



## CITY COUNCIL AGENDA

**Wednesday, October 22, 2014**

**NOTICE IS HEREBY GIVEN** that the Herriman City Council shall assemble for a Meeting in the City Council Chambers, located at 13011 South Pioneer Street (6000 West), Herriman, Utah.

**5:00 PM - WORK MEETING:** *(Front Conference Room)*

**COUNCIL BUSINESS**

- A. Review of this evening's agenda
- B. Administrative Reports
  - 1. Water Conservancy Presentation – Richard Bay, Jordan Valley Water Conservancy District General Manager
  - 2. Discussion pertaining to Message Board Communication – Destiny Skinner, Administrative Technician
  - 3. Operations Department Update – Monte Johnson, Operations Director
  - 4. Deer Mitigation Update – Justun Edwards, Water Director
  - 5. Other Updates

**7:00 PM - GENERAL MEETING:**

**1. CALL TO ORDER**

- A. Invocation and Pledge
- B. Approval of the Minutes
- C. Mayor's Comments
- D. Council Recognitions

**October 8, 2014**

- 2. PUBLIC COMMENT:** *Audience members may bring any item to the Mayor and Council's attention. Comments will be limited to two or three minutes. State Law prohibits the Council from acting on items that do not appear on the agenda.*

**3. CONSENT AGENDA**

- A. Consideration of an Ordinance declaring certain excess telecommunication conduit located in various areas of the City, as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City – Blake Thomas, City Engineer

**4. PUBLIC HEARING AGENDA**

- A. Public Hearing to discuss the Storm Drain Impact Fee Analysis – Blake Thomas, City Engineer

**B. Public Hearing and consideration of a resolution to amend the Herriman City 2014-2015 budget – Alan Rae, Finance Director**

**5. DISCUSSION AND ACTION ITEMS**

- A. (Continued from September 24, 2014)** Discussion and consideration of an Ordinance to rezone 5350 West Anthem Park Blvd from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) (File No. 12Z14) – Bryn McCarty, City Planner

**6. MAYOR AND COUNCIL COMMENTS**

**7. CALENDAR**

**A. Meetings**

- November 6 – Planning Commission 7:00 p.m.
- ~~November 12 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m. Cancelled~~
- November 19 – Special City Council Work Meeting 5:00 p.m.; Special City Council Meeting 7:00 p.m.

**B. Events**

- October 31 – Halloween
- November 4 – Election Day
- November 12 – Veterans Day; City Offices Closed

**8. ADJOURNMENT**

**9. RECOMMENCE TO WORK MEETING (IF NEEDED)**

**10. CLOSED SESSION (IF NEEDED)**

**A.** *The Herriman City Council may convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

**11. SOCIAL GATHERING (No Action will be taken on any items)**

- A.** Social Gathering will take place at Copper Rim Cafe, 5506 West 13400 South, Herriman

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. To request assistance, contact Herriman City at (801) 446-5323. Please Provide at least 48 hours advance notice of the meeting

CITIZEN COMMENT POLICY AND PROCEDURE

During each regular Council meeting there will be a citizen comment time. The purpose of this time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

Certificate of Posting

I, Jackie Nostrom, the duly appointed, qualified, and acting City Recorder of Herriman City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the agenda; it was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body. Also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on Herriman City's website at [www.herriman.org](http://www.herriman.org)

Posted and Dated this 16th day of October 2014

Jackie Nostrom, CMC  
City Recorder





## **HERRIMAN CITY URBAN DEER CONTROL PLAN**

### **Introduction**

The presence of mule deer (meaning wild mule deer and referred to as deer herein) within the city limits of Herriman (“City”) has increased significantly in the last 10 years. While the deer are a beautiful presence of nature, they are also a danger to human safety and destructive to public and private property. Development patterns within the City include parks, open space and trails which are a great benefit to our residents. These open space elements have also created favorable habitat for deer by providing food, water, and shelter.

With the amount of open space within the City it is anticipated that deer population will increase. This upsurge in the deer population increases associated dangers to human safety and destruction to public and private property.

To maintain public safety and protect public and private property, the City Council has determined that steps must be taken to reduce the number of deer within the city limits. In doing so, the City is considering two options (see attachments) to manage the deer population.

### **Purpose of Plan**

Herriman City’s Urban Deer Control Plan is intended to maintain a balance between the number of deer within the City and the negative impact they create for the residents. These negative impacts include auto/deer accidents, damage to private and public property, public safety, and the health of the deer herds. The City has determined that new management controls are needed.

## **Goals**

- ❖ Improve safety on roads and highways by reducing the number of deer crossing roads and highways.
- ❖ Significantly reduce deer numbers within the City to numbers closer to pre development levels.
- ❖ Promote safe and cost effective deer removal, as a public service to the local community.
- ❖ Reduce private and public property damage caused by deer.

## **Deer Maintenance Methods**

### **Option 1 (see attachment A)**

**Wildlife Fertility Control with the help of Humane Society of the United States (HSUS).  
(This option comes with considerable cost and would only be considered if donation were provided to the City by third party sources.)**

### **Option 2 (see attachment B)**

**Lethal removal of the deer using archery equipment.**

Approved by the Herriman City Council, October 22, 2014.

## ATTACHMENT A

### Option 1

Wildlife Fertility Control with the help of Humane Society of the United States (HSUS).  
(Information provided by the Humane Society of the United States.)

## Deer Management: Immuncontraception

### How Immunocontraception Works

Immunocontraception vaccines activate the immune system to block a crucial aspect of reproduction. The porcine zona pellucida (PZP) vaccine causes female deer to produce antibodies that bind to the protein envelope surrounding the egg, blocking fertilization. ***PZP is NOT a hormone and does not affect other body processes.***

### History of PZP Field Research

PZP was first recognized as an effective contraceptive in the 1970's. Since The HSUS first began treating deer on Fire Island, New York in 1993 more than 2,000 deer have been treated at field sites in seven states. ***The effects of PZP on deer and other animals are very well known.***

### Effectiveness

Treatment of white-tailed deer with PZP typically reduces pregnancy rates by 80-90%. PZP can be delivered by hand or remotely by dart. Using current technology, ***a single hand-injection of PZP prevents pregnancy for at least 2 years.***

### Side Effects and Safety

PZP is a naturally occurring protein that must be injected to be effective. ***If eaten, PZP is broken down like any other protein.*** In deer, the only known side effect of PZP treatment is extension of the mating season; there is no evidence that this causes any harm.

### Population Control

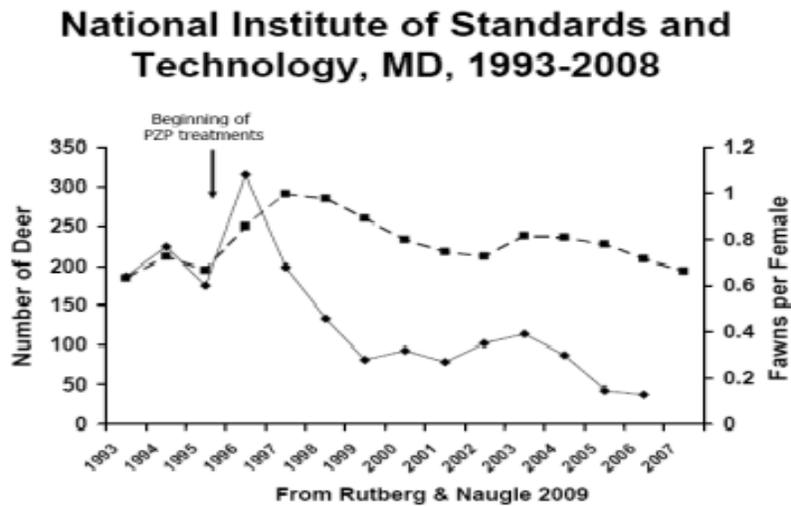
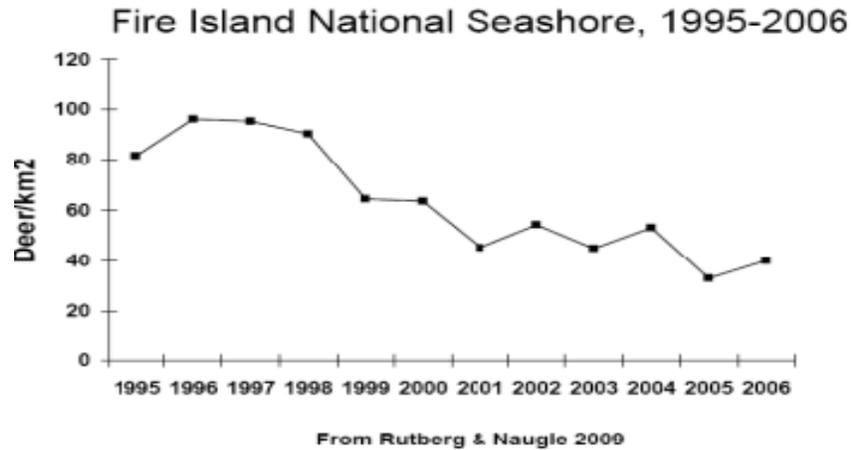
Suburban deer populations have been stabilized and modestly reduced (20-50%) at three field sites. Typically, population stabilization is rapid, but population reduction is gradual (5-10% per year). All three sites are semi-isolated by geography or development, but deer move on and off all of them. ***Population effects of contraception are site-specific.***

### Deer-Vehicle Collisions

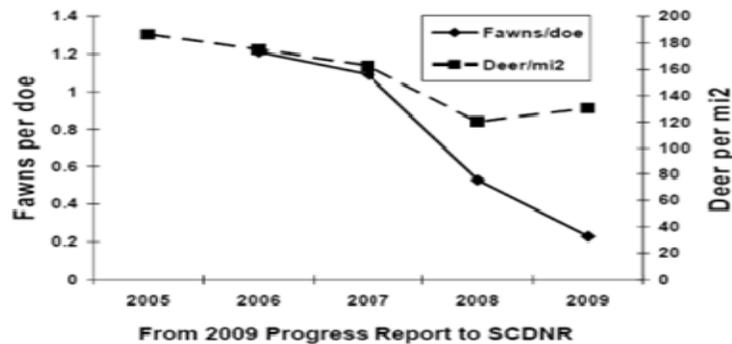
Data from the Maryland site show that the number of deer-vehicle collisions goes down as deer population size goes down. ***PZP treatments do not increase deer-vehicle collisions.***

### Regulatory Status

Use of PZP on deer must be approved by state wildlife agencies. Federally, the FDA and EPA share jurisdiction over wildlife contraceptives. Currently, The HSUS conducts PZP research on wild horse and deer populations under EPA authorization. **In January 2012, the EPA registered PZP under the brand name ZonaStat-H for managing wild horses and burros.** The HSUS is in the process of filing an EPA registration application for use of PZP in white-tailed deer and other wild cervids.



## Fripp Island, SC, 2005-2009



### Deer Management: Surgical Sterilization

#### How does surgical sterilization work?

Female deer are surgically sterilized using a technique known as ovariectomies which removes the ovaries – a technique similar to, but less invasive than typical spay surgeries used to sterilize domestic dogs and cats. Female deer are captured via tranquilizers administered via dart projectors and transported to a surgical bay. Preparation and surgery take approximately 20 minutes, the animal is transported back to the capture area, a reversal agent is administered and the animal is observed from a distance. Surgical sterilization is 100 % effective and mortality rates associated with the procedures are less than 1%.

#### History of Surgical Sterilization Field Research

In 2009, researchers began conducting surgical sterilization field trials in Town & Country, Missouri, and since then, have initiated additional field studies in Cayuga Heights, NY, San Jose, CA, Baltimore County, MD and Fairfax City, VA.

#### Effectiveness

Surgical sterilization is 100% and permanent. Once a female deer is surgically sterilized via ovariectomy, she can never fawn again. Researchers have also been able to capture and treat high proportions (>90%) of existing female deer populations at study areas in New York, California and Maryland which is critical to achieving immediate population stabilization and gradual reduction over time.

#### Population Control

The population effects of surgical sterilization on deer are site-specific, but typically, population stabilization is rapid and population reduction is gradual (10-30% per year). In Cayuga Heights, NY, researchers sterilized 95% of the female deer population (i.e. 149 does) in two years and observed a 30% decline after year one. In San Jose, CA, over 90% of the female deer (i.e.115 does) were sterilized in two years and researchers observed a 20% decline after year one.

### **Surgical Sterilization versus Immunocontraception**

Surgical sterilization and immunocontraception are both effective, humane (i.e. <1% mortality) methods for stabilizing and reducing deer populations over time, and the use of volunteers and/or trained on-site personnel can substantially reduce the costs associated with implementing either method. Immunocontraception vaccines are 90-95% effective the first year, are reversible and can be administered without capturing and tranquilizing female deer. However, in order to remain effective, previously treated female deer must be re-treated with boosters every two to three years. Surgical sterilization is 100% effective and only requires the animal to be treated once in their entire lifetime, but the surgical procedure is more invasive than treating female deer with vaccine darts every two to three years.

### **Regulatory Status**

Unlike the administration of the immunocontraception vaccine PZP, surgical sterilization projects do not require authorization from the FDA or EPA. However, like all deer management programs, surgical sterilization and immunocontraception programs must be approved and permitted by state and local wildlife agencies.

## **ATTACHMENT B**

### **Option 2**

#### **Lethal removal using archery equipment.**

Other cities that have had similar deer problems use of trained, experienced bowhunters to maintain deer herds within their limits. Bowhunting has an impeccable record of safety, is an efficient and proven method of killing big game and is quiet and unobtrusive.

#### **Bowhunter Selection Process**

The City will select a small group of trained experienced bow hunters to participate in the program. Prior to being certified as an “urban bow hunting specialist,” each proposed hunter selected by the City must demonstrate that they understand the applicable rules and pass a shooting proficiency test. Once that is completed, the City will certify the hunter as an “urban bow hunting specialist.”

#### **Urban Bow Hunter Specialist Participation Requirements**

1. Maintain appropriate appearance and conduct and always be considerate of others.
2. Never drink alcohol or use drugs before or while hunting.
3. Only hunt in areas pre-approved by the City Program Coordinator.
4. Make sure no other bowhunter is already scheduled to hunt the area you are planning to hunt.
5. Obtain prior-written approval to hunt on private land. Respect landowners and their property.
6. Know and abide by all state, county and city hunting regulations. Be familiar with the requirements and obligations of the Herriman Urban Deer Control Plan.
7. Before hunting, know where you can take a safe shot and where you may not.
8. Be certified as an urban bow hunting specialist by the City, have valid written authorization and an urban deer control permit issued by City.
9. Only hunt from a blind/stand approved by the Herriman City Program Coordinator. Always wear a certified safety harness when hunting from a stand. Only high downward angling shots are allowed for maximum effectiveness and safety, and guaranteed arrow recovery.
10. Install your blind/stand to provide safe shot distance for area which you are hunting.
11. Baiting is only permitted to achieve a closer shot.
12. Take only responsible shots at deer that are relaxed and not on alert. Don't shoot unless you're certain that your arrow will strike the vitals and produce a quick and ethical kill.
13. Razor sharp broad heads are mandatory.

14. Only hunt with arrows that have a unique fletching and crest pattern that have been pre-approved by the Herriman City Program Coordinator.
15. Retrieve all arrows and arrow parts.
16. Once the deer is struck, do not trail until you're certain it has expired. It is the specialists' responsibility to ensure that no animal will travel very far after being hit.
17. Do not trespass on private property to retrieve a deer without permission. Contact the Herriman City Program Coordinator prior to seeking permission to initiate "retrieval trespass only". The local conservation officer and/or police may be of assistance when retrieval trespass cannot be obtained.
18. Deer hit or killed, and not retrieved must be reported to the Herriman City Program Coordinator.
19. Maximum shot distance for each blind/stand will be determined by Herriman City Program Coordinator.
20. Must have verification of completion of the State of Utah hunter education program.
21. Must be 18 years of age or older.
22. Properly tag the deer immediately upon recovery. Promptly notify the Herriman City Program Coordinator of all kills and submit the Deer Control Harvest Survey to the City for their records.
23. Avoid confrontations with neighbors and others.
24. Keep a low profile. You will be under the microscope, so be as inconspicuous as possible. When walking to and from your hunting area, try to minimize the appearance that you are hunting.
25. All evidence of the deer must be removed from the property. Field dress the deer at another permissible site.
26. Be discreet when removing a deer from the property. You must cover the deer with a plastic tarp while it's being removed keep it out of sight as much as possible. You may wish to use an alternate, less conspicuous route when removing a deer. Think about removal before you hunt.
27. Stay in your assigned area during the hunt. Do not take shortcuts across ground where you do not have permission to trespass.
28. Don't invite friends to hunt with you. Certification is for you and you only and is not transferrable.
29. Avoid confrontations, no matter the circumstances. Utah has a hunter harassment law that protects you while engaged in legal hunting pursuits but it is best not to argue with an antagonist. You may wish to report harassment to local authorities if confrontations continue.
30. The object of the program is to help control deer numbers inside the City limits. Specialists can only accomplish this goal by shooting deer. If a buck is inadvertently harvested, the antlers must be surrendered to the City for temporary storage until DWR can collect them.
31. The hunter is allowed to keep the animal if desired. Donations of venison are also encouraged. If the hunter does not desire to keep or donate the animal, then the hunter will take the animal to a game processor as designated by the City.

