



CITY COUNCIL AGENDA

Wednesday, January 11, 2023

NOTICE IS HEREBY GIVEN that the Herriman City Council shall assemble for a meeting in the City Council Chambers, located at
5355 WEST HERRIMAN MAIN STREET, HERRIMAN, UTAH

5:30 PM – WORK MEETING: (Fort Herriman Conference Room)

1. Council Business

- 1.1. Review of this Evening's Agenda
- 1.2. Future Agenda Items
- 1.3. Council discussion of future citizen recognitions

2. Administrative Reports

- 2.1. Collegiate Rugby Shield – 2023 Partnership Request – Wendy Thomas, Assistant City Manager
- 2.2. Discussion regarding the request for the city to take ownership of a private road in the Lake Ridge Subdivision – Blake Thomas, Community Development Director
- 2.3. Amending Herriman Code section 1-10-14 Disposal of surplus property – Nathan Cherpeski, City Manager
- 2.4. Blackridge Reservoir Update – Wendy Thomas, Assistant City Manager
- 2.5. Youth, Teen, and Active Aging Programming Discussion – Wendy Thomas, Assistant City Manager

5355 W. Herriman Main St. • Herriman, Utah 84096
(801) 446-5323 office • herriman.org

2.6. Discuss proposed amendments to the fiscal year 2023 budget – Kyle Maurer, Finance Director

2.7. Streetlight Decor and Banner Discussion – Monte Johnson, Operations Director

3. Adjournment

7:00 PM – GENERAL MEETING:

4. Call to Order

4.1. Invocation/Thought/Reading and Pledge of Allegiance

4.2. City Council Comments and Recognitions

5. Public Comment

Audience members may bring any item to the City Council's attention. Comments will be limited to two minutes. State Law prohibits the Council from acting on items that do not appear on the agenda. Public comments for this meeting will also be conducted electronically. Any person interested in addressing the Council may submit a comment by emailing recorder@herriman.org or by visiting Herriman.org/agendas-and-minutes, where there is a link to fill out an online public comment form. Your statement will be incorporated into the public record.

6. City Council Reports

6.1. Councilmember Jared Henderson

6.2. Councilmember Teddy Hodges

6.3. Councilmember Sherrie Ohrn

6.4. Councilmember Steven Shields

7. Mayor Report

8. Reports, Presentations and Appointments

8.1. Introduction of the 2023 Herriman City Royalty

8.2. Recognition of Detective Chuck Malm by the Office of Congressman Burgess Owens – Alex Johnson, Office of Congressman Owens

8.3. 2022 Water Conservation Report – Justun Edwards, Public Works Director

9. Consent Agenda

- 9.1. Approval of a Resolution accepting a petition for annexation filed by Kennecott Utah Copper, LLC for further consideration and related matters
- 9.2. Approval of the monthly financial summary for November 2022
- 9.3. Approval of the December 12, 2022 City Council meeting minutes
- 9.4. Approval of a Franchise Agreement Template for Telecommunication Providers

10. Discussion and Action Items

- 10.1. Discussion and consideration of an ordinance removing City Council Appointed Boards and Committees from Title 2 of Herriman City Code – Wendy Thomas, Assistant City Manager
- 10.2. Herriman Main Street Widening Construction Contract Approval Discussion – Bryce Terry, Assistant City Engineer

11. Future Meetings

- 11.1. Next City Council Meeting: January 25, 2023
- 11.2. Next Planning Meeting: January 18, 2023

12. Events

- 12.1. January 12: Luau on Ice, hours vary depending on reservation time – Ice Ribbon at Crane Plaza
- 12.2. January 26: Super Heroes on Ice, hours vary depending on reservation time – Ice Ribbon at Crane Plaza

13. Closed Session

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

14. Adjournment

15. Recommence to Work Meeting (If Needed)

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting.

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Request assistance by contacting Herriman City at (801) 446-5323 and provide at least 48 hours advance notice of the meeting.

ELECTRONIC PARTICIPATION: Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

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

I, Jackie Nostrom, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body, at the principal office of the public body, on the Utah State Public Notice website www.utah.gov/pmn/index.html and on Herriman City's website at www.herriman.org. Posted and dated this 5th day of January, 2023. /s/
Jackie Nostrom, City Recorder



STAFF REPORT

DATE: November 15, 2022
TO: The Honorable Mayor and City Council
FROM: Wendy Thomas, Assistant City Manager
SUBJECT: Collegiate Rugby Shield – 2023 Partnership Request

RECOMMENDATION:

Direct staff to add this item to a future budget amendment for approval.

ISSUE BEFORE COUNCIL:

Does the City Council desire to partner with the 2023 Collegiate Rugby Shield and the Utah Warriors?

BACKGROUND/SUMMARY:

Herriman City was the 2022 Collegiate Rugby Shield Premier Partner. The Utah Warriors and the Collegiate Rugby Shield are requesting an expanded partnership to include an official partnership with the Utah Warriors for the same amount that was paid in 2022, \$25,000.

DISCUSSION:

The 2022 Collegiate Rugby Shield originally aired on Fox Sports 1 on Saturday, July 2, 2022. It aired eight times after the first broadcast.

Tom Schimpf from the Utah Warriors will be in attendance to answer any additional questions.

ALTERNATIVES:

Do not direct staff to add this item to a future budget amendment for approval.

FISCAL IMPACT:

\$25,000 from general fund.

ATTACHMENTS:

2023CRS_UWproposalHerriman



STAFF REPORT

DATE: December 2, 2022

TO: The Honorable Mayor and City Council

FROM: Blake Thomas, Community Development Director/City Engineer

SUBJECT: Discussion Regarding a Request for Herriman City to Take Ownership of a Private Road in the Lake Ridge Subdivision

RECOMMENDATION:

Direct staff to proceed with the necessary documents/procedures that allows Herriman to take ownership and maintenance responsibility of the portions of Aurora Vista Drive and Bugle Ridge Drive within the Lake Ridge development.

ISSUE BEFORE COUNCIL:

Should the City Council approve a request from the Lake Ridge HOA to take over ownership and maintenance responsibilities of the private roads in the Lake Ridge Subdivision?

BACKGROUND/SUMMARY:

The Lake Ridge Development is located south of Blackridge Reservoir. The development includes 30 single family home lots. All the roadways within the development are designated as private on recorded the subdivision plat and can be accessed from Aurora Vista Drive or by Bugle Ridge Drive. The developer preserved a 50 ft wide road right-of-way but only constructed 30 ft wide of improvements that included the curb, gutter, and roadway. This left approximately 10 ft of right-of-way behind the curb for the future installation of park strips and sidewalks. Figure 1 depicts the subdivision and road access locations.



Figure 1. Lake Ridge HOA Image

Lookout Ridge, a development adjacent to Lake Ridge, depends on access from Bugle Ridge Drive and Aurora Vista Drive as a second access required by fire code. It is important to note that Lookout Ridge was constructed prior to Lake Ridge and that all roads within Lookout Ridge are public. Records show that concerns from residents in Lookout Ridge were brought to the city's attention regarding the use of a private road for a second access during the subdivision approval process for Lake Ridge. The Lake Ridge HOA has voiced concerns about being responsible for the cost of maintaining a road that services another development for access. The Lake Ridge HOA contacted city staff several years ago to look at options of installing a gate on Aurora Vista Drive; however, the gate was never constructed due to the requirements that the code be provided to all Lookout Ridge residents since it serves as a necessary second access for Lookout Ridge. As a result, the Lake Ridge HOA has requested that the road ownership and maintenance responsibility be turned over the Herriman City.

DISCUSSION:

A representative of the Lake Ridge HOA first emailed Councilman Shields on July 27, 2021, stating that the HOA board had voted to turn their private road over to the city to become a public road. The engineering and public works departments subsequently conducted an audit of the roadway and prepared a memo in response to the request outlining improvements necessary to bring the roadway into compliance with the city's public road standard (see Exhibit 1). At the December 8, 2021, City Council work meeting, the Council directed staff to proceed with taking over the roadway upon the HOA constructing the improvements necessary to be in compliance with the city standards. City staff, HOA representatives, and the Utah Property Rights Ombudsman met on May 19, 2022, to discuss the city taking ownership of the roadway. Several alternatives were explored including constructing a new roadway through open space that would provide a public second access to Lookout Ridge and alternative road ownership/maintenance

options for the existing roadway. The recommendation from the Ombudsman's office is that Herriman take ownership and maintenance responsibilities of Aurora Vista Drive and Bugle Ridge Drive. The Ombudsman's office did not recommend that Herriman take over ownership of Lake Ridge Circle.

An email was sent from the Herriman City Engineer to the Lake Ridge HOA representative on September 13, 2022, stating the following:

"The engineering staff is preparing a legal description for the exact portion of the road that the city will be deeded by the HOA. The legal description is necessary to include with the deed that will be used to transfer ownership to Herriman City. I will be working with the city attorney to prepare a warranty deed and agreement that the HOA will need to sign. The agreement will specify maintenance responsibilities i.e., the city will maintain from back of curb to back of curb (essentially the roadway, curb, and gutter and that each individual homeowner will be required to maintain the area from behind the curb to the property line (approximately 7-10 feet). Once I have the warranty deed and agreement prepared I will need to obtain final approval from the city council and then the documents can be signed by the mayor/city manager and recorded."

The HOA replied to the email the following day requesting that engineering not proceed with preparing any documents until the HOA had more time to work the Ombudsman and requested clarification to the 7-10 feet of road right-of-way between the back of curb to property line. A follow-up email provided supporting documents and clarification that the right-of-way width included property behind the curb for the future installation of sidewalks by the HOA. The HOA was also asked in the email if they would prefer to only transfer the road, from curb to curb, and retain ownership of the property behind the curb. The engineering department received a follow up email on October 4, 2022, requesting the following:

- 1. **We would like to propose that the lines be redrawn from back-of-curb to back-of-curb.** The 7-10 feet that would become a public road right-of-way is concerning for everyone. You said it's currently under the ownership of the HOA, but since the residents own all the common areas collectively, they essentially already own this property and would like to retain ownership of it. People have put a significant amount of money into landscaping and the possibility of the city modifying this with a parking strip or future sidewalks is a point of concern.*
- 2. **We would like to propose that the city take the entire Lake Ridge Subdivision Road.** You have proposed to take just over half of our neighborhood road. We are concerned about the feasibility of retaining possession of the other small portion. It is already difficult to get plowing for our road because it is such a small job, we feel this would leave us in a bind for snow plowing in the winter and we would not have the service needed to get out of our neighborhood. We also are concerned about dividing the HOA road in half. It would create quite a nightmare for us regarding dues, maintenance, and property logistics. It makes a lot more sense for the city to adopt the very small leftover portion that still absorbs a fair bit of traffic that leaves the reservoir and turns the wrong direction (it happens*

constantly). The city maintenance fees on this would be very minimal as it is incredibly small and you already will be in the area servicing the rest of the road and all the surrounding neighborhoods.

ALTERNATIVES:

There are multiple alternatives available to the council to respond to the HOA’s request including:

1. Direct staff to deny the request from the HOA.
2. Direct staff to proceed with documents and procedures to make the private portions of Bugle Ridge Drive and Aurora Vista Drive public.
 - a. City takes ownership of roads as is.
 - b. Option to require HOA to construct improvements to bring roads up to city standard prior to city taking ownership.
3. Direct staff to proceed with documents and procedures to make the all the roads in the Lake Ridge development public.
 - a. Option to take roads as is
 - b. Option to require HOA to construct improvements to bring roads up to city standard prior to city taking ownership.
4. City pays the HOA annually for maintenance costs for the portion of road used to access Lookout Ridge.

Table 1. Pros and Cons for Each Alternative

Option	Pros	Cons
1	Maintain the status quo	Does not address the HOA’s concerns
2a	Provides public maintenance to sections of road used by neighboring developments.	The road does not meet city standards and will not meet them if this alternative is chosen.
2b	The portion of the road servicing the neighboring development would be brought up to standard and would be publicly maintained.	The required improvements would impact private property in order to construct the right-of-way improvements.
3a	Provides public maintenance to sections of road used by neighboring developments.	The city would own and maintain roads that do not meet the minimum standard for width or right-of-way improvements i.e., sidewalk, park strip, etc.
3b	Provides public maintenance to sections of road used by neighboring developments as well as the other roads in the development.	The required improvements would impact private property in order to construct the right-of-way improvements.
4	Allows road to remain privately owned while providing the HOA with funds to maintain the section of road used to access neighboring subdivisions.	This would be an annual expense to the city’s general fund budget that has not been considered in the past.

FISCAL IMPACT:

Option 1

No fiscal impact to Herriman.

Options 2a & 2b

It is estimated that the annual cost for maintenance of a road is \$11,000 per lane mile over the life of the road. The length of road being used to access Lookout Ridge is approximately 700 linear feet (0.265 lane miles). The resulting estimated annual cost to maintain the road is \$2915.

Options 3a & 3b

These options add 750 more feet of roadway for the city to maintain than options 2a/2b. As a result, the total lane miles that the city would maintain with this option is 0.549 miles that results in an annual estimated maintenance cost of \$6040.

Option 4 [RECOMMENDED OPTION]

It is recommended that the city enter into an agreement to pay the HOA an annual amount of \$2915 for the cost associated with maintaining the road.

Any option that requires the property to change from private to public will require a subdivision plat amendment which will include a cost of approximately \$5000-\$10,000 to complete.

ATTACHMENTS:

Exhibit 1: Result of Infrastructure Audit and Consideration of Property Ownership and Maintenance Exchange Memo dated December 10, 2021.

Exhibit 2: Lake Ridge Subdivision Plat



Memo

To: Brock Hadley and all Board Members of the Lake Ridge at Rosecrest Homeowners Association

From: Jonathan Bowers, PE, City Engineer

Date: December 10, 2021

Re: Result of Infrastructure Audit and Consideration of Property Ownership and Maintenance Exchange

cc: Herriman City Council

Mr. Hadley et al,

On July 27th, 2021, Herriman City received a request to consider transfer of ownership and maintenance of the roadway, utilities, and the infrastructure associated with the private property currently owned and maintained by the Lake Ridge at Rosecrest Homeowner's Association, referred to as "HOA Infrastructure."

The City Council met on December 8th, 2021, and they expressed their willingness to consider this request upon completion of improvements to the HOA Infrastructure such that it complies with all city standards and ordinances. The engineering and public works departments conducted an onsite audit of the HOA Infrastructure to determine the improvements necessary to conform to the latest version of the Herriman City Engineering Standards.

The list below is a result of that audit and all items that were apparent at the time of the inspection. As such, this list may not reflect all items necessary to conform to the Herriman City Engineering Standards, nor does it necessarily represent all the items required by the City Council in order to formally accept the HOA Infrastructure, but rather, this list is a reflection of the items necessary for the HOA to complete prior to City Council's consideration of the HOA's request.

Typical Roadway Cross Section Improvement Requirements (see Exhibit A)

1. Minimum 53 ft Right-of-Way (ROW) needed. The existing corridor width is 50 ft. An additional 3 ft would be necessary to comply.
2. The existing Public Utilities Easements (PUE) need to be adjusted such the 10 ft width extends from the edge of the new ROW.
3. Three additional feet of asphalt required. Minimum asphalt width is 28 ft, whereas the existing asphalt width equals 25 ft.
4. Core samples and evaluation of the existing pavement and base course thickness required to confirm compliance with minimum thickness requirements.
5. Type A, 2.5 ft wide high-back curb and gutter required, whereas the existing curb and gutter is 2 ft wide mountable curb and gutter.
6. 5 ft concrete sidewalk and parkstrip required on both sides of the road. The existing roadways do not include any sidewalk.
7. Type A drive approaches required for each private driveway for access onto the roadway.
8. Missing storm drain infrastructure that is required to comply with Herriman City Engineering Standards. See Exhibit B for storm drain infrastructure improvement requirements.
9. Private property encroachment into roadway corridor shall be mitigated and improved as indicated and shown in Exhibit C.
10. Horizontal location of all streetlights are located approximately 6 inches from the required location of the curb and gutter. Compliance requires a minimum of 30 inches from the top back of curb.

Additional Audit Comments on Streetlight System

11. All street lighting wiring and components shall comply with current Herriman City Standard Requirements. The following items were noted as out of compliance:
 - a. All lights are “daisy chained” off two existing power panels. Compliance requires that each residential light shall be connected to a power source via a junction boxes.
 - b. Only two junction boxes were found for the entire system, whereas compliance requires a junction box for each streetlight.
 - c. All streetlights are currently fused inside the streetlight pole hand hole. Compliance requires that wires are fused in the junction box and a ground rod, grounding all grounds.

Procedural Requirements

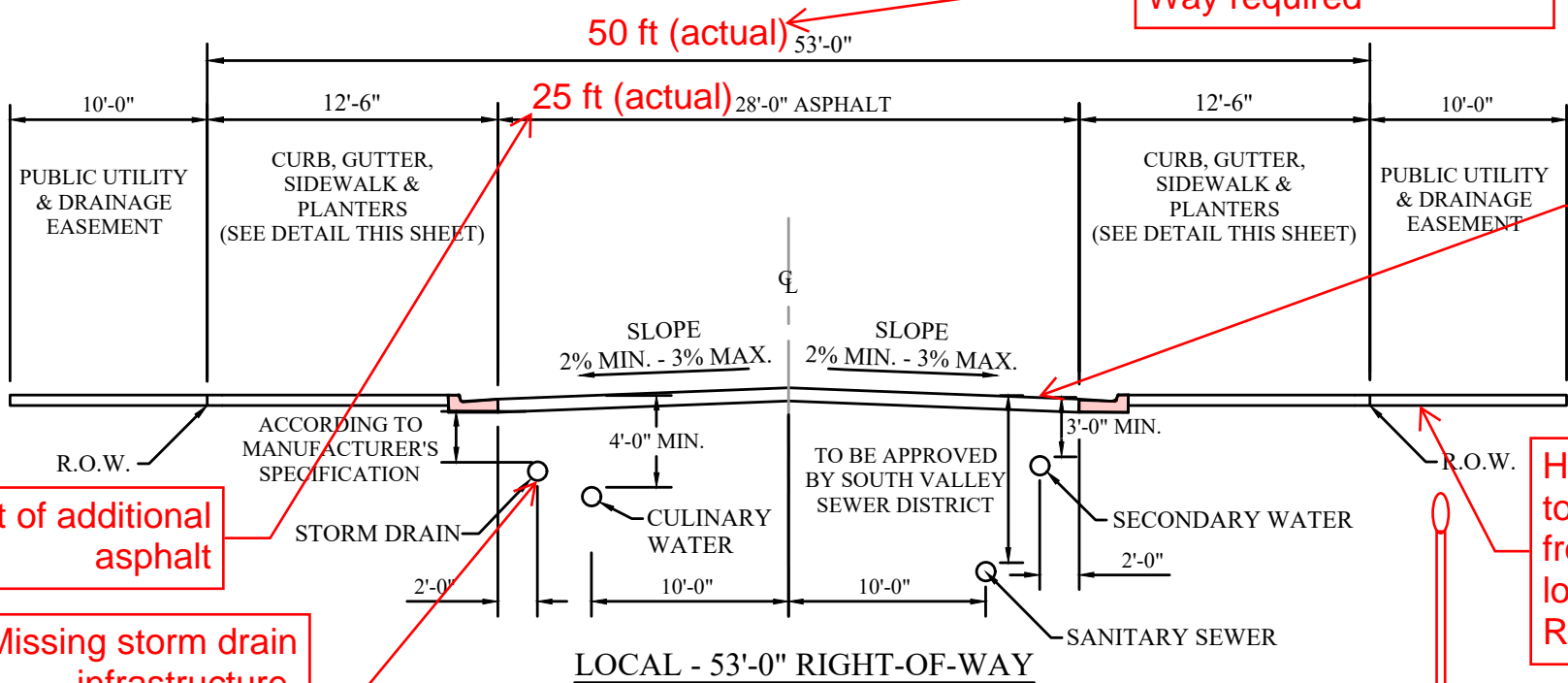
This section reflects the starting point to begin the process of completing all items on this list. That is, this section must be complete before moving to any other items in the list above.

12. **Preliminary Plat** approval from the Planning Commission – This is required to capture the additional property acquisition and PUE adjustments for the road and each property by means of a plat amendment to the existing subdivision plat.
13. **Final Plat** review and approval – This process is typically stewarded by the engineering department and follows preliminary approval of the community’s plat amendment by the Planning Commission.
14. All necessary improvement drawings and supporting analyses shall accompany the Preliminary Plat and Final Plat submittals (items 12 and 13 listed above). The improvement drawings will be required to reflect all improvements to the roadway and utility infrastructure in order to comply with the current version of the Herriman City Engineering Standards.

The Herriman City Engineering department is willing to meet with any members or representatives of the HOA to answer any questions or make any clarifications. The best way to contact the department is via email at engineering@herriman.org, attention to Jonathan Bowers.

Exhibit A - Audit on Roadway Cross Section compared to 53 ft wide typical Herriman City cross section

EXHIBIT 1



3 ft of additional Right of Way required

Core samples and analysis required to ensure compliance with standard asphalt and base course thickness requirements.

3 ft of additional asphalt

Missing storm drain infrastructure. Required by standard (See Exhibit C)

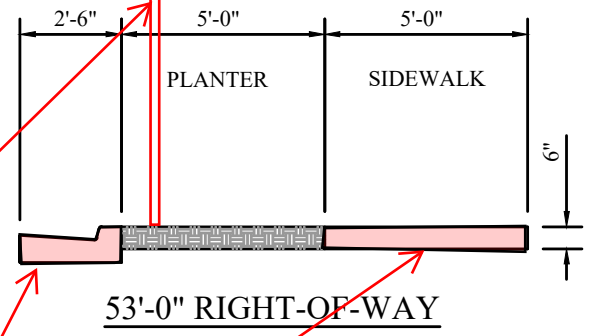
Concrete drive approaches required for each existing driveway that access the public roadway (see APWA Standard Plan 221.1 for additional detail)

Horizontal adjustment to ensure 10 ft width from edge of finalized location of the edge of ROW.

Standard requires 30 inches from top back of curb, whereas the existing location is approximately 6 inches from top back of curb for the required curb location

Type A High Back curb required in place of existing mountable curb (both sides)

No existing sidewalk installed. Required on both sides of the road.



Additional storm drain main and associated manholes required to serve all required curb inlets. 18 Inch minimum diameter required.

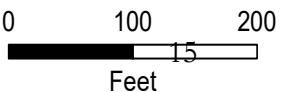
Storm drain inlets required every 400 ft at a minimum. Storm Drain lateral improvements required as a result. Suggested improvements for each lateral includes 2 curb inlets to tie into the existing storm drain main as shown.

Storm drain inlets required every 400 ft at a minimum. Storm Drain lateral improvements required as a result. Suggested improvements for each lateral includes 1 curb inlet, storm drain lateral pipe, and a combination inlet box as shown.

- 1) Existing curb inlets need to be relocated to the final curb and gutter location.
- 2) No inlets allowed in the intersection.
- 3) Concrete waterway is not allowed in intersections.

HERRIMAN CITY ENGINEERING DEPARTMENT

Storm Drain Infrastructure Audit



Clarification & Iteration:
Corridor width and roadway improvements shown in Exhibit A apply to Bugle Ridge Dr. That includes, but no limited to roadway improvements of a 53 ft wide roadway.

Fence and private property encroachment into roadway corridor property.
The encroachment shall be mitigated and improved with this property owner such that the fence and the private property landscaping shall be moved to the edge of the future corridor width (53 ft).



LAKE RIDGE SUBDIVISION
 Located in the Southwest Quarter of Section 12,
 Township 4, Range 2 West, Salt Lake Base and Meridian,
 Salt Lake County, Utah

EXHIBIT 2

SURVEYOR'S CERTIFICATE

I, Mark N Gregory, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 334576 as prescribed by Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described hereon in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have subdivided said property into lots and streets hereafter to be known as LAKE RIDGE SUBDIVISION and that the same has been surveyed and monuments have been placed on the ground as represented on this plot.

BOUNDARY DESCRIPTION

A parcel of land located in the Southwest Quarter of Section 12, Township 4 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, described as follows:

BEGINNING at the Southwest Corner of Section 12, Township 4 South, Range 2 West, Salt Lake Base and Meridian, and thence along the west line of said Section North 09°3'56" West 330.00 feet to the southerly line of property described in that certain Warranty Deed recorded October 16, 2001 as Entry No. 8030765 in Book 8511 at Page 7630 of the Salt Lake County records; thence along said line North 54°41'40" West 137.54 feet; thence North 00°14'03" West 370.06 feet; thence North 15°35'23" East 117.82 feet; thence North 43°23'57" East 143.75 feet; thence North 69°44'22" East 156.72 feet; thence South 81°27'00" East 170.25 feet; thence South 51°48'00" East 114.11 feet; thence South 11°24'25" East 88.86 feet; thence South 05°19'12" West 156.15 feet; thence South 02°13'46" East 118.31 feet; thence South 40°34'04" East 183.73 feet; thence South 73°05'43" East 120.03 feet to a point on the arc of a 262.00 foot radius non-tangent curve to the left, the center of which bears North 28°23'21" East; thence southeasterly 52.52 feet along said curve through a central angle of 11°29'04" and a long chord of South 87°21'11" East 52.43 feet; thence South 73°05'43" East 289.44 feet to a point of tangency of a 180.50 foot radius curve to the left; thence Easterly 166.42 feet along said curve through a central angle of 52°49'35" and a long chord of North 80°29'29" East 160.59 feet; thence North 54°04'41" East 126.24 feet to the west line of Rosecrest Plat U, a subdivision recorded November 03, 2006 as Entry No. 8888985 in Book 2006P at Page 328 of said records; thence along said line the following four courses: 1) South 32°54'04" East 126.96 feet, 2) South 17°46'19" East 98.76 feet, 3) South 03°43'38" East 50.10 feet and 4) South 00°42'01" West 117.29 feet to the south line of said Section 12; thence North 89°17'54" West 1,352.50 feet to the POINT OF BEGINNING. Said parcel contains 806,396 square feet or 18.51 acres, more or less.

Date September 30 2013

Mark N Gregory
 P.L.S. No. 334576



OWNERS DEDICATION

Know all men by these presents that LR Community, LLC, the undersigned Owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as:

LAKE RIDGE SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plot as intended for Public use. Owner(s) hereby agree to warrant and defend and save the City harmless against any easements or other encumbrance on a dedicated street which will interfere with the City's use, maintenance, and operation of the street.

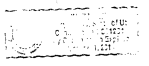
[Signature]
 LR Community, LLC

10/8/13
 Date

ACKNOWLEDGMENT

STATE OF UTAH }
 COUNTY OF SALT LAKE } ss

On this 08th day of October, 2013 personally appeared before me, Jeremy Wright, the signer of the foregoing instrument, who duly acknowledged to me that (s)he is a member of LR Community, LLC, a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he or she executed it in such capacity.



[Signature]
 NOTARY PUBLIC
 Residing at: S.L.C., UT

CONSENT TO DEDICATION AND RECONVEYANCE

Know all men by these presents that the undersigned, being the Trustee under that certain Deed of Trust that encumbers all or a portion of the real property described herein which has been subdivided into lots, public streets, and/or other public places, to be known as LAKE RIDGE SUBDIVISION, does hereby consent and does hereby reconvey, without warranty, to the City of Herriman for perpetual use of the public, all parcels of real property shown on this plot as intended for public streets and/or other public places.

IN WITNESS WHEREOF, the Trustee has subscribed this Consent to Dedication and Reconveyance and has caused the same to be duly executed this 30th day of October, 2013.

[Signature]
 Metro National Title

ACKNOWLEDGMENT

STATE OF UTAH }
 COUNTY OF SALT LAKE } ss

On this 3 day of Oct, 2013 personally appeared before me, Rodney A. Newman, the signer of the foregoing instrument, who duly acknowledged to me that (s)he is the President of Metro National Title, a Utah corporation, and is authorized to execute the foregoing Agreement in its behalf and that he or she executed it in such capacity.

[Signature]
 NOTARY PUBLIC
 Residing at: Salt Lake City UT

ACKNOWLEDGMENT

STATE OF UTAH }
 COUNTY OF SALT LAKE } ss

On this _____ day of _____, 2013 personally appeared before me _____ the signer of the foregoing instrument, who duly acknowledged to me that (s)he is a _____ of _____, a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he or she executed it in such capacity.

NOTARY PUBLIC
 Residing at: _____

ROCKY MOUNTAIN POWER STATEMENT

Utilities shall have the right to install, maintain, and operate their equipment above and below the ground and all other related facilities within the Public Utility Easements identified on this plot map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees, and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE.

SOUTH VALLEY SEWER DISTRICT STATEMENT

The signature of South Valley Sewer District on this plot does not constitute any guarantee of availability of sanitary sewer to the property or any approval of sewer line facilities. The owner(s) of the property must provide satisfactory plans to the Sewer District for review and approval before connecting to the District's sewer system and will be required to comply with the District's rules and regulations.

