

AMERICAN FORK CITY COUNCIL  
DECEMBER 9, 2014

**\*AMENDED - NOTICE OF PUBLIC HEARING, REGULAR SESSION & AGENDA**

PUBLIC HEARING

The American Fork City Council will meet in a public hearing on **Tuesday, December 9, 2014, in the American Fork City Hall, 31 North Church Street** as follows:

- 7:00 p.m. Receiving of public comment on the (1) Proposed Storm Water and Transportation Impact Fee Facilities Plans and associated Impact Fee Analyses for the City and (2) an Enactment adopting impact fees for the City.

REGULAR SESSION

The American Fork City Council will meet in regular session on **Tuesday, December 9, 2014 in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m.** The agenda shall be as follows:

1. Pledge of Allegiance; prayer by Adam Olsen; roll call.
- \*2. Swearing in of Youth City Council Mayor Monica Lish; Youth City Councilman & Youth Council Mayor Pro-tem Christopher Lish; Youth City Councilman Ashland Griffiths; and Youth City Council Recorder Marguerite Miller. – *Councilman Shorter*
3. Twenty-minute public comment period – limited to two minutes per person.
4. City Administrator's Report.
5. Council Reports concerning Committee Assignments.
6. Mayor's Report

COMMON CONSENT AGENDA (*Common Consent* is that class of Council action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda by the Mayor or a Councilmember and placed in the action items.)

1. Approval of the November 18, 2014 City Council special session minutes.
2. Approval of the November 20, 2014 City Council special session /work session minutes.
3. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000. – *Cathy Jensen*
4. Approval of authorization to release the Improvements Construction Guarantee in the amount of \$12,075.04 and issue a Notice of Acceptance for the Weldon Commercial Center at 821 South Auto Mall Drive. – *Staff*
5. Approval of authorization to release the Improvements Construction Guarantee in the amount of \$68,180 and issue a Notice of Acceptance for the Roderick Enterprises at North Pointe Business Park Phase 1 at 558 East 1100 South. – *Staff*

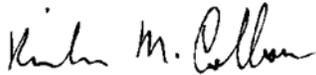
ACTION ITEMS

1. Review and action on an Ordinance adopting an Impact Fee Facilities Plan and Impact Fee Analyses and imposing Impact Fees for Transportation and Storm Water; providing

- for the calculation and collection of such fees; providing for appeal, accounting, and severability of the same, and other related matters. – *Andy Spencer*
2. Review and action on an agreement with Personnel Systems & Services for a Job Classification and Compensation Study for all positions within the City of American Fork. – *Craig Whitehead*
  3. Review and action on the approval of the Interlocal Cooperative Agreement between American Fork City and Utah County for the construction of the 900 West Phase II Reconstruction Project consisting of the road between 760 North and 1120 North on 900 West. – *Andy Spencer*
  4. Review and action on the approval of an agreement with members of the Utah Valley Dispatch District to construct a new facility. – *Craig Whitehead*
  5. Review and action to authorize the Mayor to sign an agreement with Alpine Pinnacle Recreation to operate an outdoor seasonal ice rink and boat harbor marina services for American Fork City. – *Derek Rykert*
  6. Review and action on a Resolution regarding refunding the 2005 RDA bond authorizing the issuance and sale by the issuer of not more than \$1,684,000 aggregate principal amount of its General Obligation Refunding Bonds, Series 2015 (the “Series 2015 Bonds”); delegating to certain officers of the issuer the authority to approve the final terms and provisions of the Series 2015 Bonds within the parameters set forth herein; prescribing the form of Series 2015 Bonds; providing for the manner of execution and delivery of the Series 2015 Bonds; providing how the proceeds of the Series 2015 bonds will be used and how payment of the Series 2015 Bonds will be made; providing for the publication of a Notice of Bonds To Be Issued; providing for the running of a contest period; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this Resolution; and related matters. – *Craig Whitehead*
  7. Review and action on subdivisions, commercial projects, condominiums, and PUD’s including 1) plat approval; 2) method of satisfaction of water rights requirements; 3) posting of an improvement bond or setting of a time frame for improvement installation; and 4) authorization to sign the final plat and acceptance of all dedications to the public and to have the plat recorded.
    - a. Review and action on an Ordinance adopting the final plat and site plan of South Pointe Planned Community Development Project Phase 1, consisting of 35 lots, located in the vicinity of 740 East 400 South in the PC-Planned Community zone. – *Oakwood Homes*
    - b. Review and action on the final plat of the Starbucks Coffee Subdivision Plat A, consisting of one lot, located at 496 East State Street in the GC-1 General Commercial zone. – *Starbucks*
    - c. Review and action on confirming the Ordinance of Approval for the revised condominium plat for the Amended Village Green Condominium Project, Plat A Amended, consisting of 32 units at 30 South 700 East. – *Staff*
  8. Review and action on a Notice of Approval of Property Line Adjustment at the Timp Plaza Shopping Center located at 218 North West State Road (US-89). – *Vestwood LLC*
  9. Review and action on the approval of an agreement with the Salt Lake City Chamber, as consultants for the Utah Transportation Coalition. – *Craig Whitehead*
  10. Review and action on a Resolution indicating the City’s intent to adjust the common boundary with Lehi City consisting of approximately 0.592 acres at in the vicinity of 1010 West 850 North. (west of the Ashley Meadows Annexation) - *Staff*

11. Review and action on a Resolution indicating the City's intent to annex the Brad Reynolds American Fork City Annexation consisting of 18.45 acres at 725 West 200 South. – *Brad Reynolds*
12. Review and action on an Ordinance regarding PARC Tax implementation. – *Kasey Wright*
13. Discussion and action on the Bowen & Collins Wastewater rates study and the cost impact of the Timpanogos Special Service District (TSSD) Rate Increase to treat wastewater. – *Craig Whitehead*
- \*14. Review and action on an Ordinance approving a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9000 Residential zone located in the area of 550 South 100 West. – *Kent & Karen Roberts*
- \*15. Review and action Proposed agreement between the City of American Fork and property owners comprised of AFCC LIMITED, a Utah limited partnership and/or its assigns, whose address is 2733 E. Parleys Way, Suite 300, Salt Lake City, UT 84109, (hereinafter "Developer") (a limited partnership under Woodbury, Inc.)
16. Adjournment

Dated this 6 day of December, 2014



Richard M. Colborn  
City Recorder



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Public Works

Director Approval 

**AGENDA ITEM** (Common Consent Agenda) - Consideration regarding authorization to release the Improvements Construction Guarantee and issue a Notice of Acceptance for the Weldon Commercial Center.

**SUMMARY RECOMMENDATION** The City Engineer recommends that the Improvements Construction Guarantee (ICG) be released. The improvements were found in a condition meeting City standards and specifications and in conformance with the approved project construction plans.

**BACKGROUND** Pursuant to the terms of Sections 17.9.100 and 17.9.304 of the City Development Code, the City Council may authorize the release of the ICG and issue a "Notice of Acceptance" of the project improvements. Following the issuance of the Notice of Acceptance, the City accepts ownership of the project improvements. The project will then enter the one (1) year Durability Testing Period as specified in section 17.9.400 of the City Development Code.

In issuing a Notice of Acceptance, the City Council finds that:

- The condition of the improvements are found to be satisfactory.
- All liens have been released, all outstanding fees paid, costs of administration paid, and reimbursement payments to prior developers (if any) have been made.
- The project clean-up is found to be satisfactory.

The City may request a current title report or other such measures or reports as deemed appropriate by the City as a means of determining the existence of any unreported liens or other claims upon the project. All financial information (if any) provided by the developer is attached. The Council may request additional information as deemed necessary.

**BUDGET IMPACT** Following the release of the ICG, there is a one (1) year Durability Testing Period wherein ten percent (10%) of the total ICG is held to ensure the durability of the constructed improvements.

**SUGGESTED MOTION** Move to accept the improvements and authorize the Mayor to execute the Notice of Acceptance for the Weldon Commercial Center. Authorize the City

Engineer to issue documents and/or payments to release the Improvement Construction Guarantee (ICG). Commence the Durability Testing Period by retaining ten percent (10%) of the ICG. Find that the project improvements are in a condition meeting City ordinances, standards, and specifications and are in conformance with the approved project construction plans.

*Note: With passage of the Common Consent Agenda items, the City Council will enact the motion and findings as noted in the "Suggested Motion" heading found above.*

## **SUPPORTING DOCUMENTS**

1. "Notice of Acceptance"
2. "Notice of Completion and Request for Release" form submitted by the applicant/developer with accompanying proof of payment/lien releases for any contractors for the subdivision and/or project.



## NOTICE OF COMPLETION AND REQUEST FOR RELEASE

*Projects and/or subdivisions completed within the corporate limits of American Fork City*

Mayor James H. Hadfield  
51 East Main  
American Fork, UT 84003

Re: Weldon Commercial Center

Dear Mayor Hadfield,

As the project and/or subdivision construction has now been completed in full, I request that the Improvement Construction Guarantee be released in full up to one hundred percent (100%) of the initial construction costs. Following the release of the Improvement Construction Guarantee, I understand that the one (1) year Durability Testing Period will commence wherein ten percent (10%) of the total Improvements Construction Guarantee is held to ensure the durability of the constructed improvements per City Ordinance Section 17.9.

I, \_\_\_\_\_, the owner, developer, and authorized representative of Weldon Commercial Center, do hereby request the release of the Improvement Construction Guarantee for this project. I certify that all liens have been released, all outstanding fees, costs of administration, and reimbursement payments to prior developers (if any) have been made, and the project clean-up is complete.

Project: Weldon Commercial Center  
Address: 821 South Auto Mall Drive  
Requested ICG Amount: \$12,075.04

\_\_\_\_\_  
Owner/Developer

\_\_\_\_\_  
Date



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Public Works

Director Approval 

**AGENDA ITEM** (Common Consent Agenda) - Consideration regarding authorization to release the Improvements Construction Guarantee and issue a Notice of Acceptance for the Roderick Enterprises at North Pointe Business Park Phase 1 at 558 East 1100 South.

**SUMMARY RECOMMENDATION** The City Engineer recommends that the Improvements Construction Guarantee (ICG) be released. The improvements were found in a condition meeting City standards and specifications and in conformance with the approved project construction plans.

**BACKGROUND** Pursuant to the terms of Sections 17.9.100 and 17.9.304 of the City Development Code, the City Council may authorize the release of the ICG and issue a "Notice of Acceptance" of the project improvements. Following the issuance of the Notice of Acceptance, the City accepts ownership of the project improvements. The project will then enter the one (1) year Durability Testing Period as specified in section 17.9.400 of the City Development Code.

In issuing a Notice of Acceptance, the City Council finds that:

- The condition of the improvements are found to be satisfactory.
- All liens have been released, all outstanding fees paid, costs of administration paid, and reimbursement payments to prior developers (if any) have been made.
- The project clean-up is found to be satisfactory.

The City may request a current title report or other such measures or reports as deemed appropriate by the City as a means of determining the existence of any unreported liens or other claims upon the project. All financial information (if any) provided by the developer is attached. The Council may request additional information as deemed necessary.

The City is also holding a second Improvement Construction Guarantee on this project. The purpose of these funds are for Phase 2 for improvements along 630 East. These funds will be held until the improvements are complete.

**BUDGET IMPACT** Following the release of the ICG, there is a one (1) year Durability Testing Period wherein ten percent (10%) of the total ICG is held to ensure the durability of the constructed improvements.

**SUGGESTED MOTION** Move to accept the improvements and authorize the Mayor to execute the Notice of Acceptance for the Roderick Enterprises at North Pointe Business Park Phase 1 at 558 East 1100 South. Authorize the City Engineer to issue documents and/or payments to release the Improvement Construction Guarantee (ICG). Commence the Durability Testing Period by retaining ten percent (10%) of the ICG. Find that the project improvements are in a condition meeting City ordinances, standards, and specifications and are in conformance with the approved project construction plans. Allowing the subdivision improvements to be divided into phase 1 and phase 2 portions per the request of the developer.

*Note: With passage of the Common Consent Agenda items, the City Council will enact the motion and findings as noted in the "Suggested Motion" heading found above.*

#### **SUPPORTING DOCUMENTS**

1. "Notice of Acceptance"
2. "Notice of Completion and Request for Release" form submitted by the applicant/developer with accompanying proof of payment/lien releases for any contractors for the subdivision and/or project.

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# Roderick Enterprises

---

1214 East Vine Street  
Salt Lake City, Utah 84121

*Established 1967*

(801) 506-5005  
Fax (801) 506-0755

November 19, 2014

Ms. Kim Holindrake, MMC  
American Fork City  
Public Works Administrative Assistant  
275 East 200 North  
American Fork, Utah 84003

RE: Roderick's, North Pointe Business Park  
Bond Release, Phase #1

Dear Ms. Holindrake,

Building #1 at Roderick's North Pointe Business Park located at 584 East 1100 South is now 100% complete. Therefore, I respectfully request that you immediately start the durability guarantee on this phase #1 and release the proportionate amount of the bond currently in place.

I also respectfully request that you transfer the remaining road improvement bond of \$68,180 into phase #2. These road improvements are to be constructed in phase #2 on building #2, located at 630 East 1226 South.

Please implement these changes/guarantees as soon as possible.

Sincerely,



Michael Roderick  
General Manager  
Roderick Enterprises

**aerbia**  
 architects and engineers  
 2875 SOUTH DEER CREEK DRIVE, SUITE 370  
 SALT LAKE CITY, UTAH 84119  
 phone: 801.748.4455 - fax: 801.775.4456  
 www.aerbia.com



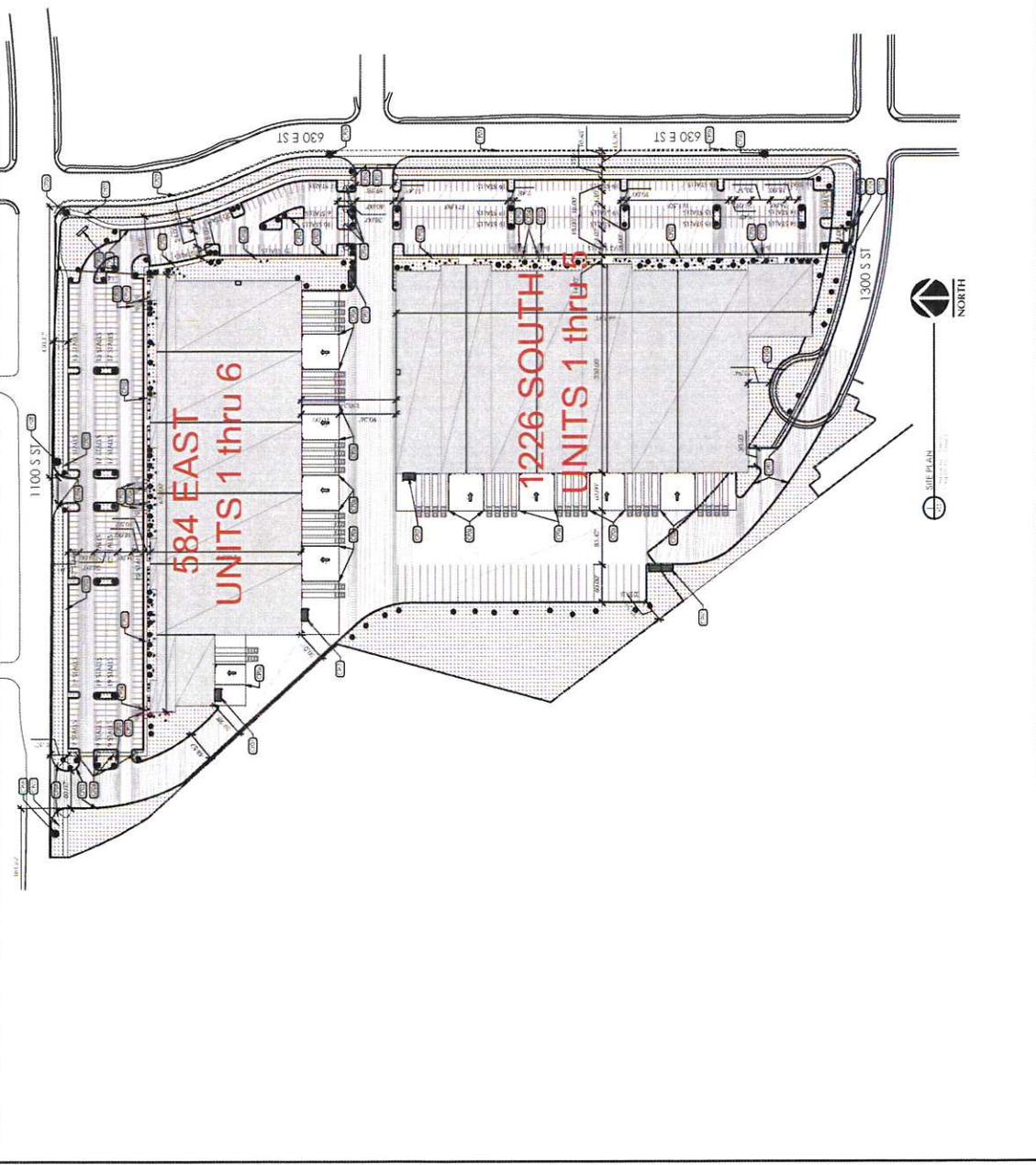
**RODERICK - NORTH POINTE**  
 600 EAST 1000 SOUTH  
 AMERICAN FORK, UT 84003

**AE2013.040**  
**SITE PLAN**  
 REVISIONS  
 DATE: September 3, 2013  
 SHEET NO.  
**A1.1**

**LOI AREAS:**  
 1. 1100 S ST  
 2. 630 E ST  
 3. 1300 S ST

**PARKING REQUIREMENTS:**  
 1. 1100 S ST  
 2. 630 E ST  
 3. 1300 S ST

**LANDSCAPING AREAS:**  
 1. 1100 S ST  
 2. 630 E ST  
 3. 1300 S ST



**NOTES:**  
 1. PARKING AREAS TO BE USED BY HOMEOWNERS AND VISITORS ONLY. ALL OTHER PARKING AREAS TO BE USED BY THE DEVELOPER.  
 2. LANDSCAPING AREAS TO BE USED BY THE DEVELOPER. ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF AMERICAN FORK LANDSCAPING ORDINANCE.  
 3. ALL AREAS AND MATERIALS APPROXIMATE ONLY AND SUBJECT TO THE DEVELOPER'S APPROVAL.

**REVISIONS:**  
 1. 1100 S ST  
 2. 630 E ST  
 3. 1300 S ST

**DATE:**  
 11/03/13

**BY:**  
 Robert L. Smith



**NOTICE OF COMPLETION AND  
REQUEST FOR RELEASE**

*Projects and/or subdivisions completed within the corporate limits of American Fork City*

Mayor James H. Hadfield  
51 East Main  
American Fork, UT 84003

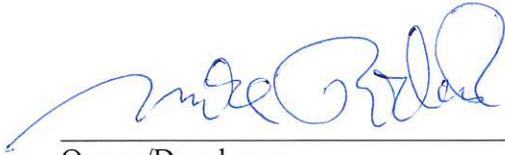
Re: Roderick Enterprises at North Pointe Business Park Phase 1

Dear Mayor Hadfield,

As the project and/or subdivision construction has now been completed in full, I request that the Improvement Construction Guarantee be released in full up to one hundred percent (100%) of the initial construction costs. Following the release of the Improvement Construction Guarantee, I understand that the one (1) year Durability Testing Period will commence wherein ten percent (10%) of the total Improvements Construction Guarantee is held to ensure the durability of the constructed improvements per City Ordinance Section 17.9.

I, Mike Roderick, the owner, developer, and authorized representative of Roderick Enterprises at North Pointe Business Park Phase 1, do hereby request the release of the Improvement Construction Guarantee for this project. I certify that all liens have been released, all outstanding fees, costs of administration, and reimbursement payments to prior developers (if any) have been made, and the project clean-up is complete.

Project: Roderick Enterprises at North Pointe Business Park Phase 1  
Address: 584 ~~558~~ East 1100 South  
Requested ICG Amount: \$54,499.15

  
\_\_\_\_\_  
Owner/Developer

11-19-14  
\_\_\_\_\_  
Date



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

**Department** Public Works

**Director Approval** 

**AGENDA ITEM** Review and action on an ordinance adopting a revised Transportation Impact Fee and a Storm Water Impact Fee.

**SUMMARY RECOMMENDATION** Staff recommends approval of the Ordinance.

**BACKGROUND** In 2013 the City updated the impact fee assessment studies for all existing impact fees except for the transportation impact fee. It was also noted at the time that the only City utility system without an impact fee was the storm drain system. The updates to the transportation capital facility plan and storm drainage capital facility plans were not completed at the time of the 2013 impact fee analysis. As such, these fees could not be reviewed concurrently with the other fees.

The capital facility plans for both the transportation and storm drain systems are now updated and have been adopted. This completion has allowed the impact fees for these systems to be completed for City Council review.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** Move to approve the Ordinance adopting the Transportation and Storm Drain Fees thereby adopting the associated Impact Fee Analysis and fee structure as conducted by Zions Bank Public Finance.

**SUPPORTING DOCUMENTS**

1. Notice of Impact Fee Public Hearing
2. Proposed Impact Fee Ordinance
3. Transportation Impact Fee Facilities Plan
4. Storm Drain Impact Fee Facilities Plan
5. Transportation Impact Fee Analysis
6. Storm Drain Impact Fee Analysis

## **Notice of Impact Fee Public Hearing**

Notice is hereby given that American Fork City (“City”) intends to enact an Impact Fee Ordinance to amend Storm Water and Transportation Impact Fees and adopt Storm Water and Transportation Impact Fee Facilities Plans. Furthermore, the City intends to adopt Storm Water and Transportation Impact Fee Analyses. A public hearing will be held by the City Council (“Council”) on Tuesday, December 9, 2014 at 7:00 p.m. at the American Fork City Hall located at 31 North Church Street American Fork, UT to receive public comment on the (1) Proposed Storm Water and Transportation Impact Fee Facilities Plans and associated Impact Fee Analyses for the City and (2) an Enactment adopting impact fees for the City.

The Impact Fee Facilities Plans and summary of the Plans, the Impact Fee Analyses and a summary of the Analyses, and the Impact Fee Enactment will be available for public inspection at the City office located at 51 East Main Street and at the public library located at 64 South 100 East at least 10 days before the public hearing. This Notice is being given in satisfaction of requirements of UCA §§ 11-36a-504 and 10-9a-205. If you cannot attend the hearing and would like to submit written comments, they will be received until 5:00 p.m. on December 9, 2014, via email at [dick@afcity.net](mailto:dick@afcity.net).

If you are planning to attend this public meeting and, due to disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and the City will, within reason, provide what assistance may be required.

Dated this 20 day of November 2014

Richard M. Colborn, City Recorder



# ***IMPACT FEE***

## ***Analysis***

TRANSPORTATION

AMERICAN FOR CITY

**NOTICING DRAFT**

ZIONS BANK PUBLIC FINANCE MUNICIPAL CONSULTING GROUP  
NOVEMBER 20, 2014



# IMPACT FEE ANALYSIS

TRANSPORTATION  
AMERICAN FORK CITY

## NOTICING DRAFT

### CONSULTANTS:

ZIONS BANK PUBLIC FINANCE MUNICIPAL CONSULTING GROUP  
ONE SOUTH MAIN, 18TH FLOOR, SALT LAKE CITY, UTAH 84133-1109

### ACKNOWLEDGEMENTS:

AMERICAN FORK CITY STAFF, UTAH GOVERNOR'S OFFICE OF PLANNING AND BUDGET, & THE UTAH AUTOMATED  
GEOGRAPHIC REFERENCE CENTER, INSTITUTE OF TRANSPORTATION ENGINEERS, HORROCKS ENGINEERS

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## EXECUTIVE SUMMARY

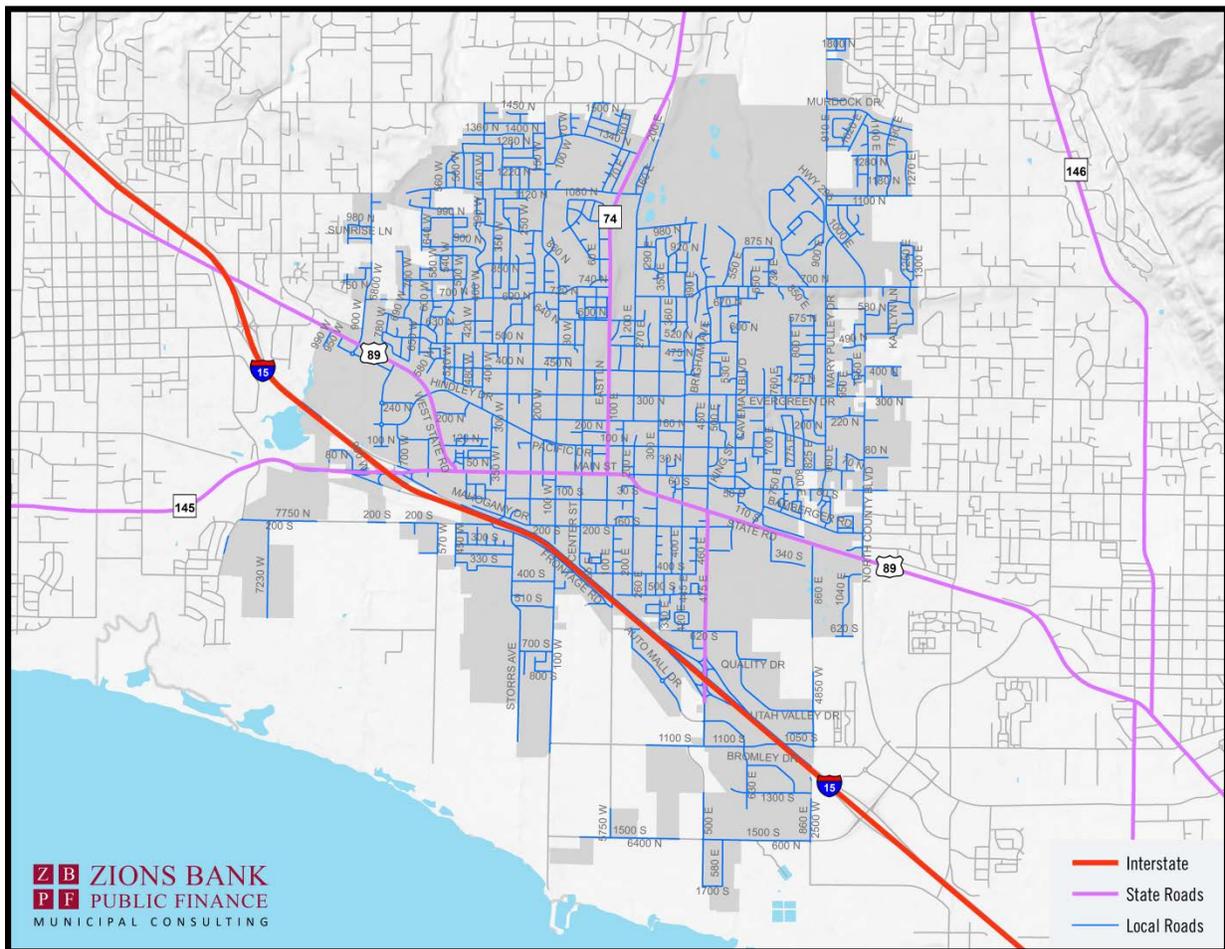
### INTRODUCTION

Zions Bank Public Finance (Zions) is pleased to provide American Fork City (the City) with an update to the Transportation Impact Fee Analysis. The previous analysis was completed in 2007. This update brings the City into compliance with the most recent changes in the Utah State Impact Fee Act as well as updates the analysis with current demographics, projections, and data regarding the City's road system.

### AMERICAN FORK CITY TRANSPORTATION IMPACT FEE SERVICE AREA

The entire City is considered to be one single impact fee service area for the purposes of this impact fee analysis. All areas within the City are subject to the same engineering design standards, are provided the same level of service, and all infrastructure included herein has been funded in essentially the same manner which has been through impact fees and user fees.

Figure ES.1: American Fork City Transportation / Roadway Impact Fee Service Area



### CHAPTER 1: IMPACT FEE OVERVIEW

Chapter 1 provides an overview of this analysis and also includes important excerpts to help give a brief introduction to the reasons why and how American Fork City is assessing a transportation impact fee.

# American Fork City Transportation Impact Fee Analysis

## CHAPTER 2: LEVEL OF SERVICE

Utah State Impact Fees Act makes it clear that impact fees cannot be used to increase the quality of public services and infrastructure for existing property owners at the expense of incoming property owners. Impact fees can only be used to perpetuate the same quality of infrastructure and services that are currently offered referred to as the level of service (LOS). This chapter provides details regarding the City's historic level of service and the future level of service to be maintained.

## CHAPTER 3: HISTORIC INFRASTRUCTURE COSTS

One part of the impact fee calculation is to determine what share of the existing City roadway infrastructure should be paid for by new growth. According to the Impact Fees Act, in addition to paying for a portion of new infrastructure, impact fees can also be used to reimburse local governments for infrastructure which has unused capacity that can serve new development. This chapter explains the method used to arrive at the historic costs used in calculating this fee.

## CHAPTER 4: FUTURE TEN YEAR INFRASTRUCTURE COSTS

Chapter 4 lays out the ten year roadway infrastructure projects as detailed in the Impact Fee Facilities Plan completed by Horrocks Engineers. This chapter also explains how rather than simply divide ten year projects by ten year growth to arrive at an impact fee the City has currently decided to use a conservative method for estimating a lower fee. It should be clear that the City may return to the simpler method of ten year projects by ten year growth if this new method should fail to address the demands and needs of future development.

## CHAPTER 5: PROPORTIONATE SHARE ANALYSIS

The Impact Fees Act requires that the impact fee analysis estimate the proportionate share of the costs for existing capacity that will be recouped; and the costs of impacts on system improvements that are reasonably related to the new development activity. This analysis will be completed throughout this study. This chapter also details the sources of funding available to the City and explains why impact fees are necessary in order to fund the ten year projects recommended by the Impact Fee Facilities Plan.

## CHAPTER 6: IMPACT FEE CALCULATIONS

This chapter provides the details necessary to understand the final fee, including the trip generation data and the important considerations used to calculate what share of existing and future costs should be paid for by new development.

## CERTIFICATION

In accordance with Utah Code Annotated, 11-36a-306(2), this final section provides a certification that this analysis complies with the Utah State Impact Fees Act.

## PROPOSED IMPACT FEE

Figure ES.2: Cost Per Trip

Component	Ten Year Growth in PM Peak Hour Trips	Cost	Cost Per Trip
Existing Roadway System Improvements (Buy in Com	20,273	\$ 7,753,090	\$ 382.43
Ten Year Roadway System Improvements	20,273	45,770,457	2,258
Ten Year Growth's Share of the Cost of Anticipated D	20,273	14,363,086	708
<b>Total</b>		<b>\$ 67,886,632</b>	<b>\$ 3,348.62</b>

\*This is the cost of issuance plus interest payments multiplied by the "% to Ten Year Growth"

**American Fork City Transportation Impact Fee Analysis**

**Figure ES.3: Proposed Impact Fee by Land Use**

Category	Cost per Trip	ITE PM Peak Hr Average Trips	Unit of Measurement:	Impact Fee per Unit:
<b>Residential Category</b>				
Single-Family Detached Housing	\$3,348.62	0.62	Dwelling Unit	\$ 2,076.68
Multi-Family (Average ITE Categories 220, 230, 240)	\$3,348.62	0.35	Dwelling Unit	1,174.39
<b>General Non-Residential Category</b>				
Hotel	\$3,348.62	0.32	Room	\$ 1,066.27
School (Average of ITE Categories 520, 522, 530)	\$3,348.62	0.53	1000 Sq. Feet Gross Floor Area	1,763.38
Non-Residential Category 1: Less than 1 Trip per 1,000 Square Feet	\$3,348.62	0.50	1000 Sq. Feet Gross Floor Area	1,674.31
Non-Residential Category 2: 1 to 2 Trips per 1,000 Square Feet <sup>2</sup>	\$3,348.62	1.50	1000 Sq. Feet Gross Floor Area	5,022.93
Non-Residential Category 3: More than 2 Trips per 1,000 Square Feet	\$3,348.62	3.50	1000 Sq. Feet Gross Floor Area	11,720.18

<sup>1</sup> Category 1 may include occupancies such as:

- Warehouse / Distribution Center
- Storage Units
- Industrial Park
- General Office Building
- Church
- Business Park
- General Manufacturing \*
- Hospital
- Hair / Nails / Massage / Beauty Salon / Day Spa
- Shopping Center / Strip Mall
- Automobile Car Sales
- Auto Care Center
- Tire Store

<sup>2</sup> Category 2 may include

- occupancies such as:
- Day Care Center
  - Medical-Dental Office Building
  - Supermarket
  - Specialty Retail Center
  - Self Service Car Wash

<sup>3</sup> Category 3 may include occupancies such as:

- Health/Fitness Club
- Building Materials and Lumber Store
- Automated Car Wash
- Discount Supermarket/ Supercenter
- Movie Theatre < 10 Screens
- Library
- Movie Theatre 10 or More Screens
- Nursery (Garden Center)
- Restaurant, Sit-Down (Low Turnover, >1 hour stay)
- Bank / Financial Institution
- Restaurant, Sit-Down (High-Turnover)
- Gasoline/Service Station
- Restaurant with Drive-Through Window
- Convenience Store

Source: ITE Trip Generation 9th Edition, American Fork Public Works Department

Note: Pass by trip adjustments are based on American Fork Public Works estimates and ITE sample data where available

## CHAPTER 1: IMPACT FEE OVERVIEW

### PROJECT OVERVIEW

Zions Bank Public Finance (Zions) is pleased to provide American Fork City (the City) with an update to the Transportation Impact Fee Analysis. American Fork City realizes that due to changes in the City's Transportation General Plan, as well as changes to the Utah State Impact Fees Act, an updated analysis is needed. The update to the analysis is a data driven and collaborative effort between the City, its engineers, Zions, and the community stakeholders. The information used to create this fee analysis was provided by City staff, Zions Bank Public Finance, the City's contracted engineers (Horrocks Engineers, Inc.) and other data sources from County and State agencies.

The goal of the impact fee analysis is to calculate a fair and equitable impact fee that will be paid by new development. This analysis also ensures the fee meets the requirements of the Impact Fees Act, Utah Code 11-36a-101 *et seq.* This analysis will address the following sections and subsections of the code:

- Impact fee analysis requirements (Utah Code 11-36a-304)
  - Identify existing capacity to serve growth
  - Proportionate share analysis
  - Identify the level of service
  - Identify the impact of future development on existing and future improvements
- Calculated Fee (Utah Code 11-36a-305)
- Certification (Utah Code 11-36a-306)

### WHAT IS AN IMPACT FEE?

An impact fee is a development fee, not a tax, charged by a local government to new development to recover all or a portion of the costs of providing services to new development. Impact fees collected for the roadway system provide funding for essential road construction and right of way purchases needed by American Fork City to handle the increase in vehicle trips that new growth will generate.

Impact fees are a common and equitable way to share the costs of infrastructure between existing and future residents. According to a survey completed in 2012, 28 states actively employ impact fees as a method of funding.<sup>1</sup> Utah adopted its first impact fee legislation into the Utah Code in 1995, with its most recent update in 2011 and added amendments in 2013.

### WHY ARE IMPACT FEES NECESSARY?

Without impact fees, new development may not pay its fair share of the infrastructure built to support its existence. This would arguably require existing residents to pay for facilities and services that may only be needed by new development. Utilizing impact fees to pay a portion of the costs associated with future infrastructure puts future users on an equal footing with existing users—who have been paying property taxes, sales taxes, user fees and/or other revenue sources in order to generate the revenue required to provide needed services.

### WHY IS THE CITY UPDATING THE 2007 TRANSPORTATION IMPACT FEE ANALYSIS?

The City has commissioned this Impact fee analysis to accomplish the following:

- Determine a fair and equitable impact fee that may be assessed to new development;
- Update capital need projections and account for historic costs of facilities;

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<sup>1</sup>"National Impact Fee Survey: 2012" completed by Duncan Associates: [http://impactfees.com/publications%20pdf/2012\\_survey.pdf](http://impactfees.com/publications%20pdf/2012_survey.pdf)

## American Fork City Transportation Impact Fee Analysis

- Put the analysis in compliance with the latest changes to the Utah State Impact Fees Act;
- Incorporate the data from the 2013 American Fork Transportation Element of the General Plan and 2013 Impact Fee Facilities Plan (IFFP) with a ten year capital planning horizon; and
- More clearly define the current level of service and the future level of service that the City will provide.

### WHAT COSTS ARE INCLUDED IN THE IMPACT FEE?

The impact fees proposed in this analysis are calculated based upon:

- Cost of roadway infrastructure that is needed to perpetuate unused capacity in the system that growth will require;
- New roadway infrastructure that provides new capacity for growth;
- Historic costs of existing roadway infrastructure that provide existing capacity that will serve new development;
- City contributions toward UDOT and County projects if applicable;
- Developer contributions toward system improvements that were made in lieu of fees<sup>2</sup>; and
- Cost of professional services for engineering, planning services and preparation of the impact fee analysis.

### WHAT COSTS ARE NOT INCLUDED IN THE IMPACT FEE?

The costs, both direct capital and financing, that cannot be included in the impact fee are as follows:

- Developers contributions toward project improvements that did not benefit the entire City transportation system;
- Projects that cure deficiencies for existing users;
- Projects that increase the level of service above that which is currently provided;
- Operations and maintenance costs;
- Any costs beyond the ten year planning horizon;
- Costs of facilities funded by grants or other funds that the City does not have to repay; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

### WHAT IS ROADWAY INFRASTRUCTURE

Roadway infrastructure includes more than just roads. For the purposes of this impact fee analysis, roadway infrastructure will signify all the necessary improvements required to construct a City road as defined in the City code.

### DO DEVELOPERS RECEIVE CREDIT FOR THE ROADS THEY BUILD? SYSTEM IMPROVEMENTS VS. PROJECT IMPROVEMENTS

When a developer builds in the City of American Fork they are required to construct and install a certain amount of roadway infrastructure as determined by the City Code. These roadway infrastructure improvements are often referred to as “project” improvements because they primarily benefit the development project in which they are built not the system as a whole. Developers do not receive any impact fee credit for these projects and they are not included in the impact fee calculations. Only “system” improvements, or improvements which are deemed to primarily benefit the system or City as a whole, are included the calculations.

Because system improvements are included in the Transportation Impact Fee Analysis, if the City allows a developer to construct and install a system improvement, that developer may be due a credit redeemable in lieu of future impact fees owed (Utah Impact Fees Act, 11-36a-304(2)(f)). However, it is important to understand that—in the case of road width expansion—the developer would not receive credit for the minimum widths considered as project improvements and required by the City code.

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<sup>2</sup>The City will require future developers to contribute a certain amount to the project frontage as a part of their project improvements. Also, if possible, the City will require the right of way to be donated. This will only apply in the areas that are yet to annex. Typically, the City will only reimburse or credit the developer when the improvements are not “project” related.

## American Fork City Transportation Impact Fee Analysis

As a practice, all system improvement credits should be arranged and agreed upon by both the developer and the City's Public Works Department and ratified by the City Council before the development project is undertaken.

### MEASURING DEMAND ON THE SYSTEM

The metric utilized in this analysis to measure the demand on the system is PM peak hour trips (as in the number of vehicle trip ends generated during the peak hour of afternoon traffic between the hours of 4pm and 6pm). PM peak hour trips is an effective way of measuring the average daily peak capacity of American Fork's roadway infrastructure because PM peak hour trips measure the highest impact each land use will have on a roadway. Peak hour trips must be considered in order to effectively plan for the highest congestion on the roadways to effectively plan for growth and perpetuate the LOS desired by the City. A trip end is the primary destination of a trip. Although a trip will have a beginning and an end the impact fee calculation sorts trips based on the attraction of the trip and nets out the return trip end so that the same roundtrip is not double counted in the analysis.

### Trip End

A trip end is a single or one-directional vehicle movement to or from a particular site or development. This analysis uses peak hour trips that are attracted to a particular land use. They consider only trips that are entering and that are primary trips. Primary trips are the trip ends to a place that is considered to be the intended destination of the trip. Stops along the way to the primary destination are called pass-by trips. An example of a primary trip might be a car that leaves home to head to a grocery store. If the car stops at a gas station along the way on the primary route then the visit to the gas station is a pass-by trip. If the car leaves the primary route to the grocery store and drives along an adjacent route then this is a diverted trip and is equivalent to a pass-by trip and not a primary trip.

Pass by trips, including diverted trips (trips that are diverted from nearby roadways onto adjacent streets), are not included as they are an intermediate stop on the way to a primary destination. Trip end analysis in this impact fee analysis focuses on primary trips.

The following table depicts the growth in population expected for American Fork as well as the corresponding growth in PM peak hour trips on the total collection of American Fork transportation system improvements. The data for this table was provided by the Horrocks Engineers who have created a complex transportation model which takes into account data from several sources.

**Figure 1.1: Projected Population and PM Peak Hour Trips**

Year	American Fork Population	Cumulative % Growth	PM Peak Hour Trips	Cumulative % Growth
2013	27,305	-	58,094	-
2023	34,686	27%	78,367	35%
2040	47,678	59%	101,587	55%

*Source: 2013 American Fork Revised General Plan population projections, Horrocks Engineers*

It is assumed that the difference between existing and future traffic growth is primarily due to new development, both residential and nonresidential. Nonresidential growth is an especially important factor as vehicle trips in American Fork are increased substantially when necessary or desirable destinations are added within the City. This not only induces City residents to drive more but also induces additional driving from neighboring communities. Therefore, it should be no surprise that the growth in PM peak hour trips is proportionally greater than the growth in population over the next ten years.

It is important to note that some of the roadway infrastructure usage in American Fork is due to pass through traffic, or traffic that has a destination beyond the City. Pass through trips are stops along the way to a primary destination. For the purpose of this analysis only trips to primary destinations are measured in order to classify trips according to which type of land use generated the trip. The data provided by the Horrocks Engineers takes into consideration pass through traffic as well as traffic on roadways not under American Fork jurisdiction, such as UDOT roads (because American Fork is not responsible for the construction of these roads).

### HOW ARE TRANSPORTATION IMPACT FEES CALCULATED?

In general, impact fees are determined by completing a thorough analysis of a local government's existing level of public services, future needs due to growth, and the anticipated cost to maintain the existing level of service.

To calculate a fair impact fee for roadway infrastructure, it is important to add up **Ten Year Growth's share** of the following:

1. The cost of the available capacity of **existing** roadway infrastructure;
2. The cost of **future** roadway projects planned for the next **ten years** for which the City has full or partial jurisdiction;
3. The cost of estimated **debt financing**; which amounts to the total **interest** accrued plus the **cost of issuance**.

Once this amount is totaled it is then divided by the number of new PM peak hour trips estimated to occur in the next ten years. This results in a cost per vehicle trip. This cost per trip is then multiplied by the number of PM peak hour trips each type of land use will generate—according to the data provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual (9<sup>th</sup> Edition) and the American Fork Public Works Department (which also includes a pass by adjustment and an adjustment for entering versus exiting vehicles. For instance, the average single family detached housing land use is expected to generate 0.62 vehicle trips during the PM peak hour.

This updated impact fee analysis includes categories based on high, medium and low trip generations. The impact fee ordinance allows City officials calculate non-standard roadway impact fees for unique land uses utilizing data from the most recent edition of the ITE Manual. At the City's discretion, additional categories can be referenced by utilizing the latest edition of the ITE manual.

## CHAPTER 2: LEVEL OF SERVICE

### LEVEL OF SERVICE DEFINITIONS

The Utah State Impact Fees Act makes it clear that impact fees cannot be used to increase the quality of public services and infrastructure for existing property owners at the expense of incoming property owners. Impact fees can only be used to perpetuate the same quality of infrastructure and services that are currently offered. In order to demonstrate that this is the case, it has become a common practice for entities assessing an impact fee to identify a “Level of Service” (LOS) which cannot be exceeded. The LOS is, simply stated, the demand placed upon existing public services and infrastructure by existing property owners. The level of service is defined in Figure 2.1 below.

LOS classification is also a common tool in roadway infrastructure planning. As defined in the Highway Capacity Manual (HCM), a document published by the Transportation Research Board (TRB), LOS serves as the traditional form of measurement of a roadway’s functionality. The TRB identifies LOS by reviewing elements, such as the number of lanes assigned to a roadway, the amount of traffic using the roadway and the time of delay per vehicle traveling on the roadway and at the intersections. Levels of service range from A (free flow where users are virtually unimpeded by other traffic on the roadway) to F (traffic exceeds the operating capacity of the roadway).

### CURRENT LEVEL OF SERVICE NOT TO BE EXCEEDED

After discussions with City staff, it was determined that adopting the industry standard of LOS D for system streets was acceptable for future planning. This is a common goal for urban streets during peak hours. LOS D suggests that for most times of the day, the roadways will be operating at well below capacity. The peak times of day will likely experience moderate congestion characterized by a higher vehicle density and slower than free flow speeds.

**While American Fork City has historically maintained a higher classification, it was decided that perpetuating the same LOS would be potentially cost prohibitive and may present societal impacts, as the need for additional lanes and wider streets may harm the livability of existing neighborhoods where these improvements would be needed.**

It should be noted that local streets are designed at lower speeds than system streets in order to be less intrusive and are not as strictly access-controlled. This ultimately results in a loss of capacity. On local streets LOS C is the minimum expectation for design. This ensures that local streets are more “livable” for homes that may front these streets. This has been the past standard and will continue to be the standard for local streets designed and built into the future. For more details on the LOS see the IFFP and Transportation Element of the American Fork City General Plan.

### LEVEL OF SERVICE USED IN DETERMINING CAPACITY

In order to determine the excess capacity of existing roadway infrastructure as well as the future capacity of future projects, LOS D for system streets and LOS C for local streets was utilized.

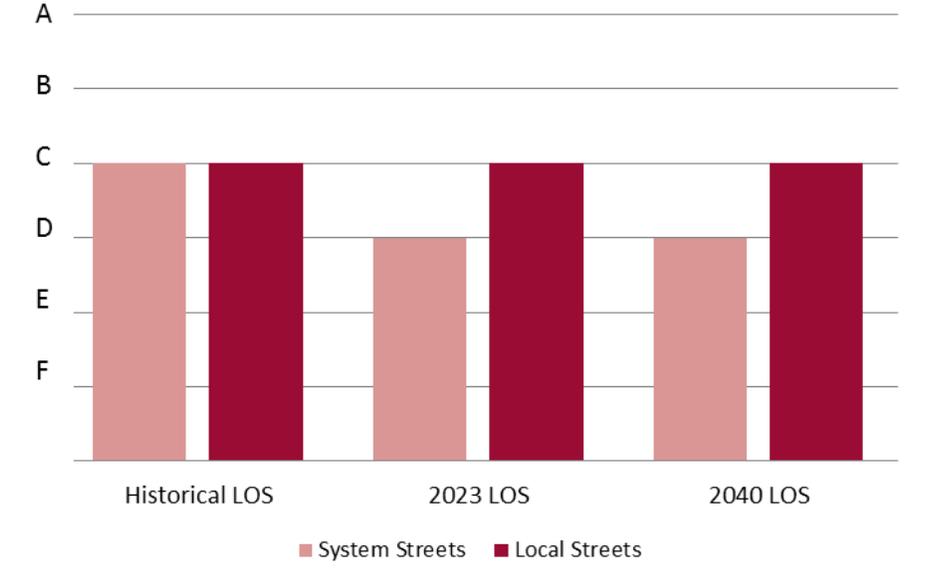
**Figure 2.1: Level of Service Standards for Historical and Future Roadway Infrastructure**

Roadway Infrastructure Category	Historical LOS	2023 LOS	2040 LOS
System Streets	C	D	D
Local Streets	C	C	C

*Source: American Fork General Plan Transportation Element 2013, American Fork Public Works Department, Horrocks Engineers*

American Fork City Transportation Impact Fee Analysis

Figure 2.2: Level of Service Standards for Historical and Future Roadway Infrastructure



## CHAPTER 3: HISTORIC INFRASTRUCTURE COSTS

American Fork City maintains an existing roadway infrastructure system representing a significant investment by current and previous residents over several decades. The Utah State Impact Fees Act allows local jurisdictions to collect a portion of impact fees for the reimbursement of existing infrastructure with available capacity. The City has approved a conservative method for estimating the historic value of this infrastructure, in the absence of specific records detailing the exact amount of historical costs.

### COST OF EXISTING ROADWAY INFRASTRUCTURE WITH EXCESS CAPACITY

As was stated previously, impact fees can be calculated to recover the portion of costs associated with existing facilities with available capacity. The following tables provide an inventory of the City's existing infrastructure, the associated available capacity, and the estimated historic cost.

**Figure 3.1: Summary of the Amount of SF in each Roadway Infrastructure Category**

Existing Roadway Infrastructure Category	Existing Centerline Feet	Average Right of Way	Project Improvement SF	System Improvement SF
Arterials	2,142	96	0	205,632
Major Collectors	55,596	82	3,335,760	1,223,112
Minor Collectors	144,107	66	8,646,420	864,642
Project Improvement Portion (Excluded)	-	60	11,982,180	-

Source: American Fork Public Works Department, Horrocks Engineers

Note: 100% of Arterials are System Improvements; also the Project Improvement Portion has been discounted by 25%, the assumed contribution of the City to local roads (before regular developer contributions)

**Figure 3.2: Summary of Roadway Infrastructure Costs Deflated to Reflect Historical Investment**

Existing Roadway Infrastructure Category	Estimated Cost per SF in 2013	Estimated Cost per SF in 1993 *	Estimated City Investment (Deflated)
Arterials	\$17.50	\$10.86	\$2,233,164
Major Collectors	\$17.50	\$10.86	\$13,282,996
Minor Collectors	\$12.50	\$7.75	\$6,700,976

\* The 2013 cost per square foot of roadway infrastructure was deflated to 1993 dollars in order to conservatively estimate the city's historic investment; the BLS CPI Inflation Calculator was utilized to make this calculation

**Figure 3.3: Summary of Existing Capacity of Roadway Infrastructure for which Ten Year Growth is Responsible**

Existing Roadway Infrastructure Category	% Excess Capacity in LOS	% of Excess Capacity Utilized by 10 Year Growth	Cost to Ten Year Growth
Arterials	50%	70%	\$779,305
Major Collectors	71%	49%	\$4,635,353
Minor Collectors	71%	49%	\$2,338,432
<b>Total</b>			<b>\$7,753,090</b>

Source: American Fork Public Works Department, Horrocks Engineers



**American Fork City** Transportation Impact Fee Analysis

This inventory of roadway infrastructure represents system streets—and has been subdivided into three categories: arterials, major collectors, and minor collectors. This subdivision was necessary due to the fact that the cost per SF and the excess capacity for each one of these categories varies.

It is important to note that capacity is calculated according to the historic level of service standards maintained by the City and not the maximum number of trips the system can handle.

## CHAPTER 4: FUTURE TEN YEAR INFRASTRUCTURE COSTS

### COST OF FUTURE ROADWAY INFRASTRUCTURE PLANNED FOR THE NEXT TEN YEARS

The IFFP contains a list of roadway infrastructure projects that are planned for completion within the next ten years. The following table displays the roadway projects for which the City has partial or full jurisdiction. The “Project Cost” indicated for each project represents the amount the City will be responsible for funding in present dollars.

**Figure 4.1: Summary of Ten Year Roadway Infrastructure Projects for which Ten Year Growth is Responsible**

Project	Roadway or Location	Total Project Costs	Average Construction Year Cost *	% to Ten Year Growth **	Amount to Ten Year Growth
Upgrades to Major Collector (2 to 3 Lanes)	1120 North	\$12,253,000	\$14,768,533	8%	\$1,200,693.76
Intersection Improvement	900 West & Grassland Dr	\$2,245,000	\$2,705,897	70%	\$1,888,547.94
New Major Collector (3-Lanes)	700 North	\$2,172,000	\$2,617,910	98%	\$2,559,300.32
Widen to Arterial (5-Lanes)*	900 West	\$759,000	\$914,822	58%	\$527,618.40
Widen to Arterial (5-Lanes)	500 East	\$3,092,000	\$3,726,786	36%	\$1,348,741.49
Extension of Minor Collector (2 Lanes) with new Railroad Crossing	560 West	\$2,032,000	\$2,449,168	96%	\$2,347,119.66
Intersection Improvement	700 North & 500 East	\$705,000	\$849,736	49%	\$417,649.96
Upgrades to Major Collector (2 to 3 Lanes)	700 North	\$7,498,000	\$9,037,335	52%	\$4,742,998.38
Widen to Minor Collector (2-Lanes)	1100 North	\$2,559,000	\$3,084,361	31%	\$963,862.85
New Minor Collector (2-Lanes)	1190 East	\$3,758,000	\$4,529,515	69%	\$3,145,496.58
Intersection Improvement*	200 East & Main St/ State St	\$0	\$0	49%	\$0.00
New Arterial (5-Lanes)	620 South	\$9,342,000	\$11,259,907	83%	\$9,352,987.11
Widen to Arterial (5-Lanes)	620 South	\$1,249,000	\$1,505,419	76%	\$1,142,041.94
New Major Arterial (3-Lanes)	Pacific Dr	\$15,686,000	\$18,906,326	85%	\$16,133,398.25
<b>Total / Overall</b>		<b>\$63,350,000</b>	<b>\$76,355,716</b>	<b>60%</b>	<b>\$45,770,457</b>

Source: American Fork Public Works Department, Horrocks Engineers

\* Projects with asterisks are partially or fully grant funded and costs have been adjusted accordingly

\*\* "% to Ten Year Growth" is based on calculations of 2023 volume vs. 2040 volume except for intersection improvements which are based on the capacity of their roadway infrastructure category

### IS THERE A NEED FOR NEW ROADWAY INFRASTRUCTURE?

While considerable capacity does exist in the overall system—as evidenced by the previous chapter discussing the existing roadway infrastructure—it is important to note that the projects in the previous table address specific points within the system that need to be built or upgraded in order to handle the growth from new development.

### TIME-PRICE DIFFERENTIAL

Utah Code 11-36a-301(2)(h) allows for the inclusion of a time-price differential in order to create fairness for amounts paid at different times. To address the time-price differential, this analysis includes an “Average Construction Year Cost” to account for construction inflation on future projects. Without a specific project timeline, inflation was added by averaging the un-inflated and 10th year inflated construction year cost for each project at 3.5%. This provides a conservative estimate for the construction year cost of each project.

### AMOUNT TO TEN YEAR GROWTH

The Engineers provided the estimated existing volume, 2023 volume, and 2040 volume for each of the roadway infrastructure projects planned for the next ten years. This data can be found in detail in the appendix. Utilizing these estimates, the “% to Ten Year Growth” was determined by calculating what percentage of the 2040 volume that could be attributed to volume added from 2013 to 2023.



## American Fork City Transportation Impact Fee Analysis

### DIVIDING TEN YEAR PROJECTS BY TEN YEAR GROWTH

An alternative method considered was to simply divide projects planned for the next ten years by the growth in vehicle trips expected in the next ten years. This is a common method utilized in calculating transportation impact fees as ten year projects would not typically be needed if no more growth was expected to occur (as is the case with American Fork). This would have resulted in a higher fee—roughly 40% higher for each land use category. The City has decided to test this alternative method in order to provide a more conservative estimate for transportation impact fees. However, it should be understood that the City may return to the alternative method considered should this current method fail to address the demands and needs of future development.

### COST OF ANTICIPATED DEBT FINANCING

While the City will be collecting impact fees and taxes, such as property and sales tax, to pay for roadway infrastructure costs each year, it is anticipated that project timing and implementation will require the City to come up with large sums of money in certain years. This will require the City to seek debt financing in order to appropriately fund these projects. As is consistent with the Impact Fees Act, this analysis incorporates the estimated costs associated with debt financing, particularly the interest payments and the associated cost of issuance. Details on these estimated costs can be found in the appendix. However, it should be noted that attempts at debt financing by the City have proved infeasible in the past. In 2008 a proposed bond to fund capacity related projects failed to pass and in 2010 a bond funding maintenance related projects also failed to pass. If this continues to be the case for the City reevaluation of this method of funding may be necessary in a future study.

## CHAPTER 5: PROPORTIONATE SHARE ANALYSIS

The Impact Fees Act requires that the impact fee analysis estimate the proportionate share of the costs for existing capacity that will be recouped; and the costs of impacts on system improvements that are reasonably related to the new development activity. This has been demonstrated throughout the previous three chapters and will be concluded in the next chapter which details the impact fee calculations.

### SOURCES OF FUNDING

Additionally, part of the proportionate share analysis is a consideration of the manner of funding existing public facilities. Historically the City has had the options to fund roadway infrastructure through the following sources:

- General Fund Revenues
- Fuel Tax
- Bond Proceeds
- Grant Funding
- Impact Fees

Just as existing infrastructure has been funded through different means; it is required by the Impact Fees Act to evaluate all means of funding future capital. There are positives and negative aspects to the various forms of funding. It is important to evaluate each.

### General Fund Revenues

The sources of the American Fork City General Fund include primarily property taxes and sales taxes collected within the City limits, as well as a few other minor sources. The General Fund represents the contributions of existing and previous City residents and those who patronize the City.

It would be an unfair burden to existing residents to use only this revenue source in order to fund the roadway infrastructure projects required for new development. This would not be an equitable policy and would place too much stress on the tight budgets of the general fund. Additionally, while it is true that property and sales taxes may be a stable source of income over time, these taxes are not directly based on the impact placed upon a system.

### Fuel Tax

For motor fuels such as gasoline and diesel, the State levies a 24.5 cent fuel tax on every gallon purchased. The revenue generated from this tax is split 70/30 between the state of Utah and local governments such as American Fork. The local government portion is divided up among local jurisdictions based on a formula that takes into account both population and lane miles.

Because this tax is based on consumption, revenues can be volatile. When motorists drive less or drive more fuel efficient vehicles this can affect how much revenue is generated—while not necessarily decreasing the overall demand on roadway infrastructure. Generally speaking, the motor fuel tax funds about 40% of an average city's transportation expense, but this percentage has been on the decline. Still, the fuel tax is an important revenue source for the operations and maintenance expenses of the City's roads. But it is critical to understand that this revenue source does not provide the needed funding in order to construct the new roadway infrastructure required for new development.

### Grant Funding

The City received grant funding for the 200 East & Main Street / State Street Intersection Improvement project and also for the 900 West street widening project. The total project costs shown in this document are net of the grant funds to ensure future development is paying a fair cost for future improvements.

## Impact Fees

Impact fees are a fair and equitable means of providing infrastructure for future development. They are based on a rational nexus or connection between the demand generated by new development and the costs of building new infrastructure required by that development. The Impact Fees Act ensures that future development is not paying any more than what future growth will demand. Existing users and future users receive equal treatment. Therefore, impact fees are the optimal funding mechanism for future growth related capital needs.

## DEVELOPER CREDITS

When a developer builds in the City of American Fork they are required to construct and install a certain amount of roadway infrastructure as determined by the City Code. These roadway infrastructure improvements are often referred to as “project” improvements because they primarily benefit the development project in which they are built. Developers do not receive any impact fee credit for these projects and they are not included in the impact fee calculations. Only “system” improvements, or improvements which are deemed to primarily benefit the system or City as a whole, are included the calculations.

Because system improvements are included in the Transportation Impact Fee Analysis, if the City allows a developer to construct and install a system improvement, that developer may be due a credit redeemable in lieu of future impact fees owed, or a credit of similar value (Utah Impact Fees Act, 11-36a-304(2)(f)). However, it is important to understand that—in the case of road width expansion—the developer would not receive credit for the minimum widths considered as project improvements and required by the City code.

As a practice, all system improvement credits should be arranged and agreed upon by both the developer and the City’s Public Works Department before the development project is undertaken.

## CHAPTER 6: IMPACT FEE CALCULATIONS

### TRIP GENERATION DATA

The Impact Fee calculations are based on trip generation data which was provided by the American Fork Public Works Department and the 9<sup>th</sup> Edition of the ITE Trip Generation Manual. The following table represents the majority of land use categories expected in American Fork City. The ITE Trip Generation Manual contains more categories which can be referenced in coordination with the Public Works Department.

As can be seen in the following table, the “ITE Trips” has been adjusted based on the “% entering”, “% primary trip”, and the “% diverted link, pass by.” The % entering adjustment is because we are interested in the trips coming to the land use, not those leaving the land use. Those leaving are attributed to the land use they are going to during the PM peak hour. The % passing by adjustment is because some land uses do not generate all new trips but a portion of their trips are from cars passing by. These trips are not considered to add more demand to the system.

Figure 6.1: Institute of Transportation Engineers (ITE) Data Showing Trips Per Type of Land Use Per Unit

Category	Units; Per	Study	Page	ITE Trips	% Entering	% Primary Trip	% Diverted Link, Pass By	Final ITE PM Peak Hr Adjusted Trips
130 - Industrial Park	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	149	0.84	21%	90%	10%	0.16
140 - General Manufacturing *	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	177	0.75	52%	90%	10%	0.35
151 - Storage Units	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	234	0.22	54%	90%	10%	0.11
152 - Warehouse / Distribution Center	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	277	0.16	37%	90%	10%	0.05
210 - Single-Family Detached Housing	Dwelling Unit	Weekday - PM Peak Hour	300	1.02	64%	95%	5%	0.62
220 - Multi-Family / High Density (Greater than 4 Units)	Dwelling Unit	Weekday - PM Peak Hour	337	0.67	61%	95%	5%	0.39
230 - Multi-Family / Condo, Townhouse, Duplex, Triplex, Quadpl	Dwelling Unit	Weekday - PM Peak Hour	398	0.52	64%	95%	5%	0.32
240 - Mobile Home / RV Park	Dwelling Lot	Weekday - PM Peak Hour	446	0.60	61%	95%	5%	0.35
254 - Assisted Living Center	Bed	Weekday - PM Peak Hour	533	0.35	47%	90%	10%	0.15
310 - Hotel	Room	Weekday - PM Peak Hour	617	0.61	58%	90%	10%	0.32
444 - Movie Theatre < 10 Screens	1000 Sq. Feet Gross Floor Area	Friday - PM Peak Hour	838	3.80	64%	90%	10%	2.19
445 - Movie Theatre 10 or More Screens	1000 Sq. Feet Gross Floor Area	Friday - PM Peak Hour	853	4.91	62%	90%	10%	2.74
492 - Health/Fitness Club	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	944	4.06	51%	90%	10%	1.86
520 - Elementary School	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	990	3.11	44%	50%	50%	0.68
522 - Middle School / Junior High School	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1003	2.52	45%	50%	50%	0.57
530 - High School	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1024	2.12	31%	50%	50%	0.33
534 - Private School/ Charter School	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1035	6.53	49%	50%	50%	1.60
560 - Church	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1093	0.94	54%	50%	50%	0.25
565 - Day Care Center	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1129	13.75	47%	20%	80%	1.29
590 - Library	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1176	7.20	52%	60%	40%	2.25
610 - Hospital	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1200	1.16	40%	90%	10%	0.42
710 - General Office Building	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1261	1.49	17%	80%	20%	0.20
720 - Medical-Dental Office Building	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1298	4.27	39%	80%	20%	1.33
770 - Business Park	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1404	1.26	26%	80%	20%	0.26
812 - Building Materials and Lumber Store	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1432	5.56	49%	70%	30%	1.91
817 - Nursery (Garden Center)	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1517	9.04	49%	70%	30%	3.10
820 - Shopping Center / Strip Mall	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1563	3.71	48%	50%	50%	0.89
826 - Specialty Retail Center	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1573	5.02	51%	70%	30%	1.79
841 - Automobile Car Sales	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1598	2.80	47%	70%	30%	0.92
848 - Tire Store	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1619	4.15	43%	68%	32%	1.22
850 - Supermarket	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1649	8.37	52%	39%	61%	1.70
851 - Convenience Store	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1659	53.42	52%	33%	67%	9.14
854 - Discount Supermarket/ Supercenter	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1694	8.13	49%	54%	46%	2.14
912 - Bank / Financial Institution	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1846	26.69	51%	27%	73%	3.68
918 - Hair / Nails / Massage / Beauty Salon / Day Spa	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1858	1.93	38%	70%	30%	0.51
931 - Restaurant, Sit-Down (Low Turnover, >1 hour stay)	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1868	9.02	62%	60%	40%	3.36
932 - Restaurant, Sit-Down (High-Turnover)	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1889	18.49	54%	40%	60%	4.01
934 - Restaurant with Drive-Through Window	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1916	47.30	52%	41%	59%	10.03
942 - Auto Care Center	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	1978	3.51	49%	60%	40%	1.03
944 - Gasoline/Service Station	Fueling Position	Weekday - PM Peak Hour	1988	15.65	50%	35%	65%	2.74
945 - Gasoline/Service Station with Convenience Store	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	2000	97.14	50%	12%	88%	5.99
947 - Self Service Car Wash	Wash Stall	Weekday - PM Peak Hour	2012	5.54	51%	30%	70%	0.85
948 - Automated Car Wash	1000 Sq. Feet Gross Floor Area	Weekday - PM Peak Hour	2015	14.12	50%	30%	70%	2.12

Source: ITE Trip Generation 9th Edition, American Fork Public Works Department

Note: Pass by trip adjustments are based on American Fork Public Works estimates and ITE sample data where available

\* Manufacturing = Location for conversion of raw materials to parts or finished products

## American Fork City Transportation Impact Fee Analysis

### COST PER TRIP AND RECOMMENDED IMPACT FEES

The cost per trip has been calculated and is contained in the first table below. This represents the average cost of each trip including existing roadway facility costs and costs from projects planned for the next ten years. The second table below provides a final fee due for each type of land use. Each final fee in the second table below is a product of the cost per trip multiplied by the number of trips each type of land use is expected to generate per unit.

**Figure 6.2: Cost Per Trip**

Component	Ten Year Growth in PM Peak Hour Trips	Cost	Cost Per Trip
Existing Roadway System Improvements (Buy in Component)	20,273	\$ 7,753,090	\$ 382.43
Ten Year Roadway System Improvements	20,273	45,770,457	2,258
Ten Year Growth's Share of the Cost of Anticipated Debt Financing *	20,273	14,363,086	708
<b>Total</b>		<b>\$ 67,886,632</b>	<b>\$ 3,348.62</b>

\* This is the cost of issuance plus interest payments multiplied by the "% to Ten Year Growth"

**Figure 6.3: Proposed Impact Fee by Land Use**

Category	Cost per Trip	ITE PM Peak Hr Average Trips	Unit of Measurement:	Impact Fee per Unit:
<b>Residential Category</b>				
Single-Family Detached Housing	\$3,348.62	0.62	Dwelling Unit	\$ 2,076.68
Multi-Family (Average ITE Categories 220, 230, 240)	\$3,348.62	0.35	Dwelling Unit	1,174.39
<b>General Non-Residential Category</b>				
Hotel	\$3,348.62	0.32	Room	\$ 1,066.27
School (Average of ITE Categories 520, 522, 530)	\$3,348.62	0.53	1000 Sq. Feet Gross Floor Area	1,763.38
Non-Residential Category 1: Less than 1 Trip per 1,000 Square Feet	\$3,348.62	0.50	1000 Sq. Feet Gross Floor Area	1,674.31
Non-Residential Category 2: 1 to 2 Trips per 1,000 Square Feet <sup>2</sup>	\$3,348.62	1.50	1000 Sq. Feet Gross Floor Area	5,022.93
Non-Residential Category 3: More than 2 Trips per 1,000 Square Feet	\$3,348.62	3.50	1000 Sq. Feet Gross Floor Area	11,720.18

<sup>1</sup> Category 1 may include occupancies such as:

- Warehouse / Distribution Center
- Storage Units
- Industrial Park
- General Office Building
- Church
- Business Park
- General Manufacturing \*
- Hospital
- Hair / Nails / Massage / Beauty Salon / Day Spa
- Shopping Center / Strip Mall
- Automobile Car Sales
- Auto Care Center
- Tire Store

<sup>2</sup> Category 2 may include occupancies such as:

- Day Care Center
- Medical-Dental Office Building
- Supermarket
- Specialty Retail Center
- Self Service Car Wash

<sup>3</sup> Category 3 may include occupancies such as:

- Health/Fitness Club
- Building Materials and Lumber Store
- Automated Car Wash
- Discount Supermarket/ Supercenter
- Movie Theatre < 10 Screens
- Library
- Movie Theatre 10 or More Screens
- Nursery (Garden Center)
- Restaurant, Sit-Down (Low Turnover, >1 hour stay)
- Bank / Financial Institution
- Restaurant, Sit-Down (High-Turnover)
- Gasoline/Service Station
- Restaurant with Drive-Through Window
- Convenience Store

Source: ITE Trip Generation 9th Edition, American Fork Public Works Department

Note: Pass by trip adjustments are based on American Fork Public Works estimates and ITE sample data where available

## American Fork City Transportation Impact Fee Analysis

### TYPES OF UNIT

The impact fee is assessed on a per unit basis. Special attention should be paid to the impact fee table in order to assess each land use using the correct type of unit. As can be seen, many units are a 1,000 square foot unit of some type of area whereas some units are based on other units such as wash stalls for self-service car washes. If any questions arise regarding unit types or associated trip generation data, the ITE Trip Generation Manual (9<sup>th</sup> Edition or latest edition) should be referred to.

### NON STANDARD DEMAND ADJUSTMENT

The City may, on a case by case basis, adjust the impact fee to respond to a user that has an impact on the system that is more than the typical user. The City may use the calculation below to calculate the fee that is fair for such a user. If a developer feels their impact on the system will be significantly less than the typical user they must show a reasonable basis for this determination (such as a traffic study) and the City may work with them to determine a more personalized impact fee.

Adjustments may be made but only with sufficient and correct data. The developer must provide traffic analysis data including trip generation data including traffic entering and exiting a property in the peak PM hour or generation, and % of traffic generated by the development that are pass-by or primary trips. The traffic analysis must be completed by a qualified traffic professional and must provide the required trip generation and primary trip calculation for review by the City. The process will begin with a signed petition to the City requesting adjustments. The City will review and concur with the analysis or request more detail, if required. The City will not proactively complete studies for individual uses and will only complete this review upon application.

**Figure 6.4: Non Standard Demand Adjustment Formula**

Conduct an Appropriate Study to Determine:		Cost Per Trip		Impact Fee
The number of Expected Primary Trip Ends Generated during the Peak PM Hour excluding diverted link and pass-by trips	X	\$3,348.62	=	Non Standard Adjustment Fee Per Unit

## CERTIFICATION

In accordance with Utah Code Annotated, 11-36a-306(2), Matthew Millis on behalf of Zions Bank Public Finance, makes the following certification:

I certify that the attached impact fee analysis:

1. INCLUDES ONLY THE COST 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;
  
1. DOES NOT INCLUDE:
  - a) COSTS OF OPERATION AND MAINTENANCE OF PUBLIC FACILITIES;
  - b) COST OF QUALIFYING PUBLIC FACILITIES THAT WILL RAISE THE LEVEL OF SERVICE FOR THE FACILITIES, THROUGH IMPACT FEES, ABOVE THE LEVEL OF SERVICE THAT IS SUPPORTED BY EXISTING RESIDENTS;
  - c) ANY 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;
  
2. OFFSETS COSTS WITH GRANTS OR OTHER ALTERNATE SOURCES OF PAYMENT WHERE POSSIBLE; AND
  
3. COMPLIES IN EACH AND EVERY RELEVANT RESPECT WITH THE IMPACT FEES ACT.

Zions Bank makes this certification with the following caveats:

1. All of the recommendations for implementations of the Impact Fee Facilities Plans (“IFFPs”) made in the IFFP documents or in the impact fee analysis documents are followed in their entirety by American Fork City staff and elected officials.
2. If all or a portion of the IFFPs or impact fee analyses are modified or amended, this certification is no longer valid.
3. All information provided to Zions Bank Public Finance, its contractors or suppliers is assumed to be correct, complete and accurate. This includes information provided by American Fork City and outside sources. Copies of letters requesting data are included as appendices to the IFFPs and the impact fee analysis.