Specialists who are selected and qualified to participate in this program play a vital role in managing the ever-growing deer population. Specialist must, however, maintain safe, ethical hunting practices and be fully responsible for their actions if they're to be recognized as the best option for controlling deer. Mistakes and/or irresponsible behavior could jeopardize the program.

### **Hunter Identification Process**

Cards will be issued by the City to all certified urban bow hunting specialists.

### **Conditions and Restrictions for Baiting and Spotlighting**

Urban bow hunter specialist may use bait to facilitate safe and effective deer removal activities at their shooting locations. They may use a flashlight while walking to and from their blind/stand area in low light to distinguish themselves from intruders. The casting of a light across the landscape to detect deer is illegal. The City will authorize spotlighting to facilitate carcass recovery efforts.

### **Hunting Locations and Time Periods**

Hunting locations have been identified by the City.

Urban bow hunter specialist will be allowed to remove deer from ½-hour before sunrise to ½-hour after sunset, unless stated otherwise on the urban deer control permit.

The season for the 2015 urban deer control hunt will run from August – December.

### **Written Authorization and Permitting Process**

All urban bow hunting specialists must receive written authorization and an urban deer control permit from the City prior to participating in deer removal activities (see attached copies of the written authorization and permit/tag). Upon being successful, the urban bow hunter specialist must notch the tag to indicate the sex, month and date of kill, detach the tag from the permit and attach it to the carcass. The tag must remain attached to the carcass for processing. Also, the urban bow hunter specialist must fill out and return the Deer Control Harvest Survey portion of the permit to the City.

**City of Herriman, Utah  
Urban Deer Control Permit  
2014**

0044

DATE ISSUED:  
 DESCRIPTION: Urban Deer Control - Either Sex  
 AREA: Incorporated Boundaries of Herriman, Utah - Salt Lake County  
 SEASON: See Authorization Letter

PHONE:  
 DOB:  
 WT:  
 HT:  
 EYE:  
 HAIR:  
 GENDER:

Name:  
 Address:  
 City, State, Zip:



\_\_\_\_\_  
*Permit Holder Signature*  
 This permit does not authorize you to trespass on private property.

**City of Herriman, Utah  
Urban Deer Harvest Survey**

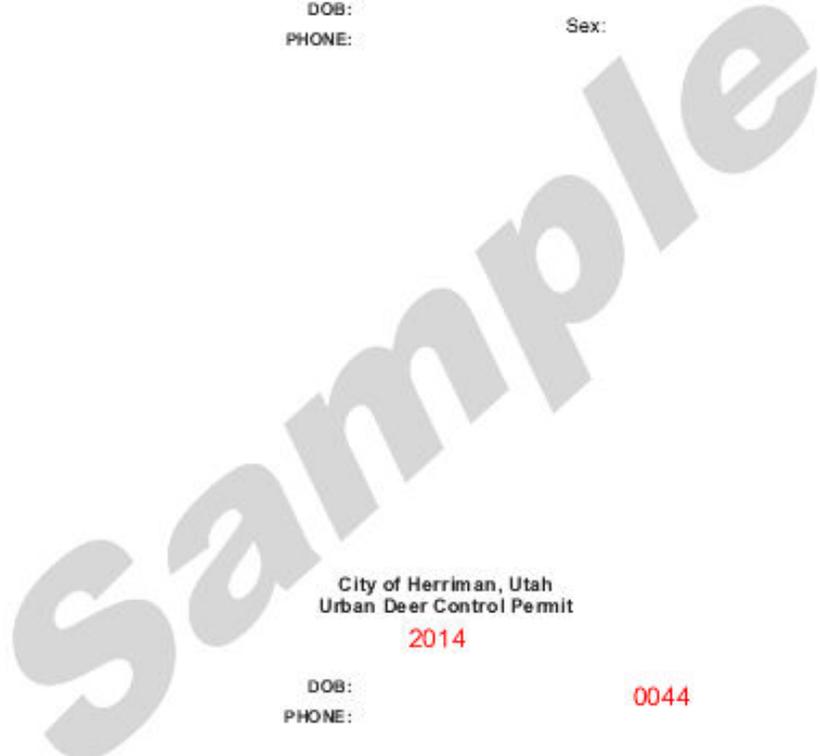
0044

Please complete and return to the city upon successful harvest.

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Sex: \_\_\_\_\_  
 Address: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_

Date of Harvest: \_\_\_\_\_

Location of Harvest: \_\_\_\_\_



**City of Herriman, Utah  
Urban Deer Control Permit  
2014**

0044

Name: \_\_\_\_\_ DOB: \_\_\_\_\_  
 Address: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_





## CITY COUNCIL MINUTES

**Wednesday, October 8, 2014**  
**Awaiting Formal Approval**

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, October 8, 2014 at 5:00 p.m.** in the Herriman City Community Center Council Chambers, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

**Presiding:**

Mayor Carmen Freeman

**Council Members Present:**

Mike Day, Craig B. Tischner and Coralee Wessman-Moser

**Staff Present:**

Brett geo. Wood, City Manager  
Gordon M. Haight II, Assistant City Manager  
Tami Moody, Director of Administration & Communications  
Jackie Nostrom, City Recorder  
John Brems, City Attorney  
Alan Rae, Finance Director  
Danie Bills, Events Manager  
Blake Thomas, City Engineer  
Dwayne Anjewierden, Chief of Police  
Monte Johnson, Operations Director  
Clint Smith, Unified Fire Authority Chief  
Travis Dunn, Human Resource Manager  
Justun Edwards, Water Director  
Cathryn Nelson, Chief Building Official

**5:00 PM - WORK MEETING:** *(Front Conference Room)*

**5:07:57 PM COUNCIL BUSINESS**

Mayor Freeman called the meeting to order.

**A. Review of this evening's agenda**

**B. Administrative Reports**

1. [5:08:05 PM](#) **New Employee Introductions** – Travis Dunn, Human Resource Manager

Human Resource Manager Travis Dunn informed the Council of the new employees that have recently been welcomed to Herriman City. He introduced Nathan Morhmann, Parks Technician II; Landon Griffiths, Parks Technician I; Jake Hansen, Streets Technician I; and Westen Barney, Parks Technician I. Each employee offered a brief employment history.

2. [5:14:05 PM](#) **International Days Folklore Festival Presentation** – Shawnda Bishop, Clog America Director

Clog America Director Shawnda Bishop introduced Board Member Don Carpenter and offered a short presentation of last years' program. Mr. Carpenter offered a brief background of the program and explained the orientation identity being a Host City could bring to Herriman. Director Bishop relayed the International Days Folklore Festival Mission Statement "To foster friendship, understanding, and appreciation for humanity's diverse racial, ethnic, and cultural heritage through the international languages of music and dance." She indicated that providing exposure of cultural diversity combined with the unique venues offered in Herriman would be a great partnership. Director Bishop offered a possible itinerary for the event, and displayed the projected expenses. Councilmember Coralee Wessman-Moser questioned the funding source. Director Bishop explained that the festival is funded by a combination of budgeted funds from the municipality and grants; however, there may be some funding required from the City. She indicated that the biggest challenge for the festival is to solicit an adequate amount of host families.

Mr. Carpenter explained that having the International Days Folklore Festival in Herriman would promote the community all over the valley to give a sense of identity. Councilmember Matt Robinson expressed his support of the event. Councilmember Moser added that she wanted the award results of the ZAP grant. Mayor Freeman expressed the urgency to determine whether Herriman City Officials would like to consider being a "host city" for the event.

3. [5:37:33 PM](#) **Flooding Prevention Measures** – Blake Thomas, City Engineer

Mayor Freeman informed the Council that the City is instigating preventative flooding measures as he turned the time over to City Engineer Blake Thomas for his presentation. Engineer Thomas displayed a map that displayed the location that had been flooded. He observed the numerous storms and saturated soil conditions prior to the localized high intensity cloudburst that occurred September 29, 2014. Sediment and Debris plugged the storm drain system inlets which caused flooding in the area.

[5:43:10 PM](#) *Councilmember Mike Day arrived.*

Engineer Thomas expressed his gratitude for the volunteers and City employees who offered clean-up support. He reviewed potential proactive measures to avoid future flooding, and noted that this storm drain system has the capacity to accommodate a ten-year event. The streets are designed to cover a 100 year incident. Councilmember Moser asked if the lack of vegetation caused the water to run off the saturated soils. Engineer Thomas responded that the lack of vegetation was a contributing factor.

Engineer Thomas informed the Council that his proposal would be to build landscaping buffers in order to direct water into Midas Creek in order to protect the High School and other residential areas, and explained that discussions with property owners would have to be conducted. Assistant City Manager Gordon Haight suggested that an actuated storm drain system be implemented where a storm drain gate would open automatically. Councilmember Moser expressed her concern of children playing in the water.

[5:54:36 PM](#) *Mayor Freeman was excused.*

City Manager Brett Wood observed the open ditch along the west side of the road would have to be addressed. Councilmember Craig B. Tischner asked if an ordinance could be enacted to address the concern. City Manager Wood explained the state statute regarding agricultural lands. Engineer Thomas added that the State does have the authority to get involved based on best management practices; however, it is a long process. Councilmember Mike Day asked if the City could assess fines to users that overburden the system. Assistant City Manager Haight responded that agricultural lands would be exempt, and offered a suggestion to alleviate the concern. Councilmember Day stated that safety is the number one goal, and preventative measures should be sought.

Councilmember Moser asked about implementing a prevention mitigation fee. City Engineer Thomas explained that an analysis would have to be conducted in order to compute the cost for mitigation efforts. Councilmember Day added that it would be irresponsible not to conduct the analysis. Councilmember Tischner requested to see the analysis after completion. City Manager Wood confirmed. Councilmember Matt Robinson recommended having money set aside in the general fund to assist residents in storm water mitigation.

4. [6:15:13 PM](#) **Finance Department Update** – Alan Rae, Finance Director  
Finance Director Alan Rae offered a brief update to the Council of the structural changes and functions within the Finance Department. He offered a review of the top five priorities for the department. City Manager Wood announced that Director Rae received the Government Finance Officers Association (GOFA) award in the last jurisdiction that he worked in.

Director Rae explained that his goal is to create consistency and confidence for the Council and residents. He explained the evaluation of procedures project that has been completed. Director Rae reviewed the general fund revenue and expenditures. City Manager Wood expressed his gratitude for Director Rae's efforts. Councilmember Moser asked when the auditor's report is expected. Director Rae responded that it is anticipated within the next 30 days.

5. [6:38:48 PM](#) **Engineering Update** – Blake Thomas, City Engineer  
City Engineer Blake Thomas reviewed the current projects that are in construction, in design, and observed ongoing items. Councilmember Day asked about the possibility of installing a light on Salerno Street. Engineer Thomas responded that one could be installed. Council consensus determined that a light should be at the intersection.

## 6. Other Updates

**C. [6:56:40 PM](#) Adjournment**

COUNCILMEMBER MOSER MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

**7:00 PM - GENERAL MEETING:**

**1. [7:03:40 PM](#) CALL TO ORDER**

Mayor Freeman called the meeting to order and welcomed everyone in attendance.

**A. [7:04:02 PM](#) Invocation and Pledge**

Mr. Dale Mortensen offered the invocation, and Sam Gallegos with Scout Troop #1140 led the audience in the pledge of allegiance.

**B. [7:06:12 PM](#) Approval of the Minutes**

**September 24, 2014**

COUNCILMEMBER MOSER MOVED TO APPROVE THE MINUTES OF SEPTEMBER 24, 2014 AS WRITTEN. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

**C. [7:06:44 PM](#) Mayor's Comments**

Mayor Freeman expressed his gratitude to the Unified Fire Authority, Unified Police, City employees, and volunteers for their efforts with the flood clean-up. He expressed his gratitude for the community spirit throughout Herriman, and added that the event was a very humbling experience. Mayor Freeman informed the audience that in the prior work meeting a strategy session was conducted to help prevent future flooding.

**D. Council Recognitions [7:07:54 PM](#)**

Councilmember Robinson seconded the Mayor's comments, and added that he was impressed with the quick volunteer response within the community. Councilmember Moser agreed. She added that Blackridge Elementary School was recently dedicated, and that Popeye's Chicken recently opened for business.

**2. [7:09:38 PM](#) PUBLIC COMMENT:**

There was no public comment offered.

**3. PUBLIC HEARING AGENDA**

**A. [7:11:10 PM](#) Public Hearing to discuss future Planning of Herriman Hills – Gordon Haight, Assistant City Manager**

Assistant City Manager Gordon Haight thanked the audience for attending in order to discuss future planning of the Herriman Hills. He offered a brief history of the development proposals that have been offered for the privately owned property. State Law indicates that if the development meets City Ordinances and state statutes, development is allowed to progress. Assistant City Manager reviewed other development projects that are in proximity of the mountain. He explained that they Sky Village development would qualify for the Army Compatible Use Buffer (ACUB) federal funding, and added that a representative was in attendance to help facilitate that portion of the discussion.

Assistant City Manager Haight continued with the recreational opportunities that would be available to the residents. He explained the difference between developer implementing the open space opposed to using tax money to preserve the mountain, and noted, in essence, the topic for the hearing.

Trails Committee Chair Kami Jones thanked the Council for the opportunity to speak. She offered a brief background of the formation of the Trails Committee and what their primary focus has been. Preserving the mountain has been their goal because of the benefits to the community, to avoid future situations like the one that had surfaced in Draper, the majority of the residents would like to keep the open space for the rural feeling in the community, and the economic benefits associated with the maintenance of the open space. Committee Member Julie Gallegos relayed samples of comments the committee had received to the Council.

Chair Jones offered two options. The first would be to pay to preserve the mountain, or second, pay to maintain the infrastructure in Herriman Hills. She relayed the Trails Committee recommendation to solicit solutions to purchase the property and maintain the open space as it becomes available. She suggested enacting a resolution or to place the issue on a ballot for voter input. Chair Jones indicated that the Herriman Hills define the community, and the Council should consider the long term impact of not preserving the hillside.

Mayor Freeman expressed his appreciation to Chair Jones and Ms. Gallegos for their comments. He informed the audience that the purpose of this hearing is to listen to the residents. Mayor Freeman reiterated the private property owner's rights, and asked that the audience be respectful, as he turned the time over to Army Captain Smith to discuss the ACUB funding.

Captain Smith expressed his appreciation and partnership with Herriman City. He offered a synopsis of the training center activities conducted at Camp Williams. Camp Williams has been working aggressively to bring federal funds to the abutting communities to protect citizens and the training facilities.

Mayor Freeman declared the public hearing portion of the meeting open.

Scott Lockwood, 14307 South Highfield Drive, expressed his appreciation for the comments that have been made, and added that he was opposed to residential development on the mountain.

Linda Bailey, 13142 South 5900 West, suggested to look at the liability cost for the city associated with having recreational activities, potential erosion problems, and maintenance costs. She indicated that preservation is the best solution.

Becky Peterson, 14455 Muirwood Circle, expressed her concern of future development would lose the tranquillity in Herriman, and recommended to research low maintenance alternatives.

John Schwisow, 14982 South Aurora Vista Drive, agreed with the comments made. He expressed his love for the recreation trails, and voiced his support of a tax increase to

preserve the property. Mr. Schwisow indicated that developments do not have to be on top of every mountain. Councilmember Day expressed his appreciation for his logical argument.

Mayor Freeman informed the audience that for the City to purchase the property it would be a substantial amount, which would equate to a sizeable tax increase.

Jeff Chappell, 14729 Birken Street, expressed his concern for the additional complaints due to Camp Williams if homes are constructed in the area, and noted that the hills should remain as natural as possible.

Rob Chandler, 5423 Emmiline Drive, recommended offering a tax abatement to land owners to minimize tax burden on citizens.

Don Carpenter, 14047 Osborne Lane, Draper, indicated that he was not aware that Draper had the option to purchase the Suncrest property, and suggested that Herriman can be better than Draper. He suggested that if development is pursued, an excellent option would be to include senior living condominiums.

Nicole Alldredge, 13758 Horseback Lane, stated that Herriman is a unique place. The majority of residents moved here to be “out of the city”. She relayed her respect to private property owners livelihood, and recommended that the City do whatever is necessary to maximize open space and trails to support Healthy Herriman.

Tammie Applegarth, 13750 South Harness Cove, questioned the fire danger of developing in the hills. She suggested that a recreational activity that would provide revenue be implemented in the area.

Bekie Johnson, 13785 South Harness Cove, expressed her support of the Trails Committee recommendation.

Raymond Brannen, 6258 Fort Pierce Way, agreed that development was inevitable; however, only to a certain degree. He stated that poor city planning is hard to correct in the future, and that Herriman living is extraordinary. Do not change a thing.

Greg Metzgar, 15107 South Bugle Ridge Drive, noted that he was a representative of the Lookout Ridge HOA, and relayed that the neighborhood is opposed to the development and access roads on the Herriman Hills. He recommended pursuing economic development to Herriman doesn't become too overcrowded, and added that open space increases home values in the area.

Gary Wekluk, 5862 West Colt Hollow Ct, relayed his opinion that he is in favor of land acquisition to preserve the open space, and added that the purchase of the land will not be cheaper in the future.

Jared Henderson, 12568 Heritage Hill Ct, informed the Council that the idea of mountain preservation is great; however, a detailed plan needs to be implemented. He suggested that the decisions rendered over the next five to ten years are critical, and economic development is necessary to keep property taxes from increasing

dramatically.

