7505 South Holden Street
Midvale, UT 84047
(801) 567-7200
www.midvalecity.org

MIDVALE CITY COUNCIL MEETING
AGENDA
October 15, 2019

PUBLIC NOTICE IS HEREBY GIVEN that the **Midvale City Council** will hold a regular meeting on the **15th day of October 2019** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

5:30 PM – Dinner, Dahl Conference Room

6:00 PM – Dahl Conference Room
WORKSHOP

A. Main Street Form Based Code ***[Matt Dahl, Assistant City Manager/CD Director]***

B. Utility Service Partners Presentation ***[Dennis Lyon and Mayor Hale]***

7:00 PM
REGULAR MEETING – Council Chambers

I. GENERAL BUSINESS

A. WELCOME AND PLEDGE OF ALLEGIANCE
B. ROLL CALL
C. Unified Police and Fire Reports
D. Proclamation – Breast Cancer Awareness Month

II. PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for public hearing on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

III. COUNCIL REPORTS

A. Councilmember Bryant Brown
B. Councilmember Paul Hunt
C. Councilmember Dustin Gettel
D. Councilmember Paul Glover
E. Councilmember Quinn Sperry

IV. MAYOR ROBERT M. HALE REPORT

V. CITY MANAGER REPORT

VI. CONSENT AGENDA

A. Consider Minutes of October 1, 2019 ***[Rori Andreason, H.R. Director/City Recorder]***

VII. ACTION ITEMS

A. Consider Resolution No. 2019-R-47 Recertifying the Justice Court ***[Lisa Garner, City Attorney]***

VIII. DISCUSSION ITEMS

A. Discuss Draft of Water Conservation Plan ***[Glen Kennedy, Public Works Director & Hansen Allen & Luce]***

B. Discuss City-Wide Mural Program ***[Jessica Stephens, RDA Project Manager]***

C. Discuss 50/50 Sidewalk Program ***[Matt Dahl, Assistant City Manager/CD Director]***

IX. ADJOURN

In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working day notice of the meeting. TTY 711

A copy of the foregoing agenda was provided to the news media by email and/or fax. The agenda was also posted at the following locations on the date and time as posted above: City Hall Lobby, on the City's website at www.midvalecity.org and the State Public Notice Website at http://pmn.utah.gov. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons present in the Council Chambers will be able to hear or see the communication.

PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING

DATE POSTED: OCTOBER 11, 2019

RORI L. ANDREASON, MMC
H.R. DIRECTOR/CITY RECORDER

CITY COUNCIL MEETING
Minutes

Tuesday October 15, 2019
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

MAYOR: Mayor Robert M. Hale

COUNCIL MEMBERS: Council Member Bryant Brown
Council Member Paul Hunt
Council Member Dustin Gettel
Council Member Paul Glover
Council Member Quinn Sperry

STAFF: Kane Loader, City Manager; Matt Dahl, Asst. City Manager/Community Development Director; Rori Andreason, HR Director/City Recorder; Lisa Garner, City Attorney; Glen Kennedy, PW Director; Laura Magness, Communications Director; Lesley Burns, City Planner; Christopher Butte, Economic Development Director; Jessica Stephens, RDA Project Manager; Cindy Lopez, Court Administrator; Chief Randy Thomas, UPD; Chief Brad Larson, UFA; and Jake Shepherd, Network Administrator.

The pre-meeting workshop began at 5:30 p.m. – Dinner, Dahl Conference Room

Workshop at 6:00 pm – Dahl Conference Room

A. Main Street Form-Based Code

Matt Dahl discussed the process for reviewing the form-based code. He felt there are some general misunderstandings when it comes to the form-based code. He is hoping to address those misunderstandings. This one code addresses five different codes in the Main Street area. He wants one interconnected and unique neighborhood. He discussed the basics of what he is trying to do.

Main Street Small-Area Plan Goals & Objectives

- Encourage business growth and relocation to Main Street
- Update and upgrade existing historic buildings
- Invest in long-term development through strategic funding
- Improve connections between Main Street and surrounding neighborhoods
- Expand housing and employment options

References to Form-Based Code

Adopting a form-based code was identified as a Phase One priority in the Main Street small-area plan due to benefits listed below:

- Provides more flexibility for incorporating diverse uses.

- Tailored to specific community context and area's unique needs.
- Includes form and style requirements to achieve a more complete neighborhood identity.
- Fosters predictable built results and a high-quality public realm by using physical form as the organizing principle for the code.
- Time-tested regulation used in communities all over the country to great success.
- Aligns the desire to maintain the quality of life currently enjoyed by the city's residents with planning for future development in appropriate and aesthetically attractive ways.
- In the long-term, these types of code are often expanded to apply to other parts of a community.

Existing Project Area Zones

SF-2 *Single Family (SF-2)*

RM-12 *Residential Multi-family 12 (RM-12)*

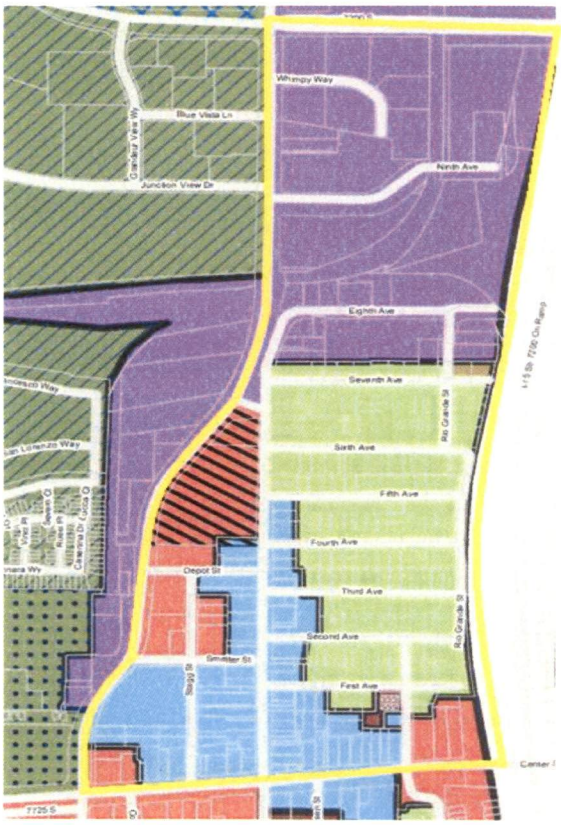
RM-25 *Residential Multi-family 25 (RM-25)*

CI *Clean Industrial (CI)*

HC *Historical Commercial (HC)*

RC *Regional Commercial (RC)*

Public Facilities Overlay



Code Comparison
Regional Commercial (Existing; Typical)
12.1 Purpose
12.2 Uses
12.3 Development Standards
12.4 Architectural Standards
12.5 Outdoor Storage
12.6 Landscaping
12.7 Parking Requirements
12.8 Utilities
12.9 Conditional Use standards of review
12.10 Signs

Form-Based Code (Proposed)
1.0 Purpose
2.0 Form Districts
3.0 Use
4.0 Street Types
5.0 Frontages
6.0 Building Types
7.0 Open Space
8.0 Landscaping
9.0 Parking
10.0 Signage
11.0 Administration

Code Comparison
Regional Commercial (Existing; Typical)
12.1 Purpose
12.2 Uses
12.3 Development Standards
12.4 Architectural Standards
12.5 Outdoor Storage
12.6 Landscaping
12.7 Parking Requirements
12.8 Utilities
12.9 Conditional Use standards of review
12.10 Signs

Form-Based Code (Proposed)
1.0 Purpose
2.0 Form Districts (new; replaces zones)
3.0 Use
4.0 Street Types (new; replaces street standards)
5.0 Frontages
6.0 Building Types

7.0 Open Space
8.0 Landscaping
9.0 Parking
10.0 Signage
11.0 Administration (specific to FBC)

Form Districts

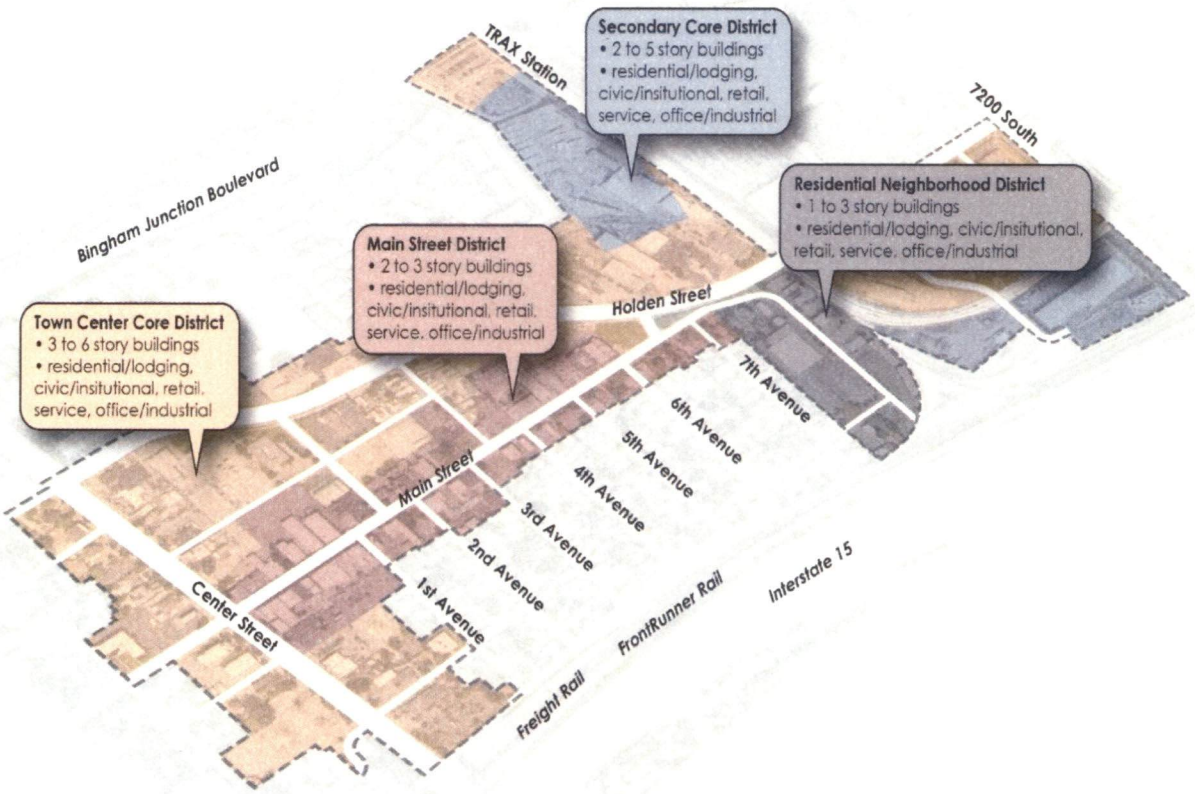


Table 2.02 - Town Center Core District
Use by Building Type

USE	BUILDING TYPE				
	GENERAL	LIMITED BAY	ROW	YARD	CIVIC
1. Residential & Lodging	U	U	U	Not Permitted	N
2. Civic	G+U	N	N		G+U
3. Retail	G	G	G+U		N
4. Service	G	G+U	G+U		N
5. Office & Industrial	U	G+U	G+U		N

G+U = Ground Floor and Upper Floors | N = Not Permitted
G = Ground Floor Only | U = Upper Floors Only

Table 2.01 - Main Street District
Use by Building Type

USE	BUILDING TYPE				
	GENERAL	LIMITED BAY	ROW	YARD	CIVIC
1. Residential & Lodging	U	Not Permitted	U	Not Permitted	N
2. Civic	G+U		N		G+U
3. Retail	G		G+U		N
4. Service	G		G+U		N
5. Office & Industrial	U		U		N

G+U = Ground Floor and Upper Floors | N = Not Permitted
G = Ground Floor Only | U = Upper Floors Only

Table 2.03 - Secondary Core District
Use by Building Type

USE	BUILDING TYPE				
	GENERAL	LIMITED BAY	ROW	YARD	CIVIC
1. Residential & Lodging	G+U	U	G+U	Not Permitted	N
2. Civic	G+U	N	N		G+U
3. Retail	G+U	G	G+U		N
4. Service	G+U	G+U	G+U		N
5. Office & Industrial	U	G+U	G+U		N

