



PROVO MUNICIPAL COUNCIL Work Meeting Minutes

12:30 PM, Tuesday, November 27, 2018
Room 310, Provo City Conference Room
351 W. Center Street, Provo, UT 84601

Agenda ([0:00:00](#))

Roll Call

The following elected officials were present:

Council Chair Gary Winterton, conducting
Council Vice-Chair David Harding
Council Member Kay Van Buren
Council Member David Sewell
Council Member David Knecht
Council Member George Stewart
Council Member George Handley

Excused: Mayor Michelle Kaufusi

Prayer

The prayer was given by Hannah Salzl, Policy Analyst.

Business

1. A discussion on the proposed Council Meeting schedule for 2019 (18-104) ([0:03:52](#))

Cliff Strachan, Council Executive Director, introduced the tentative 2019 meeting schedule for the Provo Municipal Council. Mr. Strachan highlighted dates when holidays have affected the schedule, as well as election events and other schedule shifts. Mr. Strachan indicated that this schedule would be presented for Council approval at the Council Meeting on December 11, 2018.

Presentation only.

2. A presentation on the option for municipalities to create a local government disaster fund (18-096) ([0:08:30](#))

Jona Whitesides, Preparedness Bureau Chief with the Utah Department of Public Safety (DPS), introduced the presentation. Kris Hamlet, Director of the Utah Division of Emergency Management, presented. Utah falls 48th in the nation for federally declared disasters. However, Utah has the potential for catastrophic earthquakes due to fault lines along the Wasatch Front. The DPS has sought to work with the State Legislature to expand the abilities of municipalities to address disaster situations. Following a flood disaster in St. George, leftover funds were used to create a state disaster recovery fund. This fund is for the disposal of state agencies and state budgets affected by working in a disaster scenario to meet unbudgeted needs. There is currently

about \$24 million in this fund. When the State has a surplus, a percentage of the surplus is deposited into this fund. The State Legislature wanted this tool to be available to cities, but for there to be a buy-in component in order to implement some reciprocity in covering the costs to the State. The fund has added some language which gives cities the ability to create a local government disaster fund. The legalities of the statute are somewhat complicated, and the DPS was open to input from Provo City officials to improve the process. The City may put up to 10% of its given revenues into this local disaster fund annually, and any interest generated by the account may be reinvested into the fund. The City may also withdraw up to 10% from the fund during a given year to address preparedness initiatives.

Mr. Hamlet outlining other parameters of the program. The fund was designed for cities to contribute to the fund for at least five years. Mr. Hamlet took some questions from Councilors and addressed several clarifications about the program and how it works. Mr. Hamlet noted that the legislation looks at the projected revenues of a city. FEMA has encouraged states to do more locally to prepare for natural disasters at the state and local levels. Mitigation and preparedness were important elements in the process to anticipate the impacts of natural disasters.

Mr. Hamlet also outlined the pre-disaster mitigation program. He noted a great program that Salt Lake City runs which focuses on retrofitting homes and structures to bolster habitable buildings against damage from earthquakes. FEMA has put these kinds of programs as a priority and continues to provide funding for those kinds of programs.

Councilor David Knecht asked whether there were a limit to the size of the fund. Councilors discussed the language in the statute, which had a number of ambiguities with the city's ability to put funds into this program.

Councilor George Stewart expressed his view that the electric power grid would be one of the main costs associated with a disaster, and he felt that there was an adequate reserve in place.

Mr. Hamlet explained that earthquakes are one of the largest concerns, but there were also concerns with wildfires, flooding, and other natural disasters. Mr. Hamlet explained that there is typically about a 20% match for utilizing federal funds for disaster recovery. If a disaster were highly catastrophic, the match requirement may be waived, but it was best to plan for a match requirement. Mr. Hamlet explained that the last time Utah had a federally declared disaster was in Box Elder County in 2017 due to winter thaw and related flooding.

