



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, May 2, 2019, starting at 7:00 p.m. in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, UT. A Municipal Building Authority Board Meeting will be held at 8:00 p.m. or as soon thereafter as the City Council Meeting adjourns.

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

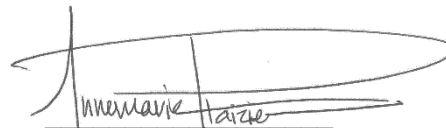
1. OPENING
 - a. Provided by Mayor Katie Witt.
2. RECOGNITIONS AND PRESENTATIONS
 - a. Wasatch Integrated Presentation – Nathan Rich, Director.
3. DECLARATION OF ANY CONFLICTS OF INTEREST
4. CONSENT ITEMS
 - a. Minutes from the April 10, 2019, April 18, 2019, and April 19, 2019 meetings.
 - b. Award of bid for Salt and Miscellaneous Storage Structure.
 - c. Award of bid for Shepard Lane Curb, Sidewalk and Paving Project. (Tabled Item)
 - d. Acceptance of Improvements for Hill Farms Phase 6 Subdivision.
5. ACTION ITEMS
 - a. A Resolution of the City Council of Kaysville City, Utah Authorizing and Approving the Execution and Delivery of a Master Lease Agreement by and between the City and the Municipal Building Authority of Kaysville City, Utah (The “Authority”), and a Ground Lease Agreement; Authorizing the Issuance and Sale by the Authority of its Lease Revenue Bonds, Series 2019, in the Aggregate Principal Amount of Not More Than \$4,300,000; Authorizing and Approving the Execution and Delivery by the Authority of a General Indenture of Trust and First Supplemental Indenture of Trust, Bond Purchase Agreement, Certain Security Documents, and Other Documents Required in Connection Therewith; Authorizing the Taking of All Other Actions Necessary to the Consummation of the Transaction Contemplated by this Resolution; and Related Matters.
 - b. Adoption of the Tentative Budgets for Fiscal Year 2019.
 - c. Amendment of Chapter 17-26, Home Occupations, of Title 17, Planning and Zoning, of the Revised Ordinances of Kaysville City.
 - d. Amendment of Chapter 9-4, Water, and Chapter 9-6, Pressure Irrigation, of Title 9, Public Works, and Chapter 18-3, Pressure Irrigation Water, of Title 18, Building Regulations and Chapter 19-9 Subdivision Improvements Required, of Title 19 Subdivision, of the Revised Ordinances of Kaysville City.

6. WORK ITEMS
 - a. Budget Discussion.
7. CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
8. COUNCIL MEMBER REPORTS
9. CITY MANAGER REPORT
10. ADJOURNMENT

MUNICIPAL BUILDING AUTHORITY BOARD MEETING – 8:00 PM

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 April 26, 2019.

A handwritten signature in dark ink, appearing to read "Annemarie Plaizier", is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

Annemarie Plaizier
City Recorder



**KAYSVILLE CITY
MUNICIPAL BUILDING AUTHORITY BOARD
NOTICE OF SPECIAL MEETING AND AGENDA**

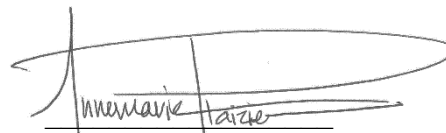
NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Kaysville City, Utah (the "Authority") will be held on Thursday, May 2, 2019 at 8:00 p.m. or as soon thereafter as the City Council Meeting adjourns, in the Council Room of the Kaysville City Municipal Center, 23 East Center Street, Kaysville, for the purpose of authorizing the issuance and sale of the Authority's Lease Revenue Bonds, Series 2019, in a total principal amount of not more than \$4,300,000 and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

The agenda shall be as follows:

1. Opening.
2. A Resolution of the Municipal Building Authority of Kaysville City, Utah (the "Authority") authorizing the issuance and sale of not more than \$4,300,000 aggregate principal amount of Lease Revenue Bonds, Series 2019 (the "Series 2019 Bonds"); delegating to certain officers of the authority the ability to approve the final terms and provisions of the Series 2019 Bonds within the parameters set forth herein; fixing the maximum aggregate principal amount of the Series 2019 Bonds, the maximum number of years over which the Series 2019 Bonds may mature, the maximum interest rate which the Series 2019 Bonds may bear, and the maximum discount from par at which the Series 2019 Bonds may be sold; calling a Public Hearing; providing for the publication of a Notice of Public Hearing and bonds to be issued; providing for the running of a contest period; authorizing and approving the execution by the authority of a general indenture of trust, first supplemental indenture of trust, bond purchase agreement, master lease agreement, security documents, ground lease, and other documents necessary for the issuance of the Series 2019 Bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and related matters.
3. Other Building Authority business.
4. Adjournment.

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I hereby certify that I posted a copy of the foregoing Notice and Agenda at City Hall and emailed copies to media representatives on April 26, 2019.


Annemarie Plaizier
City Recorder



KAYSVILLE CITY COUNCIL

April 10, 2019

Minutes of a special Kaysville City Council held April 10, 2019 at 5:30 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Katie Witt, Council Member Dave Adams, Council Member Larry Page, Council Member Jake Garn, Council Member Michelle Barber, and Council Member Stroh DeCaire

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Deputy City Recorder Maria Devereux, Kelleen Potter, Vickie Samuelson, Emily Walsh, Lori Schiess, Susan Lee, Camille Galbraith, H. Lynn Galbraith, Brian McKenzie, Stephen Lyon, Calene Van Noy, Nettie Francis, Rebecca Howard, Dell Hanks, Charles VanBose, Randi VanBose, Lee Perry, John Madsen, Ryan Madsen, Ariel Defay, Stephen Howard, Emily Walsh, Kory Holdaway, Josh Daniels

RANKED CHOICE VOTING DISCUSSION

Mayor Witt explained that the Council was meeting tonight to discuss ranked choice voting. Kory Holdaway and Brian McKenzie were present tonight to give the Council some insights into the ranked choice voting program.

Kory Holdaway explained that he had become acquainted with ranked choice voting when serving in the Utah Legislature. There is nothing more important or sacred than to be able to have an election and the right to vote. It gives us the ability to choose who our leaders are and have input in the elections by voting. There is nothing more important to the republic. We have seen a decline in voter participation over the years to the point that people have become apathetic and feel that their vote doesn't count. Ranked choice voting is a way to reenergize elections by giving voters a greater voice and chance to participate in our republic, because without that participation our republic dies. In 2018, House Bill 35 was introduced, proposing a municipal alternate voting methods pilot program. This pilot program permits a municipality to conduct nonpartisan races using instant runoff voting, or ranked choice voting. It established an opt-in process and also established requirements and procedures of the program, including counting of votes, recounts, resolution of ties, and canvassing. This pilot program runs until January 1, 2026. There was an overwhelming support for this program in the house and senate. As we get more feedback and support of other cities, it will help in trying to get this program to become a statewide election choice as well. In 2019 the House Bill 277 was approved, making amendments to the previously approved House Bill. The benefits of ranked choice voting is that it brings greater voter engagement and participation. Issues become the focus, voters become more informed and they only have to go to the polls once. Candidates also only have to campaign for one election. Candidates seek to be first choice, but if not then second choice and therefore there are more civil campaigns with ranked choice voting. There is also a cost savings to municipalities because you eliminate the cost of an entire elections. In the ballot there are single-winner and multi-winner

contests presented in the same ballot format and voters rank their choices in order of preference. There are visual and written instructions to help voters better understand the ballot. If a candidate receives more than 50% of the first choice votes, the candidate is elected. If there is not a majority, the candidate with the lowest vote is and the next choice on the voter's ballots are counted. In 2011, there was only 12% of voters at the Primary Election and 28% of voters for the General Election. Even by 2017 only 36% of voters are coming to the Primary Election, and 45% to the General. There are not enough voters coming to the ballot box. We saw a slight increase in 2015 in Kaysville because that is when the city starting doing mail-in ballots, however there is still not enough people voting. There are some challenges implementing ranked choice voting because we have not done this here in Utah before. But the challenges aren't going to be difficult to overcome. Davis County has the right equipment to be able to use the ranked choice voting method, but they don't have the right software module for it. Obtaining that module will only be a one-time cost. The recommended system is from ES&S, which is what is currently being used in Maine. Mail-in votes could still occur with ranked choice voting, and voters will have more time to review the issue-oriented campaigns. Ranked choice voting has been used in numerous places across the country. It will save in costs because it eliminates the need for primary elections. Voter education campaigns can be scaled to meet the municipality. Some of those campaigns might include inserts in city utility bills, public presentations, and spreading the information by social media.

Josh Daniels, the Chief Deputy Clerk for Utah County, said that they have a city interested in participating in ranked choice voting, and they will be implementing voter outreach education projects to help the citizens in that city learn more about what ranked choice voting is and how it works.

Council Member Barber asked how the ranked choice voting would work if there are multiple seats open during an election.

Josh Daniels responded that you would be electing multiple winners in sequence of the highest numbers each candidate received.

Brian McKenzie, the Chief Deputy Clerk for Davis County, stated that Kaysville had already approved an interlocal agreement with them for the 2019 election, but if the city decided to pursue the ranked choice voting method that agreement would become null because the County isn't able to provide the services for that type of voting method at this time. Cities who wish to participate in the ranked choice voting pilot project have to provide a letter to the Lieutenant Governor's office by April 15th stating that the city has the resources and capability necessary to participate in the pilot project. As Kaysville City's service provider, Davis County cannot provide that surety for a few reasons. The County purchased new voting equipment from Election Systems & Software (ES&S) last year to provide municipalities better mail-in election voting services. However, they did not purchase the software needed for ranked choice voting. That software can be purchased for \$10,000, but as far as the County knows the software does not work for multi-winner races, such as Kaysville's City Council Election that will be held this year for multiple seats. The software has also not been independently tested and is not currently certified. Mr. McKenzie stated that he spoke with ES&S before the meeting about where they were at in regards to the software being able to handle multi-winner races and was told that they anticipated having the software ready and certified by this upcoming fall. The County feels that it would be completely

irresponsible of them to use a non-certified software in tabulating election results. In this previous Legislative session, legislation was passed which allows municipalities to use non-certified software with election equipment, but the County still feels it unwise to do so. The County feels that ranked choice voting will bring confusing and delayed election results. It has been stated tonight that with ranked choice voting, results are not announced for at least two weeks until all of the ballots are received, including overseas and provisional ballots. The County also has concerns about the auditability of election results as well. Currently with elections, the County will audit their equipment to ensure accuracy both before and after the election, to make sure it is tabulating correctly. We don't know how that will work with ranked choice voting because ballots would have multiple ranks and we would have to identify which vote actually counted. The County is also concerned about voter confusion and potential disenfranchisement of voters. Ranked choice voting is a brand new concept. The County realizes with sufficient funding and outreach we can help people understand how ranked choice voting works and we can probably overcome much of the confusion. But our concern is that the voting method will not be consistent every year. As Election Officials we have worked diligently to make elections as consistent as possible. Our citizens in Davis County know that every election they will receive a ballot three weeks before an election, they know where they can go to vote, and they know how to vote on their ballot for their candidate. There is concern about going back and forth between voting method every other year. It will generate ongoing confusion. As we look at ballots and instructions, we know that the more complex a ballot is and the more detailed the instructions are, the more difficult it is for voters to vote who suffer from any kind of cognitive disability or limitations, as well as our voters for whom English is their second language. We need to make sure those ballots are as simple as possible for everyone to be able to understand. Because of all of these reasons, Davis County cannot provide their services for a ranked choice voting method.

Mayor Witt asked for public comment.

Lynn Galbraith stated that there wasn't much notice to the public about tonight's meeting. The city has until April 15th to make a decision on this and it is a major change to the way we will vote. There needs to be more time to think about this and there needs to be more notice and discussion with the citizens of Kaysville. This kind of decision should be made by the citizens by being put on a ballot. Let the citizen's vote the way they've always voted.

Emily Walsh commented that she is a voting rights advocate in Davis County as well as in Utah. She is very familiar with ranked choice voting and feel comfortable with it. The City Council has the largest impact on the citizen's day-to-day lives and this is an important decision they will be making. Ranked choice voting is fair and is representative of our community. However, there are still some questions that need to be answered and resolved before ranked choice voting should be implemented, such as making sure the software is certified. Ms. Walsh added her thanks to the Council for considering this voting method.

Susan Lee stated that there should have been more notice to the public about tonight's meeting. Voters today are familiar with how to vote and what the consequences will be of their vote. There is still a lot of uncertainty with ranked choice voting. It is more complicated and harder to understand, it can be more expensive, and the candidate who ends up with the most votes might not always win. Also, if someone doesn't fill out their ballot completely it's like they are tossing

out votes. If you participate, your vote should count. Why are we trying to change a voting system that already works and everyone is familiar with? We shouldn't change our methods based on the minority group.

Randi VonBose commented that there is an option for cities to opt-out of the ranked choice voting. If the city decides originally to go with the ranked choice voting program, but then changes their mind later, would the city still be able to opt out then? Mrs. VanBose thanked Mr. Holdaway and Mr. McKenzie for coming to speak tonight. The County has done a phenomenal job with elections and has put a lot of work into it, and they have brilliant minds working there who will be able to figure this out. Mrs. VonBose said that she feels that we've reached a crossroads in politics. We are not the same society we were even thirty years ago. Society is more complicated and we need to start looking for changes that will keep the government from becoming a bureaucracy. Citizens can wait two weeks for election results and we shouldn't put off considering ranked choice voting just because of the complications of it.

Charles VanBose commented that he feels that our politics is broken. Things need to change and ranked choice voting is an excellent first step. If we don't change we will be stuck where we are now. We should be proud to be one of the cities to take the first step in that direction.

Mayor Witt thanked the members of the public for their comments and commented that it is good to be able to have a chance to discuss this. However, the City Council has a policy that items to be voted on be discussed in two separate Council meetings before a vote is taken. First it is reviewed as a work item, then second as an action item. This the first time we have discussed this in a meeting and there is not enough time to hold another Council meeting before April 15th. While it's possible, voting on this tonight would likely upset the residents and make them feels we are trying to do something unethical. Mayor Witt stated that she does not feel that there has been adequate time and discussion with the public, and wouldn't feel comfortable voting in favor of this. This is a very busy year for the city and a big election year. It doesn't seem fair to anyone to opt in to the ranked voice voting method this year. If we want to see this succeed, we should consider it under the best possible circumstance and have our best efforts behind it. There are still some big concerns that need to be addressed. Ranked choice voting is worth considering no matter what, but this might not be the best year to try to implement it.

Kory Holdaway commented that citizens will need to support the ranked choice voting concept or it defeats the whole purpose of voter participation.

Council Member DeCaire said that he had done a lot of research into this type of voting and feels that ranked choice voting could be a good thing, but it hasn't been vetted or deployed here in Utah yet. It's still in a conceptual stage and to vote to approve it now would be an egregious error. This has not been brought before the public yet and we need further input from the residents. Kaysville is a very politicized city and we need more time to do the research needed to make an educated decision.

Council Member Page commented that when he ran for City Council three and a half years ago he felt that the city didn't have enough transparency. The city and the Council have worked hard to change that and build confidence with the residents. We have tried to reach out to the citizens with

issues and get their involvement. If we were to approve this decision now, it would likely create more distrust from our citizens. More research needs to be done to find out all of the issues that might occur through this new voting method. We don't need to jump into this right away.

Kory Holdaway said that the pilot program runs through 2026, and this is the first year the program has started. It could be something that the city might consider in the year 2021 as the program is further explored. Mr. Holdaway suggested that the city put together a committee to gather input from citizens.

Council Member Garn commented that he likes the conceptual idea of ranked choice voting and feels that the city should explore it. It seems to have several advantages, but there are too many unknowns that could get us into trouble. We don't have to make a decision tonight.

Council Member Barber stated that she had taken a lot of interest in ranked choice voting and feels the same as others with the frustration of the current voting process. She is very familiar with it and has seen this process work. Anytime we are given an opportunity to improve the process and empower voters we should take advantage of it. Council Member Barber thanked those who came tonight to discuss this, and she feels very motivated by the interest mentioned tonight. The pilot program seems like the right thing to do. There still isn't a lot of data about the program and there is more testing to be done, but how will we find out those answers without participating in the program? This is a great opportunity that the city could be part of, but Council Member Barber stated that she also understands it would be beneficial to give our citizens time to vet this process.

Council Member Adams said that Maine is in the midst of some legal battles regarding ranked choice voting. There are concerns with anything new, but as someone who represents the citizens he agrees with some of the comments that have been shared against ranked choice voting. Council Member Adams said that he would be in support of putting this item on a ballot to let the voters decide. This decision could affect something that is part of the core of who we are as Americans. This needs to be something that the citizens are able to have more of a say in.

Council Member DeCaire said that he is a proponent for ranked choice voting and feels that it could be successfully executed. However we need to give the people a chance to have a say in this decision. The last thing Kaysville needs is to be the epicenter of an election fiasco and deal with the fallout from that. Council Member Adams asked if there was time to put this as an item on this year's ballot.

Brian McKenzie responded that potentially it could be.

Mayor Witt commented that she appreciated the information that has been presented tonight and looks forward to continuing this discussion moving forward.

