



## MEETING NOTICE AND AGENDA

Notice is hereby given that Kaysville City will hold a special meeting at 6:00 p.m. followed by a regular City Council meeting at 7:00 p.m. on Thursday, January 4, 2018, in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

### **6:00 p.m. OATH OF OFFICE CEREMONY**

1. Oath of Office Ceremony for Newly Elected Officials. – Utah State Representative, Brad Wilson.

### **7:00 p.m. CITY COUNCIL MEETING**

The agenda shall be as follows:

1. Opening – Council Member Larry Page
2. New City Council Agenda Format. – Mayor Witt
3. Consent Items
  - a. Approval of Minutes from Dec. 7, 2017 & Dec. 21, 2017.
  - b. USA Softball Award Recognition. – Steve Rollins, State Commissioner/USA Softball
  - c. Acceptance of the proposed 2018 Regular Meeting Schedule for the City Council, Planning Commission and Power Commission.
  - d. Declaration of any Conflicts of Interest.
  - e. A Resolution Authorizing the City Council to Censure Dave Adams, Authorizing the Mayor to Issue a Public Letter of Censure, and Respectfully Requesting that Mr. Adams Resign from the City Council. (Resolution 18-1-4)
4. Action Items (each item should take no more than 5 minutes)
  - a. Rules of Procedure Change.
  - b. A Resolution for Appointment of Mayor Katie Witt to the Wasatch Integrated Board representing Kaysville City (Resolution 18-1-1).
  - c. A Resolution to Adopt the 2018 Net Metering Agreement (Resolution 18-1-3).
  - d. An Ordinance to Amend the Kaysville City Net Metering Policy (Ordinance 18-1-1).
5. Work Items
  - a. Substation Technician Job Description. (15 Minutes) – Gary Hatch
  - b. Fiber Consultant Recommendation. (15 Minutes) – Ryan Judd
  - c. Automated Meter Infrastructure (AMI) Consultant Recommendation. (20 Minutes) – Ryan Judd
  - d. Capital Facilities/Impact Fee Analysis. (15 Minutes) – Dean Storey
6. Call to the Public.
7. Council Member Reports.
8. Adjournment.

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on January 2, 2018.

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Maria T. Devereux, City Recorder

# Oath of Office



State of Utah                    }  
County of Davis                }           ss

**I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States, and the Constitution of the State of Utah, and that I will discharge the duties of my office with fidelity.**

[Signed] \_\_\_\_\_

Subscribed and sworn to before me this 2nd day of January, 2018.

\_\_\_\_\_  
City Recorder, Kaysville, Utah

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Name: \_\_\_\_\_ Filed this 4<sup>th</sup> day of January, 2018.

Office: \_\_\_\_\_ City Recorder: Maria Devereux

Term: 4 Years



## **KAYSVILLE CITY COUNCIL**

### **Meeting Minutes**

### **DRAFT**

Meeting minutes of a regular City Council meeting on December 7, 2017 at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

Present: Mayor Hiatt, Council Member Snell, Council Member Page, Council Member Lee and Council Member Garn, Council Member Adams.

Others present: City Manager Shayne Scott, City Engineer Andy Thompson, City Recorder Maria Devereux, Service Manager Bruce Rigby, Parks Director Justin Brimhall, Katie Witt, Brigg lewis, Toby Barrus, Emery Barrus, Shane Pew, Ruth Sabin, Ray Sabin, Patrick Hein, Alan Farnes, Brok Thayn, Scott Holmes, Mary Ann Thurgood, Bronson Smith, Nicholas Meus, Ashley Meus, Aaron Shupe, Jay Bell, Matt Robinson, Floyd Landon, Paul Erickson, Dillon McDonald, Marissa McDonald, Ardis Ellsworth, Karen Erickson, Susan Bradford, Mark Bradford, Daina Romney, Gavin Tuttle, Kerstin Thomas, Dena Eckardt, Ryan Eckardt, Mettie Francis, Linda Francis, Marilee Jepsen, Lindsay Jepsen, Robert Donigan, Jacob Sherriff, Teresa Pinka, Jason Taylor, Kori Taylor, Jim Boren, Marilyn Boren, Katie Witt, Seth Thatcher, Lisa Purdy, Dave Whitaker, Scott Kiesler, and Will Thatcher.

### **CITY COUNCIL MEETING**

Opening provided by Mayor Steve Hiatt.

### **YOUTH CITY COUNCIL PRESENTATION**

Mayor Hiatt introduced Mayor Emma Francis and Youth City Council. They gave an overview of the Youth Council duties.

### **KAYSVILLE UNIVERSITY**

Shayne Scott, City Manager, presented each Kaysville University attendee with a certificate of completion.

### **CALL TO THE PUBLIC**

Mayor Hiatt opened Call to the Public and explained that the public may address agenda items. He asked the audience to limit comments to three minutes.

Hal Anderson stated that he supports Mr. Puffer moving to new location.

Terrell Rohm explained that he echoes the sentiments of Hal Anderson.

Elias Bishop stated that he is a proponent for solar power, long term, in Kaysville City.

Kate Bowman, Utah Clean Energy, explained that she appreciates the level of transparency and public involvement within the Kaysville community. She suggested grandfather existing customers for 20 years and noted that it is a standard among other cities.

David Taylor noted that a signed agreement be established between the Kaysville City residents and the solar installer to determine if grandfathered in or not.

### **DECLARATION OF CONFLICTS OF INTEREST**

Mayor Hiatt provided Council members the opportunity to disclose potential conflicts of interest in regard to items listed on the agenda.

Council Member Adams declared a conflict of interest for item # 8, the Whisper Creek PUD Subdivision Preliminary and Final Plat.

### **BAER CREEK HOLLOW CLUSTER SUBDIVISION AMENDED PRELIMINARY AND FINAL PLAT APPROVAL**

Andy Thompson explained that several years ago the Baer Creek Hollow subdivision was approved and constructed with two large flag lots platted at the end of a private cul-de-sac road. The current owners of those lots have agreed to a lot line adjustment taking about 0.4 acres from lot 6 and adding it to lot 5. Lot 6 has an existing home that will remain in compliance with all setback requirements and lot 5 is planning to build a home in the near future. The utilities and street improvements for these lots were installed with the original subdivision and the amended lots are in compliance with the zoning requirements.

Council Member Page made a motion to approve the amended Preliminary and Final Plat of Baer Creek Hollow Subdivision at 1643 S 150 W, Kaysville, UT, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

### **WHISPER CREEK PUD SUBDIVISION PRELIMINARY AND FINAL PLAT**

Andy Thompson explained that several weeks ago the City approved a request for an assisted living center at about 680 South Main Street. At that time it was indicated that the remainder of the property would be subdivided into residential building lots. This project is that subdivision. He noted that the request is to create seven lots, including the existing home, on a private lane.

The City Fire Department has expressed concern with this proposal and would much prefer an unobstructed public street in this location. The City engineering department agrees that the road should be a public street with no gate. They do not believe that traffic will exceed acceptable rates in this area. The roads were clearly planned to be connected when the adjacent subdivisions were constructed and the City's policy is to provide as much connectivity as reasonable in the street patterns.

Andy Thompson explained that residents may exit the way they feel the most comfortable, and noted that a road is stubbed when there is potential for growth for a road/subdivision in the future.

Fire Chief Paul Erickson noted that limited access with gates or any other barriers delays response time.

Council Member Page made a motion to approve the preliminary and final plat for the Whisper Creek PUD Subdivision as proposed with the provision that a non-gated public street be implemented, second by Council Member Garn.

Dave Whitaker owner and applicant, noted that he is disappointed in the motion on the floor at this time. He explained that he doesn't agree with the Fire Chief's explanation and asked the council to reconsider the motion.

Robin Tolman explained that residents prefer a gate instead of a non-gated public road.

Greg Hill, stated his disappointed. He noted that if the gate was an issue after installation, thte City could make it a through road.

Scott Kiester stated his concern for the safety of children in the area with increased traffic.

Lisa Purdy explained that she is also concerned about the safety of children in the area.

Mr. Whitaker stated that he is willing to remove the gate at any time should it become a nuisance.

Andy Thompson noted that there are a few gates within the City that meet the requirements of a 600 ft. cul de sac.

Council Member Adams withdrew his declaration of conflict. He explained that the City should be in favor of the preference of the residents.

Council Member Garn noted that he agrees with many comments of other council members. He felt that another access is needed and is in support of ample access and still in favor of public road.

Council Member Adams made a motion to table the item and allow the matter to go back to the Planning Commission to address all ideas presented tonight. The substitute motion fails lack of a second.

The vote on the original motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, (refrained from voting)  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed 4 to one.