Chris Berbert, 12553 South Provence Circle, stated that balance in the community is important, and suggested that parks and commercial would come to the City. He indicated that this is rare opportunity to preserve the mountain, and expressed his support.

Amanda Jenkins, 6618 West Monte Joseph Drive, noted that the trails could have value to host venues which would entice economic development.

Rob Anderson, 14284 South Trailview Way, declared his support for more trails and less development.

Councilmember Robinson expressed his appreciation to the residents that came to voice their concerns, and for displaying a tremendous amount of respect.

Councilmember Tischner informed the audience that this process will be lengthy, and thanked them for giving direction to the Council.

Councilmember Day suggested that a commercial base is necessary in Herriman, and encouraged everyone to shop local to help make Herriman thrive.

Councilmember Moser extended her gratitude to the audience for their attendance. She suggested anyone who wished to voice their concern to still submit them, as this will be a long process of deliberation.

Mayor Freeman expressed his appreciation to live in and represent a community like Herriman, and added that economic development is constantly being pursued.

COUNCILMEMBER ROBINSON MOVED TO CLOSE THE PUBLIC HEARING.  
COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

#### 4. DISCUSSION AND ACTION ITEMS

- A. [7:10:29 PM](#) (Continued from September 24, 2014) **Discussion and consideration of an Ordinance to rezone 5350 West Anthem Park Blvd from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) (File No. 12Z14)** – Bryn McCarty, City Planner

COUNCILMEMBER DAY MOVED TO CONTINUE THE ORDINANCE TO REZONE 5350 WEST ANTHEM PARK BLVD FROM R-2-10 (MEDIUM DENSITY RESIDENTIAL) TO R-M (MULTI-FAMILY RESIDENTIAL). COUNCILMEMBER ROBINSON SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Coralee Wessman-Moser	Aye

Mayor Carmen Freeman  
The motion passed unanimously.

Aye

## 5. MAYOR AND COUNCIL COMMENTS

## 6. CALENDAR

### A. Meetings

- October 16 – Planning Commission 7:00 p.m.
- October 22 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

### B. Events

- October 11 – Pumpkin Festival
- October 13 – Halloween Concert
- October 31 – Halloween

## 7. 8:28:08 PM ADJOURNMENT

COUNCILMEMBER DAY MOVED TO ADJOURN THE CITY COUNCIL MEETING.  
COUNCILMEMBER ROBINSON SECONDED THE MOTION, AND ALL VOTED AYE.

## 8. RECOMMENCE TO WORK MEETING (IF NEEDED)

## 9. CLOSED SESSION (IF NEEDED)

A. *The Herriman City Council may convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

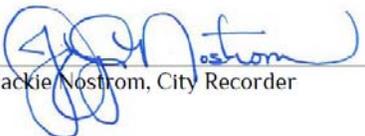
There was no closed session.

## 10. SOCIAL GATHERING (No Action will be taken on any items)

A. Social Gathering will take place at Wendy's, 5592 West 13400 South, Herriman, Utah

*This document constitutes the official minutes for the  
Herriman City Council Meeting held on Wednesday, October 8, 2014*

*I, Jackie Nostrom, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Wednesday, October 8, 2014.*

  
Jackie Nostrom, City Recorder

The Worldwide Association of Performing Artists presents

## “INTERNATIONAL DAYS ”

In Salt Lake’s Southwest Valley

“INTERNATIONAL DAYS” is a 6 day festival held in Salt Lake’s Southwest Valley showcasing international dancers and musicians from distant lands in educational activities, community concerts and cultural events.

**MISSION:** To foster friendship, understanding, and appreciation for humanity’s diverse racial, ethnic, and cultural heritage through the international languages of music and dance.

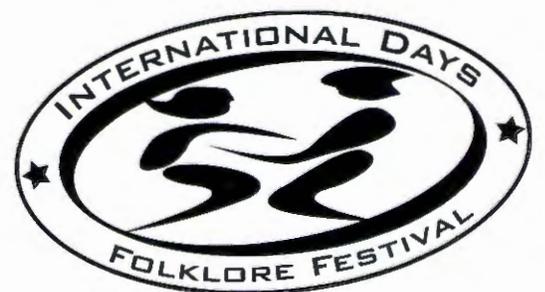
- Providing opportunities for the people of South Jordan, Herriman, Riverton and surrounding areas to experience high-quality and entertaining performances of international folk music and dance.
- Effectuating cultural exchanges between the community and the international guest performers which will increase knowledge and appreciation for the cultural heritage of both the visiting international groups and Salt Lake’s Southwest Valley area. Each festival event will provide a different cultural experience.
- Providing elementary school assemblies and interaction with students in an educational setting.
- Providing the people of the South Jordan, Herriman, West Jordan and Riverton with the opportunity to become a volunteer host family thus expanding the opportunity for expanded interaction and cultural enrichment.





# HERRIMAN

*A City of Cultural Diversity*



# HERRIMAN INTERNATIONAL DAYS

A N E W

F A C E

## **F- FRIENDSHIP AND FAMILY FUN**

- \* Make friends with people around the world and also in your own neighborhood
- \* Bond with family members with a new experience
- \* Have fun learning and laughing together

## **A- ACHIEVEMENT AND ACCOLADES**

- \* Achieve a unique over-all event....only 9 such festivals exist in the entire United States
- \* Receive accolades for an event that accomplishes so much and enriches the lives of the people in the community

## **C- CULTURE AND COMMUNITY**

- \* Develop an expanded community identity
- \* Facilitate community involvement and bonding- expand community spirit
- \* Establish a unique cultural climate in Herriman

## **E- EDUCATION AND EXCITING EVENTS**

- \* Provide a wonderful educational experience about other nations and their people, language, customs and religion developing appreciation for cultural diversity
- \* Develop understanding between people....one of the first steps in building bridges of peace
- \* Showcase International Music and Dance as performed by experienced artists from around the world in several unique events

# HERRIMAN INTERNATIONAL DAYS

A N E W

F A C E

## UNIQUE VENUES IN HERRIMAN AND POSSIBLE EVENTS

- \* ROSECREST PAVILLION at Buttlersfield Park  
Colors of the World Expo
- \* HERRIMAN HIGH SCHOOL  
Opening Spectacular and high school dance workshops
- \* FORT HERRIMAN and/or COPPER MOUNTAIN MIDDLE SCHOOLS  
Country Spotlight Shows
- \* BLACKRIDGE RESERVOIR  
Polynesian Luau and International Music
- \* The three elementary schools in Herriman would receive priority in scheduling assemblies.

## BUILDING ON A GREAT FOUNDATION

- \* International Days has served the Southwest Communities for 6 years under the guidance and direction of Worldwide Association of Performing Artists.
- \* Worldwide's Internationally acclaimed leadership and experienced board of directors and volunteers will mentor and work with Herriman City to organize the festival.
- \* Partnership with Worldwide facilitates some funding through the ZAP grant.
- \* International Days is already an IOV festival in cooperation with established festivals in Springville and Bountiful as well as a new one in Burley, Idaho providing great festival synergy.
- \* International Groups have already sent in applications for 2015.
- \* A great relationship has already been established with the Jordan School District.
- \* Perpetuation of International Days depends on finding a home in an up and coming city such as Herriman.

# INTERNATIONAL DAYS 2015

COUNTRIES who have applied as of mid-September

## PHILIPPINES



## FRANCE



## PERU



## POLAND



## VENEZUELA



## OTHER COUNTRIES

ALGERIA  
BELGIUM  
CHAD  
COLUMBIA  
CZECH REPUBLIC  
GHANA  
GUATEMALA  
INDIA  
IVORY COAST  
MOROCCO  
NEPAL  
TOGO

# HERRIMAN INTERNATIONAL DAYS

## POSSIBLE Schedule for 2015

### Monday August 10

#### Beach Party and/or Luau at Blackridge

- Restricted to host families....bring their own picnic dinner
- Restricted to host families....own picnic dinner....Polynesian entertainment
- Restricted to host families.... Luau with food and entertainment
- Community invited for a fee

### Tuesday August 11

#### Opening Spectacular

- Opening Concert at Herriman High School
- High School Dance Workshops at Herriman High School
- Opening dinner for performers at Herriman
- Mayor's reception of dinner at Herriman

### Wednesday August 12 and Thursday August 13

#### Country Spotlight Shows

Evening shows at local middle schools or charter school

### Friday August 14

#### Herriman International Days at the Viridian

Interactive workshops with children and evening show at the West Jordan Library and Viridian events center

### Saturday August 15

#### Colors of the World Festival Finale

Takes place at the Rosecrest Pavilion

- Non-stop entertainment including local groups
- Vendors
- Children's activities
- Festival closing and final performances
- Could include activities in the sports fields

School assemblies will take place on Monday, Wednesday and Thursday.

Host family groups could choose to have a potluck dinner on Sunday August 12.

# HERRIMAN INTERNATIONAL DAYS

## Projected expenses

Administration & guides-	\$800
Artist fees-	\$1500
Facilities-	\$450
Food-	\$4500 for four countries
Hospitality & gifts-	\$ 500
Marketing-	\$3500
Sound Systems-	\$2500
Supplies-	\$ 500
Transportation-	<u>\$5000</u> for four countries
	\$19,750 for four countries

Last year we produced International Days for \$15,000 and a lot of in kind donations. We had two guest countries.

## Almost Around The World In Less Than 80 Days

By Shawna Meyer

**D**ancers from all different parts of the world will visit South Jordan, Riverton, West Jordan and Herriman in August to share not only their moves, but also their music, language and culture. Each year, the International Days Folklore Festival teaches Utah residents a little about people in faraway places.

“Shawnda Bishop [executive and artistic director of the festival] has a mission statement for the event. She has been doing it for a couple of years, and her main reasons for doing it are to foster friendship and understanding through educating everyone about different cultures,” said Jenna Lara Sanchez, marketing intern.

The idea behind this free event is to invite dance acts to perform to music from their home countries. After the dancing, the performers participate in spotlight events to help educate people about their different cultures. One of the main goals of the event is to prove that communication can be accomplished through more than just language.

Five acts have been invited so far to perform at this year’s festival, which will run Aug. 12-16. These acts include the Bangladesh Academy of Fine Arts from Bangladesh, the Biana Players International from Sierra Leone, Radha Sarisha from Indonesia, the Utah branch of the TeHamata Tahitian Dancers and South Jordan’s



very own Clog America group.

“Even though we speak different languages, everyone can be brought together through this kind of entertainment. A lot of the reason these performers dance and perform is to showcase their culture, and sometimes, that doesn’t need to be done with words,” Sanchez said.

- **Opening Spectacular** - Tuesday, Aug. 12 at 7 p.m. at Bingham High School, 10400 South 2200 West, South Jordan. All dancers and performers. Each act will showcase their talents, music and costumes.
- **Country Spotlight Show** - Wednesday, Aug. 13 at 7 p.m. at the Sandra Lloyd Performing Arts Center, 12830 South Redwood Road, Riverton. This event will highlight the people of Indonesia and South Africa.
- **Country Spotlight Show** - Thursday, Aug. 14 at 7 p.m. at Elk Ridge Middle School, 3659 West 9800 South, South Jordan. This show will focus on people from Bangladesh, Sierra Leone and Peru.
- **Folklore Fun** - Friday, Aug. 15 at the Viridian Special Events Center and Library, 8030 South 1825 West, West Jordan. This event kicks off with a workshop for kids in the library, which will run from 2 p.m. to 5 p.m., and afterwards there will be an evening performance at 7 p.m.
- **Colors of the World Expo** - Saturday, Aug. 16. It runs from 2 p.m. to 9:30 p.m. at the Rosecrest Pavilion, 6212 West 14200 South, Herriman.

Along with their many public performances, the dancers will also go to local, year-round schools to perform and educate the kids about their countries. These assemblies aim to provide the students with a taste of diversity in order to broaden their sense of the world.

“A lot of the impact it has on the students is that they actually get to see these people from different parts of the world, and even if they don’t speak the same languages, they get to see them face to face and see how they are with each other. It kind of makes the world a smaller place for them,” Sanchez said.

All festival events are free.



## Students Get Firsthand Cultural Experiences With International Days

By Julie Slama

**E**lk Meadows student Bailey Betts was dancing with her classmates and Bangladeshi performers at a sixth-grade dance workshop after a school-wide Aug. 13 assembly.

"It's fun because I'm learning about their country's dances," Bailey said.

Her classmate Tianah Bouldin said she'd like to learn more dances.

"They have a lot of different moves," she said.

Third-grade teacher Cathy Douglass helped the school invite the 18-member Bangladesh Cultural Delegation for an assembly during South Valley's International Days. Each school principal could request a group for a school performance.

"The kids are learning about another country's arts—their music, dance and performing arts," she said. "Traveling can give students a wonderful education, but when you can't travel there, then we need to bring others here to share their culture."

This was the first year a group has performed at Elk Meadows.

"It's rare for students to learn about some other cultures so far away, but it helps them to realize that the



*Elk Meadows sixth-graders learn a traditional Bangladeshi dance Aug. 13 as part of South Valley's International Days.*

world is smaller, both through today's technology and when they see others' traditions and customs," Principal Aaron Ichimura said.

Daybreak Elementary also hosted the Bangladeshi group for an assembly. The Bangladeshi dancers, who spent a full year preparing to come to Utah, also performed at Springville's Folk Fest and Bountiful's Summerfest.

"We show the students our traditional folk dances," Bangladeshi coordinator Shukla Debnath said. "We start learning these dances when we are 4 years old. We want students to explore our world that is rich in culture."

**T**his was the sixth year South Jordan Elementary has hosted a group. This year, dancers from Indonesia performed for the student body. ✦



# FLOODING ISSUE

## SEPTEMBER 29, 2014

- Observed conditions
  - Recently plowed fields up-grade, west of Herriman
  - Clay soils
  - Historic Copper Creek
- Saturday, September 27, 2014
  - Long duration, wide spread storm
  - Saturated soils
  - No flooding reported along west side of city



# FLOODING ISSUE

## SEPTEMBER 29, 2014

- Monday, September 29, 2014
  - Localized, high-intensity cloudburst
  - Specific to Butterfield and Copper Creek Drainages
  - Loose soils and other debris transported in runoff from fields into developed areas



# FLOODING ISSUE

## SEPTEMBER 29, 2014

- Debris plugged storm system inlets
  - Detention pond outlet blocked by sediment and debris
  - Wall allowed water into cemetery from pond
- Flows continued to the east, across 6000 West
  - Followed historic copper creek alignment



# FLOODING ISSUE

## SEPTEMBER 29, 2014

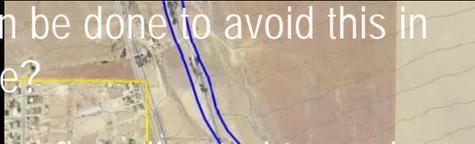
- Homes in path of historic Copper Creek
  - Extensive damage to basement
  - 9 ft of water in home
- Cleanup Support
  - UFA, Volunteers, Neighbors, City Staff



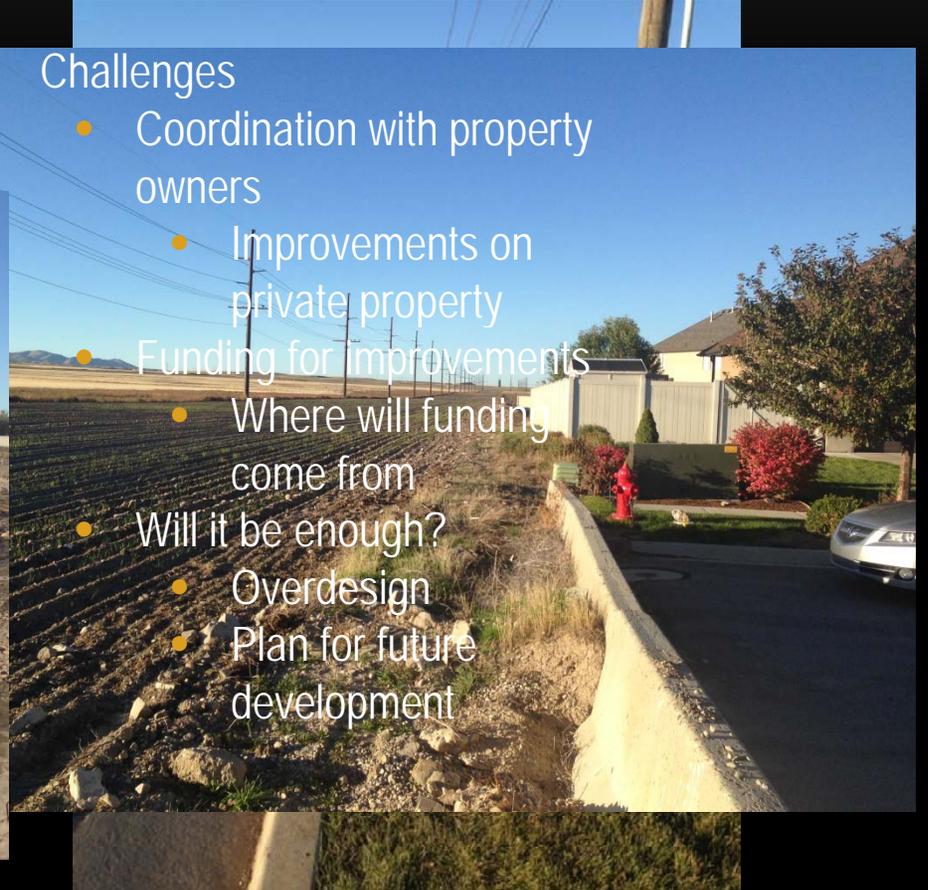
# FLOODING ISSUE

## SEPTEMBER 29, 2014

- What can be done to avoid this in the future?