Mayor Witt adjourned the meeting at 6:35 p.m.

KAYSVILLE CITY COUNCIL

April 18, 2019

Minutes of a regular Kaysville City Council held April 18, 2019 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Katie Witt, Council Member Dave Adams, Council Member Larry Page, Council Member Jake Garn, Council Member Michelle Barber, and Council Member Stroh DeCaire

Others Present: City Manager Shayne Scott, City Attorney Nic Mills, City Recorder Annemarie Plaizier, Public Works Director Josh Belnap, Brett Tarbox, Andre Lortz, Ramona Porter, Carole Walker, Gloria Lopez, Hector Lopez, M. Cristina Cornejo, Fernando Cornejo, Nicole Gadd, Hailey Gadd, Cannon Gadd, Ashley Adams, Joshua Adams, Aaron Shupe, Todd Smith, David Burningham, Dan Udy, Paul Erickson, Karen Erickson, Dean Wall, Amy Jarman, Michael Arveseth, Eric Isom, Richard Proctor

OPENING

Opening provided by Council Member Garn.

RECOGNITIONS AND PRESENTATIONS

PHOTO CONTEST WINNERS

Mayor Witt thanked those who participated in the photo contest and presented the winners with their awards. Mayor Witt explained that there six winners overall within three different categories.

PROCLAMATION DECLARING APRIL 27, 2019 AS ARBOR DAY

Mayor Witt read a proclamation declaring April 27, 2019 as Arbor Day and urged citizens to support efforts to protect our trees and woodlands, and to support our urban forestry program.

UPDATE ON FIBER OPTICS IN KAYSVILLE

Brett Tarbox explained that he is a resident of Kaysville and works in Information Technology. He was part of the city's Technical Advisory Committee to discuss the city getting fiber to the premises of homes and businesses. A Fiber Internet Feasibility Study is in the process of being completed by the consulting firm. The Technical Advisory Committee met with the consultant and went over some of the initial results of the survey. The response was very good for a mail-in survey. Of the residential response, more than 80% are interested in gigabit fiber internet and they feel that the city should help facilitate better internet. It would be very feasible to do internet in Kaysville, but the question is how to do it. There are a few options for the city, but the two most common models include a subscriber model and a utility model. In a subscriber model, those who

subscribe would pay for the fiber. Having less people subscribed means that the subscribers will end up paying more for the internet. The subscriber model has a high financial risk to the city. The city could probably pursue this model with just an approval by the City Council. The downside is that the success of the project would depend entirely on the percentage of people who subscribe to it. In the utility model everybody will pay something, but they will pay less for internet than in the subscriber model. The financial risk to the city is low in the utility model and it seems to be the better way to go because everyone wins. However, with the utility model we need more consensus from the citizens. Therefore it would most likely need to go to the ballot or a vote of the citizens, which by itself comes with its own risk. The telecoms will invest heavily to try to make sure that a vote for fiber to the home fails a citizen vote. Once fiber to the home is on the ballot, the city cannot sponsor any campaigns which means the push to support it would have to come from the citizens. The Technical Advisory Committee hopes to have the final results of the study from the consultant around the first of May. They would then like to hold another Open House so that the full report will be ready for the Public to review.

Andre Lortz said he is also a resident of Kaysville and also served on the Technical Advisory Committee. This fiber project would have Kaysville facilitate the fiber infrastructure to allow internet service providers to deliver better internet services to Kaysville. Many people believe that free market forces should be allowed to provide internet services to homes. The problem with this reasoning is it ignores the fact that by requiring various providers to install separate connections to homes customers, homeowners will ultimately end up paying multiple times for those installations. This is the primary reason why fiber to the home has not been installed already throughout our city. Companies are not willing to spend the capital without knowing they will get paid upfront for installation costs. So residents are left obtaining services from an unregulated monopoly provider, which is the highest long-term cost to the homeowner, with the lowest customer service levels. Many homes throughout Kaysville have only one broadband option. Those who do have more than one option find that each option has disappointing limitations. Having the city and the homeowners own the fiber network throughout the city allows the city and homeowners to be in complete control over the services provided to them, and can allow for true competition in broadband services to all homes within the city. It would be in the best interest of Kaysville homeowners to own the fiber network. In the utility model, the fiber network is treated like a utility for every home. The subscriber model is a partnership where people opt into the program to share the cost of the infrastructure. There is a third model, the outsource model, or a private company model. The biggest risk in a utility model is the total cost of project. The biggest risks in the other two models are total cost, as well as take-rate, or how many homes will sign up for connection. The most difficult obstacle in the utility model is the inclusion of all homes and businesses to participate in the infrastructure costs, even if they don't have any interest in using the internet services. The estimates of installing the fiber infrastructure throughout the city currently range from 15-30 million dollars. A tighter cost estimate will not be known until a formal engineering study is performed to identify the specifics of the project. There are three components of the cost: the cost for the infrastructure, the cost to operate the infrastructure, and the actual internet service cost. Currently internet services are not taxed. We can learn from other communities, such as Ammon, Idaho, who have created truly open competitive fiber infrastructures. Another concern that has been heard relates to the higher than estimated costs in fiber projects. Fiber infrastructure to the home will play a much bigger role in the future. Internet services will only increase, making fiber infrastructure more vital. In the future, homeowners will

be grateful for the fiber infrastructure. Another concern raised is that fiber is an old technology and we should wait for the next best thing, such as 5G wireless. The one benefit of 5G is it doesn't require any underground installation, however wireless carriers will only be able to deploy 5G networks where they have access to the fiber infrastructure. If Kaysville will want to get 5G services in the future, installing a fiber infrastructure around our city will make this more likely. Plus it could become an additional revenue source to lower the cost of operating the fiber network. Mr. Lortz said that he feels very comfortable recommending that the city continue to pursue a fiber infrastructure project and feels that the utility model presents the lowest risk, lowest cost approach for the project, and the best long-term value for the residents. If the utility model is not supported by the residents, then the city should go with another model in order to allow those wanting to participate in the fiber optic infrastructure.

Mayor Witt stated that she appreciates all those who served on the Technical Advisory Committee and thanked them for their service. They hope to be able to hold another Open House sometime mid-May to share their findings with the public.

FIRE DEPARTMENT REPORT

Fire Chief Paul Ericson presented a report of the Kaysville Fire Department from the 2018 year and explained that they are a full-service fire department providing services to Kaysville City, Fruit Heights City, the Mutton Hollow Township, and areas of unincorporated Davis County. Our service area is approximately 13 square miles, and has a live-in population of nearly 40,000 residents. They operate out of a single fire station, which is staffed twenty-four hours a day, seven days a week. Currently all of their staff carry the minimum certifications required of their jobs. Many of the firefighters carry additional certifications in specialty areas, some with higher education at the university level as well. We conduct annual training with our firefighters, as well as joint training sessions with surrounding agencies. The Department also conducted 1,020 annual fire inspections in 2018 on commercial and home businesses, as well as food trucks. In 2018 our agency responded to 1,578 incidents. Of those incidents, 1,020 were emergency medical incidents and 558 were fire, rescue, hazardous material, or citizen assist calls. The National Fire Protection Agency Standard gives response standards for fire responses and emergency medical responses, in include response times to these incidents. Agencies should be compliant with these standards 90% of the time. In 2018 the Kaysville Fire Department was compliant with the NFPA standard on 64% of our responses. Operating out of one centrally located fire station has proven to hamper our response times. We are actively looking at options to build additional fire stations in the near and long-term future to help us get to our residents quicker. Also, back-to-back incidents quickly overwhelm our system. We currently only have four firefighters on duty at a time. On most incidents all four duty-crew members respond, meaning we rely on off-duty firefighters coming from home or on the mutual-aid of Farmington or Layton Fire Departments to cover second-out calls. Our hopes is that in the next five years we will be able to add more on-duty firefighters to staff additional units. Last fall we started the build process on a brand new piece of fire apparatus through Pierce Manufacturing. They are hoping to be able to receive the new rescue engine by August 2019.

Mayor Witt thanked the Fire Department for their service and all the hard work they do for the city.

DECLARATIONS OF ANY CONFLICTS OF INTEREST

No conflicts were disclosed.

CONSENT ITEMS

Mayor Witt asked for a vote on the Consent Items, but asked that the following item be pulled for discussion:

- g. Award of Bid for Shepard Lane Gutter and Sidewalk Project.

Council Member DeCaire made a motion to accept the following Consent Items:

- a. Minutes from the March 7, 2019 and March 21, 2019 meetings.
- b. Power Department Materials Purchase for Underground Sectionalizing Cabinets.
- c. Small Cell Infrastructure Design Standards.
- d. Acceptance of the Utah Department of Environmental Quality Grant for an Electric Vehicle Charging Infrastructure Project.
- e. Acceptance of Improvements for Phases 16A and 19 of the Sunset Equestrian Estates Subdivision.
- f. Award of Bid for 300 East Waterline and Road Reconstruction.

The motion was seconded by Council Member Garn.

Council Member Adams made a substitute motion to accept the following Consent items:

- a. Minutes from the March 7, 2019 and March 21, 2019 meetings.
- b. Power Department Materials Purchase for Underground Sectionalizing Cabinets.
- c. Small Cell Infrastructure Design Standards.
- d. Acceptance of the Utah Department of Environmental Quality Grant for an Electric Vehicle Charging Infrastructure Project.
- e. Acceptance of Improvements for Phases 16A and 19 of the Sunset Equestrian Estates Subdivision.

The motion was seconded by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Adams, yea
Council Member Page, yea
Council Member Garn, yea
Council Member Barber, yea
Council Member DeCaire, yea

The motion passed unanimously.

F. AWARD OF BID FOR 300 EAST WATERLINE AND ROAD RECONSTRUCTION

Council Member Adams asked about the number of bids that had been received for this project.

Public Works Director Josh Belnap commented that with the 300 East Waterline and Road Reconstruction project they had around ten bids. Staker Parsons was the low bid for the project to replace a faulty and undersized water mainline in 300 East, as well as a subsequent repave after the pipe work is complete. In the upcoming years, this area will continue to be the focus of joint water and paving projects, as these water lines area almost all in excess of 75 years old. The 300 East mainline will be replaced by a larger diameter pipe, as well as all of the service lines to the meters.

Council Member Adams made a motion to accept the Award of Bid for 300 East Waterline and Road Reconstruction, second by Council Member DeCaire.

The vote on the motion was as follows:

Council Member Page, yea
Council Member Garn, yea
Council Member Barber, yea
Council Member DeCaire, yea
Council Member Adams, yea

The motion passed unanimously.

G. AWARD OF BID FOR SHEPARD LANE GUTTER AND SIDEWALK PROJECT

Council Member Adams asked how many bids was received for this project.

Josh Belnap responded that they had received about seven bidders, and Wardell Brother's Construction was the low bid to install curb and sidewalk along Shepard Lane from 50 East to near the Farmington City border. They will also be installing some storm drain piping and repave the road surface from the creek to Farmington. Deferral agreements were signed when the area was initially developed, requiring the subsequent installation of improvements and payment for said improvements. In line with these agreements, the City will be seeking to collect funds from the property owners for the City's cost of just the curb and sidewalk. Payment will be allowed in installments for up to six years, and will not exceed the City's cost for those two items.

Council Member Adams said that he would like to see what the bids were, as well as the plans for the project.

Mayor Witt said that this past week there has been some discussion with the neighbors along Shepard Lane who would like further information about this project. Mayor Witt suggested tabling this item until we can provide that information, as well as receive the information requested by Council Member Adams.

Council Member DeCaire made a motion to table the Award of Bid for Shepard Lane Gutter and Sidewalk Project, second by Council Member Barber.

The vote on the motion was as follows:

Council Member Garn, yea
Council Member Barber, yea
Council Member DeCaire, yea
Council Member Adams, yea
Council Member Page, yea

The motion passed unanimously.

CALL TO THE PUBLIC

Richard Proctor said that this last week Ben Carson, with the Department of Housing and Urban Development charged a social media company with housing discrimination for allegedly allowing those in the housing industry to exclude specific groups from seeing ads for housing. The UN went after Mr. Carson for trying to do the right thing. People don't seem to know what the Constitution of the United States is or what it says anymore. We need to start educating people and start now.

Dean Wall thanked the Council for what they do serving the city. We may not always agree with each other but he is proud to be a citizen of Kaysville.

COUNCIL MEMBER REPORTS

Council Member Garn commented that the Mayor and a few of the Council Members were able to meet with some of the neighbors along Shepard Lane about the improvement project that is planned. There are other road improvement projects planned and construction will likely start soon.

Council Member Barber said that Kaysville's Annual Easter Egg Hunt will be on Saturday, April 20, 2019 at 9:00 a.m. Pioneer Park will also be opening on May 16th, and there will be a ribbon cutting ceremony at 5:30 p.m.

Council Member DeCaire said that the Power Commission will hold their next meeting on May 7, 2019 where they plan to tour power substations and the operations center with the Power Department. It will be a good opportunity for the new Commission Members to become more familiar with the city's operations. There will also be a Council Q & A Session on Saturday, April 20, 2019 at 10:00 a.m. at City Hall.

Mayor Witt said that the City Hall remodel is progressing and the Council will be looking at the parameters for the bond at their meeting on May 2, 2019. Mayor Witt thanked the Council Members who will be attending the Utah League of Cities and Towns annual conference on April 24 – 26. The Planning Commission and the Historic Preservation Committee will both be accepting applications starting May 1, 2019. Anyone who might be interested can download an application off of the city website, or pick up an application at City Hall. The Council will also be holding their budget retreat tomorrow, April 19, 2019 at the new Cemetery Office on Crestwood Road.

Council Member Adams commented that in the past the Council would hold their budget retreats in the Council Chambers. Using the Council Chambers not only allows the meetings to be recorded via video camera and would allow more people to be able to attend. It seems that extracurricular meetings are being held off-site more often.

Mayor Witt responded that the city is following the state statute on where meetings can be held, and they are recorded as is mandated. Mayor Witt added that she feels that it's good to change locations as sometimes we can get stuck in the same mentality when we remain in the same place. There is plenty of room for the public to come to the Cemetery Building and attend should they choose to.

ADJOURNMENT

Council Member DeCaire made a motion to adjourn the meeting at 7:50 p.m., seconded by Council Member Garn and passed unanimously.

KAYSVILLE CITY COUNCIL
BUDGET RETREAT
April 19, 2019

Minutes of a special Kaysville City Council Budget Retreat held April 19, 2019 at 8:00 a.m. in the Kaysville City Cemetery Office at 425 East Crestwood Road, Kaysville, Utah.

Council Members present: Mayor Katie Witt, Council Member Dave Adams, Council Member Larry Page, Council Member Jake Garn, Council Member Michelle Barber, and Council Member Stroh DeCaire

Others Present: City Manager Shayne Scott, Finance Director Dean Storey, City Recorder Annemarie Plaizier

FY 2020 BUDGET REVIEW AND DISCUSSION

City Manager Shayne Scott welcomed those present and explained that they would be giving an initial introduction to the FY 2020 budget. Over the next couple months the budget will be broken down during each of their City Council meetings.

Finance Director Dean Storey explained the budget in detail and reviewed the budget schedule for FY 2020. The tentative budgets will need to be adopted at the City Council's May 2, 2019 meeting. This is only a tentative approval to give the opportunity for the public to be able to view the budget. The initial Public Hearing for the FY 2020 budget will be held on June 6, 2019. The Truth and Taxation Hearing and Final Budgets will need to be adopted prior to August 17. Mr. Storey then reviewed the current positions and staffing of the departments, as well as the proposed employee compensation plan. Most departments are running understaffed and some have already asked to be able to hire more help. The city is planning to do a compensation study within the next year to look at each job description, interview employees to see what they are tasked with, as well as review the pay for that position. This will give us a better idea of where we are at in comparison with the market and see if compensation needs to be adjusted.

Council Member Adams asked if the compensation study is something that could be done internally.

Shayne Scott commented that Mr. Storey does an annual internal review, but we would like to have someone outside of the city look at things because they can do a more scientific and independent study.

Dean Storey reviewed the proposed Consolidated Fee Schedule, including changes to impact fees, utility rates and cemetery fees. It is likely that power rates will increase as our current revenues do not match the amount spent. It is something that will need to be reviewed with the City Council and Power Commission.

Council Member Garn added that Kaysville has an aging infrastructure and we need to be able to have sufficient reserves in place to replace and update the infrastructure as needed.

Dean Storey reviewed the Enterprise Funds, and the debt service under the Municipal Building Authority. Bond proceeds or construction costs for the City Hall remodel has not been built into our budget yet but will be put in once the cost estimate is finalized. There will be Municipal Building Authority Board Meeting on May 2, 2019 to review the parameters resolution.

Mayor Witt commented that she would like to hold the Truth and Taxation Hearing at their August 1 meeting before they approve the final budget at their meeting on August 15.

The City Council discussed fiber to the home and businesses within Kaysville City, and the utility based and subscriber based methods which could be used to pay for it. It was suggested that the Council look at other cities to see what has been the most successful. The City Council then discussed putting the discussion of implementing a RAMP (Recreation, Arts, Museum, and Parks) tax within Kaysville on the next ballot.