**GRANTING AN EASEMENT TO DOMINION ENERGY FOR LOCATING A  
GAS LINE ON CITY PROPERTY AT APPROXIMATELY 650 WEST OLD  
MILL LANE**

Andy Thompson explained that Dominion Energy is completing the route and design for the pipeline replacement project as it comes through Kaysville City. Much of the pipeline replacement work will take place within existing easements or as an entity with an existing franchise agreement within the public right of way. Where the railway meets Old Mill Lane it will be necessary for the lines to route outside of the right of way to circumvent the rail crossing. Dominion Energy has extended an offer to Kaysville City in the amount of \$11,500 to obtain an easement on the City's property at the Operations Center along the street right of way. This easement would be 30 ft. deep for a stretch of 161 ft. along Old Mill Lane totaling 4,847 sq. ft.

Council Member Garn made a motion to grant approval for the requested easement for the amount of \$11,500 dollars or the adjusted appraised value, whichever is greater, second by Council Member Lee.

The vote on the original motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Absent.  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

#### **PROFESSIONAL SERVICES AGREEMENT WITH CRS ENGINEERS FOR DESIGN OF THE 200 NORTH BRIDGE REPAIR PROJECT**

Andy Thompson explained that the City settled with the insurance companies and received funds to repair the wall panels on the 200 North Bridge. Staff has solicited several engineering companies requesting proposals to design the repair project. While six companies were directly contacted and the project was also advertised on the City web site, only CRS submitted a proposal. Several of the engineering companies expressed that they were either too busy or that this project was outside their areas of expertise.

Council Member Snell made a motion to approve the Professional Services Agreement with CRS Engineers for phase one and two of the 200 N Bridge Repair Project and come back to the Council for approval, if there is a need for approval, for phases three and four, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Absent  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed four to one.

**CONSIDERATION OF A RESOLUTION AMENDING THE KAYSILLE CITY  
CONSOLIDATION FEE SCHEDULE RELATED TO THE RESTRUCTURING AND  
REVISION OF ELECTRIC UTILITY RATES**

Jordan Stephenson, Power Commission, explained the need to amend the consolidation fee schedule related to the restructuring and revision of Electric Utility Rates. He explained that the Power Commission is very comfortable with recommendations of proposals and resolutions. He explained that the commission is in favor of including economic incentives and suggested discussion at a later time.

Council Member Snell made a motion to adopt the Resolution to Amend the Kaysville City Consolidation Fee Schedule Related to the Restructuring and Revision of Electric Utility Rates, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

**CONSIDERATION OF A RESOLUTION DEFINING THE METERING AND BILLING OF  
SOLAR CUSTOMERS OF THE KAYSVILLE CITY ELECTRIC UTILITY**

Council Member Adams asked the differences in cost between being a grandfathered customer versus paying current rates.

John Loveless, Power Commission, explained that he was in favor of a grandfathered clause to extend to 20 years. He explained that for the sake of resolution, the commission agreed to 15 years.

Council Member Adams suggested that this matter could be discussed at a later date in order to have ample discussion on this item.

Mayor Hiatt expressed appreciation to the Power Commission members and advised that they have surpassed his expectations.

Council Member Page thanked the Power Commission for their expertise and involvement.

Council Member Adams made a motion to table this item for 30 days and the grandfather clause to 19 years. The motion fails for lack of a second.

Council Member Lee made a motion to accept the Resolution defining the metering and billing of solar customers of the Kaysville City Electric Utility, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Nay  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed four to one.

### **CONSIDERATION OF RENEWAL OF BETTER CITY CONTRACT**

Shayne Scott, City Manager, explained that the City has updated the contract for Better City and recommends approval.

Council Member Snell made a motion to approve the renewal of the contract with Better City, amended per previous discussion, second by Council Member page.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

## **ROAD FEE PUBIC ENGAGEMENT PLAN**

Shayne Scott, City Manager, explained that with direction from the last meeting in which they reviewed a Road Fee Proposal from Fred Philpot of Lewis, Young, Robertson, and Burningham, staff has drafted a plan for Public Engagement.

Staff recommends that the City Council review the following plan and edit as needed. The items in place are; a) the road fee has been discussed in at least 3 different open meetings, b) a write-up about this road fee in a previous newsletter and c) an update on this potential fee has been placed in the December newsletter. He explained that the proposed plan includes the following steps:

1. We send notices with January bills about two public meetings: An Open House and a Public Hearing.
2. **Public meeting number one:** January 10, 6:00pm – 8:00pm Open House where city staff, council members, and Fred from LYRB present options, answer questions, etc.
3. **Public meeting number two:** January 18, 6:00pm Public Hearing regarding Road Fee.
4. Social Media/Qualtrics blitzes 1-2 days before each public meeting.
5. Marquee advertisements about both public meetings.
6. Include an area on the new website by December 31 that has information on Fred's work, arguments for and against, and a place to ask questions. Then questions are asked and answered on that website for others to reference.
7. Address the Road Fee for a decision at either the January 18 city council meeting or February 1 city council meeting.

Mayor Hiatt explained that an open house and ample noticing of the item would be beneficial.

Council Member Adams made a motion to adopt the Road Fee Engagement Plan as recommended by staff, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

## **CONSIDERATION OF CANCELLATION OF CITY COUNCIL MEETING ON DECEMBER 21, 2017**

Council Member Snell made a motion to maintain the Thursday, Dec 21<sup>st</sup>, City Council meeting but move it up to 5 pm, second by Council Member Garn.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Nay  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

## **CALENDAR**

Items are listed on the online calendar.

## **MINUTES**

Council Member Snell made a motion to approve the Minutes for the June 15, 2017 City Council Meeting, second by Council Member Page.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

The motion passed unanimously.

## **COUNCIL MEMBER REPORTS**

Council Member Garn thanked Shayne Scott, City Manager for his support with Kaysville Success Framework.

## **CLOSED MEETING**

Council Member Snell made a motion to enter into closed session, second by Council Member Garn.

Council Member Snell made a motion to adjourn the closed session, second by Council Member Garn.

## **ADJOURNMENT**

Council Member Garn made a motion to adjourn the meeting at 11:33 p.m., second by Council Member Page.

The motion passed unanimously.

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Maria Devereux/City Recorder

## PUBLIC NOTICE

Kaysville City hereby gives public notice of its 2018 regular public meeting schedule for the Kaysville City Council, the Planning Commission and Power Commission to be held in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT.

The Kaysville City Council is regularly scheduled to have meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month at 7:00 p.m. with the exception of the following dates: April 5, July 5, October 18, and December 20. Please visit the City website: <http://ut-kaysville.civicplus.com/> for potential changes to the regular schedule.

The Planning Commission is regularly scheduled to have meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of the each month at 7:00 p.m. and the Power Commission is regularly scheduled to have meetings on the first Tuesday of each month at 7:00 p.m. Please visit the City website: <http://ut-kaysville.civicplus.com/> for potential changes to the regular schedule.

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Maria T. Devereux 1/2018  
City Recorder

## **RESOLUTION 18-1-4**

### **A RESOLUTION AUTHORIZING THE CITY COUNCIL TO CENSURE DAVE ADAMS, AUTHORIZING THE MAYOR TO ISSUE A PUBLIC LETTER OF CENSURE, AND RESPECTFULLY REQUESTING THAT MR. ADAMS RESIGN FROM THE CITY COUNCIL**

**WHEREAS**, the Kaysville City Council adopted a Code of Conduct on October 20, 2016; and

**WHEREAS**, the Code of Conduct was passed “to ensure public confidence in the integrity of local government”; and

**WHEREAS**, the Code of Conduct dictates that members of the City Council “must be above reproach and avoid even the appearance of impropriety”; and

**WHEREAS**, Dave Adams is a member of the Kaysville City Council; and

**WHEREAS**, Dave Adams was a member of the Kaysville City Council when the Council adopted the Code of Conduct and voted in favor of it; and

**WHEREAS**, Dave Adams is a suspect in an investigation involving theft and extortion allegations; and

**WHEREAS**, Dave Adams’ investigation has been reported in several prominent newspapers, namely, the Deseret News and Salt Lake Tribune; and

**WHEREAS**, the Kaysville City Council does not take a position on the guilt or innocence of Dave Adams; and

**WHEREAS**, the Kaysville City Council would like to be productive and believe the allegations leveled against Dave Adams may be a distraction to such productivity; and

**WHEREAS**, the Kaysville City Council is working to cultivate, engender, and maintain trust in elected officials.

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

1. The Kaysville City Council is authorized to issue an official verbal reprimand to Dave Adams immediately after this resolution is passed;
2. The Mayor is authorized to issue a formal public letter of censure; and
3. The Kaysville City Council respectfully requests that Dave Adams resign from the City Council effective immediately.

