACOG) plays a pivotal role in the Local Transportation Funds Program. Per the statute governing the County Sales and Use Tax for Transportation and the Local Highway and Transportation Corridor Preservation Fund, WACOG holds the responsibility for creating the annual priority list and overseeing the grant application procedures.

The Local Transportation Funds Program allows municipalities and the transit district within Weber County to access funds for various transportation and transit projects. Grant applications can be submitted for corridor preservation, congestion mitigation, and capacity expansion projects. Funds can be utilized for a wide range of projects, including but not limited to the development and construction of class C roads, traffic and pedestrian safety infrastructure, and corridor preservation.

For FY 2025 the budget is programming receiving DNR Grant funding for the following projects:

- \$2,800,000- 3300 South to 3600 South Connector Road (Awarded in 2023 \$1.8M and in 2024 \$1M)

- \$1,012,900- 2700 West (*between 2550 S and 2175 S*). (Awarded in 2024 \$1.8M)
- \$350,000- 1800 South 1900 West Intersection (Awarded \$250k for ROW in 2024 and \$100k in Construction in 2025)
- \$1,900,000- 3300 South (*between 4700 W and 5100 W*) (Awarded \$3.998M in 2025)
- \$6,062,900

Restricted – Revenues.

- *Impact Fee Overview.* An impact fee is any fee that is imposed, as a condition of the issuance of a building permit, to raise revenue to maintain the City's current level of service by expanding existing or constructing new public facilities, sometimes referred to as system improvements.

The Impact Fees Act (Utah Code, Section 11-36a) requires the preparation of an Impact Fee Facilities Plan (IFFP) and Impact Fee Analysis (IFA). The IFFP identifies the existing level of service and generally has proposed that the City perpetuate this same level of service by identifying existing public facilities that can service new growth, and new public facilities that must be constructed to service new growth. Impact fees may only be imposed for the development of "public facilities" as defined in Utah Code, Section 11-36a-102 (12), and means only capital facilities that have a life expectancy of ten or more years and are owned or operated by the City.

The Impact Fee Analysis (IFA) uses the data in the IFFP to perform a proportionate share analysis and calculates the impact fee. Two primary components comprise impact fees: "buy-in" and "future facilities." Buy-in is the portion of the impact fee that is collected to reimburse the City for system improvements that have existing capacity to serve new growth. West Haven City impact fees currently have a buy-in component contained in the IFA for the Roads Impact Fees. The buy-in portion of the impact fees is revenue that is not restricted and may be used for any purpose, while the future facility portion is restricted for the construction of future facilities.

The City has completed the necessary studies and enacted the necessary laws required by state law to enable the establishment of impact fees. West Haven collects impact fees for the following:

- Roadway facilities;
- Parks, recreation facilities, open space, and trails; and
- Storm drain, drainage, and flood control facilities (which are accounted for in Fund 51);
- *13-3430 Road Impact Fees & 13-3435 Road Impact Fees- Green Farms.* The Level of Service assesses the level of congestion on a roadway segment or intersection. LOS is measured using a letter grade A through F, where A represents free-flowing traffic with absolutely no congestion and F represents gridlock.

The City has adopted an acceptable standard of LOS D for its street network and intersections. To maintain this level of service the City has found that accessing road impact fees are necessary by adopting Ordinance No. 34-2019 the Roads Impact Fee enactment ordinance.

The Road Impact Fee Facilities Analysis (IFA) adopted by Ordinance 34-2019 calculates the City's historical costs associated with excess capacity in the City's road system as \$9,592,999. Over this impact fee collection period the City anticipates, the Transportation IFA projects that new development will consume 33.7% of the capacity, and the impact fee will reimburse the City \$3,235,504, which the City will receive as revenue from the "buy-in" portion of the transportation impact fee.

Though the "Buy-In" portion of the impact fees is not restricted to transportation, the City Council has earmarked these funds to be reinvested into the City's road network to fund future transportation projects.

City staff believes it prudent to estimate growth-related revenue, including impact fees conservatively due to variables such as interest rates, local economy, and cost of materials supplies. Impact fee estimates for FY 2025 are derived from the 94 single-family detached building permits and 134 townhome building permits, which were the same amount of units constructed during the calendar year 2023.

Specifically, based on the number of building permits anticipated to be issued in FY 2025, the City estimates collecting a total of \$484,700 impact fees. Budget \$460,500 in 13-3430 Road Impact Fees. Budget \$24,200 in 13-3435 Road Impact Fees- Green Farms.

- 13-3456 *Class C Road Allotments*. In Utah, Class C Roads consist of all public roads which are not Federal, State, or County roads. West Haven receives Class C Road funds, derived from taxes paid on gasoline. Unlike Road Impact Fees, the Class C Road funds may be spent for maintenance or construction on any of the Class C Roads.

The funds in the Class C Road account are distributed to cities based on the following formula: 50 percent based on the percentage of the population of the municipality compared to the total population of the State, and 50 percent based on the Class C Road weighted mileage of the municipality compares to the total Class C Road total weighted mileage (UCA 72-2-108).

In the graph below entitled “West Haven City Total Weighted Road Miles & Total Actual Road Miles.” It appears that from 2011 through 2016 there was no change reported in miles to UDOT, however, since 2017 the chart shows steady growth in the Total Weighted Miles which is the number on which UDOT bases the distribution formula for Class C Road funds. During this same period, West Haven City has experienced growth in its population which is the other component in the distribution formula of the Class C Road funds. In September of 2023, West Haven reported to the UDOT that it had a total of 79.82 miles of roads within its incorporated limits.



As a result of the growth in the Weighted Miles of roads reported to UDOT and the City's population growth, West Haven City has seen its revenue from Class C Road Funds grow over the recent past. The chart entitled “West Haven City Class C Road Funds,” above shows the growth of the City's share of the Class C Road Funds in the recent past.

Additionally, the chart shows a dashed line, projecting future receipt of the Class C Road Funds for FY 2025, which is estimated to be \$1,109,900.00. This trend line shows an R^2 value that shows how well the trend line fits the data set (regression model). More specifically, the R^2 values range from 0 to 1, with the higher number representing the better fit of the trend line to the data. Budget \$1,109,000.

- 13-3457 *Transportation Sales Tax*. In 2015 the Utah State Legislature recognized the need to provide additional funding sources to local government for transportation and enacted House Bill (HB) 262. This House Bill authorized counties to impose and voters to approve a 0.25% Transportation Infrastructure Tax funding. In 2015 Weber County imposed and the voters approved 0.25% Transportation Infrastructure Tax. HB 262 is now codified in Utah Code § 59-12-2219 which defines that the distribution of this sales and use tax revenue from the County Option Sales and Use Tax for Highways and Public Transit includes cities receiving 0.10 of the 0.25% Transportation Infrastructure Tax.

The allowed uses associated with this revenue source are enumerated in Utah Code § 59-12-2212.2. For a comprehensive list of allowed uses please refer to this Code section. Likely allowed uses for West Haven City include the following:

- development, construction, maintenance, or operation of a class C road;
- traffic and pedestrian safety infrastructure, including: a sidewalk; curb and gutter; a safety feature; a traffic sign; a traffic signal; or street lighting; or
- an active transportation facility that is for non-motorized vehicles and multimodal transportation and connects an origin with a destination.

In the graph below entitled "West Haven City Transportation Sales Tax" it appears that from FY 2019 through 2023 there was steady growth in this revenue source. The chart also shows a dashed line, projecting future receipt of the Sales Tax for FY 2025, which is estimated to be \$626,500. Budget \$626,500.



- 13-3470 Park Impact Fees & 13-3473 Park Impact Fees- Green Farms. West Haven City has identified the existing level of service (LOS) by a per capita (per person) value of parkland and improvements. Essentially, the land value per capita is \$247.37 and the improvement value per capita is \$395.59, for a total of \$642.96. To maintain this level of service the City has found that accessing park impact fees is necessary by adopting Ordinance No. 34-2019 the Park Impact Fee enactment ordinance.

City staff believes it prudent to estimate growth-related revenue, including impact fees conservatively due to variables such as interest rates, local economy, and cost of materials supplies. Impact fee estimates for FY 2025 are derived from the 94 single-family detached building permits and 134 townhome building permits, which were the same amount of units constructed during the calendar year 2023.

Specifically, based on the number of building permits anticipated to be issued in FY 2025, the City estimates collecting a total of \$488,600 impact fees. Budget \$454,400 in 13-3470 Park Impact Fees. Budget \$34,200 in 13-3473 Park Impact Fees- Green Farms.

Miscellaneous – Revenues.

- 13-3610 Interest Earnings. West Haven City invests the Capital Project's fund balance in the State of Utah Public Treasurer Investment Fund (PTIF). The PTIF accrues interest, and from FY 2021- FY 2024, the average interest rate paid by the PTIF was 4.5%. Using the 4.5% interest rate, the City Treasurer estimated the amount of money that was attributed to the Capital Project Fund that would be invested in the PTIF and estimated that interest earnings for FY 2025 would be approximately \$889,500. Budget \$889,500.

Fund Balance and Transfers- Revenue.

- 13-3999 Use (Contribution) of Fund Balance. Fund Balance is used for any gaps within the budget that exist

between estimated revenues and expenses. If the budgeted amount in Fund Balance is a positive number, then the budget is proposing expending Fund Balance and if the Fund Balance amount is a negative number then the budget is proposing adding to Fund Balance by lowering the revenue. In FY 2025 the budget is proposing to use \$741,606. Budget \$741,606

Expenses-Accounts.

13-45 Parks- Expenses.

- *13-4530 Park Impact Fee Expenditure.* West Haven City owns and manages a parks and trail system to provide recreation and leisure opportunities to its existing and future residents. To ensure that the City can continue to meet the objective above, the City has adopted Ordinance No. 34-2019 approving the Impact Fee Facilities Plan that identifies construction projects that are impact fee eligible projects that are necessary to continue to provide the same level of service in the City's park system. For FY 2025 these projects include the following:
 - *Windsor Park.* When the Windsor subdivision was developed, 18.87 acres were donated for establishing a park. The process of constructing this park is a massive endeavor and as such the park will be constructed in phases. The first phase will include the infrastructure of a 10.99-acre section of the park; bringing in dirt, construction of an access road and a parking lot, drainage system, sidewalk, walking trail, playground, and restrooms.

Sheri Bingham was able to secure a RAMP Grant fund for \$222,000 for some of the infrastructure improvements for Windsor Park. This grant source requires a dollar-for-dollar match. The City will use impact fees as the matching funds for this project.

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Parks. Park improvements that add capacity to the City's Park System are identified as being impact fee eligible. More specifically, the impact fees may be used as the funding source to provide the matching funds required by the RAMP Grant. Budget this project as follows:

- \$444,000- Total Project Estimated Revenue
 - \$222,000- RAMP Funds- Funding Year 2024 (13-3310 Federal/Local Grants)
 - \$222,000- Impact Fees (13-4530 Park Impact Fees)
 - \$444,000
- \$444,000- Total Project Estimated Expense

- *Bleachers-R. Kenneth Baldwin Country Park.* Horses and rodeos are an integral part of West Haven City and always have been. West Haven is committed to maintaining this part of country life for its residents and those in surrounding areas and a rodeo is one of the primary events at West Haven City Days.

The rodeo arena bleachers currently have a capacity of 1,670, which includes portable bleachers that are brought in and set up. With the popularity of the rodeo at West Haven Days and the approximate 10,000 people that come to enjoy the celebration, the bleachers are drastically insufficient. The current bleachers are lower to the ground making it difficult to see the entire arena.

In conjunction with this project, the City is constructing a return alley for the stock to be returned from one end of the arena back to the loading chutes. After a stock animal is used, the animal tends to want to run through the arena, weaving back and forth. This tends to waste a lot of valuable event time and affects the performance of the animal for future events in the

All told West Haven City would like to purchase and install four sets of raised bleachers. This will provide an additional 772 rodeo seating. The old bleachers will then be moved to the south side of the arena, to provide ample seating for the rodeos. A five-foot-wide stock return alley will also be installed inside the rodeo arena.

The City received a RAMP Grant for \$142,700 to purchase the bleachers. The City has ordered the bleachers which amounted to approximately \$164,000 and are set to arrive near the beginning of July 2004 (start of FY 2025).

The City received bids for the installation of the bleachers. As part of this bid, there were 2 anchoring systems considered. The base bid included the auger anchor, and the alternate was for a concrete pad and concrete anchors. The low bid was Bowmen Construction for \$70,000 for the augers and \$75,000 for the concrete pad. The budget assumes the highest cost option for installation of \$75,000.

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Parks. Park improvements that add capacity to the City's Park System are identified as being impact fee eligible. More specifically, the impact fees may be used as the funding source to provide the matching funds required by the RAMP Grant. Budget this project as follows:

- \$239,000- Total Project Estimated Revenue
 - \$142,700- RAMP Funds- Funding Year 2023 (13-3310 Federal/Local Grants)
 - \$ 96,300- Impact Fees (13-4530 Park Impact Fees)
 - \$239,000
- \$239,000- Total Project Estimated Expense
- 13-4532 *Impact Fees- Green Farms*
 - (*Fishing Pier- Green Farms Pond.*) West Haven City in collaboration with Nilson Homes, is currently in the process of constructing a 5-acre fishing pond. In conjunction with building the fishing pond the City is in the process of installing docks

The Division of Natural Resources (DNR) is providing \$70,000 in funding for one fishing dock with a RAMP Grant providing \$70,000 in funding for the second fishing dock. The remaining amount of funding required to construct this project will be from impact fees derived from Green Farms; this project is 100% impact fee eligible. There is a chance that the construction of the fishing docks will be completed in FY 2024. However, FY 2025 will budget this project if the project is not completed by June 30, 2024. Budget this project as follows:

- \$170,000- Total Project Estimated Revenue
 - \$ 70,000- RAMP Funds- Funding Year 2023 (13-3310 Federal/Local Grants)
 - \$ 70,000- DNR Grant (13-3310 Federal/Local Grants)
 - \$ 30,000- Impact Fees (13-4532 Park Impact Fees- Green Farms)
 - \$170,000
- \$170,000- Total Project Estimated Expense

13-60 Road Impact Fees- Expenses.

- 13-6080 *Roads Impact Fees.* Constructing a safe and efficient transportation system is a primary responsibility of the government and creates the foundation for economic growth, improved air quality and public health, and enhanced quality of life. West Haven City has adopted Ordinance No. 34-2019 approving the Impact Fee Facilities Plan that identifies construction projects that are impact fee eligible that are necessary to improve the transportation system associated with the travel demand of new growth. For FY 2025 these projects include the following:
 - 3300 South to 3600 South Connector (*between 2700 W and 3500 W*). (*Preliminary Design / Right of Way Acquisition*). The planned project will create a direct connection to/from I-15 to western areas of West Haven City and unincorporated Weber County. The construction will include a new road, sidewalk, curb and gutter, and drainage improvements.

The project will ultimately alleviate traffic from the unsafe intersection of 3300 South at Midland Road and direct to the signalized intersection at 3600 South and Midland Road. This road has been part of the West Haven City transportation master plan, as well as Weber County's regional transportation plan for several years. Given the expected and proposed development to the west of the City in unincorporated Weber County, the new road will have a regional benefit and is intended to decrease "out of City traffic" to other local roads.

The project is predicated on the City's acquisition of a significant area of private property. The City has and will continue to require right-of-way dedication from any development within the proposed roadway limits, in addition to pursuing direct purchase. The City has secured some right of way from projects approved in the last two years.

WACOG has awarded the City \$1,800,000 for right-of-way acquisition/corridor preservation grant funding in the 2023 funding year. The total budget for the project is \$3,500,000, with the City providing \$700,000 and WACOG grant funding providing \$2,800,000.

Ordinance No. 34-2019, which adopted the Impact Fee Analysis and Impact Fee Facilities Plan for Roads did not identify this project. As such this project is currently not impact fee eligible; however, the City is currently working on drafting a new Impact Fee Facilities Plan and Impact Fee Analysis. It is anticipated that a portion of this project will be impact fee eligible. When the future impact fee is enacted the proportionate share of this project which is attributed to new growth will be reimbursed to the City through the "buy-in" portion of the impact fee. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$3,500,000- Total Project Estimated Revenue
 - \$2,800,000- WACOG Funds- Funding Year 2023 (13-3310 Federal/Local Grants)
 - \$ 700,000- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$3,500,000
- \$3,500,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$3,450,000 to continue to move this project toward completion. Budget \$3,450,000.

- *2700 West (between 2550 S and 2175 S)- Utility / Right of Way Acquisition & Road Project.* This project is the continuation of the widening of 2700 W and Phase 2 will consist of improvements between 2000 South to 2550 South with the construction of a new curb, gutter, and sidewalk. The project includes widening the existing roadway, including widening the existing Hooper Canal crossing to allow for the widening.

The project will improve traffic circulation and provide a safe walking route to the new Mountain View Junior High School constructed at 2050 South.

WACOG has awarded the City \$1,892,000 for right-of-way acquisition/corridor preservation grant funding in the 2024 funding year. The total budget for the project is \$2,692,000, with the City providing \$800,000 and WACOG grant funding providing \$1,892,000.

Ordinance No. 34-2019, which adopted the Impact Fee Analysis and Impact Fee Facilities Plan for Roads did not identify this project. As such this project is currently not impact fee eligible; however, the City is currently working on drafting a new Impact Fee Facilities Plan and Impact Fee Analysis. It is anticipated that a portion of this project will be impact fee eligible. When the future impact fee is enacted the proportionate share of this project which is attributed to new growth will be reimbursed to the City through the "buy-in" portion of the impact fee. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$2,692,000- Total Project Estimated Revenue
 - \$1,892,000- WACOG Funds- Funding Year 2024 (13-3310 Federal/Local Grants)
 - \$ 800,000- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$2,692,000
- \$2,692,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$1,441,200 to continue to move this project toward completion. Budget \$1,441,200.

- *1800 South 1900 West Intersection (between 2050 W and 1900 W) -Right of Way Acquisition, Road Project / Signal Project.* Due to concerns regarding safety at the existing intersection of 1800 S 1900 W, the City held discussions with UDOT regarding whether a traffic signal is warranted. Based on UDOT requirements and practices, the current intersection does not meet the required separation distance from the signalized intersection 2100 S/Wilson Lane and 1900 West.

