

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Rodney Wood

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City Recorder
Cathy Brightwell

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 3, 2022, AT THE CITY OFFICES

**Online Participation Available: <https://us02web.zoom.us/j/89517620091>
Zoom Meeting ID: 895 1762 0091**

Invocation/Thought – By Mark Preece; Pledge of Allegiance – By James Ahlstrom

1. Approve Agenda.
2. Public Comment - Two minutes per person; five minutes if speaking on behalf of a group.
3. Resolution 515-22, A Resolution Implementing 2022 Watering Restrictions.
4. Application to Amend Land Use Code to Add “Places of Worship and Primary Schools” to Various Zones or to Change Definition of Quasi-Public Uses – Mr. Paul Tanner.
5. Ordinance 453-22, An Ordinance Adopting Water Efficient Landscape Standards.
6. Yard Regulations for Non-Commercial Structures – Buildable Space.
7. Award Financial Audit Services for Fiscal Year 2021/2022 to Christensen, Palmer & Ambrose.
8. West Bountiful Police Department K9 Proposal.
9. Presentation of Fiscal Year 2022/2023 Tentative Budget for All City Funds.
10. Meeting Minutes from April 19, 2022.
11. Staff Reports – Police, Public Works, Engineering/Community Development.
12. Mayor/Council Reports.
13. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
14. Adjourn.

This agenda was posted on the State Public Notice website, the city website, emailed to the Mayor and City Council, and provided to the Davis Journal on April 29, 2022, by Cathy Brightwell, City Recorder.

MEMORANDUM



TO: Mayor & Council

DATE: April 29, 2022

FROM: Duane Huffman

RE: **2022 Water Conservation – Use of City Drinking Water, Connections Via the Golf Course, and City Property Water Plans**

This memo provides background and options related to 1. Restrictions for outdoor use of city drinking water for 2022; 2. Connections of irrigation water via Lakeside Golf Course; and 3. Watering plans for city properties. This is due to extreme drought conditions and reductions to the water supplied by Weber Basin Water Conservancy District (WBWCD).

Background

WBWCD has historically provided about 80% of the city's drinking water. Additionally, the district provides secondary water to many properties throughout the city, which significantly lessens the demand on city water for outdoor uses.

Due to the ongoing drought, which was recently again declared a state of emergency, WBWCD's reservoirs are around 39% capacity, and significant restrictions are now in place to preserve the district's ability to provide drinking water. Outdoor irrigation contracts are reduced by 60% and drinking water contracts are being reduced by 10% plus a portion estimated on outdoor use. West Bountiful City's contract for drinking water was reduced from 750 acre feet to 603.75 acre feet (20%).

The district placed the following restrictions on their system's secondary irrigation users:

- Delayed charging of the secondary irrigation/agricultural system to mid-May.
- No watering between 10:00 AM and 6:00 PM.
- All new landscapes must adhere to watering restrictions.
- No hosing down sidewalks or driveways.
- Metered Customers – Can water any day of the week if they stay within the weekly allotment according to the customer portal.
- Unmetered Customers:
 - No more than ONE watering per week. A watering equals 20 minutes for overhead sprays, and 40 minutes for rotors, per zone
 - One day a week hand watering of established trees and shrubs.
- Monetary fines occur with the second documented violation, and services are discontinued upon the fourth.

The district's 60% reduction in irrigation contracts also applies to Lakeside Golf Course and other city properties such as the City Park, City Hall, etc.

1. Options for Drinking Water Conservation:

The following options are examples of actions that the council may take to encourage residents to conserve water. The council has the discretion to select one, some, all, or none of the options.

- A. Educate: Emphasize the drought conditions. Contact high-users monthly to check for leaks. Post updates showing how water is being conserved throughout the city.
- B. Ask for Voluntary Compliance: Ask that culinary water not be used for lawns/landscape more than outlined by WBWCD.
- C. Restrict Use of Drinking Water for Landscapes:
 - 1. Prohibit use of culinary water for landscape where WBWCD connections exist.
 - 2. Adopt restrictions mirroring WBWCD (one day a week, etc.).
 - i. The city could also modify or clarify restrictions on items like gardens.
 - 3. Fine property owners found in violation.

In the case that the council decides to move forward with restrictions, a resolution will be prepared for the May 3rd meeting.

2. Options for Connections Via Lakeside Golf Course

Several private properties receive secondary water by way of a connection to the golf course, and they can be grouped into three categories:

- A. Properties With Shares (3 properties); For these properties, it is very important that they do not use more than their allotted shares (which are also being reduced by 60% this year), as anything they use beyond that will count against the golf course's contract. We recommend:
 - i. Requesting that they be on Weber's list for new meters;
 - ii. Enforcing Weber's restrictions (watering one day a week, etc.);
 - iii. Shutting off the connection if they water more than is allowed.
- B. Properties Without Shares (4-5 properties); These connections have historically come from a previous superintendent trying to be a good neighbor or trying to smooth over past problems. Staff's recommendation for these properties is to inform the owners that the course simply cannot provide water any longer due to the drought and water restrictions placed on the golf course (unless they can provide documentation that the city has formally agreed to provide water).
- C. Properties With Agreements (4-5 properties). For these properties, it is very important that they do not overuse water, as anything they use will count against the golf course's contract. Staff recommends:
 - i. Enforcing Weber's restrictions (watering one day a week, etc.);
 - ii. Shutting off the connection if they water more than is allowed; and,
 - iii. Begin the process of actually purchasing shares for these properties (and having them metered) which is what the city actually agreed to do when the land was sold.

