

Mayor Lawrence Flitton

Council Members:

Michelle Roberts

Jerry Smith

Gordon Cutler

Greg Johnson

UINTAH CITY COUNCIL

WORK SESSION

TUESDAY, December 5th, 2017

6:30 PM

MINUTES

Planning – Tim Petty

Building Inspector - Jeff Monroe

Treasurer – Mike Ulrich

Sheriff – Lt. Talbot

Fire Chief – William Pope

Attendees: Mayor Flitton, Gordon Cutler, Michelle Roberts, Jerry Smith, William Pope, and Darinda Wallis.

Excused: Greg Johnson

MEETING MINUTES:

1. **MEETING CALL TO ORDER:** Mayor Flitton called the meeting to order.

PLEDGE OF ALLEGIANCE: Led by Jerry Smith

2. **DISCUSSION ON CAPITAL FACILITIES PLAN AND UPDATING IMPACT FEES AND STUDIES:** (00:00:00)

Presenter: Matt Hartvigsen

Impact Fees are fees charged to new developments

- To pay for utility system upgrades and infrastructure that need to be constructed to accommodate growth.
- Are proportional to the service impacts imposed by the development Are based on actual needs that are determined by studies and planning documents (level of service)
- Must be certified by a financial consultant
- Must be properly advertised to residents and developers

The rules for establishing impact fees are found in Title 11 Chapter 36a of the Utah Code

- As a result of the ongoing changes to the Utah Code many cities and service districts charging impact fees are not compliant with the Impact Fees Act.

Are Impact Fees Necessary

- Upgrades to infrastructure can be paid for using other funds such as utility fees, donations, grants or general funds.
- Please understand that connection fees cannot be used to pay for system upgrades. Any fee charged to new development (regardless of what the fee is called) to sustain the level of service from a utility provider is considered an impact fee and must comply with Title 11 Chapter 36a of the Utah Code.

They should be charged

- To ensure that new development pays their fair share of system costs.
- To be equitable in the way new developments are processed (fees are the same for similar developments).

How are Impact Fees Calculated

- Impact fees are calculated from project costs identified in the Impact Fee Facilities Plan
- An Impact Fee Facilities Plan (IFFP) is a report that identifies the infrastructure needed to support the growth and development that may result from the implementation of the General Plan.
- The IFFP is based on the measured impacts of growth and usually requires extensive studies and modeling. The information in the IFFP must be "defensible" in order to avoid litigation.
- A financial consultant must perform an Impact Fee Analysis (IFA) and certify that the fee meets the criteria found in Title 11 Section 36a of the Utah Code.

Who can create the IFFP?

- The Impact Fee Facilities Plan is created by an individual who is familiar with the Utility needs and service standards.
- An extensive IFFP need not be created if the utility provider serves a population of less than 5,000 and charges less than \$250,000 annually in impact fees (11-36a-301-3).
- However, anybody charging an impact fee "must ensure that: (a) the impact fees that the local political subdivision or private entity imposes are based upon a reasonable plan that otherwise complies with the common law and this chapter; and (b) each applicable notice required by this chapter is given."

What is this going to cost?

- Studies are expensive but these costs can be recovered through the impact fee itself.
- We have simplified the work in our proposal to lower the cost of the Impact Fee Facilities Plans (IFFP's) because your population is less than 5,000.
- We have helped negotiate lower costs from a financial consultant who will be performing the Impact Fee Analysis (IFA).
- We would be willing to work on the IFFP's one at a time as prioritized by the City.

What Impact Fee Facilities Plans and Impact Fee Analyses are Needed?

- None of the current fees meet the requirements of the Utah Code. Services requiring updated plans include:

- Public Safety
- Parks and Recreation
- Transportation
- Culinary Water
- Storm Drain

Consider if you want to continue to charge impact fees for each of these services.

Estimated Cost for Impact Fee Analysis and Reports

	Public Safety	Parks and Recreation	Transportation	Culinary Water	Storm Drain	Total
CFP	N/A	N/A	\$9,721	\$8,581	\$9,728	\$28,030
IFFP	\$2,794	\$2,508	\$2,093	\$859	\$2,093	\$10,347
IFA	\$2,338	\$2,166	\$3,648	\$3,706	\$3,420	\$15,278
Total	<u>\$5,132</u>	<u>\$4,674</u>	<u>\$15,462</u>	<u>\$13,146</u>	<u>\$15,241</u>	<u>\$53,655</u>

- Matt recommended that the City update the Storm Drain and Transportation for sure because of the new regulations. He would suggest that we look at each of the departments and evaluate and consider updating them soon as well.
- Matt reported that there is Public Noticing and Public Hearing that we would have to post and hold as well in this process.
- Matt will look this over and report back to the Council next month.

3. MEETING ADJOURNMENT: (00:49:35)

Michelle Roberts motioned to adjourn the meeting.

Seconded by Jerry Smith

All in favor; the motion passed. The meeting was adjourned.

APPROVED by City Council this 19th, day of December 2017.



DARINDA K. WALLIS, City Recorder