

Minutes of the
BOUNTIFUL CITY COUNCIL
July 9, 2019 – 6:00 p.m.

Present: Mayor Randy Lewis
Councilmembers Kate Bradshaw, Kendalyn Harris, Richard Higginson,
John Marc Knight, Chris Simonsen
City Manager Gary Hill
Assistant City Manager Galen Rasmussen
City Engineer Lloyd Cheney
City Planner Francisco Astorga
Power Director Allen Johnson
Streets Master Mechanic Jared Edge
Police Chief Tom Ross
SDMFA Fire Chief Jeff Bassett
Power Gen. Superintendent Alan Farnes
Power Oper. Superintendent Jess Pearce
Power Elect. Engineer Luke Viegel
Recording Secretary Maranda Hilton
Power Commissioners Dan Bell
Susan Becker
David Irvine
John Cushing
Paul Summers

Excused:
City Attorney Clinton Drake

Official notice of the City Council Meeting was given by posting an Agenda at the temporary City Hall locations (805 South and 150 North Main Street) and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Clipper and Standard Examiner.

Work Session – 6:00 p.m.
South Davis Metro Fire Station Conference Room

Mayor Lewis called the meeting to order at 6:03 p.m. and welcomed those in attendance.

CARBON FREE POWER PROJECT – MR. ALLEN JOHNSON

Mr. Johnson introduced the members of the Power Commission who were present at the meeting and said he was privileged to talk to the Council about this project which has been in the works for five years. He turned the first few minutes over to Mr. David Irvine, a member of the Power Commission.

Mr. Irvine read a statement he wrote in response to a study conducted by the Healthy Environment Alliance of Utah [HEAL (Utah)] and Energy Strategies. HEAL(Utah) is unsupportive of cities in Utah committing to purchase energy from Utah Association of Municipal Power Systems'

1 (UAMPS) Carbon Free Power Project (CFPP), stating that the project is more expensive than other
2 alternative power sources. Mr. Irvine asserted that it's too soon to know what the future will bring,
3 and with other sources of power going away while demand for electricity increases, all options need
4 to be explored in order to ensure the lowest cost for Bountiful City Light & Power (BCL&P)
5 customers. The commitment Bountiful City would be making is very minimal in the scope of the
6 entire CFPP lifespan, and there will be opportunities to leave if it turns out to not be a viable solution
7 for the City. The Power Commission recommends that the City Council proceed with involvement in
8 the CFPP, with the caveat that it is a promising technology that may be very advantageous if there are
9 enough partners to make it economically viable.

10 Mr. Johnson then presented details about current and projected power usage, current and
11 future power sources, the CFPP phases of development and what the City would be committing to
12 tonight if they so choose.

13 Mr. Johnson shared a graphic showing power usage in Bountiful City, pointing out the large
14 differences between peaks in different months of the year, and in different hours of the day for a
15 typical July. BCL&P has the charge to not only cover April or October power needs, but also the
16 peaks of July. He likened a power company to an "ice cream factory without a freezer", saying that
17 power costs go up when demand goes up. The constraints on how power can be purchased (flat vs.
18 high-load vs. low-load) means that there are times that the system is being driven into the negative in
19 order to make sure peak demands can be met.

20 Mr. Johnson then explained where Bountiful City's power is purchased from: The Colorado
21 River Storage Project (CRSP) is a hydroelectric power source contract that will expire in 2045. The
22 San Juan plant is a coal power plant in New Mexico which will likely shut down in June 2022. The
23 PX is four separate purchases the City makes to help get through peak seasons and will expire after
24 the summer of 2022. These four sources are mostly from natural gas, and the Power Department is
25 seeking ways to replace them with alternative sources. Power is also generated at Bountiful's two
26 local hydroelectric plants (Pineview and Echo) and the BCL&P natural gas plant. Some alternative
27 sources that are being investigated for the future are solar power from the Red Mesa Tapaha project
28 beginning in 2019, a 25-year Geothermal contract starting in 2023, and the CFPP.

29 Mr. Johnson explained some of the terms and conditions associated with participating in the
30 CFPP. If an Economic Competitive Test comes back higher than the estimated \$65/MWh (at 2019
31 dollar values) then UAMPS will be refunded the investment they have put into the project up to \$6M.
32 The deadline for that checkpoint should be this fall.