- Challenges
  - Coordination with property owners
  - Improvements on private property
- Funding for improvements
  - Where will funding come from
- Will it be enough?
  - Overdesign
  - Plan for future development



# Financial Department Update

October 8, 2014



# FINANCE DEPARTMENT

## Cash Receipts and Control

Cash Receipting

Balancing/Deposits

Attest

## Cash Disbursements

Approval

Invoice Processing

Attest

# Cash Receipts and Control

- Cash Receipting
  - Consolidated Online Payment Options
  - Formalized Utility Payment Arrangements
  - Created Payment Codes that Match Job Functions
  - Require Cashiers to be Logged In With their Credentials
  - Provided Cashiers with Online Credit Card Processing
  - Concessions Picked Up Daily
  - Separate Cash Drawers
- Balancing/Deposits/Cash Custodian
  - Deposits Daily
  - Online Payments Downloaded Daily
- Attest Function

# Cash Disbursements and Control

- Approvals
  - Managers Must Approve All Invoices for their Department
  - All Invoices are Reviewed for Compliance with Purchasing Policy
- Invoice Processing and Check Generation
  - Check Runs are Approved by Treasurer and Finance Director
  - City Manager Receives Check Listing for Check Runs
  - Positive Pay
  - Created an Approval Process for ACH Payments
- Attest Function

# General Accounting

Balanced Beginning of the Year Numbers to the Audit

Integrated Fixed Assets into our Accounting System

Integrated Long Term Debt into our Accounting System

Prepared All Schedules and Supporting Documents for the Auditors

Audit is Underway with Fieldwork Expected to be Completed Within the Next Week

Aligning Accounting to the Organizational Chart

# Functional Areas

## General Government

Administration/PIO

Communication

Courts

Human Resources

Legal

Recorder

Elected Officials

Finance

## Operations

Streets

Events

Parks/Cemetery

## Planning & Development

Building

Economic Development

Engineering

Planning

## Water

Culinary

Secondary

# DEPARTMENT TOP 5 PRIORITIES

Prepare a Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 20

Complete and Analysis of the Water/Administration Dept. Due To/Due From

Prepare an Expanded Budget in Compliance with GFOA Best Practices

Complete a Written Accounting/Internal Controls Procedure Manual

Prepare Five and Ten Year Financial Plans

## General Fund

Revenue		
Taxes	\$ 822,195.52	17.45%
Licenses & Permits	1,245,016.97	32.40%
Charges for Services	334,404.06	43.53%
Miscellaneous	80,887.12	3.26%
Total General Fund Revenue	\$ 2,482,503.67	21.84%

<b>Expenditures</b>		
Administration	\$ 494,196.04	27.68%
Court	37,097.59	23.29%
Human Resources	55,261.94	16.61%
Facilities	94,742.82	24.99%
Enforcement/Emergency	35,072.86	15.91%
Information Technology	180,715.12	19.09%
Street Maintenance	131,294.93	17.08%
Parks	333,721.26	17.92%
Economic Development	13,506.05	13.54%
Building Services	128,709.72	20.45%
Engineering	223,434.90	25.89%
Planning & Development	102,996.24	22.65%
Community Events & Recreation	130,136.16	19.30%
Arts & Culture	15,609.77	18.84%
Fleet Management	45,721.31	20.98%
Other	348,806.04	14.71%
	\$ 2,371,022.75	20.66%
Net Revenue	\$ 111,480.92	



# ENGINEERING DEPARTMENT UPDATE

*OCTOBER 8, 2014*



# CAPITAL PROJECTS UPDATE

*FY 2014/2015*

# NORTH ENTRY PARK

- STATUS
  - SPRINKLER SYSTEM BEING INSTALLED
  - TOPSOIL FROM HTC PLAT G TO BE USED IN PARK
- PROJECT BUDGET
  - \$75,000
  - PARK IMPACT FEES
- EST. COMPLETION
  - NOV. 1, 2014



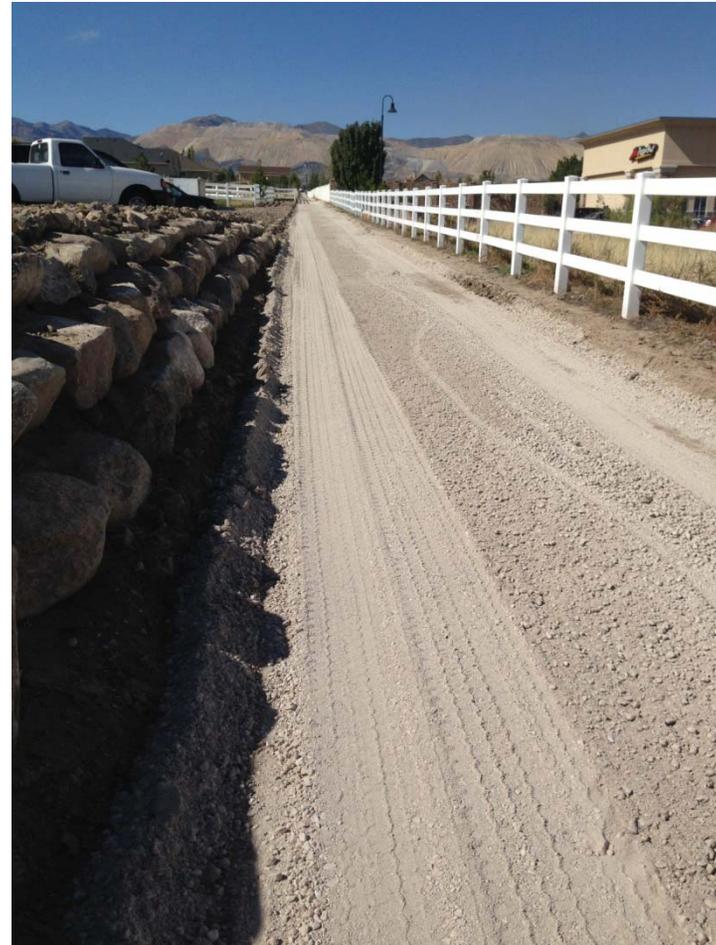
# 7530 WEST ROADWAY

- STATUS
  - UTILITY WORK
  - SUB-GRADE PREPARATION
- PROJECT BUDGET
  - \$300,000 CITY PORTION
  - \$195,000 DEVELOPER PORTION
  - GENERAL FUND
- EST. COMPLETION
  - MAY 1, 2015



# ROSE CREEK ASPHALT TRAILS

- STATUS
  - 15% COMPLETE
  - PAVING THIS WEEK FOR TRAIL BEHIND SUBWAY
- PROJECT BUDGET
  - \$300,000 FOR CONSTRUCTION
  - GENERAL FUND
- EST. COMPLETION
  - PHASE I NOV. 1, 2014
  - PHASE II MAY 1, 2015



# 5 MG WATER TANK & TRANSMISSION LINE

- STATUS
  - SL COUNTY SUBDIVISION PROCESS
  - COORDINATION WITH KENNECOTT ON LAND
- PROJECT BUDGET
  - \$4.5M BAN
- EST. COMPLETION
  - NOV. 2, 2014 (DESIGN)
  - SEPT. 1, 2015 (CONSTRUCTION)



# GINA ROAD STORM DRAIN

- STATUS
  - SURVEY COMPLETE
  - PRELIMINARY DESIGN UNDERWAY
  - EASEMENTS/ROW BEING DETERMINED
- PROJECT BUDGET
  - \$0 (DESIGN)
  - \$300,000 FOR CONSTRUCTION
- EST. COMPLETION
  - JAN. 1, 2015 (DESIGN)
  - SPRING 2015 (CONSTRUCTION)



# 11800 SOUTH ROAD WIDENING

- STATUS
  - SURVEY COMPLETE
  - PRELIMINARY DESIGN UNDERWAY
- PROJECT BUDGET
  - \$0 (DESIGN)
  - IN-HOUSE DESIGN WORK
- EST. COMPLETION
  - DEC. 1, 2015 (DESIGN)
  - SPRING 2015 (CONSTRUCTION)



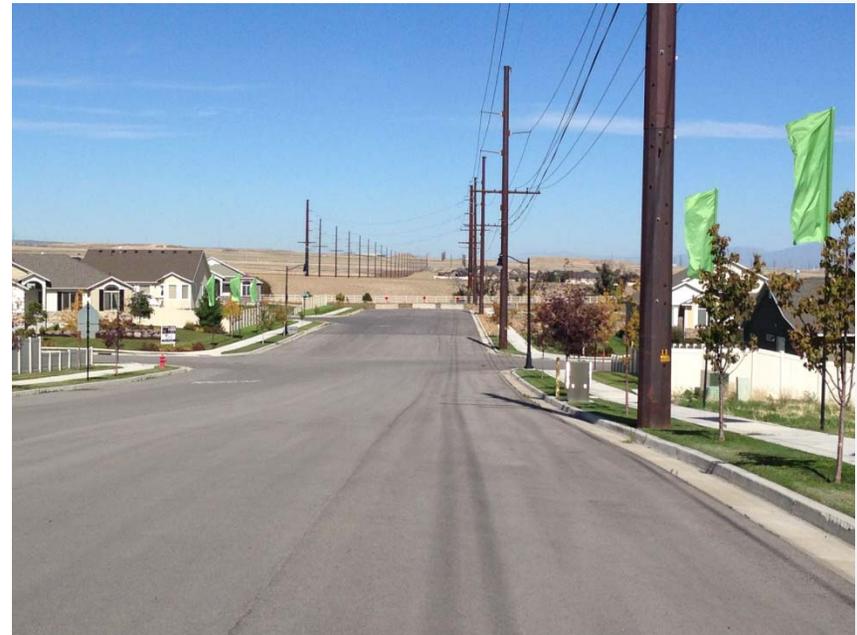
# HERRIMAN PARKWAY EXTENSION TO 6400 WEST

- STATUS
  - SURVEY COMPLETE
  - PRELIMINARY DESIGN UNDERWAY
  - EASEMENTS NEEDED
- PROJECT BUDGET
  - \$0 (DESIGN)
  - IN-HOUSE DESIGN WORK
- EST. COMPLETION
  - JAN. 1, 2015 (DESIGN)
  - SUMMER 2015 (CONSTRUCTION)



# 6400 WEST CULINARY WATER LINE

- STATUS
  - SURVEY COMPLETE
  - PRELIMINARY DESIGN UNDERWAY
  - EASEMENTS NEEDED
- PROJECT BUDGET
  - \$0 (DESIGN)
  - IN-HOUSE DESIGN WORK
- EST. COMPLETION
  - JAN. 1, 2015 (DESIGN)



# DEVELOPMENT UPDATE

- QUARTERLY UPDATE
  - JULY
    - 9 PLANS REVIEWED
    - 1 PLAN APPROVED
  - AUGUST
    - 8 PLANS REVIEWED
    - 3 PLANS APPROVED
  - SEPTEMBER
    - 11 PLANS REVIEWED
    - 2 PLANS APPROVED
  - YEAR TO DATE
    - 519 PLANS REVIEWED
    - 36 PLANS APPROVED



# SPECIAL PROJECTS

- TRAFFIC WARRANT STUDIES
  - ROSE CANYON ROAD & BLAYDE DRIVE
  - 13400 SOUTH & 5200 WEST
  - 6400 WEST & MAIN STREET
  - 13400 SOUTH & 6400 WEST
  - JUNIPER CREST & ROSECREST
  - 5600 WEST & 12900 SOUTH
  - 5600 WEST & SALERNO
- ROSECREST PLAT V ROCKERY EVALUATION
- FLOODING CONCERNS
- TRAILS





CITY COUNCIL

Wednesday, October 22, 2014

# Item 3

## 3. Consent Agenda

- A. Consideration of an ordinance declaring certain excess telecommunication conduit located in various areas of the City, as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City – Blake Thomas, City Engineer

NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## STAFF REPORT

**DATE:** October 16, 2014  
**TO:** The Honorable Mayor and City Council  
**FROM:** Blake Thomas, City Engineer  
**SUBJECT:** Telecommunications Excess Conduit

---

### **RECOMMENDATION:**

Motion to approve Ordinance No. \_\_\_\_\_ declaring certain excess telecommunication conduit located in various areas of the City as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City..

### **BACKGROUND:**

Herriman City installed telecommunications duct banks along the arterial and major collector roadways at locations shown on the attached exhibit. The ducts were installed in anticipation of interconnecting the City's traffic signal network and with the anticipation to provide telecommunication services to the City. The ducts are configuration of four 1.25 inch conduits, which is in accordance with UDOT standards. The City has determined that one of the conduits within the duct is needed to provide the services anticipated and has deemed that the remaining conduits are excess. As a result, Herriman City intends lease the remaining conduits within the identified duct banks through an exchange agreement to any qualified telecommunication providers.

### **ALTERNATIVES:**

The Council has the option to adopt, amend, or reject the recommendations.

Blake Thomas  
City Engineer

Attachments

City Council Agenda  
October 22, 2014

**HERRIMAN, UTAH**  
**ORDINANCE NO. 14-**

**AN ORDINANCE DECLARING CERTAIN EXCESS TELECOMMUNICATION  
CONDUIT LOCATED IN VARIOUS AREAS OF THE CITY, AS SURPLUS;  
ESTABLISHING A MINIMUM BID; AND ESTABLISHING A METHOD TO  
DETERMINE THE HIGHEST AND BEST ECONOMIC RETURN TO THE CITY**

**WHEREAS**, the Herriman City Council (“*Council*”) met in regular meeting on October 22, 2014, to consider, among other things, declaring certain excess telecommunication conduit located in various areas of the City, as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City; and

**WHEREAS**, the City owns certain excess telecommunication conduit in various areas of the City as described and depicted on the attached map (the excess telecommunication conduit is referred to herein as “*Excess Conduit*”); and

**WHEREAS**, the staff has proposed to enter into an exchange agreement with \_\_\_\_\_ to lease the Excess Conduit to \_\_\_\_\_ in exchange for \_\_\_\_\_ providing additional telecommunication conduit in places designated by the City pursuant to the terms and conditions of that certain exchange agreement (“*Agreement*”), a copy of which is attached hereto; and

**WHEREAS**, the staff has informed the Council that the reasonable yearly rental value of the Excess Conduit is less than \$50,000 and is not a significant parcels of real property as that term is defined in Section 1-10-15 of the Herriman Code of Ordinances; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of the City to declare the Excess Conduit as surplus, to establish a minimum bid, and to establish a method to determine the highest and best economic return to the City.

**NOW, THEREFORE, BE IT ORDAINED** that Excess Conduit is declared surplus, that the minimum bid and the highest and best economic return to the City shall be to enter into the Agreement with \_\_\_\_\_ .

**BE IT FURTHER ORDAINED** that the Mayor and Recorder are hereby authorized and directed to execute and deliver the Agreement.

This Ordinance, assigned Ordinance No. 14-\_\_, is effectively upon passage.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of October, 2014.