Dated: November 20, 2014

ZIONS BANK PUBLIC FINANCE

## APPENDICES

# APPENDIX A: GROWTH IN DEMAND PROJECTIONS

	A	B	C	D	E	
1	<b>Projected Traffic Demands - Population, Daily VMT and PM Peak Hour Trips</b>					1
2	<b>Year</b>	<b>American Fork Population</b>	<b>Cumulative % Growth</b>	<b>PM Peak Hour Trips</b>	<b>Cumulative % Growth</b>	2
3	2013	27,305	-	58,094	-	3
4	2023	34,686	27%	78,367	35%	4
5	2040	47,678	59%	101,587	55%	5
6	<i>Source: 2013 American Fork Revised General Plan population projections, Horrocks Engineers</i>					6

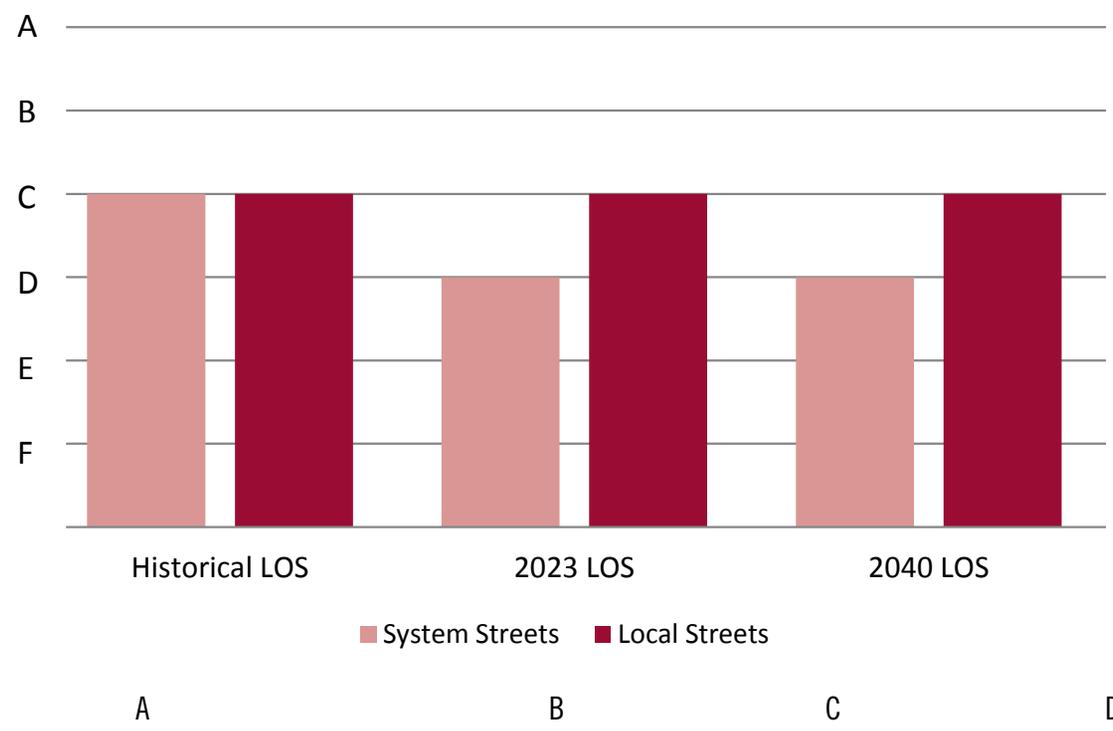
A B C D E

# APPENDIX B: LEVEL OF SERVICE

	A	B	C	D
1 <b>Level of Service Standards for Historical and Future Roadway Infrastructure</b>				
2 <b>Roadway Infrastructure Category</b>	<b>Historical LOS</b>	<b>2023 LOS</b>	<b>2040 LOS</b>	
3 System Streets	C	D	D	
4 Local Streets	C	C	C	

5 *Source: American Fork General Plan Transportation Element 2013, American Fork Public Works Department, Horrocks Engineers*

7 **Level of Service Standards for Historical and Future Roadway Infrastructure**



# APPENDIX C: TEN YEAR PROJECTS AND CAPACITY

A B C D E F

## 1 Summary of Ten Year Projects for which the City has Partial or Full Jurisdiction

2	Type of Improvement	Roadway or Location	From	To	Jurisdiction(s)	City's Costs
3	Upgrades to Major Collector (2 to 3 Lanes)	1120 North	900 West	100 East	City	\$12,253,000
4	Intersection Improvement	900 West & Grassland Dr	-	-	City	\$2,245,000
5	New Major Collector (3-Lanes)	700 North	100 East	200 East	City	\$2,172,000
6	Widen to Arterial (5-Lanes)*	900 West	State St	700 North	City	\$759,000
7	Widen to Arterial (5-Lanes)	500 East	State St	Pacific Dr (100 N)	City	\$3,092,000
8	Extension of Minor Collector (2 Lanes) with new Railroad Crossing	560 West	Pacific Dr	Hindley Dr	City	\$2,032,000
9	Intersection Improvement	700 North & 500 East	-	-	City	\$705,000
10	Upgrades to Major Collector (2 to 3 Lanes)	700 North	900 West	100 East	City	\$7,498,000
11	Widen to Minor Collector (2-Lanes)	1100 North	North County Blvd	East City-Limits	City	\$2,559,000
12	New Minor Collector (2-Lanes)	1190 East	North County Blvd	1100 North	City	\$3,758,000
13	Intersection Improvement*	200 East & Main St/ State St	-	-	City/UDOT	\$0
14	New Arterial (5-Lanes)	620 South	600 East	East City-Limits	City	\$9,342,000
15	Widen to Arterial (5-Lanes)	620 South	500 East	600 East	City	\$1,249,000
16	New Major Arterial (3-Lanes)	Pacific Dr	Pioneer Crossing	Meadow Lane	City/UDOT	\$15,686,000
17	<b>Total for Improvements needed by 2023</b>					<b>\$63,350,000</b>

18 \* Projects with asterisks are partially or fully grant funded and costs have been adjusted accordingly

19 Source: American Fork Public Works Department, Horrocks Engineers

## 20 Summary of Capacity of Ten Year Projects

21	Type of Improvement	Existing Volume (Traffic Counts)	2023 Volume	2040 Volume	% to Ten Year Growth *
22	Upgrades to Major Collector (2 to 3 Lanes)	2,200	3,200	12,300	8%
23	Intersection Improvement	NA	NA	NA	70%
24	New Major Collector (3-Lanes)	0	13,100	13,400	98%
25	Widen to Arterial (5-Lanes)	11,100	23,500	21,500	58%
26	Widen to Arterial (5-Lanes)	6,600	10,400	10,500	36%
27	Extension of Minor Collector (2 Lanes) with new Railroad Crossing	0	6,900	7,200	96%
28	Intersection Improvement	NA	NA	NA	49%
29	Upgrades to Major Collector (2 to 3 Lanes)	6,600	14,000	14,100	52%
30	Widen to Minor Collector (2-Lanes)	2,200	3,200	3,200	31%
31	New Minor Collector (2-Lanes)	0	5,000	7,200	69%
32	Intersection Improvement	NA	NA	NA	49%
33	New Arterial (5-Lanes)	0	10,300	12,400	83%
34	Widen to Arterial (5-Lanes)	5,000	22,600	23,200	76%
35	New Major Arterial (3-Lanes)	0	6,400	7,500	85%

36 Source: American Fork Public Works Department, Horrocks Engineers

37 \* % to Ten Year Growth\* is a factor of 2023 volume vs. 2040, volume except for intersection improvements which are based on the capacity of their roadway infrastructure category

A B C D E F

# APPENDIX D: FUTURE BONDS

Summary of Future Bond #1					
Inputs			Outputs		
Proceeds	\$20,000,000		Par Amount		\$20,800,000
Annual Interest Rate	4.50%		Total Interest		\$11,180,476
Cost of Issuance	4.00%		Total Payments		\$31,980,476
Number of Years	20		Annual Payment		\$1,599,024

Source: Zions Bank Public Finance

Future Bond #1					
PmtNo.	Beginning Balance	Scheduled Payment	Principal	Interest	Ending Balance
1	\$ 20,800,000	\$ 1,599,024	\$ 663,024	\$ 936,000	\$ 20,136,976
2	20,136,976	1,599,024	692,860	906,164	19,444,116
3	19,444,116	1,599,024	724,039	874,985	18,720,078
4	18,720,078	1,599,024	756,620	842,403	17,963,457
5	17,963,457	1,599,024	790,668	808,356	17,172,789
6	17,172,789	1,599,024	826,248	772,776	16,346,541
7	16,346,541	1,599,024	863,429	735,594	15,483,111
8	15,483,111	1,599,024	902,284	696,740	14,580,828
9	14,580,828	1,599,024	942,887	656,137	13,637,941
10	13,637,941	1,599,024	985,316	613,707	12,652,625
11	12,652,625	1,599,024	1,029,656	569,368	11,622,969
12	11,622,969	1,599,024	1,075,990	523,034	10,546,979
13	10,546,979	1,599,024	1,124,410	474,614	9,422,569
14	9,422,569	1,599,024	1,175,008	424,016	8,247,561
15	8,247,561	1,599,024	1,227,884	371,140	7,019,677
16	7,019,677	1,599,024	1,283,138	315,885	5,736,539
17	5,736,539	1,599,024	1,340,880	258,144	4,395,659
18	4,395,659	1,599,024	1,401,219	197,805	2,994,440
19	2,994,440	1,599,024	1,464,274	134,750	1,530,166
20	1,530,166	1,599,024	1,530,166	68,857	-

Summary of Future Bond #2					
Inputs			Outputs		
Proceeds	\$20,000,000		Par Amount		\$20,800,000
Annual Interest Rate	4.50%		Total Interest		\$11,180,476
Cost of Issuance	4.00%		Total Payments		\$31,980,476
Number of Years	20		Annual Payment		\$1,599,024

Source: Zions Bank Public Finance

Future Bond #2					
PmtNo.	Beginning Balance	Scheduled Payment	Principal	Interest	Ending Balance
1	\$ 20,800,000	\$ 1,599,024	\$ 663,024	\$ 936,000	\$ 20,136,976
2	20,136,976	1,599,024	692,860	906,164	19,444,116
3	19,444,116	1,599,024	724,039	874,985	18,720,078
4	18,720,078	1,599,024	756,620	842,403	17,963,457
5	17,963,457	1,599,024	790,668	808,356	17,172,789
6	17,172,789	1,599,024	826,248	772,776	16,346,541
7	16,346,541	1,599,024	863,429	735,594	15,483,111
8	15,483,111	1,599,024	902,284	696,740	14,580,828
9	14,580,828	1,599,024	942,887	656,137	13,637,941
10	13,637,941	1,599,024	985,316	613,707	12,652,625
11	12,652,625	1,599,024	1,029,656	569,368	11,622,969
12	11,622,969	1,599,024	1,075,990	523,034	10,546,979
13	10,546,979	1,599,024	1,124,410	474,614	9,422,569
14	9,422,569	1,599,024	1,175,008	424,016	8,247,561
15	8,247,561	1,599,024	1,227,884	371,140	7,019,677
16	7,019,677	1,599,024	1,283,138	315,885	5,736,539
17	5,736,539	1,599,024	1,340,880	258,144	4,395,659
18	4,395,659	1,599,024	1,401,219	197,805	2,994,440
19	2,994,440	1,599,024	1,464,274	134,750	1,530,166
20	1,530,166	1,599,024	1,530,166	68,857	-

# APPENDIX E: COST PER TRIP CALCULATION

1 Summary of the Amount of SF in each Roadway Infrastructure Category

Existing Roadway Infrastructure Category	Existing Centerline Feet	Average Right of Way	Project Improvement SF	System Improvement SF
Arterials	2,142	96	0	205,632
Major Collectors	55,596	82	3,335,760	#####
Minor Collectors	144,107	66	8,646,420	864,642
Project Improvement Portion (Excluded)	-	60	11,982,180	-

7 Source: American Fork Public Works Department, Horrocks Engineers

8 Note: 100% of Arterials are System Improvements; also the Project Improvement Portion has been discounted by 25%, the assumed contribution of the City to local roads (before regular developer contributions)

10 Summary of Roadway Infrastructure Costs Deflated to Reflect Historical Investment

Existing Roadway Infrastructure Category	Estimated Cost per SF in 2013	Estimated Cost per SF in 1993 *	Estimated City Investment (Deflated)
Arterials	\$17.50	\$10.86	\$2,233,164
Major Collectors	\$17.50	\$10.86	\$13,282,996
Minor Collectors	\$12.50	\$7.75	\$6,700,976

15 \* The 2013 cost per square foot of roadway infrastructure was deflated to 1993 dollars in order to conservatively estimate the city's historic investment; the BLS CPI Inflation Calculator was utilized to make this calculation

17 Summary of Existing Capacity of Roadway Infrastructure for which Ten Year Growth is Responsible

Existing Roadway Infrastructure Category	% Excess Capacity in LOS	% of Excess Capacity Utilized by 10 Year Growth	Cost to Ten Year Growth
Arterials	50%	70%	\$779,305
Major Collectors	71%	49%	\$4,635,353
Minor Collectors	71%	49%	\$2,338,432
<b>Total</b>			<b>\$7,753,090</b>

23 Source: American Fork Public Works Department, Horrocks Engineers

25 Summary of Ten Year Roadway Infrastructure Projects for which Ten Year Growth is Responsible

Inflation Rate: 3.5%

Project	Roadway or Location	Total Project Costs	Average Construction Year Cost *	% to Ten Year Growth **	Amount to Ten Year Growth
Upgrades to Major Collector (2 to 3 Lanes)	1120 North	\$12,253,000	\$14,768,533	8%	\$1,200,693.76
Intersection Improvement	900 West & Grassland Dr	\$2,245,000	\$2,705,897	70%	\$1,888,547.94
New Major Collector (3-Lanes)	700 North	\$2,172,000	\$2,617,910	98%	\$2,559,300.32
Widen to Arterial (5-Lanes)*	900 West	\$759,000	\$914,822	58%	\$527,618.40
Widen to Arterial (5-Lanes)	500 East	\$3,092,000	\$3,726,786	36%	\$1,348,741.49
Extension of Minor Collector (2 Lanes) with new Railroad Crossing	560 West	\$2,032,000	\$2,449,168	96%	\$2,347,119.66
Intersection Improvement	700 North & 500 East	\$705,000	\$849,736	49%	\$417,649.96
Upgrades to Major Collector (2 to 3 Lanes)	700 North	\$7,498,000	\$9,037,335	52%	\$4,742,998.38
Widen to Minor Collector (2-Lanes)	1100 North	\$2,559,000	\$3,084,361	31%	\$963,862.85
New Minor Collector (2-Lanes)	1190 East	\$3,758,000	\$4,529,515	69%	\$3,145,496.58
Intersection Improvement*	200 East & Main St/ State St	\$0	\$0	49%	\$0.00
New Arterial (5-Lanes)	620 South	\$9,342,000	\$11,259,907	83%	\$9,352,987.11
Widen to Arterial (5-Lanes)	620 South	\$1,249,000	\$1,505,419	76%	\$1,142,041.94
New Major Arterial (3-Lanes)	Pacific Dr	\$15,686,000	\$18,906,326	85%	\$16,133,398.25
<b>Total / Overall</b>		<b>\$63,350,000</b>	<b>\$76,355,716</b>	<b>60%</b>	<b>\$45,770,457</b>

42 Source: American Fork Public Works Department, Horrocks Engineers

43 \* Projects with asterisks are partially or fully grant funded and costs have been adjusted accordingly

44 \*\* "% to Ten Year Growth" is based on calculations of 2023 volume vs. 2040 volume except for intersection improvements which are based on the capacity of their roadway infrastructure category

46 Cost Per Trip

Component	Ten Year Growth in PM Peak Hour Trips	Cost	Cost Per Trip
Existing Roadway System Improvements (Buy in Component)	20,273	\$ 7,753,090	\$ 382.43
Ten Year Roadway System Improvements	20,273	45,770,457	2,258
Ten Year Growth's Share of the Cost of Anticipated Debt Financing *	20,273	14,363,086	708
<b>Total</b>		<b>\$ 67,886,632</b>	<b>\$ 3,348.62</b>

52 \* This is the cost of issuance plus interest payments multiplied by the "% to Ten Year Growth"

# APPENDIX F: RECOMMENDED IMPACT FEES

	A	B	C	D	E					
1	<b>Proposed Impact Fee by Land Use</b>									
2	<table border="1"> <thead> <tr> <th>Category</th> <th>Cost per Trip</th> <th>ITE PM Peak Hr Average Trips</th> <th>Unit of Measurement:</th> <th>Impact Fee per Unit:</th> </tr> </thead> </table>					Category	Cost per Trip	ITE PM Peak Hr Average Trips	Unit of Measurement:	Impact Fee per Unit:
Category	Cost per Trip	ITE PM Peak Hr Average Trips	Unit of Measurement:	Impact Fee per Unit:						
3										
4	<b>Residential Category</b>									
5	Single-Family Detached Housing	\$3,348.62	0.62	Dwelling Unit	\$ 2,076.68					
6	Multi-Family (Average ITE Categories 220, 230, 240)	\$3,348.62	0.35	Dwelling Unit	1,174.39					
7	<b>General Non-Residential Category</b>									
8	Hotel	\$3,348.62	0.32	Room	\$ 1,066.27					
9	School (Average of ITE Categories 520, 522, 530)	\$3,348.62	0.53	1000 Sq. Feet Gross Floor Area	1,763.38					
10	Non-Residential Category 1: Less than 1 Trip per 1,000 Square Feet <sup>1</sup>	\$3,348.62	0.50	1000 Sq. Feet Gross Floor Area	1,674.31					
11	Non-Residential Category 2: 1 to 2 Trips per 1,000 Square Feet <sup>2</sup>	\$3,348.62	1.50	1000 Sq. Feet Gross Floor Area	5,022.93					
12	Non-Residential Category 3: More than 2 Trips per 1,000 Square Feet <sup>3</sup>	\$3,348.62	3.50	1000 Sq. Feet Gross Floor Area	11,720.18					
13										
14	<sup>1</sup> Category 1 may include occupancies such as:	<sup>2</sup> Category 2 may include occupancies such as:	<sup>3</sup> Category 3 may include occupancies such as:							
15	Warehouse / Distribution Center	Day Care Center	Health/Fitness Club							
16	Storage Units	Medical-Dental Office Building	Building Materials and Lumber Store							
17	Industrial Park	Supermarket	Automated Car Wash							
18	General Office Building	Specialty Retail Center	Discount Supermarket/ Supercenter							
19	Church	Self Service Car Wash	Movie Theatre < 10 Screens							
20	Business Park		Library							
21	General Manufacturing *		Movie Theatre 10 or More Screens							
22	Hospital		Nursery (Garden Center)							
23	Hair / Nails / Massage / Beauty Salon / Day Spa		Restaurant, Sit-Down (Low Turnover, >1 hour stay)							
24	Shopping Center / Strip Mall		Bank / Financial Institution							
25	Automobile Car Sales		Restaurant, Sit-Down (High-Turnover)							
26	Auto Care Center		Gasoline/Service Station							
27	Tire Store		Restaurant with Drive-Through Window							
28	Source: ITE Trip Generation 9th Edition, American Fork Public Works Department		Convenience Store							
29	Note: Pass by trip adjustments are based on American Fork Public Works estimates and ITE sample data where available									
30										
31	<b>Non Standard Demand Adjustment</b>									
32	<table border="1"> <thead> <tr> <th>Conduct an Appropriate Study to Determine:</th> <th>Cost Per Trip</th> <th></th> <th></th> <th>Impact Fee</th> </tr> </thead> </table>					Conduct an Appropriate Study to Determine:	Cost Per Trip			Impact Fee
Conduct an Appropriate Study to Determine:	Cost Per Trip			Impact Fee						
33	<table border="1"> <tbody> <tr> <td>The number of Expected Primary Trip Ends Generated during the Peak PM Hour excluding diverted link and pass-by trips</td> <td>X</td> <td>\$3,348.62</td> <td>=</td> <td>Non Standard Adjustment Fee Per Unit</td> </tr> </tbody> </table>					The number of Expected Primary Trip Ends Generated during the Peak PM Hour excluding diverted link and pass-by trips	X	\$3,348.62	=	Non Standard Adjustment Fee Per Unit
The number of Expected Primary Trip Ends Generated during the Peak PM Hour excluding diverted link and pass-by trips	X	\$3,348.62	=	Non Standard Adjustment Fee Per Unit						
0	A	B	C	D	E					

# **Impact Fee Ordinance**

American Fork City, Utah

Ordinance No.

## **ORDINANCE ADOPTING AN IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSES AND IMPOSING IMPACT FEES FOR TRANSPORTATION AND STORM WATER; PROVIDING FOR THE CALCULATION AND COLLECTION OF SUCH FEES; PROVIDING FOR APPEAL, ACCOUNTING AND SEVERABILITY OF THE SAME, AND OTHER RELATED MATTERS**

**WHEREAS**, In April 2012, American Fork City, Utah (the “City”) posted notice and as to its intention to prepare impact fee facilities plans (“Impact Fee Facilities Plans”) and impact fee analyses (“Impact Fee Analyses”) for Transportation and Storm Water and invited all interested parties to participate in the impact fee preparation process, consistent with UCA Section 11-36a-501;

**WHEREAS**, American Fork City is a municipality in the State of Utah, authorized and organized under the provisions of Utah law and is authorized pursuant to the Impact Fees Act, Utah Code Ann. 11-36a-101 et seq. to adopt impact fees; and

**WHEREAS**, on November 26, 2014, the City posted notice of a public hearing in the local paper, the Herald Extra, Utah’s Public Notice Website and at the City’s administrative building and libraries to consider the assumptions and conclusions of the Impact Fee Facilities Plans and the Impact Fee Analyses;

**WHEREAS**, the American Fork City Council (the “Council”) met in regular session on December 9, 2014, to convene a public hearing and to consider adopting the Impact Fee Facilities Plans and Impact Fee Analyses, imposing updated Transportation and Storm Water impact fees, providing for the calculation and collection of such fees, and providing for an appeal process, accounting and reporting method and other related matters; and

**WHEREAS**, in August 2013 for Transportation and September 2013 for Storm Water, the Impact Fee Facilities Plan Consultant certified its work under UCA section 11-36a-306(1);

**WHEREAS**, on August 27, 2013 and considering the input of the public and stakeholders and relying on the professional advice and certification of the Impact Fee Facilities Plan Consultant, American Fork City adopted the findings, conclusions, and recommendations of the impact fee facilities plans prepared by Horrocks Engineers for Transportation and Bowen and Collins and Associates, Inc. for Storm Drain (“Consultant”), a copy of which is attached hereto; and

**WHEREAS**, on October 16, 2014 for Transportation and on September 24, 2014 for Storm Water, the Impact Fee Analysis Consultant certifies its work under UCA Section 11-36a-306(2);

**WHEREAS**, based on the input of the public and stakeholders and relying on the professional advice and certification of Consultant, a copy of which is attached; and

**WHEREAS**, on November 25, 2014, a copy of the Impact Fee Analyses and Impact Fee Facilities Plans and the proposed Impact Fee Ordinance, along with a summary of the analyses that was designated to be understood by a lay person, were made available to the public and deposited at the City public library, administrative office and on the public notice website; and

**WHEREAS**, on November 26, 2014, the Herald Extra published notice on the date, time and place of the first public hearing to consider the Impact Fee Ordinance; and

**WHEREAS**, on November 26, 2014, American Fork City posted notice of the date, time and place of the first public hearing to consider the Impact Fee Analysis in three public places and on the public notices website; and

**WHEREAS**, on December 9, 2014, the Council held a public hearing regarding the Impact Fee Analyses and the Impact Fee Ordinance; and

**WHEREAS**, after careful consideration and review of the comments at the public hearing, the Council has determined that it is in the best interest of the health, safety and welfare of the inhabitants of American Fork City to adopt the findings and recommendations of the Impact Fee Facilities Plans and Impact Fee Analyses to address the impacts of development upon the transportation and storm water utilities, to adopt the Impact Fee Facilities Plans as proposed, to approve the Impact Fee Analyses as proposed, to adopt Transportation and Storm Water impact fees, to provide for the calculation and collection of such fees, and to provide for an appeal process, and an accounting and reporting method of the same.

**NOW, THEREFORE, BE IT ORDAINED** by the American Fork City Council as follows:

**Section 1. Findings.** The Council finds and determines as follows:

1.1. All required notices have been given and made and public hearings conducted as requested by the Impact Fees Act with respect to the Impact Fee Facilities Plans, the Impact Fee Analyses, and this Impact Fee Ordinance (this “Ordinance”).

1.2. Growth and development activities in American Fork City will create additional demands on its infrastructure. The facility improvement requirements that are analyzed in the Impact Fee Facilities Plans and the Impact Fee Analyses are the direct result of the additional facility needs caused by future development activities. The persons responsible for growth and development activities should pay a proportionate share of the costs of the facilities needed to serve the growth and development activity.

1.3. Impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison with the benefits already received and yet to be received.

1.4. In enacting and approving the Impact Fee Analyses and this Ordinance, the Council has taken into consideration, and in certain situations will consider on a case-by-case basis in the future, the future capital facilities and needs of American Fork City, the capital financial needs of American Fork City that are the result of American Fork City's future facilities' needs, the distribution of the burden of costs to different properties within American Fork City based on the use of transportation and storm water of American Fork City by such properties, the financial contribution of those properties and other properties similarly situated in American Fork City at the time of computation of the required fee and prior to the enactment of this Ordinance, all revenue sources available to American Fork City, and the impact on future facilities that will be required by growth and new development activities in American Fork City.

1.5. The provisions of this Ordinance shall be liberally construed in order to carry out the purpose and intent of the Council in establishing the impact fee program.

## **Section 2. Definitions.**

2.1. Except as provided below, words and phrases that are defined in the Impact Fees Act shall have the same meaning in this Ordinance.

2.2. "Service Area" shall mean that geographic area designated within the City's boundaries as exhibited in the appendix of the Impact Fee Analyses.

2.3. "Project Improvement" does not mean system improvement and includes, but is not limited to, those projects identified in the plans for the benefit of growth.

2.4. "Utah State Impact Fees Act" shall mean Title 11, Chapter 36a, Utah Code Annotated or its successor state statute if that title and chapter is renumbered, recodified, or amended.

## **Section 3. Adoption.**

The Council hereby approves and adopts the Impact Fee Analyses attached and the analyses reflected therein. The Impact Fee Facilities Plans and the Impact Fee Analyses are incorporated herein by reference and adopted as though fully set forth herein.

## **Section 4. Impact Fee Calculations.**

4.1. *Impact Fees.* The impact fees imposed by this Ordinance shall have two components; a future facilities impact fee as well as a buy in fee for excess capacity in existing facilities. The Impact Fee shall be calculated as set forth below.

4.2. *Developer Credits/Developer Reimbursements.* A developer, including a school district or charter school, may be allowed a credit against or proportionate reimbursement of impact fees if the developer dedicates land for a system improvement, builds and dedicates some or all of a system improvement, or dedicates a public facility that American Fork City and the developer agree will reduce the need for a system

improvement. A credit against impact fees shall be granted for any dedication of land for, improvement to, or new construction of, any system improvements provided by the developer if the facilities are system improvements to the respective utilities, or are dedicated to the public and offset the need for an identified future improvement.

4.3. Adjustment of Fees. The Council may adjust either up (but not above the maximum allowable fee) or down the standard impact fees at the time the fee is charged in order to respond to an unusual circumstance in specific cases and to ensure that the fees are imposed fairly. The Council may adjust the amount of the fees to be imposed if the fee payer submits studies and data clearly showing that the payment of an adjusted impact fee is more consistent with the true impact being placed on the system.

4.4. Impact Fee Accounting. American Fork City shall establish a separate interest-bearing ledger account for the cash impact fees collected pursuant to this Ordinance. Interest earned on such account shall be allocated to that account.

(a) Reporting. At the end of each fiscal year, American Fork City shall prepare a report generally showing the source and amount of all monies collected, earned and received by the fund or account and of each expenditure from the fund or account. The report shall also identify impact fee fund by the year in which they were received, the project from which the funds were collected, the capital projects from which the funds were budgeted, and the projected schedule for expenditure and be provided to the State Auditor on the appropriate form found on the State Auditor's Website.

(b) Impact Fee Expenditures. Funds collected pursuant to the impact fees shall be deposited in such account and only be used by the City to construct and upgrade the respective facilities to adequately service development activity or used as otherwise approved by law.

4.5. Refunds. The City shall refund any impact fee paid when:

(a) the fee payer has not proceeded with the development activity and has filed a written request with the Council for a refund within one (1) year after the impact fee was paid;

(b) the fees have not been spent or encumbered within six (6) years of the payment date; and

(c) no impact has resulted.

## Section 5. Appeal.

5.1. Any person required to pay an impact fee who believes the fee does not meet the requirements of the law may file a written request for information with the City Council.

5.2. Within two (2) weeks of the receipt of the request for information the City shall provide the person or entity with a copy of the reports and with any other relevant information relating to the impact fee.

5.3. Any person or entity required to pay an impact fee imposed under this article, who believes the fee does not meet the requirements of law may request and be granted a full administrative appeal of that grievance. An appeal shall be made to the Council within thirty (30) calendar days of the date of the action complained of, or the date when the complaining person reasonably should have become aware of the action.

5.4 The notice of the administrative appeal to the Council shall be filed and shall contain the following information:

(a) the person's name, mailing address, and daytime telephone number;

(b) a copy of the written request for information and a brief summary of the grounds for appeal; and

(c) the relief sought.

5.5 The City shall schedule the appeal before the Council no sooner than five (5) days and no later than fifteen (15) days from the date of the filing of the appeal. The written decision of the Council shall be made no later than thirty (30) days after the date the challenge to the fee is filed with the City and shall, when necessary, be forwarded to the appropriate officials for action.

This Ordinance shall be effective **March 15, 2015**

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James H. Hadfield, Mayor

Attested By:

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Richard Colborn, City Recorder

## 5.0 IMPACT FEE FACILITIES PLAN

### 5.1 UTAH CODE LEGAL REQUIREMENTS

Utah law requires communities to prepare an Impact Fee Facilities Plan (IFFP) prior to preparing an impact fee analysis and establishing an impact fee. The code also outlines the requirements of an IFFP. An IFFP is required to identify the following:

- The demands placed on existing public facilities by new development;
- A proposed means by which the local political subdivision will meet those demands; and
- A general consideration of all potential revenue sources to finance the impacts on system improvements.

This analysis incorporates the information provided in previous chapters regarding the upcoming demands on the existing infrastructure facilities that will be needed to accommodate future growth and provide an acceptable LOS. This section focuses on the improvements that are projected to be needed over the next ten years; however, Utah law requires that any impact fees collected for those improvements be spent within six years of being collected. Only capital improvement are included in this plan; all other maintenance and operation cost are assumed to be covered through the City's General Fund as tax revenues increase as a result of additional development.

#### 5.1.1 NOTICE OF INTENT TO PREPARE AN IMPACT FEE FACILITIES PLAN

In accordance with Utah Code, a local political subdivision must provide written notice of its intent to prepare an IFFP before preparing the Plan. This notice must be posted on the Utah Public Notice website. The City of American Fork has complied with this noticing requirement of the IFFP by posting notice in 2012.

### 5.2 DEMANDS PLACED ON EXISTING FACILITIES BY NEW DEVELOPMENT

#### 5.2.1 TRANSPORTATION IMPROVEMENT PROGRAM

As American Fork grows, new developments will require an increased roadway capacity throughout the City's street network in order to provide an acceptable level of service. The City has developed a TIP that identifies specific projects needed to provide an acceptable LOS to the residents of American Fork. The total transportation capital improvements needed to maintain an acceptable LOS over the next 10 years (through 2023) would cost approximately **\$84,000,000** as shown in **Table 5-1**. Only roads classified as collectors and above are included in the ten year impact fee facilities plan. It is assumed that local roads will be paid for by developers, as these roads do not meet the regional demands of the entire City. **Figure 5-1** shows the recommended 2023 roadway network.

Figure 5-1 2023 Transportation Improvement Program

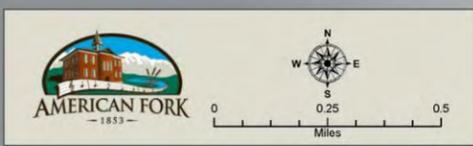
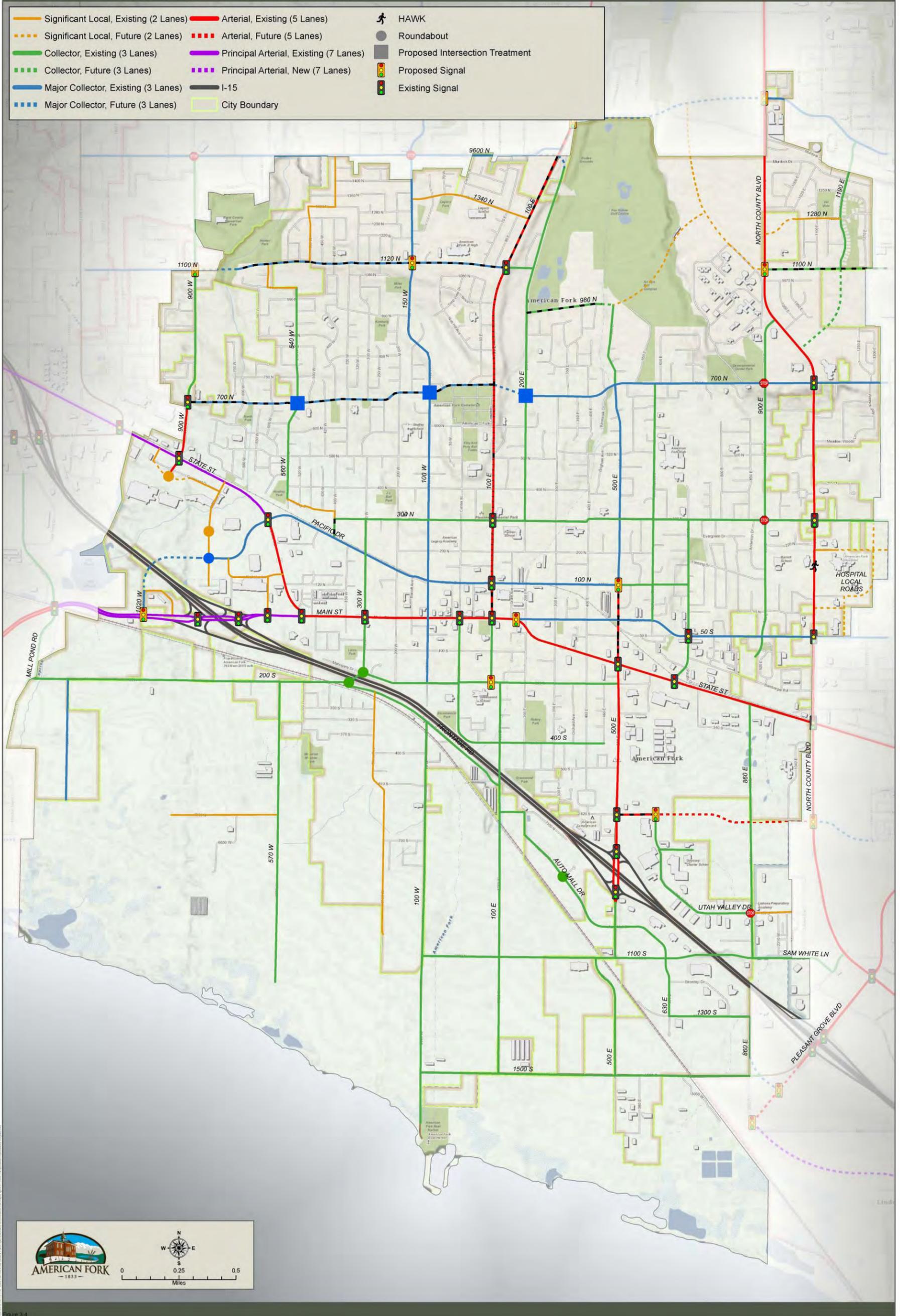


Figure 3-4



Table 5-1 2023 Transportation Improvement Program

American Fork City Transportation Improvement Program (TIP)						
Type of Improvement	Roadway or Location	From	To	Jurisdiction(s)	Total Project Costs <sup>1</sup>	Potential Funding Source <sup>2</sup>
Upgrades to Major Collector (2 to 3-Lanes)	1120 North	900 West	100 East	City	\$12,253,000	C, O
Intersection Improvement	900 West & Grassland Dr.	-	-	City	\$2,245,000	C, O
New Major Collector (3-Lanes)	700 North	100 East	200 East	City	\$2,172,000	C, O
Widen to Arterial (5-Lanes)	900 West	800 North	1120 North	City	\$3,359,000	C, O
Widen to Arterial (5-Lanes)	500 East	State St	Pacific Dr. (100 N)	City	\$3,092,000	F, S, C, O
Extension of Minor Collector (2 Lanes) with new Railroad Crossing	560 West	Pacific Dr.	Hindley Dr.	City	\$2,032,000	C, O
Intersection Improvement	700 North & 500 East	-	-	City	\$705,000	C, O
Upgrades to Major Collector (2 to 3-Lanes)	700 North	900 West	100 East	City	\$7,498,000	C, O
Widen to Minor Collector (2-Lanes)	1100 North	North County Blvd	East City-Limits	City	\$2,559,000	C, O
New Significant Local Road	1100 North (Extension)	North City-Limits (Murdock Connector)	North County Blvd	City	\$3,434,000	C, O



<b>American Fork City Transportation Improvement Program (TIP)</b>						
<b>Type of Improvement</b>	<b>Roadway or Location</b>	<b>From</b>	<b>To</b>	<b>Jurisdiction(s)</b>	<b>Total Project Costs<sup>1</sup></b>	<b>Potential Funding Source<sup>2</sup></b>
New Minor Collector (2-Lanes)	1190 East	North County Blvd	1100 North	City	\$3,758,000	C, O
New Significant Local Road	1280 North	North County Blvd	1030 East	City	\$1,828,000	C, O
Intersection Improvement	200 East & Main St/ State St	-	-	City/UDOT	\$705,000	F, S, C, O
New Arterial (5-Lanes)	620 South	600 East	East City-Limits	City	\$9,342,000	C, O
Widen to Arterial (5-Lanes)	620 South	500 East	600 East	City	\$1,249,000	C, O
New Significant Local Road	Art Dye Connector	500 East	1100 North (Extension)	City	\$4,815,000	C, O
New Significant Local Road	Hospital Significant Local Roads	Various	Various	City	\$7,802,000	C, O
New Major Collector (3-Lanes)	Pacific Dr.	Pioneer Crossing	Meadow Lane	City/UDOT	\$15,686,000	F, S, C, O
<b>Total for Improvements needed by 2023</b>					<b>\$84,534,000</b>	

<sup>1</sup>Cost represents existing (2012) construction, right of way, and engineering costs.

<sup>2</sup>Potential Funding Source: F-Federal, S-State, C-City, and O-Other

### 5.2.2 TRAVEL DEMAND FROM NEW DEVELOPMENT

In order to determine the portion of future traffic that can be attributed to new development, travel demand modeling methodology using the MAG travel demand model was utilized. This is considered industry best practice and uses the best available data.

Travel Demand is a dynamic function of many different inputs, including socioeconomic characteristics, land use planning and roadway functional type. The travel demand model generates trips in TAZ, based on these and other inputs and then distributes these trips to attraction TAZ via the roadway network. Average Daily Traffic volumes can then be extracted from the individual roadway links in the network to assess the operating conditions of the network.

The best measure of traffic growth in an area is daily vehicle miles travelled (VMT). The difference between existing VMT and future VMT is the traffic growth due to new development. Not all traffic on a

roadway either originates or terminates in American Fork; some traffic is simply passing through. This pass-by traffic must be removed from the future growth when impact fees are being calculated. Similarly, traffic on roadways not under American Fork jurisdiction, such as UDOT roads, should also be removed from the calculation, as American Fork is not responsible for the construction of these roads. The total VMT of on American Fork's roads and with origins or destinations in the City in 2013 is 152,593. The projected VMT in 2023 and 2030 is 246,593 and 341,959 respectively. This corresponds to an increase of 62% in 2023 and 124% in 2040.

### 5.3 PROPOSED MEANS TO MEET DEMANDS OF NEW DEVELOPMENT

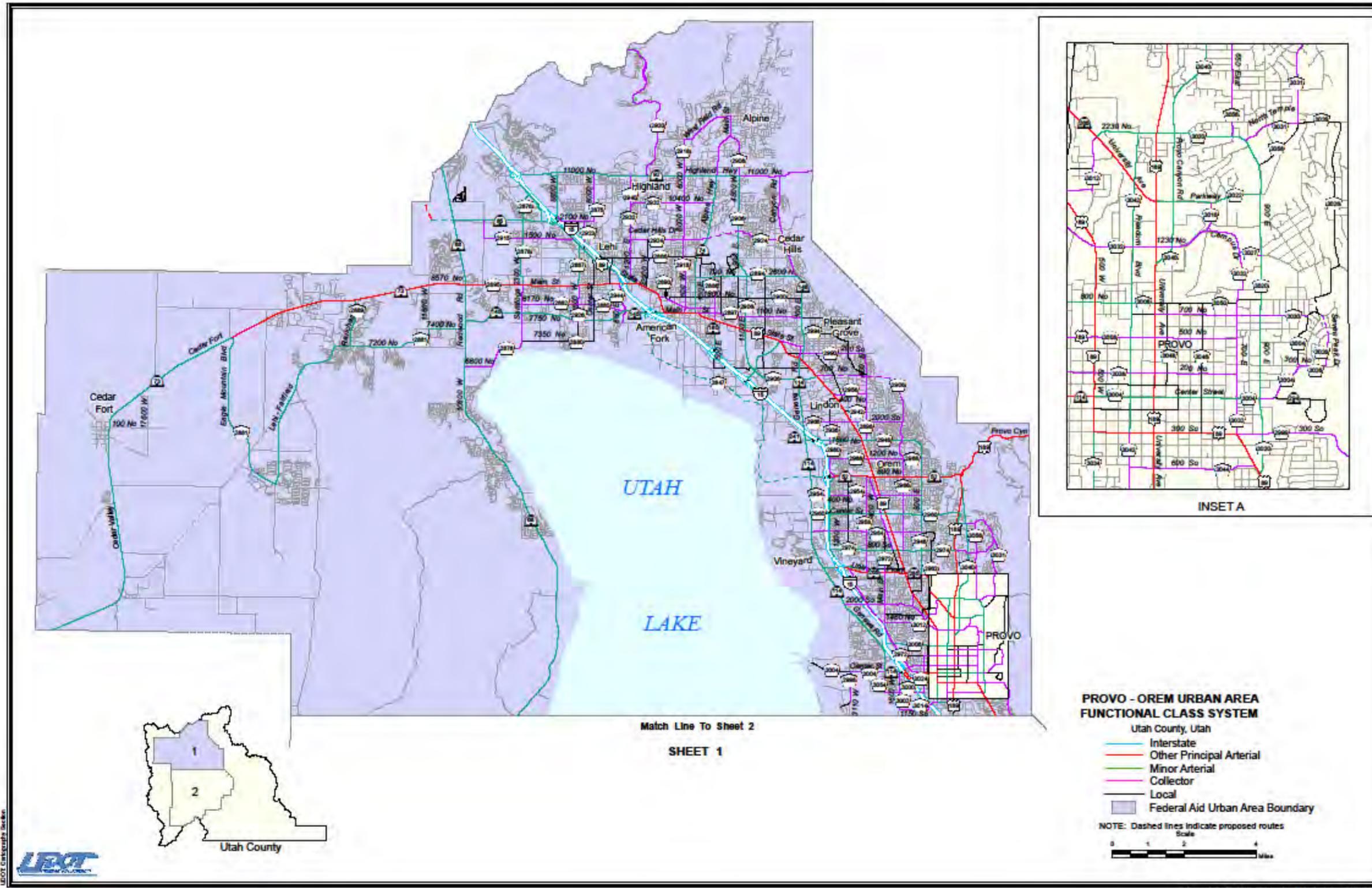
All possible revenue sources have been considered as a means of financing transportation capital improvements needed as a result of new growth. This section discusses the potential revenue sources that could be used to fund transportation needs as a result of new development. Funding sources for transportation are essential if American Fork City recommended improvements are to be built. The following paragraphs further describe the various transportation funding sources available to the City.

#### 5.3.1 FEDERAL FUNDING

Federal monies are available to cities and counties through the federal-aid program. UDOT administers the funds. In order to be eligible, a project must be listed on the five-year Statewide Transportation Improvement Program (STIP).

The Surface Transportation Program (STP) funds projects for any roadway with a functional classification of a collector street or higher as established on the Utah State Functional Classification Map (**Figure 5-2**). STP funds can be used for both rehabilitation and new construction. The Joint Highway Committee programs a portion of the STP funds for projects around the state in urban areas. Another portion of the STP funds can be used for projects in any area of the state at the discretion of the State Transportation Commission. Transportation Enhancement funds are allocated based on a competitive application process. The Transportation Enhancement Committee reviews the applications and then a portion of those are passed to the State Transportation Commission. Transportation enhancements include 12 categories ranging from historic preservation, bicycle and pedestrian facilities and water runoff mitigation. Other federal and state trails funds are available from the Utah State Parks and Recreation Program.

Figure 5-2 Utah State Functional Classification Map



Approved: 2005 Technical Revision: 10/3/2012

MAG accepts applications for federal funds through local and regional government jurisdictions. The MAG Technical Advisory and Regional Planning committees select projects for funding every two years. The selected projects form the Transportation Improvement Program (TIP). In order to receive funding, projects should include one or more of the following aspects:

- Congestion Relief – spot improvement projects intended to improve Levels of Service and/or reduce average delay along those corridors identified in the Regional Transportation Plan as high congestion areas.
- Mode Choice – projects improving the diversity and/or usefulness of travel modes other than single occupant vehicles.
- Air Quality Improvements – projects showing demonstrable air quality benefits.
- Safety – improvements to vehicular, pedestrian, and bicyclist safety.

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### 5.3.2 STATE FUNDING

The distribution of State Class B and C Program monies is established by State Legislation and is administered by the State Department of Transportation. Revenues for the program are derived from State fuel taxes, registration fees, driver license fees, inspection fees, and transportation permits. Seventy-five percent of these funds are kept by UDOT for their construction and maintenance programs. The rest is made available to counties and cities. As many of the roads in American Fork fall under UDOT jurisdiction, it is in the interests of the City that staff is aware of the procedures used by UDOT to allocate those funds and to be active in requesting the funds be made available for UDOT owned roadways in the City.

Class B and C funds are allocated to each city and county by a formula based on population, road mileage, and land area. Class B funds are given to counties, and Class C funds are given to cities and towns. Class B and C funds can be used for maintenance and construction projects; however, thirty percent of those funds must be used for construction or maintenance projects that exceed \$40,000. The remainder of these funds can be used for matching federal funds or to pay the principal, interest, premiums, and reserves for issued bonds.

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### 5.3.3 PARTNERING JURISDICTIONS

Transportation routes often span multiple jurisdictions and provide regional significance to the transportation network. As a result, other government jurisdictions often help pay for such regional benefits. Those jurisdictions could include the Federal Government, the State Government or the UDOT, or MAG. The City will need to continue to partner and work with these other jurisdictions to ensure the adequate funds are available for the specific improvements necessary to maintain an acceptable LOS. The City will also need to partner with adjacent communities to ensure corridor continuity across jurisdictional boundaries (i.e., arterials connect with arterials; collectors connect with collectors, etc.).

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### 5.3.4 LOCAL FUNDING

Most cities utilize general fund revenues for their transportation programs. Another option for transportation funding is the creation of special improvement districts. These districts are organized for the purpose of funding a single specific project that benefits an identifiable group of properties. Another source of funding used by cities includes revenue bonding for projects felt to benefit the entire community.

Private interests often provide resources for transportation improvements. Developers construct the local streets within subdivisions and often dedicate right-of-way and participate in the construction of collector/arterial streets adjacent to their developments. Developers can also be considered a possible source of funds for projects through the use of impact fees. These fees are assessed as a result of the impacts a particular development will have on the surrounding roadway system, such as the need for traffic signals or street widening.

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#### 5.3.4.1 GENERAL FUND REVENUES

General fund revenues are typically reserved for operation and maintenance purposes as they relate to transportation. However, general funds could be used if available to fund the expansion or introduction of specific services. American Fork City does not currently have a general fund budgeted line item for transportation improvements. It is recommended that a plan be put in place to address this and to develop an annual budget amount to fund transportation projects should other funding options fall short or the needed amount.

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#### 5.3.4.2 GENERAL OBLIGATION BONDS

General obligation bonds are debt paid for or backed by the City's taxing power. In general, facilities paid for through this revenue stream are in high demand amongst the community. Typically, general obligation bonds are not used to fund facilities that are needed as a result of new growth because existing residents would be paying for the impacts of new growth. As a result, general obligation bonds are not considered a fair means of financing future facilities needed as a result of new growth.

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#### 5.3.4.3 SPECIAL ASSESSMENT AREAS (SAA)

Certain areas might require different needs or methods of funding other than traditional revenue sources. An SAA can be created for infrastructure needs that benefit or encompass specific areas of the City. Creation of the SAA may be initiated by the municipality by a resolution declaring the public health, convenience, and necessity requiring the creation of a SAA. The boundaries and services provided by the district must be specified and a public hearing held prior to creation of the SAA. Once the SAA is created, funding can be obtained from tax levies, bonds, and fees when approved by the majority of the qualified electors of the SAA. These funding mechanisms allow the costs to be spread out over time. Through the SAA, tax levies and bonding can apply to specific areas in the City needing and benefiting from the improvements.

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#### 5.3.5 GRANTS

Grant monies are ideal for funding projects within the City since they do not need to be paid back and the City can greatly benefit from these funds. Grants are not easy to come by and therefore obtaining such funding is not likely for the City and should not be considered a viable revenue source.

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#### 5.3.6 IMPACT FEES

Impact fees are a way for a community to obtain funds to assist in the construction of infrastructure improvements resulting from and needed to serve new growth. The premise behind impact fees is that if no new development occurred, the existing infrastructure would be adequate. Therefore, new developments should pay for the portion of required improvements that result from new growth. Impact fees are assessed for many types of infrastructure and facilities that are provided by a

community, such as roadway facilities. According to state law, impact fees can only be used to fund growth related system improvements.

To help fund roadway improvements, impact fees should be established. These fees are collected from new developments in the City to help pay for improvements that are needed to the roadway system due to growth. At the culmination of the Transportation Master Planning process, a citywide IFFP will be developed according to state law to determine the appropriate impact fee values for the City.

#### 5.4 IFFP CERTIFICATION

Horrocks Engineers certifies that this IFFP:

1. Includes only the costs of public facilities that are:
  - a. Allowed under the Impact Fee 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 the methodology that is consistent with generally accepted cost accounting practices and the methodological standards set forth by the federal Office of Management and Budget for federal grant reimbursement; and
3. Complies in each and every relevant respect with the Impact Fees Act.



# *IMPACT FEE*

## *Analysis*

STORM WATER

AMERICAN FORK CITY

**DRAFT**

ZIONS BANK PUBLIC FINANCE  
SEPTEMBER 24, 2014



# ***IMPACT FEE ANALYSIS***

STORM WATER

AMERICAN FORK

**DRAFT**

CONSULTANTS:

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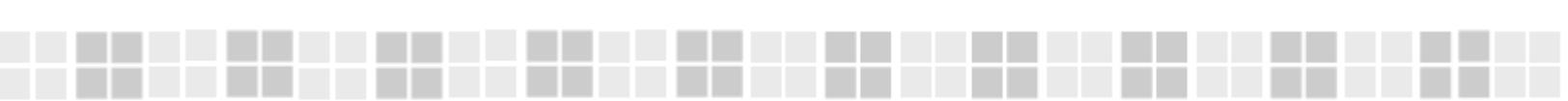


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## EXECUTIVE SUMMARY

Zions Bank Public Finance (Zions) is pleased to provide American Fork (the City) with a storm drain impact fee analysis. The following pages summarize the document and tables included. The intent is to provide a concise discussion of the calculation and identification of the maximum legal impact fee.

### Growth and Developed Acres

Currently the City has a total of 5,841 equivalent residential connections<sup>1</sup>. The following table identifies the current and future acres to be developed in a single City-Wide Service Area. The analysis considers growth over the next ten years. Between now and 2023, the developed acres will increase by 879 to reach 6,738. The full growth table can be found in Appendix 1 of the document.

Figure ES1: Developed Acres

Storm Water		
	Current	Buildout
Current Developed Area <sup>1</sup>	5,841	8,782

<sup>1</sup> Bowen Collins & Associates 2013 IFFP

### Level of Service Definitions

Bowen Collins & Associates Engineers defined the City’s level of service in the Capital Facilities Plan and the Storm Drain Technical Memo. The plans state the following:

The requirements for the storm drain system are as follows:

- Storm Drain Pipelines** – Storm drain pipelines are not allowed to surcharge to within two feet from the ground surface during the 4 percent annual chance (25-year) design Storm drain pipes (other than laterals) are also not to be smaller than 18 inches in diameter. Storm drain laterals may be 15-inches. To qualify as a lateral, a storm drain pipe must be connected to inlet box, be generally perpendicular to the overall direction of storm drain flow, and be less than 100 feet.
- Open Channels** – In general, large open channels (such as Mitchell’s Hollow, the Meadow’s Wetland, Spring Creek, or the American Fork River) should have at least two feet of freeboard during the 100-year storm event. Open channels should also have protective lining. If velocities are less than 4 ft per second (ft/s), the channel may be grass lined.
- Detention/Retention Basins** – Detention/retention facilities need to have capacity for the 100-year storm, with at least one foot of freeboard, and have an emergency overflow that directs water away from private property. Retention is only allowed in areas outside the City’s designated sensitive lands area.
- ESU:** The City reports that a typical ESU (equivalent surface unit) of land is 3,400 square feet of impervious surface area<sup>2</sup>.

<sup>2</sup> Resolution No. 97-03-07 R

## PROPORTIONATE SHARE ANALYSIS

The Impact Fees Act requires that the impact fee analysis estimate the proportionate share of the costs for existing capacity that will be recouped and the costs of impacts on system improvements that are reasonably related to the new development activity.

Part of the proportionate share analysis is a consideration of the manner of funding existing public facilities. A City typically funds existing infrastructure through several different funding sources including:

- General Fund Revenues
- User Fees
- Grants
- Bond Proceeds
- Developer Exactions
- Impact Fees

Historically the City has funded its existing storm drain infrastructure through User Fees (rate revenues) and developer exactions and donations. All of these funding sources (with exception of developer contributions/donations) are impact fee qualifying expenses to be considered for buy-in purposes.

In consideration of future capital improvements, the City will continue using similar funding sources, plus impact fee funding as well; no grants are being considered or are available at this time. Using impact fees places a burden on future users that is equal to the burden that was borne in the past by existing users.<sup>3</sup>

### Existing Infrastructure and Capacity to Serve New Growth (Buy-In Component)

The City Engineer provided documentation and capacity to serve growth for several recent projects in American Fork. The historic cost paid by the City is all that has been considered in the buy in component of the analysis.

### Future Capital Improvements

Bowen Collins & Associates provided a list of capital projects to be constructed in the next six to ten years. The engineers defined the percent of the project that will benefit growth through the next six to ten years. The 2013 fiscal year total of capital improvements is \$31,568,998. Zions Bank Public Finance has added a 2.43%<sup>4</sup> inflation factor to the projects to be constructed North of I-15. These projects are more predictable as development has occurred more in this area. The City did not wish to add an inflationary component to the projects to be constructed South of I-15 due to questions on where exactly development will occur. In order to remain consistent and fair with the other studies the City has completed, it is anticipated that an inflationary component will be considered in an update to this analysis as the City gains addition information. Therefore the amount calculated to equals \$ \$31,568,998. 19% of the future value will be included into the impact fee, or \$ \$6,238,890.

### Outstanding and Future Debt

There is no outstanding storm drain related debt in American Fork. It is currently not anticipated that the City will bond for this utility in the next six to ten years.

## CALCULATED FEE

The impact fees have been calculated with all the above considerations for the City-Wide Service Area. The fee is calculated per square foot. The fee will be multiplied by impervious square feet of the lot at time of building permit.

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<sup>3</sup> Utah Impact Fees Act, 11-36a-304(2) (c) (d)

<sup>4</sup> Based on 10 years average cost of inflation using the Bureau of Labor Statistics.

# American Fork: Storm Drain Impact Fee Analysis

Figure ES2: Maximum Legal Fee per Square Foot

	Cost	% Impact Fee Qualifying	Impact Fee Qualifying Cost	ERUs to be Served	Cost per Acre
Storm Drain Impact Fee					
IFFP Projects	33,129,606	19%	6,238,890	897	6,955
Buy In - Existing Assets	1,121,003	51%	573,700	897	640
Subtotal	34,250,609	20%	6,812,590		7,595
Total Impact Fee Per Acre (43,560 Sq Feet)					\$ 7,595
Fee per Impervious Square Foot					\$ 0.17

## CHAPTER 1: IMPACT FEE OVERVIEW

### PROJECT OVERVIEW

Zions Bank Public Finance (Zions) is pleased to provide American Fork (the City) with a storm drain impact fee analysis. American Fork realizes that its facility planning is needed as well as a new impact fee assessment for the utility to create a fair means of funding a much needed system. The City is still growing rapidly and has many capital needs. The analysis is an intensive collaborative effort that meets the needs of City Stakeholders and the City. The information used to create this fee analysis was provided by City staff, Zions Bank Public Finance and Bowen Collins & Associates.

The goal of the impact fee analysis is to calculate the maximum impact fee that may be assessed to new development and ensure the fee meets the requirements of the Impact Fees Act, Utah Code 11-36a-101 *et seq.* The sections and subsections of the impact fee analysis will directly address the following items, required by the code:

- Impact Fee Analysis Requirements (Utah Code 11-36a-304)
  - Identify Existing Capacity to serve growth
    - Proportionate Share Analysis
  - Identify the level of service
  - Identify the impact of future development on existing and future improvements
- Calculated Fee (Utah Code 11-36a-305)
- Certification (Utah Code 11-36a-306)

### WHAT IS AN IMPACT FEE?

An impact fee is a one-time fee, not a tax, charged to new development to recover the City's cost of constructing storm drain facilities with capacity to serve new growth. The fee is assessed at the time of building permit issuance as a condition of development approval. The calculation of the impact fee must strictly follow the Impact Fees Act to ensure that the fee is equitable and fair.

This analysis shows that there is a fair comparison between the impact fee charged to new development and the impact the new development will have upon the system in terms of taking available capacity. Impact fees are charged to development according to a number of fixture units, which is a realistic measure of the potential storm drain demands that each user will add to the system.

### HOW WILL NEW GROWTH AFFECT THE CITY?

According to the current master plan, the City's developed acres total 5,841 and the plan estimates that over the next six to ten years the City will add approximately 879 acres of developed land. When the Service Area is built out, it is anticipated that there will be 8,782 developed acres. There is a large amount of vacant land left within the City's current boundaries as well as in areas around the south side of the City.

This new growth and increased flows will generally increase storm drain demands as the density and increased development occurs, and extending pipe networks and other facilities as development stretches farther away. In the case of the City the capacity needed for new growth is found in both existing facilities that the City has built ahead of the growth and in the future capital projects that will be constructed in the next six to ten years. The recommended impact fee will balance the cost of capacity the future projects will provide existing residents and the percent of the new projects that are needed to serve the additional anticipated growth.

Population growth is important in the Capital Facilities and Impact Fee Facilities Planning as population, in addition to non-residential demands, drive project needs and timing. However, this storm drain impact fee analysis is not population dependent as the system is sized for commercial, industrial, institutional, churches, schools, etc. The primary measurement of capacity and demand in a storm drain system is an acre of developed land according to the Impact Fee

## American Fork: Storm Drain Impact Fee Analysis

Facilities Plan. The fee is based on future projects and is not directly dependent upon population, as non-residential demands have an impact upon the storm drain system, or upon the growth rate.

Figure 1: Projected Growth in Developed Acres

Developed Area Projections					
Year	Developed Area	Year	Developed Area	Year	Developed Area
2012	-	2022	6,631	2032	7,682
2013	5,841	2023	6,738	2033	7,726
2014	5,915	2024	6,845	2034	7,770
2015	5,989	2025	6,952	2035	8,342
2016	6,075	2026	7,187	2036	8,386
2017	6,161	2027	7,423	2037	8,430
2018	6,246	2028	7,658	2038	8,474
2019	6,332	2029	7,894	2039	8,518
2020	6,417	2030	7,594	2040	8,782
2021	6,524	2031	7,638		

### WHY ARE IMPACT FEES NECESSARY?

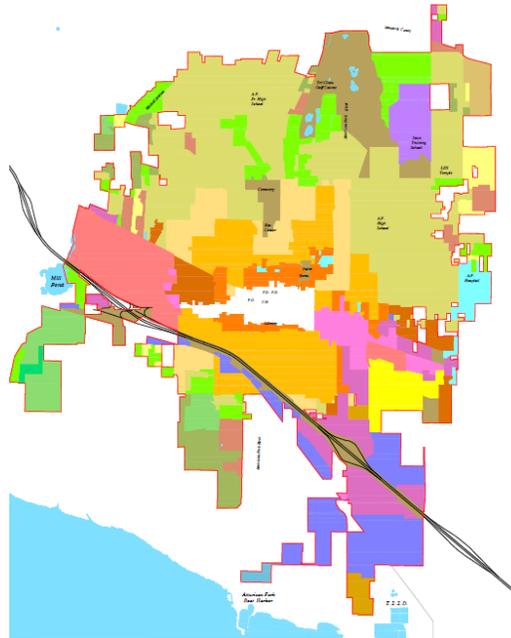
Impact fees are necessary to allocate the costs of unused storm drain system capacity (when applicable) that is reserved for new growth to the developments that will benefit from it. Impact fees help to shield existing users from shouldering the burden of paying not only for the capacity that they use but also from funding the cost of capacity needed for new development to occur.

### WHERE WILL THE IMPACT FEES BE ASSESSED?

The impact fees will be assessed within the City's Storm drain Service Area, which includes the current City boundaries and future annexation areas to which the City will provide storm drain service. A detailed map of the Service Area included in the attached appendix shows the Service Area served by the City. In short, if a developer is requesting a building permit and will be served by the City's storm drain system then that property is included in the Service Area.

# American Fork: Storm Drain Impact Fee Analysis

Figure 2: Service Area Map



## WHAT COSTS ARE INCLUDED IN THE IMPACT FEE?

Impact fee revenues may not be spent on capital projects or associated costs, such as financing interest expense that constitute repair and replacement, cure any existing deficiencies, or maintain the existing level of service for current users. Impact fees cannot fund operational expenses. The proposed impact fees will be assessed throughout the entire Impact Fee Service Area.

The impact fees proposed in this analysis are calculated based upon:

- Costs of replacement facilities that are needed to perpetuate unused capacity in the system that growth will require;
- New capital infrastructure that provides new capacity for growth; and
- Buy in cost to existing infrastructure, at historic cost, with capacity to serve new development; and
- Cost of professional services for engineering, planning services and preparation of the impact fee facilities plan and impact fee analysis.

## WHAT COSTS ARE NOT INCLUDED IN THE IMPACT FEE?

The costs, both direct capital and financing, that cannot be included in the impact fee are as follows:

- Projects that cure deficiencies for existing users;
- Projects that increase the level of service above that which is currently provided;
- Operations and maintenance costs;
- Costs of facilities funded by grants or other funds that the City does not have to repay; and
- Costs of reconstruction of facilities that do not have capacity to serve new growth.

## HOW ARE IMPACT FEES CALCULATED?

To calculate a fair impact fee we determine a growth related cost of existing and future facilities and divide that by the number of new units that will benefit from the unused capacity. A cost per unit is calculated by dividing impact fee qualifying cost by the amount of capacity to derive the cost per capacity unit. This cost per unit of capacity is then multiplied by the amount of demand that a typical residential home or non-residential user would utilize. In this case the fee is calculated per square foot.

## American Fork: Storm Drain Impact Fee Analysis

The general impact fee methodology splits the capacity in existing facilities (there are none considered in this analysis) and future capital projects between that which already benefits existing users and capacity that is available to benefit new growth. A cost is assigned to the capacity that is available for new growth based upon the historic cost of storm drain facilities and the future costs of storm drain infrastructure. A final fee per residential or non-residential land use is calculated by multiplying the cost per impervious square foot of lot size that each new unit of development.

### WHAT IS THE CURRENT LEVEL OF SERVICE?

Bowen Collins & Associates defined the City's level of service in the Capital Facilities Plan. The plan states the following:

The requirements for the storm drain system are as follows:

- **Storm Drain Pipelines** – Storm drain pipelines are not allowed to surcharge to within two feet from the ground surface during the 4 percent annual chance (25-year) design Storm drain pipes (other than laterals) are also not to be smaller than 18 inches in diameter. Storm drain laterals may be 15-inches. To qualify as a lateral, a storm drain pipe must be connected to inlet box, be generally perpendicular to the overall direction of storm drain flow, and be less than 100 feet.
- **Open Channels** – In general, large open channels (such as Mitchell's Hollow, the Meadow's Wetland, Spring Creek, or the American Fork River) should have at least two feet of freeboard during the 100-year storm event. Open channels should also have protective lining. If velocities are less than 4 ft per second (ft/s), the channel may be grass lined.
- **Detention/Retention Basins** – Detention/retention facilities need to have capacity for the 100-year storm, with at least one foot of freeboard, and have an emergency overflow that directs water away from private property. Retention is only allowed in areas outside the City's designated sensitive lands area.
- The City reports that a typical ESU (equivalent surface unit) of land is 3,400 square feet of impervious surface area<sup>5</sup>.

### HOW ARE SCHOOLS CONSIDERED IN THIS ANALYSIS?

The Impact Fees Act exempts schools from paying a parks and recreation impact fee but with proper documentation of the impact that a school could place on the storm drain system, the City can assess an impact fee for schools. The storm drain impact fee analysis quantifies the cost per acre (converted to square feet) and also defines the number of acres that can be served by each size of storm drain pipe that a school could install. The impact that a school will have upon the system is clearly defined by the size and number of storm drainpipes that will be installed.

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<sup>5</sup> Resolution No. 97-03-07 R

WHAT ARE THE RECOMMENDED CITY STORM DRAIN IMPACT FEES?

Figure 3: Maximum Legal Storm Drain Impact Fee

	Cost	% Impact Fee Qualifying	Impact Fee Qualifying Cost	ERUs to be Served	Cost per Acre
Storm Drain Impact Fee					
IFFP Projects	33,129,606	19%	6,238,890	897	6,955
Buy In - Existing Assets	1,121,003	51%	573,700	897	640
Subtotal	34,250,609	20%	6,812,590		7,595
Total Impact Fee Per Acre (43,560 Sq Feet)					\$ 7,595
Fee per Impervious Square Foot					\$ 0.17

The American Fork City Council has the discretion to set the actual impact fees to be assessed, but they may not exceed the maximum allowable fee calculated. The City may, on a case by case basis, work directly with a developer to adjust the standard impact fee to respond to unusual circumstances and ensure that impact fees are imposed fairly. This adjusted impact fee calculation will be based on the cost per impervious square foot defined above.

## CHAPTER 2: FUTURE CAPITAL PROJECTS AND LEVEL OF SERVICE

### IMPACT FEE ANALYSIS REQUIREMENTS

#### Growth and Land Development Projections

According to the Impact Fee Facilities Plan and the growth projections completed by ZBPF, the 2010 population was 26,263<sup>6</sup>. Population is important in the Capital Facilities and Impact Fee Facilities planning as population, and other factors, drive project need and timing. However, this impact fee analysis is not population dependent. The driving force is the land use and developed acres. The Impact Fee Facilities Plan defines currently the City has 5,841 developed acres<sup>7</sup>. In the next six to ten years it is anticipated that the City will grow to 6,738 developed acres (an increase of 879 acres). The increase in acres is displayed below.

Figure 4: Developed Acres

Developed Area Projections					
Year	Developed Area	Year	Developed Area	Year	Developed Area
2012	-	2022	6,631	2032	7,682
2013	5,841	2023	6,738	2033	7,726
2014	5,915	2024	6,845	2034	7,770
2015	5,989	2025	6,952	2035	8,342
2016	6,075	2026	7,187	2036	8,386
2017	6,161	2027	7,423	2037	8,430
2018	6,246	2028	7,658	2038	8,474
2019	6,332	2029	7,894	2039	8,518
2020	6,417	2030	7,594	2040	8,782
2021	6,524	2031	7,638		

There will be significant growth expected within the City's boundaries and increased demand on the City's collection facilities which will require new projects to meet further demand. The area is growing at a very rapid pace. The growth projections in developed acres are found in the appendix of this document.

<sup>6</sup> 2010 Census Data

<sup>7</sup> Bowen Collins & Associates American Fork Impact Fee Facilities Plan

### Existing Infrastructure and Capacity to Serve New Growth (Buy-In Component)

The systems funding sources and historic costs are not extensively documented and the consulting engineers report there is limited capacity in the existing facilities. However the City Engineer was able to provide the historic cost for several recent projects that have capacity to serve new growth. The historic cost has been apportioned between existing and future users and included into the impact fee calculation. This is detailed in Appendix 3 of this document.

### Impact Fee Facilities Plan – Future Capital Projects

The Impact Fee Facilities Plan developed the following capital projects, helped determine the timing and identified what was growth related, and of that amount, how much of the total capacity will be realized in the next ten years (percentage Impact Fee Qualifying & Impact Fee Qualifying Cost).

Figure 5: Capital Projects

Project Name	Year to be Constructed	FY 2013 Cost	Construction Cost	% to Growth	Impact Fee Qualifying Cost	Non Growth Related	Acres
North of I-15							
1. 568 Feet of 27 Inch Pipe (Average)	2014	129,624	129,624	3%	4,148	125,476	
2. 2,222 Feet of 32 Inch Pipe (Average)	2015	1,981,666	2,029,880	6%	111,643	1,918,237	
3. 4,406 Feet of 42 Inch Pipe (Average)	2015	1,475,873	1,511,781	6%	83,148	1,428,633	
4. 1,135 Feet of 18 Inch Pipe (Average)	2016	221,206	232,101	6%	12,766	219,335	
5A. 5,634 Feet of 35 Inch Pipe (Average)	2017	2,777,291	2,984,978	6%	164,174	2,820,804	
6. 1,615 Feet of 30 Inch Pipe (Average)	2018	390,328	429,724	6%	23,635	406,089	
7. 7,596 Feet of 22 Inch Pipe (Average)	2018	1,630,236	1,794,775	6%	98,713	1,696,063	
8. 1,600 Feet of 18 Inch Pipe (Average)	2019	311,790	351,610	6%	19,339	332,272	
9. 3,054 Feet of 18 Inch Pipe (Average)	2020	595,067	687,393	6%	37,807	649,587	
10. 2,303 Feet of 24 Inch Pipe (Average)	2021	487,084	576,346	6%	31,699	544,647	
11. 2,819 Feet of 40 Inch Pipe (Average)	2021	912,162	1,079,322	6%	59,363	1,019,960	
12. 3,976 Feet of 18 Inch Pipe (Average)	2022	774,794	939,086	6%	51,650	887,436	
13. 2,897 Feet of 46 Inch Pipe (Average)	2022	1,050,205	1,272,897	6%	70,009	1,202,888	
14. 3,118 Feet of 24 Inch Pipe (Average)	2023	659,383	818,647	6%	45,026	773,622	
15. 2,435 Feet of 20 Inch Pipe (Average)	2023	493,317	612,470	6%	33,686	578,785	
South of I-15							
101. 2,440 Feet of 30 Inch Pipe (Average)		589,671	589,671	31%	179,850	409,821	
102. 4,187 Feet of 42 Inch Pipe (Average)		1,366,526	1,366,526	31%	416,790	949,736	
103. 4,583 Feet of 36 Inch Pipe (Average)		1,276,479	1,276,479	31%	389,326	887,153	
104. 2,236 Feet of 30 Inch Pipe (Average)		540,408	540,408	31%	164,824	375,584	
105. 2,014 Feet of 46 Inch Pipe (Average)		735,488	735,488	31%	224,324	511,164	
106. 8,719 Feet of 35 Inch Pipe (Average)		2,504,926	2,504,926	31%	764,002	1,740,924	
108. 5,720 Feet of 27 Inch Pipe (Average)		1,305,992	1,305,992	31%	398,328	907,664	
109. 1,370 Feet of 30 Inch Pipe (Average)		331,059	331,059	31%	100,973	230,086	
110. 1,473 Feet of 38 Inch Pipe (Average)		437,344	437,344	31%	133,390	303,954	
113. 4,168 Feet of 40 Inch Pipe (Average)		1,332,238	1,332,238	31%	406,333	925,905	
115. 3,490 Feet of 30 Inch Pipe (Average)		843,251	843,251	31%	257,192	586,059	
116. 4,032 Feet of 54 Inch Pipe (Average)		1,732,862	1,732,862	31%	528,523	1,204,339	
117. 1,867 Feet of 42 Inch Pipe (Average)		614,232	614,232	31%	187,341	426,891	
118. 4,863 Feet of 36 Inch Pipe (Average)		1,354,464	1,354,464	31%	413,112	941,352	
119. 6,947 Feet of 29 Inch Pipe (Average)		1,665,730	1,665,730	31%	508,048	1,157,682	
120. 1,614 Feet of 24 Inch Pipe (Average)		341,403	341,403	31%	104,128	237,275	
121. 971 Feet of 42 Inch Pipe (Average)		270,335	270,335	31%	82,452	187,883	
122. 1,327 Feet of 42 Inch Pipe (Average)		436,564	436,564	31%	133,152	303,412	
<b>Six to Ten Year Total</b>		<b>\$ 31,568,998</b>	<b>\$ 33,129,606</b>	<b>19%</b>	<b>\$ 6,238,890</b>	<b>\$ 26,890,716</b>	<b>897</b>

## CHAPTER 3: PROPORTIONATE SHARE ANALYSIS

The Impact Fees Act requires that the impact fee analysis estimate the proportionate share of the costs for existing capacity that will be recouped; and the costs of impacts on system improvements that are reasonably related to the new development activity.

American Fork continues to grow and there is still expansion in the area. The capital improvement plan clearly defines what projects are growth related, repair and replacement, or pipe upsizing (the upsizing may include some element of growth). The projects are detailed later in the Future Capital Projects section.

Part of the proportionate share analysis is a consideration of the manner of funding existing public facilities. Historically the City has funded existing infrastructure through several different funding sources including:

- General Fund Revenues
- User Rates
- Grants
- Bond Proceeds
- Developer Exactions
- Impact Fees

In calculating the buy-in (for existing infrastructure capacity) component of this analysis no grant funded infrastructure has been included. Once the grant funded projects have been removed, all remaining infrastructure has been funded by existing residents. In order to ensure fairness to existing users, impact fees are an appropriate means of funding future capital infrastructure. Using impact fees places a burden on future users that is equal to the burden that was borne in the past by existing users. (Utah Impact Fees Act, 11-36a-304(2)(c)(d))

Just as existing infrastructure has been funded through different means; it is required by the Impact Fees Act to evaluate all means of funding future capital. There are positives and negative aspects to the various forms of funding. It is important to evaluate each.

### *General Fund/User Rates*

The general fund and user rates have both been funded in one form or another by existing users. It would be an additional burden to existing users to use this revenue source to fund future capital to meet the needs of future users. This is not an equitable policy and can place too much stress on the tight budgets of the general fund and other user rate funds. The storm drain rates in American Fork are dedicated to payments on the public works building, operation and maintenance, repair and replacement and ensuring a stable reserve for maintaining a good credit rating. If rate revenues are required to supplement the capital required by growth, the City will reimburse the user rate fund with impact fees as they are collected and act as a loan to the impact fee fund to be repaid.

### *Property Taxes*

It is true that property taxes may be a stable source of income. However, property taxes are not based on impact placed upon a system. Property taxes are based upon property valuation. Using property taxes to fund future capital again places too much burden on existing users and subsidizes growth. The financial audits for the City do not show a line item for property taxes as a revenue stream for storm drain, thus any property taxes collected on the property being developed is not being used to fund infrastructure or operation and maintenance of the storm drain system.

### *Impact Fees*

Impact fees are a fair and equitable means of providing infrastructure for future development. They provide a rational nexus between the costs borne in the past and the costs required in the future. The Impact Fees Act ensures that future

## American Fork: Storm Drain Impact Fee Analysis

development is not paying any more than what future growth will demand. Existing users and future users receive equal treatment; therefore, impact fees are the optimal funding mechanism for future growth related capital needs.

### *Developer Credits*

If a project included in the Impact Fee Facilities Plan (or a project that will offset the demand for a system improvement that is listed in the IFFP) is constructed by a developer that developer is entitled to a credit against impact fees owed. (Utah Impact Fees Act, 11-36a-304(2)(f))

### *Time-Price Differential*

Utah Code 11-36a-301(2)(h) allows for the inclusion of a time-price differential in order to create fairness for amounts paid at different times. To address the time-price differential, this analysis includes an inflationary component to account for construction inflation for future projects. Projects constructed after the year 2013 will be calculated at a future value with a 2.43% inflation rate. All users who pay an impact fee today or within the next six to ten years will benefit from projects to be constructed and included in the fee.

### *Other*

In this particular analysis, there is also a credit for unspent impact fee revenues collected in the past. The current impact fee fund balance for storm drain was credited against the fee.

## CALCULATED FEE

The impact fees have been calculated with all the above considerations for the City-wide Service Area. The fee is calculated per square foot. The fees per square foot can be found in Figure 6. These tables can also be found in Appendix 4.

Figure 6: Fee per Impervious Square Foot

	Cost	% Impact Fee Qualifying	Impact Fee Qualifying Cost	ERUs to be Served	Cost per Acre
<b>Storm Drain Impact Fee</b>					
IFFP Projects	33,129,606	19%	6,238,890	897	6,955
Buy In - Existing Assets	1,121,003	51%	573,700	897	640
Subtotal	34,250,609	20%	6,812,590		7,595
Total Impact Fee Per Acre (43,560 Sq Feet)					\$ 7,595
<b>Fee per Impervious Square Foot</b>					<b>\$ 0.17</b>

The City will assess the impact fee on a per Impervious Square Foot basis for all land uses.

## CHAPTER 4: CERTIFICATION AND APPENDICES

In accordance with Utah Code Annotated, 11-36a-306(2), Zions Bank Public Finance, makes the following certification:

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

1. includes only the cost of public facilities that are:
  - a. allowed under the Impact Fees Act; and
  - b. actually incurred; or
  - c. projected to be incurred or encumbered within six years after the day on which each impact fee is paid;
2. does not include:
  - a. costs of operation and maintenance of public facilities;
  - b. cost of qualifying public facilities that will raise the level of service for the facilities, through impact fees, above the level of service that is supported by existing residents;
  - 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. offset costs with grants or other alternate sources of payment; and
4. complies in each and every relevant respect with the Impact Fees Act.

Zions Bank Public Finance makes this certification with the following caveats:

1. All of the recommendations for implementations of the Impact Fee Facilities Plans (“IFFPs”) made in the IFFP documents or in the impact fee analysis documents are followed in their entirety by American Fork staff and elected officials.
2. If all or a portion of the IFFPs or impact fee analyses are modified or amended, this certification is no longer valid.
3. All information provided to Zions Bank Public Finance, its contractors or suppliers is assumed to be correct, complete and accurate. This includes information provided by American Fork and outside sources. Copies of letters requesting data are included as appendices to the IFFPs and the impact fee analysis.

Dated: September 24, 2014

ZIONS BANK PUBLIC FINANCE

## APPENDICES

### NOTICE OF INTENT TO PREPARE OR AMEND A WRITTEN ANALYSIS OF PROPOSED IMPACT FEES AMERICAN FORK CITY

Notice is hereby given that American Fork City intends to prepare and/or amend a written analysis of proposed impact fees or to contract for the preparation or amendment of a written analysis of proposed impact fees related to the implementation or amendment of impact fees. The impact fees to be considered will be charged to new development and used to offset the cost of capital facilities to serve new development. These new capital facilities may include water, sewer, parks, storm drainage improvements, roadways, fire, police and other infrastructure.

Those receiving this notice are invited to provide information to be considered in amending or adopting a written analysis of proposed impact fees or contracting for the preparation of a written analysis of proposed impact fees and to participate in the preparation or amendment to a written analysis of proposed impact fees.