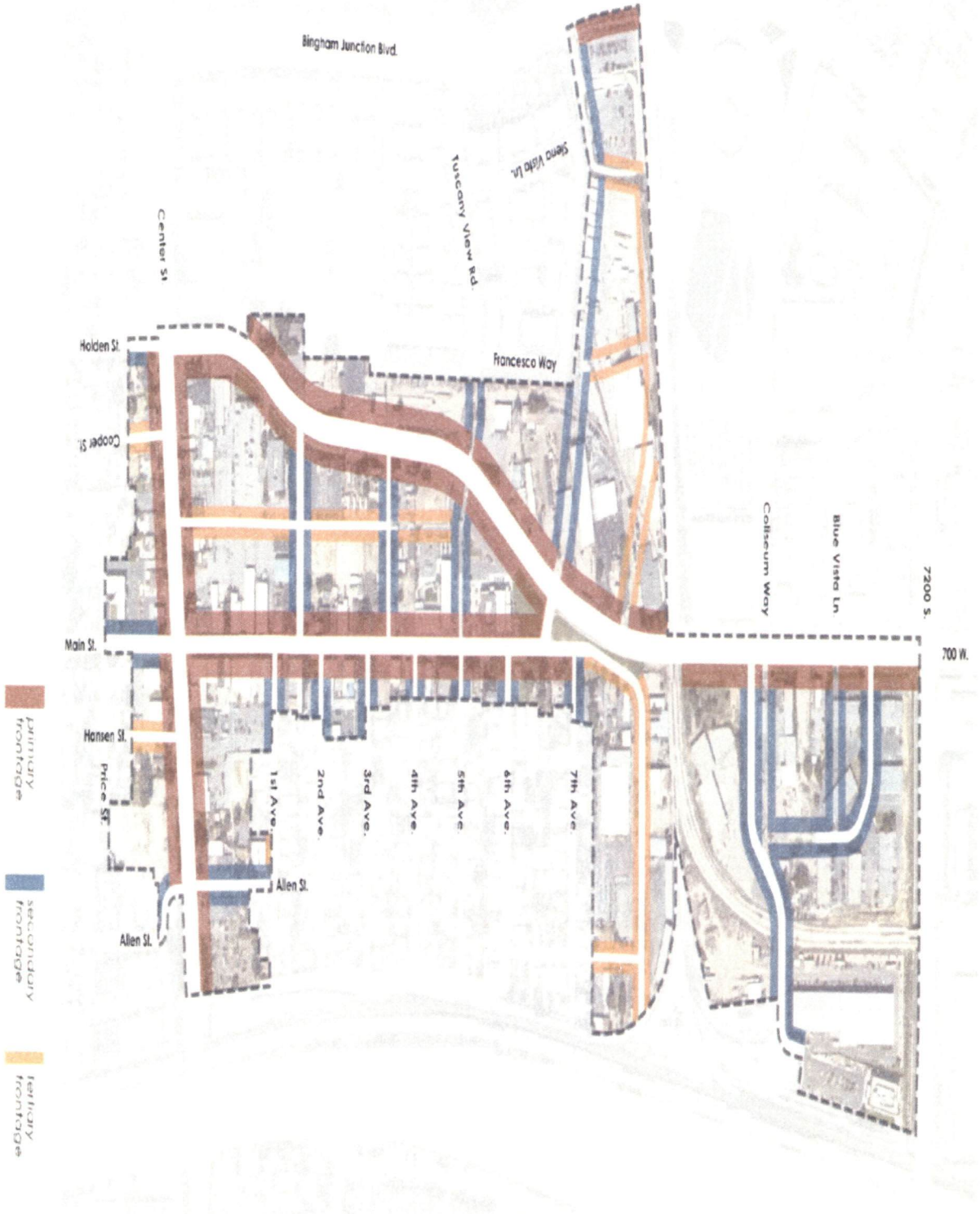
G+U = Ground Floor and Upper Floors | N = Not Permitted
G = Ground Floor Only | U = Upper Floors Only

Table 2.04 - Residential Neighborhood District
Use by Building Type

USE	BUILDING TYPE				
	GENERAL	LIMITED BAY	ROW	YARD	CIVIC
1. Residential & Lodging	G+U	Not Permitted	G+U	G+U	Not Permitted
2. Civic	N		N	N	
3. Retail	G		G	N	
4. Service	N		G	G	
5. Office & Industrial	N		G	N	

G+U = Ground Floor and Upper Floors | N = Not Permitted
G = Ground Floor Only | U = Upper Floors Only

Frontages


Bingham Junction Blvd.
Tuscany View Rd.
Sierra Vista Dr.
Center St
Holden St.
Francesco Way
Cooper St
Main St.
Hansen St.
Price St.
1st Ave.
2nd Ave.
3rd Ave.
4th Ave.
5th Ave.
6th Ave.
7th Ave.
Allen St.
Allen St.
Coliseum Way
Blue Vista Ln.
7200 S.
700 W.
primary frontage
secondary frontage
tertiary frontage

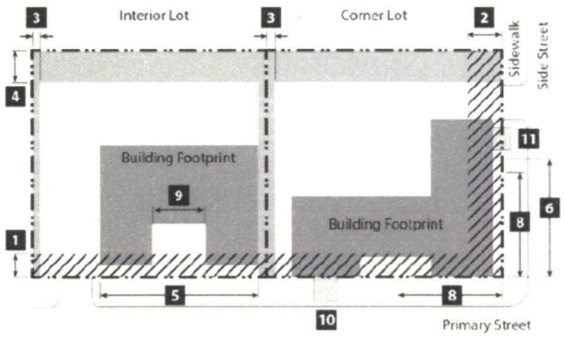


Figure 5.11a - Building placement example diagram. Not to scale.

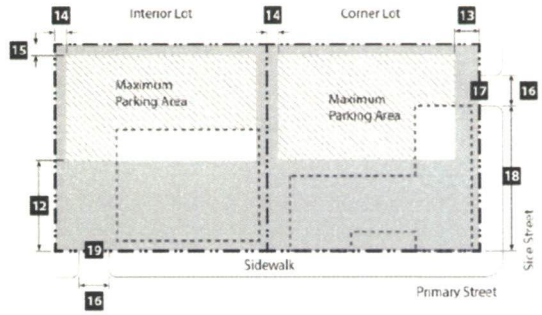


Figure 5.11b - Parking area placement example diagram. Not to scale.

Table 5.02 - Secondary Frontage Requirements	
BUILDING PLACEMENT	
BUILD-TO-ZONE (BTZ)	
1. Primary Street	0'-0" min. - 15'-0" max.
2. Side Street/Rear Street	0'-0" min. - 15'-0" max.
SETBACK	
3. Side	0'-0" min. - 10'-0" max.
4. Rear	5'-0" min. - 10'-0" max.
FRONTAGE COVERAGE	
5. Primary Street Facade	70% min.
6. Side Street Facade	50% min.
7. Rear Street Facade	no minimum
8. Corner Buildings	
Primary Street Facade	30'-0" min.
Side Street Facade	30'-0" min.
Rear Street Facade	no minimum
9. Primary Facade Courtyard	15% max.
ENCROACHMENTS	
10. Primary Street	
Ground Floor	8'-0" max.
Upper Floor (s)	6'-0" max.
11. Side Street/Rear Street	
Ground Floor	6'-0" max.
Upper Floor (s)	4'-0" max.

PARKING: See Section 9.0	
SETBACK (surface lot)	
12. Primary Street	30'-0" min.
13. Side Street/Rear Street	5'-0" min.
14. Side	5'-0" min.
15. Rear	5'-0" min.
PARKING DRIVEWAY (surface lot & structured)	
16. Width	
Two-Way	25'-0" max.
One-Way	16'-0" max.
Corner Lot	
17. Location	side street or rear street
18. Distance from Corner	35'-0" min.
Interior Lot	shared driveway, rear street, primary street as a last resort
19. Location	
BICYCLE AND OFFSITE PARKING	
20. Bicycle parking to be provided in a secure location	
21. Offsite parking allowed in shared parking structure or parking lot within 1,300'-0" of main entrance	

Parking

Table 9.01 - Vehicular Parking Requirements by Use & Form District

USE CATEGORY	PARKING REQUIREMENT				CALCULATION UNIT
	MS	TCC	SC	RN	
RESIDENTIAL & LODGING					
1. Single Family & Multifamily (Studio/1 Bedroom)	1.0 max.	1.0 max.	1.0 min.	1.0 min.	per dwelling unit
2. Multifamily (2 Bedrooms)	1.5 max.	1.5 max.	1.5 max.	1.0 min.	per dwelling unit
3. Multifamily (3+ Bedrooms)	2 max.	2 max.	2 max.	1.5 min.	per dwelling unit
4. Hotel & Inn	1.0 max. 1.0 max.	1.0 max. 1.0 max.	1.0 min. 1.0 max.	n/a	per room + per 200 sq. ft. office & dining
5. Residential Care	n/a	0.5 max. 0.75 max.	0.5 max. 0.75 max.	0.5 min. 0.75 min.	per rooming unit + per employee
CIVIC & INSTITUTIONAL					
6. Assembly (Public & Private)	0.2 max.	0.25 max.	0.25 max.	n/a	per seat (capacity)
7. Transit Station	TBD	TBD	TBD	n/a	per city planning staff
8. Medical/Dental Clinic	1.25 max. 0.75 max.	1.5 max. 1.0 max.	1.5 min. 1.0 min.	n/a	per treatment room + per employee
9. Library/Museum/Post Office	0.75 max.	1.0 max.	1.0 max.	n/a	per 600 sq. ft.
10. Police & Fire	n/a	n/a	TBD	n/a	per city planning staff
11. School: Pre-K through Junior High	1.0 max. 0.75 max.	1.0 max. 1.0 max.	1.0 max. 1.0 max.	1.0 max. 1.0 min.	per classroom + per 200 sq. ft. office space
12. School: High School & Higher Education	1.0 max. 0.75 max. 0.15 max.	1.0 max. 1.0 max. 0.2 max.	1.0 max. 1.0 max. 0.2 max.	1.0 max. 1.0 min. 0.15 min.	per classroom + per 200 sq. ft. office space + per student
RETAIL					
13. General Retail	1.0 max.	1.25 max.	1.5 max.	n/a	per 300 sq. ft.
14. Neighborhood Retail	0.75 max.	1.0 max.	1.25 max.	1.0 min.	per 300 sq. ft.
SERVICE					
15. General Service	0.5 max.	0.75 max.	1.0 max.	n/a	per 250 sq. ft.
16. Neighborhood Service	0.5 max.	0.75 max.	1.0 max.	1.0 min.	per 250 sq. ft.
17. Bars & Restaurants	0.5 max. 0.75 max.	0.5 max. 0.75 max.	0.75 max. 0.75 max.	0.75 min. 0.75 min.	per seat (capacity) + per employee
OFFICE & INDUSTRIAL					
18. Office/Professional	1.0 max.	1.0 max.	1.0 min.	n/a	per 200 sq. ft.
19. Craftsman/Industrial	n/a	1.0 max. 1.5 max.	1.0 max. 1.5 max.	n/a	per 500 sq. ft. retail space + per 1,000 sq. ft. production space
SITE USES					
20. Open Space	TBD	TBD	TBD	TBD	per city planning staff

n/a = use is not permitted in the given form district | TBD = to be determined by city planning staff

Table 9.02 - Bicycle Parking Requirements

USE CATEGORY OR TYPE	MINIMUM REQUIRED BICYCLE PARKING SPACES
1. Multifamily	the greater of either 4 spaces or .05 spaces / bedroom
2. Civic & Institutional	2 spaces + 1 / each additional 10,000 sq. ft.
3. Retail	2 spaces + 1 / each additional 5,000 sq. ft.
4. Service	2 spaces + 1 / each additional 5,000 sq. ft.
5. Office/Professional	2 spaces + 1 / each additional 10,000 sq. ft.
6. Open Space	per city planning staff

Table 9.03 - Shared Parking Reduction Calculation Table

USE CATEGORY OR TYPE	WEEKDAYS			WEEKENDS		
	Midnight 7:00 am	7:00 am 6:00 pm	6:00 pm Midnight	Midnight 7:00 am	7:00 am 6:00 pm	6:00 pm Midnight
1. Residential	100%	50%	80%	100%	80%	80%
2. Hotel & Inn	100%	65%	100%	100%	65%	100%
3. Retail & Service	5%	100%	80%	5%	100%	60%
4. Place of Worship	0%	30%	50%	0%	100%	75%
5. Theater/Entertainment	5%	30%	100%	5%	80%	100%
6. Bars & Restaurants	50%	70%	100%	70%	60%	100%
7. Office/Professional	5%	100%	5%	5%	5%	5%

Building Type

- Types:
  - General
  - Limited Bay
  - Row
  - Yard
  - Civic
- Regulates:
  - Frontage types
  - Use (by floor)
  - Siting (multiple buildings, corner occupation, vehicle access, parking location, etc.)
  - Height (building and floor)
  - Façade design (entrance, transparency, openings, divisions)
  - Projections (type by street)
  - Roof type

General

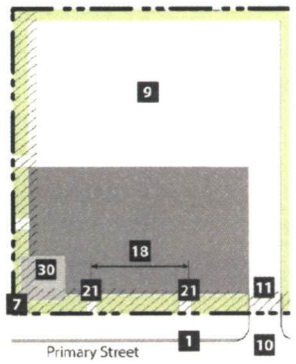


Figure 6.08a - General building siting diagram shown with corner tower and rear vehicular access. Not to scale.