In the case that the council decides to move forward with these recommendations, a resolution will be prepared for the May 3rd meeting.

3. Options for Watering Plans for City Properties

All city properties that irrigate with secondary water will also have their allotment reduced by 60% this year. Staff put together conservation plans based on the principles of 1. Conserving water;

2. Protecting public investments; and 3. Maintaining some space that can be enjoyed by the community in general.

For Lakeside Golf Course, attached to this memo is a plan that reviews changes to watering. The focus will be on greens, fairways, and tees. Rough areas will be significantly affected, and there are several non-play areas that won't receive any water.

For other city properties, the attached maps show staff's current plans for:

- A. No water (red areas). Any turf in these areas will be abandoned, and future improvements will be needed for water-wise landscape.
- B. Limited water (yellow areas). These areas will be watered 1 time per week to attempt to preserve trees and dormant turf. There is a risk that some landscaping will die in these areas.
- C. Reduced water (green). The only area in this category is the City Park on Pages Lane. Watering will be reduced, but the area would be kept in a condition where the turf can still be used by the general public.

2022 Drought response for Lakeside Golf Course

How does Lakeside Irrigate?

- ▶ Lakeside Golf course has 294-acre feet of water to use annually
- ▶ We irrigate approximately 96 acres of the course
- ▶ We have 889 individually controlled irrigation heads
- ▶ We have a central computer that's sole purpose is the management of irrigation water
- ▶ In 2018 we upgraded our irrigation computer and field satellites
- ▶ In 2020 we purchased a weather station to more accurately apply our irrigation
- ▶ This new system allows us to use an irrigation process based on "Evapotranspiration"

What is Evapotranspiration?

- ▶ the process by which water is transferred from the land to the atmosphere by evaporation from the soil and other surfaces and by transpiration from plants
- ▶ With the addition of the weather station, our Central control takes data such as high and low temperature, humidity levels, solar radiation, and wind speed to generate an amount of water needed by the turf to replaced what is lost though the transpiration of the plant
- ▶ Through this process we are able to more accurately apply the correct amount of irrigation

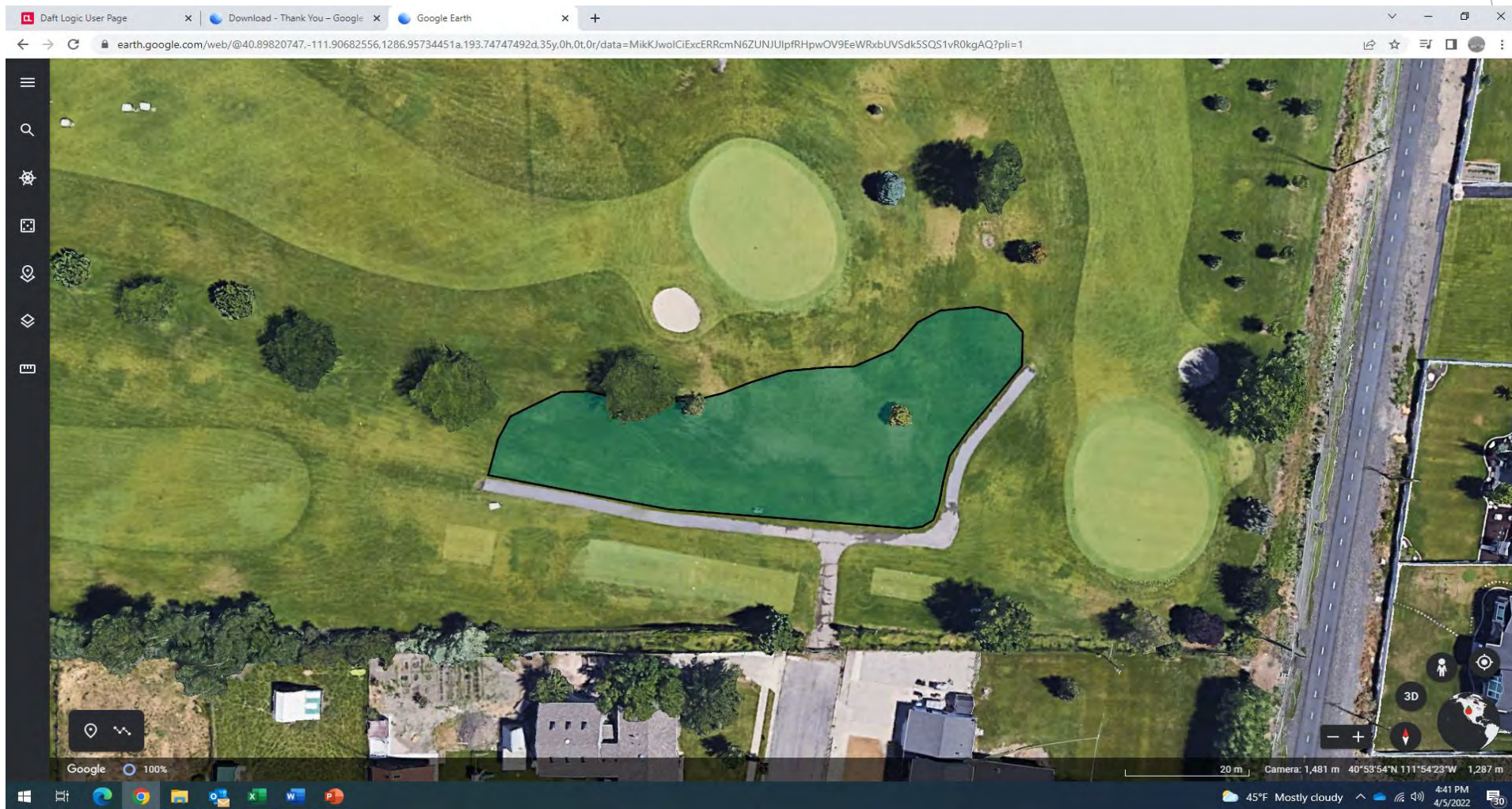
The problem with 2022!