UDOT stated that a signal would be warranted and would support its installation if 1800 South could be realigned with a 90-degree approach to 1900 W and that a stub road be installed on the west side of 1900 West to serve as the starting point for a future extension to the east. Once the City completes these intersection improvements, UDOT will fund and construct the traffic signal.

The City received a WACOG grant to acquire right-of-way and some construction funds. The City has not yet been able to acquire the right of way and is meeting with UDOT to discuss alternatives. The total budget for the project is \$550,000, with the City providing \$200,000 and WACOG grant funding providing \$350,000 in the 2024 funding year.

Ordinance No. 34-2019, which adopted the Impact Fee Analysis and Impact Fee Facilities Plan for Roads did not identify this project. As such this project is currently not impact fee eligible; however, the City is currently working on drafting a new Impact Fee Facilities Plan and Impact Fee Analysis. It is anticipated that a portion of this project will be impact fee eligible. When the future impact fee is enacted the proportionate share of this project which is attributed to new growth will be reimbursed to the City through the "buy-in" portion of the impact fee. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$550,000- Total Project Estimated Revenue
 - \$350,000- WACOG Funds- Funding Year 2024 (13-3310 Federal/Local Grants)
 - \$200,000 Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$550,000
- \$550,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$550,000 to continue to move this project toward completion. Budget \$550,000.

- *1800 South to 2100 South Connector (between 2475 W and 2200 W)- Right of Way Acquisitions.* Based on the planned realignment of 1800 South at 1900 West Intersection, the City and regional planning efforts have focused on extending 1800 South to the east. This project will provide connectivity east to west as well as benefit the significant residential traffic generated from approved subdivisions west of 1900 West.

The construction will include the construction of a new road, sidewalk, curb and gutter, and drainage improvements. There are appreciable grading challenges that must be accommodated for the project. The project is predicated on the City's acquisition of a significant area of private property. The City will require right-of-way dedication from any development within the proposed roadway limits, in addition to pursuing direct purchase.

The project will make the intersection of 1800 South and 1900 West a safe and effective intersection for both traffic flow and safety. It also eliminates the need to construct an easterly extension of 1700 South that will have ultimately connected to 1750 West. UDOT is a strong advocate and supporter of this project.

WACOG has awarded the City \$4,804,000 for this project in the 2024 funding year. The total budget for the project is \$5,804,000, with the City providing \$1,000,000 and WACOG grant funding providing \$4,804,000.

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Roads identifies this project as being 29.5% impact fee eligible. More specifically, the City's portion of the project is \$1,000,000, impact fees will pay for \$295,000. The City's remaining portion of the project being \$705,000 will be paid for by Unrestricted Cash within this Fund. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$5,804,000- Total Project Estimated Revenue
 - \$4,804,000- WACOG Funds- Funding Year 2024 (13-3310 Federal/Local Grants)
 - \$ 295,000- Impact Fees (13-3430 Road Impact Fees)
 - \$ 705,000- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$5,804,000
- \$5,804,000 Total Project Estimated Expense

The FY 2025 budget proposes funding of \$500,000 to continue to move this project toward completion. Budget \$500,000.

- *3300 South (between 4700 W and 5100 W) & 5100 West (between 3300 S and 3800 S) - Design / Right of Way Acquisition / Road Project.* The project consists of road widening, piping of existing irrigation ditches, and installation of curb, gutter & sidewalk. The project will improve traffic circulation and provide a safe walking route to the Haven Bay Elementary School.

This project is the basis of the WACOG grant application submitted in 2022. The total budget for the project is \$4,998,000, with the City providing \$1,000,000 and WACOG grant funding providing \$3,998,000 in the 2025 funding year.

Ordinance No. 34-2019, which adopted the Impact Fee Analysis and Impact Fee Facilities Plan for Roads did not identify this project. As such this project is currently not impact fee eligible; however, the City is currently working on drafting a new Impact Fee Facilities Plan and Impact Fee Analysis. It is anticipated that a portion of this project will be impact fee eligible. When the future impact fee is enacted the proportionate share of this project which is attributed to new growth will be reimbursed to the City through the "buy-in" portion of the impact fee. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$4,998,000- Total Project Estimated Revenue
 - \$3,998,000 WACOG Funds – Funding Year 2025 (13-3310 Federal/Local Grants)
 - \$1,000,000- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$4,998,000
- \$4,998,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$2,375,000 to continue to move this project toward completion. Budget \$2,375,000.

- *4300 West / 4000 South Intersection and Traffic Signal Improvements. (Design / Construction).* UDOT owns the 4000 S road and has been determined that a traffic signal is warranted at the intersection of 4300 W. UDOT has indicated that they will install and fund the signals. However, intersection improvements are first required to the north-south legs of both intersections. These will include widening the road to add left turn lanes on either side. Once the City completes these intersection improvements, UDOT will fund and construct the traffic signals which are intended to improve both vehicular and pedestrian safety.

This project is the basis of a WACOG grant application submitted in 2022. The total budget for the project is \$1,000,000, with the City providing \$100,000 and WACOG grant funding providing \$900,000 in funding year 2026.

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Roads identifies this project as being 32.7% impact fee eligible. More specifically, the City's portion of the project is \$100,000, impact fees will pay for \$32,700. The City's remaining portion of the project being \$67,300 will be paid for by Unrestricted Cash within this Fund. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$1,000,000- Total Project Estimated Revenue
 - \$900,000- WACOG Funds- Funding Year 2026 (13-3310 Federal/Local Grants)
 - \$ 32,700- Impact Fees (13-3430 Road Impact Fees)

- \$ 67,300- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
- \$1,000,000
- \$1,000,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$50,000 to continue to move this project toward completion. Budget \$50,000.

- *5100 West / 4000 South Intersection. (Design / Construction).* UDOT owns the 4000 S road and has been determined that a traffic signal is warranted at the intersection of 5100 W. UDOT has indicated that they will install and fund the signals. However, intersection improvements are first required to the north-south legs of both intersections. These will include widening the road to add left turn lanes on either side. Once the City completes these intersection improvements, UDOT will fund and construct the traffic signals which are intended to improve both vehicular and pedestrian safety. The signals are intended to improve both vehicular and pedestrian safety.

This project is the basis of a WACOG grant application submitted in 2022. The total budget for the project is \$1,000,000, with the City providing \$100,000 and WACOG grant funding providing \$900,000 in funding year 2026. This road forms the boundary between Hooper and West Haven City, Hooper has indicated that they will participate in the cost of these improvements.

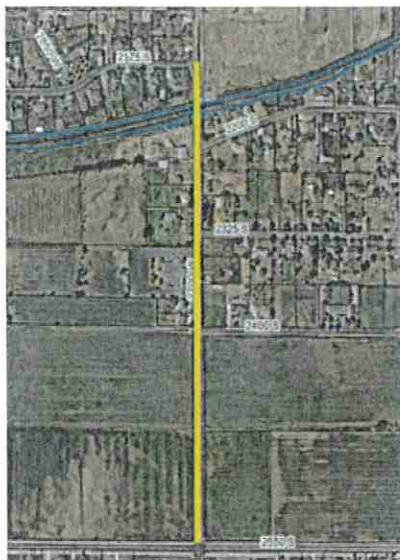
Ordinance No. 34-2019, which adopted the Impact Fee Analysis and Impact Fee Facilities Plan for Roads did not identify this project. As such this project is currently not impact fee eligible; however, the City is currently working on drafting a new Impact Fee Facilities Plan and Impact Fee Analysis. It is anticipated that a portion of this project will be impact fee eligible. When the future impact fee is enacted the proportionate share of this project which is attributed to new growth will be reimbursed to the City through the "buy-in" portion of the impact fee. This capital project will be constructed over multiple fiscal years with the total project costs anticipated to be funded as follows:

- \$1,000,000- Total Project Revenue
 - \$900,000- WACOG Funds- Funding Year 2026 (13-3310 Federal/Local Grants)
 - \$100,000- Unrestricted Cash (13-3999 Use/Contribution of Fund Balance)
 - \$1,000,000
- \$1,000,000- Total Project Expense

The FY 2025 budget proposes funding of \$50,000 to continue to move this project toward completion. Budget \$50,000.



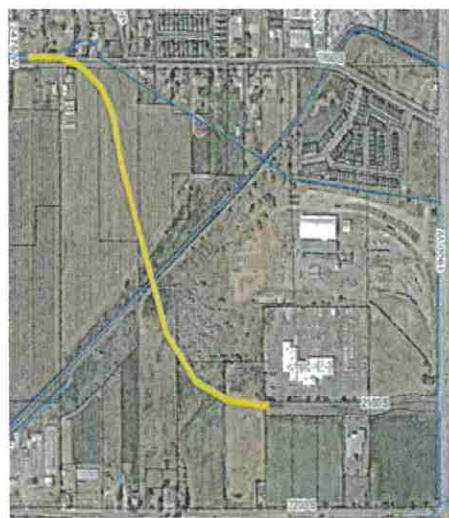
3300 South to 3600 South Connector
(between 2700 W and 3500 W)



2700 West
(between 2550 S and 2175 S)



1800 South 1900 West Intersection
(between 2050 W and 1900 W)



1800 South to 2100 South Connector
(between 2475 West and 2200 West)



3300 South
(between 4700 W and 5100 W)



5100 West
(between 3800 S and 3250 S).

13-62 Class C Roads - Expenses.

- **13-62 Class C Roads.** As of 2024, West Haven City owns and maintains 79.82 miles of roads within its incorporated limits. The Class C Road Funds provide the financial resources for road maintenance to ensure that City roads achieve the greatest life span possible. Street maintenance (crack/chip repair, application of sealant) must be done to maintain the quality of the road network, extend pavement lifespan, and delay/reduce deterioration). For a summary of the maintenance projects to extend the life of a road please reference the summary within the Appendix.

While Class C Road Funds can be used to construct new roads or other transportation-related improvements, the City has usually reserved this source of funding for road maintenance. The City Council approved a road inventory study in the current year's budget that will provide a new baseline to assess the condition of all roads within the City, assign a rating, and serve as the basis for prioritizing roadways for treatment. The Public Works Director has further selected roads that need maintenance based on many factors including the age of the road, current condition, traffic volume, and available funding.

Generally, all the maintenance C Road maintenance projects are outsourced to contractors to perform. For FY 2025, the City is budgeting to perform \$980,000 in maintenance expenses as detailed on the budget spreadsheet.

- \$980,000- Total Project Estimated Revenue
 - \$980,000- Class C Road Funds- (13-3456 Class C Road Allotments)
 - \$980,000
- \$980,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$980,000 to continue to move this project toward completion. Budget \$980,000.

13-63 Other Restricted - Expenses.

- 13-6310 *Transportation Sales Tax*. In 2015 the Utah State Legislature recognized local transportation needs and enacted HB 262 Transportation Infrastructure Funding which authorized counties to impose and voters to approve a 0.25% local option general sales tax. In 2015 Weber County imposed and the voters approved the 0.25% sales tax. The allowed uses associated with this revenue source include the construction and maintenance of a class C road and pedestrian safety infrastructure, including a sidewalk; curb and gutter; a safety feature; etc. For FY 2025 these projects include the following:

- *4300 South Road Reconstruction / Sidewalk (Design and Construction)*. There has been a desire on the part of the City to install a sidewalk along 4300 S between 3500 W and 2900 W. This is a major route for children to walk to the West Haven Elementary School. Both the north and south sides of the roadway present unique challenges to the project. In addition to adding sidewalks 4300 South asphalt needs to be reconstructed.

The total budget for the project is \$1,000,000, with the City being responsible for the entire cost of the project; this project is not impact fee eligible.

- \$1,000,000- Total Project Estimated Revenue
 - \$ 626,500- Transportation Sales Tax- (13-3457 Transportation Tax)
 - \$ 374,500- Reserves for Transportation Tax- (13-2945 Reserves Transp. Tax)
 - \$1,000,000
- \$1,000,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$975,000 to continue to move this project toward completion. Budget \$975,000.

- *2700 South- Sidewalk- West Side, North of Canal (Design / Construction)*. This project is to install a sidewalk on the west side of 2700 W for about 400 ft-500 ft north to connect with the existing sidewalk. There are restoration concerns and these properties were not included in 2700 West Road Project Phase 1. As such three (3) parcels did not receive sidewalks as part of the prior 2550 S phase. These residents were informed that when the school was built, the City would install that sidewalk in front of their houses. Independent agreements are required so the City can compensate the residents for the impacts of the sidewalk associated with their existing improvements.

The total budget for the project is \$70,000, with the City being responsible for the entire cost of the project.

- \$70,000- Total Project Estimated Revenue
 - \$ 70,000- Reserves for Transportation Tax- (13-2945 Reserves Transp. Tax)
 - \$70,000
- \$70,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$70,000 to continue to move this project toward completion. Budget \$70,000.

- **Sidewalk Inventory Project. (Design / Construction).** As the City continues to develop, there is an increasing need to provide safe pedestrian connectivity between neighborhoods, to existing and future schools, and accessibility to the City's extensive park and trail system.

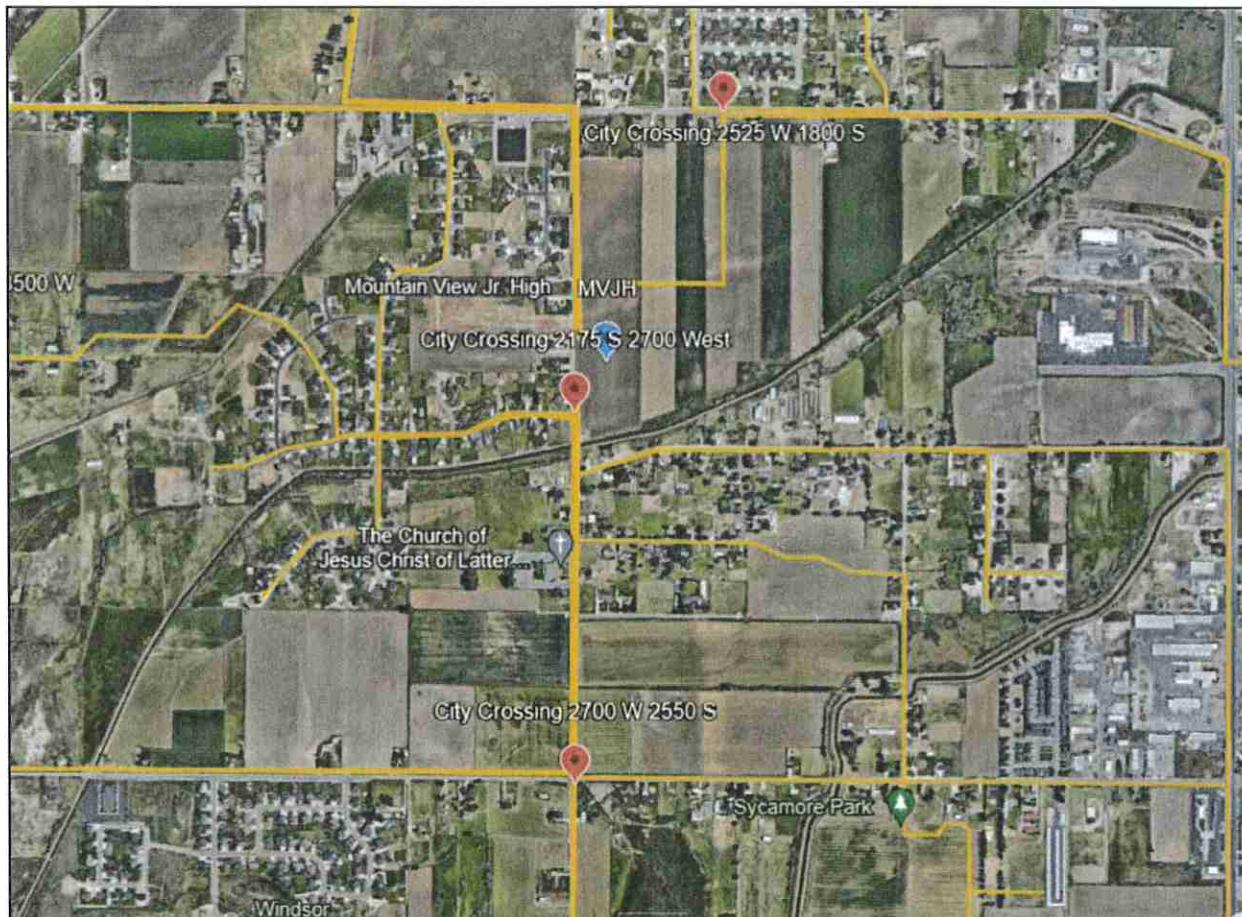
Where possible and practical, sidewalk installation is required when a new subdivision is constructed. However, given the significant undeveloped frontage in the City, there are areas in the City that could be feasible for sidewalk installation projects. To evaluate the need for sidewalks, the City Council approved a sidewalk inventory study that identified areas of existing sidewalks and possible connectivity gaps.

It is recommended that the City Council have a standing budget allocation for yearly sidewalk construction projects.

- \$250,000- Total Project Estimated Revenue
 - \$250,000- Reserves for Transportation Tax- (13-2945 Reserves Transp. Tax)
 - \$250,000
- \$250,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$250,000 to continue to move this project toward completion. Budget \$250,000.

- **Pedestrian Activated Flashing Lights (Mountain View Junior High School).** Weber County School District Officials and West Haven City Staff have identified three major pedestrian crossings that students will use when walking to school. These intersections where pedestrian crossings are needed include 2525 West 1880 South; 2175 South 2700 West; and 2700 West 2550 South and are shown below on a map. In addition to these pedestrian crossings which are West Haven City's responsibility, the School District has reached out to Weber County regarding a potential crossing at 2100 South 3500 West.



Location Map of Mountain View Junior High School Pedestrian Crossings (See red push pins)

Pedestrian-activated flashing lights cost a one-time expense of approximately \$8,000 per crossing, with the Public Works Department installing these lights. By comparison, the annual ongoing cost of a Crossing Guard annually is \$6,500 to \$8,500 depending upon their years of experience.

The total expense for installing pedestrian-activated flashing lights at three crossings is \$24,000.

- \$24,000- Total Project Estimated Revenue
 - \$24,000- Reserves for Transportation Tax- (13-2945 Reserves Transp. Tax)
 - \$24,000
- \$24,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$24,000 to continue to move this project toward completion. Budget \$24,000.