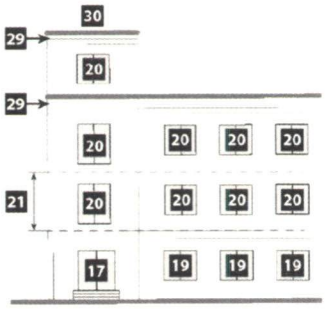


Figure 6.08b - General building street facade diagram shown with corner tower, stoop entry type, and parapet roof type. Not to scale.

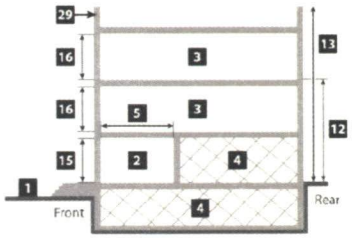


Figure 6.08c - General building height and use diagram shown with basement and rear building interior parking, stoop entry type, and parapet roof type. Not to scale.

Limited Bay

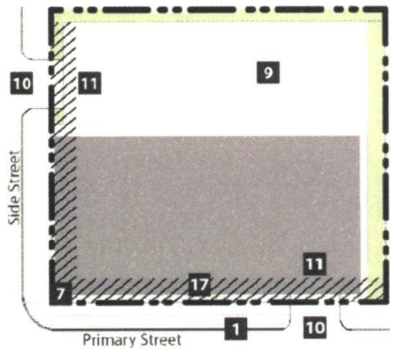


Figure 6.09a - Limited bay building siting diagram shown with rear vehicular access and the vehicle bay on the primary street. Not to scale.

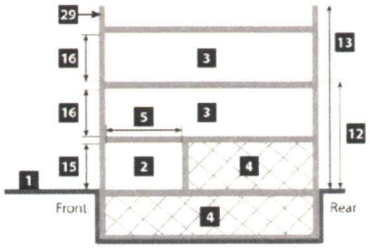


Figure 6.09b - Limited bay building height and use diagram shown with basement and rear building interior parking, storefront entry type, and parapet roof type. Not to scale.

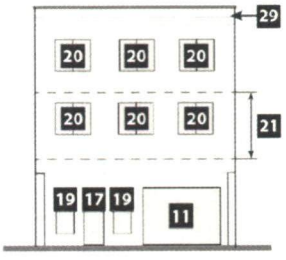


Figure 6.09c - Limited bay building street facade diagram shown with vehicle bay, storefront entry type, and parapet roof type. Not to scale.

Row

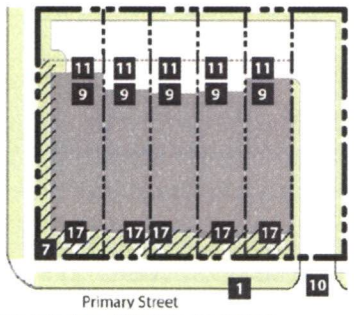


Figure 6.10b - Row building siting diagram shown with attached garages and rear vehicular access. Not to scale.

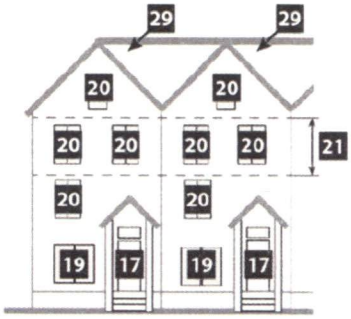


Figure 6.10c - Row building street facade diagram shown with porch entry type and pitched roof type. Not to scale.

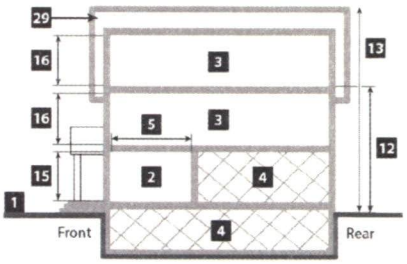


Figure 6.10d - Row building height and use diagram shown with basement and rear building interior parking, porch entry type, and pitched roof type. Not to scale.

Yard

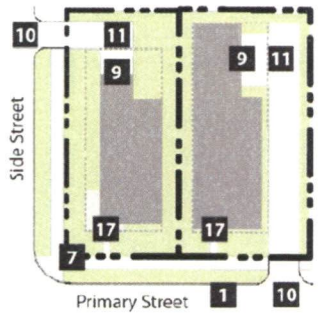


Figure 6.11a - Yard building siting diagram shown with attached garages and rear vehicular access. Not to scale.

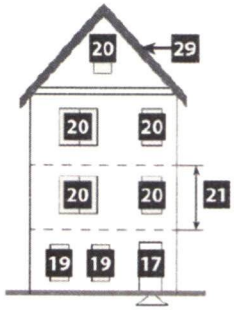


Figure 6.11b - Yard building street facade diagram shown with pitched roof type. Not to scale.

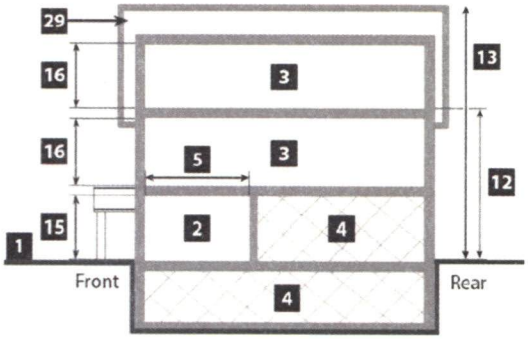


Figure 6.11c - Yard building height and use diagram shown with basement and rear building interior parking, porch entry type, and pitched roof type. Not to scale.

Civic

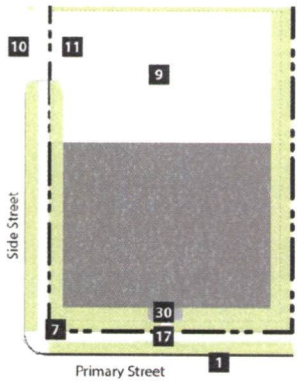


Figure 6.12a - Civic building siting diagram shown with side vehicular access and tower at entry. Not to scale.

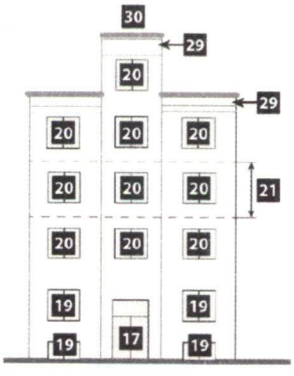


Figure 6.12b - Civic building street facade diagram shown with parapet roof type. Not to scale.

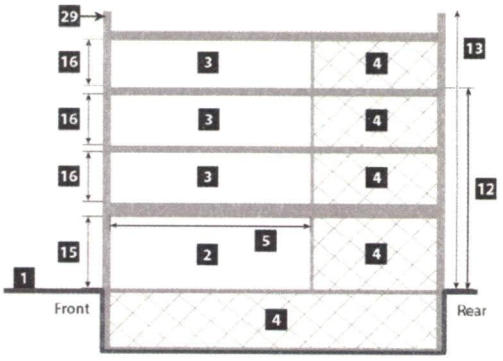


Figure 6.12c - Civic building height and use diagram shown with basement and rear building interior parking and parapet roof type. Not to scale.

Schedule
Adopt FBC
Nov: PC Public Hearing
Dec: PC Recommendation

Jan: CC Public Hearing & Adoption

Revise HC
Nov/Dec: CC/PC Workshops
Jan: PC Public Hearing
Feb: PC Recommendation
Mar: CC Public Hearing
Apr: CC Adoption

Council Member Bryant Brown said why do we a want 2-3 story minimum, especially on the west side. If making a systematic change, make the change.

Matt Dahl said just like any zoning process, that's what this process is. If the policy makers don't like the change, they can change it. The reason they are proposing 2-3 stories on Main Street is because there was a lot of emphasis on the unique character.

Council member Dustin Gettel said instead of focusing on the 2-3 stories, focus on total height.

Lesley Burns said the whole character of main street is very important to the tenants. She said the 2-3 stories is just along the front of main street.

Council Member Bryant Brown said to include Center Street and Main Street on both sides.

Council Member Paul Glover said there will have to be a big list of what is not wanted on Main Street, or they will get things they don't want to see on Main Street.

Matt Dahl said he is hearing from developers that the list is too narrow, and it needs to be broadened. If the Council wants to look through the list of uses, the ones not desired can be removed.

Council Member Paul Glover said he received a call from Unique Auto Body and their perception is they are a non-conforming use and unable to expand. He said he did not want to see that with existing businesses.

Matt Dahl said right now they are non-conforming use. Right now, the City's code currently says they cannot expand their business. They would have more flexibility under the new form-based code than they do now. He said he would continue this conversation during the regular meeting.

Council Member Quinn Sperry said he was contacted by a member of the Planning Commission stating they do not like the form-based code.

Matt Dahl said he has had meetings with the Planning Commission and felt it is unfortunate they cannot voice their opinions to staff. He would rather get that information from them so he can address the concerns.

B. Utility Service Partners Presentation

Dennis Lyon said they are now working with seven entities as well as the Utah league of Cities and Towns. They will notify homeowners about their utility line responsibility three times a year. It's not a matter of if it's going to break but when. He said there is no cost to the city to participate. There could be an ongoing revenue component to the city if the Council desires to participate. He said they set up a local contractor, which they will vet. When the homeowners have an issue, they call them not the city. Local contractors know what permits they need as well as the code. They pay the contractors directly so it's also helping the economy.

Coverage includes:

- Up to $8,500 per occurrence (includes public street & sidewalk cutting)
- Unlimited service calls; unlimited annual and lifetime benefits (no cap)
- No service fees; no deductibles
- No long-term contracts – month to month
- No pre-inspection required before coverage begins – 30 day waiting period
- 24/7/365

He said the City receives $.50 per month per paid warranty agreement; however, the City can also decline that revenue. They don't keep it but will pass it onto the homeowners as a savings. Their marketing approach is direct mail – no door to door or telemarketing. They are limited to three mailing campaigns per year. He said they would never mail anything without the city's review and approval of the marketing material. All they ask is to use the City's logo and a signature from the Mayor. He said they are now partnered with over 620 municipal partners in 41 states. He said 69% of homeowners have expressed they would like their utility provider to provide them protection. Other cities have turned them down because of the use of their logo. He said what they offer is different and better from regular insurance riders.

Glen Kennedy expressed his concern about vetting or recommending one business over another.

Mr. Lyon recommended going through an RFP process then decide if they would like to work with them or not.

The meeting adjourned at 6:55 p.m.

Mayor Hale called the business meeting to order at 7:03 p.m.

I. <u>GENERAL BUSINESS</u>

A. WELCOME AND PLEDGE OF ALLEGIANCE

B. ROLL CALL - Council Members Paul Hunt, Dustin Gettel, Paul Glover, Bryant Brown and Quinn Sperry were present at roll call.

C. UNIFIED POLICE AND FIRE DEPARTMENT REPORTS

Chief Randy Thomas said the September statistics were sent out to the Council. The UPD financials will be discussed in the board meeting on Thursday. The regional services will have a quarterly report on the stats. On the cases they receive, they have set a new four year low even though the citations were consistent with last year in September. He said they will participate in the Trunk or Treat event where their Choose Gang Free unit will be at the Boys and Girls Club parking lot on Saturday Oct 26th. They will provide a DJ and have dance contests. Also, that same day at Hillcrest High School from 10:00 a.m. to 2:00 p.m. they will have their take back drug booth event. It will be set up so individuals can drive right up and drop off their prescription drugs. On October 31st they will be at the Tyler Library for Trunk or Treat.