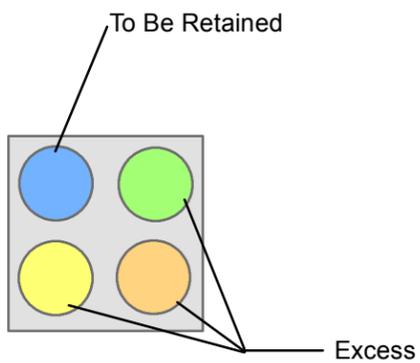
**HERRIMAN COUNCIL**

By: \_\_\_\_\_  
Carmen Freeman, Mayor

**ATTEST:**

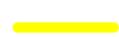
\_\_\_\_\_  
Jackie Nostrom, City Recorder

# Conduit Layout



## Legend

### Conduit

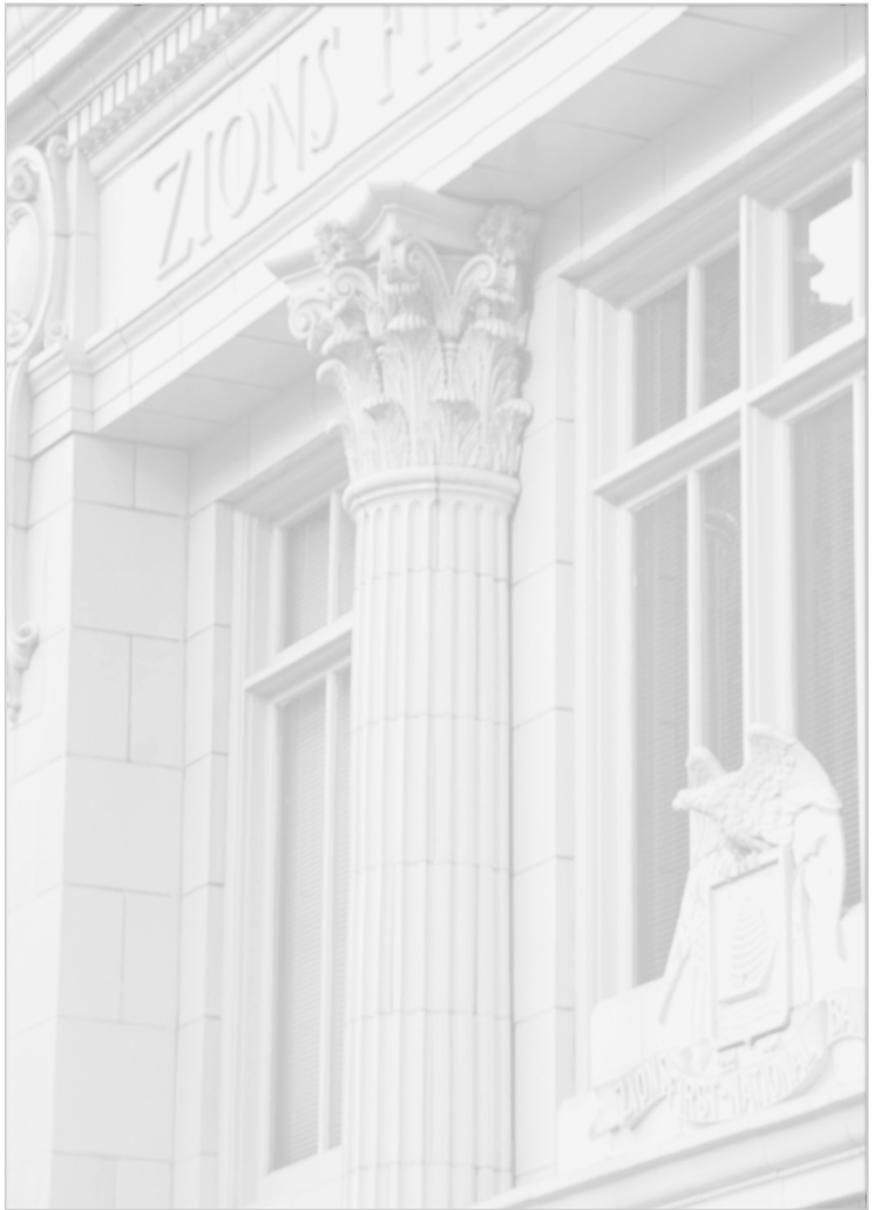
-  Herriman Conduit
-  Herriman City Limit



# Conduit Surplus







Herriman City

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# Storm Water Impact Fee Analysis

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ZIONS BANK  PUBLIC FINANCE

September 2014

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## SUMMARY OF IMPACT FEE ANALYSIS

### BACKGROUND INFORMATION

Herriman City (“the City”) retained Bowen Collins & Associates to prepare an Impact Fee Facilities Plan (IFFP) for storm water, and retained Zions Bank Public Finance to prepare this Impact Fee Analysis (IFA) for the calculation of appropriate storm water impact fees. This IFA relies on the information provided in the IFFP regarding current system capacity and future storm water capital facility needs, cost and timing.

Service Areas. There are three geographic service areas for the provision of storm water services in Herriman. These service areas are shown on the map in Appendix A and are referred to as Service Area #1 - West Herriman; Service Area #2 - South Herriman; and Service Area #3 - Herriman Towne Center.

Service Area #1 (West Herriman) contains most of the existing development and storm drain infrastructure in the City. Service Area #2 (South Herriman) is currently mostly undeveloped and Service Area #3 (Towne Center) is a 373-acre development on the central east side of Herriman with a separate master plan and storm drain system.

Demand Units. The City requires that all development detain water in order to equalize the runoff rate throughout the City to a standard that is set at 0.2 cfs per acre for all properties within Service Area #1 (“West Herriman”) and for 0.02 to 0.05 cfs per acre for all properties within Service Area #2 (“South Herriman”). Therefore, because the *rate* of flow is controlled, the demand unit for storm water capital facilities is the same for all development types and is calculated based on the development of “acres.” Storm water impact fees are charged, at platting, on an acreage basis.

### IMPACT ON CONSUMPTION OF EXISTING CAPACITY

*Utah Code 11-36a-304(1)(a)*

According to the IFFP, the existing storm water system improvements in Service Area #1 are currently at 79.6 percent of capacity, leaving 20.4 percent of capacity remaining for future development.<sup>1</sup> Service Area #2 has only minor storm water project improvements which are not eligible to be paid for with impact fees. There are no system storm drain capital facilities and no excess capacity is available to serve the needs of development. Significant excess capacity (47 percent) exists in Service Area #3 – the Towne Center.<sup>2</sup> The value of the excess capacity, which benefits the entire storm water system, rather than one particular geographic location, has been apportioned among all future users.

### IMPACT ON SYSTEM IMPROVEMENTS BY ANTICIPATED NEW DEVELOPMENT

*Utah Code 11-36a-304(1)(b)*

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<sup>1</sup> Bowen & Collins, Impact Fee Facilities Plan for Storm Water, June 2013, p.5.

<sup>2</sup> Bowen & Collins, Impact Fee Facilities Plan for Storm Water, June 2013, p.5.

The City has determined to maintain its current level of storm water service. Therefore, additional storm water improvements will be required in order to maintain the established storm water level of service. The new facilities needed that have been identified by the City's engineers total \$5,546,934 for Service Area #1 and \$3,332,797 for Service Area #2.

System improvements associated with Service Area #3 (Herriman Towne Center) were provided by the Momentum Development Group and total \$2,985,839.

## PROPORTIONATE SHARE ANALYSIS AND IMPACT FEE CALCULATION

*Utah Code 11-36a-304(1)(d) and (e) and (2)(a) and (b)*

*Service Area #1.* Because the storm water system has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system, as well as to contribute their fair share to the new storm water facilities needed for new development. These costs, along with allowable consultant costs, are summarized below, resulting in a total maximum impact fee of \$3,489.79 per acre in Service Area #1.

TABLE 1: PER ACRE IMPACT FEE CALCULATION – SERVICE AREA #1

	Amount
<b><i>Excess Capacity Buy-In Cost:</i></b>	
Storm Water System Actual Cost	\$10,833,337.59
Excess Capacity	20.4%
Value of Excess Capacity	\$2,210,000.87
Total Acres Served by Excess Capacity	2,278
Value of Excess Capacity per Acre	\$969.99
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$5,546,934
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	2,278
Cost per Acre	\$2,434.60
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$30,795
Acres Served by Consultant Costs (acres developed over next 6 years)	200
Consultant Costs per Acre	\$153.98
<b><i>Fee Summary</i></b>	
Buy-In Cost per Acre	\$969.99
New System Improvements Cost per Acre	\$2,434.60
Consultant Fees	\$153.98
Fund Balance Credit	-\$68.76
<b>IMPACT FEE COST PER ACRE</b>	<b>\$3,489.79</b>

*Service Area #2.* Service Area #2 currently only has storm water improvements designed as project improvements. There are no system storm water improvements and no excess capacity in the system that is eligible to be considered for impact fees. New construction costs of \$3,332,797, along with allowable consultant costs, are summarized below, resulting in a total maximum impact fee of \$1,337.48 per acre in Service Area #2.

TABLE 2: PER ACRE IMPACT FEE CALCULATION – SERVICE AREA #2

	Amount
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$3,332,797
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	2,729
Cost per Acre	\$1,221.25
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$23,245
Acres Served by Consultant Costs (acres developed over next 6 years)	200
Consultant Costs per Acre	\$116.23
<b><i>Fee Summary</i></b>	
Buy-In Cost per Acre	\$0.00
New System Improvements Cost per Acre	\$1,221.25
Consultant Fees	\$116.23
Fund Balance Credit	-\$0.00
<b>IMPACT FEE PER ACRE</b>	<b>\$1,337.48</b>

*Service Area #3.* Because the storm water system has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system, as well as to contribute their fair share to the new storm water facilities needed for new development. These costs, along with allowable consultant costs, are summarized below, resulting in a total maximum impact fee of \$8,041.32 per acre in Service Area #3.

TABLE 3: PER ACRE IMPACT FEE CALCULATION – SERVICE AREA #3

	Amount
<b><i>Excess Capacity Buy-In Cost:</i></b>	
Storm Water System Historic Value	\$1,524,757
Excess Capacity	47%
Value of Excess Capacity	\$716,636
Total Acres Served by Excess Capacity	272
Value of Excess Capacity per Acre	\$2,634.69
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$1,461,082
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	272
Cost per Acre	\$5,371.63
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$3,500
Acres Served by Consultant Costs (acres developed over next 6 years)	100
Consultant Costs per Acre	\$35.00
<b><i>Fee Summary</i></b>	

	Amount
Buy-In Cost per Acre	\$2,634.69
New System Improvements Cost per Acre	\$5,371.63
Consultant Fees	\$35.00
Fund Balance Credit	\$0.00
<b>IMPACT FEE PER ACRE</b>	<b>\$8,041.32</b>

## MANNER OF FINANCING FOR PUBLIC FACILITIES

For Service Area #3, the impact fees collected will not be sufficient to cover all of the costs of the storm drain system. This is due to the fact that the 101 acres already platted did not pay an impact fee that would sufficiently cover their fair share of the system. The total amount collected from the 101 acres is \$370,164. The development of the additional 272 acres will generate \$2,187,238, if each acre pays the calculated maximum fee of \$8,041.23. These two amounts, added together, total \$2,557,402, which is \$428,437 less than the \$2,985,839 needed to cover all costs. The difference of \$428,437 will be made up through other sources. It is anticipated that the repayment source will include, but not be limited to, tax increment as generated by the Community Development Area (CDA) for the Herriman Towne Center.

TABLE 4: CALCULATION OF ANTICIPATED SHORTFALL OF IMPACT FEES – SERVICE AREA #3

	Fee
Fees to be Collected	\$2,187,238
Amount Previously Collected	\$370,164
Total Amount Collected	\$2,557,402
Amount Needed for all System Improvements	\$2,985,839
<b>Shortfall</b>	<b>\$428,437</b>

## UTAH CODE LEGAL REQUIREMENTS

Utah law requires that communities prepare an Impact Fee Analysis (IFA) based on the information presented in the Impact Fee Facilities Plan (IFFP) before enacting an impact fee. Utah law also requires that communities give notice of their intent to prepare and adopt an IFA. This IFA follows all legal requirements as outlined below. Herriman City has retained Zions Bank Public Finance (ZBPF) to prepare this Impact Fee Analysis in accordance with legal requirements.

### NOTICE OF INTENT TO PREPARE IMPACT FEE ANALYSIS

A local political subdivision must provide written notice of its intent to prepare an IFA before preparing the Analysis (Utah Code 11-36a-503(1)). This notice must be posted on the Utah Public Notice website. The City has complied with this noticing requirement for the IFA by posting notice on January 28, 2014. A copy of the notice is included in Appendix C.

### PREPARATION OF IMPACT FEE ANALYSIS

Utah Code requires that “each local political subdivision... intending to impose an impact fee shall prepare a written analysis of each impact fee” (Utah Code 11-36a-303).

Section 11-36a-304 of the Utah Code outlines the requirements of an impact fee analysis which is required to identify the following:

- (a) identify the anticipated impact on or consumption of any existing capacity of a public facility by the anticipated development activity;
- (b) identify the anticipated impact on system improvements required by the anticipated development activity to maintain the established level of service for each public facility;
- (c) demonstrate how anticipated impacts are reasonably related to the anticipated development activity;
- (d) estimate the proportionate share of:
  - (i) The costs for existing capacity that will be recouped; and
  - (ii) The costs of impacts on system improvement that are reasonably related to the new development activity; and
- (e) based on the requirements of this chapter, identify how the impact fee was calculated.

Further, in analyzing whether or not the proportionate share of the costs of public facilities are reasonably related to the new development activity, the local political subdivision or private entity, as the case may be, shall identify, if applicable:

- (a) the cost of each existing public facility that has excess capacity to serve the anticipated development resulting from the new development activity;
- (b) the cost of system improvements for each public facility;
- (c) other than impact fees, the manner of financing for each public facility such as user charges, special assessments, bonded indebtedness, general taxes, or federal grants;

- (d) the relative extent to which development activity will contribute to financing the excess capacity of and system improvements for each existing public facility, by means such as user charges, special assessments, or payment from the proceeds of general taxes;
- (e) the relative extent to which development activity will contribute to the cost of existing public facilities and system improvements in the future;
- (f) the extent to which the development activity is entitled to a credit against impact fees because the development activity will dedicate system improvements or public facilities that will offset the demand for system improvements, inside or outside the proposed development;
- (g) extraordinary costs, if any in servicing the newly developed properties; and
- (h) the time-price differential inherent in fair comparisons of amounts paid at different times.

## CALCULATING IMPACT FEES

Utah Code states that for purposes of calculating an impact fee, a local political subdivision or private entity may include:

- (a) the construction contract price;
- (b) the cost of acquiring land, improvements, materials, and fixtures;
- (c) the cost for planning, surveying, and engineering fees for services provided for and directly related to the construction of the system improvements; and
- (d) for political subdivision, debt service charges, if the political subdivision might use impact fees as a revenue stream to pay the principal and interest on bonds, notes or other obligations issued to finance the costs of the system improvements.

Additionally, the Code states that each political subdivision or private entity shall base impact fee amounts on realistic estimates and the assumptions underlying those estimates shall be disclosed in the impact fee analysis.

## CERTIFICATION OF IMPACT FEE ANALYSIS

Utah Code states that an impact fee facilities plan shall include a written certification from the person or entity that prepares the impact fee facilities plan. This certification is included as part of this Impact Fees Analysis.

## IMPACT FEE ENACTMENT

Utah Code states that a local political subdivision or private entity wishing to impose impact fees shall pass an impact fee enactment in accordance with Section 11-36a-402. Additionally, an impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysts. An impact fee enactment may not take effect until 90 days after the day on which the impact fee enactment is approved.

# CONSUMPTION OF EXISTING CAPACITY, IMPACT ON SYSTEM IMPROVEMENTS AND HOW IMPACTS ARE RELATED TO ANTICIPATED DEVELOPMENT ACTIVITY

*Utah Code 11-36a-304(1)(a),(b) and (c)*

## GROWTH IN DEMAND

Herriman City requires that all development detain water in order to equalize the runoff rate throughout the City to a standard that is set at 0.2 cfs per acre for all properties within service area #1 (“West Herriman”) and for 0.02 to 0.05 cfs per acre for all properties within service area #2 (“South Herriman”). Service areas #1 and #2 have separate storm drain systems. Service Area #3 (Towne Center) has a separate master plan and also has a separate storm drain system.

The City estimates that it currently has 2,278 unplatted and undeveloped acres in Service Area #1 (West Herriman); 2,729 unplatted and undeveloped acres in Service Area #2 (South Herriman); and 272 unplatted and undeveloped acres in Service Area #3 (Towne Center).<sup>3</sup>

Growth in developed acres will generate demand for storm water facilities. Table 5 shows the projected growth in the City through 2023 – the next ten years.

TABLE 5: PROJECTED GROWTH THROUGH 2022

Year	New Acres Developed	Cumulative New Acres of Development
<b><i>Service Area 1 – West Herriman</i></b>		
2014	33.33	33.33
2015	33.33	66.67
2016	33.33	100.00
2017	33.33	133.33
2018	33.33	166.67
2019	33.33	200.00
2020	33.33	233.33
2021	33.33	266.67
2022	33.33	300.00
2023	33.33	333.33
<b><i>Service Area 2 – South Herriman</i></b>		
2014	33.33	33.33
2015	33.33	66.67
2016	33.33	100.00
2017	33.33	133.33
2018	33.33	166.67
2019	33.33	200.00
2020	33.33	233.33
2021	33.33	266.67
2022	33.33	300.00
2023	33.33	333.33
<b><i>Service Area 3 – Towne Center</i></b>		
2014	16.67	16.67
2015	16.67	33.33

<sup>3</sup> Meeting with Herriman City, July 10, 2014.

Year	New Acres Developed	Cumulative New Acres of Development
2016	16.67	50.00
2017	16.67	66.67
2018	16.67	83.33
2019	16.67	100.00
2020	16.67	116.67
2021	16.67	133.33
2022	16.67	150.00
2023	16.67	166.67

### Consumption of Existing Capacity by Anticipated New Development

*Service Area #1.* According to Bowen, Collins & Associates, the City's storm water engineers, the existing storm water system improvements in Service Area #1 are currently at 79.6 percent of capacity, leaving 20.4 percent of capacity remaining for future development.<sup>4</sup> However, because the excess capacity is scattered throughout the system, the actual amount of excess capacity for a particular geographic location varies widely. Therefore, the existing excess capacity is considered to be shared equally among the remaining 2,278 acres remaining to be developed in Service Area #1. Therefore a portion, but not all, of the excess capacity will be consumed within the next six to ten years.

TABLE 6: SERVICE AREA #1 – CONSUMPTION OF EXCESS CAPACITY

Year	Developable Acres Remaining	Percent of Capacity Remaining	Buy-In Amount Remaining
2014	2,278	20.4%	\$2,210,001
2015	2,245	20.1%	\$2,177,668
2016	2,212	19.8%	\$2,145,335
2017	2,178	19.5%	\$2,113,002
2018	2,145	19.2%	\$2,080,669
2019	2,112	18.9%	\$2,048,336
2020	2,078	18.6%	\$2,016,003
2021	2,045	18.3%	\$1,983,670
2022	2,012	18.0%	\$1,951,337
2023	1,978	17.7%	\$1,919,005

*Service Area #2.* Service Area #2 is currently mostly undeveloped. There are no existing storm drain capital facilities that have excess capacity that are eligible to be reimbursed through impact fees.