Council Member DeCaire made a motion to adjourn the meeting at 11:25 a.m., second by Council Member Garn and passed unanimously.

STAFF REPORT



COUNCIL MEETING DATE: May 2, 2019

ITEM NO.: 4b

TYPE OF ITEM: Consent

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Salt and Miscellaneous Storage Structure

EXECUTIVE SUMMARY:

Description:

Public Works advertised for the construction of a structure to house the City's stockpile of road salt and various equipment from the storm water and water departments. Currently the City uses salt with a colored dye, but dye fades and salt hardens into large masses when exposed to moisture. In addition, the subsequent runoff from the salt does not comply with storm water requirements. These factors limit our current storage to just enough for one days' worth in a heavy storm. Resupply amounts and availability become major concerns on short notice, such as in 2016, when our salt supplier halted our orders amid shortages and lead times stretched for the better part of a week. A structure allows for larger orders earlier in the season and for salt to last longer year to year.

Sprung Structures was the sole bid to furnish and install the structure at \$301,013.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: General funds, water funds and storm water funds

Attachments: Sprung quote



High Performance Building Solutions



April 9, 2019

Cody Thompson
Kaysville City Corporation
23 East Center Street
Kaysville, UT 84037

Telephone (801) 546-1235
Email cthompson@kaysvillecity.com

Dear Mr. Thompson,

We are pleased to submit the following quotation for a Sprung Structure to be located at your site in Kaysville, Utah. Sprung is the inventor of the stressed membrane structure which has been patented worldwide. With over 130 years of experience, Sprung offers an innovative, cost effective building alternative which dramatically accelerates construction time lines while providing complete flexibility for the future.

**STRUCTURE
DESCRIPTION:**

SIGNATURE SERIES 80 feet wide by 108 feet long, measured by maximum width by maximum length including the following accessories:

- 1 - Corrosion Resistant Bolt Package
- 1 - Engineered Flat End(s), each c/w 2 bays of cable bracing
- 1 - Kaysville City Graphic Logo at Entrance
- 3 - Bay(s) of Cable Bracing
- 5 - Air Pressure Release Vent(s) c/w Louvre and Bird Screen
- 10 - Base Level Spreader(s)
- 48 - Earth Anchors
- 48 - Interior Suspension Eye-bolts Maximum Load 75 LBS
 - 12' Center Bay Spacing
 - Conduit Holes Set as per diagram provided by Sprung
 - Engineered Stamped Drawings
 - Perimeter Flat Bar
 - Polyurethane opaque membrane with Daylight Panels

**ARCHITECTURAL
MEMBRANE:**

Polyurethane opaque membrane, complete with daylight panels.

AVAILABILITY:

Normally from inventory.

**INTERIOR
HANGING
DETAILS:**

Sprung Instant Structures offers a large selection of brackets and hangers which can be utilized for the hanging of lighting, HVAC and any other items that may need to be suspended from the interior of the structure. The type and size in each case will depend on weight and proposed position. Please contact your Sprung representative for diagrams and further details.

ERECTION:

If you choose to arrange erection of this structure yourself, we will supply a Technical Consultant on site to provide information about structure assembly and erection and will supply hand tools for your use, at no charge. The Technical Consultant is not authorized to perform any other services. Customer is responsible for supervision of and safety compliance in structure location, assembly and erection.

Recommended equipment and manpower:

- a) Scaffolding and manlifts
- b) Appropriate fall protection (body harness and life line).
- c) Electrical power to site.
- d) Estimated 9 workmen for approximately 10, 8 hour working days, approximately half of which should be manlift qualified.
- e) A supervisor with construction experience.

CRANE:

We request that you supply a crane with operator and rigger to assist in raising the free span aluminum beams during the erection sequence. It will be needed for approximately 7 hours.

HAND TOOLS:

Although specialized hand tools are supplied for your use at no charge, you are responsible for the tools while they are at your site and until picked up by Sprung following completion of the erection of the structure.

ERECTION SERVICES:

If you elect to have Sprung erect the structure(s), Sprung will supply a Technical Consultant on site, as well as all required labor, manlifts and/or cranes, and hand tools to accomplish the erection of the structure(s). The estimated project duration is 10 days. Should your site regulations require that our technical consultant or labor attend special safety courses, additional charges may be applicable. Site access, dumpster and trash removal, foundation work, portalet or toilet facilities in near proximity, access badges or any entry to site requirements, site security, and overhead utility removal are your responsibility to provide. All utilities and services, including electrical power to the site, must be arranged for and made operational by you prior to Sprung beginning construction. Sprung is not responsible for damage to landscaping, underground utilities or surface types of the site due to normal construction processes necessary to erect the structure as described in this document.

The Buyer alone is responsible for choosing the structure's final location.

Special Inspections may be required by the local Building Authority and/or Building Code. Such inspections are the responsibility of the owner or the registered design professional acting as the owner's agent and as such, costs for such inspections are not included in this proposal.

The Buyer alone is responsible for receiving and unloading the freight in a timely manner.

There is no additional charge beyond the Erection Services listed below, provided there are no change orders to the structure or project and provided that Buyer provides at least 12 hours per day, 7 days a week unencumbered access to the site from the first day of scheduled erection until its completion. If you, or any other circumstance not under the control of Sprung, prevents such unencumbered 12/7 access to the site, then there may be extra charges for such additional days required for the erection caused by such lack of unencumbered access to the site. The extra charge for the Technical Consultant, labor and equipment will be \$6,020.00 for each day over and above the time allowance above.

ANCHORAGE: Earth anchors, in connection with drift pins may only be used providing adequate soil conditions exist. Base reactions will be provided where required. A compressor complete with 90 lb jack hammer, will be needed to install these anchors. In order to optimize the erection time for the structure, earth anchors should be installed prior to delivery of the structure and prior to arrival of the technical consultant. The time to install these anchors is not included in the time estimate above. A detailed drawing will be provided by Sprung showing anchor locations. Perimeter aluminum flat bar will be supplied to secure the architectural membrane to the asphalt pad. The quality of the asphalt will determine the effectiveness of this procedure. It should also be noted that flat bar will not stop surface water from migrating into the structure since there is no means of ensuring a water tight seal when attaching flat bar to asphalt.

DISMANTLING: Rented structures will require our Technical Consultant for dismantling. The same terms as outlined above under the heading "Erection" and "Technical Consultant" will apply. It will be your responsibility to return the structure and tools, prepaid, to the depot in Salt Lake City, Utah.

PERMITS, LICENSES AND TAXES: It will be your responsibility to obtain all permits, licenses and pay all applicable taxes. This structure is designed to meet 150 mph, Exposure C, 3 second gust as defined in ASCE-7-2010 and IBC-2015.

GUARANTEE: To demonstrate our confidence in the quality and longevity of the Sprung Structure, our product comes with a 50 year pro-rata guarantee on the aluminum substructure and an architectural membrane pro-rata guarantee, in accordance with the attached Guarantee Certificate.

NOTE: This quotation is valid for 60 days.

RENTAL PRICING	
36 MONTH FIRM RENTAL FOR STRUCTURE PAYABLE MONTHLY IN ADVANCE: F.O.B. Salt Lake City, Utah, USA, sales and/or use taxes extra.	\$4,702.00 / month
60 MONTH FIRM RENTAL FOR STRUCTURE PAYABLE MONTHLY IN ADVANCE: F.O.B. Salt Lake City, Utah, USA, sales and/or use taxes extra.	\$3,927.00 / month
PURCHASE OPTION: The Renter has the option to purchase the structure as follows: If all rental payments have been made on time during the first three months of the rental period, 100% of these payments will be credited towards the purchase price, <u>or</u> alternatively For the 36 Month Rental Option: If all rental payments have been made on time during the first thirty-six months the rental period, 60% of all thirty-six months payments will be credited towards the purchase price <u>or</u> alternatively For the 60 Month Rental Option: If all rental payments have been made on time during the first 60 months the rental period, 45% of all sixty months payments will be credited towards the purchase price	
Note: Any purchase option can be exercised by presentation of Renter's check for the full purchase price, less the applicable credit, prior to the expiry of the applicable rental period.	

PURCHASE PRICE	
STRUCTURE AND ACCESSORIES AS ABOVE: F.O.B. Salt Lake City, Utah, USA, sales and/or use taxes extra.	\$234,793.00
TERMS, O.A.C: 50% with order; balance upon delivery of the structure.	

ADDITIONAL CHARGES	
TECHNICAL CONSULTANT: Although the Technical Consultant is supplied, his travel, accommodation and meals will be charged to you at a fixed cost of	N/C
DELIVERY: At your request we can arrange, on your behalf, for delivery of this structure by commercial carrier to your site in Kaysville, Utah. Customer is responsible to receive and unload freight in a timely manner.	N/C

ERECTION SERVICES as described above: Sales and/or use taxes extra.	\$66,220.00
TERMS, A.O.C.: 50% with order; balance following completion of structure erection.	

Thank you for the opportunity to submit this quotation and we look forward to being of service to you in the future.

Yours very truly,

Gerald Heath
gerald.heath@sprung.com
 Business Development Manager
 SPRUNG INSTANT STRUCTURES, INC.
 GH/hb

STAFF REPORT



COUNCIL MEETING DATE: May 2, 2019

ITEM NO.: 4c

TYPE OF ITEM: Consent

PRESENTED BY: Josh Belnap

SUBJECT/AGENDA TITLE: Shepard Ln Curb/Sidewalk and Paving Project

EXECUTIVE SUMMARY:

Description:

Wardell Brother's Construction was the low bid for this project to install curb and sidewalk along Shepard Ln from 50 E to near the Farmington border, as well as installing some storm drain piping and the repave of the road surface from the creek to Farmington. Wardell's bid was \$881,066.30.

Deferral agreements were signed when the area was initially developed, requiring the subsequent installation of improvements and payment for said improvements. In line with these agreements, the City will be seeking to collect funds from the property owners for the City's cost of just the curb and sidewalk (\$15/ft and \$16/ft respectively). Payment will be allowed in installments, and will not exceed the City's cost for those two items.

Council Options: Approve / Disapprove

Recommended Options: Approve

Fiscal Impact & Fund Source for Recommended Action: Road utility funds, C-road funds and storm water funds