Councilor David Harding applauded the federal government's move toward placing responsibility back on local and state agencies. Mr. Harding also applauded the State Legislature for creating the program and encouraging cities' participation. Mr. Harding suggested that a 5% or 10% proportion would be about \$3 million or \$6 million; with \$30 million in the enterprise fund reserves, he felt the City was in a good position with regard to disaster recovery. He felt that overall, the City was in a good position but it may be advantageous to utilize the program while conditions were positive.

Mr. Strachan gave a policy consideration for Council to consider; the Council could theoretically put the program in place to utilize as a repository for any surplus which exceeded the 25%

maximum for the general fund. Council Chair Gary Winterton invited Councilors to consider the implications of the program and to continue the conversation among themselves to see whether there was consensus on the process forward regarding a local government disaster fund.

Mr. Knecht felt there was a lot of appeal to the program. Councilor David Sewell felt there was a dual benefit to participating, although further review may be needed after the State legislature clarified requirements. Mr. Sewell felt that if designated funds were not set aside, during a disaster it may be complicated to find the funds among other City funds. Mr. Sewell explained that this program also increased the City's access to low-cost loans from the State. Mr. Stewart felt that was an important question to consider.

Mr. Sewell proposed putting a small percentage of the City's excess revenue into the disaster recovery fund. During years where there was not an excess, then no money could be added to the fund, but with this process there would be a clear designation. Councilor George Handley suggested a more aggressive policy option would be to earmark a certain amount of the rainy day fund now for the disaster recovery fund if there were enough to start the program. Mr. Sewell said that Representative Curt Oda would be available to speak with the Council and clarify the various aspects of the statute. Mr. Hamlet indicated that there was a bill in progress and he could incorporate feedback from Provo City. *Presentation only.*

3. A discussion on an ordinance amending Provo City Code to clarify that unauthorized energy generation shall not receive any rate or bill credits (18-103) (0:42:43)

Travis Ball, Energy Director, presented. He explained that city code outlined requirements for businesses generating power under 25 kW and the proposed ordinance would clarify requirements for those generating power over 25 kW. In a buy-all, sell-all scenario, any energy generated on-site would still be charged at the rate mandated by the primary utility. The ordinance would also address the process for a business engaging in unlicensed self-generation, which would result in the business not being paid for their energy generated and their being disconnected from the network. Mr. Ball explained that this was not a net-metering situation.

In response to a question from Councilor David Harding, Brian Jones, Council Attorney, clarified that this ordinance was a change in what the ordinance said, but was not a change in what the ordinance was intended to do. In Provo City Code 12.03.090, there was a class of customers that may receive a designation from the federal Department of Energy for power generation, but there was a specific process in place for this designation. The ordinance specifies what the purchase price would be for power generated by such entities.

Mr. Ball explained that these changes would be consistent with changes that would be proposed at the Utah Municipal Power Agency Board Meeting on November 28, 2018. *Presentation only. This item was anticipated to return to the December 11, 2018 Work and Council Meetings.*

4. A presentation about the Utah Valley Chamber of Commerce (18-070) (0:49:02)

Rona Rahlf, President of the Utah Valley Chamber of Commerce, presented. Councilor David Harding had invited her to share the Chamber's feedback on the housing resolution proposed by

the Salt Lake Chamber and what the Utah Valley Chamber of Commerce was doing to address housing affordability in Utah Valley.

Councilors shared their thoughts on the potential ramifications of the housing resolution. Councilor George Stewart noted that Provo was one of the few cities locally which had its own local housing authority. Mr. Strachan reported that there were 21 housing authorities, many in place at a county level and several cities within those which have a housing authority.

Ms. Rahlf explained that Robert Vernon was very skilled in the area of Community Land Trusts (CLT) and that he would be holding a symposium on the subject in the future. Councilor David Knecht explained that Provo had put out a request for proposals for a CLT and that the City expected to receive an application from the Provo Housing Authority.