- *Flashing Lights for School Zone (Haven Bay Elementary School).* As described above in line item 10-4211 Crossing Guard a new crossing guard will be added and stationed at the intersection of 5100 West 3300 South for the new Haven Bay Elementary School. With the new crossing guard location, the City will need to install flashing lights associated with a 20 mph school zone. For reference of this intersection please see the map below.

The estimated expense for installing flashing lights for a school zone is \$10,000.

- \$10,000- Total Project Estimated Revenue
 - \$10,000- Reserves for Transportation Tax- (13-2945 Reserves Transp. Tax)
 - \$10,000
- \$10,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$10,000 to continue to move this project toward completion. Budget \$10,000.



Location Map of Haven Bay Elementary School Pedestrian Crossings (See red push pins)

45- Cemetery Fund.

Preface. The West Haven City Cemetery, located at 1550 South 2350 West, provides the location and services associated with the internment of individuals. The size of the Cemetery is 10 acres and will provide up to 6,500 burial plots.

Fund 45 Cemetery Fund has been established as a Fund for future improvement and enhancements to the Cemetery. At present all the revenue associated with the Cemetery is received into this Fund with the current expenses to operate the Cemetery being borne by Fund 10 General Fund (within the Departmental Expense Account, 10-45 Parks).

At some point in the future, if sufficient Fund Balance is amassed in this Fund, from previously deposited revenues and interest earnings the Cemetery Fund may be used to defray future maintenance expenses. It should be noted that cemeteries are maintenance intensive and require ongoing grounds maintenance including regular mowing, grave sinking, leveling of sunken graves, grass planting, litter control, repairs to irrigation systems, and removal of flowers.

Revenue. There are three primary revenue sources for the Cemetery Fund: 1) Cemetery Plot Sales; 2) Opening and Closing Fees; and 3) Interest Earnings as further explained below.

Charge for Services- Revenues.

- *45-3477 Cemetery Plot Sales.* West Haven City charges residents \$550.00 per burial plot and non-residents \$850 per burial plot, which includes the perpetual care of the cemetery. Budget \$25,000.
- *45-34## Opening and Closing Fee.* West Haven City charges residents a fee for internment services which includes the opening and closing of burial plots. Previous Fiscal Years had received revenue attributed to Opening and Closing Fees into *45-3477 Cemetery Plot Sales*. In FY 2025, these two revenue sources will be separated with revenues deposited into the correct revenue line item. Budget \$25,000.

Miscellaneous Revenues.

- *45-3610 Interest Earnings.* West Haven City invests the Cemetery Fund's fund balance in the State of Utah Public Treasurer Investment Fund (PTIF). The PTIF accrues interest, and from FY 2021- FY 2024, the average interest rate paid by the PTIF was 4.5%. Using the 4.5% interest rate, the City Treasurer estimated the amount of money that was attributed to the Cemetery Fund that would be invested in the PTIF and estimated that interest earnings for FY 2025 would be approximately \$22,300. Budget \$22,200.

Fund Balance Revenues.

- *45-3999 Use of Fund Balance.* Fund Balance is used for any gaps within the budget that exist between estimated revenues and expenses. If the budgeted amount in Fund Balance is a positive number, then the budget is proposing expending Fund Balance and if the Fund Balance amount is a negative number then the budget is proposing adding to Fund Balance by lowering the revenue.

As noted below in line item *45-4450 Cemetery Maintenance* there is no planned expense in FY 2025. As such this fund is budgeted to be adding to Fund Balance and for this reason as explained above, the budgeted Fund Balance will be a negative number. Budget (\$72,200)

Expenses.

- *45-4450 Cemetery Maintenance.* There are no planned expenses for FY 2025 from this Fund. At present all of the current expenses to operate the Cemetery are being borne by Fund 10 General Fund, within the Departmental Expense Account, 10-45 Parks). Budget \$0.00.

51- Storm Water Fund.

Preface. The Storm Water Fund is an enterprise fund established to account for the operations of utility services. As such, this fund is to be handled on a basis similar to privately owned utilities or other business organizations.

West Haven City owns and operates a storm drain utility system that protects property and complies with the rules of the State of Utah Department of Environmental Quality. West Haven's storm drain system is a network of storm water basins, manholes, channels, and underground pipes that carry storm water (rainwater and snow runoff) ultimately into the Great Salt Lake.

Storm drain detention basins are designed to control the quantity, quality, timing, and distribution of stormwater before it enters natural waterways and channels. This process is an essential part of keeping debris and sediment from reaching natural waterways. In addition to improving the water quality, this process reduces the impact a storm has on the natural waterways and channels by holding and releasing the storm water at a slower rate. This helps reduce downstream flooding.

Storm water detention basins should be landscaped to control erosion, enhance water infiltration, and assist in water quality treatment. In some cases where detention basins are landscaped with turf, the basins have been incorporated into park spaces and in this way provide an added benefit to the public.

The storm water basin is designed to detain the required 100-year, 24-hour stormwater and discharge it into an existing channel or collection system at the historical 10-year, 24-hour rate. Some storm drain basins are retention basins, and retain the stormwater, because there is no outlet structure to release the water. The water in these basins percolates or evaporates from the basin.

The other main components of the storm drain system seen above ground consist of roadside ditches; curb inlets; ditch inlets; channels: grass, concrete, stone (riprap); and outfalls (pipe openings). The City is responsible for maintaining the public drainage system, structures, and roadside ditches.

The Utah Department of Environmental Quality also requires West Haven City to develop, implement, and enforce a Storm Water Management Plan (SWMP) designed to reduce the discharge of pollutants to the maximum extent practicable from the MS4, protect the water quality, and satisfy the appropriate water quality requirements of the Utah Water Quality Act. The SWMP must include six (6) minimum control measures which include the following:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and elimination (IDDE)
- Construction Site Storm Water Runoff Control
- Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)
- Pollution Prevention and Good Housekeeping for Municipal Operations

West Haven City Storm Water Fund operates a storm drain utility system that protects property and complies with the regulatory requirements of the State of Utah Department of Environmental Quality to maintain water quality within the natural waterways.

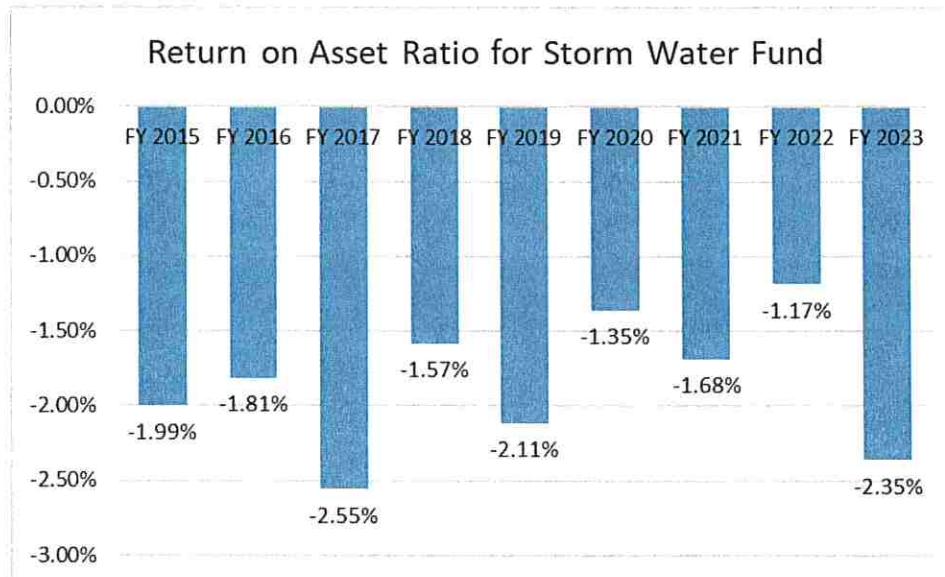
Analysis of Fund. An approach to examining the financial health of a business is the Return on Asset Ratio, which is an expression of how much revenue is being generated from an enterprise's assets. The Return on Asset Ratio is calculated as follows: Operating Income (Operating Revenues minus Operating Expenses) divided by Net Fixed Assets. Below is a table that shows the actual figures from West Haven's audited financial statements from FY 2015 to FY 2023.

	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Net fixed assets	\$ 4,301,358	\$ 4,667,353	\$ 5,330,233	\$ 7,123,661	\$ 7,234,364	\$ 7,609,536	\$ 8,210,502	\$ 10,874,359	\$ 12,828,764
Net operating income	\$ (85,550)	\$ (84,285)	\$ (135,740)	\$ (112,185)	\$ (152,340)	\$ (102,781)	\$ (137,676)	\$ (127,731)	\$ (301,686)
Return on Assets	-1.99%	-1.81%	-2.55%	-1.57%	-2.11%	-1.35%	-1.68%	-1.17%	-2.35%

As stated above the Storm Water Fund is an enterprise fund and is to be handled on the same basis as similar privately owned utilities or other business organizations. The above table shows that this Fund has a negative operating income, that is operating expenses exceed operating revenues. Consequently, the return on the asset ratio is a negative number.

On average, from FY 2015 to FY 2023 the Storm Drain Fund has had a Net Operating Income of -\$137,775 and a -\$1.84 return on asset ratio. As a target, the Storm Water Fund should have a targeted return on asset ratio of 3%.

The following chart entitled, "Return on Asset Ratio for Storm Water Fund" shows that Return on Asset Ratio from FY 2015 to FY 2023 has had a negative return on assets.



As detailed in a section below with the heading "Expenses Not Accounted" identifies several direct expenses in which the General Fund is paying for storm drain operations and subsidizing the operations of this utility. In total, it is estimated that approximately \$69,505 of direct expenses need to be added to the Storm Water Fund. Adding these expenses to the Storm Water Fund will further decrease operating income and the return on asset ratio.

Simply put the Storm Water Fund needs to increase its operating revenues, which means that storm drain utility fees need to increase. City Staff surveyed eight comparable cities within Weber and Davis County and found that on average these cities charged a storm drain fee of \$6.97.



Revenue. There are two primary revenue sources for the Storm Water Fund: 1) Utility Fees; and 2) Impact Fees as further explained below.

Charge for Services- Revenue.

- 51-3410 *Storm Drain Utility Fees*. The Storm Drain Revenue line item is monthly charges for services to users for storm drain services and is the primary source of operating revenue. For this reason, the Storm Water Fund fees for services must be set so that the Fund can meet current operating expenses and build reserves necessary to replace current assets, acquire new assets such as equipment, and fund future construction projects. The Storm Drain does not have variable service fees that fluctuate with usage and as such the revenues remain flat. City Staff estimates Storm Drain Utility Fee Service for FY 2025 to be \$307,600.
- 51-XXXX WACOG Grant Revenue. As previously stated in this memo the City received WACOG grants for road construction projects, which include storm water improvements within these roadways. The City will allocate the grant revenues that are attributed to the storm drain improvements into this line item and the expenses to 51-4455 *Storm Water Impact Fee Expense*. For FY 2025 the City anticipates receiving WACOG grant revenues as follows:
 - \$220,500- Pipe on 2700 West (between 2400 S. and 2550 S.)
 - \$35,000- Hooper Slough (East of 2700 West – Hooper Slough).
 - \$51,100- 5100 West from 3720 South to 3500 South.
 - \$232,800- 3300 South From 4950 West to 5100 West (New Storm Water Pipe- 3300 South).
 - \$539,300

Miscellaneous Revenues- Revenue.

- 51-3610 *Interest Earnings*. West Haven City invests the Storm Water Fund's reserves in the State of Utah Public Treasurer Investment Fund (PTIF). The PTIF accrues interest, and from FY 2021- FY 2024, the average interest rate paid by the PTIF was 4.5%. Using the 4.5% interest rate, the City Treasurer estimated the amount of money that was attributed to the Storm Water Fund that would be invested in the PTIF and estimated that interest earnings for FY 2025 would be approximately \$66,700. Budget \$66,700.
- 51-3630 *Storm Water Impact Fees & 51-3631 Storm Water Impact Fees- Green Farms*. As described in more detail in the Capital Projects Fund, the City assesses impact fees for the storm drain as allowed by State law for future capital improvements of these systems. An impact fee is imposed, as a condition of building permit approval, to raise revenue for new or expanding public facilities caused by development and growth. Impact fee amounts are derived by preparing extensive and comprehensive plans and analyses that calculate the development's proportionate share of impact on the new or expanding public facilities necessary to perpetuate the same level of service.

City staff believes it prudent to estimate growth-related revenue, including impact fees conservatively due to variables such as interest rates, local economy, and cost of materials supplies. Impact fee estimates for FY 2025 are derived from the 94 single-family detached building permits and 134 townhome building permits, which were the same amount of units constructed during the calendar year 2023.

Specifically, based on the number of building permits anticipated to be issued in FY 2025, the City estimates collecting a total of \$130,100 impact fees. Budget \$123,600 in 51-3630 *Storm Water Impact Fees*. Budget \$6,500 in 51-3631 *Storm Water Impact Fees - Green Farms*.

Use of Reserves - Revenue.

- 51-3999 *Use of Reserves*. The Storm Drain Fund typically uses Fund Balance for any gaps within the budget that exist between estimated revenues and expenses. If the budgeted reserves are positive, then the budget is proposing using reserves, and if the budgeted reserves are negative (for example -\$100,000) then the budget is proposing adding to reserves by lowering the revenue. The FY 2025 Budget proposes an appropriation of ##### to offset one-time expenses within this FY budget specifically attributed to #####. Budget #####.

Expenses.

Operation & Maintenance – Expenses.

- **51-4450 Storm Drain Maintenance.** Maintenance of the City's storm water system helps to reduce flood events. Three maintenance activities include catch basin cleaning & jetting pipes, and street sweeping as further described below.

- **Catch Basin Cleaning & Jetting Pipes.** Catch basins are small, rectangular inlets located in the pan of the gutter and face of the curb face. Catch basins collect storm water and over time can become clogged with sediment, leaves, and other debris, which can prevent them from functioning properly and cause flooding.

To clean a catch basin, the City contracts with Twin D who uses a vac truck. This specialized vehicle is equipped with a large tank and a powerful vacuum system, which is used to suction debris and sediment from the catch basin. The vacuum system is designed to remove even the toughest debris, including rocks, gravel, and sand.

In addition to cleaning catch basins with a vac truck, selected areas of the storm drain system have the storm water pipes water jetted. More specifically, jetting pipes are achieved by using a high-pressure stream of water to quickly and effectively remove sediment and other substances that can cause blockages and other problems. Overall, cleaning drain lines with a high-pressure water jet is an effective way to ensure that they are free-flowing and functioning properly. Budget \$70,000.

- **Land Drain Cleaning.** The White Rail Subdivision, Kanesville Farms Subdivision, and Wagon Wheel Subdivision were constructed with a land drain system, which is perforated 8" corrugated ADS pipe with manholes every 300 feet to access. The land drain system helps to keep the groundwater lower and to keep basements from flooding. Tree roots seeking water will find the land drain systems and cause blockages. Every six months, the City contracts with Twin D to auger the roots of these land drains within these subdivisions. Budget \$4,000.
- **Street Sweeping.** Street sweeping provides the means for collecting and disposing of sediment and debris from the curb and gutter. The City contracts with Sweeping Utah, which sweeps all the gutters at least twice every year; some areas of the City require being swept multiple times during the year. Sweeping the streets mitigates the amount of debris that can clog a catch basin or otherwise keep debris and sediments from entering the City's stormwater system, which eventually empties into the Great Salt Lake. Budget \$25,000.
- **51-4456 Engineering (Storm Drain System Mapping / Evaluation).** The City needs better data relating to its storm water system as enumerated below. As such City staff asked Gardner Engineering to put together a fee proposal on the work to be accomplished. It is estimated that the work will take 6 months to complete, depending upon the availability of others to perform the video inspections.

- Locate and survey storm drain outfalls and update outfall locations online GIS map. 72 outfall locations are currently shown on the mapping. It is anticipated that at least 50 will be located and surveyed.
- Coordination and conduct site meetings with storm water staff to coordinate mapping unknown areas in need of possible video inspection. Gardner Engineering to survey locations identified by video inspection. Video inspection by others.
- GIS Updates – update attributes to include past areas cleaned. Existing Drainage basins will be added to online GIS mapping.
- Windsor Pond Survey - Identify the potential volume and function of the pond.
- Country Park Pond Survey - Identify the potential volume and function of the pond.

It is estimated the work described above will cost the City approximately \$50,000, with \$43,000 being attributed to Gardner Engineering work and \$10,000 being attributed to video inspections. Budget \$53,000.

- **51-4452 Vehicle Maintenance & 51-4453 Fuel.** City staff has identified a few direct expenses related to vehicles used in the operations of the Storm Water Fund but budgeted in the General Fund. For FY 2025, these expenses will be rightfully budgeted in the Storm Water Fund. Budget \$2,000 for each line item.
- **51-4454 Membership Fees.** This expense has historically been budgeted in line item 51- 4463 Travel and Training section. However, it seems more appropriate to budget this expense in a separate line item so as not to skew the travel and training budget. Budget \$3,000.
- **51-4451 Depreciation Expense.** Consistently including depreciation in a balanced operating budget will provide the cash needed to replenish depleted assets by budgeting income to cover this non-cash expense. Not

adequately budgeting for depreciation could eventually have the effect of eroding the organization's net assets. Budget \$312,200.

- **51-4455 Storm Water Impact Fee Expense.** West Haven City owns and operates a storm water utility system that protects property and complies with the rules of the State of Utah Department of Environmental Quality. To ensure that the City can continue to meet the objectives above, the City has adopted Ordinance No. 35-2022 approving the Impact Fee Facilities Plan that identifies construction projects that are impact fee eligible that are necessary to improve the storm water system associated with new growth. For FY 2025 these projects include the following:
 - *New Storm Water Pipe on 2700 West (between 2400 S. and 2550 S.)* - This storm water project is part of the road widening and sidewalk construction project along 2700 West (*between 2550 S and 2175 S*), further described in the *13-6080 Roads Impact Fees* section of this memo.