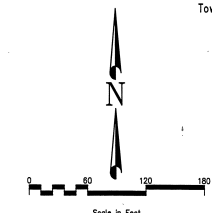
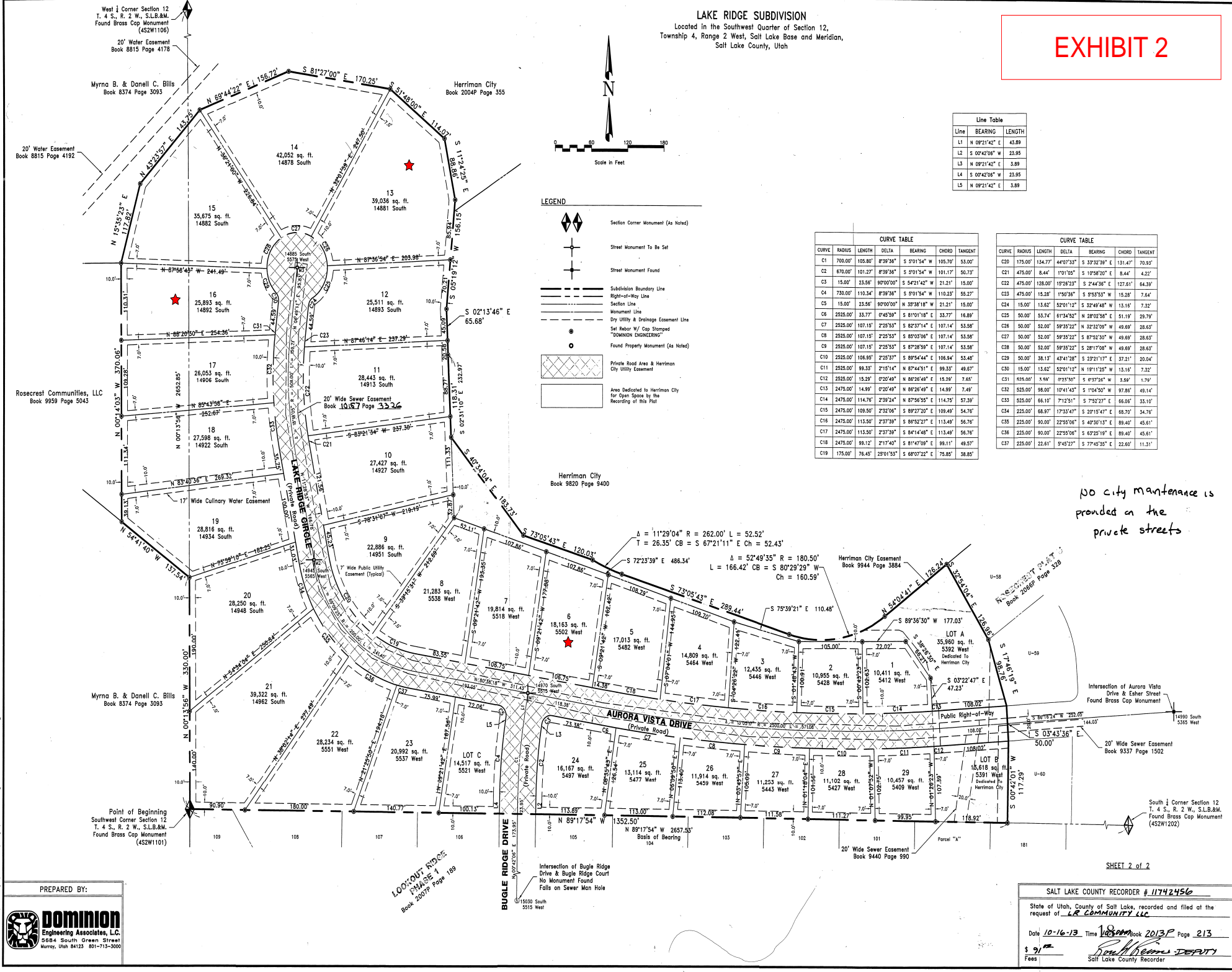
SHEET 1 of 2

HEALTH DEPARTMENT	COMCAST	CENTURYLINK	ROCKY MOUNTAIN POWER	SOUTH VALLEY SEWER DISTRICT	QUESTAR	TABULATIONS	PREPARED BY:
Approved this <u>10th</u> day of <u>October</u> , 2013 by Health Department <u>[Signature]</u> Salt Lake Valley Health Department	Approved this <u>3rd</u> day of <u>Oct</u> , 2013 by Comcast <u>[Signature]</u> Comcast	Approved this <u>4th</u> day of <u>Oct</u> , 2013. <u>[Signature]</u> CenturyLink	Approved this <u>8th</u> day of <u>Oct</u> , 2013 by Rocky Mountain Power. <u>[Signature]</u> Rocky Mountain Power	Approved this <u>10th</u> day of <u>Oct</u> , 2013 by South Valley Sewer District. <u>[Signature]</u> General Manager Sewer District	Approved this <u>2nd</u> day of <u>October</u> , 2013 by Questar Gas. <u>[Signature]</u> Questar Gas	1. Total Plat Acreage.....18.51 acres 2. Total Lot Acreage.....14.81 acres 3. Total Right-of-Way.....2.23 acres 4. Total Open Space.....1.47 acres 5. Average Lot Size.....22,244 sq.ft. 6. Number of Lots.....29	 DOMINION Engineering Associates, L.C. 5684 South Green Street Murray, Utah 84123 801-713-3000
CHECKED FOR ZONING	PLANNING COMMISSION	HERRIMAN CITY MUNICIPAL ATTER	HERRIMAN CITY ENGINEER	APPROVAL AS TO FORM	HERRIMAN CITY	SALT LAKE COUNTY RECORDER #11742456	
Zone <u>R-1-15</u> Area _____ Width _____ Name <u>Rayn mt</u> Date <u>10-15-13</u>	Approved this <u>15th</u> day of <u>Oct</u> , 2013, by the Herriman City Planning Commission. <u>[Signature]</u> Chairman, Herriman Planning Commission	Approved this <u>15th</u> day of <u>October</u> , 2013, by Herriman City Municipal Water. <u>[Signature]</u> Herriman City	I hereby certify that this office has examined this plot and it is correct in accordance with information on file in this office. <u>[Signature]</u> Herriman City Engineer	Approved as to form this <u>15</u> day of <u>Oct</u> , 2013, and is hereby approved. <u>[Signature]</u> Herriman City Attorney	Approved this <u>10th</u> day of <u>October</u> , 2013 by Herriman City. <u>[Signature]</u> Mayor	State of Utah, County of Salt Lake, recorded and filed at the request of <u>LR Community LLC</u> Date <u>10-16-13</u> Title <u>TRUSTEE</u> Book <u>2013P</u> Page <u>213</u> Fees <u>\$9.00</u> <u>[Signature]</u> Salt Lake County Recorder	

P:\Rosecrest\Survey\32-11-Lake Ridge Subdivision.dwg

LAKE RIDGE SUBDIVISION
 Located in the Southwest Quarter of Section 12,
 Township 4, Range 2 West, Salt Lake Base and Meridian,
 Salt Lake County, Utah

EXHIBIT 2



- LEGEND**
- Section Corner Monument (As Notes)
 - Street Monument To Be Set
 - Street Monument Found
 - Subdivision Boundary Line
 - Right-of-Way Line
 - Section Line
 - Monument Line
 - Dry Utility & Drainage Easement Line
 - Water Meter W/ Cap Stamped "TOWN OF EXHIBITING"
 - Found Property Monument (As Notes)
 - Private Road Area & Herriman City Utility Easement
 - Area Dedicated to Herriman City for Open Space by the Recording of this Plat

Line Table

Line	BEARING	LENGTH
L1	N 09°21'42" E	43.89
L2	S 00°42'08" W	23.95
L3	N 09°21'42" E	3.89
L4	S 00°42'08" W	23.95
L5	N 09°21'42" E	3.89

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C1	700.00'	105.80'	8°39'38"	S 5°01'54" W	105.70'	53.00'
C2	670.00'	101.27'	8°39'38"	S 5°01'54" W	101.17'	50.73'
C3	15.00'	23.54'	90°00'00"	S 5°42'14" W	21.21'	15.00'
C4	730.00'	110.34'	8°39'38"	S 5°01'54" W	110.23'	55.27'
C5	15.00'	23.54'	90°00'00"	N 5°58'18" W	21.21'	15.00'
C6	2525.00'	33.77'	0°45'59"	S 81°01'18" E	33.77'	16.89'
C7	2525.00'	107.15'	2°25'53"	S 82°37'14" E	107.14'	53.58'
C8	2525.00'	107.15'	2°25'53"	S 85°03'06" E	107.14'	53.58'
C9	2525.00'	107.15'	2°25'53"	S 87°38'59" E	107.14'	53.58'
C10	2525.00'	106.98'	2°25'33"	S 89°54'44" E	106.94'	53.48'
C11	2525.00'	99.33'	2°15'14"	N 87°44'51" E	99.33'	49.67'
C12	2525.00'	15.29'	0°20'49"	N 88°26'49" E	15.29'	7.65'
C13	2475.00'	14.99'	0°20'49"	N 88°26'49" E	14.99'	7.49'
C14	2475.00'	114.76'	2°39'24"	N 89°56'55" E	114.75'	57.39'
C15	2475.00'	109.50'	2°32'08"	S 89°27'20" E	109.49'	54.78'
C16	2475.00'	113.50'	2°37'39"	S 89°52'22" E	113.49'	56.78'
C17	2475.00'	113.50'	2°37'39"	S 84°14'48" E	113.49'	56.78'
C18	2475.00'	99.12'	2°17'40"	S 81°47'09" E	99.11'	49.57'
C19	175.00'	76.45'	2°50'53"	S 68°07'22" E	75.89'	38.85'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD	TANGENT
C20	175.00'	134.77'	44°07'33"	S 3°32'39" E	131.47'	70.93'
C21	475.00'	8.44'	1°01'05"	S 1°05'20" E	8.44'	4.22'
C22	475.00'	128.00'	15°26'23"	S 2°44'36" E	127.61'	64.39'
C23	475.00'	15.28'	1°50'36"	S 5°55'53" W	15.28'	7.64'
C24	15.00'	13.62'	52°01'12"	S 32°49'58" W	13.16'	7.32'
C25	50.00'	53.74'	61°34'52"	N 28°02'58" E	51.19'	29.79'
C26	50.00'	52.00'	59°52'22"	N 25°12'59" W	49.69'	28.63'
C27	50.00'	52.00'	59°52'22"	S 87°52'29" W	49.69'	28.63'
C28	50.00'	52.00'	59°52'22"	S 28°17'08" W	49.69'	28.63'
C29	50.00'	36.13'	45°41'28"	S 22°21'17" E	37.21'	20.04'
C30	15.00'	13.62'	52°01'12"	N 19°11'25" W	13.16'	7.32'
C31	636.00'	5.60'	0°23'50"	S 6°33'26" W	5.60'	1.99'
C32	525.00'	98.00'	10°41'43"	S 1°04'50" W	97.89'	49.14'
C33	525.00'	66.10'	7°12'51"	S 7°52'27" E	66.05'	33.10'
C34	225.00'	68.97'	17°33'47"	S 20°15'47" E	68.70'	34.78'
C35	225.00'	90.00'	22°50'08"	S 40°50'15" E	89.40'	45.61'
C36	225.00'	90.00'	22°50'08"	S 63°25'15" E	89.40'	45.61'
C37	225.00'	22.61'	5°45'27"	S 77°45'35" E	22.60'	11.31'

NO city maintenance is provided on the private streets

PREPARED BY:

DOMINION
 Engineering Associates, LLC
 5864 South Green Street
 Murray, Utah 84123 801-713-2000

SALT LAKE COUNTY RECORDER # 11742456
 State of Utah, County of Salt Lake, recorded and filed at the request of **LA COMMUNITY LLC**
 Date **10-16-13** Time **10:00am** Book **2013P** Page **213**
 \$ **91.00**
 Fees
 SALT LAKE COUNTY RECORDER



STAFF REPORT

DATE: December 7, 2022
TO: The Honorable Mayor and City Council
FROM: Nathan Cherpeski
SUBJECT: Amendments to the City's surplus property ordinance

RECOMMENDATION:

Provide staff direction on proposed code changes and direct staff to return for formal adoption of approved code changes.

ISSUE BEFORE COUNCIL:

Should the City Council update the City's surplus property ordinance?

BACKGROUND/SUMMARY:

The City's surplus property ordinance dictates how the City designates surplus property, how that property is valued, and the methods of disposition. The ordinance needs to be updated to better reflect differences between real property vs. personal property and to remove some code sections that inhibit the City from receiving the highest value for surplus properties.

DISCUSSION:

With changes in staff over the last few years, City staff is undertaking a review of key ordinances to make sure they are up to date and reflect best practices. The surplus property ordinance needs to be updated to better reflect differences between real and personal property. Additionally, the current code states that surplus property should first be offered to City employees and contract providers. This doesn't represent best practice and seems to inhibit the City's ability to get a fair return. Such a practice would put those whose job it is to determine surplus status with the ability to purchase said property without an equal opportunity for the general public. Staff recommends removing those requirements.

ALTERNATIVES:

1. Direct staff to return with the attached ordinance for future action.
2. Direct staff to return with the attached ordinance after amending as council directs.
3. Decline to act and give staff further direction.

FISCAL IMPACT:

The intent is to recover the highest value for City owned surplus property. While this will not have a direct impact today, these changes could result in additional funds to the city in the future..

ATTACHMENTS:

Current Code

Proposed Code

Markup comparison between current and proposed

1-10-14: Disposal Of Surplus Property

- A. No City owned property, except property that is consumed in normal operations, shall be disposed of or released to ownership by anyone other than the City, except as provided in this section.
- B. Whenever property is surplus, unused, obsolete, unsuitable, or otherwise no longer needed and the estimated reasonable value of the property is ten thousand dollars (\$10,000.00) or less, the City Manager, or Assistant City Manager may declare the property surplus and shall either establish a minimum bid for the sale of such property or declare that the property is of nominal value. If the City Manager, or Assistant City Manager has declared the property to be surplus and established a minimum bid, then such property may only be sold for an amount equal to or more than the minimum bid based on the highest and best economic return to the city. If the city manager, or assistant city manager has declared the property to be surplus and declared that the property is of nominal value, then such property may be disposed of as determined by the city manager, or assistant city manager.
- C. Whenever city property is surplus, unused, obsolete, unsuitable or otherwise no longer needed and the estimated reasonable value is more than ten thousand dollars (\$10,000.00), the director or department manager having control of such property shall promptly so notify the city manager, or assistant city manager. The city manager, or assistant city manager then shall notify other city departments of the availability of such property. The city manager, or assistant city manager shall supervise the transfer of such property to the department requesting the property. If no use can be made or can be expected to be made within the reasonably foreseeable future, the property shall be disposed of in accordance with subsections D, E, F, and G of this section. (Ord. 2015-25A, 8-12-2015)
- D. The city manager, or assistant city manager shall prepare and present a listing to the city council of all city owned property which he feels is no longer needed by the city and which can be declared surplus. The city council may declare the property surplus and shall establish a minimum bid for the sale of such property. If the city council has declared the items to be surplus and established a minimum bid, then the city manager, or assistant city manager shall proceed to sell such surplus property for an amount equal to or more than the minimum bid based on the highest and best economic return to the city, except that consideration for surplus property conveyed may be based on other public policy factors if the city council makes a determination, pursuant to its legislative authority, that the consideration is adequate.
- E. Unless the city council has determined that consideration for the surplus property shall be based on other public policy factors, the highest and best economic return to the city, as referred to herein, shall be determined by one or more of the following methods: 1) competitive bid; 2) evaluation by a qualified and disinterested appraiser(s); 3) other professional publication and valuation service; or 4) an informal market survey by the designee in the case of items of personal property possessing readily discernible market value.
- F. The method to determine the highest and best economic return to the city or if other public policies factors were considered shall be approved or identified by the city council at the time the minimum bid is established. (Ord. 2016-27, 8-24-2016)
- G. Monetary proceeds from the sale or other disposition of such property pursuant to this section shall be credited to the appropriate fund.
- H. Notwithstanding anything to the contrary herein, surplus property disposed of pursuant to this section shall first be offered to city employees and city contract providers, and if not disposed of (subject to the conditions of disposal pursuant to the provision of this section), then the surplus property shall be offered to the public (subject to the same such conditions). (Ord. 2015-25A, 8-12-2015)

1-10-14: Disposal Of Surplus Property

- A. *Authorized Disposal of Property.* No City owned property, except property that is consumed in normal operations, shall be disposed of or released to ownership by anyone other than the City Council, except as provided in this section. Whenever property is deemed surplus, unused, obsolete, unsuitable, or otherwise no longer needed, the manner of disposal shall comply with this section. The responsibility of compliance with this policy rests with any employee who seeks to dispose of the property. The City Manager is authorized to delegate any responsibility found herein to another.
- B. *Administrative Disposal of Property.* .
1. *De Minimus Property.* Any personal property with an estimated market value under \$500.00 shall be considered *de minimus* and may be disposed in a manner deemed appropriate by a manager [department director].
 2. *Other Property.* Any personal property with an estimated market value between \$500.00 and \$10,000.00 shall be disposed of through a surplus sale approved by the City Manager. Before disposal, the department director shall provide the City Manager with a description of the property, estimated market value, and recommended method of sale or disposition. The City Manager shall ensure that the manner of sale is based on the highest and best economic return to the City.
- C. *Legislative Disposal of Property.* Any real property or personal property with an estimated market value over \$10,000.00 shall be disposed of through a surplus sale approved by the City Council.
1. *Real Property.* The City Manager shall prepare and present a listing to the City Council of all City owned real property which the City Manager feels is no longer needed by the City and which can be declared surplus. The City Council may declare the property surplus and authorize the City Manager to establish a base bid for the property in accordance with this section. Valuation for real property shall be through one of the following methods: 1) Appraisal by qualified appraiser, 2) Opinion of value from competent real estate professional, or 3) if adjacent or nearby property has been sold or listed, the City at its discretion may use that to set the minimum bid for surplus property.
 2. *Personal Property.* The City Manager shall prepare and present a listing to the City Council of all City owned personal property that is no longer needed by the City. The City Council may declare the property surplus and authorize the City Manager to establish minimum bids for said property. If the City Council has declared the items to be surplus, then the City Manager shall proceed to sell such surplus property in a manner to obtain the highest and best economic return to the City, except that consideration for surplus property conveyed may be based on other public policy factors if the City Council makes a determination, pursuant to its legislative authority, that the consideration is adequate.
- D. *Methods of Sale.* Unless the City Council has determined that consideration for the surplus property shall be based on other public policy factors, the highest and best economic return to the City, as referred to herein, shall be determined by one or more of the following methods: 1) competitive bid/auction; 2) evaluation by a qualified and disinterested appraiser(s); 3) other professional publication and valuation service; 4) an informal market survey ;5) in the case of items of personal property possessing readily discernible market value; or 6) some other method as directed by the City Council.
- E. *Credit of Proceeds.* Monetary proceeds from the sale or other disposition of such property pursuant to this section shall be credited to the appropriate fund.

1-10-14: Disposal Of Surplus Property
1-10-14: Disposal Of Surplus Property

- A. Authorized Disposal of Property. No City owned property, except property that is consumed in normal operations, shall be disposed of or released to ownership by anyone other than the City, ~~except as provided in this section~~ Council, except as provided in this section. Whenever property is deemed surplus, unused, obsolete, unsuitable, or otherwise no longer needed, the manner of disposal shall comply with this section. The responsibility of compliance with this policy rests with any employee who seeks to dispose of the property. The City Manager is authorized to delegate any responsibility found herein to another.
- B. Whenever Administrative Disposal of Property. .
1. De Minimus Property. Any personal property is surplus, unused, obsolete, unsuitable, or otherwise no longer needed and the with an estimated reasonable market value of the under \$500.00 shall be considered de minimus and may be disposed in a manner deemed appropriate by a manager [department director].
 - ~~B-2.~~ Other Property. Any personal property is ~~ten thousand dollars (\$~~with an estimated market value between \$500.00 and \$10,000.00) or less, shall be disposed of through a surplus sale approved by the City Manager, or Assistant. Before disposal, the department director shall provide the City Manager ~~may declare with a description of the property surplus and shall either establish a minimum bid for the sale of such property or declare that the property is of nominal value. If the , estimated market value, and recommended method of sale or disposition. The City Manager, or Assistant City Manager has declared the property to be surplus and established a minimum bid, then such property may only be sold for an amount equal to or more than the minimum bid shall ensure that the manner of sale is based on the highest and best economic return to the city. If the city manager, or assistant city manager has declared the property to be surplus and declared that the property is of nominal value, then such property may be disposed of as determined by the city manager, or assistant city manager.~~ City.
- C. ~~Whenever city property is surplus, unused, obsolete, unsuitable or otherwise no longer needed and the estimated reasonable value is more than ten thousand dollars (\$10,000.00), the director or department manager having control of such property shall promptly so notify the city manager, or assistant city manager. The city manager, or assistant city manager then shall notify other city departments of the availability of such property. The city manager, or assistant city manager shall supervise the transfer of such property to the department requesting the property. If no use can be made or can be expected to be made within the reasonably foreseeable future, the property shall be disposed of in accordance with subsections D, E, F, and G of this section. (Ord. 2015-25A, 8-12-2015)~~
- C. The city manager, or assistant city manager ~~Legislative Disposal of Property.~~ Any real property or personal property with an estimated market value over \$10,000.00 shall be disposed of through a surplus sale approved by the City Council.
1. Real Property. The City Manager shall prepare and present a listing to the city council ~~City Council~~ of all city ~~City~~ owned real property which ~~he~~ the City Manager feels is no longer needed by the city ~~City~~ and which can be declared surplus. The city council ~~The City Council~~ may declare the property surplus and authorize the City Manager to establish a base bid for the property in accordance with this section. Valuation for real property shall be through one of the following methods: 1) Appraisal by qualified appraiser, 2) Opinion of value from competent real estate professional, or 3) if adjacent or nearby property has

been sold or listed, the City at its discretion may use that to set the minimum bid for surplus property.

~~D-2.~~ Personal Property. The City Manager shall prepare and present a listing to the City Council of all City owned personal property that is no longer needed by the City. The City Council may declare the property surplus and ~~shall authorize the City Manager to establish a minimum bid~~ bids for ~~the sale of such~~ said property. ~~If the city council~~ City Council has declared the items to be surplus ~~and established a minimum bid, then the city manager, or assistant city manager, then the City Manager~~ shall proceed to sell such surplus property ~~for an amount equal to or more than the minimum bid based on~~ a manner to obtain the highest and best economic return to the ~~city~~ City, except that consideration for surplus property conveyed may be based on other public policy factors if the ~~city council~~ City Council makes a determination, pursuant to its legislative authority, that the consideration is adequate.

~~E-D.~~ Methods of Sale. Unless the ~~city council~~ City Council has determined that consideration for the surplus property shall be based on other public policy factors, the highest and best economic return to the ~~city~~ City, as referred to herein, shall be determined by one or more of the following methods: 1) competitive bid/auction; 2) evaluation by a qualified and disinterested appraiser(s); 3) other professional publication and valuation service; ~~or~~ 4) an informal market survey ~~by the designee;~~ 5) in the case of items of personal property possessing readily discernible market value; ~~or 6) some other method as directed by the City Council.~~

~~F.~~ ~~The method to determine the highest and best economic return to the city or if other public policies factors were considered shall be approved or identified by the city council at the time the minimum bid is established. (Ord. 2016-27, 8-24-2016)~~

~~G-E.~~ Credit of Proceeds. Monetary proceeds from the sale or other disposition of such property pursuant to this section shall be credited to the appropriate fund.

~~H.~~ ~~Notwithstanding anything to the contrary herein, surplus property disposed of pursuant to this section shall first be offered to city employees and city contract providers, and if not disposed of (subject to the conditions of disposal pursuant to the provision of this section), then the surplus property shall be offered to the public (subject to the same such conditions). (Ord. 2015-25A, 8-12-2015)~~

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, AMENDING HERRIMAN CITY CODE 1-10-14 (DISPOSAL OF SURPLUS PROPERTY).

WHEREAS, Utah Code § 10-9a-102 grants the Herriman City (the “City”) authority to enact ordinances that the Herriman City Council (the “City Council”) considers necessary or appropriate; and

WHEREAS, the subject text amendment modifies the process and procedure on disposing of surplus property; and

WHEREAS, the City Council has held a public hearing and reviewed the subject text amendment; and

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH:

SECTION 1. Text Amendment. The Council hereby amends HCC § 1-10-14, as shown in **Exhibit A**.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, ON THIS _____ DAY OF _____, 2023.

HERRIMAN CITY COUNCIL

Mayor: _____
Lorin Palmer

Attest: _____
Jackie Nostrom, City Recorder



STAFF REPORT

DATE: November 9, 2022

TO: The Honorable Mayor and City Council

FROM: Wendy Thomas, Assistant City Manager

SUBJECT: Blackridge Reservoir - Concession RFP, Parking Permit Program Survey, Parking Expansion

RECOMMENDATION:

This item is for discussion.

ISSUE BEFORE COUNCIL:

- Would the City Council like staff to proceed with a Request for Proposal for concession services at Blackridge Reservoir?
- Would the City Council like to expand parking at Blackridge Reservoir?
- Review of the parking permit program survey results
 - Would the City Council like to revisit the Blackridge Parking Permit Program or would you like to leave it as is?

BACKGROUND/SUMMARY:

Blackridge Reservoir has been an extremely popular amenity for Herriman residents and guests. Algal blooms occurring from 2016 – 2019 forced the closure of the reservoir mid-season, which directly impacted attendance. The pandemic of 2020 also altered the regular operations of the amenity. The 2022 season was back to as close to normal attendance as had been experienced prior to 2016, however, 2022 also brought staffing challenges. Parking enforcement has increased with the addition of our Community Services Department, which has caused complaints from some of the surrounding residents and guests that park without the appropriate permit in the parking enforcement area and at the reservoir.

ALTERNATIVES FOR BLACKRIDGE OPERATIONS:

Alternative	Challenge	Benefit
Close access to water completely	Difficult to pull back	Would cut back on users, easy to enforce
Close access to water for swimming, allow board sports and kayaks (residents vs. non-residents)	Difficult to manage and enforce	Would cut back on users
Close access to water for swimming, allow board sports and kayaks with permits or by payment	Difficult to manage and enforce	Would cut back on users
Expand parking in both the Blackridge lot and build a lower lot near the pump house	Costly, won't address the overcrowding issues	Adds additional parking, which might help with parking issues
Pay for parking or day pass	Could increase parking issues in neighborhoods	Revenue source, would likely reduce users by a small amount
Adjust hours, close on holidays	Trailhead use causes an issue, becomes confusing	Less staff required, potentially less parking issues
Any number of alternatives	Any number of challenges	Any number of benefits

ALTERNATIVES FOR BLACKRIDGE PARKING PERMIT PROGRAM:

Alternative	Challenge	Benefit
Leave the parking permit program in place as is	Potentially leaves some areas out, is inconvenient for some residents	Prohibits parking along the streets by non-residents, program is generally accepted and understood by homeowners
Reduce the footprint of the parking permit program	Visitors to the reservoir may start parking in the reduced area which could present an issue with homeowners	Allows homeowners and their guests to park along the street without going through the permit process
Enlarge the footprint of the parking permit program to include more streets	Some homeowners not currently in the parking permit area may not like having their property included in the permit program area, increased time spent on parking enforcement	Would prohibit Blackridge users from parking in some areas that are within a short walk of the reservoir
Repeal the parking permit program	Parking would be allowed in the areas around the reservoir which could cause issues with homeowners in the area	Less staff time spent on parking enforcement

FISCAL IMPACT:

None at this time.



BLACKRIDGE RESERVOIR

BEGIN NEW CURB & GUTTER

DUMPSTER ENCLOSURE

LANDSCAPE ISLAND

BRIAR PARK RD.

ASHLAND RIDGE DR.

ESHER ST.

**BLACKRIDGE RESERVOIR
PARKING LOT EXPANSION**

EXISTING: 114 STALLS + 5 ADA
FUTURE: 168 STALLS
*PROJECT ADDS 54 NEW STALLS

REMOVE EXISTING CURB & GUTTER

5' CONCRETE SIDEWALK

50 LF± ROCKERY RETAINING WALL

END NEW CURB & GUTTER

17.4'

9.7'

45.5'



STAFF REPORT

DATE: November 16, 2022
TO: The Honorable Mayor and City Council
FROM: Wendy Thomas | Nathan Cherpeski
SUBJECT: Youth, Teen and Active Aging Programming

RECOMMENDATION:

Direct staff to explore the retrofit and community-based programming to be located at Old City Hall.

ISSUE BEFORE COUNCIL:

Would the Council like staff to explore the addition of community-based programs for youth, teens and older adults?

BACKGROUND/SUMMARY:

There have been several requests for community-based programs for youth, teens and older adults. Staff anticipate that old City Hall will be available for use in July 2023 and would propose that the City utilize this asset for expanded community programs and to provide additional office space for staff.

DISCUSSION:

- Staff anticipate that costs to remodel the facility would largely be covered by grants.
- There are a variety of methods to cover the cost of programming, however, staff anticipate general funds being needed for staffing, equipment, supplies and ongoing operations and maintenance.
- The facility could be used as another community meeting space when not programmed, giving an alternative to the Bingham Canyon Community Room.

ALTERNATIVES:

Direct staff to not explore the costs and programming methods for expanded community-based programming.

FISCAL IMPACT:

None at this time.

ATTACHMENTS:

N/A





STAFF REPORT

DATE: December 28, 2022
TO: The Honorable Mayor and City Council
FROM: Kyle Maurer, Finance Director
SUBJECT: Discuss proposed amendments to the fiscal year 2023 budget.

RECOMMENDATION:

N/A - This is for discussion only.

ISSUE BEFORE COUNCIL:

No issues at the current time. However, proposed budget amendments will be brought forward for approval at the next City Council meeting.

BACKGROUND/SUMMARY:

Good budgetary and accounting practices require periodic amendments to the City's adopted fiscal year budget. A number of budget amendments are required to ensure departments are staying within their allotted budgets and to ensure transactions are being accounted for correctly in the financial system.

Please note that City staff are still compiling information for items highlighted in yellow on the attached schedules (fleet vehicle carryovers and vehicle purchases). These numbers are expected to change before the amendments are brought to the City Council for approval.

DISCUSSION:

A number of budget amendments are being proposed. While there are a number of reasons for the amendments, the majority of amendments deal with budget carryovers from the fiscal year 2022 budget. In addition, a thorough analysis of the Police Department's budget and Herriman City Safety Enforcement Area (HCSEA) revenue streams have been performed for fiscal year 2023. Below is a summary of the budget amendments (by fund):

General Fund

Overall General Fund revenues and expenditures are proposed to increase by \$2,032,446. Of this amount, \$1,613,528 is due to budget carryovers from fiscal year 2022. One notable proposed

amendment deals with property tax. When the City lowered its property tax rate in August 2022 (with a corresponding increase to the Fire Safety Area tax rate), the Salt Lake County Treasurer's Office subsequently recalculated the property tax due to the City and the Fire Service Area from January to September 2022. Because the City was using general property tax to fund the Fire Service Area prior to the setting of a dedicated property tax rate, the Fire Service Area needs to reimburse the General Fund for property taxes collected January-September. There is a corresponding reduction in estimated property tax revenue for the General Fund (in other words, a net zero effect). Another notable proposed budget amendment is a transfer from the Hi Country II Fund to the General Fund. Due to a clerical error, the Parks Department had been erroneously paying for the water consumed by Hi Country II. The amounts paid for by the Parks Department total \$163,235. This transfer is proposed to fund an ordered Animal Services vehicle, increase in cost for the ordered Community Services vehicle, and offset the cost of sound equipment purchased by the Arts Department.

In 2019 the City entered into a settlement agreement with a number of property owners related to land needed for the City's automall. This agreement requires payment of sales tax generated on the property. A transfer is being proposed from the General Fund to the Herriman North CRA fund to fulfill the first year of this settlement.

General Fund – Police

City Administration, Finance, and the Police Department have begun examining the Police Department's funding sources, expenditures, and fiscal sustainability. The first step of this process involves the fiscal year 2023 budget. A number of revenue adjustments are being requested to align projected revenues with the budget. In addition, on the expenditure side, the Axon taser contract was erroneously left out of the approved fiscal year 2023 budget. It is proposed to add this contract to the budget (increasing expenditures by \$213,000). Adjustments are also needed for fuel (\$22,000) and dispatch (\$14,000) costs. The dispatch increase is a one-time cost due to a VECC settlement. Police vehicles are another area where an adjustment is needed. The City ordered 6 vehicles slated for purchase in 2024 in 2023 (\$455,000). The Police Department moved one vehicle replacement from the Police Department to Animal Services. Since Animal Services is funded by the General Fund (and not the HCSEA), a transfer from the General Fund is needed to fund the already ordered Animal Services vehicle.

General Fund – ARPA

Budget amendments are proposed to fund ARPA projects outlined in the City's CIP and for projects that have outstanding contracts. As previously discussed with the City Council, these projects are for storm drain improvements.

Herriman City Safety Enforcement Area (HCSEA)

As mentioned earlier, City staff have been examining revenue projections used for the HCSEA, as this has a direct impact on funding available for Police Services. Re-examining the budget shows property taxes were overbudgeted by \$480,000. In addition, due to the Axon taser contract being left out of the Police Department budget, and the purchase of fiscal year 2024 vehicles in fiscal year 2023, an additional transfer of \$783,000 is necessary to fulfill the existing obligations in the Police Department's budget. This will leave the HCSEA with an anticipated ending fund balance of \$275,992. Police, City Administration, and Finance will be having additional

discussions with the Council regarding the long-term sustainability of the Police Department, given the funding limitations of the HCSEA.

Herriman City Fire Service Area

Due to the property tax recalculation issue discussed above in the General Fund narrative, an adjustment is proposed (with a corresponding transfer out to the General Fund). In addition, building & grounds maintenance, along with professional fees to redesign Station 103, were inadvertently left out of the budget. Existing revenues are proposed to fund both items.

Herriman North CRA

As mentioned previously, the City needs to fulfill a settlement agreement with the former Garden Plot owners. This budget amendment would recognize a transfer from the General Fund along with the settlement expenditure.

Parks Impact Fee Fund

The majority of adjustments are for projects started in fiscal year 2022. In addition, the City received a grant from the Jordan Valley Water Conservancy District for the Juniper Canyon Recreation Area 1A project.

Road Impact Fee Fund

All of the proposed amendments carry over projects budgeted in fiscal year 2022 to fiscal year 2023.

Capital Projects Fund

The majority of proposed amendments are carrying over projects budgeted in fiscal year 2022 to fiscal year 2023. In addition, the City spent \$2,091,681 to purchase land which will be reimbursed by Corridor Preservation Funds from Salt Lake County. The City also received a grant from Jordan Valley Water Conservancy District for the Main Street Landscaping project. A sewer district reimbursement (revenue) is being proposed for the Hidden Oaks Backbone project. Finally, a \$52,000 budget amendment is proposed for the purchase of land from UDOT at Miller Crossing and Mountain View Corridor. The funds for this purchase would come from Capital Projects fund balance.

Capital Projects – City Hall Fund

\$100,000 is proposed to be transferred from fund balance for projects related to City Hall.

Water Fund

A number of budget amendments are being proposed for the Water Fund. Previously, bond principal payments were not budgeted for (payments were directly offset against the bond liability). While this process is acceptable for Generally Accepted Accounting Principles, it does not formally adopt the payments through the budget process. A total of \$797,219 in projects is proposed to be carried over. In addition, \$525,000 is budgeted to fulfill an agreement for the Hidden Oaks Backbone project.

Water Impact Fee Fund

\$769,951 in projects from fiscal year 2022 are proposed to be carried over. In addition, \$3.6 million for the Zone 2 & 3 Water Improvements project is proposed to be budgeted. While the majority of the funding will come from the bond issued in fiscal year 2022, obligating the funds through a budget amendment will allow use of the funds if needed to complete the project.

Storm Water Fund

The Storm Water Fund has two proposed amendments – The first one covers vehicle cost increases (\$20,000), and the second is funding to fulfill a previously executed agreement with Ivory Homes (\$556,485). Note fulfillment of the agreement will cause the Storm Water Fund to enter a negative fund balance.