Attachments: Bid Tabulation

3/21/19

3/21/19				Engineer's Estimate		Wardell Brothers		Post Asphalt		Granite		Advanced Paving		Staker Parson		Geneva Rock	
Bid Item	Description	Unit	Bid Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LS	1	\$ 67,000.00	\$ 67,000.00	\$ 17,500.00	\$ 17,500.00	\$ 29,000.00	\$ 29,000.00	\$ 41,334.00	\$ 41,334.00	\$ 49,100.00	\$ 49,100.00	\$ 100,000.00	\$ 100,000.00	\$ 75,000.00	\$ 75,000.00
2	Traffic Control	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00	\$ 9,000.23	\$ 9,000.23	\$ 21,900.00	\$ 21,900.00	\$ 58,850.00	\$ 58,850.00	\$ 35,000.00	\$ 35,000.00
3	Stormwater Control	LS	1	\$ 13,000.00	\$ 13,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,200.00	\$ 3,200.00	\$ 7,500.00	\$ 7,500.00	\$ 1,700.00	\$ 1,700.00	\$ 7,000.00	\$ 7,000.00	\$ 10,000.00	\$ 10,000.00
4	Furnish and Install 15" RCP	LF	1,430	\$ 55.00	\$ 78,650.00	\$ 41.00	\$ 58,630.00	\$ 43.75	\$ 62,562.50	\$ 43.00	\$ 61,490.00	\$ 41.00	\$ 58,630.00	\$ 46.35	\$ 66,280.50	\$ 65.00	\$ 92,950.00
5	Furnish and Install 12" RCP	LF	120	\$ 46.00	\$ 5,520.00	\$ 50.00	\$ 6,000.00	\$ 62.50	\$ 7,500.00	\$ 61.00	\$ 7,320.00	\$ 40.00	\$ 4,800.00	\$ 68.85	\$ 8,262.00	\$ 82.00	\$ 9,840.00
6	Furnish and Install 60" Manhole	EA	4	\$ 4,150.00	\$ 16,600.00	\$ 2,360.00	\$ 9,440.00	\$ 3,100.00	\$ 12,400.00	\$ 3,000.00	\$ 12,000.00	\$ 3,050.00	\$ 12,200.00	\$ 3,715.00	\$ 14,860.00	\$ 4,280.00	\$ 17,120.00
7	Furnish and Install 2'x3' Catch Basin	EA	7	\$ 1,500.00	\$ 10,500.00	\$ 1,930.00	\$ 13,510.00	\$ 1,625.00	\$ 11,375.00	\$ 1,500.00	\$ 10,500.00	\$ 2,020.00	\$ 14,140.00	\$ 1,925.00	\$ 13,475.00	\$ 4,200.00	\$ 29,400.00
8	Install 30" Standard Curb and Gutter	LF	3,522	\$ 20.00	\$ 70,440.00	\$ 15.00	\$ 52,830.00	\$ 14.50	\$ 51,069.00	\$ 15.00	\$ 52,830.00	\$ 16.50	\$ 58,113.00	\$ 15.60	\$ 54,943.20	\$ 18.80	\$ 66,213.60
9	Install 4" thick sidewalk	LF	2,070	\$ 18.00	\$ 37,260.00	\$ 16.00	\$ 33,120.00	\$ 13.55	\$ 28,048.50	\$ 16.00	\$ 33,120.00	\$ 17.60	\$ 36,432.00	\$ 14.55	\$ 30,118.50	\$ 18.20	\$ 37,674.00
10	Install ADA Ramp	EA	5	\$ 900.00	\$ 4,500.00	\$ 500.00	\$ 2,500.00	\$ 700.00	\$ 3,500.00	\$ 500.00	\$ 2,500.00	\$ 530.00	\$ 2,650.00	\$ 1,250.00	\$ 6,250.00	\$ 2,200.00	\$ 11,000.00
11	Relocate Water Meter	EA	2	\$ 1,250.00	\$ 2,500.00	\$ 1,250.00	\$ 2,500.00	\$ 785.00	\$ 1,570.00	\$ 1,600.00	\$ 3,200.00	\$ 2,225.00	\$ 4,450.00	\$ 770.00	\$ 1,540.00	\$ 1,090.00	\$ 2,180.00
12	Relocate Existing Irrigation Box	EA	2	\$ 1,100.00	\$ 2,200.00	\$ 980.00	\$ 1,960.00	\$ 625.00	\$ 1,250.00	\$ 590.00	\$ 1,180.00	\$ 2,225.00	\$ 4,450.00	\$ 593.00	\$ 1,186.00	\$ 1,090.00	\$ 2,180.00
13	Relocate Existing Street Sign	EA	8	\$ 250.00	\$ 2,000.00	\$ 150.00	\$ 1,200.00	\$ 137.50	\$ 1,100.00	\$ 126.00	\$ 1,008.00	\$ 225.00	\$ 1,800.00	\$ 131.00	\$ 1,048.00	\$ 150.00	\$ 1,200.00
14	Relocate Existing Mailbox	EA	13	\$ 500.00	\$ 6,500.00	\$ 200.00	\$ 2,600.00	\$ 213.00	\$ 2,769.00	\$ 275.00	\$ 3,575.00	\$ 290.00	\$ 3,770.00	\$ 224.00	\$ 2,912.00	\$ 260.00	\$ 3,380.00
15	Relocate Trail Gate	EA	4	\$ 1,800.00	\$ 7,200.00	\$ 750.00	\$ 3,000.00	\$ 525.00	\$ 2,100.00	\$ 728.00	\$ 2,912.00	\$ 780.00	\$ 3,120.00	\$ 728.00	\$ 2,912.00	\$ 325.00	\$ 1,300.00
16	Relocate Existing Power Appurtenance	EA	4	\$ 4,000.00	\$ 16,000.00	\$ 150.00	\$ 600.00	\$ 162.50	\$ 650.00	\$ 260.00	\$ 1,040.00	\$ 60.00	\$ 240.00	\$ 1.00	\$ 4.00	\$ 140.00	\$ 560.00
17	Relocate Existing Telephone Box	EA	5	\$ 1,200.00	\$ 6,000.00	\$ 150.00	\$ 750.00	\$ 158.00	\$ 790.00	\$ 260.00	\$ 1,300.00	\$ 60.00	\$ 300.00	\$ 1.00	\$ 5.00	\$ 140.00	\$ 700.00
18	Remove and Relocate Wire Fence	LF	100	\$ 8.00	\$ 800.00	\$ 20.00	\$ 2,000.00	\$ 16.00	\$ 1,600.00	\$ 21.00	\$ 2,100.00	\$ 23.00	\$ 2,300.00	\$ 20.80	\$ 2,080.00	\$ 9.50	\$ 950.00
19	Remove and Relocate Wooden Fence & Gate	LF	60	\$ 35.00	\$ 2,100.00	\$ 40.00	\$ 2,400.00	\$ 15.90	\$ 954.00	\$ 41.00	\$ 2,460.00	\$ 45.00	\$ 2,700.00	\$ 41.65	\$ 2,499.00	\$ 22.00	\$ 1,320.00
20	Remove and Replace Chain Link Fence	LF	85	\$ 12.00	\$ 1,020.00	\$ 20.00	\$ 1,700.00	\$ 10.75	\$ 913.75	\$ 20.50	\$ 1,742.50	\$ 23.00	\$ 1,955.00	\$ 20.80	\$ 1,768.00	\$ 23.00	\$ 1,955.00
21	Remove Existing Tree (6" Caliper)	EA	6	\$ 2,500.00	\$ 15,000.00	\$ 100.00	\$ 600.00	\$ 267.00	\$ 1,602.00	\$ 415.00	\$ 2,490.00	\$ 250.00	\$ 1,500.00	\$ 1,875.00	\$ 11,250.00	\$ 650.00	\$ 3,900.00
22	Clear and Grub Vegetation and Landscaping (Approx Quantity: 7500 sf)	LS	1	\$ 22,000.00	\$ 22,000.00	\$ 1,085.00	\$ 1,085.00	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00	\$ 1,930.00	\$ 1,930.00	\$ 3,110.00	\$ 3,110.00	\$ 14,500.00	\$ 14,500.00
23	Install 6" thick Concrete Driveway Apron (includes sidewalk)	SF	5,940	\$ 5.00	\$ 29,700.00	\$ 5.00	\$ 29,700.00	\$ 4.75	\$ 28,215.00	\$ 5.00	\$ 29,700.00	\$ 5.50	\$ 32,670.00	\$ 5.45	\$ 32,373.00	\$ 7.60	\$ 45,144.00
24	Install 3" thick Asphalt Driveway	SF	2,200	\$ 0.50	\$ 1,100.00	\$ 4.00	\$ 8,800.00	\$ 1.90	\$ 4,180.00	\$ 3.00	\$ 6,600.00	\$ 2.00	\$ 4,400.00	\$ 4.00	\$ 8,800.00	\$ 1.80	\$ 3,960.00
25	Install 4" thick Concrete Driveway	SF	2,000	\$ 5.00	\$ 10,000.00	\$ 4.00	\$ 8,000.00	\$ 4.20	\$ 8,400.00	\$ 3.90	\$ 7,800.00	\$ 4.35	\$ 8,700.00	\$ 3.65	\$ 7,300.00	\$ 6.25	\$ 12,500.00
26	Mill Existing Asphalt (4")	SF	166,780	\$ 0.35	\$ 58,373.00	\$ 0.20	\$ 33,356.00	\$ 0.23	\$ 38,359.40	\$ 0.21	\$ 35,023.80	\$ 0.15	\$ 25,017.00	\$ 0.06	\$ 10,006.80	\$ 0.40	\$ 66,712.00
27	Remove & Dispose Existing subgrade material (approx. Quantity 4000 CY)	LS	1	\$ 20,300.00	\$ 20,300.00	\$ 35,580.00	\$ 35,580.00	\$ 48,750.00	\$ 48,750.00	\$ 60,000.00	\$ 60,000.00	\$ 45,500.00	\$ 45,500.00	\$ 43,250.00	\$ 43,250.00	\$ 95,000.00	\$ 95,000.00
28	Unclassified Excavation for soft spot removal only	CY	617	\$ 17.00	\$ 10,489.00	\$ 12.00	\$ 7,404.00	\$ 20.00	\$ 12,340.00	\$ 26.00	\$ 16,042.00	\$ 17.00	\$ 10,489.00	\$ 10.35	\$ 6,385.95	\$ 13.85	\$ 8,545.45
29	Import Untreated Base Course Material	TON	7,900	\$ 20.00	\$ 158,000.00	\$ 19.00	\$ 150,100.00	\$ 19.75	\$ 156,025.00	\$ 17.50	\$ 138,250.00	\$ 20.00	\$ 158,000.00	\$ 17.35	\$ 137,065.00	\$ 11.00	\$ 86,900.00
30	Imported pipe Backfill	TON	1,255	\$ 16.00	\$ 20,080.00	\$ 11.00	\$ 13,805.00	\$ 13.25	\$ 16,628.75	\$ 11.90	\$ 14,934.50	\$ 24.00	\$ 30,120.00	\$ 13.40	\$ 16,817.00	\$ 15.95	\$ 20,017.25
31	Import Top Soil	TON	750	\$ 46.00	\$ 34,500.00	\$ 27.00	\$ 20,250.00	\$ 24.00	\$ 18,000.00	\$ 30.00	\$ 22,500.00	\$ 40.00	\$ 30,000.00	\$ 24.25	\$ 18,187.50	\$ 24.59	\$ 18,442.50
32	Granular Pipe Bedding Material	TON	975	\$ 15.00	\$ 14,625.00	\$ 8.00	\$ 7,800.00	\$ 18.90	\$ 18,427.50	\$ 18.00	\$ 17,550.00	\$ 18.00	\$ 17,550.00	\$ 19.90	\$ 19,402.50	\$ 15.56	\$ 15,171.00
33	Furnish and Install GeoFabric	SF	94,026	\$ 0.13	\$ 12,223.38	\$ 0.10	\$ 9,402.60	\$ 0.07	\$ 6,581.82	\$ 0.11	\$ 10,342.86	\$ 0.10	\$ 9,402.60	\$ 0.12	\$ 11,283.12	\$ 0.07	\$ 6,581.82
34	Furnish & Install 4" Asphalt	TON	5,066	\$ 130.00	\$ 658,580.00	\$ 57.00	\$ 288,762.00	\$ 61.75	\$ 312,825.50	\$ 62.00	\$ 314,092.00	\$ 64.00	\$ 324,224.00	\$ 55.70	\$ 282,176.20	\$ 60.00	\$ 303,960.00
35	Pre-lower Manhole	EA	19	\$ 250.00	\$ 4,750.00	\$ 150.00	\$ 2,850.00	\$ 265.00	\$ 5,035.00	\$ 280.00	\$ 5,320.00	\$ 335.00	\$ 6,365.00	\$ 208.00	\$ 3,952.00	\$ 300.00	\$ 5,700.00
36	Pre-lower Valve	EA	21	\$ 200.00	\$ 4,200.00	\$ 125.00	\$ 2,625.00	\$ 215.00	\$ 4,515.00	\$ 230.00	\$ 4,830.00	\$ 280.00	\$ 5,880.00	\$ 104.00	\$ 2,184.00	\$ 175.00	\$ 3,675.00
37	Raise Manhole	EA	19	\$ 660.00	\$ 12,540.00	\$ 600.00	\$ 11,400.00	\$ 475.00	\$ 9,025.00	\$ 650.00	\$ 12,350.00	\$ 700.00	\$ 13,300.00	\$ 885.00	\$ 16,815.00	\$ 530.00	\$ 10,070.00
38	Raise Valve	EA	21	\$ 520.00	\$ 10,920.00	\$ 400.00	\$ 8,400.00	\$ 210.00	\$ 4,410.00	\$ 310.00	\$ 6,510.00	\$ 330.00	\$ 6,930.00	\$ 416.00	\$ 8,736.00	\$ 300.00	\$ 6,300.00
39	Striping - Double Yellow	LF	3,769	\$ 0.71	\$ 2,675.99	\$ 0.60	\$ 2,261.40	\$ 0.35	\$ 1,319.15	\$ 0.58	\$ 2,186.02	\$ 0.65	\$ 2,449.85	\$ 0.31	\$ 1,168.39	\$ 0.40	\$ 1,507.60
40	Striping - Single White	LF	4,121	\$ 0.46	\$ 1,895.66	\$ 0.30	\$ 1,236.30	\$ 0.20	\$ 824.20	\$ 0.29	\$ 1,195.09	\$ 0.35	\$ 1,442.35	\$ 0.16	\$ 659.36	\$ 0.15	\$ 618.15
41	Striping - Cross Walk	LF	87	\$ 3.34	\$ 290.58	\$ 7.00	\$ 609.00	\$ 7.00	\$ 609.00	\$ 6.00	\$ 522.00	\$ 8.00	\$ 696.00	\$ 6.80	\$ 591.60	\$ 7.75	\$ 674.25
42	Striping - School Symbol	EA	2	\$ 266.00	\$ 532.00	\$ 150.00	\$ 300.00	\$ 100.00	\$ 200.00	\$ 190.00	\$ 380.00	\$ 145.00	\$ 290.00	\$ 84.30	\$ 168.60	\$ 97.00	\$ 194.00
43	Fine Grade Roadway	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 5,500.00	\$ 5,500.00	\$ 10,000.00	\$ 10,000.00	\$ 25,000.00	\$ 25,000.00	\$ 4,375.00	\$ 4,375.00	\$ 15,200.00	\$ 15,200.00	\$ 23,000.00	\$ 23,000.00
44	Remove and dispose existing concrete or asphalt driveway	SF	1500	\$ 4.00	\$ 6,000.00	\$ 2.00	\$ 3,000.00	\$ 1.65	\$ 2,475.00	\$ 2.90	\$ 4,350.00	\$ 1.70	\$ 2,550.00	\$ 5.00	\$ 7,500.00	\$ 1.20	\$ 1,800.00
				Total	\$ 1,513,564.61	Total	\$ 881,066.30	Total	\$ 947,099.07	Total	\$ 1,004,580.00	Total	\$ 1,028,530.80	Total	\$ 1,040,375.22	Total	\$ 1,154,795.62
													\$ 1,082,530.80				

STAFF REPORT



COUNCIL MEETING DATE: May 2, 2019

ITEM NO.: 4d

TYPE OF ITEM: Consent

PRESENTED BY: Lyle Gibson – Community Development Staff

SUBJECT/AGENDA TITLE:

Acceptance of Improvements for Hill Farms Phase 6 Subdivision.

EXECUTIVE SUMMARY:

Phase 6 of Hill Farms Subdivision consists of 27 lots on the north east side of Angel Street and 200 North. The required improvements have now been completed and inspected by City Staff and other applicable agencies and found to be acceptable.

Council Options:

Recommended Options:

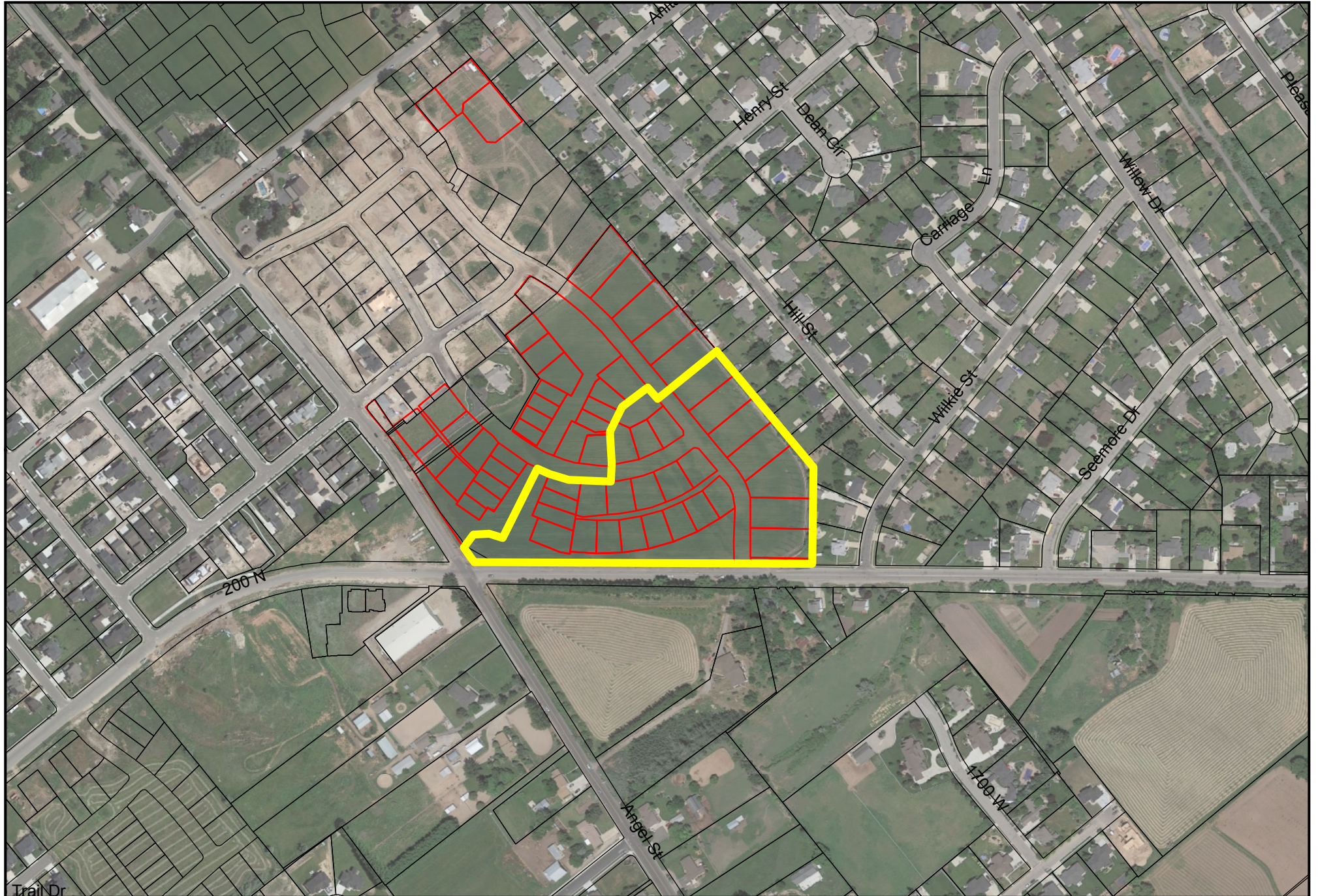
It is recommended that the improvements be accepted and that the standard requirement of a 10% warranty amount and one year warranty period be applied.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

- Location Map
- Plat Map

Hill Farms Phase 6



STAFF REPORT



MEETING DATE: May 2, 2019

ITEM NUMBER: 5a

TYPE OF ITEM: Action - City Council / Municipal Building Authority

PRESENTED BY:

SUBJECT/AGENDA TITLE:
A Resolution Authorizing the City Council to Approve a Master Lease Agreement and the Authorization for the Issuance of MBA Lease Revenue Bonds – City Hall Renovation Project

EXECUTIVE SUMMARY:

At a recent City Council work meeting, we discussed the financing options for the City Hall Renovation Project.

The Staff recommendation is to secure financing through a building authority lease revenue bond. The Kaysville City Municipal Building Authority will issue lease revenue bonds for the construction and renovation of City Hall. The City will lease the building from the Authority during the amortization period.

Included are the Resolutions for the City Council and the Building Authority for the authorization of the financing proposal as well as estimated financing costs.

COUNCIL OPTIONS:

RECOMMENDED OPTIONS: Approval of Resolutions

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:

ATTACHMENTS: Cost Projections - 15 year Amortization with Contribution

City Council Resolution and Municipal Building Authority Resolution



Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Table of Contents

Report

Debt Service Schedule	1
Pricing Summary	2
Sources & Uses	3
Net Debt Service Schedule	4
Operation Of Capitalized Interest Fund	5

Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
10/01/2019	-	-	-	-	-
12/01/2019	-	-	20,704.00	20,704.00	-
06/01/2020	-	-	62,112.00	62,112.00	82,816.00
12/01/2020	-	-	62,112.00	62,112.00	-
06/01/2021	206,000.00	3.200%	62,112.00	268,112.00	330,224.00
12/01/2021	-	-	58,816.00	58,816.00	-
06/01/2022	212,000.00	3.200%	58,816.00	270,816.00	329,632.00
12/01/2022	-	-	55,424.00	55,424.00	-
06/01/2023	219,000.00	3.200%	55,424.00	274,424.00	329,848.00
12/01/2023	-	-	51,920.00	51,920.00	-
06/01/2024	226,000.00	3.200%	51,920.00	277,920.00	329,840.00
12/01/2024	-	-	48,304.00	48,304.00	-
06/01/2025	233,000.00	3.200%	48,304.00	281,304.00	329,608.00
12/01/2025	-	-	44,576.00	44,576.00	-
06/01/2026	241,000.00	3.200%	44,576.00	285,576.00	330,152.00
12/01/2026	-	-	40,720.00	40,720.00	-
06/01/2027	248,000.00	3.200%	40,720.00	288,720.00	329,440.00
12/01/2027	-	-	36,752.00	36,752.00	-
06/01/2028	256,000.00	3.200%	36,752.00	292,752.00	329,504.00
12/01/2028	-	-	32,656.00	32,656.00	-
06/01/2029	265,000.00	3.200%	32,656.00	297,656.00	330,312.00
12/01/2029	-	-	28,416.00	28,416.00	-
06/01/2030	273,000.00	3.200%	28,416.00	301,416.00	329,832.00
12/01/2030	-	-	24,048.00	24,048.00	-
06/01/2031	282,000.00	3.200%	24,048.00	306,048.00	330,096.00
12/01/2031	-	-	19,536.00	19,536.00	-
06/01/2032	291,000.00	3.200%	19,536.00	310,536.00	330,072.00
12/01/2032	-	-	14,880.00	14,880.00	-
06/01/2033	300,000.00	3.200%	14,880.00	314,880.00	329,760.00
12/01/2033	-	-	10,080.00	10,080.00	-
06/01/2034	310,000.00	3.200%	10,080.00	320,080.00	330,160.00
12/01/2034	-	-	5,120.00	5,120.00	-
06/01/2035	320,000.00	3.200%	5,120.00	325,120.00	330,240.00
Total	\$3,882,000.00	-	\$1,149,536.00	\$5,031,536.00	-