**PASSED AND ADOPTED** by the City Council of Kaysville, Utah this **4th day of January, 2018.**

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Katie Witt, Mayor

ATTEST:

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Maria Devereux, City Recorder

## **KAYSVILLE CITY RULES OF PROCEDURE and ORDER**

Recognizing that the City Council, as a legislative body, needs a systematic way of conducting its business, these rules of procedure are to provide for the orderly conduct of City business by the City Council, with the objective of providing for full, open, and comprehensive debate of issues brought before the City Council for action in a forum open to the public, and which encourages citizens' awareness of City Council activities.

These procedures do not increase or diminish the existing powers or authority of the Mayor or City Council members, as set forth in state law or local ordinance.

### **CITY COUNCIL MEETING AGENDA**

All meetings of the City Council will have a notice and agenda that complies with the Utah Open Meetings Act

An Item may be placed on the agenda only by the Mayor, or at the request of any two council members.

An Item will be added to all Kaysville City Council Agendas requesting that any conflicts of interest with any items on the same agenda be declared.

Agenda Items must be submitted to the City Recorder at least 7 days before the date of the meeting. Any item that is submitted to the City Recorder after 7 days before the meeting will be put on the next following meeting agenda. The Recorder should notify the Mayor of the added agenda item.

### **ROLE OF THE MAYOR AS COUNCIL CHAIR AND OTHER COUNCIL MEMBERS:**

- The Mayor shall preside at meetings of the City Council.
- Participate in discussion of all matters.
- Shall vote as a member thereof only in case of a tie or where otherwise specifically authorized to do so by state law, and shall have no power to veto.

In addition, the Mayor, as the Chair, has the primary responsibility for ensuring that the Council's rules of procedure are followed and:

- For maintaining the dignity of Council meetings.
- Calls the meeting to order and confines the discussion to the agenda.
- Recognizes Council members for motions and statements and may allow audience and staff participation at appropriate times.
- Requires knowledge of the City's adopted rules of parliamentary procedure and how to apply it.
- Ensures that the Utah Open and Public Meetings Act is complied with.
- Knows how to courteously discourage Council members who talk too much or too often.
- Knows how to courteously ensure those who have the floor are not interrupted and to rule out of order those not following meeting procedures.

- Recognizes the Council member offering the motion, restates the motion, presents it to the Council for consideration, calls for the vote, announces the vote, and then announces the next order of business.

## **CODE OF CONDUCT FOR CITY COUNCIL AND MAYOR INCLUDES:**

- Remarks should apply to the question under debate.
- Shall avoid references to personalities, and refrain from questioning motives of other members or staff personnel.
- Demonstrate courtesy and shall not disrupt proceedings.
- Shall not use their positions to secure privileges or personal gains and shall avoid situations which could cause anyone to believe that they may have brought bias or partiality to a question before the City Council.
- All Conflicts of Interest should be declared before deliberations on a particular item begin. If the conflict is such that a council member will not be voting on an item, they shall excuse themselves from the discussion before deliberations begin.
- Shall be dedicated to the principles of representative democracy by recognizing that the chief function of local government is to serve the best interests of the public at large while respecting individual rights.
- Shall be dedicated to the effective use of the City's available resources.
- Shall refrain from any activity that would hinder their ability to be objective and impartial.
- City business shall be discussed in open, well-publicized meetings, except in rare situations in which Executive Sessions are authorized.

## **ETHICS**

The mayor and council members shall comply with the Utah Municipal Officers and Employees Ethics Act as found in Utah Code 10-3-1301 et seq.

## **PARLIAMENTARY RULES:**

The following may be referred to as the City's Rules of Order and shall be the parliamentary rules for conducting the business of the City Council. The City Manager will serve as the Parliamentarian, and will recommend rulings, upon request by the chair of the meeting, to all points of order raised during the proceedings. Each Rule is followed by a required Procedure and Purpose to explain the Rule and guide the Mayor and council members in its intended application.

### **RULE NO. 1: The meeting is governed by the agenda and the agenda constitutes the City Council's agreed-upon roadmap for the meeting.**

*PROCEDURE.* Each agenda item will be handled by the Mayor in the following basic format:

*First*, the Mayor should clearly announce the agenda item number and should clearly state what the agenda item subject is.

*Second*, following that agenda format, the Mayor should invite the appropriate person or persons to report on the item, including any recommendation that they might have.

The appropriate person or persons may be the Mayor, a member of the City Council, a staff person, or an invited person charged with providing input on the agenda item.

*Third*, the Mayor should ask members of the City Council if they have any technical questions of clarification. At this point, members of the City Council may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

*Fourth*, the Mayor should invite public comments if at a formal public hearing and should open the public hearing for public input. If numerous members of the public indicate a desire to speak to the subject, the Mayor may limit the time of each public speakers. At the conclusion of the public comments, the Mayor should announce that the public hearing is closed.

*Fifth*, the Mayor should invite a motion. The Mayor should announce the name of the member of the City Council who makes the motion.

*Sixth*, the Mayor should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member of the City Council who seconds the motion. If there is no second then the item will be deemed concluded without decision

*Seventh*, if the motion is made and seconded, the Mayor should make sure everyone understands the motion. This is done in one of three ways: (1) The Mayor can ask the maker of the motion to repeat it. (2) The Mayor can repeat the motion. (3) The Mayor can ask the City Recorder to repeat the motion.

*Eighth*, the Mayor should now invite discussion of the motion by the City Council. If there is no desired discussion, or after the discussion has ended, the Mayor should announce that the City Council will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

*Ninth*, the Mayor asks for a vote of the council members. All votes on ordinances, resolutions, and any action which would create a liability against the City and in any other case at the request of any member of the City Council shall be by a "yes" or a "no" vote and shall be recorded in the minutes. Every resolution or ordinance shall be in writing before the vote is taken.

*Tenth*, the Mayor should announce the result of the vote and should announce what action (if any) the City Council has taken.

**PURPOSE OF THE RULE:** The purpose of this rule is to govern how the Mayor chairs the meeting. This is meant to be the rule to guide the Mayor in his or her conduct as a chair. All meetings must comply with the Utah Open and Public Meetings Act which requires that a notice and an agenda for a public meeting be prepared in advance of the meeting and that no final action be taken on any item that is not on the agenda. In addition the Act requires that the minutes of the meeting contain certain minimum information including the name of any member of the council speaking on an issue, the substance of what the member says, an accurate description of any action taken by the council and the voting record of each individual member of the council.

**RULE NO 2: Any matter that requires a City Council decision shall be brought before the Council by motion.**

*PROCEDURE.* The procedure for any motion shall be as follows: First, the Mayor should recognize the member of the City Council. Second, the member of the City Council makes a motion by preceding the member's desired approach with the words: "I move . . . . "

So, a typical motion might be: "I move that we give the City Attorney a raise in pay."

The Mayor usually initiates the motion by either (1) Inviting the members of the City Council to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the City Council. "A motion would be in order that we give the City Attorney a raise in pay." (3) Reading a motion suggested by the City Staff and asking if any member would like to make that motion. The Mayor then asks if any member of the City Council wishes to second the motion. If there is no second then the item will be deemed concluded without discussion or decision

*PURPOSE OF THE RULE.* The purpose of this rule is to limit items under discussion to those and only those that the council members want to discuss; give clarity as to what is being decided; and to make sure everyone, including the person taking the minutes actually knows and can remember what the ultimate outcome of any discussion and debate is.

**RULE NO 3: One matter at a time and one speaker at a time.**

*PROCEDURE:* Only one matter will be discussed at a time. The matter may involve several motions.

There will only be one speaker at a time. Anyone who wishes to speak must raise their hand first after the current speaker finishes. The Mayor will call upon the person by name. Once a member has been recognized, he has been granted "the floor" and may begin speaking. The speaker may not be interrupted except as allowed by these rules.

If a councilmember wishes to ask a question during their time and retain the floor to speak after the question has been answered they may indicate so before posing the question by saying something similar to "I have additional comments and wish to retain the floor after this question has been answered."

*PURPOSE OF THE RULE.* The purpose is to focus on only one subject matter at a time and to allow council members the ability to express their points of consideration without losing their train of thought and to completely finish without fear of interruption.

**RULE NO 4: The Mayor may use General Consent (also known as Unanimous Consent) with all motions except those motions where the votes are used for purposes of the meeting minutes and require a roll call of the council.**

*PROCEDURE:* When the Mayor feels the council is all in agreement, the Mayor asks if there are any objections to the motion to amend, withdraw, or any motions in Rule No. 7. The Mayor pauses and if there are no objections states that the motion is approved. If there is any objection then the motion is put to a regular vote. A council member may object simply because he or she feels it is important to have a formal vote.