ALTERNATIVES:

The City Council may choose to not adopt any of the proposed amendments, some of the amendments, or all of the amendments. This discussion is to provide additional detail and discuss any concerns prior to formal adoption of the amendments at the next meeting.

FISCAL IMPACT:

Fiscal impacts are outlined in the attachment.

ATTACHMENTS:

Proposed budget amendments and supporting documentation.

**Herriman City
General Fund Fiscal Year 2023 Proposed Budget Amendments**

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
10-31100		Property Tax - Current	\$ 933,756	\$ (221,119)	\$ 712,637	Property tax was recalculated using 2022 rate from January-September. This is the amount of property tax the general property tax levy apportioned to the Fire Safety Area until the tax rate was set up for calendar year 2022.
10-31150		Motor Vehicle Fee in Lieu	466,244	(335,209)	131,035	Motor vehicle fee in lieu was recalculated using the 2022 rate from January-September. This is the amount of property tax the general property tax levy apportioned to the Fire Safety Area until the tax rate was set for calendar year 2022.
10-31300		Sales Tax	12,424,226	25,000	12,449,226	Record transfer to Herriman North CRA for settlement agreement with Garden Plot owners.
10-33652		Grants - State of Utah	-	31,932	31,932	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
10-33668		Grants - EDC Utah	-	1,750	1,750	Grant from EDC Utah for business backpacks
10-36885		Lease Proceeds	1,358,118	32,000	1,390,118	Increase needed due to increased prices of streets and parks dump trucks
10-39111		Transfer From Hi Country II	-	163,235	163,235	Reimbursement From Hi Country II Fund for water purchases erroneously paid for by the General Fund.
10-39120		Budgeted Use of Fund Balance	-	2,334,857	2,334,857	
TOTAL REVENUE ADJUSTMENTS - GENERAL FUND			\$ 15,182,344	\$ 2,032,446	\$ 17,214,790	

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
10-65080	Streets	Vehicle Purchases	\$ 314,914	\$ 342,637	\$ 657,551	FY2022 carryover (\$326,637) + \$16,000 increase in lease proceeds.
10-65275	Streets	Crack Seal/Chip Seal	1,262,500	935,000	2,197,500	Increase for amount not spent in FY2022 (carryover).
10-70080	Street Lights	Vehicle Purchases	-	213,217	213,217	FY2022 carryover.
10-73540	Arts Council	Capital Outlay	-	65,606	65,606	Purchase of sound equipment (\$35,600 from reduction in expenditure line items; remainder from one-time transfer).
10-73105	Arts Council	Arts Production/Performance	65,000	(25,000)	40,000	Reduction in budget to partially cover sound equipment purchase.
10-73106	Arts Council	Children's Production	12,500	(5,300)	7,200	Reduction in budget to partially cover sound equipment purchase.
10-73126	Arts Council	Youth Theatre	12,500	(5,300)	7,200	Reduction in budget to partially cover sound equipment purchase.
10-76080	Parks	Vehicle Purchases	323,638	154,674	478,312	FY2022 carryover (\$138,674) + \$16,000 increase in lease proceeds.
10-76027	Parks	Match - Tree Grant	8,000	2,400	10,400	Urban Forestry Grant received for conference (offset-grant revenue).
10-76098	Parks	Trail Maintenance	125,000	31,932	156,932	Utah Outdoor Recreation Grant (grant revenue offset).
10-81045	Economic Development	Economic Development Relations	4,000	1,750	5,750	Grant from EDC Utah for business backpacks.
10-39119		Transfer From Fire District	650,000	556,328	1,206,328	Property tax and motor vehicle in lieu was recalculated using 2022 rate from January-September. This is the amount of property tax the general property tax levy apportioned to the Fire Safety Area until the tax rate was set up for calendar year 2022. (Offset general fund proeprty tax).
10-99253		Transfer to Herriman North CRA	-	25,000	25,000	Transfer to Herriman North CRA to fulfill the Garden Plot owners settlement agreement.
10-99135		Transfer to Public Safety Fund	837,074	99,500	936,574	Additional increase for Animal Services vehicle and cost increase in Community Services vehicle.
10-99999		Budgeted Increase in Fund Balance	359,998	(359,998)	-	Removal of expected addition to fund balance (EXCLUDING POLICE).
TOTAL EXPENDITURE ADJUSTMENTS - GENERAL FUND			\$ 3,975,124	\$ 2,032,446	\$ 6,007,570	

Fund Balance Summary (Excluding ARPA and Public Safety Impact Fees)			
	FY2021	FY2022	FY2023
Beginning Fund Balance	\$ 4,723,752	\$ 1,619,059	\$ 7,869,509
Additions (Reductions)	(3,104,693)	6,250,450	(2,708,687)
Ending Fund Balance	\$ 1,619,059	\$ 7,869,509	\$ 5,160,822
Fund Balance as a % of Revenues	6%	27%	18%

Herriman City Public Safety Fund (General Fund) Fiscal Year 2023 Proposed Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
15-33650	Public Safety (Police)	Liquor Allotment	\$ 43,000	\$ 3,000	\$ 46,000	Increase liquor allotment to match actual revenue received.
15-33655	Public Safety (Police)	Highway Safety Grants	100,000	(40,000)	60,000	Reduce budget based on historical actuals.
15-33671	Public Safety (Police)	Department of Justice Grants	-	3,200	3,200	Bulletproof Vest Grant reimbursement
15-33660	Public Safety (Police)	Jordan School District SRO	210,000	50,000	260,000	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
15-33661	Public Safety (Police)	Providence Hall SRO	45,000	20,000	65,000	Increase budget to match anticipated agreement with Providence Hall.
15-33662	Public Safety (Police)	Athlos SRO	5,000	(5,000)	-	Eliminate SRO revenue - No SRO at school.
15-33663	Public Safety (Police)	RSL Academy SRO	19,000	(19,000)	-	Eliminate SRO revenue - No SRO at school.
15-36900	Public Safety (Police)	Miscellaneous Revenue	13,000	(3,000)	10,000	Revising budget down due to historical actuals
15-39120	Public Safety (Police)	Budgeted Use of Fund Balance	302,830	71,000	373,830	\$71,000 - Amount needed for current year vehicles
15-39118	Public Safety (Police)	Transfer From HCSEA	8,520,000	783,000	9,303,000	Increase needed to balance Police department costs for current year
TOTAL REVENUE ADJUSTMENTS - POLICE			\$ 9,257,830	\$ 863,200	\$ 10,121,030	
15-33700	Public Safety (Animal Control)	Animal Licenses	\$ 17,000	\$ 8,000	\$ 25,000	Increase due to historical actuals.
15-33702	Public Safety (Animal Control)	Animal Impound Fee	13,000	3,000	16,000	Increase due to historical actuals.
15-33710	Public Safety (Animal Control)	Adoption Fees	2,000	500	2,500	Increase due to historical actuals.
15-33750	Public Safety (Animal Control)	Animal Services Donations	3,500	(3,000)	500	Decrease due to historical actuals.
15-39500	Public Safety (Non Police)	Transfer From General Fund	837,074	99,500	936,574	Transfer to cover additional cost for Police vehicles and vehicle transferred from Police to Animal Services.
TOTAL REVENUE ADJUSTMENTS - PUBLIC SAFETY (NON POLICE)			\$ 872,574	\$ 108,000	\$ 980,574	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
15-90006	Public Safety (Police)	Subscriptions/Memberships/Dues	\$ 32,865	\$ 213,000	\$ 245,865	Axon taser contract was not included in the fiscal year 2023 budget (ongoing cost = \$149,436). Taser contract was included in FY2024 budget.
15-90018	Public Safety (Police)	Fuel	118,000	22,000	140,000	Increase to match last year's actuals. Currently spent 77% of fiscal year's budget.
15-90085	Public Safety (Police)	Clothing & Uniforms	79,500	3,200	82,700	Bulletproof Vest Grant reimbursement (one time-offsetting revenue).
15-90058	Public Safety (Police)	Dispatch	300,000	14,000	314,000	Increase due to VECC settlement (one time cost).
15-90741	Public Safety (Police)	Vehicle Purchase	1,099,897	611,000	1,710,897	Carryover from prior year - \$126,000; additional funds from HCSEA (FY2023 vehicles) - \$30,000; \$455,000 - FY2024 vehicles ordered in FY2023 (6) (timing issue; funding from HCSEA fund balance).
TOTAL EXPENDITURE ADJUSTMENTS - POLICE			\$ 1,630,262	\$ 863,200	\$ 2,493,462	
15-95063	Public Safety (Animal Services)	Vehicle Purchase	\$ -	\$ 90,000	\$ 90,000	One Police vehicle was moved to Animal Services. Budget needs to be set.
15-97741	Public Safety (Community Services)	Vehicle Purchase	65,148	18,000	83,148	Due to cost increases, vehicle purchase is expected to exceed budget.
TOTAL EXPENDITURE ADJUSTMENTS - PUBLIC SAFETY (NON POLICE)			\$ 65,148	\$ 108,000	\$ 173,148	

**Herriman City
ARPA Fund (General Fund) Proposed Fiscal Year 2023 Budget Amendments**

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
18-33999		Use of Fund Balance	\$ -	\$ 2,232,403	\$ 2,232,403	Fund balance of ARPA funds
TOTAL REVENUE ADJUSTMENTS - ARPA FUND			\$ -	\$ 2,232,403	\$ 2,232,403	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
18-41070		Hamilton Farms Storm System Improvements	\$ -	\$ 1,135,000	\$ 1,135,000	Amount in CIP list.
18-41080		Rosecrest/Sentinel Ridge Pond Improvements	-	1,530,500	1,530,500	Amount on CIP list.
18-41090		Shoshone Pond Improvements	-	292,500	292,500	Amount in CIP list.
18-41100		Jensen Place Pond Improvements	-	141,314	141,314	Amount on CIP list.
18-41110		Antelope Meadows Pond Improvements	-	252,076	252,076	Amount of open contracts.
18-41120		Berwick Pond Improvements	-	612,500	612,500	Amount in CIP list.
18-41130		Rose Canyon/7300 W Pond Improvements	-	231,000	231,000	Amount on CIP list.
18-41151		McCouston Storm Drain	-	60,000	60,000	Amount of open contracts.
18-41152		SLCC Pond Lift Station	-	80,000	80,000	Amount of open contracts.
18-41200		Capital Outlay	2,401,824	(2,102,487)	299,337	Allocation of ARPA funds to storm drain projects.
TOTAL EXPENDITURE ADJUSTMENTS - ARPA FUND			\$ 2,401,824	\$ 2,232,403	\$ 4,634,227	

Herriman City Parks Impact Fee Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
20-31227		JVWCD Grant	-	150,000	150,000	Juniper Canyon Recreation Area Grant
TOTAL REVENUE ADJUSTMENTS - PARK IMPACT FEE FUND			\$ -	\$ 150,000	\$ 150,000	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
20-47622		0121-00 Teton Ranch Park Design	-	204,000	204,000	Reallocated from Rose Creek Trail Connector Project (Duplicate Budget) (\$204,000) - Duplicate budget approved (reallocated to Teton Ranch Park Design); \$47,500 - Carryover from FY2022
20-47623		0104-00 Rose Creek Trail Connector	408,000	(156,500)	251,500	
20-47624		0083-00 Mountain Ridge Park Design	-	23,837	23,837	FY2022 carryover; additional \$1,000 to complete project County TRCC funds not allocated to project (but included in revenue budget).
20-47625		0068-1A Juniper Canyon Recreation Area 1A	-	1,500,000	1,500,000	Funds needed to complete project (\$631,000 carryover)
20-47628		0061-00 Hidden Oaks Backbone Phase 2	-	73,726	73,726	FY2022 carryover
20-47632		0079-00 Midas Creek Pavilion	-	8,000	8,000	FY2022 carryover
20-4890		Budgeted Increase in Fund Balance	2,067,425	(1,503,063)	564,362	FY2022 carryover
TOTAL EXPENDITURE ADJUSTMENTS - PARK IMPACT FEE FUND			\$ 2,475,425	\$ 150,000	\$ 2,625,425	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	3,879,208	5,471,968	6,915,696
Additions (Reductions)	1,592,760	1,443,728	564,362
Ending Fund Balance	\$ 5,471,968	\$ 6,915,696	\$ 7,480,058

Herriman City
Capital Project Carryover Calculations
Park Impact Fee Fund
Fiscal Year 2022 to 2023

GL Account	Description	FY2022 Budget	FY2022 Amount Received/ Spent	FY2022 Remaining Budget	Status	Reallocate (to)/From Other Projects	Release Funds	Additional Funds to be Allocated	Notes	FY2022 to FY2023 Carryover	FY2023 Beginning Budget	FY2023 Budget Reallocation	Ending FY2023 Budget
Revenue													
20.31226	COUNTY TRCC GRANT	550,000	550,000	-	Ongoing				Grant funds for the Juniper Canyon Recreation Area; grant award for 2 years	-	550,000	-	550,000
20.31227	JVWCD GRANT	150,000	-	150,000	Ongoing				Grant funds for the Juniper Canyon Recreation Area	150,000	-	-	150,000
Expenditures													
20.47617	BOBCAT PARK	775,000	777,860	(2,860)	Complete		2,860			-	-	-	-
20.47618	WIDE HOLLOW TRAILHEAD	18,000	17,186	814	Complete		(814)			-	-	-	-
20.47619	CREEK RIDGE PARK PLAYGROUND & SURFACING	40,630	40,630	-	Complete					-	-	-	-
20.47620	JUNIPER CANYON RECREATION AREA DESIGN	135,000	136,486	(1,486)	Complete		1,486			-	-	-	-
20.47621	0045-00 DANSIE HOME RESTORATION & OPEN SPACE	9,100	10,906	(1,806)	Ongoing			1,806	2020 cost estimate-\$401,500; waiting for updated cost estimate	-	401,500	-	401,500
20.47622	0121-00 TETON RANCH PARK DESIGN	7,000	74,746	(67,746)	Ongoing	50,000		17,746	Blue Line Remaining Contract \$195,000; request \$9,000 contingency	-	-	204,000	204,000
20.47623	0104-00 ROSE CREEK TRAIL CONNECTOR	100,000	2,500	97,500	Ongoing	(50,000)				47,500	408,000	(204,000)	251,500
20.47624	0083-00 MOUNTAIN RIDGE PARK DESIGN	60,000	36,163	23,837	Ongoing					23,837	-	-	23,837
20.47625	0068-1A JUNIPER CANYON RECREATION AREA 1A	1,900,816	1,269,772	631,044	Ongoing			868,956	TRCC funds budgeted but not budgeted to project; additional funds needed to complete project.	1,500,000	-	-	1,500,000
20.47627	0021-00 ARTS FACILITY FEASIBILITY	70,000	78,400	(8,400)	Complete		8,400			-	-	-	-
20.47628	0061-00 HIDDEN OAKS BACKBONE PHASE 2	73,726	-	73,726	Ongoing				Reimbursement agreement with Ivory Homes - Construction of Dansie Blvd Phase 1 and Silver Sky Dr.	73,726	-	-	73,726
20.47632	0079-00 MIDAS CREEK PAVILION	8,000	-	8,000	Ongoing				Design phase (Blu Line Designs)	8,000	-	-	8,000
		<u>3,197,272</u>	<u>2,444,649</u>	<u>752,623</u>		<u>-</u>	<u>11,932</u>	<u>888,508</u>		<u>1,653,063</u>	<u>809,500</u>	<u>-</u>	<u>2,462,563</u>

Herriman City Road Impact Fee Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
22-3900		Budgeted Use of Fund Balance	-	1,855,021	1,855,021	
TOTAL REVENUE ADJUSTMENTS - ROAD IMPACT FEE FUND			\$ -	\$ 1,855,021	\$ 1,855,021	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
22-49421		0016-02 7300 W Phase 2 ROW & Design	\$ 1,114	\$ 80,021	\$ 81,135	FY2022 carryover
22-49422		0012-00 6400 W & 13400 S Intersection (Reserves at	45,365	93,662	139,027	FY2022 carryover
22-49722		0102-00 Rose Canyon Rd Widening (Reimbursement)	-	10,500	10,500	FY2022 carryover
22-49729		0061-00 Hidden Oaks Backbone Ph 2 Reimbursement	-	2,847,645	2,847,645	FY2022 carryover
22-49999		Budgeted Increase in Fund Balance	1,176,807	(1,176,807)	-	Removal of anticipated increase/addition of expected use
TOTAL EXPENDITURE ADJUSTMENTS - ROAD IMPACT FEE FUND			\$ 1,223,286	\$ 1,855,021	\$ 3,078,307	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	(296,011)	86,259	2,217,045
Additions (Reductions)	382,270	2,130,786	(1,855,021)
Ending Fund Balance	\$ 86,259	\$ 2,217,045	\$ 362,024

Herriman City
Capital Project Carryover Calculations
Road Impact Fee Fund
Fiscal Year 2022 to 2023

GL Account	Description	FY2022 Budget	FY2022 Amount Received/Spent	FY2022 Remaining Budget	Status	Reallocate (to)/From Other Projects	Release Funds	Additional Funds to be Allocated	Notes	FY2022 to FY2023 Carryover	FY2023 Beginning Budget	FY2023 Budget Reallocation	Ending FY2023 Budget
Revenue													
22.36302	SEWER REIMBURSEMENT	406,771	-	406,771		(406,771.00)			Moved to Capital Projects	-	-	-	-
Expenditures													
22.49416	7300 WEST ROADWAY	17,549	17,549	-	Complete					-	-		-
22.49417	6400 W MAIN STREET SIGNAL	41,738	41,738	-	Complete					-	-		-
22.49418	ACTIVE TRANSPORTATION PLAN	1,159	1,159	-	Complete					-	-		-
22.49421	0016-02 7300 W PHASE 2 ROW & DESIGN	145,000	64,979	80,021	In Process					80,021	1,114		81,135
22.49422	0012-00 6400 W & 13400 S INTERSECTION (RESERVES AT	95,000	1,338	93,662	In Process					93,662	45,365		139,027
22.49714	0139-00 WSH-AUTUMN CREST TRANSPORTATION (REIMB)	11,760	11,760	-	In Process				Agreement RA-1604	-	400,000		400,000
22.49719	0025-00 BELLA VEA-BRUIIN VIEW DR (4000 W) REIMB	47,250	97,170	(49,920)	In Process		49,920			-	53,762		53,762
22.49721	REIMBURSE EDGE HOMES-CREEK RIDGE	31,340	31,340	-	Complete					-	-		-
22.49722	0102-00 ROSE CANYON RD WIDENING (REIMB)	10,500	-	10,500	In Process				Agreement 12/2018. Maximum reimbursable amount \$107,005.78. \$12,600 reimbursed.	10,500	-		10,500
22.49727	0097-00 ROCKWELL CONNECTOR (SCENIC DEV) REIMB	147,280	147,280	-	In Process				System roadway improvements- Rockwell Park Ln (Rockwell Landing). Total eligible: \$331,614	-	-		-
22.49728	REIMBURSE MONARCH VILLAGE	165,840	165,840	-	Complete				Roadway Improvements to 15000 South	-	-		-
22.49729	0061-00 HIDDEN OAKS BACKBONE PH 2 REIMBURSEMENT	2,847,645	-	2,847,645	In Process				Developer reimbursement (Ivory Homes) for construction of Dansie Blvd Phase 1 and Silver Sky Dr	2,847,645	-		2,847,645
		<u>3,562,061</u>	<u>580,153</u>	<u>2,981,908</u>		<u>-</u>	<u>49,920</u>	<u>-</u>		<u>3,031,828</u>	<u>500,241</u>	<u>-</u>	<u>3,532,069</u>

**Herriman City Safety Enforcement Area
Proposed Fiscal Year 2023 Budget Amendments**

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
26-31100	HCSEA	Property Tax - Current	\$ 8,000,000	\$ (350,000)	\$ 7,650,000	Revise down to match Certified Tax Rate website plus \$50,000 for greenbelt rollback.
26-31102	HCSEA	Property Tax - Delinquent	100,000	(20,000)	80,000	Recalculated using estimated historical collections.
26-31150	HCSEA	Motor Vehicle in Lieu	600,000	(110,000)	490,000	Revised due to updated forecast and FY2022 historical actuals.
26-36100	HCSEA	Interest	-	3,000	3,000	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
26-3900	HCSEA	Budgeted Use of Fund Balance	-	1,080,000	1,080,000	Use of fund balance due to lowered revenue expectations and increased transfer to the General Fund.
TOTAL REVENUE ADJUSTMENTS - HCSEA FUND			\$ 8,700,000	\$ 603,000	\$ 9,303,000	

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
26-4900	HCSEA	Budgeted Increase in Fund Balance	\$ 180,000	\$ (180,000)	\$ -	Removing budgeted increase due to recalculated revenue projections.
26-49000	HCSEA	Transfer to General Fund	8,520,000	783,000	9,303,000	Adjustment for Axon taser contract left out of budget, along with Police vehicle cost increases and FY2024 police vehicles purchased in FY2023 (\$455,000).
TOTAL EXPENDITURE ADJUSTMENTS - HCSEA FUND			\$ 8,700,000	\$ 603,000	\$ 9,303,000	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	808,735	1,307,908	1,355,992
Additions (Reductions)	499,173	48,084	(1,080,000)
Ending Fund Balance	\$ 1,307,908	\$ 1,355,992	\$ 275,992

**Herriman City Fire Service Area
Proposed Fiscal Year 2023 Budget Amendments**

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
27-31100		Property Tax - Current	\$ 7,540,000	\$ 221,119	\$ 7,761,119	Property tax was recalculated using 2022 rate from January-September. This is the amount of property tax the general property tax levy apportioned to the Fire Safety Area until the tax rate was set up for calendar year 2022.
27-31150		Motor Vehicle Fee in Lieu	360,000	335,209	695,209	Motor vehicle fee in lieu was recalculated using the 2022 rate from January-September. This is the amount of property tax the general property tax levy apportioned to the Fire Safety Area until the tax rate was set for calendar year 2022.
TOTAL REVENUE ADJUSTMENTS - FIRE SERVICE AREA FUND			\$ 7,900,000	\$ 556,328	\$ 8,456,328	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
27-40260		Bldgs & Grounds Supplies & Maint	\$ -	\$ 35,000	\$ 35,000	Budget for Building & Grounds maintenance left out of original budget.
27-47512		Professional Fees	-	500,000	500,000	Funds for Station 103 replacement design left out of original budget.
27-49000		Transfer to General Fund	650,000	556,328	1,206,328	Reimbursement to the General Fund for reapportioned property taxes January-September.
27-4900		Budgeted Increase in Fund Balance	2,665,000	(535,000)	2,130,000	Reduction to increase in fund balance to account for building & grounds maintenance, and professional fees.
TOTAL EXPENDITURE ADJUSTMENTS - FIRE SERVICE AREA FUND			\$ 3,315,000	\$ 556,328	\$ 3,871,328	

Herriman City
Herriman North CRA Proposed Fiscal Year 2023 Budget Amendments

GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
35-36500		Transfer from General Fund	\$ -	\$ 25,000	\$ 25,000	Record transfer to Herriman North CRA for settlement agreement with Garden Plot owners.
TOTAL REVENUE ADJUSTMENTS - HERRIMAN NORTH CRA						
FUND			<u>\$ -</u>	<u>\$ 25,000</u>	<u>\$ 25,000</u>	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
35-41007		Sales Tax Incentive Payment	\$ -	\$ 25,000	\$ 25,000	Agreement with Garden Plot owners for sales tax payments.
TOTAL EXPENDITURE ADJUSTMENTS - HERRIMAN NORTH CRA						
FUND			<u>\$ -</u>	<u>\$ 25,000</u>	<u>\$ 25,000</u>	

Herriman City						
Capital Projects-City Hall Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
39-3900		Budgeted Use of Fund Balance		100,000	100,000	Use of Fund Balance for City Hall Projects
TOTAL REVENUE ADJUSTMENTS - CITY HALL FUND			\$ -	\$ 100,000	\$ 100,000	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	(offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line
39-44100		City Hall	-	100,000	100,000	City Hall Projects
TOTAL EXPENDITURE ADJUSTMENTS - CITY HALL FUND			\$ -	\$ 100,000	\$ 100,000	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	552,422	542,957	227,168
Additions (Reductions)	(9,465)	(315,789)	(100,000)
Ending Fund Balance	\$ 542,957	\$ 227,168	\$ 127,168

Herriman City Capital Projects Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
40-36105		Salt Lake County	\$ 700,000	\$ 2,091,681	\$ 2,791,681	Corridor Preservation Funds (offset Property Acquisition).
40-36128		JVWCD Grant	-	26,113	26,113	Main Street Landscaping project grant.
40-3900		Budgeted Use of Fund Balance	1,073,692	11,089,574	12,163,266	
40-36099		Interest Income	-	210,000	210,000	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
40-36302		South Valley Sewer Reimbursement	-	406,771	406,771	Sewer District Reimbursement for Hidden Oaks Backbone Phase 2.
TOTAL REVENUE ADJUSTMENTS - CAPITAL PROJECTS FUND			\$ 1,773,692	\$ 13,824,139	\$ 15,597,831	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
40-47557		Property Acquisition	\$ 3,700,000	\$ 2,143,681	\$ 5,843,681	\$52,000 - Amendment for acquisition of UDOT property (Miller Crossing and MVC) (fund balance); \$2,091,681 - Property purchase using Corridor Preservation funds.
40-47562		Herriman Main Street Widening		10,650,074	10,650,074	\$10,446,765 - Prior year ending balance in construction account; \$90,000 - Anticipated interest earnings on construction funds.
40-47566		0061-00 Hidden Oaks Backbone Phase 2 (Reimbursement)	-	1,025,309	1,025,309	Carryover from FY2022 plus \$406,771 Sewer District reimbursement.
40-47588		0033-00 Cemetery Restroom	195,000	33,975	228,975	Carryover from FY2022.
40-47598		0074-00 Main Street Park Strips and Open Space	989,406	(88,900)	900,506	(\$115,013) - Amount project was over budget in FY2022; \$26,113 - JVWCD landscaping grant.
40-47607		0010-01 6000 W Road Widening Phase 1	150,000	60,000	210,000	Carryover from FY2022.
TOTAL EXPENDITURE ADJUSTMENTS - CAPITAL PROJECTS FUND			\$ 5,034,406	\$ 13,824,139	\$ 18,858,545	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	(12,173,678)	(6,469,722)	3,333,738
Additions (Reductions)	5,703,956	9,803,460	(12,163,266)
Ending Fund Balance	\$ (6,469,722)	\$ 3,333,738	\$ (8,829,528)
Interfund Loan (Water Rights Impact)	\$ 10,485,370	\$ 10,485,370	\$ 10,485,370
Adjusted Ending Balance	\$ 4,015,648	\$ 13,819,108	\$ 1,655,842

Herriman City
Capital Project Carryover Calculations
General Capital Projects Fund
Fiscal Year 2022 to 2023

GL Account	Description	FY2022 Budget	FY2022 Amount Received/ Spent	FY2022 Remaining Budget	Status	Reallocate (to)/From Other Projects	Release Funds	Other	Notes	FY2022 to FY2023 Carryover	FY2023 Beginning Budget	FY2023 Budget Reallocation	Ending FY2023 Budget
Revenues													
40.36128	JVWCD GRANT	-	-	-					Main Street Landscaping project			24,613	24,613
40.36302	SEWER REIMBURSEMENT	-	-	-		406,771			Budget moved from Road Impact Fund	406,771	-	-	406,771
Expenditures													
40.47361	TRAFFIC SIGNALS	-	12,485	(12,485)	Complete		12,485			-	-		-
40.47557	PROPERTY ACQUISITION	2,000,000	2,473,568	(473,568)	Ongoing		473,568		Each year budgeted separately.	-	3,700,000		3,700,000
40.47562	0058-00 HERRIMAN MAIN STREET WIDENING	10,593,000	146,235	10,446,765	Ongoing			113,309	Bond proceeds. \$113,309 - Interest earnings in FY2022	10,560,074	-		10,560,074
40.47566	0061-00 HIDDEN OAKS BACKBONE PH 2 (REIMBURSEMENT)	1,884,073	1,265,535	618,538	Ongoing	406,771			Reimbursement to Ivory Homes for Dansie Blvd Phase 1 and Silver Sky Dr	1,025,309	-		1,025,309
40.47588	0033-00 CEMETERY RESTROOM	45,000	11,025	33,975	Ongoing					33,975	195,000		228,975
40.47590	6000 W PRECAST WALL & RMP	-	37,325	(37,325)	Complete		37,325			-	-		-
40.47592	0069-00 JUNIPER CREST & PATRIOT RIDGE ISLAND	60,000	5,696	54,304	Ongoing		(54,304)			-	320,000		320,000
40.47593	0050-00 GINA ROAD IMPROVEMENTS	160,000	112,827	47,173	Complete		(47,173)		Design/engineering 2022, ROW acquisition & construction FY2026/FY2027	-	-		-
40.47598	0074-00 MAIN STREET PARK STRIPS AND OPEN SPACE	126,000	241,013	(115,013)	Ongoing				Portions of project budgeted for FY2023 were done in FY2022. OK to roll over "negative" balance.	(115,013)	989,406	24,613	899,006
40.47607	0010-01 6000 W ROAD WIDENING PHASE 1	60,000	-	60,000	Ongoing					60,000	150,000		210,000
40.47610	0041-00 JUNIPER CREST CROSSWALK AND RRFB INSTAL	20,000	9,587	10,413	Complete		(10,413)			-	-		-
		<u>14,948,073</u>	<u>4,315,296</u>	<u>10,632,777</u>		<u>406,771</u>	<u>411,488</u>	<u>113,309</u>		<u>11,564,345</u>	<u>5,354,406</u>	<u>24,613</u>	<u>16,943,364</u>

Herriman City Water Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
51-39999		Use of Fund Balance	10,479,071	2,618,374	13,097,445	\$675,000 - Capital project carryover; \$525,000 - Reimbursement agreement (new); \$1,300,000 - Bond principal payments not previously budgeted.
TOTAL REVENUE ADJUSTMENTS - WATER FUND			\$ 10,479,071.00	\$ 2,618,374	\$ 13,097,445	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
51-47110		Bond Principal	-	1,300,000	1,300,000	Bond principal payments previously not budgeted.
51-48104		0017-00 AMI Water Reading System	25,000	120,000	145,000	FY2022 Carryover
51-48111		0052-00 Hamilton Well Rehabilitation	-	551,155	551,155	FY2022 Carryover
51-48132		0061-00 Hidden Oaks Backbone	-	525,000	525,000	Amount of Hidden Oaks Backbone Reimbursement Agreement
51-81080		Vehicle Purchases	753,638	122,219	875,857	FY2022 Carryover
TOTAL EXPENDITURE ADJUSTMENTS - WATER FUND			\$ 778,638	\$ 2,618,374	\$ 3,397,012	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	(16,025,623)	11,911,090	16,249,567
Additions (Reductions)	27,936,713	4,338,477	(13,097,445)
Ending Fund Balance*	\$ 11,911,090	\$ 16,249,567	\$ 3,152,122

*FY2021 = Unrestricted Net Position in ACFR

Herriman City
 Capital Project Carryover Calculations
 Water Fund
 Fiscal Year 2022 to 2023

GL Account	Description	FY2022 Budget	FY2022 Amount Received/ Spent	FY2022 Remaining Budget	Status	Reallocate (to)/From Other Projects	Release Funds	Other	Notes	FY2022 to FY2023 Carryover	FY2023 Beginning Budget	FY2023 Budget Reallocation	Ending FY2023 Budget
Expenditures													
51.48101	ROSECREST PUMP STATION	59,887	-	59,887	Complete		(59,887)			-	-		-
51.48104	0017-00 AMI WATER READING SYSTEM	-	-	-	Ongoing	120,000			FY2022 Budget Under "Well Smart Billing Software" in Pelorus Budget under "AMI Water Reading System" in CIP	120,000	25,000		145,000
51.48105	WELL SMART BILLING SOFTWARE	120,000	-	120,000		(120,000)				-	-		-
51.48111	0052-00 HAMILTON WELL REHAB	551,155	-	551,155	Ongoing					551,155	-		551,155
		<u>\$ 731,042</u>	<u>\$ -</u>	<u>\$ 731,042</u>		<u>-</u>	<u>(59,887)</u>	<u>-</u>		<u>\$ 671,155</u>	<u>\$ 25,000</u>	<u>\$ -</u>	<u>\$ 696,155</u>

Herriman City Water Impact Fee Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
53-3900		Use of Fund Balance	1,362,987	4,369,533	5,732,520	
TOTAL REVENUE ADJUSTMENTS - WATER IMPACT FEE FUND			\$ 1,362,987	\$ 4,369,533	\$ 5,732,520	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item). IFFP indicates that \$3.6 million of project is impact fee eligible. Majority of project will be covered by bond issued in FY2022.
53-47554		0141-00 Zone 2 & 3 Major Water Improvements	-	3,600,000	3,600,000	IFFP indicates that \$3.6 million of project is impact fee eligible. Majority of project will be covered by bond issued in FY2022.
53-47600		Master Plan - Water	50,000	35,582	85,582	FY2022 carryover
53-47841		0061-00 Hidden Oaks Backbone Ph 2 (Reimbursement)	-	733,951	733,951	FY2022 carryover
TOTAL EXPENDITURE ADJUSTMENTS - WATER IMPACT FEE FUND			\$ 50,000	\$ 4,369,533	\$ 4,419,533	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	18,914,929	21,281,842	3,410,898
Additions (Reductions)	2,366,913	(17,870,944)	(5,732,520)
Ending Fund Balance	\$ 21,281,842	\$ 3,410,898	\$ (2,321,622)

Herriman City
 Capital Project Carryover Calculations
 Water Impact Fee Fund
 Fiscal Year 2022 to 2023

GL Account	Description	FY2022 Budget	FY2022 Amount Received/ Spent	FY2022 Remaining Budget	Status	Reallocate (to)/From Other Projects	Release Funds	Other	Notes	FY2022 to FY2023 Carryover	FY2023 Beginning Budget	FY2023 Budget Reallocation	Ending FY2023 Budget
Expenditures													
53.47600	MASTER PLAN - WATER	75,000	39,418	35,582	Ongoing					35,582	50,000		85,582
53.47841	0061-00 HIDDEN OAKS BACKBONE PH 2 (REIMBURSEMENT)	733,951	-	733,951	Ongoing					733,951	-		733,951
53.48703	O/S REIMB - DOUG YOUNG	-	28,880	(28,880)	Complete		28,880			-	-		-
53.48713	REIMBURSEMENT WASATCH SOUTH DEVELOPMENT	182,234	182,234	-	Complete					-	-		-
53.48718	0025-00 BELLA VEA-BRUIN VIEW DR (4000 W) (REIMB)	83,722	83,722	-	Ongoing					-	9,634		9,634
53.48720	EDGE HOMES-GRAYSTONE SKYRIDGE	34,558	-	34,558	Complete	(34,558)				-	-		-
53.48721	EDGE HOMES-GRAYSTONE SKYRIDGE	-	34,558	(34,558)	Complete	34,558				-	-		-
53.48722	REIMBURSEMENT SORENSON LEGACY FOUNDATION	252,755	252,755	-	Ongoing					-	-		-
53.48723	REIMBURSEMENT SORENSON IMPACT FOUNDATION	36,108	36,108	-	Ongoing					-	-		-
		\$ 1,398,328	\$ 657,675	\$ 740,653		-	28,880	-		\$ 769,533	\$ 59,634	\$ -	\$ 829,167

Herriman City Storm Water Fund Proposed Fiscal Year 2023 Budget Amendments						
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	2023 Adjusted Budget (Proposed)	Explanation
55-39999		Use of Fund Balance	465,787	576,485	1,042,272	Fund balance will be needed to cover agreement with Ivory Homes for L&L Hamilton Park and increase in cost for vehicle purchase.
TOTAL REVENUE ADJUSTMENTS - STORM WATER FUND			\$ 465,787.00	\$ 576,485	\$ 1,042,272	
GL Account	Department	GL Account Description	FY2023 Budget (Current)	Proposed Amendment	Budget (Proposed)	Utah Outdoor Recreation Grant \$31,932 (offset Trail Maintenance); Urban Forestry Grant \$2,400 (offset Match-Tree Grant line item).
55-61080		Vehicle Purchases	47,133	20,000	67,133	Due to inflationary pressures, budget needs to be increased for vehicle that is on order.
55-63001		0073-00 L&L Hamilton Park	-	556,485	556,485	Executed agreement that will need to be paid in FY2023.
TOTAL EXPENDITURE ADJUSTMENTS - STORM WATER FUND			\$ 47,133	\$ 576,485	\$ 623,618	

Fund Balance Summary			
	FY2021	FY2022	FY2023
Beginning Fund Balance	185,446	356,442	513,985
Additions (Reductions)	170,996	157,543	(1,042,272)
Ending Fund Balance*	\$ 356,442	\$ 513,985	\$ (528,287)

*Ending fund balance is unrestricted net position per ACFR



STAFF REPORT

DATE: January 11, 2023
TO: The Honorable Mayor and City Council
FROM: Monte Johnson, Director of Operations
SUBJECT: Streetlight Décor and Banner Discussion

RECOMMENDATION: Staff recommends reducing the number of locations we install Christmas decorations and focus on City Hall and the main roads entering the city.