33 Mr. Johnson showed images and renderings of what the nuclear power plant (if completed)
34 would look like. The entire plant would cover about 35 acres of land including the reactors and the
35 storage of waste. After fuel is used, it has to remain in wet storage for a number of years, and then it
36 can be moved to dry storage. Nu Scale (one of the partners in the CFPP) has been commended on the
37 design of their nuclear plant safety features. The plant does not require any AC or DC power,
38 additional water or action taken by an operator in order to shut down in an emergency.

39 Mr. Johnson reminded the Council that in May of 2018 they voted to approve Resolution
40 #2018-06, signing a Power Sales Contract for the purchase of 5MW from the CFPP. The options at
41 this time are either to stay at 5MW, to take advantage of the Joint Use Modular Plan (JUMP) program
42 to increase how many MW's to contract for, or to use an "off-ramp" to exit the project. The JUMP
43 program decreases our overall risk with the Department of Energy (DOE) committing to pay all
44 capital costs of building one reactor of the CFPP and paying to operate one of the reactors for the first
45 10 years. Using the JUMP program would increase the City's entitlement shares by 1,859kw to
46 2,408kw. To date there are over 30 cities or towns in Utah who have committed to purchase a total of

1 150 MW. The CFPP must contract a total of 700MW for the project to be viable and affordable. The
2 possible “off-ramps” for the remainder of the project are in September of 2019 (100%
3 reimbursement), in August of 2021 at the end of Phase 1 (COLA Development), and in December of
4 2023 at the end of Phase 2 (Decision to Construct). If the City doesn’t agree to the final DOE terms
5 when the agreement is actually finalized, the City can reduce or drop the additional allocation in the
6 JUMP program within 30 days of being given written notice. The first phase of licensing will be
7 through September 2019, the second phase of licensing will go through August of 2021, and the
8 construction period will be from 2023-2027. Then the plant will be in operation for up to 80 years.

9 Mr. Johnson stated that the Power Commission gives its full recommendation for the Council
10 to adopt Resolution 2019-04 to increase the City’s “Entitlement Shares” up to 2,408k. He then asked
11 if there were any questions. Councilwoman Bradshaw asked if the DOE would share in any of the
12 decommissioning costs at the end of the 80 year lifespan of the project. Mr. Johnson answered that
13 yes, the DOE would pay for their portion of the decommissioning costs based on their 10 year use of
14 the project.

15 Councilwoman Harris asked if the Council decision to join the JUMP program would increase
16 costs at this point. Mr. Johnson answered that it would not, since the JUMP program is mitigating
17 those start-up costs by joining with the DOE. The DOE will pay the capital costs, the 1,859kw
18 become debt free and the only cost will be for operations. Mr. Gary Hill added that this decision does
19 require the City to pay any more money toward the project. That decision will be made this fall.

20 The Mayor mentioned that with projected future population growth along the Wasatch Front,
21 it is a difficult task to estimate future electricity needs, especially for cities that aren’t landlocked like
22 Bountiful. Mr. Johnson agreed that looking forward to the next 100 years it seems that electricity will
23 be in higher demand, and we will need to look at ways to be more sustainable in energy production
24 and usage (e.g. batteries and solar panels on every house) so that residents can take care of more of
25 their own needs.

26 Councilwoman Harris asked what the biggest uncertainties that exist in continuing with this
27 CFPP are. Mr. Johnson said that obtaining enough partners in order to keep the costs low is the
28 biggest one, especially since nuclear power has a negative connotation for most people.

29 Councilman Knight asked if Mr. Johnson would please send this PowerPoint presentation to
30 all of the Councilmembers so that they can be more informed about this complex project. He hopes
31 the Councilmembers can be informed enough to be able to explain it to their constituents. Mr.
32 Johnson said he would be happy to do that and apologized he did not get it to them sooner as he was
33 still finalizing it earlier that day.

34 Councilman Higginson asked what percentage of the projects potential MW’s has been
35 committed to. Mr. Johnson said at this point 220MW have been spoken for, with about 500MW still
36 to go. Councilman Higginson asked how likely UAMPS is to gain the rest of the needed support, and
37 Mr. Johnson said the problem is finding people who will “step up” and commit, but that no single
38 partner is allowed to take more than 25% of the power purchases. The project is becoming well
39 known all over the country and lots of feelers have been put out, but if there aren’t enough partners
40 by the time it’s ready to build the City can opt out.