*Example:* The Mayor states, "If there is no objection, we will recess for 10 minutes, [pause to see if any member objects]. There being no objection, we will recess for 10 minutes.

If a member objects by stating, "I object" the matter is then put to a vote.

The Mayor states, "An objection being made, the question is shall we recess for 10 minutes? As many as are in favor, say Aye. Those opposed, say No. The Ayes have it and we will recess for 10 minutes."

*PURPOSE OF THE RULE.* General consent is helpful in expediting general routine business or when the Mayor senses the council is in agreement. General consent allows flexibility of the rules while protecting the right of the majority to decide and the minority to be heard.

**RULE NO 5: There are only three basic forms of motions allowed: Initial Motions, Motions to Amend, and Substitute Motions.**

*PROCEDURE:* The initial motion. The initial motion is the one that puts forward an item for the City Council's consideration. An initial motion might be: "I move that we give adopt ordinance number 10-1 as presented."

The motion to amend. If a member wants to change the initial motion that is before the City Council, they would move to amend it. A motion to amend might be: "I move that we amend the motion to adopt ordinance number 10-1 with changes in paragraph 1 as follows...." A motion to amend takes the initial motion which is before the City Council and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.

The substitute motion. If a member wants to completely do away with the initial motion that is before the City Council, and put a new motion before the City Council, they would move a substitute motion. A substitute motion might be: "I that we refer ordinance number 10-1 to the planning commission for its recommendation."

*PURPOSE OF THE RULE.* "Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the Mayor. So that if a member makes what that member calls a "motion to amend", but the Mayor determines that it is really a "substitute motion", then the Mayor's designation governs.

**RULE NO 6. There can be up to three motions on the floor at the same time and no more than three. The Mayor can reject a fourth motion until the Mayor has dealt with the three that are on the floor and has resolved them.**

*PROCEDURE:* When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to adopt ordinance 10-1." During the discussion of this motion, a member might make a second motion to "amend the main motion to adopt ordinance 10-1 with changes in paragraph 1 as follows...." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we refer the matter to the planning commission." The proper procedure would be as follows:

*First*, the Mayor would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the City Council of the third motion (the

substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Mayor would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

*Second*, if the substitute motion failed, the Mayor would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment. If the motion to amend passed the Mayor would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Mayor would now move to consider the main motion (the first motion) in its original format, not amended.

*Third*, the Mayor would now deal with the first motion that was placed on the floor. The original motion would either be in its original format, or, if amended, would be in its amended format.

**PURPOSE OF THE RULE:** Too many motions on the same subject can cause confusion as to what the end result is and in the official record. Limiting the number of motions to no more than three at a time, allows for enough debate and parliamentary maneuvering to satisfy those who want to be clever while allowing the slow to still keep up.

**RULE NO 7: The discussion or debate can continue as long as members of the City Council wish to discuss an item, subject to the Mayor determining it is time to move on and take action by using General Consent to limit debate or by a proper motion by a council member to limit the debate. The following motions are not debatable—a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table; and a motion to limit debate.**

**PROCEDURE.** There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the City Council to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Mayor must immediately call for a vote of the City Council without debate on the motion):

*A motion to adjourn.* This motion, if passed, requires the City Council to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

*A motion to recess.* This motion, if passed, requires the City Council to immediately take a recess. The length should be set in the motion which may be a few minutes or an hour. It requires a simple majority vote.

*A motion to fix the time to adjourn.* This motion, if passed, requires the City Council to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

*A motion to table.* This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the City Council: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case the matter will not be placed back on an agenda for a future city council meeting except at the order of the Mayor or the request of any two council members. A motion to table an item requires a simple majority vote.

*A motion to limit debate.* The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the City Council makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Mayor should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a simple majority vote of the City Council.

*PURPOSE OF THE RULE.* Debate and discussion are important until they are not. When a matter is chewed on enough it should be swallowed. This rule allows the Mayor by General Consent or the majority of the council to end the debate, after a reasonable time. It also keeps those in a minority position on an issue from filibustering until they get their way.

**RULE NO 8: Three yes votes are required to pass any item before the council with limited exceptions. The exceptions include a motion to go into close session (executive session) which requires a 2/3 vote of the members present and when the mayor is entitled to vote where specifically allowed by state law on matters that add to or diminish the mayors powers. The Mayor is also entitled to vote when there is a tie vote of the council.**

*PROCEDURE.* If the mayor and all five members of the council are present, a vote of 3-2 passes the motion. A vote of 2-2 with one abstention means the motion fails. If one member is absent and the vote is 2-2, the mayor is entitled to vote.

*PURPOSE OF THE RULE.* Utah statutes set out both the number of the quorum and the minimum vote required on any issue. This rule is meant to clarify that when the entire council is present and voting then it is not a tie when one member abstains. If however the member is absent from the meeting for any reason and the vote is 2-2 then it may be a tie and the mayor may vote as allowed by state statute.

**RULE NO 9: A motion to reconsider any item requires a majority vote to pass, but there are special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the City Council if the item is properly on the agenda. In addition, a motion to reconsider cannot be made at a special meeting of the Council unless the number of members of the council present at the special meeting equals or exceeds the number present at the meeting when the action was approved. Second, a motion to reconsider can only be made by a member who voted in the majority on the original motion.**

*PROCEDURE.* If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the City Council may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order.

*PURPOSE OF THE RULE.* The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the City Council again and again. That would defeat the purpose of finality. If the motion to reconsider passes, then the original matter is back before the City Council, and a new initial motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time. A new matter brought before the council that has the affect of repealing or amending a previously decided matter is not considered a motion to reconsider. It is a new matter and should be treated as such.

**RULE NO 10: The Mayor and council members shall adhere to the code of conduct.**

*PROCEDURE.* The Mayor, as chair of the meeting, is primarily responsible to see that debate and discussion of an agenda item focuses on the agenda item and the policy in question, not the personalities of the members of the City Council. There are, however, exceptions that are intended to assist the Mayor in keeping order to the meeting. A council member speaker may be interrupted by a council member only for the following reasons and in the form set forth below:

*Privilege.* The proper interruption would be: "point of privilege." The Mayor would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or safety of the meeting or when the reputation of the council or any individual is at stake. For example, the room may be too hot or too cold, a blowing fan might interfere with a person's ability to hear, or the speaker may be misrepresenting an individual's remarks.

*Order.* The proper interruption would be: "point of order." Again, the Mayor would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor moved on to a vote on a motion that permits debate without allowing that discussion or debate.

*Appeal.* If the Mayor makes a ruling that a member of the City Council disagrees with, that member may appeal the ruling of the Mayor. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Mayor is deemed reversed. An example could be that the shuts off discussion before the council is ready.

*Call for orders of the day.* This is simply another way of saying, "Let's return to the agenda." If a member believes that the City Council has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Mayor discovers that the agenda has not been followed, the Mayor simply reminds the City Council to return to the agenda item properly before them. If the Mayor fails to do so, the Mayor's determination may be appealed.

*Withdraw a motion.* To withdraw a motion, the maker of the motion on the floor states, "I request that my motion be withdrawn." The motion to withdraw a motion requires a simple majority vote.

*PURPOSE OF THE RULE.* Debate and discussion should be focused, but free and open. In the interest of time, the Mayor may, however, limit the time allotted to speakers, including members of the City Council. A council member may continue speaking on a majority vote of the Council. The rules of order are meant to create an atmosphere where the members of the City Council and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Mayor and the members of the City Council to maintain common courtesy and decorum. Only one person at a time will have the floor and every speaker must be recognized by the Mayor before proceeding to speak.

**RULE NO 11. Meetings will end promptly at 10:00 pm on regular council nights unless a motion is made, seconded, and a majority vote in favor of extending the meeting time.**

**PROCEDURE:** When the meeting comes to 10:00 pm, the Mayor will ask for a stay in the discussion currently on the table and will ask if the meeting should be adjourned at that point or if a member of the city council would like to make a motion to extend the time. A motion in this manner will be addressed and heard like any other motion at the city council meeting. If no motion is made or if a majority of

members do not vote in favor of the motion to extend the meeting, the meeting will be deemed concluded and the Mayor will entertain a motion to adjourn.

**PURPOSE OF THE RULE:** Meetings should be informative, constructive, and concise. Repetitive discussion should be kept to a minimum as the business of the city takes center stage. Respect for the time of staff members and elected officials should be of the highest concern.