ISSUE BEFORE COUNCIL: Does the Mayor and City Council want to reduce the number of locations we install Christmas decorations and focus on City Hall and the main roads entering the city?

Does the Mayor and City Council want to make any changes or allow certain groups an exemption from paying banner fees?

BACKGROUND/SUMMARY: Last year the Streetlight Department installed and removed over 200 Christmas decorations. They also installed and removed over 400 banners. Currently, we hang Christmas decorations throughout the city, this requires two crews with two bucket trucks a week to install and a week to remove. With the addition of new roads and subdivisions, the number of decorations and the time to install them will increase.

Individuals and groups may apply to have banners hung on city streetlight poles. There is a \$50.00 application fee, an approval process, and a fee of \$22.50 per banner. Once the banners are approved, they will be installed on designated streetlight poles for 30-day periods. Some of the issues with this program are multiple groups would like their banners placed on the same poles at the same time. High Schools would like their banners up all year and would like to be exempt from paying fees.

Additionally, the banner program has some liability for the city and may inadvertently create a public forum. In essence, the City would be required to put up any banner requested without the ability to deny a request. In that instance, denying a request could be a violation of the first amendment.

DISCUSSION: Do you want staff to continue to install Christmas decorations throughout the city? This option takes more time and resources to complete. As the city grows, this will increase the area and number of decorations. Do you want staff to focus their efforts on City Hall and the main roads entering the city? This option will consolidate the area we are hanging decorations and the decorations won't be spread so far between.

How would the Mayor and City Council like to proceed with the banner program? Do you want to continue to hang banners for all groups or would you like to limit who we hang banners for? Would the Mayor and City Council like to allow some groups to be exempt from fees or would you like all groups to pay fees to help cover the expense of the program?

ALTERNATIVES:

Streetlight Decorations

Option 1: Continue to install decorations throughout the city.

Pro: Spreads the holiday spirit throughout the city.

Con: Increased cost and requires more time and resources.

Option 2: Reduce the number of locations we install decorations and focus on City Hall and main roads entering the city.

Pro: Reduced cost and requires less time and resources.

Con: Residents living on the outskirts of town may notice fewer decorations.

Banner Program

Option A: Continue with the banner program as is.

Pro: Promotes community identity.

Con: Conflict between groups wanting the same poles at the same time and some groups wanting to be exempt from fees. Additionally, may create a public forum where the City is forced to display banners that some would find offensive.

Option B: Direct staff to allow some groups to be exempt from fees.

Pro: Help develop and grow relationships.

Con: The city will have to cover the cost.

FISCAL IMPACT:

The cost to install and remove Christmas decorations this last year.

- Bucket Truck rental \$2,250.00
- Fuel \$800.00
- Labor \$13,780.80
- TOTAL \$16,830.80



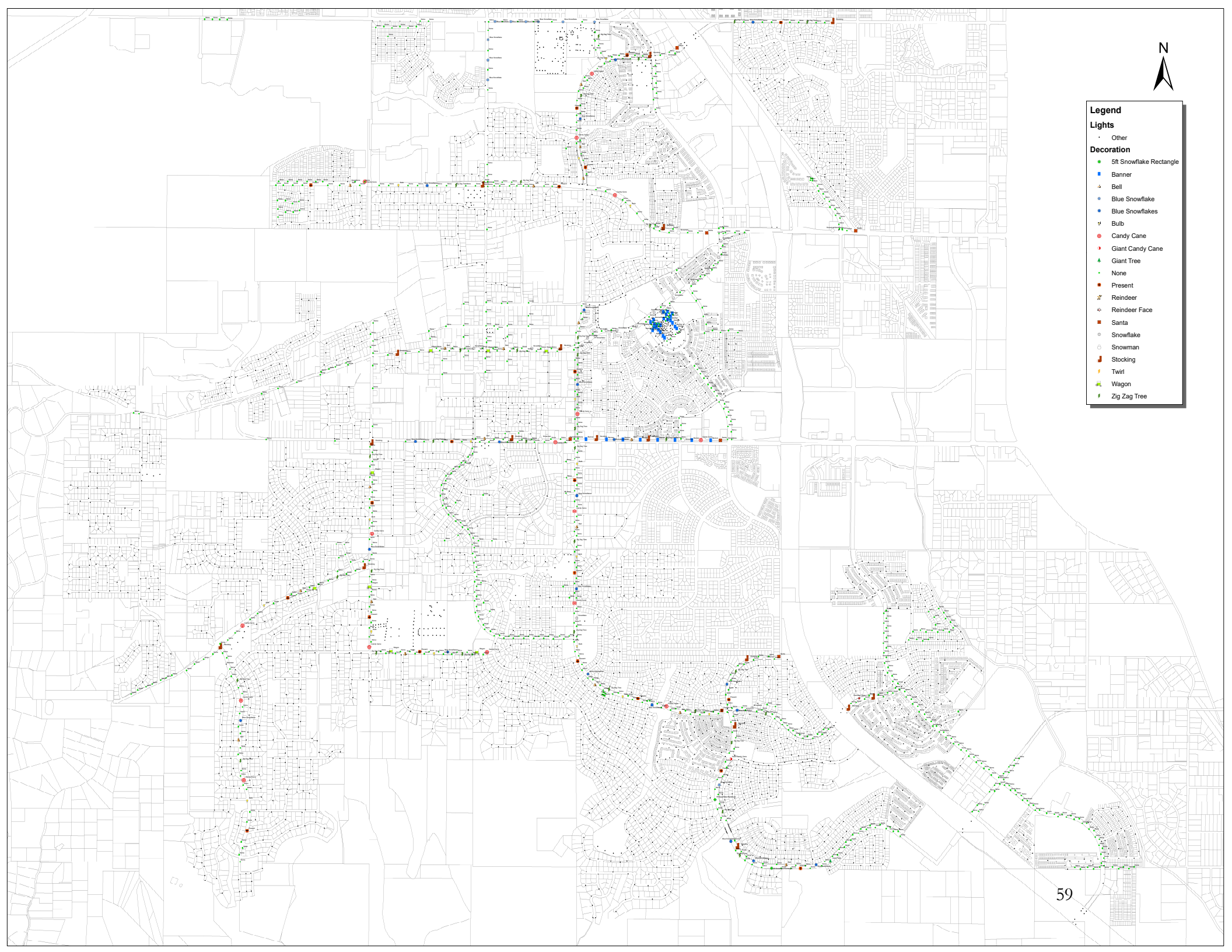
Legend

Lights

- Other

Decoration

- Sft Snowflake Rectangle
- Banner
- ▲ Bell
- Blue Snowflake
- Blue Snowflakes
- Bulb
- Candy Cane
- Giant Candy Cane
- ▲ Giant Tree
- None
- Present
- Reindeer
- ▲ Reindeer Face
- Santa
- Snowflake
- Snowman
- Stocking
- ▲ Twirl
- Wagon
- Zig Zag Tree





STAFF REPORT

DATE: November 21, 2022
TO: The Honorable Mayor and City Council
FROM: Wendy Thomas
SUBJECT: Introduction of the 2022 - 2023 Herriman City Royalty

RECOMMENDATION:

No recommendation.

ISSUE BEFORE COUNCIL:

Introduction of the 2022-2023 Herriman City Royalty.

BACKGROUND/SUMMARY:

The Miss Herriman Scholarship Pageant was held Saturday, November 19 at Fort Herriman Middle School. The newly crowned royalty is composed of three exceptional women:

Miss Herriman: Kaitlyn Schreiner
First Attendant: Kaylee Hodges
Second Attendant: Rian Haslam

DISCUSSION:

N/A

ALTERNATIVES:

N/A

FISCAL IMPACT:

N/A

ATTACHMENTS:

N/A



STAFF REPORT

DATE: November 22, 2022
TO: The Honorable Mayor and City Council
FROM: Cody Stromberg
SUBJECT: Recognition of Detective Chuck Malm by the Office of Congressman Burgess Owens

RECOMMENDATION:

None/Informational

ISSUE BEFORE COUNCIL:

None/Informational

BACKGROUND/SUMMARY:

The Office of Congressman Burgess Owens will present a special recognition to Herriman PD Detective Chuck Malm, who was included in a video presentation produced by the Congressman as part of National Thank a Police Officer Day.

DISCUSSION:

None/Informational

ALTERNATIVES:

None/Informational

FISCAL IMPACT:

ATTACHMENTS:

The Congressman's Office would like to play the following YouTube video as part of their presentation: <https://www.youtube.com/watch?v=h9out8J3cDQ>



STAFF REPORT

DATE: December 01, 2022
TO: The Honorable Mayor and City Council
FROM: Justun Edwards
SUBJECT: 2022 Water Conservation Report

RECOMMENDATION:

Continue our current efforts to educate and inform our residents and customers to conserve water. Follow established Best Management Practices (BMPs) on all City owned facilities.

ISSUE BEFORE COUNCIL:

Report on the water conservation efforts of the city for the 2022 calendar year.

BACKGROUND/SUMMARY:

The State of Utah has experienced drought conditions for the last three years with many areas of Utah experiencing extreme to exceptional drought for prolonged periods. These drought conditions are having major impacts on almost every aspect of our daily lives, from agriculture and livestock to landscape watering, and even drinking water supplies.

In December of 2020, the City Council adopted the water efficiency standards established by Jordan Valley Water Conservancy District to reduce water demands in future development. In Spring of 2021, the city Parks Department established water conservation BMPs, to reduce water consumption at city owned facilities.

Over the last few years, the city Communications Department has done a tremendous job educating our residents of the importance of water conservation by providing messages with helpful tips and resources to conserve water.

DISCUSSION:

Over the last couple years, water conservation has been a primary point of focus throughout the State. We have seen this through executive orders by the Governor, actions by State Legislature, educational and incentive programs from the State, County, water districts and local water purveyors.

These efforts have made a difference in overall water consumption throughout the state and here in Herriman. We have seen a substantial decrease in overall water consumption in Herriman since 2020.

Below are a few tables illustrating average monthly water use per connection during the irrigation season (March-October).

Residential Water Use/Connection

Year	2020	2021	2022
Gallons/connection	23,018	18,241	17,956
% Reduction from previous year		-21%	-2%

(22% reduction from 2020 to 2022)

City Water Use/Connection

Year	2020	2021	2022
Gallons/connection	165,983	120,640	105,702
% Reduction from previous year		-27%	-12%

(37% reduction from 2020 to 2022)

Citywide Water Use/Connection

Year	2020	2021	2022
Gallons/connection	213,929	176,164	170,078
% Reduction from previous year		-18%	-4%

(20% reduction from 2020 to 2022)

It is encouraging to see our community respond and take action to reduce overall water consumption. With continued messaging and the implementation of the water efficiency standards, we anticipate this trend will continue.

As mentioned, our Communications team has worked very hard to keep our residents informed about water conservation. This year, they have made over 40 social media posts with varying messages from helpful tips to weekly watering guides. They have also posted 11 website messages and nine newsletter articles.

Our water conservation staff was asked to participate in Jordan School Districts 7th grade AG Days, where we presented information about the water consumption impacts when agricultural lands are converted to different types of development. We have also participated in several water conservation workshops and conferences by sharing the steps we took to implement the water efficiency standards.

FISCAL IMPACT:

We have seen a decrease in water revenues due to the reduction in water use and plan to begin a water rate study in the coming months.



STAFF REPORT

DATE: December 19, 2022

TO: The Honorable Mayor and City Council

FROM: Jackie Nostrom

SUBJECT: Approval of a Resolution accepting a petition for annexation filed by Kennecott Utah Copper, LLC for further consideration and related matters

RECOMMENDATION:

Approval of a resolution accepting a petition for annexation filed by Kennecott Utah Copper, LLC for further consideration and other related matters.

ISSUE BEFORE COUNCIL:

Should the City Council accept the petition for annexation filed by Kennecott Utah Copper, LLC to follow the public process to consider incorporating approximately 25 acres into Herriman City.

BACKGROUND/SUMMARY:

Kennecott Utah Copper LLC filed a petition for annexation on December 21, 2022. Pursuant to the provisions of Utah Code Annotated §10-2-405 the City Council has the opportunity to accept or deny the petition for further consideration.

DISCUSSION:

If accepted, staff will schedule the appropriate Public Hearing and protest period information as well as distribute the information to affected entities as depicted in state code.

If the City Council takes no action on the petition, it is considered accepted and will commence the public process for the Council to consider accepting the annexation.

If denied, a written notice of the denial will be sent to the contact sponsor and County Clerk.

ALTERNATIVES:

Council could choose to not consider the petition for further consideration.

FISCAL IMPACT:

None at this time.

ATTACHMENTS:

Resolution
Annexation Petition

HERRIMAN, UTAH
RESOLUTION NO. R

**A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN
ACCEPTING A PETITION FOR ANNEXATION FILED BY
KENNECOTT UTAH COPPER LLC FOR FURTHER
CONSIDERATION AND RELATED MATTERS**

WHEREAS, the Herriman City Council (the “*Council*”) met in regular session on January 11, 2023, to consider, among other things, accepting a Petition for Annexation filed by Kennecott Utah Copper, LLC for Further Consideration and Related Matters; and

WHEREAS, on or about December 21, 2022, Kennecott Utah Copper, LLC filed a Petition for Annexation (“Petition”) to the City; and

WHEREAS, Utah Code Ann. §10-2-405 provides, among other things, that the legislative body of the municipality may accept an annexation petition for further consideration; and

WHEREAS, the Council has reviewed the Petition and desires to accept the Petition for further consideration.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. Acceptance of Petition. The City Council does hereby accept the Petition for further consideration, pursuant to the provisions of Utah Code Ann. §10-2-405.

SECTION 2. Further Actions Authorized. The Mayor, the City Recorder, and all other appropriate City personnel, boards and committees are hereby authorized and directed to take all actions required or advisable to be taken preparatory to formal action by the City Council on the proposed annexation.

SECTION 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution will be severable.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its execution.

PASSED AND APPROVED this 11th day of January, 2023.

HERRIMAN COUNCIL

By: _____
Lorin Palmer, Mayor

ATTEST:

Jackie Nostrom, Recorder

December 21, 2022

HAND DELIVERED

Jackie Nostrom
City Recorder
City of Herriman
5535 West Main Street
Herriman, Utah 84096



Re: Petition for Annexation of Property into Herriman City

Dear Ms. Nostrom:

As required by Utah Code Annotated Section 10-2-403(3), attached is the Petition for Annexation, executed in counterparts by both Kennecott Utah Copper LLC and the City of Herriman, as landowners for the annexation of certain land into the City of Herriman. We look forward to working with the City to complete the annexation process.

Please contact me with any questions.

Sincerely,



Carl W. Barton
Partner
of Holland & Hart LLP

cc: Mayor Palmer via email
Todd Sheeran via email
Nathan Cherpeski via email
Josh Brown via email
Nicole Squires via email
Wayne Bradshaw via email
Shannon Ellsworth via email


Petition for Annexation

TO THE CITY OF HERRIMAN:

We, the undersigned owners of private real property, hereby petition that the area (the "**Area**") shown on the accurate and recordable map (prepared by a licensed surveyor) that is attached to this petition (this "**Petition**") be annexed to the City of Herriman. Each of the undersigned affirms that: (a) each has personally signed this petition, (b) each of the undersigned is an owner of real property that is located within the Area, and (c) the current residence address of each is correctly written after the signer's name. Further, each of the undersigned designates the individuals identified below as sponsors and contact sponsor of this petition:

NOTICE

- **There will be no public election on the annexation proposed by this Petition because Utah law does not provide for an annexation to be approved by voters at a public election.**
- **If you sign this Petition and later decide that you do not support the Petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of Herriman City. If you choose to withdraw your signature, you shall do so no later than 30 days after Herriman City receives notice that the Petition has been certified.**

<u>Name of Sponsor/Contact</u>	<u>Mailing Address</u>	<u>Status</u>
Kennecott Utah Copper LLC	4700 Daybreak Parkway, South Jordan, Utah 84009 Attn: Nicole Squires Email: nicole.squires@riotinto.com	Sole sponsor/contact
<u>Property Owner Name/Contact</u>	<u>Property Owner Address</u>	<u>Signature</u>
1. Kennecott Utah Copper LLC	4700 Daybreak Parkway, South Jordan, Utah 84009 Attn: Nicole Squires <u>Email:</u> nicole.squires@riotinto.com	 Mark Goodwin, General Manager, Finance
Approved as to form: Nicole Carlisle Squires	Digitally signed by Nicole Carlisle Squires Date: 2022.12.20 15:12:42 -07'00'	Tax Parcel ID#: 26-28-400-005
2. City of Herriman	5355 W Herriman Main St. Herriman, Utah 84096 Attn: City Recorder <u>Email:</u> jnostrom@herriman.org	_____ Nathan Cherpeski City Manager, Herriman City Tax Parcel ID#: 26-28-400-003

Petition for Annexation

TO THE CITY OF HERRIMAN


We, the undersigned owners of private real property, hereby petition that the area (the "**Area**") shown on the accurate and recordable map (prepared by a licensed surveyor) that is attached to this petition (this "**Petition**") be annexed to the City of Herriman. Each of the undersigned affirms that: (a) each has personally signed this petition, (b) each of the undersigned is an owner of real property that is located within the Area, and (c) the current residence address of each is correctly written after the signer's name. Further, each of the undersigned designates the individuals identified below as sponsors and contact sponsor of this petition:

NOTICE

- There will be no public election on the annexation proposed by this Petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this Petition and later decide that you do not support the Petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of Herriman City. If you choose to withdraw your signature, you shall do so no later than 30 days after Herriman City receives notice that the Petition has been certified.

<u>Name of Sponsor/Contact</u>	<u>Mailing Address</u>	<u>Status</u>
<u>Kennecott Utah Copper LLC</u>	<u>4700 Daybreak Parkway, South Jordan, Utah 84009 Attn: Nicole Squires Email: nicole.squires@riotinto.com</u>	Sole sponsor/contact

<u>Property Owner Name/Contact</u>	<u>Property Owner Address</u>	<u>Signature</u>
1. <u>Kennecott Utah Copper LLC</u> Approved as to form Nicole Carlisle Squires Digitally signed by Nicole Carlisle Squires Date: 2022.12.20 15:12:42 -07'00'	<u>4700 Daybreak Parkway, South Jordan, Utah 84009 Attn: Nicole Squires Email: nicole.squires@riotinto.com</u>	 Mark Goodwin, General Manager, Finance Tax Parcel ID#: 26-28-400-005

2. <u>City of Herriman</u>	<u>5155 W Herriman Main St Herriman, Utah 84096 Attn: City Recorder Email: information@hrrim.co</u>	 Nathan Cherpeski City Manager, Herriman City Tax Parcel ID#: 26-28-400-003
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3. A copy of the map required by Utah Code Annotated Section 10-2-403(3)(c)(i) is attached hereto as Exhibit "A."

4. As required by Utah Code Annotated, Section 10-2-403(3)(c)(ii), a copy of the Notice of Intent to Annex required by Utah Code Annotated Section 10-2-403(2)(a)(i)(B) and the list of affected entities to which such Notice of Intent was sent are attached hereto as Exhibit "B."

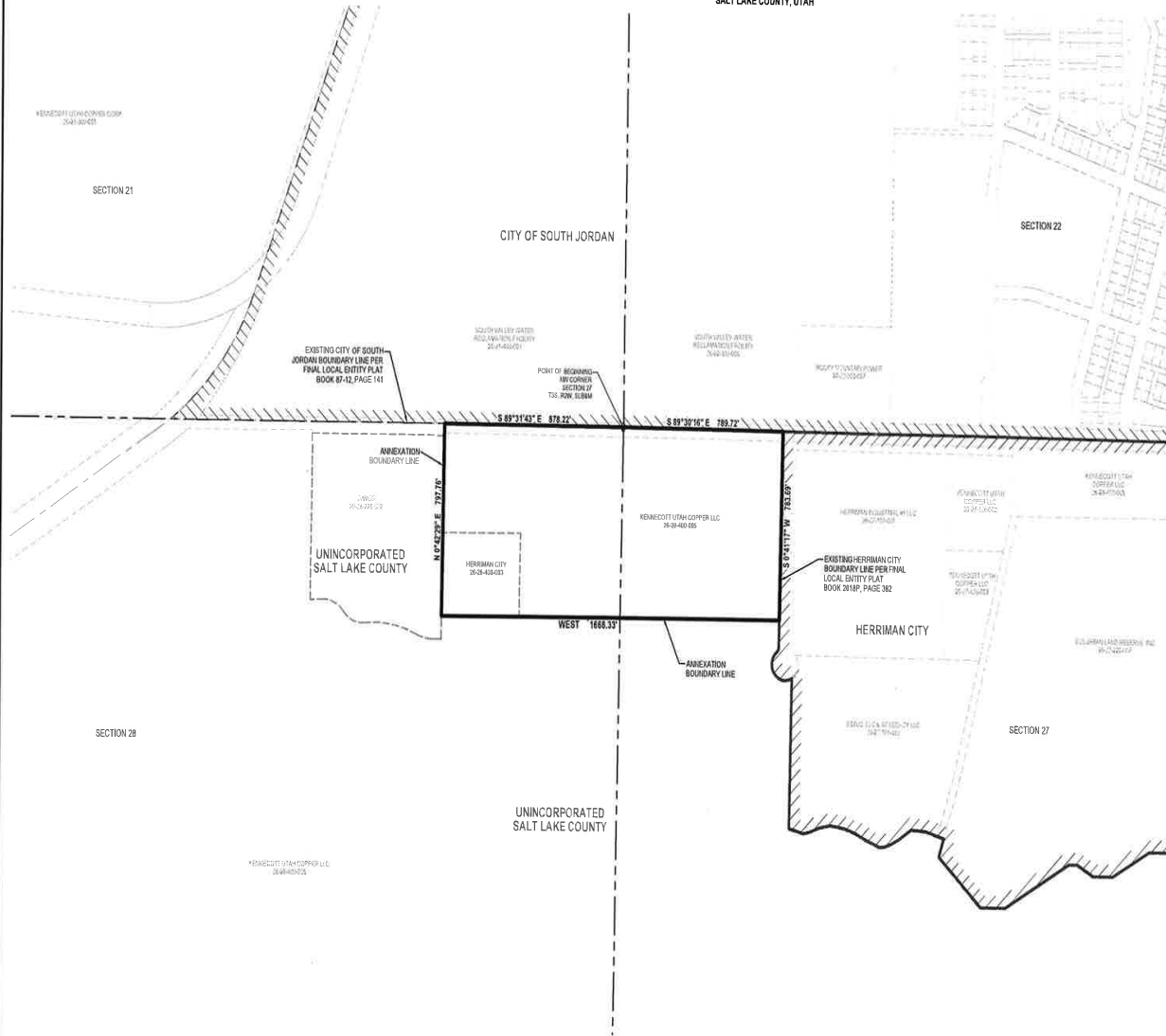
Exhibit "A"

Recordable Map of Area

(In Reduced and Foldable Forms)

FINAL LOCAL ENTITY PLAT ANNEXATION OF HERRIMAN CITY AND KENNECOTT UTAH COPPER PROPERTY INTO HERRIMAN CITY DECEMBER 2022

LOCATED WITHIN SECTIONS 27 AND 28
TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
SALT LAKE COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, PATRICK M. HAINES, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Surveyors Act, holding license No. 20882, do hereby certify that a Final Local Entity Plat, in accordance with Section 17-23-2(4) Utah State Code, was made by me, or under my direction, and that herein is the true and correct representation of said Final Local Entity Plat. I further certify that by authority of the Chairman, I have prepared this plat for the purpose of depicting those properties within Salt Lake County to be annexed into HERRIMAN CITY.

BOUNDARY DESCRIPTION

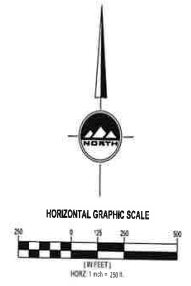
A parcel of 194,146 sq. ft. (4.46 ac.) in the Northeast Quarter of Section 27 and the Northeast Quarter of Section 28, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, more particularly described as follows:

Beginning at a point on the existing boundary line of the City of South Jordan, recorded as Entry No. 4564427 in Book 87-02 at Page 147 in the Office of the Salt Lake County Recorder, and thence about 70° Northward Corner of Section 27, Township 3 South, Range 2 West, Salt Lake Base and Meridian, and thence

thence South 89°32'10\"/>



12/09/22
DATE
PATRICK M. HAINES
P.L.S. 26862



ANNEXATION PARCELS		
PARCEL IDENTIFICATION NUMBER	OWNER(S)	AREA (ACRES)
2632-455-001	HERRIMAN CITY	3.92
2632-455-002	KENNECOTT UTAH COPPER LLC	3.08

- LEGEND**
- ANNEXATION BOUNDARY LINE
 - - - SECTION LINE
 - - - ADJACENT PROPERTY LINE
 - EXISTING CITY OF SOUTH JORDAN BOUNDARY LINE
 - EXISTING HERRIMAN CITY BOUNDARY LINE

DEVELOPER
RIO TINTO GROUP
4700 DAYBREAK PARKWAY
SOUTH JORDAN, UTAH 84089
865.253.2558

ENSGN

SALT LAKE CITY
45 West 1000 South, Suite 420
Salt Lake, UT 84119
Phone: 801.255.8520
Fax: 801.255.4444
www.ensgn.com

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.2898

CEDAR CITY
Phone: 435.865.5453

SHEET 1 OF 1

PROJECT NUMBER: 12108
DRAWN BY: PMM
CHECKED BY: PMH
DATE: 10/20/22

<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ BY HERRIMAN CITY.</p> <p>HERRIMAN CITY ATTORNEY: _____</p>	<p>HERRIMAN CITY</p> <p>APPROVED THIS _____ DAY OF _____, 20____ BY HERRIMAN CITY.</p> <p>ATTY: RECORDER PLANNING DIRECTOR</p>	<p>SALT LAKE COUNTY SURVEYOR</p> <p>APPROVED THIS _____ DAY OF _____, 20____ BY THE SALT LAKE COUNTY SURVEYOR AS A FINAL LOCAL ENTITY PLAT PURSUANT TO SECTION 17-23-2(4) OF UTAH STATE CODE.</p> <p>SALT LAKE COUNTY SURVEYOR: _____</p>	
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**FINAL LOCAL ENTITY PLAT
ANNEXATION OF HERRIMAN CITY AND
KENNECOTT UTAH COPPER PROPERTY
INTO HERRIMAN CITY
LOCATED WITHIN SECTIONS 27 AND 28
TOWNSHIP 3 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
SALT LAKE COUNTY, UTAH**

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: 76 PAGE: _____

FEES: _____ DEPUTY SALT LAKE COUNTY RECORDER

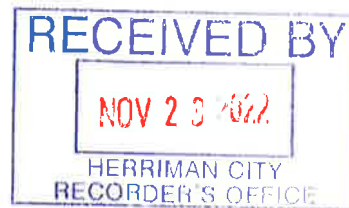
Exhibit "B"

Copy of Notice of Intent to Annex and List of Affected Entities Identified Thereon

November 23, 2022

HAND DELIVERED

Jackie Nostrom
City Recorder
City of Herriman
5535 West Main Street
Herriman, Utah 84096



Re: Notice of Intent to File Annexation Petition to Annex Property into Herriman City

Dear Ms. Nostrom:

Consistent with my earlier email to you today, attached is a Notice of Intent to File Annexation Petition required by Utah law and signed by Herriman City, which has been previously discussed with the Mayor, City Manager, and City Attorney.