Ms. Rahlf expressed that the role of the Chamber was to bring the main players together who would be able to make the changes and plans necessary to address the growth in Utah County. She highlighted the Valley Visioning process which the Chamber was working on, in conjunction with UVU and Envision Utah. She encouraged participation of the Council and community members with this visioning program. While still in the exploratory phase, the Chamber had not yet proposed or implemented specific solutions. Ms. Rahlf indicated that this first round of visioning was intended to establish the wants and wishes of residents throughout Utah Valley, as well as the cause or impetus for those desires.

Councilors shared additional comments. Ms. Rahlf explained the process for the visioning exercises which will involve members from all areas of the community. Mr. Winterton explained that Councilors who wished to move the Housing Resolution forward should visit with other Councilors to gather support on the resolution.

Mr. Harding explained that staff was compiling a report which compared elements of the Housing Resolution with aspects of the General Plan and Vision 2030, which could perhaps give the Council the confidence that the City was committed to taking those measures and actions to promote housing affordability at all levels. *Presentation only.*

5. A presentation on the Timp Kiwanis Bounous Park Land Water Conservation Fund Final Environmental Assessment Review (17-036) ([1:14:23](#))

Thomas McKenna, Parks Project Manager, updated the Council on the environmental assessment (EA) and explained that all public comments received had been thoroughly addressed. Mr. McKenna introduced Ron Clegg, Clegg Consultants. Mr. Clegg was a professional engineer in Utah with over 28 years of experience. His past work included producing over 30 EAs, including large billion-dollar projects such as the I-15 corridor EA. Parks and Recreation has taken this project seriously and were confident in the work produced by Mr. Clegg.

Mr. Clegg assured the Council that he did not feel there were holes in the environmental assessment. There were also two sub-consultants on the report, including Sheri Ellis (on cultural artifacts) and Todd Sherman (on wetlands and flora), who were two of the most experienced and well-respected professionals in the State. Mr. Clegg has also worked with Provo City Parks and

Recreation and Public Works, the Provo School District, and other agencies (including five federal or state agencies). Mr. Clegg explained that there have been many stakeholders involved in the process, with a great deal of public involvement. Mr. Clegg felt that this document involved public input as extensive, or more so, than any other assessment he has worked on. The public process began in 2016 and there have been two public comment periods on the assessment. There have been two public hearings on the assessment, only one of which was required. They have addressed all the comments which have been received at each step of the process. Mr. Clegg also noted that he has worked closely with Susan Zarekarizi on the Land and Water Conservation Fund (LWCF) at the State. Ms. Zarekarizi has been very involved and had primarily only editorial comments.

Mr. Clegg explained that he felt the document was beyond ready to submit to the National Parks Service. Mr. Clegg addressed several other items and comments including:

- A comment regarding flooding and explained how this issue has been mitigated
- Considerations for the Provo School District
- A comment on the proposed Canyon Road Park. Mr. Clegg indicated that the site was not sufficient to meet the needs of the baseball and softball fields; athletic fields would interfere with the Transportation Master Plan and would require further land acquisition.
- A reference drawing was created at the request of the public, illustrating the possibilities of the site configuration. The current uses still exist and would need to be shifted.

Mr. Winterton asked a question about grant funds and how that would be done. Scott Henderson, Parks and Recreation Director, indicated that the City has recognized its compliance issue and had chosen not to apply for related grants. The City was taking steps to rectify those related issues before applying for grants. Mr. Winterton asked about the well protection zone. Mr. Clegg indicated that there was a well protection zone of 100 feet in which no construction activity could take place. Further construction impacts must be coordinated through Provo Public Works.

Councilor George Handley brought up a comment from a previous meeting that a resident felt this would set a precedent with public school properties. Mr. Handley had felt satisfied by Mr. Clegg's response that a high school's athletic activities were different in nature than that of many other schools. Mr. Handley felt the responses were very thorough and that in this scenario, the LWCF provision required the City to find equivalent land areas. Most other school properties do not have these requirements attached, and with this in mind, Mr. Handley was confident that this would not become a standard practice. Mr. Handley felt that if other schools came to the City with the request to purchase a City park, that there could be legitimate needs and perhaps the City needed more specific language to preserve the public trust with regard to that process. Mr. Handley wondered what would be the protections to shore up the City's public parks.