The total budget for this new storm water pipe is \$315,000. As previously stated in this memo the City received a WACOG grant for the 2700 West Road project which will pay 70% of the costs of this project, up to \$1,892,000. As it relates more specifically to this \$315,000 storm water piping project, WACOG will pay up to \$220,500 (70% of the costs), with the City required to pay the remaining amount of \$94,500 (30% of the costs).

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Storm Water identifies this project (Project No. 2 in the IFA) as being 100% impact fee eligible, with the proportionate share analysis only allowing 60% of this storm water piping project costs to be eligible during this storm water collection period (the current impact fee). The remaining 40% of this storm water project costs will be collected in the next impact fee collection period.

Of the \$94,500 that is likely to be the City's portion of the project, the City will use \$56,700 of impact fees (currently 60% impact fee eligible). The remaining \$37,500 will be paid from the Storm Water Fund reserves.

- \$315,000- Total Project Estimated Revenue
 - \$220,500- WACOG Grant (Currently budgeted in *13-3310 Federal/Local Grants* for administrative convenience, when financial statements are completed will need to recognize the contribution of \$220,500 in Fund 51)
 - \$ 56,700- Storm Water Impact Fees (*51-3630 Storm Water Impact Fee Expense*)
 - \$ 37,800- Reserves (*51-3999 Use/Contribution of Fund Balance*)
 - \$315,000
- \$315,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$315,000 to continue to move this project toward completion. Budget \$315,000.

- *New Storm Water Pipe Hooper Slough (East of 2700 West – Hooper Slough).* This project was to install a new storm water pipe in the Hooper Slough east of 2700 and south of the Hooper Canal. Currently, the area is a combination of open ditch and old pipe. About 200 feet of the existing pipe will be replaced as a part of the *2700 West (between 2550 S and 2175 S) Road project*, further described in the *13-6080 Roads Impact Fees* section of this memo. Future phases to extend this storm water piping to the east will be needed to serve the development of the farm ground along the north side of 2200 South and likely the 1800 South / 2100 South connector road project.

The total budget for this new storm water pipe is \$50,000. As previously stated in this memo the City received a WACOG grant for the 2700 West Road project which will pay 70% of the costs of this project, up to \$1,892,000. As it relates more specifically to this \$50,000 storm water piping project, WACOG will pay up to \$35,000 (70% of the costs), with the City required to pay the remaining amount of \$15,000 (30% of the costs).

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Storm Water identifies this project (Project No. 3 in the IFA) as being 100% impact fee eligible, with the proportionate share analysis only allowing 60% of this storm water piping project costs to be eligible during this storm water collection period (the current impact fee). The remaining 40% of this storm water project costs will be collected in the next impact fee collection period.

Of the \$15,000 that is likely to be the City's portion of the project, the City will use \$9,000 of impact fees (currently 60% impact fee eligible). The remaining \$6000 will be paid from the Storm Water Fund reserves.

- \$50,000- Total Project Estimated Revenue
 - \$35,000- WACOG Grant (Currently budgeted in 13-3310 *Federal/Local Grants* for administrative convenience, when financial statements are completed will need to recognize the contribution of \$220,500 in Fund 51)
 - \$ 9,000- Storm Water Impact Fees (51-3630 *Storm Water Impact Fee Expense*)
 - \$ 6,000- Reserves (51-3999 *Use/Contribution of Fund Balance*)
 - \$ 50,000
- \$50,000- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$50,000 to continue to move this project toward completion. Budget \$50,000.

- *New Storm Water Pipe- 3425 South from 2700 West to Layton Canal (New storm drain east of 2700 West to siphon under Layton Canal)*. This project constructs a new storm water line east of 2700 West to siphon under the Layton Canal.

This storm water project will be implemented as part of the Sunset Farm subdivision, with the City's participation. More specifically, the City approved Resolution No. 39-2023, entering into an agreement with the developer of the Sunset Farm subdivision, wherein the City would be responsible for \$135,138.50 for the East Storm Water Improvements and \$6,120.66 for the West Storm Water Line as itemized in the aforementioned Resolution. In total, the City is responsible for approximately \$141,300 (rounded up).

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Storm Water identifies this project (Project No. 10 in the IFA) as being 100% impact fee eligible, with the proportionate share analysis only allowing 60% of this storm water piping project costs to be eligible during this storm water collection period (the current impact fee). The remaining 40% of this storm water project costs will be collected in the next impact fee collection period.

Of the \$141,300 that is likely to be the City's portion of the project, the City will use \$84,800 of impact fees (currently 60% impact fee eligible). The remaining \$56,500 will be paid from the Storm Water Fund reserves.

- \$141,300- Total Project Estimated Revenue
 - \$84,800- Storm Water Impact Fees (51-3630 *Storm Water Impact Fee Expense*)
 - \$56,500- Reserves (51-3999 *Use/Contribution of Fund Balance*)
 - \$141,300
- \$141,300- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$141,000 to continue to move this project toward completion. Budget \$50,000.

- *New Storm Water Pipe- 5100 West from 3720 South to 3500 South*. This storm water project is a part of the road widening, piping of existing irrigation ditches, and installation of curb, gutter & sidewalk for the 5100 West (between 3300 S and 3800 S) road project, further described in the 13-6080 *Roads Impact Fees* section of this memo.

The total budget for this new storm water pipe is \$638,800. As previously stated in this memo the City received a WACOG grant for the 5100 West & 3300 South Road project which will pay 80% of the costs of this project, up to \$3,998,000. As it relates more specifically to this \$638,800 storm water piping project, WACOG will pay up to \$511,000, (80% of the costs), with the City required to pay the remaining amount of \$127,800 (20% of the costs).

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Storm Water identifies this project (Project No. 16 in the IFA) as being 100% impact fee eligible, with the proportionate share analysis only allowing 60% of this storm water piping project costs to be eligible during

this storm water collection period (the current impact fee). The remaining 40% of this storm water project costs will be collected in the next impact fee collection period.

Of the \$127,800 that is likely to be the City's portion of the project, the City will use \$76,700 of impact fees (currently 60% impact fee eligible). The remaining \$51,100 will be paid from the Storm Water Fund reserves.

- \$638,800- Total Project Estimated Revenue
 - \$511,000- WACOG Grant (Currently budgeted in 13-3310 *Federal/Local Grants* for administrative convenience, when financial statements are completed will need to recognize the contribution of \$220,500 in Fund 51)
 - \$ 76,700- Storm Water Impact Fees (51-3630 *Storm Water Impact Fee Expense*)
 - \$ 51,100- Reserves (51-3999 Use/Contribution of Fund Balance)
 - \$638,800
- \$638,800- Total Project Estimated Expense

The FY 2025 budget proposes funding of \$638,000 to continue to move this project toward completion. Budget \$638,000.

- *New Storm Water Pipe- 3300 South From 4950 West to 5100 West (New Storm Water Pipe- 3300 South).* This storm water project is a part of the road widening, piping of existing irrigation ditches, and installation of curb, gutter & sidewalk for the 3300 South (between 4700 W and 5100 W) road project, further described in the 13-6080 *Roads Impact Fees* section of this memo.

The total budget for this new storm water pipe is \$291,000. As previously stated in this memo the City received a WACOG grant for the 3300 & 5100 West South Road project which will pay 80% of the costs of this project, up to \$3,998,000. As it relates more specifically to this \$291,000 storm water piping project, WACOG will pay up to \$232,800, (80% of the costs), with the City required to pay the remaining amount of \$58,200 (30% of the costs).

Ordinance No. 34-2019, which adopted the Impact Fee Facilities Plan and Impact Fee Analysis for Storm Water identifies this project (Project No. 18A in the IFA) as being 100% impact fee eligible, with the proportionate share analysis only allowing 60% of this storm water piping project costs to be eligible during this storm water collection period (the current impact fee). The remaining 40% of this storm water project costs will be collected in the next impact fee collection period.

Of the \$58,200 that is likely to be the City's portion of the project, the City will use \$34,900 of impact fees (currently 60% impact fee eligible). The remaining \$23,300 will be paid from the Storm Water Fund reserves.

- \$291,000- Total Project Estimated Revenue
 - \$232,800- WACOG Grant (Currently budgeted in 13-3310 *Federal/Local Grants* for administrative convenience, when financial statements are completed will need to recognize the contribution of \$220,500 in Fund 51)
 - \$ 34,900- Storm Water Impact Fees (51-3630 *Storm Water Impact Fee Expense*)
 - \$ 23,300- Reserves (51-3999 Use/Contribution of Fund Balance)
 - \$291,000
- \$291,000- Total Project Estimated Expense

- The FY 2025 budget proposes funding of \$291,000 to continue to move this project toward completion. Budget \$291,000.

- *51-4460 Bad Debt.* The WHSSD sends utility bills on behalf of West Haven City for garbage and storm water once a month. Based on historical experience and industry standards, a percentage of these utility bills become delinquent. The WHSSD has made diligent efforts to collect delinquent accounts, and these accounts have been sent to a collection company for their continued efforts to collect on these accounts. Writing-off delinquent accounts receivable balances as bad debt is a critical component in accurately reflecting the City's assets in the financial statements. Amounts shown in this line item have been officially designated as bad debt related to storm water services. Budget \$5,000.

Expenses Not Accounted. As stated previously, the Storm Water Fund is an enterprise fund and is to be managed on a basis similar to privately owned utilities or other business organizations. As such the Storm Water Fund should include all the costs associated with operating this utility. City staff has identified a few direct expenses in which the General Fund is paying for storm water operations and subsidizing this utility as described in more detail below. It is estimated that these expenses would be approximately \$69,505 annually. For Fiscal Year 2025, these expenses will be continued to be paid for in the General Fund, as the City completes the storm water fee study. Once a new fee is instituted these expenses will be accounted for in this Fund.

- *Billing Expenses.* The West Haven Special Sewer District provides billing services to the Storm Water Fund (Fund 51). More specifically billing services provided by WHSSD consist of the following sending utility bills, entering utility payments, coordinating new utility accounts, and overseeing collections and bankruptcies.

It is anticipated that the Storm Water Fund (Fund 51) reimburse WHSSD annually, \$1.00 for the number of billed units (as of February 2024 being 8,194 for Storm Drain Fee- \$3.00 and 527 for Storm Drain 2- \$2.00) for which WHSSD provides billing services. Future budget impact to the Storm Water Fund could be \$8,721.

- *Staff Expense.* A City employee who is paid completely by the General Fund (Fund 10) provides field inspections for the Storm Water Management Plan (SWMP). This employee estimates that approximately 40% of his time is performing storm water inspections and inspection follow-ups. The State of Utah Department of Environmental Quality recently performed a storm water audit of West Haven City's policy and procedures. It is likely, that the Department of Environmental Quality's findings may require more staffing within the Storm Water Fund to resolve any deficiencies revealed by the audit.

It is anticipated that the Storm Water Fund (Fund 51) reimburse West Haven City's General Fund (Fund 10) annually 40% of the total compensation value of the employee that provides SWMP field inspections. Future budget impacts to the Storm Water Fund could be \$33,100

- *Maintenance of Storm Water Basins.* As described above storm water detention basins are landscaped to control erosion, enhance water infiltration, and assist in water quality treatment. The storm water basins are typically landscaped with manicured turf or native vegetation. Both types of landscaping require ongoing maintenance which is currently being provided by the General Fund (Fund 10).

Below is a table that shows the landscaping type and acreage associated with these storm water basins. It is worth noting that some of the storm water basins noted in the table are blended with public park space. In these cases, the portion attributed specifically to storm water was delineated from the public park space.

West Haven Owned Storm Water Detention Basins			
Parcel	Approx. Acres	Location	Note
Storm Detention Basins- Native Vegetation			
80300003	7.77	Wetlands RKB Park	Native Vegetation-Future Detention
80300004	12.75	Wetlands RKB Park	Native Vegetation-Future Detention
80510229	5	3000 W 4000 S	Native Vegetation-Det. Pond
84550030	0.34	3250 W 3450 W	? Marked as det on plat
85320007	1.33	3825 S 3100 W Cambridge	Native Vegetation-Det. Pond
86210113	0.41	3150 W 3900 S Salt Point	Rock-Det. Pond
86780108	1.52	Salt Point NW	Native Vegetation-Future Detention ?
154060025	5.9	Windsor West	Native Vegetation-Future det./Park
154220032	2.68	Secrist	Acts as det. Future Trail on plat
154440016	0.5	S/E Corner of Seclusion	Native Vegetation-Unknown
156740018	0.22	2425 S 2200 W	Cant find
80500130	3.2	3900 W West Haven Elm. Ponds	Native Vegetation-Det. Pond
Total Acres	41.62		
Storm Detention Basins- Manicured Grass			
80500006	0.25	4150 S 3900 W	Manicured Grass-City Hall Pond
84500014	0.29	3450 W 4425 S	Manicured Grass-Det. Pond
86690055	1.19	3275 W 3800 S Salt Point South	Manicured Grass-Det/Park
86300130	2.9	3275 W 3800 S Salt Point North	Manicured Grass-Det. Pond
154200069	0.95	Holmes	Manicured Grass-Det/Park
156840059	0.74	Sycamore	Manicured Grass-Det/Park
Total Acres:	6.32		

It is anticipated that the Storm Water Fund (Fund 51) will reimburse West Haven City's General Fund (Fund 10) annually for the total cost associated with maintaining storm water basins. To estimate the expense of maintaining native vegetation, the unit price of \$80 per acre is used (this was the price per acre that Tremonton City paid a contractor to maintain the property), multiplied by the number of acres in native vegetation being 41.62 multiplied by the number of weeks in which the vegetation is maintained being a maximum of 3 times during a season (from the beginning of March to the end of October). Future budget impacts to the Storm Water Fund could be \$9,988 for the native vegetation.

To estimate the expense of maintaining manicured grass, the unit price of \$80 per acre is used, multiplied by the number of acres in manicured grass being 6.32 multiplied by the number of weeks in which the grass is maintained being 35 weeks (8 months every year, from the beginning of March to the end of October). Future budget impacts to the Storm Water Fund could be \$17,696 for the manicured grass. In total the estimated costs for maintaining native vegetation and manicured grass storm water basins could be approximately \$27,684.

Appendix.

Annexation Policy Plan.

10-2-401.5. Annexation policy plan and Utah Code 10-2-403(5)

Each annexation policy plan shall include a map of the expansion area and a statement of the specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions, addressing matters relevant to those criteria including:

- the character of the community;
- the need for municipal services in developed and undeveloped unincorporated areas;
- the municipality's plans for the extension of municipal services;
- how the services will be financed;
- an estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area;
- the interests of all affected entities; and
- justification for excluding from the expansion area any area containing a housing development with more than 15 residential units and an average density greater than one residential unit per acre; or a commercial or industrial development for which cost projections exceed \$750,000 for all phases.

In developing, considering, and adopting an annexation policy plan, the Planning Commission and City Council shall:

- attempt to avoid gaps between or overlaps with the expansion areas of other municipalities;
- consider population growth projections for the municipality and adjoining areas for the next 20 years;
- consider current and projected costs of infrastructure, urban services, and public facilities necessary:
 - to facilitate the full development of the area within the municipality; and
 - to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area;
- consider, in conjunction with the municipality's general plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development;
- consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality; and
- be guided by the principles outlined in Subsection 10-2-403(5) which are if practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
 - along the boundaries of existing special districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
 - to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
 - to facilitate the consolidation of overlapping functions of local government;
 - to promote the efficient delivery of services; and
 - to encourage the equitable distribution of community resources and obligations.

Maintenance Schedule & Projected Life Span of Roads

City streets have a maintenance schedule and projected lifespan. When a new road is built in a subdivision, the developer pays for the initial construction and is required to build the road to city specifications. Once it is completed, the road is dedicated to the City. A year after completion, the road is treated with an asphalt preservative. The cost of this treatment is covered by the developer and after that time the maintenance of the road becomes solely the city's responsibility.

Approximately 8-10 years following the application of the asphalt preservative, a road will be crack-sealed. This procedure seals cracks in the road so water can't get underneath the asphalt and causes the road to fail. This process gives the road another 8-10 years of life. Following that 8 to 10-year period, there will be a maintenance sequence that includes another crack seal, an overlay, and another application of asphalt preservative. The next major maintenance of the road may include milling, where the asphalt is ground down a few inches before the overlay.

When a road fails, that means the asphalt is completely worn out and can no longer be maintained with this pattern. That's when a road will have to be completely replaced. Under old public works standards, the life expectancy road was about 25 years. Our new public works standards, which include 12" of cobble rock and 8" of road base under the asphalt instead of just 10" of road base, will extend the life of newer roads in our city. These newer roads will need nothing but crack seals and surface treatments before major maintenance is needed.