*Service Area #3.* Service Area #3 is estimated by the engineers to be at 53 percent of capacity, leaving 47 percent of the system with excess capacity. This is based on information provided in the Storm Drain Impact Fee Facilities Plan as follows:

<sup>4</sup> Bowen & Collins, Impact Fee Facilities Plan for Stormwater, June 2014 update, p. 5.

The Towne Center service area contains 373 acres. According to information provided by the Momentum Development Group, about half of the storm drain system in the Towne Center have been constructed and provide service to approximately 190 acres. One hundred and one acres of the service area have been platted and have previously paid storm drain impact fees in the Towne Center. Therefore, the existing storm drain system has 47 percent available capacity to serve 89 acres of future development. The 47 percent available capacity in the existing Towne Center storm drain system is eligible to be reimbursed through impact fees, imposed in the Towne Center.<sup>5</sup>

### Impact on System Improvements by Anticipated New Development

The City has determined to maintain its current level of storm water service. Therefore, additional storm water improvements will be required in order to maintain the established storm water level of service. The new facilities needed have been identified by the City's engineers for Service Area #1 and Service Area #2.

TABLE 7: NEW SYSTEM IMPROVEMENTS NECESSITATED BY NEW DEVELOPMENT – SERVICE AREA #1

Project #	Year	Total Cost	% to New Development	Cost Attributable to New Development
P21	2015	\$335,829	51%	\$172,720
P8	2015	\$666,021	62%	\$409,720
P1	2015	\$359,785	39%	\$138,625
P22	2015	\$608,514	62%	\$374,343
Copper Creek Structures	2015	\$200,000	100%	\$200,000
P23	2016	\$346,562	51%	\$178,240
P3	2016	\$26,526	17%	\$4,587
DB5	2016	\$697,400	77%	\$537,858
P7	2016	\$1,198,750	35%	\$421,539
P24	2016	\$596,546	62%	\$366,981
P25	2016	\$435,475	62%	\$267,894
P28	2016	\$219,643	100%	\$219,643
P29	2016	\$296,488	100%	\$296,488
P30	2016	\$196,976	100%	\$196,976
P31	2016	\$158,405	100%	\$158,405
P27	2017	\$307,594	62%	\$189,224
DB1	2017	\$370,600	80%	\$294,820
P2	2017	\$37,118	46%	\$17,042
P5	2017	\$1,276,292	6%	\$82,379
P26	2017	\$462,793	62%	\$284,699
P32	2017	\$139,231	100%	\$139,231

<sup>5</sup> Bowen & Collins, Impact Fee Facilities Plan for Stormwater, June 2014 update, p.5.

Project #	Year	Total Cost	% to New Development	Cost Attributable to New Development
P33	2017	\$595,520	100%	\$595,520
<b>TOTAL</b>		<b>\$9,532,068</b>		<b>\$5,546,934</b>

TABLE 8: NEW SYSTEM IMPROVEMENTS NECESSITATED BY NEW DEVELOPMENT – SERVICE AREA #2

Project #	Year	Total Cost	% to New Development	Cost Attributable to New Development
OC17	2014	\$828,385	98%	\$809,120
P15	2014	\$305,216	28%	\$86,015
P17	2014	\$354,858	90%	\$319,373
OC19	2014	\$605,455	79%	\$479,071
OC18	2015	\$427,246	39%	\$165,309
OC7	2017	\$501,762	95%	\$476,674
OC5	2018	\$447,271	100%	\$447,271
P18	2019	\$304,821	13%	\$38,915
DB2	2019	\$1,813,400	28%	\$511,049
<b>TOTAL</b>		<b>\$5,588,414</b>		<b>\$3,332,797</b>

System improvements associated with the Herriman Towne Center were provided by the Momentum Development Group.

TABLE 9: NEW SYSTEM IMPROVEMENTS NECESSITATED BY NEW DEVELOPMENT – SERVICE AREA #3

Geographic Area	System Costs
<b>Midas Creek</b>	
Plat A	\$824,724
<b>Rose Creek</b>	
Plat C Ph 1	\$103,311
Plat C Ph 2	\$200,146
Plat D Ph 1	\$90,756
Plat D Ph 2	\$262,820
Plat E Ph 1	\$43,000
<b>Expenditures to Date</b>	<b>\$1,524,757</b>
<b>Remaining System Costs</b>	<b>\$1,461,082</b>
<b>Total System Costs</b>	<b>\$2,985,839</b>

## Relation of Anticipated Development Activity to Impacts on Existing Capacity and System Improvements

The demand placed on existing storm water improvements by new development activity is attributed to the increased developed acres related to both residential and nonresidential growth. Platted acreage, the first step in the development process, is expected to increase by 200 acres in Service Area #1 over the next six years. Developed acreage in Service Area #2 is also expected to increase by 200 acres over the next six years. Developed acreage in Service Area #3 is expected to increase by 100 acres over the next six years.

## PROPORTIONATE SHARE ANALYSIS

*Utah Code 11-36a-304(1)(d)(i) and (ii)*

### COSTS FOR EXISTING CAPACITY

*Service Area #1.* Because the existing storm water system in Service Area #1 has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system in order to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. The total historical cost for storm water improvements paid for by the City is \$10,833,337.59. Detailed listings of the storm water system costs are included in Appendix B. Table 10 shows that the value of the excess capacity is based on 20.4 percent of the actual cost, or \$2,210,000.87.

The excess capacity will benefit all of new development and, therefore, the cost has been distributed over all future developed acres. Future developable acres, excluding open space, are estimated at 2,278 acres.

TABLE 10: PER ACRE BUY-IN COST FOR EXISTING CAPACITY – SERVICE AREA #1

	Amount
Storm Water System Historic Value	\$10,833,337.59
Excess Capacity	20.4%
Value of Excess Capacity	\$2,210,000.87
Total Acres Served by Excess Capacity	2,278
Value of Excess Capacity per Acre	\$969.99

*Service Area #2.* There is no excess capacity in the storm drain system in Service Area #2 that is eligible for impact fees, as all improvements are project (not system) improvements.

*Service Area #3.* Because the water system in Service Area #3 has excess capacity, the City proposes to require future residents to buy-in to the existing storm water system in order to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. The total historical cost for system storm water improvements is \$2,985,839. Detailed listings of the storm water system costs are included in Table 9. Table 11 shows that the value of the excess capacity is based on 47 percent of the historic cost of \$1,524,757, or \$716,636. This excess capacity was designed for Service Area #3.

The excess capacity will benefit all of new development in Service Area #3 and, therefore, the cost has been distributed over all unplatted acres. Future acres to be platted are estimated at 272 acres.

TABLE 11: PER ACRE BUY-IN COST FOR EXISTING CAPACITY – SERVICE AREA #3

	Amount
Storm Water System Historic Value	\$1,524,757
Excess Capacity	47%
Value of Excess Capacity	\$716,636
Total Acres Served by Excess Capacity	272
Value of Excess Capacity per Acre	\$2,634.69

## COSTS OF SYSTEM IMPROVEMENTS RELATED TO NEW DEVELOPMENT ACTIVITY

The City intends to maintain its existing level of service for storm water services through adding the improvements shown in Tables 12, 13 and 14. In addition, engineering and consultant fees are considered a legitimate cost in calculating impact fees. These costs are also summarized below.

*Service Area #1.* Total impact-fee eligible costs for new construction are \$5,546,934 in Service Area #1. These facilities are designed to serve all of the 2,278 undeveloped acres in Service Area #1, resulting in a cost per acre of \$2,434.60. Consultant costs are estimated at \$30,795 in order to prepare the engineering plans, impact fee facility plans and impact fee analysis that were necessary in order to calculate defensible impact fees. The engineering and consultant studies are considered to serve development over the next six years. Therefore, the average consultant cost per acre is calculated by dividing the total cost of \$30,795 by the 200 acres expected to develop in the next six years, resulting in a cost per acre of \$153.98.

TABLE 12: PER ACRE COST FOR SYSTEM IMPROVEMENTS – SERVICE AREA #1

	Amount
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$5,546,934
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	2,278
Cost per Acre	\$2,434.60
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$30,795
Acres Served by Consultant Costs (acres developed over next 6 years)	200
Consultant Costs per Acre	\$153.98

*Service Area #2.* Total impact-fee eligible costs for new construction are \$3,332,797 in Service Area #2. These facilities are designed to serve all of the 2,729 undeveloped acres in Service Area #2, resulting in a cost per acre of \$1,221.25. Consultant costs are estimated at \$27,095 in order to prepare the engineering plans, impact fee facility plans and impact fee analysis that were necessary in order to calculate defensible impact fees. The engineering and consultant studies are considered to serve development over the next six years. Therefore the average consultant cost per acre is calculated by dividing the total cost of \$23,245 by the 200 acres expected to develop in the next six years, resulting in a cost per acre of \$116.23.

TABLE 13: PER ACRE COST FOR SYSTEM IMPROVEMENTS – SERVICE AREA #2

	Amount
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$3,332,797
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	2,729
Cost per Acre	\$1,221.25
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$23,245

	Amount
Acres Served by Consultant Costs (acres developed over next 6 years)	200
Consultant Costs per Acre	\$116.23

*Service Area #3.* Total impact-fee eligible costs for new construction are \$1,461,082 in Service Area #3. These facilities are designed to serve all of the 272 unplatted and undeveloped acres in Service Area #3, resulting in a cost per acre of \$5,371.63. Consultant costs are estimated at \$3,500 in order to prepare the impact fee analysis that was necessary in order to calculate defensible impact fees. The consultant studies are considered to serve development over the next six years. Therefore the average consultant cost per acre is calculated by dividing the total cost of \$3,500 by the 100 acres expected to develop in the next six years, resulting in a cost per acre of \$35.00.

TABLE 14: PER ACRE COST FOR SYSTEM IMPROVEMENTS – SERVICE AREA #3

	Amount
<b><i>New Construction Costs:</i></b>	
Impact Fee Eligible System Improvements	\$1,461,082
Acres Served by Construction of New System Improvements (undeveloped acres to buildout)	272
Cost per Acre	\$5,371.63
<b><i>Consultant Costs:</i></b>	
Consultant Costs	\$3,500
Acres Served by Consultant Costs (acres developed over next 6 years)	100
Consultant Costs per Acre	\$35.00

### Impact Fee Calculation

*Service Area #1.* For Service Area #1, buy-in costs of \$969.99, plus new system costs of \$2,434.60 per acre, plus consultant costs of \$153.98 per acre, less an outstanding fund balance of \$156,672 that will benefit all of new development by defraying costs for the new facilities,<sup>6</sup> result in total maximum impact fees per acre of \$3,489.79 in Service Area #1.

TABLE 15: SERVICE AREA #1 – PROPORTIONATE SHARE IMPACT FEE CALCULATION

	Fee
Buy-In Cost per Acre	\$969.99
New System Improvements Cost per Acre	\$2,434.60
Consultant Fees	\$153.98
Fund Balance Credit	-\$68.76
Cost per Acre	<b>\$3,489.79</b>

<sup>6</sup> The reduced amount per acre, due to the fund balance, is calculated by dividing the \$156,672 fund balance by the 2,272 future acres to be developed.

*Service Area #2.* Service Area #2 has no existing excess capacity and no fund balance. Therefore, the impact fee is derived solely from the new construction cost per acre of \$1,221.25, plus the consultant cost per acre of \$116.23, resulting in a total maximum impact fee of \$1,337.48.

TABLE 16: SERVICE AREA #2 – PROPORTIONATE SHARE IMPACT FEE CALCULATION

	Fee
Buy-In Cost per Acre	\$0.00
New System Improvements Cost per Acre	\$1,221.25
Consultant Fees	\$116.23
Fund Balance Credit	-\$0.00
<b>Cost per Acre</b>	<b>\$1,337.48</b>

*Service Area #3.* For Service Area #3, buy-in costs of \$2,634.69, plus new system costs of \$5,371.63 per acre, plus consultant costs of \$35.00 per acre, result in total maximum impact fees per acre of \$8,041.32 in Service Area #3.

TABLE 17: SERVICE AREA #3 – PROPORTIONATE SHARE IMPACT FEE CALCULATION

	Fee
Buy-In Cost per Acre	\$2,634.69
New System Improvements Cost per Acre	\$5,371.63
Consultant Fees	\$35.00
Fund Balance Credit	\$0.00
<b>Cost per Acre</b>	<b>\$8,041.32</b>

## MANNER OF FINANCING, CREDITS, ETC.

*Utah Code 11-36a-304(2)(c),(d),(e),(f),(g), and (h)*

### MANNER OF FINANCING

An impact fee is a one-time fee that is implemented by a local government on new development to help fund and pay for all or a portion of the costs of public facilities that are needed to serve new development. These fees are usually implemented to help reduce the economic burden on local jurisdictions that are trying to deal with population growth within the area. As a matter of policy and legislative discretion, a City may choose to have new development pay the full cost of its share of new public facilities if the facilities would not be needed except to service new development. However, local governments may use other sources of revenue to pay for the new facilities required to service new development and use impact fees to recover the cost difference between the total cost and the other sources of revenue. Additionally, impact fees allow new growth to share in the cost of existing facilities that have excess capacity.

Additional storm water system improvements beyond those funded through impact fees that are desired to maintain this “higher” level of service will be paid for by the community through other revenue sources such as user charges, special assessments, general obligation bonds, general taxes, etc.

### IMPACT FEE CREDITS

The Impact Fees Act requires credits to be given for future payments on outstanding debt for facilities identified in the IFFP so that there is no double-charging for fees. Credits may also be given to developers who have constructed or directly funded items that are included in the IFFP or donated to the City in lieu of impact fees, including the dedication of land for system improvements. This situation does not apply to developer exactions or improvements required to offset density or as a condition for development. Any item for which a developer receives credit must be included in the IFFP and must be agreed upon with the City before construction begins.

In the situation that a developer chooses to construct facilities found in the IFFP in lieu of impact fees, the arrangement must be made through the developer and the City.

The standard impact fee can also be decreased to respond to unusual circumstances in specific cases in order to ensure that impact fees are imposed fairly. In certain cases, a developer may submit studies and data that clearly show a need for adjustment.

At the discretion of the City, impact fees may be modified for low-income housing, although alternate sources of funding for the storm water facilities must be identified.

### EXTRAORDINARY COSTS AND TIME PRICE DIFFERENTIAL

It is not anticipated that there will be any extraordinary costs in servicing newly-developed storm water properties. To account for the time-price differential inherent in fair comparisons of amounts paid at different times, historical costs have been used to compute buy-in costs to public facilities with excess capacity and current costs have been used to compute impacts on system

improvements required by anticipated development activity to maintain the established level of service for each public facility.<sup>7</sup>

## CERTIFICATION

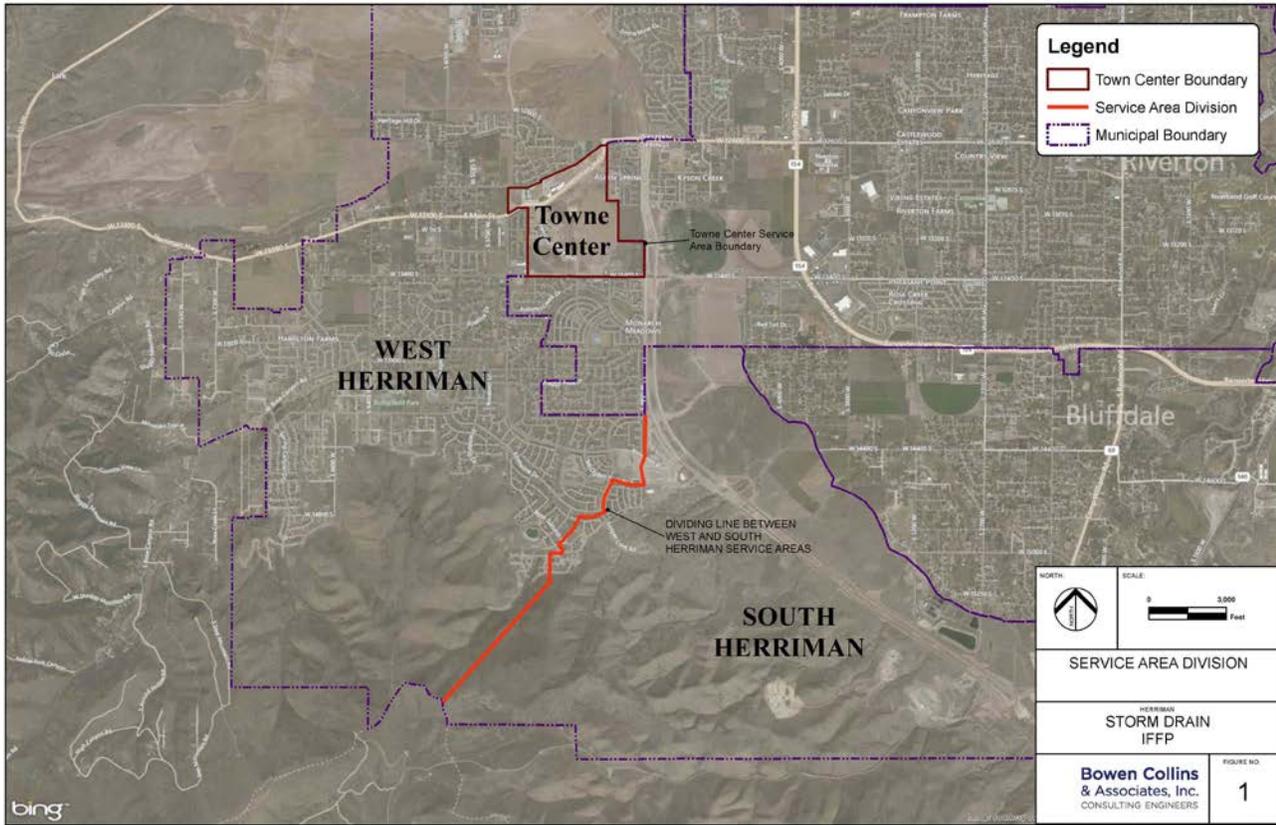
Zions Bank Public Finance certifies that the attached impact fee analysis:

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

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<sup>7</sup> Since the time span covered by this analysis is only six years and inflation rates are low, current costs have been used to calculate impact fees for storm water system improvements.