Sincerely yours,



Carl W. Barton
Partner
Holland & Hart LLP

cc: Mayor Palmer via email (previously sent)
Todd Sheeran via email (previously sent)
Nathan Cherpetski via email (previously sent)
Josh Brown via email (previously sent)
Nicole Squires via email (previously sent)
Wayne Bradshaw via email (previously sent)
Shannon Ellsworth via email (previously sent)

20387242_v1

NOTICE OF INTENT TO FILE ANNEXATION PETITION

Pursuant to Section 10-2-403(2) of the Utah Code Annotated, as amended and now in effect, the undersigned property owner hereby provide notices of its intent to file an annexation petition with Herriman City, Salt Lake County, Utah. This Notice of Intent is filed as a companion or to accompany that certain Notice of Intent to File Annexation Petition, filed by Kennecott Utah Copper LLC with Herriman City on November 21, 2022.

The proposed area for annexation consists of approximately 25 acres is located unincorporated Salt Lake County at approximately 7100 West 11800 South and is more particularly described and depicted on the map attached hereby as Exhibit "A".

Dated: November 23, 2022

Herriman City

By: 
Name: Nathan Cherpeshki
Title: Authorized Representative

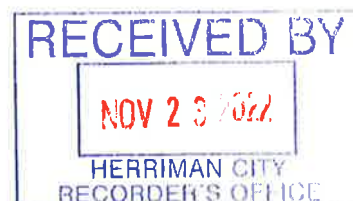
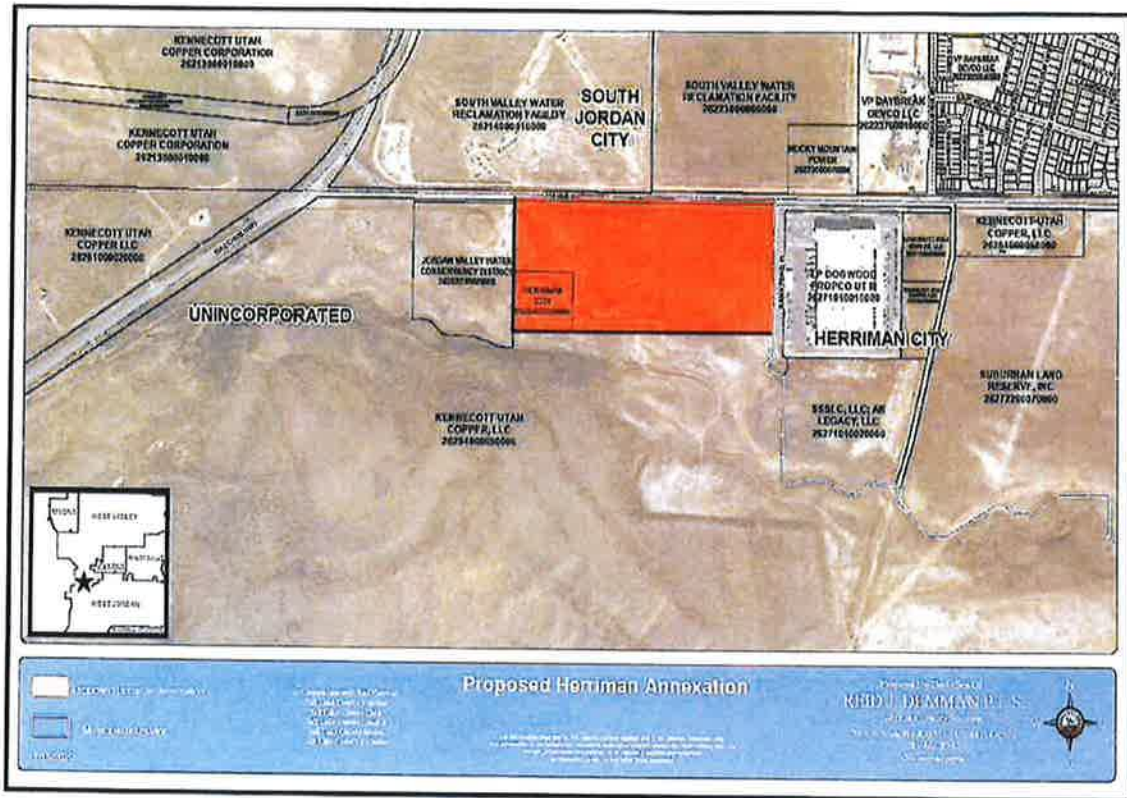


EXHIBIT "A"

Proposed Annexation Area Map



LIST OF AFFECTED ENTITIES

SALT LAKE COUNTY, 2001 S STATE ST, SALT LAKE CITY, UTAH 84114

SOUTH JORDAN CITY, 1600 W TOWNE CENTER DR, SOUTH JORDAN, UTAH 84095

HERRIMAN CITY, 5355 W HERRIMAN MAIN ST, HERRIMAN, UTAH 84096

SOUTH SALT LAKE VALLEY MOSQUITO ABATEMENT DISTRICT, 7308 AIRPORT RD,
WEST JORDAN, UTAH 84084

JORDAN VALLEY WATER CONSERVANCY DISTRICT, 8215 S 1300 W, WEST JORDAN,
UTAH 84088

SOUTH VALLEY SEWER DISTRICT, 1253 W JORDAN BASIN LN, BLUFFDALE, UTAH
84065

CENTRAL UTAH WATER CONSERVANCY DISTRICT, 1426 E 750 N ST #400, OREM,
UTAH 84097

HERRIMAN CITY SAFETY ENFORCEMENT AREA, 5355 W HERRIMAN MAIN ST,
HERRIMAN, UTAH 84096

WASATCH FRONT WASTE AND RECYCLING DISTRICT, 604 W 6960 S, MIDVALE,
UTAH 84047

SALT LAKE COUNTY MUNICIPAL-TYPE SERVICES DISTRICT, 2001 S STATE ST
#N3600, SALT LAKE CITY, UTAH 84114

UNIFIED FIRE SERVICE AREA, 3380 S 900 W, SALT LAKE CITY, UTAH 84119

SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA, 3365 S 900 W, SALT
LAKE CITY, UTAH 84119

HERRIMAN INNOVATION CDA IN HERRIMAN CITY, 5355 W HERRIMAN MAIN ST,
HERRIMAN, UTAH 84096

GREATER SALT LAKE MUNICIPAL SERVICE DISTRICT, 2001 S STATE ST #N3600,
SALT LAKE CITY, UTAH 84190

JORDAN SCHOOL DISTRICT, 7387 S CAMPUS VIEW DR, WEST JORDAN, UTAH 84084



Carl W. Barton
Partner
Phone: (801) 799-5831
Fax: (877) 665-1491
cbarton@hollandhart.com

November 21, 2022

HAND DELIVERED

Jackie Nostrom
City Recorder
City of Herriman
5535 West Main Street
Herriman, Utah 84096

Re: Notice of Intent to File Annexation Petition to Annex Property into Herriman City

Dear Ms. Nostrom:

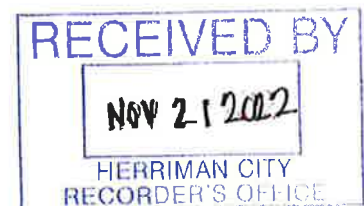
Consistent with my earlier email to you today, attached is a Notice of Intent to File Annexation Petition required by Utah law, which we have previously discussed with the Mayor, City Manager, and City Attorney.

Sincerely yours,

Carl W. Barton
Partner
Holland & Hart LLP

cc: Mayor Palmer via email (previously sent)
Todd Sheeran via email (previously sent)
Nathan Cherpetski via email (previously sent)
Josh Brown via email (previously sent)
Nicole Squires via email (previously sent)
Wayne Bradshaw via email (previously sent)
Shannon Ellsworth via email (previously sent)

20286597_v1



NOTICE OF INTENT TO FILE ANNEXATION PETITION

Pursuant to Section 10-2-403(2) of the Utah Code Annotated, as amended and now in effect, the undersigned property owners hereby provide notice of their intent to file an annexation petition with Herriman City, Salt Lake County, Utah.

The proposed area for annexation consists of approximately 25 acres is located unincorporated Salt Lake County at approximately 7100 W 11800 South and is more particularly described and depicted on the map attached hereby as Exhibit "A".

Dated: November 18, 2022

Kennecott Utah Copper LLC

By: 

Name: Mark Goodwin

Title: General Manager, Finance

LIST OF AFFECTED ENTITIES

SALT LAKE COUNTY, 2001 S STATE ST, SALT LAKE CITY, UTAH 84114

SOUTH JORDAN CITY, 1600 W TOWNE CENTER DR, SOUTH JORDAN, UTAH 84095

HERRIMAN CITY, 5355 W HERRIMAN MAIN ST, HERRIMAN, UTAH 84096

SOUTH SALT LAKE VALLEY MOSQUITO ABATEMENT DISTRICT, 7308 AIRPORT RD,
WEST JORDAN, UTAH 84084

JORDAN VALLEY WATER CONSERVANCY DISTRICT, 8215 S 1300 W, WEST JORDAN,
UTAH 84088

SOUTH VALLEY SEWER DISTRICT, 1253 W JORDAN BASIN LN, BLUFFDALE, UTAH
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CENTRAL UTAH WATER CONSERVANCY DISTRICT, 1426 E 750 N ST #400, OREM,
UTAH 84097

HERRIMAN CITY SAFETY ENFORCEMENT AREA, 5355 W HERRIMAN MAIN ST,
HERRIMAN, UTAH 84096

WASATCH FRONT WASTE AND RECYCLING DISTRICT, 604 W 6960 S, MIDVALE,
UTAH 84047

SALT LAKE COUNTY MUNICIPAL-TYPE SERVICES DISTRICT, 2001 S STATE ST
#N3600, SALT LAKE CITY, UTAH 84114

UNIFIED FIRE SERVICE AREA, 3380 S 900 W, SALT LAKE CITY, UTAH 84119

SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA, 3365 S 900 W, SALT
LAKE CITY, UTAH 84119

HERRIMAN INNOVATION CDA IN HERRIMAN CITY, 5355 W HERRIMAN MAIN ST,
HERRIMAN, UTAH 84096

GREATER SALT LAKE MUNICIPAL SERVICE DISTRICT, 2001 S STATE ST #N3600,
SALT LAKE CITY, UTAH 84190

JORDAN SCHOOL DISTRICT, 7387 S CAMPUS VIEW DR, WEST JORDAN, UTAH 84084

Herriman City
5355 W Herriman Main St
Herriman, UT 84096
801.446.5323

Receipt No: 1274937
Receipt Date: 12/21/2022
Timestamp: 12/21/2022 02:36 PM
Payor: Kennecott

222 Annexation Fees	800.00
Annexation fee	<u>\$800.00</u>

Credit Card - In House 889310	\$800.00
Tendered Amount:	\$800.00
Cash Back:	\$0.00
Total Applied:	\$800.00



STAFF REPORT

DATE: December 27, 2022
TO: The Honorable Mayor and City Council
FROM: Amy Stanger
SUBJECT: Approval of the monthly financial summary for November 2022

RECOMMENDATION:

Staff recommends approval of the financial summary.

ISSUE BEFORE COUNCIL:

Should the Mayor and City Council accept the financial summary as presented?

BACKGROUND/SUMMARY:

Finance staff have prepared the attached financial summary for November 2022. Financial reports are prepared after all month-end reconciliations and entries have been completed and a thorough review of the statements have been done by City staff. A summary narrative is included, which discloses any significant trends or concerns identified by staff. 41.7% of the budget year has passed.

DISCUSSION:

N/A

ALTERNATIVES:

The Mayor and City Council may choose to not accept the financial summary as presented.

FISCAL IMPACT:

ATTACHMENTS:










November 2022 Financial Report

41.7% of the Fiscal Year has Elapsed

The attached financial report represents transactions posted to the City’s accounting system through November 2022. Many of the City’s major revenue sources (such as property tax and sales tax) are received in arrears. In particular, sales tax is received two months after receipt at the Point of Sale. Overall, there are no major issues and exceptions to report. All departments and funds are within their budgeted allotments. City staff are watching development revenues closely, as there has been a drop in permits. However, there are a number of developments in progress.

Finance will bring forward a number of budget amendments in January. The Finance Director is working with the Director of Operations on updated vehicle pricing. He is working on new orders and Finance is waiting for updated pricing.

Below is a summary of the “status” of each fund. A green check mark indicates no major exceptions or concerns. A yellow exclamation point indicates some concerns, or concerns that will need to be addressed in the future. A red “X” indicates the fund is over budget, or there are immediate concerns that need to be addressed. Currently, no funds have a red “X.”

Fund	Status	Notes
General (Excluding Police)		The City’s major tax revenue (sales tax) is remitted to the City two months after receipt at the point of sale. All departments are within budgeted allotments. Overall, 39% of the budget has been expended. As mentioned previously, staff are closely watching building-related revenues. The City also received its second (and final) tranche of ARPA Funds. Staff are also monitoring various economic indicators regarding a possible future recession.
General-Police		The Police Department’s taser contract with Axon was erroneously dropped from the final FY2023 budget (\$150K). This will require a budget amendment (and will most likely require an additional transfer from the HCSEA Fund). City staff are also re-examining future budgets and forecasts to ensure fiscal sustainability of the Police department, given funding limitations of the HCSEA. Further discussions will be needed in the future.
Impact Fee Funds		Finance staff have been working on identifying and tracking all outstanding agreements and contracts for infrastructure improvements. Because of this, fund balance numbers contained in the report should not be relied upon as “funds available to spend.” In addition, a number of projects from FY2022 will need to be carried over to FY2023 through a future budget amendment. An estimated amount to carry over has been included with each fund.
Street Lights/ Street Signs		No issues or notable items to report.
Debt Service		No issues or notable items to report.



November 2022 Financial Report

41.7% of the Fiscal Year has Elapsed

Fund	Status	Notes
Herriman City Special Enforcement Area		The fund's major tax distributions will occur in November and December. Because this fund is tied to the Police Department's funding (in the General Fund), the long term financial sustainability of the HCSEA fund is being examined in conjunction with the Police Department.
Herriman City Fire Service Area		The Service Area began receiving property tax distributions in November. City Staff have identified a budget amendment will be needed for Building & Grounds maintenance (\$35,000) and Station 103 design fees (\$500,000).
CRA/CDA Funds		Property tax distributions occur in December and March. The majority of agreements are executed after property tax is received. The City has processed sales tax incentive reimbursements in the Anthem CRA. A budget amendment (and a transfer from the General Fund) will be needed for the Herriman North CRA to fulfill the Garden Plot settlement agreement.
Capital Projects		A number of projects from fiscal year 2022 will need to be carried over to fiscal year 2023. This will be accomplished through a budget amendment in January 2023.
Water		Billed revenue is 9% above the prior year (largely due to an exceptionally hot August). As with the Capital Project funds, a number of projects from FY2022 will need to be carried over to FY2023. In addition, the Finance Director will bring forward a budget amendment to start recognizing bond principal paid in the financial statements (instead of directly offsetting the liability).
Water Rights		No issues or notable items to report.
Water Impact Fee		A number of projects from FY2022 will need to be carried forward to FY2023 through a budget amendment. As with the other impact fee funds, Finance is currently analyzing and gathering information on all outstanding contracts and agreements, and the fund balance presented should not be relied upon as "available to spend."
Storm Water		No major exceptions to report. Billed revenue is 4% above the prior year, due to new growth.
High Country I and II		High Country II will need to reimburse the General Fund for water erroneously paid for by the General Fund.

Herriman City Budget Versus Actual Report - November 2022

General Fund (Excluding ARPA Fund)

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Taxes	881,601	3,562,412	17,192,348	13,629,936	21%	3,295,579	108%
Licenses & Permits-Building	138,329	1,240,770	6,110,215	4,869,445	20%	2,163,654	57%
Licenses & Permits-Other	28,583	96,982	227,393	130,411	43%	78,471	124%
Intergovernmental	420,889	736,378	1,889,999	1,153,621	39%	1,061,425	69%
Parks & Recreation District Fee	88,278	453,602	1,069,369	615,767	42%	416,561	109%
Charges for Services-Parks & Rec	14,154	85,407	358,945	273,538	24%	96,977	88%
Charges for Services-Arts Council	580	50,386	53,000	2,614	95%	46,524	108%
Charges for Services-Events	1,800	31,860	207,800	175,940	15%	27,586	115%
Charges for Services-Other	16,900	100,468	258,609	158,141	39%	123,039	82%
Fines and Forfeitures	10,655	82,915	250,000	167,085	33%	51,559	161%
Police Revenue	5,047	36,168	568,200	532,032	6%	65,293	55%
Animal Control Revenue	3,130	17,247	36,900	19,653	47%	18,783	92%
Public Safety Impact Fee	9,874	63,743	400,000	336,257	16%	157,957	40%
Miscellaneous	84,270	223,869	308,032	84,163	73%	307,867	73%
Lease Proceeds	-	-	553,010	553,010	0%	-	0%
Transfer In - Fire Service Area	54,167	270,835	650,000	379,165	42%	-	0%
Transfer In - HCSEA	710,000	3,550,000	8,520,000	4,970,000	42%	-	0%
Total General Fund Revenue	\$ 2,468,257	\$ 10,603,042	\$ 38,653,820	\$ 28,050,778	27%	\$ 7,911,275	134%
Expenditures							
General and Administration	410,205	2,228,939	5,996,421	3,767,482	37%	1,791,049	124%
Public Works and Operations	206,353	3,191,178	5,533,560	2,342,382	58%	1,487,178	215%
Parks, Recreation, and Events	311,378	2,016,881	5,595,556	3,578,675	36%	2,169,175	93%
Community Development	226,200	1,322,503	4,031,156	2,708,653	33%	1,411,687	94%
Police	656,289	3,731,589	9,892,344	6,160,755	38%	3,712,122	101%
Animal & Community Services, Emergency Management	45,243	233,769	772,660	538,891	30%	167,500	140%
Transfers Out	444,786	2,223,930	6,774,955	4,551,025	33%	-	0%
Total Expenditures	\$ 2,300,454	\$ 14,948,789	\$ 38,596,652	\$ 23,647,863	39%	\$ 10,738,711	139%
Excess of Revenues Over (Under) Expenditures	\$ 167,803	\$ (4,345,747)	\$ 57,168			\$ (2,827,436)	

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1 The City has received three months of property tax, motor vehicle tax, and franchise tax collections. The first sales tax collection occurred in September (sales tax, municipal telephone tax, and transient room tax are received two months in arrears).

Fund Balance Available (Unrestricted)					
	FY2020	FY2021	FY2022 (Actual)*	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	4,998,323	4,723,752	2,829,134	7,971,394	\$ 8,028,562
Addition (Use of)	(274,571)	(1,894,618)	5,142,260	57,168	(363,092)
Ending Balance	\$ 4,723,752	\$ 2,829,134	\$ 7,971,394	\$ 8,028,562	\$ 7,665,470
% of revenues	23%	11%	31%	28%	25%
Public Safety Impact Fee Balance	97,066	369,742	738,265	1,138,265	1,563,265

(State Maximum Amount Allowed - 35%)

*FY2022 does not include FY2023 capital equipment carryovers (mainly vehicles) or year-end transfer to Capital Projects Fund.

Herriman City Budget Versus Actual Report - November 2022

General Fund Tax Revenue Detail

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year	
Sales Tax	978,906	2,836,582	12,424,226	9,587,644	23%	2,381,631	119%	1
Sales Tax-Transportation	88,163	253,891	724,167	470,276	35%	212,979	119%	1
Property Tax	(81,167)	(27,933)	933,756	961,689	-3%	53,635	-52%	2
Franchise Tax (Energy/Cable)	214,456	684,217	2,471,680	1,787,463	28%	612,468	112%	2
Municipal Telephone Tax	11,711	33,916	162,275	128,359	21%	31,360	108%	1
Transient Room Tax	-	4,122	10,000	5,878	41%	3,506	118%	1
Motor Vehicle Fees	(330,468)	(222,383)	466,244	688,627	-48%	-	0%	2
Total Tax Revenue	\$ 881,601	\$ 3,562,412	\$ 17,192,348	\$ 13,629,936	97%	\$ 3,295,579	108%	

Herriman City Budget Versus Actual Report - November 2022

General Fund Expenditures by Type

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year	
Personnel	839,483	4,499,690	12,520,500	8,020,810	36%	4,365,912	103%	
Operating Expenditures	429,886	2,891,170	7,182,979	4,291,809	40%	2,420,580	119%	
Capital Outlay	(1,234)	1,984,246	2,508,188	523,942	79%	452,171	439%	
Administrative Chargeback	(107,081)	(614,199)	(1,201,174)	(586,975)	51%	(409,668)	150%	3
Transfers to Other Funds	444,786	2,223,930	6,774,955	4,551,025	33%	-	0%	
Total General Fund Expenditures	\$ 1,605,840	\$ 10,984,837	\$ 27,785,448	\$ 16,800,611	40%	\$ 6,828,995	161%	

1 Sales tax, municipal telephone tax, and transient room tax is received two months after receipt at point of sale. The City's first distribution for FY2023 was in September 2022.

2 Property tax, franchise tax, and motor vehicle fees are received one month after payment is made. The City's first distribution for FY2023 was in August 2022. The majority of property tax will be received in November and December. Property tax was recalculated using the 2022 rate from January - September. \$221,119 in property tax and \$335,209 in motor vehicle in lieu is proposed to be transferred from the Fire Safety Area to the General Fund.

3 This fee is charged to the Enterprise Funds for their use of resources paid for by the General Fund (mainly personnel). The chargeback is based on actual costs incurred.

Herriman City Budget Versus Actual Report - November 2022

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
General and Administration							
Legislative							
Personnel	14,142	73,880	177,000	103,120	42%	66,140	111.7%
Operating Expenditures	24,975	74,934	274,350	199,416	27%	76,721	97.7%
Administrative Chargeback	(3,882)	(12,459)	-	12,459	0%	-	0%
Total City Council	35,235	136,355	451,350	314,995	30%	142,861	95.4%
Planning Commission							
Personnel	1,541	7,595	22,500	14,905	34%	8,317	91%
Operating Expenditures	-	-	10,100	10,100	0%	1,001	0%
Total Planning Commission	1,541	7,595	32,600	25,005	23%	9,318	81.5%
Administration							
Personnel	37,143	186,463	462,500	276,037	40%	195,465	95%
Operating Expenditures	3,802	23,880	169,291	145,411	14%	16,983	141%
Administrative Chargeback	(4,829)	(22,855)	(53,633)	(30,778)	43%	(13,012)	176%
Total Administration	36,116	187,488	578,158	390,670	32%	199,436	94.0%
Communications							
Personnel	26,869	141,441	370,500	229,059	38%	137,239	103%
Operating Expenditures	2,735	146,228	322,100	175,872	45%	55,499	263%
Administrative Chargeback	(4,501)	(49,806)	(80,522)	(30,716)	62%	(29,542)	169%
Total Communications	25,103	237,863	612,078	374,215	39%	163,196	145.8%
City Recorder							
Personnel	25,393	140,431	360,000	219,569	39%	130,295	108%
Operating Expenditures	10,506	20,390	90,087	69,697	23%	20,627	99%
Administrative Chargeback	(2,288)	(10,805)	(29,661)	(18,856)	36%	(1,994)	542%
Total City Recorder	33,611	150,016	420,426	270,410	36%	148,928	100.7%
Customer Service							
Personnel	26,321	138,572	351,750	213,178	39%	132,525	105%
Operating Expenditures	530	2,824	8,550	5,726	33%	1,630	173%
Administrative Chargeback	(15,885)	(86,103)	(203,777)	(117,674)	42%	(77,692)	111%
Total Customer Service	10,966	55,293	156,523	101,230	35%	56,463	97.9%
Justice Court							
Personnel	26,012	140,917	576,500	435,583	24%	105,622	133%
Operating Expenditures	341	2,703	14,993	12,290	18%	631	428%
Total Justice Court	26,353	143,620	591,493	447,873	24%	106,253	135.2%
Legal							
Personnel	33,501	161,579	439,000	277,421	37%	90,137	179%
Operating Expenditures	28,410	83,694	167,300	83,606	50%	16,200	517%
Administrative Chargeback	(5,776)	(25,840)	(239,200)	(213,360)	11%	(35,806)	72%
Total Legal	56,135	219,433	367,100	147,667	60%	70,531	311.1%
Human Resources							
Personnel	25,216	111,321	342,000	230,679	33%	96,868	115%
Operating Expenditures	30,626	241,079	408,950	167,871	59%	95,880	251%
Administrative Chargeback	(9,063)	(58,764)	(97,976)	(39,212)	60%	(22,109)	266%
Total Human Resources	46,779	293,636	652,974	359,338	45%	170,639	172.1%
Finance							
Personnel	75,514	315,337	718,000	402,663	44%	240,074	131%
Operating Expenditures	6,483	48,317	54,000	5,683	89%	28,782	168%
Credit Card Transaction Fees	19,045	104,889	180,000	75,111	58%	79,453	132%
Capital Expenditures	-	-	50,000	50,000	0%	-	0%
Administrative Chargeback	(33,483)	(174,709)	(218,930)	(44,221)	80%	(135,864)	129%
Total Finance	67,559	293,834	783,070	489,236	38%	212,445	138.3%
Information Technology							
Personnel	36,226	167,063	430,000	262,937	39%	150,865	111%
Operating Expenditures	3,479	70,889	215,500	144,611	33%	67,824	105%
Software (Licensing & Support)	12,077	118,034	185,000	66,966	64%	165,640	71%
Capital Outlay	-	82,283	130,000	47,717	63%	23,682	347%
Administrative Chargeback	(4,423)	(39,369)	(70,251)	(30,882)	56%	(24,874)	158%
Total Information Technology	47,359	398,900	890,249	491,349	45%	383,137	104.1%

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Herriman City Budget Versus Actual Report - November 2022

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Economic Development							
Personnel	12,421	76,686	335,000	258,314	23%	122,118	63%
Operating Expenditures	11,027	28,220	125,400	97,180	23%	5,724	493%
Total Economic Development	23,448	104,906	460,400	355,494	23%	127,842	82.1%
Total General and Administration	410,205	2,228,939	5,996,421	3,767,482	37%	1,791,049	124.4%
Public Works and Operations							
Facilities							
Personnel	30,745	163,803	481,500	317,697	34%	189,778	86%
Operating Expenditures	15,394	127,572	405,278	277,706	31%	92,441	138%
Capital Outlay	-	14,071	67,904	53,833	21%	54	26057%
Administrative Chargeback	(2,970)	(20,325)	(41,600)	(21,275)	49%	(8,046)	253%
Total Facilities	43,169	285,121	913,082	627,961	31%	274,227	104.0%
Fleet Management							
Personnel	27,837	143,321	387,500	244,179	37%	121,622	118%
Operating Expenditures	1,291	13,673	106,165	92,492	13%	6,833	200%
Administrative Chargeback	(5,254)	(22,199)	-	22,199	0%	-	0%
Total Fleet Management	23,874	134,795	493,665	358,870	27%	128,455	104.9%
Streets							
Personnel	42,210	257,606	678,500	420,894	38%	290,813	89%
Operating Expenditures	23,821	252,535	605,621	353,086	42%	134,919	187%
Crack and Chip Seal	-	1,596,935	1,262,500	(334,435)	126%	36,699	4351%
Capital Outlay	145	247,329	432,482	185,153	57%	379,431	65%
Total Streets	66,176	2,354,405	2,979,103	624,698	79%	841,862	279.7%
Snow Removal							
Personnel	168	168	70,000	69,832	0%	(60)	-280%
Operating Expenditures	2,122	8,665	140,775	132,110	6%	4,113	211%
Total Snow Removal	2,290	8,833	210,775	201,942	4%	4,053	217.9%
Street Signs							
Personnel	6,460	37,329	66,000	28,671	57%	34,222	109%
Operating Expenditures	1,713	6,080	49,485	43,405	12%	9,885	62%
Total Street Signs	8,173	43,409	115,485	72,076	38%	44,107	98.4%
Street Lights							
Personnel	21,879	119,033	317,000	197,967	38%	115,365	103%
Operating Expenditures	40,792	245,582	434,450	188,868	57%	79,109	310%
Capital Outlay	-	-	70,000	70,000	0%	-	0%
Total Street Lights	62,671	364,615	821,450	456,835	44%	194,474	187.5%
Total Public Works and Operations	206,353	3,191,178	5,533,560	2,342,382	58%	1,487,178	214.6%
Parks, Recreation, and Events							
Community Events and Recreation							
Personnel	17,152	217,151	660,000	442,849	33%	244,459	89%
Operating Expenditures	1,568	31,203	117,305	86,102	27%	37,184	84%
City Events	16,163	105,848	353,600	247,752	30%	109,297	97%
Capital Outlay	-	-	17,678	17,678	0%	(95)	0%
Total Community Events and Recreation	34,883	354,202	1,148,583	794,381	31%	390,845	90.6%
Arts & Cultural Development							
Personnel	-	101	17,750	17,649	1%	5,416	2%
Operating Expenditures	2,218	33,252	146,200	112,948	23%	30,094	110%
Capital Outlay	65,606	65,606	-	(65,606)	0%	-	0%
Total Arts & Cultural Development	67,824	98,959	163,950	64,991	60%	35,510	278.7%
Cemetery							
Personnel	2,553	9,638	31,000	21,362	31%	3,614	267%
Operating Expenditures	797	10,804	22,350	11,546	48%	4,724	229%
Capital Outlay	-	-	18,300	18,300	0%	-	0%
Total Cemetery	3,350	20,442	71,650	51,208	29%	8,338	245.2%

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Herriman City Budget Versus Actual Report - November 2022

General Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Parks							
Personnel	116,573	617,080	1,643,000	1,025,920	38%	588,488	105%
Operating Expenditures	88,748	928,095	2,198,994	1,270,899	42%	1,133,594	82%
Capital Outlay	-	(1,897)	369,379	371,276	-1%	12,400	-15%
Total Parks	205,321	1,543,278	4,211,373	2,668,095	37%	1,734,482	89.0%
Total Parks, Recreation, and Events	311,378	2,016,881	5,595,556	3,578,675	36%	2,169,175	93.0%
Community Development							
Planning & Development							
Personnel	40,253	237,798	748,500	510,702	32%	256,353	93%
Operating Expenditures	244	7,000	80,475	73,475	9%	9,649	73%
Total Planning & Development	40,497	244,798	828,975	584,177	30%	266,002	92.0%
Building Services							
Personnel	74,410	400,482	1,018,000	617,518	39%	395,117	101%
Operating Expenditures	9,182	52,087	149,989	97,902	35%	55,169	94%
Capital Outlay	(1,379)	9,136	53,556	44,420	17%	-	0%
Total Building Services	82,213	461,705	1,221,545	759,840	38%	450,286	102.5%
Engineering							
Personnel	91,454	469,155	1,346,500	877,345	35%	478,406	98%
Operating Expenditures	6,697	53,553	193,770	140,217	28%	100,018	54%
Administrative Chargeback	(20,493)	(95,959)	(147,640)	(51,681)	65%	(58,015)	165%
Total Engineering	77,658	426,749	1,392,630	965,881	31%	520,409	82.0%
GIS							
Personnel	27,490	165,740	470,500	304,760	35%	166,654	99%
Operating Expenditures	1,712	16,786	99,101	82,315	17%	11,050	152%
Capital Outlay	-	36,389	36,389	-	100%	-	0%
Administrative Chargeback	(3,370)	(29,664)	(17,984)	11,680	165%	(2,714)	1093%
Total GIS	25,832	189,251	588,006	398,755	32%	174,990	108.1%
Total Community Development	226,200	1,322,503	4,031,156	2,708,653	33%	1,411,687	93.7%
Transfers to Other Funds							
Transfer to Debt Service Fund	125,000	625,000	1,500,000	875,000	42%	-	0%
Transfer to Capital Projects Fund	319,786	1,598,930	3,974,955	2,376,025	40%	-	0%
Transfer to Public Works Facility Fund	-	-	1,300,000	1,300,000	0%	-	0%
Total Transfers to Other Funds	444,786	2,223,930	6,774,955	4,551,025	33%	-	0.0%
Total General Fund Expenditures	\$ 1,598,922	\$ 10,983,431	\$ 27,931,648	\$ 16,948,217	39%	\$ 6,859,089	160.1%

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- 1** The Finance Department's operating expenditures are at 89% of budget due to a payment to the auditor but are expected remain within budget.
- 2** Crack and chip seal is over budget due to a budget carryover needed from FY 2022.
- 3** The GIS Department's capital equipment purchase was completed in July.
- 4** The Finance Department is recalculating the basis for all Administrative Chargebacks to reflect actual costs to be charged back to various Enterprise Fund departments.