- ▶ Weber Basin (our water supplier) has restricted our allotment by 60%
- ▶ They have also restricted our time frame in which we receive our water from May 15th to September 15th
- ▶ In a normal year we receive our water from April 15th to October 15th
- ▶ Our current allotment leaves us with 118-acre feet (ACF) of water
- ▶ 2021 water use 171 ACF
- ▶ 2020 water use 228 ACF
- ▶ 2019 water use 193 ACF
- ▶ 2018 water use 242 ACF
- ▶ This year will be a major struggle to keep turfgrass alive without additional water

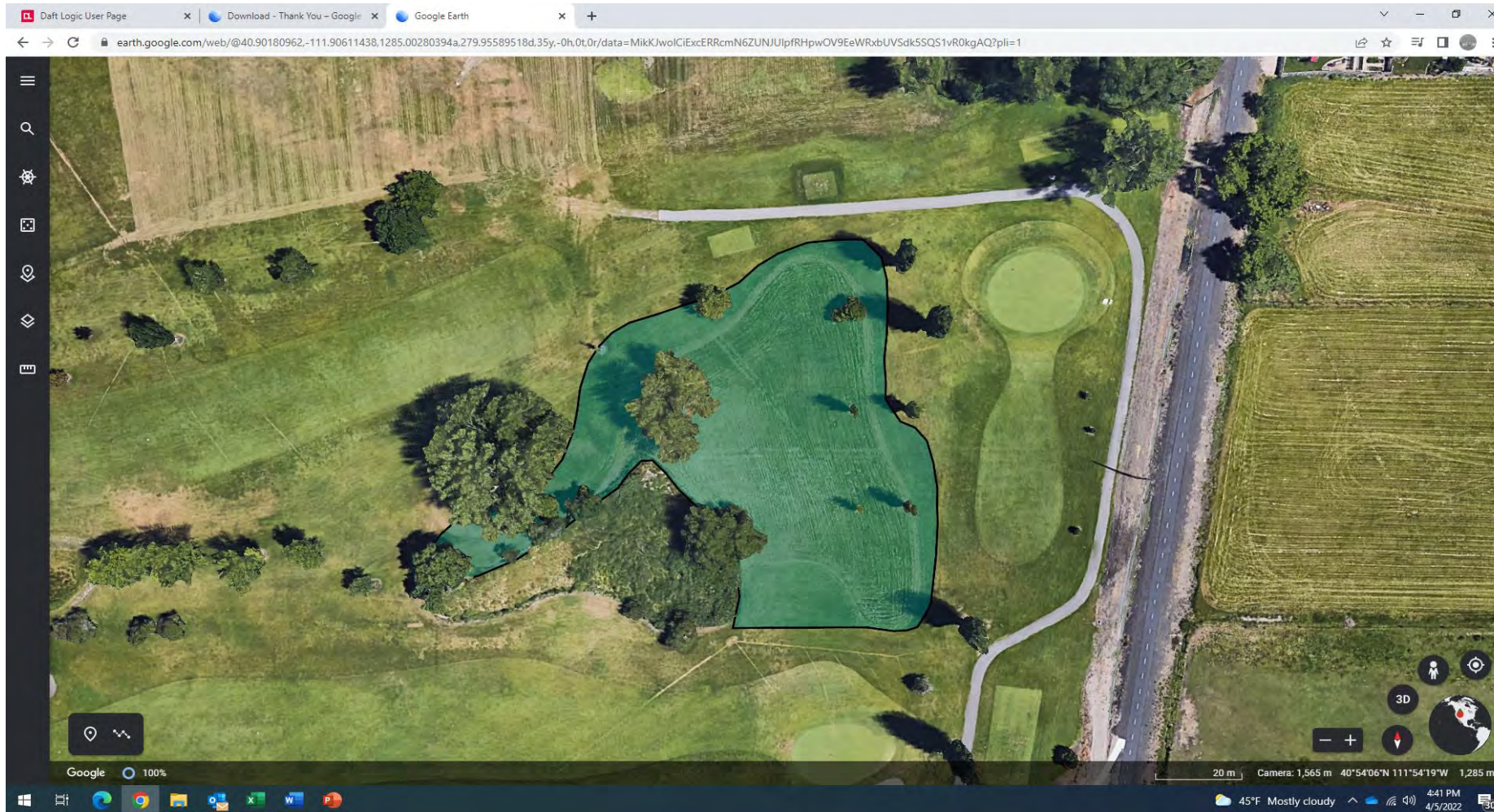
What is the plan?