## APPENDIX A – MAP OF SERVICE AREAS



## APPENDIX B – EXISTING STORM WATER IMPROVEMENTS AND VALUES

Property Description	Date in Service	Book Cost	% System	System Cost
STORM DRAIN - 14020 S 5775 W	12/07/00	31,781.00	100%	31,781.00
STORM DRAIN - 14300 S 5270 W	1/13/01	118,455.00	100%	118,455.00
STORM DRAIN - 14000 S 5700 W	7/05/01	172,578.45	100%	172,578.45
STORM DRAIN - 14000 S 5935 W	7/17/01	159,627.35	100%	159,627.35
STORM DRAIN - 14185 S 5450 W	10/03/01	192,685.60	0%	-
STORM DRAIN - 13650 S 6000 W	10/15/01	46,704.45	100%	46,704.45
STORM DRAIN - 14400 S 5200 W	5/02/02	414,520.00	100%	414,520.00
STORM DRAIN - 13540 S 5600 W	7/06/02	47,210.00	100%	47,210.00
STORM DRAIN - 13900 S 5250 W	9/13/02	96,240.00	0%	-
STORM DRAIN - 14325 S 4880 W	9/20/02	192,850.00	0%	-
STORM DRAIN - 14000 S 5600 W	11/07/02	189,649.40	100%	189,649.40
STORM DRAIN - 5600 W 12885 S	11/12/02	248,419.50	100%	248,419.50
STORM DRAIN - 13400 S 5800 W	2/27/03	125,614.00	100%	125,614.00
STORM DRAIN - 13400 S 5800 W	3/19/03	3,018.00	100%	3,018.00
STORM DRAIN - 14135 S 5800 W	4/03/03	245,555.00	100%	245,555.00
STORM DRAIN - 14135 S 5800 W	6/17/03	192,560.00	100%	192,560.00
STORM DRAIN - 6400 W 13768 S	7/01/03	19,596.00	100%	19,596.00
STORM DRAIN - 13162 S 5600 W	7/01/03	1,756.00	100%	1,756.00
STORM DRAIN - 6400 W 13400 S	8/01/03	281,735.10	100%	281,735.10
STORM DRAIN - 13790 S 6630 W	9/30/03	122,085.50	100%	122,085.50
STORM DRAIN - 13100 S 6320 W	10/02/03	38,696.00	100%	38,696.00
STORM DRAIN - 13900 S 5400 W	12/03/03	75,673.00	0%	-
STORM DRAIN - 14300 S 5900 W	1/13/04	294,339.62	26%	76,528.30
STORM DRAIN - 13400 S 5800 W	1/13/04	32,338.00	100%	32,338.00
STORM DRAIN - 13400 S 5800 W	1/13/04	61,268.00	100%	61,268.00
STORM DRAIN - 13810 S 6670 W	2/10/04	105,915.00	100%	105,915.00
STORM DRAIN - 14600 S 5500 W	2/12/04	310,788.50	26%	80,805.01
STORM DRAIN - 12610 S 5480 W	2/18/04	142,207.00	100%	142,207.00
STORM DRAIN - 13200 S 5600 W	5/20/04	325,781.50	100%	325,781.50
STORM DRAIN - 14600 S 5500 W	6/11/04	74,760.00	26%	19,437.60
STORM DRAIN - 13620 S 6941 W	6/30/04	61,110.60	100%	61,110.60
STORM DRAIN - 13620 S 6941 W	6/30/04	54,326.40	100%	54,326.40
STORM DRAIN - 13620 S 6941 W	6/30/04	214,390.00	100%	214,390.00
FLOOD DRAINAGE PROJECTS 2003	6/30/04	305,491.45	100%	305,491.45
Storm Drain Project 13400 S	4/30/05	137,639.69	100%	137,639.69
Storm Drain - 13900 S 6100 W	6/15/05	75,185.00	100%	75,185.00
Storm Drain - 14700 S 5300 W	12/09/04	361,550.00	100%	361,550.00

Property Description	Date in Service	Book Cost	% System	System Cost
Storm Drain - 12600 S 4600 W	8/10/04	136,135.09	100%	136,135.09
Storm Drain - 12600 S 4600 W	8/26/04	58,210.00	100%	58,210.00
Storm Drain - 14400 S 5050 W	8/31/04	177,177.00	0%	-
Storm Drain - 4675 W 12460 S	6/15/05	38,790.00	0%	-
Storm Drain - 14600 S 5500 W	7/16/04	214,436.50	100%	214,436.50
Storm Drain - 13790 S 6630 W	9/30/04	122,085.50	100%	122,085.50
Storm Drain - 13400 S 6400 W	9/30/04	14,300.00	100%	14,300.00
Storm Drain - 12610 S 5480 W	8/04/04	90,368.00	100%	90,368.00
Drainage Swale - 14700 S 5300 W	12/09/04	2,400.00	100%	2,400.00
Valve Collars - 14700 S 5300 W	12/09/04	5,600.00	0%	-
Herriman Ward Building - 13381 S 6000 W	7/18/05	1,000.00	0%	-
Herriman Heights	8/03/05	348,990.00	61%	212,883.90
Heritage Place Phase 2	8/08/05	20,287.00	18%	3,651.66
Rosecrest Plat P	9/15/05	334,740.00	26%	87,032.40
Jiffy Lube 13255 S 5600 W	10/14/05	7,576.00	0%	-
Rosecrest Plat Q	11/29/05	302,648.00	26%	78,688.48
Utah Central Credit Union 13218 S 5600 W	11/29/05	7,280.00	0%	-
Legacy Ranch Plat F	12/23/05	3,742.00	47%	1,758.74
Heritage Place Phase 3	1/03/06	6,530.00	18%	1,175.40
Cove at Herriman Springs Phase 2	1/23/06	300,555.00	18%	54,099.90
Cove at Herriman Springs Phase 3	1/23/06	252,010.00	18%	45,361.80
Legacy Ranch Boulevard	3/08/06	31,570.00	47%	14,837.90
Legacy Ranch Plat C	3/08/06	30,112.00	47%	14,152.64
Towns at Legacy Ranch 7	3/09/06	18,802.44	47%	8,837.15
Towns at Legacy Ranch 3	3/09/06	7,374.00	47%	3,465.78
Towns at Legacy Ranch 2	3/09/06	5,596.00	47%	2,630.12
Towns at Legacy Ranch 11	3/09/06	14,506.07	47%	6,817.85
Towns at Legacy Ranch 1	3/09/06	51,666.00	47%	24,283.02
Checker 13225 S 5600 W	6/07/06	12,640.00	0%	-
Maverick 464 W 12600 S	6/07/06	8,250.00	0%	-
Horizon Ridge	6/13/06	75,185.00	2%	1,503.70
In-House Engineering and Costs	6/30/06	19,609.01	100%	19,609.01
Rosecrest Plat R	7/31/06	372,380.00	26%	96,818.80
Storm Drain Camera	9/05/07	118,704.00	100%	118,704.00
Boulders at Rosecrest	10/03/06	2,200.00	26%	572.00
Cove at Herriman Springs Phase 2	12/20/06	300,555.00	18%	54,099.90
Cove at Herriman Springs Phase 3	12/20/06	252,010.00	18%	45,361.80
Cove at Herriman Springs Phase 4A	10/20/06	36,040.00	18%	6,487.20

Property Description	Date in Service	Book Cost	% System	System Cost
Cove at Herriman Springs Phase 4B	10/20/06	23,700.00	18%	4,266.00
Cove at Herriman Springs Phase 4C	12/20/06	43,000.00	18%	7,740.00
Cove at Herriman Springs Phase 4D	12/20/06	22,420.00	18%	4,035.60
Hamilton Farms Phase 3	4/13/07	121,784.30	43%	52,367.25
Hamilton Farms Phase 4A	4/13/07	214,390.00	43%	92,187.70
Hamilton Farms Phase 4B	4/13/07	54,326.40	43%	23,360.35
Legacy Ranch Plat C	6/05/07	30,112.00	47%	14,152.64
Overlook Phase 1	8/31/06	53,520.00	30%	16,056.00
Overlook Phase II	4/19/07	81,155.00	30%	24,346.50
Rose Canyon Professional Plaza	4/30/07	8,315.00	0%	-
Rose Creek storm drains	6/20/07	2,082,792.24	52%	1,083,051.96
Rosalina Detention	1/31/07	498,156.29	100%	498,156.29
Mirabella Detention	11/07/06	409,665.30	100%	409,665.30
Storm Drains - Copper Creek	6/30/07	35,000.00	24%	8,400.00
Storm Drains - Maverick Station	7/18/06	15,926.25	0%	-
Jordan Credit Union	7/11/06	12,250.00	0%	-
Storm Drain-Cove at Herriman Spring Phase 1	6/30/08	602,874.00	18%	108,517.32
Storm Drains-Herriman Plaza Phase 1	6/30/08	96,525.00	57%	55,019.25
Storm Drains-Indian Hollow Subdivision	6/30/08	65,730.00	5%	3,286.50
Storm Drains-LDS Church	6/30/08	1,000.00	0%	-
Storm Drains-LDS Church Hamilton Farms	6/30/08	2,000.00	0%	-
Storm Drains-Mountain American Credit Union	6/30/08	29,701.40	0%	-
Storm Drains-Utah Central Credit Union	6/30/08	7,280.00	0%	-
Storm Drains-Valley View Estates Phase 2	6/30/08	177,171.60	61%	108,074.68
3" Honda Trash Pump	3/07/08	1,304.00	0%	-
3" Honda Trash Pump	3/07/08	1,304.00	0%	-
3" Honda Trash Pump	3/07/08	1,304.00	0%	-
4" Honda Trash Pump	3/07/08	1,845.00	0%	-
2" Honda Trash Pump	3/07/08	1,104.00	0%	-
3" Honda Trash Pump	3/07/08	1,304.00	0%	-
Rosecreek Storm Drain Project	6/30/08	203,786.62	52%	105,969.04
Storm Drain Impr - Barney Sub No. 2	6/30/09	22,100.00	50%	11,050.00
Storm Drain Imp - Cove @ H.S. Ph 4	6/30/09	96,050.00	18%	17,289.00
Storm Drain Imp - Cove @ H.S. Ph 4B	6/30/09	23,700.00	18%	4,266.00
Storm Drain Imp - Indian Hollow Sub	6/30/09	65,730.00	5%	3,286.50
Storm Drain Imp - Jordan C.U.	6/30/09	12,250.00	0%	-
Storm Drain Imp - Rosecrest Plat T	6/30/09	489,770.00	26%	127,340.20
Storm Drain Imp - Rosecrest Plat U	6/30/09	175,520.00	26%	45,635.20

Property Description	Date in Service	Book Cost	% System	System Cost
Storm Drain Imp - Shoshone Hills Ph 1	6/30/09	174,565.00	42%	73,317.30
Storm Drain Imp - Umbria Estates	6/30/09	105,901.00	67%	70,953.67
Storm Drain Imp - Sunset Meadows	6/30/09	60,445.00	14%	8,462.30
Butterfield/Main St. Storm Drain	8/01/08	671,528.00	100%	671,528.00
Copper Creek Storm drain	5/10/09	395,348.00	24%	94,883.52
Mt. Ogden Peak Extension	6/30/10	30,593.00	100%	30,593.00
Rosecrest Pl M2-Village Ph 3	6/30/10	381,930.00	26%	99,301.80
Ft. Herr Estates	6/30/10	102,200.00	0%	-
Church-14550 S. Junipercrest	6/30/10	1,000.00	0%	-
Church-12737 S 6000 W	6/30/10	55,600.00	0%	-
Ivie Farms	6/30/10	105,288.00	0%	-
Ft. Herriman Cove Ph 1	6/30/10	137,811.00	53%	73,039.83
Church-14300 S 6400 W	6/30/10	6,150.00	0%	-
Church-7079 W Rose Canyon	6/30/10	4,500.00	0%	-
Veranda Court	6/30/10	14,830.00	0%	-
Hamilton Farms Ph 3	6/30/10	121,784.00	43%	52,367.12
Hamilton Farms PUD Ph 4A	6/30/10	214,390.00	43%	92,187.70
Hamilton Farms PUD Ph 4B	6/30/10	54,326.00	43%	23,360.18
Hamilton Farms PUD Ph 4C	6/30/10	61,111.00	43%	26,277.73
Cove @ Herriman Springs Ph 5A	6/30/10	54,747.00	18%	9,854.46
Cove @ Herriman Springs Ph 5B	6/30/10	55,770.00	18%	10,038.60
Hollister Place - Pool	6/30/10	29,800.00	0%	-
Lafayette Estates	6/30/10	440,708.00	0%	-
Lookout Ridge Estates	6/30/10	523,674.00	14%	73,314.36
Copper Creek St Dr Improvements	2/16/11	18,817.00	24%	4,516.08
13400 S 5600 W St Dr Tie-In	12/21/10	8,218.00	100%	8,218.00
Copper Creek St Dr Inlet - 6000 W	11/23/10	5,300.00	100%	5,300.00
Farmgate/Timbergate Improvements	1/15/11	50,940.00	0%	-
Beacon Hill St Drain - 14200 S.	5/06/11	13,945.00	50%	6,972.50
Engineering-12600 S St Dr/Copper Creek	6/05/11	4,059.00	100%	4,059.00
Storm Drain Imp-Cove @ H.S. Ph 5C	11/02/10	55,300.00	26%	14,378.00
Storm Drain Imp-Cove @ H.S. Ph 5D	11/02/10	85,900.00	26%	22,334.00
Storm Drain Imp-Cove @ H.S. Ph C1	12/01/10	41,000.00	26%	10,660.00
Storm Drain Imp-Silver Bowl Est Ph 1	12/07/10	23,002.00	0%	-
Storm Drain Imp-Valley View Est Ph 3	2/16/11	262,987.00	61%	160,422.07
Storm Drain Imp-Valley View Ph 4	3/16/11	168,420.00	61%	102,736.20
Storm Drain Imp-Valley View Ph 5	4/22/11	135,178.00	61%	82,458.58
Black Hawk ES PH 1	11/01/11	122,684.00	20%	24,536.80
Desert Creek ES PH 1	8/18/11	138,654.00	52%	72,100.08



Property Description	Date in Service	Book Cost	% System	System Cost
Desert Creek ES PH 2	8/16/11	44,894.00	52%	23,344.88
Herriman Highlands	12/29/11	28,820.00	0%	-
HTC Plat B PH 1	4/24/12	46,810.40	0%	-
		20,220,953.52		<b>\$10,833,337.59</b>

## APPENDIX C - NOTICE OF INTENT TO PREPARE A COMPREHENSIVE AMENDMENT TO THE STORM WATER IMPACT FEE ANALYSIS



### **Notice of Preparation of Storm Water, Drainage, and Flood Control Facilities Impact Fee Facilities Plan and Analysis**

January 28, 2014

Notice is hereby given that Herriman intends to prepare and/or contract for the preparation of an Impact Fee Facilities Plan and analysis for Storm Water, Drainage, and Flood Control Facilities. Those receiving this Notice are invited to provide information to be considered in adopting the analysis. For information about the analysis or proposed Impact Fee, please contact Blake Thomas at 13011 S Pioneer St, Herriman, Utah 84096, e-mail [engineering@herriman.org](mailto:engineering@herriman.org). Any information provided should be provided in writing.

HERRIMAN CITY

{00103087.DOC /}



CITY COUNCIL  
Wednesday, October 22, 2014

# Item 5

**4. Public Hearing Agenda**

- B.** Public Hearing and consideration of a resolution to amend the Herriman City 2014-2015 budget – Alan Rae, Finance Director

NOTES: \_\_\_\_\_  
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**HERRIMAN, UTAH**  
**RESOLUTION NO.**

**A RESOLUTION OF THE HERRIMAN CITY COUNCIL  
APPROVING AN AMENDMENT TO THE 2014-2015  
FISCAL YEAR BUDGET**

**WHEREAS**, the Herriman City Council (“*Council*”) met in regular meeting on October 22, 2014, to consider, among other things, approving an amendment to the 2014-2015 fiscal year budget; and

**WHEREAS**, the Council has determined it necessary to amend the budget to reflect various changes; and

**WHEREAS**, the Council determines that the amendment presented to the Council is necessary and appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the Council that the budget for the period of July 1, 2014, through June 30, 2015, is hereby amended as set forth on the attached amended budget.