## **RESIDENTS' RIGHT TO BE HEARD:**

It is the Council's goal that residents of the City resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that residents may from time to time believe it is necessary to speak to City Council on matters of concern. Accordingly, the City Council expects any person presenting to the city council to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the Mayor.
- Public comments will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing or a member of the public is asked to speak on a matter by the mayor.
- Speakers must state their name for the record.
- Any resident requesting to speak shall limit him or herself to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes unless prior approval by the Mayor.
- If a representative is elected to speak for a group, the Mayor may approve an increased time allotment.
- Personal attacks made publicly toward any person or city employee are not allowed. Speakers are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the City's Personnel Policies.
- Any member of the public interrupting City Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing City Council, shall be deemed to have disrupted a public meeting and may be expelled from the meeting upon a two thirds vote of the City Council.

**RESOLUTION 18-1-1**

**APPOINTING A MEMBER TO THE ADMINISTRATIVE CONTROL BOARD OF  
THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT**

**WHEREAS**, Kaysville City, Utah is within the boundaries of the Wasatch Integrated Waste Management District, and desires to appoint a member to the Administrative Control Board of the District;

**WHEREAS**, the City Council, as the governing body of the City, is the “appointing authority” for such members of the Board under Section 17B-1-304, Utah Code; and

**WHEREAS**, all actions required by law in connection with the appointment made by this resolution have been taken, including all actions required under Title 17B, Chapter 1, Part 3, Utah Code Annotated 1953, as amended;

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

**SECTION I: Appointment of Board Member.** Mayor Katie Witt is hereby appointed by Kaysville City’s Governing Body as a member of the Board of the District. Such appointment shall be for a four-year term commencing on January 1, 2018 and ending December 31, 2021 or, if earlier, ending on the date of the resignation or removal of such individual as the member of the Board.

**SECTION II: Repealer.** All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

**SECTION III: Effective Date.** This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of Kaysville, Utah this **4th day of January, 2018.**

\_\_\_\_\_  
Katie Witt, Mayor

ATTEST:

\_\_\_\_\_  
Maria Devereux, City Recorder

RESOLUTION NO 18-1-3

A RESOLUTION AMENDING THE CITY’S NET METERING AND INTERCONNECTION AGREEMENT

**WHEREAS**, Kaysville City (The “City”) has adopted a Net Metering Policy to encourage and regulate the orderly establishment and maintenance of parallel renewable energy systems interconnected with the City’s existing electric distribution systems; and

**WHEREAS**, the City has a Net Metering and Interconnection Agreement for customers owning and operating a renewable energy system; and

**WHEREAS**, the Power Commission has made a recommendations to the Kaysville City Council to modify the City’s Net Metering and Interconnection Agreement; and

**WHEREAS**, the City finds it necessary to amend and replace the Agreement for new customers.

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

1. The Net Metering and Interconnection Agreement attached and incorporated by reference hereto as Exhibit “A” shall be the Agreement used to allow citizens to own and operate a renewable energy system.

APPROVED AND ADOPTED this 4<sup>th</sup> day of January, 2018.

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Katie Witt  
Mayor

ATTEST

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Maria Devereux  
City Recorder

## NET METERING AND INTERCONNECTION AGREEMENT

This Net Metering and Interconnection Agreement ("Agreement") is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the City of Kaysville, a municipal corporation and political subdivision of the State of Utah (the "City") and \_\_\_\_\_ ("Customer") located at \_\_\_\_\_ Kaysville, Utah 84037.

### RECITALS

**WHEREAS**, the City adopted the Net Metering Policy to encourage and regulate the orderly establishment and maintenance of parallel renewable energy systems interconnected with the City's existing electric distribution system; and

**WHEREAS**, pursuant to the City's Net Metering Policy, Customer wishes to establish, operate, and maintain a renewable energy net metering facility interconnected with the City's existing electric distribution system; and

**WHEREAS**, the City intends to credit the customer's total electric energy usage the portion supplied by the Customer's own renewable energy net metering facility;

NOW, THEREFORE, the parties mutually agree and covenant as follows:

1. **Renewable energy Net Metering Facility**: Customer's renewable energy net metering facility (the "facility") shall mean the generating facility described in Exhibit A attached hereto. The facility shall consist of a solar photovoltaic, wind generating, or other qualified energy generating facility that is located on the Customer's premises that is interconnected with and operates in parallel with the City's electric transmission and distribution facilities, and is intended primarily to offset part or all of the Customer's own electrical requirements. The design, installation and operation of the Facility shall comply in all aspects with the City's Net Metering Policy. Customer shall be responsible for the design, installation and operation of the Facility and for obtaining and maintaining all required permits and approvals related thereto. This Agreement is applicable only to the renewable energy net metering facility described in Exhibit A and Customer shall not make any modification to the Facility without prior written consent of the City.
2. **Term and Termination**: This agreement shall commence on the date established above and shall remain in effect until terminated by either party upon thirty days prior written notice, provided, however that this Agreement will terminate automatically upon:
  - a. Any change of ownership of customer;
  - b. Any change in ownership of the facility or the premises upon which the facility is located; or
  - c. Any change in the location of the facility.

3. **Definition of Net Energy:** “Net Energy” means the difference between electrical energy consumed by the Customer from the City’s electric distribution system and the electrical energy generated by the Customer and fed back into the City’s electric distribution system.
4. **Measurement of Net Energy:** A Customer’s generating facility used for net metering shall be equipped with metering equipment that can measure the flow of electricity in both directions. The City will install a meter capable of measuring bi-directional energy flow at the customer’s expense. The bi-directional metering equipment shall be used to provide information necessary to accurately bill or credit Customer and to collect electrical generating system performance information for research purposes.
5. **Purchase of Energy and Payment:**
  - a. The City shall measure the net energy delivered or consumed by the Customer during each billing period, in accordance with normal metering practices.
  - b. If the energy supplied by the City exceeds the electricity generated by the Customer during the billing period, or any portion thereof, then the Customer shall be billed for the energy supplied to Customer by the City’s electric distribution system together with the appropriate customer charge paid by other customers of the City in the same rate class.
  - c. If the customer’s electrical generating facility “GF” produces more kilowatt hours (kWh) than the customer consumes each month, the customer shall be credited or paid for all received kWh’s at the current residential solar rate each month.
  - d. Customer shall pay any amount owing for electric service provided by the City in accordance with applicable rates and policies. Nothing in this Section shall limit the City’s rights under applicable Rate Schedules, City Ordinances, Customer Service Policies, and General Provisions.
  - e. The customer will release to City all renewable energy credits “REC”, solar renewable-energy credits “S-REC”, or other renewable attributes as appropriate based on actual on-site electric generation from the renewable resource.
6. **Interconnection:** Customer shall provide the electrical interconnection on its side of the bi-directional metering equipment in accordance with the City’s Net Metering Policy. At the customers expense, the City may make such modifications to the City’s system as are reasonably necessary to accommodate the Facility in accordance with the City’s Net Metering Policy (at the Customers Expense). The cost for such modifications will shall be paid prior to construction. Customer shall ensure, at its own expense, that the facility includes all equipment necessary to meet applicable safety, power quality, and interconnection requirements

established by the City's Net Metering Policy, as may be amended from time to time by other applicable City policies and ordinances, by applicable state law, and by the National Electric Code, National Electric Safety Code, and the Institute of Electrical and Electrical Engineers and Underwriters Laboratories. Customer shall not commence parallel operation until the City has inspected the Facility, including all interconnection equipment and issued a written approval in accordance with the City's Net Metering Policy, which includes a stipulated start time.

7. **Disconnect Device:**

a. Customers generating facility produces 10 Kilowatts or less that are inverter based:

The Customer has the option to install, on its side of the bi-directional metering equipment a safety disconnect device capable of fully disconnecting and isolating the facility from the City's electric system. In the event that no disconnect switch is installed, the customer's electric service may be disconnected by the City entirely if the generating facility must be physically disconnected from the utility's distribution system. If the City determines that there is a problem on the bi-directional equipment or the City needs to test the equipment the City has the right to disconnect the entire service to the residence until such equipment is repaired and inspected and determined to be functioning properly. The meter base main breaker box or bi-directional safety disconnect must be marked with an approved engraved or metallic placard, that is red in color and attached in a secure manner. If at any time the placard is not legible or becomes loose or falls off the Customer will replace it within two weeks or the City may disconnect the service until it is repaired to the City's satisfaction.

b. Customers generating facility produces 11 - 15 Kilowatts:

An interconnection customer of the City must install and maintain a manual disconnect switch which will disconnect the generating facility from the utility's distribution system. The disconnect switch must be a lockable, load-break switch that plainly indicates whether it is in the open or closed position. The Disconnect switch must be readily accessible to the City at all times and located within 10 feet of the utility's meter.

i. Exemption:

The disconnect switch may be located more than 10 feet from the utility meter if permanent instructions are posted on a 5" x 7" plaque, that is red in color at the utility meter indicating the precise location of the disconnect switch. In this case Kaysville City must approve the location of the disconnect switch prior to the installation of the generating facility.