Chief Brad Larson reported the Unified Fire crews are running like crazy. They have changed their monthly report to a quarterly report. Chief Higgs and Chief McBride have evaluated the ambulance 126 response times. They confirmed that the response times are in the acceptable range by national and local standards. Chief Petersen is also looking at software that will analyze response times and locations of fire stations. They had approximately 900 applicants that went through their recent testing process. Of those 900, they will hire about 30. The test scores were significantly higher than in the past. Chief Watson will be retiring at the end of the year. Chief Brad Larson gave a shout out to Glen Kennedy and the Public Works staff. The ISO (insurance service office) evaluates the fire fighting capabilities in communities. A big portion of that is the water supply within the community. It was a big job for Glen and his staff, and they appreciate all of their help with the evaluation.

Kane Loader said the City has replaced a lot of the under sized water lines throughout the city. The insurance industry considers anything under an 8" water line insufficient.

D. PROCLAMATION FOR BREAST CANCER AWARENESS MONTH

Mayor Hale read the proclamation declaring Breast Cancer Awareness Month.

II. PUBLIC COMMENTS

Winn Hardy said pickleball is the leading sport. The courts at the park don't work. He asked that the two middle courts be removed so there are six instead of eight. The courts need to be refinished as well.

Julie Cluff said she lives on Adams Street and has lived here for six years. She is upset with the permits given to UDOT to do work during the middle of the night. This has been going on for months. Her entire neighborhood is affected by this. She asked for a remedy to fix this.

Council Member Bryant Brown said he would bring this up at the next UDOT meeting.

Matt Dahl said the City has not issued any permits to UDOT. It is the state legislature that allows them to work at night. The state overrides the city.

III. COUNCIL REPORTS

A. Council Member Bryant Brown – said the Arts Council has started their season for next year. He invited all citizens to attend the arts shows. They do a great job for the city.

B. Council Member Paul Hunt – had nothing to report.

C. Council Member Dustin Gettel – said everyone is invited to the Candidate Debate on Thursday, here at city hall at 8:00 p.m. He posted on Facebook a request for questions. He said he would like a picture with the artists, city staff, and Council that worked on the mural boxes.

D. Council Member Paul Glover – had nothing to report.

E. Council Member Quinn Sperry – had nothing to report.

IV. MAYOR REPORT

Mayor Robert Hale – reported that fliers are out regarding the Tyler Library Trunk or Treat on Halloween evening and invited all residents to attend.

V. CITY MANAGER REPORT

Kane Loader expressed appreciation for the Employee Association for taking part in Trunk or Treat and distributing coats to the homeless at Tyler Library. They are asking for volunteers to help out with these events.

Form-Based Code Discussion

Matt Dahl gave credit to Alison Canar for the research done on policies in his office. He presented options to the Council and asked for direction. Option one is to continue to work on the form-based code. Option two would be to continue with form-based code and reduce the size of the area. Option three is to stop and work on other things. Option four is rezoning and staying with our traditional zones and making modifications. Option five is don't look at it as a neighborhood zone but rather Main Street Zone. He said he looked at the Sugarhouse zoning and there are some similarities. They have a design guideline book. He is proposing that if someone meets the requirements in the zone, staff would be able to approve the project because it meets all the requirements. In the Sugarhouse zone, they have a design guideline that the Planning Commission has more ability to make decisions to comply with the guidelines.

Council Members Paul Glover and Dustin Gettel said they were in favor of Option 2.

Council Member Bryant Brown said he wants one page of pros and cons.

Council Member Quinn Sperry asked that the document be sent to him for further review.

Matt Dahl said in the end, there are a lot of things in the standard zone that are in the form-based code. The differences would be what your concerns are in those zones.

Council Member Dustin Gettel asked which option provides the goal of development.

Matt Dahl said with the current zoning, they would still need to do a lot of the zone changes and probably wouldn't save much time. As far as the development goes, if the goal is to stay flexible and allow the easiest amount of development in the area, that might not be what he is proposing. What staff has heard from some of the developers is that with the form-based code, it provides assurances that they won't get other bad development around them. This provides them with more value. It is possible that with some of the restrictions in the form-based code, it might make it difficult for someone that are looking to build a quick flip; they might not be able to build what they want to build.

Council Member Dustin Gettel said with the form-based code, it is the way to achieve their goals with the city and the developers.

Council Member Glover said he agreed, if it is written correctly. It needs to be tried on a smaller area and then expanded over time if necessary.

Council member Bryant Brown asked for clarification on a smaller area.

Council Member Paul Glover said the industrial area could be eliminated for now. If the development goes well, then eventually their properties will be worth more and they will want to move.

Matt Dahl said he is good with removing the industrial area. They will need to bring up the issues of the non-conforming uses as a separate policy.

Council Member Dustin Gettel asked if the reason nothing is happening on Main Street is because the Council isn't making a decision.

Matt Dahl said yes, that is part of it.

Council Member Paul Glover asked for visuals of what other main streets look like with the form-based codes.

Council Member Quinn Sperry said he likes visuals but only if they are realistic.

Matt Dahl said he would set up individual meetings with the council members to discuss form-based code in more depth.

Laura Magness discussed the City's recycling messaging. The Transjordan Landfill has made changes in recycling. The changes in recycling will be called the big three. The items that you can recycle are plastic bottles that have a neck, corrugated card board, and cans. The cans can be soda pop cans and cans like canned vegetables. We will not be recycling paper curbside any longer. There will be locations you can drop off paper at a couple of the elementary schools. There will be more information on the website and social media.

VI. CONSENT AGENDA

A. CONSIDER MINUTES OF OCTOBER 1, 2019

MOTION: Council Member Bryant Brown MOVED to approve the consent agenda. The motion was SECONDED by Council Member Paul Glover. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry Aye
Council Member Paul Glover Aye
Council Member Paul Hunt Aye
Council Member Bryant Brown Aye
Council Member Dustin Gettel Aye

The motion passed unanimously.

VII. ACTION ITEMS

A. CONSIDER RESOLUTION NO. 2019-R-47 RECERTIFYING THE JUSTICE COURT

Lisa Garner said Section 78A-7-103 of the Utah Code requires that municipal justice courts be recertified by the Utah Judicial Council every four years. The certification for the Midvale City Justice Court ("the Court") expires in January of 2020. In order to qualify for recertification, Midvale City must submit the following three documents: 1) an affidavit submitted by Judge Vo-Duc certifying that the Court meets the state requirements for a Class I Justice Court, 2) a letter from the city attorney attesting to the viability of the justice court, and 3) a resolution adopted by the City Council.

The Court is a Class I Court. The operational standards for a Class I Court are as follows:

Over 500 Filings Per Month
Currently, the Court averages 825 total filings per month, which includes traffic, criminal and small claims cases.

Full-Time Hours and Full-Time Judge
The Court is currently open from 8:00 a.m. to 6:00 p.m., Monday through Friday, and employs a full-time judge.

Dedicated Facility
The Court is housed in a separate section of Midvale City Hall. It contains a dedicated courtroom, judge's chambers and clerk's office. The facilities provided meet or exceed the minimum requirements, and the judge has been provided with the required attire and tools as specified by the Judicial Council.

Clerical Resources – Minimum of Three Full-Time Clerks
The Court employs seven full-time judicial clerks.

Prosecution
Midvale City has two prosecutors who screen cases and represents the City at trial.

Indigent Defense

Midvale City budgets funds to provide for a defense attorney to represent indigent defendants. The City contracts with the law firm of Stowell, Crayk & Bown for its indigent defense services.

Legal Resources
Midvale City provides a yearly copy of the Utah Code and Midvale Municipal Code. Copies of the Utah Justice Court Manual, Utah Code of Judicial Administration and Utah Uniform Bail Schedule are kept electronically and updated regularly through the Utah Administrative Office of the Courts.

Law Enforcement
Midvale City currently contracts with Unified Police Department to enforce the law with Midvale City boundaries.

Bailiff
The Court contracts with All-Pro Security for its bailiff services. All-Pro is a bonded and registered constable company who employs POST certified officers.

Security Plan
A draft security plan is attached and will be submitted per Rule 3-414 of the Utah Code of Judicial Administration.

Jury/Witness Fees
The City provides funding for the payment of all statutory juror and witness fees.

Education
The City provides full funding for judicial and court clerk conferences. These conferences satisfy continuing professional education requirements for Judge Vo-Duc and his judicial assistants.

Reporting
All reporting required by the Utah Judicial Council is submitted timely and within the governing rules and laws. All reporting to the Utah Driver's License Division and the Bureau of Criminal Identification are made via the state case management system: CORIS. All surcharges are forwarded the Utah State Treasurer's Office no later than the tenth day of each month.

Council Member Paul Glover asked why the City has a court. Lisa Garner said it's a service to the citizens, so they don't have to go to another entity for service.

Council Member Dustin Gettel asked about online court.

Cindy Lopez said the City is working on an online small claims process. Then if it does go to trial, the individuals would have to come into court. They also have put as many documents online as possible to assist the residents.

MOTION: Council Member Bryant Brown MOVED to suspend the rules and Consider Resolution No. 2019-R-47 Recertifying the Justice Court. The motion was SECONDED by Council Member Quinn Sperry. Mayor Hale called for discussion on the motion. There being none, he called for roll call vote. The voting was as follows:

Council Member Quinn Sperry Aye
Council Member Paul Glover Aye
Council Member Paul Hunt Aye
Council Member Bryant Brown Aye
Council Member Dustin Gettel Aye

The motion passed unanimously.