- ▶ Greens and tees will take priority with our water
- ▶ The rough heads and those on the driving range will be run minimally. These heads make up 28% of our irrigation. We should expect turf loss in these areas
- ▶ Fairways will be dry and firm and we should also expect to see turf loss
- ▶ Application of a wetting agent on greens, tees, and fairways
- ▶ Use of spot watering devices to target smaller areas that dry out
- ▶ Addition of “natural areas” on the course where the turf is not irrigated and allowed to grow to full height
- ▶ The Natural areas have allowed us to change 70 full circle heads into part circles and remove 20 heads from normal irrigation use
- ▶ The Natural areas will remove close to 7 acres of irrigated property

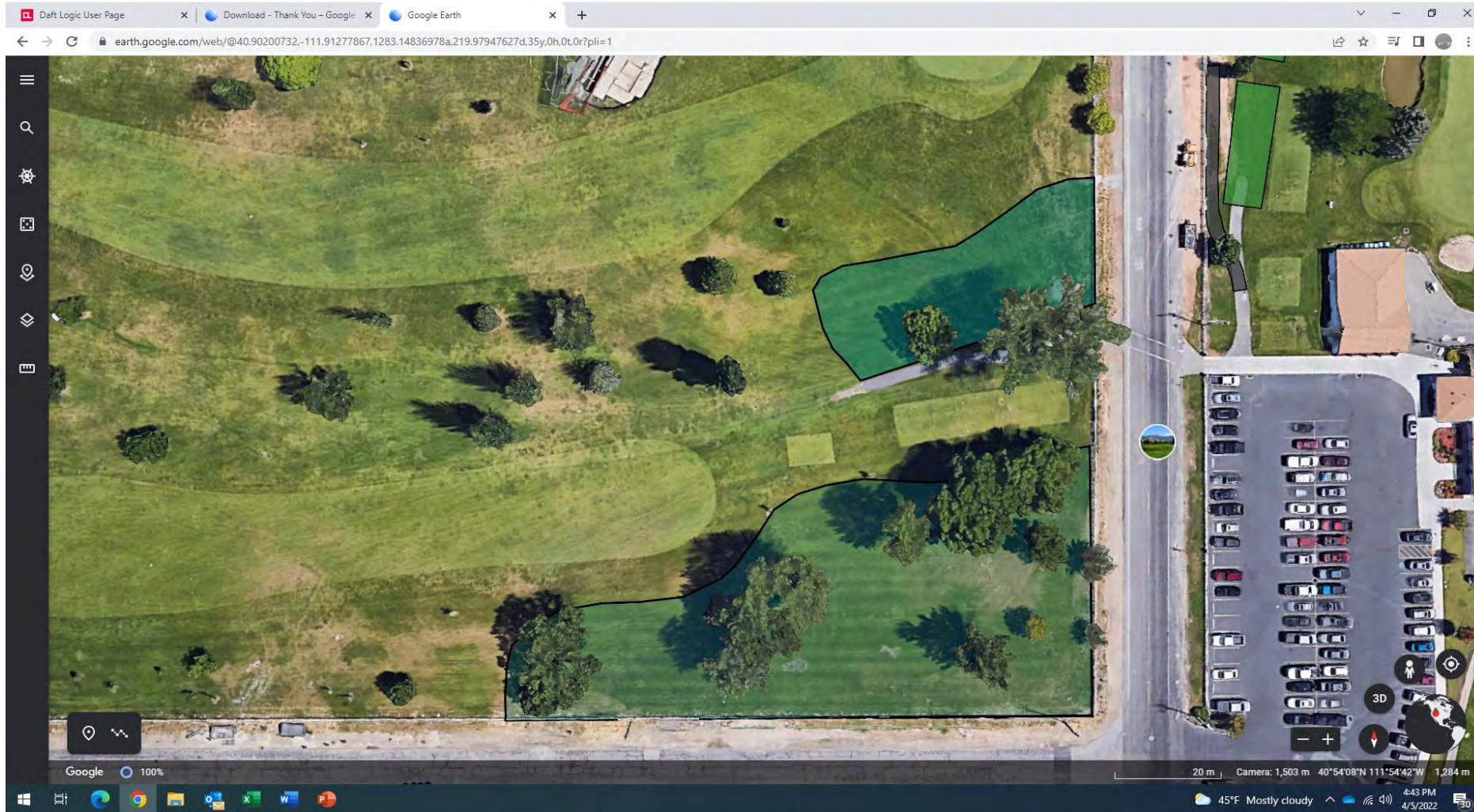
#2 Natural area



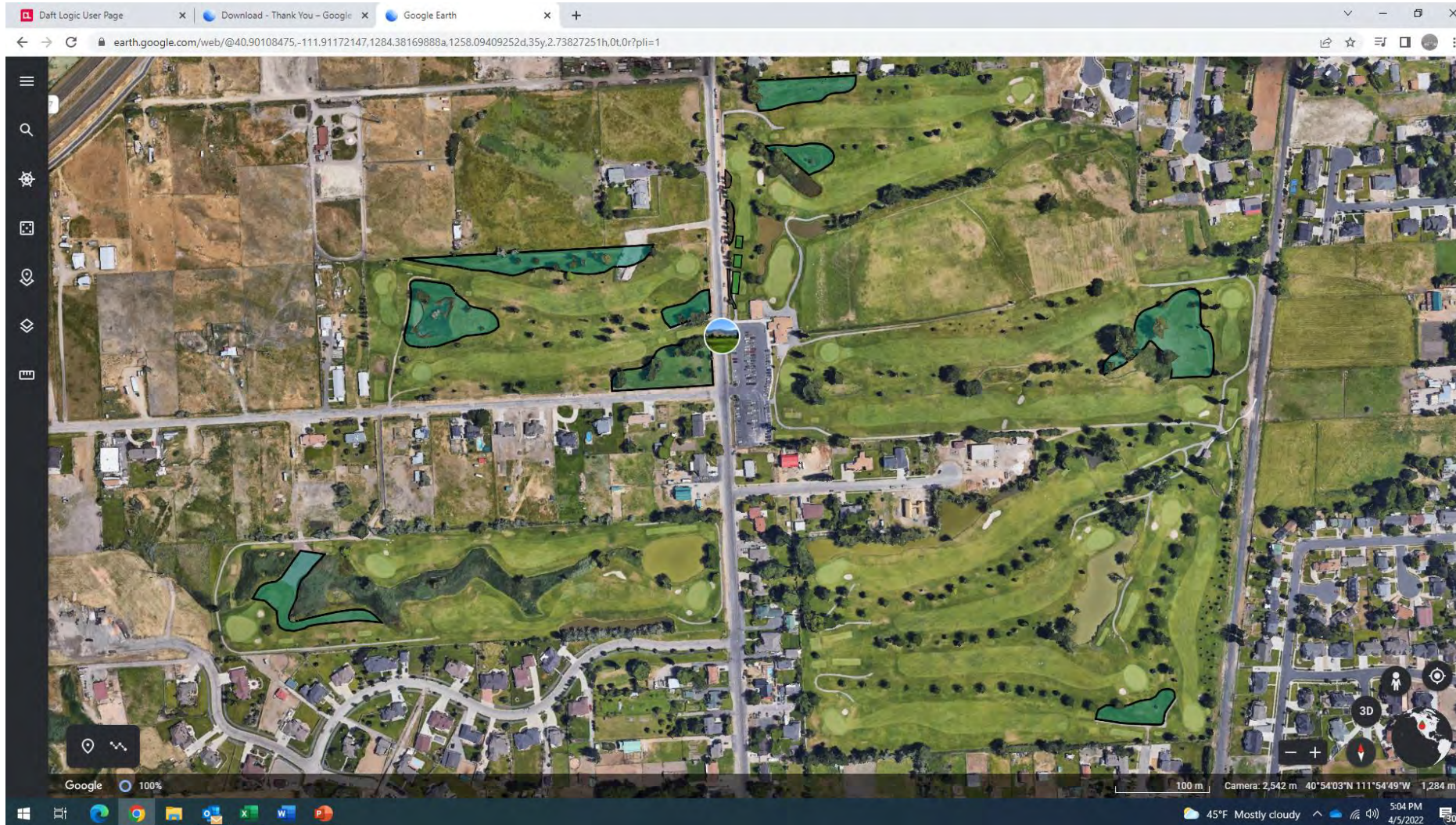
#8 Natural area



#10 Natural area



Lakeside Golf course



City Hall



City Park North



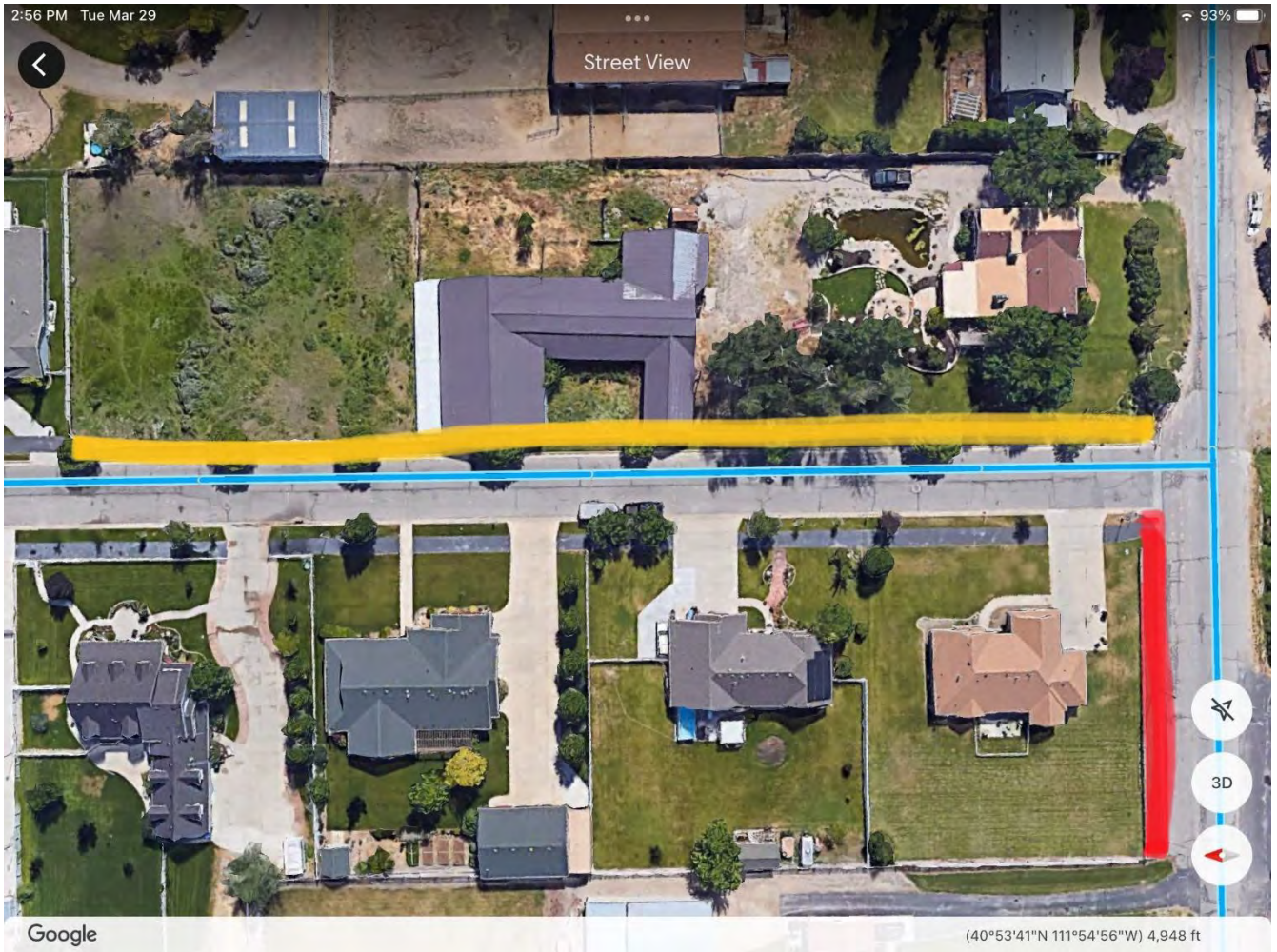