Mr. Stewart felt that was a separate issue which should not be made a part of the EA for Timp Kiwanis Bounous Park and Mr. Harding shared a comment to this effect as well. Mr. Handley wanted to reassure the public that the Council was aware of that issue.

Brian Jones, Council Attorney, indicated that at its most basic level, the EA was a requirement of federal law which ensured compliance with the process for the sale of a property. Mr. Jones explained that it was up to the NPS to determine whether the guidelines of the conversion process had been met. From there, an indication would be given of whether the sale and process

could proceed. Whether the Council should proceed with further action is a future decision; the EA was simply a checkpoint in the process of finding out if the final project could be done.

Mr. Sewell asked about the LWCF conversion process. Mr. Jones clarified that it was not up to the City to decide whether the criteria have been met. If the City wants the response from the State about whether or not the sale can take place, then the EA needed review by the NPS.

Mr. Handley felt it was helpful to know that all the verbal and written public comments have been submitted with the report. Mr. Clegg indicated that the comments have been included and that the NPS would determine whether the public comments have been adequately addressed.

Mr. Jones addressed some semantic confusion about the phrase "public comment." There is a federal requirement that a public comment period takes place and Mr. Jones indicated that this requirement has been met; from that perspective, the public comments are over. There is another use of the phrase "public comment," which is that during the Council Meetings, the Council has elected to take 'public comment' on every agenda item, regardless of whether or not a public hearing has been required. Taking 10 minutes of public comment at the Council Meeting does not impact in any way the closed public comment period on the EA document. The intention was to explain to the public the distinction that comments during the Council Meeting will not be included in the document to be responded to as part of the process. *Presentation only. This item was already scheduled for the November 27, 2018 Council Meeting.*

Policy Items Referred from the Planning Commission

6. A discussion on a request for amendments to Section 15.03.020(3) to update 2018 standards to 2019 standards. Citywide impact. (PLOTA20180348) ([2:06:47](#))

Josh Yost, Planner, presented this item on updates to the Public Works standards in the Provo City Code. Mr. Yost indicated that the changes were fairly straightforward, as there was no major review of the street sections due to work on the Transportation Master Plan. The proposal received a unanimous recommendation from the Planning Commission. David Day, Development Engineering Coordinator, addressed additional questions from Councilors and highlighted details on the updates:

- About 18 drawings were updated by Public Works
 - In response to a question from Councilor Kay Van Buren, Mr. Day explained that the changes were minor; he did not see associated cost impacts with the changes.
- Several updates to sewer and water development standards
 - Mr. Day explained that the changes may result in an incremental cost impact with regards to the size of pipes.

Dave Decker, Public Works Director, mentioned that a storm drain lateral detail was also being added to the standards. It would be optional for a developer to install, and not mandated by the City, but may be part of a recommendation from a geotechnical consultant to the developer. Mr. Decker explained that there was a large portion of text which was being shifted from the City Code to the development standards. Public Works has been working with Legal to make sure that what is in the code truly belonged there, and that guidelines have been appropriately

relocated to the development standards section.

Mr. Day noted four documents which highlighted the 2019 changes to the standards: one which outlined text changes, one including changes only, one showing the clean version only, and a final document showing the new development guidelines with all the changed text in red. Mr. Day noted these changes and how they appeared in the updated documents. Development guidelines would be moved from the City Code, but those changes have not been finalized by Legal and will be coming back to the Council at a later date.

Mr. Jones clarified that the actual change to the code would be updating two 2018 references to the 2019 references. The practical impact of this update would be that all these documents become official Provo City regulations.

Regarding the questions about costs, Mr. Decker explained that one change is a clarification that developments are required to have elevated water tanks. Several Councilors expressed that they would be interested in having more time to review the changes; Mr. Jones advised that any Councilor could request to continue the item at the Council Meeting for a second hearing.