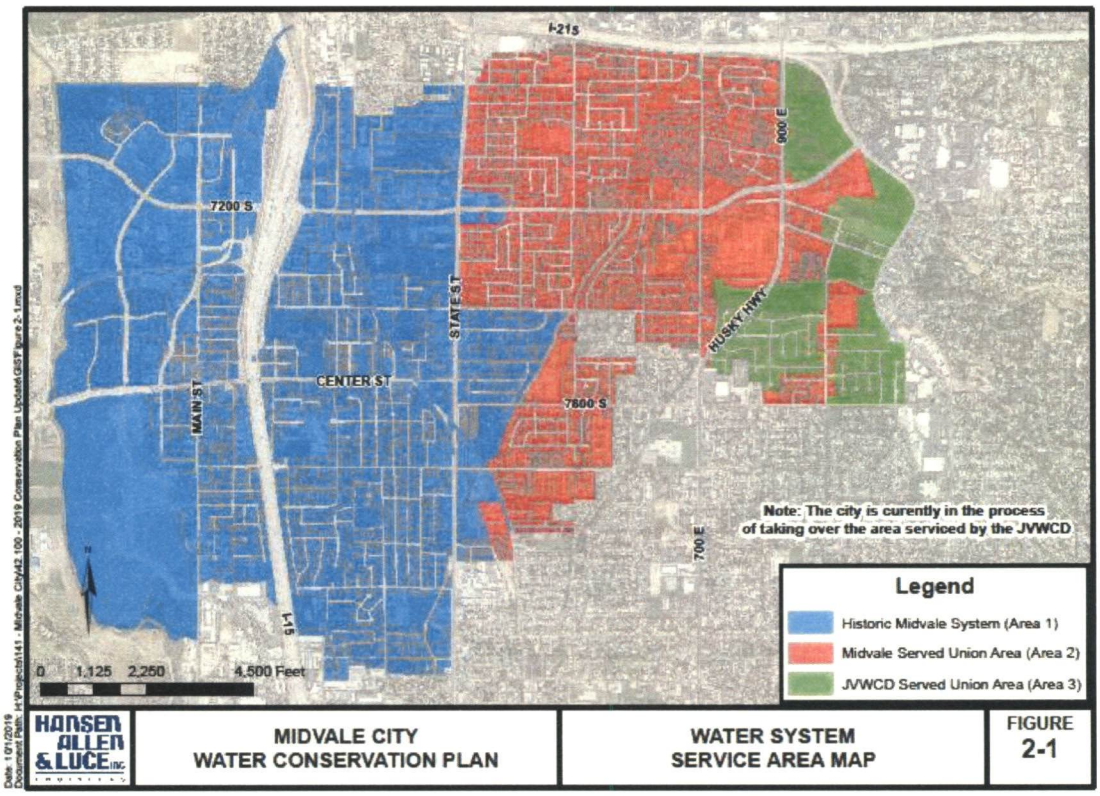
VIII. DISCUSSION ITEMS

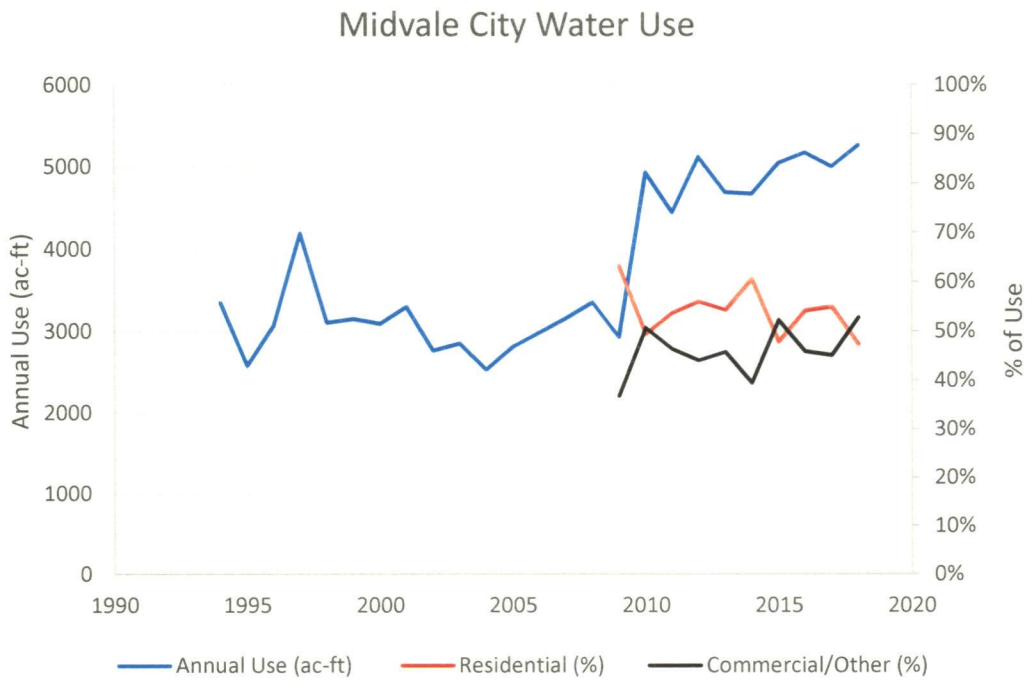
A. DISCUSS DRAFT OF WATER CONSERVATION PLAN

Glen Kennedy said the Utah State Legislature has passed legislation requiring public water suppliers to prepare a Water Conservation Plan and then to update the plan periodically. The City prepared its original Water Conservation Plan in 1999 and has updated the plan in 2003, 2010, and 2014. This report is the 2019 update of the City's Water Conservation Plan. This report describes the drinking water system, reviews and summarizes water consumption, assesses the water conservation alternatives available to the City, sets goals to conserve water, and identifies existing and proposed water conservation measures to be implemented by the City.

Glen Kennedy introduced Lance Nielsen with Hansen Alan & Luce. He outlined the proposed water conservation plan update.

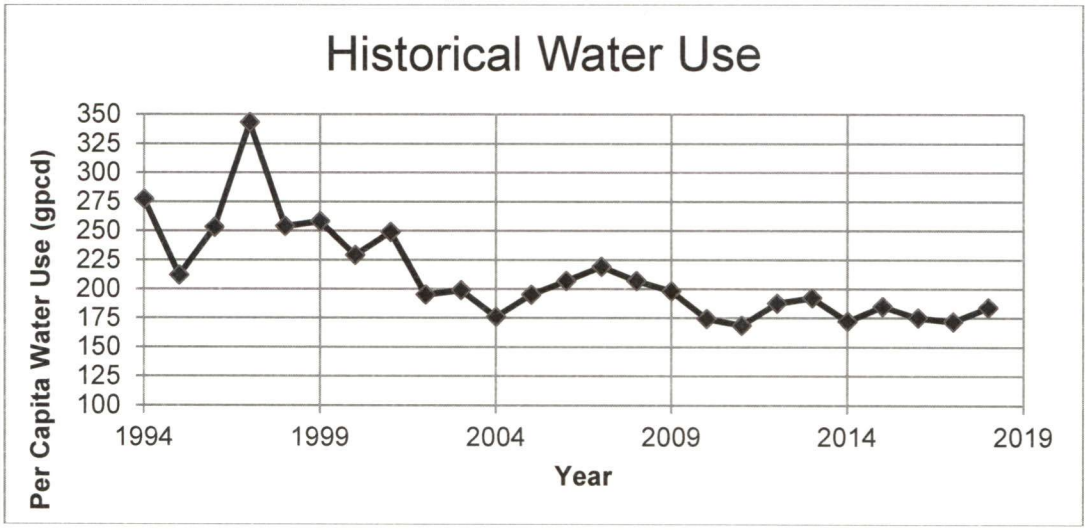
Midvale City 2019 Water Conservation Plan Update


I-215
900 E
7200 S
STATE ST
HUSKY HWY
CENTER ST
MAIN ST
7800 S
700 E
I-15
Note: The city is curently in the process of taking over the area serviced by the JVWCD
Legend
Historic Midvale System (Area 1)
Midvale Served Union Area (Area 2)
JVWCD Served Union Area (Area 3)
0 1,125 2,250 4,500 Feet
HANSEN ALLEN & LUCE INC
MIDVALE CITY
WATER CONSERVATION PLAN
WATER SYSTEM
SERVICE AREA MAP
FIGURE
2-1

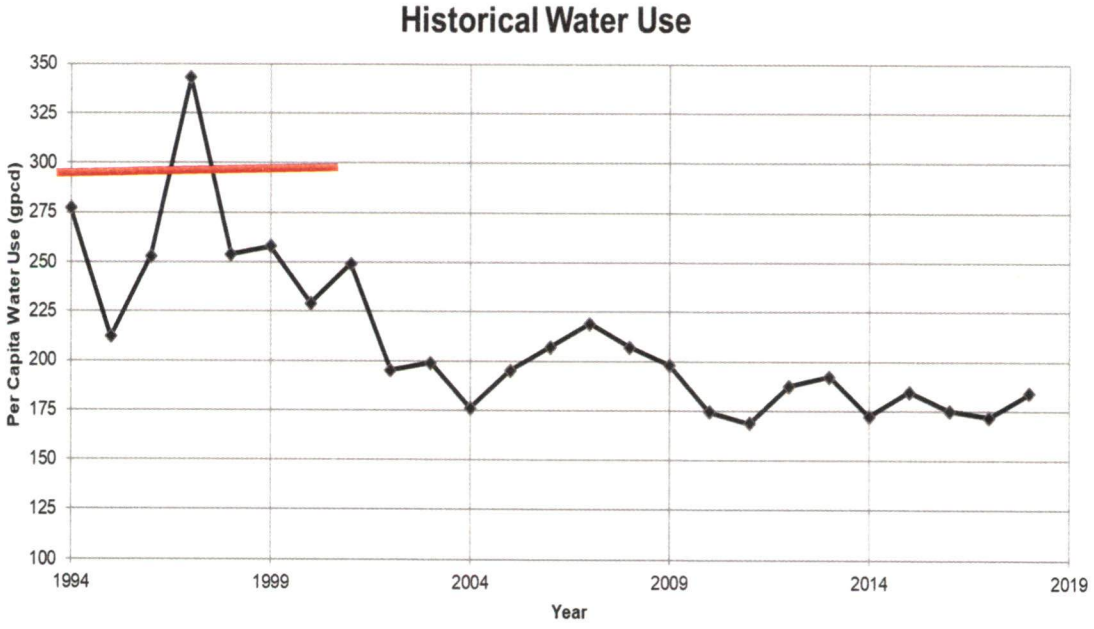

Midvale City Water Use
Annual Use (ac-ft)
% of Use
6000
5000
4000
3000
2000
1000
0
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
1990
1995
2000
2005
2010
2015
2020
Annual Use (ac-ft)
Residential (%)
Commercial/Other (%)

Annual Water Unaccounted For
(Water Source Supplied vs. Metered Use):

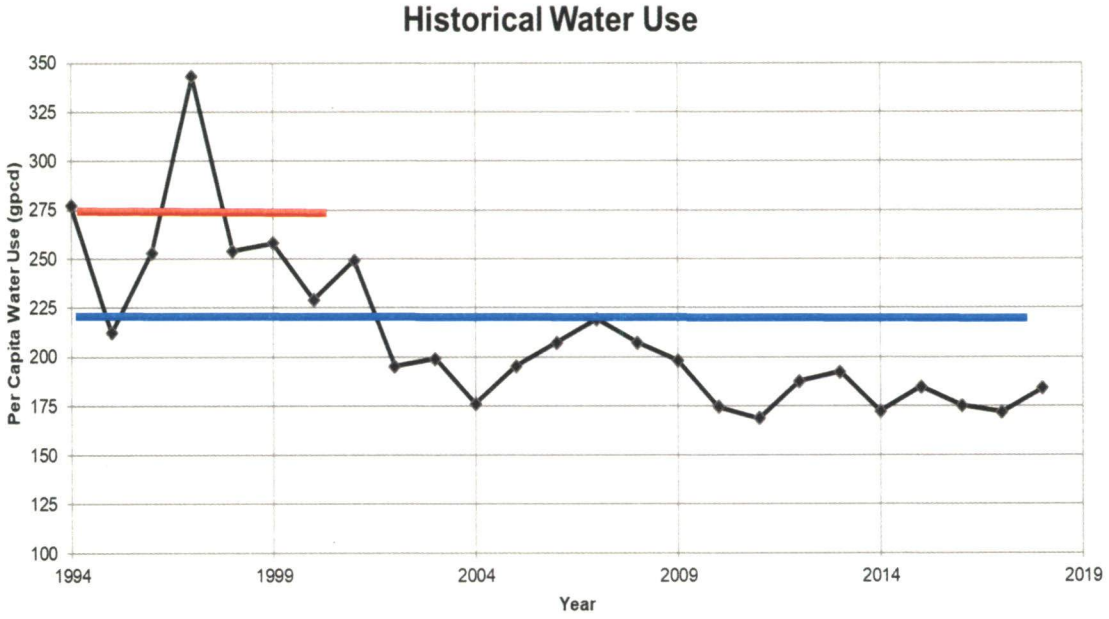
2010	10%
2011	5%
2012	3%
2013	14%
2014	8%
2015	10%
2016	3%
2017	6%
2018	8%