For more information about the written analysis of proposed impact fees and the process of its preparation, or to provide information to be considered, please contact the project coordinator:

Cathy Jensen  
Finance Officer  
51 East Main Street  
American Fork, UT 84003  
cathy@afcity.net

Any information provided for consideration as the written analysis of proposed impact fees is prepared and considered should be provided in writing or via email using the contact information above.

Dated this 25 day of April 2012.

Cathy Jensen, Finance Officer

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Appendix 1:  
CURRENT AND FUTURE ACRES

	A	B	C
1	<b>Storm Water</b>		
2		Current	Buildout
3	Current Developed Area1	5,841	8,782
4			

<sup>1</sup> Bowen Collins & Associates 2013 IFFP

	<b>Area Added Per Year</b>	
8	2013	-
9	2014	74
10	2015	74
11	2016	86
12	2017	86
13	2018	85
14	2019	86
15	2020	85
16	2021	107
17	2022	107
18	2023	107
19	Total	897

<b>Developed Area Projections</b>					
Year	Developed Area	Year	Developed Area	Year	Developed Area
2012	-	2022	6,631	2032	7,682
2013	5,841	2023	6,738	2033	7,726
2014	5,915	2024	6,845	2034	7,770
2015	5,989	2025	6,952	2035	8,342
2016	6,075	2026	7,187	2036	8,386
2017	6,161	2027	7,423	2037	8,430
2018	6,246	2028	7,658	2038	8,474
2019	6,332	2029	7,894	2039	8,518
2020	6,417	2030	7,594	2040	8,782
2021	6,524	2031	7,638		

A B C D E F G H I J



Appendix 2:  
CAPITAL PROJECTS - IMPACT FEE FACILITIES PLAN  
Inflation Rate\*

	A	B	C	D	E	F	G	H		
1	<b>Project Name</b>	<b>Year to be Constructed</b>	<b>FY 2013 Cost</b>	<b>Construction Cost</b>	<b>% to Growth</b>	<b>Impact Fee Qualifying Cost</b>	<b>Non Growth Related</b>	<b>Acres</b>	1	
2	North of I-15									2
3	1. 568 Feet of 27 Inch Pipe (Average)	2014	129,624	129,624	3%	4,148	125,476		3	
4	2. 2,222 Feet of 32 Inch Pipe (Average)	2015	1,981,666	2,029,880	6%	111,643	1,918,237		4	
5	3. 4,406 Feet of 42 Inch Pipe (Average)	2015	1,475,873	1,511,781	6%	83,148	1,428,633		5	
6	4. 1,135 Feet of 18 Inch Pipe (Average)	2016	221,206	232,101	6%	12,766	219,335		6	
7	5A. 5,634 Feet of 35 Inch Pipe (Average)	2017	2,777,291	2,984,978	6%	164,174	2,820,804		7	
8	6. 1,615 Feet of 30 Inch Pipe (Average)	2018	390,328	429,724	6%	23,635	406,089		8	
9	7. 7,596 Feet of 22 Inch Pipe (Average)	2018	1,630,236	1,794,775	6%	98,713	1,696,063		9	
10	8. 1,600 Feet of 18 Inch Pipe (Average)	2019	311,790	351,610	6%	19,339	332,272		10	
11	9. 3,054 Feet of 18 Inch Pipe (Average)	2020	595,067	687,393	6%	37,807	649,587		11	
12	10. 2,303 Feet of 24 Inch Pipe (Average)	2021	487,084	576,346	6%	31,699	544,647		12	
13	11. 2,819 Feet of 40 Inch Pipe (Average)	2021	912,162	1,079,322	6%	59,363	1,019,960		13	
14	12. 3,976 Feet of 18 Inch Pipe (Average)	2022	774,794	939,086	6%	51,650	887,436		14	
15	13. 2,897 Feet of 46 Inch Pipe (Average)	2022	1,050,205	1,272,897	6%	70,009	1,202,888		15	
16	14. 3,118 Feet of 24 Inch Pipe (Average)	2023	659,383	818,647	6%	45,026	773,622		16	
17	15. 2,435 Feet of 20 Inch Pipe (Average)	2023	493,317	612,470	6%	33,686	578,785		17	
18	South of I-15									18
19	101. 2,440 Feet of 30 Inch Pipe (Average)		589,671	589,671	31%	179,850	409,821		19	
20	102. 4,187 Feet of 42 Inch Pipe (Average)		1,366,526	1,366,526	31%	416,790	949,736		20	
21	103. 4,583 Feet of 36 Inch Pipe (Average)		1,276,479	1,276,479	31%	389,326	887,153		21	
22	104. 2,236 Feet of 30 Inch Pipe (Average)		540,408	540,408	31%	164,824	375,584		22	
23	105. 2,014 Feet of 46 Inch Pipe (Average)		735,488	735,488	31%	224,324	511,164		23	
24	106. 8,719 Feet of 35 Inch Pipe (Average)		2,504,926	2,504,926	31%	764,002	1,740,924		24	
25	108. 5,720 Feet of 27 Inch Pipe (Average)		1,305,992	1,305,992	31%	398,328	907,664		25	
26	109. 1,370 Feet of 30 Inch Pipe (Average)		331,059	331,059	31%	100,973	230,086		26	
27	110. 1,473 Feet of 38 Inch Pipe (Average)		437,344	437,344	31%	133,390	303,954		27	
28	113. 4,168 Feet of 40 Inch Pipe (Average)		1,332,238	1,332,238	31%	406,333	925,905		28	
29	115. 3,490 Feet of 30 Inch Pipe (Average)		843,251	843,251	31%	257,192	586,059		29	
30	116. 4,032 Feet of 54 Inch Pipe (Average)		1,732,862	1,732,862	31%	528,523	1,204,339		30	
31	117. 1,867 Feet of 42 Inch Pipe (Average)		614,232	614,232	31%	187,341	426,891		31	
32	118. 4,863 Feet of 36 Inch Pipe (Average)		1,354,464	1,354,464	31%	413,112	941,352		32	
33	119. 6,947 Feet of 29 Inch Pipe (Average)		1,665,730	1,665,730	31%	508,048	1,157,682		33	
34	120. 1,614 Feet of 24 Inch Pipe (Average)		341,403	341,403	31%	104,128	237,275		34	
35	121. 971 Feet of 42 Inch Pipe (Average)		270,335	270,335	31%	82,452	187,883		35	
36	122. 1,327 Feet of 42 Inch Pipe (Average)		436,564	436,564	31%	133,152	303,412		36	
37	<b>Six to Ten Year Total</b>		<b>\$ 31,568,998</b>	<b>\$ 33,129,606</b>	<b>19%</b>	<b>\$ 6,238,890</b>	<b>\$ 26,890,716</b>	<b>897</b>	37	

\*Based on 10 years average cost of inflation using the Bureau of Labor Statistics and net of interest earnings

A B C D E F G H



Appendix 3:  
ASSETS

	A	B	C	D	
	Date Acquired	Description	Historic Cost	Avg % Current Capacity Available	
1					1
2	2013	36" Storm Drain to 200 East	65,000	50%	2
3	1995	700 North Storm Drain	-	20%	3
4	2014	South - North Park	12,000	50%	4
5		300 West 24" Pipe @ I-15 Crossing	94,000	80%	5
6		Salt Storage Facility	900,000	50%	6
7	2014	Star Mill Area Storm Drain	50,000	20%	7
11	<b>Impact Fee Qualifying</b>		<b>\$ 1,121,003</b>	<b>\$ 573,700</b>	11

*\*Source: American Fork City*

12  
13  
14

A B C D

12  
13  
14



Appendix 4:  
 BASE FEE PER ACRE  
 American Fork Impact Fee

	A	B	C	D	E	F	
1		<b>Cost</b>	<b>% Impact Fee Qualifying</b>	<b>Impact Fee Qualifying Cost</b>	<b>ERUs to be Served</b>	<b>Cost per Acre</b>	1
2	Storm Drain Impact Fee						2
3	IFFP Projects	33,129,606	19%	6,238,890	897	6,955	3
4	Buy In - Existing Assets	1,121,003	51%	573,700	897	640	4
5	Subtotal	34,250,609	20%	6,812,590		7,595	5
6	Total Impact Fee Per Acre (43,560 Sq Feet)					\$ 7,595	6
7	<b>Fee per Impervious Square Foot</b>					<b>\$ 0.17</b>	7



Appendix 5:  
INFLATION RATE

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	<b>30 Year Historical Inflation Rate Data</b>														1
2	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	2
3	2012	2.93%	2.87%	2.65%	2.30%	1.70%	1.66%	1.41%	1.69%	1.99%	2.16%				3
4	2011	1.63%	2.11%	2.68%	3.16%	3.57%	3.56%	3.63%	3.77%	3.87%	3.53%	3.39%	2.96%	3.16%	4
5	2010	2.63%	2.14%	2.31%	2.24%	2.02%	1.05%	1.24%	1.15%	1.14%	1.17%	1.14%	1.50%	1.64%	5
6	2009	0.03%	0.24%	-0.38%	-0.74%	-1.28%	-1.43%	-2.10%	-1.48%	-1.29%	-0.18%	1.84%	2.72%	-0.34%	6
7	2008	4.28%	4.03%	3.98%	3.94%	4.18%	5.02%	5.60%	5.37%	4.94%	3.66%	1.07%	0.09%	3.85%	7
8	2007	2.08%	2.42%	2.78%	2.57%	2.69%	2.69%	2.36%	1.97%	2.76%	3.54%	4.31%	4.08%	2.85%	8
9	2006	3.99%	3.60%	3.36%	3.55%	4.17%	4.32%	4.15%	3.82%	2.06%	1.31%	1.97%	2.54%	3.24%	9
10	2005	2.97%	3.01%	3.15%	3.51%	2.80%	2.53%	3.17%	3.64%	4.69%	4.35%	3.46%	3.42%	3.39%	10
11	2004	1.93%	1.69%	1.74%	2.29%	3.05%	3.27%	2.99%	2.65%	2.54%	3.19%	3.52%	3.26%	2.68%	11
12	2003	2.60%	2.98%	3.02%	2.22%	2.06%	2.11%	2.11%	2.16%	2.32%	2.04%	1.77%	1.88%	2.27%	12
13	2002	1.14%	1.14%	1.48%	1.64%	1.18%	1.07%	1.46%	1.80%	1.51%	2.03%	2.20%	2.38%	1.59%	13
14	2001	3.73%	3.53%	2.92%	3.27%	3.62%	3.25%	2.72%	2.72%	2.65%	2.13%	1.90%	1.55%	2.83%	14
15	2000	2.74%	3.22%	3.76%	3.07%	3.19%	3.73%	3.66%	3.41%	3.45%	3.45%	3.45%	3.39%	3.38%	15
16	1999	1.67%	1.61%	1.73%	2.28%	2.09%	1.96%	2.14%	2.26%	2.63%	2.56%	2.62%	2.68%	2.19%	16
17	1998	1.57%	1.44%	1.37%	1.44%	1.69%	1.68%	1.68%	1.62%	1.49%	1.49%	1.55%	1.61%	1.55%	17
18	1997	3.04%	3.03%	2.76%	2.50%	2.23%	2.30%	2.23%	2.23%	2.15%	2.08%	1.83%	1.70%	2.34%	18
19	1996	2.73%	2.65%	2.84%	2.90%	2.89%	2.75%	2.95%	2.88%	3.00%	2.99%	3.26%	3.32%	2.93%	19
20	1995	2.80%	2.86%	2.85%	3.05%	3.19%	3.04%	2.76%	2.62%	2.54%	2.81%	2.61%	2.54%	2.81%	20
21	1994	2.52%	2.52%	2.51%	2.36%	2.29%	2.49%	2.77%	2.90%	2.96%	2.61%	2.67%	2.67%	2.61%	21
22	1993	3.26%	3.25%	3.09%	3.23%	3.22%	3.00%	2.78%	2.77%	2.69%	2.75%	2.68%	2.75%	2.96%	22
23	1992	2.60%	2.82%	3.19%	3.18%	3.02%	3.09%	3.16%	3.15%	2.99%	3.20%	3.05%	2.90%	3.03%	23
24	1991	5.65%	5.31%	4.90%	4.89%	4.95%	4.70%	4.45%	3.80%	3.39%	2.92%	2.99%	3.06%	4.25%	24
25	1990	5.20%	5.26%	5.23%	4.71%	4.36%	4.67%	4.82%	5.62%	6.16%	6.29%	6.27%	6.11%	5.39%	25
26	1989	4.67%	4.83%	4.98%	5.12%	5.36%	5.17%	4.98%	4.71%	4.34%	4.49%	4.66%	4.65%	4.83%	26
27	1988	4.05%	3.94%	3.93%	3.90%	3.89%	3.96%	4.13%	4.02%	4.17%	4.25%	4.25%	4.42%	4.08%	27
28	1987	1.46%	2.10%	3.03%	3.78%	3.86%	3.65%	3.93%	4.28%	4.36%	4.53%	4.53%	4.43%	3.66%	28
29	1986	3.89%	3.11%	2.26%	1.59%	1.49%	1.77%	1.58%	1.57%	1.75%	1.47%	1.28%	1.10%	1.91%	29
30	1985	3.53%	3.52%	3.70%	3.69%	3.77%	3.76%	3.55%	3.35%	3.14%	3.23%	3.51%	3.80%	3.55%	30
31	1984	4.19%	4.60%	4.80%	4.56%	4.23%	4.22%	4.20%	4.29%	4.27%	4.26%	4.05%	3.95%	4.30%	31
32	1983	3.71%	3.49%	3.60%	3.90%	3.55%	2.58%	2.46%	2.56%	2.86%	2.85%	3.27%	3.79%	3.22%	32
33	1982	8.39%	7.62%	6.78%	6.51%	6.68%	7.06%	6.44%	5.85%	5.04%	5.14%	4.59%	3.83%	6.16%	33
34	1981	11.83%	11.41%	10.49%	10.00%	9.78%	9.55%	10.76%	10.80%	10.95%	10.14%	9.59%	8.92%	10.35%	34
35	1980	13.91%	14.18%	14.76%	14.73%	14.41%	14.38%	13.13%	12.87%	12.60%	12.77%	12.65%	12.52%	13.58%	35
36	1979	9.28%	9.86%	10.09%	10.49%	10.85%	10.89%	11.26%	11.82%	12.18%	12.07%	12.61%	13.29%	11.22%	36
37	1978	6.84%	6.43%	6.55%	6.50%	6.97%	7.41%	7.70%	7.84%	8.31%	8.93%	8.89%	9.02%	7.62%	37
38	1977	5.22%	5.91%	6.44%	6.95%	6.73%	6.87%	6.83%	6.62%	6.60%	6.39%	6.72%	6.70%	6.50%	38
39	1976	6.72%	6.29%	6.07%	6.05%	6.20%	5.97%	5.35%	5.71%	5.49%	5.46%	4.88%	4.86%	5.75%	39
40	1975	11.80%	11.23%	10.25%	10.21%	9.47%	9.39%	9.72%	8.60%	7.91%	7.44%	7.38%	6.94%	9.20%	40
41	1974	9.39%	10.02%	10.39%	10.09%	10.71%	10.86%	11.51%	10.86%	11.95%	12.06%	12.20%	12.34%	11.03%	41
42	1973	3.65%	3.87%	4.59%	5.06%	5.53%	6.00%	5.73%	7.38%	7.36%	7.80%	8.25%	8.71%	6.16%	42
43	1972	3.27%	3.51%	3.50%	3.49%	3.23%	2.71%	2.95%	2.94%	3.19%	3.42%	3.67%	3.41%	3.27%	43
44	*Source: Bureau of Labor Statistics											30 Year Average		4.42%	44
45												10 Year Average		2.43%	45

## CHAPTER 7 IMPACT FEE FACILITIES PLAN

### IMPACT FEE FACILITIES PLAN

Recommended storm drain system improvements were identified in Chapter 6. Based on that information, it is now possible to identify the recommended improvements that qualify to be used in the calculation of impact fees as outlined in Section 11-36a of the Utah Code.

### LEVEL OF SERVICE

Recommended improvements identified in previous sections of this report have been based on meeting level of service standards as established in the City's Storm Water Technical Manual. Level of service for the major components of the storm drain system are summarized here:

**Storm Drain Pipelines** – Storm drain pipelines are not allowed to surcharge to within two feet from the ground surface during the 4 percent annual chance (25-year) design Storm drain pipes (other than laterals) are also not to be smaller than 18 inches in diameter. Storm drain laterals may be 15-inches. To qualify as a lateral, a storm drain pipe must be connected to inlet box, be generally perpendicular to the overall direction of storm drain flow, and be less than 100 feet.

It is important to note that roadways become the major storm water conveyance facility during storms that are larger than the 25-year design event. At sags in roads or barriers such as the Union Pacific Railroad, storm drain inlets and pipelines must be sized to convey the 100-year storm event to detention basins or major conveyance channels such as the American Fork River or the Meadow's Wetland (See American Fork City Storm Drain Technical Manual).

**Open Channels** – In general, large open channels (such as Mitchell's Hollow, the Meadow's Wetland, Spring Creek, or the American Fork River) should have at least two feet of freeboard during the 100-year storm event. Open channels should also have protective lining. If velocities are less than 4 ft per second (ft/s), the channel may be grass lined. However, if the peak velocity in a channel is over 4 ft/s, then grass will not be sufficient to protect the channel from erosion damage and armoring will be required. For smaller open channels, at least one foot of freeboard is desirable, but less may be allowed at the discretion of the City Engineer.

**Detention/Retention Basins** – Detention/retention facilities need to have capacity for the 100-year storm, with at least one foot of freeboard, and have an emergency overflow that directs water away from private property. Retention basins are discouraged in the City because of clogging and other maintenance concerns. Retention basins are not permitted in the City's designated sensitive lands area. If a retention basin is permitted, it must be sized according to the City's Storm Drain Technical Manual.

It is important to note that the level of service standards summarized above are for both existing and future conditions. As discussed previously, there is one proposed increase in the level of service proposed for the City. Over time, the City desires to move from the conveyance of storm water in local ditches to a fully piped storm drain system. Costs for this transition will be

divided between existing and future users based on their proportional use of the facilities to be constructed for this purpose within the planning window.

## **FUTURE GROWTH**

Unlike many other utilities (such as water, sewer, or pressure irrigation), system improvements for storm drain are not driven by population growth; but are primarily driven by the growth of developed area and associated impervious areas (such as roofs, driveways, roads, etc). To evaluate the need for storm drain system improvements, a projection of developed area over the next 10-years needed to be developed as part of this impact fee facilities plan.

Table 7-1 lists the historic population and population projections for American Fork City from several sources. Historic population (2010 through 2012) is based on numbers identified in the Mountainland Association of Government's 2012 Census. Shorter term projections (2013 through 2035) come from the City's most recent General Plan. Longer term projections (2040 through 2060) come from the Governor's Office of Planning and Budget. Table 7-1 also lists the developed area projection for American Fork City based on a proportional rate of development (assuming densities for future development are approximately equal to the average density of existing developed areas).

**Table 7-1  
Population Projections**

Year	Population Projection	Cumulative Increase in Developed Area North of I-15 (acres) <sup>b</sup>	Cumulative Increase in Developed Area South of I-15 (acres) <sup>b</sup>	Cumulative Increase in Total Developed Area (acres)	Total Developed Area (acres)
2010	26,401	--	--	--	--
2011	26,814	--	--	--	--
2012	27,147	--	--	--	--
2013	27,305	--	--	--	5,841 <sup>a</sup>
2014	27,653	27	47	74	5,915
2015	28,000	54	95	149	5,989
2016	28,400	85	149	234	6,075
2017	28,800	116	204	320	6,161
2018	29,200	147	258	405	6,246
2019	29,600	178	313	491	6,332
2020	30,000	209	367	576	6,417
2021	30,500	248	436	683	6,524
2022	31,000	287	504	790	6,631
2023	31,500	325	572	897	6,738
2024	32,000	364	640	1,004	6,845
2025	32,500	403	708	1,111	6,952
2030	35,500	636	1,117	1,753	7,594
2035	39,000	907	1,594	2,502	8,342
2040	46,600	1,067 <sup>c</sup>	1,874 <sup>c</sup>	2,941 <sup>c</sup>	8,782 <sup>c</sup>
2050	54,000	1,067	1,874	2,941	8,782
2060	58,900	1,067	1,874	2,941	8,782

<sup>a</sup> total developed area estimated based on 2012 aerial photography  
<sup>b</sup> based on uniform distribution of new growth in undeveloped areas.  
<sup>c</sup> full development with continued densification

As shown in the table, the expected growth in total developed acres over the next 10 years is 897 acres. This represents gross developed acres with no reduction for public right-of-way.

It will be noted that growth has been divided between the areas north and south of I-15 uniformly based on the ratio of currently undeveloped area. Table 7-2 summarizes the percentage of undeveloped and developed areas in American Fork City based on estimates from 2012 aerial photography and input from City personnel. It should be noted that areas south of I-15 are generally planned with lower densities than existing development. This would suggest that areas south of I-15 may develop more quickly than projected here. For the purpose of impact fee calculations, the growth in the south has been conservatively left at the lower numbers shown.

**Table 7-2  
Developed Areas South and North of I-15**

	<b>I-15 South</b>	<b>I-15 North</b>	<b>Total</b>
Total Area (acres)	2,853	5,929	8,782
Developed (acres)	979	4,862	5,841
Percent Developed	34.3%	82.0%	66.5%
Undeveloped (acres)	1,874	1,067	2,941
Percent Undeveloped	65.7%	18.0%	33.5%

## DEMAND ANALYSIS

To satisfy the requirements of state law, demands placed upon existing storm drain facilities by future development were determined using the process outlined below.

1. **Existing Capacity** – The capacities in existing storm drain pipelines were estimated using Manning’s equation, pipe size, and slope data as provided by the City or estimated using existing terrain information (See Chapters 3 and 4).
2. **Existing Flow** – The peak flow rates for existing development conditions were estimated using a hydrologic computer model (See Chapters 3 and 4).
3. **Existing Deficiencies** – Existing system capacity deficiencies in the storm drain system were identified using the defined level of service, peak flow estimates from the hydrologic computer model, and the estimated capacities for existing system facilities. City Staff reviewed identified deficiencies to determine if deficiencies corresponded to known storm water problems (see Chapter 5).
4. **Future Flow** - The peak flow rates for the design storm based on projected full build-out conditions were estimated using a hydrologic computer model (See Chapter 3 and 4).
5. **Future Flow Routing** – Because many of the existing trunk lines evaluated as part of the master plan were determined to be deficient, new storm drain trunk line routes were developed to better convey flow to acceptable discharge locations. Because new conveyance routes for existing storm water runoff have been planned, the effects of existing and future runoff were evaluated for all future storm water conveyance routes (see Chapter 5).
6. **Recommended Improvements** – Needed storm drain projects were identified to meet demands associated with future development (See Chapter 6).

The steps listed above describe the “demands placed upon [the] existing public facilities by new development activity; and the proposed means by which the local political subdivision will meet those demands” (Section 11-36a-302-1.a-b of the Utah Code).

Chapter 6 identifies the recommended capital facility projects needed to provide the desired level of storm drain service to various parts of the City at projected full build-out conditions. Many of the projects north of I-15 will need to be funded by existing users because of the limited

undeveloped area north of I-15. The timing of projects north of I-15 will therefore depend mostly on the available funding available for projects. The timing of projects south of I-15 will depend on the timing and location of development.

### **ALLOCATED PROJECT COSTS ASSOCIATED WITH NEW DEVELOPMENT**

Results from the demand analysis were used to allocate project costs between future development and existing development. Three examples of the cost allocation methodology used in this IFFP are presented below:

- **Example 1: Existing Pipeline Undersized for Existing Development:** Consider an existing pipeline with an estimated peak flow for existing development conditions of 14 cfs, and a capacity of something less than 14 cfs, and an estimated future peak flow of 20 cfs. The existing pipeline will need to be replaced. If the existing pipeline is replaced with a new pipeline that has 20 cfs capacity, then 70 percent (14 cfs divided by 20 cfs) of the pipeline replacement cost will be allocated to existing users and 30 percent (6 cfs divided by 20 cfs) to future growth.
- **Example 2: No Existing Storm Drain Infrastructure:** Consider an area that currently has low impact development (streets without curb and gutter, catch basins, storm drain piping, etc.). As the area continues to develop, the streets will be expanded and storm drain infrastructure will be installed. The estimated peak flow for existing development conditions is 30 cfs, and the estimated future design flow is 40 cfs. In this scenario, 75 percent of the storm drain improvement costs will be allocated to existing users and 25 percent to future growth.
- **Example 3: Area Using Local Detention:** It is difficult to quantify the effect of areas of new development using local detention. This is because these areas contribute flow to the City's storm drain system by increasing runoff volume and concentrating the runoff discharge point, even if they do not add significantly to existing peak flows. In these cases, costs have been divided based on the proportion of flow being contributed by the future development at buildout, independent of flow previous to development. For example, consider a new pipe to be installed downstream of a development with a required existing capacity of 10 cfs (6 cfs from existing development and 4 cfs from the undeveloped area). In the future, the estimated required capacity may remain at 10 cfs if the peak runoff from the developed area is 4 cfs through the use of local detention. In this case, even though the future development does not increase flow in the pipeline, it is benefiting from the facilities and adding to the volume of storm water conveyed. For these reasons, 40 percent of the storm drain improvement cost will be allocated to future growth while 60 percent will be allocated to existing users.

For comparison purposes, the impact of this development can be evaluated assuming no local detention. For the scenario above, the developed area without detention would contribute significantly more to peak flows. If we assume 14 cfs of flow would be generated from the undetained development, the required capacity of the downstream pipe would be 20 cfs. In this case, future users would be responsible for 70 percent of storm drain improvement costs and 30 percent would be attributed to existing users. Both the cost of the improvement and the percent attributable to future users would be

significantly higher. For this reason, the use of local detention and the division of costs as outlined above appears to be the best solution for both existing and future users to minimize and equitably distribute costs.

**North of I-15**

Figure 7-1 and Table 7-3 list the capital facility projects identified north of I-15 that should be constructed within the next 6 to 10 years to resolve existing deficiencies and/or meet the needs of anticipated development in areas north of I-15.

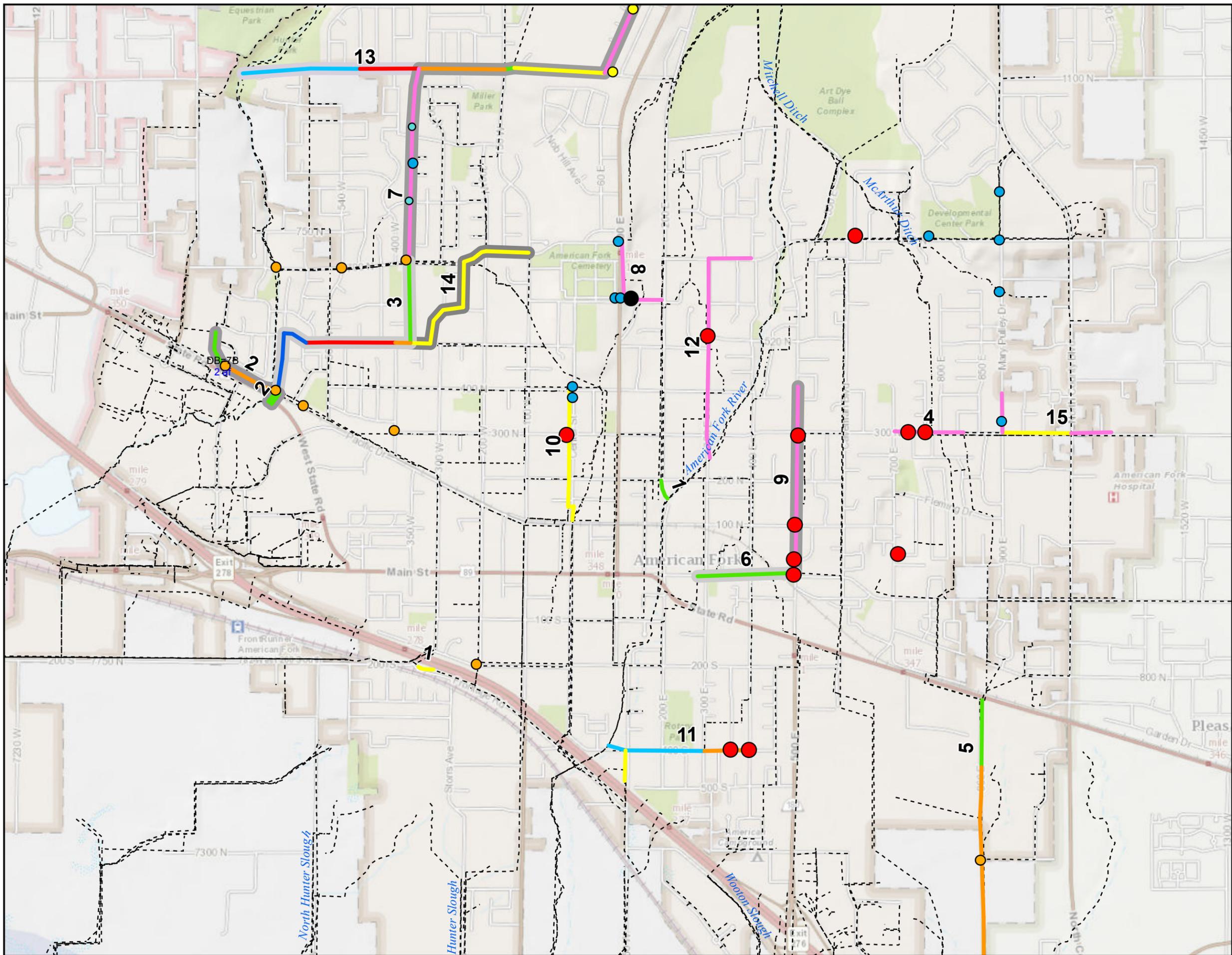
**Table 7-3  
Storm Drain System Improvements North of I-15  
(2013 Dollars)**

<b>Project No.</b>	<b>Pipe Length (ft)</b>	<b>Ave Diameter (in)</b>	<b>Total Cost</b>	<b>Excess Capacity for 10-Year Growth</b>	<b>Excess Capacity for All Future Growth</b>	<b>Costs Attributable to 10-Year Growth</b>
1	568	27.3	\$129,624	3.2% <sup>b</sup>	10.6%	\$4,190
2 <sup>a</sup>	2,222	32.6	\$1,981,666	5.5%	18.0%	\$108,992
3	4,406	42.2	\$1,475,873	5.5%	18.0%	\$81,173
4	1,135	18.0	\$221,206	5.5%	18.0%	\$12,166
5 <sup>a</sup>	5,634	34.8	\$2,777,291	5.5%	18.0%	\$152,751
6	1,615	30.0	\$390,328	5.5%	18.0%	\$21,468
7	7,596	22.8	\$1,630,236	5.5%	18.0%	\$89,663
8	1,600	18.0	\$311,790	5.5%	18.0%	\$17,148
9	3,054	18.0	\$595,067	5.5%	18.0%	\$32,729
10	2,303	24.0	\$487,084	5.5%	18.0%	\$26,790
11	2,819	40.7	\$912,162	5.5%	18.0%	\$50,169
12	3,976	18.0	\$774,794	5.5%	18.0%	\$42,614
13	2,897	46.0	\$1,050,205	5.5%	18.0%	\$57,761
14	3,118	24.0	\$659,383	5.5%	18.0%	\$36,266
15	2,435	20.8	\$493,317	5.5%	18.0%	\$27,132
<b>Total</b>	<b>45,378</b>		<b>\$13,890,026</b>			<b>\$761,012</b>

a Detention Basin 7B cost is included as part of Project No. 2 and Detention Basin 5 costs are included as part of Project No. 5

b 41 percent of the project cost is for project level improvements and are not eligible for impact fees.

Costs for future users have been calculated following the methodology described above. It will be noted that most of the projects included in the table have the same percentage of cost assigned to future users. This is because of the improvement approach being used by the City. Because of the wide distribution of both growth and storm drain deficiencies in the City, the improvement plan calls for series of small improvements in many areas that jointly contribute to the overall performance of the system and its ability to meet future growth. This includes a large number of diversions and parallel pipelines that makes it infeasible to evaluate the capacity of each



**Legend**

**Observed Deficiency Category**

- Flooding
- Infiltration
- Percolation Problem
- Pipe Capacity
- Inlet Capacity
- Ponding

**Storm Drain Future Diameter\***

- 18"
- 24"
- 30"
- 36"
- 42"
- 48"
- 60"

■ Detention Basin

--- Existing Conveyance Path

NORTH:

SCALE:

10-YEAR STORM DRAIN IMPROVEMENTS NORTH OF I-15

AMERICAN FORK CITY

**STORM DRAIN MASTER PLAN UPDATE**

**Bowen Collins & Associates, Inc.**  
CONSULTING ENGINEERS

FIGURE NO. **7-1**

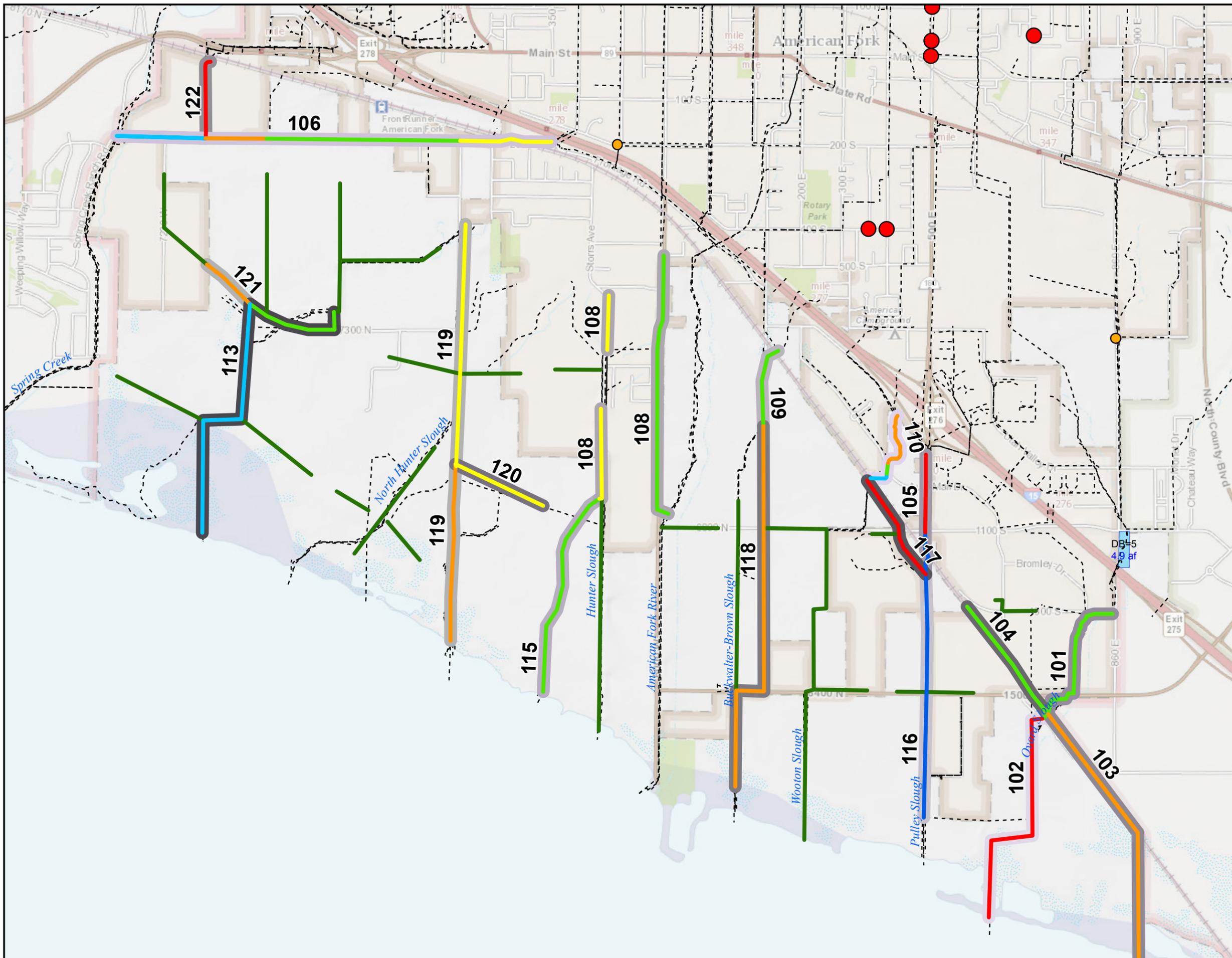
P:\American Fork\Storm Drain Master Plan\4.0 GIS\Figure 7-1 - 10-YearPlan.mxd amckinnon 7/19/2013

individual project. In this case, the most equitable approach appears to be to evaluate all the improvements jointly. For these jointly evaluated projects, the percent attributable to future growth was based on the ratio of 10-year developed area north of I-15 divided by remaining undeveloped area north of I-15.

It will be noted that the table includes a calculation of available capacity for 10-year growth and available capacity for all future growth. The projects included in the table are only those projected to be constructed in the next 10-years. However, nearly all of these projects will have capacity that will serve growth beyond the 10-year planning window. To properly calculate impact fees, growth projected for the next 10 years should only be required to pay for the capacity it will use in the future projects, with the remaining capacity being paid for by future users.

### **South of I-15**

In general, there are very few storm drain facilities south of I-15. As development occurs, new facilities will need to be constructed to safely convey storm water to Utah Lake. However, American Fork City does not currently have any accurate method of projecting the exact location of growth south of I-15 over the next 6 to 10 years. Figure 7-2 shows all the impact fee eligible capital projects south of I-15 needed to meet future development needs. Table 7-4 lists all of the impact fee eligible projects south of I-15 and calculates the percent of capacity that would be used during the next 10 years based on the system as a whole.



**Legend**

**Observed Deficiency Category**

- Flooding
- Infiltration
- Percolation Problem
- Pipe Capacity
- Inlet Capacity
- Ponding

**Storm Drain**

- 18"
- 24"
- 30"
- 36"
- 42"
- 48"
- 60"
- Project Level Improvements
- Detention Basin
- - - Existing Conveyance Path

NORTH:

SCALE:

10-YEAR STORM DRAIN IMPROVEMENTS SOUTH OF I-15

AMERICAN FORK CITY

**STORM DRAIN MASTER PLAN UPDATE**

**Bowen Collins & Associates, Inc.**  
CONSULTING ENGINEERS

FIGURE NO. **7-2**

P:\American Fork\Storm Drain Master Plan\4.0 GIS\Figure 7-2 - 10-Year Plan-south.mxd jdietch 7/30/2013

**Table 7-4  
Storm Drain System Improvements South of I-15  
(2013 Dollars)**

<b>Project No.</b>	<b>Pipe Length (ft)</b>	<b>Ave Dia. (in)</b>	<b>Total Cost</b>	<b>Percent Attributable to 10-Year Growth<sup>a</sup></b>	<b>Percent Attributable to Future Growth<sup>b</sup></b>	<b>Costs Attributable to 10-Year Growth<sup>a</sup></b>
101	2,440	30.0	\$589,671	30.5%	100.0%	\$179,850
102	4,187	41.6	\$1,366,526	30.5%	100.0%	\$416,790
103	4,583	36.0	\$1,276,479	30.5%	100.0%	\$389,326
104	2,236	30.0	\$540,408	30.5%	100.0%	\$164,825
105	2,014	46.3	\$735,488	30.5%	100.0%	\$224,324
106	8,719	35.7	\$2,504,926	30.5%	100.0%	\$764,002
108	5,720	27.3	\$1,305,992	30.5%	100.0%	\$398,328
109	1,370	30.0	\$331,059	30.5%	100.0%	\$100,973
110	1,473	38.0	\$437,344	30.5%	100.0%	\$133,390
113	4,168	40.2	\$1,332,238	30.5%	100.0%	\$406,332
115	3,490	30.0	\$843,251	30.5%	100.0%	\$257,191
116	4,032	54.0	\$1,732,862	30.5%	100.0%	\$528,523
117	1,867	42.0	\$614,232	30.5%	100.0%	\$187,341
118	4,863	36.0	\$1,354,464	30.5%	100.0%	\$413,112
119	6,947	29.1	\$1,665,730	30.5%	100.0%	\$508,048
120	1,614	24.0	\$341,403	30.5%	100.0%	\$104,128
121	971	36.0	\$270,335	30.5%	100.0%	\$82,452
122	1,327	42.0	\$436,564	30.5%	100.0%	\$133,152
	<b>46,355</b>		<b>\$17,678,971</b>			<b>\$5,392,087</b>

- a 10-year percentages and costs have been estimated based on the system south I-15 as a whole. Actual ratio of capacity used in the 10-year window will vary depending on final location of actual development.
- b These projects are 100 percent attributable to future growth because there are no existing facilities in the area and no existing deficiencies.

In reality, it is very unlikely that all of the projects listed in Table 7-4 will be constructed in the next 10 years. Based on projected growth and the City's current best understanding of development in the near term, the most likely projects to be completed include Projects 106, 108, 109, and 119. However, because of uncertainty with development location, this impact fee facility plan lists all potential projects that could be completed in the 10-year window depending on the location of development.

It should be emphasized that the 10-year percentages and costs contained in the table have been estimated based on the system south I-15 as a whole. This means the total cost of capacity to be used south of I-15 in the next 10 years will be the same, regardless of which specific projects are built within 10 years. This is because the capacity used in the projects actually built will be much higher than the values calculated when looking at the system as a whole. As an example, consider the projects identified above as most likely to be completed. If development does

indeed occur at currently projected locations and these are the actual projects constructed in the next 10 years, the capital cost of the improvements will be \$5.8 million. Of this, it is expected that the 10-year growth will use 93 percent of the total capacity. This equates to the same cost of capacity as when calculated for all improvements as a whole.

Based on the information listed in Tables 7-3 and 7-4, the total cost for new projects that can be allocated to impact fees (not including applicable bond costs) is \$6,153,099.

### **ACTUAL COST OF EXCESS CAPACITY**

As discussed in Chapter 2, available information on the City's existing storm drain collection system is limited. As a result, the cost of existing capacity in the system that can be documented is expected to be minimal. For the development of the Impact Fee Analysis, the cost of the excess capacity of the existing storm drain system has therefore been assumed to be negligible and will not be included in the impact fee calculation.

### **IMPROVEMENT FUNDING PLAN**

With the identification of required improvement projects, it is also important to consider how completion of these projects might be funded. While a comprehensive rate study is not part of the scope of this project, this section will briefly consider how projected future improvement cost compare to historic system funding and what changes might be needed to accomplish the improvement plan contained in this report.

Expected future costs associated with the improvements recommended in this report are summarized in Table 7-5.

**Table 7-5  
Required Expenditures to Support Recommended Improvements  
(2013 Dollars)**

	<b>All Improvements (25-year Plan)</b>	<b>10-year Plan Improvements</b>
<i><b>Total Costs</b></i>		
Pipe North of I-15	\$30,028,524	\$12,583,926
Pipe South of I-15	\$17,678,971	\$5,807,707
Detention Basins	\$2,419,600	\$1,306,100
<b>Total</b>	<b>\$50,127,096</b>	<b>\$19,697,732</b>
<i><b>Costs Associated with Future Growth<sup>a</sup></b></i>		
Pipe North of I-15	\$5,405,134	\$2,265,107 <sup>b</sup>
Pipe South of I-15	\$17,678,971	\$5,807,707 <sup>b</sup>
Detention Basins	\$435,528	\$235,098 <sup>b</sup>
<b>Total</b>	<b>\$23,519,634</b>	<b>\$8,307,911<sup>b</sup></b>
<b>Net Project Costs to Recover From Rates</b>	<b>\$26,607,462</b>	<b>\$11,389,821</b>
Years to Fund	25	10
<b>Average Annual Capital Expenditures Required</b>	<b>\$1,064,298</b>	<b>\$1,138,982</b>

<sup>a</sup> This report contains a detailed analysis of costs associated with future growth for all projects in the 10-year plan. The same level of analysis was not completed for projects outside the 10-year plan. The values shown here for projects outside the 10-year plan are approximations for the purpose of estimating future funding only. Detailed calculation of costs associated with future growth for these projects will need to be completed in future impact fee facility plans.

<sup>b</sup> These values represent costs associated with all future growth. They should not be confused with costs associated with projected 10-year growth. See Table 7-3 through 7-5.

Included in the table are two columns representing different planning periods. The first column includes all recommended improvements. Based on projected growth summarized in Table 7-1, it is expected that development of all currently undeveloped property will take a period of approximately 25 years. It has been correspondingly assumed that completion of all recommended improvements will occur over approximately the same time period. The second column in the table represents improvements identified to occur over the next 10 years as discussed previously.

For each planning period, the estimated costs of future improvements to be recovered through impact fees has been subtracted from the total project cost to calculate the net project costs that must be recovered through rates or other sources. This total has then been divided by the number of years in the planning period to calculate the average annual funding required to support the improvement plan. As calculated in the table, the level of funding required to support the improvement plan is approximately \$1.1 million annually. It is a little greater than this during the first 10 years, and slightly less than this in the long term.

It should be noted that this table is only a simple look at long term funding averages. Cash flow issues associated with the receipt of impact fees will likely push the required level of funding in specific years higher than the long term averages summarized here. This is a result of the practical requirement to build capacity before it will be used and paid for by future growth. As an example, consider the detailed impact fee facility plan discussed above. To service projected growth during the next 10 years, \$19.7 million in improvements will be completed. Of this \$8.3 million is associated with capacity to be used by future users, but only \$6.1 million is associated with capacity to be used by new users over the next 10-years. The remaining \$2.2 million is associated with excess capacity in the facilities that will be used and paid for by users beyond the 10-year planning window.

The result of this cash flow issue is that the City will need to come up with an additional \$2.2 million during the next 10 years to pay for capacity outside the 10-year planning window. While the City will ultimately be reimbursed for these expenditures through future impact fees, the need for cash over the next 10 years will be \$13.6 million instead of the \$11.4 million shown in the table. This pushes the average annual expenditure required to support the improvement plan to \$1.4 million over the next 10 years.

City personnel estimate current storm water fees only generate \$450,000 annually for capital improvements. It is recommended that the City prepare a comprehensive storm water rate study to identify how this difference between existing funding and needed funding will be addressed.

### **IMPACT FEE FACILITIES PLAN CERTIFICATION**

The analysis contained in this report has been prepared based on growth and system information provided by American Fork City. Based on the data and growth assumptions provided and assuming American Fork City follows the improvement plan outlined in this report, BC&A certifies that, in accordance with Section 11-36a, this impact fee facilities plan:

1. Includes only the costs for qualifying 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 for operation or 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; and
3. Complies in each and every relevant respect with the Impact Fees Act.



## REQUEST FOR COUNCIL ACTION

### CITY OF AMERICAN FORK

December 9, 2014

Department Administration

Director Approval

**AGENDA ITEM** Discussion regarding the Job Classification and Compensation Study for all positions within the City of American Fork.

**SUMMARY RECOMMENDATION** Staff recommends approval of an agreement with Personnel Systems and Services for a Job Classification and Compensation Study.

**BACKGROUND** The city's pay plan and job descriptions have not been updated since January 2007 when the Hay Group reviewed and updated the positions and the City's compensation structure. It is critical to the success of the City to develop and maintain an updated pay plan. Staff firmly believes this will help the City of American Fork achieve a level of competitiveness and maintain current standards by retaining and attracting the most qualified employees. It will also strengthen our internal equity.

Classification and compensation design and practice is a very specific skill set within the human resources field. The City contracted with the Hay Group in 2007 to complete a comprehensive study, which resulted in the current City classification plan. Staff, however, is not recommending to contract with the Hay Group again, but rather proposes contracting with Personnel Systems and Services, led by Mike Swallow, to conduct a new study for all positions. Their proposed \$30,936 cost of the study is very competitive, as you can see below in comparing the two other proposals.

Mr. Swallow has thirty-five years of public sector pay experience. He has a unique approach to establishing classification and compensation plans that looks at not only a defined labor market to establish pay rates for all jobs in the City organization, but also a "value" or "equity based" system where a position's value is established using an internal equity methodology, historically referred to as point factoring. It is difficult to use a purely market driven approach to setting pay because you cannot collect quality survey/market data on 100% of the organizations jobs. By using the combined approach of market and internal equity, any perception of subjective decision making is eliminated.

Also, each city department will work closely with Mr. Swallow to review and update every job description within their department. Once finalized, these clear, concise and measurable job descriptions are reviewed for accurate pay analysis.

As noted above, in addition to an external equity study, Mr. Swallow also reviews internal equity. A “values” survey will be given to all employees to determine the “worth of work” City-wide. Once those surveys are completed by employees and sent to the consultant, the results of this analysis will determine how the job factor percentages are distributed.

Point factor ranking job analysis, or the “equity instrument,” looks at the entire job itself and systematically quantifies the value of each position based on four important factors: job knowledge (*40% weighting*), responsibility (*35% weighting*), difficulty of work (*15% weighting*), and work environment (*10% weighting*).

All of these factors combined make up the totality of a job and are weighted and ranked to establish the position pay level.

The consultant also has offered an alternative approach called “**no more pay grades.**” This is an approach to compensation analysis that eliminates the use of broad pay grades, but still retains the integrity of an internal equity maintenance methodology. Over the years there have always been complaints about pay grade structures that become manipulated.

While it is almost impossible to eliminate all manipulation, this new approach can significantly minimize such fairness distortions. Based upon an internal equity valuation, each job can have an individualized market based pay range. The slightest variations between the worth of jobs, based upon the City’s worth-of-work values, can now be recognized resulting in base pay management that is not cumbersome attached to a confining “pay plan.” Each job or job classification will have a “stand alone” market based pay range.

Staff has contacted other cities regarding this approach completed by Mr. Swallow, including Pam Springs, City Administrator with Lafayette City, Colorado; Mr. Swallow completed a job classification and compensation study (similar to our proposal), and the city was very pleased with the results. Lafayette City has a population of 27,155 with 178 FTE’s and a \$49,227,587 budget.

In addition, staff talked with Ed Dickey, City Manager at Santa Clara, Utah, and Jason Walker, former Assistant City Administrator for the City of Eagle Mountain. Both Mr. Dickey and Mr. Walker, were very pleased with the work of Mr. Swallow in performing an analysis for their respective cities. The study for Eagle Mountain was the same as proposed for American Fork; Eagle Mountain staff and employees were very happy with the process and pleased with their new pay plan.

**BUDGET IMPACT \$30,936** The City issued a Request for Proposals (RFP) in October for the Classification and Compensation study. The City received three proposals; their cost proposals are outlined below:

<b>Responses to RFP:</b>	Personnel Systems and Services	\$30,936
	HAY Group	\$46,500
	Mercer Consulting	\$136,000 - \$155,500

Staff evaluated the proposals based on the following criteria:

1. Cost (50 points – max.)
2. Qualifications, Competence, and References (30 points – max.)
3. Ability to complete study in an acceptable timeline (20 points max.)

This expenditure would not require a budget adjustment; funds would come from savings in personnel costs due to the favorable renewal of the City's health insurance plan.

**SUPPORTING DOCUMENTS** Proposal from Personnel Systems and Services for a Job Classification and Compensation Study.



October 24, 2014

Craig Whitehead  
City of American Fork Administrator  
51 East Main, American Fork City, 84003

Dear Mr. Whitehead,

In keeping with the requirements of your RFP- Classification & Compensation Analysis, I respectfully submit this signature page along with the original proposal along with various certificates and forms required in you RFP document.. At the time of this submission I am not aware of any addendums associated with this solicitation. Also, I understand that the city preserves the right to waive or modify any specification in the RFP to best meet the needs of the study.

Personnel Systems & Services has been incorporated as a company since 1988, domiciled in the State of Utah. The company is debt-free and litigation-free. I have 100% ownership of the company. My project teams are comprised of professionals currently working in human resource management or are also independent consultants with whom I network. Possible involvement of one of more of my team will be limited to onsite job auditing and/or market data collection and verification.

Since 1988 I have been providing human resource technical assistance to municipalities, counties, special districts, state agencies and academic institutions throughout Utah, Idaho, New Mexico, Wyoming and Colorado; with a minor consulting engagement in Alaska. I have also been contracted to do work for some private employers which include Phonex, Inc., New Ways International, Gateway Security (New Jersey), and the National District Attorney's Association (Washington DC/Arlington). All previous engagements have included some or all of these components: job analysis, job classification, job description development, compensation analysis and labor market wage surveys, supervisory training, and performance management programs.

One of the unique aspects of my process is to establish a link between the job evaluation instrument and the legal environment governing compensation--- the Equal Pay provisions of the Fair Labor Standards Act. This is accomplished by having all employees complete a "Job Values Survey" (mentioned above) wherein they identify the priority of importance for those factors or "values" that will be used to establish the internal equity relationships or pay grade for each position. The deliverable is a "site validated" job valuation and classification methodology.

In 2013 I introduced to the local government market place the "No Pay Grade" approach to job valuation and compensation administration. This innovation has picked up a little momentum having been embraced by Lafayette, Colorado; Eagle Mountain, Utah and Santa Clara, Utah. Recent contract awards to use this approach for either pay equity validation or a complete compensation administration system have been issued by the cities of Orem, Cedar City and Spanish Fork.

For the past several years my other company, Technology Net, of which I am a partner/owner, has been providing Utah and other western state's local governments with online "compensation info-share" capability. In that capacity I have been intimately involved in the maintenance, updating and accuracy verification of all of subscriber data. I propose that this unique working relationship with Utah governments and data access will have a significant impact on the timeliness of the project's completion and the quality of the data utilized.

As the company founder and President, I am the point of contact, only presenter, and the only individual authorized to commit Personnel Systems & Services. Any communication should be directed to me:



Mike Swallow, President  
Personnel Systems & Services, Inc.  
1325 W. Bluemont Dr.  
Salt Lake City, UT 84123  
Phone: 801-269-8977

Email: [personnelsystems@comcast.net](mailto:personnelsystems@comcast.net) or [mike@comp-survey.com](mailto:mike@comp-survey.com)

I am confident that Personnel Systems & Services can effectively shepherd this effort and assist the City of American Fork to accomplish the mission of the project. My 35 years of experience is directly related to your performance expectations as described in your RFP. This proposal shall remain unchangeable except by mutual consent for 120 days. Any element of the proposed scope of service or level of involvement by employees can be modified to mitigate or reduce costs.

Best Regards,

Mike Swallow  
HR Consultant  
PS&S President

# **Project Team Bios**

## **Mike Swallow**

President of Personnel Systems & Services, Inc.; a human resource consulting company established in 1988 and a general partner of Technology Net, Inc., established in 2001. For over 30 years Mike has been providing technical assistance primarily to local government entities either as a staff consultant or independent consultant in various HR management areas, including job analysis and classification, labor market analysis and pay plan development, policy and procedure development, grievance management and resolution, performance management & evaluation, recruitment and selection and supervisor training. Having been engaged by over 100 entities, Personnel Systems & Services has clients based in Utah, New Mexico, Idaho, Wyoming, New Jersey and Alaska. Previous employers include the Utah Intergovernmental Personnel Agency, Idaho Association of Counties, State of Utah-DHRM, and Summit County. Academic credentials include a master's degree in public administration and a bachelor's degree in psychology from Brigham Young University.

## **David R. Colvin**

David has provided management and consulting services to state and local governments, and education for more than 25 years. Mr. Colvin has a dozen years of experience in city government management in three states, including 9 years as a city manager or administrator. During his tenure as a city manager/administrator, he managed many large-scale capital improvement projects, developed and implemented master plans, city-wide performance reporting systems, human resource systems, and performance based budgets. As a strategic planner, fiscal and management analyst for a state legislature, Mr. Colvin has 9 years' experience managing and facilitating the development of several state-wide strategic plans and providing consulting services in developing a state-wide performance measurement system. Mr. Colvin has also managed and provided training for a University's state and local government managers/elected officials leadership and management development program, and provided consulting services to many local governments in developing human resource systems and implementing other organizational development efforts. Mr. Colvin has a Bachelor's degree in Communications and Organizational Behavior, and a Master of Public Administration degree, from Brigham Young University.

## **Kenneth G. Topham Jr., CEBS CPM**

Kenneth earned a B.S. degree in Business Administration from Southern Utah State College (now Southern Utah University) and an MBA from the University of Utah. He has professional designations as a Certified Employee Benefit Specialist (CEBS) from the Wharton School and the International Foundation of Employee Benefits Plans; and as a Certified Public Manager (CPM) from the University of Utah and the State of Utah. He is a past member and chairman of the Salt Lake Area Compensation and Benefits Group and previous member of the International Foundation of Employee Benefits Plans and of the International Society of Certified Employee Benefit Specialists. He was employed with the State of Utah for 30 years, with nearly 28 years of experience in the human resource management field. He has filled positions as Management Analyst in the Department of Transportation, Human Resource Director in the State Tax Commission, State Compensation Manager, State Benefits Manager, and HR Functional Manager during the State's development and implementation of a client/server Human Resource Management Information System. He was instrumental in developing and implementing the State's flexible benefits program, employee benefits profiles, annual benefits fairs, a health awareness training program, and the State's client/server human resource management information system. His last assignment with the DHRM was as the HR Special Projects Manager with assignment specifically in the area of local government services. Ken is also a Technology Net, Inc. general partner.

### **Gaylyn Larsen, SPHR**

Gaylyn boasts over 21 years of experience in local government human resource management, which experience is complimented by three years of full time consulting. Her consulting engagements involved the development of job classification and compensation systems, and she has been a member of several job audit teams in connection with consulting engagements entered into by Personnel Systems & Services. Currently, Gaylyn is serving as the Wasatch Front Waste & Recycling District Human Resource Director. Previously, she served as Human Resource Director for the Salt Lake County Sheriff's Office, the City of St. George and as a Human Resource Analyst for the Utah State Tax Commission. Professionally, she has served as president of both the SHRM and IPMA chapters. Her academic credentials include a degree in Personnel & Industrial Relations with a minor in Economics.

### **Richard T. Morley**

Richard (Ric) holds a bachelor's degree in business administration and is a human resource professional with 20+ years of combined experience in human resource management, business, business development, purchasing, accounting, computers, and retail business management. With his experience crossing several disciplines, he brings multiple business talents to our consulting team. Since 1991 he has been involved in HR operations. This included the development of seminars in time management (Simple Time Management); serving as Director of Operations for a company that achieved over 50 million a year in sales (where he also developed the basis for the future HRIS system); serving as a team member providing HR consulting to local governments; and serving as Director of Human Resources for a small company where he was later promoted to Executive Vice President. Here he also developed an internet-based HRIS system that works with almost all payroll and human resource programs. Most recently, Ric assisted in forming a human resource company named HR Group Central whose focus is to provide customized HR technical assistance to small and large companies where he is currently serving as the COO. Ric is a member of the SHRM and has been involved with various chamber organizations.

### **Jeff Monson**

Jeff, currently the HR Director for the Salt Lake Valley 911 Emergency Center, has attained degrees in Business Management, Business Administration, and a Master's degree in Organizational Management. He has 17 years of training, program development, and human resource experience. Jeff gained much of his experience while working at Intermountain Health Care. During that time, he worked with a variety of employee and patient groups and committees and helped develop and implement effective communication techniques and behavioral modification programs. He also gained a wide range of experience from working with over 300 small- and medium-sized organizations, assisting them with human resource, benefit, and safety issues. He has also helped companies develop the necessary policies and procedures to become more effective and profitable.



## Proposal Response Form

In order to receive consideration, submitted proposals must contain responses to all questions.

Failure to respond to all questions may result in disqualification of the bid.

### COMPANY NAME & ADDRESS:

PERSONNEL SYSTEMS & SERVICES, INC.  
1325 W. BLUEMONT DR.  
TAYLORSVILLE, UT 84123

Is this an Office: XXX, Home: XXX , Shop: , \_\_\_\_\_  
Other: \_\_\_\_\_

Telephone Number: 801-269-8977

Emergency Number 801-557-1939

Cell: 801-557-2012

Fax Number: N/A

Email Address: personnelsystems@comcast.net

COMPANY OWNER: MIKE SWALLOW

COMPANY PRESIDENT: MIKE SWALLOW

CONTACT PERSON: MIKE SWALLOW Phone: 801-269-8977

Type of Company (Partnership, Corporation, Venture etc.): CORPORATION

If a Corporation, in what State Incorporated: UTAH

Business License Number: TAYLORSVILLE—LIC-9-13-11934

Federal Tax Identification Number: 870580781



PROPOSAL RESPONSE FORM: Page 2

How long has this company been in business: 26\_\_\_\_\_Years, and 2\_\_Months.

Officers authorized to execute contracts: MIKE SWALLOW\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Brief History of the Company:

INCORPORATED IN 1988. BUSINESS MODEL ESTABLISHED TO PROVIDE TECHNICAL ASSISTANCE TO LOCAL GOVERNMENTS IN THE AREAS OF HR MANAGEMENT, COMPENSATION ADMINISTRATION AND PERFORMANCE MANAGEMEMENT. CLIENTELE HAS EVOLOVED OVER THE YEARS TO INCLUDE GOVERNMENTS THROUGHOUT UTAH, IDAHO, NEW MEXICO, WYOMING, AND COLORADO. IN 2012 A SECOND COMPANY WAS CREATED TO PROVIDE A WEB-BASED VEHICLE FOR LOCAL GOVERNMENTS TO SHARE AND COMPARE COMPENSATION PRACTICES, KNOW AS TECHNOLOGY NET.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are there any judgments, suits or claims pending against your company? If Yes, attach a written explanation. YES XX NO

Has your company operated under any other name (s)? If yes, attach a written explanation. YES XX NO



**Certificate of Non-Collusion**  
**American Fork City Compensation Analysis**

**Affidavit**

The undersigned of lawful age, being duly sworn, disposes and says:

That as a condition precedent to the award of the American Fork project as above

captioned, I, MIKE SWALLOW, of  
Name

PERSONNEL SYSTEMS & SERVICES do solemnly  
Firm

swear that neither I, nor to the best of my knowledge, any member or members of my firm or company have either directly or indirectly restrained free and competitive professional selection on this project by entering into any agreement, participating in any collusion, or otherwise taking any action unauthorized by American Fork City with regard to this contract.

Mike Swallow  
Signature

10/22/14  
Date

Subscribed and sworn before me this 22<sup>nd</sup> day of  
October,

20 14.

My commission expires: July 31, 2018

Residing at: Taylorville UT

By Tanner Haderlie  
Notary Public





**Cost Proposal**

Company: PERSONNEL SYSTEMS & SERVICES  
Address: 1325 BLUEMONT DR., SLC, 84123  
Phone: 801-269-8977  
Date: 10/22/14

Ladies and Gentlemen of the American Fork City Council:

The Proposer shall furnish all labor, materials, equipment, tools, transportation and supplies required to complete the work in accordance with the specifications, requirements and terms of the contract.

The undersigned, after having personally and carefully examined the Request for Proposals and other documents detailing the scope and purpose of the personnel and salary study, declare that the undersigned is recognized as being qualified and competent to perform the work and hereby submits a proposal of:

\$ 30,936<sup>00</sup>

As the professional fee for completing all work related and covered herein.

Additional Fees include: (please attach additional sheets as necessary)

It is understood that American Fork City has the right to reject this proposal, negotiate a price for the proposed services, or to accept the proposal at the above price.

Mike Swallow  
Signature of Preparer

PRESIDENT  
Title of Above



## Proposal Evaluation Sheet

### American Fork City Compensation Analysis

Firm Making the Proposal: \_\_\_\_\_

Evaluator \_\_\_\_\_ Date: \_\_\_\_\_

Criteria	1	2	3	4	5	Pts.	Total	Comments:
1. Cost (maximum 50 points)						X 10		
2. Qualifications, Competence and References (maximum 30 points)						X 6		
3. Ability to complete the study in a reasonable length of time (maximum 20 points)						X 4		
<b>Total:</b>								Directions: Multiply the number checked in columns (1,2,3,4 or 5) by the number indicated in the point column. The maximum total of all points is 100 points for all rows.

Additional  
Comments:

***Sealed Proposal-  
Comprehensive Personnel &  
Salary Study***

# *American Fork*

## *Proposal For A Classification & Compensation Analysis*

***October 24, 2014***

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**Prepared By**



**1325 W. Bluemont Dr.  
Salt Lake City, UT 84123  
801-269-8977  
[personnelsystems@comcast.net](mailto:personnelsystems@comcast.net)**

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## **INTRODUCTION**

The development of a sound personnel management system begins with an organizational statement addressing the objectives of management related to achieving a predetermined employer status and labor market posture. Underlying the objectives is the organization's attitude or philosophy about work and workers. With this in mind the consultant assumes (1) that the City of American Fork desires to achieve a reasonable level of competitiveness and maintain current standards in providing quality services by attracting and retaining the most qualified employees and (2) in order to avoid becoming a training ground for other employers, the city views it desirable to provide career development opportunities where ever possible, competitive compensation and commit other resources necessary to enhance the attractiveness of the city as an employer.

## **PROJECT PHILOSOPHY**

Personnel Systems & Services subscribes to and promotes equal pay for equal work, non-discrimination in employment and fair and good faith dealing in all employee-employer relationships. Management has the right to expect a fair day's labor for the daily wage provided. Employees have the right to expect a fair day's pay for the labor given. The appropriateness of the pay provided is a function of the market place, the organizations internal equity system, which establishes the value of the job to a specific employer, and the perceived value of the individual based upon job performance, which includes loyalty, dependability and competence.

The employee's perception of equity and consistency in pay practices may not result in greater productivity and efficiency while the perception of inequity and inconsistency will most always produce discontent.

# SERVICE AREAS

## JOB DESCRIPTION UPDATE & DEVELOPMENT

The process of collecting facts about jobs sufficient to update job descriptions and specifications is the preliminary requirement necessary to complete job evaluation and classification, the application of your internal equity instrument. The description details what is involved in the job that includes job title, general purpose statements, and essential functions. The specifications for the job refer to those statements that describe personal characteristics, minimum qualifications, knowledge, skills, and abilities, or special qualifications that must be met in order for a job applicant to be considered eligible for the position. Completed documents are ADA compliant with regard to essential functions of each individual position.

## JOB EVALUATION & CLASSIFICATION

The evaluation of the job comes through the establishment of measurement criteria against which all jobs are compared in order to determine relative organizational value. The instrument is typically a point system, a factoring method, job ranking, or a combination. Measurement criteria are aspects of the job such as job knowledge, minimum qualifications, and difficulty of work, accountability, responsibility, supervision, job controls, and work environment. The objective of this phase of the project is to determine and establish the internal equity program that is ultimately attached to market data to create a formal pay plan. This process will assist the city to identify its own "worth of work" values resulting in a **"site validated"** internal equity methodology.

## MARKET SALARY ANALYSIS

A review of the labor market, the economic area in which you wish to compete, is essential to the overall success of the pay plan. The objective of the analysis is to achieve external competitiveness. This phase involves the completion of a survey of **employer wages** for city benchmark positions. Through the use of statistical measures and evaluation techniques it is possible to determine your competitive position in the chosen market place including public and/or private employers, and then establish a specific posture regarding the most realistic market objectives in terms of pay ranges and methods of pay progression. Where does the City want to posture itself in the market place; as a trendsetter? A leading edge competitor? At market parity? Or, as reasonably comparable?

Key features within the software instrument include: customization of performance factors unique to the job classification, importance weighting of custom performance factors, 5 level- behaviorally anchored rating scale, significant incident documentation process, the linking of specific performance objectives to job specific performance standards, goal achievement tracking, multi-rater options, administrative control features to monitor the status of completed or not completed evaluations, employee self-evaluation feature, employee strength & weakness feedback reports, evaluator trend analysis to identify lenient evaluators vs. stringent evaluators, the ability to rate between levels, evaluator note keeper, plus others.

## COMPENSATION POLICIES & PROCEDURES

This service involves providing a model compensation management policy which addresses method of progression from minimum to midpoint and from midpoint to maximum of the pay range. Additionally, an outline for creating an incentive program will be included. This component will constitute a complete set of rules and regulations for continued maintenance of the salary and compensation plan, taking into account the existing City policies and state statutes.

## BASIS OF SOUND PAY PROGRAMS

As the city seeks to establish and maintain an effective compensation program it is recommended that consideration be given to some or all of the following:

1. Size and type of business: *The ability to pay* certain rates, based upon revenues and financial resources.
2. Organizational Philosophy: *The willingness to pay* certain rates and *attitudes* about ranking among other employers within a selected labor market.
3. Nature and Diversity of Work: *The degree of specialization*, work variety, and technology (an element of the job classification methodology).
4. Regional Economics: *The prevailing rates of pay* and the rates of inflation.
5. Availability of Labor Supply: *The competition* for certain types of jobs resulting from an abundance or shortage of certain skills and abilities within the labor market.
6. Value of Work Contribution: *The worth of a particular job* to the organization (the overall value determined through classification methodology).
7. Pay Supplements: *The total compensation comparability* afforded through various incentives and discretionary benefits.
8. Reputation of the Organization: *The competitiveness* of pay and *social recognition* as high- or low-paying.
9. Pay Progression Policy:
  - The learning curve impact associated with certain types of jobs.
  - Pay range uniformity vs. diversity (pay schedule design).
  - Length of Service.
  - Performance based increases.
  - Pay for knowledge or level of competency.
  - The use of "control rates" within the pay ranges.
10. Bonus and Incentive Plans:
  - The use of "non-scheduled" recognitions.
  - The use of non-monetary rewards.
11. Ownership Protection: involves realistic consideration of resource limitations. The cost of administration should constantly be balanced against achieving the other objectives of the pay plan and overall personnel program.

# SUMMARY OF APPROACH - SCOPE OF WORK JOB ANALYSIS & CLASSIFICATION STUDY

## PRE-PROJECT PLANNING

- A. Review background materials, including organizational charts, pay philosophy, compensation policies and procedures.
- B. Conduct webinar/meetings with designated staff and/or city management to discuss philosophy, work plan and explain instruments.
- C. Determine customization needs for proposed instruments.
- D. Identify communication processes and methods to satisfy employee engagement expectations.

## QUESTIONNAIRE ADMINISTRATION, COLLECTION & ONSITE PREPARATIONS

Step #1: The consultant will provide to MANAGEMENT/HR staff the data collection instruments (along with instructions for completion) for distribution to fulltime employees. These instruments will include a "Job Values" survey and a Position Analysis Questionnaire. Target dates for completion will be attached in a memo regarding the project when delivered to employees.

The Position Analysis Questionnaire will ask a variety of questions related to job duties, responsibilities, knowledge, skills, abilities, etc. This is a standard tool necessary in accumulating job facts for all job classifications. ***This phase could be minimized by the use of existing position descriptions as the primary instrument for updating.*** Employees may wish to use a combination of both documents in order to provide the greatest amount of written information regarding their position. Unique positions not previously included in the personnel system would still require the use of the questionnaire.

Step #2: MANAGEMENT/HR staff to review a "Job Values Survey" instrument provided by the consultant to determine that the survey content addresses all the "worth of work" values of interest to the city. This process results in the delivery of a "site validated" job evaluation (point factor) instrument consistent with those criteria set forth in the Fair Labor Standards Act as the legitimate basis to "discriminate" or differentiate the pay between jobs.

Step #3: MANAGEMENT/HR distributes, hard copy or electronic file to all departments the survey along with instructions for completion and a targeted completion date with completed forms being returned to the MANAGEMENT/HR office. This is an anonymous exercise and can be completed in an electronic file and when completed automatically emailed to the consultant.

Step #4: Supervisors and MANAGEMENT/HR staff review completed employee Position Analysis Questionnaires.

Step #5: Completed survey (only those completed manually) and questionnaires to be compiled and mailed to the consultant by MANAGEMENT/HR staff.

Step #6: MANAGEMENT/HR staff delivers electronic copies of existing/current job descriptions to the consultant.

Step #7: The consultant and onsite audit team reviews all completed questionnaires and current job descriptions.

Step #8: MANAGEMENT/HR staff to email the consultant an Excel file containing the fulltime employee census identifying employee first name, last name, department, job title, pay grade/band, pay range minimum and maximum and current actual pay.

## ONSITE ENGAGEMENT

Step #9: **Employee Orientation:** The consultant will prepare a proposed onsite schedule to include an employee orientation to conduct an open discussion with all employees regarding the purpose of the review and the processes to be followed, describe job analysis and deliver the results of the values survey. One, two or more meeting sessions could be scheduled to allow all employees to attend, without disrupting services and operations. Each orientation should require 45-60 minutes each.

Step #10: **On-site Job Audits:** The consultant will prepare an audit schedule and propose times for individual and group audits and deliver the proposed schedule to MANAGEMENT/HR staff for review and distribution. A brief time will be allowed to shift and reschedule employees where the proposed schedule contains conflicts or poses attendance issues. This process will allow all employees opportunity for direct verbal input. All positions with one incumbent will be audited. Positions with more than one incumbent may be involved in group audits. At the option of the employees in multiple incumbent positions, they may select a member of the group to represent them in the audit process. Each audit is to take approximately 45 minutes. Mike Swallow will personally meet with all department heads.

## **JOB DESCRIPTION PREPARATION**

Step #11: **Position Description Rough Draft:** Upon completing job audits the consultant will prepare rough draft and updated descriptions describing general purpose, supervisory relationships, essential functions, minimum qualifications, knowledge, skills, abilities, and special qualifications required for the job. The drafts and updated documents will be delivered to MANAGEMENT/HR staff for review and distribution. This document should be reviewed and approved by both position incumbents, or a representative or representatives of the position, and supervisors. Individuals will be encouraged to make additions or deletions to the position description in cooperation with supervisors as needed to satisfy their perceptions of their jobs.

Rough draft documents will incorporate options for **career progression** utilizing job families and related logical structure.

Step #12: **Position Description Final Draft:** Upon receiving the returned rough draft descriptions the consultant will finalize all changes and updates. Significant alterations may require follow-up audits by the Consultant to clarify significant differences in job perceptions.

## **JOB EVALUATION & CLASSIFICATION**

Based upon the results of the "Job Values" survey the consultant will develop and deliver a customized job evaluation instrument reflecting the employee "worth of work" priorities. The consultant will then perform the initial point factor evaluation of each job based upon the finalized job description and prepare recommendations for job pay grades or levels. The instrument will compare each job against measures such as responsibility, difficulty of work, job knowledge and work environment, etc. The city will retain the privilege of modifying recommendations by one grade without undergoing instrument justification. The scientific approach used in the construction of the factor tool is based upon Weber's "Law Of Just-Noticeable-Difference." An optional step in the classification process would be to involve the use of a committee facilitated by the consultant, which would make the "fine-tuning" **classification and pay range recommendations**.

Step #13: Consultant develops and recommends point factor evaluation instrument and pay grade options with consideration being given to various pay plan designs, with or without pay grades.

Step #14: The consultant applies the point valuation instrument to each job and creates the baseline for establishing internal equity and job valuation consistency.

Step #15: MANAGEMENT/HR Officer and assigned staff in cooperation with the consultant "fine-tunes" the assignment of points to each job, which process may include an invitation to subject matter experts, supervisors and/or job incumbents to meet and discuss job content.

Step #16: During the fine-tuning process, the consultant, MANAGEMENT/HR Officer and assigned MANAGEMENT/HR staff work together to identify and determine possible classification consolidations, career path options, and job family progression series. The fine-tuning exercise will constitute staff training in the classification methodology.