Yield Statistics

Bond Year Dollars	\$35,923.00
Average Life	9.254 Years
Average Coupon	3.2000000%
Net Interest Cost (NIC)	3.2000000%
True Interest Cost (TIC)	3.2003626%
Bond Yield for Arbitrage Purposes	3.2003626%
All Inclusive Cost (AIC)	3.3853470%

IRS Form 8038

Net Interest Cost	3.2000000%
Weighted Average Maturity	9.254 Years

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Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
06/01/2021	Serial Coupon	3.200%	3.200%	206,000.00	100.000%	206,000.00
06/01/2022	Serial Coupon	3.200%	3.200%	212,000.00	100.000%	212,000.00
06/01/2023	Serial Coupon	3.200%	3.200%	219,000.00	100.000%	219,000.00
06/01/2024	Serial Coupon	3.200%	3.200%	226,000.00	100.000%	226,000.00
06/01/2025	Serial Coupon	3.200%	3.200%	233,000.00	100.000%	233,000.00
06/01/2026	Serial Coupon	3.200%	3.200%	241,000.00	100.000%	241,000.00
06/01/2027	Serial Coupon	3.200%	3.200%	248,000.00	100.000%	248,000.00
06/01/2028	Serial Coupon	3.200%	3.200%	256,000.00	100.000%	256,000.00
06/01/2029	Serial Coupon	3.200%	3.200%	265,000.00	100.000%	265,000.00
06/01/2030	Serial Coupon	3.200%	3.200%	273,000.00	100.000%	273,000.00
06/01/2031	Serial Coupon	3.200%	3.200%	282,000.00	100.000%	282,000.00
06/01/2032	Serial Coupon	3.200%	3.200%	291,000.00	100.000%	291,000.00
06/01/2033	Serial Coupon	3.200%	3.200%	300,000.00	100.000%	300,000.00
06/01/2034	Serial Coupon	3.200%	3.200%	310,000.00	100.000%	310,000.00
06/01/2035	Serial Coupon	3.200%	3.200%	320,000.00	100.000%	320,000.00
Total	-	-	-	\$3,882,000.00	-	\$3,882,000.00

Bid Information

Par Amount of Bonds	\$3,882,000.00
Gross Production	\$3,882,000.00
Bid (100.000%)	3,882,000.00
Total Purchase Price	\$3,882,000.00
Bond Year Dollars	\$35,923.00
Average Life	9.254 Years
Average Coupon	3.2000000%
Net Interest Cost (NIC)	3.2000000%
True Interest Cost (TIC)	3.2003626%

Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Sources & Uses

Dated 10/01/2019 | Delivered 10/01/2019

Sources Of Funds

Par Amount of Bonds	\$3,882,000.00
Planned Issuer Equity contribution	1,000,000.00
Total Sources	\$4,882,000.00

Uses Of Funds

Deposit to Project Construction Fund	4,744,386.00
Capitalized Interest (through 6/1/20)	81,710.14
Costs of Issuance	55,000.00
Rounding Amount	903.86
Total Uses	\$4,882,000.00

Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	Fiscal Total
10/01/2019	-	-	-	-	-	-	-
12/01/2019	-	-	20,704.00	20,704.00	(20,704.00)	-	-
06/01/2020	-	-	62,112.00	62,112.00	(62,112.00)	-	-
12/01/2020	-	-	62,112.00	62,112.00	-	62,112.00	-
06/01/2021	206,000.00	3.200%	62,112.00	268,112.00	-	268,112.00	330,224.00
12/01/2021	-	-	58,816.00	58,816.00	-	58,816.00	-
06/01/2022	212,000.00	3.200%	58,816.00	270,816.00	-	270,816.00	329,632.00
12/01/2022	-	-	55,424.00	55,424.00	-	55,424.00	-
06/01/2023	219,000.00	3.200%	55,424.00	274,424.00	-	274,424.00	329,848.00
12/01/2023	-	-	51,920.00	51,920.00	-	51,920.00	-
06/01/2024	226,000.00	3.200%	51,920.00	277,920.00	-	277,920.00	329,840.00
12/01/2024	-	-	48,304.00	48,304.00	-	48,304.00	-
06/01/2025	233,000.00	3.200%	48,304.00	281,304.00	-	281,304.00	329,608.00
12/01/2025	-	-	44,576.00	44,576.00	-	44,576.00	-
06/01/2026	241,000.00	3.200%	44,576.00	285,576.00	-	285,576.00	330,152.00
12/01/2026	-	-	40,720.00	40,720.00	-	40,720.00	-
06/01/2027	248,000.00	3.200%	40,720.00	288,720.00	-	288,720.00	329,440.00
12/01/2027	-	-	36,752.00	36,752.00	-	36,752.00	-
06/01/2028	256,000.00	3.200%	36,752.00	292,752.00	-	292,752.00	329,504.00
12/01/2028	-	-	32,656.00	32,656.00	-	32,656.00	-
06/01/2029	265,000.00	3.200%	32,656.00	297,656.00	-	297,656.00	330,312.00
12/01/2029	-	-	28,416.00	28,416.00	-	28,416.00	-
06/01/2030	273,000.00	3.200%	28,416.00	301,416.00	-	301,416.00	329,832.00
12/01/2030	-	-	24,048.00	24,048.00	-	24,048.00	-
06/01/2031	282,000.00	3.200%	24,048.00	306,048.00	-	306,048.00	330,096.00
12/01/2031	-	-	19,536.00	19,536.00	-	19,536.00	-
06/01/2032	291,000.00	3.200%	19,536.00	310,536.00	-	310,536.00	330,072.00
12/01/2032	-	-	14,880.00	14,880.00	-	14,880.00	-
06/01/2033	300,000.00	3.200%	14,880.00	314,880.00	-	314,880.00	329,760.00
12/01/2033	-	-	10,080.00	10,080.00	-	10,080.00	-
06/01/2034	310,000.00	3.200%	10,080.00	320,080.00	-	320,080.00	330,160.00
12/01/2034	-	-	5,120.00	5,120.00	-	5,120.00	-
06/01/2035	320,000.00	3.200%	5,120.00	325,120.00	-	325,120.00	330,240.00
Total	\$3,882,000.00	-	\$1,149,536.00	\$5,031,536.00	(82,816.00)	\$4,948,720.00	-

Municipal Building Authority of Kaysville City, Utah

\$3,882,000 Lease Revenue Bonds

Series October 1, 2019

(15 Year Amortization with Contribution)

Operation Of Capitalized Interest Fund

Date	Principal	Rate	Interest	Receipts	Disbursements	Cash Balance	Fiscal Total
10/01/2019	-	2.5000000%	-	0.02	-	0.02	-
12/01/2019	20,364.94	2.5000000%	339.05	20,703.99	20,704.00	0.01	-
06/01/2020	61,345.18	2.5000000%	766.81	62,111.99	62,112.00	-	82,816.00
Total	\$81,710.12	-	\$1,105.86	\$82,816.00	\$82,816.00	-	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	GIC
Default investment yield target	Unrestricted

Cash Deposit	0.02
Cost of Investments Purchased with Bond Proceeds	81,710.12
Total Cost of Investments	\$81,710.14

Target Cost of Investments at bond yield	\$81,405.83
Actual positive or (negative) arbitrage	(304.31)

Yield to Receipt	2.4999892%
Yield for Arbitrage Purposes	3.2003626%

Composition Of Initial Deposit

Original Bond Proceeds	81,710.14
Accrued Interest	-
Cash Contribution and Prior Issue Transfers	-

Kaysville, Utah

May 2, 2019

The City Council (the “Council”) of Kaysville City (the “City”), met in regular session in Kaysville, Utah, on May 2, 2019, at 7:00 p.m., with the following Councilmembers being present:

Katie Witt	Mayor
Dave Adams	Councilmember
Michelle Barber	Councilmember
Stroh DeCaire	Councilmember
Jake Garn	Councilmember
Larry Page	Councilmember

Also present:

Annemarie Plaizier	City Recorder
Shayne Scott	City Manager
Dean Storey	Finance Director
Nicholas Mills	City Attorney

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this May 2, 2019 meeting was presented to the Council, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by _____ and seconded by _____, adopted by the following vote:

Those voting AYE:

Those voting NAY:

The resolution was then signed by the Mayor. The resolution is as follows:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF KAYSVILLE CITY, UTAH AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE MUNICIPAL BUILDING AUTHORITY OF KAYSVILLE CITY, UTAH (THE “AUTHORITY”), AND A GROUND LEASE AGREEMENT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2019, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$4,300,000; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A GENERAL INDENTURE OF TRUST AND FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, CERTAIN SECURITY DOCUMENTS, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the City Council (the “Council”) of Kaysville City, Utah (the “City”) has previously authorized and directed the creation of the Municipal Building Authority of Kaysville City, Utah (the “Authority”); and

WHEREAS, pursuant to the direction of the City, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and laws of the State of Utah, including, in particular, the provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the “Building Authority Act”); and

WHEREAS, under the Articles of Incorporation of the Authority (the “Articles”), the objects and purposes for which the Authority has been founded and incorporated are to construct, acquire, improve or extend one or more projects and to finance their costs on behalf of the Authority in accordance with the procedures and subject to the limitations of the Building Authority Act in order to accomplish the public purpose for which the Authority exists; and

WHEREAS, pursuant to the provisions of the Building Authority Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (together with the Building Authority Act, the “Act”), the Authority has authority to issue its lease revenue bonds for the purpose of financing certain improvements for and on behalf of the Authority; and

WHEREAS, under the direction of the City, the Governing Board of the Authority (the “Governing Board”) has the authority to issue the Authority’s Lease Revenue Bonds, Series 2019 (the “Series 2019 Bonds”) (to be issued in one or more series and with such

other series or title designation(s) as may be determined by the Authority) in the aggregate principal amount of not to exceed \$4,300,000 to (a) finance the construction, renovation and expansion of the Kaysville City Hall and related improvements (collectively, the “Series 2019 Project”), (b) fund any required deposit to a debt service reserve fund, and (c) pay costs associated with the issuance of the Series 2019 Bonds; and

WHEREAS, the Series 2019 Bonds are to be issued pursuant to a General Indenture of Trust (the “General Indenture”), a First Supplemental Indenture of Trust (the “First Supplemental Indenture” and together with the General Indenture, the “Indenture”), substantially in the forms presented to the Council at this meeting and attached hereto as Exhibit B; and

WHEREAS, the Authority by its Resolution dated the date hereof (the “Authority Resolution”) has or is expected to authorize, approve and direct the execution of the Indenture, Master Lease, Security Agreements, and Ground Lease and to authorize the issuance of the Series 2019 Bonds and the financing of the Series 2019 Project; and

WHEREAS, there has been presented to the Council at this meeting a form of a Bond Purchase Agreement (the “Bond Purchase Agreement”) to be entered into between the Authority, the City and the purchaser selected by the Authority for the Series 2019 Bonds (the “Purchaser”), in substantially the form attached hereto as Exhibit D; and

WHEREAS, the City is the owner of fee simple title to the site on which the Series 2019 Project is to be located and the City desires to lease such property to the Authority pursuant to the terms and provisions of a Ground Lease Agreement (the “Ground Lease”) in substantially the form presented to this meeting and attached hereto as Exhibit E and herein authorized and approved; and

WHEREAS, the City desires to lease the Series 2019 Project, as lessee, on an annually renewal basis, from the Authority, as lessor; and

WHEREAS, the Series 2019 Project is to be leased to the City by the Authority pursuant to the terms and provisions of a Master Lease Agreement, by and between the Authority and the City (the “Master Lease”) in substantially the form presented to the Council at this meeting and attached hereto as Exhibit C; and

WHEREAS, to further secure its payment obligations under the Indenture, the Authority proposes to grant a lien on and security interest in the Series 2019 Project pursuant to one or more of the following: (i) a Leasehold Deed of Trust, Assignment of Rents and Security Agreement and (ii) an Assignment of Ground Lease in substantially the forms presented to this meeting and attached hereto as Exhibit F (collectively the “Security Documents”); and

WHEREAS, the Authority may not exercise any of its powers without prior authorization by the City, and therefore it is necessary that the City authorize certain actions by the Authority in connection with the transactions contemplated hereby in connection with the issuance of the Series 2019 Bonds; and

WHEREAS, the City desires to improve and promote the local health and general welfare of the citizens of the City by entering into the documents and taking the actions described above; and

WHEREAS, the estimated costs of construction of the Series 2019 Project, including a certificate of the engineer/architect setting forth the estimated useful life of the Series 2019 Project have been submitted to the City; and

WHEREAS, the City desires to approve and direct the execution of the Ground Lease, the Bond Purchase Agreement, and the Master Lease by the City and to authorize the issuance of the Series 2019 Bonds and the financing of the Series 2019 Project by the Authority and to further authorize the execution of the Ground Lease, the Master Lease, the General Indenture, the First Supplemental Indenture, the Bond Purchase Agreement, the Security Documents, and certain other acts to be taken by the Authority in connection therewith;

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

Section 1. All terms defined in the recitals hereto shall have the same meaning when used herein. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the City and by the officers of the Authority directed toward the issuance of the Series 2019 Bonds and the financing of the Series 2019 Project are hereby ratified, approved and confirmed.

Section 2. The City hereby finds and determines, pursuant to the Constitution and laws of the State of Utah, that the leasing of the Series 2019 Project under the terms and provisions and for the purposes set forth in the Master Lease and the other documents, instruments and conveyances hereinafter approved and authorized, is necessary, convenient and in furtherance of the governmental and proprietary purposes of the City and is in the best interest of the citizens of the City, and the City hereby authorizes, approves and directs the sale of the Series 2019 Bonds by the Authority in accordance with the provisions of the Indenture and the leasing of the Series 2019 Project in the manner provided in the Master Lease and the Ground Lease.

Section 3. The Ground Lease, Master Lease, Indenture, Security Documents and Bond Purchase Agreement, in substantially the respective forms presented to this meeting and attached hereto as exhibits, are in all respects approved, authorized, and confirmed, and the Mayor or the Mayor pro tem, in the absence of the Mayor, is authorized to approve the final terms thereof and to execute and deliver the Ground Lease, Master Lease and Bond Purchase Agreement in the forms and with substantially the same content as attached hereto for and on behalf of the City with final terms as may be established for the Series 2019 Bonds by the Authority and with such alterations, changes or additions as may be necessary or as may be authorized herein. When authorized by the Governing Board of the Authority, the City hereby approves and authorizes the execution and delivery of the Bond Purchase Agreement, Master Lease, General Indenture, First Supplemental Indenture, Security

Documents, and Ground Lease by the Authority in substantially the forms presented to this meeting and attached hereto as exhibits for and on behalf of the Authority.

Section 4. The Council hereby authorizes the financing of the Series 2019 Project and the delegation by the Authority, to certain officers of the Authority, the ability to set the final terms of the Series 2019 Bonds within the parameters established by the Authority in the Authority Resolution.

Section 5. For the purpose of providing funds to (a) finance the Series 2019 Project, (b) fund any required reserves, and (c) pay costs associated with the issuance of the Series 2019 Bonds and for such other purposes as may be authorized under the Indenture, the Authority shall issue the Series 2019 Bonds which shall be designated the “Municipal Building Authority of Kaysville City, Utah Lease Revenue Bonds, Series 2019” (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Authority). The Series 2019 Bonds shall be dated, shall bear interest, and shall mature as set forth in the First Supplemental Indenture.

Section 6. The Authority is authorized to issue and sell the Series 2019 Bonds to the Purchaser thereof pursuant to the terms of the Bond Purchase Agreement in the aggregate principal amount of not to exceed \$4,300,000 and at the purchase price set forth therein. The Series 2019 Bonds shall be dated as of their date of delivery, shall bear interest, and mature as set forth in the First Supplemental Indenture.

Section 7. The form, terms, and provisions of the Series 2019 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Series 2019 Bonds shall mature prior to the expiration of the estimated useful life of the Series 2019 Project. The Chair of the Authority, including any authorized official acting in the Chair’s place, is hereby authorized to execute the Series 2019 Bonds, to place thereon the seal of the Authority and to deliver the Series 2019 Bonds to the Purchaser. The Secretary of the Authority is authorized to attest to the signature of the Chair and affix the seal of the Authority to the Series 2019 Bonds and to authenticate the Series 2019 Bonds. The signatures of the Chair and of the Secretary may be by facsimile or manual execution.

Section 8. The Mayor and other appropriate officers of the City and the Authority are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby and are authorized to take all action necessary in conformity with the Act and the Articles to finance the Series 2019 Project, to acquire and construct the Series 2019 Project and to lease the Series 2019 Project pursuant to the Master Lease, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Indenture and the sale and delivery of the Series 2019 Bonds.