Presentation only. This item was already scheduled for the November 27, 2018 Council Meeting.

7. A discussion on a request for an Ordinance Text amendment to Section 14.34.350 Recreational Vehicle Storage and Towing Impound Yards to increase buffering requirements when adjacent to a Residential Zone (PLOTA20180216) ([2:24:38](#))

Dustin Wright, Planner, presented. Mr. Wright noted the changes which the applicant had proposed to the ordinance amendment. Councilors shared comments and feedback on the item and the changes requested. Mr. Wright noted that there are some areas where towing or impound yards were not adhering to the requirements in the City Code, and that this ordinance amendment was intended to help address similar situations throughout the City.

Mr. Harding expressed some concerns about the City giving up some control with such a change from a conditional to permitted use. Mr. Harding acknowledged that there were previously conflicts in related sections of the code, but he felt that it would be important to ensure that the requirements inserted into the City code were adequately protecting residents.

Wayne Parker, CAO, explained that some concerns with towing and impound yards were that this type of use is fairly intrusive in a residential zone. These types of businesses operate at any time of day or night, as cars get towed for various reasons around the clock. Mr. Parker noted a similar case a number of years earlier when a junkyard resulted in some new requirements for boundaries and fences.

Bill Peperone, Community Development Assistant Director, explained why staff preferred that towing or impound yards be entirely removed as a conditional use; a conditional use must be approved unless it cannot be mitigated through any types of conditions. This sets a very high bar and Mr. Peperone felt that if they have not added enough conditions for the Council to be comfortable, the Council could add additional conditions, request Community Development to develop additional conditions, or can remove the adjacency provision. Mr. Peperone also noted

that three existing businesses would have a status of legally non-conforming.

Councilor David Knecht felt favorably toward the proposal and indicated that the southeast area neighborhood chairs he had spoken with were supportive of the proposal.

Mr. Peperone noted that no towing or impound yards have been approved as a conditional use with conditions more stringent than those outlined; this change to a permitted use would have even more conditions than the previous conditional use.

Brian Jones, Council Attorney, serves as a representative of ULCT on the State Towing Advisory Board. He explained that most towing yards argue from a business perspective that cities are too restrictive; many proprietors of yards felt that if tow yards were relegated too far from residential areas and could only exist in industrial (non-populous) areas, that customers are endangered, cars can be more easily stolen, etc. One member of the State Towing Advisory Board wanted to propose a bill at the state level that would allow towing yards in every zone except single-family residential zone. *Presentation only. This item was already scheduled for the November 27, 2018 Council Meeting.*

8. A discussion on a request for a zone change from R1.10 to Low Density Residential (LDR) for 2.94 acres of land, located at approximately 1080 E 1320 S to facilitate a 44-unit townhome development. Spring Creek Neighborhood. (PLRZ20180102) (2:46:16)

Bill Peperone, Community Development Assistant Director, presented. Mr. Peperone outlined the zone change considerations for the property, which was consistent with the Southeast Area Neighborhood Plan. Mr. Peperone highlighted surrounding properties and uses. Mr. Peperone noted several changes to the site plan which made the proposal more consistent with the City's street plans and oriented the townhomes to face the street.

Mr. Peperone clarified elements of the streets plan and explained that the roads as shown on the site plan were still fairly flexible based on how the area would develop and the City's transportation needs. The City tries to work with developers to best meet their needs while accommodating the City's transportation network. *Presentation only. This item was already scheduled for the November 27, 2018 Council Meeting.*

Business

9. A report on the impact fee review process (18-099) (2:54:25)

John Borget, Administrative Services Director, reviewed the process involved in preparing this impact fee review, in which Zions Bank Public Finance (ZBPF) has been a great partner.

Susie Becker, ZBPF, outlined several documents which were required for each impact fee analyzed: the impact fee facilities plan (IFFP), which outlined various technical considerations (including existing excess capacity, would new construction be required, etc.) associated with the fee in question; and the impact fee analysis, which was a financial document addressing specific funding processes and how proportionate costs would be shared among different types

of development. Ms. Becker outlined the changes to each respective impact fee for both single-family and multi-family residential development.