Herriman City Budget Versus Actual Report - November 2022

General Fund - Police

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grants	3,560	12,112	209,000	196,888	6%	43,230	28%
Student Resource Officers	-	5,685	279,000	273,315	2%	-	0%
Lease Proceeds	-	-	-	-	0%	-	0%
Miscellaneous	1,487	18,371	80,200	61,829	23%	22,063	83%
Transfer From HCSEA	710,000	3,550,000	8,520,000	4,970,000	42%	-	0%
Total Police Revenue	\$ 715,047	\$ 3,586,168	\$ 9,088,200	\$ 5,502,032	39%	\$ 65,293	5492%
Expenditures							
Personnel	562,025	2,891,823	7,378,609	4,486,786	39%	2,772,349	104%
Operating	69,304	548,375	1,019,815	471,440	54%	299,746	183%
Operating-Dispatch	-	161,522	300,000	138,478	54%	229,201	70%
Capital Outlay	24,960	129,869	1,193,920	1,064,051	11%	410,826	32%
Total Expenditures	\$ 656,289	\$ 3,731,589	\$ 9,892,344	\$ 6,160,755	38%	\$ 3,712,122	101%
Excess of Revenues Over (Under) Expenditures	\$ 58,758	\$ (145,421)	\$ (804,144)			\$ (3,646,829)	
Public Safety Impact Fee	9,874	63,743	400,000	336,257	16%	157,957	40%

1
2

- 1** Insurance expense is paid in July (change from prior year). 11/12 of Axon taser contract accrued to July (this was not included in the FY2023 budget, a future budget amendment will be needed).
- 2** Dispatch fees are paid on a semi-annual basis. A future budget amendment will be needed to cover the City's portion of VECC's legal settlement.

Herriman City Budget Versus Actual Report - November 2022

General Fund - Animal Services, Community Services, Emergency Management

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Animal Services Fee	3,130	17,117	33,400	16,283	51%	18,783	91%
Animal Services Donation	-	130	3,500	3,370	4%	-	0%
Transfer From General Fund	69,756	348,780	837,074	488,294	42%	-	0%
Total Revenue	\$ 72,886	\$ 366,027	\$ 873,974	\$ 507,947	42%	\$ 18,783	1948.7%
Expenditures							
Animal Services							
Personnel	20,523	110,519	282,000	171,481	39%	110,873	100%
Operating	3,569	25,144	72,139	46,995	35%	30,912	81%
Capital Outlay	-	-	26,678	26,678	0%	-	0%
Total Animal Services	\$ 24,092	\$ 135,663	\$ 380,817	\$ 245,154	36%	\$ 141,785	95.7%
Community Services							
Personnel	12,795	67,170	167,000	99,830	40%	-	0%
Operating	1,925	5,530	62,650	57,120	9%	-	0%
Capital Outlay	6,100	26,830	97,148	70,318	28%	-	0%
Total Community Services	\$ 20,820	\$ 99,530	\$ 326,798	\$ 227,268	30%	\$ -	0.0%
Emergency Services							
Personnel	-	(1,988)	35,600	37,588	-6%	15,147	-13%
Operating	331	564	29,445	28,881	2%	10,568	5%
Total Emergency Management	\$ 331	\$ (1,424)	\$ 65,045	\$ 66,469	-2%	\$ 25,715	-5.5%
Total Expenditures	\$ 45,243	\$ 233,769	\$ 772,660	\$ 538,891	30%	\$ 167,500	139.6%
Excess of Revenues Over (Under) Expenditures	\$ 27,643	\$ 132,258	\$ 101,314			\$ (148,717)	

1 New department for FY2023 - Costs formerly included in Police Department's budget.

2 Insurance adjustment received for former employee.

Herriman City Budget Versus Actual Report - November 2022

General Fund - ARPA

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year	
Revenue								
ARPA Funds	-	2,401,824	2,401,824	-	100%	2,401,824	100%	1
Interest Income	8,426	37,008	-	(37,008)	0%	-	0%	
Total ARPA Fund Revenue	\$ 8,426	\$ 2,438,832	\$ 2,401,824	\$ (37,008)	102%	\$ 2,401,824	101.5%	
Expenditures								
Operating	-	43,805	-	(43,805)	0%	-	0%	2
Capital Projects	26,595	266,428	2,401,824	2,135,396	11%	-	0%	2
Total Expenditures	\$ 26,595	\$ 310,233	\$ 2,401,824	\$ 2,091,591	13%	\$ -	0.0%	
Excess of Revenues Over (Under) Expenditures	\$ (18,169)	\$ 2,128,599	\$ -			\$ 2,401,824		

1 2nd tranche of ARPA funds received August 2022.

2 Engineering and Public Works departments have submitted a list of ARPA projects to Finance. A budget amendment is planned for January 2023.

Herriman City Budget Versus Actual Report - November 2022

Park Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Park Impact Fees	65,465	594,688	3,061,675	2,466,987	19%	1,129,786	53%
Grant-Salt Lake County (TRCC)	-	-	550,000	550,000	0%	-	0%
Interest Income	6,293	54,526	25,000	(29,526)	218%	4,275	1275%
Total Revenue	\$ 71,758	\$ 649,214	\$ 3,636,675	\$ 2,987,461	18%	\$ 1,134,061	57%
Expenditures							
Agreements and Reimbursements	-	-	-	-	0%	-	0%
Capital Projects	81,501	1,393,783	1,569,250	175,467	89%	888,878	157%
Total Expenditures	\$ 81,501	\$ 1,393,783	\$ 1,569,250	\$ 175,467	89%	\$ 888,878	157%
Excess of Revenues Over (Under) Expenditures	\$ (9,743)	\$ (744,569)	\$ 2,067,425			\$ 245,183	

Fund Balance Available*				
	FY2021	FY2022 (Estimated)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 3,879,208	\$ 5,471,968	\$ 5,262,633	\$ 7,330,058
Addition (Use of)	1,592,760	1,443,728	2,067,425	899,525
Less: Estimated FY2023 Carryovers		(1,653,063)		
Ending Balance	\$ 5,471,968	\$ 5,262,633	\$ 7,330,058	\$ 8,229,583

*Finance is gathering information on all existing commitments and agreements. Ending balances should not be relied upon as "available to spend."

Herriman City Budget Versus Actual Report - November 2022

Storm Drain Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Storm Drain Impact Fees	3,393	37,291	446,516	409,225	8%	288,699	13%
Interest Income	1,537	23,220	10,000	(13,220)	232%	3,071	756%
Total Revenue	\$ 4,930	\$ 60,511	\$ 456,516	\$ 396,005	13%	\$ 291,770	21%
Expenditures							
Agreements and Reimbursements	-	-	16,300	16,300	0%	-	0%
Professional Fees	-	-	75,000	75,000	0%	3,836	0%
Capital Projects	-	-	315,345	315,345	0%	-	0%
Total Expenditures	\$ -	\$ -	\$ 406,645	\$ 406,645	0%	\$ 3,836	0%
Excess of Revenues Over (Under) Expenditures	\$ 4,930	\$ 60,511	\$ 49,871			\$ 287,934	

1 Cash balances are higher than anticipated in FY2023 budget projections. Finance also changed the methodology for distributing interest income to ensure fund fairness.

Fund Balance Available*				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 2,552,773	\$ 2,247,810	\$ 2,856,815	\$ 2,906,686
Addition (Use of)	(304,963)	609,005	49,871	142,996
Ending Balance	\$ 2,247,810	\$ 2,856,815	\$ 2,906,686	\$ 3,049,682

*Finance is gathering information on all existing commitments and agreements. Ending balances should not be relied upon as "available to spend."

Herriman City Budget Versus Actual Report - November 2022

Road Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Road Impact Fees	50,449	389,592	2,731,625	2,342,033	14%	1,012,324	38%
Reimbursement-Hidden Oaks	-	-	1,260,844	1,260,844	0%	-	0%
Interest Income	(144)	16,589	10,000	(6,589)	166%	2,618	634%
Total Revenue	\$ 50,305	\$ 406,181	\$ 4,002,469	\$ 3,596,288	10%	\$ 1,014,942	40.0%
Expenditures							
Agreements and Reimbursements	209,103	222,183	1,381,983	1,159,800	16%	302,138	74%
Capital Projects	-	229,248	393,679	164,431	58%	1,338	17134%
Professional Services	5,582	31,844	50,000	18,156	64%	32,538	98%
Transfer to Debt Service	83,333	416,665	1,000,000	583,335	42%	-	0%
Total Expenditures	\$ 298,018	\$ 899,940	\$ 2,825,662	\$ 1,925,722	32%	\$ 336,014	267.8%
Excess of Revenues Over (Under) Expenditures	\$ (247,713)	\$ (493,759)	\$ 1,176,807			\$ 678,928	

Fund Balance Available				
	FY2021	FY2022 (Estimated)*	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ (296,011)	\$ 86,259	\$ (814,784)	\$ 362,023
Addition (Use of)	382,270	2,130,785	1,176,807	(88,037)
Less: Estimated FY2023 Carryovers		(3,031,828)		
Ending Balance	\$ 86,259	\$ (814,784)	\$ 362,023	\$ 273,986

*Finance is gathering information on all existing commitments and agreements. Ending balances should not be relied upon as "available to spend." A number of FY2022 projects will need to be carried over to FY2023 through a future budget amendment.

Herriman City Budget Versus Actual Report - November 2022

Debt Service Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grant-UDOT	-	-	800,000	800,000	0%	-	0%
Transfers In	208,333	1,041,665	2,500,000	1,458,335	42%	-	0%
Interest Income	1,888	(3,103)	-	3,103	0%	109	-2847%
Total Revenue	\$ 210,221	\$ 1,038,562	\$ 3,300,000	\$ 2,261,438	31%	\$ 109	952809.2%
Expenditures							
2021 Sales Tax Bond Debt Service	-	725,541	799,456	73,915	91%	-	0%
2015 Sales Tax Bond Debt Service	-	1,691,719	2,108,438	416,719	80%	1,666,394	102%
Trustee Fees	-	2,000	10,000	8,000	20%	-	0%
Total Expenditures	\$ -	\$ 2,419,260	\$ 2,917,894	\$ 498,634	83%	\$ 1,666,394	145.2%
Excess of Revenues Over (Under) Expenditures	\$ 210,221	\$ (1,380,698)	\$ 382,106			\$ (1,666,285)	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 1,885,749	\$ 1,277,051	\$ 2,378,574	\$ 2,760,680
Addition (Use of)	(608,698)	1,101,523	382,106	383,020
Ending Balance	\$ 1,277,051	\$ 2,378,574	\$ 2,760,680	\$ 3,143,700

Herriman City Budget Versus Actual Report - November 2022

New Development Street Lights Fee Fund

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Street Light Fee Revenue	-	3,273	489,956	486,683	1%	219,020	1%
Interest Income	766	4,102	-	(4,102)	0%	-	0%
Total Revenue	\$ 766	\$ 7,375	\$ 489,956	\$ 482,581	2%	\$ 219,020	3.4%
Expenditures							
New Development Street Lights	81,699	228,770	489,956	261,186	47%	335,329	68%
Total Expenditures	\$ 81,699	\$ 228,770	\$ 489,956	\$ 261,186	47%	\$ 335,329	68.2%
Excess of Revenues Over (Under) Expenditures	\$ (80,933)	\$ (221,395)	\$ -			\$ (116,309)	

Fund Balance Available

	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 257,201	\$ 616,516	\$ 546,853	\$ 546,853
Addition (Use of)	359,315	(69,663)	-	-
Ending Balance	\$ 616,516	\$ 546,853	\$ 546,853	\$ 546,853

Herriman City Budget Versus Actual Report - November 2022

New Development Street Signs Fee Fund

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Street Sign Fee Revenue	-	-	90,000	90,000	0%	33,950	0%
Interest Income	526	2,407	-	(2,407)	0%	-	0%
Total Revenue	\$ 526	\$ 2,407	\$ 90,000	\$ 87,593	3%	\$ 33,950	7%
Expenditures							
Sign Installation	-	410	90,000	89,590	0%	15,139	3%
Total Expenditures	\$ -	\$ 410	\$ 90,000	\$ 89,590	0%	\$ 15,139	3%
Excess of Revenues Over (Under) Expenditures	\$ 526	\$ 1,997	\$ -			\$ 18,811	

Fund Balance Available

	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 292,495	\$ 282,850	\$ 270,166	\$ 270,166
Addition (Use of)	(9,645)	(12,684)	-	-
Ending Balance	\$ 282,850	\$ 270,166	\$ 270,166	\$ 270,166

Herriman City Budget Versus Actual Report - November 2022

Herriman City Special Enforcement Area							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	861,871	932,742	8,100,000	7,167,258	12%	4,773,248	20%
Motor Vehicle in Lieu	32,239	155,110	600,000	444,890	26%	-	0%
Interest Income	(2,162)	(4,531)	-	4,531	0%	-	0%
Total Revenue	\$ 891,948	\$ 1,083,321	\$ 8,700,000	\$ 7,616,679	12%	\$ 4,773,248	23%
Expenditures							
Transfer to General Fund	710,000	3,550,000	8,520,000	4,970,000	42%	-	0%
Total Expenditures	\$ 710,000	\$ 3,550,000	\$ 8,520,000	\$ 4,970,000	42%	\$ -	0%
Excess of Revenues Over (Under) Expenditures	\$ 181,948	\$ (2,466,679)	\$ 180,000			\$ 4,773,248	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 808,735	\$ 1,307,908	\$ 1,355,992	\$ 1,535,992
Addition (Use of)	499,173	48,084	180,000	300,000
Ending Balance	\$ 1,307,908	\$ 1,355,992	\$ 1,535,992	\$ 1,835,992

Herriman City Budget Versus Actual Report - November 2022

Herriman City Fire Safety Area							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	1,116,137	1,146,986	7,540,000	6,393,014	15%	4,804,145	24%
Motor Vehicle in Lieu	316,024	349,645	360,000	10,355	97%	-	0%
Interest Income	(476)	(1,375)	-	1,375	0%	-	0%
UFSA Fund Balance Transfer	-	-	80,000	80,000	0%	37,941	0%
Total Revenue	\$ 1,431,685	\$ 1,495,256	\$ 7,980,000	\$ 6,484,744	19%	\$ 4,842,086	31%
Expenditures							
Contract Services (UFA)	-	2,476,643	5,200,000	2,723,357	48%	2,269,541	109%
Transfer to General Fund	54,167	270,835	650,000	379,165	42%	-	0%
Total Expenditures	\$ 54,167	\$ 2,747,478	\$ 5,850,000	\$ 3,102,522	47%	\$ 2,269,541	121%
Excess of Revenues Over (Under) Expenditures	\$ 1,377,518	\$ (1,252,222)	\$ 2,130,000			\$ 2,572,545	
Fire Impact Fee	10,809	85,737	535,000	449,263	16%	179,583	48%

1 Property tax was recalculated using the 2022 rate from January - September. \$221,119 in property tax and \$335,209 in motor vehicle in lieu is proposed to be transferred from the Fire Safety Area to the General Fund.

2 Contract payment to UFA is made on a quarterly basis.

3 Transfer to General Fund is to "pay back" General Fund for funds advanced prior to creation of the Fire Safety Area.

Fund Balance Available (Unrestricted)				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ -	\$ (3,467)	\$ 1,229,481	\$ 2,289,481
Addition (Use of)	(3,467)	1,232,948	1,595,000	3,080,000
Less: Anticipated Budget Amendment	-	-	(535,000)	-
Ending Balance	\$ (3,467)	\$ 1,229,481	\$ 2,289,481	\$ 5,369,481
Fire Impact Fee Balance	\$ 162,211	\$ 636,840	\$ 1,171,840	\$ 1,741,840

Herriman City Budget Versus Actual Report - November 2022

Herriman Towne Center CDA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	2,980,605	2,980,605	0%	-	0%
Impact Fees	-	-	10,000	10,000	0%	-	0%
Interest Income	7,354	31,761	25,000	(6,761)	127%	2,805	1132%
Total Revenue	\$ 7,354	\$ 31,761	\$ 3,015,605	\$ 2,983,844	1%	\$ 2,805	1132.3%
Expenditures							
2016 Tax Increment Bond	-	854,675	854,675	-	100%	880,510	97%
2016 SAA Bond	-	900,467	900,467	-	100%	899,933	100%
Trustee and Administrative Fees	-	42,475	40,000	(2,475)	106%	38,375	111%
Total Expenditures	\$ -	\$ 1,797,617	\$ 1,795,142	\$ (2,475)	100%	\$ 1,818,818	98.8%
Excess of Revenues Over (Under) Expenditures	\$ 7,354	\$ (1,765,856)	\$ 1,220,463			\$ (1,816,013)	

Fund Balance Available (Unrestricted)				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 3,048,048	\$ 4,258,649	\$ 5,026,472	\$ 6,246,935
Addition (Use of)	1,210,601	767,823	1,220,463	1,370,930
Ending Balance	\$ 4,258,649	\$ 5,026,472	\$ 6,246,935	\$ 7,617,865

1 A budget amendment will be needed to cover unanticipated trustee fees.

Herriman City Budget Versus Actual Report - November 2022

Herriman Business Center CDA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	2,025,689	2,025,689	0%	-	0%
Interest Income	553	5,084	12,000	6,916	42%	-	0%
Total Revenue	\$ 553	\$ 5,084	\$ 2,037,689	\$ 2,032,605	0%	\$ -	0.0%
Expenditures							
Tax Incentive Payment-Rosecrest	-	-	2,037,000	2,037,000	0%	2,659,130	0%
Total Expenditures	\$ -	\$ -	\$ 2,037,000	\$ 2,037,000	0%	\$ 2,659,130	0.0%
Excess of Revenues Over (Under) Expenditures	\$ 553	\$ 5,084	\$ 689			\$ (2,659,130)	

Fund Balance Available (Unrestricted)				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 1,420,319	\$ 2,659,132	\$ 1,085,672	\$ 1,086,361
Addition (Use of)	1,238,813	(1,573,460)	689	15,258
Ending Balance	\$ 2,659,132	\$ 1,085,672	\$ 1,086,361	\$ 1,101,619

Herriman City Budget Versus Actual Report - November 2022

Herriman Anthem Town Center CDA

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	1,145,574	1,145,574	0%	-	0%
Interest Income	(56)	1,228	5,000	3,772	25%	-	0%
Total Revenue	\$ (56)	\$ 1,228	\$ 1,150,574	\$ 1,149,346	0%	\$ -	0.0%
Expenditures							
Tax Increment Payments	-	-	600,000	600,000	0%	-	0%
Sales Tax Incentive Payments	-	231,455	200,000	(31,455)	116%	259,076	89%
Total Expenditures	\$ -	\$ 231,455	\$ 800,000	\$ 568,545	29%	\$ 259,076	89.3%
Excess of Revenues Over (Under) Expenditures	\$ (56)	\$ (230,227)	\$ 350,574			\$ (259,076)	

Fund Balance Available (Unrestricted)*

	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 463,905	\$ 391,368	\$ 201,274	\$ 551,848
Addition (Use of)	(72,537)	(190,094)	350,574	365,131
Ending Balance	\$ 391,368	\$ 201,274	\$ 551,848	\$ 916,979

*Finance is completing long-term forecasts of the Anthem Town Center CRA. Fund balances should not be relied upon as "available to spend."

1 Winco and Anthem sales tax incentives are based on POS sales tax received. A budget amendment will be needed to correct.

Herriman City Budget Versus Actual Report - November 2022

Herriman Innovation District CDA

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Property Tax	-	-	176,000	176,000	0%	-	0%
Interest Income	175	802	7,500	6,698	11%	-	0%
Total Revenue	\$ 175	\$ 802	\$ 183,500	\$ 182,698	0%	\$ -	0.0%
Expenditures							
Tax Incentive Payment	-	-	150,000	150,000	0%	-	0%
Total Expenditures	\$ -	\$ -	\$ 150,000	\$ 150,000	0%	\$ -	0.0%
Excess of Revenues Over (Under) Expenditures	\$ 175	\$ 802	\$ 33,500			\$ -	

Fund Balance Available (Unrestricted)*

	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ -	\$ -	\$ 89,900	\$ 123,400
Addition (Use of)	-	89,900	33,500	32,600
Ending Balance	\$ -	\$ 89,900	\$ 123,400	\$ 156,000

Herriman City Budget Versus Actual Report - November 2022

Herriman North CRA							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue				-	0%		0%
Total Revenue	\$ -	\$ -	\$ -	\$ -	0%	\$ -	0%
Expenditures							
Sales Tax Incentive Payment	-	4,581	-	(4,581)	0%	-	0%
Total Expenditures	\$ -	\$ 4,581	\$ -	\$ (4,581)	0%	\$ -	0%
Excess of Revenues Over (Under) Expenditures							
	\$ -	\$ (4,581)	\$ -			\$ -	

1

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ -	\$ -	\$ -	\$ -
Addition (Use of)	-	-	-	-
Ending Balance	\$ -	\$ -	\$ -	\$ -

1 This payment is to fulfill the settlement agreement with the Garden Plot owners. Since the CRA has not been triggered and is not generating tax increment, a budget amendment will be needed from the General Fund to provide sales tax increment per the Agreement with the Redevelopment Agency. Estimated payments for fiscal year 2022 are \$25,000.

Herriman City Budget Versus Actual Report - November 2022

City Hall Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Interest Income	430	2,004	-	(2,004)	0%	-	0%
Total Revenue	\$ 430	\$ 2,004	\$ -	\$ (2,004)	0%	\$ -	0%
Expenditures							
City Hall Capital Outlay	838	6,393	-	(6,393)	0%	985	649%
Transfer to Public Works Facility Fund	-	-	-	-	0%	-	0%
Total Expenditures	\$ 838	\$ 6,393	\$ -	\$ (6,393)	0%	\$ 985	649%
Excess of Revenues Over (Under) Expenditures							
	\$ (408)	\$ (4,389)	\$ -			\$ (985)	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 552,422	\$ 542,957	\$ 546,868	\$ 546,868
Addition (Use of)	(9,465)	3,911	-	-
Ending Balance	\$ 542,957	\$ 546,868	\$ 546,868	\$ 546,868

Herriman City Budget Versus Actual Report - November 2022

Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Grants-Federal (ACUB)	-	-	2,000,000	2,000,000	0%	1,250,000	0%
Grants-Salt Lake County	-	700,000	700,000	-	100%	-	0%
Grants-State (Land Purchase)	-	-	-	-	0%	-	0%
JVWCD Grant	1,500	26,113	-	(26,113)	0%	-	0%
Bond Proceeds	-	-	-	-	0%	10,593,000	0%
Interest Income	31,647	142,773	-	(142,773)	0%	-	0%
Transfer In - General Fund	319,786	1,598,930	3,837,433	2,238,503	42%	-	0%
Total Revenue	\$ 352,933	\$ 2,467,816	\$ 6,537,433	\$ 4,069,617	38%	\$ 11,843,000	21%
Expenditures							
Capital Projects	1,103,460	4,682,933	7,611,125	2,928,192	62%	10,593,000	44%
Bond Issuance Costs	-	-	-	-	0%	-	0%
Transfer to Road Impact Fee Fund	-	-	-	-	0%	-	0%
Total Expenditures	\$ 1,103,460	\$ 4,682,933	\$ 7,611,125	\$ 2,928,192	62%	\$ 10,593,000	44%
Excess of Revenues Over (Under) Expenditures	\$ (750,527)	\$ (2,215,117)	\$ (1,073,692)			\$ 1,250,000	

1 A number of capital projects need to be carried forward from FY2022. A future budget amendment will be proposed.

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ (12,173,678)	\$ (6,469,722)	\$ (7,710,527)	\$ (8,784,219)
Addition (Use of)	5,703,956	9,803,460	(1,073,692)	(61,186)
Less: Anticipated FY2023 Carryovers	-	(11,044,265)	-	-
Ending Balance	\$ (6,469,722)	\$ (7,710,527)	\$ (8,784,219)	\$ (8,845,405)
Interfund Loan (Water Rights Impact)	\$ 12,500,000	\$ 12,500,000	\$ 12,500,000	\$ 12,500,000
Adjusted Ending Balance	\$ 6,030,278	\$ 4,789,473	\$ 3,715,781	\$ 3,654,595

Herriman City Budget Versus Actual Report - November 2022

Public Works Facility Capital Projects Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Transfer In - General Fund	-	-	1,300,000	1,300,000	0%	-	0%
Interest Income	1,066	4,879	-	(4,879)	0%	-	0%
Total Revenue	\$ 1,066	\$ 4,879	\$ 1,300,000	\$ 1,295,121	0%	\$ -	0.0%
Expenditures							
Debt Service-Walker Trust	-	-	1,093,371	1,093,371	0%	-	0%
Total Expenditures	\$ -	\$ -	\$ 1,093,371	\$ 1,093,371	0%	\$ -	0.0%
Excess of Revenues Over (Under) Expenditures	\$ 1,066	\$ 4,879	\$ 206,629			\$ -	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ (66,752)	\$ 74,538	\$ 546,868	\$ 753,497
Addition (Use of)	141,290	472,330	206,629	206,629
Ending Balance	\$ 74,538	\$ 546,868	\$ 753,497	\$ 960,126

General Capital Projects by Type

Project	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Transportation							
Traffic Signals	-	-	-	-	0%	12,485	0%
Main Street Extension	6,200	239,518	-	(239,518)	0%	-	0%
Dansie Blvd Phase 1 and Silver Sky Dr (Reimbursement)	1,094,902	688,131	-	(688,131)	0%	-	0%
Juniper Crest and Patriot Ridge Crosswalk Improvements	1,273	6,833	320,000	313,167	2%	-	0%
Gina Road	-	-	-	-	0%	2,494	0%
HAWK Pedestrian Traffic Signal Rosecrest & Highfield Rd	-	101,526	135,000	33,474	75%	-	0%
Crosswalks and ADA Ramps-Ivie Farms & Rose Canyon Rd	-	-	60,000	60,000	0%	-	0%
Bike Lanes-Anthem Park Blvd	-	-	28,000	28,000	0%	-	0%
7300 W Phase 2-Halls Crossing to McCuiston Ave Design	-	-	340,000	340,000	0%	-	0%
7300 W Extension Phase 3 (Reimbursement)	-	-	18,900	18,900	0%	-	0%
Transit Corridor Study	-	20,000	20,000	-	100%	-	0%
6000 W Road Widening Phase 1 (Design)	-	-	150,000	150,000	0%	-	0%
6000 W Road Widening Phase 2 (Design)	-	-	80,000	80,000	0%	-	0%
Reconstruction of Hi Country Road & Main Street (Design)	-	-	55,000	55,000	0%	-	0%
Crosswalk and RRFB Installation-Juniper Crest & Tilton Dr	-	-	-	-	0%	-	0%
Rose Blvd (13200 S) to Mountain View Connection (Reimbursement)	-	-	173,000	173,000	0%	-	0%
Herriman Blvd Phase 4 (Herriman Blvd Oceanside Dr to Elation Dr) (Reimbursement)	-	-	492,284	492,284	0%	-	0%
Total Transportation	1,102,375	1,056,008	1,872,184	816,176	56%	14,979	7050%
Parks & Recreation							
Range East Detention Pond Landscaping (Reimbursement)	-	-	40,535	40,535	0%	-	0%
Cemetery Restroom	-	12,949	195,000	182,051	7%	-	0%
Main Street Park Strips and Open Space	1,085	777,295	989,406	212,111	79%	-	0%
Total Parks & Recreation	1,085	790,244	1,224,941	434,697	65%	-	0%
Storm Drain							
5600 W Midas Creek Improvements	-	-	64,000	64,000	0%	-	0%
Herriman Corners Retention Pond Fence	-	-	-	-	0%	37,325	0%
FEMA Ditch Reimbursement	-	700,000	700,000	-	100%	-	0%
6400 W Resident Driveway Approaches	-	45,000	50,000	5,000	90%	-	0%
Total Storm Drain	-	745,000	814,000	69,000	92%	37,325	1996%
Other							
Property Acquisition	-	2,091,681	3,700,000	1,608,319	57%	2,208,645	95%
Total Capital Project Expenditures	\$ 1,103,460	\$ 4,682,933	\$ 7,611,125	\$ 2,928,192	62%	\$ 2,260,949	207.1%

Herriman City Budget Versus Actual Report - November 2022

Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Sales	651,407	6,187,658	12,407,736	6,220,078	50%	5,656,180	109%
Connection Fees	7,000	89,801	730,748	640,947	12%	103,981	86%
Reimbursements	1,746	4,323	95,884	91,561	5%	19,862	22%
Interest Income	46,655	193,921	45,000	(148,921)	431%	29,130	666%
Jordan Valley Water Conservancy Grant	-	12,093	-	(12,093)	0%	-	0%
Lease Proceeds	-	-	600,000	600,000	0%	-	0%
Other	25,750	97,800	232,808	135,008	42%	160,548	61%
Transfer In - Water Impact Fee Fund	168,555	842,775	2,022,655	1,179,880	42%	-	0%
Total Water Fund Revenue	\$ 901,113	\$ 7,428,371	\$ 16,134,831	\$ 8,706,460	46.0%	\$ 5,969,701	124.4%
Expenditures							
Administration							
Personnel	33,867	175,256	496,000	320,744	35%	141,789	124%
Operating	26,586	230,847	837,853	607,006	28%	1,989,267	12%
Administrative Chargeback	57,973	329,037	720,704	391,667	46%	205,384	160%
Total Administration	\$ 118,426	\$ 735,140	\$ 2,054,557	\$ 1,319,417	35.8%	\$ 2,336,440	31.5%
Maintenance							
Personnel	119,069	577,957	1,155,000	577,043	50%	477,396	121%
Operating	241,475	701,893	2,049,782	1,347,889	34%	692,452	101%
Water Purchases (JVWCD)	92,980	2,378,277	4,667,108	2,288,831	51%	1,835,028	130%
Capital Outlay	33	197,004	1,258,193	1,061,189	16%	98,090	201%
Total Maintenance	\$ 453,557	\$ 3,855,131	\$ 9,130,083	\$ 5,274,952	42.2%	\$ 3,102,966	124.2%
Blue Stakes							
Personnel	1,984	11,467	76,000	64,533	15%	12,262	94%
Operating	1,404	7,725	18,388	10,663	42%	7,389	105%
Total Blue Stakes	\$ 3,388	\$ 19,192	\$ 94,388	\$ 75,196	20.3%	\$ 19,651	97.7%
Secondary Water							
Personnel	2,791	28,744	75,000	46,256	38%	23,287	123%
Operating	1,897	328,153	458,725	130,572	72%	90,545	362%
Total Maintenance	\$ 4,688	\$ 356,897	\$ 533,725	\$ 176,828	66.9%	\$ 113,832	313.5%
Other							
Bond Interest Expense	-	561,000	829,868	268,868	68%	905,394	62%
Capital Projects	506,696	761,616	13,971,281	13,209,665	5%	58,768	1296%
Total Other	\$ 506,696	\$ 1,322,616	\$ 14,801,149	\$ 13,478,533	8.9%	\$ 964,162	137.2%
Total Expenditures	\$ 1,086,755	\$ 6,288,976	\$ 26,613,902	\$ 20,324,926	23.6%	\$ 6,537,051	96.2%
Excess of Revenues Over (Under) Expenditures	\$ (185,642)	\$ 1,139,395	\$ (10,479,071)			\$ (567,350)	

1 A number of capital projects will need to be carried forward from FY2022. A future budget amendment will be proposed to accomplish this.