41 The Mayor thanked Mr. Johnson and everyone on the Power Commission for being there, and
42 for their work to help them understand the issues and the project better. Mr. Irvine recommended that
43 the City Council take a field trip to see what the project is all about.

44
45 The work session of the City Council was adjourned at 6:58 p.m.
46

Regular Meeting – 7:00 p.m.
South Davis Metro Fire Station Conference Room

Mayor Lewis called the meeting to order at 7:02 p.m. and welcomed those in attendance. Mr. Paul Summers, Power Commissioner, led the Pledge of Allegiance and Pastor Mike Pless, Good Shepherd Fellowship, offered a prayer.

PUBLIC COMMENT

The public comment section was opened at 7:05 pm.

Audrey Philpot (15 W. 1200 S.) stood to express the need for the completion of the Master Trails Plan and to offer her support in order to make those trails rideable. Her son is on the South Davis Mountain Biking team and she sees what a great sport it is and how it is helping raise a generation of good citizens. The sport is growing very quickly, especially in Utah, and Bountiful needs more trails for these athletes to ride on.

Seymour Winter (1217 S. 300 W.) stood to say how very unhappy he is with the new dog park that was recently opened in Bountiful. He lives with his backyard abutting the park, and it causes a lot of noise and chaos in the evenings. He has tried contacting the Parks Department to put in some sort of barrier to buffer the homes from the park, but has not been successful. He worries about his property value decreasing because of the noise and lack of privacy. He asked the Council to please put up a barrier.

Michael Shea (HEAL Utah) addressed the Council to defend the study that was done on the SMR (small modular reactor) project. He said that he believes the remaining 500MW will not be purchased because the price is too high. The data used in the study is publicly available on PacifiCorp's website. He recommended the City put out an RFP for other sources of energy and to see that other sources are more affordable.

Pete Richards (3287 S. 200 E.) stood to ask the City to complete the Trails Master Plan. He is a coach on the South Davis Mountain Biking Team, and between their team (100 members) and the students in Davis County who are part of the Utah High School Cycling League (about 1500 students) the Mueller Park Trail is completely overcrowded. They are concerned that they could be banned from using the trail at any point, which is why they teach their team to be courteous and have them give voluntary service hours to improve the trails.

Nelda Bishop (3772 S. Cardiff Cir) stood to give a suggestion to the Council on how to notify residents about issues they care about. She would like it if people could sign up for an email that contains the agenda for City Council meetings, that way they could know without having to look online what is going on with the City.

Lynn Anderson (806 E. 650 N.) stood to remind the Council that at one point they voted to make solar and other sources of renewable energy financially unfeasible for most residents. She is neutral on the subject of nuclear power, but feels it is much better than the action they have taken in the past.

The public comment section was closed at 7:16 pm.

APPROVE MINUTES OF PREVIOUS MEETING HELD ON JUNE 25, 2019

Councilman Simonsen made a motion to approve the minutes as printed and Councilman Higginson seconded the motion. The motion passed with Councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.

COUNCIL REPORTS

Councilman Higginson presented the Mayor with gifts from the group of Singaporean performers who participated in Summerfest 2019. He attended the Mayor’s Reception in place of the Mayor this year. He said they were very impressed with our facility there at the BDAC and how things were run.

Councilwoman Harris did not have a report.

Councilman Simonsen relayed that the July 5th concert in Bountiful Park was a wonderful concert featuring Utah Voices, and 1,200 people attended it. It was also a great way to learn more about the proposed Veteran’s Park.

Councilwoman Bradshaw let those in attendance know about Public Notice Utah, a website where anyone may sign up to receive emails about meeting agendas they are interested in, at a City, County and State level. She also said that the Mosquito Abatement district will spray your property for mosquitos if you call to request their service.

Councilman Knight expressed his love of the new dog park, and thanked the residents of Bountiful for being courteous dog-owners who clean up after their pets and take care of the park. He said he has not noticed the chaos referred to by Mr. Winter, but he will go in the evening to check it out himself.