# SUMMARY OF APPROACH - SCOPE OF WORK MARKET COMPENSATION STUDY

## MARKET DATA COLLECTION & ANALYSIS

Step #17: To the extent possible, the consultant will utilize the Utah/Technology Net, web-based resource to expedite the conducting of the Market Compensation Study. Additionally, complementary market data will be added to the data obtained through direct solicitation of the **targeted survey participants in the American Fork market area as defined by management.**

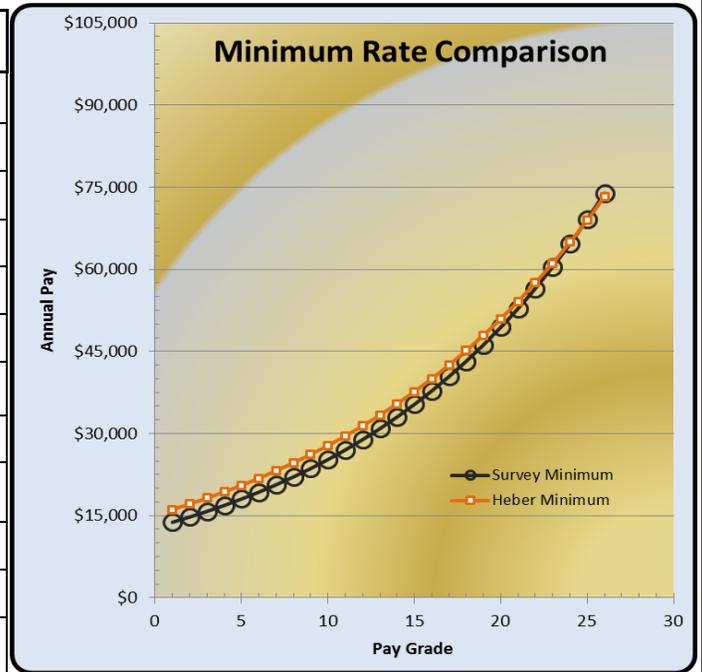
Step #18: **Labor Market Analysis:** The consultant will conduct a survey of base wages within a selected labor market for a variety of selected benchmark positions. The survey participants will be chosen by city management and MANAGEMENT/HR staff and represent various public and private entities with whom the city desires to be competitive. It is recommended that this sample remain fairly stable over the years in order to assure consistency in market evaluation.

It is also recommended that the survey participants represent the "trend setters", thus enabling the city to ascertain the leadership position of the market. By knowing what market leaders are doing the city can determine what kind of pay policy and posture they want to maintain in relationship with the selected market. Statistical analysis and charts will be used to describe the survey results.

Step #19: Develop and deliver regression analysis graphic illustrations of the city's comparative position with the defined market area and survey participants.

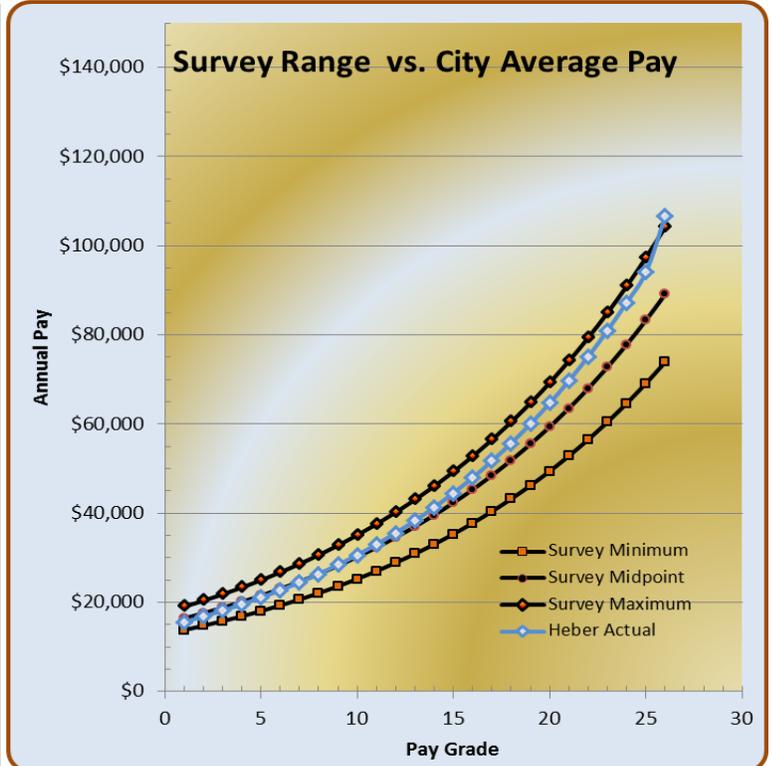
Sample Analytical Chart #1

Pay Grade	Survey Minimum	Heber Minimum	\$ Difference	% Difference
10	\$25,249	\$27,814	\$2,566	9.2%
11	\$27,002	\$29,551	\$2,549	8.6%
12	\$28,877	\$31,396	\$2,518	8.0%
13	\$30,883	\$33,355	\$2,473	7.4%
14	\$33,028	\$35,438	\$2,410	6.8%
15	\$35,321	\$37,650	\$2,329	6.2%
16	\$37,774	\$40,000	\$2,226	5.6%
17	\$40,398	\$42,498	\$2,100	4.9%
18	\$43,203	\$45,151	\$1,947	4.3%
19	\$46,204	\$47,969	\$1,766	3.7%
20	\$49,412	\$50,964	\$1,551	3.0%
21	\$52,844	\$54,145	\$1,301	2.4%



## Sample Analytical Chart #2

Pay Grade	Survey Minimum	Survey Midpoint	Survey Maximum	Client Actual
1	\$13,797	\$16,417	\$19,018	\$15,614
2	\$14,756	\$17,566	\$20,357	\$16,827
3	\$15,780	\$18,796	\$21,790	\$18,135
4	\$16,876	\$20,112	\$23,324	\$19,544
5	\$18,048	\$21,520	\$24,966	\$21,062
6	\$19,302	\$23,027	\$26,724	\$22,699
7	\$20,642	\$24,639	\$28,605	\$24,463
8	\$22,076	\$26,364	\$30,619	\$26,364
9	\$23,609	\$28,209	\$32,774	\$28,412
10	\$25,249	\$30,184	\$35,082	\$30,620
11	\$27,002	\$32,298	\$37,552	\$32,999
12	\$28,877	\$34,559	\$40,195	\$35,563
13	\$30,883	\$36,978	\$43,025	\$38,326
14	\$33,028	\$39,567	\$46,054	\$41,304
15	\$35,321	\$42,338	\$49,297	\$44,513
16	\$37,774	\$45,302	\$52,767	\$47,972
17	\$40,398	\$48,473	\$56,482	\$51,699
18	\$43,203	\$51,867	\$60,459	\$55,716
19	\$46,204	\$55,498	\$64,715	\$60,046



**New Alternative: No More Pay Grades:** Now developed and available is an approach to compensation analysis that eliminates the use of pay grades but still retains the integrity of an internal equity maintenance methodology. Over the years there have always been complaints about pay grade structures that become manipulated. While it is almost impossible to eliminate all manipulation, this new approach can significantly minimize and may eventually eliminate such fairness distortions. Based upon an internal equity valuation each job can have an individualized market based pay range. The slightest variations between the worth of jobs based upon your entity's worth-of-work values can now be recognized resulting in base pay management that is not cumbersome attached to a confining "pay plan". Each job or job classification will have a "stand alone" market based pay range.

This approach **can also overcome the frustrations of "Broad Banding"** and eliminate the challenges of associating non-benchmarked jobs to the benchmark anchor. Here too, every job can be uniquely assigned a market derived pay rate. Additionally, maintaining broad banded pay plans forces the escalation of costs. Any time it is determined that a benchmark job needs to be adjusted to a prevailing pay rate you must automatically adjust all other non-benchmark jobs in the band.

### **EMPLOYER PROVIDED BENEFITS**

In identifying the city's competitive posture with the labor market, the consultant will develop a total compensation picture. There are three basic approaches to comparing benefits: (1) Benefit plan provision method, (2) Employer cost method, and (3) standard cost method or the "level of benefit approach". All three methods have strengths and weakness. Method #2 is the approach utilized by U.S. Chamber of Commerce and the Bureau of Labor Statistics to analyze trends in employer benefits. The question that will be addressed is: "How does the amount of money the city is spending per employee (for employer paid benefits) compare to the amount of money competitors are spending on their employees" (discretionary and mandatory benefits)?

Step #20: The consultant will solicit Total Compensation data, the total value of employer paid benefits. The Total Compensation Value (TCV) will be calculated for each position and included in the final market analysis.

## **SALARY STRUCTURE REVIEW & RECOMMENDATIONS**

Step #21: The Consultant and MANAGEMENT/HR Staff will finalize the salary structure to ensure conformity with management philosophy for pay progression methodology and competitive positioning within the defined market. After identifying market relationships the City will select a level of competitiveness to be achieved in the design of the new pay plan or "plans" with consideration being given to targeted percentiles in the data's prevailing rates. The learning curve philosophy may also be reflected in the development of ranges for various job classifications. Under the "No More Pay Grade" alternative, each individual job classification/description will potentially have an independent and separate pay range based upon market.

Step #22: The Consultant will complete the full integration of the results of the classification and job evaluation phase of the study with the market compensation study.

Step #23: The Consultant will Identify and calculate a least cost implementation plan and identify the placement of each employee in relation to their job's revised pay grade/range and classification. As needed, the consultant will create "phase-in" options based upon calculated economic impact.

Step #24: Based upon the preferred option for the number of pay grades the consultant will prepare and deliver recommendations for salary schedule restructuring. If the "No Pay Grade" option is of interest the results can be reviewed according to individual jobs and job families.

Step #25: Discuss with MANAGEMENT/HR staff the desire and value of opening an appeal window to allow employees to appeal there job's classification and recommended pay range/grade.

## **ADDITIONAL CONSIDERATIONS/ PROJECT ENHANCEMENTS**

**Performance Management System:** A performance management and evaluation program will normally be designed in combination with one of two ways: (1) to be utilized to monitor employee, work unit, and organizational progress toward achieving established goals and objectives; and (2) to provide justification for pay increases, advancement, promotion, and incentive awards and job retention. In achieving option two, the success of the program will involve integrating the performance management and evaluation program into the other aspects of the total compensation system. Other compensation factors to be evaluated simultaneously would include some or all of the following:

A. **Base Pay:** This is the acceptable market range as determined through labor market analysis. The objective of the base pay program is to achieve a predetermined pay posture within the city's defined market area. One of four levels is usually pursued: 1) trend setting 2) competitive 3) parity or 4) comparable. The base pay plan is the companion to the job classification system that is the method of determining internal equity for the purpose of establishing base pay. Movement through the base pay schedule would be determined by two factors- the learning curve concept and acceptable performance (the minimal level of job productivity that would justify job retention).

B. **Incentive Award/Bonus Plan:** This system allows management to reward performance without compounding the costs in all other areas of compensation which are related to base pay (FICA, retirement, supplemental retirement, insurance, etc.). Such awards are one time, based upon predetermined criteria, can be given to individuals or work groups, and can be either monetary or non-monetary. Even benefits, such as additional annual leave could be used. Such reward systems would provide more financial control.

C. **Longevity Pay:** Generally, such pay is attached to the base pay schedule. When so attached this program does also compound other costs mentioned above. Annual leave schedules that allow employees to accumulate leave at increasing rates according to time in service are a form of longevity pay. When considering options for rewarding the dedicated, long service employee, annual leave can be supplemented by a lump sum cash program structured similar to annual accrual schedules. By separating items "b" and "c" from the base pay schedule, management will be better able to minimize the rewarding of mediocrity.

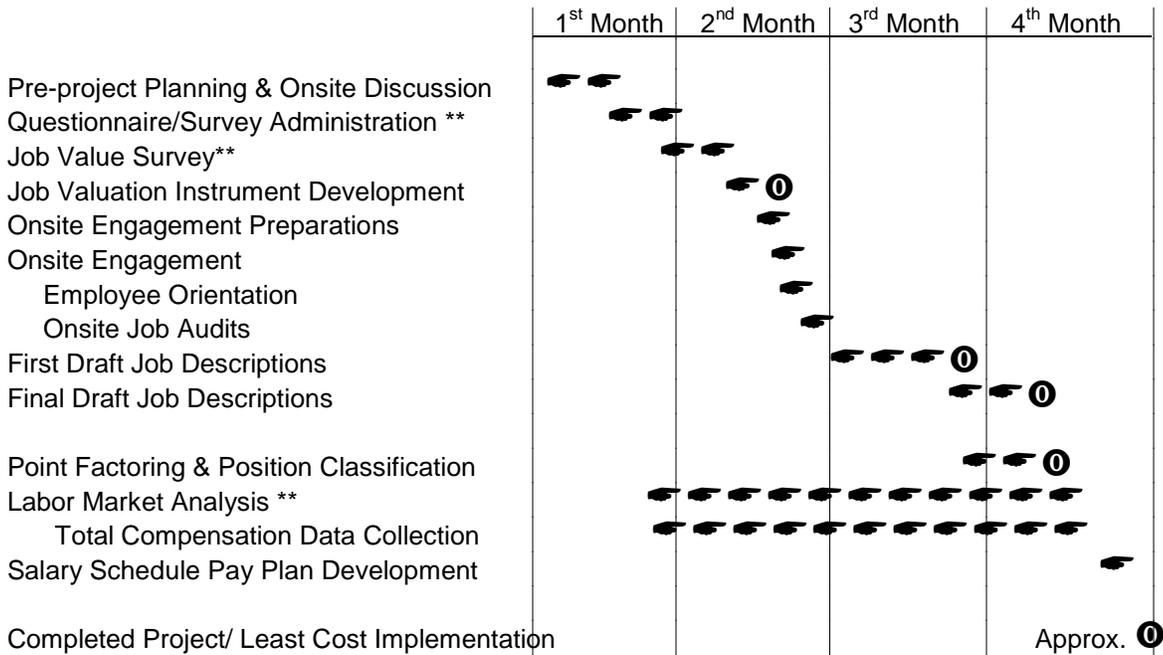
D. **Cost-of-Living Adjustments:** This adjustment to the general base pay schedule is an estimate of market changes. The amount of such adjustments is determined regionally by the Bureau of Labor Statistics and reported as the consumer price index. This is a shortcut substitute to conducting a thorough labor market analysis. It is generally recommended that an organization conduct the labor market analysis at least every two or three years to rectify error produced by using CPI or some other market index.

E. **Market Differentials:** This compensation practice comes into play when the supply and demand in the job market impacts certain types of jobs. It is identified through labor market analysis and shows up as an inconsistency between internal job value (classification) and external market pay. These adjustments are temporary and are utilized as needed to retain quality employees who have recognized the marketability of their knowledge, skills, and abilities.

**DELIVERABLE PRODUCT AND MATERIALS**

Upon conclusion of the project the consultant will provide the City with ten (10) attractive ring binders and a master document containing all project documents and personnel materials. The binders will be vinyl and include City name on the front, with the words "Human Resource Manual" on the spine and across the front. A six bank set of Mylar covered tabs will be inside each binder identifying manual sections labeled: Organization Charts, Policies and Procedures, Position Descriptions, Classification and Job Analysis, Salary Information, and Sample Personnel Forms

**TIME REQUIREMENTS**  
**Wage & Salary Market Analysis Study**



\*\* It is the consultant's experience that slowing in the time line can occur at these phases of the study. Generally, supervisors need to be insistent regarding employees completing and returning Values Survey within the allocated time period. Should such hurdles develop in the study, the target completion date could be over run. Commitment from all levels of management to promote the projects successful completion will be a key element.

**0** = Deliverable

# COST OF SERVICES

(Based upon approximately 130 FTE's, approx. 90 job classifications)

## Program A-Job Descriptions

1. Employee Project Orientation	\$250.00
2. Questionnaire Administration & Review, (90% of 130) 117 @ \$25 each with preliminary Organizational Analysis & Class Determinations	\$2,925.00
3. On-site Job Audits <b>100% employee participation @ approx. 100 individual &amp; group job audits @ \$85 ea.</b>	\$8,500.00
4. Writing & Rewriting of job descriptions Approximately 90 @ \$50.00 ea.	\$4,500.00

<b>Total: Program A</b>	<b>\$16,175.00</b>
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Note: Program "A" costs can be modified based upon the number of onsite job audits, i.e., 100% individual or 130 would increase the cost and one per job classification or 90 would decrease the cost.

## Program B-Job Evaluation & Classification

1. Values Survey Data Entry & Tabulation 117 @ \$5.00 ea.	\$585.00
2. Customization of Point Factor Instrument	\$1,750.00
3. Job Analysis & Classification 90 job classes (Pay Grade Determination) @ \$30 ea.	\$2,700.00

<b>Total: Program B</b>	<b>\$5,035.00</b>
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## Program C-Labor Market Wage/Salary Analysis

1. Labor Market Salary Survey and Analysis	\$5,850.00
2. Employer Paid Benefit Survey and Analysis	\$1,250.00
3. Pay Plan Integration & Recommendations	\$2,650.00

**TechNet Subscriber Discount @ 30%** **(\$2,925.00)**

<b>Total: Program C</b>	<b>\$6,825.00</b>
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## Program D- Policy & Procedure Development & Recommendations

1. Compensation Policy

<b>Total: Program D</b>	<b>\$1,500.00</b>
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<b>Total Cost: Program A-D:</b>	<b>\$29,535.00</b>
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<b>All overhead Expenses, i.e., travel, meals, materials, printing, etc. @ 5%</b>	<b>\$1,401.00</b>
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<b>Total</b>	<b>\$30,936.00</b>
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Payment Schedule: Up front project binder- 20%. Upon delivery of job evaluation instrument - 20%. Upon completion of on-site job audits -20%. Upon delivery of 1<sup>st</sup> draft job descriptions & initial pay grade or market range recommendations - 20%. Upon delivery of Wage Analysis and final project materials with least cost implementation impact- 20%.

## Optional Program E- Employee Performance Evaluation Program (PEP)

### COMPARE WITH NEOGOV

1. PEP Software	\$999.00
2. Scoring Count 140 @ \$3.50 ea.	\$490.00
3. Job Library (For Setting of Values & Standards)	\$500.00
4. Program Administrator/Super-user training	\$1,200.00
5. Concurrent Users 5 @ \$50 each	\$250.00
6. Advantage Client Server (5 user)	\$650.00

<b>Total: Program E</b>	<b>\$4,089.00</b>
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**MIKE SWALLOW**  
**PROFESSIONAL & BUSINESS PROFILE**

**WORK EXPERIENCE**

(1976-2014)

**Technology Net, Inc.;** Partner and co-developer of the TechNet online Compensation Survey System. 1500 Subscribers in Utah, Idaho, New Mexico, Wyoming, Colorado, Mid-American Regional Council (Kansas & Missouri), Virginia and Maryland. Established 2002.

**Personnel Systems & Services.** Currently providing technical assistance consulting services in human resource management systems consisting of: job analysis and classification, labor market compensation analysis and pay plan development, policy and procedure development, grievance management and resolution, performance management, recruitment and selection, training and general HR management programs. Company established in 1988.

**Bureau Manager- Local Government MANAGEMENT/HR Consultant,** Bureau of Consulting Services, Department of Human Resource Management, State of Utah. Develop, market, coordinate and deliver technical assistance services to Utah cities and counties in human resource management, supervisory training, organizational development, employee assistance programs, employee relations, fair employment programs, recruitment and selection, job classification, and wage and benefit analysis. Direct and coordinated state-wide and interstate salary and benefit surveys and analysis.

**Contract Consultant,** Emery County, Price City, Tooele City, Iron City, Tooele City and Carbon County Utah. In conjunction with State of Utah consulting duties, and under special contract, acted as advisor and resource to the City. Provided consultation related to policies, procedures, classification, compensation, recruitment, selection, discipline, termination and employee relations.

**Self Employed, Benefits Broker & Personnel Consultant.** Marketing and sales of individual and group benefits utilizing medical reimbursement plans, salary continuation plans, business continuation programs, stock redemption plans and 401(k) salary reduction plans. Performed private consulting to professionals and local governments. Developed business plans or proformas with income projections, cash flow analysis, balance sheets and break even analysis. Worked as an associate to Ricketts and Associates-Risk Management/Vierra-CPA firm. Licensed to sell life, health and disability insurance.

**Idaho Association of Counties,** Boise, Idaho. Develop, market, coordinate and deliver technical assistance services to Idaho cities and counties in human resource management, supervisory training, organizational development, employee assistance programs, employee relations, fair employment programs, recruitment and selection, job classification, and wage and benefit analysis.

**Current Retainers:** North Davis County Sewer District, UT; Washington City, UT; Herriman City, UT; Lafayette, CO.

**Current Projects:** Duchesne County, UT; Mountainland Association of Governments, UT; Heber Light & Power, UT; Orem, UT; Weber 911 Emergency Dispatch, UT; Cedar City, UT.

**Annual Projects Conducted via Technology Net:** Wasatch Compensation Group annual salary and benefit survey (50+ Utah governmental entities, cities, counties, special districts, state of Utah). Colorado Municipal League, Virginia Institute of Government/University of Virginia, Maryland Municipal League, New Mexico Municipal League, New Mexico Association of Counties and Mid-America Regional Council.

## REFERENCES RELEVANT CONSULTING ASSIGNMENTS

**ALL ENGAGEMENTS INCLUDED SOME OR ALL OF THE FOLLOWING ELEMENTS: PERFORMANCE MANAGEMENT SYSTEM, LABOR MARKET SURVEY & ANALYSIS, JOB ANALYSIS, JOB CLASSIFICATION, JOB DESCRIPTIONS & PERSONNEL POLICIES.**

- 2012- 90 Days:** Worland, WY; Tracy Glanz, City Clerk, 307-347-2486, [clerktreasurer@rtconnect.net](mailto:clerktreasurer@rtconnect.net)
- 2012- 90 Days:** Ephraim, UT; Steve Widmer, Finance Director, 435-283-4631; [steveuw@ephraincity.org](mailto:steveuw@ephraincity.org)
- 2012- 90 Days:** Gateway, Inc, Newark, NJ; Kurus Elavia, CEO; Phone: 973-465-8006; [kjelavia@gatewaygroupone.com](mailto:kjelavia@gatewaygroupone.com)
- 2012- 90 Days:** Pagosa Springs, CO; Mr. David Mitchem, City Manager, 970-264-4151, [dmitchem@pagosasprings.co.gov](mailto:dmitchem@pagosasprings.co.gov)
- 2012-160 Days:** West Jordan, UT; Ana Yu, Senior HR Analyst; 801-569-5030; [annay@wjordan.com](mailto:annay@wjordan.com)
- 2013- 90 Days:** Wasatch Front Regional Council, UT; Finance Officer, [lbaumgardner@wfrc.org](mailto:lbaumgardner@wfrc.org)
- 2013- 90 Days:** Snyderville Recreation, UT; Megan Suhadolc, HR Mgr., 435-649-1564; [megan@basinrecreation.org](mailto:megan@basinrecreation.org)
- 2013- 90 Days:** Santa Clara, UT; Ed Dickie, City Manager, 435-619-3923; [edickie@sccity.org](mailto:edickie@sccity.org)
- 2013- 90 Days:** North Central Regional Transportation District, NM; Anthony J. Mortillaro; CEO; (505) 438-3257
- 2013- 90 Days:** Las Vegas, NV; Mr. Dan Tarwater, HR Director, (702) 229-6011, [dtarwater@lasvegasnevada.gov](mailto:dtarwater@lasvegasnevada.gov)
- 2013- 90 Days:** Eagle Mountain, UT; Jessica Alvarez, HR Manager, 801-789-6604; [jalvarez@emcity.org](mailto:jalvarez@emcity.org)
- 2013- 90 Days:** Beaver County, UT; Scott Albrecht, Executive Assistant; (435)438-6490; [smalbrecht@beaver.utah.gov](mailto:smalbrecht@beaver.utah.gov)
- 2014-120 Days:** Bonneville County, ID; Mr. Dan Byron, County Clerk, D; 605 N Capital Ave. (208) 529-1350
- 2014-120 Days:** Lafayette, CO; Ms. Pam Springs, HR Director, 303-665-5588, [pamsp@cityoflafayette.com](mailto:pamsp@cityoflafayette.com)
- 2014-120 Days:** Windsor, CO; Mary Robins, HR Director; 970-674-2400; [mrobins@windsorgov.com](mailto:mrobins@windsorgov.com)
- 2014- 90 Days:** Wasatch County, UT; David Rowley, HR Director; 435-657-3242; [drowley@co.wasatch.ut.us](mailto:drowley@co.wasatch.ut.us)
- 2014- 30 Days:** Weber Area Dispatch 911, UT; Tina Scarlet, Exec. Director, 801-395-8222; [tscarlet@weber911.org](mailto:tscarlet@weber911.org)
- 2014- 90 Days:** Delta, UT; Mr. Greg Shafer, City Recorder/Administrator, 435-864-2759, [gschafer@delta.utah.gov](mailto:gschafer@delta.utah.gov)
- 2014- UNDERWAY:** Heber Light & Power, UT; Karly Schindler, HR Manager, 436-657-6432, [kschindler@heberpower.com](mailto:kschindler@heberpower.com)

**Others Upon Request**

## PREVIOUS ENGAGEMENTS

### Classification, Compensation, Supervisor Training, Performance Management

#### UTAH

<p>Bluffdale City Bountiful Water Subconservancy District Box Elder City Brian Head Town Brigham City Cache City School District Canyonlands Natural History Association Carbon City Housing Authority City of American Fork Centerfield Central Weber Sewer Improvement District Clearfield City Davis Applied Technology Center Davis City Davis City School District Draper City East Carbon City Emery City Emery City School District Ephraim City Five City Association of Governments Garfield City Grand City Heber City Heber Light &amp; Power Heber Valley Railroad Helper City Holladay City Hurricane City Kearns Improvement District LaVerkin City Layton City Lehi City Mapleton City Midvale City Morgan City Mountainland Association of Governments Murray School District Neways International</p>	<p>North Davis City Sewer District Park City School District Phonex Corporation Pleasant Grove City Price City Provo City Riverdale City Salt Lake City Service Area #1 San Juan City San Juan School District Santaquin City Sevier Applied Technology Center Six City Commissioners Organization Snyderville Recreation District South Davis City Fire Department South Jordan City South Salt Lake City Southeastern Utah Association of Governments Spanish Fork City Springville City State Board of Education (Utah) State Court Administrator, Office of Summit City Syracuse City Taylorsville Timpanogos Special Service District Tooele County Tooele City Uintah Basin Applied Technology Center Uintah School District Utah Risk Management Mutual Association Wasatch City Wasatch Front Regional Council Washington City Washington City Washington Terrace Wellington City West Jordan Woods Cross Zion Natural History Association</p>
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#### IDAHO

<p>Coeur d'Alene City Idaho Falls City Benewah County Blaine County Bonner County Bonneville County Boundary County Canyon County Caribou County</p>	<p>Custer County Gooding County Idaho County Kootenai County Lemhi County Madison County Minidoka County Owyhee County Power County Valley County</p>
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**NEW MEXICO**

New Mexico Municipal League New Mexico Finance Authority Albuquerque Ruidoso Santa Fe North Central Regional Transit District	Taos Ski Valley Carlsbad Town of Taos Clovis
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**WYOMING/COLORADO/ALASKA**

Hoonah, AK Cody, WY Park County, WY Powell, WY Lander, WY Central Wyoming College	Wheatland, WY Torrington, WY Wyoming Municipal Power Agency, WY Lafayette, CO Walsenburg, CO Logan City, CO Georgetown, CO
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**Other: National District Attorney Association, Washington DC/Arlington VA**



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Public Works

Director Approval

**AGENDA ITEM** Approval of the Interlocal Cooperative Agreement between American Fork City and Utah County for the construction of the 900 West Phase II Reconstruction Project consisting of the road between 760 North and 1120 North on 900 West.

**SUMMARY RECOMMENDATION** This Interlocal Cooperative Agreement provides the framework for a financial contribution as determined by Mountainland Metropolitan Planning Organization Regional Planning Committee (A.K.A. MAG) in the amount of \$2,548,000 for direct costs of road construction. It is the recommendation of staff that the City of American Fork partner with Utah County by executing this agreement and proceed with design and engineering on the 900 West Phase II Reconstruction Project with the goal of bidding for construction in early 2015.

**BACKGROUND** City of American Fork staff have worked diligently with MAG to secure a partnership with Utah County to fund the reconstruction of 900 West from approximately 760 North to 1120 North. Utah County recognizes the value of 900 West as a regional corridor and previously partnered with American Fork City to successfully perform the first phase of the 900 West reconstruction in 2012.

Staff is prepared to move forward with the design and engineering with bid documents being released in February and the bid opening scheduled for March 10, 2015. Construction would begin on April 15, 2015.

**BUDGET IMPACT** The City will be responsible to pay all costs in excess of the specified funding.

**SUGGESTED MOTION** Move to approve the Interlocal Cooperative Agreement between American Fork City and Utah County for the 900 West Phase II Reconstruction and authorize the Mayor to execute the document.

**SUPPORTING DOCUMENTS** Interlocal Cooperative Agreement

**INTERLOCAL COOPERATION AGREEMENT**

**between**

**UTAH COUNTY AND AMERICAN FORK CITY**

**For**

**A Highway Project Known as A900 West Phase 2@ in American Fork City, Utah**

**THIS AGREEMENT**, made and entered into this \_\_\_ day of \_\_\_\_\_ 2014, by and between UTAH COUNTY, a body corporate and politic of the State of Utah, with principle offices located at 100 East Center Street, Suite 2300, Provo, Utah 84606 (ACounty@) and AMERICAN FORK CITY, a political subdivision of the State of Utah, with principle offices located at 51 East Main Street, American Fork, Utah, 84003 (ACity@).

**RECITALS:**

**WHEREAS**, the Utah Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

**WHEREAS**, the City and the County desire to facilitate the construction of a highway project known as the “900 West Phase 2” which consists of the 900 West Road in American Fork, Utah from 700 North to 1120 North in American Fork, Utah (AHighway@) between 760 North and 1120 North.

**WHEREAS**, pursuant to Utah Code Ann. ' 59-12-1903, as amended in § 59-12-2218, the County has adopted Ordinance 2008-26 to enact a sales and use tax (APart 19 Tax@) of 0.25% upon the transactions described in Utah Code Ann. ' 59-12-103(1) subject to the exemptions provided under Utah Code Ann. ' 59-12-104; and

**WHEREAS**, the County bonded against the revenues of the Part 19 Tax so as to make those revenues immediately available for highway projects throughout Utah County, Utah; and

**WHEREAS**, the Mountainland Metropolitan Planning Organization Regional Planning Committee determined that the Highway should receive a portion of the revenues of the Part 19 Tax not to exceed two million five hundred forty eight thousand dollars (\$2,548,000) for direct costs of the Highway; and

**WHEREAS**, the City and the County held duly noticed public meetings wherein this Agreement was considered and an Authorizing Resolution was presented for approval by the respective legislative bodies.

**NOW THEREFORE**, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, the City and County hereby agree as follows:

**Section 1. PURPOSES.**

This Agreement has been established and entered into between the County and the City for the purpose of outlining the respective rights and responsibilities of the City and the County in the construction of the Highway.

**Section 2. ADMINISTRATION OF AGREEMENT.**

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, the Utah County Public Works Director, shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Clerk/Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Agreement during this joint undertaking.

**Section 3. EFFECTIVE DATE; DURATION.**

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the County and the City. The term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in no event longer than 3 years from the execution date.

**Section 4. NO SEPARATE LEGAL ENTITY.**

The County and the City do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

**Section 5. TERMS.**

**1. Design and Construction:** The City will obtain the necessary right-of-way (AROW@), design, bid out and management of the construction of the Highway so as to meet or exceed City highway standards. Prior to construction of the Highway or the relevant phase of construction, City will provide a copy of the design work to County for its review and comment. County shall comment, if deemed appropriate, within 30 days of receiving the design work from City.

2. **Ownership and Maintenance of Highway:** The City shall own and be responsible for maintenance, repair and replacement of the Highway.

3. **Reimbursement to City for ROW, Design, and Construction Costs:** Both City and County acknowledge that this Highway has been determined by the Mountainland Metropolitan Planning Organization Regional Planning Committee to receive a portion of the revenues of the Part 19 Tax not to exceed \$2,548,000 for the direct costs of the Highway. City, if desiring reimbursement for the direct costs of the Highway, must provide County itemized invoices detailing actual costs for the ROW acquisition, design and construction of the Highway, not to exceed \$2,548,000.

County agrees to reimburse City within 30 days of receiving acceptable itemized invoices establishing the validity of the direct costs of the Highway. The maximum amount of reimbursement from County to City shall not exceed \$2,548,000. Any costs which exceed \$2,548,000 shall be the City's sole responsibility. If the costs of the Highway are less than \$2,548,000, then County shall retain those non-utilized funds. The use of City equipment and/or City employee time for the Highway shall not be reimbursable.

4. **Inspection of Highway:** County and its designees, upon reasonable notice, reserve the right to enter upon the Highway to inspect the same to verify compliance with this Agreement.

5. **Other Expenses:** Except as otherwise expressly stated herein, all expenses for the construction of the Highway shall be the sole responsibility of the City.

6. **No Third-Party Rights:** The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the City and the County. This Agreement is not intended to nor shall it be construed to benefit any third party.

7. **Additional Scope:** In addition to the work and reimbursement of costs related to the portion of 900 West in American Fork defined herein as the "Highway," City will:

- A) prepare plans and bid as an alternate the improvements along 900 West in American Fork across the Utah County owned property commonly known as Equestrian Park. City agrees to perform the improvements across the Equestrian Park only upon written approval from County. County shall pay City the actual cost for the improvements across Equestrian Park,
- B) City shall apply an asphalt overlay on 50 South in American Fork City at approximately 1200 East. County shall pay City the actual cost of the overlay.

8. **Recitals:** The Recitals portion of this Agreement constitutes a part of this Agreement.

## **Section 6. FILING OF INTERLOCAL COOPERATION AGREEMENT.**

Executed copies of this Agreement shall be placed on file with the official keeper of records of the County and the City, and shall remain on file for public inspection during the term of this

Agreement.

**Section 7. AMENDMENTS.**

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.

**Section 8. SEVERABILITY.**

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Agreement unenforceable.

**Section 9. GOVERNING LAW.**

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

**Section 10. INDEMNIFICATION.**

The City shall indemnify and hold County harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Highway or any part thereof. The City shall further indemnify and hold County harmless from and against any and all claims arising from any breach or default in the performance of any obligation on City's part to be performed under the terms of this Agreement, or arising from any act or negligence of City, or any of City's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the City and the County agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act, U.C.A. 63G-1-101, et. seq. City's obligations under this provision shall survive the expiration or other termination of this Agreement.

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

UTAH COUNTY

Authorized by Resolution No. 2014-\_\_\_\_, authorized and passed on the \_\_\_\_ day of

\_\_\_\_\_ 2014.

BOARD OF COUNTY COMMISSIONERS  
UTAH COUNTY, UTAH

\_\_\_\_\_  
Gary J. Anderson, Chair

ATTEST:  
BRYAN E. THOMPSON  
Utah County Clerk/Auditor

By: \_\_\_\_\_  
Deputy Utah County Clerk/Auditor

REVIEWED AS TO FORM AND COMPATIBILITY  
WITH APPLICABLE LAW:  
JEFFERY R. BUHMAN  
Utah County Attorney

By: \_\_\_\_\_  
Deputy Utah County Attorney

AMERICAN FORK CITY

Authorized by Resolution No. \_\_\_\_, authorized and passed on the \_\_\_\_ day of

\_\_\_\_\_ 2014.

AMERICAN FORK CITY

\_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:  
\_\_\_\_\_  
City Recorder

By: \_\_\_\_\_

REVIEWED AS TO FORM AND  
COMPATIBILITY WITH APPLICABLE  
LAW:

By: \_\_\_\_\_  
Attorney for City



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval *A. Craig Whitehead*

**AGENDA ITEM** Approval of an agreement with members of the Utah Valley Dispatch District to construct a new facility.

**SUMMARY RECOMMENDATION** The City Administration recommends approval of the joint agreement with other Utah Valley Dispatch members to construct a new 911 dispatch center.

**BACKGROUND** On September 4, 2014 Deborah Mecham, Executive Director of the Utah Valley Dispatch Special Service District presented to the City Council the proposed joint agreement and need for a new facility.

The current facility is housed at the Utah County Sheriff's jail facility in Spanish Fork. Dispatch operations were previously managed by the Sheriff's office and have been at this site since 1996. At that time there were four dispatch work stations and two small offices for administrative positions. The organization and space needs have grown significantly, to ten dispatch work stations in the same space, and making two small offices from supply closet areas. The current need is to expand to at least twelve dispatch work stations, add additional offices, a training room, and expand equipment rooms.

A spatial needs study was conducted and presented to the Utah Valley Dispatch Board of Trustees in November 2013, with recommendations to meet current needs and for the next 25 years. An additional step to consider expansion on the current facility proved to not meet the growth needs. The resulting recommendation is to build a facility to meet that growth, at an estimated cost of slightly over \$5,000,000, which includes the 911 technology. A site is under consideration and awaiting final approval, which will bring the total project to just under \$5.3 million.

The Utah Valley Dispatch Special Service District has a fund balance contribution of \$1.8 million that can be used for the facility project, leaving approximately \$3.5 million to be funded by the user entities.

**BUDGET IMPACT** City of American Fork share: \$525,455

The funding for the building will come from cash contributions from each city and will be based on their percent of the total call volume (see Exhibit A of attached agreement). Member cities may elect to make one or two capital payments.

Participant may elect to make one or two Capital Payments (see Section 4, p.4).

If the City elects to make one Capital Payment, the estimated payment shall be due to District by June 30, 2015.

If Participant elects to make two Capital Payments, the first payment, representing one-half of the estimated Capital Cost shall be due on or before June 30, 2015, and the balance, including any true up cost, if known, shall be due by December 31, 2015.

Staff recommends making two payments. This will lessen the impact on the General Fund this fiscal year, and allow staff to plan for the second payment in the FY 2016 budget.

**FUNDING SOURCE**    General Fund Surplus – Capital Budget

**SUPPORTING DOCUMENTS**    Utah Valley Dispatch Building Agreement

# DISPATCH BUILDING AGREEMENT

This Dispatch Building Agreement is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2014, by and between Utah County Dispatch Special Service District, a political subdivision organized and existing under the laws of the State of Utah (Districts) and [member], a political subdivision of the State of Utah (the Participant).

## RECITALS:

WHEREAS, District was organized under the Special Service District Act, Title 17D Chapter 1, Utah Code Annotated 1953, as amended, as a separate legal entity to provide dispatch services to public safety entities located in Utah County; and

WHEREAS, in order to provide adequate dispatch services, given the current volume of calls, District is now undertaking the acquisition and construction of a new building to house dispatching equipment and personnel located in Spanish Fork City, Utah (the Project); and

WHEREAS, the Members have previously financed, or are willing to finance, their respective shares of the Cost of Construction of the Project; and

WHEREAS, in order to enable District to have the funds to proceed with the project, it is necessary that each Member enter a Dispatch Building Agreement which constitutes the legal, valid, and binding obligation of each respective Member; and

WHEREAS, District and the Members are duly authorized under applicable provisions of law to execute, deliver, and perform this Agreement and their respective governing bodies having jurisdiction have taken all necessary actions and given all necessary approvals in order to constitute this Agreement a legal, valid, and binding obligation of the parties hereto; and

WHEREAS, the Board has determined that District would spend \$1,800,000.00 of reserved funds toward the completion of the Project;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained,

it is agreed by and between the parties hereto as follows:

***Section 1. Definitions of Terms.***

As used herein, the following terms shall have these meanings:

*Annual Budget* means the fiscal year budget adopted by District.

*Authorized Officer of District* means the Chairman, Vice-Chairman, Secretary, or Treasurer of the Board, or the Executive Director of District when authorized to perform specific acts or duties under the Agreements by resolution duly adopted by the Board.

*Board* means the Board of Trustees of District.

*By-Laws* means the duly adopted by-laws of District.

*Capital Payment* means any payment or payments made to District by a Member pursuant to Section 4 of this Agreement and designated as a Capital Payment for the Project.

*Capital Payment Percentage* means the percentage obtained by dividing (1) the sum of all Capital Payments made by or credited to the Member, by (2) the sum of all Estimated Project Costs as determined and allocated to such computation by District, all as more fully provided in Section 4 hereof. The Member's initial Capital Payment Percentage shall be calculated by District and set forth on Exhibit A attached hereto and incorporated herein by this reference.

*Cost of Construction* means all costs and expenses heretofore or hereafter paid or incurred by District in connection with the acquisition, construction, and installation of the Project and placing the same in service, including all expenses preliminary and incidental thereto, and the cost of planning, designing, acquiring, constructing, and placing in operation any facilities related to the Project, including land costs, less the amount of reserved funds being used by District to pay toward the cost of the Project. Cost of Construction shall further include, but shall not be limited to, the following:

- (1) working capital and reserve requirements of the Project, including reserves for those items set forth in the definition of Operation and Maintenance Costs, as may be

determined from time to time by District;

- (2) planning and development costs, engineering fees, contractors fees, fiduciaries fees, auditors and accountants fees, costs of obtaining governmental and regulatory permits, rulings, licenses and approvals, the cost of real property, labor, materials, equipment, supplies, training and testing costs, insurance premiums, legal, and financial advisory costs, administrative and general costs, and all other costs properly allocable to the initial acquisition of the Project and placing the same in operation;
- (3) all costs relating to litigation, claims, or judgments not otherwise covered by insurance and arising out of the acquisition, construction, or operation of the Project;
- (4) payment to District or any Member to reimburse advances or payments made or incurred for costs preliminary or incidental to the acquisition and construction of the Project;
- (5) legally required or permitted federal, state, and local taxes relating to the Project incurred during the period of the acquisition or construction thereof; and
- (6) all other costs incurred by District and properly allocable to the acquisition of the Project.

*Date of Commercial Operation* means the date on which the Project is capable of operating reliably and continuously.

*Fiscal Year* means a period commencing on July 1 of each calendar year and ending on June 30 of the next succeeding calendar year.

*Facilities* means the Dispatch Building and all facilities, structures, improvements and all real and personal property acquired or constructed by District as part of the Project.

*Members* means each government entity which is a member of District, as identified on Exhibit 5A.

*Member Representative* means the individual appointed to the Board by the Member.

*Project* means the acquisition of an interest in real estate and construction, including equipping,

of a new building to house dispatching equipment and personnel.

*Schedule of Members* means the schedule of Members and their respective Capital Payment Percentages, attached hereto as Exhibit A, as the same may be amended or supplemented from time to time in accordance with the provisions hereof.

### ***Section 2. Term of Contract***

This Building Agreement shall become effective upon the execution of Building Agreements by District and by all Members listed in Exhibit A hereto, and shall, continue until the date on which the Project has been fully completed and paid for.

### ***Section 3. Acquisition and Construction of Project***

- (a) District shall use its best efforts to construct the Project to meet its needs and to keep the costs within budget.
- (b) The contracts are required to be executed by December 31, 2014 in order to timely acquire an interest in real property and complete construction of the Project. Failure of any Member to timely execute the contract shall cause the Board to review and exercise sanctions as authorized by the District by-laws and resolutions creating the District.

### ***Section 4. Capital payments; Calculation of Capital Payment Percentage.***

- (a) Participant may elect to make one or two Capital Payments.
  - (i) If Participant elects to make one Capital Payment, the estimated payment shall be due to District by June 30, 2015.
  - (ii) If participant elects to make two Capital Payments, the first payment, representing one-half of the estimated Capital Cost shall be due on or before June 30, 2015, and the balance, including any true up cost, if known, shall be due by December 31, 2015.

The governing body of Participant shall determine whether to make one or two Capital Payments.

Participant shall give notice to District of the determination of its decision to make one or two Capital

Payments by December 31, 2014. In the event that Participant does not notify District of the determination of its governing body by December 15, 2014, Participant shall be deemed to have elected to make two Capital Payments.

(b) Upon substantial completion of the construction of the Project, District will give notice to each of the Members of the anticipated Date of Commercial Operation of the Project. District shall prepare and submit to the Members a final accounting of the Cost of Construction and Capital Payments. To the extent that such final accounting statement discloses that additional amounts are owed by some or all of the Members, then District shall seek Board approval to pay the balance from the District's fund balance, if funds are available, and if not to submit a billing statement to such Members. Participant shall pay an amount equal to its share of the final Cost of Construction of the Project.

(c) In connection with each Capital Payment that may be made by Participant pursuant to this Section, Participant acknowledges and agrees with District that:

- (1) the sum of the Capital Payment Percentages of all Members shall equal 100%
- (2) District shall have absolute and exclusive authority to establish escrow arrangements governing the deposit and disbursement of each Capital Payment and to determine and calculate from time to time the Estimated Project Costs and the Member's Capital Payment Percentage, and all such determinations and calculations by District shall be conclusive and binding upon Participant.

(d) Estimated Project Costs shall be determined by District in its sole discretion based upon the items of the Cost of Construction. The amount of Estimated Project Costs shall be determined from time to time so as to provide for a proportional allocation of the Cost of Construction.

(e) Participant acknowledges and agrees that the estimated amount of the Capital Payment to be made by Participant will be subject to adjustment to reflect the actual cost of the various items included in Estimated Project Costs.

(f) Participant acknowledges that once payment is made, it is non-refundable, even in the event Participant leaves the District.

***Section 5. Construction Management.***

Construction of the Project shall be managed by District with the advice of the Operations Board. It is the intention of the Members and District that they will exercise a high degree of cooperation in the construction of the Project.

DATED this \_\_\_ day of \_\_\_\_\_, 2014

UTAH VALLEY DISPATCH SPECIAL  
SERVICE DISTRICT by:

\_\_\_\_\_  
David A. Oyler, Chair

Attest:

\_\_\_\_\_  
Deborah Mecham, Executive Director

[MEMBER] by:

\_\_\_\_\_  
Mayor/Commissioner

Attest:

\_\_\_\_\_  
City Recorder/County Clerk/

**EXHIBIT A**  
**SCHEDULE OF PARTICIPANTS 2015 FEE SHARE**  
**PERCENTAGE AND ESTIMATED CAPITAL PAYMENT**

MEMBERS	CAPITAL PAYMENT PERCENTAGE	ESTIMATED AMOUNT OF CAPITAL COST
Alpine City	2.72%	\$95,074
American Fork City	15.01%	\$525,455
City of Cedar Hills	1.78%	\$62,279
Cedar Fort	0.20%	\$7,151
Eagle Mountain	5.75%	\$201,118
Elk Ridge City	0.46%	\$16,203
Fairfield Town	0.10%	\$3,472
Genola City	0.30%	\$10,541
Goshen City	0.27%	\$9,546
Highland City	5.61%	\$196,397
Lehi City	17.39%	\$608,772
Payson City	8.11%	\$283,939
Salem City	2.34%	\$81,759
Santaquin City	3.49%	\$122,157
Saratoga Springs City	7.05%	\$246,874
Spanish Fork City	12.12%	\$424,340
Utah County	16.82%	\$588,830
Vineyard	0.24%	\$8,294
Woodland Hills	0.22%	\$7,798
Member Totals	99.98%	\$3,499,999



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

**Department** Parks & Recreation

**Director Approval** Dei J. Hykett

**AGENDA ITEM** Review and Action to authorize the Mayor to sign an agreement with Alpine Pinnacle Recreation to operate an outdoor seasonal ice rink and boat harbor marina services for American Fork City.

**SUMMARY RECOMMENDATION** Recommend authorizing the Mayor to sign an agreement with Alpine Pinnacle Recreation to operate an outdoor seasonal ice rink and boat harbor marina services for American Fork City.

**BACKGROUND** In June of 2014, the city council authorized an agreement with Alpine Pinnacle Recreation to operate a marina at the boat harbor. Due to how late it was in the season and the shortened season due to low water supply, the marina did not operate. Staff would like to operate in summer of 2015. Also, staff would like to add an outdoor, seasonal ice rink in Art Dye Park. The rink will be operated at the expense of Alpine Pinnacle Recreation. The City will use existing infrastructure at Art Dye Park. The actual rink will be placed in the field area of the South softball field. The concessions, admissions and skate rental will take place in the existing storage building.

**BUDGET IMPACT** Due to first year of operations, it is hard to estimate revenues. American Fork will receive 3% of gross revenues of admissions, rentals and concessions. There will be other economic benefits to American Fork as these activities will bring people from outside American Fork into our community. The city will incur minimal expense as we provide support to the set up and operations.

**SUGGESTED MOTION** I move to authorize the Mayor to sign an agreement with Alpine Pinnacle Recreation to operate an outdoor seasonal ice rink and boat harbor marina services for American Fork City.

**SUPPORTING DOCUMENTS** Agreement with Alpine Pinnacle Recreation

## **SPECIAL USE AGREEMENT V.2**

This Agreement is made by and between American Fork City (“American Fork”) and Alpine Pinnacle Recreation, LLC (hereinafter referred to herein as “Alpine Pinnacle”).

### **RECITALS**

**WHEREAS**, American Fork is the owner and/or custodian of certain real property and improvements located in American Fork City in the area described as the American Fork Harbor, which will be referred to herein as the “Boat Harbor” and is more particularly described in Exhibit “A;” and real property and improvements at Art Dye Park;

**WHEREAS**, Alpine Pinnacle desires to operate a waterfront marina business at the Boat Harbor;

**WHEREAS**, American Fork desires to allow Alpine Pinnacle to operate a waterfront marina at the Boat Harbor and an ice rink at Art Dye Park pursuant to the terms and conditions set forth herein.

### **TERMS**

**NOW THEREFORE**, the parties agree to the following terms and conditions:

1. Alpine Pinnacle is authorized to operate a waterfront marina at the Boat Harbor. Alpine Pinnacle shall be allowed to conduct all activities normally associated with commercial waterfront operations including retail convenience sales, boat and paddlecraft rentals, marine repairs, properly licensed and inspected fuel sales, wet slip leasing, and dry dock storage.
2. Alpine Pinnacle is authorized to operate an ice skating rink at Art Dye Park. Alpine shall be allowed to conduct all activities normally associated with commercial ice rink operations.
3. Alpine Pinnacle is responsible for all costs associated with the operation its waterfront marina businesses and ice rink operations.
4. Alpine Pinnacle shall pay American Fork seven percent (7%) of the total of all gross sales originating within the Boat Harbor and three (3%) at the ice rink. Such payment for the previous month’s activities shall be due to American Fork by the 10<sup>th</sup> of each month with verification of the gross sales in a form acceptable to American Fork.
5. Alpine Pinnacle shall comply with all American Fork regulations governing use of the Boat Harbor & Art Dye Park. Additionally, Alpine Pinnacle shall comply with all federal, state, county and municipal laws, ordinances and regulations that are applicable to the activity and the area of operation authorized herein.
6. Alpine Pinnacle shall not make any alterations, modifications, improvements, changes or damages, of any nature, to the Boat Harbor or Art Dye Park and the associated

subject property without specific prior written approval from American Fork and any other necessary entity. This shall include all natural and historic features. Additionally, Alpine Pinnacle shall keep said land(s) and or improvement(s) good repair, orderly, sanitary and safe. Prior to termination of this Agreement, Alpine Pinnacle shall clean and restore said land(s) and or improvement(s) to its original condition or in a manner acceptable to American Fork.

7. Alpine Pinnacle bears the risk of loss or damage from any cause, including, but not limited to fire, theft, vandalism, storm, explosion or the negligent or intentional acts of Alpine Pinnacle or any third person, to the Boat Harbor, ice rink and associated property. This includes, but is not limited to, all real property, personal property and vehicles. Alpine Pinnacle shall carry general liability insurance in an amount of no less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the aggregate and property insurance to cover all injuries, deaths, and property damage that occurs at the Boat Harbor, ice rink and associated property as a result of Alpine Pinnacle's operations at the Boat Harbor & Art Dye. Alpine Pinnacle shall list American Fork as an additional insured on the above- identified insurance policies. American Fork shall be provided a copy of the identified insurance policies and has the right in its sole discretion to reject any insurance policy obtained by Alpine Pinnacle. Alpine Pinnacle must provide insurance policies that are acceptable to American Fork.
8. To the fullest extent permitted by law, Alpine Pinnacle shall indemnify, hold harmless and at the option of American Fork, defend the State of Utah, American Fork, its officers, council members, agents, representatives, employees, assigns affiliates, insurers, and its successors in interest from and against any and all suits and causes of action, claims, charges, costs, damages, demands, expenses (including, but not limited to attorney's fees and cost of litigation), judgments, civil fines and penalties, liabilities or losses of any kind or nature whatsoever arising out of or incident to Alpine Pinnacle's use of the Boat Harbor, ice rink and associated property including, but not limited to, death, bodily injury, damage or destruction to any property of either party to this agreement, or injury to third persons in any way connected with Alpine Pinnacle's operations at the Boat Harbor & ice rink except where an injury or property damage arises out of the sole negligence of American Fork. This indemnity agreement is not intended to waive any defense available to American Fork City under the Utah Governmental Immunity Act, Utah Code Ann. 63G-7-101 et. Seq.
9. Prior to any on-site occupancy, Alpine Pinnacle shall meet with authorized representatives of American Fork to assure proper location of all improvements placed within the Boat Harbor and Art Dye Park.
10. For the ice rink operations, Alpine Pinnacle shall also do the following:
  - a. Responsible for all utility bills associated with the operation of the ice rink.
  - b. Play appropriate music at appropriate levels for a family atmosphere
  - c. Provide adequate lighting for safe operations of the activity

- d. Have regular operating hours of Monday-Saturday, 2:00 p.m. to 10:00 p.m.; closed Sundays.
- 11. This Agreement is subject to all other valid contracts, rights-of-way, and easements in effect upon said land(s) and/or improvement(s)
- 12. The duration of this Agreement shall be from December 9, 2014 to October 31, 2015.
- 13. American Fork may terminate this Agreement at any time for breach of any terms or conditions stated herein. This Agreement constitutes the full agreement between the parties. If any representations, either written or oral, were made prior to the signing of this Agreement said representations are null and void. Any changes to this Agreement must be in writing and signed by all parties.
- 14. In the event that either party brings an action to enforce the terms of this Agreement, or to recover damages for any breach of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party his or its attorney's fees and costs incurred therein.

AMERICAN FORK CITY

\_\_\_\_\_  
JAMES H. HADFIELD  
American Fork Mayor

\_\_\_\_\_  
Dated

ALPINE PINNACLE RECREATION, LLC

\_\_\_\_\_  
By:  
Its:

\_\_\_\_\_  
Dated



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Finance

Director Approval *C. Jensen*

**AGENDA ITEM** Review and action regarding refunding the 2005 RDA bond. Authorizing the issuance and sale by the issuer of not more than \$1,684,000 aggregate principal amount of its general obligation refunding bonds, series 2015 (the “series 2015 bonds”); delegating to certain officers of the issuer the authority to approve the final terms and provisions of the series 2015 bonds within the parameters set forth herein; prescribing the form of series 2015 bonds; providing for the manner of execution and delivery of the series 2015 bonds; providing how the proceeds of the series 2015 bonds will be used and how payment of the series 2015 bonds will be made; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this resolution; and related matters.

**SUMMARY RECOMMENDATION** Staff recommends approval of the refunding of the 2005 RDA bonds.

**BACKGROUND** The 2005 RDA bonds were issued for \$5,810,000 at 4.38%. The callable date of the bonds is currently set at March 1, 2015; the retirement date is set at March 1, 2019.

Preston Kirk with George K. Baum has indicated that the City has an option of refunding these bonds at an estimate interest rate of 1.5%. The retirement date would remain the same, March 1, 2019. The new debt service amount in the proposed refunding will be \$1,684,000.

**BUDGET IMPACT** It is estimated the new refunding will save the City between approximately \$16,000 and \$17,200 annually in debt service payments.

**SUGGESTED MOTION** Move to approve the resolution authorizing the issuance and sale by the issuer of not more than \$1,684,000 aggregate principal amount of its general obligation refunding bonds, series 2015 (the “series 2015 bonds”); delegating to certain officers of the issuer the authority to approve the final terms and provisions of the series 2015 bonds within the parameters set forth herein; prescribing the form of series 2015 bonds; providing for the manner of execution and delivery of the series 2015 bonds; providing how the proceeds of the series 2015 bonds will be used and how payment of the series 2015 bonds will be made; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period;

authorizing the taking of all other actions necessary for the consummation of the transactions contemplated by this resolution; and related matters.

**SUPPORTING DOCUMENTS**    Bond Analysis from George K. Baum

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**AMERICAN FORK CITY, UTAH**  
**\$1,684,000 SALES TAX REVENUE REFUNDING BONDS**  
**SERIES JANUARY 29, 2015**

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**AMERICAN FORK CITY, UTAH**  
**\$5,810,000 SALES TAX REVENUE BONDS**  
**SERIES APRIL 1, 2005**

**Prior Original Debt Service**

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
03/01/2015	420,000.00	5.000%	45,706.25	465,706.25	465,706.25
09/01/2015	-	-	35,206.25	35,206.25	-
03/01/2016	430,000.00	4.125%	35,206.25	465,206.25	500,412.50
09/01/2016	-	-	26,337.50	26,337.50	-
03/01/2017	400,000.00	4.250%	26,337.50	426,337.50	452,675.00
09/01/2017	-	-	17,837.50	17,837.50	-
03/01/2018	415,000.00	4.250%	17,837.50	432,837.50	450,675.00
09/01/2018	-	-	9,018.75	9,018.75	-
03/01/2019	390,000.00	4.625%	9,018.75	399,018.75	408,037.50
<b>Total</b>	<b>\$2,055,000.00</b>	<b>-</b>	<b>\$222,506.25</b>	<b>\$2,277,506.25</b>	<b>-</b>

**Yield Statistics**

Callable Bonds (Refunded).....	1,635,000.00
Average Life.....	2.052 Years
Average Coupon.....	4.3845465%
Weighted Average Maturity (Par Basis).....	2.052 Years

**Refunding Bond Information**

Refunding Dated Date.....	1/29/2015
Refunding Delivery Date.....	1/29/2015

**AMERICAN FORK CITY, UTAH**  
**\$1,684,000 SALES TAX REVENUE REFUNDING BONDS**  
**SERIES JANUARY 29, 2015**

**Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
01/29/2015	-	-	-	-	-
03/01/2015	-	-	2,245.33	2,245.33	2,245.33
09/01/2015	-	-	12,630.00	12,630.00	-
03/01/2016	458,000.00	1.500%	12,630.00	470,630.00	483,260.00
09/01/2016	-	-	9,195.00	9,195.00	-
03/01/2017	418,000.00	1.500%	9,195.00	427,195.00	436,390.00
09/01/2017	-	-	6,060.00	6,060.00	-
03/01/2018	422,000.00	1.500%	6,060.00	428,060.00	434,120.00
09/01/2018	-	-	2,895.00	2,895.00	-
03/01/2019	386,000.00	1.500%	2,895.00	388,895.00	391,790.00
<b>Total</b>	<b>\$1,684,000.00</b>	<b>-</b>	<b>\$63,805.33</b>	<b>\$1,747,805.33</b>	<b>-</b>

**Yield Statistics**

Bond Year Dollars.....	\$4,253.69
Average Life.....	2.526 Years
Average Coupon.....	1.4999999%
Net Interest Cost (NIC).....	1.4999999%
True Interest Cost (TIC).....	1.5001660%
Bond Yield for Arbitrage Purposes.....	1.5001660%
All Inclusive Cost (AIC).....	2.2435233%

**IRS Form 8038**

Net Interest Cost.....	1.4999999%
Weighted Average Maturity.....	2.526 Years



**AMERICAN FORK CITY, UTAH**  
**\$1,684,000 SALES TAX REVENUE REFUNDING BONDS**  
**SERIES JANUARY 29, 2015**

**Sources & Uses**

**Dated 01/29/2015 | Delivered 01/29/2015**

**SOURCES OF FUNDS**

Par Amount of Bonds.....	\$1,684,000.00
City Funds for March 1, 2015 Payment.....	16,500.00
<b>TOTAL SOURCES.....</b>	<b>\$1,700,500.00</b>

**USES OF FUNDS**

Repayment of Prior Bonds.....	1,670,092.78
Estimated Costs of Issuance.....	30,407.22
<b>TOTAL USES.....</b>	<b>\$1,700,500.00</b>



**AMERICAN FORK CITY, UTAH**  
**\$1,684,000 SALES TAX REVENUE REFUNDING BONDS**  
**SERIES JANUARY 29, 2015**

**Net Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I	Unrefunded	Net New D/S	Fiscal Total
01/29/2015	-	-	-	-	-	-	-
03/01/2015	-	-	2,245.33	2,245.33	430,500.00	432,745.33	432,745.33
09/01/2015	-	-	12,630.00	12,630.00	-	12,630.00	-
03/01/2016	458,000.00	1.500%	12,630.00	470,630.00	-	470,630.00	483,260.00
09/01/2016	-	-	9,195.00	9,195.00	-	9,195.00	-
03/01/2017	418,000.00	1.500%	9,195.00	427,195.00	-	427,195.00	436,390.00
09/01/2017	-	-	6,060.00	6,060.00	-	6,060.00	-
03/01/2018	422,000.00	1.500%	6,060.00	428,060.00	-	428,060.00	434,120.00
09/01/2018	-	-	2,895.00	2,895.00	-	2,895.00	-
03/01/2019	386,000.00	1.500%	2,895.00	388,895.00	-	388,895.00	391,790.00
<b>Total</b>	<b>\$1,684,000.00</b>	<b>-</b>	<b>\$63,805.33</b>	<b>\$1,747,805.33</b>	<b>\$430,500.00</b>	<b>\$2,178,305.33</b>	<b>-</b>



**AMERICAN FORK CITY, UTAH**  
**\$1,684,000 SALES TAX REVENUE REFUNDING BONDS**  
**SERIES JANUARY 29, 2015**

**Gross Debt Service Comparison**

Date	Principal	Coupon	Interest	New D/S	OLD D/S	Savings	Fiscal Total
01/29/2015	-	-	-	-	(16,500.00)	(16,500.00)	-
03/01/2015	-	-	2,245.33	2,245.33	35,206.25	32,960.92	16,460.92
09/01/2015	-	-	12,630.00	12,630.00	35,206.25	22,576.25	-
03/01/2016	458,000.00	1.500%	12,630.00	470,630.00	465,206.25	(5,423.75)	17,152.50
09/01/2016	-	-	9,195.00	9,195.00	26,337.50	17,142.50	-
03/01/2017	418,000.00	1.500%	9,195.00	427,195.00	426,337.50	(857.50)	16,285.00
09/01/2017	-	-	6,060.00	6,060.00	17,837.50	11,777.50	-
03/01/2018	422,000.00	1.500%	6,060.00	428,060.00	432,837.50	4,777.50	16,555.00
09/01/2018	-	-	2,895.00	2,895.00	9,018.75	6,123.75	-
03/01/2019	386,000.00	1.500%	2,895.00	388,895.00	399,018.75	10,123.75	16,247.50
<b>Total</b>	<b>\$1,684,000.00</b>	<b>-</b>	<b>\$63,805.33</b>	<b>\$1,747,805.33</b>	<b>\$1,830,506.25</b>	<b>\$82,700.92</b>	<b>-</b>

**PV Analysis Summary (Gross to Gross)**

Gross PV Debt Service Savings.....	97,088.45
City Funds for March 1, 2015 Payment.....	<u>(16,500.00)</u>

**Net Present Value Benefit..... \$80,588.45**

Net PV Benefit / \$1,635,000 Refunded Principal.....	4.929%
Net PV Benefit / \$1,684,000 Refunding Principal.....	4.786%

**Refunding Bond Information**

Refunding Dated Date.....	1/29/2015
Refunding Delivery Date.....	1/29/2015



**AMERICAN FORK CITY, UTAH**  
**\$5,810,000 SALES TAX REVENUE BONDS**  
**SERIES APRIL 1, 2005**

**Debt Service To Maturity And To Call**

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S	Fiscal Total
03/01/2015	1,635,000.00	35,206.25	1,670,206.25	-	5.000%	35,206.25	35,206.25	35,206.25
09/01/2015	-	-	-	-	-	35,206.25	35,206.25	-
03/01/2016	-	-	-	430,000.00	4.125%	35,206.25	465,206.25	500,412.50
09/01/2016	-	-	-	-	-	26,337.50	26,337.50	-
03/01/2017	-	-	-	400,000.00	4.250%	26,337.50	426,337.50	452,675.00
09/01/2017	-	-	-	-	-	17,837.50	17,837.50	-
03/01/2018	-	-	-	415,000.00	4.250%	17,837.50	432,837.50	450,675.00
09/01/2018	-	-	-	-	-	9,018.75	9,018.75	-
03/01/2019	-	-	-	390,000.00	4.625%	9,018.75	399,018.75	408,037.50
<b>Total</b>	<b>\$1,635,000.00</b>	<b>\$35,206.25</b>	<b>\$1,670,206.25</b>	<b>\$1,635,000.00</b>	<b>-</b>	<b>\$212,006.25</b>	<b>\$1,847,006.25</b>	<b>-</b>

**Yield Statistics**

Callable Bonds (Refunded).....	1,635,000.00
Average Life.....	2.557 Years
Average Coupon.....	4.3790500%
Weighted Average Maturity (Par Basis).....	2.557 Years

**Refunding Bond Information**

Refunding Dated Date.....	1/29/2015
Refunding Delivery Date.....	1/29/2015



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department           Planning          

Director Approval           *Adrian Ok*          

**AGENDA ITEM** Ordinance adopting the final plat and site plan of South Pointe Planned Community Development Project Phase 1, consisting of 35 lots, located in the vicinity of 740 East 400 South in the PC-Planned Community zone.

**SUMMARY RECOMMENDATION** The planning commission recommended approval of the final plat and site plan for South Pointe Planned Community Development Project Phase 1 with conditions as stated in the attached minutes of the November 19, 2014 planning commission meeting.

**BACKGROUND** The applicant proposes a 35 lot first phase of its South Pointe Planned Community Development Project, which is part of the Vintaro overall concept plan. The city council amended the Vintaro overall concept plan on 2/11/2014 in order to allow development of the South Pointe project as shown in the attached materials. For further analysis please refer to the attached final plat, project documentation, staff report and planning commission minutes.

**BUDGET IMPACT** No direct budgetary impact is anticipated as part of this final plat approval.

**SUGGESTED MOTION** I move to approve the ordinance adopting the final plat and site plan of South Pointe Planned Community Development Project Phase 1, consisting of 35 lots, located in the vicinity of 740 East 400 South in the PC-Planned Community zone and to authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording of the plat and publication of the ordinance subject to:

- Posting of a performance guarantee to ensure the timely construction of required public improvements.

**SUPPORTING DOCUMENTS**

1. Ordinance
2. Plat and project documentation
3. Staff report
4. Planning commission meeting minutes, November 19, 2014

**ORDINANCE NO.**

**AN ORDINANCE APPROVING THE FINAL PLAT AND SITE PLAN FOR SOUTH POINTE PLANNED COMMUNITY DEVELOPMENT PROJECT PHASE 1, CONSISTING OF 35 LOTS LOCATED IN THE VICINITY OF 740 EAST 400 SOUTH IN THE PC-PLANNED COMMUNITY ZONE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF AMERICAN FORK, UTAH,**

**PART I**

**DEVELOPMENT APPROVED - ZONE MAP AMENDED**

- A. The Final Plat & Site Plan for South Pointe Planned Community Development Project Phase 1, consisting of 35 lots in the vicinity of 740 East 400 South in the PC-Planned Community zone is hereby approved.
- B. Said Plans are hereby adopted as an amendment to the Official Zone Map and territory included in the Plans are hereby designated as Large Scale Development Overlay Zone \_\_\_\_\_.
- C. Said Plans shall hereafter constitute the zone requirements applicable within the property so described.

**PART II**

**ENFORCEMENT, PENALTY, SEVERABILITY, EFFECTIVE DATE**

- A. Hereafter, these amendments shall be construed as a part of the Zoning Ordinance of American Fork, Utah, to the same effect as if originally a part thereof, and all provisions of said Ordinance shall be applicable thereto including, but not limited to, the enforcement, violation, and penalty provision thereof.
- B. All ordinances, or resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed.
- C. This ordinance shall take effect upon its passage and first publication.

**PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF AMERICAN FORK, UTAH, THIS 9 DAY OF DECEMBER, 2014.**

ATTEST:

James H. Hadfield, Mayor

Richard M. Colborn, City Recorder









NO.	DATE	DESCRIPTION
1	8/26/14	PRELIMINARY
2	10/20/14	REVISED
3	11/10/14	REVISED
4	12/15/14	REVISED

**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 234 EAST MAIN STREET, SUITE 200  
 AMERICAN FORK, UTAH 84303  
 TEL: (407) 756-1498  
 FAX: (407) 756-1499

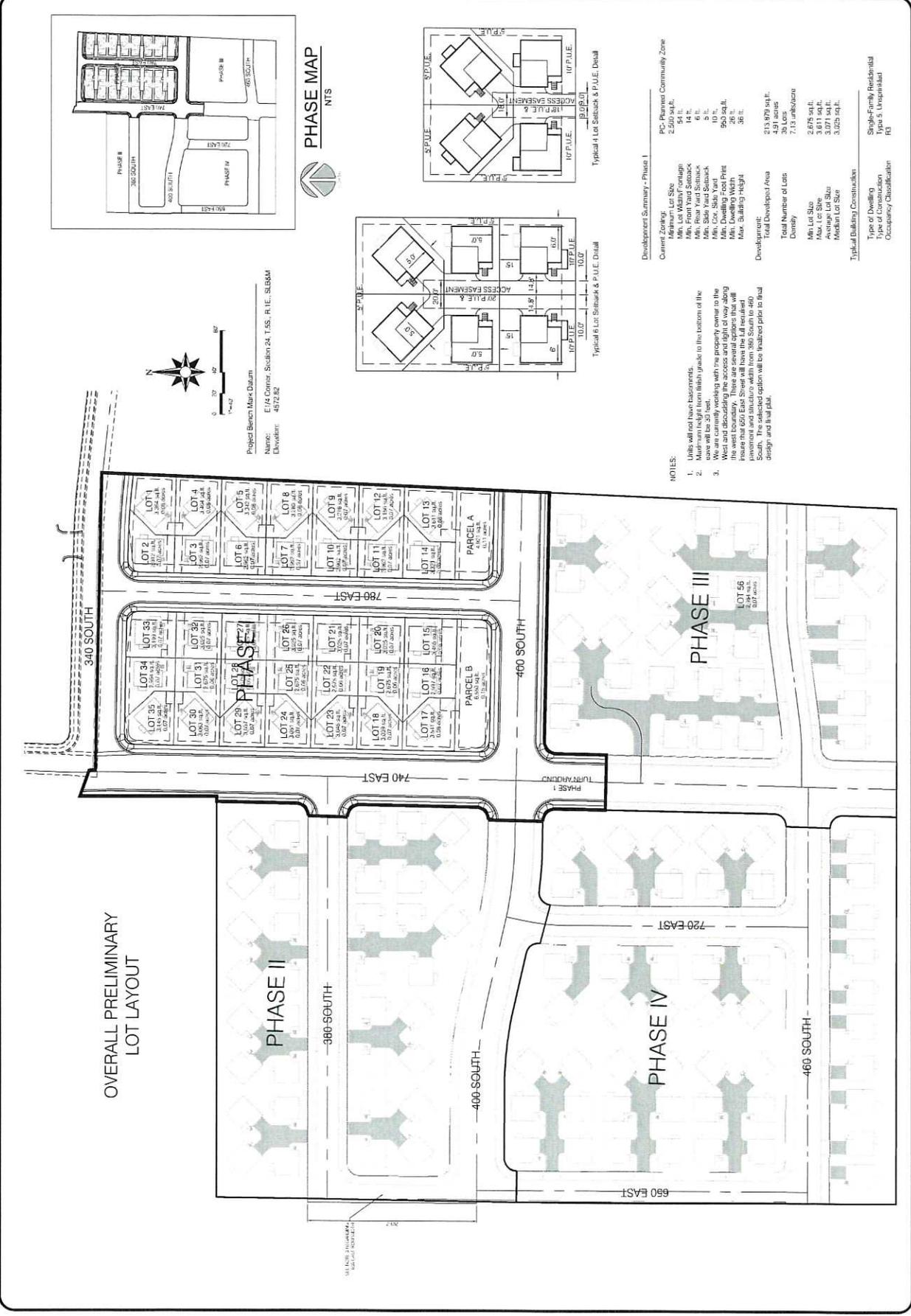
**SOUTH POINT - PHASE I**  
**A PLANNED COMMUNITY**  
 AMERICAN FORK, UTAH

PROJECT NAME: \_\_\_\_\_

PROJECT NO.	13-079-00
DATE	JAN 2014
PROJECT	AMOUNT
NO. OF SHEETS	10
CHECKED	BY

TITLE  
**SITE PLAN**  
**PHASE I**

5 OF 27  
 SHEET  
**C-05**



**Development Summary - Phase I**

Current Zoning	RS - Planned Community Zone
Min. Lot Width/Conting	54 ft.
Min. Front Yard Setback	14 ft.
Min. Side Yard Setback	5 ft.
Min. Rear Yard Setback	5 ft.
Min. Cor. Side Yard	10 ft.
Min. Dwelling Foot Print	950 sq. ft.
Min. Dwelling Height	10 ft.
Max. Building Height	36 ft.
Total Development Area	213,879 sq. ft.
Total Lots	421 units
Density	7.13 units/acre
Min. Lot Size	2,675 sq. ft.
Max. Lot Size	3,611 sq. ft.
Average Lot Size	3,271 sq. ft.
Median Lot Size	3,263 sq. ft.

Typical Building Construction  
 Single-Family Residential  
 Type 5, Unsprinkled  
 Occupancy Classification  
 R3

- NOTES:**
- Units will not have basements.
  - Maximum height from finish grade to the bottom of the basement shall be 4 feet.
  - We are currently working with the property owner to the West and discarding the access and right of way along the west side of the site. The access and right of way will be provided by the owner. The access and right of way will be provided by the owner. The access and right of way will be provided by the owner.



Project: Behm Max. Datum  
 Name: E 1/4 Corner Section 24, T. 5S., R. 1E., S. 86M  
 Elevation: 4572.82

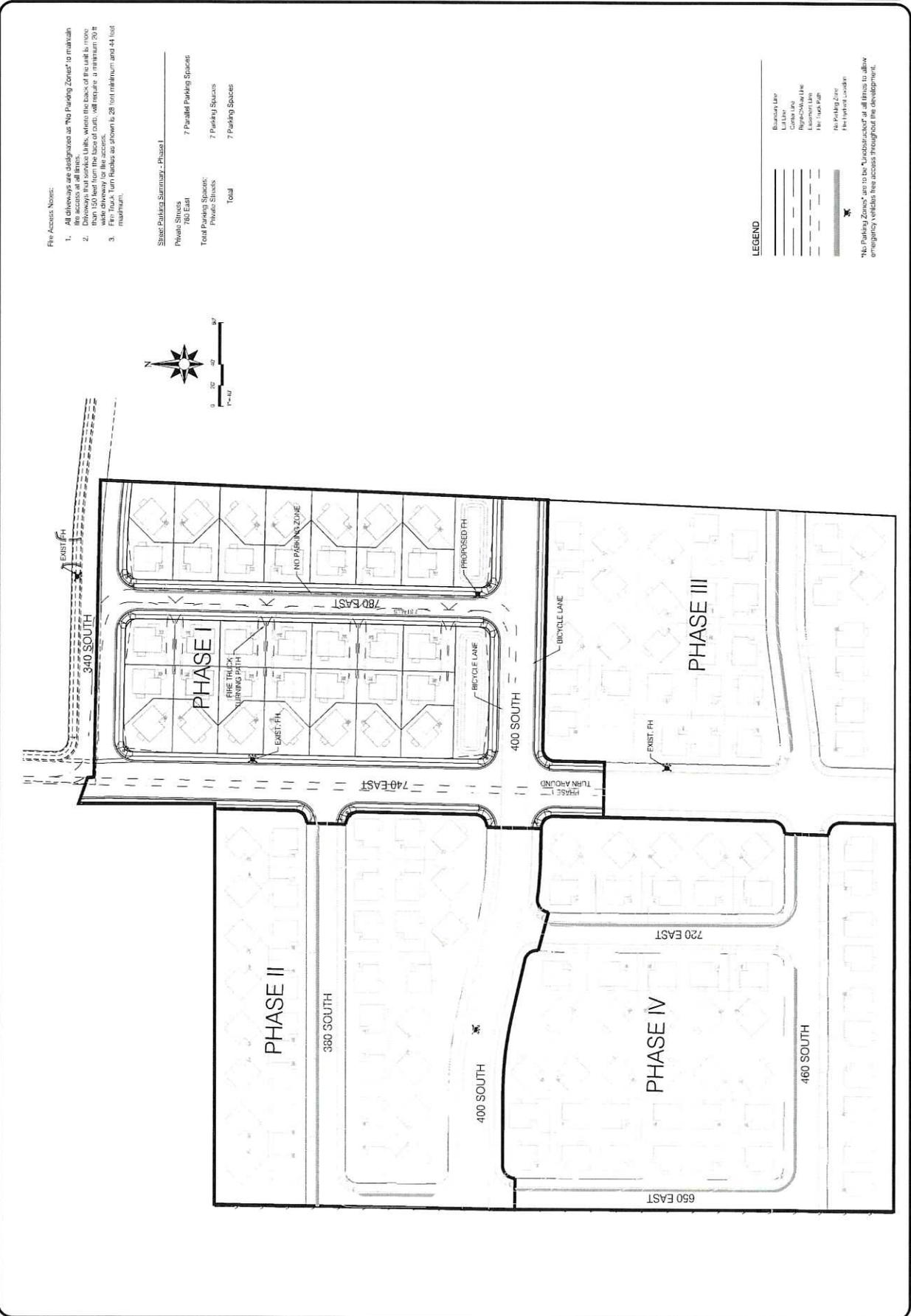
NO.	DATE	DESCRIPTION
1	12/15/14	Initial
2	12/15/14	Revised
3	12/15/14	Final

**H&H**  
ENGINEERING & SURVEYING, INC.  
215 EAST MAIN STREET, SUITE 7  
AMERICAN FORK, UTAH 84003  
TEL: (409) 756-1491  
FAX: (409) 756-1490

**SOUTH POINT - PHASE I**  
A PLANNED COMMUNITY  
AMERICAN FORK, UTAH

PROJECT NO. 14-05-09  
DATE: JANUARY 2014  
HOR. SCALE: AS SHOWN  
VERT. SCALE: AS SHOWN  
DESIGNED BY: H&H  
CHECKED BY: H&H

TITLE: EMERGENCY RESPONSE PLAN  
6 OF 27 SHEET  
C-06



**Fire Access Notes:**

- All alleyways are designated as "No Parking Zones" to maintain fire access at all times. Note: Trucks, when the base of the truck is more than 100 feet from the base of curb, will require a minimum 20 ft wide alleyway for fire access.
- Fire Truck Turn Radius as shown is 28 feet minimum and 44 feet maximum.