Fund Balance Available (Current Assets Less Current Liabilities)				
	FY2021	FY2022 (Actual)*	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ (16,025,623)	\$ (1,658,449)	\$ 19,746,020	\$ 7,966,949
Addition (Use of)	14,367,174	22,182,931	(11,779,071)	(4,569,420)
Less: Anticipated FY2023 Carryovers	-	(778,462)	-	-
Ending Balance	\$ (1,658,449)	\$ 19,746,020	\$ 7,966,949	\$ 3,397,529

*Includes bond proceeds budgeted in FY2023 and FY2024

Herriman City Budget Versus Actual Report - November 2022

Water Fund Summary							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue	\$ 901,113	\$ 7,428,371	\$ 16,134,831	8,706,460	46%	\$ 5,969,701	124%
Expenditures							
Personnel	157,711	793,424	1,802,000	1,008,576	44%	654,734	121%
Operating	271,362	1,268,618	3,364,748	2,096,130	38%	2,779,653	46%
Water Purchases	92,980	2,378,277	4,667,108	2,288,831	51%	1,835,028	130%
Capital	506,729	958,620	15,229,474	14,270,854	6%	156,858	611%
Bond Interest Expense	-	561,000	829,868	268,868	68%	(268,867)	-209%
Administrative Chargeback	57,973	329,037	720,704	391,667	46%	205,384	160%
Total Expenditures	\$ 1,086,755	\$ 6,288,976	\$ 26,613,902	\$ 1,008,576	23.6%	\$ 5,362,790	117.3%
Excess of Revenues Over (Under) Expenditures	\$ (185,642)	\$ 1,139,395	\$ (10,479,071)			\$ 606,911	

Water Fund Capital Projects

Project	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Rosecrest Pump Station	-	-	-	-	0%	58,768	0%
AMI Water Reading System	-	7,265	25,000	17,735	29%	-	0%
Well Smart Billing Software	-	-	-	-	0%	-	0%
Meter Reading Web Portal	-	-	65,000	65,000	0%	-	0%
Replacement of Aging and Deficient Water System	-	126,049	370,000	243,951	34%	-	0%
Hamilton Well Rehabilitation	-	-	-	-	0%	-	0%
Old Town Water 19.8	-	-	450,000	450,000	0%	-	0%
13400 S Water Upsizing	-	117,331	117,331	-	100%	-	0%
Relocate Bodell Well	-	-	50,000	50,000	0%	-	0%
Future Well Relocation Feasibility	-	-	42,000	42,000	0%	-	0%
North Herriman Well Rehabilitation	-	-	900,000	900,000	0%	-	0%
Old Town Water 19.2	-	-	540,000	540,000	0%	-	0%
Dansie Blvd Phase 1 (Reimbursement)	-	-	312,689	312,689	0%	-	0%
13400 S Secondary Waterline	-	-	150,000	150,000	0%	-	0%
Secondary Water Expansion and Repair	-	-	50,000	50,000	0%	-	0%
Water Storage Building	-	-	20,000	20,000	0%	-	0%
6400 W Improvement (Olympia) Reimbursement	-	-	65,000	65,000	0%	-	0%
Herriman Blvd Phase 4 (Herriman Blvd Oceanside Dr to Elation Dr) (Reimbursement)	-	-	68,529	68,529	0%	-	0%
Zone 5 Water to Sky Haven	-	-	35,732	35,732	0%	-	0%
Zone 2 & 3 Pipeline	-	-	1,000,000	1,000,000	0%	-	0%
Zone 2 & 3 Major Water Improvement	-	4,275	9,600,000	9,595,725	0%	-	0%
Zone 5 VFD Pump Station	-	-	110,000	110,000	0%	-	0%
Hidden Oaks Backbone PH 2	506,696	506,696	-	(506,696)	0%	-	0%
Total Capital Project Expenditures	\$ 506,696	\$ 761,616	\$ 13,971,281	\$ 13,209,665	5%	\$ 58,768	1296.0%

Herriman City Budget Versus Actual Report - November 2022

Water Impact Fee Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Impact Fees	102,090	894,421	2,682,323	1,787,902	33%	1,281,140	70%
Interest Income	2,918	28,741	-	(28,741)	0%	2,843	1011%
Total Revenue	\$ 105,008	\$ 923,162	\$ 2,682,323	\$ 1,759,161	34%	\$ 1,283,983	72%
Expenses							
Reimbursements							
East Herriman Zone 2&3	3,836	3,836	-	(3,836)	0%	39,467	10%
Hidden Oaks Backbone PH 2	21,206	21,206	-	(21,206)	0%	-	0%
Vertical Development (4000 W) (Bella Vea)	-	-	9,634	9,634	0%	-	0%
Herriman Blvd Phase 3 Widening	-	-	3,000	3,000	0%	-	0%
Herriman Blvd Phase 4 Widening	-	-	29,369	29,369	0%	-	0%
Rosecrest East Major Water Infrastructure	-	-	867,780	867,780	0%	-	0%
Dansie Blvd Phase 1 Reimbursement	-	-	3,500	3,500	0%	-	0%
Autumn Crest Water Reimbursement (Wasatch)	-	-	367,780	367,780	0%	-	0%
Rosecrest East Major Water Infrastructure (Wasatch)	-	-	183,878	183,878	0%	-	0%
11800 South Improvements	-	-	420	420	0%	-	0%
Total Reimbursements	\$ 25,042	\$ 25,042	\$ 1,465,361	\$ 1,440,319	2%	\$ 39,467	63%
Capital Projects							
Herriman Main Street Widening	-	-	38,250	38,250	0%	-	0%
Zone 4 Cove Secondary Reservoir and Pipeline	-	-	469,044	469,044	0%	-	0%
Total Capital Projects	\$ -	\$ -	\$ 507,294	\$ 507,294	0%	\$ -	0%
Other							
Professional Services	6,322	15,248	50,000	34,752	30%	21,555	71%
Transfer to Water Fund	168,555	842,775	2,022,655	1,179,880	42%	-	0%
Total Capital Projects	\$ 174,877	\$ 858,023	\$ 2,072,655	\$ 1,214,632	41%	\$ 21,555	3981%
Total Expenses	\$ 199,919	\$ 883,065	\$ 4,045,310	\$ 3,162,245	22%	\$ 61,022	1447%
Excess of Revenues Over (Under) Expenses	\$ (94,911)	\$ 40,097	\$ (1,362,987)			\$ 1,222,961	

Fund Balance Available*				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 18,914,929	\$ 21,281,842	\$ 2,664,811	\$ 1,301,824
Addition (Use of)	2,366,913	(17,843,827)	(1,362,987)	(3,000)
Less: Anticipated FY2023 Carryovers	-	(773,204)	-	-
Ending Balance	\$ 21,281,842	\$ 2,664,811	\$ 1,301,824	\$ 1,298,824

*Finance is gathering information on all existing commitments and agreements. Ending balances should not be relied upon as "available to spend."

Herriman City Budget Versus Actual Report - November 2022

Water Rights Fund

	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Rights	-	-	5,000	5,000	0%	315	0%
Interest Income	3,035	29,852	15,000	(14,852)	199%	5,647	529%
Total Revenue	\$ 3,035	\$ 29,852	\$ 20,000	\$ (9,852)	149%	\$ 5,962	501%
Expenditures							
Water Right Purchases	-	-	2,500,000	2,500,000	0%	135,600	0%
Water Right Research/Fees	9,585	39,760	136,500	96,740	29%	44,268	90%
Total Expenditures	\$ 9,585	\$ 39,760	\$ 2,636,500	\$ 2,596,740	2%	\$ 179,868	22%
Excess of Revenues Over (Under) Expenditures	\$ (6,550)	\$ (9,908)	\$ (2,616,500)			\$ (173,906)	

Fund Balance Available

	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 14,718,995	\$ 16,064,088	\$ 15,967,361	\$ 13,350,861
Addition (Use of)	1,345,093	(96,727)	(2,616,500)	-
Ending Balance	\$ 16,064,088	\$ 15,967,361	\$ 13,350,861	\$ 13,350,861
Interfund Loan (Capital Projects)	\$ (12,500,000)	\$ (12,500,000)	\$ (12,500,000)	\$ (12,500,000)
Adjusted Ending Balance	\$ 3,564,088	\$ 3,467,361	\$ 850,861	\$ 850,861

Herriman City Budget Versus Actual Report - November 2022

Storm Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Storm Water Fee	134,921	668,617	1,605,000	936,383	42%	640,723	104%
Interest Income	814	4,125	-	(4,125)	0%	-	0%
Total Revenue	\$ 135,735	\$ 672,742	\$ 1,605,000	\$ 932,258	42%	\$ 640,723	105%
Expenses							
Administration							
Personnel	-	-	500	500	0%	-	0%
Operating	3,102	18,444	48,450	30,006	38%	2,721	678%
Administrative Chargeback	41,831	241,900	384,376	142,476	63%	163,927	148%
Total Administration	\$ 44,933	\$ 260,344	\$ 433,326	\$ 172,982	60%	\$ 166,648	156%
Maintenance							
Personnel	32,820	165,781	459,000	293,219	36%	135,643	122%
Operating	7,789	26,427	563,060	536,633	5%	32,669	81%
Capital	3,294	28,925	181,791	152,866	16%	1,230	2352%
Total Maintenance	\$ 43,903	\$ 221,133	\$ 1,203,851	\$ 982,718	18%	\$ 169,542	130%
Engineering							
Personnel	8,077	40,819	292,500	251,681	14%	80,964	50%
Operating	812	16,428	51,110	34,682	32%	13,905	118%
Administrative Chargeback	16,414	77,921	90,000	12,079	87%	40,357	193%
Total Engineering	\$ 25,303	\$ 135,168	\$ 433,610	\$ 298,442	31%	\$ 135,226	100%
Total Expenses	\$ 114,139	\$ 616,645	\$ 2,070,787	\$ 1,454,142	30%	\$ 471,416	131%
Excess of Revenues Over (Under) Expenses	\$ 21,596	\$ 56,097	\$ (465,787)			\$ 169,307	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 185,446	\$ 402,487	\$ 584,466	\$ 118,679
Addition (Use of)	217,041	181,979	(465,787)	(119,489)
Ending Balance	\$ 402,487	\$ 584,466	\$ 118,679	\$ (810)

Herriman City Budget Versus Actual Report - November 2022

Storm Water Fund Summary							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue	\$ 135,735	\$ 672,742	\$ 1,605,000	932,258	42%	\$ 640,723	105.0%
Expenditures							
Personnel	40,897	206,600	752,000	545,400	27%	216,607	95%
Operating	11,703	61,299	662,620	601,321	9%	49,295	124%
Capital	3,294	28,925	181,791	152,866	16%	1,230	2352%
Administrative Chargeback	58,245	319,821	474,376	154,555	67%	169,542	189%
Total Expenditures	\$ 114,139	\$ 616,645	\$ 2,070,787	\$ 545,400	30%	\$ 436,674	141.2%
Excess of Revenues Over (Under) Expenditures	\$ 21,596	\$ 56,097	\$ (465,787)			\$ 204,049	

Herriman City Budget Versus Actual Report - November 2022

High Country I Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Sales	9,136	61,704	-	(61,704)	0%	57,994	106%
Interest Income	628	2,431	-	(2,431)	0%	148	1643%
Total Revenue	\$ 9,764	\$ 64,135	\$ -	\$ (64,135)	0%	\$ 58,142	110%
Expenditures							
Administration							
Personnel	705	3,518	-	(3,518)	0%	3,503	100%
Operating	917	1,820	-	(1,820)	0%	864	211%
Total Administration	\$ 1,622	\$ 5,338	\$ -	\$ (5,338)	0%	\$ 4,367	122%
Maintenance							
Personnel	1,514	9,208	-	(9,208)	0%	11,672	79%
Operating	1,770	23,142	-	(23,142)	0%	10,162	228%
Capital	321	1,171	-	(1,171)	0%	-	0%
Total Maintenance	\$ 3,605	\$ 33,521	\$ -	\$ (33,521)	0%	\$ 21,834	154%
Total Expenditures	\$ 5,227	\$ 38,859	\$ -	\$ (38,859)	0%	\$ 26,201	148%
Excess of Revenues Over (Under) Expenditures	\$ 4,537	\$ 25,276	\$ -			\$ 31,941	

Fund Balance Available (Unrestricted)				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 280,506	\$ 86,917	\$ 103,771	\$ 103,771
Addition (Use of)	(101,173)	60,986	-	-
Capital Reserve	(92,416)	(44,132)	-	-
Ending Balance	\$ 86,917	\$ 103,771	\$ 103,771	\$ 103,771
Capital Reserve Balance	\$ 92,416	\$ 136,548		

Herriman City Budget Versus Actual Report - November 2022

High Country II Water Fund							
	Current Month	YTD Amount	Budget	Remaining Budget	% of Budget	Prior Year Actual YTD	% of Prior Year
Revenue							
Water Sales	13,492	102,913	-	(102,913)	0%	88,439	116%
Interest Income	1,511	7,068	-	(7,068)	0%	-	0%
Total Revenue	\$ 15,003	\$ 109,981	\$ -	\$ (109,981)	0.0%	\$ 88,439	124.4%
Expenditures							
Personnel	1,306	6,516	-	(6,516)	0%	6,488	100%
Operating	6,372	34,132	-	(34,132)	0%	34,583	99%
Capital	-	12,157	-	(12,157)	0%	-	0%
Total Expenditures	\$ 7,678	\$ 52,805	\$ -	\$ (52,805)	0.0%	\$ 41,071	128.6%
Excess of Revenues Over (Under) Expenditures	\$ 7,325	\$ 57,176	\$ -			\$ 47,368	

Fund Balance Available				
	FY2021	FY2022 (Actual)	FY2023 (Budget)	FY2024 (Budget)
Beginning Balance	\$ 490,611	\$ 617,677	\$ 788,439	\$ 788,439
Addition (Use of)	127,066	170,762	-	-
Ending Balance*	\$ 617,677	\$ 788,439	\$ 788,439	\$ 788,439
Impact Fees Collected	\$ 33,768	\$ 33,768		

*Ending balance includes restricted impact fees



CITY COUNCIL MINUTES

Wednesday, December 14, 2022
Amended December 12, 2022 @ 5:30 p.m.
Pending Formal Approval

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, December 14, 2022, at 4:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Council, media, and interested citizens.

Presiding: Mayor Pro Tempore Jared Henderson

Councilmembers Present: Mayor Lorin Palmer (electronic attendance), Teddy Hodges, and Steven Shields

Staff Present: City Manager Nathan Cherpeski, Assistant City Manager Tami Moody, Assistant City Manager Wendy Thomas, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, Director of Operations Monte Johnson, Public Works Director Justun Edwards, Communications Manager Jonathan LaFollette, Planning Manager Clinton Spencer, Deputy Director of Parks, Recreation and Events Anthony Teuscher, Police Chief Troy Carr, Community Development Director Blake Thomas, Unified Fire Authority Assistant Chief Anthony Widdison, City Attorney Todd Sheeran, Building Official Cathryn Nelson, Chief Building Official Cathryn Nelson, Assistant City Engineer Bryce Terry, Deputy Police Chief Cody Stromberg, and Assistant City Attorney Matthew Brooks.

Councilmembers Excused: Sherrie Ohrn

4:00 P.M. - GENERAL MEETING:

Councilmember Teddy Hodges moved to nominate Councilmember Jared Henderson as the Mayor Pro Tempore. Councilmember Steven Shields seconded the motion, and all voted aye.

4. Call to Order

Mayor Pro Tempore Jared Henderson called the meeting to order at 4:02 PM, and excused Councilmember Sherrie Ohrn.

4.1. Invocation/Thought/Reading and Pledge of Allegiance

City Recorder Jackie Nostrom led the audience in the Pledge of Allegiance.

4.2. City Council Comments and Recognitions

Councilmember Shields highlighted the Wreaths Across America event, which he noted would be held this coming Saturday, December 17th, 2022, at the Herriman Cemetery. He said this event would happen across the country, and people would place wreaths on the graves of veterans. He encouraged the public to attend.

Councilmember Hodges informed the audience the Buddy the Elf and Ugly Sweater Skate Night would be held on Monday, December 23, 2022.

Mayor Lorin Palmer thanked staff for their efforts on the last two events held, and said they had both gone very well.

5. Public Comment

There were no public comments offered.

6. City Council Reports

6.1. Councilmember Jared Henderson

Councilmember Henderson reported he had been working with the Unified Fire Authority and they had decided he would be the Chair of the Finance Committee in the coming year. He expressed he would continue efforts on the Capital Replacement fund.

6.2. Councilmember Teddy Hodges

There was no report.

6.3. Councilmember Sherrie Ohrn

There was no report.

6.4. Councilmember Steven Shields

There was no report.

7. Mayor Report

There was no report.

8. Reports, Presentations and Appointments

~~8.1. Introduction of the 2023 Herriman City Royalty~~

- ~~8.2. Recognition of Detective Chuck Malm by the Office of Congressman Burgess Owens – Alex Johnson, Office of Congressman Owens~~
~~8.3. HPD Badge Presentation – Cody Stromberg, Deputy Police Chief~~
~~8.4. 2022 Water Conservation Report – Justun Edwards, Public Works Director~~

9. Discussion and Action Items

- 9.1. **Discussion and consideration of a recommendation to amend Herriman City Code to move Planning Commission meetings from the 1st and 3rd Thursday to the 1st and 3rd Wednesday of each month** – Michael Maloy, City Planner

Planning Manager Clinton Spencer informed the Council of the desire to align the City Council and Planning Commission meeting days of the week and stated it was proposed to have the Planning Commission move their meeting days to Wednesdays. He also relayed the Planning Commission had recommended to approve the amendment.

Councilmember Shields moved to approve Ordinance No. 2022-45 amending Herriman City Code to change the regular meeting schedule of the Planning Commission to the 1st and 3rd Wednesday of each month. Councilmember Hodges seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Yes</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Absent</i>
<i>Councilmember Steven Shields</i>	<i>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously with Councilmember Ohrn being absent.

- 9.2. **Discussion and Consideration of an Ordinance amending Title 10 Land Development Code for Trail Slopes** – Todd Sheeran, City Attorney

City Attorney Todd Sheeran explained this ordinance would allow for trails in the City to exceed a 30-percent slope. He pointed out it was an inconsistency to have trail slopes and trails restricted to 30-percent or less in the recreational or hillside overlay zone but not in the residential zoning designations. City Attorney Sheeran shared the positive recommendation offered by the Planning Commission and asked if there were any questions.

Councilmember Shields asked if accommodations would have to be put in if they allowed for a slope steeper than 30-percent as well as if they would need to stipulate there could not be loose gravel or things like that to avoid people slipping. Assistant City Manager Wendy Thomas replied those parameters could be incorporated.

Councilmember Hodges moved to approve Ordinance No. 2022-46 amending Herriman City Code §10-11-6(c)(7) and §10-15B6(B), relating to trails on steep slopes. Councilmember Shields seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Yes</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Absent</i>
<i>Councilmember Steven Shields</i>	<i>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously with Councilmember Ohrn being absent.

10. Consent Agenda

- 10.1. Approval of the 2023 Annual Meeting Schedule**
- 10.2. Approval of the monthly financial summary for October 2022**
- 10.3. Appointment of one Herriman City Planning Commission Member and two Alternate Members.**
- 10.4. Extension of City’s fourth amendment to the repurchase agreement with Game Pointe Properties**
- 10.5. Authorization of an extension to the current contract with Axon Enterprise, Inc. through fiscal year ending 2032 – Cody Stromberg, Deputy Police Chief**
- 10.6. Approval of the September 28, 2022, October 12, 2022, October 19, 2022, October 26, 2022, and November 9, 2022 City Council meeting minutes**

Councilmember Shields moved to approve the Consent Agenda as written. Councilmember Hodges seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Yes</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Absent</i>
<i>Councilmember Steven Shields</i>	<i>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously with Councilmember Ohrn being absent.

11. Future Meetings

- 11.1. Next Planning Commission Meeting: January 5, 2023**
- 11.2. Next City Council Meeting: January 11, 2023**

12. Events

- 12.1. December 17 – Wreaths Across America; Herriman City Cemetery 10:00 a.m.**
- 12.2. December 23 – Christmas Holiday; City Offices Closed**
- 12.3. December 26 – Christmas Holiday; City Offices Closed**
- 12.4. January 2 – New Year’s Holiday; City Offices Closed**

13. Closed Session

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

Councilmember Hodges moved to temporarily recess the City Council meeting to convene in a closed session to discuss pending, or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205 at 4:10 p.m. Councilmember Hodges seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Yes</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Absent</i>
<i>Councilmember Steven Shields</i>	<i>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously with Councilmember Ohrn being absent.

The Council reconvened the Council meeting at 4:41 p.m.

14. Adjournment

Councilmember Shields moved to adjourn at 4:41 PM. Councilmember Hodges seconded the motion, and all voted aye.

15. Recommence to Work Meeting (If Needed)

4:30 PM – WORK MEETING: (or as soon as possible thereafter in the Fort Herriman Conference Room)

1. Council Business

Mayor Pro Tempore Jared Henderson called the meeting to order at 4:46 PM.

1.1. Review of this Evening's Agenda

The Council and City Staff briefly reviewed the agenda.

1.2. Future Agenda Items

Assistant City Manager Thomas indicated there was a future meeting scheduled regarding the cost of the City's Christmas decorations inventory.

Councilmember Hodges mentioned to look into the possibility of a portable AV cart which they could bring to different venues around the City for various events.

1.3. Council discussion of future citizen recognitions

Mayor Lorin Palmer commended the Herriman cross country team for taking third place in the nation at a recent meet.

2. Administrative Reports

~~2.1. Collegiate Rugby Shield – 2023 Partnership Request – Wendy Thomas, Assistant City Manager~~

~~2.2. Discussion regarding the request for the city to take ownership of a private road in the Lake Ridge Subdivision – Blake Thomas, Community Development Director~~

~~2.3. Blackridge Reservoir Update – Wendy Thomas, Assistant City Manager~~

2.4. Herriman City Council Appointed Boards and Commissions Discussion – Wendy Thomas, Assistant City Manager

Assistant City Manager Thomas discussed there had been some concerns about the role of Herriman-appointed Boards and Commissions in light of the new Friends of Herriman nonprofit. She indicated her plan was to bring this item to the Council in January for consideration to remove Boards and Commissions from Title 2. She expressed her desire was to not duplicate efforts and recommended to remove the current Boards and Commissions and absorb them into the nonprofit, as well as the funds associated with them. She understood people's wariness of the new nonprofit but said that based on her time working with the Friends of Herriman she felt confident moving to the nonprofit would be the best course of action.

Councilmember Hodges agreed with her opinion and acknowledged that whatever they did would be rocky waters for a while before finding a rhythm. Councilmember Shields commented change was always difficult, and thought the Council needed to be mindful of the resources available. He pointed out there would be resistance no matter the decision and needed to remember the most important thing was to serve the City in the most effective way.

Assistant City Manager Thomas added the main concern she had been hearing was that the City would lose control, and she commented she did not think that would be a concern. She also noted members of the current boards and commissions were encouraged to apply for the Friends of Herriman subcommittees. She asked the Council of their desire to reassign those duties to the Friends of Herriman non-profit organization. The Council discussed they were in support of this plan of action.

Councilmember Henderson also acknowledged the transition could be rocky at times, and they would find things along the way which would need to be adjusted. Councilmember Shields advocated this be noticed so the public had an opportunity to give input. Assistant City Manager Thomas hoped the current volunteers would transition over, as it would make the new nonprofit much stronger.

~~2.5. Youth, Teen and Active Aging Programming Discussion – Wendy Thomas,
Assistant City Manager~~

2.6. Discussion regarding corridor preservation purchase priorities – Bryce Terry,
Assistant City Engineer

Assistant City Engineer Bryce Terry explained an opportunity was presented to apply for Corridor Preservation Funds, and noted those funds were awarded by the Salt Lake County Local Corridor Preservation Fund for projects selected by the COG Public Works Committee. He elaborated there were a select number of projects eligible for the funds, and only roads within the Regional Master Plan were eligible. He added since phase three projects were 30 years out, those were considered conceptual and would not apply. Assistant City Engineer Terry stated only privately, not publicly, owned property could be purchased. He then presented the four priority projects which could qualify for the funding.

Assistant City Engineer Terry indicated the first project was 13400 South, from 6000 West to 6400 West. Last year, 6400 West had been awarded to Herriman City, as well as partial funding for the rest of the project, and explained this year the request would be for the remainder of the funding to complete the project. He explained the project would widen the road from three to five lanes, as well as purchase additional right-of-way.

Assistant City Engineer Terry next presented a project to widen 6000 West, from Herriman Blvd to Herriman Main Street. He said there were various residents on the road from whom the City would need to purchase land to add the necessary right-of-way as well as add curb, gutter, and sidewalk. He also proposed 7300 West, from Hall Crossing Dr. to McCuiston Ave, which was also a widening project, as well as 7300 West, from future Herriman Blvd. to Boundary of Olympia Hills. He indicated the location of these projects on the map.

Assistant City Engineer Terry noted one of the difficulties of the first project at 13400 South was there so many small plots of land which would need to be handled. He added the overall area and thus the cost of the second project at 6000 West was greater; however, there weren't as many complex purchases for right-of-way property. The third proposed project at 7300 West near Hall Crossing had about 13 parcels, and the final project at 7300 West was only two parcels, although it was a massive area of land.

Assistant City Engineer Terry explained they had it in their current Fiscal Year budget to purchase the right of way on 7300 West, but he hoped they could get the money from another source, such as the Corridor Preservation Fund, and then they could shift the money they had set aside in the budget for another purpose. Councilmember Shields expressed he wanted to ensure they were allocating money in the correct order. Assistant City Engineer Terry elaborated they were on the hook to buy the right of way, but they could make the purchase at a later time.

Assistant City Engineer Terry explained the Committee considered many factors in their determination of funds, including how long it had been since a City had received funding. He discussed if a City had gone more than five years without any funds, which automatically increased their scoring, and since Herriman had gotten funding last year, it was not a guarantee they would get all the funding they wanted this year. He asked the Council of the four projects he had presented, which one had their top priority. Councilmember Henderson thought two and three were the most important, and the fourth project could be done later. The Council agreed projects one, two, and three were the most important.

2.7. Herriman Main Street Widening Update and Project Discussion – Bryce Terry, Assistant City Engineer

Assistant City Engineer Terry gave a project update on Herriman Main Street and explained they had been given money by the State through the Corridor Preservation Funds and had been given \$800,000 per year for the last fifteen years. He explained the design plans and discussed widening the intersections, preserving park strips, and converting all the power underground. He noted the biggest cost had been the power conversion. He said the project was currently out for bid.

Assistant City Engineer Terry explained with the final design, it was not determined if funds would be available to complete everything initially planned. He noted construction design bids looked more promising than previously received but still included sections of the plan which could be modified if necessary. He said one of the main motivations for the project was to have a safe, walkable path down the road, particularly near the elementary school. He said one of the base bids for the project was to have an asphalt path down the road, which would still allow for a walkable path and provide connectivity from the east and west ends of the path.

Assistant City Engineer Terry explained staff had worked with a contractor to provide mock bids ahead of the actual bid opening, and reported two mock bids were received, one for the entire plan and one for the base bid. He said there was about \$10.5 Million available, and a big portion of the project was work on the water line, so the Water Fund would be utilized pay for those improvements. He added a couple of outside grants had been awarded as well and anticipated the project would be eligible for tree grant money for street trees. He said the extra funds did not provide a ton of money, and strongly suspected there would not be enough money for the original project. He asked the Council for direction if the desire would be to accept the base bid, or if it was enough of a priority to move funds around and make more money available for this project. He said he wanted to know this ahead of time, so the desire could be relayed to potential developers once the bids had been submitted.

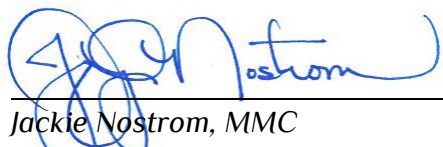
Assistant City Engineer Terry stated there were a couple options to come up with more funding if the Council wanted to move money around. He said they had overbudgeted for a reimbursement agreement for another boulevard, so there was about \$700,000 available. He also discussed there was \$3 Million budgeted for construction on 7300 West and

suggested those allocations could shift \$3 Million and use it for this project instead. He said if this was the path chosen, the 7300 West project would go back into a stage of looking for funding options. Lastly, he said there was about \$1.7 Million in property acquisition for the area near Miller Crossing which was being held in the Capital Funds budget which could be designated. Councilmember Henderson noted those funds were a loan which would have to be repaid by 2025. Assistant City Engineer Terry confirmed the statement and suggested it would be a bit of a chaotic option compared to the others presented. The Council deliberated options. Councilmember Shields opined to not shrink the project any further and hoped the bids would come in within budget. Assistant City Engineer Terry said staff could be a bit flexible, but he would not recommend going under 15-percent contingency for this project since there were many existing utilities which made it complicated. He said the further they went, the more contingency they had, and clarified the construction numbers the group was looking at were only if the work was completed at one time. He said if they waited years in between the phases, the quoted prices were subject to change. Assistant City Engineer Terry explained this would come back at the City Council meeting in January for consideration.

3. Adjournment

Councilmember Shields moved to adjourn the City Council work meeting at 5:25 p.m. Councilmember Hodges seconded the motion, and all voted aye.

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 14, 2022. This document constitutes the official minutes for the Herriman City Council Meeting.



Jackie Nostrom, MMC
City Recorder



STAFF REPORT

DATE: 1/4/2023
TO: Mayor and City Council
FROM: Todd Sheeran, City Attorney
SUBJECT: Franchise Agreement Template for Telecommunication Providers

RECOMMENDATION:

Staff recommends the Council **approve** the attached Resolution.

ISSUE BEFORE COUNCIL:

Does the Council want to use a template franchise agreement for telecommunication providers?

BACKGROUND/SUMMARY:

Various telecommunication providers have approved City staff seeking authorization from the City to use City right-of-way to bury and install communication lines throughout the City. Federal law requires that entities provide agreements that are uniform and nondiscriminatory. Accordingly, staff has drafted the attached franchise agreement template for providers to sign.

DISCUSSION:

Telecommunication providers are subject to the Municipal License Tax Act found in Utah Code § 10-1-401 *et seq*, which allows municipalities to charge a rate of up to 3.5% of the telecommunication provider's gross receipts from telecommunication service that are attributed to the municipality. However, franchise agreements set terms related to the installation of a provider's equipment and facilities in City right-of-way. Approving a template will allow the City Manager to approve franchise agreements in a uniform, nondiscriminatory manner.

ALTERNATIVES:

- Option 1 – Approve franchise agreements individually.
- Option 2 – Not allow telecommunication providers in the City.

ATTACHMENTS:

- A. Draft Resolution.

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, AUTHORIZING THE USE OF A TEMPLATE FRANCHISE AGREEMENT FOR TELECOMMUNICATION PROVIDERS.

WHEREAS, pursuant to Utah Code § 10-1-401, *et seq*, the City of Herriman (“City”) may levy a franchise tax; and

WHEREAS, the Herriman City Council (“City Council”) has adopted applicable City ordinances regulating telecommunication within the City; and

WHEREAS, by approving the attached Franchise Agreement template, the City Council finds that the Agreement will enhance the health, safety and welfare of the residents, and the telecommunication providers will be treated in a uniform and nondiscriminatory manner.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH:

SECTION 1. Agreement. The City Council hereby approves the attached Franchise Agreement template and authorizes the City Manager, or designee, to execute the same. The City Manager is allowed to make minor deviations to the template, but major deviations will need to be made by the City Council.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon passage.

APPROVED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, ON THIS _____ DAY OF _____, 2023.

HERRIMAN CITY COUNCIL

Mayor: _____
Lorin Palmer

Attest: _____
Jackie Nostrom, City Recorder

EXHIBIT A

(Interlocal Agreement)

TELECOMMUNICATIONS FRANCHISE AGREEMENT

This Telecommunications Franchise Agreement (“Agreement”) is between Herriman City, a Utah municipal Corporation (“City”), and _____ (“Company” or “Provider”). This Agreement is effective on the date that the last party executes this Agreement as indicated by the date stated under that party’s signature line (“Effective Date”).

RECITALS

- A. The Provider desires to establish and provide a telecommunications network in the City’s right-of-way (“City ROW”).
- B. The Provider is subject to the Municipal Telecommunications License Tax Act found in Utah Code § 10-1-401 *et seq.*, and the Provider is subject to applicable City ordinances.
- C. The City, in exercise of its management of City ROW, believes that it is in the best interest of the public to grant the Provider a nonexclusive franchise to operate a telecommunications network in the Herriman City limits.

Therefore, the parties agree as follows:

AGREEMENT

1. **Incorporation of Recitals.** The foregoing preambles and all other recitals set forth herein are made a part hereof by this reference.
2. **City Code.** The City has adopted applicable City ordinances (“Ordinances”) and the Provider acknowledges that it has had an opportunity to read and become familiar with those Ordinances. The parties agree that the provisions and requirements of the Ordinances are material terms of this Agreement, and that each party agrees to be contractually bound to comply with the terms contained in those Ordinances and this Agreement. The definitions in the Ordinances shall apply herein unless a different meaning is indicated. Nothing in this Section shall be deemed to require the Provider to comply with any provision of the Ordinances which are determined to be unlawful or beyond the City’s authority. If any term or condition of this Agreement shall be in conflict with any applicable State or federal laws, City ordinances, rules, or regulations, then the provisions of such laws, ordinances, rules, or regulations shall govern and control.
3. **Amendments to City Code.** Nothing herein shall prevent the City from lawfully amending its ordinances from time to time, and the City’s governing body may deem necessary. Provided, however, the City shall not enact any amendments to the Ordinances that will adversely impact the Provider without allowing the Provider at least 30 days to comply

with the amendment. The City shall provide the Provider notice and an opportunity to be heard concerning any proposed amendment, and shall not enact any amendment which materially alters the rights and obligations of the parties, or that is in conflict with any material term of this Agreement. If there is any inconsistency between the Provider's rights and obligations under the Ordinances, as amended, and this Agreement, the provisions of this Agreement shall govern during the term of this Agreement in which the ordinance amendment was adopted, but the ordinance amendments so adopted shall govern during subsequent renewal terms of this Agreement, if any. The parties agree to comply with any such lawful governing amendments.