BCYC REPORT

Councilwoman Harris announced that the BCYC is making a video about recyclables.

CONSIDER APPROVAL OF:

a. **Weekly Expenditures >\$1,000 paid June 17 & 24, 2019**

b. **May 2019 Financial Report**

Councilman Higginson made a motion to approve the weekly expenditures and the May financial report and Councilman Knight seconded the motion. The motion passed with Councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.

CONSIDER APPROVAL OF RESOLUTION 2019-04 AUTHORIZING AND APPROVING AN INCREASE IN ENTITLEMENT SHARES UNDER THE CARBON FREE POWER PROJECT AND AUTHORIZING THE MAYOR TO SIGN THE RESOLUTION – MR. ALLEN JOHNSON

Mr. Allen Johnson presented Resolution 2019-04 for approval with the backing of the Power Commission. He then fielded questions from the Council. Councilman Higginson commented that he was happy to approve the Resolution at this time simply to be able to “participate in the conversation” so that we could keep looking at all sources for the future of powering the City. It would be irresponsible to get out of the conversation too early before we know the feasibility of the project.

Councilman Higginson made a motion to approve Resolution 2019-04 and for the Mayor to sign it and Councilman Simonsen seconded the motion.

1 Councilwoman Bradshaw asked Mr. Johnson if the investment the City has made so far
2 (\$6M) between now and the next “off-ramp” in September is completely reimbursable. He said if
3 UAMPS decides to walk away from the project in September, then yes, our investment is refundable.
4 She asked if the City would get our proportional contribution back if just Bountiful City decides to
5 opt out. He answered that if the project is built, then yes. Councilwoman Harris asked if an additional
6 investment is required in September. Mr. Johnson said no.

7 Councilman Knight said he supports the Mayor signing the resolution, but because he will not
8 be on the Council when it comes time to vote for the other “off-ramps” he will vote against the
9 Resolution at this time.

10 The motion passed with Councilmembers Bradshaw, Harris, Higginson, and Simonsen voting
11 “aye” and Councilman Knight voting “nay”.
12

13 **CONSIDER APPROVAL OF RESOLUTION 2019-06 AUTHORIZING A CONTRACT**
14 **BETWEEN PUBLIC ENERGY AUTHORITY OF KENTUCKY AND BOUNTIFUL CITY**
15 **FOR A PRE-PAID GAS PURCHASE AND AUTHORIZE THE MAYOR TO SIGN IT – MR.**
16 **ALLEN JOHNSON**

17 Mr. Allen Johnson presented to the Council that the City has an opportunity to be involved
18 with the Public Energy Authority of Kentucky, which is a supplier of natural gas. This contract will
19 save the City \$20,000 a year on costs at the Power Plant by being able to pre-pay for natural gas. The
20 approval of the Resolution is recommended by the Power Commission.

21 Councilman Knight made a motion to approve the Resolution 2019-06 authorizing a contract
22 between Public Energy Authority of Kentucky and Bountiful City, and to authorize the Mayor to sign
23 it, and Councilman Higginson seconded the motion. The motion passed with Councilmembers
24 Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
25

26 **CONSIDER APPROVAL OF THE PURCHASE OF THE FOLLOWING EQUIPMENT –**
27 **MR. JARED EGDE**

28 **a. One ton cab & chassis from Performance Ford and a nine-foot dump body from**
29 **Semi Service Inc. in the total amount of \$52,327 for the Storm Water Department**

30 Councilman Higginson made a motion to approve the purchase of the one ton truck and dump
31 body and Councilwoman Harris seconded the motion. The motion passed with Councilmembers
32 Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
33

34 **b. Three-quarter ton cab & chassis from Performance Ford and a service body from**
35 **Signature Equipment in the total amount of \$48,920 for the Streets Department**

36 Councilwoman Harris made a motion to approve the purchase of the three-quarter ton truck
37 and service body and Councilman Higginson seconded the motion. The motion passed with
38 Councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
39

40 **c. Peterbilt refuse chassis from Peterbilt of Utah and a Labrie refuse body from**
41 **Signature Equipment in the total amount of \$259,363 for the Sanitation Department**