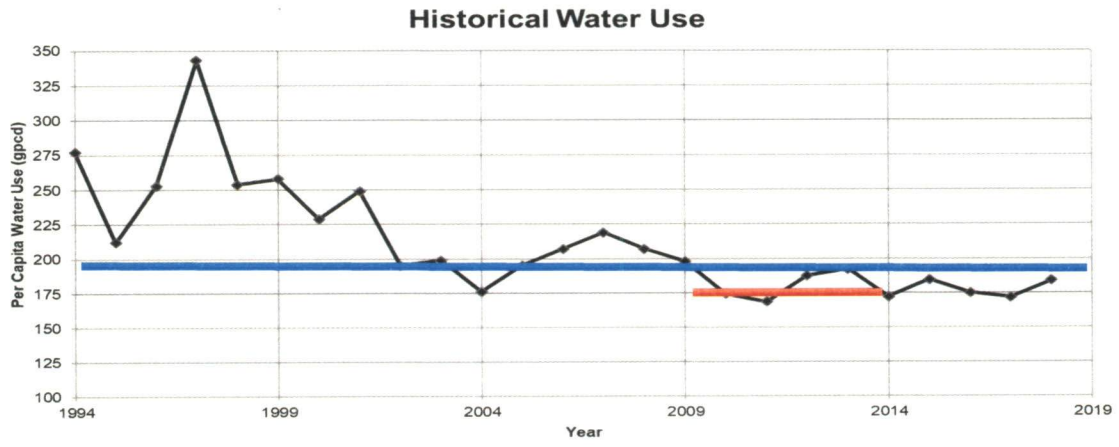
Pre-2002 Use: 248 gpcd



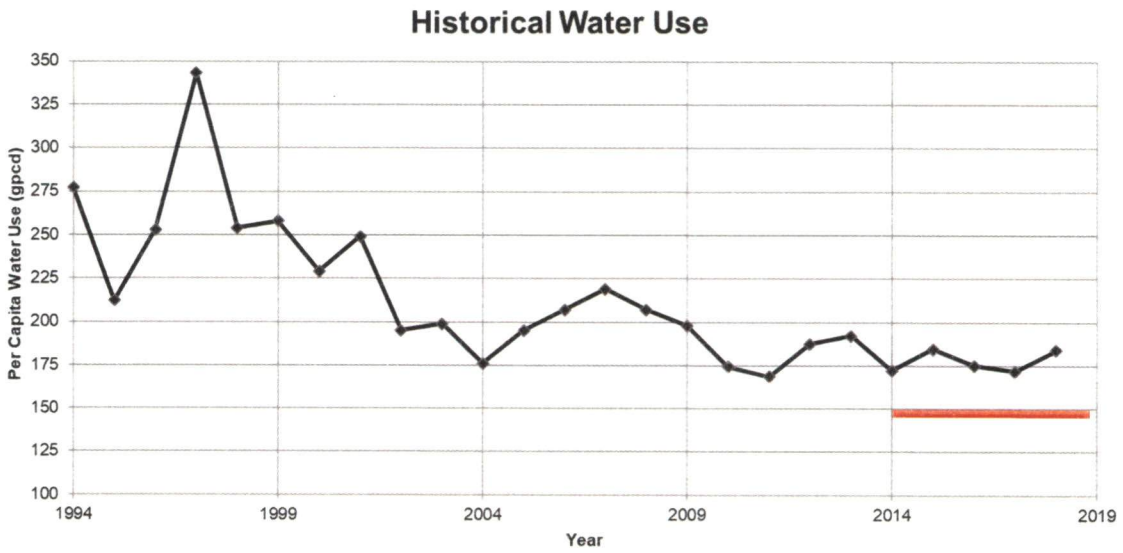
State Goal for SL County: 187 gpcd



2009-2013 Use: 184 gpcd



2014-18 Use: apcd



Water Conservation Goals

- Maintain Per Capita Use Below State Goal
- Continue Public Education
- Support Existing Water Conservation Measures
- Re-Evaluate Water Rate Structure to Promote Conservation
- Determine Causes of Unmetered (unaccounted for) Water
- Identify and Replace Leaking Pipelines

Water Conservation Measures

- Public Education (website, water quality report, newsletter)
- Require Water Saving Fixtures
- Replace Old Water Service Laterals
- Replace Old Pipelines (ongoing program in place)
- Replace Old Water Meters (ongoing program in place)
- Reduce Water Use for Public Landscaped Areas (weather adjusted)
- Require Separate Meters for Large Irrigated Areas
- Annually Adjust Water Rate Structure to Promote Conservation

Proposed Water Conservation Measures

- Public Education (website, water quality report, newsletter)
- Require Water Saving Fixtures
- Replace Old Water Service Laterals
- Replace Old Pipelines (ongoing program in place)
- Replace Old Water Meters (ongoing program in place)
- Reduce Water Use for Public Landscaped Areas (weather adjusted)
- Require Separate Meters for Large Irrigated Areas
- Annually Adjust Water Rate Structure to Promote Conservation
- Landscape Ordinances (incentives for low water use landscapes)
- Include Metered Construction Water in Use Records
- Estimate Fire Hydrant Testing and Flushing Volumes

Council Member Dustin Gettel said a government program can have a measurable impact on water usage and the environment as a whole. He said appreciates the spreadsheets and thanked Lance.

Lance Nielsen said it is a testament to the City and their willingness to implement a program.

The Council agreed to put this item on the consent agenda for November 12th.

B. DISCUSS CITY-WIDE MURAL PROGRAM

Jessica Stephens said in recent years there has been an increase in interest for public art installations across Midvale. Public Art has been an important part of the beautification and revitalization of neighborhoods in the State and Nation. The City has had success in providing several pieces of art within the Bingham Junction project area with the Bingham Junction Public Art Program however there is no current program to address the demand city-wide.

To address this city-wide need and to further the beautification goals of the city, staff has designed a Midvale Murals Program.

The proposed program's goal would be to allow the City to partner with private property owners to increase the number of public art installations in Midvale. The process would involve property owners submitting applications to the City containing the details of mural projects they'd like to install, if approved the property owner can then submit receipts of payment for the mural's creation to the City for reimbursement. Once reimbursed the property owner must agree to maintain the mural for a certain period of time.

In order to test the efficacy of the proposed program, Staff is proposing a pilot run. The goal of the pilot would be to create three private-public partnerships that result in three separate murals in the city.

With this proposed program and pilot there are variables that require consideration:

• Funding Considerations
The cost of murals varies widely depending on the artist providing the service and the quality of materials being used. As such, the program needs a set reimbursement cap to stabilize the number of property owners that will have the opportunity to utilize the program. Staff recommends reimbursing up to the lower of $35 per square foot of mural or $1,500 total. A pilot program providing funding for the reimbursement of three applications would cost a total of $4,500.

• Selection Criteria
The program is intended to increase art throughout the City, however, visibility, creativity and aesthetic excellence will be the basis of evaluating the proposals. Depending on the number of applicants, there may be a need to prioritize some applications over others. Staff recommends giving preference to applications based on their proximity to major pedestrian and vehicular thoroughfares.

• Maintenance Period
Staff recommends requiring the property owners to maintain the murals for five years.

• Content Restrictions
Staff recommends that the approved murals should be appropriate for all audiences, refrain from displaying political messages, refrain from displaying sexual or religious content. The murals must also be original creations that do not infringe upon any copyright, trademark, or other property or personal right. City Staff would evaluate proposals to ensure compliance with the approved restrictions.

Council members Dustin Gettel and Bryant Brown would like to be on committee to approve the art.

Council Member Dustin Gettel suggested the Council see the art and approve the art before moving forward.

Jessica asked the Council for guidelines regarding content restrictions. She has been told they can apply restrictions because when the City pays for this, it becomes government speech.

Council Member Dustin Gettel asked to see what other cities have as far as restrictions and look at actual areas she would recommend.

Lisa Garner suggested the same wording that was used in the policy for the Harvest Days Parade, requiring invitations to apply.

Council Member Dustin Gettel asked for suggestions on the actual areas of where the art will be placed.

C. DISCUSS 50/50 SIDEWALK PROGRAM

Matt Dahl said the background and history of Midvale City (City) has been operating a 50/50 Sidewalk Replacement Program for several years. The intent of the program is to fund small sidewalk replacement projects throughout the City in partnership with residents. The program funds 50% of the cost to replace damaged sidewalks, with residents covering the remaining 50% of the cost. Historically, the City offered the program to residents as staff had identified damaged sidewalk. Staff is proposing a modification to the program terms and conditions, so that the program can be marketed to all residents. Every year, the City replaces miles of streets, sidewalks, and curb and gutter based on a strategic plan intended to address long-term wear and tear. The 50/50 Sidewalk Replacement Program supplements the City's larger sidewalk replacement effort, by addressing smaller projects that may not be undertaken by the City for several years.

SUMMARY: In defining the application and payment process for program participation, there are considerations to be made at each phase —
• Before

- o How to determine qualification for the program.
- o How to ensure that participants select a reliable contractor.

• After

- o How to best facilitate payment/reimbursement to residents.

Based on research of programs used by other communities, staff is proposing the following terms and conditions for consideration:

• Step 1) Resident contacts city to request evaluation; city representative visits site to determine eligibility.

- o Potential guidelines for determining damage eligibility:
  - ▪ For sidewalks (any of the following):
    - ➢ 3 or more cracks per panel (minimum crack width of 1/8 inch.)
    - ➢ 25% spalling or breaking into chips
    - ➢ Vertical or horizontal displacement of ½ inch or more between Panels
    - ➢ Holes that have become a safety hazard
  - ▪ For Curb and gutter:
    - ➢ Heaving
    - ➢ Displacement
    - ➢ Spalls of depressions which cause water to pond and in winter form ice pockets
  - ▪ Additional Consideration: If a tree is responsible for the damaged sidewalk, the tree must be removed or appropriately replaced as part of the proposed project.

• Step 2) If eligible, homeowner completes application form for the program, including at least three (3) bids from licensed contractors. Approval of application will be based on the project cost being in line with the market.

• Step 3) After approval, homeowner hires contractor, obtains construction permit from city.

• Step 4) After work is complete, city conducts final inspection.

• Step 5) Homeowner pays contractor and then brings supporting documents— invoice, permit, and proof of payment—to City.

• Step 6) City mails reimbursement (50% of cost) to resident.

If approved, Staff would market the program on the City's website, on social media, and through appropriate sources.

Council Member Paul Glover asked about the trees. It would cost a lot of money to have a tree ripped out.

Council Member Quinn Sperry said he has some concerns with it regarding the trees.

Council Member Dustin Gettel feels that if the homeowner has to pay to have the tree removed, they would probably replace the sidewalk without the program because the real cost is taking the tree out.

Glen Kennedy said the Engineering Department runs this program. They have a tree contractor that could be incorporated into this sidewalk program.

Matt Dahl said he could come back with a proposal including removing the trees.

Council Member Paul Glover said if the City is putting money into this program, and it isn't being utilized, do they want to keep the program. Is there something the City can do to help the residents with the program to make it usable?

Council Member Dustin Gettel suggested making the program process easier for residents to apply.

Kane Loader suggested the City could take responsibility of the project and have the homeowner pay half, instead of the homeowner finding the contractor.

Council Member Dustin Gettel said the program needs to be marketed correctly and clear so that there are no misunderstandings.

Matt Dahl said having the city doing the work verses the resident hiring a private contractor might be a faster process.

Council Member Paul Glover made a recommendation of doing this on a trial basis. If it doesn't work, they take the money and put it into the sidewalk program and use it every year instead of using this program.

Council Member Dustin Gettel asked if our Code Enforcement Officer could promote the program. Matt Dahl said he would have him do that.

Council Member Bryant Brown asked if a homeowner removed a section of cement on a sidewalk because of a broken line or something, is it the homeowner's responsibility to replace it?

Matt Dahl said yes, if they are in the right-of-way, they should contact the city, but they are responsible.

Council Member Dustin Gettel asked how many projects this program would cover a year.

Glen Kennedy said it would depend on the project, but 4 to 10 projects would be pushing it.

Matt Dahl said if the program is successful, the budget could be adjusted. He said he would bring back some modifications at the next meeting.

IX. ADJOURN

MOTION: Council Member Paul Glover MOVED to adjourn the meeting. The motion was SECONDED by Council Member Paul Hunt. Mayor Hale called for discussion on the motion. There being none, he called for a vote. The motion passed unanimously.

The meeting adjourned at 9:50 p.m.

Rori L. Andreason, MMC
H.R. DIRECTOR/CITY RECORDER

Approved this 12th day of November 2019.

MIDVALE CITY STATE OF UTAH
INCORPORATED
JULY 1, 1909
CORPORATE SEAL

Midvale City Council Meeting
Sign in Sheet

Tuesday, October 15, 2019

NAME (PLEASE PRINT)	ADDRESS	CITY

Midvale City Public Comment
Sign in Sheet

Tuesday, October 15, 2019

PUBLIC COMMENTS

Any person wishing to comment on any item not otherwise scheduled for public hearing on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

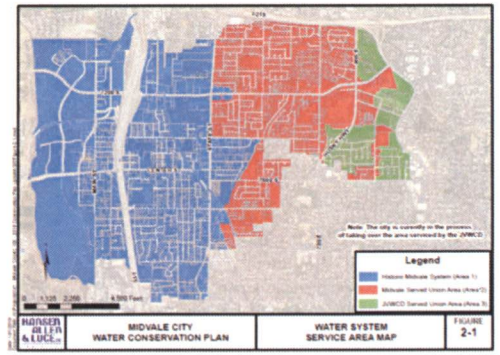
NAME (PLEASE PRINT)	*ADDRESS*
[illegible]	136 E. 5850 S.
Rube Martinez	7461 Randall Cir Circle mid
[illegible]	8313 S Adams St