**Street Parking Summary - Phase I**

Phase Streets	7 Parallel Parking Spaces
Total Parking Spaces:	7 Parallel Parking Spaces
Private Streets:	7 Parallel Parking Spaces
Total	7 Parallel Parking Spaces

**LEGEND**

- Barbecue Lane
- Lot Line
- Centerline of the
- Lightweight Lane
- Fire Truck Path
- No Parking Zone
- Fire Truck Location

"No Parking Zones" are to be "unobstructed" at all times to allow emergency vehicles free access throughout the development.

NO.	DATE	DESCRIPTION
1	10-25-14	PRELIMINARY
2	11-10-14	REVISED
3	12-15-14	REVISED
4	01-20-15	REVISED
5	02-10-15	REVISED
6	03-10-15	REVISED
7	04-10-15	REVISED
8	05-10-15	REVISED
9	06-10-15	REVISED
10	07-10-15	REVISED
11	08-10-15	REVISED
12	09-10-15	REVISED
13	10-10-15	REVISED
14	11-10-15	REVISED
15	12-10-15	REVISED
16	01-10-16	REVISED
17	02-10-16	REVISED
18	03-10-16	REVISED
19	04-10-16	REVISED
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21	06-10-16	REVISED
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27	12-10-16	REVISED
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320	05-11-10	REVISED
321	06-11-10	REVISED
322	07-11-10	REVISED
323	08-11-10	REVISED
324	09-11-10	REVISED
325	10-11-10	REVISED
326	11-11-10	REVISED
327	12-11-10	







NO.	DATE	DESCRIPTION
1	10-25-14	PRELIMINARY
2	11-10-14	REVISED
3	12-15-14	REVISED

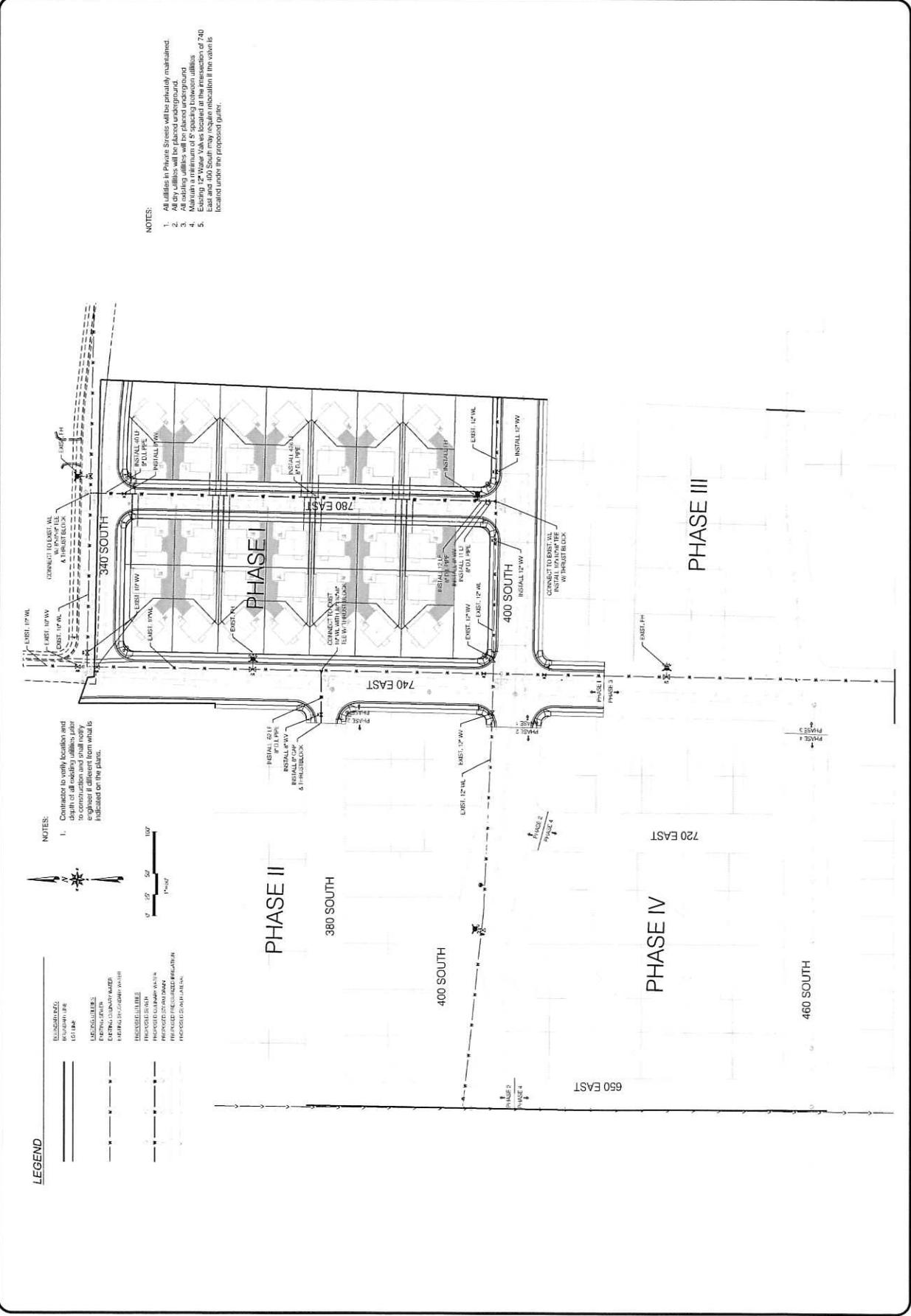
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 111 EAST MAIN STREET, SUITE 200  
 AMERICAN FORK, UTAH 84303  
 TEL: (407) 754-4800  
 FAX: (407) 754-4800

**SOUTH POINT - PHASE I**  
 A PLANNED COMMUNITY  
 AMERICAN FORK, UTAH

PROJECT NO. 13-05-09  
 DATE JANUARY 2014  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

TITLE  
**WATER PLAN**

11 OF 27  
 SHEET  
**CU-02**



- NOTES:**
- All utilities in Phase I Streets will be generally maintained.
  - All dry utilities will be placed underground.
  - All existing utilities will be placed underground.
  - Existing 12" Water Mains located at the intersection of 740 East and 400 South may require relocation if this valve is located under the proposed gutter.

- NOTES:**
- Contractor to verify location and depth of all existing utilities prior to construction and shall notify engineer if different from what is indicated on this plan.



**LEGEND**

SYMBOL	DESCRIPTION
[Solid line]	EXISTING/PROPOSED WATER MAIN
[Dashed line]	EXISTING/PROPOSED WATER SERVICE
[Dotted line]	EXISTING/PROPOSED WATER VALVE
[Line with cross-ticks]	EXISTING/PROPOSED WATER METER
[Line with circles]	EXISTING/PROPOSED WATER METER VALVE
[Line with triangles]	EXISTING/PROPOSED WATER METER BOX
[Line with squares]	EXISTING/PROPOSED WATER METER CHAMBER
[Line with diamonds]	EXISTING/PROPOSED WATER METER CONNECTION







NO.	DATE	DESCRIPTION
1	10-21-14	TEL #7 CHANGES
2	10-22-14	TEL #7 CHANGES
3	10-23-14	TEL #7 CHANGES

**H&H**  
ENGINEERING & SURVEYING, INC.  
1110 N. 1000 W. SUITE 100  
MURKIN, UTAH 84053  
TEL: (801) 736-4388  
FAX: (801) 736-4389

**SOUTH POINT - PHASE I**  
A PLANNED COMMUNITY  
AMERICAN FORK, UTAH

PROJECT NO. 13-125-01  
DATE: 10/21/14  
MAP SCALE: AS SHOWN  
VER. SCALE: AS SHOWN  
ENGINEER: [Signature]  
CHECKED: [Signature]

**DRAINAGE PLAN**

15 OF 27  
SHEET  
**CU-06**

**STORM WATER CALCULATIONS**

**BUILDING CALCULATIONS**

NUMBER UNITS: 1,075 SF

TOTAL AREA: 162,169 SF

3.723 ACRES

**HARDSCAPE CALCULATIONS**

ASPHALT, C&G: 160,215 SF

SIDEWALKS: 37,105 SF

DRIVEWAYS: 71,524 SF

TOTAL HARDSCAPE: 268,844 SF

6.172 ACRES

**WEIGHTED C FACTOR**

DESCRIPTION	SQ. FT.	ACRES	C FACTOR
BUILDINGS	162,169	3.723	0.80
HARDSCAPE	268,844	6.172	0.80
LANDSCAPE	318,047	7.301	0.35
<b>TOTALS</b>	<b>749,060</b>	<b>17.196</b>	<b>0.67 (Weighted)</b>

**STORM DRAIN STORAGE**

100 YEAR STORM PER AFSD/M

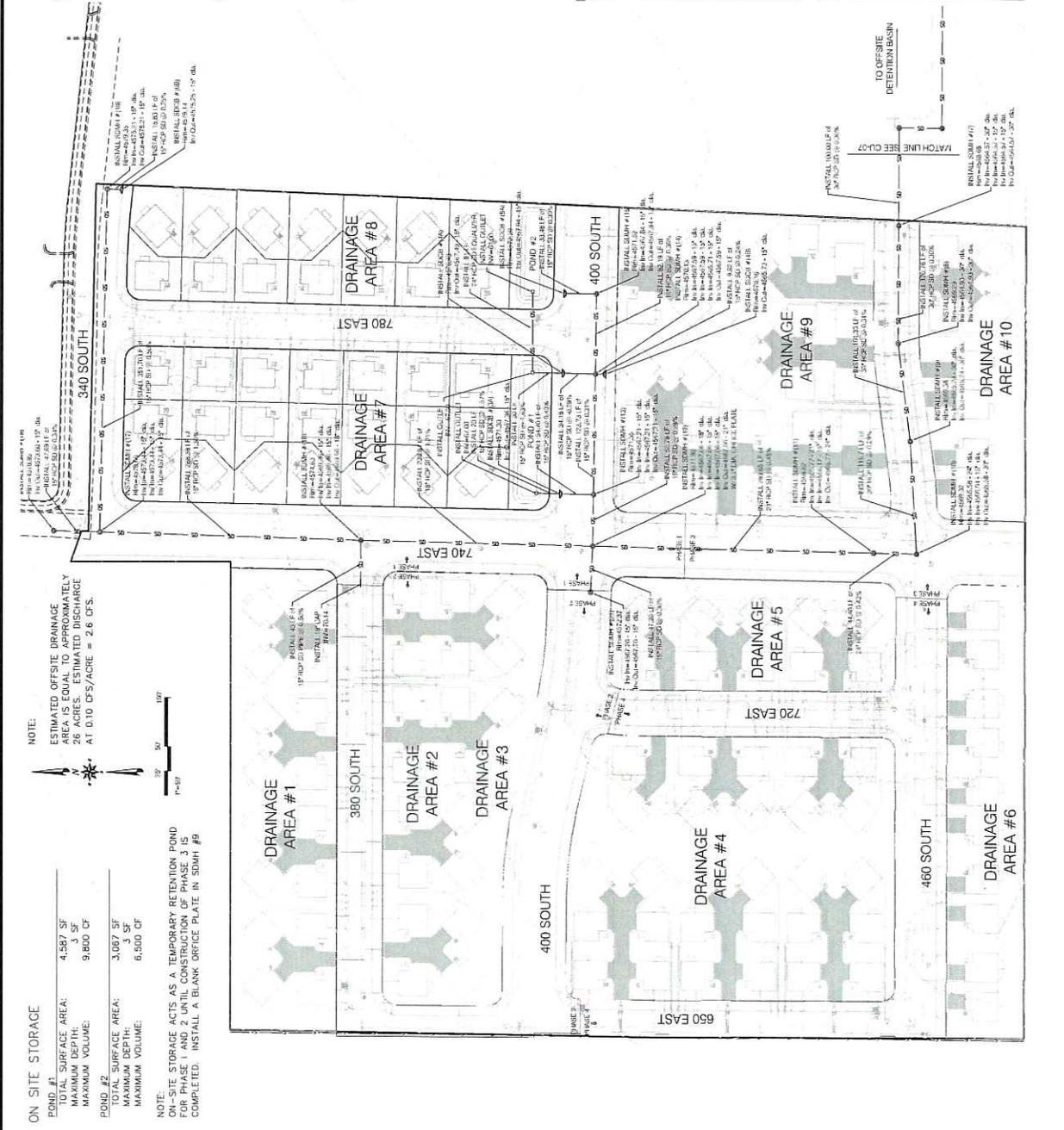
ALLOWABLE DISCHARGE: 0.10 CFS/ACRE

TIME	INTENSITY (IN/HR)	VOLUME (CF)	DISCHARGE (CF)	STORAGE (CF)
5	7.74	92,988	24,883	68,105
10	5.60	64,188	17,550	46,638
15	4.81	52,833	14,548	38,285
30	3.04	34.84	9.595	25,245
60	1.83	20.87	5.593	15,277
120	1.03	11.80	3.191	8,609
360	0.42	4.81	1.313	3,496
1440	0.15	1.72	0.451	1,275

**DRAINAGE AREA SUMMARY**

AREA NO	1	2	3	4	5
BUILDINGS (SF)	17,200	12,900	8,600	30,100	10,750
HARDSCAPE (SF)	23,019	17,851	24,205	37,148	27,184
LANDSCAPE (SF)	31,494	11,433	26,031	58,535	21,410
<b>TOTAL AREA (SF)</b>	<b>71,713</b>	<b>42,184</b>	<b>38,636</b>	<b>125,783</b>	<b>59,344</b>
WEIGHTED C	0.66	0.75	0.66	0.64	0.70
SLOPE (%)	0.80	0.80	0.80	0.7	1.0
VELOCITY (FT/S)	1.8	1.8	1.8	2.0	2.0
DISTANCE 1 (FT)	456	423	211	606	427
DISTANCE 2 (FT)	298	572	596	411	596
TC (MIN)	3.5	3.9	3.6	3.6	3.5
INTENSITY (IN/HR)	3.84	3.84	3.84	3.84	3.84
FLOW RATE (GFS)	4.16	2.79	3.41	5.47	3.67

AREA NO	6	7	8	9	10
BUILDINGS (SF)	10,750	22,575	15,050	26,875	8,600
HARDSCAPE (SF)	15,824	42,622	22,461	37,988	13,015
LANDSCAPE (SF)	30,248	43,398	31,514	49,281	20,888
<b>TOTAL AREA (SF)</b>	<b>56,822</b>	<b>108,595</b>	<b>69,025</b>	<b>114,144</b>	<b>42,513</b>
WEIGHTED C	0.61	0.68	0.65	0.66	0.63
SLOPE (%)	1.0	1.0	1.0	1.0	0.5
VELOCITY (FT/S)	2.0	2.0	2.0	2.0	1.5
DISTANCE 1 (FT)	448	629	597	601	413
DISTANCE 2 (FT)	118	619	92	5.0	4.0
TC (MIN)	2.4	5.2	2.9	3.0	3.84
INTENSITY (IN/HR)	3.84	3.84	3.84	3.84	3.84
FLOW RATE (GFS)	3.05	4.89	3.95	6.67	2.36



DEVELOPER

860 EAST

DESIGNER



1103 N. Highland Blvd. Suite 100  
Highland, UT 84003  
(801) 942-3119  
www.pattersonhomes.com



0 25 50 100  
SCALE: 1" = 50'



BERG CIVIL ENGINEERING  
11248 N. Highland Blvd. Suite 400  
Highland, UT 84003  
(801) 942-1277  
www.bergcivil.com

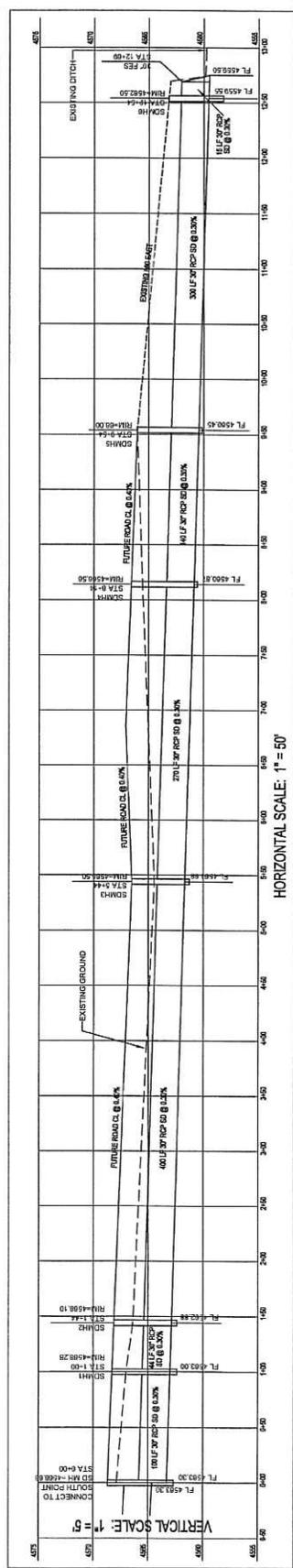
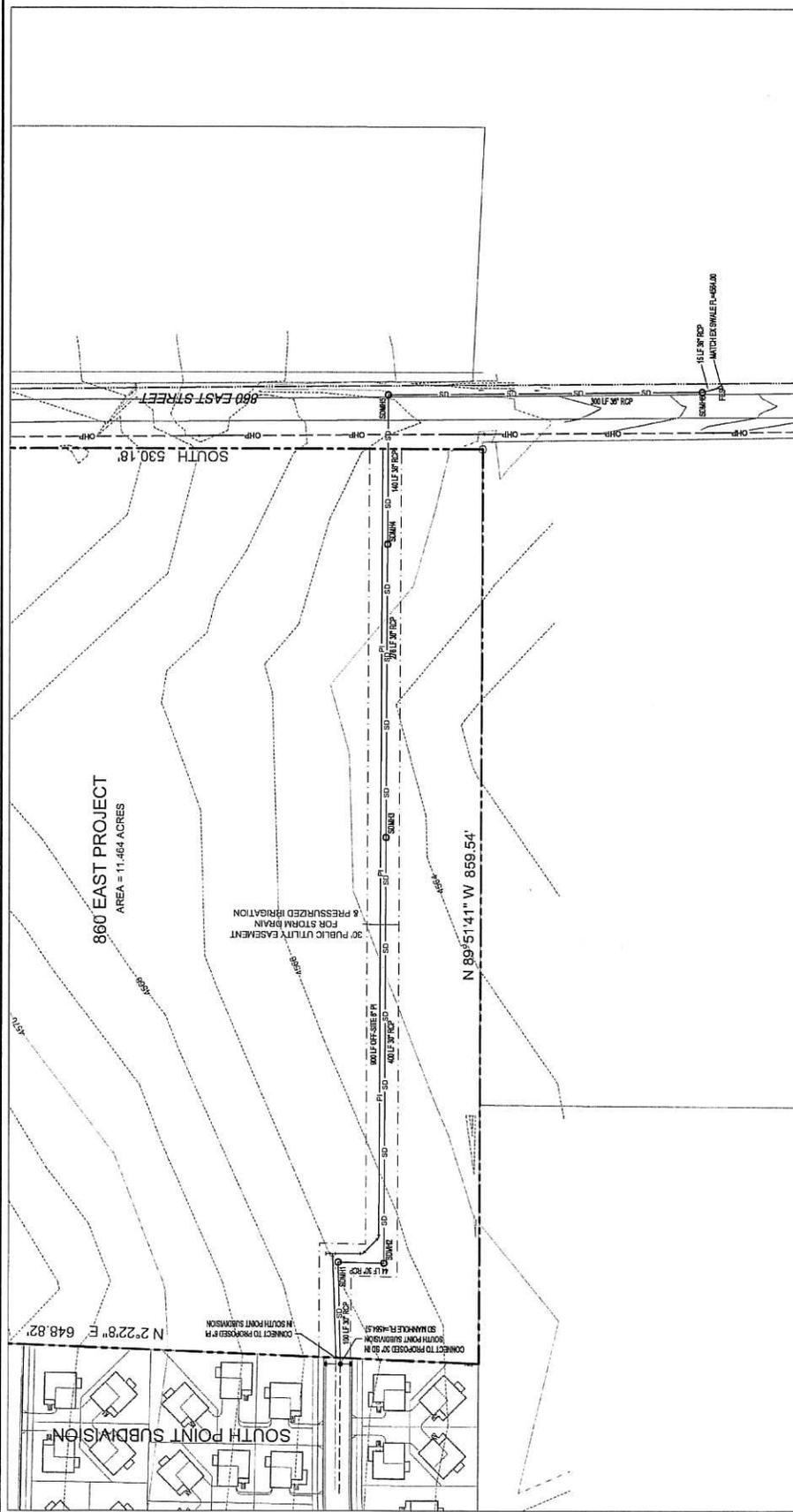
NO.	DATE	DESCRIPTION	SCALE
1			
2			
3			
4			
5			
6			
7			

ACTION: \_\_\_\_\_ DATE: 10/25/14  
 SOUTH POINT OFF-SITE PROJECT  
 SHEET NAME: \_\_\_\_\_ SHEET NUMBER: OFF1

860 EAST

SOUTH POINT SUBDIVISION OFF-SITE IMPROVEMENTS

OFF1



NO.	DATE	DESCRIPTION
1	8-25-14	REV. 1: Correcting
2	10-24-14	REV. 2: Correcting
3	10-25-14	REV. 3: Correcting

**H&H**  
ENGINEERING & SURVEYING, INC.  
233 EAST NORTH WEST STREET  
MERRYVALE, UTAH 84041  
TEL: (435) 736-1400  
FAX: (435) 736-1408

**SOUTH POINT - PHASE I**  
A PLANNED COMMUNITY  
AMERICAN FORK, UTAH

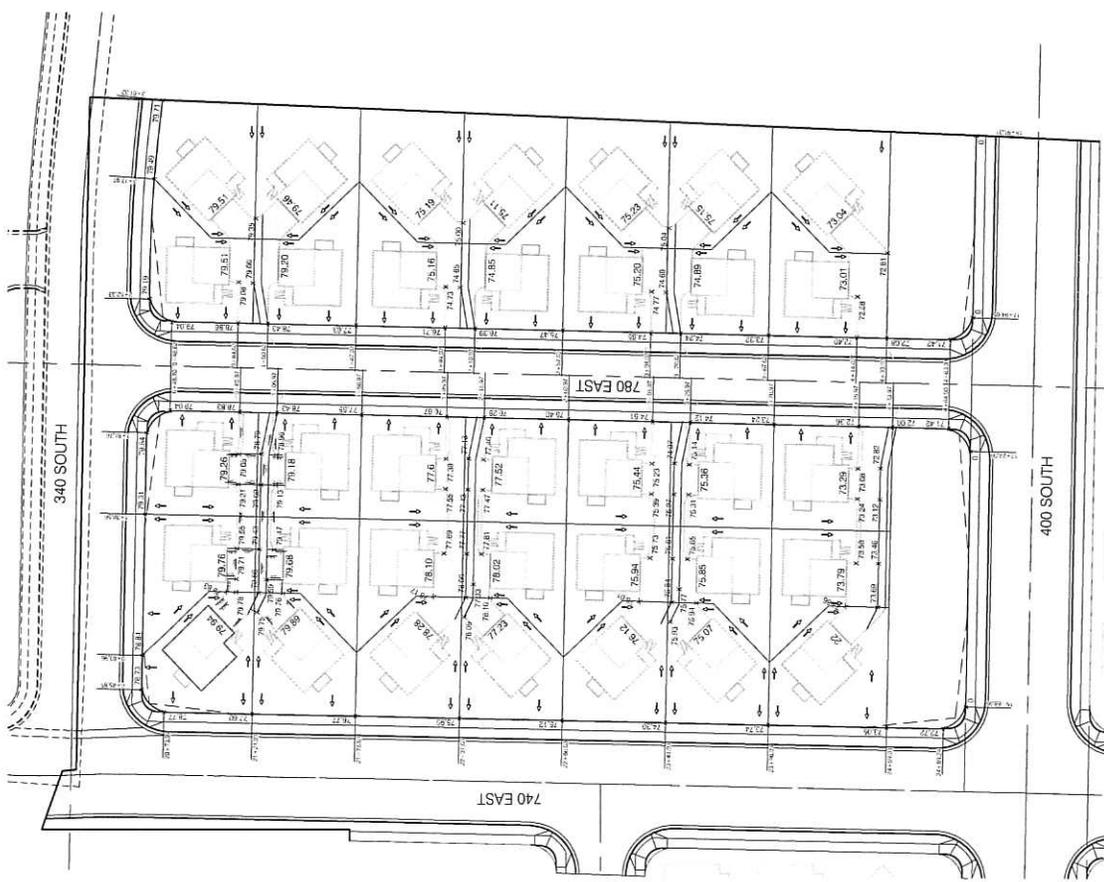
PROJECT NO. 13 05 03  
DATE: JAN 04 2014  
H&H SCALE: AS SHOWN  
H&H SCALE: AS SHOWN  
DRAWN BY: SS  
CHECKED BY: WH

TITLE  
**SITE GRADING PLAN**

17 OF 27  
SHEET  
**CU-08**

- GENERAL NOTES:**
- The Contractor shall be responsible for obtaining all permits required to perform the work indicated on this document.
  - The Contractor shall coordinate with the American Fork City, A.S. W.A. Utah Chapter Construction and Mutual Specifications and in accordance with the project Geotechnical Study, dated June 19, 2013 and prepared by Applied Geotechnical Engineering Consultants, Inc.
  - The Contractor shall follow all Traffic Control Plans in accordance with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) and as modified by the UDOT supplement to the MUTCD.
  - At least two (2) days prior to digging, grading or excavating the Contractor shall notify the City of American Fork, Utah, in writing, of the location and extent of the proposed excavation and existing underground utility whether shown on the plans or not.
  - Prior to commencement of any work, a Pre-Construction Meeting will be held with the Project Owner, Utah Building Official, City Inspectors, the Contractor and the Property Owner.
  - The Contractor shall be responsible for submitting an Erosion and Sedimentation Control Plan to the Public Works Director.
  - Compaction Reports shall be submitted to the City's Building & Public Works Department on a weekly basis.
  - Grading and compaction shall be completed in accordance with American Fork City by AASHTO-19A.
  - Contractor shall provide on-site Fire Protection while grading.
  - Road drains shall install to abutments. Road drain shall be placed to the front of the building.

- LABELLING NOTES:**
- All elevations shown are to finish grade.



NO.	DATE	DESCRIPTION
1	10-20-14	10-20-14
2	10-20-14	10-20-14
3	10-20-14	10-20-14

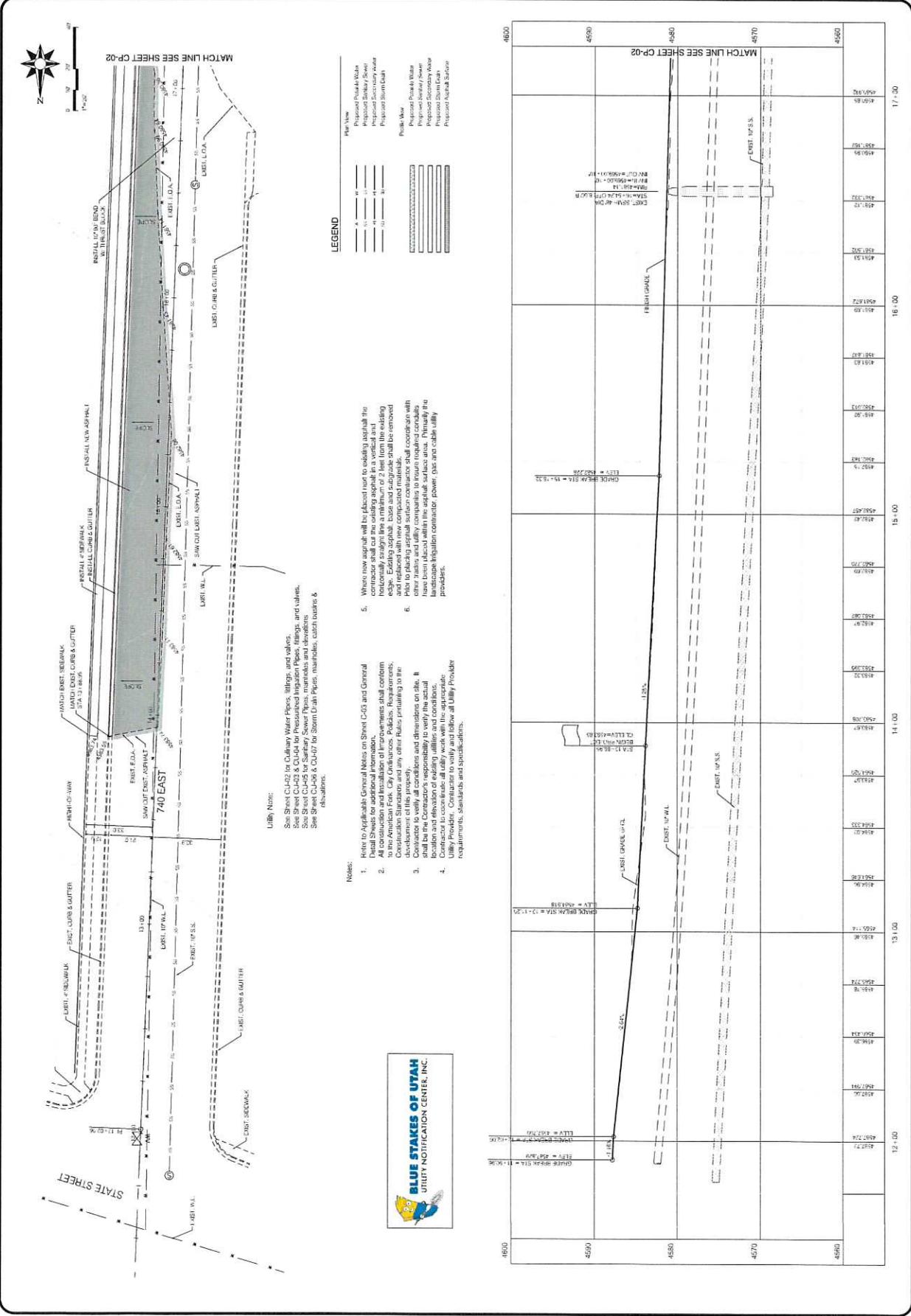
**H&H ENGINEERING & SURVEYING, INC.**  
 241 EAST MAIN STREET, SUITE 4000  
 AMERICAN FORK, UTAH 84003  
 TEL: (409) 726-1499  
 FAX: (409) 726-1498

**SOUTH POINT - PHASE I**  
 A PLANNED COMMUNITY  
 AMERICAN FORK, UTAH

PROJECT NO: 13-07-09  
 DATE: 11-20-14  
 SHEET: 17-00  
 DRAWN BY: J. J. JENSEN  
 CHECKED BY: J. J. JENSEN

**PLAN & PROFILE**  
**740 EAST**

18 OF 27  
 SHEET  
**CP1-01**



UTILITY NOTES:  
 See Sheet C-045 for Utility Water Pipes, fittings, and valves.  
 See Sheet C-046 for Utility Gas Lines, fittings, and valves.  
 See Sheet C-045 for Sanitary Sewer Pipes, manholes and elevations.  
 See Sheet C-046 & C-047 for Storm Drain Pipes, manholes, catch basins & elevations.

**NOTES:**

1. Refer to Applicable General Notes on Sheet C-045 and General Detail Sheets for additional information.
2. All construction and materials shall conform to the applicable specifications and standards of the Utah Department of Transportation and any other rules pertaining to the development of this property.
3. The contractor shall be responsible for the location and elevation of existing utilities, and shall be responsible for marking and protecting them. It shall be the contractor's responsibility to verify the location and elevation of existing utilities and conditions.
4. Contractor to coordinate all utility work with the appropriate utility providers. Contractor to verify and follow all Utility Provider requirements, standards and specifications.
5. Where new asphalt will be placed next to existing asphalt the contractor shall cut the existing asphalt in a vertical and horizontal line a minimum of 2 feet from the existing asphalt. The existing asphalt shall be removed and replaced with new compacted materials.
6. Prior to placing asphalt surface contractor shall coordinate with the utility providers to ensure that all utility lines have been located within the asphalt surface. Provide the landscape irrigation contractor power, gas and cable utility providers.



**LEGEND**

Plan View	Profile View
Proposed Paved Walk	Proposed Paved Walk
Proposed Sidewalk	Proposed Sidewalk
Proposed Secondary Road	Proposed Secondary Road
Proposed Storm Drain	Proposed Storm Drain
Proposed Paved Water	Proposed Paved Water
Proposed Sewer	Proposed Sewer
Proposed Secondary Water	Proposed Secondary Water
Proposed Storm Drain	Proposed Storm Drain





NO.	DATE	DESCRIPTION
1	10/25/13	ISSUE FOR PERMITS
2	11/15/13	REVISED PERMITS
3	05/04/14	REVISED PERMITS

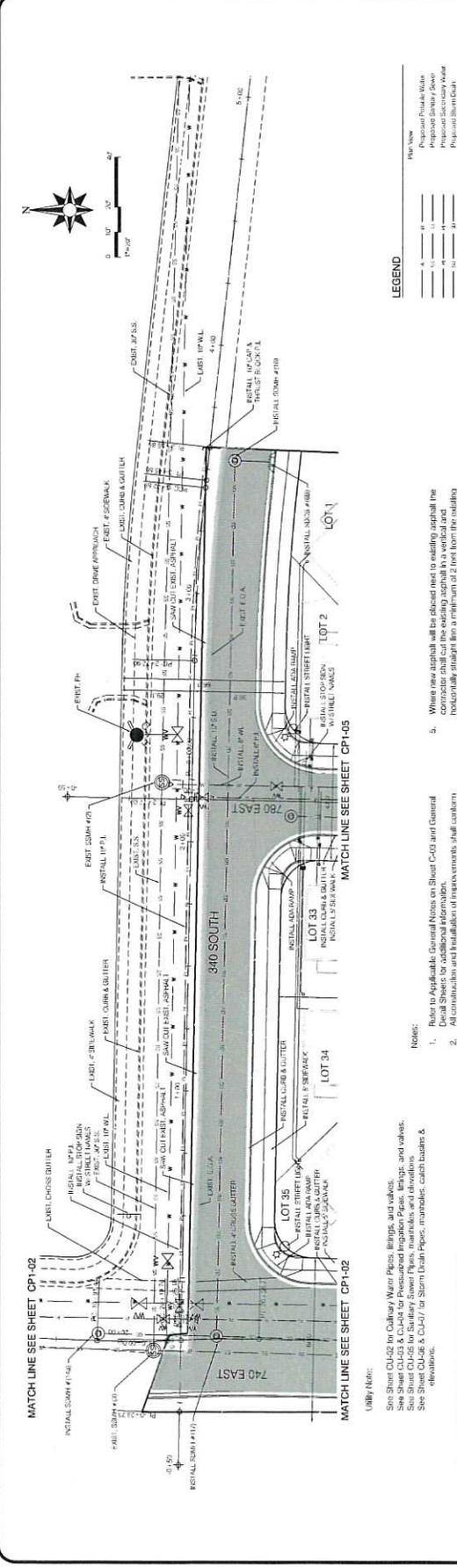
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 233 EAST MAIN STREET, SUITE 2  
 AMERICAN FORK, UTAH 84201  
 TEL: (407) 756-1499  
 FAX: (407) 756-1498

**SOUTH POINT - PHASE I**  
 A PLANNED COMMUNITY  
 AMERICAN FORK, UTAH

PROJECT NO: 13102-09  
 DATE: 01/25/13  
 REV. SCALE: 1"=20'  
 REV. SCALE: 1"=40'  
 DRAFTED: BS  
 CHECKED: HT

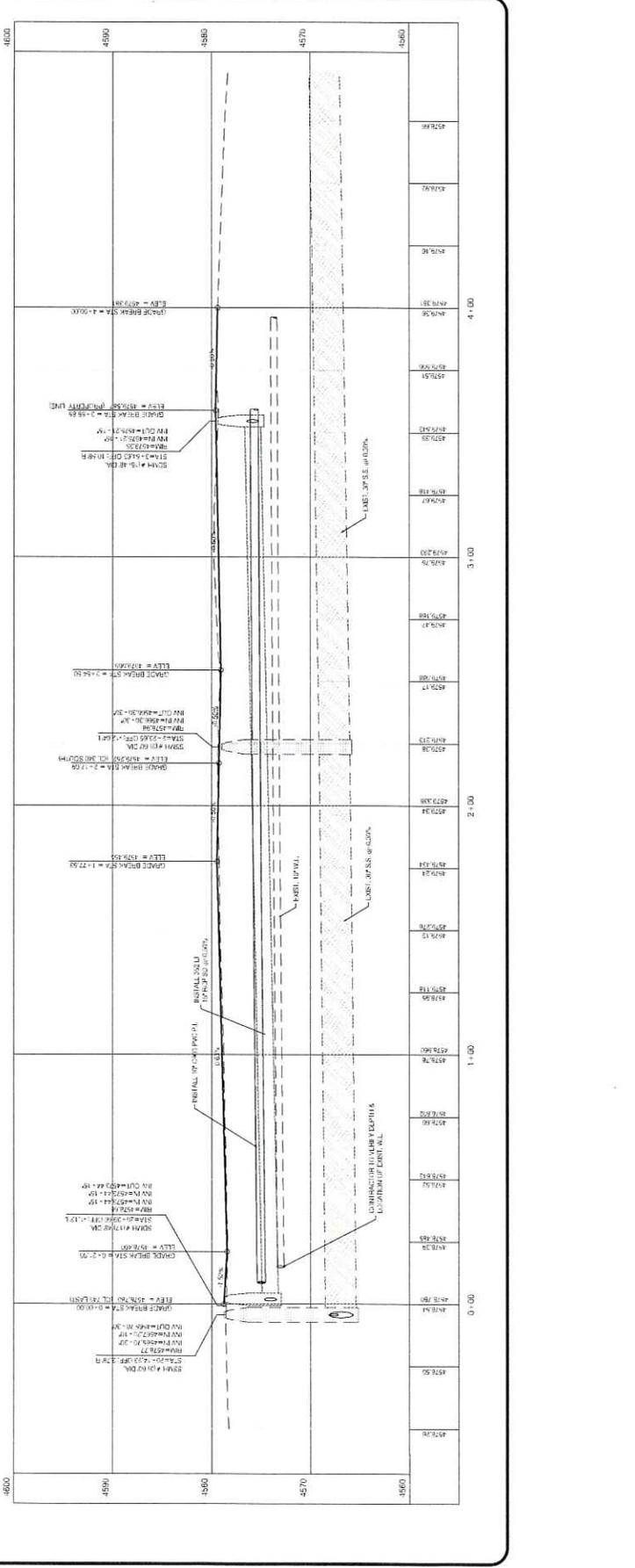
TITLE:  
**PLAN & PROFILE**  
**340 SOUTH**

21 OF 27  
 SHEET  
**CP1-04**



- Refer to Applicable General Notes on Sheet C-03 and General Detail Sheets for additional information.
- Proposed utility lines shall conform to the American Fork, Utah, Ordinance, Policies, Requirements, Construction Standards and any other rules pertaining to the development of this property.
- Contractor shall be responsible for verifying the exact location and elevation of existing utilities and conditions. It shall be the Contractor's responsibility to verify the actual location and elevation of existing utilities and conditions.
- Contractor to coordinate all utility work with the appropriate agencies and obtain all utility provider requirements, standards and specifications.

- When new asphalt will be placed next to existing asphalt the contractor shall cut the existing asphalt in a vertical and horizontal line. Existing asphalt base and subgrade shall be removed and replaced with new compacted materials.
- Prior to placing asphalt surface contractor shall coordinate with the participating utility contractor, power, gas and cable utility providers. All Buried, Open, or Lines of Fresh Signs, and sidewalk curb signs at the end of all side roads.



NO.	DATE	DESCRIPTION
1	10/25/16	ISSUE FOR PERMITS
2	11/22/16	REVISED FOR COMMENTS
3	05/05/17	REVISED FOR COMMENTS

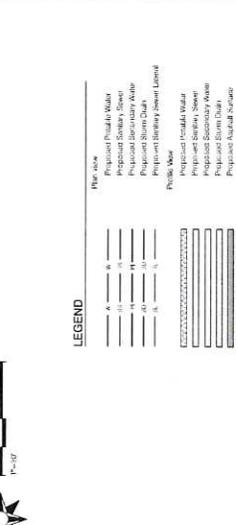
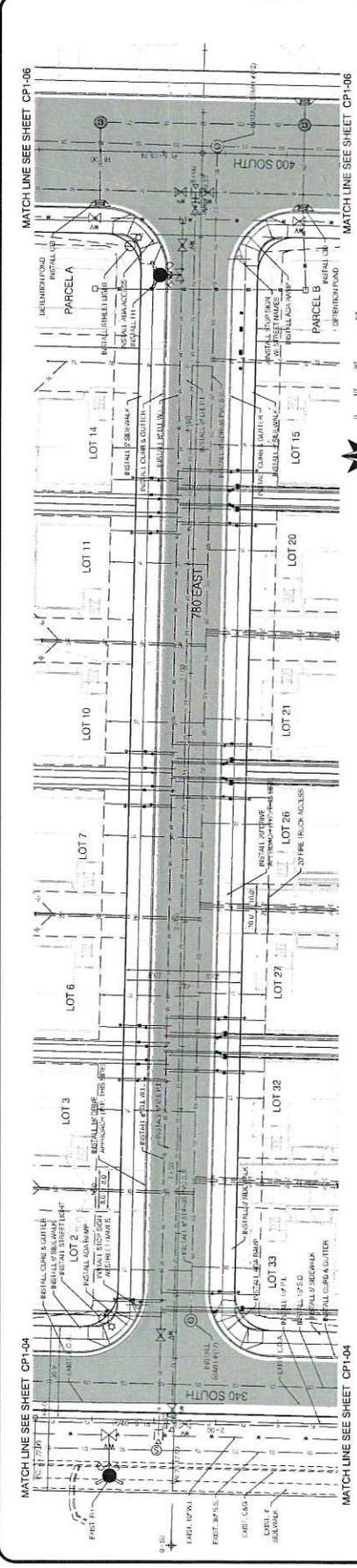
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 225 EAST NORTH WINTER, SUITE 2  
 AMERICAN FORK, UTAH 84003  
 TEL: (801) 736-1400  
 FAX: (801) 736-1499

**SOUTH POINT - PHASE I**  
**A PLANNED COMMUNITY**  
 AMERICAN FORK, UTAH

PROJECT NO. 16105-09  
 DRAWING NO. 16105-0914  
 HORIZONTAL SCALE 1"=30'  
 VERTICAL SCALE 1"=4'  
 CHECKED BY: [Signature]  
 DATE: 05/05/17

**PLAN & PROFILE**  
**780 EAST**

22 OF 27  
 SHEET  
**CP1-05**

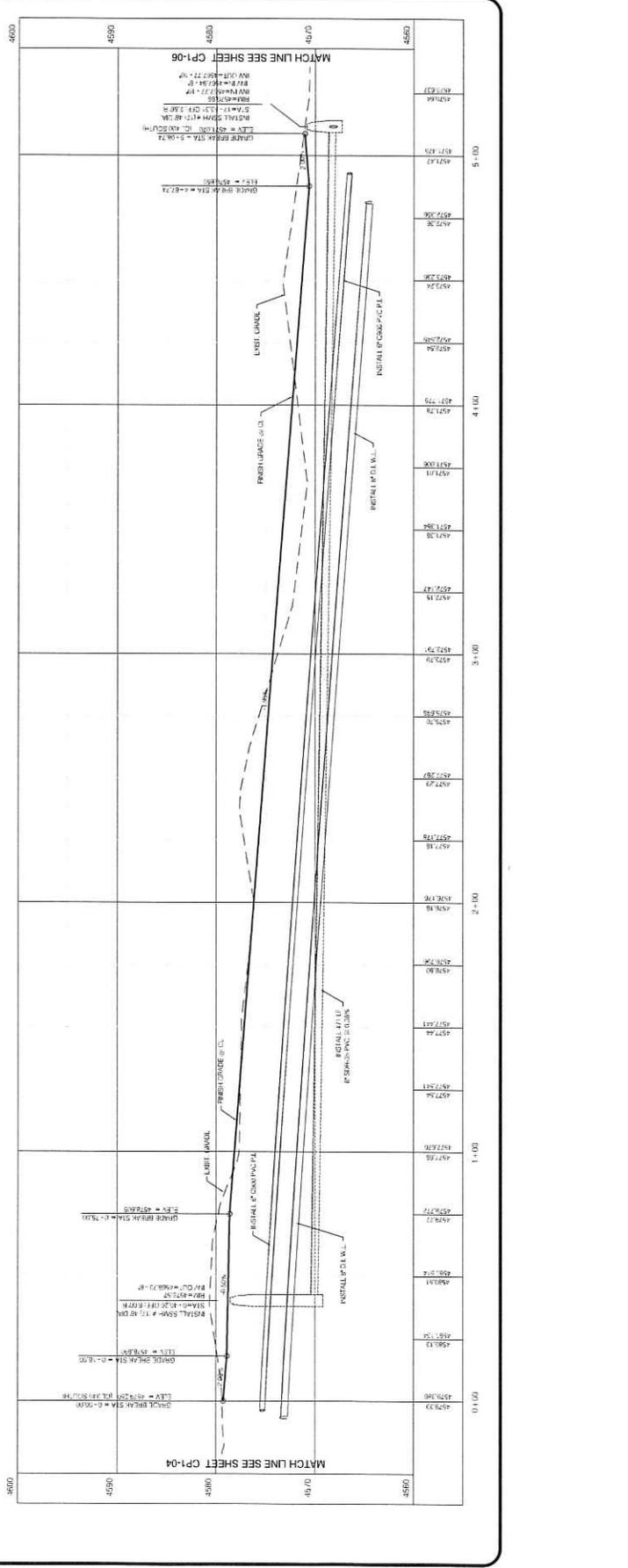


- LEGEND**
- Proposed Paved Water
  - Proposed Storm Water
  - Proposed Storm Sewer
  - Proposed Storm Drain
  - Proposed Storm Utility
  - Proposed Storm Water
  - Proposed Storm Drain
  - Proposed Storm Utility
  - Proposed Storm Water
  - Proposed Storm Drain
  - Proposed Storm Utility

- NOTES:**
- Refer to Applicable General Notes on Sheet C-03 and General Detail Sheets for additional information.
  - When new asphalt will be placed next to existing asphalt the contractor shall use the existing asphalt in a vertical and horizontal joint. Existing asphalt, base and subgrade shall be removed and replaced with new compacted materials.
  - Prior to placing asphalt surface contractor shall cooperate with landscape irrigation contractor, power, gas and cable utility providers. All Buried, Open & Field of Road, Signs, and Sidewalk cross slopes at the end of all side roads.

**BLUE STAKES OF UTAH**  
 UTILITY NOTIFICATION CENTER, INC.

Utility Notice:  
 See Sheet C-03 for Callout Water Pipes, Wires, and valves.  
 See Sheet C-03 & C-04 for Pressurized Irrigation Pipes, Irrigals, and valves.  
 See Sheet C-03 for Sanitary Sewer Pipes, manholes and elevators.  
 See Sheet C-03 & C-04 for Storm Drain Pipes, manholes, catch basins & elevators.



NO.	DATE	DESCRIPTION
1	11-25-14	REV. 1 (CONTRACT)
2	12-02-14	REV. 2 (CONTRACT)
3	01-27-15	REV. 3 (CONTRACT)

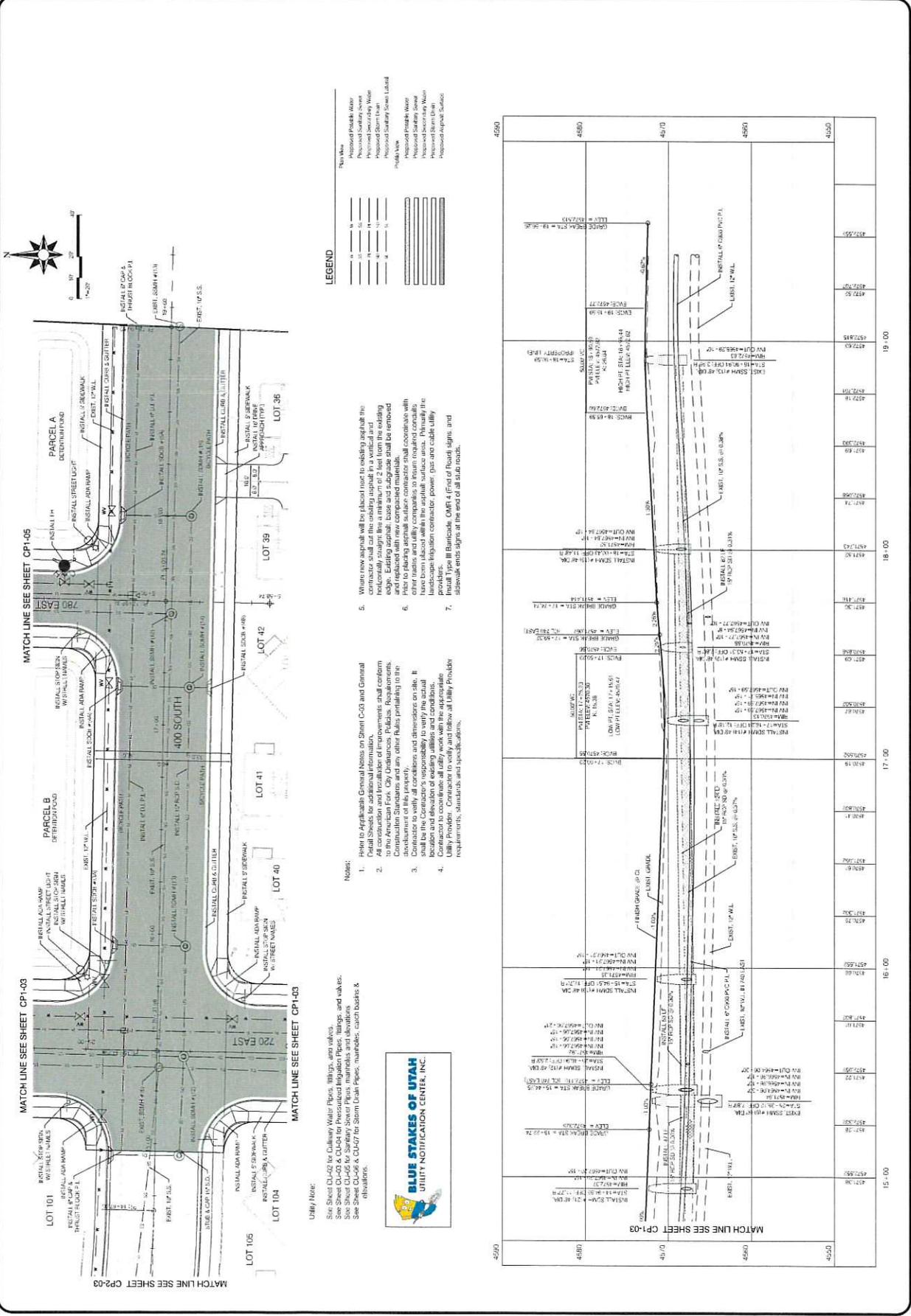
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 111 EAST MAIN STREET, SUITE 200  
 AMERICAN FORK, UTAH 84303  
 TEL: (408) 758-4490  
 FAX: (408) 758-4490

**SOUTH POINT - PHASE I**  
**A PLANNED COMMUNITY**  
 AMERICAN FORK, UTAH  
 PROJECT NAME

PROJECT NO. 13125.00  
 DATE: JAN 16, 2014  
 REV. SCALE: P-20  
 DRAWN BY: JLD  
 CHECKED BY: VJ

**PLAN & PROFILE**  
**400 SOUTH**

23 OF 27  
 SHEET  
**CP1-06**



- LEGEND**
- Thin White Line: Proposed Potable Water
  - Thick White Line: Proposed Sewer
  - Thick Yellow Line: Proposed Storm Drain
  - Thick Red Line: Proposed Gas
  - Thick Blue Line: Proposed Electric
  - Thick Green Line: Proposed Cable TV
  - Thick Purple Line: Proposed Fiber Optic
  - Thick Orange Line: Proposed Irrigation
  - Thick Brown Line: Proposed Telephone
  - Thick Pink Line: Proposed Other

- Notes:**
- Refer to applicable General Notes on Sheet C-03 and General Detail Sheets for additional information.
  - Contractor shall coordinate with the American Fork City Ordinance, Policies, Regulations, Construction Standards and any other rules pertaining to the development of this property.
  - Contractor shall coordinate with the American Fork City Ordinance, Policies, Regulations, Construction Standards and any other rules pertaining to the location and elevation of existing utilities and conditions.
  - Contractor to coordinate all utility work with the appropriate utility companies. All Buried Gas, Electric, Cable TV, Telephone, and other utilities shall be installed in utility trenches, manholes, vaults, and structures.



**Utility Note:**  
 Six Street CU-02 for Cullinary Water Pipes, 800gpc, and valves.  
 Six Street CU-03 & CU-04 for Pressurized Irrigation Pipes, fittings, and valves.  
 Six Street CU-05 for Sanitary Sewer Pipes, manholes and vaults.  
 Six Street CU-06 for Storm Drain Pipes, manholes, catch basins & vaults.

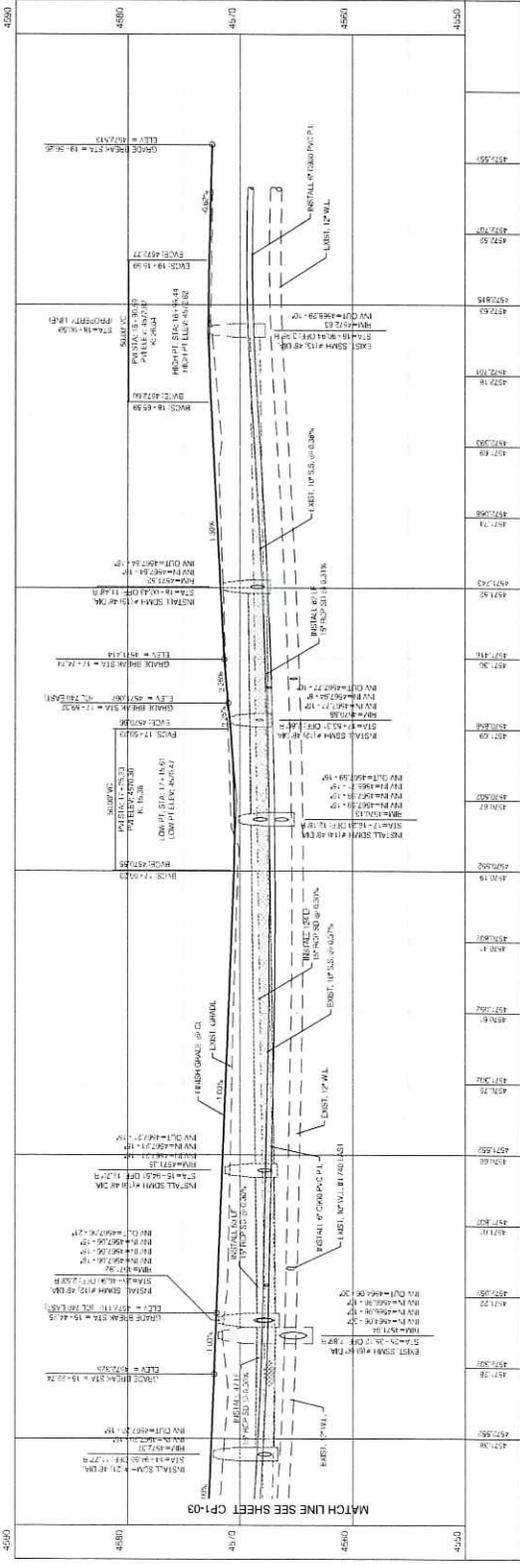
MATCH LINE SEE SHEET CP1-05

MATCH LINE SEE SHEET CP1-03

MATCH LINE SEE SHEET CP2-03

MATCH LINE SEE SHEET CP1-03

15:00 16:00 17:00 18:00 19:00



NO.	DATE	DESCRIPTION
1	10/12/09	PRELIMINARY
2	10/28/09	REVISED
3	11/10/09	REVISED
4	11/24/09	REVISED
5	12/08/09	REVISED
6	01/20/10	REVISED
7	02/02/10	REVISED
8	02/16/10	REVISED
9	03/02/10	REVISED
10	03/16/10	REVISED
11	03/30/10	REVISED
12	04/13/10	REVISED
13	04/27/10	REVISED
14	05/11/10	REVISED
15	05/25/10	REVISED
16	06/08/10	REVISED
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324	03/26/22	REVISED
325	04/09/22	REVISED
326	04/23/22	REVISED
327	05/07/22	

NO.	DATE	DESCRIPTION
1	11/25/14	REVISED
2	12/05/14	REVISED
3	12/05/14	REVISED

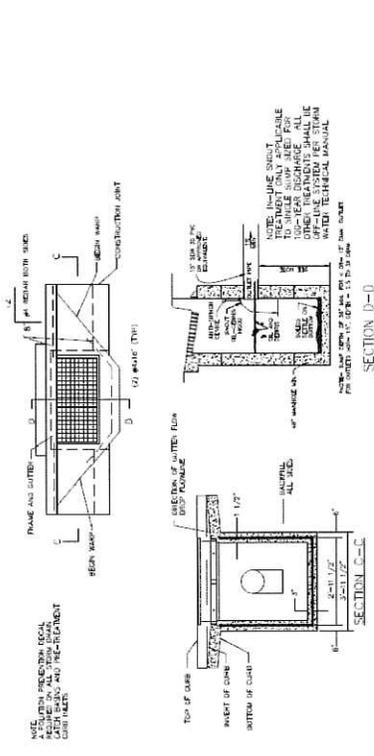
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 211 KAYS MAN. BLDG., SUITE 2  
 AMERICAN FORK, UTAH 84202  
 TEL: (409) 756-4499  
 FAX: (409) 756-4498

**SOUTH POINT - PHASE I**  
**A PLANNED COMMUNITY**  
 AMERICAN FORK, UTAH

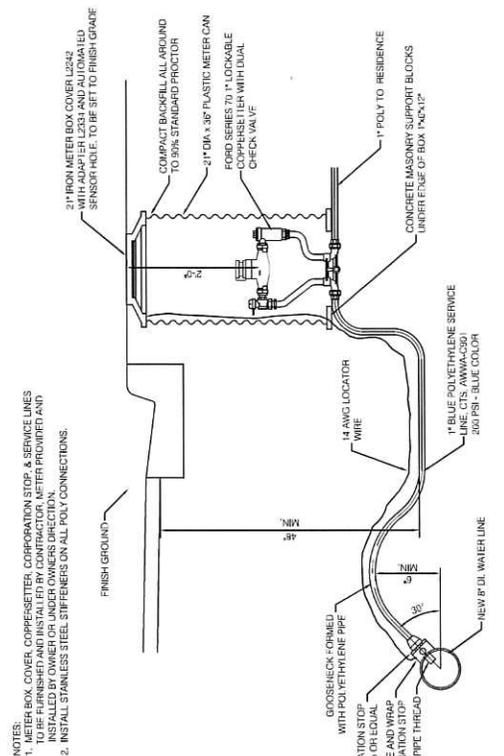
PROJECT NAME:  
 PROJECT NO. 13102009  
 DATE: JAN 08, 2014  
 HOR. SCALE: AS SHOWN  
 VER. SCALE: AS SHOWN  
 DESIGNED BY: ADK/BJD  
 DRAFTED BY: BS  
 CHECKED BY: WJ

TITLE: **GENERAL DETAILS**

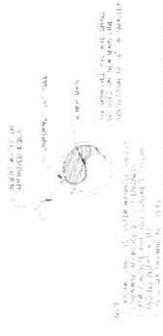
25' 0" x 27'  
 SHEET: **CD-02**



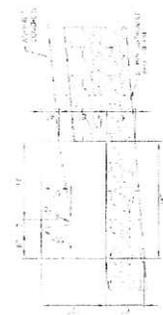
① TYPICAL PRE-TREATMENT CURB INLET  
 SCALE 1/4" = 1'-0"



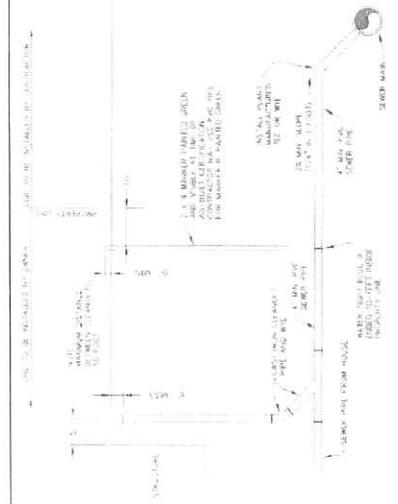
② TYPICAL WATER SERVICE  
 SCALE 1/4" = 1'-0"



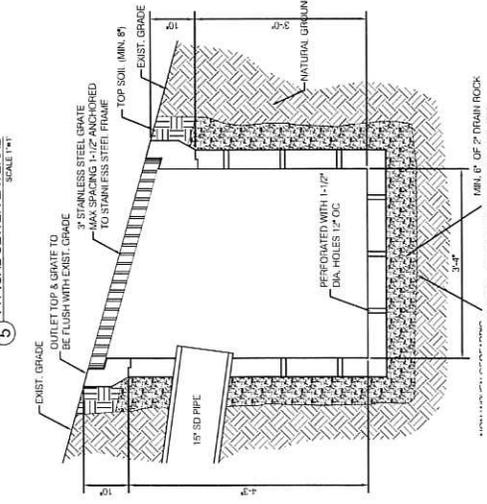
③ TYPICAL SEWER SERVICE LATERAL  
 SCALE 1/4" = 1'-0"



④ TYPICAL CURB & GUTTER  
 SCALE 1/4" = 1'-0"



⑤ TYPICAL SEWER LATERAL  
 SCALE 1/4" = 1'-0"



⑥ TYPICAL STORM WATER OUTLET  
 SCALE 1/4" = 1'-0"

NOTES:  
 1. METEORIC COVER COMPENSATOR, COPPERATION STOP & SERVICE LINES INSTALLED BY OWNER OR UNDER OWNERS DIRECTION.  
 2. INSTALL STAINLESS STEEL STIFFENERS ON ALL POLY CONNECTIONS.

NO.	DATE	DESCRIPTION
1	6-25-12	PRELIMINARY
2	10-25-12	REVISED
3	12-10-12	REVISED
4	01-15-13	REVISED
5	02-20-13	REVISED
6	03-25-13	REVISED
7	04-20-13	REVISED
8	05-15-13	REVISED
9	06-10-13	REVISED
10	07-05-13	REVISED
11	08-01-13	REVISED
12	08-28-13	REVISED
13	09-25-13	REVISED
14	10-22-13	REVISED
15	11-19-13	REVISED
16	12-16-13	REVISED
17	01-13-14	REVISED
18	02-10-14	REVISED
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20	04-07-14	REVISED
21	05-06-14	REVISED
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25	08-29-14	REVISED
26	09-26-14	REVISED
27	10-24-14	REVISED
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91	09-18-19	REVISED
92	10-16-19	REVISED
93	11-13-19	REVISED
94	12-11-19	REVISED
95	01-08-20	REVISED
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100	05-29-20	REVISED

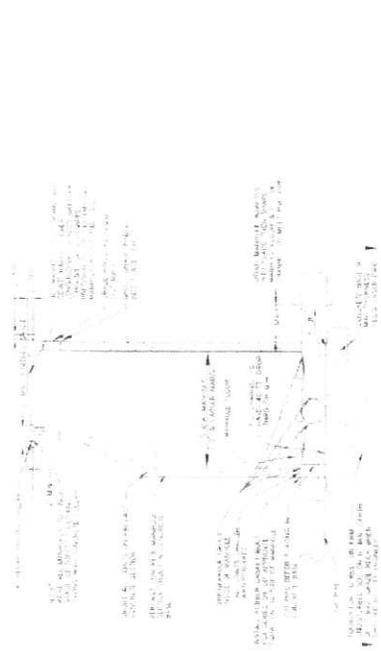
**H&H**  
**ENGINEERING & SURVEYING, INC.**  
 233 EAST MAIN STREET, SUITE 2  
 AMERICAN FORK, UTAH 84603  
 TEL: (435) 736-4400  
 FAX: (435) 736-4499

**SOUTH POINT - PHASE I**  
 A PLANNED COMMUNITY  
 AMERICAN FORK, UTAH

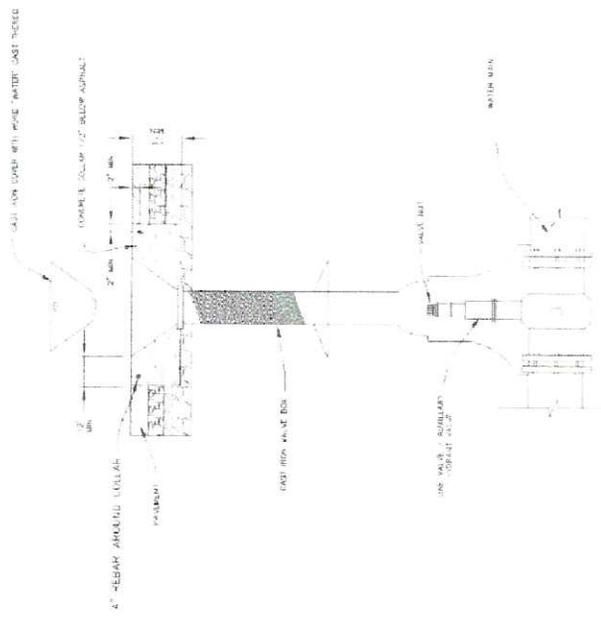
PROJECT NAME:  
 PROJECT NO. 13105.00  
 DATE: JANUARY 2014  
 H&H SCALE: AS SHOWN  
 H&H SCALE: AS SHOWN  
 DRAFTED: AS  
 CHECKED: JH

TITLE:  
 GENERAL  
 DETAILS

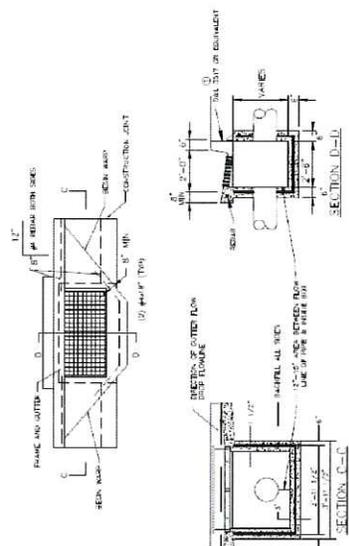
26 OF 27  
 SHEET  
**CD-03**



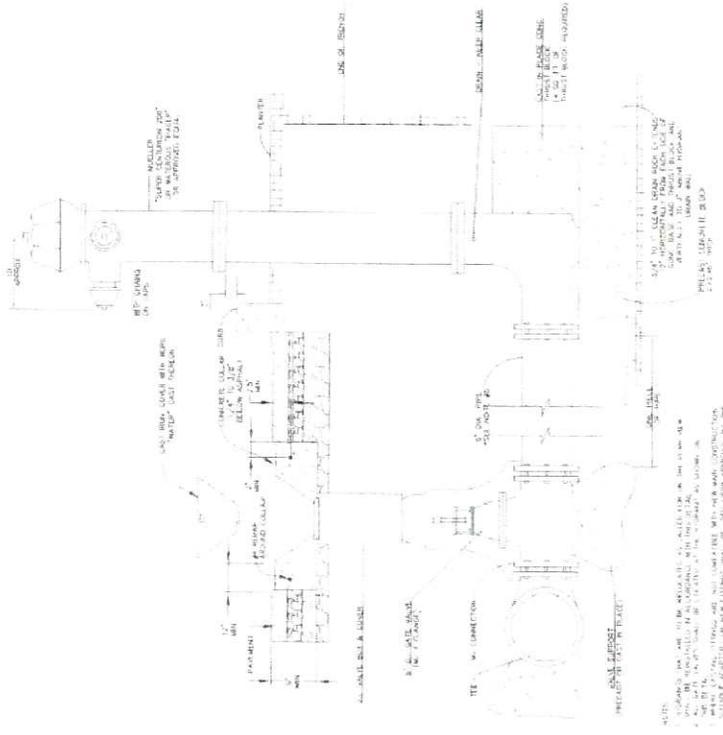
① TYPICAL MANHOLE INSTALLATION  
 SCALE 1/4" = 1'-0"



② TYP. WATER VALVE RISER  
 SCALE 1/4" = 1'-0"



③ TYPICAL CURB INLET BOX  
 SCALE 1/4" = 1'-0"



④ FIRE HYDRANT ASSEMBLY  
 SCALE 1/4" = 1'-0"

NOTES:  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
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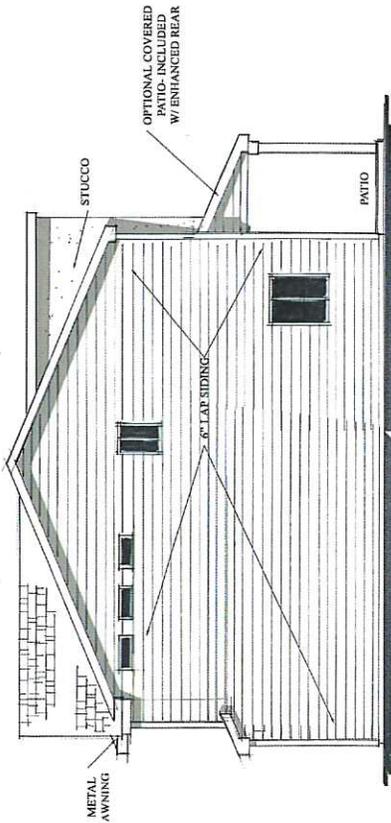




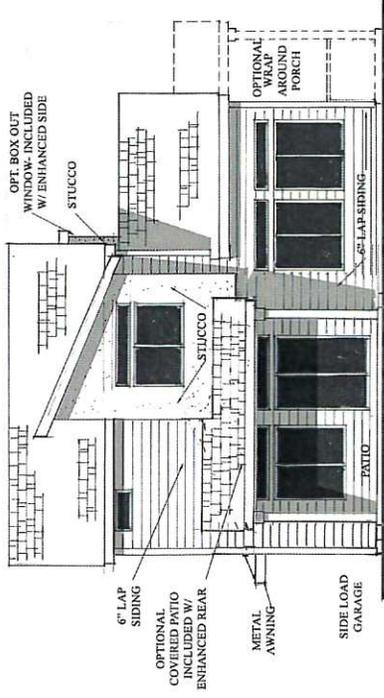
**South Point - Vintaro  
Elevations and  
Architectural Theme**  
April 2014

Prepared For:  
Black Sand Development LLC  
947 South 500 East #106  
American Fork, UT 84003

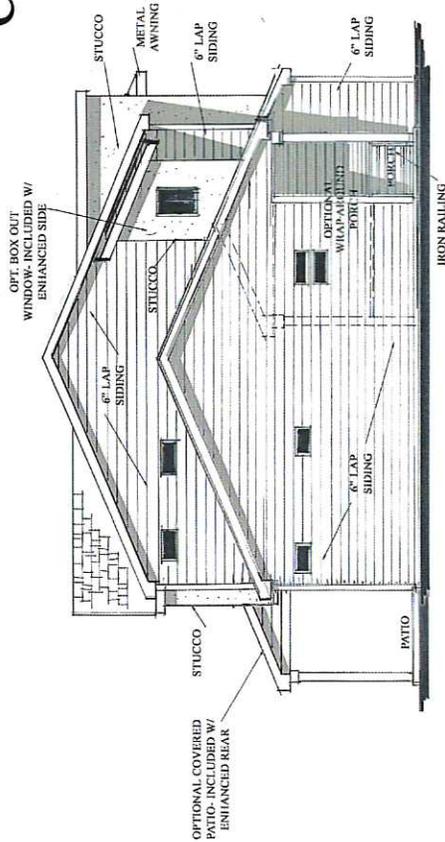
By:  
H&H Engineering & Surveying, Inc.  
233 East Main Street #2  
American Fork, UT 84003



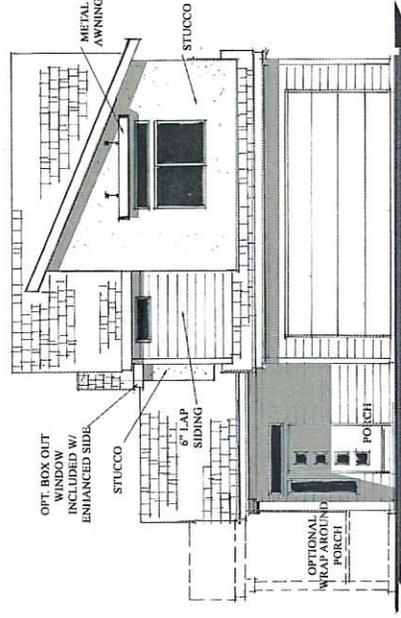
**RIGHT SIDE ELEVATION**



**REAR ELEVATION**

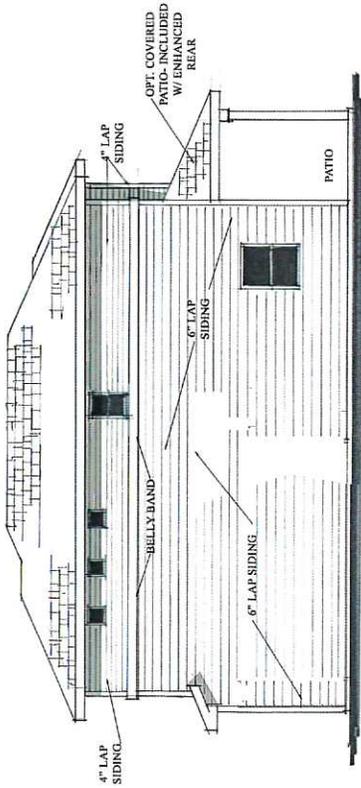


**LEFT SIDE ELEVATION**

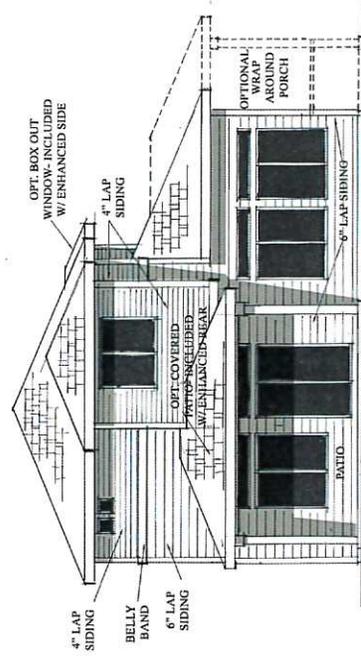


**FRONT ELEVATION**

**PLAN 111**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. PATIO @ REAR  
 3. OPT. WRAP AROUND PORCH  
**CONTEMPORARY**