City Park South



Birnam Woods Park



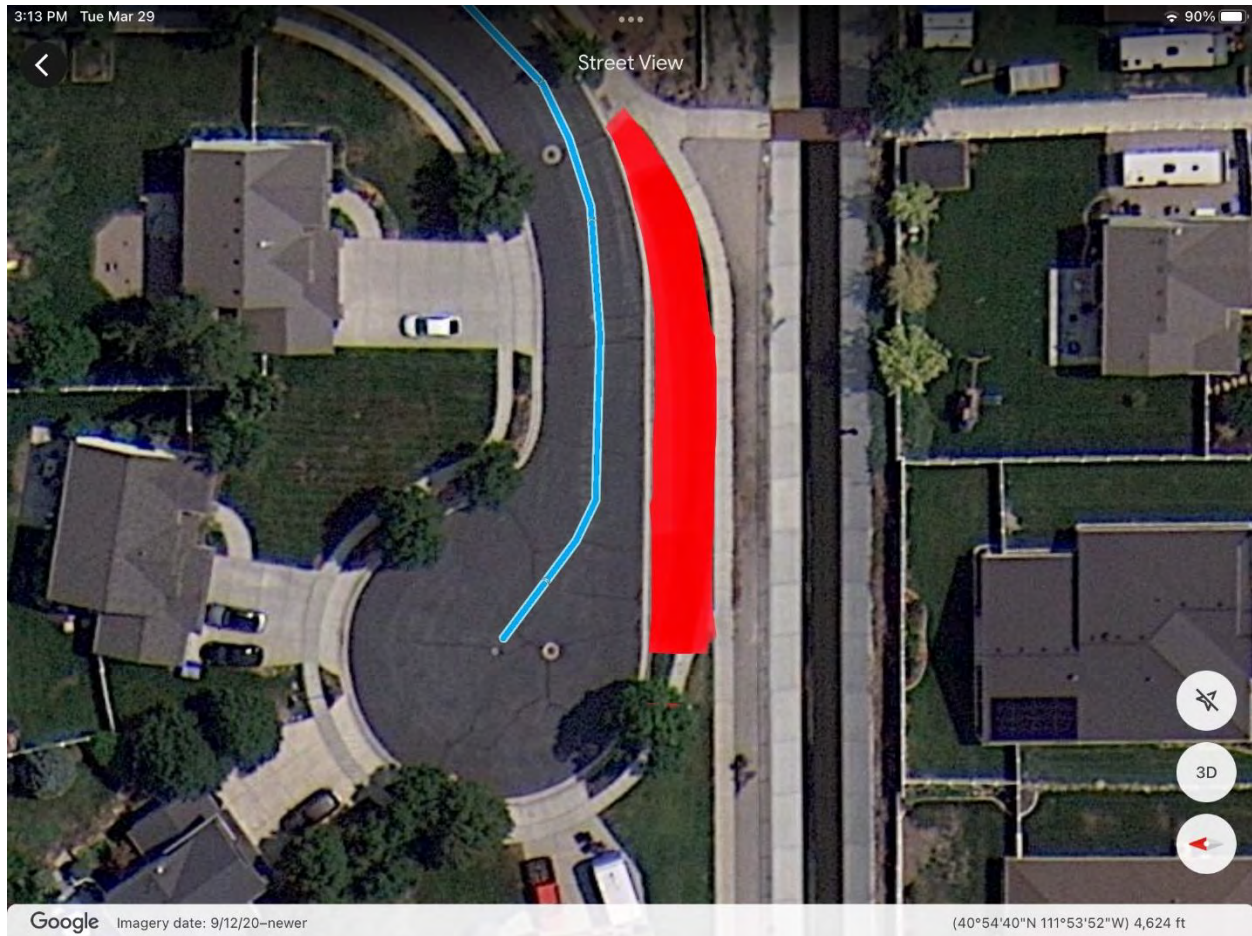
Jessi's Meadows & 400 N



Jessi's Meadows & 1100 W



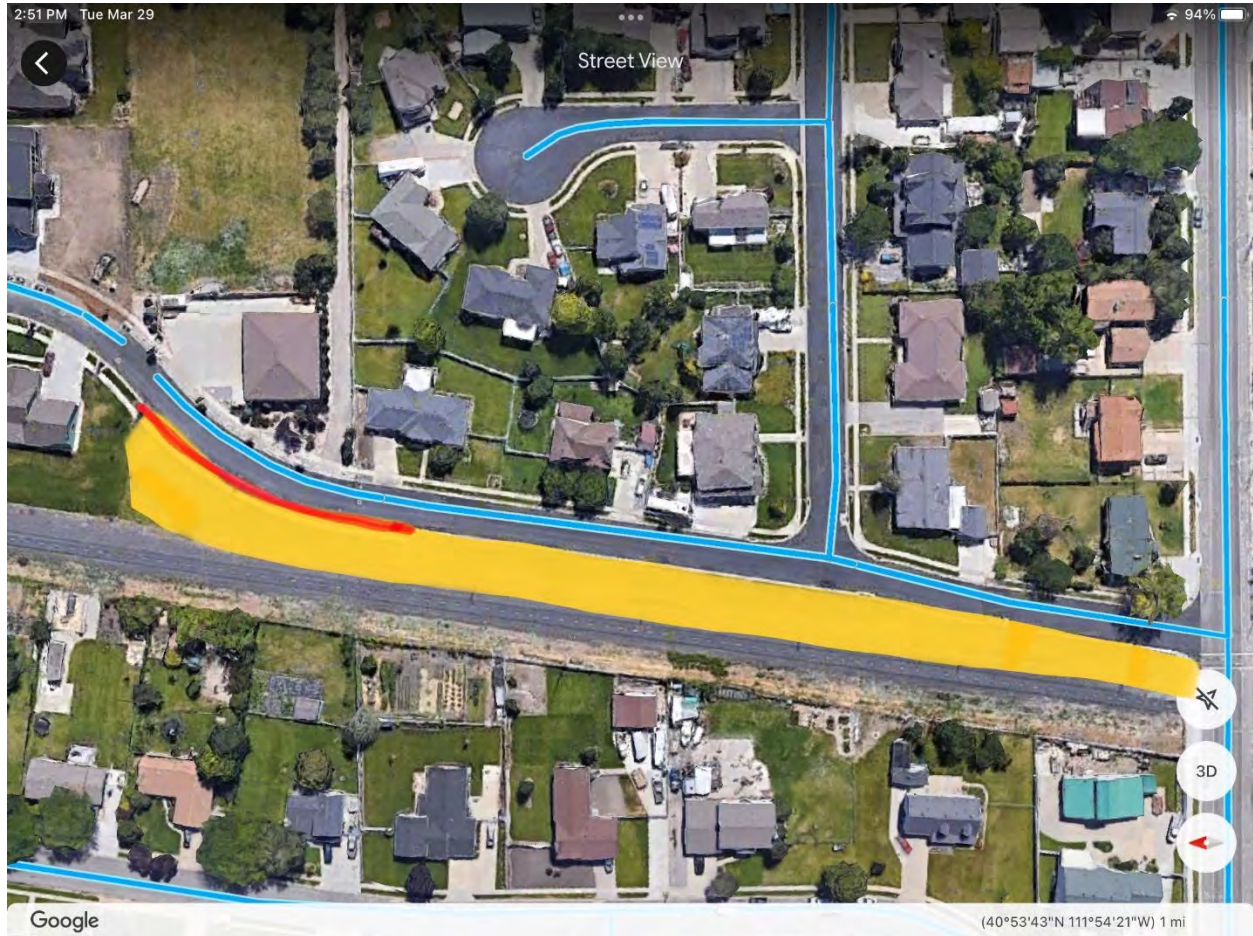
2000 N / 680 W



Stone Creek Well



900 W & 400 N



WEST BOUNTIFUL CITY

RESOLUTION #515-22

A RESOLUTION IMPLEMENTING 2022 WATERING RESTRICTIONS

WHEREAS, on April 21, 2022, Governor Spencer Cox issued an Executive Order declaring a state of emergency due to continued drought conditions; and,

WHEREAS, the City has been notified by the Weber Basin Water Conservancy District that drought conditions persist, and the supply of irrigation water will be reduced by 60% and culinary water supply from Weber Basin will be reduced 19% for the contract year; and,

WHEREAS, conservation efforts are critical in this time of drought to protect water supply inventories for both present and future water needs; and,