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY24 BUDGET		
		FY23 ACTUAL (AMENDED)	FY24 ESTIMATES	FY25 BUDGET
REVENUES				
TAX				
10-3130	SALES AND USE TAX	5,350,276	5,893,000	5,991,022
10-3140	FRANCHISE TAX	111,452	158,000	108,000
10-3191	TELECOMMUNICATIONS TAX	54,820	53,000	54,739
10-3192	MUNICIPALITY GRANT	16,739	16,739	22,319
10-3193	ROOM TAX	73,670	72,000	71,541
TOTAL TAX		5,606,956	6,192,739	6,539,000
LICENSE AND PERMITS				
10-3200	LICENSES AND PERMITS	-	-	-
10-3210	BUSINESS LICENSES	111,689	100,000	163,977
10-3220	MISCELLANEOUS BUILDING PERMIT FEES	303,907	200,000	207,978
10-3225	MISCELLANEOUS DEVELOPMENT FEES	-	-	20,000
10-3221	BUILDING PERMITS	911,294	600,000	645,357
TOTAL LICENSE AND PERMITS		1,326,891	900,000	761,700
INTERGOVERNMENTAL REVENUES				
10-3335	ARPA FUNDING	76,108	1,812,277	1,812,277
10-3341	UDOT/WASATCH FRONT	-	-	-
10-3345	LOCAL GRANTS	2,531	55,000	99,929
TOTAL INTERGOVERNMENTAL REVENUES		78,639	1,867,277	1,912,206
CHARGES FOR SERVICES				
10-3410	ADMINISTRATIVE SERVICES WHSSD	505,000	539,266	539,266
10-3471	HERITAGE DAYS	58,821	55,000	55,000
10-3472	PARK RENTAL FEES	7,431	7,000	4,222
10-3473	FALL RODEO	11,480	-	8,166
10-3474	RECREATION CONCESSIONS AND SAL	614	2,000	620
10-3475	RECREATION FEES	115,393	135,000	103,883
10-3476	DONATIONS	670	500	2,147
10-3477	RECREATION FEE WAIVERS	-	-	(500)
10-3480	COMMUNITY ROOM RENTAL	4,780	6,000	4,747
10-3485	SANITATION SERVICES	692,664	690,230	734,878
TOTAL CHARGES FOR SERVICES		1,396,853	1,434,996	1,452,929
TOTAL CHARGES FOR SERVICES		1,396,853	1,434,996	1,452,929
MISCELLANEOUS REVENUES				
10-3605	FINES AND FORFEITURES	154,534	140,000	166,355
10-3610	INTEREST EARNINGS	220,803	225,000	207,881
10-3640	SALE OF FIXED ASSETS	91,269	-	14,761
10-3650	MISCELLANEOUS REVENUES	19,007	27,000	18,760
10-3660	OTHER FINANCING SOURCE	31,703	-	-
10-3699	USE (CONTRIBUTION) OF FUND BAL	-	-	-
TOTAL MISCELLANEOUS REVENUES		517,316	392,000	407,758
TOTAL FUND REVENUE		8,926,655	10,787,012	11,037,825
				9,243,500

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY24 BUDGET			
		FY23 ACTUAL	(AMENDED)	FY24 ESTIMATES	FY25 BUDGET
EXPENSES					
LEGISLATIVE					
10-4111	SALARIES AND WAGES	97,673	97,200	95,050	102,100
10-4113	SOCIAL SECURITY	7,480	7,437	7,436	7,700
10-4114	EMPLOYEE BENEFITS	17,198	18,881	16,416	15,800
10-4115	CITY COUNCIL TRAINING AND TRAV	7,063	11,500	6,959	11,500
10-4116	CITY COUNCIL PROJECTS	3,074	35,000	7,211	42,000
10-4123	CLOTHING ALLOWANCE				450
10-4137	ELECTIONS	-	42,512	13,238	-
10-4143	YOUTH COUNCIL	5,871	10,000	9,275	4,900
TOTAL LEGISLATIVE		138,360	222,530	155,583	184,450
PUBLIC SAFETY					
10-4210	POLICE DEPARTMENT	1,728,764	1,853,909	1,853,909	2,013,800
10-4211	CROSSING GUARDS	35,072	51,419	43,467	51,600
10-4213	CROSSING GUARDS TAXES	2,683	3,932	3,325	3,900
10-4241	EMERGENCY MANAGEMENT	-	20,000	-	30,500
10-4253	ANIMAL CONTROL	102,928	112,214	112,214	118,700
TOTAL PUBLIC SAFETY		1,869,448	2,041,474	2,012,915	2,218,500
ADMINISTRATIVE					
10-4311	SALARIES AND WAGES	263,653	450,000	477,866	500,000
10-4312	SALARIES AND WAGES - RECORDER	123,725	-	-	-
10-4313	SOCIAL SECURITY	20,161	30,811	29,729	38,250
10-4314	EMPLOYEE BENEFITS	95,125	171,094	139,708	160,800
10-4315	SOCIAL SECURITY - RECORDER & O	9,450	-	-	-
10-4316	EMPLOYEE BENEFITS - RECORDER &	60,472	-	-	-
10-4317	CITY MGR TRAINING/TRAVEL	16,117	16,200	6,491	5,100
10-4324	OFFICE SUPPLIES	17,579	24,000	21,096	24,000
10-4325	FURNITURE AND FIXTURES	14,546	20,000	6,562	10,000
10-4330	AUDIT	8,050	14,500	10,000	14,500
10-4332	ATTORNEY	200,765	180,000	199,516	217,000
10-4333	OUTSIDE SERVICES	9,778	5,000	14,600	15,000
10-4334	ECONOMIC DEVELOPMENT	-	13,000	-	52,500
10-4335	TREASURER	60,380	60,000	53,333	60,000
10-4363	TRAINING & TRAVEL	2,232	3,000	240	4,000
10-4390	EDUCATION - COMMUNITY PROMOTIO	66,433	76,500	66,092	49,800
TOTAL ADMINISTRATIVE		968,465	1,064,105	1,025,234	1,150,950
PLANNING AND ZONING					
10-4465	PLANNING COMMITTEE	41,647	41,400	41,400	42,300
10-4466	PLANNING COM. SOCIAL SECURITY	3,186	3,167	3,167	3,200
10-4467	TRAINING AND TRAVEL	-	1,000	-	1,000
TOTAL PLANNING AND ZONING		44,833	45,567	44,567	46,500

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY24 BUDGET			
		FY23 ACTUAL	(AMENDED)	FY24 ESTIMATES	FY25 BUDGET
PARKS					
10-4511	PARKS SALARIES AND WAGES	253,452	308,924	262,275	385,500
10-4512	PARKS SEASONAL WAGES	12,561	-	14,821	-
10-4513	PARKS SOCIAL SECURITY	20,338	23,633	21,208	29,000
10-4514	EMPLOYEE BENEFITS	151,208	175,217	141,749	190,000
10-4515	PROFESSIONAL SERVICES	3,845	8,000	17,720	48,000
10-4516	TRAINING AND TRAVEL	1,124	3,700	4,741	3,700
10-4540	MATERIALS AND SUPPLIES	169,986	191,575	112,889	198,200
10-4541	MAINTENANCE	-	8,500	-	47,200
10-4542	CEMETERY EXPENSE	-	4,835	-	-
10-4575	PARKS- CAPITAL OUTLAY	55,285	-	-	
10-4577	RIVERBANK RESTORATION				
10-4579	ENGINEERING	14,469	17,500	4,121	17,500
TOTAL PARKS		682,267	741,884	579,524	919,100
PARKS & SPECIAL EVENTS					
10-4620	HEART OF THE HOLIDAYS/LIGHTING	12,934	16,000	8,858	12,500
10-4621	WEST HAVEN DAYS	112,672	109,600	109,600	113,000
10-4622	FALL RODEO	13,814	15,000	17,979	-
10-4623	ARBOR DAY	1,500	5,000	4,200	5,000
10-4625	SENIOR ACTIVITIES	1,501	2,500	614	2,500
10-4626	OTHER EVENTS	-	2,000	-	8,500
10-4627	COMMUNITY COMMITTEES	11,336	6,000	1,978	6,000
10-4664	ARTS COUNCIL	-	18,000	16,611	18,000
TOTAL PARKS & SPECIAL EVENTS		153,757	174,100	159,841	165,500
RECREATION					
10-4711	SALARIES AND WAGES	103,903	125,209	112,755	142,100
10-4712	SEASONAL WAGES	60,270	77,724	54,193	93,000
10-4713	SOCIAL SECURITY	13,030	9,579	8,754	10,700
10-4714	EMPLOYEE BENEFITS	60,850	68,650	69,375	72,300
10-4715	OFFICIALS BUDGET	32,768	57,048	38,544	57,300
10-4716	PROFESSIONAL SERVICES	-	3,000	-	5,000
10-4717	TRAINING AND TRAVEL	4,587	4,176	6,348	5,400
10-4718	SEASONAL TAXES	-	5,946	4,159	6,000
10-4740	MATERIALS AND SUPPLIES	52,769	-	-	-
10-4741	CONCESSIONS	-	4,300	-	-
10-4742	ADULT VOLLEYBALL	952	4,010	-	4,100
10-4743	BASEBALL MATERIALS	23,143	25,500	23,089	27,500
10-4744	BASKETBALL	28,501	34,115	14,946	34,400
10-4745	FOOTBALL	33,447	30,500	46,494	33,500
10-4746	FLAG FOOTBALL	9,882	16,000	12,655	13,500
10-4747	OUTDOOR RECREATION	4,570	5,600	4,866	5,600
10-4748	WEBSITE	9,399	8,500	1,755	11,300
10-4770	RAMP & MUNICIPALITY GRANT	681	-	14,375	16,700
10-4775	RECREATION- CAPITAL OUTLAY				
TOTAL RECREATION		438,752	479,857	412,306	538,400

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY24 BUDGET			
		FY23 ACTUAL	(AMENDED)	FY24 ESTIMATES	FY25 BUDGET
COMMUNITY DEVELOPMENT					
10-4811	COMMUNITY DEVELOPMENT WAGES	393,466	370,600	331,781	437,200
10-4812	COMMUNITY DEVELOPMENT ENGINEER	83,815	70,000	71,080	70,000
10-4813	COMMUNITY DEVELOPMENT TAXES	30,038	28,351	25,381	38,800
10-4814	COMMUNITY DEVELOPMENT BENEFITS	194,329	208,664	167,433	227,000
10-4815	MEMBERSHIPS	1,219	1,000	237	1,300
10-4821	PROFESSIONAL SERVICES	66,635	35,000	51,238	130,000
10-4824	SUPPLIES	1,772	3,500	2,287	4,300
10-4863	TRAINING & TRAVEL	11,117	11,000	9,864	15,000
TOTAL COMMUNITY DEVELOPMENT		782,392	728,115	659,301	923,600
NONDEPARTMENTAL					
10-5115	MEMBERSHIPS				15,000
10-5135	WORKMENS COMPENSATION FUND	14,320	18,000	14,489	20,000
10-5145	TELEPHONE	19,348	22,000	19,592	46,000
10-5150	INSURANCE	44,363	48,400	47,000	50,000
10-515#	VEHICLE MAINTENANCE	36,182	41,000	-	31,000
10-515#	FUEL	44,019	40,000	-	50,000
10-5155	COMPUTER EQUIPMENT & SOFTWARE	150,285	149,020	68,108	159,000
10-5161	NON-DEPARTMENTAL OTHER	43,151	68,000	31,995	22,800
10-5164	BAD DEBT EXPENSE	13,431	-	13,809	15,000
10-5170	MAINTENANCE	19,475	40,000	24,336	38,000
10-5175	UTILITIES	65,449	60,000	53,214	66,000
10-5176	CAPITAL OUTLAY	4,336	-	-	
TOTAL NONDEPARTMENTAL		454,359	486,420	272,543	512,800
GENERAL GOVERNMENT BUILDINGS					
10-5211	JANITOR WAGES	24,524	30,000	27,756	25,600
10-5213	JANITOR TAXES	1,870	4,000	2,123	2,500
TOTAL GENERAL GOVERNMENT BUILDINGS		26,394	34,000	29,879	28,100
EMERGENCY MANAGEMENT					
10-5675	ARPA CAPITAL OUTLAY	76,108	-	-	-
TOTAL EMERGENCY MANAGEMENT		76,108	-	-	-
PUBLIC WORKS					
10-6011	SALARIES AND WAGES	204,767	200,364	211,143	266,500
10-6013	SOCIAL SECURITY	15,635	15,328	16,152	20,000
10-6014	EMPLOYEE BENEFITS	103,164	117,936	93,226	144,700
10-6030	ENGINEERING	46,537	40,000	33,730	40,000
10-6032	EMERGENCY PROJECTS	-	10,000	-	10,000
10-6033	SIGNS HARDWARE POSTS	8,256	22,200	7,492	22,000
10-6034	MATERIALS AND IMPROVEMENTS	2,674	20,000	7,958	20,000
10-6035	STREET LIGHTING	145,313	75,000	33,788	31,250
10-6037	SANITATION SERVICES	651,667	760,000	760,000	822,900
10-6038	STREET LIGHTING - INSTALLATION	-	50,000	119,131	93,750
10-6040	SERVICES	16,917	10,000	14,480	18,000
10-6042	TRAINING AND TRAVEL	3,099	3,500	3,512	3,500
10-6043	SUPPLIES	28,414	22,500	13,511	22,500
10-6050	VEHICLE MAINTENANCE	36,182	41,000	40,850	20,000
10-6051	FUEL	44,019	40,000	37,076	-
10-6052	EQUIPMENT RENTAL	4,788	10,000	5,944	8,000
10-6060	CELL PHONES	11,584	15,000	9,149	
10-6065	DRUG TESTING	-	750	-	1,500

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY23 ACTUAL	FY24 BUDGET (AMENDED)	FY24 ESTIMATES	FY25 BUDGET
10-6075	CAPITAL OUTLAY- EQUIPMENT	33,910	-	-	
10-6091	SAFE SIDEWALK	1,005	-	-	-
TOTAL PUBLIC WORKS		1,357,931	1,453,578	1,407,142	1,544,600

CITY OF WEST HAVEN
GENERAL FUND

FY2025 TENTATIVE BUDGET

		FY24 BUDGET			
		FY23 ACTUAL	(AMENDED)	FY24 ESTIMATES	FY25 BUDGET
SEWER					
10-6111	SEWER WAGES AND BENEFITS	239,508	263,038	263,276	314,900
10-6113	SEWER TAXES	18,353	20,122	20,073	23,700
10-6114	SEWER BENEFITS	145,998	171,549	152,744	179,300
TOTAL SEWER		403,858	454,709	436,093	517,900
DEBT SERVICE					
10-7110	DEBT SERVICE PRINCIPAL	18,445	-	-	22,000
10-7120	DEBT SERVICE INTEREST	988	-	-	1,500
TOTAL DEBT SERVICE		19,433	-	-	23,500
OTHER FUNDS					
10-7300	TRANSFER TO CAPITAL PROJECTS	3,260,000	3,045,278	3,045,278	469,600
10-7320	TRANSFER TO OTHER FUNDS	38,500	-	-	
10-7260	CONTRIBUTION TO FUND BALANCE	-			
TOTAL OTHER FUNDS		3,298,500	3,045,278	3,045,278	469,600
TOTAL FUND EXPENDITURES		10,714,856	10,971,617	10,240,206	9,243,500
NET REVENUE OVER EXPENDITURES		(1,788,200)	(184,605)	797,618	-

CITY OF WEST HAVEN
CAPITAL PROJECTS FUND

=new for FY25

FY2025 TENTATIVE BUDGET

		FY23 ACTUAL	FY24 BUDGET (AMENDED)	FY24 ESTIMATES	FY25 BUDGET
REVENUES					
13-3310	FEDERAL/LOCAL GRANTS	2,133,998	2,700,000	2,708,561	6,567,600
13-3335	ARPA FUNDING	-	-	-	-
TOTAL SOURCE 33		2,133,998	2,700,000	2,708,561	6,567,600
RESTRICTED REVENUES					
13-3430	ROAD IMPACT FEES	933,619	500,000	620,200	460,500
13-3435	ROAD IMPACT FEES - GREEN FARMS	238,112	60,000	75,472	24,300
13-3456	CLASS C ROAD ALLOTMENT	927,104	1,009,000	1,070,725	1,177,800
13-3457	TRANSPORTATION SALES TAX	512,107	550,000	572,292	626,500
13-3470	PARK IMPACT FEES	690,194	250,000	311,449	454,400
13-3473	PARK IMPACT FEES - GREEN FARMS	141,747	35,000	47,127	34,200
TOTAL RESTRICTED REVENUES		3,442,884	2,404,000	2,697,265	2,777,700
MISCELLANEOUS REVENUES					
13-3610	INTEREST EARNINGS	640,297	1,150,000	1,196,077	889,500
TOTAL MISCELLANEOUS REVENUES		640,297	1,150,000	1,196,077	889,500
FUND BALANCE AND TRANSFER					
13-3910	GENERAL FUND TRANSFER	3,260,000	3,045,278	3,045,278	469,600
13-3999	USE (CONTRIBUTION) OF FUND BALANC				1,293,800
TOTAL FUND BALANCE AND TRANSFER		3,260,000	3,045,278	3,045,278	1,763,400
TOTAL FUND REVENUE		9,477,178	9,299,278	9,647,180	11,998,200
EXPENSES					
PARKS					
13-4515	CAPITAL EQUIPMENT	81,226	764,197	219,775	270,000
13-4530	PARK IMPACT FEE EXPENDITURES	395,510	3,300,111	263,938	316,300
13-4532	PARK IMPACT FEES - GREEN FARMS	-	788,500	259,934	30,000
13-4535	PARKS CAPITAL OUTLAY	132,937	-	-	656,700
13-4550	CAPITAL PROJECTS OTHER	-	-	-	-
TOTAL PARKS		609,673	4,852,808	743,648	1,273,000
ROAD PROJECTS					
13-6080	ROAD IMPACT FEES	41,098	3,525,000	68,227	327,700
13-6081	ROAD IMPACT FEES - 3300 S	1,914,045	2,211,743	3,184,673	-
13-6083	2700 W ROAD PROJECT	480	-	-	1,441,200
13-6085	ROAD PROJECTS				6,647,300
TOTAL ROAD IMPACT FEES		1,955,623	5,736,743	3,252,899	8,416,200
CLASS C ROADS					
13-6255	CRACKSEAL	96,214	150,000	-	150,000
13-6260	Asphalt Surface Treatment (SLURRY SEA	166,142	190,000	405,034	126,000
13-6265	ROAD STRIPING	56,405	60,000	57,737	60,000
13-6270	SALT	31,323	50,000	31,703	50,000
13-6275	CHIP SEAL	173,261	62,000	464	239,000
13-6280	ASHPALT PATCH & OVERLAY	3,592	225,000	19,938	355,000
TOTAL CLASS C ROADS		526,937	737,000	514,876	980,000

CITY OF WEST HAVEN
CAPITAL PROJECTS FUND

=new for FY25

FY2025 TENTATIVE BUDGET

	FY23 ACTUAL	FY24 BUDGET (AMENDED)	FY24 ESTIMATES	FY25 BUDGET
OTHER RESTRICTED				
13-6310 TRANSPORTATION SALES TAX	81,922	250,000	103,007	1,329,000
13-6315 GRANT EXPENDITURES - ARPA	-	18,124	18,124	-
TOTAL OTHER RESTRICTED	81,922	268,124	121,131	1,329,000
TOTAL FUND EXPENDITURES	3,174,155	11,594,675	4,632,554	11,998,200
NET REVENUES OVER EXPENDITURES	6,303,023	(2,295,397)	5,014,626	-