MIDVALE CITY
2019 WATER CONSERVATION PLAN UPDATE

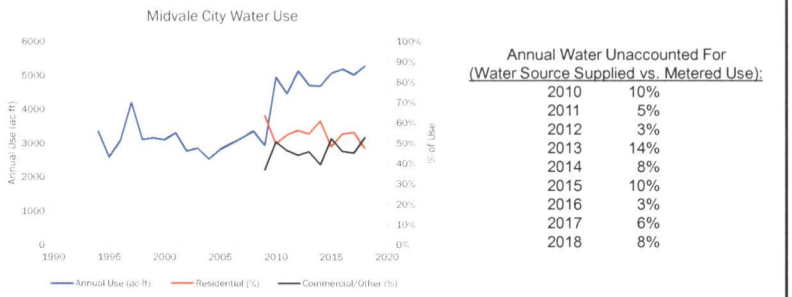
Presentation to City Council

October 15, 2019

1



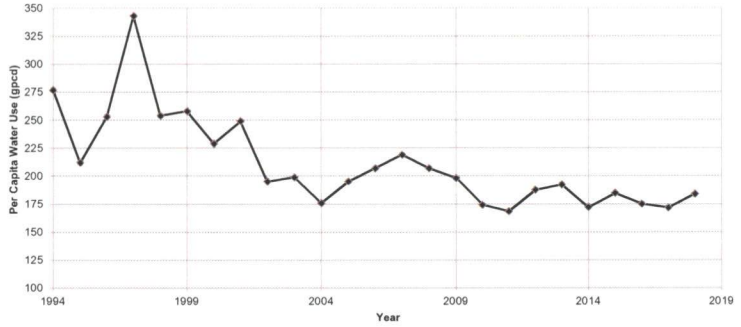
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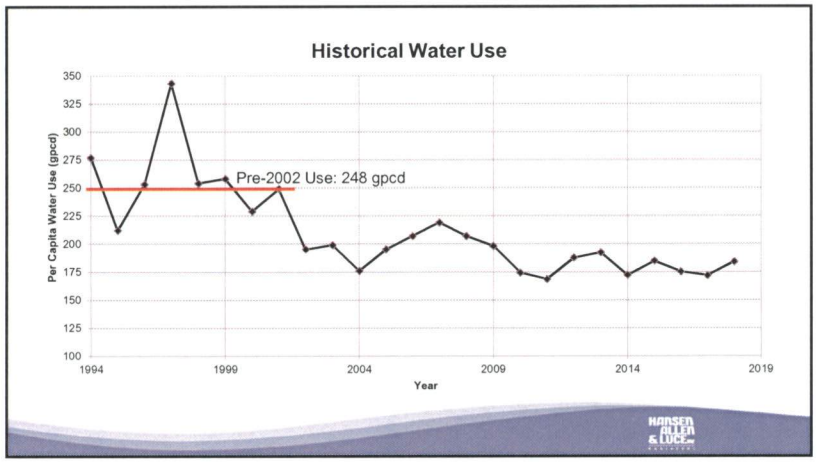
Annual Water Unaccounted For
(Water Source Supplied vs. Metered Use):

2010	10%
2011	5%
2012	3%
2013	14%
2014	8%
2015	10%
2016	3%
2017	6%
2018	8%

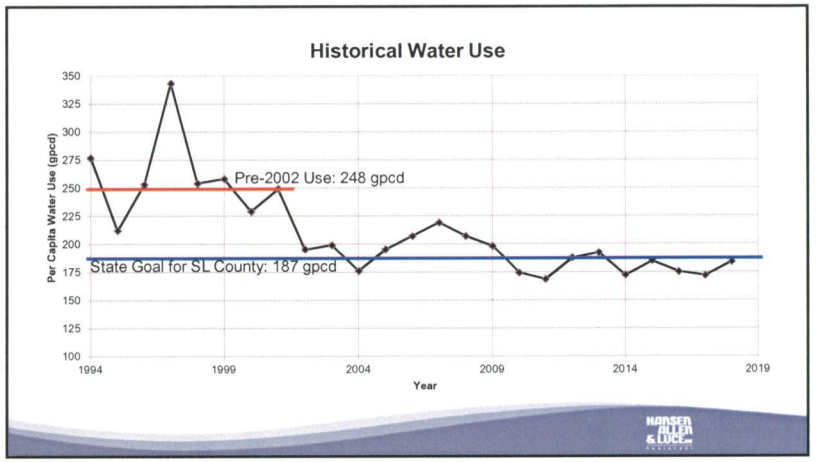
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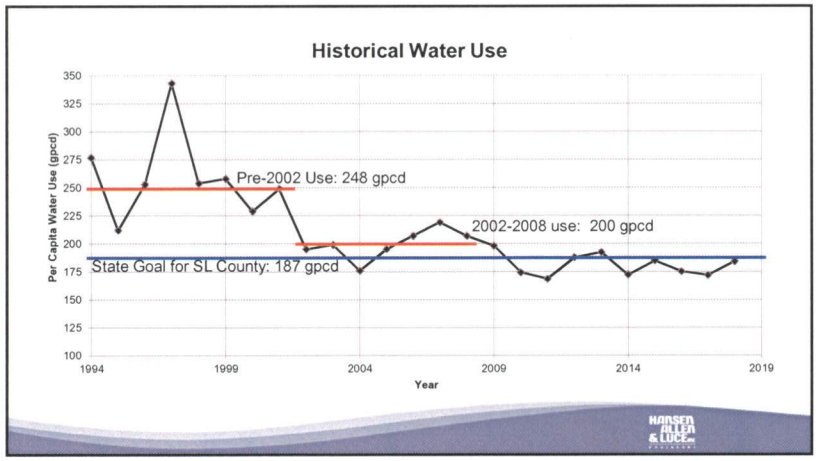
4


Historical Water Use
Per Capita Water Use (gpcd)
Year
Pre-2002 Use: 248 gpcd
350
325
300
275
250
225
200
175
150
125
100
1994
1999
2004
2009
2014
2019

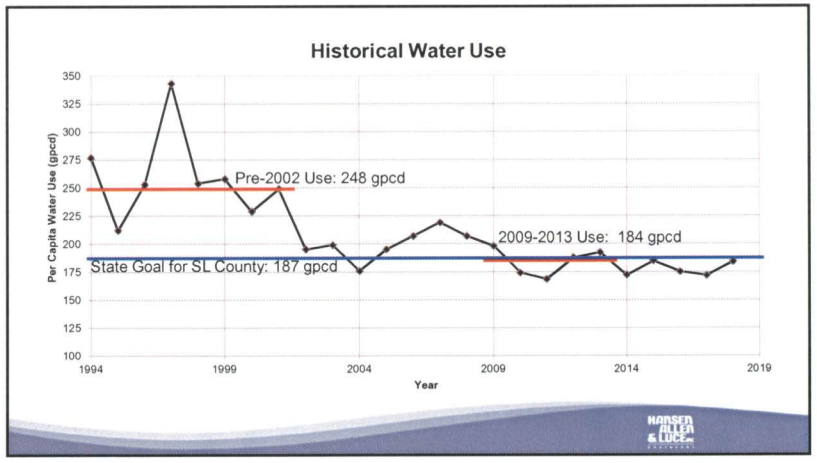
5


Historical Water Use
Per Capita Water Use (gpcd)
Year
Pre-2002 Use: 248 gpcd
State Goal for SL County: 187 gpcd
350
325
300
275
250
225
200
175
150
125
100
1994
1999
2004
2009
2014
2019

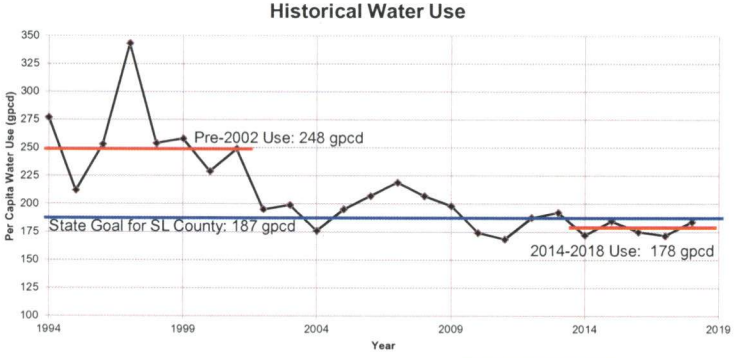
6


Historical Water Use
Per Capita Water Use (gpcd)
Year
Pre-2002 Use: 248 gpcd
2002-2008 use: 200 gpcd
State Goal for SL County: 187 gpcd
350
325
300
275
250
225
200
175
150
125
100
1994
1999
2004
2009
2014
2019

7


Historical Water Use
Per Capita Water Use (gpcd)
Year
Pre-2002 Use: 248 gpcd
2009-2013 Use: 184 gpcd
State Goal for SL County: 187 gpcd
350
325
300
275
250
225
200
175
150
125
100
1994
1999
2004
2009
2014
2019

8



9

Water Conservation Goals

- Maintain Per Capita Use Below State Goal
- Continue Public Education
- Support Existing Water Conservation Measures
- Re-Evaluate Water Rate Structure to Promote Conservation
- Determine Causes of Unmetered (unaccounted for) Water
- Identify and Replace Leaking Pipelines

10

Water Conservation Measures

- Public Education (website, water quality report, newsletter)
- Require Water Saving Fixtures
- Replace Old Water Service Laterals
- Replace Old Pipelines (ongoing program in place)
- Replace Old Water Meters (ongoing program in place)
- Reduce Water Use for Public Landscaped Areas (weather adjusted)
- Require Separate Meters for Large Irrigated Areas
- Annually Adjust Water Rate Structure to Promote Conservation

11

Proposed Water Conservation Measures

- Public Education (website, water quality report, newsletter)
- Require Water Saving Fixtures
- Replace Old Water Service Laterals
- Replace Old Pipelines (ongoing program in place)
- Replace Old Water Meters (ongoing program in place)
- Reduce Water Use for Public Landscaped Areas (weather adjusted)
- Require Separate Meters for Large Irrigated Areas
- Annually Adjust Water Rate Structure to Promote Conservation
- Landscape Ordinances (incentives for low water use landscapes)
- Include Metered Construction Water in Use Records
- Estimate Fire Hydrant Testing and Flushing Volumes

12

City of Midvale, UT

we promise

Dennis Lyon
Regional Area Director
412.266.9545
dlyon@utilitysp.net

BBB

NLC NATIONAL LEAGUE OF CITIES
CITIES STRONG TOGETHER

Utility Service Partners, Inc.

NLC NATIONAL LEAGUE OF CITIES *Service Line Warranty Program* Utility Service Partners, Inc.

WHY CHOOSE UTILITY SERVICE PARTNERS?

EXPERIENCE

REPUTATION

PARTNERSHIP

BBB **BBB Torch Award for Marketplace Ethics**

Trust • Performance • Integrity

2013 Winner
Western Pennsylvania Better Business Bureau®



"This award underscores one of the primary reasons the National League of Cities selected USP as a partner and extended our agreement for another five years. The organization's exemplary record of customer service and transparency is what has driven the success of this partnership over the years."

— Clarence Anthony, Executive Director
National League of Cities

NLC NATIONAL LEAGUE OF CITIES
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Utility Service Partners, Inc.

Recent Harris Poll results (2000 adults surveyed)

- Nearly 2 in 5 Americans don't have the necessary funds set aside to cover a $500 repair (including almost half of millennials)
- 1 in 2 Americans describe their current state of household finances as either fair, poor, or terrible.
- 3 in 10 Americans aged 37+ cited they had no money set aside for emergency repairs.
- 46% of respondents had an emergency repair in the last 12 months.
- **80% of respondents either strongly or somewhat agreed with the statement: *Local community governments should be responsible for educating homeowners about external water lines on their property that are not covered by homeowners' insurance, the city/town or the local utility (i.e., meaning that if a problem were to occur, the homeowner would be solely responsible for the cost out of pocket).***

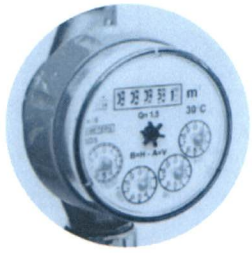
PROGRAM BENEFITS

- Helps address the public policy issue of aging infrastructure
- No cost for municipality to participate/turnkey approach
- Ongoing revenue stream for the municipality
- Free public awareness campaign
- Educates homeowners about their lateral line responsibilities
- Peace of Mind - with one toll-free call a reputable contractor is dispatched
  - All repairs performed to code by local licensed contractors
  - Contractors undergo rigorous vetting process to ensure quality service

OUR SERVICE AND WHAT IT COVERS



SEWER LATERAL & SEPTIC LINE COVERAGE



WATER LINE & WELL LINE COVERAGE

Homeowner repair protection for broken, cracked, or leaking water and sewer lines from the point of utility connection to the home exterior.

Coverage includes:

- Up to $8,500 per occurrence (includes public street & sidewalk cutting)
- Unlimited service calls; unlimited annual and lifetime benefits (no cap)
- No service fees; no deductibles
- No long term contracts – month to month
- No pre-inspection required before coverage begins – 30 day waiting period
- 24/7/365 availability; no forms or paperwork

OUR SERVICE AND WHAT IT COVERS



INTERIOR PLUMBING AND DRAINAGE

Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry.