Section 9. Upon their issuance, the Series 2019 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2019 Bonds, the Indenture and the Security Documents. No provision of this Resolution, the Master Lease, the Ground Lease, the Indenture, the Series 2019 Bonds,

the Bond Purchase Agreement, the Security Documents, nor any other instrument authorized hereby, shall be construed as creating a general obligation of the Authority or of creating a general obligation of the City, the State of Utah or any political subdivision of the State of Utah, nor as incurring or creating a charge upon the general credit of the City or against its taxing powers. The City shall not be obligated to pay out of its funds, revenues, or accounts, or to make any payment in respect of the Series 2019 Bonds, except in connection with the payment of Base Rentals, Additional Rentals, and Purchase Option Price pursuant to the Master Lease (as those terms are defined in the Master Lease), which are subject to annual appropriation by the City in accordance with the provisions of the Master Lease. The Authority has no taxing power.

Section 10. The Mayor or other appropriate officials of the City are hereby authorized to make any alterations, changes or additions in the Master Lease, the Ground Lease, and the Bond Purchase Agreement herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to other provisions of such instruments, to the provisions of this Resolution, or any resolution adopted by the City or the Authority, to the agreements with the Purchaser or the provisions of the laws of the State of Utah or the United States, the approval of all such alterations, changes, or additions to be conclusively established by the execution thereof.

Section 11. The appropriate officials of the Authority are authorized to make any alterations, changes, or additions in the Master Lease, the Ground Lease, the General Indenture, the First Supplemental Indenture, the Bond Purchase Agreement, and the Security Documents herein authorized and approved which may be necessary to correct errors or omissions therein, to remove ambiguities therefrom, to conform the same to other provisions of said instruments, to the provisions of this Resolution, or any resolution adopted by the City or the Authority, to the agreements with the Purchaser, or the provisions of the laws of the State of Utah or the United States, approval of all such alterations, changes, or additions to be conclusively established by the execution thereof.

Section 12. If any provisions of this resolution (including the exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this resolution or the exhibits.

Section 13. The City Recorder is hereby authorized to attest to all signatures and acts of any proper official of the City, and, as necessary, to place the seal of the City on the Master Lease, the Bond Purchase Agreement and the Ground Lease. The Mayor and other proper officials of the City and each of them, are hereby authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, and other papers and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the matters herein authorized. Any action authorized to be taken by the Mayor of the City may, in his/her absence, be taken by the Mayor, pro tern.

Section 14. The Secretary or other authorized officer of the Authority is hereby authorized to attest to all signatures and acts of any proper official of the Authority, and, as necessary, to place the seal of the Authority on the Master Lease, the Ground Lease, the Indenture, the Security Documents, the Bond Purchase Agreement, and any other documents

authorized, necessary or proper pursuant to this Resolution or any Resolution of the Authority. The appropriate officials of the Authority, and each of them, are hereby authorized to execute and deliver for and on behalf of the Authority any or all additional certificates, documents, and other papers to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this resolution. Any action authorized to be taken by the Chair may, in his/her absence, be taken by the Vice-Chair of the Authority.

Section 15. The Mayor and other appropriate officers of the City are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated hereby.

Section 16. If any provisions of this Resolution (including the exhibits attached hereto) should be held invalid, the invalidity of such provisions shall not affect any of the other provisions of this Resolution or the exhibits.

Section 17. For purposes of and in accordance with Section 265 of the Internal Revenue Code, the Authority and the City hereby designate the Series 2019 Bonds as an issue qualifying for the exception for certain qualified tax-exempt obligations to the rule denying banks and other financial institutions 100% of the deduction for interest expenses which is allocable to tax-exempt interest. The Authority and the City reasonably anticipate that the total amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii) of the Code) which will be issued by the Authority and the City and by any aggregated issuer during calendar year 2019 will not exceed \$10,000,000. For purposes of this section, "aggregated issuer" means any entity which (i) issues obligations on behalf of the Authority or the City, (ii) derives its issuing authority from the Authority or the City, or (iii) is subject to direct or indirect control by the Authority or the City within the meaning of Treasury Regulatory Section 1.150-1(e). The Authority and the City hereby represent that (a) they have not created and do not intend to create and do not expect to benefit from any entity formed or availed of to avoid the purposes of Section 265(b)(3)(C) or (D) of the Code and (b) the total amount of obligations so designated by the Authority and the City and all aggregated issuers for calendar year 2019 does not exceed \$10,000,000.

Section 18. This Resolution shall become effective immediately upon adoption by the City.

Section 19. All bylaws, orders and resolutions of the City or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as revising any bylaw, order, resolution, or ordinance or part thereof.

PASSED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH THIS MAY
2, 2019.

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
City Recorder

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

I, Annemarie Plaizier, the undersigned duly qualified and acting City Recorder of Kaysville City, Utah (the “City”), do hereby certify:

The foregoing pages are a true, perfect and complete copy of a resolution duly adopted by the City Council of the City (the “Council”) during proceedings of the Council, had and taken at a lawful regular meeting of said Council held at the City offices in Kaysville, Utah on May 2, 2019, commencing at the hour of 7:00 p.m., as recorded in the regular official book of the proceedings of the City kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

All members of said City Council were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this May 2, 2019.

By: _____
City Recorder

(SEAL)

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Annemarie Plaizier, the undersigned City Recorder of Kaysville City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the May 2, 2019, public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices on _____, 2019, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Davis County Clipper on _____, 2019, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, Notice of the 2019 Annual Meeting Schedule for the City (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the City to be held during the year, by causing said Notice to be (i) posted on _____ at the principal office of the City, (ii) provided to at least one newspaper of general circulation within the City on _____ and (iii) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this May 2, 2019.

By: _____
City Recorder

(SEAL)

SCHEDULE 1

NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING NOTICE

EXHIBIT B

GENERAL INDENTURE AND FIRST SUPPLEMENTAL INDENTURE

(See Transcript Document Nos. ____ and ____)

EXHIBIT C

MASTER LEASE AGREEMENT

(See Transcript Document No. ____)

EXHIBIT D

BOND PURCHASE AGREEMENT

(See Transcript Document No. ____)

EXHIBIT E

GROUND LEASE

(See Transcript Document No. ____)

EXHIBIT F

SECURITY DOCUMENTS

(See Transcript Document Nos. ____ and ____)

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE GOVERNING BOARD OF THE MUNICIPAL BUILDING AUTHORITY OF KAYSVILLE CITY, UTAH:

NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Kaysville City, Utah (the "Authority") will be held at the Governing Board's regular meeting place on May 2, 2019, for the purpose of authorizing the issuance and sale of the Authority's Lease Revenue Bonds, Series 2019, in a total principal amount of not more than \$4,300,000, and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

Secretary-Treasurer

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

We, the Chair-President and Trustees of the Governing Board of the Authority, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Chair-President

Trustee

Trustee

Trustee

Trustee

Trustee

Kaysville, Utah

May 2, 2019

The Board of Trustees (the “Governing Board”) of the Municipal Building Authority of Kaysville City, Utah (the “Authority”), met in special session in Kaysville, Utah, on May 2, 2019, at 7:00 p.m., with the following Trustees being present:

Katie Witt	Chair-President
Dave Adams	Trustee
Michelle Barber	Trustee
Stroh DeCaire	Trustee
Jake Garn	Trustee
Larry Page	Trustee

Also present:

Annemarie Plaizier	Secretary-Treasurer
Shayne Scott	City Manager
Dean Storey	Finance Director
Nicholas Mills	City Attorney

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Secretary-Treasurer presented to the Governing Board a Certificate of Compliance with Open Meeting Law with respect to this May 2, 2019, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Trustee _____ and seconded by Trustee _____ was adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Chair-President in open meeting and recorded by the Secretary-Treasurer in the official records of the Municipal Building Authority of Kaysville City, Utah. The resolution is as follows:

RESOLUTION NO. _____

A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF KAYSVILLE CITY, UTAH (THE “AUTHORITY”) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$4,300,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2019 (THE “SERIES 2019 BONDS”); DELEGATING TO CERTAIN OFFICERS OF THE AUTHORITY THE ABILITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2019 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE SERIES 2019 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2019 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2019 BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2019 BONDS MAY BE SOLD; CALLING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION BY THE AUTHORITY OF A GENERAL INDENTURE OF TRUST, FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, MASTER LEASE AGREEMENT, SECURITY DOCUMENTS, GROUND LEASE, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE SERIES 2019 BONDS; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the City Council (the “Council”) of Kaysville City, Utah (the “City”) has previously authorized and directed the creation of the Municipal Building Authority of Kaysville City, Utah (the “Authority”); and

WHEREAS, pursuant to the direction of the City, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and the laws of the State of Utah, including in particular, the provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the “Building Authority Act”); and

WHEREAS, pursuant to the provisions of the Building Authority Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (collectively, the “Act”), the Governing Board (the “Governing Board”) of the Authority, has authority to issue its lease revenue bonds for the purpose of financing certain improvements for and on behalf of the Authority; and

WHEREAS, the Authority desires to issue its Lease Revenue Bonds, Series 2019 (to be issued in one or more series and with such other or further designation(s) as the Authority may determine) (the “Series 2019 Bonds”), in the aggregate principal amount of not to exceed \$4,300,000 to (a) finance the construction, renovation and expansion of the Kaysville City Hall and related improvements (collectively, the “Series 2019 Project”), (b) fund any required deposit to a debt service reserve fund, and (c) pay costs associated with the issuance of the Series 2019 Bonds; and

WHEREAS, the Act provides for the publication of a Notice of Public Hearing and Bonds to Be Issued and the Authority desires to publish such notice in compliance with the Act with respect to the Series 2019 Bonds; and

WHEREAS, pursuant to Sections 11-14-316, 11-14-318 and 17D-2-502 of the Act, the Notice of Public Hearing and Bonds to be Issued shall (a) constitute the notice of intent to issue bonds, (b) constitute notice of a public hearing to receive input from the public with respect to the Series 2019 Bonds and (c) provide for a 30-day period in which the registered voters of the City may submit a written petition requesting an election to approve or disapprove the issuance of the Series 2019 Bonds; and

WHEREAS, the City is the owner of fee simple title to the site on which the Series 2019 Project is to be located and the Authority desires to lease such property from the City pursuant to the terms and provisions of a Ground Lease Agreement (the “Ground Lease”) in substantially the form presented to this meeting and attached hereto as Exhibit E and herein authorized and approved; and

WHEREAS, the Authority desires to lease the Series 2019 Project, as lessor, on an annually renewal basis, to the City, as lessee, pursuant to the terms and provisions of a Master Lease Agreement (the “Master Lease”) by and between the Authority and the City in substantially the form presented to this meeting and attached hereto as Exhibit C; and

WHEREAS, the Authority proposes to finance the costs associated with the Series 2019 Project, the deposit of any required reserves and the paying of costs of issuance by means of the issuance of the Series 2019 Bonds to be issued pursuant to a General Indenture of Trust (the “General Indenture”) between the Authority and Zions Bancorporation, National Association, as trustee (the “Trustee”), in substantially the form presented to this meeting and attached hereto as Exhibit B, as supplemented by a Supplemental Indenture of Trust (the “Supplemental Indenture”) between the Trustee and the Authority, in substantially the form presented to this meeting and attached hereto as Exhibit B (the Supplemental Indenture and the General Indenture are sometimes collectively referred to herein as the “Indenture”); and

WHEREAS, to further secure its payment obligations under the Indenture, the Authority proposes to grant a lien on and security interest in the Series 2019 Project pursuant to one or more of the following: (i) a Leasehold Deed of Trust, Assignment of Rents and Security Agreement and (ii) an Assignment of Ground Lease in substantially the forms presented to this meeting and attached hereto as Exhibit D (collectively the “Security Documents”); and

WHEREAS, there has been presented to the Governing Board at this meeting a form of a Bond Purchase Agreement (the “Bond Purchase Agreement”) to be entered into between the Authority, the City, and the purchaser selected by the Authority for the Series 2019 Bonds (the “Purchaser”), in substantially the form attached hereto as Exhibit F; and

WHEREAS, the Authority desires to improve and promote the local health and general welfare of the citizens of the City by entering into the documents and taking the actions described above; and

WHEREAS, the Council has or is expected to authorize, approve and direct the execution of the Ground Lease, the Master Lease, the Bond Purchase Agreement and the Security Documents and to authorize the issuance of the Series 2019 Bonds and the financing of the Series 2019 Project by the Authority and to further authorize the execution of the Ground Lease, the Master Lease, the Indenture, the Bond Purchase Agreement and the Security Documents and certain other acts to be taken by the Authority in connection therewith; and

WHEREAS, in order to allow the Authority (with the consultation and approval of Zions Bank Public Finance, the Authority’s Municipal Advisor (the “Municipal Advisor”)) flexibility in setting the pricing date of the Series 2019 Bonds to optimize debt service costs to the Authority, the Governing Board desires to grant to any two of the following: the Chair-President, City Finance Director, or the City Manager, or their appointees, (the “Designated Officers”), the authority to approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2019 Bonds shall be sold, and select the Purchaser thereof, and any changes with respect thereto from those terms which were before the Governing Board at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”).

NOW, THEREFORE, it is hereby resolved by the Governing Board of the Municipal Building Authority of Kaysville City, Utah, as follows:

Section 1. Terms defined in the foregoing recitals hereto shall have the same meaning when used in this Resolution.

Section 2. The Governing Board hereby finds and determines that it is in the best interests of the Authority and the residents of the City for the Authority to issue not more than Four Million Three Hundred Thousand Dollars (\$4,300,000) aggregate principal amount of the Authority’s Lease Revenue Bonds, Series 2019, to bear interest at a rate or rates of not to exceed a net effective rate of six percent (6.0%) per annum, to mature in not more than seventeen (17) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, for the purpose of (i) financing the costs of the Series 2019 Project, (ii) funding any required debt service reserve fund, and (iii) paying costs of issuance, all pursuant to this resolution (this “Resolution”), the General Indenture, the Supplemental Indenture and the Master Lease, all substantially in the forms attached hereto, as shall be approved by the Designated Officers, all within

the Parameters set forth herein. The issuance of the Series 2019 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the Attorney for the Authority.

Section 3. The final interest rate or rates for the Series 2019 Bonds shall be set by the Designated Officers, in consultation with the Municipal Advisor, at the rate or rates which, taking into account the purchase price offered by the Purchaser of the Series 2019 Bonds, will in the opinion of the Designated Officers and the Municipal Advisor result in the lowest cost of funding reasonably achievable given the manner of offering the Series 2019 Bonds at the time of the sale of the Series 2019 Bonds, as evidenced by the execution and delivery of the Bond Purchase Agreement.

Section 4. The forms of the General Indenture and Supplemental Indenture attached hereto as Exhibit B are in all respects hereby authorized and approved, and the Chair-President or Vice Chair and Secretary-Treasurer are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 5. The Bond Purchase Agreement in the form presented to this meeting and attached hereto as Exhibit F is in all respects authorized, approved, and confirmed. The Chair-President or Vice Chair and the Secretary-Treasurer are hereby authorized to execute and deliver said Bond Purchase Agreement. The Designated Officers are each hereby authorized to select the Purchaser, to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2019 Bonds for and on behalf of the Authority, provided that such terms are within the Parameters set by this Resolution. The execution of the Bond Purchase Agreement will signify the approval of the Designated Officers.

Section 6. The Master Lease, Ground Lease, and Security Documents, in substantially the respective forms presented to this meeting and attached hereto as exhibits, are in all respects approved, authorized and confirmed, and the Chair-President or Vice Chair and Secretary-Treasurer are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 7. The Designated Officers of the Authority are authorized to make any alterations, changes or additions to the General Indenture, Supplemental Indenture, Bond Purchase Agreement, Master Lease, Security Documents, Ground Lease, Series 2019 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2019 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution, or any resolution adopted by the City or the Authority, the agreements with the Purchaser or the provisions of the laws of the State of Utah or the United States.

Section 8. The Designated Officers are each hereby authorized to select the Purchaser and to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series

2019 Bonds for and on behalf of the Authority, provided that such terms are within the Parameters set by this Resolution.

Section 9. The form, terms, and provisions of the Series 2019 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Chair-President or Vice Chair and Secretary-Treasurer are hereby authorized and directed to execute and seal the Series 2019 Bonds and to deliver said Series 2019 Bonds to the Purchaser. The signatures of the Chair-President or Vice Chair and the Secretary-Treasurer may be by facsimile or manual execution.

Section 10. Upon their issuance, the Series 2019 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2019 Bonds, the Indenture and the Security Documents. No provision of this Resolution, the Indenture, the Bond Purchase Agreement, the Master Lease, the Security Documents, the Ground Lease, the Series 2019 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority or the City or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Authority or the City or its taxing powers.

Section 11. The Designated Officers and other appropriate officials of the Authority, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 12. After the Series 2019 Bonds are delivered to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of the Series 2019 Bonds is deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 13. The Authority shall hold a public hearing on June 6, 2019 at 6:30 p.m. to receive input with respect to (a) the Series 2019 Bonds, and (b) the potential economic impact that the Series 2019 Project will have on the private sector. In accordance with the provisions of the Act, the Secretary-Treasurer shall cause the following "Notice of Public Hearing and Bonds to Be Issued" to be published (A) once a week for two (2) consecutive weeks in the Davis County Clipper, a newspaper of general circulation in the City, (B) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with the first publication no less than fourteen (14) days before the public hearing date, and shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of the City Recorder of the City for public examination during the regular business hours of the City for a period of at least thirty (30) days from and after the last date of publication thereof:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN that pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (collectively, the “Act”), on May 2, 2019 the Governing Board (the “Governing Board”) of the Municipal Building Authority of Kaysville City, Utah (the “Authority”) adopted a resolution (the “Resolution”) declaring its intention to issue its Lease Revenue Bonds, Series 2019 (to be issued in one or more series and with such other or further designation(s) as the Authority may determine) (the “Bonds”).