- a. Not to exceed 15KW in total capacity.
- b. The net metering agreement is between Kaysville City and the Kaysville City home owner. No third parties.

- c. All generating facilities, batteries and all types of storage devices must immediately disconnect from Kaysville City's distribution system upon any and all power outages on Kaysville City's distribution system (line Side).

- 8. **Operational Standards:** The Facility must be designed to operate within allowable operating standards for the City's electric distribution system. The facility must not adversely affect the quality or reliability of service provided to the City's other customers. The City shall have the right to periodically inspect the Facility.

Customers shall furnish, operate, and maintain in good order and repair, at Customers cost, all equipment required for the safe operation of the facility in parallel with the City's electric distribution system. This includes, but is not limited to equipment necessary to:

- a. Establish and maintain automatic synchronism with the City's electric distribution system;
- b. Automatically disconnect the facility from the City's electrical distribution system in the event of overload or outage of the City's electrical distribution system; and
- c. Customer must pay for and have a production meter installed to capture all of the kWh's produced by the customer's GF.

- 9. **Installation and Maintenance:** Except for the bi-directional meter owned by the City, all equipment on customer's side of the delivery point, including the disconnect device, shall be provided and maintained in satisfactory operating condition by Customer and shall remain the property and responsibility of the Customer. The City will bear no responsibility for the installation or maintenance of Customer's equipment or for any damage to property as a result of any failure or malfunction thereof. The City shall not be liable, directly or indirectly for permitting or continuing to allow the interconnection of the facility or for the acts or omissions of customer or the failure or malfunction of any equipment of Customer that caused loss or injury, including death, to any party.

- 10. **Indemnity and Liability:** Customer shall defend, hold harmless, and indemnify the City its directors, officers, employees, and agents against any and all loss, liability, damage, claim, cost, charge, demand or expense including any direct, indirect or consequential loss, liability, damage, claim, cost, charge, demand, or expense including attorney's fees for injury or death to persons, including employees of the City, and Customer and damage to property, including property of the City, Customer, or any other person, arising out of or in connection with:
  - (a) the engineering, design, construction, maintenance, repair, operation, supervision, inspection, testing, protection, or ownership of the facility; or,
  - (b) the making of placements, additions, betterment to, or reconstruction of the facility.

Customer's obligation to indemnify the City hereunder shall apply regardless of whether the City is alleged or determined to have contributed to or been concurrently, jointly, or independently negligent.

11. **Pre-Operation Inspection:** Prior to interconnection, the facility and associated interconnection equipment must be inspected and approved by the City and by any other governmental authority having jurisdiction.
12. **Access:** Authorized City employees shall have the right to enter upon customer's property at any time for the purpose of inspection and/or operating the disconnect device and meters and making additional tests concerning the operation and accuracy of the City's meters.
13. **Integration Clause:** This document constitutes the entire agreement between the parties and may not be amended except in writing, signed by the Parties.
14. **Assignment:** This agreement may not be assigned by customer in whole or in part without the prior written consent of the city, which consent may be granted or withheld at the City's sole and absolute discretion.
15. **Relationship of the Parties:** Nothing in the agreement shall be constructed to imply joint venture or partnership between the parties.
16. **Governing Law and Venue:** This agreement shall be construed according to the laws of the State of Utah. The parties agree that venue for all legal actions, unless they involve the cause of action with mandatory federal jurisdiction, shall be the Fifth District court for the State of Utah. The parties further agree that the Federal District Court for the district of Utah shall be the venue for the cause of action with mandatory federal jurisdiction.
17. **Notices:** All notices, demands, and requests required or permitted to be given under this Agreement (collectively the "Notices") must be in writing and must be delivered personally or by nationally recognized overnight courier or sent by United States certified mail, return receipt requested, postage prepaid and addressed to the Parties at their respective addresses set forth below, and the same shall be effective upon receipt if delivered personally or on the next business day if sent by overnight courier, or three (3) business days after deposit in the mail if mailed. The initial addresses of the Parties shall be:

To Customer:

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

(Name)  
(Address)  
(Address)  
( System size in KW)

To City:

Kaysville City  
Power Department  
721 West Old Mill Lane  
Kaysville, Utah 84037

Upon at least ten (10) ten days prior written notice to the other Party, either Party shall have the right to change its address to any other address within the United States.

18. **Counterparts:** This agreement may be executed in counterparts each of which shall be an original and shall constitute one of the same agreements.
19. **Attorney's Fees:** In the event of any action of suit by a party against the other Party for reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other Party arising out this Agreement, the prevailing Party in such action or suit shall be entitled to have and recover from the other party all costs and expenses incurred therein, including reasonable attorney's fees.
20. **Payment of Costs:** Provided Customer has not exercised its right to terminate this Agreement. Customer shall reimburse the City for Customers' share of costs under this agreement within thirty days of Customer's receipt of an invoice for such costs from City, which invoice shall contain reasonably satisfactory supporting documentation demonstrating that the work underlying such invoice has been performed and documentation demonstrating that the costs for which Customer is invoiced are the obligation of Customer pursuant to this Agreement.
21. **Counterparts:** This agreement may be signed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one instrument.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the day and year first above written.

**KAYSVILLE CITY**

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STATE OF UTAH                    )  
                                              : ss.  
COUNTY OF DAVIS            )

On the day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me Bruce Rigby, who being by me duly sworn did say, that he, the Resource and Service Manager of Kaysville City Corporation, that the foregoing Agreement was signed and executed in behalf of Kaysville City Corporation.

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Notary Public

**CUSTOMER**

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STATE OF UTAH                    )  
                                              ss,  
COUNTY OF DAVIS            )

On the\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me, \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed in the foregoing document and acknowledged before that he/she signed it voluntarily for its stated purpose.

---

Notary Public

**Kaysville City**  
**Net Metering Program**  
**Application for Interconnection Review**

*Please carefully read all of the following information. With the help of your installation Contractor, fully complete the form for Solar Electric Equipment, as well as Kaysville City Net Metering Agreement.*

**Building Permit Number:** \_\_\_\_\_

**Application Information:**

Customer Name: \_\_\_\_\_

Customer  
Address: \_\_\_\_\_  
\_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email: \_\_\_\_\_

**A: EQUIPMENT INFORMATION**

1. Solar Electric Module  
Manufacturer: \_\_\_\_\_

Module Model Number: \_\_\_\_\_

2. Power Rating per Module: \_\_\_\_\_ DC Watts Number of Modules: \_\_\_\_\_

3. Total Array Output: \_\_\_\_\_ DC Watts (No. of Modules x Power Rating)

4. Inverter Model Number: \_\_\_\_\_

5. Inverter's Continuous Ac Rating \_\_\_\_\_ AC Watts Number of Inverters: \_\_\_\_\_

6. Total Inverter Output: \_\_\_\_\_ AC Watts(Inverter Continuous AC Rating x Number of Inverters): \_\_\_\_\_

7. Inverters Continuous AC Rating x Number of Inverters): \_\_\_\_\_

## 2. EQUIPMENT LOCATION

1. Solar Electric Array Location: \_\_\_\_\_ Rooftop \_\_\_\_\_ Pole Mount or \_\_\_\_\_  
Ground Mount Location:
2. Solar Electric Module Orientation: \_\_\_\_\_ degrees (e.g, 180 degrees true South)
3. Solar Electric Module Tilt: \_\_\_\_\_ degrees (e.g., flat mount= 0 degrees; Vertical mount = 90 degrees)
4. Solar Electric Module Tracking: \_\_\_\_\_ Fixed \_\_\_\_\_ Single-axis \_\_\_\_\_  
Double-axis \_\_\_\_\_.
5. Inverter Location: \_\_\_\_\_ Indoor \_\_\_\_\_ Outside Location \_\_\_\_\_
6. Utility-Accessible AC Disconnect Switch Location:

\_\_\_\_\_

7. Production meter location noted on one line drawing (must be located outside near bi-directional meter)  
Yes \_\_\_\_\_ No \_\_\_\_\_
8. System Type and Mode Operation:  
\_\_\_\_\_ Utility interactive (parallel/capable of back feeding the meter)  
\_\_\_\_\_ Dedicated circuit, utility power as backup (transfer switch)  
\_\_\_\_\_ Stand-alone (system confined to an independent circuit, no utility backup)
9. A one- page site map and system single line must accompany this application. This document must indicate the location of the solar electric modules, the inverter, batteries (if any), lockable disconnect switch, and point of connection with the utility system. The installation address, current account number at that address, and the installer's name and telephone number must also be included on the site map.

Does this system include batteries or generator back up? \_\_\_\_ Yes \_\_\_\_ No  
If yes, there may be additional review required.