CITY OF WEST HAVEN
CEMETERY FUND

FY2025 TENTATIVE BUDGET

			FY24 ESTIMATES	FY25 BUDGET
	FY23 ACTUAL	FY24 BUDGET		
REVENUES				
CHARGES FOR SERVICES				
45-3477 CEMETERY PLOT SALES	50,875	-	90,767	25,000
45-34### OPENING & CLOSING FEES				25,000
TOTAL CHARGES FOR SERVICES	50,875	-	90,767	50,000
MISCELLANEOUS REVENUES				
45-3610 INTEREST INCOME	13,553	-	24,141	22,200
TOTAL MISCELLANEOUS REVENUES	13,553	-	24,141	22,200
FUND BALANCE				
45-3999 USE (CONTRIBUTION) OF FUND BALANCE	-	-	-	(72,200)
TOTAL MISCELLANEOUS REVENUES	-	-	-	(72,200)
TOTAL FUND REVENUE	64,428	-	114,907	-
EXPENSES				
TOTAL FUND EXPENDITURES	-	-	-	-
NET REVENUE OVER EXPENDITURES	64,428	-	114,907	-

CITY OF WEST HAVEN
STORM WATER FUND

FY2025 TENTATIVE BUDGET

OPERATING REVENUES

CHARGES FOR SERVICES

		FY23 ACTUAL	FY24 BUDGET (AMENDED)	FY24 ESTIMATES	FY25 BUDGET
51-3410	STORM DRAIN UTILITY FEES	259,058	243,000	302,182	307,600
51-3420	STORM WATER INSPECTION FEE	4,400	4,800	4,800	4,800
51-XXXX	GRANT REVENUE			86,100	
51-3999	USE (CONTRIBUTION) OF FUND BAL				515,800
TOTAL OPERATING REVENUES		263,458	247,800	306,982	914,300

OPERATING EXPENSES

OPERATION AND MAINTENANCE

51-4411	SALARIES AND WAGES	65,849	66,294	68,011	72,800
51-4413	SOCIAL SECURITY	5,018	5,071	5,203	5,500
51-4414	EMPLOYEE BENEFITS	37,296	38,231	38,039	39,500
51-4415	PENSION EXPENSE	(1,878)	-	-	-
51-4450	STORM DRAIN MAINTENANCE	92,595	100,000	57,861	144,000
51-4451	DEPRECIATION EXPENSE	258,027	250,000	283,830	312,200
51-4452	VEHICLE MAINTENANCE		-		2,000
51-4453	FUEL		-		2,000
51-4454	MEMBERSHIPS		-		3,000
51-4456	ENGINEERING	14,421	10,000	858	68,000
51-4460	BAD DEBT EXPENSE	3,248	-	4,435	5,000
51-4463	TRAINING & TRAVEL	220	6,000	527	3,000
51-4454	STORM WATER PROJECTS - MAINT		-		254,800
TOTAL OPERATING EXPENSES		481,968	478,096	458,910	914,300
NET OPERATING INCOME (LOSS)		(218,510)	(230,296)	(151,927)	-

NONOPERATING REVENUES

MISCELLANEOUS REVENUES

51-3610	INTEREST EARNINGS	59,518	49,000	94,501	66,800
51-3630	STORM WATER IMPACT FEES	27,368	60,000	116,191	123,600
51-3631	STORM WATER IMPACT FEES - GF	3,345	60,000	7,680	6,500
51-3650	CONTRIBUTED REVENUES	2,166,760	-	-	-
51-3660	TRANSFER FROM OTHER FUNDS	38,500	-	-	-
51-3670	GRANT REVENUE	-	-	-	453,300
51-3999	USE (CONTRIBUTION) OF FUND BAL	-	-	-	71,200
TOTAL NONOPERATING REVENUES		2,295,492	169,000	218,372	721,400

NONOPERATING EXPENSES

51-4455	STORM WATER IMPACT FEES EXPENS	83,177	35,000	23,140	268,100
51-44XX	STORM WATER PROJECTS - CAPITAL		-		453,300
TOTAL NONOPERATING EXPENSES		83,177	35,000	23,140	721,400

NET NONOPERATING INCOME (LOSS)

TOTAL CHANGE IN NET POSITION	1,993,805	(96,296)	43,305	-
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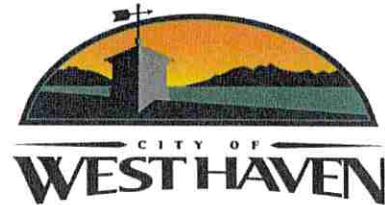
STAFF REPORT

TO: Mayor, City Council, and Shawn Warnke – City Manager

FROM: Amy F. Hugie, City Attorney

DATE: May 1, 2024

SUBJECT: LKL & Associates -Road Construction and Reimbursement of Road Construction Costs



Background

On July 6, 2022, this issue was brought to the attention of City Council at work session. A staff report was presented with exhibits. I have attached that staff report as Exhibit A to this current staff report. Basically, back in 2022, LKL was approved for a commercial use subdivision to develop and build their new building. As part of that approval, they were required to build a 84' right of way in front of their building instead of the traditional 66' right of way in similar situations as this one. This was an upgrade that the City required because it would help connect Wilson Lane to 1800 South and serve as a major connector for east-west traffic. This upgrade was not required by the development. City Manager Matt Jensen proposed two different possibilities to deal with the cost of the upgrade.

In June 2022 before the presentation to the City Council, Gardner Engineering did a review of the proposed costs regarding the road and found them to be reasonable based on other projects that the City was working on.

Because the presentation on July 6, 2022, was at a work session, a decision was not made. However, the Council expressed not being opposed to looking at reimbursement regarding the increase in the costs for the widening of the road instead of the other option of a 50/50 approach.

No further negotiations were held with LKL, and City Manager Matt Jensen told LKL after the July 2022 meeting that the issue would be dealt with at the end of the project. At this point in time, the road and building are finished. They have received final inspection and a certificate of occupancy. They also paid their full road impact fees of \$50,804.73 in order to get their certificate of occupancy. LKL has done everything required of them by the City. At this time, this discussion needs to be held regarding the cost of the upgrade to the road.

Analysis

City Manager Matt Jensen has provided the analysis of the issues in his staff report which are still accurate. The City has an obligation to participate in the upgrade to this road or else it would be considered a takings. The agreement of the City paying \$75,653.45 that is being presented tonight represents the upgrade that the City required of LKL. LKL is also willing to agree to this amount.

Options

1. The City Council approves the Agreement and authorizes the City Manager to pay \$75,653.45 to LKL.
2. The City Council denies the Agreement.
3. The City Council tables the discussion and requests additional information.

EXHIBIT A

Staff Report – Work Session - July 6, 2022
LKL & Associates Road Construction and Wilson Lane Cost Sharing



**WEST HAVEN CITY
PRE-COUNCIL WORKSHOP AGENDA
HELD PRIOR TO CITY COUNCIL MEETING
WEDNESDAY JULY 6, 2022**

@

5:00 PM – In City Council Chambers

**NO ACTION CAN OR WILL BE TAKEN ON ANY CITY COUNCIL MEETING AGENDA ITEMS DISCUSSED DURING
PRE-COUNCIL WORKSHOP - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.**

MEETING TO ORDER:

MAYOR PRO TEM CALL

REPORTS AND DISCUSSION AS FOLLOWS:

1. Discussion-Landscaping Ordinance
2. Discussion-Consideration of Modification of Road Standards-
Agricultural Standard
3. Discussion-LKL Road Construction Wilson Lane Cost Sharing

CITY COUNCIL

Meeting Date: July 6, 2022
Agenda Item: LKL and Associates Road Construction
Wilson Lane Cost Sharing
Requested by: Matthew Jensen
Staff Review: Matthew Jensen



EXECUTIVE SUMMARY

This staff report provides the Council with information on a request from LKL and Associates ("LKL") for cost sharing of extending Wilson Lane through their property under development at 2144 West Wilson Lane.

BACKGROUND

LKL has approved subdivision to develop 6.85 acres for commercial use on Wilson Lane. The subdivision is bisected by Wilson Lane and the anticipated connector route that will connect Wilson Lane to 1800 South and serve as a major connector for east-west traffic in West Haven and Weber County. As such, LKL was instructed to anticipate building an 84' wide right of way standard road through their property. Due to the increased size of the road, LKL is asking for consideration of shared cost for the road improvements.

REVIEW & ANALYSIS

LKL understands the requirement to make City infrastructure improvements as part of their subdivision development and accepts that they are responsible for the improvement costs. Their concern is that they have been asked to develop a road that is larger and longer than what is necessary to serve their property. In reviewing similar commercial usage, they believe that the Minor Collector standard with a right of way width of 66' is a more practical expectation. Additionally, they are building the road the full 354' distance across the property when they could service their development with a roundabout roughly halfway through their property. They are asking the Council to share in the increased construction costs. The estimate of the street construction is \$353,077.16 with details included as Attachment A for your consideration.

As reviewed in our land use training, the City has the right to require the cost of street construction to be carried by the developer if it is reasonable to the anticipated use of the development. If it is not, it can be construed as a governmental taking and the City would be responsible for the additional costs. As the 84' right of way corridor was required as part of the anticipated Wilson Lane extension to 1800 South, a strong case can be made that the City is requiring more of LKL than what is the actual anticipated use for their property. The subdivision plat is included as Attachment B. Road construction will include the extension of water and stormwater connections from the eastern border to the western border of LKL's property for future development. Here are two options for approaching the cost of the street:

- **Proportionate Share Consideration** – The increase in size from 66' to 84' represents a 27% increase in costs for the project of \$75,653.45. This approach still requires LKL to build the street across their property but would have the City cover the costs of the increased right of way.
- **Usage Share Consideration** – As LKL feels that a cul-de-sac halfway through the property would serve their uses, they propose a 50/50 split on costs with the City. This approach would have the City contribute \$176,538.58 to the project. This approach is not supported by our current transportation plan which was available at the time

The City has funds available for this project that would not directly impact our operating budget. The proposed Wilson Lane/1800 South connection is eligible for use of Road Impact Fees. LKL is also slated to pay \$50,804.73

in Road Impact Fees. The City can use Impact Fees and negotiate a waiver of LKL's Road Impact Fees as part of any commitment by the City to cover costs. Any cost sharing could also be considered as matching funds for the WACOG grant that is funding full development of the road in 2024.

RECOMMENDATION

Staff holds that consideration of cost sharing is warranted for the extension of Wilson Lane as part of LKL's property development. This protects the City from possible governmental takings claims and funds are available through Road Impact Fees and waiver of LKL's fees. City Manager is presenting this issue to clarify any questions that the Council may have before proceeding with negotiations.

ATTACHMENT A



To:	LKL And Associates INC	Contact:	
Address:	6341 West Wells Park Road West Jordan, UTAH	Phone:	
Project Name:	Wilson Lane 2100 S	Fax:	
Project Location:		Bid Number:	
		Bid Date:	

Bid Proposal Estimator: Massey Dalton 801-836-1605

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Concrete					
6001	Prep And Place Curb And Gutter	735.00	LF	\$25.42	\$18,683.70
6002	Prep And Place Sidewalk	2,910.00	SF	\$9.39	\$27,577.20
Total Price for above Concrete Items:					<u>\$46,260.90</u>
Earthwork					
5001	Clear And Grub Right Of Way	31,300.00	SF	\$0.06	\$1,878.00
5005	Import / Place Structural Fill Material	6,100.00	TON	\$20.33	\$121,013.00
5009	6" Pobbase	21,730.00	SF	\$1.59	\$30,204.70
5010	3" Asphalt Paving	21,730.00	SF	\$1.69	\$36,723.70
Total Price for above Earthwork Items:					<u>\$192,819.40</u>
Press Irrigation					
3005	12" Pressurized Irrigation	380.00	LF	\$69.37	\$25,980.60
3019	Pressurized Irrigation Tie In	1.00	EACH	\$3,245.77	\$3,245.77
3021	PI Trench Backfill	250.00	TON	\$17.65	\$3,530.00
3022	PI Bedding Material	250.00	TON	\$27.39	\$6,845.00
3023	PI Line Testing	1.00	LS	\$1,210.39	\$1,210.39
3024	12x4 PI Drain	1.00	EACH	\$3,891.32	\$3,891.32
3026	PI Stub And Plug With Blow Off	1.00	EACH	\$2,434.93	\$2,434.93
Total Price for above Press Irrigation Items:					<u>\$47,138.01</u>
Water					
2005	12" Culinary Line	380.00	LF	\$81.70	\$31,046.00
2009	Fire Hydrant Assembly - Culinary	2.00	EACH	\$9,542.60	\$17,085.20
2018	Culinary Trench Backfill	250.00	TON	\$17.65	\$4,412.50
2019	Culinary Water Bedding	250.00	TON	\$27.39	\$6,845.00
2020	Culinary Tie In	1.00	EACH	\$3,161.54	\$3,161.54
2026	Stub And Plug With Blow Off	1.00	EACH	\$2,434.93	\$2,434.93
2045	Culinary Water Line Testing	1.00	LS	\$1,873.68	\$1,873.68
Total Price for above Water Items:					<u>\$66,858.85</u>
Total Price for above Items:					<u>\$353,077.16</u>
Total Bid Price: <u>\$353,077.16</u>					

Notes:

- * Dewatering to be an additional per day amount if needed.
- * Permits, Fees, Survey, Testing, Engineering or Layout is Excluded

Resolution No. 09-2024

**RESOLUTION OF WEST HAVEN CITY AUTHORIZING ADOPTION OF THE
REIMBURSEMENT AGREEMENT WITH LKL & ASSOCIATES; AUTHORIZING THE
CITY MAYOR TO SIGN THIS RESOLUTION; AUTHORIZING THE CITY MANAGER
TO SIGN THE REIMBURSEMENT AGREEMENT ON BEHALF OF THE CITY; AND,
PROVIDING FOR AN EFFECTIVE DATE.**

SECTION I – RECITALS:

WHEREAS, the City Council of West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of UCA § 10-3-717, the governing body of the City may exercise all administrative powers by resolution including, but not limited to entering into Contracts regarding protecting the health, safety, and welfare of the public; and,

WHEREAS, LKL & Associates ("LKL") constructed a new development on 2100 West Wilson Lane ("Wilson Lane") in West Haven, Utah for its business operations; and

WHEREAS, part of the new LKL development involved construction work in and for Wilson Lane; and

WHEREAS, the LKL development approval by the City required a Wilson Lane width of 84 (eighty-four) feet rather than the City standard road width of 66 (sixty-six) feet (the "Wilson Lane upgrade"); and

WHEREAS, the reason that the City required a road width of 84 (eighty-four) feet instead of 66 (sixty-six) feet is because the City has plans that Wilson Lane will be extended to 1800 South; and

WHEREAS, LKL agreed with the City to include the additional width of Wilson Lane for its Wilson Lane property development by advancing the construction costs if the City would subsequently reimburse LKL for the cost of the additional road width; and

WHEREAS, the City agrees that this upgrade in the road width was for City purposes and LKL should be reimbursed for the additional costs; and

WHEREAS, the City feels that adopting this Agreement to reimburse LKL will best serve the citizens of the City, and now desires to adopt this Agreement attached as Attachment "A"; and,

WHEREAS, the City finds that the public convenience and necessity requires the actions herein contemplated,

NOW, THEREFORE, BE IT RESOLVED by the City of West Haven as follows:

SECTION II.

1. That the Agreement regarding reimbursing the additional road construction costs to widen a section of Wilson Lane, between West Haven City and LKL, a copy of which is attached as Attachment "A" to this Resolution, is hereby adopted by the City Council.
2. That the City Manager is authorized to sign any and all documents necessary to affect the Agreement, including signing the Agreement and issuing a check for \$75,653.45 to LKL.
3. That the Mayor is authorized to sign this Resolution adopting the Agreement.

The foregoing recitals are fully incorporated herein.

SECTION III. PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION VI. DATE OF EFFECT

This Resolution shall be effective immediately upon its passage on the 1st day of May 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 1st day of May 2024.

WEST HAVEN CITY

Mayor Rob Vanderwood

ATTEST:

Emily Green, City Recorder

Mayor Rob Vanderwood
Councilmember Carrie Call
Councilmember Kim Dixon
Councilmember Nina Morse
Councilmember Ryan Saunders
Councilmember Ryan Swapp

Yes _____ No _____
Yes _____ No _____

DRAFT

ATTACHMENT “A”

AGREEMENT BETWEEN LKL & ASSOCIATES, AND WEST HAVEN CITY

DRAFT

AGREEMENT

This AGREEMENT is entered into between L.K.L. ASSOCIATES, INC., a Utah corporation (“LKL”), and the CITY OF WEST HAVEN, (the “City”) as of May 1, 2024, each a “Party” and collectively the “Parties”.

WHEREAS, LKL constructed a new development on 2100 West Wilson Lane (“Wilson Lane”) in West Haven, Utah for its business operations; and

WHEREAS, part of the new LKL development involved construction work in and for Wilson Lane; and

WHEREAS, the LKL development approval required a Wilson Lane width of 84 (eighty-four) feet rather than the City standard road width of 66 (sixty-six) feet (the “Wilson Lane upgrade”); and

WHEREAS, LKL agreed with the City to include the additional width of Wilson Lane for its Wilson Lane property development by advancing the construction costs if the City would subsequently reimburse LKL for the cost of the additional road width, which is a claim of LKL owing by the City (“Claim”); and

WHEREAS, LKL employed its contractor, DAM Construction, LLC (“DAM”), used by LKL for its new Wilson Lane property development, to include the Wilson Lane upgrade; and

WHEREAS, DAM constructed Wilson Lane to include the Wilson Lane upgrade. A copy of the plat recorded for the LKL development project is attached hereto as Exhibit A and the Wilson Lane is depicted on the plat; and

WHEREAS, LKL paid DAM \$75,653.45 for the Wilson Lane upgrade; and

WHEREAS, all work for the Wilson Lane, including the Wilson Lane upgrade, has been completed and accepted by the City. The additional cost of the Wilson Lane upgrade paid by LKL is included in the invoice of DAM attached hereto as Exhibit B; and

WHEREAS, LKL and the City desire to enter into this Agreement to provide for the reimbursement to LKL for their payment of the Claim for the cost of the Wilson Lane upgrade; and

NOW, THEREFORE, IN CONSIDERATION of the payment of the Claim to be made by the City to LKL and other good and valuable consideration the receipt and sufficiency of which is hereby expressly acknowledged, the City and LKL agree as follows:

1. **Payment to LKL.** Upon execution of this Agreement by LKL and the City, the City agrees to pay the Claim for reimbursement of \$75,653.45 to LKL for the Wilson Lane upgrade. The City payment of the Claim to LKL is agreed to be made to LKL within ten (10) days of the approval of this Agreement by the City Council.