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Authority shall hold a public hearing on June 6, 2019, at the hour of 6:30 p.m. The location of the public hearing is 23 East Center Street, Kaysville, Utah. The purpose of the meeting is to receive input from the public with respect to (i) the issuance of the Bonds and (ii) any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE BONDS

The Bonds will be issued for the purpose of (a) financing the construction, renovation and expansion of the Kaysville City Hall and related improvements (collectively, the “Project”), (b) funding any required deposit to a debt service reserve fund, and (c) paying issuance expenses of the Bonds.

PARAMETERS OF THE BONDS

The Authority intends to issue the Bonds in the principal amount of not to exceed Four Million Three Hundred Thousand Dollars (\$4,300,000), to bear interest at the rate or rates of not to exceed a net effective rate of six percent (6.0%) per annum, to mature in not more than seventeen (17) years from their date or dates of issuance, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest to the date of delivery.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as part of said Resolution, forms of a General Indenture of Trust (the “General Indenture”), a Supplemental Indenture of Trust (the “Supplemental Indenture” and collectively with the General Indenture, the “Indenture”), a Bond Purchase Agreement (the “Purchase Agreement”), a Master Lease Agreement (the “Master Lease”), certain Security Documents (the “Security Documents”), and a Ground Lease (the “Ground Lease”), which were before the Governing Board and attached to the Resolution at the time of the adoption of the Resolution and said General Indenture, Supplemental Indenture, Purchase Agreement, Master Lease, Security Documents, and Ground Lease are to be executed by the Authority in such form and with such changes thereto as shall be approved by the

Authority; provided that the principal amount, interest rates, maturity, and discount of the Bonds will not exceed the maximums set forth above.

Copies of the Resolution, General Indenture, Supplemental Indenture, Purchase Agreement, Master Lease, Security Documents, and Ground Lease are on file in the office of the City Recorder of Kaysville City (the “City”) located at 23 East Center Street, Kaysville, Utah, where they may be examined during regular business hours of the City from 8:30 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the last date of publication of this notice.

SECURITY FOR THE BONDS

This Bonds are to be issued under and secured by and entitled to the protection of the Indenture, pursuant to which all base rentals payable by Kaysville City, Utah (the “City”) under the Master Lease and, if paid by the City, the Purchase Option Price, are assigned to secure the payment of principal of, interest on, and premium, if any on the Bonds. Additionally, a security interest in the Project shall be granted to the holders of this Bonds pursuant to the Master Lease, to further secure the Authority’s obligations under the Indenture.

OUTSTANDING BONDS SECURED BY LEASE REVENUES

The Authority currently has \$4,002,000 of other bonds outstanding secured by lease revenues.

OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer’s outstanding bonds may be found in the Issuer’s financial report (the “Financial Report”) at: <https://reporting.auditor.utah.gov/searchreport>. For additional information, including any information more recent than as of the date of the Financial Report, please contact Dean Storey, Finance Director at (801) 546-1235.

TOTAL ESTIMATED COST

Based on the Issuer’s current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Bonds if held until maturity is \$5,129,641.

NOTICE IS HEREBY GIVEN that a period of thirty (30) days from and after the last date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Indenture, Purchase Agreement, Master Lease, Security Documents, or Ground Lease, or any provision made for the security and payment of the Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever; and (ii) registered voters within the City may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least twenty percent (20%) of the registered voters of the City are filed with the Authority during said thirty (30) day period, the Authority shall be required to hold an election to

obtain voter authorization prior to the issuance of the Bonds. If fewer than twenty percent (20%) of the registered voters of the City file a written petition during said thirty (30) day period, the Authority may proceed to issue the Bonds without an election.

DATED this May 2, 2019.

/s/ Annemarie Plaizier
Secretary-Treasurer

Section 14. The Authority hereby expresses its intent that funds of the City or the Authority may be advanced for costs of the Series 2019 Project and that it intends to reimburse such costs from proceeds of the Series 2019 Bonds.

Section 15. The Authority hereby reserves the right to opt not to issue the Series 2019 Bonds for any reason.

Section 16. For purposes of and in accordance with Section 265 of the Internal Revenue Code, the Authority and the City hereby designate the Series 2019 Bonds as an issue qualifying for the exception for certain qualified tax-exempt obligations to the rule denying banks and other financial institutions 100% of the deduction for interest expenses which is allocable to tax-exempt interest. The Authority and the City reasonably anticipate that the total amount of tax-exempt obligations (other than obligations described in Section 265(b)(3)(C)(ii) of the Code) which will be issued by the Authority and the City and by any aggregated issuer during calendar year 2019 will not exceed \$10,000,000. For purposes of this section, "aggregated issuer" means any entity which (i) issues obligations on behalf of the Authority and the City, (ii) derives its issuing authority from the Authority or the City, or (iii) is subject to direct or indirect control by the Authority or the City within the meaning of Treasury Regulatory Section 1.150-1(e). The Authority and the City hereby represent that (a) they have not created and do not intend to create and do not expect to benefit from any entity formed or availed of to avoid the purposes of Section 265(b)(3)(C) or (D) of the Code and (b) the total amount of obligations so designated by the Authority and the City, and all aggregated issuers for calendar year 2019 does not exceed \$10,000,000.

Section 17. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this May 2, 2019.

(SEAL)

By: _____
Chair-President

ATTEST:

By: _____
Secretary-Treasurer

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Chair-President

ATTEST:

By: _____
Secretary-Treasurer

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

I, Annemarie Plaizier, the undersigned, duly qualified, and acting Secretary-Treasurer of the Governing Board (the “Governing Board”) of the Municipal Building Authority of Kaysville City, Utah (the “Authority”), do hereby certify:

The foregoing pages are a true, perfect and complete copy of the record of proceedings of the Governing Board, had and taken at a lawful special meeting of said Governing Board held at its regular meeting place in Kaysville, Utah, on May 2, 2019, commencing at the hour of 7:00 p.m., as recorded in the regular official book of the proceedings of the Authority kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present as said meeting as therein shown.

All members of the Governing Board were duly notified of said meeting, pursuant to law.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on May 2, 2019, and that pursuant to the Resolution, a Notice of Public Hearing and Bonds to Be Issued was published (i) one time each week for two consecutive weeks (no less than 14 days before the public hearing date) in the Davis County Clipper, a newspaper having general circulation in Kaysville City, Utah, with the affidavit of such publication attached hereto, upon availability, (b) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (c) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Authority this May 2, 2019.

(SEAL)

By: _____
Secretary-Treasurer

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Annemarie Plaizier, the undersigned Secretary-Treasurer of the Governing Board of the Municipal Building Authority of Kaysville City, Utah (the "Authority"), do hereby certify, according to the records of the Authority in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the May 2, 2019, public meeting held by the Authority as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the Authority on _____, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Davis County Clipper, on _____, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

The Authority meets on an "as needed" basis.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this May 2, 2019.

(SEAL)

By: _____
Secretary-Treasurer

SCHEDULE 1

NOTICE OF MEETING

(attach Proof of Publication of Notice of Bonds to be Issued)

EXHIBIT B

GENERAL INDENTURE AND FIRST SUPPLEMENTAL INDENTURE

(See Transcript Document Nos. ____ and ____)

EXHIBIT C

MASTER LEASE

(See Transcript Document No. ____)

EXHIBIT D

SECURITY DOCUMENTS

(See Transcript Document Nos. ____ and ____)

EXHIBIT E

GROUND LEASE

(See Transcript Document No. ____)

EXHIBIT F

BOND PURCHASE AGREEMENT

(See Transcript Document No. ____)

CERTIFICATE REGARDING ESTIMATED USEFUL LIFE

The undersigned, _____ of _____ has acted as the [engineer or architect] for the Municipal Building Authority of Kaysville City, Utah in connection with the construction, renovation and expansion of the Kaysville City Hall and related improvements (the “2019 Project”), and based upon the foregoing, the undersigned hereby certifies to the best of his/her knowledge that the estimated useful life of the 2019 Project is not less than _____ () years assuming proper maintenance and repair.

Dated: _____

By: _____

STAFF REPORT



COUNCIL MEETING DATE: May 2, 2019

ITEM NO.: 5c

TYPE OF ITEM: Action

PRESENTED BY: Lyle Gibson – Community Development Staff

SUBJECT/AGENDA TITLE:

AN ORDINANCE AMENDING CHAPTER 17-26, HOME OCCUPATIONS, OF TITLE 17, PLANNING AND ZONING, OF THE REVISED ORDINANCES OF KAYSVILLE CITY

EXECUTIVE SUMMARY:

The proposed ordinance makes changes that allow for certain home businesses to receive a business license without the need to come before the Planning Commission for a conditional use permit. Currently these business types are listed as Major Home Occupation B types which require the oversight of the Planning Commission for approval.

The proposed ordinance has created a new category for select business categories that still requires licensing, continues to provide notice to neighbors, but no longer mandates review and approval by the planning commission in a public meeting. The businesses identified under a new category proposed as Home Occupation C are businesses that have been regularly before the planning commission where conditions are not being imposed.

The proposed ordinance amendments also clarify limitations preschool class sizes, and make changes to the youth enterprise ordinance to avoid compliance issues with common youth enterprise practices.

Recommended Options:

After holding a public hearing, the Planning Commission voted unanimously to recommend approval of the proposed ordinance to the City Council.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

- Proposed Ordinance

**KAYSVILLE CITY
ORDINANCE HOME OCCUPATION AMENDMENTS**

**AMENDMENTS TO THE CHAPTER 17-26 CREATING A HOME OCCUPATION C CATEGORY AND CLARIFYING RULES FOR
CERTAIN BUSINESS TYPES.**

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "17-26-4 Major Home Occupations B" of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-4 Major Home Occupations B

A Major Home Occupation B is a home business which may generally have more materials or larger vehicles than other home businesses and may provide services to groups of a limited size.

The following regulations shall apply to all major home occupations B:

1. The use shall be conducted primarily within the dwelling site and carried on by the inhabitants thereof and no others.
2. The use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or the emission of sounds, noises, or vibrations.
3. No more than 400 square feet, or 20 percent of the gross floor area of the dwelling, may be used for the home occupation. (The least restrictive shall apply.) Accessory buildings as allowed in the zone district may be used for the home occupation as permitted. The home occupation shall occupy no more than five percent (5%) of the lot area.
4. There shall be no signs present on the property except for one wall sign, not to exceed one square foot, indicating the address and the occupant's name, for example, Joe Doe - Accountant. See Name Plates in KCC Chapter 17-33, Sign Regulations.
5. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental retail sales may be made in connection with other permitted home occupations; for example, a single-chair beauty parlor would be allowed to sell combs, hair spray, and other miscellaneous items to customers. However, a dressmaker would be required to do only custom work for specific clients and would not be allowed to develop stocks of dresses for sale to the general public on-site.
6. There shall be no exterior storage on the premises of material used in the home occupation nor of any explosive material. No activity shall be allowed which would interfere with radio or television transmission in the area; nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
7. The home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accommodate needs created by the home occupation of not less than one parking space for each 200 square feet of floor area devoted to the home occupation.
8. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
9. Parties for the purpose of selling merchandise or taking orders shall not be held more often than four times each month.
10. Notwithstanding any provision contained herein to the contrary, garage, basement, yard, or other similar sales shall be permitted not more than twice a year, and each sale shall not last more than two (2) consecutive days.
11. The allowable number and size of vehicles and equipment used by the home occupation shall be as determined by the Planning Commission. Only one (1) vehicle over twenty-two feet (22') in length shall be used in the home occupation. Vehicles over twenty-two feet (22') in length including trailers shall not be parked on the street nor within a yard abutting a street.
12. Major home occupations B may include, but are not necessarily limited to the following:
 - a. Any use allowed as a minor home occupation;
 - b. ~~Single-chair beauty parlors and barber shops;~~
 - c. Photo studios and developing;
 - d. Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion);
 - e. Television and other electrical repairs excluding major appliances such as refrigerators, or storage;
 - f. Small engine repairs, excluding automobiles, motorcycles, and snowmobiles;
 - g. Upholstering;
 - h. ~~Dressmaking;~~
 - i. Woodworking;
 - j. Preschools with no more than 12 students in any class;
 - k. Contractors;
 - l. Ceramics (kilns smaller than six (6) cubic feet);
 - m. Carpet or upholstery cleaning;
 - n. Gun repair;
 - o. Plant nurseries;
 - p. Pest or weed control service; and
 - q. ~~Massage therapy;~~
13. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the

uses specified below shall not be permitted as home occupations B:

- a. Minor or major auto repair, painting of vehicles, trailers, or boats;
- b. Funeral chapel or home;
- c. Gift shops,
- d. Medical or dental clinic; and
- e. Welding or machine shops.

SECTION 2: **AMENDMENT** "17-26-4a Major Home Occupations C" of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-4a Major Home Occupations C

Businesses which qualify as a major home occupation C are those businesses which are run by the resident(s) of a home without outside employees, that may have by appointment no more than one (1) customer at a time unless otherwise stated.

The following regulations shall apply to all major home occupations ~~B~~C:

1. The use shall be conducted primarily within the dwelling site and carried on by the inhabitants thereof and no others.
2. The use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure shall no occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by th construction, lighting, or the emission of sounds, noises, or vibrations.
3. Only one customer shall be permitted at any point in time and must be a scheduled appointment, no walk-in business shall be permitted.
4. No more than 400 square feet, or 20 percent of the gross floor area of the dwelling, may be used for the home occupation. (The least restricti buildings as allowed in the zone district may be used for the home occupation as permitted. The home occupation shall occupy no more than area.
5. There shall be no signs present on the property except for one wall sign, not to exceed one square foot, indicating the address and the occupa Doe - Accountant. See Name Plates in KCC Chapter 17-33, Sign Regulations.
6. There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that incidental ret connection with other permitted home occupations; for example, a single-chair beauty parlor would be allowed to sell combs, hair spray, and to customers. However, a dressmaker would be required to do only custom work for specific clients and would not be allowed to develop sto general public on-site.
7. There shall be no exterior storage on the premises of material used in the home occupation nor of any explosive material. No activity shall be interfere with radio or television transmission in the area; nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare property line.
8. The home occupation, including studios or rooms for instruction, shall provide additional off-street parking area reasonably adequate to accc the home occupation of not less than one parking space for each 200 square feet of floor area devoted to the home occupation.
9. Deliveries from commercial suppliers may not be made more than once each week, and the deliveries shall not restrict traffic circulation.
10. Parties for the purpose of selling merchandise or taking orders shall not be held more often than four times each month.
11. Notwithstanding any provision contained herein to the contrary, garage, basement, yard, or other similar sales shall be permitted not more th sale shall not last more than two (2) consecutive days.
12. Only vehicles less than 22 feet in length that would be commonly identified for use of a residence are permitted in conjunction with a Home (
13. Major home occupations C may include, but are not necessarily limited to the following:
 - a. Any use allowed as a minor home occupation;
 - b. Single-chair estheticians, beauty parlors, and barber shops.
 - c. ~~Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent c lessons for school tutoring and music lessons not to exceed 4 students at a time.~~
 - d. Dressmaking;
 - ~~e. Preschools;~~ Daycare for 2 or less children
 - f. Massage therapy.
14. While not all business types are listed under subsection 13 of this section, those businesses which are specifically identified in another home c follow the regulations and processes of the category where they are listed.
15. Upon approval of a business license, notice will be mailed to properties within 100 feet of the major home occupation C to inform them of th activity.

SECTION 3: **AMENDMENT** "17-26-10 Youth Enterprise" of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

17-26-10 Youth Enterprise

Uses classified as Youth Enterprises shall be permitted in all zones. The following regulations shall apply to all Youth Enterprises:

1. The Youth Enterprise shall be conducted entirely by youth ~~sixteen~~ **seventeen** (17) years of age or younger, ~~who live on the premises and sell less than One Thousand Dollars (\$1,000) per calendar year in gross sales.~~
2. The Youth Enterprise activity shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the premises shall not be significantly altered or changed by the Youth Enterprise.
3. The Youth Enterprise shall have no more than one table or display of goods which shall be located entirely upon the premises.
4. The Youth Enterprise shall have only one sign no larger than sixteen (16) square feet which shall be removed from public view at the end of each business day.
- ~~5. The Youth Enterprise shall be conducted no longer than ninety (90) days per calendar year.~~
6. Any merchandise sold in connection with the Youth Enterprise shall be only that which the youth conducting the enterprise has made or raised.
7. No explosive materials shall be used or stored on the premises. No activity shall be allowed that would interfere with radio or television reception in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line of the premises upon which the enterprise is conducted.
8. The Youth Enterprise shall not create greater vehicle or pedestrian traffic than normal for the zone district in which it is located.
9. The Youth Enterprise shall not require additional off-street parking above that required for the zone district.
10. The Youth Enterprise shall not require deliveries from commercial suppliers nor commercial deliveries from the enterprise.
11. The Youth Enterprise shall comply with all other applicable city rules and regulations.
12. Failure to comply with the provisions of this section or any applicable city regulation may result in the Zoning Administrator issuing an order suspending or terminating the Youth Enterprise.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Council member Adams	_____	_____	_____	_____
Council member Barber	_____	_____	_____	_____
Council member Garn	_____	_____	_____	_____
Council member Hansen	_____	_____	_____	_____
Council member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder Kaysville City

STAFF REPORT



COUNCIL MEETING DATE: May 2, 2019

ITEM NO.: 5d

TYPE OF ITEM: Action

PRESENTED BY: Lyle Gibson – Community Development Staff

SUBJECT/AGENDA TITLE:

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE KAYSVILLE CITY ORDINANCES MODIFYING THE REQUIREMENT FOR PRESSURE IRRIGATION EAST OF US 89 AND REQUIRING COMMUNICATIONS CONDUIT WITH NEW SUBDIVISION DEVELOPMENT.