This Resolution, assigned No., shall take effect immediately upon passage and acceptance as provided herein.

**PASSED AND APPROVED** by the Council of Herriman, Utah, this 22<sup>nd</sup> day of October, 2014.

**HERRIMAN CITY COUNCIL**

\_\_\_\_\_  
**Mayor Carmen Freeman**

**ATTEST:**

\_\_\_\_\_  
**Jackie Nostrom**, City Recorder

## **BUDGET OPENING ITEMS - October 22, 2014 City Council Meeting**

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### **Item #1: 6600 West Roadway Project**

#### **Summary:**

Construct a new portion of 6600 West, which is a collector road, from 14200 South to Rose Canyon Road. Costs include a 72 inch concrete culvert at Rose Creek, curb, gutter, storm drain, sidewalk, street lighting, and new culinary and secondary water lines.

#### **Original Budget Amount Approved By Council:**

\$400,000 from water funds for water improvements

\$125,000 per year for 5 years for roadway improvements (total \$625,000)

#### **New Amount Requested:**

\$400,000 from water impact fees for water improvements

\$165,000 per year for 5 years from transportation impact fees (total \$825,000.00)\*\*

\*\*Net change of **\$40,000** per year for 5 years (total **\$200,000.00**)

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### **Item #2: 5600 West Roadway Project**

#### **Summary:**

Final pay request items needed to close out the project. Items include the following:

- Item 1-Costs to remediate contaminated soils encountered during construction
- Item 2-Installation of electrical conduit for future street lighting
- Item 3-Costs incurred when poor subsurface material was encountered requiring installation of imported granular backfill material
- Item 4-Costs incurred to remove additional asphalt along Main Street in order to accomplish a smoother connection of the improvements to the existing conditions

#### **New Amount Requested:**

Item 1: \$53,148.85

Item 2: \$30,000

Item 3: \$19,018.50

Item 4: \$78,880.27

Total Request: **\$181,047.62** from transportation impact fee

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### **Item #3: Engineer Contract Budget**

#### **Summary:**

There have been unforeseen costs incurred by the engineering budget due to special projects that include:

- Plat V rock wall evaluation (unplanned cost)
- Hi-Country gate relocation structural and architectural design for 7530 West paving (unplanned cost)
- Additional support service on SLR design for survey and property title search work

#### **New Amount Requested:**

\$20,000 for water system design services

\$20,000 for transportation design services

Total Request: **\$40,000**

## **BUDGET OPENING ITEMS - October 22, 2014 City Council Meeting**

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### **Item #3: Corridor Preservation Funds**

**Summary:**

The City was successful in obtaining a \$250,000 grand for corridor preservation.

**Amount:**

\$250,000 incoming

\$250,000 out for the purchase of roadway right-of-way in the Herriman Town Center

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### **Item #4: Storage Trailers at Park**

**Summary:**

The trails and operations/events crews need more storage for their equipment at the park. The existing buildings do not have enough room for all of the equipment.

**Amount:**

\$20,000 from General Fund

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### **Item #5: Property Purchase**

**Summary:**

This is an annual payment for a duration of 2 years beyond this request for the purchase of property

**Amount:**

\$281,000 from the water department for the 2013 payment

\$281,000 from general fund for the 2014 payment

\$281,000 from general fund for the 2015 payment

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CITY COUNCIL

Wednesday, October 22, 2014

# Item 6

**5. Discussion And Action Items**

- A. *(Continued from September 24, 2014)* Discussion and consideration of an ordinance to rezone 5350 West Anthem Park Blvd from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) (File No. 12Z14) – Bryn McCarty, City Planner

NOTES: \_\_\_\_\_

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# Herriman, Utah Ordinance No.

## Rezone 5350 West Anthem Park Blvd from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) (File No. 12Z14)

**WHEREAS**, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

**WHEREAS**, pursuant to City of Herriman Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance map changes; and

**WHEREAS**, notice of the Planning Commission public hearing on the land use ordinance map change was sent on September 8, 2014, noticing of the September 18, 2014, public hearing at 7:00 p.m.; and

**WHEREAS**, the Planning Commission recommended approval of the land use ordinance map change in the meeting held on September 18, 2014, at 7:00 p.m. in the Community Center; and

**WHEREAS**, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

**WHEREAS**, the City Council public meeting on October 8, 2014, was held at 7:00 p.m. in the Community Center; and

**WHEREAS**, the City Council finds that it is in the best interest of the citizens of Herriman to adopt the land use ordinance map change as recommended by the Planning Commission;

**NOW THEREFORE**, be it ordained by the Herriman City Council that the following legally described area be adopted as a map change from R-2-10 to RM with a zoning condition that the number of units not exceed **XXX** on the zoning map of the City (12Z14):

<b>Legal Description</b>
--------------------------

Beginning at a on the Southerly Right-of-Way Line of Anthem Park Boulevard, said point also being South 89°53'31" East 1,392.26 feet along the Section Line and South 983.14 feet from the Northwest Corner of Section 25, Township 3 South, Range 2 West, Salt Lake Base and Meridian; and running thence South 87°36'30" East 483.66 feet along the Southerly Right-of-Way Line of said Anthem Park Boulevard; thence Southeasterly 43.57 feet along the arc of a 1,241.06 foot radius curve to the left (center bears North 02°23'30" East and the chord bears South 88°36'50" East 43.56 feet with a central angle of 02°00'41") along the Southerly Right-of-Way Line of said Anthem Park Boulevard; thence South 02°45'37" East 1,114.38 feet; thence South 89°56'43" West 529.87 feet;

thence North 02°45'50" West 1,012.21 feet;  
thence North 07°53'03" West 24.38 feet;  
thence North 00°54'10" East 99.66 feet to the point of beginning.

Contains 595,397 Square Feet or 13.668 Acres



**PASSED AND APPROVED** this 22<sup>nd</sup> day of October, 2014.

**HERRIMAN CITY COUNCIL**

By: \_\_\_\_\_  
Carmen Freeman, Mayor

**ATTEST:**

\_\_\_\_\_  
Jackie Nostrom, City Recorder



September 9, 2013

Anthem Development  
6150 S Redwood Road  
Taylorsville, UT 84123

Re: File Number 12C13

Dear Doug Young:

The Herriman Planning Commission at their regular meeting on September 5, 2013 granted preliminary approval to your Planned Unit Development of single family detached and attached units on property located at 12000 S 5600 W. The approval was subject to the following conditions.

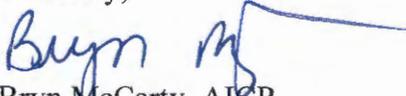
1. CC&R's/Design Guidelines to be reviewed and approved by Planning Commission. These should include building materials, house square footage, landscaping requirements, fencing, and a requirement for alternating similar house plans.
2. Receive and agree to the recommendations from other agencies, including UFA.
3. Maximum density of 5.18 units per acre as submitted.
4. Overall number of units approved at 698. If the acreage of the project changes the PC will determine if the overall density should be modified.
5. A 40 foot right-of-way for the transit corridor is to be preserved through the project for future use. Any portion of the transit corridor adjacent to improved roads shall be landscaped and deeded to the City. The landscaping may be xeroscaping.
6. Construct a 6 foot precast wall that meets City Standards along all collector and arterial roads, including Herriman Parkway, 5600 West, 6000 West, and Anthem Park Boulevard. The remainder of the fencing will be reviewed and approved with each phase.
7. Submit detailed phasing plan for staff review and approval. This should include the phasing of road construction and trail connections.
8. Setbacks to be reviewed and approved with each phase.
9. Coordinate with other utilities at the time of road improvements in order to minimize future road cuts.
10. Detailed plan on transit line alignment to be reviewed and approved by UTA.
11. Submit detailed plans on amenities and locations: trail design, parks and amenities; including materials and cross sections to Engineering and Parks Department for approval.  
Also provide detailed landscaping on creek and drainage/open space areas next to the trail system.

12. All of the open space along the trails shall have a combination of maintained landscape elements, which shall take into account erosion and flood control.
13. At least 20% of the planned unit development must be preserved as permanent open space and one half of the permanent open space required must be maintained in one contiguous parcel. Open space that is un-buildable, because of among other things, slope, wetlands, flood drainage, or contamination, may only be counted at 50% of the actual acreage to satisfy the applicable open space requirements. The High School in Phase 1 is allowed to count as 10% of the required open space. Before any final approvals are granted, those figures and locations must be shown.
14. The trail along the drainage should be at least 20 feet wide with an 8 foot hard surface trail.
15. Sidewalk connections should be at least 20 feet wide with a 5 foot sidewalk.
16. A homeowner's association should be established for the entire project.
17. Trails need to meet AASHTO standards.
18. Lighting plan to be submitted to engineering for review and approval. If the developer wants to use a different street light, then they need to have a new street light standard reviewed and approved by the engineering department.
19. Coordinate street furniture, tables, benches, etc with Engineering.
20. A development agreement for the entire project shall be reviewed and approved by the City Council.

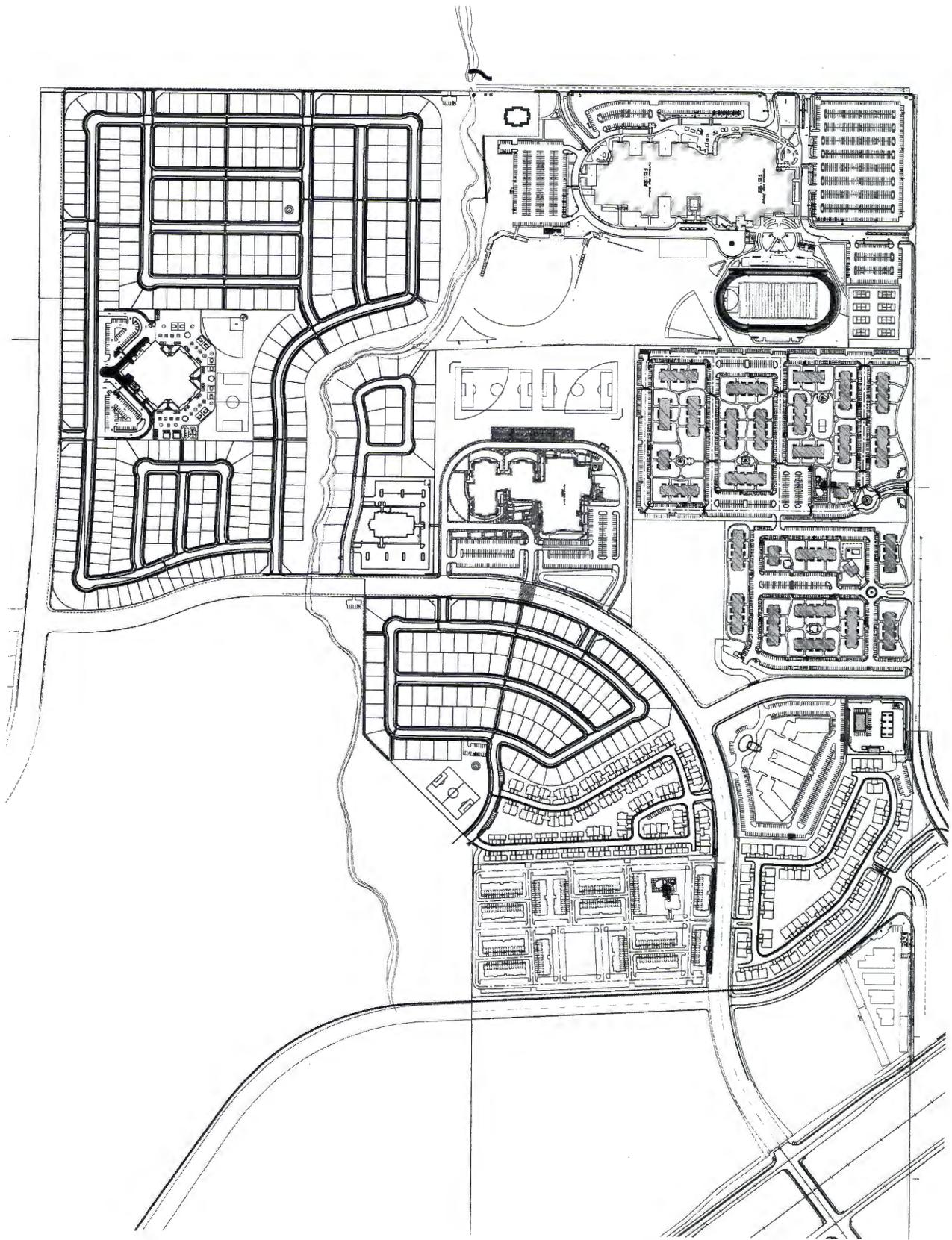
A Planned Unit Development conditional use approval expires 24 months from the date the Planning Commission approval is given if the applicant does not obtain a building permit and commence construction.

If you have any questions please contact the Planning Department during regular business hours.

Sincerely,



Bryn McCarty, AICP  
Planning Supervisor  
planning@herriman.org





## Land Use Application

Address or location of site (No Post Office Box #) 12200 S. 5250 W.

Size of Parcel 40± ACRES

What is Requested (explain in detail)?

REZONE TO C-2 COMMERCIAL / GATEWAY  
COMMERCIAL.

If applicable, square footage of proposed building(s) or addition (all stories combined). \_\_\_\_\_

If the request is residential, how many and what type of units (apartment, condo, etc). \_\_\_\_\_

Property Owner's Name LRST HOLDOUT LLC.

Mailing Address ON FILE.

Telephone \_\_\_\_\_ Cell Number \_\_\_\_\_ E-mail \_\_\_\_\_

Applicant ANTHEM UTAH. LLC

Mailing Address 6150 S. REDWOOD RD. STE 150 TAYLORSVILLE UT 84123.

Telephone 801-889-9977 Cell Number \_\_\_\_\_ E-mail KIRK@PROJECTUTAH.COM.

Subject to Purchase or Lease: \_\_\_\_\_ or Present Owner of Property: \_\_\_\_\_

Yes I am the authorized agent or owner of the subject property: X

Current Use of Subject Property FARM.

Proposed Development Name ANTHEM STATION.

### For Herriman Use Only

Check Number \_\_\_\_\_ Date of Submittal \_\_\_\_\_ File Number \_\_\_\_\_

Filing Fee \_\_\_\_\_ Receipt Number \_\_\_\_\_ Accepted by \_\_\_\_\_

11800 SOUTH

11800 SOUTH

FREEDOM PARK DRIVE

ANTHEM PARK BLVD

MOUNTAIN VIEW CORRIDOR

EXISTING  
COMMERCIAL  
10 ACRES±

SUBJECT  
PROPERTY  
40 ACRES±

ANTHEM PARK BLVD



SUBJECT PROPERTY  
BOUNDARY LINE





P 801.281.5757 F 801.281.5773

millerdeve.com

P.O. Box 571218 Salt Lake City, Utah 84157

Mayor Freeman and City Council  
Herriman City  
13011 South Pioneer Street  
Herriman, Utah 84096

**RE: Sage Gate at Anthem Apartments Unit Count**

Dear Mayor Freeman and City Council:

As you are aware, we have sought approval for a 422 unit premiere apartment community in the Anthem development. The apartment project has received a unanimous positive recommendation from the planning commission to the city council. It was indicated by city leaders and staff that the project was required to go through a rezoning procedure with the city council, well after we have begun architectural and engineering construction drawings (it came as quite a shock).

The purpose of this letter is to explain why any change to the unit mix or the unit count, at this late date, would be very detrimental as the project has been intensively reviewed and approved and is slated to be funded immediately by the lender.

- The lending institution is excited and ready to lend \$41M closing this month; any signification change would be to start the financing element over.
- Architecture and engineering is complete and would be delayed by several months.
- Change to the unit mix or unit count disrupts the financial proformas that have been reviewed, approved, and underwritten by the lender.
- Due to the time frame to reduce the unit count, the locked in interest rate will be at risk.
- The unit count is determined by the unit mix and specific market analysis.
- This project meets or exceeds the multifamily ordinances and standards of Herriman City.
- The reduction of units will affect the project's financial sustainability and longevity.

We are excited for this superior Class A project in this outstanding location, and are looking forward to the approval from the City of Herriman.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jay M. Minnick', is written over the typed name.

Jay M. Minnick  
President/CEO

## **Request for 12Z14 - Meeting Date 9/24/2014**

The applicant is requesting approval to rezone from R-2-10 to R-M.

### **Site**

The parcel is located at approximately 5350 W Anthem Park Blvd and contains 13.69 acres.

### **Zoning**

The site is zoned R-2-10.

### **General Plan**

The general plan shows that the site is in the medium density residential designation requiring a density of 4.6 - 8 units per acre. It is also adjacent to the future transit station.

### **Background**

This is part of the Anthem PUD. The ordinance changed several months ago to require apartments in a PUD to rezone to R-M. High Density has always been shown as part of their plan in anticipation of the future transit line.

### **Issues**

The Anthem PUD has been approved for 7 units per acre. Although the apartments are being rezoned to R-M, they still need to be within the 7 units per acre over the entire project.

The developer has also submitted an application for final PUD approval for 422 apartments on the property.

### **Recommendation**

The Planning Commission recommends approval of the rezone from R-2-10 to R-M, with the density remaining at 7 units per acre over the entire Anthem project.