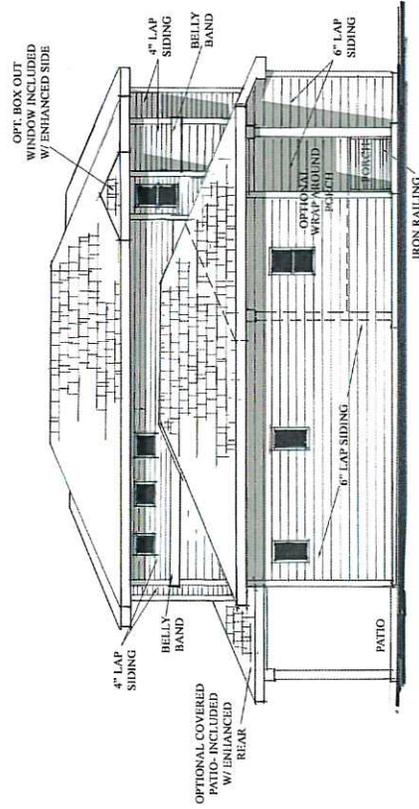
RIGHT SIDE ELEVATION



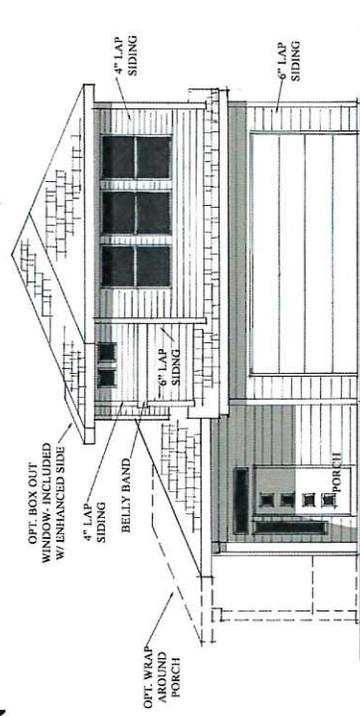
REAR ELEVATION

**PLAN 111**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. PATIO @ REAR  
 3. OPT. WRAP AROUND PORCH

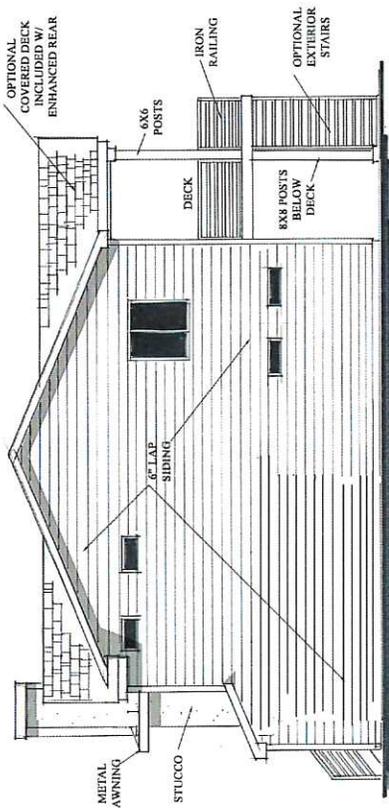
**MODERN**  
**PRAIRIE**



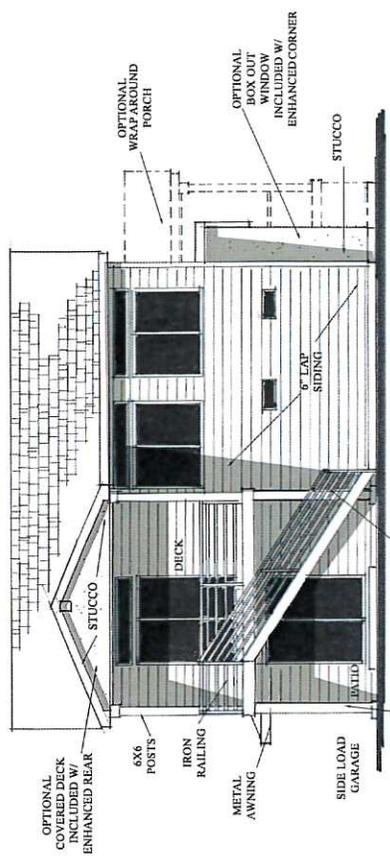
LEFT SIDE ELEVATION



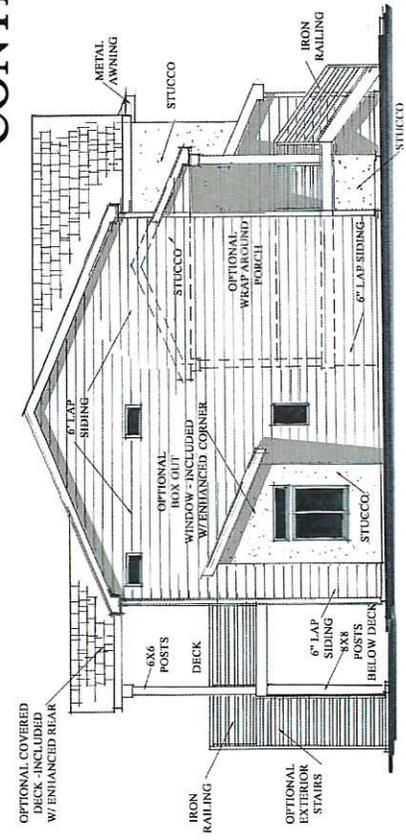
FRONT ELEVATION



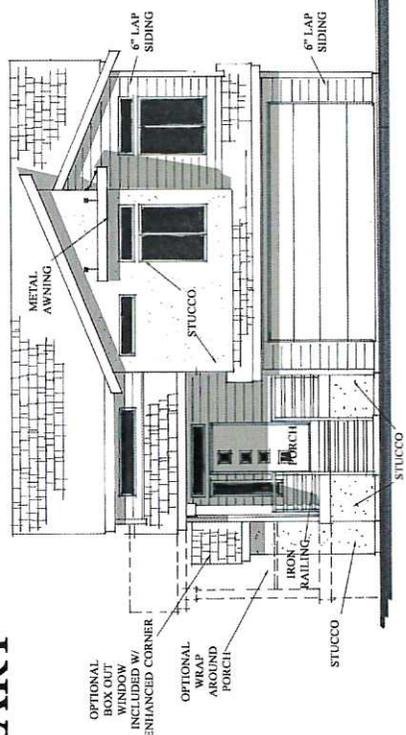
**RIGHT SIDE ELEVATION**



**REAR ELEVATION**



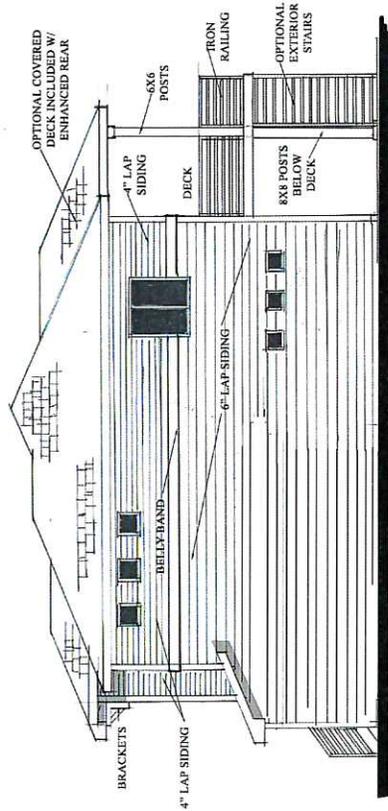
**LEFT SIDE ELEVATION**



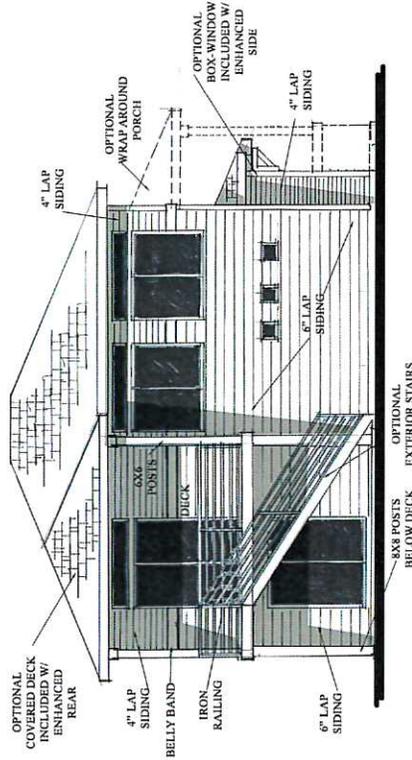
**FRONT ELEVATION**

**PLAN 112**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. DECK @ REAR  
 3. OPT. WRAP AROUND PORCH

**CONTEMPORARY**



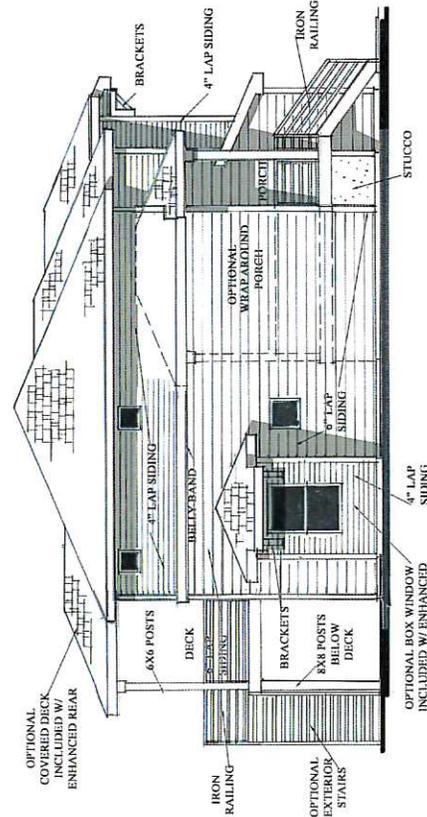
**RIGHT SIDE ELEVATION**



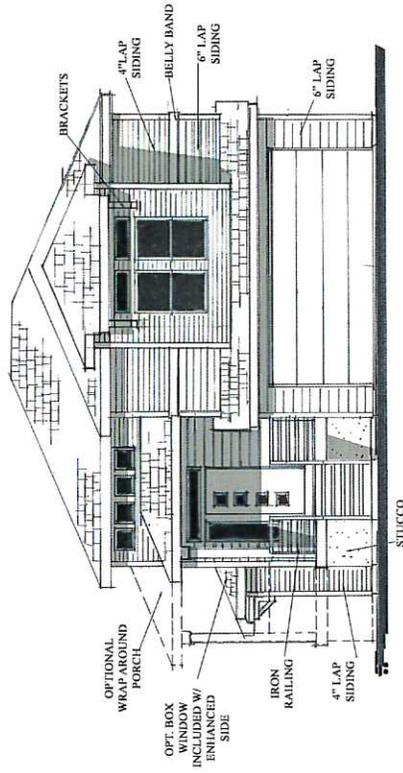
**REAR ELEVATION**

**PLAN 112**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. DECK @ REAR  
 3. OPT. WRAP AROUND PORCH

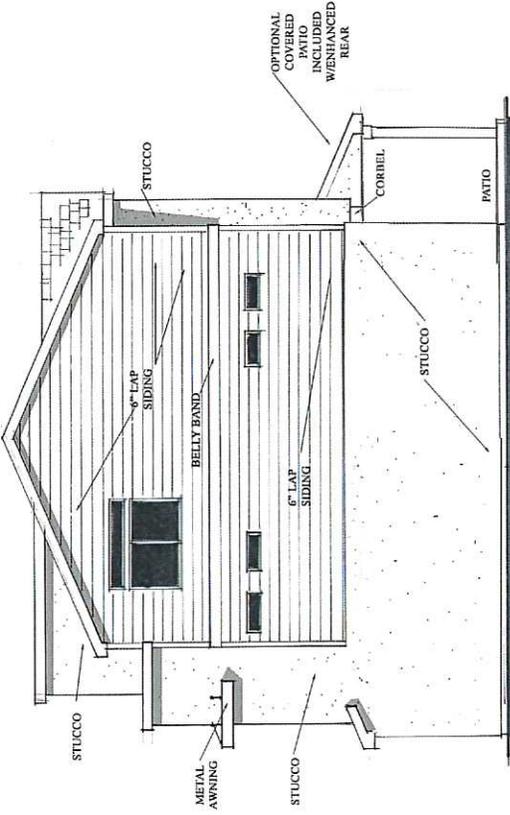
**MODERN PRAIRIE**



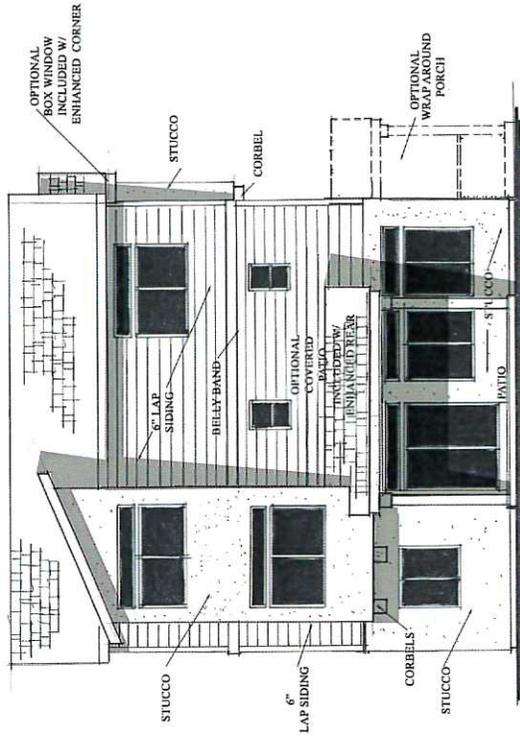
**LEFT SIDE ELEVATION**



**FRONT ELEVATION**

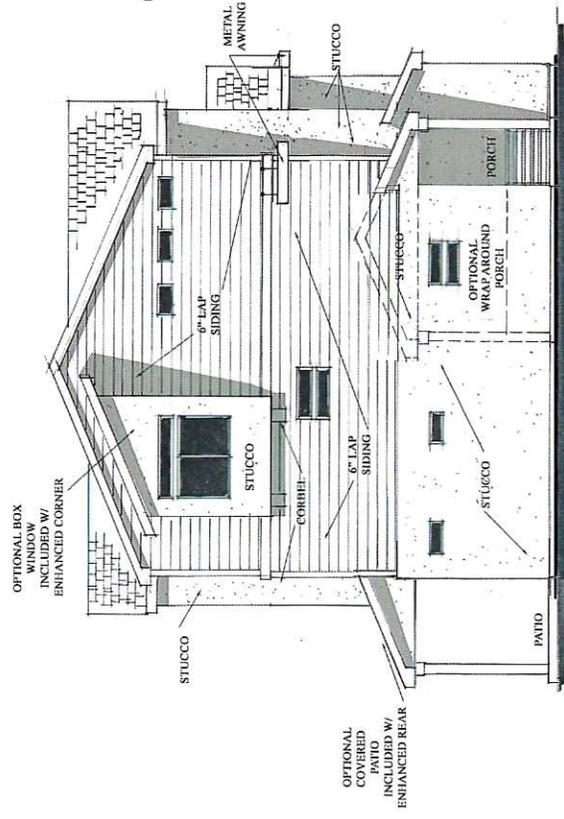


**RIGHT SIDE ELEVATION**

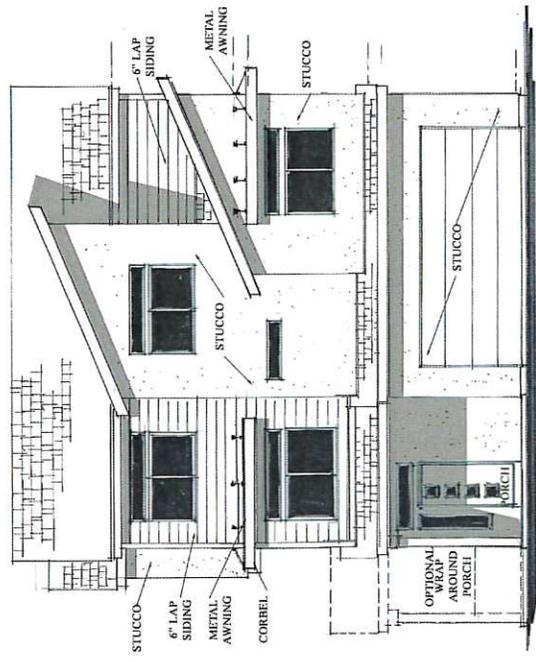


**REAR ELEVATION**

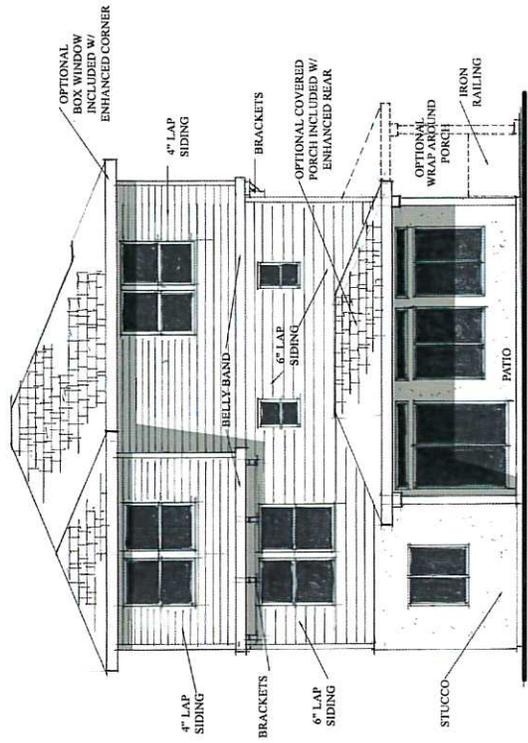
**PLAN 114**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. PATIO @ REAR  
 3. OPT. WRAP AROUND PORCH  
**CONTEMPORARY**



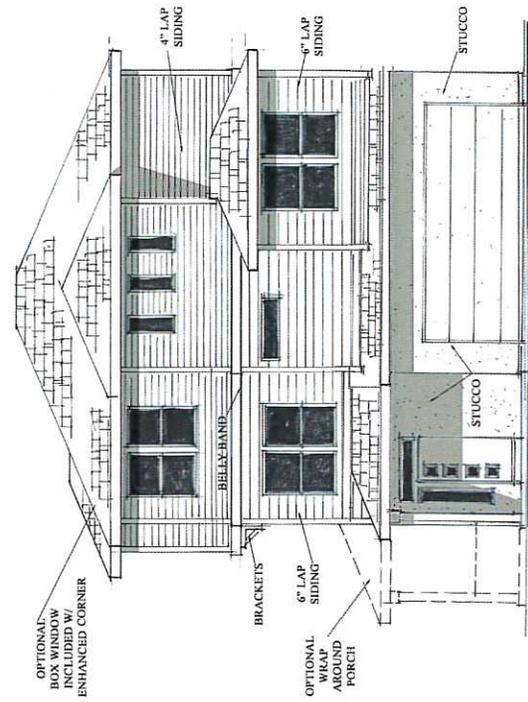
**LEFT SIDE ELEVATION**



**FRONT ELEVATION**

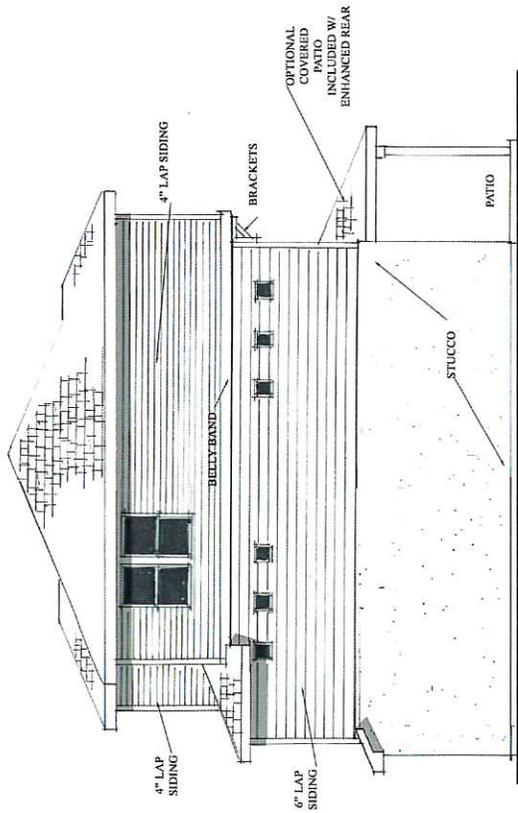


REAR ELEVATION

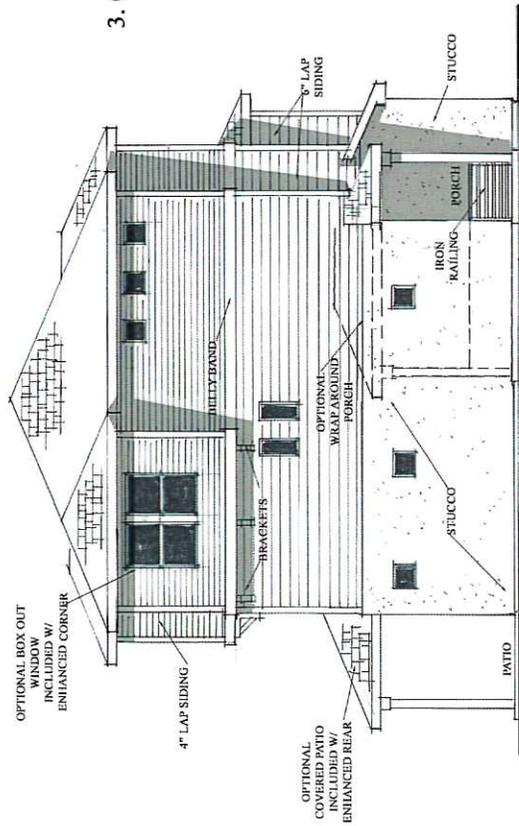


FRONT ELEVATION

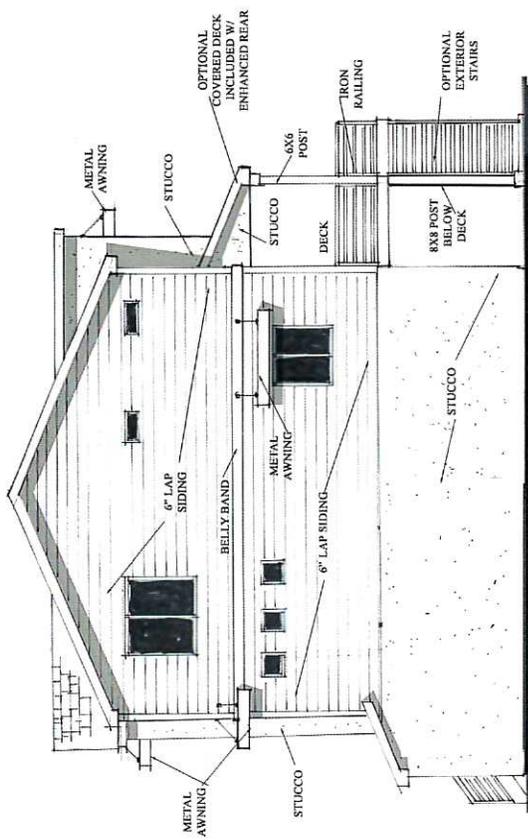
**PLAN 114**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. PATIO @ REAR  
 3. OPT. WRAP AROUND PORCH  
**MODERN PRAIRIE**



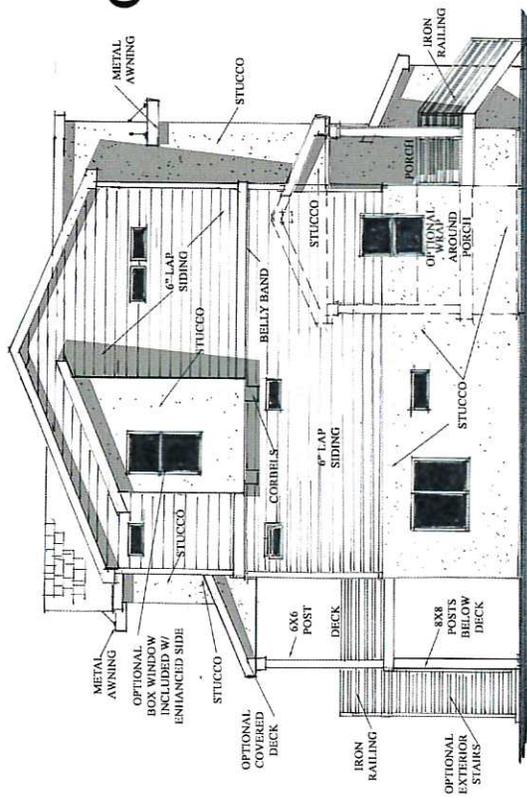
RIGHT SIDE ELEVATION



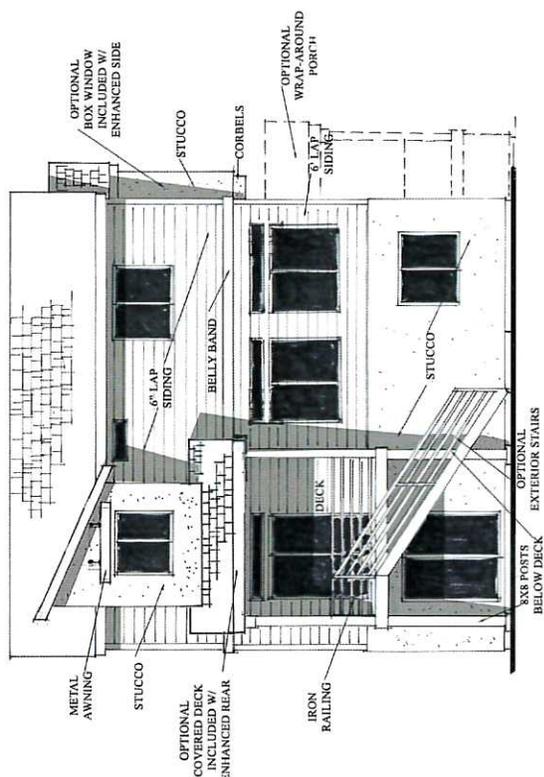
LEFT SIDE ELEVATION



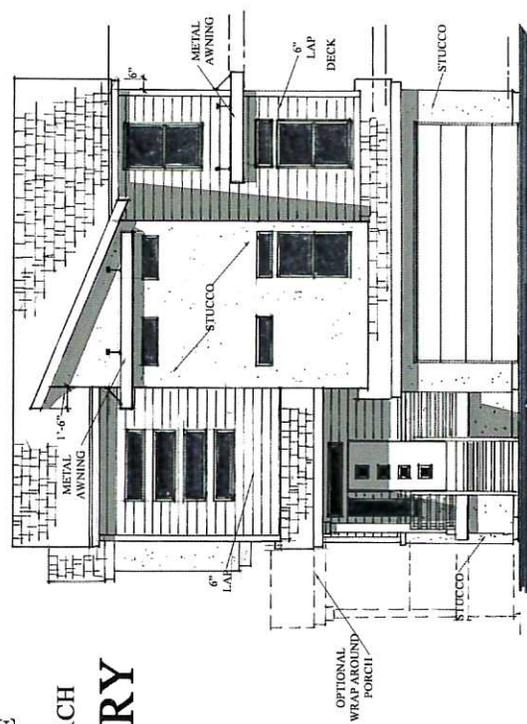
RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

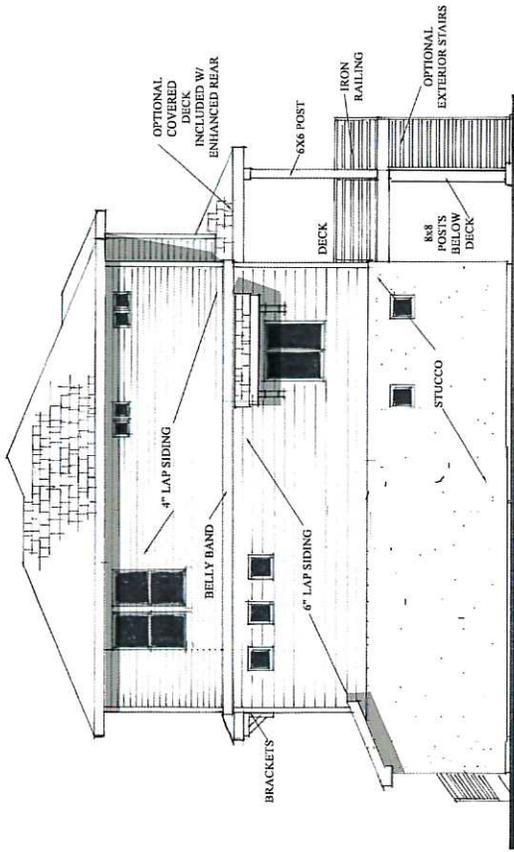


REAR ELEVATION

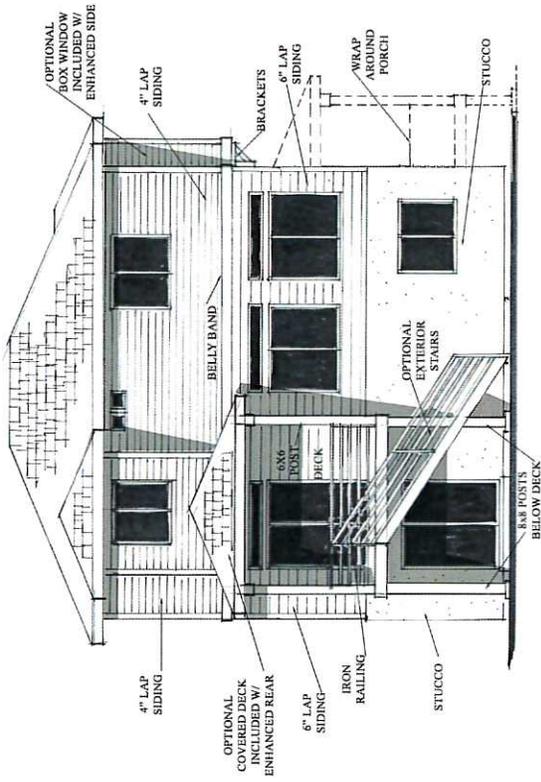


FRONT ELEVATION

**PLAN 115**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. DECK @ REAR  
 3. OPT. WRAP AROUND PORCH  
**CONTEMPORARY**



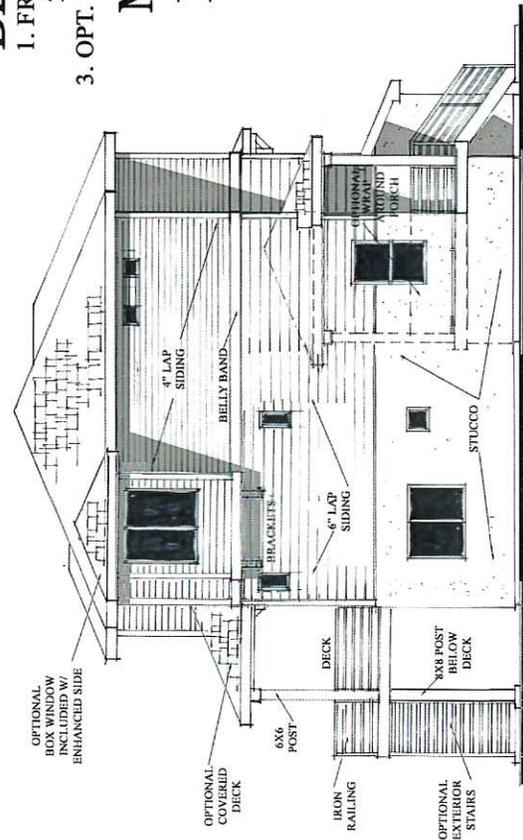
**RIGHT SIDE ELEVATION**



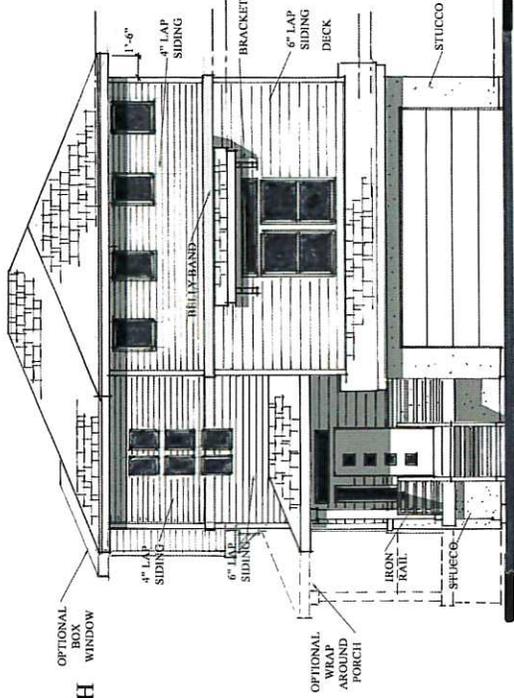
**REAR ELEVATION**

**PLAN 115**  
**BLG. TYPE 1**  
 1. FRONT LOAD GARAGE  
 2. DECK @ REAR  
 3. OPT. WRAP AROUND PORCH

**MODERN PRAIRIE**



**LEFT SIDE ELEVATION**



**FRONT ELEVATION**

**South Point - Vintaro  
Sensitive Lands Report**  
January 2014

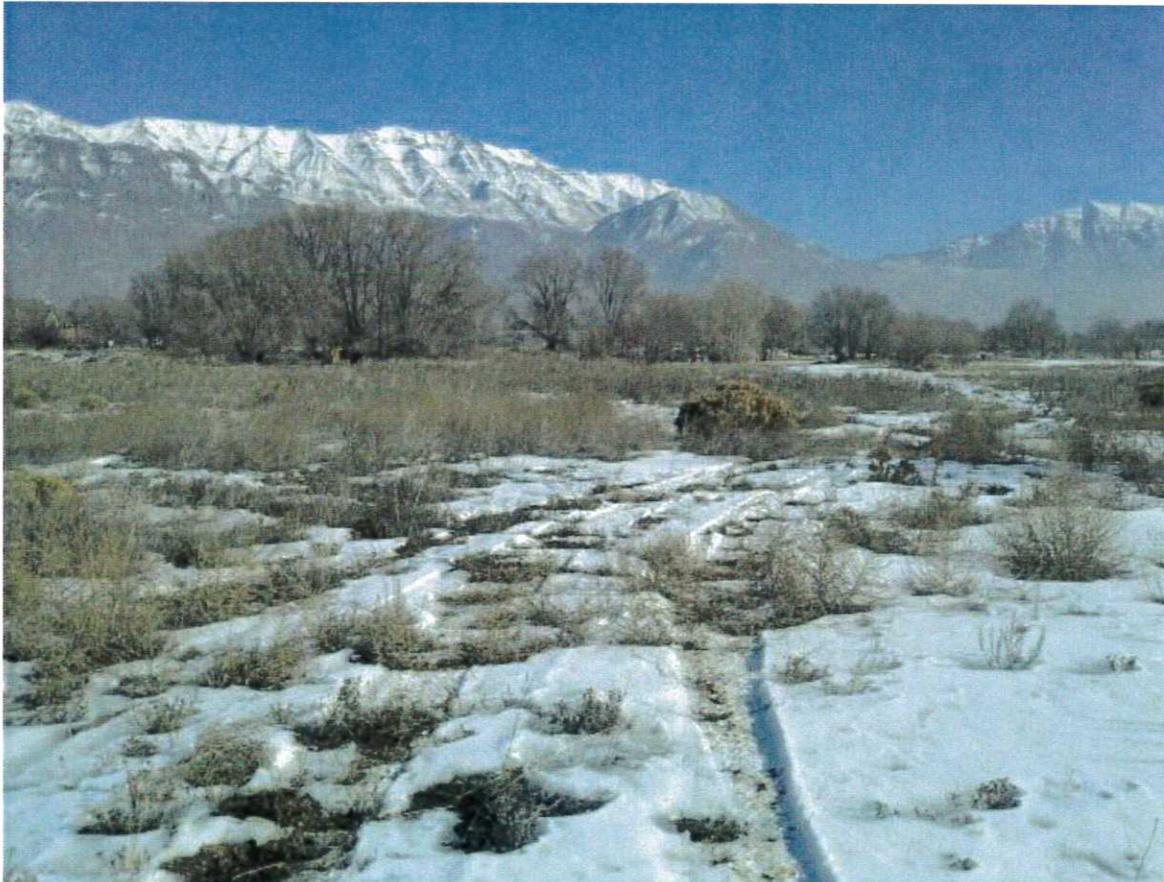
Prepared For:  
Black Sand Development LLC  
947 South 500 East #106  
American Fork, UT 84003

By:  
H&H Engineering & Surveying, Inc.  
233 East Main Street #2  
American Fork, UT 84003

## **VINTARO SOUTH POINT**

The South Point Subdivision is part of the Vintaro Planned Community Zone located at 400 South and 740 East in American Fork. The area is within the Sensitive Lands Area as defined by the American Fork Sensitive Lands Ordinance. The area is relatively flat with an existing slope of 1% south southeasterly.

The land has been vacant with little or no maintenance for the past 10 years. In the late 90's the property began a development process with the installation of water and sewer lines along the 400 South Roadway. However, the project was never finished. Below are photos of the site in its existing condition.



**(Vintaro Center to East)**



**(Vintaro Center to West)**

### **FEMA Report**

The National Flood Insurance Rate Map for the site as well as the surrounding area is included as part of this report. The area is shown on Community Panel Number 4955170120 B. The flood zoned identified by this map is Zone X, (without hatching). The definition of Zone X is area determined to be outside 500-year floodplain.

The area is outside of the platted areas of floodplain concern.

### **Wetland Delineation Report**

Upon a field review of the project by H&H Engineering, no suspicious wetland areas were identified. No wet areas on the surface or wetland type vegetation was found. No wetland study has been ordered for this site.

## **Geotechnical Study**

A geotechnical Investigation was performed by Applied Geotech (AGEC) in June of 2013. This report is included as an attachment to this report. The executive summary defines the area as suitable for proposed construction. The report is included with the submittal and can be referred to for the depth to groundwater and the liquefaction concerns.

## **Vegetation Study**

As seen from the photos below, the existing vegetation does not appear to be of significance. The vegetation is Chinese Elms on the western border and overgrown fields with weeds.

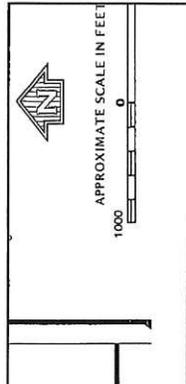


With the development, topsoil will be removed under roadways and foundations and stock piled on site. This topsoil will not be removed from site, but will be used in planter strips and in yard spaces.

### **Grading and Drainage**

The site will be graded to use the existing slope to the benefit of keeping the natural drainage patterns on the site. The final plans anticipate the roadways to be approximately 0.8 feet higher than natural ground. Lots will provide positive drainage from lots to the roadways.

A storm drain system is designed through the site to handle all on site drainage as well as provide a stub to the north for future phases of the Vintaro Project. The system anticipates the use of detention basins, catch basins, piping and grading to collect and detain storm water. The system will connect to a system to the east that will provide additional detention as well as piping to 860 East.



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

UTAH COUNTY,  
UTAH  
(UNINCORPORATED AREAS)

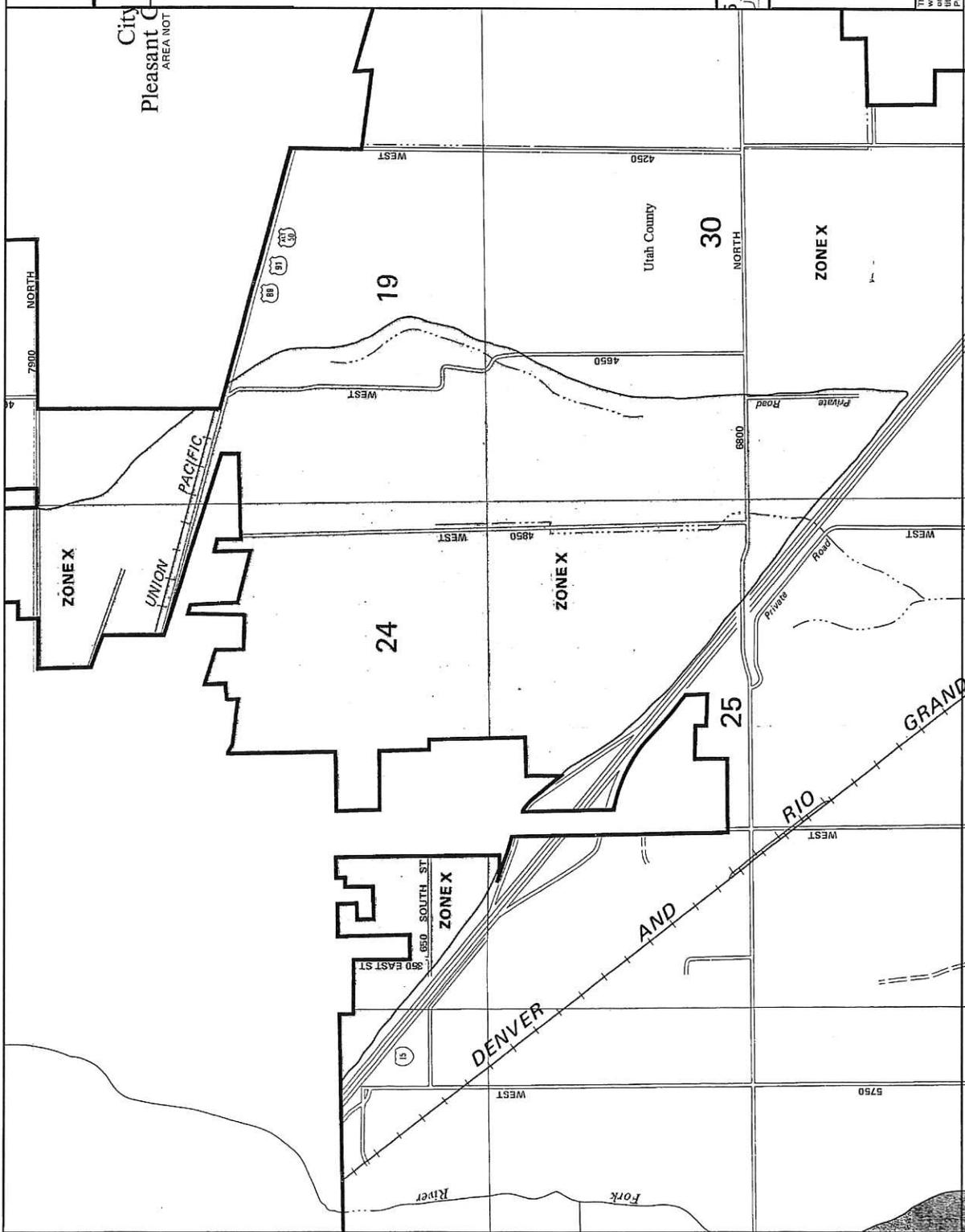
PANEL 120 OF 725  
SEE MAP INDEX FOR PANELS NOT PRINTED

COMMUNITY PANEL NUMBER  
4955170120 B

MAP REVISED:  
JULY 17, 2002

Federal Emergency Management Agency

This is an official copy of a portion of a referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes to the flood map which may have been made subsequent to the date on the title block for the referenced flood map. For the most current information on Program flood maps, check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



**COMMUNITY-PANEL NUMBER**  
4955170120 B

**MAP REVISED:**  
JULY 17, 2002



Certain areas not in Special Flood Hazard Areas may be protected by flood control facilities.

**MAP REVISIONS**  
 Created by: [Name]  
 Checked by: [Name]  
 Date: [Date]

**FLOOD HAZARD BOUNDARY MAP REVISION:**  
OCTOBER 11, 1982

**FLOOD INSURANCE RATE MAP REVISIONS:**  
OCTOBER 11, 1982

**Map Users:**  
This map does not reflect changes in the National Flood Insurance Program flood maps. For the latest information, users should check the FEMA Flood Map Store at www.mnc.fema.gov



**NATIONAL FLOOD INSURANCE PROGRAM**

**LEGEND**

**SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD**

**ZONE A**  
No base flood elevations determined.

**ZONE AE**  
Base flood elevations determined.

**ZONE AH**  
Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.

**ZONE AO**  
Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding; velocities also determined.

**ZONE A99**  
To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.

**ZONE V**  
Coastal flood with velocity hazard (wave action); no base flood elevations determined.

**ZONE VE**  
Coastal flood with velocity hazard (wave action); base flood elevations determined.

**FLOODWAY AREAS IN ZONE AE**

**OTHER FLOOD AREAS**

**ZONE X**  
Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or flood depths of 1 to 3 feet; flood depths, velocities, and areas protected by levees from 100-year flood.

**OTHER AREAS**

**ZONE X**  
Areas determined to be outside 500-year floodplain.

**ZONE D**  
Areas in which flood hazards are undetermined.

**UNDEVELOPED COASTAL BARRIER†**

Identified 1989  
Identified 1999  
Otherwise Protected Areas

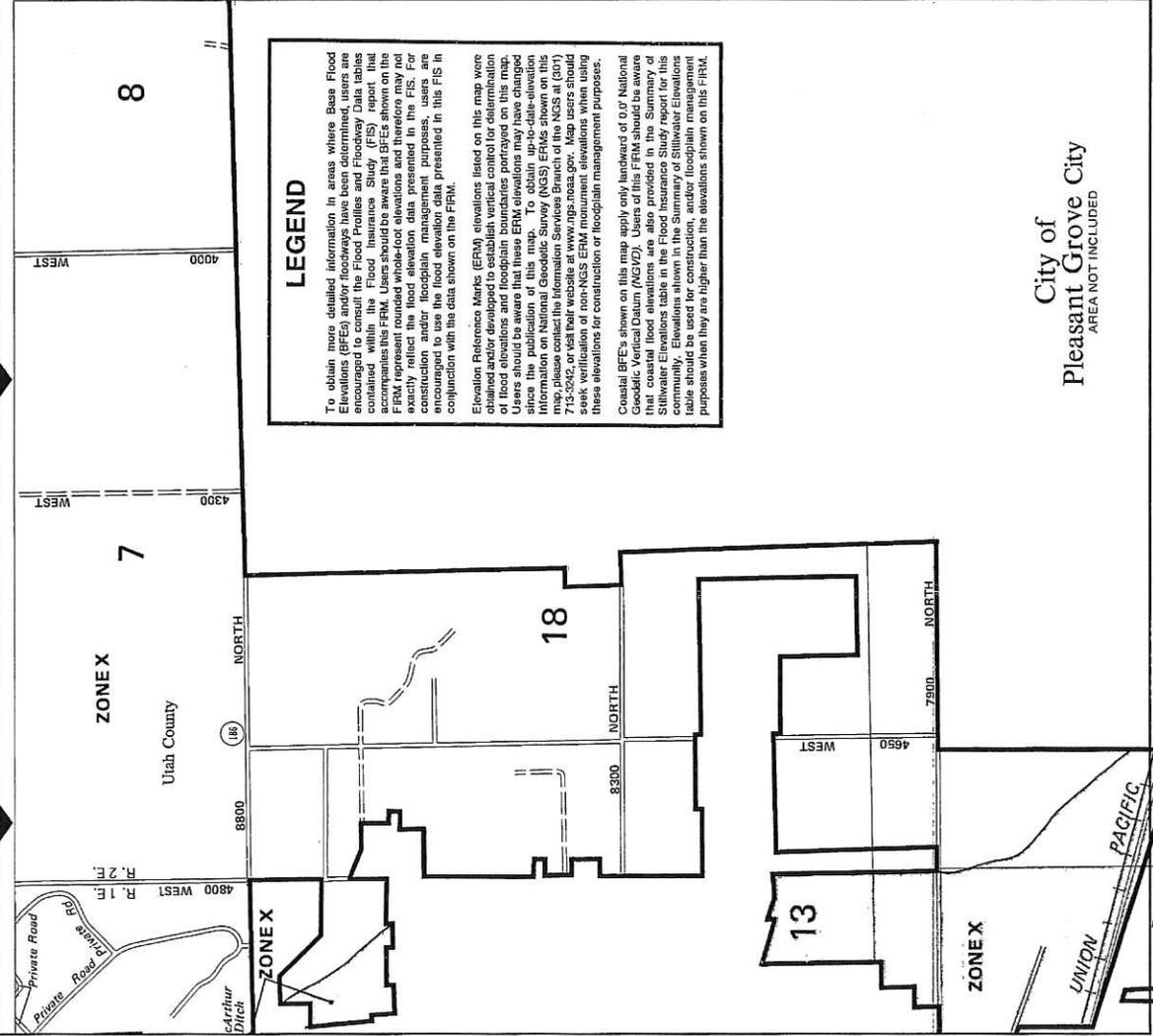
Coastal barrier areas are normally located within or adjacent to special flood hazard areas.

Floodplain Boundary  
 Floodway Boundary  
 Zone D Boundary  
 Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Flood Hazard Elevations Within Special Flood Hazard Zones.  
 Base Flood Elevation Line; Elevation in Feet\*  
 Cross Section Line  
 Base Flood Elevation in Feet Where Uniform Within Zone\*  
 Elevation Reference Mark  
 River Mile

**NOTES**

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside floodway delineations. For more detailed information, users should consult for more detailed data on BEFs, and for any information on floodway delineations, prior to use of this map for property purchase or construction purposes.

Areas of Special Flood Hazard (100-year flood) include Zones A, AE, A1-A30, AH, AO, A99, V, VE and V1-V30.



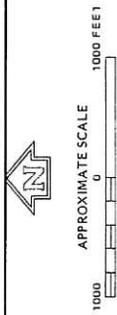
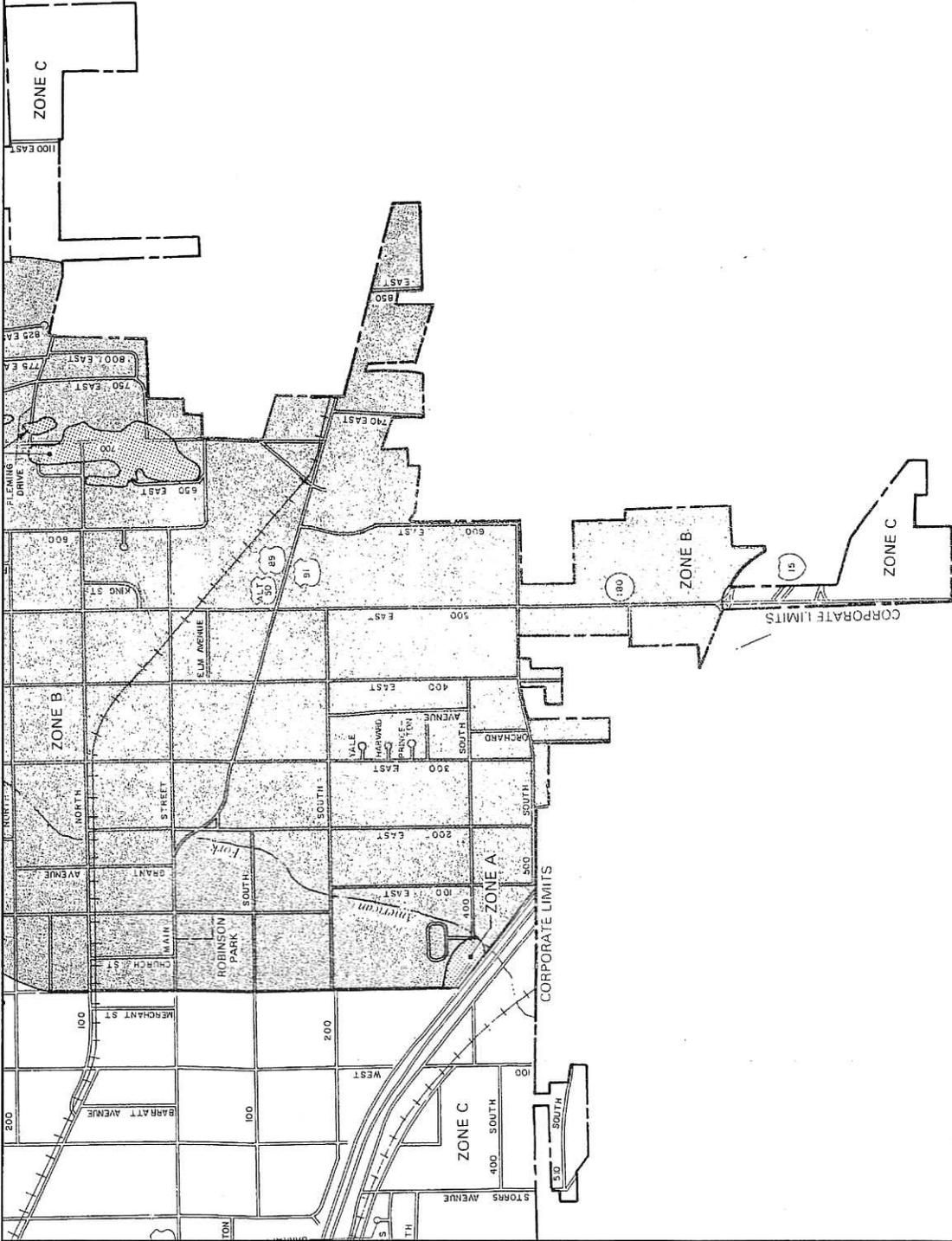
**LEGEND**

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data tables contained within the Flood Insurance Study (FIS) report that accompanies the FRM. Users should be aware that BFEs shown on the map represent whole-flood elevations and do not necessarily put in perspective the floodplain management purposes. Users are encouraged to use the flood elevation data presented in this FIS in conjunction with the data shown on the FRM.

Elevation Reference Marks (ERM) elevations listed on this map were determined from a survey conducted in 1989. Users should be aware that these ERM elevations may have changed since the publication of this map. To obtain up-to-date elevation information on National Geodetic Survey (NGS) ERMs shown on this map, please contact the Information Services Branch of the NGS at (301) 737-4800. For more information on NGS ERMs, users should check verification of NGS ERMs and elevations with the local floodplain management purposes.

Coastal BFE's shown on this map apply only landward of 0.0' National Geodetic Vertical Datum (NGVD). Users of this FRM should be aware that coastal flood elevations are also provided in the Summary of Flood Hazard Elevations and Floodway Data tables for the community. Elevations shown in the Summary of Flood Hazard Elevations table should be used for construction, and/or floodplain management purposes when they are higher than the elevations shown on this FRM.

City of  
**Pleasant Grove City**  
AREA NOT INCLUDED



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
 CITY OF  
**AMERICAN FORK,**  
**UTAH**  
 UTAH COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER  
 490152 0005 B

EFFECTIVE DATE:  
 NOVEMBER 25, 1980



federal emergency management agency  
 federal insurance administration

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the map. For the most current information on the status of the National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



NATIONAL FLOOD INSURANCE PROGRAM

# FIRM FLOOD INSURANCE RATE MAP

## CITY OF AMERICAN FORK, UTAH

### UTAH COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER  
490152 0005 B

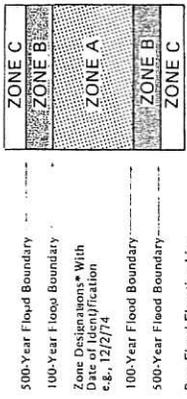
EFFECTIVE DATE:  
NOVEMBER 25, 1980



federal emergency management agency  
federal insurance administration

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes in the flood hazard data since the date of the original map. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

#### KEY TO MAP



- 500-Year Flood Boundary
- 100-Year Flood Boundary
- Zone Designations\* With Date of Identification e.g., 12/2/74
- 100-Year Flood Boundary
- 500-Year Flood Boundary
- Base Flood Elevation Line With Elevation In Feet\*\*
- Base Flood Elevation in Feet (EL 987)
- Where Uniform Within Zone\*\*
- Elevation Reference Mark
- River Mile
- M1.5

\*\*Referenced to the National Geodetic Vertical Datum of 1929

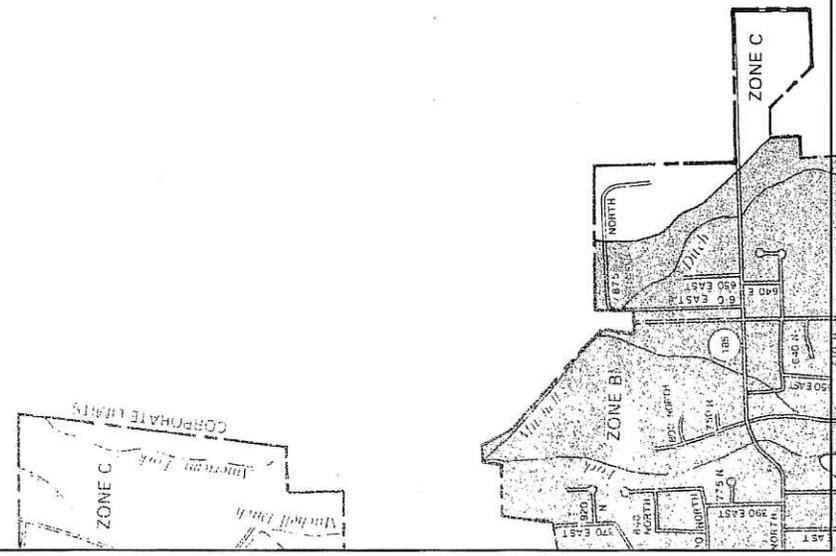
#### \*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood control structures where flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

#### NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.



AGENDA TOPIC: Review and action on the final plat for the South Point Phase I, consisting of 35 lots, located in the vicinity of 740 East 400 South in the PC (Planned Community) Zone.

ACTION REQUESTED: Recommendation of approval of the final plat.

BACKGROUND INFORMATION					
Location:		Approximately 740 East 400 South			
Applicants:		H & H Engineering/Oakwood Homes			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Commercial			
	South	Agriculture/Vacant			
	East	Vacant/Agriculture			
	West	Commercial			
Existing Zoning:		PC (Planned Community)			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	PC (Planned Community), SC-1 (Planned Shopping Center)			
	South	PC (Planned Community)			
	East	PC (Planned Community)			
	West	PC (Planned Community)			
Growth Plan Designation:		Planned Community			
Zoning within density range?		x	Yes		No

PROJECT DESCRIPTION: Request a recommendation of approval of the South Pointe Phase I final plat.

Background

South Pointe is a proposed subdivision located within the development formerly known as “Vintaro”. An amended overall concept plan was approved for this area, followed by a preliminary plan on May 21, 2014. The concept plan amendment altered areas of density for this area as well as the area immediately east. The number of units decreased in this particular area; creating an overall density for the proposed subdivision (all phases of South Point) at 8.78 units per acre. The original concept plan for this area envisioned attached town-home structures; whereas, the amended plan proposed single family

detached units. The recently approved preliminary plan reflected the amended concept plan. This final plat, Phase I, consists of 35 lots and is a subset of what was approved for the preliminary plan.

Access will be provided through an extension of 740 East, which intersects State Street to the north, and through a portion of a newly constructed 400 South. The rights-of-way for both of these streets was deeded in the late 1990's, although improvements were never constructed.

As noted in the preliminary plan, a unique aspect of this proposed development is the clustering of homes, each accessed by a common driveway. No home will front directly on any of the streets, and all homes will be turned inward, toward each other and the common driveways. The CC&R's for the subdivision outline the maintenance responsibility of the HOA for the common driveways.

Private yard space is provided for each home, with lot sizes in Phase I ranging from 2,675 sq. ft. to 3,611 sq. ft.

Consistency with the Land Use Plan:

The Land Use Plan designates this area as "Planned Community". The proposed preliminary plan consistent with the Land Use Plan designation.

Section 17.7.211 of the Development Code

The Planning Commission may act to recommend approval of the final plat upon a finding that:

- a. The final plat and supporting materials conform with the terms of the preliminary approval.

This final plat conforms to the terms of the preliminary approval.

- b. The final plat complies with all City requirements and standards relating to large scale developments.

This criterion has been met.

- c. The detailed engineering plans and materials comply with the City standards and policies.

Engineering will address concerns, if any, in their report.

- d. The estimates of cost of constructing the required improvements are realistic.

At the time that a performance guarantee is issued, costs are analyzed and adjusted, if needed, by Engineering.

- e. The water rights conveyance documents have been provided.

The water rights conveyance will be satisfied prior to final plat recordation.

#### FINDINGS OF FACT/CONDITION OF APPROVAL

After reviewing the application for final plat approval, the following findings of fact and condition of approval are offered for consideration:

1. The proposed final plat is consistent with the Land Use Plan designation of "Planned Community".
2. The proposed final plat meets the applicable criteria as found in Section 17.7.507 of the Development Code.
3. The proposed final plat meets the criteria as found in Section 17.7.211 of the Development Code.
4. A plat note shall be added to the final plat, stating "vehicles shall not be parked on any shared driveway in any manner that impedes access to the other units that are access by the shared driveway".

#### POTENTIAL MOTION

Mr. Chairman, I move that we recommend approval of South Point Phase I, with the findings and condition as outlined in the staff report and subject to any conditions listed in the engineering report.

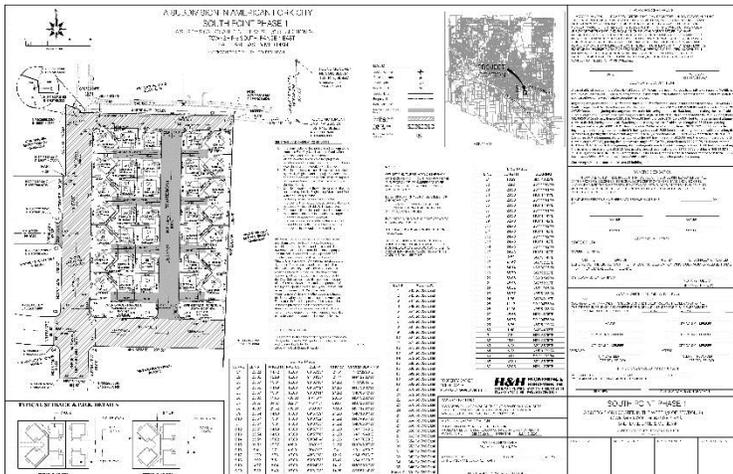
# AMERICAN FORK CITY ENGINEERING DIVISION STAFF REPORT

Planning Commission Meeting Date: 11/19/2014

This report is a summary of the American Fork City Engineering Division plan review comments regarding the subject plan as submitted by the applicant for American Fork City Land Use Authority approval:

1. Project Name: South Pointe Planned Community Development Project Phase 1
2. Type of Application:
 

<input checked="" type="checkbox"/> Subdivision Final Plat	<input type="checkbox"/> Subdivision Preliminary Plan	<input type="checkbox"/> Annexation
<input type="checkbox"/> Code Text Amendment	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Zone Change
<input type="checkbox"/> Commercial Site Plan	<input type="checkbox"/> Residential Accessory Structure Site Plan	
3. Project Address: 740 East 400 South
4. Developer / Applicant's Name: H & H Engineering/Oakwood Homes
5. **Engineering Division Recommendation:** The Engineering Division recommends APPROVAL of the proposed development subject to the following findings and conditions:
  - A. All Standard Conditions of Approval and items denoted as "Plan Modification(s) Required" in the 11/19/2014 Engineering Division Staff Report for the City Land Use Authority shall be addressed on all final project documents.
6. **Applicant is requesting that the Planning Commission waive the following requirement:**
  - A. N/A
7. **Plan Submittal:**



## STANDARD CONDITIONS OF APPROVAL

### 8. **Standard Conditions of Approval:**

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

- A. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
- B. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
- C. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
- D. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
- E. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
- F. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
- G. **Compliance with the Engineering Division Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
- H. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
- I. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
- J. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
- K. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
- L. **Fees:** Payment of all development, inspection, recording, street light, and other project related fees.
- M. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

### 9. **Plan Modifications Required:**

- A. On Typical Setback & PUE Details for the 20 and 18' PUE make the statement "xx' P. U. E. and access Easement (TYP.)."

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Further Discussion:

Adam Olsen stated he understands the motion but also understands that there will not be a new plan. They have made that clear several times.

Eric Franson questioned the applicant's plan. Is it a simple fact of circumventing the Planning Commission so they can go to City Council where they can appeal to some economic drivers to get a business into the City and look at more tax revenue and things like that as opposed to adhering to City standards? Is that the plan?

Nathan Schellenberg stated the Commission can't speculate.

John Woffinden stated their track record shows they haven't made any movement in the last month. The Commission will have to see what happens.

Marie Adams stated the Commission should not see this item on the agenda as it stands. It is a waste of the Commission's time.

Rebecca Staten stated it should not be on the agenda unless it has changed.

John Woffinden asked that the minutes reflect the Commission's concerns so that the City Council knows why the Commission took this action and what the Commission expects.

4. Hearing, review and action on a zone map amendment from the RA-1 Residential Agricultural zone to the R 1-9,000 residential zone located at 362 South Storrs Avenue (7:43 p.m.)

John Woffinden stated the applicant requested the item be tabled in order to make changes to the annexation agreement.

**MOTION: Eric Franson – To table item #4 on the agenda.** Seconded by Rebecca Staten.

Yes - Marie Adams  
Christine Anderson  
Harold Dudley  
Eric Franson  
Leonard Hight  
Nathan Schellenberg  
Rebecca Staten  
John Woffinden

Motion passes.

5. Hearing, review and action on the final plat for the South Pointe Planned Community Development Project Phase 1, consisting of 35 lots, located in the vicinity of 740 East 400 South in the PC-Planned Community zone (7:44 p.m.)

Staff Presentation:

229 Adam Olsen reported the preliminary plan for the entire subdivision was addressed in May. This  
230 final plat is for the first phase. There is one condition to be put on the plat that there be no  
231 vehicles parked on any shared driveway especially in a manner that would impede other access.  
232 This is in the CC&R's also, but he felt it had more weight on the plat as well.

233  
234 Howard Denney reported there are off-site services providing utilities to the site. For example,  
235 the storm drain drains off site and pressurized irrigation is off site. They have worked with  
236 neighboring entities to bring those utilities through. He would like additional detail noting there  
237 are easements in the shaded areas.

238  
239 Applicant Presentation:  
240 Victor Hansen stated he will label those areas as an access easement. The layout hasn't changed,  
241 and the type of product is the same. The storm drain comes from the east, and the pressurized  
242 irrigation comes from the north. They are anxious to start construction. There is limited parking  
243 on 760 East with parking on one side only with the curb painted red and signage.

244  
245 PUBLIC HEARING

246 No comments were made, and the public hearing was closed.

247  
248 **MOTION: Rebecca Staten – To recommend approval of South Point Phase 1, with the**  
249 **findings and condition as outlined in the staff report and subject to any conditions listed in**  
250 **the engineering report.**

251 **Findings:**

- 252 • **The proposed final plat is consistent with the Land Use plan designation of**  
253 **“Planned Community”.**
- 254 • **The proposed final plat meets the applicable criteria as found in Section**  
255 **17.7.507 of the Development Code.**
- 256 • **The proposed final plat meets the criteria as found in Section 17.7.211 of the**  
257 **Development Code.**

258 **Conditions:**

- 259 • **A plat note shall be added to the final plat stating “vehicles shall not be**  
260 **parked on any shared driveway in any manner that impedes access to the**  
261 **other units that are accessed by the shared driveway”.**
- 262 • **All Standard Conditions of Approval and items denoted as “Plan**  
263 **Modification(s) Required” in the 11/19/2014 Engineering Division Staff**  
264 **Report for the City Land Use Authority shall be addressed on all final**  
265 **project documents.**

266  
267 Seconded by Marie Adams.

268  
269 Yes - Marie Adams  
270 Christine Anderson  
271 Harold Dudley  
272 Eric Franson  
273 Leonard Hight  
274 Nathan Schellenberg

275

Rebecca Staten

276

John Woffinden

Motion passes.

277

278 6. Review and action on a site plan for a restaurant, located at 496 East State Street in the  
279 GC-1 General Commercial zone (7:50 p.m.)

280

281 Staff Presentation:

282 Adam Olsen reported this is a tenant finish for a Starbucks. Parking and landscaping are  
283 provided as required. They are using the current access points and UDOT has granted the  
284 continuation of those accesses. The stacking lane is three vehicles short of what the ordinance  
285 requires; but given the constraints of the site, staff is in support of the design. If necessary  
286 vehicles can curve back to the west. Engineering is requiring a cross easement with the property  
287 to the west. There are two lots of record that will be combined into one lot with the gaps being  
288 cleaned up. The project will bring in additional landscaping and cleans up the corner. There are a  
289 number of projects in the City that don't have the number of stacking required, and they work  
290 fine. Other designs removed some of the parking or landscaping.

291

292 Howard Denney reported that staff held a meeting today with staff from the Water Department  
293 and Fire Department and are requesting that the fire hydrant for the site be supplied with a  
294 minimum of an 8-inch culinary line. Also that the water lines and water connection notes must  
295 be corrected to the existing sizes and City standards. Any fire-line connection to the existing  
296 water lines must be stainless tap and tee connections approved by the City Engineer.

297

298 Applicant Presentation:

299 Ed Waldvogel stated he owns the property and has complied with the historical preservation. The  
300 site was challenging with existing accesses. On stacking, Starbucks will not allow a store if the  
301 stacking is not met and this meets their standards. The additional staff conditions are concerns.  
302 He has spent time with Doug Bateman, Fire Marshall, and Jay Brems, Water Department. Water  
303 is costly to bring to the site. Existing is a ¾-inch water line that is not sufficient for Starbucks  
304 standards, which requires a 1-inch minimum. They conducted their initial investigation of the  
305 site before purchasing the property and the water issue was cleared. At this point, he feels they  
306 have been thrown a curve ball. He spoke to Doug Bateman, who is willing to allow a fire hydrant  
307 off the 4-inch water line next to the property. Engineering is requiring the 8-inch line. Jay Brems  
308 would like him to use the hydrant about 50 feet to the west of the property, which is on a private  
309 line, and not tap the 4-inch line. The challenge in requiring an 8-inch line is where can enough  
310 water be pulled for a hydrant. One option he explored is on 200 South, but he would have to  
311 trench across the parking lot with \$50,000 in costs. The other alternative is across State Street.  
312 To make this as a condition is a real challenge. The neighboring property owner has concerns  
313 tying up the fire hydrant in a document forever because if their use changes, it creates a  
314 challenge for their development. He has a letter stating they will allow the use of the hydrant in  
315 the event of an emergency. He feels the City is making a requirement of him without providing  
316 the infrastructure. He is getting different solutions from different departments.

317

318 Howard Denney stated the private fire hydrant is in a PUD and would have to remain charged  
319 and available for emergencies. The suggestions today pulled all these people together, i.e. Jay  
320 Brems – Water Division, Doug Bateman – Fire Department, Andy Spencer – City Engineer,



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department           Planning          

Director Approval           *Adrian Ok*          

**AGENDA ITEM** Final plat of the Starbucks Coffee Subdivision Plat A, consisting of one lot, located at 496 East State Street in the GC-1 General Commercial zone.

**SUMMARY RECOMMENDATION** The planning commission recommended approval of the Starbucks Coffee Subdivision Plat A with conditions as stated in the attached minutes of the November 19, 2014 planning commission meeting.

**BACKGROUND** The applicant proposes a one lot subdivision which is part of a site plan for a Starbucks location that will redevelop the former Parker's Drive-In site. The purpose of the subdivision is to merge two existing parcels and rectify land title gaps and overlaps. For further analysis please refer to the attached final plat, staff report and planning commission minutes.

**BUDGET IMPACT** No direct budgetary impact is anticipated as part of this final plat approval.

**SUGGESTED MOTION** I move to approve the final plat of the Starbucks Coffee Subdivision Plat A, consisting of one lot, located at 496 East State Street in the GC-1 General Commercial zone and to authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording of the plat subject to:

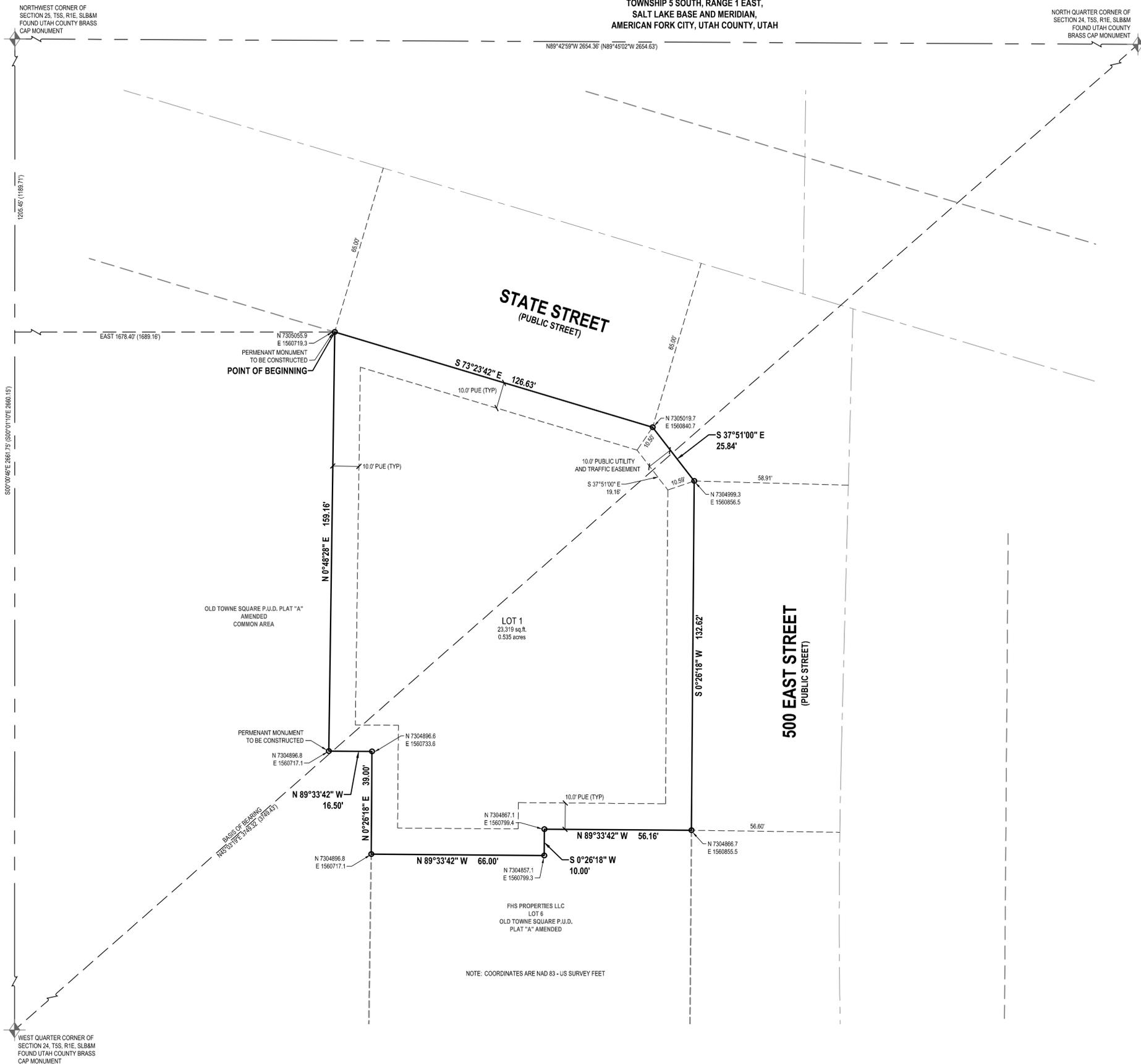
- Posting of a performance guarantee to ensure the timely construction of required public improvements.
- All conditions identified in the 11/19/2014 planning commission meeting.