Clifton Oertli, NEI Electric Power Engineering, joined the meeting via conference call and explained the process in developing the updates for the energy impact fees. First the capital improvement plan (CIP) was updated. Of the \$12 million worth of projects in the CIP, they determined that about \$2 million were impact-fee-eligible projects. Mr. Oertli explained the calculation to correct fees downward, as the electrical system rarely operates at full capacity; this was done in an effort to make the fee fairer to the end-users. Mr. Oertli explained that Provo was on the lower end of the energy impact fees in Utah County (excluding municipalities operating with Rocky Mountain Power, which cities therefore did not charge energy impact fees).

Keith Larson, Bowen Collins & Associates, highlighted CIP projects for the wastewater system:

- \$20 million in collection pipelines and pump stations
- \$300 million related to the water treatment plant (the current concept to replace the treatment plant was not value applicable to future development)

If there is capacity in existing wastewater facilities, this is generally a more cost-effective solution. If there is not sufficient capacity, then building additional facilities is recommended.

Mr. Larson explained constraints of the Impact Fee Act, which required expenditure of impact fees within six years of collection. Based on guidance from the State's ombudsman, they have looked at wastewater planning for the next decade or so. This provision of the Impact Fee Act helped to mitigate concerns with speculative projects and inflated impact fees.

Megan Weber, ZBPF, presented additional details on the sewer impact fee summary. Ms. Weber outlined the residential and non-residential impact fees, noting that commercial or industrial users were assessed impact fees per fixture or type of fixture; this helped for fees paid by those users to be more commensurate with the specific types of uses and fixtures involved (rather than a standard rate for residential uses, which were often shared a more similar composition). Ms. Weber shared a comparison for sewer impact fees in other municipalities; she noted that rates did not include when they were last updated, so it was difficult to make an accurate comparison.

Mr. Larson outlined details of the water CIP, including new wells, sources, and distribution pipelines. He explained that most of the storage for new growth was coming from the new tanks which have been built and completed recently. Improvements to the distribution pipelines were more distributed in areas of the city that would likely be experiencing new development. The residential water impact fee was a fixed rate per ERU (equivalent residential unit) and the water impact fee for non-residential development would be based on the meter size (based on an equivalency ration for ERUs versus varying meter sizes and related capacity). Councilor David Harding asked whether it made sense to split out residential rates by meter size. David Decker, Public Works Director, indicated that Public Works staff could evaluate the volume of requests for residential meters that were larger than the standard 5/8 or 3/4-inch pipes and bring the Council more information on that item.

Ms. Weber noted that many municipalities required new developments to supply their own water. She was concerned with the ramifications of adjusting the recommended impact fees, as

that may introduce the risk of a revenue shortfall to the water and sewer systems. She explained that the costs were tied to necessary projects that had been identified. Mr. Borget explained that there was a pretty strong recommendation to match up impact fees with 100% of the costs of new capital projects (for new development).

Councilor Kay Van Buren asked about the possibility of taking a project off the CIP for the next 5-10 years which could then lower the resulting impact fees. Mr. Larson clarified that all projects on the CIP used to evaluate impact fees were chosen in order to meet the required level of service; taking projects off would require additional Council consideration and policy decisions on levels of service and whether those levels of service would be changed. Mr. Larson said that it was hard to identify on essential services such as water and sewer what projects were not needed. Ms. Weber added that parks could be adjusted; that area presented the easiest area to reduce the level of service with the least negative impacts. While many projects for water and wastewater treatment were non-negotiable, the timing and phasing could certainly be evaluated.

In response to a question regarding the population statistics and projections used for analysis, Mr. Borget and Ms. Becker indicated that they could provide more details in advance of the Council Meeting. Ms. Becker explained that the figures used showed conservative growth of about 1300 people per year, or about 1% annually. Mr. Larson added that some difference in actual growth would not impact the City's bottom line too much in either direction, as this was factored into the analysis; with more growth than anticipated, more impact fees would be collected to fund the necessary related capital improvements. Ms. Weber recommended that the City look at impact fees every few years, as that helped to better make adjustments as previous analyses versus current data may show how the expectations of growth have evolved over time.