2. **Release.** LKL accepts and agrees that the payment of \$75,653.45 shall be full settlement and satisfaction of the Claim for the Wilson Lane upgrade undertaken by LKL. Upon receipt of the payment of the Claim, LKL releases, acquits, and discharges the City for the Claim incurred by LKL for the Wilson Lane upgrade.

3. **Ownership of Claim.** LKL represents to the City that LKL has paid DAM and all suppliers for the Wilson Lane upgrade and it is the sole owner of the Claim and has not assigned or transferred any interest in the Claim to any other person.

4. **Time of the Essence.** Time is of the essence of this Agreement and every provision of this Agreement.

5. **Counterparts.** The Parties may execute this Agreement in counterparts, each of which shall be deemed an original instrument and all of which together constitute one and the same instrument.

6. **Attorney's Fees.** If either Party commences a legal proceeding to enforce any of the terms of this Agreement, the prevailing Party in such action shall have the right to recover reasonable attorney's fees and costs from the other Party.

7. **Authority.** Each Party has full legal authority and power to execute and deliver this Agreement; the officer of Party executing this Agreement has been duly authorized to execute and deliver this Agreement; and this Agreement constitutes a valid and binding obligation of the Parties according to its terms and conditions.

IN WITNESS WHEREOF, the undersigned by and through their duly authorized signatories, have executed this Agreement as of the date first above written.

L.K.L. ASSOCIATES, INC.

By: _____
Name: _____
Title: _____

CITY OF WEST HAVEN

By: _____
Name: _____
Title: _____

DRAFT

Exhibit A

Recorded Plat of LKL Development

DRAFT

Exhibit B

Invoice of DAM Construction.

DRAFT



To:	LKL And Associates INC	Contact:	
Address:	6341 West Wells Park Road West Jordan, UTAH	Phone:	
Project Name:	Wilson Lane 2100 S	Bid Number:	
Project Location:		Bid Date:	

Bid Proposal Estimator: Massey Dalton 801-836-1605

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
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Total Price for above Concrete Items:					<u>\$46,260.90</u>
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5005	Import / Place Structural Fill Material	6,100.00	TON	\$20.33	\$124,013.00
5009	8" Roadbase	21,730.00	SF	\$1.39	\$30,204.70
5010	3" Asphalt Paving	21,730.00	SF	\$1.09	\$36,723.70
Total Price for above Earthwork Items:					<u>\$192,819.40</u>
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2009	Fire Hydrant Assembly - Culinary	2.00	EACH	\$8,542.60	\$17,085.20
2018	Culinary Trench Backfill	250.00	TON	\$17.65	\$4,412.50
2019	Culinary Water Bedding	250.00	TON	\$27.38	\$6,845.00
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2045	Culinary Water Line Testing	1.00	LS	\$1,873.68	\$1,873.68
Total Price for above Water Items:					<u>\$66,858.85</u>
Total Price for above Items:					<u>\$353,077.16</u>

Total Bid Price: \$353,077.16

Notes:

- * Dewatering to be an additional per day amount if needed.
- * Permits, Fees, Survey, Testing, Engineering or Layout is Excluded

**City Council
Staff Review Memo**

May 1, 2024

James Ed Pehrson, Building Official



Interlocal Agreement for Third-Party Building Inspections

Applicant: Syracuse, Farmington City, Kaysville City, West Haven City

Decision Type: Legislative

Staff Recommendation: See comments under "Staff Review"

Public Hearing Posting: No public hearing is required

Background

During the 2024 Utah Legislative Session, SB185 Residential Building Inspection Amendments was passed, signed by the Governor, and is scheduled to take effect on May 1, 2024. SB185 requires that each City provide a third-party firm list of three or more firms who are able and qualified to provide building inspections within the City's jurisdiction and who are approved by the City. SB185 also provides that if a City does not provide a building inspection within three days of an applicant's request, the applicant may make a request to the City to engage a third-party inspection firm from the City's list of third-party inspection firms.

Staff Review

Attached to this staff report is a copy of the proposed Interlocal Agreement for Third Party Inspections. City Attorney and Staff has worked with the City Attorneys and Staff of the other listed jurisdictions to draft this Interlocal Agreement. With this Interlocal Agreement in place, the jurisdictions would be able to call on each other for help as needed to avoid the need to push building inspections beyond three days and be in violation of the Utah State Code. If it becomes necessary to enlist the help of one of the third-party firms (i.e., one of the other cities listed in the Agreement), because the building inspections extend beyond the three days and the applicant requests a third party firm, no cost would be incurred by West Haven City in this Agreement to enlist the help of another city to perform the building inspection, thus keeping the funds acquired for the building permits in the city and staying in compliance with the Utah State Code.

Staff Recommendation

Staff recommends that the city council approve the Interlocal Agreement with Syracuse City, Farmington City, Kaysville City to be in compliance with SB 185.

Resolution No. 15-2024

**RESOLUTION OF WEST HAVEN CITY AUTHORIZING ADOPTION OF THE
INTERLOCAL AGREEMENT BETWEEN WEST HAVEN CITY, SYRACUSE CITY,
KAYSVILLE CITY, AND FARMINGTON CITY FOR THIRD-PARTY BUILDING
INSPECTIONS; AUTHORIZING THE MAYOR TO SIGN THIS RESOLUTION;
AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL AGREEMENT
ON BEHALF OF THE CITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

SECTION I – RECITALS:

WHEREAS, the City Council of West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of UCA § 10-3-717, the governing body of the City may exercise all administrative powers by resolution including, but not limited to entering into agreements regarding protecting the health, safety, and welfare of the public; and,

WHEREAS, the cities of West Haven, Syracuse, Kaysville, and Farmington ("Parties") employ building inspectors who conduct building inspections within each of their jurisdictions; and

WHEREAS, Utah Code Section 15A-1-105, effective May 1, 2024, requires each of the Parties to create a third-party inspection firm list; and

WHEREAS, Utah Code Section 15A-1-105 allows permit applicants to engage a third-party inspector from a city's third-party inspection firm list if that city is unable to provide a building inspection within three (3) business days after the day on which that city receives the request for inspection; and

WHEREAS, Utah Code Section 15A-1-105 allows the Parties to include, in their respective third-party inspection firm lists, building inspectors from adjacent cities or counties; and

WHEREAS, the Parties desire to fill their respective third-party inspection firm lists with building inspectors employed by the other Parties; and

WHEREAS, the Parties feel that the best way to accomplish this goal regarding the third-party firm lists is to enter into an Interlocal Agreement, with terms consistent with Utah State Code for Interlocal Agreements, with each of the Parties; and

WHEREAS, the City Council now desires to adopt this Interlocal Agreement by accepting the terms thereof; and,

WHEREAS, the City finds that the public convenience and necessity requires the actions herein contemplated,

NOW, THEREFORE, BE IT RESOLVED by the City of West Haven as follows:

SECTION II. AGREEMENT:

1. That the Interlocal Agreement for Third-Party Building Inspections between West Haven City, Syracuse City, Farmington City, and Kaysville City, a copy of which is attached as Attachment A to this Resolution, is hereby adopted by the City Council.
2. That the City Manager is authorized to sign any and all documents necessary to effect this Agreement, including signing the Agreement itself.
3. That the Mayor is authorized to sign this Resolution adopting the Agreement.

The foregoing recitals are fully incorporated herein.

SECTION III. PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION VI. DATE OF EFFECT

This Resolution shall be effective immediately upon its passage on the 1st day of May 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 1st day of May 2024.

WEST HAVEN CITY

Mayor Rob Vanderwood

ATTEST:

City Recorder

Mayor Rob Vanderwood
Councilmember Carrie Call
Councilmember Kim Dixon
Councilmember Nina Morse
Councilmember Ryan Saunders
Councilmember Ryan Swapp

Yes _____
Yes _____
Yes _____
Yes _____
Yes _____
Yes _____

No _____
No _____
No _____
No _____
No _____
No _____

DRINK

ATTACHMENT “A”

Interlocal Agreement for Third-Party Building Inspections between West Haven City, Syracuse
City, Farmington City, and Kaysville City

DRAFT

INTERLOCAL AGREEMENT FOR THIRD-PARTY BUILDING INSPECTIONS

INTERLOCAL AGREEMENT, PURSUANT TO UTAH CODE TITLE 11 CHAPTER 13, ("Agreement") dated this 1st day of May, 2024, by and between Syracuse City, Farmington City, Kaysville City and the City of West Haven, all municipal corporations of the State of Utah, ("Parties").

WHEREAS, the Parties employ building inspectors who conduct building inspections within their respective jurisdictions; and

WHEREAS, Utah Code Section 15A-1-105, effective May 1, 2024, requires each of the Parties to create a third-party inspection firm list; and

WHEREAS, Utah Code Section 15A-1-105 allows the Parties to include, in their respective third-party inspection firm lists, building inspectors from adjacent cities or counties; and

WHEREAS, the Parties desire to fill their respective third-party inspection firm lists with building inspectors employed by the other Parties to this Agreement; and

WHEREAS, Utah Code Section 15A-1-105 allows permit applicants to engage a third-party inspector from a city's third-party inspection firm list if that city is unable to provide a building inspection within three (3) business days after the day on which that city receives the request for inspection; and

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Recitals.** The foregoing Recitals are fully incorporated herein.
2. **Definitions.** As used in this Agreement:
 - (a) "Request" means a request from a permit applicant for a third-party inspection pursuant to Utah Code Section 15A-1-105(2);
 - (b) "Requesting city" means the city from which a request is initiated; and
 - (c) "Responding city" means the city that provides inspection services pursuant to a request.
3. **Third-party Inspection Firm List.** Each of the Parties hereby includes the building inspectors employed by the other Parties on its third-party inspection firm list.

4. General Building Inspection Services. Upon receipt of a request, the responding city shall provide, without cost, inspection services necessary to fulfill the request. If the responding city is not able to fulfill the request for any reason, in the responding city's sole discretion, then it is relieved of this obligation by promptly informing the requesting city that it does not have an inspector available to fulfill the request.

5. Qualifications of Inspectors. The Parties shall provide qualified, State of Utah licensed, inspectors with qualifications and certifications necessary for the requested inspection.

6. Autonomy. Each of the Parties retains the autonomy to plan, organize, schedule, and otherwise direct the services provided by its building inspectors. All Parties agree that performance of obligations under this Agreement will not jeopardize building inspection services within a responding city's jurisdiction, and that a responding city may decline a request in its sole discretion.

7. Time of Response. Building inspectors shall accommodate requests and complete inspections expeditiously.

8. Compliance with Codes. Building inspectors shall adhere to and apply the requesting city's adopted Codes, including:

The National Electrical Code as amended;
The International Mechanical Code as amended;
The International Plumbing Code as amended;
The International Building Code as amended; and
The International Residential Code as amended.

9. Costs. A responding city shall, without cost to the requesting city, furnish all labor, equipment, facilities, and supplies required to complete requested inspections.

10. Term of Agreement/Withdrawal. This Agreement shall be effective on the date it is signed by the Parties. The initial term of this Agreement is five (5) years. Unless one or more of the Parties objects, this Agreement shall automatically renew for up to three (3) additional five-year terms. The Parties may mutually terminate this Agreement at any time. Any Party may unilaterally withdraw and terminate from this Agreement, with or without cause, upon sixty (60) days' written notice to the other Parties. Such termination shall not modify the Agreement as between any of the remaining Parties, except only to exclude the terminating Party from the obligations created herein.

11. Liability and Indemnification. Each Party shall indemnify, defend, and hold the other Parties, their officers, agents, and employees harmless from any and all claims, demands, liabilities, costs, expenses, penalties, damages, losses, and liens, including, without limitation, reasonable attorney's fees, arising out of or any way related to any act, omission or event occurring as a consequence of performing under this Agreement; provided, however, that each

Party shall be responsible for its own negligent acts and agrees to indemnify and hold the other Parties harmless therefrom.

12. **Waiver.** Each Party waives all claims against the other Parties for compensation for any loss, damage, personal injury, or death occurring as a consequence of performing this Agreement.

13. **Governmental Immunity.** 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 any Party 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 which a Party to this Agreement is otherwise entitled. Subject to the Act, each Party shall be responsible for its own actions and shall defend any lawsuit brought against it and pay any damages awarded against it.

14. **Employment Status.** Employees of the respective Parties remain the employees of that Party and do not acquire from any other Party any employment status, other employment right, or claim for wages or other benefits, including workers' compensation.

15. **Interlocal Agreement Provisions.** This Agreement does not create an interlocal entity. There is no separate legal entity created by this Agreement to carry out its provisions; and to the extent that this Agreement requires administration other than as is set forth herein, it shall be administered by the governing bodies of the Parties acting as a joint board. There shall be no real or personal property acquired jointly by the Parties as a result of this Agreement. This Agreement does not relieve any Party of obligations or responsibilities imposed upon that Party by law.

16. **Severability.** If any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

17. **Entire Agreement.** This Agreement contains the entire agreement between the Parties. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied upon by the Parties. All prior understandings, negotiations, or agreements are merged herein and superseded hereby.

18. **Amendments.** This Agreement may be modified only by a written amendment signed by each of the Parties hereto.

19. **Agreement Not Assignable.** This Agreement is specific to the Parties hereto and is therefore not assignable.

20. **Governing Law, Jurisdiction, and Venue.** This Agreement is made and entered into subject to the provisions of the laws of the State of Utah, which laws shall control the enforcement of this Agreement. The Parties recognize that certain Federal laws may be applicable. In the event of any conflict between this Agreement and the applicable State or Federal law, the State or Federal law shall control.

21. **Approval of Agreement.** This Agreement shall become effective as set out above provided it has been approved as appropriate by the above-mentioned Parties, and in accordance with the provisions of Section 11-13-101 et seq., Utah Code Annotated, 1953, as amended. In accordance with the provisions of Section 11-13-202.5(3), this Agreement shall be submitted to the attorney authorized to represent each Party for review as to proper form and compliance with applicable law before this Agreement may take effect.

IN WITNESS WHEREOF, the signing Parties below have signed and executed this Agreement, after resolutions duly and lawfully passed on the dates listed below.

SYRACUSE CITY:

Mayor

City Recorder

City Attorney

FARMINGTON CITY:

Mayor

City Recorder

City Attorney

KAYSVILLE CITY:

Mayor

City Recorder

City Attorney

CITY OF WEST HAVEN:

Mayor

City Recorder

City Attorney

DRAFT

STAFF REPORT

TO: City Council
FROM: James Abbott
DATE: April 16, 2024
SUBJECT: Concessions Stands



BACKGROUND

West Haven Recreation has a concession stand at both the Kenneth R Baldwin Park and the Sports Complex Park. We often try to staff the concession stand but when short-handed with staff, are not able to staff both the concession stand and sports games. When I don't have enough staff, we do not open the concession stand. When the concession stand is unable to be open on a consistent basis, it is underutilized and results in less revenues as park patrons are not prepared to use it.

ANALYSIS

West Haven Recreation would like to contract out the concession stand with a concessionaire, allowing the concessionaire to stock it and staff it so it can be open on a regular basis. West Haven would be paid a daily rental fee while the concessionaire would take home the net profits from the sales. This arrangement would better utilize the concession stand and allow park patrons to use it as well.

CONSIDERATION

Staff is asking for acceptance of the attached concessionaire agreement and contract.

Resolution No. 16-2024

RESOLUTION OF WEST HAVEN CITY AUTHORIZING ADOPTION OF AN AGREEMENT REGARDING THE OPERATION OF THE CONCESSION STAND; AUTHORIZING THE CITY MAYOR TO SIGN THIS RESOLUTION; AND THE CITY MANAGER TO SIGN THE CONCESSION STAND AGREEMENT ON BEHALF OF THE CITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

SECTION I – RECITALS:

WHEREAS, the City Council of West Haven City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with the provisions of UCA § 10-3-717, the governing body of the City may exercise all administrative powers by resolution including, but not limited to entering into agreements regarding protecting and promoting the health, safety, and welfare of the public; and,

WHEREAS, the City owns concession stands in conjunction with some of the City recreation facilities; and

WHEREAS, the City wishes to have the concession stands operated during recreational activities; and

WHEREAS, the City feels that the best way to accomplish its goals at this time is to enter into a Concession Stand Agreement ("Agreement") with private citizens to have the concession stands operated; and

WHEREAS the City Council now desires to adopt this Agreement by accepting the terms thereof; and,

WHEREAS, the City finds that the public convenience and necessity requires the actions herein contemplated,

NOW, THEREFORE, BE IT RESOLVED by the City of West Haven as follows:

SECTION II. AGREEMENT :

1. That the Concession Stand Agreement between the designated applicants and the City, a copy of which is attached as Attachment "A" to this Resolution, is hereby adopted by the City Council.
2. That the City Manager is authorized to sign any and all documents necessary to affect this Agreement, including signing the Agreement itself.

3. That the Mayor is authorized to sign this Resolution adopting the Agreement.

The foregoing Recitals are fully incorporated herein.

SECTION III. PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any and all prior Resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION IV. REPEALER OF CONFLICTING ENACTMENTS:

All orders, and Resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall, in fact, be invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION VI. DATE OF EFFECT

This Resolution shall be effective immediately upon its passage on the 1st day of May 2024.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY, STATE OF UTAH, on this 1st day of May 2024.

WEST HAVEN CITY

Mayor Rob Vanderwood

ATTEST:

Emily Green, City Recorder

ATTACHMENT "A"

WEST HAVEN CITY CONCESSION STAND AGREEMENT

DRAFT

WEST HAVEN CITY CONCESSION STAND AGREEMENT

This AGREEMENT entered into as of May , 2024, by and between WEST HAVEN CITY, a municipal corporation hereinafter "City" and Jeff and Keely McNair, hereinafter called "Concessionaire."

IT IS AGREED between the parties as follows:

1. PREMISES

In consideration of the payments and promises hereinafter provided for on the part of the Concessionaire, the City hereby agrees to enter into a Concession Stand Agreement (hereinafter "Agreement") and grants the Concessionaire the right and necessity to provide a variety of food, i.e., (hamburgers, hot dogs, nachos, pizza, sandwiches, ice cream, snow cones, pre-packaged items, candy items, etc.) and drinks, (subject to existing agreements, see page 5, #7) at the Sports Complex Park and Kenneth R Baldwin Country Park.