**SUPPORTING DOCUMENTS**

1. Plat
2. Staff report
3. Planning commission meeting minutes, November 19, 2014

# STARBUCKS COFFEE PLAT 'A' FINAL PLAT

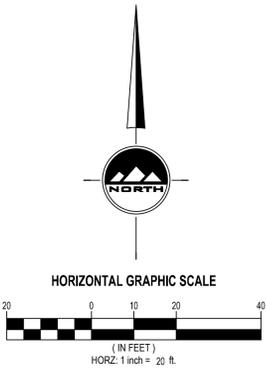
LOCATED IN THE NORTHWEST QUARTER OF SECTION 24,  
TOWNSHIP 5 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN,  
AMERICAN FORK CITY, UTAH COUNTY, UTAH



NOTE: COORDINATES ARE NAD 83 - US SURVEY FEET

### LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- 
- PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS
- FIRE HYDRANT
- STREET LIGHT



DEVELOPER  
**WADSWORTH DEVELOPMENT GROUP**  
 166 EAST 14000 SOUTH #210  
 DRAPER, UTAH 84020  
 ED WALDVOGAL  
 801-455-5924

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF UTAH

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
 (SEE SEAL BELOW)

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF UTAH

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
 (SEE SEAL BELOW)

**BASIS OF BEARING**  
 THE BASIS OF BEARING IS NORTH 45°03'19" WEST, BETWEEN THE WEST QUARTER CORNER AND THE NORTH CORNER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, PER OLD TOWNE SQUARE PLAT 'A' AMENDED.

**FLOOD ZONE DESIGNATION**  
 SUBJECT PROPERTY FALLS WITHIN FLOOD ZONE \_\_\_\_\_ AS DELINEATED BY F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL MAP #490152 0005B, EFFECTIVE NOVEMBER 25, 1980.

**WATER AND SEWER AUTHORITY APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
 BY THE WATER AND SEWER AUTHORITY.

\_\_\_\_\_  
 PUBLIC WORKS DEPARTMENT DIRECTOR

### SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 286882, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as STARBUCKS COFFEE PLAT 'A', and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

### BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN AMERICAN FORK CITY, COUNTY OF UTAH, STATE OF UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF S.R. 91 (STATE STREET), SAID POINT BEING SOUTH 00°00'46" EAST, ALONG THE SECTION LINE, A DISTANCE OF 1205.45 FEET AND EAST 1678.40 FEET, FROM THE NORTHWEST CORNER OF SAID SECTION 24 (BASIS OF BEARING BEING NORTH 45°03'19" EAST, BETWEEN THE WEST QUARTER CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 24, PER OLD TOWNE SQUARE, PLAT 'A', AMENDED) AND RUNNING THENCE SOUTH 73°23'42" EAST, ALONG SAID SOUTH LINE OF STATE STREET, A DISTANCE OF 126.63 FEET; THENCE SOUTH 37°51'00" EAST, A DISTANCE OF 25.84 FEET, TO THE WEST LINE OF 500 EAST STREET; THENCE SOUTH 00°26'18" WEST, ALONG SAID WEST LINE, A DISTANCE OF 132.62 FEET, TO THE NORTH LINE OF LOT 6, SAID OLD TOWNE SQUARE PLAT 'A', AMENDED; THENCE WEST AND NORTH ALONG THE LINE OF SAID SUBDIVISION THE FOLLOWING SIX (6) COURSES AND DISTANCES: (1) NORTH 89°33'42" WEST, A DISTANCE OF 56.16 FEET; (2) SOUTH 00°26'18" WEST, A DISTANCE OF 10.00 FEET; (3) NORTH 89°33'42" WEST, A DISTANCE OF 66.00 FEET; (4) NORTH 00°26'18" EAST, A DISTANCE OF 39.00 FEET; (5) NORTH 89°33'42" WEST, A DISTANCE OF 16.50 FEET; (6) NORTH 00°48'28" EAST, A DISTANCE OF 159.16 FEET, TO THE POINT OF BEGINNING.

CONTAINS: 23,319 SQUARE FEET, OR 0.535 ACRES, 1 LOT

Date \_\_\_\_\_ PATRICK M. HARRIS  
 P.L.S. 286882

### OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREIN AND SHOWN ON THIS MAP HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

OWNER \_\_\_\_\_ OWNER \_\_\_\_\_  
 RICKY EILER SHANNON ANDERSON

### ACKNOWLEDGMENT

STATE OF UTAH  
 COUNTY OF UTAH

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC  
 (SEE SEAL BELOW)

### ACCEPTANCE BY LEGISLATIVE BODY

THE \_\_\_\_\_ OF \_\_\_\_\_ COUNTY OF UTAH APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL THE STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

MAYOR \_\_\_\_\_ CITY COUNCIL MEMBER \_\_\_\_\_

CITY COUNCIL MEMBER \_\_\_\_\_ CITY COUNCIL MEMBER \_\_\_\_\_

CITY COUNCIL MEMBER \_\_\_\_\_ CITY COUNCIL MEMBER \_\_\_\_\_

ATTEST:  
 CITY ENGINEER (SEE SEAL BELOW) CLERK - RECORDER (SEE SEAL BELOW)

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_,  
 BY THE AMERICAN FORK CITY PLANNING COMMISSION.

PLANNER \_\_\_\_\_ PLANNING COMMISSION CHAIRMAN \_\_\_\_\_

## STARBUCKS COFFEE PLAT 'A'

LOCATED IN THE NORTHWEST QUARTER OF SECTION 24,  
 TOWNSHIP 5 SOUTH, RANGE 1 EAST,  
 SALT LAKE BASE AND MERIDIAN,  
 AMERICAN FORK CITY, UTAH COUNTY, UTAH

**SALT LAKE CITY**  
 45 W. 10000 S., Suite 500  
 Sandy, UT 84070  
 Phone: 801.255.0529  
 Fax: 801.255.4449  
 WWW.ENSIGNENG.COM

**LAYTON**  
 Phone: 801.547.1100

**TOOLE**  
 Phone: 435.843.3590

**CEDAR CITY**  
 Phone: 435.865.1453

**RICHFIELD**  
 Phone: 435.590.0187

**SHEET 1 of 1**  
 PROJECT NUMBER: 627  
 MANAGER: P. HARRIS  
 DRAWN BY: N. CHRISTENSEN  
 CHECKED BY: P. HARRIS  
 DATE: OCTOBER, 2014

SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDER SEAL

AGENDA TOPIC: Review and action on the final plat for Starbucks Coffee Subdivision, Plat A, consisting of one lot, located at 496 East State Street, in the GC-1 (General Commercial) Zone.

ACTIONS REQUESTED: Recommendation of approval of a final plat.

BACKGROUND INFORMATION			
Location:		496 E. State Street	
Applicants:		Starbucks	
Existing Land Use:		Vacant Commercial	
Proposed Land Use:		Commercial	
Surrounding Land Use:	North	Commercial	
	South	Commercial	
	East	Commercial	
	West	Commercial	
Existing Zoning:		R1-9,000	
Proposed Zoning:		N/A	
Surrounding Zoning:	North	R1-9,000	
	South	R1-9,000	
	East	R1-9,000	
	West	R1-9,000	
Growth Plan Designation:		Low Density Residential (3 du/ac)	
Zoning within density range?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION: Final Plat approval of Starbucks Coffee Subdivision, Plat A, consisting of one lot.

Background

Starbucks proposes to locate at the southwest corner of State Street and 500 East. As part of the submittal, Starbucks proposes to combine the two existing parcels where the former Parker’s Drive In was located, into one parcel. The resulting subdivision lot will be .53 acres.

Two points of access are proposed (see site plan submittal); one off of State Street and one off of 500 East. Starbucks has obtained UDOT approval for both access points.

The proposed one lot subdivision will close existing gaps and overlaps which existed between this site and properties to the west and south.

Consistency with the Land Use Plan:

The Land Use Plan designates this area as “Design Commercial”. The proposed subdivision is consistent with the Land Use Plan.

Section 17.8.211 of the Development Code

The Planning Commission may act to recommend approval of a final plat upon a finding that:

- a. The final plat conforms with the terms of the preliminary plan approval.

As this is the result of a combination of two existing parcels into one, a preliminary plan was not required.

- b. The final plat complies with all City requirements and standards relating to Subdivisions.

This criterion has been met.

- c. The detailed engineering plans and materials comply with the City standards and policies.

Engineering will address concerns, if any, at the time of the Planning Commission Meeting.

- d. The estimates of cost of constructing the required improvements are realistic.

Engineering will determine whether the cost estimates of constructing the required improvements are realistic.

- e. The water rights conveyance documents have been provided.

The water rights conveyance, if needed, will be satisfied prior to plat recordation.

**FINDINGS OF FACT/CONDITION OF APPROVAL**

After reviewing the application for final plat approval, the following findings and condition of approval are offered for consideration:

1. The final plat is consistent with the Land Use Plan.
2. The final plat meets Section 17.8.101 (Intent) of Chapter 17.8 (Subdivisions).

3. The final plat meets the criteria as found in Section 17.8.211 of the Development Code.
4. Water rights conveyance, if needed, shall be satisfied prior to final plat recordation.

#### POTENTIAL MOTION

Mr. Chairman, I move that we recommend approval of the Starbucks Coffee Subdivision, Plat A, final plat with the findings and condition as outlined in the staff report and subject to any conditions found in the engineering report.

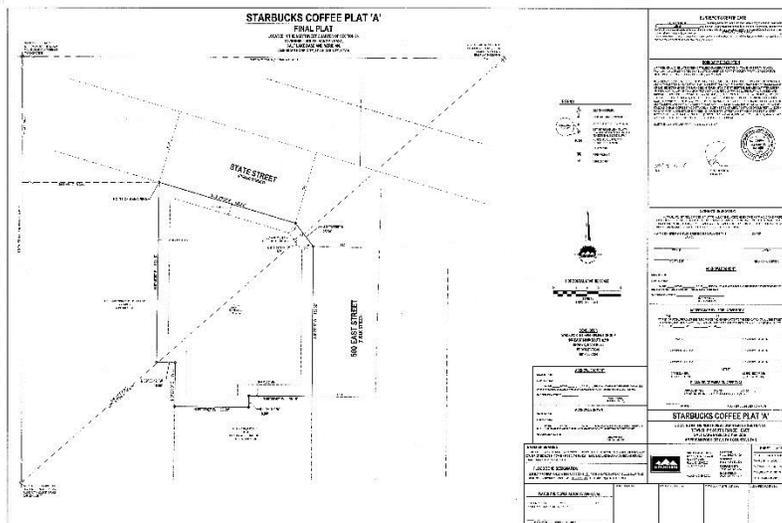
# AMERICAN FORK CITY ENGINEERING DIVISION STAFF REPORT

Planning Commission Meeting Date: 11/19/2014

This report is a summary of the American Fork City Engineering Division plan review comments regarding the subject plan as submitted by the applicant for American Fork City Land Use Authority approval:

1. Project Name: Starbucks Coffee
2. Type of Application:
 

<input checked="" type="checkbox"/> Subdivision Final Plat	<input type="checkbox"/> Subdivision Preliminary Plan	<input type="checkbox"/> Annexation
<input type="checkbox"/> Code Text Amendment	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Zone Change
<input checked="" type="checkbox"/> Commercial Site Plan	<input type="checkbox"/> Residential Accessory Structure Site Plan	
3. Project Address: 496 East State Street
4. Developer / Applicant's Name: Starbucks/Ed Waldvogel
5. **Engineering Division Recommendation:** The Engineering Division recommends APPROVAL of the proposed development subject to the following findings and conditions:
  - A. All Standard Conditions of Approval and items denoted as "Plan Modification(s) Required" in the 11/19/2014 Engineering Division Staff Report for the City Land Use Authority shall be addressed on all final project documents.
6. **Applicant is requesting that the Planning Commission waive the following requirement:**
  - A. N/A
7. **Plan Submittal:**



## STANDARD CONDITIONS OF APPROVAL

### 8. **Standard Conditions of Approval:**

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

- A. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
- B. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
- C. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
- D. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
- E. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
- F. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
- G. **Compliance with the Engineering Division Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
- H. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
- I. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
- J. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
- K. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
- L. **Fees:** Payment of all development, inspection, recording, street light, and other project related fees.
- M. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

### 9. **Plan Modifications Required:**

- A. Utah County online property map shows location of gaps and possible overlay with State Street Right of Way. Title may have to be cleared on this site. Some Right of Way may have to be deeded to UDOT. American Fork city has a no derelict parcel ordinance so title and adjoin ownership will need to be tight.
- B. The North Driveway Entrance into the 7-11 parking lot will require a cross access agreement with your adjoining property owners.
- C. Include SWPPP and City Standards for BMP's

366 Can the City participate in the installation of the water line? Normally, the City participates when  
367 a line needs to be upsized or increased from minimum standards. This line is needed for this  
368 development only and is the developer's responsibility.

369  
370 Yes - Marie Adams  
371 Christine Anderson  
372 Harold Dudley  
373 Eric Franson  
374 Leonard Hight  
375 Nathan Schellenberg  
376 Rebecca Staten  
377 John Woffinden Motion passes.  
378

379 7. Review and action on the final plat for the Starbucks Coffee Subdivision, Plat A,  
380 consisting of one lot located at 496 East State Street in the GC-1 General Commercial  
381 zone (8:21 p.m.)  
382

383 **MOTION: Christine Andersen - To recommend approval of the Starbucks Coffee**  
384 **Subdivision Plat A final plat with the findings and condition as outlined in the staff report**  
385 **and subject to any conditions found in the engineering report.**  
386

387 **Findings:**  
388 • **The final plat is consistent with the Land Use Plan.**  
389 • **The final plat meets Section 17.8.101 (Intent) of Chapter 17.8 (Subdivisions).**  
390 • **The final plat meets the criteria as found in Section 17.8.211 of the**  
391 **Development Code.**

392 **Conditions:**  
393 • **Water rights conveyance, if needed, shall be satisfied prior to final plat**  
394 **recordation.**  
395 • **All Standard Conditions of Approval and items denoted as "Plan**  
396 **Modification(s) Required" in the 11/19/2014 Engineering Division Staff**  
397 **Report for the City Land Use Authority shall be addressed on all final**  
398 **project documents.**

399 Seconded by Harold Dudley.  
400

401 Yes - Marie Adams  
402 Christine Anderson  
403 Harold Dudley  
404 Eric Franson  
405 Leonard Hight  
406 Nathan Schellenberg  
407 Rebecca Staten  
408 John Woffinden Motion passes.  
409

410 8. Other Business (8:26 p.m.)  
411



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Public Works

Director Approval 

**AGENDA ITEM** Review and action on confirming the Ordinance of Approval for the revised condominium plat for the Amended Village Green Condominium Project, Plat A Amended, consisting of 32 units at 30 South 700 East.

**SUMMARY RECOMMENDATION** Staff recommends approval of the Ordinance.

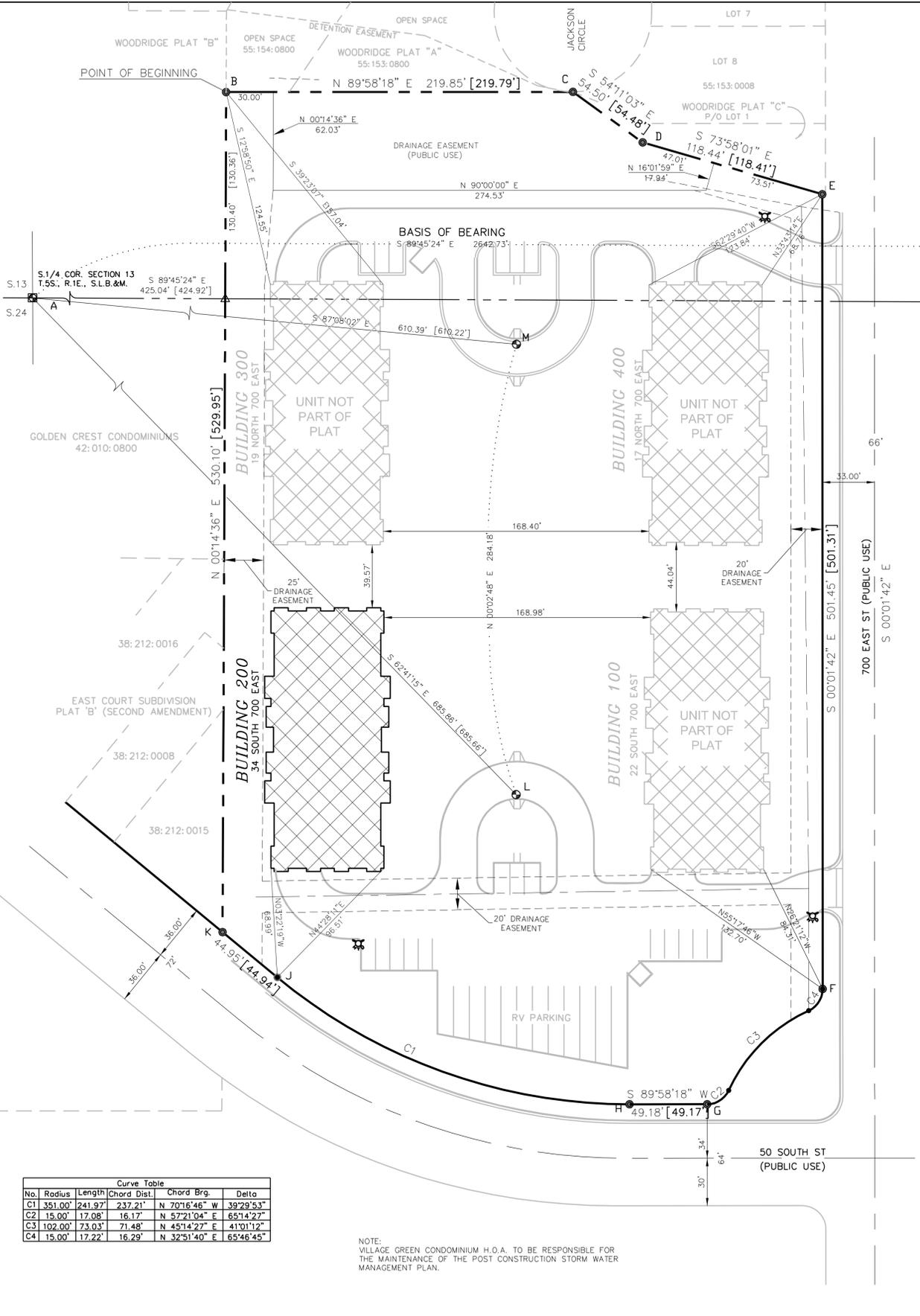
**BACKGROUND** In 2004, the City Council approved an amended plat that modified the common amenities for Village Green, Plat 'A' by eliminating a club house. The development struggled and languished for several years before the third building was completed in 2011~12. At that time, the City Council approved an updated amended plat due to Council Members changing from the 2004 approval. With the effect of the law changes on condominium developments, the process for amendment became very cumbersome; and the City was petitioned by the existing residents not to involve their units in the modifications. At this time, the Developer is moving forward to complete the fourth and final building. The plat has been updated to show no club house and reflect accurately the site configuration with an RV parking area. The modification will affect only those units in building 4 and the common area.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** Move to confirm the previous Ordinance of Approval, to authorize the Mayor, Council and Planning Commission Chair to sign the plat, and have the plat recorded at the office of the Utah County Recorder.

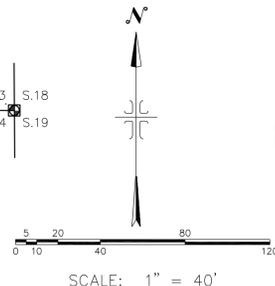
**SUPPORTING DOCUMENTS**

1. City Council Minutes from April 12, 2011
2. Village Green Condominiums Plat A Amended
3. Declaration of Condominium of Village Green Condominiums recorded November 2, 2011 – indicates support of HOA



# VILLAGE GREEN CONDOMINIUMS PLAT 'A' AMENDED

A SUBDIVISION LOCATED IN A PORTION OF THE SE1/4, OF SECTION 13 AND A PORTION OF THE NE1/4, OF SECTION 24 T.5S., R.1E., S.L.B.&M.  
AMERICAN FORK, UTAH COUNTY, UTAH



- LEGEND**
- FOUND BRASS CAP
  - SURVEY MONUMENT TO BE SET
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  -

**NOTE:**  
MULTIPLICATION FACTOR USED FOR CONVERTING GROUND DISTANCES TO GRID DISTANCES SHOWN ON THIS PLAT IS 0.9997238.

POINT	NORTHING	EASTING
A	744582.0100	1921490.0400
B	744710.5642	1921915.5098
C	744710.6729	1922135.2998
D	744678.7922	1922179.4777
E	744646.0872	1922293.2827
F	744144.7934	1922293.5306
G	744072.0794	1922220.3444
H	744072.0550	1922171.1797
J	744152.0719	1921947.9554
K	744180.6348	1921913.2685
L	744267.3970	1922099.2657
M	744551.4981	1922099.4985

**BASIS OF BEARING**  
THE BASIS OF BEARINGS FOR THIS SURVEY IS S89°45'24"E BETWEEN THE MONUMENTS AT THE SOUTH 1/4 CORNER AND THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 1 EAST, S.L.B.&M.

**FLOOD ZONE DESIGNATION**  
SUBJECT PROPERTY FALLS WITHIN FLOOD ZONE AS DELINEATED BY F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL MAP # \_\_\_\_\_ EFFECTIVE \_\_\_\_\_

**WATER AND SEWER AUTHORITY APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_ BY THE WATER AND SEWER AUTHORITY.  
PUBLIC WORKS DEPARTMENT DIRECTOR

**UTILITY DEDICATION**  
THE VILLAGE GREEN CONDOMINIUM OWNER'S ASSOCIATION, INC. AND VILLAGE GREEN LLC, OWNERS OF THE PARCEL OF LAND WHICH IS SHOWN UPON THE PLAT OF VILLAGE GREEN CONDOMINIUMS, A UTAH CONDOMINIUM PROJECT, DOES HEREBY OFFER AND CONVEY TO AMERICAN FORK CITY AND ALL OTHER PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORS AND ASSIGNS A PERMANENT EASEMENT AND RIGHT-OF-WAY AS SHOWN BY THE AREAS MARKED COMMON AREA (UTILITY EASEMENT) AND ON AND WITHIN THE PLAT FOR CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER AND WATER LINES APPURTENANCES, DETENTION POND AND DISPERSAL FACILITIES, TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO.

**RESERVATION OF COMMON AREA**  
THE VILLAGE GREEN CONDOMINIUM OWNER'S ASSOCIATION, INC. AND VILLAGE GREEN LLC, IN RECORDING THIS PLAT OF VILLAGE GREEN CONDOMINIUMS, A CONDOMINIUM PROJECT, HAS DESIGNATED CERTAIN AREAS OF LAND AS COMMON AREAS, INTENDED FOR THE USE BY THE CONDOMINIUM OWNERS IN VILLAGE GREEN CONDOMINIUMS, FOR INGRESS, EGRESS, RECREATION, AND OTHER RELATED ACTIVITIES, THE DESIGNATED AREAS ARE NOT DEDICATED HEREBY FOR USE BY THE GENERAL PUBLIC BUT ARE RESERVED FOR THE COMMON USE AND ENJOYMENT OF THE CONDOMINIUM OWNERS IN VILLAGE GREEN CONDOMINIUMS, AS MORE FULLY PROVIDED IN THE DECLARATION OF CONDOMINIUM OF VILLAGE GREEN CONDOMINIUMS WHICH SHALL BE RECORDED CONCURRENTLY WITH THIS RECORD OF SURVEY MAP AND WHICH SHALL BE EFFECTIVE UPON SUCH RECDORATION WITH THE UTAH COUNTY RECORDER.

## SURVEYOR'S CERTIFICATE

I, VICTOR E. HANSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 176695 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND AND THE FOLLOWING DESCRIPTION CORRECTLY DESCRIBES THE LAND SURFACE UPON WHICH HAS BEEN OR WILL BE CONSTRUCTED "VILLAGE GREEN CONDOMINIUMS", A UTAH CONDOMINIUM PROJECT, IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT, I FURTHER CERTIFY THAT THE RECORD OF SURVEY MAP FOR SUCH PROJECT IS ACCURATE AND COMPLIES WITH THE PROVISION OF SECTION 57-8-13 (1) OF THE UTAH CONDOMINIUM OWNERSHIP ACT. REFERENCE MARKERS AS SHOWN ON THIS PLAT ARE OR WILL BE SUFFICIENT TO READILY RETRACE OR REESTABLISH THIS SURVEY AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

VICTOR E. HANSEN, P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

**BOUNDARY DESCRIPTION**  
COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°45'24" EAST ALONG THE SOUTH LINE OF SAID SECTION FOR 425.04 FEET; THENCE NORTH 00°14'36" EAST FOR 130.40 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°58'18" EAST FOR 219.85 FEET; THENCE SOUTH 54°11'03" EAST FOR 54.50 FEET; THENCE SOUTH 73°58'01" EAST FOR 118.44 FEET; THENCE SOUTH 00°01'42" EAST FOR 501.45 FEET; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 65°46'45" (CHORD BEARING AND DISTANCE OF SOUTH 32°51'40" WEST - 16.29 FEET) FOR AN ARC DISTANCE OF 17.22 FEET; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 102.00 FEET, A CENTRAL ANGLE OF 41°01'12" (CHORD BEARING AND DISTANCE OF SOUTH 45°14'27" WEST - 71.48 FEET) FOR AN ARC DISTANCE OF 73.03 FEET; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 65°14'27" (CHORD BEARING AND DISTANCE OF SOUTH 57°21'04" WEST - DISTANCE OF 16.17 FEET) FOR AN ARC DISTANCE OF 17.08 FEET; THENCE SOUTH 89°58'18" WEST FOR 49.18; THENCE WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 351.00 FEET, A CENTRAL ANGLE OF 39°29'53" (CHORD BEARING AND DISTANCE OF NORTH 70°16'46" WEST - 237.21 FEET) FOR AN ARC DISTANCE OF 241.97 FEET; THENCE NORTH 50°31'49" WEST FOR 44.95 FEET; THENCE NORTH 00°14'36" EAST FOR 530.10 FEET TO THE POINT OF BEGINNING. CONTAINING 5.2636 ACRES.

**OWNER'S DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DESCRIBED HEREON AS VILLAGE GREEN CONDOMINIUMS, A CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND, HAVE CAUSED A SURVEY TO BE MADE AND THIS RECORD OF SURVEY MAP CONSISTING OF 2 SHEETS TO BE PREPARED, DO HEREBY GIVE OUR CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY MAP AND SUBMIT THIS PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP ACT, AND DO HEREBY DESIGNATE ALL STREETS, UNLESS OTHERWISE INDICATED, AS PRIVATE ROADWAYS INTENDED FOR THE USE OF THE CONDOMINIUM OWNERS IN VILLAGE GREEN CONDOMINIUMS FOR INGRESS AND EGRESS.

IN WITNESS WHEREOF WE HAVE HERUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

VILLAGE GREEN LLC DOUGLAS S. GRIFFITH  
VILLAGE GREEN CONDOMINIUM OWNER'S ASSOCIATION, INC.

## ACKNOWLEDGMENT (VILLAGE GREEN LLC)

STATE OF UTAH } s.s.  
COUNTY OF UTAH }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. \_\_\_\_\_ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL BELOW)

## ACKNOWLEDGMENT (VILLAGE GREEN CONDOMINIUM OWNER'S ASSOCIATION, INC.)

STATE OF UTAH } s.s.  
COUNTY OF UTAH }

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. \_\_\_\_\_ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL BELOW)

## ACCEPTANCE BY LEGISLATIVE BODY

THE CITY OF AMERICAN FORK, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL THE STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

## PLANNING COMMISSION APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ BY THE AMERICAN FORK CITY PLANNING COMMISSION.  
PLANNER \_\_\_\_\_ PLANNING COMMISSION CHAIRMAN \_\_\_\_\_

SHEET 1 OF 2

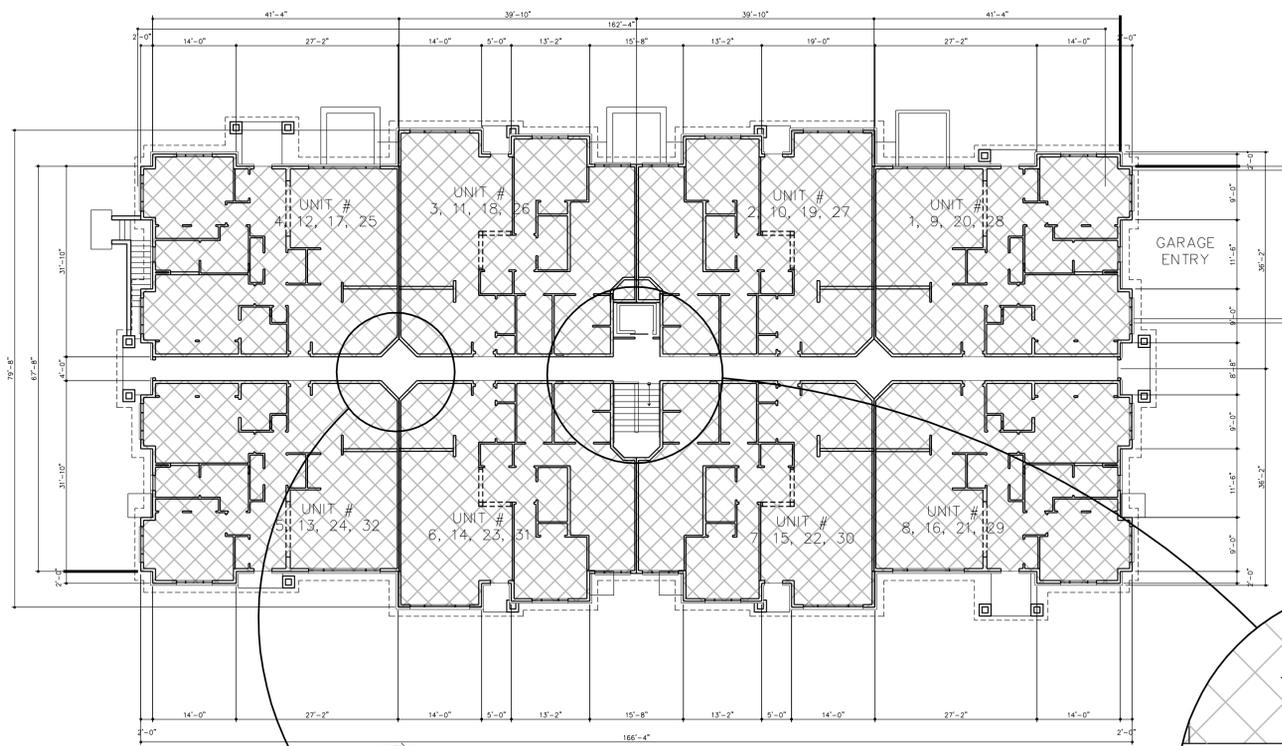
# VILLAGE GREEN CONDOMINIUMS PLAT 'A' AMENDED

BY  
VILLAGE GREEN LLC  
4083 FOOTHILL DR. PROVO, UTAH 84064 (801) 318-5087  
AMERICAN FORK UTAH COUNTY, UTAH  
SCALE: 1" = 40 FEET

SURVEYOR'S SEAL 	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
---------------------	--------------------	---------------------------	---------------------

PLAT SHOWING  
**VILLAGE GREEN CONDOMINIUMS**

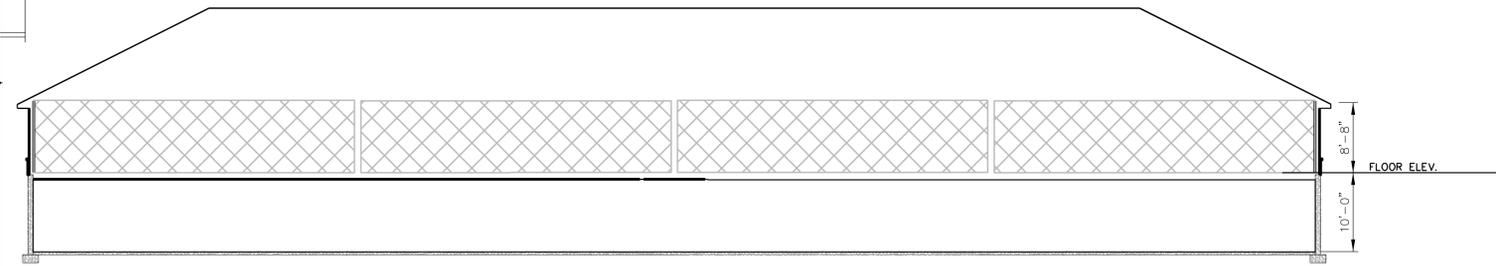
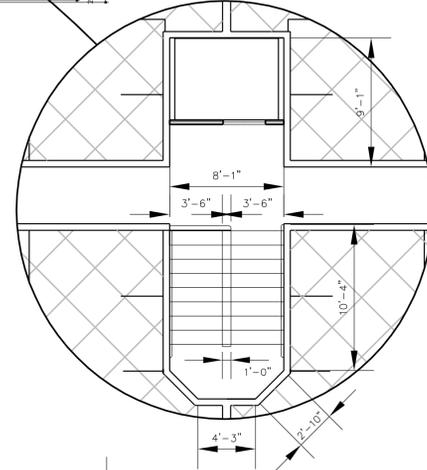
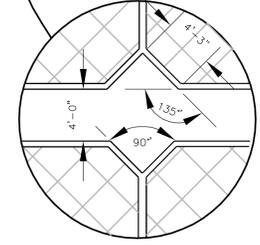
A SUBDIVISION LOCATED IN A PORTION OF THE SE1/4, OF SECTION 13 AND A PORTION OF THE NE1/4, OF SECTION 24 T.5S., R.1E., S.L.B.&M. AMERICAN FORK, UTAH COUNTY, UTAH



FLOOR PLAN

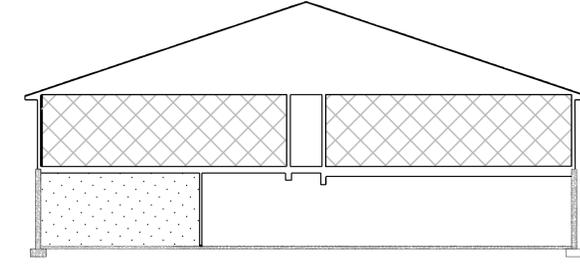
-NTS-

NOTE:  
UNLESS OTHERWISE NOTED, ALL WALLS ARE PERPENDICULAR.



FRONT AND REAR ELEVATIONS

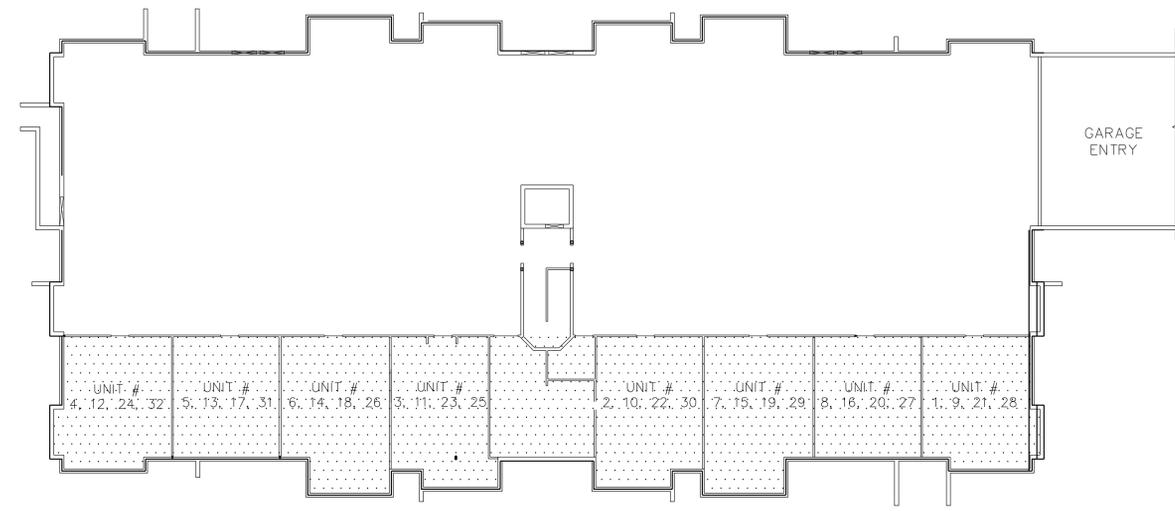
-NTS-



SIDE ELEVATION

-NTS-

BUILDING #	FINISH FLOOR ELEVATION	GARAGE FLOOR ELEVATION
100	108.00	98.00
200	108.42	98.42
300	109.42	99.42
400	105.42	95.42



PARKING GARAGE

-NTS-

LEGEND

- PRIVATE
- LIMITED COMMON
- COMMON

ADDRESS TABLE		
BUILDING	STREET ADDRESS	UNITS
100	22 S 700 E	1 - 8
200	23 S 700 E	9 - 16
300	19 N 700 E	17 - 24
400	17 N 700 E	25 - 32

SHEET 2 OF 2

LAND SURVEYOR

APPROVED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_ A.D. 20\_\_\_\_.

LAND SURVEYOR \_\_\_\_\_

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH HUBBLE ENGINEERING, INC.

APPROVED: \_\_\_\_\_  
CITY ENGINEER

NO.	REVISIONS	BY	DATE	DESIGNED BY:	DATE:
5				DRAWN BY:	DATE:
4				CHECKED BY:	DATE:
3				APPROVED:	DATE:
2				COGO FILE:	DATE:
1				REV. COGO FILE:	DATE:

VILLAGE GREEN CONDOMINIUMS

BY GJ1 L.L.C.

4083 FOOTHILL DR. PROVO, UTAH 84064 (801) 318-5087

PLAT

FLOOR PLAN & ELEVATIONS

JOB NO.  
3-99-08400

SHEET NO.  
C-2.2

# UNAPPROVED MINUTES

1 IMPROVEMENT BOND OR SETTING OF A TIME FRAME FOR IMPROVEMENT  
2 INSTALLATION; AND 4) AUTHORIZATION TO SIGN THE FINAL PLAT AND  
3 ACCEPTANCE OF ALL DEDICATIONS TO THE PUBLIC AND TO HAVE THE PLAT  
4 RECORDED.

- 5 a. Review and action on confirming the Ordinance of Approval for the revised  
6 condominium plat for the Amended Village Green Condominium Project, Plat A  
7 Amended, consisting of 32 units at 30 South 700 East – Staff  
8 Mayor Hadfield understood that with the third building completed, they needed to get the  
9 ties to correct the legal descriptions so they could sell the units. This also removed the  
10 club house, which was now RV parking.

11  
12 **Councilman Storrs moved to confirm the previous Ordinance of Approval, to**  
13 **authorize the Mayor, Council and Planning Commission Chair to sign the original**  
14 **plat, and have the plat recorded at the office of the Utah County Recorder, subject**  
15 **to the prior completion of the performance guarantee agreements. Councilman**  
16 **Gunther seconded the motion. All were in favor.**

- 17  
18 b. Review and action on an Ordinance approving Plat A Amended of Granite View Estates,  
19 consisting of 41 units, located at 810 East 50 South for the purpose of a PUD Conversion  
20 – Staff

21 Mayor Hadfield commented that he had been told it was difficult to find funding for  
22 condominiums while funding for Planned Unit Developments was available. This was a  
23 tool in which to finance more units in the Granite View Estates subdivision.

24  
25 Rod Despain explained that there were no changes in the plat other than removing the  
26 word “Condominium”, which has a different set of laws to follow. This was still a senior  
27 housing project and does qualify as a Planned Unit Development because the units are  
28 single story units attached to the ground. Mr. Despain noted that originally this could  
29 have gone forward as a PUD, but for some reason they wanted it to be a condominium  
30 project. The number of units remained the same, the footprints remained the same, and  
31 the open space remained the same.

32  
33 **Councilman Gunther moved to vacate Plat A of Granite View Estates PUD and any**  
34 **previous approvals for Granite View Estates and to adopt Ordinance No. 2011-04-11**  
35 **approving Plat A Amended for Granite View Estates PUD, consisting of 41 unites,**  
36 **located at 810 East 50 South for the purpose of a PUD conversion, noting that this**  
37 **approval is conferred with a finding that all requirements associated with the**  
38 **original approval for Granite View Estates remain in force. Councilman Storrs**  
39 **seconded the motion. All were in favor.**

40  
41 ADJOURNMENT

42 Councilmember Rodeback moved to adjourn the meeting. Councilman Gunther seconded the  
43 motion. All were in favor.

44  
45 The meeting adjourned at 8:04 p.m.

46  
47  
48 Terilyn Lurker, Deputy Recorder



ENT 78783:2011 PG 1 of 3  
 JEFFERY SMITH  
 UTAH COUNTY RECORDER  
 2011 Nov 02 2:28 pm FEE 29.00 BY SW  
 RECORDED FOR VILLAGE GREEN CONDO HOA

DECLARATION OF CONDOMINIUM OF VILLAGE GREEN CONDOMINIUMS  
 Recorded 2001 Jun 20 by Randall A. Covington, Utah County Recorder

October 27, 2011

Amendment #1 Rendered in accordance with Article 13.2 Amendment of above Declaration.

Revise Article 6.10 to read as follows:

6.10 Recreational Vehicle Parking. A parking area is provided within the project for recreational vehicles or boat parking, either by the owners or their guests, invitees, lessees or assigns.

Add Article 6.11 to read as follows:

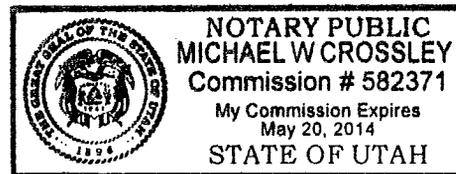
6.11 Clubhouse. No clubhouse is provided within the project.

Village Green Condominium Owners Association, Inc.  
 a Utah Corporation

By: Bob Earl Calderwood  
 Bob Earl Calderwood, President

*Subscribed & Sworn this 2 Nov 2011*

*Michael W Crossley*



We, the undersigned members of the Village Green Condominium Owners Association, agree to the following amendment to the Declaration of Condominium:

- Delete paragraph 6.10 which states that no recreational vehicle or boat parking is provided within the project

We also approve the deletion of the clubhouse from the Record of Survey Map and the addition of a recreational vehicle and boat parking area to the Record of Survey Map.

NM Unit #1 <u>Ernest G. Nichols</u>	Unit #25 <u>Al Miner</u>
NM Unit #2 <u>Virian Rhinghart</u>	Unit #26 <u>David G. Wood</u>
NM Unit #3 <u>David T. Repler</u>	Unit #27 <u>Nancy Pope</u>
NM Unit #4 <u>Bertie Cook</u>	M Unit #28 <u>Juan M. Faller</u> <u>Orice Faller</u>
M Unit #5 <u>Leah Peterson</u>	NM Unit #29 <u>Florence E. Rich</u> <u>Edward C. E. Rich</u>
NM Unit #6 <u>Keith Burnett Sr</u> <u>Tawn G. Burnett</u>	Unit #30 <u>John Jacobsen</u>
NM Unit #7 <u>Bob Callaway</u> <u>Alan Callaway</u>	Unit #31 <u>Melba Atkinson</u>
M Unit #8 <u>Edith E. Kavelman</u>	Unit #32 <u>Donna R Holzman</u>

M - Mortgaged      NM - No Mortgage

Dated this 28 day of July, 2011

Unit # 23 Rosalie M. Marnard Date 11/1/11

Units # 9 - 22, and # 24 [Signature] Date 11/1/11

Mortgagees:

Units #9 - 22, and # 24 See Attached Date \_\_\_\_\_

Authorization signed by Central Bank

The Central Bank of Utah agrees with the following amendment to the Declaration of Condominium of Village Green Condominiums:

- Delete paragraph 6.10 which states that no recreational vehicle or boat parking is provided within the project.

The Central Bank of Utah also agrees to the following amendment to the Record of Survey Map of Village Green Condominiums:

- Delete the clubhouse
- Add a recreational vehicle and boat parking area

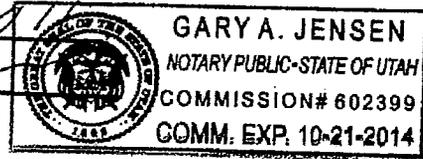
Dated this 28 day of July, 2011

Tyler M / TYLER MENDENHALL

Bank Officer

Subscribed and sworn to and acknowledged before me, notary public, this 28 day of

JULY, 2011  
notary public residing at:  
commission expires:



\* THIS AMENDMENT DOES NOT AFFECT THE VALUE OF CENTRAL BANK'S COLLATERAL IN THIS PROJECT. THE APPRAISAL DID NOT HAVE ANY TYPE OF CLUBHOUSE AS PART OF IT'S EVALUATION.

TYLER MENDENHALL



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Public Works

Director Approval 

**AGENDA ITEM** Review and action on a Notice of Approval of Property Line Adjustment at the Timp Plaza Shopping Center located at 218 North State Road (US-89)

**SUMMARY RECOMMENDATION** Staff recommends approval of the Notice of Approval of Property Line Adjustment.

**BACKGROUND** This property line adjustment is to accommodate a future new building so that the building is located on one parcel. The current lot configuration bisects the new building. The City's responsibility in the matter is to make a finding that the resulting parcels still meet the zoning.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** Move to approve the Notice of Approval of Property Line Adjustment for Vestwood LLC with the finding that no new dwelling lot or housing unit will result from the exchange of title and the exchange of title does not result in a violation of any land use ordinance.

**SUPPORTING DOCUMENTS**

1. Notice of Approval of Property Line Adjustment
2. Supporting Map
3. Request Letter.



Realtors / Brokers / Managers  
Developers / Consultants / Architects

2733 East Parleys Way, Suite 300 / Salt Lake City, Utah 84109-1662

(801) 485-7770  
Fax (801) 485-0209

November 20, 2014

American Fork City Council  
51 East Main Street  
American Fork, Utah 84003

Re: Timp Plaza Subdivision

Woodbury is requesting a lot line adjustment for Timp Plaza Subdivision as we have reconfigured some of the building lots and the current lot lines would intersect our proposed and approved buildings. In addition, the proposed lot line adjustments divide the property in a more logical manner based on use and parking. Woodbury is the owner of all the lots in this subdivision.

Thank you,

A handwritten signature in blue ink, appearing to be "Darrin Smith", is written over the printed name "Woodbury Corporation".

Woodbury Corporation

Darrin Smith, PE



**NOTICE OF APPROVAL  
OF PROPERTY LINE ADJUSTMENT**

Notice is hereby given that the City Council of the American Fork City, Utah, met on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, regarding a property line adjustment within the property currently owned by VESTWOOD L.L.C., a Utah limited liability company. According to UCA 10-9a-608, the City Council found that new dwelling lot or housing unit would result from the exchange of title and the exchange of title would not result in a violation of any land use ordinance. The City Council then acted and gave its approval to the following property line adjustment.

**ORIGINAL PARCELS:**

Owner: VESTWOOD L.L.C.  
Parcel No: 13:004:0065  
Entry No: 131746:2008

Parcel No: 13:004:0045  
Entry No: 118893:2009

Parcel No: 13:004:0066  
Entry No: 113615:2010

**DESCRIPTIONS OF PROPOSED REVISED PARCELS:**

**PARCEL C (Original Parcel No: 13:004:0065)**

Beginning at a point which is South 00°16'34" West, along the section line, 1041.63 feet and West, 459.66 feet from the East Quarter Corner of Section 15, Township 5 South, Range 1 East, Salt Lake Base & Meridian; and running thence North 89°04'02" West, 2.35 feet to a point on a 174.00 foot radius curve to the right; thence 58.46 along said curve through a central angle of 19°15'04" (chord bears North 79°26'30" West, 58.19 feet) to a point of reverse curvature on a 376.00 foot radius curve to the left; thence 220.15 feet along said curve through a central angle of 33°32'51" (chord bears North 86°35'24" West, 217.02 feet) to a point of reverse curvature on a 25.14 radius curve to the right; thence 42.01 feet along said curve through a central angle of 95°44'42" (chord bears North 61°15'41" West, 37.29 feet); thence South 76°31'39" West, 5.07 feet; thence North 13°28'21" West, 167.80 feet; thence South 89°49'41" West, 1.13 feet to a point on the easterly boundary line of State Highway 89-91; thence North 14°48'04" West, along said easterly boundary line of State Highway 89-91, 44.78 feet; thence North 76°31'39" East, 119.93 feet; thence South 13°28'21" East, 57.43 feet; thence South 89°59'17" East, 92.42 feet; thence South 00°00'43" West, 62.00 feet; thence South 89°59'17" East, 119.93 feet; thence South 00°06'53" West, 91.78 feet; thence South 89°53'07" East, 23.13 feet; thence South 00°10'19" East, 65.05 feet to the point of beginning.

Contains: 1.36 Acres

**PARCEL D (Original Parcel No: 13:004:0045)**

Beginning at a point which is North, 1695.66 feet and West, 164.55 feet from the Southeast Corner of Section 15, Township 5 South, Range 1 East, Salt Lake Base & Meridian (Basis of Bearing is North 00°16'34" East along the Section Line); and running thence North 89°50'18" West, 238.59 feet; thence South 00°09'26" West, 21.26 feet; thence North 89°53'07" West, 72.03 feet; thence North 00°06'53" East, 91.78 feet; thence North 89°59'17" West, 119.93 feet; thence North 00°00'43" East, 62.00 feet; thence North 89°59'17" West, 92.42 feet; thence North 13°28'21" West, 57.43 feet; thence South 76°31'39" West, 119.93 feet to a point on the easterly boundary line of State Highway 89-91; thence along said easterly boundary line of State Highway 89-91 the following two (2) courses: North 16°43'14" West, 120.62 feet; thence North 19°35'43" West, 3.36 feet; thence North 75°40'00" East, 211.40 feet; thence North 89°49'41" East, 208.24 feet; thence North, 123.79 feet; thence North 27°18'13" East, 27.79 feet; thence South 62°41'47" East, 15.00 feet; thence South 27°18'13" West, 24.15 feet; thence South 170.04 feet; thence South 89°55'22" East, 181.85 feet; thence North 26°58'00" East, 92.04 feet; thence South 62°41'47" East, 40.50 feet; thence South 00°10'19" East, 346.25 feet to the point of beginning.

Contains: 3.84 Acres

**PARCEL E (Original Parcel No: 13:004:0066)**

Beginning at a point which is North, 1695.66 feet and West, 164.55 feet from the Southeast Corner of Section 15, Township 5 South, Range 1 East, Salt Lake Base & Meridian (Basis of Bearing is North 00°16'34" East along the Section Line); and running thence North 89°50'18" West, 238.59 feet; thence South 00°09'26" West, 21.26 feet; thence North 89°53'07" West, 48.90 feet; thence South 00°10'19" East, 72.20 feet to a point on the north boundary line of 200 North Street; thence South 89°04'02" East, along said northerly boundary line of 200 North Street, 287.66 feet; thence North 00°10'19" West, 97.38 feet to the point of beginning.

Contains: 0.61 Acres

American Fork City has reviewed the property line adjustment finding that the new boundary line closes and appears to correct without encroaching on any adjacent parcels, existing building setbacks, or planned street right-of-ways.

[REMAINING PAGE LEFT BLANK INTENTIONALLY]

Dated this \_\_\_ day of \_\_\_\_\_, 2014.

AMERICAN FORK CITY

---

James H. Hadfield, Mayor

ATTEST:

---

Richard Colborn, City Recorder



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval *A. Craig Whitehead*

**AGENDA ITEM** Approval of an agreement with the Salt Lake City Chamber, as consultants for the Utah Transportation Coalition.

**SUMMARY RECOMMENDATION** The City Administration recommends approval of the proposed Coalition agreement.

**BACKGROUND** The Coalition consists of businesses, chambers, the League of Cities and Towns (ULCT), and cities and counties that will work together to educate the general public and policymakers of the urgent need for transportation funding.

The private sector is shouldering nearly two-thirds of the Coalition budget. The Coalition will not engage in any lobbying of legislators but will instead implement a communications strategy to the public about transportation needs.

The return on investment for the City could be significant. A small membership fee of \$1,000 to join the Coalition (see attached letter) may lead to the broad public and political support that could result in new transportation revenue for the City of American Fork.

The City will receive a professionally crafted Communications Toolkit to use to educate residents and policymakers about the need for transportation funding. The toolkit will contain a newsletter article, infographics about transportation, social media materials, a utility bill template, and other items. The City can use the tools as they are or modify them to fit the City of American Fork.

ULCT will also distribute a data handout which will explain how American Fork currently funds transportation and how we may benefit from increased transportation funding. The League will also provide a sample council resolution that your city/town can enact to demonstrate support for increased transportation funding.

From November to January, member cities will use the toolkit to explain the urgency of transportation investment to their residents and elected officials.

In January, the Coalition will start a media campaign to educate the general public about transportation needs.

The Coalition would like the City's support and active participation. Once the agreement is adopted and payment of the small membership fee, (see letter), the City will have access to the toolkit.

Cities and towns must speak in solidarity with the business community about the urgency of comprehensive transportation funding.

**BUDGET IMPACT** Cost: \$1,000

**SUPPORTING DOCUMENTS**

1. Agreement with the Salt Lake City Chamber
2. Coalition Letter to American Fork

Project Name: Utah Transportation Coalition / Salt Lake Chamber

AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN  
*The City of American Fork*  
and  
*Salt Lake Chamber of Commerce*

THIS AGREEMENT made and entered into this \_\_\_\_ **day of** November, 2014, by and between \_\_\_\_\_, a municipal corporation (hereinafter referred to as “**City**”, and SALT LAKE CHAMBER (hereinafter referred to as “**Consultant**”).

The **City** and **Consultant** agree as follows:

1. **RETENTION AS CONSULTANT**

**City** hereby retains **Consultant**, and **Consultant** hereby accepts such engagement, to perform the services described in Paragraph 2. **Consultant** warrants it has the qualifications, experience and facilities to properly perform said services.

2. **DESCRIPTION OF SERVICES**

**Task 1: Transportation Issues Research and Analysis:**

The **Consultant** shall research and analyze transportation funding in Utah at both the State and local level, and use this data to suggest improvements and enhancements to funding transportation in Utah.

These Services shall be completed on June 30, 2015.

**Task 2: Transportation Issue Advocacy and Public Awareness Campaign:**

The **Consultant** shall create an issue advocacy and public awareness campaign related to Utah’s need for improved transportation, and how improved transportation can benefit Utah’s economy, air quality, and quality of life. This advocacy and public awareness campaign will include strategic communications planning, advertising media, advertising purchases, public events, online media, social media, editorial content, and other communications tools.

These Services shall be completed on June 30, 2105.

**Task 3: Transportation Issue Local Government Tool Kit:**

The **Consultant** shall deliver to each municipality a Transportation advocacy tool kit, consisting of but not limited to social media content, utility bill insert content, a city specific fact sheet detailing transportation funding in the individual municipality, editorial content for local papers, website content, and other items to support and aid local governments in discussing their transportation needs with residents.

These Services shall be completed on June 30, 2015.

**Task 4: Legislative and Governmental Relations:**

The **Consultant** shall work with the Utah League of Cities and Towns and the Utah Association of Counties to educate legislators about state and local transportation funding issues. No lobbyists will be engaged in this effort; however individuals required by State law to register as lobbyists working on behalf of these organizations will be involved.

These Services shall be completed on June 30, 2015.

3. **COMPENSATION**

The total compensation payable to **Consultant** by **City** for the Services described in paragraph 2 shall not exceed the sums described in the attached proposal, and shall be earned on the basis as indicated in the **Consultant's** attached proposal.

All payments shall be made within thirty (30) calendar days after execution of this *Agreement*.

**EXTRA SERVICES**

No other extra services are authorized by this *Agreement*.

4. **PROGRESS AND COMPLETION**

The **City** and the **Consultant** are aware that many factors outside the **Consultant's** control may affect the **Consultant's** ability to complete the Services to be provided under this *Agreement*. The **Consultant** will perform these Services with reasonable diligence and expediency consistent with sound professional practices.

5. **PERSONAL SERVICES/NO ASSIGNMENT/SUBCONTRACTOR**

This Agreement is for professional services, which are personal services to the **City**. The following persons are deemed to be a key member(s) of or employee(s) of the **Consultant's** team, and shall be directly involved in performing or assisting in the performance of this work.

- Abby Albrecht, Granite Construction and Utah Transportation Coalition
- Justin Jones, Salt Lake Chamber of Commerce
- Cameron Diehl, Utah League of Cities and Towns
- Lincoln Shurtz, Utah Association of Counties

The **Consultant** will subcontract the following portions of the work out to other parties:

- Penna Powers: strategic communications, public relations, and consulting services.
- Other coalition partners

This *Agreement* is not assignable by **Consultant** without the **City's** prior written consent.

6. **HOLD HARMLESS AND INSURANCE**

**Consultant** shall defend, indemnify and hold the **City**, its elected Officials, officers, and employees, harmless from all claims, lawsuits, demands, judgments or liability including, but not limited to general liability, automobile and professional errors and omissions liability, arising out of, directly or indirectly, the negligent performance, or any negligent omission of the **Consultant** in performing the services described.

**Consultant** shall, at **Consultant's** sole cost and expense and throughout the term of this *Agreement* and any extensions thereof, carry:

- (1) Workers compensation insurance adequate to protect Consultant from claims under workers compensation acts.
- (2) Professional errors and omissions insurance in the amount of \$2,000,000, and
- (3) General personal injury and property damage liability insurance and automobile liability insurance with liability limits of not less than \$2,000,000 each claimant and \$2,000,000 each occurrence for the injury or death of person or persons and property damage.

All insurance policies shall be issued by a financially responsible company or companies authorized to do business in the State of Utah.

7. **RELATIONSHIP OF THE PARTIES**

The relationship of the parties to this *Agreement* shall be that of independent contractors and that in no event shall **Consultant** be considered an officer, agent, servant, or employee of **City**. The **Consultant** shall be solely responsible for any workers compensation, withholding taxes, unemployment insurance and any other employer obligations associated with the described work.

8. **TERMINATION BY CITY**

The **City**, by notifying **Consultant** in writing, may upon ten (10) calendar days notice, terminate any portion or all of the services agreed to be performed under this *Agreement*.

9. **WAIVER/REMEDIES**

Failure by a party to insist upon the strict performance of any of the provisions of this *Agreement* by the other party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such party's right to demand strict compliance by such other party in the future. No waiver by a party of a default or breach of the other party shall be effective or binding upon such party unless made in writing by such party, and no such waiver shall be implied from any omission by a party to take any action with respect to such default or breach. No express written waiver of a specified default or breach shall affect any other default or breach, or cover any other period of time, other than any default or breach and/or period of time specified. All of the remedies permitted or available to a party under this *Agreement* or at law or in equity shall be cumulative and alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy.

10. **CONSTRUCTION OF LANGUAGE**

The provisions of this *Agreement* shall be construed as a whole according to its common meaning and purpose of providing a public benefit and not strictly for or against any party. It shall be construed consistent with the provisions hereof, in order to achieve the objectives and purposes of the parties. Wherever required by the context, the singular shall include the plural and vice versa, and the masculine gender shall include the feminine or neutral genders and vice versa.

11. **MITIGATION OF DAMAGES**

In all situations arising out of this *Agreement*, the parties shall attempt to avoid and minimize the damages resulting from the conduct of the other party.

12. **GOVERNING LAW**

This *Agreement*, and the rights and obligations of the parties, shall be governed and interpreted in accordance with the laws of the State of Utah.

13. **CAPTIONS**

The captions or headings in the *Agreement* are for convenience only and in no other way define, limit or describe the scope or intent of any provision or section of the *Agreement*.

14. **AUTHORIZATION**

Each party has expressly authorized the execution of this *Agreement* on its behalf and acknowledge it shall bind said party and its respective administrators, officers, directors, shareholders, divisions, subsidiaries, agents, employees, successors, assigns, principals, partners, joint ventures, insurance carriers and any others who may claim through it to this *Agreement*.

15. **ENTIRE AGREEMENT BETWEEN PARTIES**

Except for **Consultant's** proposals and submitted representations for obtaining this *Agreement*, this *Agreement* supersedes any other *Agreements*, either oral or writing, between the parties hereto with respect to the rendering of services, and contains all of the covenants and *Agreements* between the parties with respect to said services. Any modifications of this *Agreement* will be effective only if it is in writing and signed by the party to be charged.

16. **SEVERABILITY**

If any provision in this *Agreement* is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

17. **NOTICES**

Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in this United State mail, postage prepaid, and addressed as follows:

TO CITY: \_\_\_\_\_ City  
Street Address  
City, Utah ZIP  
Attention: City Recorder

TO CONSULTANT: Utah Transportation Coalition  
c/o Salt Lake Chamber of Commerce  
175 East 400 South, Suite #600  
Salt Lake City, Utah 84

18. **ADDITIONAL TERMS/CONDITIONS**

Additional terms and conditions of this *Agreement* are:

**IN CONCURRENCE AND WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES EFFECTIVE ON THE DATE AND YEAR FIRST WRITTEN ABOVE.**

\_\_\_\_\_ CITY:

Attest

\_\_\_\_\_  
Signature

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Approved as to Form

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Legal Counsel

**CONSULTANT:**



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Lane Beattie, President and Chief Executive Officer

\_\_\_\_\_  
Date

State of Utah )

:ss

County of Salt Lake )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, personally appeared before me

\_\_\_\_\_ [name of person(s)], whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the President and Chief Executive Officer [title], of The Salt Lake Chamber of Commerce [name of corporation], a corporation, and said document was signed by him/her in behalf of said corporation by authority of its bylaws or of a Resolution of its Board of Directors, and he/she acknowledged to me that said corporation executed the same.

\_\_\_\_\_  
Notary Public



October 27, 2014

Mayor James Hadfield, American Fork City  
51 E. Main St  
American Fork, UT 84003

Dear Mayor Hadfield,

Whether you drive on roads, bike on paths, cruise on ATVs, hop on the bus, or walk on the sidewalk, transportation is a part of your daily life. Which roads do you avoid? Where does your sidewalk end? How often do your kids stay inside because of the inversion? You hear from residents how they expect not only well-maintained roads but also transit, ATV, and active transportation options. You have to do more with less and the traditional resources are diminishing. We live in a new era of transportation—we must have a new vision for funding it.

At this year’s Utah League of Cities and Towns Annual Convention, the ULCT membership passed a resolution that identified the need for transportation funding and recommended a legislative solution. **We must expand funding for local transportation NOW.**

We recognize the power in numbers. The Utah League of Cities and Towns, Utah Association of Counties, and the Salt Lake Chamber have formed the Utah Transportation Coalition. The Coalition's goal is to build support for major investment in Utah’s transportation system per Utah’s Unified Transportation Plan, preserve Utah’s quality of life, bolster economic growth, improve personal health and air quality, and provide maximum value to all Utahns.

The Coalition will roll out a communications campaign to generate public and political support for comprehensive transportation solutions and to fund the Unified Transportation Plan across the state. We have provided a sample service agreement for your city/town to review, prepare, and enact to join the Coalition. The Coalition will provide a communication toolkit that you can use as is (without additional staff work) or personalize the materials for your community, including newsletter messages, utility fee inserts, social media messages and a city council resolution.

We need American Fork’s financial support of \$1,000 to join together with all other Utah cities, towns, counties, and chambers. The private sector has pledged the majority of the needed amount and they are asking for local government to stand shoulder to shoulder in the effort—a public-private partnership that will make a difference. Please adopt a service agreement (based on the enclosed sample) and support the Coalition. For more information, contact Abby Albrecht at the Utah Transportation Coalition at (801) 831-6116 or at [abby.albrecht@gcinc.com](mailto:abby.albrecht@gcinc.com).

Thank you for your partnership and your support.

Lane Beattie  
President/CEO of Salt Lake Chamber

Ken Bullock  
Executive Director, Utah League of Cities & Towns



**From:** Brandon Smith [<mailto:bsmith@ulct.org>]  
**Sent:** Monday, November 10, 2014 3:42 PM  
**To:** JH Hadfield; Richard Colborn  
**Subject:** Join Utah transportation Coalition

Greetings,

This email will inform you about the Utah Transportation Coalition and how the Coalition—with participation from your city or town—is promoting investment in transportation funding. We have also attached a letter and a sample service agreement.

### **WHO IS THE COALITION?**

The Coalition consists of businesses, chambers, cities, and counties working together to educate the general public and policymakers of the urgent need for transportation funding.

The private sector is shouldering nearly two-thirds of the Coalition budget.

The Coalition will not engage in any lobbying of legislators but will instead implement a communications strategy to the public about transportation needs.

### **WHY JOIN THE COALITION?**

The return on investment for your city/town is significant. A small membership fee to join the Coalition (see attached letter) may lead to the broad public and political support that could result in new transportation revenue for your city/town.

Your city/ town will receive a professionally crafted Communications Toolkit to use to educate residents and policymakers about the need for transportation funding.

The toolkit will contain a newsletter article, infographics about transportation, social media materials, a utility bill template, and other items. You can use the tools as they are or modify them to fit your city/town.

ULCT will also distribute a data handout which will explain how your city/town currently funds transportation and how your city/town may benefit from increased transportation funding.

ULCT will also provide a sample council resolution that your city/town can enact to demonstrate support for increased transportation funding.

### **WHAT IS THE TIMELINE?**

The Coalition officially launches on Monday, November 17 at Station Park in Farmington at 10:30 am. Please join us at the press conference: <http://sandy.utah.gov/index.php?id=932>

On November 17, the Coalition will have the website and the first pieces of the toolkit available at [www.utahtransportation.org](http://www.utahtransportation.org).

From November to January, member cities will use the toolkit to explain the urgency of transportation investment to their residents and elected officials.

In January, the Coalition will start a media campaign to educate the general public about transportation needs.

The legislature convenes on January 26, 2015 for 45 days.

### **HOW DOES MY CITY/TOWN JOIN?**

The Coalition wants your support and active participation. You can review the attached service agreement and adopt it during a council meeting. Upon adoption of the agreement and payment of the small membership fee (see letter), your city will have access to the toolkit.

Cities and towns must speak in solidarity with the business community about the urgency of comprehensive transportation funding. For further information on how to join the coalition, you can contact ULCT or you can contact the Transportation Coalition Chair Abby Albrecht at [abby.albrecht@gcinc.com](mailto:abby.albrecht@gcinc.com).

**Brandon Smith**

Legislative Research Analyst  
Utah League of Cities and Towns  
50 South 600 East, Suite 150  
Salt Lake City, UT 84102  
801-328-1601  
[www.ulct.org](http://www.ulct.org)



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**DECEMBER 9, 2014**

Department Administration

Director Approval *Richard M. Colburn*

**AGENDA ITEM** Review and action on a Resolution indicating the City's intent to adjust the common boundary with Lehi City consisting of approximately 0.592 acres at in the vicinity of 1010 West 850 North. (west of the Ashley Meadows Annexation)

**SUMMARY RECOMMENDATION** Approval of the Resolution of Intent to adjust the common boundary with Lehi.

**BACKGROUND** This was anticipated at the time of the Ashley Meadows Annexation.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** Move to approve the Resolution indicating the City's intent to adjust the common boundary with Lehi City consisting of approximately 0.592 acres at in the vicinity of 1010 West 850 North. (west of the Ashley Meadows Annexation)

**SUPPORTING DOCUMENTS** Resolution of Intent

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL OF AMERICAN FORK, UTAH, TO ADJUST THE COMMON BOUNDARY WITH LEHI CITY; AUTHORIZING A PUBLIC HEARING THEREON; AND PROVIDING FOR NOTICE OF SAID HEARING.**

**WHEREAS**, Section 10-2-419, Utah Code Annotated, 1953, as amended, authorizes adjacent municipalities to adjust the location of their common municipal boundaries; and

**WHEREAS**, American Fork City and Lehi City mutually desire to adjust a portion of the common boundary between the two municipalities to the effect that certain real property, currently within the municipal jurisdiction of Lehi City, be transferred to the municipal jurisdiction of American Fork City.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH:**

**SECTION 1.** The City Council of American Fork, Utah, here affirms its intent and desire to receive the transfer certain real property from the municipal jurisdiction of Lehi City to American Fork City, all in accordance with State law relating to Municipal Boundary Adjustments (UCA 10-2-419).

**SECTION 2.** A map showing the location of the parcels included within the proposed adjustment area is attached hereto (Attachment 1), together with a written description of the area proposed for adjustment (Attachment 2).

**SECTION 3.** The City Council of American Fork, Utah, hereby authorizes a public hearing on the proposed boundary adjustment and instructs that public notice thereon be given in accordance with the provisions of State law.

**SECTION 4.** The provisions of this Resolution shall take effect upon its passage.

**PASSED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

\_\_\_\_\_  
James H. Hadfield, Mayor

ATTEST:

\_\_\_\_\_  
Richard M. Colborn, City Recorder

**SURVEYOR'S CERTIFICATE**  
 I, HOWARD B. DENNEY, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE BOUNDARY ADJUSTMENT BETWEEN AMERICAN FORK CITY AND LEHI CITY, UTAH COUNTY, UTAH.

**BOUNDARY DESCRIPTION**  
 BEGINNING N89°59'06"W ALONG THE SECTION LINE 864.38 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 10, T5S, R1E, SALT LAKE BASE AND MERIDIAN.  
 SAID POINT ALSO BEING THE SOUTH EAST CORNER OF LOT 131, PLAT A, HUNTER'S GROVE SUBDIVISION IN LEHI CITY, PROCEEDING N00°01'30"W 1322.61 FEET CONTINUING ON THE EAST SIDE OF HUNTER'S GROVE "A" & "C", THENCE CALLS N01°05'20"W 185.38 FEET, N00°36'00"E 367.69 FEET, N00°50'01"E 142.83 FEET, AND N89°27'16"W 4.75 FEET REJOINING THE EXISTING AMERICAN FORK CITY BOUNDARY. (23,826.91 SQ FT or 0.552 ACRES)

**ACCEPTANCE BY LEGISLATIVE BODY**  
 AMERICAN FORK CITY  
 THIS IS TO CERTIFY THAT WE, THE CITY COUNCIL OF AMERICAN FORK CITY HAVE RECEIVED A REQUEST TO ADJUST THE BOUNDARY LINE SHOWN HEREIN BETWEEN AMERICAN FORK CITY AND LEHI CITY AND THAT A COPY OF THE MAP HAS BEEN FILED FOR RECORDING. WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE BOUNDARY LINE ADJUSTMENT AS SHOWN.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 \_\_\_\_\_ MAYOR  
 \_\_\_\_\_ CLERK-RECORDER DATE \_\_\_\_\_

**ACCEPTANCE BY LEGISLATIVE BODY**  
 LEHI CITY  
 THIS IS TO CERTIFY THAT WE, THE CITY COUNCIL OF LEHI CITY HAVE RECEIVED A REQUEST TO ADJUST THE BOUNDARY LINE SHOWN HEREIN BETWEEN AMERICAN FORK CITY AND LEHI CITY AND THAT A COPY OF THE ORDINANCE HAS BEEN FILED FOR RECORDING. WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE BOUNDARY LINE ADJUSTMENT AS SHOWN.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 \_\_\_\_\_ MAYOR  
 \_\_\_\_\_ CLERK-RECORDER DATE \_\_\_\_\_

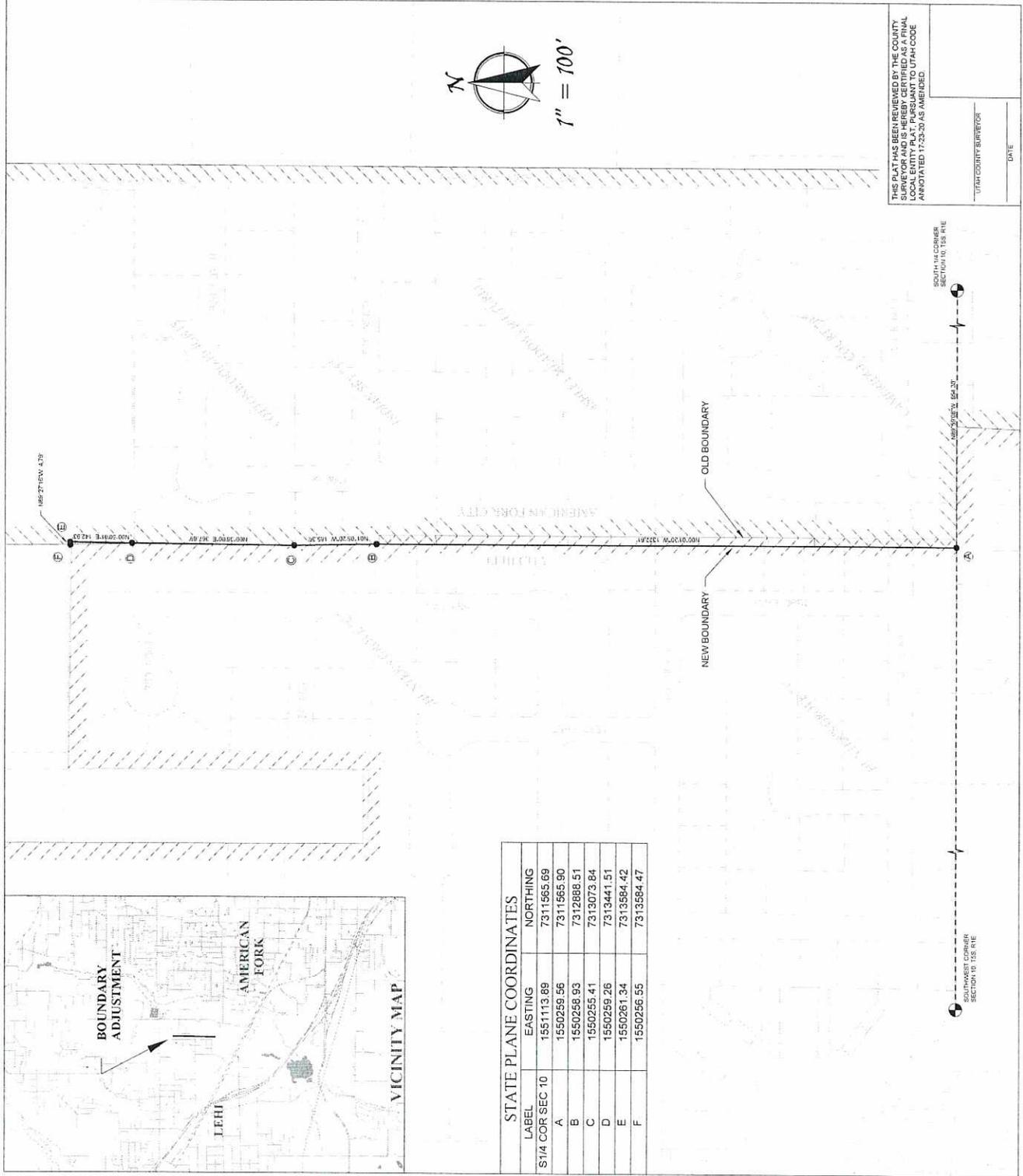
**BOUNDARY LINE ADJUSTMENT PLAT**  
 AMERICAN FORK CITY AND LEHI CITY

UTAH COUNTY, UTAH  
 SCALE 1" = 100 FEET

UTAH COUNTY SURVEYOR  
 DATE \_\_\_\_\_

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANNOTATED 17-23-30 AS AMENDED.

UTAH COUNTY SURVEYOR  
 DATE \_\_\_\_\_



STATE PLANE COORDINATES		
LABEL	EASTING	NORTHING
S1/4 COR SEC 10	1551113.89	7311565.69
A	1550259.56	7311565.90
B	1550258.93	7312888.51
C	1550255.41	7313073.84
D	1550259.26	7313441.51
E	1550261.34	7313584.42
F	1550256.55	7313584.47

**ATTACHMENT 1**

# ATTACHMENT 2

## BOUNDARY DESCRIPTION

BEGINNING N89°59'08"W ALONG THE SECTION LINE 854.38 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 10, T5S, R1E, SALT LAKE BASE AND MERIDIAN:

SAID POINT ALSO BEING THE SOUTH EAST CORNER OF LOT 131, PLAT A, HUNTER'S GROVE SUBDIVISION IN LEHI CITY, PROCEEDING N00°01'30"W 1322.61 FEET ALONG THE EAST SIDE OF HUNTER'S GROVE "A" & "C", THENCE CONTINUING ON THE EAST SIDE OF HUNTER'S GROVE "C" THE NEXT FOUR (4) CALLS, N01°05'20"W 185.36 FEET, N00°36'00"E 367.69 FEET, N00°50'01"E 142.93 FEET, AND N89°27'16"W 4.79 FEET REJOINING THE EXISTING AMERICAN FORK CITY BOUNDARY. 0.592 ACRES



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval *Kristen M. Colborn*

**AGENDA ITEM** Review and action on a Resolution indicating the City's intent to annex the Brad Reynolds American Fork City Annexation consisting of 18.45 acres at 725 West 200 South.