42 Councilwoman Bradshaw made a motion to approve the purchase of a Peterbilt refuse chassis
43 and Labrie refuse body and Councilman Higginson seconded the motion. The motion passed with
44 Councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
45

1 **d. Leaf/Debris Collector from Old Dominion Brush Company in the amount of \$68,000**
2 **for the Storm Water Department**

3 Councilwoman Harris made a motion to approve the purchase of a leaf/debris collector from
4 Old Dominion and Councilwoman Bradshaw seconded the motion. The motion passed with
5 councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
6

7 **CONSIDER APPROVAL OF THE PRELIMINARY SITE PLAN FOR AN ADDITION AT**
8 **ST. OLAF CHURCH AND SCHOOL LOCATED AT 1793 SOUTH ORCHARD DRIVE – MR.**
9 **FRANCISCO ASTORGA**

10 Mr. Francisco Astorga presented the preliminary site plan for an addition to St. Olaf’s School
11 and Church to the Council. The addition will be on the east side of the school and will also include a
12 revision of the parking lot to help with flow during student drop-off and pick-up. The Planning
13 Commission felt the plan was very well done and beautifully detailed. Councilman Higginson added
14 that the addition will allow for a cafeteria to be added to the school, and will also allow the school to
15 use only main floor classrooms instead of having some students in the lower level. The school is
16 hopeful that the addition will increase their student body population as well.

17 Councilman Higginson made a motion to approve the preliminary site plan and Councilman
18 Knight seconded the motion. The motion passed with councilmembers Bradshaw, Harris, Higginson,
19 Knight and Simonsen voting “aye”.
20

21 **CONSIDER APPROVAL OF A CONTRACT WITH GREEN CONSTRUCTION, INC. FOR**
22 **THE INSTALLATION OF WATER LINES AT THE STONE CREEK ESTATES PHASE 2**
23 **SUBDIVISION IN THE AMOUNT OF \$182,564 PLUS THE COST OF BONDS AND**
24 **INSURANCE – MR. LLOYD CHENEY**

25 Mr. Lloyd Cheney presented a contract with Green Construction, Inc. to install the water lines
26 at the Stone Creek Estates Phase 2 subdivision. After receiving bids from two contractors for
27 installation of a water line to the subdivision, the City felt they were too high and reached out to
28 Green Construction instead, who is the contractor hired by Rainey Homes and is working on building
29 the subdivision there. The contract is for Green Construction to install the water lines as well as the
30 pump line to the reservoir. This will be an advantage to the City so Green Construction’s work can be
31 closely supervised and changes can be made as needed. It also means that one company will be
32 responsible for all of the work in that area, which will make fixing problems much quicker.

33 Councilman Higginson commended Mr. Cheney for his good work in finding a more
34 affordable solution with a good outcome for the City and its residents.

35 Councilman Higginson made a motion to approve the contract with Green Construction, Inc.
36 in the amount of \$182,564 and Councilwoman Bradshaw seconded the motion. The motion passed
37 with councilmembers Bradshaw, Harris, Higginson, Knight and Simonsen voting “aye”.
38

39 **CONSIDER APPROVAL OF RESOLUTION 2019-05 AMENDING THE PERSONNEL**
40 **POLICIES AND PROCEDURES MANUAL OF THE CITY OF BOUNTIFUL – MR. GARY**
41 **HILL**

42 Mr. Gary Hill presented Resolution 2019-05 to the Council, which will make a few
43 amendments to the Personnel Policies and Procedures Manual of the City. These changes have to do
44 with who staff can report sexual harassment problems to and when a determination can be appealed,
45 personal use of City-owned equipment, and being IRS compliant regarding vehicles that have been
46 assigned to employees.

1 Councilman Higginson made a motion to approve Resolution 2019-05 and Councilwoman
2 Harris seconded the motion. The motion passed with councilmembers Bradshaw, Harris, Higginson,
3 Knight and Simonsen voting “aye”.
4

5 **ADJOURN**

6 Councilman Simonsen made a motion to adjourn the regular session and Councilwoman
7 Bradshaw seconded the motion. The motion passed with Councilmembers Bradshaw, Harris,
8 Higginson, Knight and Simonsen voting “aye”.
9

10
11 The regular session of City Council was adjourned at 7:53 pm.

Mayor Randy Lewis

City Recorder