The Concessionaire shall provide concession services at all sports events at The Sports Complex Park and the Kenneth R Baldwin Country Park, except charitable or nonprofit events, and corporate or private party events conducted with consent and approval of the City, unless approved in writing by the West Haven Parks & Recreation Director (hereinafter "Director") or designee.

The existing equipment and appliances at the concessions facilities will shall remain the property of the City. The City shall assume responsibility for the cost, maintenance, and repair of all equipment supplied by City and shall maintain such equipment in good working order at all times. The existing equipment is:

Sports Complex Park
Ice Machines (1)
Pepsi Refrigerators (1)
Deep Freezer (1)
Pizza Machine
Nacho Machine
Popcorn maker
Shelving

R Kenneth Baldwin Country Park
Ice Machine (1)
Refrigerator/Freezer Combo Unit (1)
Pepsi Fridge (1)
Shelving

Concessionaire shall furnish, at its own expense, any equipment that is necessary to operate the concessions that is not furnished by the City. Concessionaire shall assume responsibility for the cost of installation of all equipment supplied by Concessionaire and shall maintain all equipment in good working order at all times, at its own expense.

Concessionaire shall not make any repairs, changes, or alterations to the existing building, plumbing, or equipment without prior written permission from the City. Concessionaire shall make reasonable efforts to use City property and equipment within design tolerances and shall be responsible for any damage caused by abuse or misuse. Concessionaire shall immediately notify the City of any damaged or non-working equipment or property.

2. TERM

This agreement shall have a term of from May 1, 2024, through December 31, 2024.

Sports Complex Park- The Concessionaire shall be on site for all league and tournament play. At the Sports Complex Park, this will generally be Monday through Thursday from 5:30 pm to 8:30pm with some Saturday play running from 8:00am to 5:00pm.

R. Kenneth Baldwin Country Park- The Concessionaire shall be required on site for all league and tournament play. At R Kenneth Baldwin Country Park, this will generally be Monday through Thursday from 5:30 pm to 8:30pm with some Saturday play running from 8:00am to 5:00pm.

Any other events that may require concessions, shall be agreed upon by both Concessionaire and the City in writing.

Concessionaire may cater for, or open concessions to, third-party individuals and/or organizations as agreed upon by both the Concessionaire and the City in writing.

3. COMPENSATION TO CITY

In consideration of the foregoing grant of concession rights the Concessionaire agrees to pay the City at the Parks and Recreation Department offices a rate of, \$20.00 per working day Monday through Thursday; and a rate of \$30.00 per day for Saturday use, for each concession location (Sports Complex Park and R Kenneth Baldwin Country Park). Payment shall be received on or before the 29th of each month and within 15 days after the end of the term of the aforesaid grant. The Concessionaire shall submit to the Parks and Recreation Department a monthly statement of the dates of operation for each facility along with the amount due for each day and the amount of sales for each day, for each building.

If Concessionaire fails to open or decides not to open the concession stand on a day that the concession stand is contracted to be open, the Concessionaire shall still owe the city the required daily rental fee for that day since it was a contracted day.

No payment is due to the City for agreed upon City-Sponsored events and/or private rental events not included in paragraph 2, above.

4. INSURANCE REQUIREMENTS

1. Concessionaire shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Concessionaire, its agents, representatives, employees, or subcontractors. The cost of such insurance shall be the Concessionaire's sole responsibility and the Concessionaire shall pay for all required insurance listed below. Concessionaire shall furnish the City with a certified copy of all insurance policies applying to this Agreement, with the City listed as an additional insured. The City shall review and approve the Concessionaire's insurance policy before Concessionaire begins any work under the Agreement. The Concessionaire's insurer shall be authorized to do business in Utah. The amount of insurance shall not be less than:
 - A. Commercial General Liability: \$1,000,000 Combined Single Limit per Occurrence for Bodily Injury, Personal Injury, Property Damage, and Contractual Liability.
 - B. Business Automobile Liability: \$1,000,000 Combined Single Limit per Accident, including "Any Auto" Coverage.
 - C. Workers' Compensation and Employers' Liability: Workers' Compensation Limits as Required by the Labor Code of the State of Utah and Employers Liability Limits of 1,000,000.00 per Accident.
2. The policies are to contain, or be endorsed to contain, the following provisions:
 - A. The City, its officers, officials, employees, volunteers, and agents are to be covered as additional insureds with primary coverage and not contributing. The coverage shall contain no special limitations on the scope of protection afforded the additional insureds.
 - B. The Concessionaire's insurance coverage shall be primary insurance and any insurance or self-insurance maintained by the City, its officers, officials, employees, volunteers, or agents shall be excess of the Concessionaire's insurance and shall not contribute with it.
 - C. Each policy shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except

after thirty (30) days prior written notice by certified mail, return receipt requested, has been given and approved by the City.

- D. The Concessionaire shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the requirements stated herein.
- E. Any insurance coverage written on a claims-made basis shall so state in the certificate of insurance. Concessionaire represents that as long as commercially available, then the insurance shall remain in effect such that claims reported up to three (3) years beyond the date of substantial completion of this Agreement are covered.

3. Concessionaire shall agree to disclose to City all incidents or occurrences of accident, injury, and/or property damage covered by the insurance policy or policies.

5. INDEMNITY

Concessionaire shall protect, defend, and hold West Haven City, its officers, officials, agents, employees, volunteers, and representatives completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines, or demands arising by reason of injury or death of any person or damage to any property, including all reasonable cost for investigation and defense thereof (including but not limited to attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to this agreement and/or the use of occupancy of the premises subject to this Agreement or the acts or omissions of Concessionaire's officers, agents, employees, contractors, subcontractors, licenses, or invitees regardless of where the injury, death, or damage may occur, unless such injury, death, or damage is caused by the sole negligence of West Haven City.

The Concessionaire shall give West Haven City reasonable written notice of any such claims or actions. The Concessionaire shall also use counsel reasonably acceptable to West Haven City in carrying out its obligations hereunder. The provisions of this section shall survive the expiration or early termination of this Agreement.

The Concessionaire for itself, its successors and assigns, covenants, and agrees that no nuisance of any kind whatsoever shall be committed or suffered in connection with its operations under the grant herein contained. The violation of any federal, state, or local

law or regulation, including any Weber-Morgan Health Department requirements, shall be deemed a nuisance per se.

6. PRICE CONTROL

The Concessionaire has the right to determine pricing for all goods offered for purchase by its patrons.

7. PEPSI-COLA CONTRACT

Concessionaire acknowledges that West Haven City has entered into a contract with Pepsi-Cola to supply beverage services for all West Haven City facilities. Concessionaire agrees to exclusively sell Pepsi-Cola beverage products.

8. QUALITY CONTROL

It is the intention of the City that the concession service be of the highest quality attainable. All Concession areas are to be kept clean, and applicable laws, ordinances, rules, and regulations shall be observed including any necessary food handler's permits for individuals employed by the concessionaire to handle food products.

All goods intended for human consumption shall be kept clean, pure, and wholesome and shall comply with all standards established by the Federal, State, County, and Municipal laws and ordinances.

No imitation, adulterated, or misbranded article shall be sold or kept for sale, and all foods kept on hand shall be stored and handled with due regard for sanitation.

All foods kept for service or sale shall be subject to regular inspection by the City and duly authorized agents or appropriate governmental agencies.

Failure by the Concessionaire to maintain this high standard of cleanliness and sanitation may lead to a cancellation of this Agreement (as per section 20).

The Concessionaire shall constantly endeavor to improve the operation with a view toward high quality service to patrons.

9. DAMAGE AND DESTUCTION

The City shall not be responsible for any goods, merchandise or equipment stored nor shall it be responsible for damage resulting from power failure, theft, flood, fire, explosion, and for other causes.

10. SIGNS

Concessionaire shall not erect, install, operate, nor cause nor permit to be erected, installed, or operated in or upon the premises herein, any sign or other similar advertising device without first having obtained prior written approval of the Director. The cost of such installation shall be borne by the Concessionaire.

11. INSPECTION

The Concessionaire shall allow the City's authorized representative's access to the premises leased exclusively to Concessionaire, at all reasonable hours, for the purpose of examining and inspecting said premises, for purposes necessary, incidental to or connected with the performance of its obligations hereunder, or in the exercise of its governmental functions.

12. HOURS OF OPERATION

The Concessionaire shall have the leased premises open for business to the public during all hours specified in Section 2 of this Agreement or during hours agreed upon, in writing, by the Director. The Concessionaire may close early if it deems necessary, but only with approval of the Director.

13. LAW, ORDINANCES, AND REGULATIONS

All activities conducted under the concessions herein granted shall be carried on in an orderly and lawful manner and in complete compliance with all Federal, State, County, and Municipal laws, ordinances, and regulations applicable thereto.

14. LICENSES

The Concessionaire shall, at its own costs and expense, obtain all licenses required for its operation hereunder, including a West Haven City Business License, and all licenses, permits, or certificates required by the Weber-Morgan Health Department. All such licenses shall be obtained and shall be in full force and effect before the Concessionaire begins its operations hereunder. A copy of such licenses necessary for each location shall be submitted to the Director prior to beginning operation at said location.

15. CONCESSIONAIRE'S PERSONNEL

The Concessionaire shall be entirely responsible for the acts and activities of all persons engaged as vendors or salespersons. Concession employees shall at all times be neat and clean. Concessions employees shall at all times be polite and courteous in their dealings with patrons.

The Concessionaire shall not employ any person or persons in or about any building or area directed by them who shall use improper language or act in a loud or boisterous manner and shall upon request of the City immediately dismiss any employee deemed unsuitable. The City shall be the sole judge in the determination of such matters.

The Concessionaire shall train and closely supervise all concession employees so that they are aware of, and habitually practice, the high standards of the City and act in strict conformance with all applicable laws, rules, and regulations of the State of Utah and of West Haven City, and of all Federal, State, and Weber-Morgan Health Department. This shall include all Federal and State labor laws pertaining to minor children in the workforce.

The Concessionaire and all persons working in the concession stand, over the age of 18 years, will need to pass a quality background check by a company approved by the City.

16. NON-DISCRIMINATION

- a) Concessionaire and its employees shall not discriminate against any person because of race, color, religion, age, ancestry, or national origin by refusing to furnish such person any accommodation, facility, services, or privilege in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage or any person because of race, color, religion, age, ancestry, or national origin.
- b) In the performance of this Agreement, Concessionaire agrees as follows:
 1. They will not discriminate against any employee or applicant for employment because of race, color, sex, religion, age, ancestry, or national origin. They shall take affirmative action to ensure that applicants are employed on a non-discriminatory basis; and that employees are treated, during employment, without regard to their race, color, sex, religion, age, ancestry, or national origin. Such action shall include but not be limited to the following: employment advertising; layoff or termination; rates or pay or other forms of compensation; and selection for training, including apprenticeship.

17. GARBAGE AND WASTE DISPOSAL

The concession stands and adjacent areas and the facilities where the operations are conducted therein shall be kept in a clean and sanitary manner. All paper containers of any kind, and refuse of any kind whatsoever, in or around the concession stand shall be collected and deposited in the on-site trash cans. Waste oil shall be disposed of properly, not in the trash or down the drain.

18. ASSIGNMENT AND SUBLetting

The Concessionaire shall not assign, transfer, sublease, pledge, hypothecate, surrender, otherwise encumber, or dispose of this Agreement or any estate created by this Agreement, or any interest in any portion of the same, or permit any other person or persons, company, or corporation to occupy the premises, without the prior written consent of the City.

19. OFF-SEASON / WINTERIZATION

The Concessionaire shall ensure that all concession facilities (including storage areas) are clean and cleared of all garbage, debris, personal property, etc. to allow for proper building winterization and closure at the end of the season. The City shall winterize City owned equipment, including turning off all fridges and freezers for the winter.

20. CANCELLATION OF AGREEMENT

- a. By City: In the event the Concessionaire, shall promptly fail to perform all the covenants and agreements to be performed under terms hereof, and time is of the essence, hereof, the City may, at its option, cancel this Agreement. The City may grant a reasonable time to correct any default, however repeated failures or violations may warrant immediate termination hereof. In such event, there shall be no refund of any part of the consideration for the grant of concessions herein.
- b. By Concessionaire: This Agreement shall be subject to cancellation by the Concessionaire for (1) City cessation of use or abandonment of the said facilities, or (2) the default of the City in the performance of any covenants or agreements herein required to be performed by the City and failure of the City to remedy such default for a period of sixty (60) days after receipt from Concessionaire of written notice to remedy the same.

21. LEGAL FEES

In the event legal action is required to enforce this Agreement or to obtain damages for the breach thereof, the party in default agrees to pay all legal costs, including a reasonable attorney's fee, of the other party.

This written Agreement contains the sole and entire agreement between the parties and supersedes any and all other agreements between them.

Dated this _____ day of _____ 2024.

Jeff McNair
CONCESSIONAIRE

Keely McNair
CONCESSIONAIRE

Dated this _____ day of _____ 2024.

Shawn Warnke,
WEST HAVEN CITY MANAGER

Brock Randall
WEST HAVEN PARKS & RECREATION DIRECTOR

Approved As To Form:

Amy Hugie
West Haven City Attorney

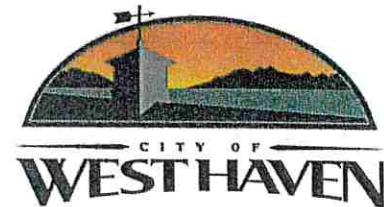
STAFF REPORT

TO: Shawn Warnke
City Manager

FROM: Ed Mignone, City Engineer
Brock Randall, Parks and Recreation Director

DATE: April 24, 2024

RE: Recommendation of contract award
Installation of bleachers



Background

The City received bids for the installation of the bleachers at the arena on April 10, 2024. Base bids included bleacher site preparation and assembly/installation of the bleachers themselves. It also included using the auger ground anchor system. An alternative was included to install a concrete pad with concrete anchors as the foundation for the bleachers. The following bids were received:

Country Bleachers Bid Results						
Schedule A						
Gardner Bid		Bowen Construction		SilverLeaf Partners LLC		Cinnamon Creek Construction
Description	Quantity	Unit Price	Estimate	Quantities this period	Total Complete	Quantities this period
1 Bleacher Site Preparation	1	\$17,000.00	\$17,000.00	17330.00	\$17,330.00	19984.00
2 Install Bleachers	1	\$36,000.00	\$36,000.00	41865.00	\$41,865.00	27019.00
3 Auger Ground Anchor System	1	\$12,500.00	\$12,500.00	9715.00	\$9,715.00	20514.00
TOTAL		TOTAL	\$65,500.00	TOTAL	\$68,910.00	TOTAL
Schedule A Alternative						
1 Concrete Pad & Anchors	1	\$22,000.00	\$22,000.00	38000.00	\$38,000.00	52334.00
						\$52,334.00

All three (3) bids were found to be responsive and responsible. The low base bid (Schedule A) was from Bowen Construction. Bowen is also lowest bidder for the alternate (Schedule A Alternative).

As you know, the Council has expressed preference for the ground auger system. The Construction Official was asked if there were any reviews/approvals needed from the building department for the bleacher installation. He indicated that he would want supporting documentation to ensure that site characteristics and preparation is in accordance with the engineered design. The two (2) critical design criteria are the soil bearing capacity and "uplift," which is the force exerted by wind speed. To verify field conditions are consistent with the design, "The site will need to have the soils evaluated to assure that proper bearing capacity and uplift can be achieved."

To this end, Staff solicited quotes from two (2) geotechnical engineers to perform a study to verify design conditions:

- CMT - \$ 4,450
- Mark Christensen - \$ 4,500

CMT is the lowest bid and Staff would recommend awarding them the study, if needed. Accordingly, the total cost for Bowen Construction would be \$69,950.

To evaluate the cost of the concrete pad and anchors option, the cost for the auger ground anchor system was deducted from Bowen Constructions' base bid and the alternate cost was added. In this case, the total cost for Bowen Construction bid would be \$75,000.

Discussion

During project development, Staff discussed the general bleacher installation process with a company that has installed several similar systems. Based on their experience, the concrete pad and anchors is their preferred option. The main reasons being it is a more standardized process, requires little or no maintenance and will be easier for Staff to maintain under the bleachers themselves. The ground augers require periodic inspections and maintenance of the ratchet straps to remain secure or to protect against frost heave. Staff has experience with ratchet straps applications in the City, but they are not being used as a foundation anchor for a structure.

Recommendation

After internal discussion and review, Staff concurs that the concrete pad/anchors option would best serve the City going into the future. While the installation cost would be approximately 7% more than the ground auger anchor system, Staff believes that over the long term, the time required for maintenance and inspection would justify the added expense.

Staff recommends that the Council award the contract to install the bleachers using the concrete pad and anchors option to Bowen Construction for \$75,000.

EJM/BR:ejm

Country Bleachers Bid Results						
Schedule A						
Gardner Bid			Bowen Construction		SilverLeaf Partners LLC	
	Description	Quantity	Unit Price	Estimate	Quantities this period	Total Complete
1	Bleacher Site Preparation	1	\$17,000.00	\$17,000.00	17330.00	\$17,330.00
2	Install Bleachers	1	\$36,000.00	\$36,000.00	41865.00	\$41,865.00
3	Auger Ground Anchor System	1	\$12,500.00	\$12,500.00	9715.00	\$9,715.00
	TOTAL		\$65,500.00	TOTAL	\$68,910.00	TOTAL
	Schedule A Alternative					
1	Cocnrete Pad & Anchors	1	\$22,000.00	\$22,000.00	38000.00	\$38,000.00
						52334.00
						\$52,334.00

BID RESULTS FOR WEST HAVEN CITY		
WEST HAVEN CITY CORPORATION		
WH Country Park Bleachers		
COMPANY	BID AMOUNT SCHEDULE A	Alternative A Bid
Bowmen Construction	\$65,500.00	\$22,000.00
SilverLeaf Partners LLC	\$68,910.00	\$38,000.00
Cinnamon Creek Construction	\$67,517.00	\$52,334.00