10. System rated output (Section A, line 3 above): \_\_\_\_\_ DC Watts

Total installed System cost: \$ \_\_\_\_\_ Estimated Start-up date. \_\_\_\_\_

\_\_\_\_\_  
Property Owners Signature

**“EXHIBIT A”**

**NET METERING AND INTERCONNECTION INFORMATION**

**SECTION 1 CUSTOMER INFORMATION**

Name:

Utility Customer Account Number (from the utility bill)

Mailing Address:

Physical Address: (if different from above)

Daytime Phone:

Evening Phone:

Email Address:

**SECTION 2 NET METERING FACILITY INFORMATION**

SYSTEM TYPE \_\_\_\_X\_\_\_\_ Solar (PV)

Generator Size (kW AC)

Inverter Manufacturer:

Inverter Model:

Inverter Serial Number:

Inverter Power Rating:

Inverter Location:

Signed:\_\_\_\_\_

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

## ORDINANCE 18-1-1

### **AN ORDINANCE AMENDING TITLE 10, CHAPTER 10-2, SECTION 10-2-3, REGARDING KAYSVILLE'S NET METERING PROGRAM; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Kaysville City Council adopted Ordinance 15-8-1 for the purpose of amending City Code 10-2-13 until further study could be done regarding Kaysville City's (the "City") Net Metering Program; and

**WHEREAS**, the City has concluded its study of the City's Net Metering Program; and

**WHEREAS**, the City has determined that its Net Metering Program could be improved by the amendments outlined below; and

**WHEREAS**, the City Council of Kaysville City finds it to be in the best interest of its citizens to make these amendments.

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

**SECTION I: Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION II: Enactment.** Title 10, Chapter 2, Section 13 shall be amended to read as follows:

#### **10-2-13 Net Metering Policy**

1. **Applicability.** The Net Metering Program is available to all residential customers located within the City's current electrical service territory who:
  - a. Purchase electricity from the City under the provisions of the residential electric rate service schedule; and
  - b. Own and operate generating facility (GF) a solar, wind, or other qualified renewable generator or generators located on the customer's premises that together:
    - i. Are primarily intended to offset part or all of the customer's own electrical requirements on the premises;
    - ii. Do not exceed 15 kW in total capacity;
    - iii. Are interconnected with Kaysville City's electric system through a production meter and a net meter (two meters); and
    - iv. Operate in parallel with the City's distribution system.
2. **Definitions.** As used in this section:
  - a. "Net Energy" is the difference between the electricity supplied by the City to the customer through the City's electric distribution system and the electricity generated on the customer's premises which is fed back into the City's electric distribution system.
  - b. "Net Metering" is a method of measuring the difference between the electricity supplied by the City to the customer through the City's electric distribution system and the electricity generated on the customer's premises which is fed back into the City's electric distribution system.

### 3. Special Conditions

- a. The customer shall pay for the net energy used in accordance with the following formula:
  - i. The customer shall pay for all electric energy delivered to the customer by Kaysville City Power and Light at the appropriate residential rate.
  - ii. If the energy generated by the customer and distributed or received back to the City's electric distribution system during the billing period, or any portion thereof, exceeds the energy supplied to the Customer by the City's electric distribution system then the customer shall be:
    1. Billed for the appropriate customer service charge as other customers of the City in the same rate class and any other fees and charges deemed appropriate by the City Council: and
    2. Credited or paid for any excess production received back into the City's distribution system at the rate specified in the residential solar (GF) rate schedule.
  - iii. If the customers generating facility produces more KWH's than the customer consumes each month, the customer will be paid for all energy received at the current residential solar rate each month.
  - iv. Customer shall pay any amount owing for electric service provided by the City in accordance with applicable rates and policies. Nothing in this section shall limit the City's rights under applicable Rate schedules, City ordinances, Customer service policies, any charges deemed appropriate by the City Council and general provisions.
  - v. In the event the customer terminates service, the customer will be paid for any credit balance according to the provisions set forth in Subsection (3)(a)(ii).
- b. The price for electric energy provided to a customer participating in the Net Metering Program shall be the price charged by the City under the provisions of the electric service schedule for which the customer receives service absent this electric Net Metering Program. All credited KWH's will be paid to the customer at the residential (GF) solar rate in place at that time.
- c. The Net Metering Program billing adjustment only applies to charges for energy. Participating customers are subject to all other charges, rates, terms and conditions of the electric service schedule under which the customer receives service except as expressly altered by this electric service Net Metering Program.
- d. The customer will release to the City all renewable energy credits (RECs), solar renewable-energy credits (S-RECs), or other renewable attributes as appropriate based on actual on-site electric generation from the Renewable Resource.
- e. The customer shall provide, at customer's own expense, all equipment necessary to meet applicable safety, power quality, and interconnection requirements established by the National Electric Code (NEC), the Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), and any applicable local and state agencies, including any equipment deemed necessary by the City's Power Department expressly to accommodate the customer's request to qualify for this electric service Net Metering Program. The customer must first obtain written approval from the City's Power Department before the customer's on-site generating system is energized or interconnected with the City's electric system.

- f. In order to participate in the City's Net Metering Program and to receive the benefits of this Program. The customer must first sign a Net Metering Program Interconnection and Service Agreement with the City. The Interconnection and Service Agreement allows the customer to interconnect and operate in parallel with the City's distribution system and allows the City to test and inspect the customer's system periodically to ensure the safety of electrical workers and the integrity of the City's electric distribution system. The Interconnection and Service Agreement will contain additional terms and conditions for service under this electric service Net Metering Program, including specific terms of interconnection and parallel operation with the City's electrical System.
  - g. The Net Metering Program may be adjusted or discontinued by the Kaysville City Council for any reason, at any time, without any obligation to existing participants.
  - h. The Net Metering Agreement and Net Meter policy is between Kaysville City and the Kaysville City home owner. Third party agreements are expressly prohibited.
  - i. The Customers (GF) shall not back feed onto Kaysville City's distribution system in the event of a power outage on Kaysville City's distribution system. This includes all (GF's), batteries and any type of fuel cell or storage system.
- 4. The City shall have the right to inspect a customer's generating facility after interconnection approval is granted, at reasonable hours and with reasonable prior notice to the customer. If the City discovers that the customer's generating facility is not in compliance with the requirements of this policy, or that the customer's facility adversely affects the safety or reliability of the electric distribution system, the City may require the customer to disconnect the customer's generating facility until compliance is achieved.
  - 5. The City shall have the right to disconnect the customer's generating facility in the event it causes problems. The customer will have the option of correcting the problem, at which time the system will be re-inspected before beginning operation again. The customer shall be required to install a manual disconnect device as stated in the Net Metering Interconnection and Service Agreement. The disconnect shall be readily accessible to City authorized personnel.
  - 6. The customer shall be responsible for any damage caused by the customer's generating facility to the City's system and/or neighboring services. The customer shall be responsible for the installation and maintenance of applicable protection equipment and for any damage caused by improper application, maintenance or faulty equipment. Kaysville City shall not be liable directly or indirectly for permitting or continuing to allow an attachment or a Net Metering facility, or for the acts or omissions of the customer's generator that cause loss or injury, including death, to any third party.

**SECTION III: Severability.** If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

**SECTION IV: Effective Date.** This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

**PASSED AND ADOPTED by the City Council of Kaysville, Utah, this 4<sup>th</sup> day of January, 2018.**

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Katie Witt, Mayor

ATTEST:

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, Maria Devereux, City Recorder

APPROVED AS TO FORM:

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Nicholas C. Mills, City Attorney

# KAYSVILLE CITY

Position: Substation Technician

Effective Date: \_\_\_\_\_

Department: Power

Status: Non-Exempt

## Position Summary

Under general supervision of the Operations Supervisor, performs work in the operation, construction and maintenance of the substations, and other electric department and city facilities associated with the transmission, distribution and control of electricity.

## Tools and Equipment

Personal computer word processing, spreadsheet and specialized software and other equipment pertaining to this position.

Working knowledge of testing equipment associated with substation testing and maintenance.

Ability to operate equipment associated with substation construction and maintenance.

## Typical Duties

1. Operates and maintains substations; tests oil from circuit breakers, voltage regulators, and transformers; checks, operates, and maintains mechanical and electrical parts in circuit breakers, voltage regulators, control panels and transformers; operates and maintains substation controls and alarm points; and performs new wiring of substations. Keeps accurate logs on all substations and relying.
2. Participates and assists in primary substation voltage switching procedures during planned and emergency repairs and outages. Performs load balancing and prepares possible solutions for load balancing. Prepares reports concerning load transfers to balance substation load.
3. Responsible for all safety aspects required by the nature of the position and job requirements. Must keep safety first and foremost in and during the process of all projects for the safety of citizens and personnel that enter or are in proximity to work being performed by this person or crew.
4. Provides regular operation and maintenance of power equipment, repairs electrical wiring on power equipment, and checks and repairs control systems. Replaces equipment as needed.
5. Installs, maintains, and repairs motors, controls, and electrical equipment, including batteries, reclosures, circuit breakers, transformer, timers, bypass switches, regulators, metering, and load tap changers.
6. Reads and records findings from voltmeters and charts in substations.