Mr. Larson outlined the storm water impact fees and related considerations. About 20% of the CIP projects were associated with growth in the next 10 years. The storm water impact fee is charged on a per-acre basis, but due to two outstanding bonds for the stormwater system, there were some net present value (NPV) credits applied to the per-acre rate, which would change the actual amount paid by a developer. Ms. Becker noted that as the bonds reached completion and the NPV credit tapered off, the perception of developers may be that the rate was increasing, but that the total fee would remain static over time.

Ms. Weber addressed public safety impact fees. Fire CIP projects for public safety included the new public safety building, expanded square footage for fire administration, and Fire Station 6 in northwest Provo. Projects to rebuild existing facilities or to address current deficiencies were not impact-fee-eligible. GIS data was used to determine the land use types for each call to dispatch. Currently there is no fee assessed for fire.

The Police Department CIP included the new public safety building with expanded square footage. Mr. Borget shared a detailed assessment and breakdown of each area in the new facility, including an evaluation of each element and whether it was impact-fee-eligible. Based on the analysis and a higher volume of police calls, a \$425 fee was proposed for single-family units.

Jeremy Searle, Hales Engineering, outlined the transportation capital projects, noting that the Transportation Master Plan was also being updated. He worked closely with Public Works staff

and the consultants at Parametrix who were working on the master plan. An analysis of pass-through trips and utilization for new growth helped to determine what impact fee-eligible costs would be associated with each project. Mr. Searle noted that the level of service for each road was examined using data for current and projected levels from Mountainland Association of Governments. Mr. Searle also shared details of how the typical cost per trip was calculated; the Institute of Transportation Engineers daily trip rate was used everywhere except residential areas. Provo did its own study to assess single- and multi-family residential, adjusting the trip rate to show the total after round-trip consideration. Mr. Searle shared a slide showing daily trip rates for a number of land use types, noting that many of these were pass-by trips.

Ms. Becker addressed the parks-related impact fees. She explained that the parks analysis looked at all parks-related capital facilities: park acres, park improvements that have a useful life of over 10 years, and trail miles, structures, and markers. The analysis looked at existing facilities and the cost to replicate the existing level of service; then parks impact fees could be used for any type of parks and recreation activity—this structure allowed the City flexibility to expand capacity, with the recognition that trends change. To assess the level of service, all donated properties and Land and Water Conservation Fund properties were taken out from the calculation. The costs were then divided by residential growth, with a cost per capita applied to the average household size calculation.

Ms. Becker shared a slide summarizing the changes; the approximate change was from \$8236 to about \$14,000. She also explained that State Code allows cities some leeway to stipulate specific impact fee exemptions (for low-income or affordable housing, schools, state use, etc.). The City would still need to identify where funds would be drawn from to fill the gap. Councilors discussed some considerations of impact fees and market considerations for exemptions.

Cliff Strachan, Council Executive Director, outlined several policy questions that the Council may want to consider: what are the fees, timing on implementation, and any exemptions for certain types of uses. Wayne Parker, CAO, shared a suggestion to review one third of the fees every two years; rather than leaving all for every 6 years, do one third every 2 years to continue the on-going process. Deann Huish, Utah Valley Home Builders Association, expressed appreciation for the invitation for UVHBA's involvement in the impact fee review process.

Brian Jones, Council Attorney, explained that state law requires a certain public notice period before the first public hearing on the item. This item was scheduled for a presentation at the Council Meeting that evening to provide additional notice and awareness of the formal public hearing on December 11, 2018. Councilors expressed appreciation for all those involved in the process and their work on the fee review. ***Presentation only. This item was already scheduled for the November 27, 2018 Council Meeting.***

Closed Meeting

None requested.

Adjournment

Adjourned by unanimous consent.