**SUMMARY RECOMMENDATION** Approval of the Resolution

**BACKGROUND** This property is in the City's Annexation declaration area.

**BUDGET IMPACT** N/A

**SUGGESTED MOTION** Move to approve the Resolution indicating the City's intent to annex the Brad Reynolds American Fork City Annexation consisting of 18.45 acres at approximately 725 West 200 South.

**SUPPORTING DOCUMENTS**

1. Resolution

**RESOLUTION NO.**

**Brad Reynolds American Fork City Annexation  
(725 West 200 South)**

**A RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO ANNEX A PORTION OF AN EXISTING ISLAND OR PENINSULA, IDENTIFYING THE AREA PROPOSED FOR ANNEXATION; AUTHORIZING A PUBLIC HEARING ON THE PROPOSED ANNEXATION AND PROVIDING FOR THE PUBLICATION OF NOTICE OF SAID HEARING:**

**WHEREAS**, Section 10-2-418, Utah Code Annotated, 1953, as amended, establishes a procedure and criteria for the annexation of unincorporated territory within an existing peninsula or island, and

**WHEREAS**, the City has received a request from owners of real property within an existing peninsula or island of unincorporated territory situated contiguous to the boundaries of American Fork City, requesting annexation of said territory to the City, and

**WHEREAS**, the City desires to honor the request of the property owners and effectuate the annexation in accordance with the procedures set forth under State Law,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH:**

**SECTION 1.** The City Council hereby acknowledges receipt of a written notice from the owners of real property within an existing peninsula or island requesting that the property be annexed into American Fork City, in accordance with the terms of the State Law relating to annexation of property within an island or peninsula (UCA 10-2-418). A copy of the request signed by the owner of each parcel requesting annexation is set forth on Exhibit A. Further, an annexation plat showing the location of the area proposed for annexation and designating the area as the "**Brad Reynolds American Fork City Annexation**" is set forth on Exhibit B which exhibits are attached hereto and by this reference made part of this Resolution.

**SECTION 2.** The City Council hereby indicates its desire and intent to annex the territory identified on Exhibit B.

**SECTION 3.** The City hereby acknowledges that the proposed annexation area constitutes only a portion of the existing island or peninsula, but hereby finds and determines that annexation of only a portion of the existing island or peninsula is in the best interest of the City.

**SECTION 4.** The City Council hereby authorizes a public hearing on the proposed annexation and instructs the City Recorder to publish notice thereof to the public and provide

written notice to the County Commission, and each special district whose boundaries contain some or all of the area proposed for annexation, all in accordance with the provisions of State Law.

**SECTION 5.** The provisions of this Resolution shall take effect upon its passage.

**PASSED BY THE CITY COUNCIL OF AMERICAN FORK, UTAH, THIS 9 DAY OF DECEMBER, 2014.**

\_\_\_\_\_  
James H. Hadfield, Mayor

ATTEST:

\_\_\_\_\_  
Richard M. Colborn, City Recorder







**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval A. Craig Whitehead

**AGENDA ITEM** Adoption of the Parks, Arts, Recreation and Culture (PARC) Sales and Use Tax.

**SUMMARY RECOMMENDATION** Staff recommends approval of the attached ordinance implementing the PARC Tax, as approved by the voters of American Fork.

**BACKGROUND** The recent general election ballot included an opinion question to American Fork residents regarding the possible imposition of a citywide tax to fund Parks, Arts, Recreation, and Cultural activities and organizations in the City of American Fork, to be known as the “PARC Tax.”

Utah State Code authorizes a city to submit an opinion question to its voters as to whether or not the city should impose a local sale and use tax of one tenth of one percent (0.1%), on authorized transactions to support park, cultural, and recreational facilities and organizations in the city (commonly called a RAP tax; the City named it the PARC tax for the ballot initiative).

A city may *not* impose a PARC tax if the county in which the city is located has either enacted a countywide RAP tax or has declared its intent to submit an opinion question to county voters as to whether the county should impose a countywide PARC tax. The City passed a resolution at their regular council meeting of July 8, 2014 notifying the County that the City would like to place the opinion question on the general election the following November.

The ballot opinion question was approved by the voters with by a 56% to 44% margin; 3,302 voting “yes” and 2,606 voting “no.”

The next step in implementing the PARC Tax is City Council adoption of the attached ordinance.

**BUDGET IMPACT** The 0.1 percent sales tax would generate an estimated \$600,000+ annually, depending on future taxable sales. This is not part of the City’s Local Option Sales Tax of one percent, but a separate and distinct sales tax added to the other components that make up the total sales tax of 6.85%.

Since it is not part of the Local Option Sales tax, it is not distributed through the State redistribution formula for that tax; the City, therefore, receives the total one tenth of one percent.

The funds received from the PARC tax will support facilities and organizations in the City of American Fork as prescribed by State law.

**SUGGESTED MOTION** I move approval of the attached Parks, Arts, Recreation and Culture Sales and Use Tax ordinance.

**SUPPORTING DOCUMENTS** Ordinance for the Parks, Arts, Recreation and Culture Sales and Use Tax.

**Ordinance No. \_\_\_\_\_**  
**Parks, Arts, Recreation and Culture Sales and Use Tax**

WHEREAS, the State of Utah empowers cities to impose a sales and use tax for the purpose of enhancing public financial support of publicly owned and operated recreation and zoological facilities, and botanical, cultural, and zoological organizations owned or operated by institutions or private nonprofit organizations.

WHEREAS, a sales and use tax pursuant to UTAH CODE ANN. §59-12-1402 may be imposed if it is determined by the legislative body that a majority of the city's registered voters voting on the imposition of the tax have voted in favor of the imposition.

WHEREAS, the County Board of Canvassers has determined, and American Fork City Council has certified, that a majority of the City's registered voters voting on the imposition of the Parks, Arts, Recreation and Culture Sales and Use Tax have voted in favor of the imposition.

NOW THEREFORE, be it ordained by the American Fork City Council that the American Fork City Code be amended as follows:

**Title.**

This chapter shall be known as the "Parks, Arts, Recreation and Culture Sales and Use Tax."

**Purpose.**

It is the purpose of this chapter to establish, enact, impose, and levy a Parks, Arts, Recreation and Culture Sales and Use Tax in accordance with UTAH CODE ANN. §59-12-1401 et. seq. for the purpose of funding cultural arts facilities and organizations and recreational facilities in the City of American Fork.

**Imposition—Amount.**

There is levied for collection a sales and use tax at the rate of one-tenth of one percent (.1%) on all transactions described in UTAH CODE ANN. §59-12-103(1), as amended, that are located within the City of American Fork.

**Distribution and Use of Revenue.**

The revenue shall be distributed in accordance with UTAH CODE ANN. §59-12-1403 and for the purpose of funding eligible cultural arts facilities and organizations and recreational facilities in the City of American Fork, pursuant to UTAH CODE ANN. §59-12-1401 et. seq.

**Effective Date.**

The ordinance codified in this chapter shall become effective at 12:01 a.m. April 1, 2015. For transactions subject to the Parks, Arts, Recreation and Culture Tax pursuant to UTAH CODE ANN. §59-12-103(1) that are located within the City of American Fork, the effective date shall be the first day of the first billing period on or after April 1, 2015, if the billing period for the transaction begins before April 1, 2015. For catalogue sales (as defined by the Utah State Tax Commission) where the amount of the tax due is computed on the basis of sales and use tax rates published in the catalogue, the tax shall begin June 1, 2015.

**Duration.**

The Parks, Arts, Recreation and Culture Sales and Use Tax shall be in effect for a period of eight (8) years.

This ordinance shall take effect immediately upon its passage and publication as prescribed by law.

Passed by the American Fork City Council on this 9<sup>th</sup> day of December, 2014.

MAYOR

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JAMES H. HADFIELD  
Mayor of American Fork

ATTEST:

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RICHARD COLBORN  
City Recorder



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval

*A. Craig Whitehead*

**AGENDA ITEM** Wastewater rates and the cost impact of the Timpanogos Special Service District (TSSD) Rate Increase to treat wastewater.

**SUMMARY RECOMMENDATION** Staff recommends keeping wastewater rates stable and not increasing rates as recommended by the Bowen Collins rate analysis completed earlier this year. Staff recommends that the City staff monitor and evaluate actual expenditures and revenues each year to determine if the City needs to implement a rate adjustment for that fiscal year.

The City can avoid any increase this year since we reduced capital expenditures in this year's budget in order to absorb the TSSD increase. The annual analysis will help determine if we are adequately funding investment in infrastructure improvements.

It is due to these capital investments that the City has reduced infiltration to the system and therefore has reduced TSSD costs over the past four years (see attachment #1). The TSSD rate increase, however, will significantly increase our TSSD treatment costs for FY2015.

**BACKGROUND** In July TSSD approved a 13.8 percent rate increase on charges to the District's nine contributing municipalities. A User Rate Study completed by the firm Bowen Collins recommended the rate increase. This increase in treatment costs will have a significant impact on the City's wastewater budget.

The actual TSSD treatment cost for FY2014 was \$2,354,636. Staff projects the treatment costs due to the rate increase will be \$2,648,900 in FY 2015, a \$294,000 increase, or 12.5% percent (see attachment #2). Staff, anticipating the TSSD rate increase, adjusted the FYE 2015 budget to \$2.8M. Staff needed, however, to reduce the capital expenditures in order to absorb the increase in TSSD costs.

**Recommended Rate Increases vs. Original and Updated Bowen Collins Study**

<b>Year</b>	<b>Original Study</b>	<b>Updated Study Recommendation Based on TSSD Rate Increase</b>	<b>Staff Recommended</b>
FYE 2015	0%	3.75%	0%

We may not, however, see a need for a rate increase in the future as we continue to lower infiltration to our system and decrease flows to TSSD. This will happen if we can sustain our capital investments at the recommended levels. Staff will continue to monitor the actual expenditures and revenues each year to determine if a rate adjustment would be warranted.

The attached graph gives a history of the City’s TSSD treatment costs, as well as projections for this year and FY 2015 (see attachment #1). The projection includes the 13.8 percent increase.

**BUDGET IMPACT** As noted above, we project the TSSD rate increase to increase the City’s treatment costs by \$294,000. Staff also, however, reduced capital expenditures in order to cover this increase.

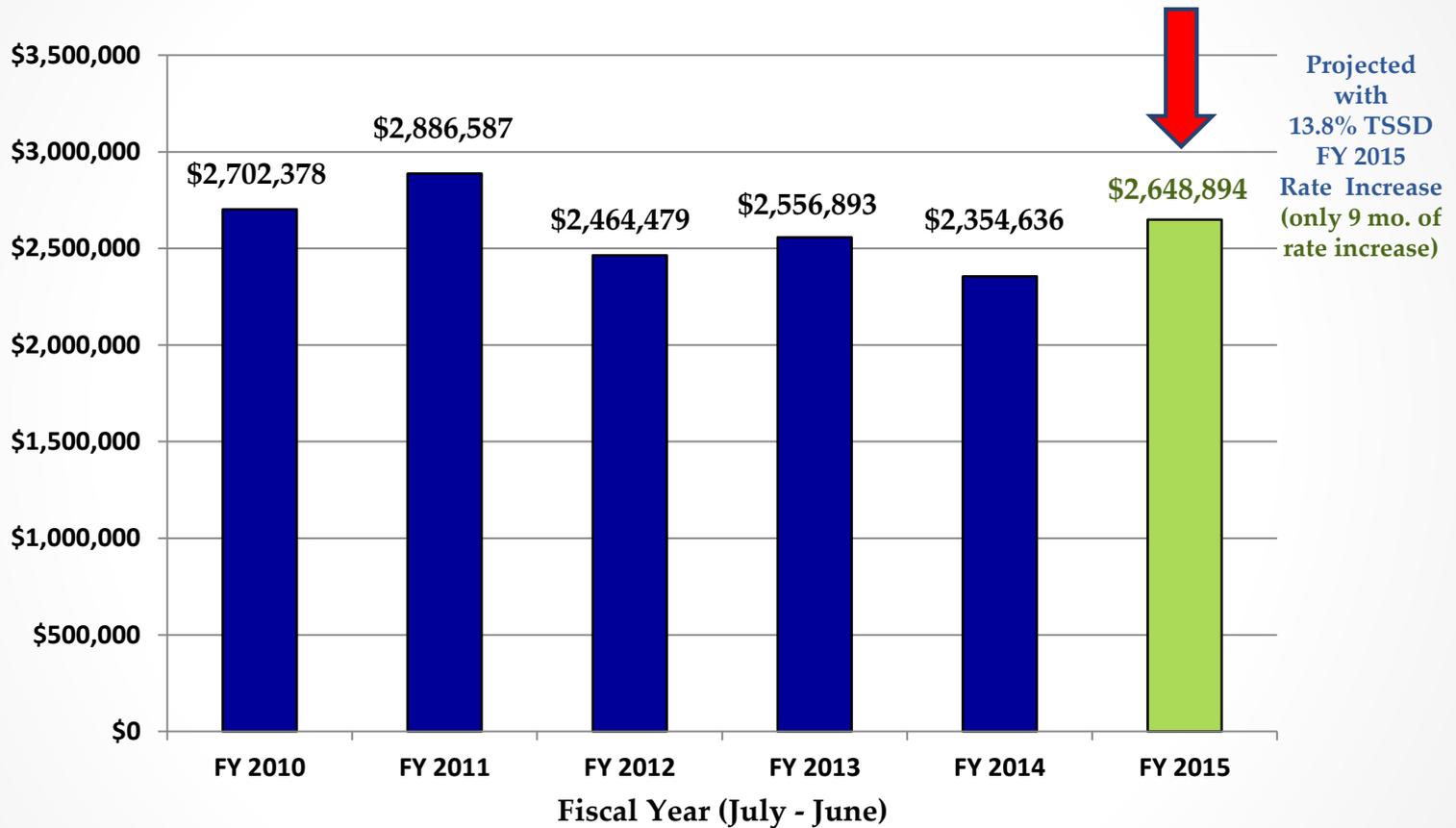
**SUGGESTED MOTION** I move to direct staff to monitor and evaluate wastewater rates each year based on actual revenues and expenditures.

**SUPPORTING DOCUMENTS**

1. Graph – TSSD Historical Treatment Costs
2. Projected Impact of TSSD Rate Increase
3. Bowen Collins TSSD Rate Study – Technical Memo Modification

# TSSD Treatment Costs

## FY 2010 - FY 2014 & Projected FY 2015



## Projected Impact of TSSD 13.8% Rate Increase

November 1, 2014

	<b>BOD</b>	<b>TSS</b>	<b>Flow</b>	<b>Total</b>
<b>Current Rates</b>	<b>0.154</b>	<b>0.117</b>	<b>1.96</b>	<b>2.231</b>
<b>Proposed Rates</b>	<b>0.223</b>	<b>0.179</b>	<b>2.077</b>	<b>2.479</b>
<b>Percent Change</b>	44.8%	53.0%	6.0%	11.1%

### Fiscal Year 2014 - Actuals

<b>Month</b>	<b>BOD</b>	<b>TSS</b>	<b>Flow</b>	<b>Total Billing \$</b>
July-13	146,997	143,631	76,136	\$ 188,669
August-13	138,017	145,991	71,889	\$ 179,238
September-13	114,288	117,711	63,150	\$ 155,147
October-13	163,163	160,671	76,601	\$ 194,064
November-13	161,506	171,110	76,770	\$ 195,361
December-13	182,077	189,780	83,968	\$ 214,822
January-14	185,938	174,034	80,414	\$ 206,608
February-14	160,652	156,886	71,344	\$ 182,930
March-14	163,188	180,754	78,740	\$ 200,610
April-14	164,335	166,783	78,270	\$ 198,230
May-14	216,179	213,080	96,503	\$ 247,368
June-14	124,062	150,476	79,020	\$ 191,590
<b>Totals</b>	<b>1,920,402</b>	<b>1,970,907</b>	<b>932,805</b>	<b>\$ 2,354,636</b>

### Projected FY2015 Costs w/Rate Increase\*\*

					<b>\$ Increase</b>	<b>% Increase</b>
July-14	\$ 20,274	\$ 15,161	\$ 148,315	\$ 183,750	\$ (4,919)	-2.61%
August-14	\$ 18,563	\$ 13,631	\$ 153,541	\$ 185,735	\$ 6,497	3.62%
September-14	\$ 18,224	\$ 13,245	\$ 146,177	\$ 177,645	\$ 22,499	14.50%
October-14	\$ 28,094	\$ 21,227	\$ 158,778	\$ 208,099	\$ 14,036	7.23%
November-14	\$ 36,016	\$ 30,629	\$ 159,451	\$ 226,096	\$ 30,735	15.73%
December-14	\$ 40,603	\$ 33,971	\$ 174,402	\$ 248,975	\$ 34,153	15.90%
January-15	\$ 41,464	\$ 31,152	\$ 167,020	\$ 239,636	\$ 33,028	15.99%
February-15	\$ 35,825	\$ 28,083	\$ 148,181	\$ 212,089	\$ 29,159	15.94%
March-15	\$ 36,391	\$ 32,355	\$ 163,543	\$ 232,289	\$ 31,679	15.79%
April-15	\$ 36,647	\$ 29,854	\$ 162,567	\$ 229,068	\$ 30,837	15.56%
May-15	\$ 48,208	\$ 38,141	\$ 200,437	\$ 286,786	\$ 39,418	15.94%
June-15	\$ 27,666	\$ 26,935	\$ 164,125	\$ 218,726	\$ 27,135	14.16%
<b>Total Projected</b>	<b>\$ 387,974</b>	<b>\$ 314,384</b>	<b>\$ 1,946,536</b>	<b>\$ 2,648,894</b>	<b>\$ 294,258</b>	<b>12.50%</b>
<b>Percent of Bill</b>	<b>14.6%</b>	<b>11.9%</b>	<b>73.5%</b>			
			<b>Monthly Average</b>	<b>\$ 220,741</b>	<b>\$ 24,521</b>	<b>Mo. Ave.</b>



## TECHNICAL MEMORANDUM

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**DATE:** June 30, 2014

**TO:** American Fork City

**FROM:** Keith Larson, P.E. and Devin Stoker  
Bowen, Collins & Associates  
154 East 14000 South  
Draper, Utah 84020

**COPIES:** File

**PROJECT:** Utility Rate Study

**SUBJECT:** Modification to Recommended Rate Increases for American Fork Sewer Rates

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### BACKGROUND

Bowen Collins & Associates (BC&A) recently completed a sewer rate study for American Fork City (City). The results of this study were documented as part of a larger study entitled "American Fork City Utility Rate Study" (BC&A, May 2014). In that study, BC&A recommended rate increases for the City's sewer rates beginning in fiscal year ending (FYE) 2016. Timpanogos Special Service District (TSSD) has recently adopted a significant rate increase, scheduled to take effect on July 1, 2015. In order to account for this scheduled TSSD rate increase, the City has asked BC&A to reconsider the recommended rate increases for the City's Sewer Rates found in the Utility Rate Study. The purpose of this memorandum is to document the results of this analysis.

### METHODOLOGY

The overall sewer rate study prepared by BC&A was based on American Water Works Association (AWWA) cost-of-service methodology. The details of this methodology have been documented in the Utility Rate Study report. For this analysis BC&A has followed the same methodology.

### RESULTS

The revised approach for meeting the projected revenue needs of the City is shown in Figure 1. The goal of this approach is to increase rates over the next two years to account for the scheduled

TSSD rate increase and then slowly raise rates thereafter to keep pace with inflation. A comparison of recommended rate increases to those contained in the original utility study is shown as Table 1. Updated output from the detailed rate model is attached at the end of this memo.

**Table 1**  
**New Recommended Rate Increases vs. Original Rate Study**

<b>Year</b>	<b>Original Study</b>	<b>New Recommendation</b>
FYE 2015	0%	3.75%
FYE 2016	5.0%	3.75%
FYE 2017	5.0%	2.0%
FYE 2018	2.0%	2.0%
FYE 2019	2.0%	1.0%
FYE 2020	1.0%	1.0%
FYE 2021	1.0%	0%
FYE 2022	0%	0%
FYE 2023	0%	0%

**RECOMMENDED RATES**

Based on the revised recommendation for rate increases, the recommended rates for American Fork sewer are shown in Table 2, As is documented in the Utility Rate Study report, the cost-of-service sewer rate model suggests that the City’s current rate structure isn’t quite in line with the actual cost-of-service and that a shift from the monthly base administrative charge to the volume charge is merited. BC&A would recommend that this shift in cost allocation take place gradually over the coming years to maintain rate stability. The monthly base rates would be held constant through 2019 at the current rate of \$35.55/month per customer. During this period, all projected increases would be reflected entirely in the volume rates charged to customers. If this approach is followed, the cost allocations will eventually be balanced with actual cost-of-service sometime outside the planning window of this study

**Table 2**  
**Recommended Sewer Rates**

<b>Monthly Base Rate</b>	<b>Existing</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
All Customers	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55
<b>Total Volume Rate (\$/kgal)</b>						
All Customers	\$1.40	\$1.61	\$1.82	\$1.94	\$2.06	\$2.12

**PORTION OF RATES ASSOCIATED WITH TSSD CHARGES**

In a memorandum titled “Effect of TSSD Charges on American Fork Sewer Rates” (BC&A, May 6, 2014), BC&A calculated the portion of City sewer costs that are directly connected to TSSD

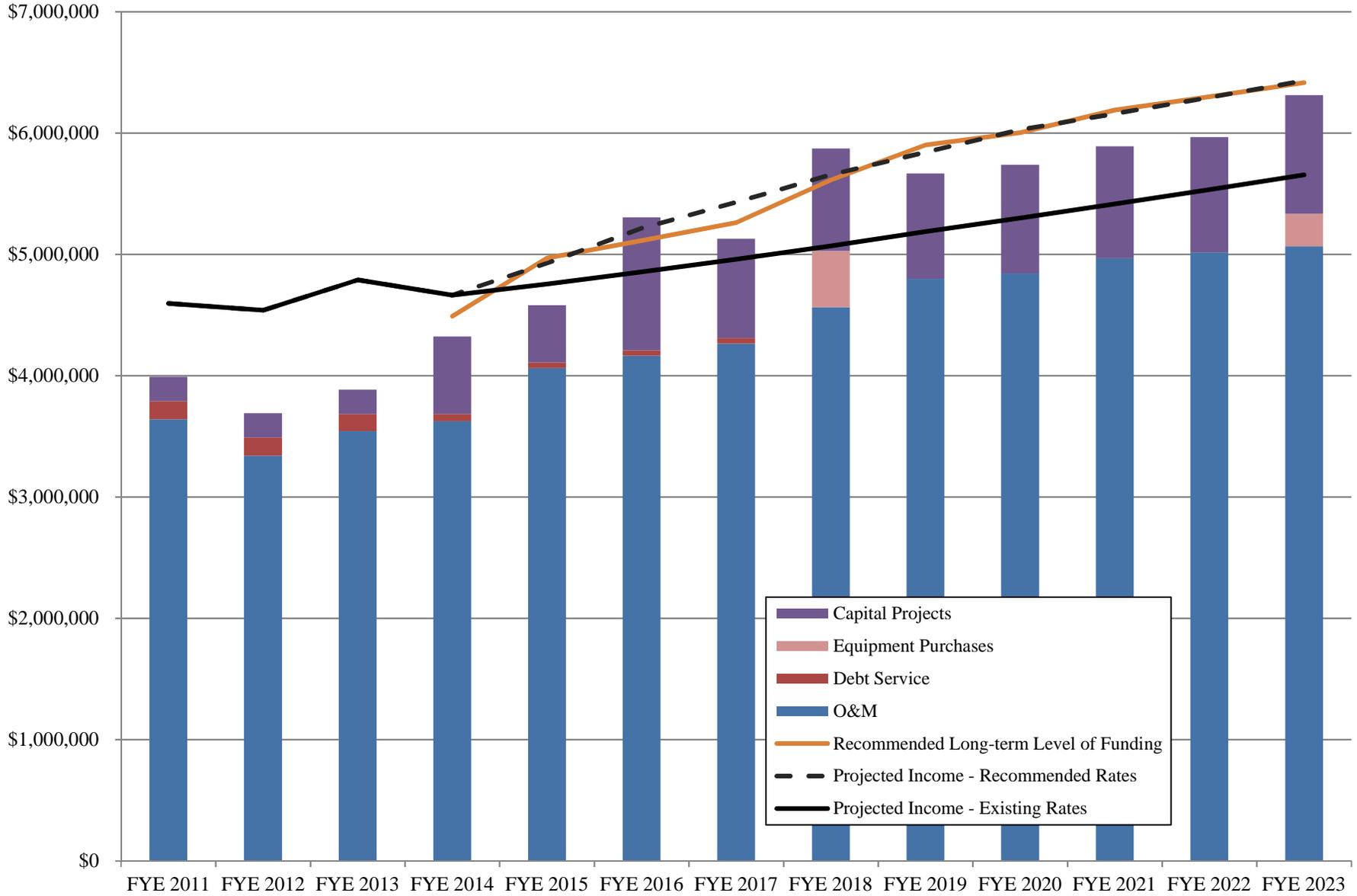
charges. With the new recommended rate increases, those percentages changed slightly. The updated results are summarized in Table 3.

**Table 3  
TSSD Portion of Total City Sewer Charges**

	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
<b>Monthly Base Rate</b>						
Total City Rate	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55
TSSD Rate	\$19.66	\$19.66	\$19.66	\$19.66	\$19.66	\$19.66
% of Total	55.3%	55.3%	55.3%	55.3%	55.3%	55.3%
<b>Total Volume Rate</b>						
Total City Rate	\$1.40	\$1.61	\$1.82	\$1.94	\$2.06	\$2.12
TSSD Rate	\$0.88	\$1.31	\$1.31	\$1.31	\$1.40	\$1.40
% of Total	62.9%	81.5%	71.9%	67.5%	67.9%	65.9%

Included in the table is the portion of TSSD charges as a percentage of total sewer rates. As described in memorandum, the percent of total for monthly base rates remains constant through the planning window. For volume rates, however, the percentage changes dramatically from year to year. This is because the schedule for rate increases in the City is different from the schedule for rate increases at TSSD.

**Figure 1**  
**10-Year Revenue and Expenditures - Sewer**



**Table 1**  
**American Fork City - Sewer Rate Study**  
**Historic Indoor Water Use**  
**(kgal)**

Customer Class	FYE 2011			FYE 2012			FYE 2013			Planning Use/Account	Use/Account (kgal/month)
	Use	Accounts	Use per Account	Use	Account	Use per Account	Use	Accounts	Use per Account		
Residential	608,488	6,418	94.8	525,132	6,421	81.8	588,503	7,196	81.8	83.2	6.9
Commercial/Misc	214,642	550	390.6	185,239	552	335.3	207,567	619	335.3	341.3	28.4
Industrial	29	2	14.7	25	2	12.7	25	2	12.7	12.9	1.1
<b>Total Billed Use</b>	<b>823,130</b>	<b>6,969</b>	<b>118.1</b>	<b>710,370</b>	<b>6,975</b>	<b>101.8</b>	<b>796,095</b>	<b>7,817</b>	<b>101.8</b>	<b>101.8</b>	<b>8.5</b>
<b>Total TSSD Use</b>	<b>1,184,151</b>			<b>1,021,935</b>			<b>1,145,259</b>				

**Table 2**  
**American Fork City - Sewer Rate Study**  
**Projected ERUs**

Customer Class	% Growth	Number					
		FYE 2014	FYE 2015	FYE 2016	FYE 2017	FYE 2018	FYE 2019
		<b>1.50%</b>	<b>1.70%</b>	<b>1.90%</b>	<b>2.00%</b>	<b>2.09%</b>	<b>2.17%</b>
Residential		7,304	7,428	7,569	7,721	7,882	8,053
Commercial/Misc		628	639	651	664	678	693
Industrial		2	2	2	2	2	2
<b>Total</b>		<b>7,934</b>	<b>8,069</b>	<b>8,222</b>	<b>8,387</b>	<b>8,562</b>	<b>8,748</b>

**Table 3**  
**American Fork City - Sewer Rate Study**  
**Projected Annual Indoor Water Use**

Customer Class	Use/Account	Amount (kgal)					
		FYE 2014	FYE 2015	FYE 2016	FYE 2017	FYE 2018	FYE 2019
Residential	83.2	607,887	618,207	629,942	642,592	655,992	670,223
Commercial/Misc	341.3	214,305	218,059	222,154	226,590	231,368	236,486
Industrial	12.9	26	26	26	26	26	26
<b>Total</b>		<b>822,218</b>	<b>836,292</b>	<b>852,122</b>	<b>869,208</b>	<b>887,385</b>	<b>906,736</b>

**Table 4**  
**American Fork City - Sewer Rate Study**  
**Projected Total Wastewater Flow**

2013

Total Flow at Treatment Plant (mgd)= 3.14

Customer Class	Amount (mgd)					
	FYE 2014	FYE 2015	FYE 2016	FYE 2017	FYE 2018	FYE 2019
Residential	2.40	2.44	2.48	2.53	2.59	2.64
Commercial/Misc	0.84	0.86	0.88	0.89	0.91	0.93
Industrial	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>3.24</b>	<b>3.30</b>	<b>3.36</b>	<b>3.43</b>	<b>3.50</b>	<b>3.57</b>

**Table 5**  
**American Fork City - Sewer Rate Study**  
**Peaking Factors**

Customer Class	Est. Peak Hour Factor
Residential	2.00
Commercial/Misc	2.00
Industrial	2.00

**Table 6**  
**American Fork City - Sewer Rate Study**  
**Projected Flow Peaking Characteristics**

Customer Class	Estimated Peak Hour (mgd)					
	FYE 2014	FYE 2015	FYE 2016	FYE 2017	FYE 2018	FYE 2019
Residential	3.33	3.39	3.45	3.52	3.59	3.67
Commercial/Misc	1.17	1.19	1.22	1.24	1.27	1.30
Industrial	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>4.51</b>	<b>4.58</b>	<b>4.67</b>	<b>4.76</b>	<b>4.86</b>	<b>4.97</b>

Customer Class	Excess Over Average Day (mgd)					
	FYE 2014	FYE 2015	FYE 2016	FYE 2017	FYE 2018	FYE 2019
Residential	1.67	1.69	1.73	1.76	1.80	1.84
Commercial/Misc	0.59	0.60	0.61	0.62	0.63	0.65
Industrial	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Billed Use</b>	<b>2.25</b>	<b>2.29</b>	<b>2.33</b>	<b>2.38</b>	<b>2.43</b>	<b>2.48</b>

**Table 7  
American Fork City - Sewer Rate Study  
Strength**

<b>Customer Class</b>	<b>BOD (mg/L)</b>	<b>TSS (mg/L)</b>
Residential	198	213
Commercial/Misc	198	213
Industrial	198	213
Approximate Cost Division	55%	45%

**Table 8  
American Fork City - Sewer Rate Study  
Projected Strength Characteristics**

<b>Customer Class</b>	<b>BOD (lbs/year)</b>					
	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	1,445,573	1,470,114	1,498,020	1,528,104	1,559,968	1,593,811
Commercial/Misc	509,624	518,551	528,289	538,838	550,199	562,372
Industrial	61	61	61	61	61	61
<b>Total</b>	<b>1,955,258</b>	<b>1,988,726</b>	<b>2,026,370</b>	<b>2,067,003</b>	<b>2,110,228</b>	<b>2,156,244</b>

<b>Customer Class</b>	<b>TSS (lbs/year)</b>					
	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	1,556,067	1,582,485	1,612,524	1,644,906	1,679,206	1,715,637
Commercial/Misc	548,578	558,187	568,669	580,025	592,255	605,357
Industrial	66	66	66	66	66	66
<b>Total Billed Use</b>	<b>2,104,711</b>	<b>2,140,738</b>	<b>2,181,259</b>	<b>2,224,997</b>	<b>2,271,527</b>	<b>2,321,060</b>

<b>Customer Class</b>	<b>Weighted Average (lbs/year)</b>					
	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	1,495,283	1,520,668	1,549,534	1,580,652	1,613,612	1,648,619
Commercial/Misc	527,149	536,383	546,455	557,368	569,119	581,710
Industrial	63	63	63	63	63	63
<b>Total Billed Use</b>	<b>2,022,495</b>	<b>2,057,114</b>	<b>2,096,053</b>	<b>2,138,083</b>	<b>2,182,795</b>	<b>2,230,393</b>

**Table 9**  
**American Fork City - Sewer Rate Study**  
**Connection Fee Revenue**

Size of Meter	Impact Fee (\$/ERU)	Historic FYE 2013	Projected FYE 2014	Projected FYE 2015	Projected FYE 2016	Projected FYE 2017	Projected FYE 2018	Projected FYE 2019
Per ERU	\$588.00	\$209,039	\$68,796	\$79,380	\$89,964	\$97,020	\$102,900	\$109,368
<b>Total Impact Fee Revenue</b>		<b>\$209,039</b>	<b>\$68,796</b>	<b>\$79,380</b>	<b>\$89,964</b>	<b>\$97,020</b>	<b>\$102,900</b>	<b>\$109,368</b>

**Table 10**  
**American Fork City - Sewer Rate Study**  
**Non-Rate Revenue (Including Connection Fees)**

Assumed Inflation Rate = 3.0%

Item	Historic FYE 2013	Projected FYE 2014	Projected FYE 2015	Projected FYE 2016	Projected FYE 2017	Projected FYE 2018	Projected FYE 2019
<i>Operations</i>							
Sewer Hook-Up Fee	\$29,845	\$27,495	\$28,787	\$30,198	\$31,708	\$33,322	\$35,046
Sewer Late Fee	\$41,577	\$30,100	\$31,515	\$33,059	\$34,712	\$36,479	\$38,367
Interest Earnings	\$40,211	\$2,500	\$2,618	\$2,746	\$2,883	\$3,030	\$3,187
<b>Total Operations Non-Rate Revenue</b>	<b>\$111,633</b>	<b>\$60,095</b>	<b>\$62,919</b>	<b>\$66,003</b>	<b>\$69,303</b>	<b>\$72,831</b>	<b>\$76,600</b>
<i>Expansion and Replacement</i>							
Impact Fees	\$209,039	\$68,796	\$79,380	\$89,964	\$97,020	\$102,900	\$109,368
<b>Total Expansion Non-Rate Revenue</b>	<b>\$209,039</b>	<b>\$68,796</b>	<b>\$79,380</b>	<b>\$89,964</b>	<b>\$97,020</b>	<b>\$102,900</b>	<b>\$109,368</b>
<b>Total Non-Rate Revenue</b>	<b>\$320,672</b>	<b>\$128,891</b>	<b>\$142,299</b>	<b>\$155,967</b>	<b>\$166,323</b>	<b>\$175,731</b>	<b>\$185,968</b>

**Table 11**  
**American Fork City - Sewer Rate Study**  
**Revenue Requirements**  
**Cash Basis**

<b>Item</b>	<b>Historic FYE 2013</b>	<b>Projected FYE 2014</b>	<b>Projected FYE 2015</b>	<b>Projected FYE 2016</b>	<b>Projected FYE 2017</b>	<b>Projected FYE 2018</b>	<b>Projected FYE 2019</b>
<i>O&amp;M</i>							
Salary & Wages (Full-Time)	\$278,980	\$287,349	\$295,970	\$304,849	\$313,994	\$323,414	\$333,117
Overtime	\$26,511	\$27,306	\$28,125	\$28,969	\$29,838	\$30,733	\$31,655
Salary & Wages (Part-Time)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Employee Benefits	\$140,120	\$144,323	\$148,653	\$153,113	\$157,706	\$162,437	\$167,310
Travel	\$2,138	\$2,218	\$2,304	\$2,395	\$2,490	\$2,591	\$2,697
Postage	\$8,563	\$8,884	\$9,226	\$9,591	\$9,974	\$10,378	\$10,802
Equipment Supplies and Maintenance	\$8,535	\$8,855	\$9,196	\$9,559	\$9,942	\$10,344	\$10,767
Insurance	\$30,330	\$31,468	\$32,679	\$33,970	\$35,329	\$36,758	\$38,261
Professional & Technical	\$18,074	\$18,752	\$19,474	\$20,243	\$21,053	\$21,904	\$22,800
Education	\$585	\$603	\$621	\$639	\$658	\$678	\$699
Special Department Supplies	\$26,301	\$27,288	\$28,338	\$29,458	\$30,636	\$31,875	\$33,178
TSSD Fees	\$2,557,560	\$2,595,924	\$2,998,292	\$3,055,259	\$3,116,365	\$3,256,336	\$3,327,141
Contributions to the General Fund	\$409,000	\$424,338	\$440,674	\$458,081	\$476,404	\$495,679	\$515,938
Reserved for Liability	\$30,000	\$31,125	\$32,323	\$33,600	\$34,944	\$36,358	\$37,844
Equipment Purchases	\$5,983	\$6,163	\$6,348	\$6,538	\$6,734	\$6,936	\$7,144
Engineering Services - Master Plan Review	\$0	\$4,000	\$4,154	\$4,318	\$4,491	\$4,672	\$4,863
Light Duty Vehicles	\$0	\$6,000	\$6,180	\$12,731	\$13,113	\$20,259	\$20,867
New Staff - Two new positions	\$0	\$0	\$0	\$0	\$0	\$112,769	\$232,305
<b>Total O&amp;M</b>	<b>\$3,542,681</b>	<b>\$3,624,595</b>	<b>\$4,062,558</b>	<b>\$4,163,313</b>	<b>\$4,263,672</b>	<b>\$4,564,124</b>	<b>\$4,797,388</b>
<i>Debt Service</i>							
GO Bond	\$140,600	\$59,300	\$45,900	\$45,900	\$45,900	\$0	\$0
<b>Total Debt Service</b>	<b>\$140,600</b>	<b>\$59,300</b>	<b>\$45,900</b>	<b>\$45,900</b>	<b>\$45,900</b>	<b>\$0</b>	<b>\$0</b>
<i>Expansion and Replacement</i>							
	<b>FYE 2013</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Sewer Line Rehabilitation Program	\$ 200,000	\$ 200,000	\$472,500	\$328,168	\$469,545	\$444,132	\$462,284
450 West - Pipe Upsize				\$ 369,670	\$ 350,000	\$ 400,000	
200 South - Pipe Upsize		\$ 212,124					
Roosevelt Ave - Pipe Upsize		\$ 225,399					
Maintenance Building (25 Percent)				\$ 397,838			
600 East - 100 North to 180 North							\$ 228,064
400 South - 100 East to 130 East							\$ 179,108
20-inch Casing for Vineyard Connector							
Jet Vac Truck						\$ 463,710	
Bond Revenue							
Transfer to/(from) Reserve Fund	\$ 906,314	\$ 343,222	\$ 347,375	\$ (89,300)	\$ 301,566	\$ (214,482)	\$ 176,085
<b>Total Capital Outlays</b>	<b>\$ 1,106,314</b>	<b>\$980,745</b>	<b>\$819,875</b>	<b>\$1,006,375</b>	<b>\$1,121,111</b>	<b>\$1,093,359</b>	<b>\$1,045,541</b>
<b>Total Revenue Requirements</b>	<b>\$ 4,789,595</b>	<b>\$4,664,640</b>	<b>\$4,928,332</b>	<b>\$5,215,588</b>	<b>\$5,430,683</b>	<b>\$5,657,483</b>	<b>\$5,842,929</b>
<b>LESS:</b>							
Operations Non-Rate Revenue	\$111,633	\$60,095	\$62,919	\$66,003	\$69,303	\$72,831	\$76,600
Expansion Non-Rate Revenue	\$209,039	\$68,796	\$79,380	\$89,964	\$97,020	\$102,900	\$109,368
<b>Net Revenue Requirements</b>	<b>\$ 4,468,923</b>	<b>\$ 4,535,749</b>	<b>\$ 4,786,033</b>	<b>\$ 5,059,621</b>	<b>\$ 5,264,360</b>	<b>\$ 5,481,752</b>	<b>\$ 5,656,961</b>



**Table 13**  
**American Fork City - Sewer Rate Study**  
**Fixed Assets Allocations to Service Characteristics**

Item	Percent						Allocated Amount				
	Assets	Volume	Capacity	Strength	Customer	Total	Volume	Capacity	Strength	Customer	Total
Main Lines	\$6,668,417	40%	0%	0%	60%	100%	\$2,667,367	\$0	\$0	\$4,001,050	\$6,668,417
<b>Total</b>	<b>\$6,668,417</b>						<b>\$2,667,367</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,001,050</b>	<b>\$6,668,417</b>
<b>Percent</b>							<b>40.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>60.0%</b>	<b>100.0%</b>



**Table Rates 17**  
**American Fork City - Sewer Rate Study**  
**Existing Rates and Projected Revenue**

<b>Base Rate (\$/connection)</b>	<b>Existing</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	\$35.55	\$3,115,886	\$3,168,785	\$3,228,935	\$3,293,779	\$3,362,461	\$3,435,410
Commercial/Misc	\$35.55	\$267,905	\$272,597	\$277,717	\$283,262	\$289,235	\$295,634
Industrial	\$35.55	\$853	\$853	\$853	\$853	\$853	\$853

<b>Volume Rate (\$/1,000 gal)</b>	<b>Existing</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	\$1.40	\$851,041	\$865,490	\$881,919	\$899,629	\$918,388	\$938,313
Commercial/Misc	\$1.40	\$300,027	\$305,283	\$311,016	\$317,226	\$323,915	\$331,081
Industrial	\$1.40	\$36	\$36	\$36	\$36	\$36	\$36

<b>Revenue - Existing Rates</b>	\$4,535,749	\$4,613,044	\$4,700,475	\$4,794,786	\$4,894,889	\$5,001,327
<b>Revenue Required</b>	\$4,535,749	\$4,786,033	\$5,059,621	\$5,264,360	\$5,481,752	\$5,656,961
<b>Surplus/(Shortfall)</b>	\$0	(\$172,989)	(\$359,146)	(\$469,574)	(\$586,863)	(\$655,634)

**Table Rates 18**  
**American Fork City - Sewer Rate Study**  
**Calculated Rates**

<b>Monthly Base Rate</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	\$28.03	\$28.77	\$29.93	\$30.58	\$31.40	\$31.97
Commercial/Misc	\$28.03	\$28.77	\$29.93	\$30.58	\$31.40	\$31.97
Institutional	\$28.03	\$28.77	\$29.93	\$30.58	\$31.40	\$31.97

<b>Volume Rate</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
<b>Volume Component</b>						
<i>Residential</i>	\$1.97	\$2.05	\$2.13	\$2.18	\$2.20	\$2.19
<i>Commercial/Misc</i>	\$1.97	\$2.05	\$2.13	\$2.18	\$2.20	\$2.19
<i>Industrial</i>	\$1.97	\$2.05	\$2.13	\$2.18	\$2.20	\$2.19
<b>Capacity Component</b>						
<i>Residential</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Commercial/Misc</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>Industrial</i>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Strength Component</b>						
<i>Residential</i>	\$0.30	\$0.34	\$0.34	\$0.34	\$0.35	\$0.35
<i>Commercial/Misc</i>	\$0.30	\$0.34	\$0.34	\$0.34	\$0.35	\$0.35
<i>Industrial</i>	\$0.30	\$0.34	\$0.34	\$0.34	\$0.34	\$0.34
<b>Total Volume Rate</b>						
Residential	\$2.27	\$2.39	\$2.47	\$2.52	\$2.54	\$2.54
Commercial/Misc	\$2.27	\$2.39	\$2.47	\$2.52	\$2.54	\$2.54
Industrial	\$2.27	\$2.39	\$2.47	\$2.51	\$2.54	\$2.54

<b>Industrial Surcharges</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
<b>Volume Surcharge (\$/kgal)</b>	\$1.97	\$2.05	\$2.13	\$2.18	\$2.20	\$2.19
<b>Capacity Surcharge (\$/gpd)</b>	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
<b>BOD Surcharge (\$/lb)</b>	\$0.0985	\$0.1120	\$0.1120	\$0.1119	\$0.1146	\$0.1146
<b>TSS Surcharge(\$/lb)</b>	\$0.0748	\$0.0851	\$0.0851	\$0.0850	\$0.0870	\$0.0870

**Table Rates 19**  
**American Fork City - Sewer Rate Study**  
**Calculated Rates**

<b>Monthly Base Rate</b>	<b>FYE 2014</b>	<b>FYE 2015</b>	<b>FYE 2016</b>	<b>FYE 2017</b>	<b>FYE 2018</b>	<b>FYE 2019</b>
Residential	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55
Commercial/Misc	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55
Institutional	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55	\$35.55

<b>Total Volume Rate</b>						
Residential	\$1.40	\$1.61	\$1.82	\$1.94	\$2.06	\$2.12
Commercial/Misc	\$1.40	\$1.61	\$1.82	\$1.94	\$2.06	\$2.12
Industrial	\$1.40	\$1.61	\$1.82	\$1.94	\$2.06	\$2.12



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department           Planning          

Director Approval           *Adrian Ok*          

**AGENDA ITEM** Ordinance approving a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9,000 Residential zone located in the area of 550 South 100 West.

**SUMMARY RECOMMENDATION** The planning commission recommended approval of the zone map amendment located in the area of 550 South 100 West as stated in the attached minutes of the November 5, 2014 planning commission meeting.

**BACKGROUND** The applicant proposes to change the zone on their property to the R1-9,000 Residential zone in order to subdivide the parcel at a future point in time. For further analysis please refer to the attached application, staff report and planning commission minutes.

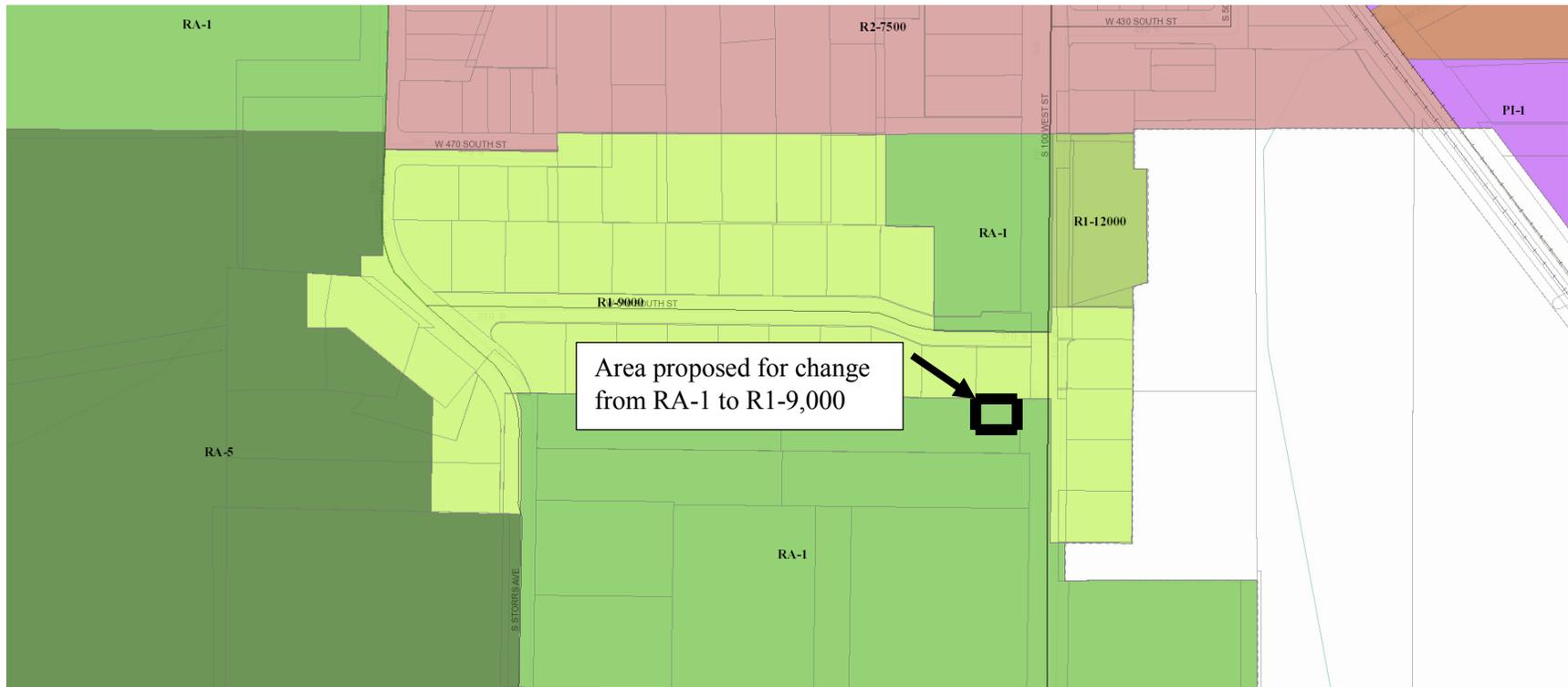
**BUDGET IMPACT** No direct budgetary impact is anticipated as a result of this approval.

**SUGGESTED MOTION** I move to adopt the ordinance approving a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9,000 Residential zone located in the area of 550 South 100 West.

**SUPPORTING DOCUMENTS**

1. Ordinance
2. Application
3. Staff report
4. Planning commission meeting minutes, November 5, 2014





# Utah County Parcel Map

130440036



S 100 WEST ST

W 510 SOUTH ST

American Fork

13:044:0037  
ROBERTS, KENT S and KAREN A.  
Value: \$40,800 -- 1.02 acres

13:044:0036  
ROBERTS, KENT S.  
550 S 100 WEST - AMERICAN FORK  
Value: \$273,900 -- 1 acres

13:044:0118  
ETHINGTON, LYNN and TARA...  
Value: \$65,300 -- 1 acres

13:044:0119  
ROBERTS, KENT S and KAREN A...  
Value: \$38,900 -- 1.04 acres

LDS  
Chapel

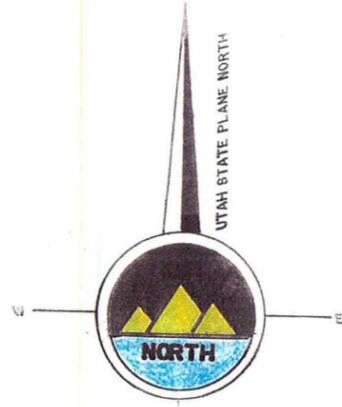
13:044:0068  
IVORY LAND CORPORATION...  
Value: \$119,000 -- 4.76 acres

13:050:0172  
HATCH, HELEN C...  
Value: \$80,700 -- 3.23 acres

Date: 9/18/2014



# PLAT OF SURVEY



UTAH STATE PLANE NORTH  
SCALE : 1 INCH = 30 FEET  
SEPTEMBER 18, 2014  
SURVEYOR  
GEORGE B. WILSON  
405 N. CENTER STREET  
AMERICAN FORK, UTAH 84003

## LOCATION

**SOUTH 1/2 SECTION 23  
T 5 S - R 1 E,  
SLB & M**

**ADDRESS**  
**550 SOUTH 100 WEST  
AMERICAN FORK, UTAH 84004**

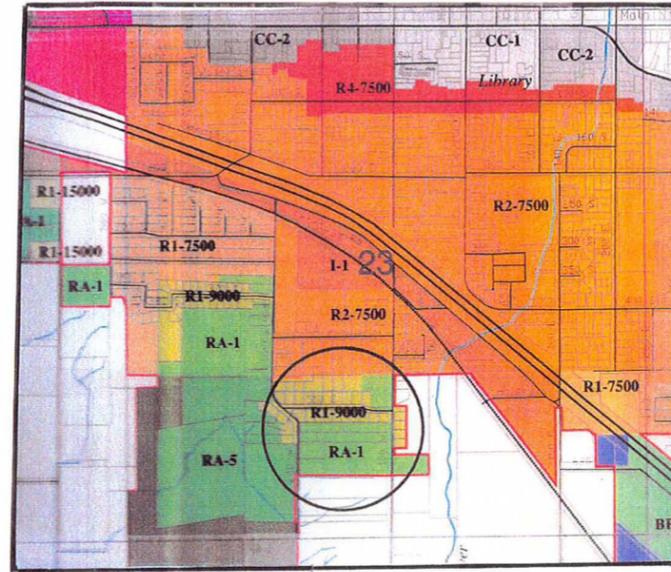
### SURVEYOR'S CERTIFICATE

I, GEORGE B. WILSON, UTAH PROFESSIONAL LAND SURVEYOR, # 170766, HEREBY CERTIFY THAT ON THE 18TH DAY OF SEPTEMBER 2014, THAT I HAVE SURVEYED THE PROPERTY AS SHOWN ON THIS PLAT OF SURVEY, AND THAT THE MEASUREMENTS ARE TRUE AND ACCURATED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*George B. Wilson*  
GEORGE B. WILSON  
PLS 170766 UTAH



## AMERICAN FORK CURRENT ZONING MAP



## PROPOSED ZONING CHANGE

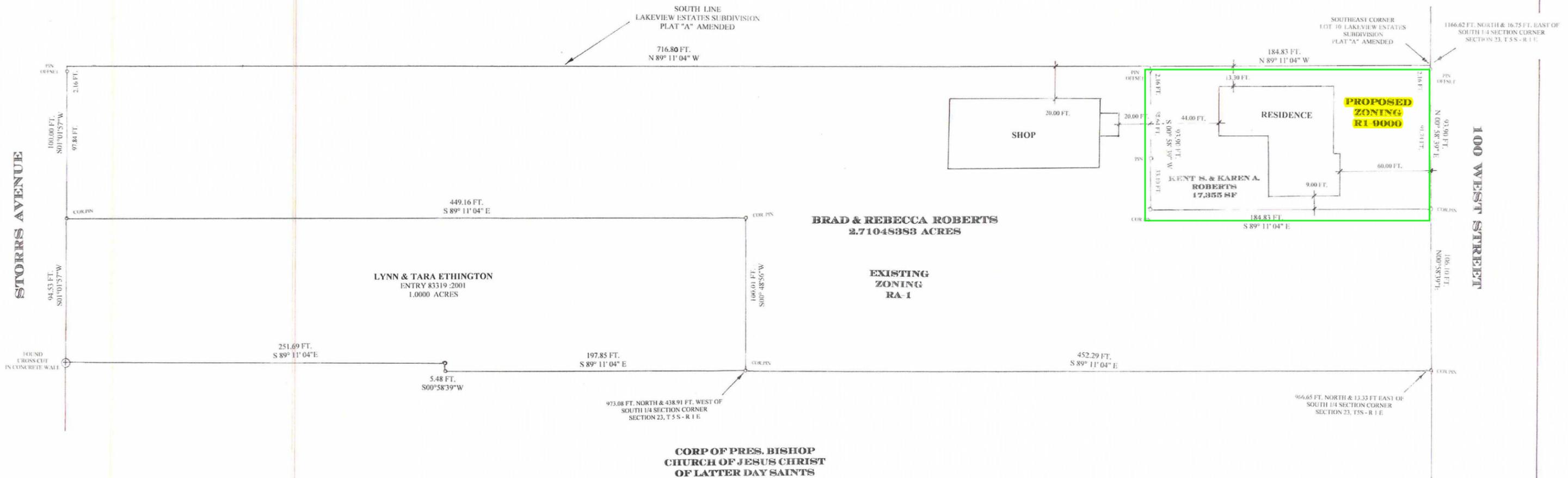
LEGAL DESCRIPTION  
CHANGE ZONING : FROM RA-1 > R1-9000

BASIS OF BEARINGS: UTAH STATE PLANE BEARINGS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10 LAKEVIEW ESTATES SUBDIVISION PLAT "A" AMENDED, SAID POINT BEING LOCATED NORTH 1166.62 FEET AND EAST 16.75 FEET FROM THE SOUTH 1/4 SECTION CORNER OF SECTION 23, T 5 S, R 1 E, SLB&M, AND RUN THENCE NORTH 89 DEG 11 MIN 04 SEC WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 184.83 FEET; THENCE SOUTH 00 DEG 58 MIN 39 SEC WEST 2.16 FEET TO A SURVEY PIN; THENCE CONTINUE SOUTH 00 DEG 58 MIN 39 SEC WEST 58.64 FEET TO A SURVEY PIN; THENCE CONTINUE SOUTH 00 DEG 58 MIN 39 SEC WEST 33.10 FEET TO A SURVEY PIN; THENCE SOUTH 89 DEG 11 MIN 04 SEC EAST 184.83 FEET TO A SURVEY PIN; THENCE NORTH 00 DEG 58 MIN 39 SEC EAST ALONG THE WEST LINE OF 100 WEST STREET, 91.74 FEET TO A SURVEY PIN; THENCE CONTINUE NORTH 00 DEG 58 MIN 39 SEC EAST ALONG SAID WEST STREET LINE, 2.16 FEET TO THE POINT OF BEGINNING, CONTAINING 17,355 SQUARE FEET OF LAND.

OWNER: KENT S. AND KAREN A. ROBERTS  
550 SOUTH 100 WEST  
AMERICAN FORK, UTAH 84003  
PHONE 756-6379

### LAKEVIEW ESTATES SUBDIVISION PLAT "A" AMENDED



AGENDA TOPIC: Hearing, review and action on a zone map amendment from the RA-1 Residential Agriculture zone to the R1-9,000 Residential zone, located in the area of 550 South 100 West.

ACTION REQUESTED: Recommendation of approval.

BACKGROUND INFORMATION			
Location:		550 South 100 West	
Applicants:		Kent and Karen Roberts	
Existing Land Use:		Residential	
Proposed Land Use:		N/A	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential/Agriculture	
	West	Agriculture	
Existing Zoning:		RA-1 (Residential Agriculture)	
Proposed Zoning:		R1-9,000	
Surrounding Zoning:	North	R1-9,000	
	South	RA-1	
	East	R1-9,000	
	West	RA-1	
Land Use Plan Designation:		Low Density Residential (3 du/ac)	
Zoning within Growth Plan?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION:

A request for a recommendation of approval for a zone map amendment for property located at approximately 550 South 100 West from a residential/agriculture zone to a residential zone.

Background

Mr. and Mrs. Roberts request a zone change for their property, currently zoned RA-1, to the R1-9,000 zone. At some point in the future, the Roberts intend to subdivide off the portion that will be rezoned and give the remainder of the property to their children. The remainder of the property is proposed to remain RA-1. Only the portion of property

containing the home is proposed for the zone change. The area proposed for zone change, when subdivided, will comprise of a legal lot per the R1-9,000 Zone.

Consistency with the Land Use Plan:

The Land Use Plan designates this area as “Low Density Residential”. The proposed zone map amendment is consistent with the Land Use Plan, as all adjacent residentially zoned property is R1-9,000.

POTENTIAL MOTIONS

Mr. Chairman, I move that we recommend approval of a zone map amendment for property located at approximately 550 South 100 West from the RA-1 zone to the R1-9,000 zone.

AMERICAN FORK CITY  
PLANNING COMMISSION MEETING MINUTES  
NOVEMBER 5, 2014

The American Fork Planning Commission met in a regular session on November 5, 2014, in the American Fork City Hall, located at 31 North Church Street, commencing at 7:00 p.m.

Present: John Woffinden, Chairman  
Commission Members: Marie Adams, Nathan Schellenberg, Leonard Hight  
Rebecca Staten  
Absent Commission Members: Harold Dudley, Eric Franson, Christine Anderson  
- Alternate  
Adam Olsen, Senior Planner  
Wendelin Knobloch, Associate Planner  
Kim E. Holindrake, Public Works Administrative Assistant  
Others: George Wilson, Karen Roberts, Kent Roberts, Taylor Billings, Spencer Quain, Kaytee Howell, Ryan Howell

1. Pledge of Allegiance

Those in attendance stood and stated the Pledge of Allegiance.

2. Hearing, review and action on a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9,000 Residential zone located in the area of 550 South 100 West (7:01 p.m.)

Staff Presentation:

Adam Olsen stated this is for the Roberts property. The property is currently zoned RA-1. The Roberts are proposing to take the area where the house sits and rezone it to the R1-9,000 zone. If it is ever divided, it does meet the minimum lot requirements for the R1-9,000 zone.

PUBLIC HEARING

George Wilson stated he surveyed the property. The property is currently three, one-acre parcels. The Roberts would like to downsize the property to two lots with one lot being rezoned to the R1-9,000 zone. With approval, there wouldn't be any violation of zoning ordinances and no new lots would be created.

Public Hearing closed.

**MOTION: Nathan Schellenberg - To recommend approval of a zone map amendment for property located at 550 South 100 West from the RA-1 zone to the R1-9,000 zone.** Seconded by Rebecca Staten.

Yes - Marie Adams  
Leonard Hight  
Nathan Schellenberg  
Rebecca Staten  
John Woffinden

Motion passes.



**REQUEST FOR COUNCIL ACTION**  
**CITY OF AMERICAN FORK**  
**December 9, 2014**

Department Administration

Director Approval *A. Craig Whitehead*

**AGENDA ITEM** Proposed agreement between the City of American Fork and property owners comprised of AFCC LIMITED, a Utah limited partnership and/or its assigns, whose address is 2733 E. Parleys Way, Suite 300, Salt Lake City, UT 84109, (hereinafter “Developer”) (a limited partnership under Woodbury, Inc.)

**SUMMARY RECOMMENDATION** The City of American Fork recommends approval of the agreement as it will add significant benefits to the City (see below). The City Attorney has reviewed it for legal concerns. Also, the City has contracted with Zions Bank Public Finance – Municipal Consulting Group to complete a cost-benefit assessment of the proposed development. The final Economic Benefit Assessment report will be completed by December 29, 2014.

**BACKGROUND** The City and the Developers would like to continue development in the Meadows area by adding an additional major retail business to the community. Benefits from this project include:

- New jobs within the City
- Serving community and area needs and interest with the development of a new retail business
- Increase the City’s incremental tax revenue
- Create a stronger retail area and enhancement of the City’s competitive advantage as a commerce center in north Utah County which will, in turn, attract stronger retail business and increase retail traffic and City revenues
- Improve the appearance of the property and further encourage development of the area.

Terms of the Agreement (summary) The Developer has requested the City assist in that development by sharing a portion of the increased sales and property taxes generated by the new business. The Developers have met with staff to discuss the terms of the agreement. City staff proposes the following terms, as per the attached draft agreement (major terms):

1. AFCC LIMITED (Woodbury Corporation) will pay all required upfront development costs, including development fees and impact fees.
2. The City will share a portion of the increased net sales and property taxes generated from the new development based on the following formula and timeline:

- a. The City of American Fork will receive the first \$70,000 generated each year in increased sales and property taxes.
- b. The balance of any increase in sales/property taxes over the \$70,000 amount annually will be shared between the parties with the City receiving twenty-five percent (25%), and the Developer receiving seventy-five (75%).
- c. The total amount reimbursed will not exceed \$2M.
- d. The agreement shall not exceed fifteen (15) years from the opening date of the retail store, or when the maximum of \$2M is reimbursed to the Developer.
- e. Approval subject to the Economic Benefit Assessment meeting all legal requirements.
- f. This Agreement shall only be applicable to agreements for occupancy, within the Project Area, and that have been fully executed by the Developer and the Proposed Tenants within a thirty-six (36) month period from the effective date of this Agreement.
- g. After the effective date of this Agreement, the Project Area will be either subject to the terms of this Agreement, or to the Development Agreement between American Fork and AFCC Limited, dated June 1<sup>st</sup>, 2012. In no event shall the Developer benefit from both Agreements within the Project Area.

**BUDGET IMPACT** The City will complete an Economic Benefit Analysis (EBA) to estimate the cost impact of this project to City operations, and the potential increased revenue from the additional retail business at the terms mentioned above. Also, there will be an annual accounting each year as to the increase in revenue from the development and the amount to be reimbursed to the developer.

**SUGGESTED MOTION** I move to adopt the Development Agreement as proposed with AFCC LIMITED, a Utah limited partnership and/or its assigns, and the City of American Fork, subject to the Economic Benefit Assessment meeting all legal requirements.

**SUPPORTING DOCUMENTS** Proposed Agreement

**DEVELOPMENT AGREEMENT**

by and between

**The City of American Fork**

and

**American Fork Commercial Center, Limited**

**December 9, 2014**

## DEVELOPMENT AGREEMENT

This Development Agreement (hereinafter “Agreement”) is made and entered into on this 9th day of December, 2014, by and between AMERICAN FORK, a municipal corporation of the State of Utah, whose address is 31 North Church St., American Fork, Utah 84003 (hereinafter “**City**”), and property owners comprised of AFCC LIMITED, a Utah limited partnership and/or its affiliates or assigns, whose address is 2733 E. Parleys Way, Suite 300, Salt Lake City, UT 84109, (hereinafter “**Developer**”). Collectively the parties to this Agreement may be referred to (hereinafter “**the Parties**”).

### RECITALS

WHEREAS, Developer and City entered into this Agreement out of a mutual desire to facilitate job creation through commercial development within American Fork City by incentivizing the improvement of certain parcels of real property within The Meadows Shopping Center complex, which are currently undeveloped, collectively referred to as the project area and consisting of an approximate total acreage of 8.62 acres (hereinafter “**Project Area**”), more specifically identified and depicted on **Exhibit “A”**, attached hereto and by this reference incorporated herein;

WHEREAS, Developer owns certain parcels within the Project Area and intends to develop the Project Area in multiple phases;

WHEREAS, the Parties agree that the Project Area is located within a primary commercial corridor of American Fork City, and that the recent changes and anticipated changes in the State and Federal highway systems, local roads and the City’s master transportation plan, further enhance the commercial viability of the Project Area, with the highest and best use of the Project Area being commercial development;

WHEREAS, the Parties acknowledge that the City is relying on the creation of business facilities and retail sales of those businesses to generate additional tax revenues; and

WHEREAS, the current City plans for accommodating; commercial business growth, development, job creation within the City, the enhancement of public infrastructure which integrates into regional and local transportations systems, facilitation and enhancement of public safety issues, are facilitated by the development of the Project Area to include:

- a. Facilitation of new jobs within the City;
- b. Serving the community needs and interest with the development of new retail and commerce venues;
- c. Enhancement of the City’s incremental tax revenue with new retail development;
- d. Creation of stronger retail gravity and enhancement of American Fork City’s competitive advantage as a commerce center in north Utah County which will, in tum, attract stronger retail business and increase retail traffic, and city revenues;

- e. Enhancement of the appearance of the property and encouragement of the development of the Project Area to its highest and best use.

## AGREEMENT

NOW THEREFORE, the parties hereto agree as follows:

1. Developer assumes responsibility for the design, construction, and financing of all costs associated with: (a) the procurement of new business commitments to purchase or lease property within the Project Area, (b) the construction of all business facilities to be built within the Project Area, and (c) all costs associated with modifications or improvement of any existing public roadways. At the time of the execution of this agreement, the Developer has executed a letter of intent with Dick's Sporting Goods Inc. which anticipates entering into definitive lease agreements for a Dick's Sporting Goods store and a Field & Stream retail store (hereinafter "**Proposed Tenant(s)**") which are to be located within the Project Area.
2. Developer agrees to pay all scheduled permit and impact fees in accordance with municipal code when due, which include the applicable fees listed below (referred to collectively as "**Fees**"):
  - a. Site Inspection Fees
  - b. Water Impact Fees
  - c. Sewer Impact Fees
  - d. Pressurized Irrigation Impact Fees
  - e. Park Impact Fees
  - f. Road Impact Fees
  - g. Temp Power Fees
  - h. Electrical Fees
  - i. Plumbing Fees
  - j. Mechanical Fees
  - k. Fire Impact Fees
  - l. Police Impact Fees
  - m. Parks and Recreation Impact Fees
  - n. Building Permit Fees
  - o. Sewer and Water Hook-up Fees
  - p. Plan Check Fees
  - q. Occupancy Fees
3. In an effort to optimize the competitive posture of the Project Area, and to allow the Developer to provide incentives, as inducements to the Proposed Tenant(s), to commit to a business location within Project Area, the City agrees to provide the Developer the right to share in the future tax increment revenues generated from within the Project Area as a result of the Proposed Tenant(s) business operations. Developer's rights to share in future tax increment revenues shall be subject to terms and conditions established in paragraph 4.

4. The Parties agree that the City will reimburse Developer for a portion of the improvement and infrastructure costs which are required to be incurred by Developer under the terms and conditions of the leases or other agreements with the Proposed Tenants which are to be located within the Project Area. The City's obligation to reimburse Developer, from Tax Increment Revenues, as defined herein, is subject to the following terms and conditions:
  - a. The time period during which Tax Increment Revenues generated from within the Project Area are subject to this Agreement shall begin on the rental commencement date, as defined in the lease with the first of the Proposed Tenant(s) to take occupancy within the Project Area, and shall run for a fifteen (15) year term (hereinafter "**Eligibility Period**").
  - b. Incremental revenues generated from within the Project Area shall be defined, for each year of the Eligibility Period, as the increase in tax revenues received by the City from the local portion of the sales tax, property tax, and personal property tax, in excess of the amount received from the same sources during the twelve (12) months immediately preceding the Eligibility Period (hereinafter "**Tax Increment**")
  - c. The first seventy thousand dollars (\$70,000.00) of Tax Increment generated during each year of the Eligibility Period shall go to the City and not be subject to this Agreement (hereinafter "**Hurdle Amount**").
  - d. After the Hurdle Amount has been satisfied for each year of the Eligibility Period, the City agrees to reimburse Developer seventy-five percent (75%) of the Tax Increment revenues in excess of the Hurdle Amount (hereinafter "**Reimbursement Amount**")
  - e. This Agreement shall only be applicable to agreements for occupancy, within the Project Area, and that have been fully executed by the Developer and the Proposed Tenants within a thirty-six (36) month period from the effective date of this Agreement.
  - f. The maximum amount of cost reimbursement the City is obligated to pay to the Developer under this Agreement is two million dollars (\$2,000,000.00).
  - g. All utility installations and or relocations which may be required to establish the occupancy of the Proposed Tenants within the Project Area shall be at the sole cost and obligation of the Developer.
  - h. After the effective date of this Agreement, the Project Area will be either subject to the terms of this Agreement, or to the Development Agreement between American Fork and AFCC Limited, dated June 1<sup>st</sup>, 2012. In no event shall the Developer benefit from both Agreements within the Project Area.
5. The Parties shall meet after the annual reconciliation of the Tax Increment by the City before the end of April each year. Thereafter, the City shall remit the Reimbursement Amount to Developer on an annual basis the earlier of (a) May 31 each year or (b) thirty (30) days after the reconciliation meeting.
6. The Proposed Tenants, together with the Developer, will provide reasonable estimates of the business facility costs, together with cost estimates of the personal property and estimated sales forecasts to enable the City to reasonably forecast the Tax Increment they will receive from each of the each of the Proposed Tenants.
7. To the fullest extent permitted by law the Developer and the City shall indemnify, defend and hold each other's officers, agents, representatives and employees harmless from any and all claims, demands, liabilities, damages, injuries, causes of action, costs and expenses, including attorney's fees, arising out of or in any way related to the

performance of each party's duties under this Agreement caused in whole or in part by any negligent act or omission of the other party or anyone directly or indirectly employed by the other party.

8. This Agreement shall be void, unless and until, a Tax Revenue Benefits Analysis is performed by an independent evaluator with sufficient legal and economic expertise who makes specific findings, as required by law, to demonstrate the transactions detailed herein will be considered a net fair value exchange.
9. This Agreement shall be binding upon the Developer and their respective heirs, executors, administrators, successors, and assigns but shall not be assigned without the express written consent of the City.

IN WITNESS WHEREOF, this Agreement has been executed on the day and year first above written.

[SIGNATURES ON FOLLOWING PAGE]

**CITY:**

\_\_\_\_\_  
James H. Hadfield, Mayor

**ATTEST:**

\_\_\_\_\_  
Richard M. Colborn, City Recorder

**DEVELOPER:**

**AFCC LIMITED, a Utah limited partnership**

**By: WOODFIELD, L.C., a Utah limited liability company,  
It's General Partner**

**By: SEVEN SYNDICATE, L.C., a Utah limited liability company,  
It's Manager**

By: \_\_\_\_\_  
Jeffrey K. Woodbury, Manager

By: \_\_\_\_\_  
O. Randall. Woodbury, Manager

By: \_\_\_\_\_  
Richard L.K. Mendenhall, Manager

Exhibit A  
Page 1

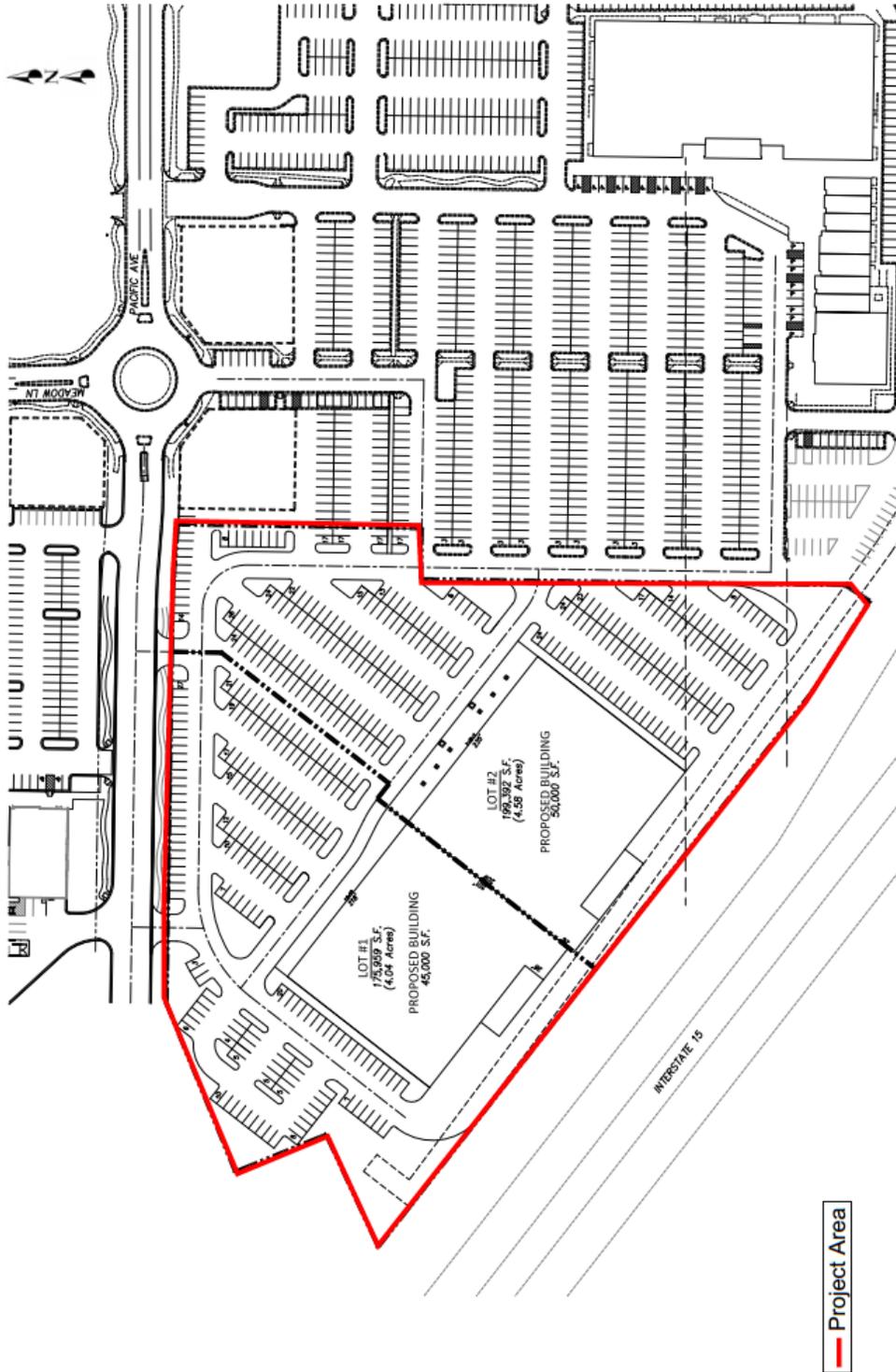


Exhibit A  
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