7. Reads, records, and calculates readings of watt-hour meters, VAR meters, and counters.
8. Assists in substation construction.
9. Assists as directed with special projects, including design work and monitoring of such programs as batteries, and yard lighting.
10. Assists in budget preparations and monitoring, and makes budget recommendations.
11. Performs other duties as assigned.

#### Minimum Qualifications

1. Education and Experience:

- A. High school diploma or equivalent.
- B. Successful completion of an applicable four (4) year substation apprenticeship program required.
- C. Graduation from a Substation Apprenticeship program certified by the Department of Labor, Bureau of Apprentice and Training and certification as a Journey Substation Technician through an accredited program such as IBEW or IPSA.
- D. Experience as a Substation Technician.

2. Necessary Knowledge, Skills, and Abilities:

Knowledge of:

- A. Modern methods and techniques of electrical installation and facility operations, repair, and maintenance.
- B. Applicable local, state, and federal regulations.
- C. Electrical supplies and equipment and their use.
- D. Proper safety techniques and procedures.
- E. Electronics and substation techniques.
- F. Working knowledge and understanding of current OSHA, NESC, and NEC rules and regulations.
- G. Requires working knowledge of electrical theory, operation, maintenance and installation of transmission, distribution lines and equipment.

Skills:

- A. Operation of mechanical equipment associated with various responsibilities of this position.
- B. Calculations, problem identification, and resolution; skill in using computer systems.

Ability to:

- A. Read and modify relay drawings and electrical schematics.
- B. Communicate effectively, both verbally and in writing.
- C. Use personal computer, including word processing, spreadsheet, and specialized software.
- D. Create effective working relationships with employees, public and communicate effectively both verbally and in writing.

### Special Requirements

1. Must have valid Commercial Driver's License. A valid Utah Commercial Driver License must be obtained within 60 days of hire and be maintained throughout employment.
2. Must have Substation Technician certificate.
3. Employees in this classification are required to be on standby and/or respond to emergencies.

### Physical Requirements

Lifting: Medium to heavy

Repetitive: Sitting, walking, talking, or hearing; using hands to finger, handle, feel or operate objects, tools, or controls; and reaching with hands and arms.

Outside working conditions: Exposure to a variety of climatic or weather conditions. Subject to high voltage electrical currents, heights, temperatures extremes, fumes or airborne particles, traffic or caustic chemicals, risk of electrical shock, and vibration.



## City Council Work Session Staff Report

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### Advanced Meter Infrastructure January 4, 2018

#### Description:

The proposed Advanced Meter Infrastructure (AMI) replaces our existing Automatic Meter Reading (AMR) System with AMI meters, server and software. AMI is capable of two-way communication and measuring cumulative, daily and peak kWh usage, voltage profiles, and voltage lag in addition to recording time of use and peak kWh use. All of this data and more will be available real-time to support not just billing needs but also planning operations, customer service, outage management and remote disconnects. This AMI project would enable the City to meet the needs of the new rate structure.

In addition to power AMI systems, Council asked staff to evaluate the feasibility of joining Power and water AMI into one single Water/Power AMI system.

#### Recommendation:

It is staff's recommendation to continue using the Neptune AMI system for water and award the AMI RFP to Eaton. Final pricing will need to be negotiated but the base price for the AMI system is \$243,404. The cost of the meters will be \$1.3M and will be spread out over 2 years.

|                        | Eaton     | Landis+Gyr |
|------------------------|-----------|------------|
| Software/Hardware      | \$243,404 | \$231,101  |
| Total reoccurring cost | \$8,700   | \$17,240   |

|                |             |              |
|----------------|-------------|--------------|
| Meter Cost     | \$1,301,562 | \$1,494,578  |
| Fault Locators | \$38,000    | Not included |

#### Reasoning:

Over the course of the last year and a half, staff has been evaluating AMI solutions from several vendors. Landis & Gyr, Elster, Eaton and Senses. Eaton and associated Yukon software is hardware agnostic. Allowing the City to be more flexible with the choice of meters and other peripheral hardware. The Public Works department has a large investment via time and materials in Neptune. Neptune Meters meets their requirements and provides a quality product.



## City Council Work Session Staff Report

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### Substation Fiber Optic Project January 4, 2018

#### Description:

The proposed fiber optic project connects all 4 power substations via fiber in a ring configuration back to the City server room housed at the Police Station. The ring will consist of 48 strands, 6 of which will be used to make a redundant connection back to the server room where a VLAN is setup to route network traffic for the Power Department's use.

#### Recommendation:

It is staff recommendation to award the project to Connex. Connex will provide maintenance, support, repair, location services and a 1GB internet connection to the city in exchange for the use of 12 separate strands for its own private network. The 1GB internet connection will cost \$200 per month to the city. Connex will install the fiber for \$433,154.

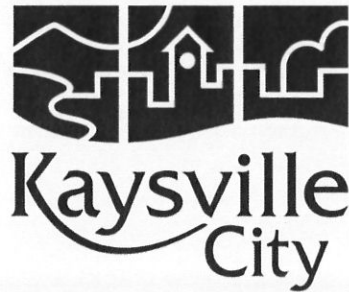
| Vendor        | Ring Construction | 1Gbps ISP |
|---------------|-------------------|-----------|
| Beehive       | \$461,141         | \$0       |
| First Digital | \$400,000         | \$2,000   |
| Connex        | \$433,147         | \$200     |
| Utopia        | \$733,412         | \$1,300   |

#### Reasoning:

This Project RFP had 4 total respondents. Beehive Broadband, First Digital, Utopia and Connex. The RFP's were evaluated base on overall cost, fiber ownership, and services provided.

The fiber will be used to provide data service to critical infrastructure at each substation. The improved data access via fiber will support security services, access control, video cameras, employee network access, UAMPs meter reporting and some of the Advanced Meter Infrastructure. Future uses of the remaining fiber will be to connect parks with hotspots, public works facilities and provide high-speed network connectivity for employees.





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## **2018 Impact Fee Facilities Plan and Impact Fee Analysis City Council Work Item January 4, 2018**

The FY 2018 Budget Work Plan includes an update to the Impact Fee Facilities Plan (IFFP) and an Impact Fee Analysis (IFA) for the following facilities: Water, Electrical, Public Safety, Roadway and Parks and Recreation.

### **Impact Fee Facilities Plan**

The IFFP identifies the capital projects that qualify to be funded or partially funded by the collection of impact fees.

According to the Impact Fees Act (UC 11-36a-302), Kaysville City must prepare an Impact Fee Facilities Plan before Impact Fees can be imposed. The IFFP must identify the following elements:

- Existing and Proposed Level of Service.
- Excess Capacity which could be used to accommodate new growth.
- Demands placed on existing public facilities by new development activity.
- The proposed means by which the demands will be met.

### **Impact Fee Analysis**

The IFA determines the appropriate amount of impact fees to be charged by establishing an Impact Fee Schedule and formulas for calculating Impact Fees based on the impact of new development.

The IFFP and the IFA not only need to be accurate but defensible.

## **Professional Services**

Staff recommends that the 2018 Impact Fee Plans and Impact Fee Analysis be completed by professional consulting services by updating the 2012 Plans and Analysis of the work and expertise previously provided.

| <b>Scope &amp; Division of Work</b> |                    |            |
|-------------------------------------|--------------------|------------|
| <b>Component</b>                    | <b>IFFP</b>        | <b>IFA</b> |
| Water                               | JUB Engineers      | LYRB       |
| Roadway                             | Horrocks Engineers | LYRB       |
| Parks and Recreation                | LYRB               | LYRB       |
| Public Safety                       | LYRB               | LYRB       |
| Power                               | To Be Determined   | LYRB       |

## **Costs**

We have requested proposals for professional services as follows:

### **JUB Engineers                      \$29,600**

This proposal includes additional services including the updating of the water model and the preparation of a Capital Facilities Plan in addition to the IFFP.

### **Horrocks Engineers                \$30,254**

This proposal includes additional services including the preparation of a Capital Facilities Plan in addition to the IFFP.

### **Lewis, Young, Robertson and Burningham                      \$37,950**

This proposal includes an IFFP for Parks and Recreation and the IFA for all components.

- Power IFFP – to be determined