Coverage includes:

- Up to $3,000 coverage per occurrence
- Includes coverage for broken or leaking water, sewer, or drain lines under the slab or basement floor, and clogged toilets
- Unlimited service calls; unlimited annual and lifetime benefits (no cap)
- No service fees; no deductibles
- No long term contracts – month to month
- No pre-inspection required before coverage begins – 30 day waiting period
- 24/7/365 availability; no forms or paperwork

Incremental Revenue Stream

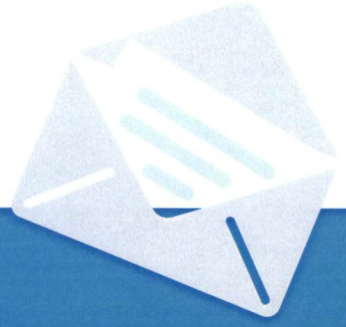
- City receives $.50 per month per paid warranty agreement
  - Paid as royalty each January

- Yours to use as you wish
  - Examples:
    - Low income utility assistance program
    - Offset water bill/leak
    - Donate to charity
    - Use towards NLC/State League dues

- Can decline revenue
  - Savings passed directly to residents

MARKETING APPROACH

- Only market by direct mail - no door to door or telemarketing
- Limited to 3 mailing campaigns per year
- Would never mail without your review and approval of marketing material before each and every campaign
- Marketing clearly states city does not provide program
- Participation always voluntary for the homeowner
- City role: logo & signature
  - Economy of scale



- Consumers can enroll one of three ways:
  - Calling into our toll free number that is provided on the mailing
  - Returning the bottom of the letter to us in the self addressed stamped envelope provided
  - Visiting our consumer website www.slwofa.com at any time

OVER 650 MUNICIPAL PARTNERS IN 41 STATES



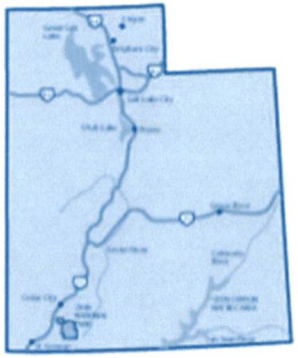
Alabama
Arkansas
Arizona
California
Colorado
Connecticut
Florida
Georgia
Idaho
Iowa
Illinois
Indiana
Kansas
Kentucky
Louisiana
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
North Carolina
Nebraska
New Jersey
New Mexico
Nevada
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin
Wyoming

NLC NATIONAL LEAGUE OF CITIES
CITIES STRONG TOGETHER

Utility Service Partners, Inc.

OUR PARTNERSHIPS IN UTAH

- City of Clearfield
- City of Orem
- City of Kaysville
- City of Salt Lake City
- City of Payson
- City of Tooele City
- City of Roosevelt



UTAH

- Over 29,000 Utah residents currently enrolled in the program
- $4.4 million paid in repair costs over the past three years

PROGRAM SUCCESS & NOTES

- Endorsement =/= Exclusivity
- Currently serving over 4 million customers
- 1.34 million jobs completed over the last 3 years (avg 1 job every 49 seconds)
- Saved customers over $454 million in repair costs over the past 3 years
- 97% claim approval rating
- 99.6% claims satisfaction rate
- Currently over 1,600 contractors in network
- 9 of every 10 customers surveyed have recommended the program to friends, family, and neighbors

Q & A



NLC Service Line Warranty Program
Resident Testimonials

West Region

"City chose an excellent service provider. Very thorough!"

– Stuart G., Tucson, AZ

"I have recommended your program to many, many people!"

– Carlin L., San Diego, CA

"A very inexpensive way to stay prepared."

– Francisco D., Palmdale, CA

"I am very impressed with this program. I am on a limited income and this has been a tremendous help to me."

– Gayle M., Daly City, CA

"From my first phone call until the work was done, I have never had a company respond and get work done so fast. The crew was knowledgeable and polite."

– Arlene H., Englewood, CO

"This warranty and your wonderful service was a godsend to us. We are retired and would have had a difficult time paying the cost for these repairs. Thank you very much."

– James L., Northglenn, CO

"It's good to know that the city in which you live recommends your services."

– Tracey H., Englewood, CO

"I already told a neighbor how easy and wonderful your service is and he signed up. North Las Vegas did an outstanding job partnering with you. You did an outstanding job fixing our leak. You have a longtime customer."

– Nancy S., Las Vegas, NV

"I was pleasantly surprised with how quick and easy my sewer problem was taken care of. I couldn't have received better or quicker service. Every time the subject comes up, I tell people about what a great deal the insurance is."

– Ed A., Rock Springs, WY

"Everyone should have it. It is a smart investment."

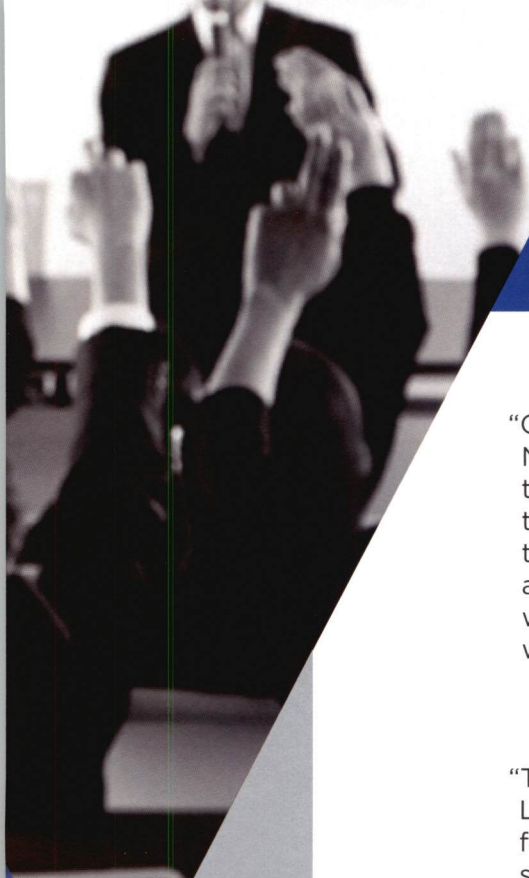
– Janette M., Green River, WY

For more information contact:
1-866-974-4801 or **partnerships@utilitysp.net**

BBB Torch Award for Marketplace Ethics
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2013 Winner
Western Pennsylvania Better Business Bureau®

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NLC Service Line Warranty Program
City Testimonials

"One of the significant selling points for the City Council and staff was the National League of Cities endorsement. NLC did the homework and vetted the program before endorsing it for its member cities. I believe the letter from the City provided a trust factor that is not present through direct solicitation to residents from other warranty companies who send letters that give the appearance of coming from the city. So far the USP/NLC Program has delivered what they said they would to the City of Hutchinson. I would be happy to visit with anyone about the program and our experience here in Hutchinson."

John Deardoff, City Manager, Hutchinson, KS

"The BBB Torch Award underscores one of the primary reasons the National League of Cities selected USP as a partner and extended our agreement for another five years. The organization's exemplary record of customer service and transparency is what has driven the success of this partnership over the years."

Clarence Anthony, Executive Director, National League of Cities

"The Service Line Warranty Program helps both Phoenix residents and the city government. Revenue from the program goes to core city services like police, fire, parks, libraries and senior centers."

Jon Brodsky, Program Manager, Fit Phoenix
& former Public Information Officer, Phoenix, AZ

"The city has fully vetted this organization and this program and we've conducted due diligence. SLWA's program is endorsed by the National League of Cities, North Central Texas Council of Governments, multiple state municipal leagues and over 175 municipalities. SLWA's been a member of the BBB since 2003 and they are very proud of their exemplary record."

Todd Gloria, City Council, San Diego, CA

"The response to the program by the Rock Falls residents has been tremendous. Many of our homeowners contacted their insurance agent when they received the program offer in the mail and were shocked to find out that they were not covered by their homeowner's policy for repair [or] replacement of their water and sewer lines. Our program is in its [sixth] year and the participation is still growing. We are very pleased that we can offer the Service Line Warranty Program to our residents of the City of Rock Falls."

Robbin Blackert, City Administrator, Rock Falls, IL

BBB

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Exhibit A
NLC Service Line Warranty Program
City of Midvale
Term Sheet
September 23, 2019

I. Initial Term. Three years

II. License Fee. $0.50 per Product for each month that a Product is in force for a Property Owner (and for which payment is received by Company), aggregated and paid annually, for:

City logo and name on letterhead, advertising, signature line, billing and marketing materials.

III. Products.

a. External water service line plan (initially, $5.75 per month)
b. External sewer/septic line plan (initially, $7.75 per month)
c. Interior plumbing and drainage plan (initially, $9.99 per month)

Company may adjust the foregoing Product fees; provided, that any such adjustment shall not exceed $.50 per month in any 12-month period, unless otherwise agreed by the Parties in writing.

IV. Scope of Coverage.

a. External water service line plan:
   - Property Owner responsibility: From the meter to the external wall of the home.
   - Covers thawing of frozen external water lines.
   - Covers well service lines if applicable.
b. External sewer/septic line plan:
   - Property Owner responsibility: From the external wall of the home to the main.
   - Covers septic lines if applicable.
c. Interior plumbing and drainage plan:
   - Water supply pipes and drainage pipes within the interior of the home.

V. Marketing Campaigns. Company shall have the right to conduct up to three campaigns per year, comprised of up to six mailings and such other channels as may be mutually agreed. Initially, Company anticipates offering the Interior plumbing and drainage plan Product via in-bound channels only.

According to recent customer survey results,

More than 97%
of our customers felt better prepared for a water or sewer line emergency with the program.

More than 90%
of our customers have trust in the program because of the partnership with their city.

Nearly 70%
of our customers felt they could not afford a water or sewer line repair without this program.

"Thanks to the city for informing me of this type of warranty. Just a phone call and the problem was taken care of quickly."
- **Alan N.**
Hutchinson, KS

"I am one of the city council people who voted in favor of the program and have used it myself to good result."
- **Chris V.**
St. Clair Shores, MI

"I've never had a service go so quick and easy. All those I dealt with were warm and friendly."
- **Sheila H.**
Dayton, OH

"I don't know why every city in the U.S. wouldn't offer this protection to its citizens."
- **Dean S.**
Marshalltown, IA



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a HomeServe Company

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NLC NATIONAL LEAGUE OF CITIES
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NLC Service Line Warranty Program

WHY SHOULD OUR CITY offer this program?



Because aging infrastructure impacts private lines, too.

Nationwide a water main breaks every two minutes. The same elements that cause those failures also exist on your residents' private lines: age of lines, deteriorating pipe material, freezing and thawing, and ground shifting.

This program provides an optional — proactive — solution to a problem that is bound to strike your residents at some point in time.



Homeowners believe service line repairs are the city's responsibility.

When private service lines break or leak, many homeowners call the city first and are often surprised — and frustrated — to learn that the city can't help.

Educational marketing about homeowners' responsibility for service lines is a key component of the program.



An unexpected repair expense can be hard on a budget – and peace of mind.

Studies show that most Americans do not have enough savings to cover an emergency repair cost that could be from hundreds to as much as $3,500 or more. In addition, many can be overwhelmed by having to find a trustworthy contractor.

The program provides affordable repair plans backed by vetted, local-area contractors, keeping dollars in the local economy.

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a HomeServe Company

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CITIES STRONG TOGETHER

WHY CHOOSE
to partner with the
NLC Service Line Warranty Program?



- At no cost to the city, the program offers affordable protection for in-home plumbing and external water and sewer lines that will cover the cost of repairing leaks, breaks and clogs.
- The program features generous coverage amounts, and there is never a service fee or deductible. There are no annual or lifetime limits — just peace of mind for the homeowner.
- Contractors dispatched to the homeowner's residence undergo a rigorous background check before being accepted into the network.
- Contractors are local to the community to help keep money in the local economy.

The NLC Service Line Warranty Program is administered by Utility Service Partners (USP), a HomeServe Company.



- Partnered with **over 600** municipalities and utilities across North America.
- **4.8 out of 5 stars*** customer satisfaction rating.
- Performed over **1.3 million repairs** over the last three years, saving customers over **$454 million.**

* Average repair service rating from customers surveyed via text message and email post service from January 2019 – June 2019.

2018 WINNER
BBB Torch Awards for Ethics™

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