EXECUTIVE SUMMARY:

As Kaysville City has been reviewing development east of US 89, Weber Basin Water District has asked that connections to secondary water not be mandatory. This is something they have been advocating with multiple cities in the region. A requirement to supply an additional water source in addition to the culinary system is of concern to the district as far as impacts to the overall function and maintenance of their system.

Also proposed, is a change to the subdivision improvement requirements that would require new subdivisions to install conduit for communication systems.

Recommended Options:

After holding a public hearing in which a representative from Weber Basin Water District spoke to the issue, the Planning Commission voted unanimously to make a positive recommendation to the City Council concerning the proposed ordinance.

Fiscal Impact & Fund Source for Recommended Action: N/A

Attachments:

- Proposed Ordinance

**KAYSVILLE CITY
ORDINANCE**

REVISIONS TO KAYSVILLE CITY PRESSURE IRRIGATION REQUIREMENTS

**REVISIONS TO MULTIPLE SECTIONS OF TITLE 9, 18, AND 19 TO ELIMINATE THE
REQUIREMENT FOR A PRESSURE IRRIGATION SYSTEM FOR PROPERTIES
LOCATED EAST OF U.S. 89. AND TO REQUIRE INSTALLATION OF
COMMUNICATIONS CONDUIT WITH NEW SUBDIVISION DEVELOPMENT.**

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “9-6-1 Connection Required” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9-6-1 Connection Required

The record owners, or their duly authorized agents, of all residential sites that are west of US-89 where pressure irrigation is available shall connect their properties to a pressure irrigation system (non-culinary) and pay the applicable fees and charges. Residential sites located east of the US-89 corridor will not be required to connect their properties to pressure irrigation systems.

SECTION 2: **AMENDMENT** “9-4-15 Cross Connection Control And Backflow Prevention” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9-4-15 Cross Connection Control And Backflow Prevention

1. No water service connection to any premises shall be installed or maintained by Kaysville City unless the water supply is protected as required by State laws, regulations, codes, and this Chapter. Service of water to a consumer found to be in violation of this Chapter shall be discontinued by Kaysville City:
 - a. If a backflow prevention assembly required by this Chapter for control of backflow and cross connections is not installed, tested, and maintained, or
 - b. If it is found that a backflow prevention assembly has been removed or bypassed, or
 - c. If an unprotected cross connection exists on the premises, or

- d. If the periodic system survey has not been conducted. Service will not be restored until such conditions or defects are corrected.
2. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the Public Works Superintendent to determine whether cross connections or other structural or sanitary hazards, including violation of this Chapter exist and to audit the results of the required survey.
3. Whenever the Public Works Superintendent deems a service connection's water usage contributes a sufficient hazard to the water supply, an approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line, or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line. It shall be the responsibility of the consumer to purchase, install, test and maintain any backflow prevention device/assembly required to comply with this Chapter.
4. The type of protective assembly required under subsection (3), is shown in the Standard Drawings of the Kaysville City Development Code~~shall depend upon the degree of hazard which exists at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.~~
5. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved assemblies for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection (6), be excluded from the requirements of these rules so long as the Public Works Superintendent is assured that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance, or when the Public Works Superintendent finds that the operation or maintenance of this assembly constitutes a hazard to health, the units shall be replaced by an approved backflow prevention assembly meeting the local and state requirements.
6. It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys/inspections, and operational tests made at least once per year at the consumer's expense. In those instances where the Public Works Superintendent deems the hazard to be great, he may require certified surveys/inspections and tests at more frequent intervals. It shall be the duty of the Public Works Superintendent to see that these tests are made according to the standards set forth by the State Department of Health, Bureau of Drinking Water/Sanitation
7. All backflow prevention assemblies shall be tested within ten (10) working days of initial installation.
8. No backflow prevention assembly shall be installed so as to create a safety hazard such as installation over an electrical panel, steam pipes, boilers, pits, or above ceiling level.
9. If violations of this Chapter exist or if there has not been any corrective action taken by the consumer within ten (10) days of a written notification of deficiencies noted within the survey, then the Public Works Superintendent shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition(s) in conformance with the State and City statutes relating to plumbing, safe drinking water supplies and the regulations adopted pursuant thereto.

SECTION 3: **AMENDMENT** “18-3-7 Pressure Irrigation Water” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

18-3-7 Pressure Irrigation Water

1. Unless located east of U.S. 89, ~~R~~residential building sites shall be served by pressure irrigation.
2. The owner shall extend the pressure irrigation system and provide a connection for the building site concurrent with construction of the residence.
3. The owner shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

SECTION 4: **AMENDMENT** “19-6-3 Improvements Required” of the Kaysville Municipal Code is hereby *amended* as follows:

A M E N D M E N T

19-6-3 Improvements Required

The improvements shall include all street improvements in front of all lots and along all dedicated streets to a connection with existing improvements of the same kind or to the boundary of the development nearest existing improvements. Layout must provide for further extension to adjacent development and to be compatible with the contour of the ground for proper drainage. All water lines, sewer lines, and any other buried conduit shall be installed to the boundary lines of the development. The owner of any land located in or platted as a subdivision shall install the following improvements in compliance with the specifications contained in the Specifications and Standard Drawings:

1. Sewage Collection

- a. The Subdivider shall connect to the sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations and specifications of, and shall be approved by, the applicable Sewer District and Kaysville City. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
- b. Subdivisions using individual wastewater disposal systems are allowed in the area of Kaysville City which is three hundred feet (300') or more west of and at an elevation that cannot flow to the western most sewer main of the Central Davis Sewer District, if after review of all alternatives, the City Engineer

determines that other alternatives are not reasonably available Such subdivisions shall comply with the following:

- i. The Utah Department of Health Regulations for Individual wastewater Disposal Systems including a feasibility review and certification by the Davis County Health Department.
- ii. All lots shall be a minimum of two hundred ten thousand (210,000) square feet, be in the A-5 Heavy Agricultural District and comply with the provisions of that zone district.
- iii. All systems shall be installed to accommodate and facilitate connection to public sanitary sewer facilities when they become available (i.e., structure plumbing oriented to connect to sewer mains, street oriented to facilitate sewage flow).
- iv. Execution and recording of an agreement and lien upon the property, in form and substance satisfactory to the City, that the owners will pay their pro rata share of the costs of public sewer facilities to serve the property, when installed at the discretion of the City, including development fees and street repairs.

2. **Groundwater.** The Subdivider shall protect the structures from groundwater by:

- a. Digging at least one test hole per acre or part thereof, at locations approved by the City Engineer, and determining the depth of the groundwater table and the permeability and percolation rate of the soils. These tests shall be performed by a qualified soils engineer at the Subdivider's expense. If a groundwater drainage system is installed to City standards, with a lateral provided to each lot for a footing drain, this testing is not required.
- b. Preparing a detailed groundwater plan for the subdivision. showing the minimum level of all floors and crawl spaces. If any floor or crawl space is to be installed within one foot or below the groundwater table or where the permeability and percolation rate of the soil is not adequate, the Subdivider shall install a groundwater drainage system to City standards, with a lateral provided to each lot for a footing drain.
- c. Making improvements to adequately remove groundwater and prevent groundwater entry into buildings, including crawl spaces.
- d. Preventing the discharge of surface water drainage into the groundwater drainage system.

3. **Storm Water.** A storm drainage plan has been prepared and is maintained by Kaysville City and Davis County. The Subdivider shall implement the portion of that plan applicable to the subdivision by:

- a. Preparing a detailed drainage plan for the subdivision which is acceptable to the City.
- b. Making sufficient improvements, such as storm drains, cross gutters, catch basins, inlets, and other appurtenant structures, to adequately dispose of 10-year frequency storm runoff within the subdivision and from adjacent properties. Storm drains shall be not less than fifteen inches (15") in diameter and meet City standards and specifications.
- c. Providing for restriction of the runoff from the subdivision to 0.20 cubic feet per

second per acre per 10-year frequency rainfall event through one or more of the following, at the direction of the City:

- i. Conveyance (including easements) of the runoff to a regional detention site and paying the subdivisions proportional share of the cost of the regional detention facility and conveyance to the main channel; or
 - ii. Dedicating land and constructing regional detention within the subdivision and conveyance to the main channel if said subdivision contains a proposed detention site. The Subdivider will be compensated for the cost of the regional detention and conveyance to the main channel which is not the proportional share for the subdivision.
 - d. If the subdivision is within one hundred feet (100') of a main channel, complying with all Davis County Flood Control requirements and being approved by Davis County.
 - e. The storm drainage plan is not intended to and may not eliminate periodic accumulation of standing water on various lots in the subdivision during periods of heavy rainfall or runoff.
4. **Culinary Water.** The Subdivider shall install water lines to make the water supply available to each lot within the subdivision, including laterals to the property line of each lot. The location and size of water mains shall be approved by the City Engineer. Subdivision water lines shall be a minimum of eight inches (8") in diameter and service laterals shall be a minimum of 3/4-inch in diameter. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed City streets.
5. **Fire Hydrants.** Fire hydrants shall be installed as required. Such fire hydrants shall be of the type, size, and number as adopted by the City, and installed in such locations as approved by the City. A fire hydrant shall also be placed at the end of every cul-de-sac in which the water line dead-ends.
6. **Irrigation Water.** Unless located east of U.S. 89, **P**ressure irrigation shall be provided to each lot in residential subdivisions.
- a. All gravity flow ditches through which water will continue to flow within a subdivision after its completion, whether to serve as irrigation water and/or waste flow to go from any adjacent property, shall remain in use and be piped with a minimum pipe size of at least 15 inches and shall be approved by the City Engineer and irrigation provider. Irrigation ditches which will not carry irrigation water and/or waste flow shall be removed.
 - b. The Subdivider shall install pressure irrigation lines to make pressure irrigation available to each lot within the subdivision including laterals to the property line of each lot. All plans and specifications for pressure irrigation systems shall be submitted to the City Engineer and irrigation provider. Such system must be approved by the City and irrigation provider. It shall be illegal for any person to connect together a culinary water system and a non-potable water system by any method.
 - c. The Subdivider shall comply with all the requirements of the pressure irrigation provider and furnish proof thereof to the City.

7. **Street Grading and Surfacing.** All streets whether existing or proposed, shall be graded and surfaced, including a Slurry Seal Type III applied on all new asphalt pavement in streets, in accordance with the standards and specifications of Kaysville City and the design for each street. Existing streets shall be modified to drain and function properly. Any pavement removed from existing streets shall be replaced within sixty (60) days of such removal.
8. **Curbs and Gutters.** Curbs and gutters shall be installed by the Subdivider on existing and proposed streets in accordance with all the appropriate specifications of Kaysville City. Curb and gutter shall be thirty inches (30") wide standard high back style, or standard roll curb if recommended by the Planning Commission and approved by the City Council, and shall be placed in six inches (6") of compacted untreated base course as foundation materials.
9. **Street Drainage.** Street drainage and drainage structures shall be required where necessary in the opinion of the City Council. after recommendation by the City Engineer.
10. **Sidewalks.** Sidewalks shall be installed according to the specifications of Kaysville City. Sidewalks shall be at least four feet (4') wide with four inches (4") of compacted untreated base course material as foundation materials. Depth of sidewalks shall be four inches (4"). except at driveways, which shall be six inches (6").
11. **Active Transportation Improvements.** Subdivisions which include or are adjacent to an element of the Kaysville City Active Transportation Plan shall account for and install the applicable improvements including off street shared use paths and street improvements such as striping.
12. **Telecommunications Conduit.** Conduit for the purpose of housing telecommunications and internet infrastructure shall be installed in accordance with the Kaysville City Standard Drawings.
13. **Driveway Approaches.** All driveway approaches shall meet the following specifications:

Specification	Residential	Type Commercial, Industrial, and Institutional
Minimum width	10 feet	10 feet
Maximum width	30 feet	40 feet
Minimum concrete thickness	6 inches	8 inches
Minimum base course thickness	6 inches	6 inches
Minimum distance between driveways	12 feet	12 feet
Minimum distance to the point of intersection of two property lines at any street intersection	20 feet	40 feet

14. **Monuments.** Permanent survey monuments shall be accurately set and established at the intersections of centerlines of streets within the subdivision and intersections with centerlines of existing streets and the beginning and ends of curves on centerlines or points of intersections or tangents. All permanent survey monuments shall remain in place, or be reset at the Subdivider's expense, after curbs, gutter, and sidewalks are installed. Monuments shall be of a type specified in City standards, and all subdivision plats shall be tied to a section corner or monument of record, as established by the Davis County Surveyor.

15. **Electric Power System**

- a. The Subdivider shall pay the cost of electric system extensions and street lights, installed by the City, to service the subdivision.
- b. The Subdivider shall be responsible to facilitate the extension of electrical distribution lines by:
 - i. Planning the installation of utilities to each lot or site to be served to preclude conflict between other utilities and the electrical distribution lines.
 - ii. Scheduling and coordinating the actual installation of improvements to allow adequate time for construction of electrical distribution lines.
 - iii. Notifying the Kaysville City Power Superintendent upon completion of adequate site preparation to allow installation of electrical distribution lines.
- c. The Subdivider shall prepare the site for electrical distribution line installation before notifying Kaysville City to install said lines. Site preparation shall include but not be limited to:
 - i. Installation of curb and gutter indicating permanent grade.
 - ii. Markers installed on curb indicating property lines.
 - iii. The area extending from property side of sidewalk away from the street for ten (10) feet leveled to final grade.
 - iv. Utilities installed less than four feet (4') below final grade not extending beyond the property line more than twelve inches (12").
- d. The Subdivider shall provide the trenching and excavations for installation of underground facilities unless waived by the City.
- e. The Subdivider shall back fill, compact, test, and guarantee the back fill of excavations for underground facilities installed.

16. **Street Signs.** The Subdivider shall pay the cost of traffic control, street identification, and other street signs, installed by the City, in accordance with City standards. The cost will be charged to the Subdivider and shall be paid before the plat is recorded. The improvement assurance in the subdivision will not be released until after payment of the costs incurred to install the necessary street signs has been made.

17. **Fencing of Subdivision.** A permanent solid board, metal chain link (with opaque slats if required), masonry, or other similar fence not less than six feet (6') in height shall be installed prior to the start of building construction along all boundaries with properties adjacent to the subdivision where adjacent uses are found to be non-compatible by the Planning Commission. In addition, temporary construction fencing shall be installed along appropriate boundaries or where required to contain blowing refuse prior to the start of building construction, as recommended by the City Engineer. The construction fence shall remain in place until 90% of the lots are built on. The construction fence shall be type "D" field fence as given in the specifications. Upon installation of the permanent fence by the Subdivider, and approval by Kaysville City, individual property owners shall assume full responsibility for maintenance of fences or portions of fences constructed upon their property and shall not hold Kaysville City responsible for any and all defects of workmanship, maintenance, repair, and liabilities of any nature arising from the construction or intended use of said fences. In situations where a temporary construction fence and a non-climbable permanent fence coincide, the non-climbable permanent fence shall take the place of the temporary construction fence and shall be constructed prior to the beginning of construction within the subdivision.
18. **Marking of Lots.** Survey markers shall be placed at all lot corners and at lot boundary locations to completely identify the lot boundaries on the ground. Lot corners shall be identified with permanent plugs in the sidewalk or back of the curb or with a metal pipe or rod driven into the ground if sidewalks or curbs are not next to the lot boundary. All lot corners and lot boundaries shall be marked prior to the issuance of building permits, after the completion of all subdivision improvements and during building construction and inspections. It shall be the responsibility of the lot owner to insure that all lot corner and boundary markers are in place. The City is not responsible to replace survey stakes or markers.
19. **Highway Noise Abatement.** Highway noise abatement, as determined through environmental studies and engineering analysis and approved by the Planning Commission, shall be provided in all residential subdivisions within three hundred feet (300') of a freeway or principal arterial. Noise abatement may include distance of noise sensitive uses from noise sources, landscaping, earth berms, and other mitigation. The Subdivider shall pay the entire cost of any noise abatement studies and noise abatement facilities.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council member Adams	_____	_____	_____	_____
Council member Barber	_____	_____	_____	_____
Council member Garn	_____	_____	_____	_____
Council member Hansen	_____	_____	_____	_____
Council member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City