4. **Franchise Description, No Assignment.** The Telecommunications Franchise provided hereby shall confer upon the Provider, subject to the City's receipt of monetary and services compensation and the Provider's compliance with the terms of this Agreement, the nonexclusive right, privilege, and franchise to construct, operate, and maintain a fiber-optic telecommunications network in, under, above, and across the present and future City ROW. The grant of this franchise includes the services of provider "dark fiber" to end users. The Provider shall not permit the use of its fiber-optic system, its duct or pathways, its pole attachments or any plant equipment in City ROW in any manner that would avoid or seek to avoid the need for a franchise from the City for a business or other person. The Provider shall not provide services directly regulated by the Utah Public Service Commission (PSC) unless authorized by the PSC. Provider shall not operate a cable system as defined in the Cable Communications Policy Act of 1984 without first having obtained a separate cable franchise from the City for such cable system. The franchise granted herein does not grant the Provider the right, privilege, or authority to engage in community antenna (or cable) television business; although, nothing contained herein shall preclude the Provider from (1) permitting those with a cable franchise who are lawfully engaged in such business to utilize the Provider's System within the City for such purposes; or (2) from providing such service in the future if an appropriate franchise is obtained and all other legal requirements have been satisfied. The rights granted by this franchise may not be subdivided, assigned, or subleased from any other person unless agreed to in writing by the City, unless to an entity succeeding to or acquiring substantially all of the assets of the Provider, in which case the City's permission is not required. Notwithstanding the foregoing sentence, where the City's permission is required, the City may condition, deny, or delay approval of an assignment, sublease, or subdivision of the rights granted herein for any reason.

5. **Licenses.** The Provider acknowledges that it has obtained the necessary approvals, licenses or permits required by federal and state law to provide telecommunication services consistent with the provisions of this Agreement and with the Ordinances.

6. **Relationship.** Nothing herein shall be deemed to create a joint venture or principal-agent relationship between the parties and neither party is authorized to, nor shall

either party act toward third persons or the public in any manner that would indicate any such relationship with each other.

7. **Facilities.** “Company facilities” or “facilities” shall include, but not be limited to a network of fiber optic cables and all related property, including conduit, carrier pipe, cable fibers, repeaters, power sources, poles, and other attachments and appurtenances necessary for the telecommunications system located within the Public Ways within the City limits, whether located above or below ground, currently or in the future owned or operated or otherwise controlled by the Provider needed to provide telecommunications service. “Dark fiber” is optical fiber infrastructure cabling and repeaters that is currently in place but through which light pulses are not being transmitted.

8. **Franchise Fee.**

a. For the Franchise granted herein, the Provider shall pay to the City a tax in accordance with the Municipal Telecommunication License Tax Act (Utah Code Ann. 10-1-401 to 10-1-410), less any business license fee or business license tax enacted by the City. All payments shall be made to the Utah State Tax Commission, and sent as follows:

Utah State Tax Commission
210 North 1950 West
Salt Lake City, Utah 84134

b. If the Municipal Telecommunication License Tax may no longer be lawfully collected, then to the extent allowed by law and except as otherwise agreed by the parties, the Provider shall pay to the City a tax levy or franchise fee of three and one-half percent (3.5%) of its gross receipts derived from local telephone or other telecommunications services provided to Provider’s subscribers within the City (“Default Franchise Fee”), but does not include revenue from any taxes or fees imposed directly upon the customer by any governmental entity which is, or may be collected by the Provider, or any services, including but not limited to internet access service, as prohibited by law. “Gross receipts” for purposes of this subsection, also does not include sales, if any, at wholesale by Provider to another franchisee of the City who is separately responsible for paying a franchise fee on its gross receipts derived from the use of Provider’s Facilities. The City and Provider agree to meet, confer, and negotiate about any amendments to this Agreement as shall be necessary to accommodate the change or elimination of the Municipal Telecommunications Act or the taxes or fees provided for under the Act.

9. **Application Processing Fee.** Upon execution of this Agreement, the Provider shall pay a \$3,000.00 application processing fee. The Provider may offset the

franchise fee paid pursuant to Section 8, up to the amount of the application processing fee paid to the City.

10. **Additional Fees and Taxes.** The Provider shall, after due notice from the City, pay any additional fees or taxes applicable to the Provider and its facilities in the City adopted by the City hereafter.

11. **Audit.** The Provider shall keep thorough and accurate books and records showing all of its collections of money for its services and business transactions which it provides to persons and entities within the City and shall make such information available to the City (or its contractors, employees, officials, agents, etc.) for inspection upon three days' notice. The Provider shall keep this information for at least three years after the termination of this Agreement.

12. **Term and Renewal.** The franchise granted to the Provider shall be for a period of ten (10) years commencing on the first day of the month following the Effective Date ("Initial Term"). At the end of the Initial Term, the term shall automatically renew upon the same terms and conditions as contained in this Agreement for an additional five (5) year term ("Renewal Term"). Renewal Terms may be for an unlimited number of terms (the Initial Term and Renewal Terms will be collectively referred to as "Term"). Either party may not renew a Term upon giving the other party 60 days' notice before the termination of that Term.

13. **Rights and Duties of Provider Upon Termination or Revocation.** Upon termination or revocation of this Agreement, the Provider shall have the right to remove its equipment and facilities from City ROW. In such event, it shall be the duty of the Provider to immediately to restore City ROW in as good of condition as the same was before the removal was affected.

14. **Use of Poles and Overhead Structures.** The City shall have the right, without any cost to the City, to use all poles owned by the Provider within the City for any public uses, such as fire alarms and police signal systems; provided, however, any said uses by the City shall be for activities owned, operated, or used by the City for any public purposes and shall not include the provision of telecommunications service to third parties. The Provider shall not attach to, or otherwise use or commit to use any City-owned pole or structure unless a separate agreement has been executed by the parties.

15. **Limitations on Use Rights.** Nothing in this Agreement shall be construed to require the Provider to increase pole capacity, alter the manner in which the Provider attached equipment to the poles, or alter the manner in which the Provider operates and maintains its equipment. Such City attachments shall be installed and maintained in accordance with the reasonable requirements of the Provider and the current National Electrical Safety Code. City

attachments shall be attached or installed only after written approval by the Provider, which approval will be processed in a timely manner and will not be unreasonably withheld.

16. **Maintenance of City Facilities.** The City's use rights shall also be subject to the parties reaching an agreement regarding the City's maintenance of the City's attachments.

17. **Police Powers.** The City expressly reserves, and the Provider expressly recognizes, the City's right and duty to adopt, from time to time, in addition to provisions herein contained, such ordinances and rules and regulations as the City may deem necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties.

18. **Work in City ROW.** The Provider shall comply with and follow the City's land disturbance permit process before performing any work in City ROW. The City shall have the discretion on location of Provider Facilities in City ROW.

a. *Compliance with Laws.* The Provider shall obtain all required permits or approvals for construction, maintenance, and operations, and shall at all times be subject to comply with all applicable laws, statutes, rules, regulations, standards, and procedures. The City may inspect the manner of such work and require remedies the terms of any City ordinance, regulation, or requirement, the City shall give the Provider written notice of such noncompliance and time for correction.

b. *Status Reports.* All work in City ROW shall be done in a safe manner and shall follow City regulations. Upon the City's request, the Provider will provide the City with a status report of such measures.

c. *Minimum Interference.* All facilities constructed by the Provider shall be located to cause minimum interference with and injury to (i) public use of City ROW, (ii) the City's water infrastructure, storm water infrastructure, streetlights, or any other municipal use of the City's ROW, and (iii) trees and other natural features.

d. *Workmanlike Manner.* The installation, maintenance, renovation, and replacement of the Provider's facilities in City ROW shall be performed in accordance with the City's engineering standards and in a good and workmanlike manner.

e. *Emergency Repairs.* In an emergency event in which the Provider needs to cut or excavate a City ROW, and in which the Provider must act immediately and is unable to obtain an encroachment permit from the City beforehand, the Provider shall provide the City's Public Works Department with notification of such work as soon as practicable.

f. *Damage to Public Property.* If, during the course of installation, removal, inspection, or work on its facilities, the Provider causes damage to or alters any public property or equipment, the Provider shall (at its own cost and expense, and in accordance with City regulations) replace and restore it to as good as condition as existed before the work comments and within such reasonable time as the City shall require, and shall be liable to the City for any reasonable costs and expenses incurred by the City as a result of such damage or alteration.

g. *Removal and Protection of City Property.* No City property shall be removed from City ROW, including signage on utility poles, without prior permission from an authorized representative of the City.

h. *Safety.* The Provider shall, at all times, operate, repair, and maintain its facilities in a safe and careful manner.

i. *Relocation.* Whenever the City shall, in the interest of public convenience, necessity, health, safety, or general welfare of the residents, require the inspection, maintenance, repair, relocation, or reinstallation of any of the Provider's facilities in City ROW, the Provider shall, upon not less than 90 days prior notice, promptly commence and diligently complete such work to remove, relocate, or reinstall such facilities as may be necessary to meet the requirements of the City.

j. *Installations.* The Provider will be permitted to install facilities underground in City ROW. Within 30 days of installing such facilities, the Provider shall provide the City GIS coordinates and as-built drawing of the facilities in a form acceptable to the City. The Provider shall, when undertaking a project of placing its facilities, cooperate with other utilities, agencies, or companies which have their lines overhead to have all lines placed underground as part of the same project. When other companies are placing their lines underground, the Provider shall, where feasible, cooperate with these companies and undertake to place its facilities underground as part of that same project.

k. *Prohibitions.* Except as otherwise provided herein, the Provider's facilities shall be so located and constructed as not to do any of the following acts:

- i. Interfere with access to or use any water or fire hydrant;
- ii. obscure the view or interfere with the installation of any traffic-control device or traffic or information sign or signal;
- iii. Cross any water or sewer line except at a 90-degree angle, except in accordance with a specific permit for such crossing issued by the City;

- iv. Damage irrigation or landscaping owned or maintained by the City;
- v. Damage any communication lines owned or maintained by the City; and
- vi. Install facilities in the paved sidewalk or park strip
- vii. area, unless authorized in advance by the City.

l. *Damage to Other's Facilities.* During construction or maintenance, if the Provider causes damage to or a break in any lines

m. *Removal and Relocation.* The City shall have the authority to require the Provider to remove or relocate any facility in violation of this Agreement at the Provider's sole expense. Such relocation or removal shall be completed within 60 days (or other period of time as the parties may mutually agree) of written notice from the City. The notice shall prescribe the area where the facility is located and any other special conditions deemed reasonably necessary by the City.

n. *Hazardous Materials.* If contaminated or hazardous material is discovered within or adjacent to the City ROW, the Provider shall stop work in that affected area, notify the City Engineer immediately, and submit an accurate written report of the facts surrounding the encounter to the City Engineer.

o. *City's Rights to Perform.* If the Provider fails to perform any obligation under this Agreement, then the City shall have the right to, but not the obligation, to perform any of the obligations contained herein upon 15 days prior written notice to the Provider. The City shall be reimbursed for any work performed within 30 days after receipt of a detailed invoice for the work performed. This right shall survive the termination of this Agreement.

19. **Severability.** If any section, sentence, paragraph, term or provision of this Agreement or the Ordinances is for any reason determined to be or rendered illegal, invalid, or superseded by other lawful authority, including any state or federal, legislative, regulatory or administrative authority having jurisdiction thereof, or is determined to be unconstitutional, illegal or invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision, all of which shall remain in full force and effect for the term of this Agreement or any renewal or renewals thereof. If the invalidated portion is considered a material consideration for entering into this Agreement, the parties will negotiate, in good faith, an amendment to this Agreement. As used herein, "material consideration" for the City is its ability to collect the Franchise Fee during

the term of this Agreement and its ability to manage the City ROW in a manner similar to that provided in this Agreement, the Ordinances, and the City's encroachment permit process. For the Provider, "material consideration" is its ability to use the City ROW for telecommunication purposes in a manner similar to that provided in this Agreement, the Ordinances, and the City's encroachment permit process.

20. **Termination.** This Agreement may be terminated at any time by mutual consent between the parties. The City may terminate this Agreement upon 90 days prior written notice to the Provider for any of the following reasons:

a. *Failure to Make Payments.* The Provider fails to make timely payments of any fees in this Agreement and does not correct such failure within 30 calendar days after written notice by the City of such failure. Any payment made pursuant to such request shall not be deemed to constitute a waiver of the City's right to challenge the calculation of the franchise fee.

b. *Breach.* The Provider, by act or omission, materially violates a material duty herein set forth in any particular within the Provider's control, and with respect to which redress is not otherwise herein provided. In such event, the City may determine, after hearing, that such failure is of a material nature, and thereupon, after written notice giving the Provider notice of such determination, the Provider shall, within 60 calendar days of such notice, commence efforts to remedy the conditions identified in the notice and shall have 90 calendar days from the date it receives notice to remedy the conditions. After the expiration of such 90-day period and failure to correct such conditions, the City may declare the franchise forfeited and this Agreement terminated, and thereupon, the Provider shall have no further rights or authority hereunder; provided, however, that any such declaration of forfeiture and termination shall be subject to judicial review as provided by law, and provided further, that in the event such failure is of such nature that it cannot be reasonably corrected within the 90-day time period provided above, the City shall provide additional time for the reasonable correction of such alleged failure if the reason for the noncompliance was not the intentional or negligent act or omission of the Provider.

c. *Bankruptcy.* The Provider becomes insolvent, unable or unwilling to pay its debts, is adjudged bankrupt, or all or part of its facilities should be sold under an instrument to secure a debt and is not redeemed by the Provider within 60 days.

21. **Third Party Beneficiaries.** The benefits and protection provided by this Agreement shall inure solely to the benefit of the City and the Provider. This Agreement shall not be deemed to create any right in any person who is not a party and shall not be construed in any respect to be a contract in whole or in part for the benefit of any third party (other than the permitted successors and assigns of a party hereto).

22. **City Representative and Address.** The City Engineer or his or her designee(s) shall serve as the City's representative regarding administration of this Agreement. Unless otherwise specified herein or in the Ordinances, all notices from the Provider to the City pursuant to or concerning this Agreement, shall be delivered to the City's representative at 5535 West Herriman Main Street, Herriman, Utah 84065, or such other officer and address as the City may designate by written notice to the Provider.

23. **Provider Representative and Address.** The _____ shall serve as the Provider's representative regarding administration of this Agreement. All notices from the City to the Provider shall be delivered to the following address:

24. **Insurance.**

a. Before the Effective Date, the Provider shall file with the City a certificate of insurance, and thereafter continually maintain in full force and effect at all times for the Term of this Agreement at the expense of the Provider, a comprehensive general liability insurance policy, including underground property damage coverage, written by a company authorized to do business in the State of Utah with an A.M. Best rating of at least A-IX protecting the City against liability for loss of bodily injury and property damage occasioned by the installation, removal, maintenance or operation of the communications system by the Provider in the following minimum amounts:

- i. \$2,000,000.00 combined single limit, bodily injury and real property damage in any one occurrence.
- ii. \$3,000,000.00 aggregate.

b. The Provider shall also file with the City Recorder and City Engineer a certificate of insurance for a comprehensive automobile liability insurance policy written by a company authorized to do business in the State of Utah with an A.M. Best rating of at least A-IX protecting the City for all owned, non-owned, hired and leased vehicles operated by the Provider, with limits not less than \$2,000,000.00 each accident, single limit, bodily injury, and property damage combined.

c. The Provider shall also maintain, and by its acceptance of any franchise granted herein, specifically agrees that it will continually maintain throughout the Term workers compensation and employers' liability, valid in the State of Utah, in the minimum amount of the statutory limit for workers compensation but no less than \$500,000.00 for employer's liability.

d. All liability insurance required pursuant to this Section, except for employers' liability, shall name the City as additional insureds and shall be kept in full force and effect by the Provider during the Term and until after the removal or abandonment with the approval of the City Engineer, all facilities installed by the Provider. Failure to maintain continuously the required insurance shall constitute a material breach of this Agreement. All policies shall be endorsed to give the City 30 days written notice of the intent to cancel by either the Provider or the insurance company. The Provider may utilize primary and umbrella liability insurance policies to satisfy the requirements of this Section.

25. **Indemnification.** The Provider agrees to indemnify, defend and hold the City harmless from and against any and all claims, demands, liens, and all liability or damage of whatsoever kind on account of or arising from the Provider's acts or omissions pursuant to or related to this Agreement, and to pay any and all costs, including reasonable attorneys' fees, incurred by the City in defense of such claims. The City shall promptly give written notice to the Provider of any claim, demand, lien, liability, or damage, with respect to which the City seeks indemnification and, unless in the City's judgment a conflict of interest may exist between the parties with respect to the claim, demand, lien, liability, or damage, the CITY shall permit the Provider to assume the defense of such with counsel of the Provider's choosing, unless the City reasonably objects to such counsel. Notwithstanding any provision of this Section to the contrary, the Provider shall not be obligated to indemnify, defend or hold the City harmless to the extent any claim, demand, lien, damage, or liability arises out of or in connection with grossly negligent acts or omissions of the City.

26. **Bond.** The Provider shall post with the City a security fund in the form of a surety bond in the amount of \$50,000.00 ("Bond Amount"). It is the Provider's responsibility to maintain this security fund throughout the Term. Nothing in this Section shall preclude or prevent the City from requiring an additional bond amount pursuant to other City ordinances, such as the land disturbance permit process.

a. *Use.* The City may draw on, or make a claim against, the Bond Amount to ensure the provider's faithful performance of its obligations of this Agreement in accordance with applicable laws. If the Provider fails to perform its obligations under this Agreement in any respect, including making any payment to the City as required by this Agreement, the City may, after 30 days written notice to the Provider, withdraw

or make a claim on the Bond Amount. The City shall notify the Provider of any amount and date of any such withdrawal.

b. *Restoration of Bond.* Within 45 calendar days after the City gives the Provider written notice that an amount has been withdrawn from the Bond Amount, the Provider must resort the balance of the Bond Amount. Failure to restore these funds shall be considered a material breach of this Agreement.

c. *Return of Funds.* If this Agreement terminates for any reason and the Provider has ceased to provide service in the City, the balance of the security fund that remains following the satisfaction of all Provider's obligations shall be returned to the Provider. The City shall be under no obligation to return funds until sufficient time has elapsed for the City to determine that all such obligations have been satisfied, which shall not be longer than 90 days from termination or the cessation of services in the City.

27. **General Provisions.**

a. *Binding.* This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, executors, administrators, personal representatives, successors and assigns.

b. *Utah Law.* This Agreement shall be controlled, construed and enforced in accordance with the laws of the State of Utah. The parties agree that the venue of any action arising out of his Agreement shall be in Salt Lake County, Utah.

c. *Amendments.* This Agreement may be amended or modified only by a written instrument executed by both parties.

d. *Authority.* The parties to this Agreement represent that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. The Provider represents and warrants it is fully formed and validly existing under the laws of the State of Utah, and that it is duly qualified to do business in the State of Utah and is in good standing under applicable state laws. The parties warrant to each other that the individuals executing this Agreement on behalf of their respective party are authorized and empowered to bind the party on whose behalf each individual is signing. The Provider represents to City that by entering into this Agreement that the Provider has bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

e. *Entire Agreement.* This Agreement supersedes any other agreements, either oral or writing, between the parties hereto with respect to the rendering of

services, and contains all of the covenants and Agreements between the parties with respect to said services.

In witness whereof, this Agreement has been executed by the parties effective on the date stated under that party's signature line.

CITY

Signature: _____

Print Name: _____

Title: _____

Date: _____

Approved as to form:

City Attorney

PROVIDER

Signature: _____

Print Name: _____

Title: _____

Date: _____

State of _____)

County of _____) §

On this ___ day of _____, 20____, personally appeared before me _____ (*name of document signer*), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ (*title of office*) of _____ (*name of corporation*) and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ (*name of document signer*) acknowledged to me that said Corporation executed the same.

Notary Public



STAFF REPORT

DATE: December 21, 2022
TO: The Honorable Mayor and City Council
FROM: Wendy Thomas
SUBJECT: Removal of City Council Appointed Boards and Commissions from Title 2

RECOMMENDATION:

Remove the following City Council Appointed Boards and Commissions from Title 2 of Herriman City Code: Historical Society, Community Arts Council, Healthy Herriman Committee, Herriman Trails Committee, Veterans and Military Advisory Committee, Herriman Off Highway Vehicle Committee, and Diversity Inclusion Advisory Board.

ISSUE BEFORE COUNCIL:

Does the Herriman City Council want to remove the above listed Boards and Commissions from Title 2 of Herriman City Code?

BACKGROUND/SUMMARY:

There are currently seven City Council Appointed Boards and Commissions, outside of Planning Commission and Youth Council, listed in Title 2 of Herriman City Code:

- Historical Society
- Community Arts Council
- Healthy Herriman Committee
- Herriman Trails Committee
- Veterans and Military Advisory Committee
- Herriman Off Highway Vehicle Committee
- Diversity Inclusion Advisory Board

The newly formed non-profit, Friends of Herriman Parks, Trails, Arts and Culture (Friends), has established an Executive Board comprised of a Chair, Vice Chair, Treasurer, Secretary, Trails Chair, Arts Chair, Culture Chair and two At-large members. All Executive Board members are Herriman residents, have submitted applications and were interviewed prior to being appointed by the Advisory Board.

DISCUSSION:

The Friends Executive Board will provide duplicative services and duties as the current City Council Appointed Boards and Commissions. They will continue the efforts of the current Council Appointed Boards and Commissions in collaboration with City Staff and City Council.

Current members of the Council Appointed Boards and Commissions were made aware of the Friends Board and were encouraged to apply for the new Board and Subcommittees.

ALTERNATIVES:

- Do not remove Council Appointed Boards and Commissions from Title 2
- Remove Council Appointed Boards and Commissions from Title 2
- Remove only certain Council Appointed Boards and Commissions

FISCAL IMPACT:

It is anticipated that funding associated with the Council Appointed Boards and Commissions will be appropriated to the Friends of Herriman Parks, Trails, Arts and Culture at a future date.

ORDINANCE NO. 2023-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, AMENDING HERRIMAN CITY CODE TITLE 2 (BOARDS AND COMMISSIONS) RELATING TO REMOVING THE HISTORICAL SOCIETY, COMMUNITY ARTS COUNCIL, HEALTHY HEARRIMAN COMMITTEE, HERRIMAN TRAILS COMMITTEE, VETERANS AND MILITARY ADVISORY COMMITTEE, HERRIMAN OFF-HIGHWAY VEHICLE COMMITTEE, AND THE DIVERSITY INCLUSION ADVISORY BOARD.

WHEREAS, Utah Code § 10-9a-102 grants the Herriman City (the “City”) authority to enact ordinances that the Herriman City Council (the “City Council”) considers necessary or appropriate; and

WHEREAS, the subject text amendment removes several boards and committees that are no longer functioning or being used; and

WHEREAS, the City Council has held a public hearing and reviewed the subject text amendment; and

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH:

SECTION 1. Text Amendment. The Council hereby repeals, in its entirety, the following boards and committees from Herriman City Code: 2-1, 2-2, 2-5, 2-7, 2-8, 2-10, and 2-11.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HERRIMAN, UTAH, ON THIS _____ DAY OF _____, 2023.

HERRIMAN CITY COUNCIL

Mayor: _____
Lorin Palmer

Attest: _____
Jackie Nostrom, City Recorder



STAFF REPORT

DATE: December 29th, 2022

TO: The Honorable Mayor and City Council

FROM: Bryce Terry, Assistant City Engineer

SUBJECT: Herriman Main Street Widening Update & Project Discussion

RECOMMENDATION:

It is recommended to award the Herriman Main Street Widening Construction Contract to the low bidder, Landmark Excavating, for the full length of the project, including Base Bid, Bid Alternate 1, and Bid Alternate 2.

ISSUE BEFORE COUNCIL:

Should the full construction contract be approved for this project to the low bidder, when they are significantly lower than any other bids?

BACKGROUND/SUMMARY:

In the 2021 General Session of Utah Legislature, the State approved HB 244 – First Class County Highway Road Funds. In this bill, Herriman was granted \$800,000 annually for 15 years to mitigate congestion and improve transportation safety. To combine these funds into a substantial project, the City worked to obtain a Bond for \$10.5M based on the money that would be coming to the City from HB 244.

City Council previously discussed which projects these funds should be used for. After several discussions, Council gave Staff direction to use these funds on the Herriman Main Street (Herriman Highway) widening project. Further discussions were had based on the limited budget and how the project could be altered to try to stay within the budget in June. These changes included reducing the width of the road and removing the need for underground power conversion.

Since then, a bid opening for the project was held on December 28th. The results of these bids are discussed in the next section.

DISCUSSION:

Staff has worked with the design consultant to complete the design of the project. Additionally, consideration was given to split up the project into different bidding segments to allow various

amounts of the project to be awarded based on how bid prices came in. The bid phases are shown in *Figure 2* below:

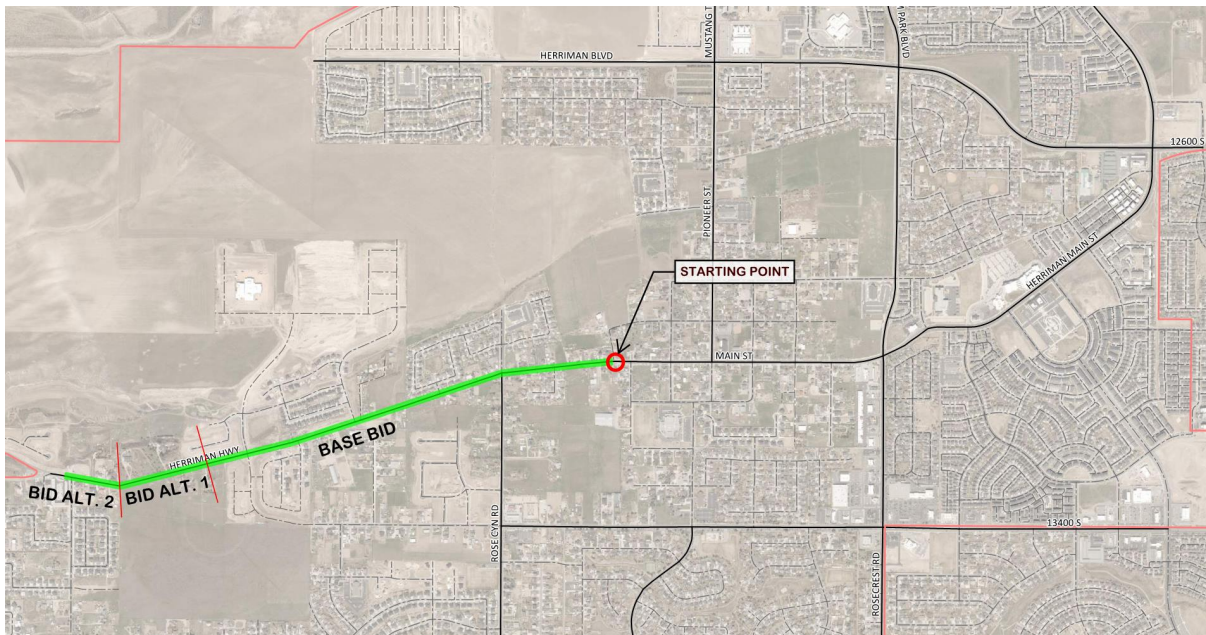


Figure 2. Project Bidding Segments

The bid opening has held on December 28th. Three bids were received for this project with the apparent low bidder highlighted in red:

Table 1. Bid Results

Contractor	Schedule A - Base Bid Amount	Schedule B - Bid Alt 1 Amount	Schedule C - Bid Alt 2 Amount	Total Bid Price
Geneva Rock	\$ 13,224,189.40	\$ 2,099,238.00	\$ 2,096,217.15	\$ 17,419,644.55
Landmark Excavating	\$ 6,698,496.15	\$ 1,292,586.75	\$ 1,199,149.05	\$ 9,190,231.95
VanCon, Inc.	\$ 10,796,493.45	\$ 2,086,142.25	\$ 2,158,735.90	\$ 15,041,371.60

There is approximately **\$10,600,000** available for the project from the bond that was acquired by the City. Additionally, there are new water lines that are being included in this project that the Water Fund can help pay for which is approximately **\$1,600,000** of the cost of the project. Additionally, the developers of Hidden Oaks have an agreement with the City to pay for the improvements behind the curb along Herriman Main Street, adjacent to their development. We have some other funds contributing to the project as well. *Table 2* summarizes all the funding sources currently planned on for this project, and the bid that was submitted.

Table 2. Breakdown of Funds for this Project

Bond Amount Available:	\$ 10,593,000
Water Fund to Pay:	\$ 1,572,000
*Developer to Pay:	\$ 840,000
Outside Funds (Tree grant, Corridor Pres., SVSD)	\$ 100,000
Total Budget Available	\$ 13,095,000

* Hidden Oaks Developer responsible for improvements behind curb adjacent to their development according to their MDA.

In addition to construction costs, there are other costs associated with this project including engineering/design, right-of-way acquisition, and city furnished items such as streetlights, signs, and water pipe). *Table 3* breaks down the total cost for the project:

Table 3. Breakdown of Total Project Cost

	Base Bid	Base Bid + Bid Alt	Base Bid + Bid Alt 2
Construction (Low Bidder)	\$ 6,698,496.15	\$ 7,991,082.90	\$ 9,190,231.95
Non Bid Items (R.O.W, Design, City Furnished Item)	\$ 1,855,557.00	\$ 1,855,557.00	\$ 1,855,557.00
Construction Contingency (20%)	\$ 1,339,699.23	\$ 1,598,216.58	\$ 1,838,046.39
Total Cost	\$ 9,893,752.38	\$ 11,444,856.48	\$ 12,883,835.34

Therefore, **it is recommended to move forward with the construction contract for the full length of the project, with Landmark Excavating.**

FISCAL IMPACT:

If the low bidder, Landmark Excavating, is awarded the project, **there will be no need for budget changes, as the anticipated funding sources will cover the cost of the entire project.**

If in the case that Landmark Excavating was not awarded the bid, a discussion would need to occur to determine which of the previously discussed options to fund the project even to the base bid level:

Table 4. Options for Adding Funds to the Project

Current Total Funds Available	\$ 13,502,000.00
Option 1 – Transportation Impact Fee – Dansie Blvd Reimburs.	\$ 700,000.00
Option 2 – General Fund Capital Project – 7300 W	\$ 2,900,000.00
Option 3 – General Fund Capital Project – Property Acq.	\$ 1,700,000.00
Option 4 – Re-rank CIP projects and reallocate funds	\$ Amount Unknown

Each option would come from other budgets and is discussed in more detail below:

- **Option 1 – Traffic Impact Fee – Dansie Blvd Reimbursement:**
There are excessive funds available to reimburse Perry Homes for the Dansie Blvd (south of Herriman Highway). Currently, we have an agreement to reimburse the roadway portion of the project up to \$592,000.00. But we have budgeted \$653,030 for both this and next fiscal year. This means we have a total of **\$1,306,060**, with only **\$583,000** needed for this reimbursement. As a result, there is approximately **\$700,000** available to transfer from that budget to the Main Street Project.

- **Option 2** – General Fund Capital Project Budget – 7300 W:
There is \$2,950,000 budgeted to widen and complete the rest of 7300 W in next year’s budget. This would mean taking the funds from this project, and transferring them to Main St. This combined with Option 1 may be able to fund the whole project.
- **Option 3** – General Fund Capital Project Budget – Property Acquisition:
Currently, there is \$3,700,000 budgeted for property Acquisition. \$2,000,000 is committed towards ACUB purchasing. That leaves approximately \$1,700,000 available for other property acquisition. This could be an option to move to the Main Street Project, if there the council chose to move away from property acquisition with these funds.
- **Option 4** – Re-rank all Capital Improvement Plan (CIP) projects and reallocate funds accordingly.

ALTERNATIVES:

All these alternatives would be considered as a contingency plan, only if the low bidder is not awarded the contract.

- The first option is to fund the project using any of the options as discussed above to fund the project to the Base Bid level.
- Second alternative is to fund the projects using the options above to fund Base Bid + Bid Alt 1 using the options above.
- The third alternative is to fund the entire project using a combination of options above (Base Bid + Bid Alt. 1 + Bid Alt. 2)
- The final option is to not add any additional funds to the project and look to remove elements of the design. This would likely require rebidding the project once certain elements of the project are removed. One example may be to remove landscaping the park strips from the project.