WHEREAS, the City Council is authorized under Utah State Law and City Ordinance to regulate and restrict the use of water when necessary to protect the health, welfare, and safety of its residents and to provide for the enforcement of such regulations; and,

WHEREAS, certain properties receive irrigation water through a connection to the irrigation system of Lakeside Golf Course, and the city has a responsibility to oversee these connections; and,

WHEREAS, the City Council recognizes the need to have consistent requirements across the city; and,

WHEREAS, the City Council finds that it is also necessary to authorize and regulate operational and maintenance practices to preserve the City's investment in public infrastructure and facilities and reduce long term costs for these facilities for the benefit of the citizens of West Bountiful

NOW THEREFORE, BE IT RESOLVED that the City Council of West Bountiful approves and implements the following:

1. The Mayor and City Council have previously declared that the current statewide drought conditions constitute a water scarcity event and have authorized the Mayor to issue West Bountiful City Proclamation 2022-01 Declaring Water Scarcity which is incorporated by this reference, and authorize the following conservation regulations for residential areas within the West Bountiful City limits to be implemented by the Public Works Director and City Administrator May 4, 2022 to April 15, 2023:

Outdoor use of culinary water for irrigation purposes is hereby limited according to the following:

- a. Use of culinary water for outdoor watering is prohibited where irrigation water is provided by a third-party service district.
- b. No daytime watering between 10:00 am and 6:00 pm.
- c. Landscaping on residential properties, including turf and plantings, but excluding vegetable gardens, may be watered once per week. Zone run times shall be no longer than 20 minutes (per zone) for pop-up style sprinkler heads or 40 minutes

(per zone) for rotary style sprinkler heads. Watering is determined by the house number as follows:

House # Ends In	Assigned Day
0 or 2	Monday
1 or 3	Tuesday
4 or 6	Wednesday
5 or 7	Thursday
8 or 9	Friday

- d. Hand watering is allowed one time per week, with a maximum flow rate of 5 gallons per minute, for established trees and shrubs. The hose shall not be left unattended during this time and shall not be connected to a sprinkler head.
 - e. Watering of newly installed landscaping shall comply with the limitations set forth in this Resolution.
 - f. Rinsing or washing of sidewalks, driveways, patios or other impervious surfaces is not permitted.
 - g. West Bountiful Parks and City facilities are permitted to water as necessary to provide outdoor facilities which can be enjoyed by the community in general and to protect the public investment in said facilities
2. In addition to and in conjunction with all regulations contained in the West Bountiful Municipal Code, City Staff is authorized to enforce the above noted regulations as follows:
- a. First Offense – Written warning.
 - b. Second Offense - \$100 fine added to the utility bill.
 - c. Third Offense - \$250 fine added to the utility bill.
 - d. Fourth Offense - \$500 fine added to the utility bill.
 - e. Fifth Offense – Culinary water service terminated pending payment of a \$1,000 fine. Account holder shall also be responsible for any disconnection and reconnection fees.
 - f. An additional fine of \$500 for any of the following actions:
 - i. Connecting a West Bountiful City culinary water service to a residential irrigation system where the property is served by a third-party irrigation provider without written authorization of the Public Works Director.
 - ii. Connecting a West Bountiful City residential culinary water service to a residential irrigation system where the property is ONLY served by West Bountiful City's culinary water system without a backflow prevention device and written authorization from the Public Works Director.
 - iii. Placing into service an existing or new backflow prevention device which has not been tested by a certified backflow technician and for which a report has not been submitted to the West Bountiful City Water Department.
3. Concerning properties that receive irrigation water through a connection to Lakeside Golf Course, the following restrictions are in place:
- a. For properties that have water shares or a previously documented agreement with West Bountiful City for irrigation water:

- i. All restrictions and regulations published by Weber Basin Water Conservancy District must be followed.
- ii. Staff is authorized to enforce the above noted regulations as follows:
 1. First Offense – Written warning.
 2. Second Offense – Connection suspended for 1 week.
 3. Third Offense – Connection suspended for 2 weeks.
 4. Fourth Offense – Connection suspended for 2022 season.
- b. For properties that have neither water shares nor a previously documented agreement with West Bountiful City for irrigation water, the connection will be suspended for 2022.

EFFECTIVE DATE. This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 3rd day of May 2022.

Ken Romney, Mayor

Voting by the City Council:	<u>AYE</u>	<u>NAY</u>
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

ATTEST:

Cathy Brightwell, City Recorder

WEST BOUNTIFUL CITY

PROCLAMATION NO. 2022-01

PROCLAMATION DECLARING SCARCITY OF WATER

WHEREAS, the City has been notified by the Weber Basin Water Conservancy District that drought conditions persist, and the supply of irrigation water will be reduced by 60% and culinary water supply from Weber Basin will be reduced 19% for the contract year; and,

WHEREAS, on April 21, 2022, Governor Spencer Cox issued an Executive Order declaring a state of emergency due to continued drought conditions; and,

WHEREAS, Utah Code § 10-7-12 authorizes the mayor of a municipality to limit the use of water for any purpose other than domestic purposes to such extent as may be required for the public good in the judgment of the City Council; and,

WHEREAS, the City Council passed West Bountiful City Resolution 515-22 Implementing Water Restrictions, which recognizes current drought conditions and water scarcity throughout the State and provides for a program of regulation, restriction, and enforcement of the regulations; and,

WHEREAS, immediate attention is necessary to alleviate the threat to the safety, health, and welfare of the residents of West Bountiful;

THEREFORE, THE MAYOR OF WEST BOUNTIFUL CITY, UTAH, DECLARES:

Section 1. Declaration of Water Scarcity. The Mayor of West Bountiful City hereby declares and orders that the City is experiencing water scarcity due to the current statewide drought which requires a regulation and conservation program for the City. Accordingly, it is hereby ordered that the use of water from the West Bountiful City culinary water system is hereby regulated as detailed in West Bountiful City Resolution 515-22 Implementing Water Restrictions approved by the West Bountiful City Council on May 3, 2022, which is attached hereto and incorporated by this reference.

Section 2. Duration. This declaration of local emergency shall remain in effect until April 15, 2023, unless continued or renewed for an additional period by the City Council.

Section 3. Authority. Pursuant to State law, this declaration of a water scarcity constitutes an official recognition that a water scarcity event exists within the City and provides a legal basis for implementing a program to regulate, restrict and otherwise limit the use of water within the City and authorizes the expenditure of emergency funds from all available resources if necessary.

Section 4. Effective Date. This Proclamation shall become effective immediately upon the Mayor's signature executing the same.

DATED May 3, 2022.

Kenneth Romney, *Mayor*

ATTEST:

Cathy Brightwell, *City Recorder*

MEMORANDUM



TO: Mayor & City Council

DATE: April 29, 2022

FROM: Staff

RE: Request for Text Change – Private School (Tanner)

This memo introduces a request for a text change made by Paul Tanner to add language into the city's land use code that would either:

1. Add "places of worship and primary schools (public, private, homeschool pods)" wherever Public and Quasi-Public uses or Public and Quasi-Public institutions are currently listed as allowed or conditional uses; or,
2. Define Quasi-Public use as "A use operated by a private non-profit, educational, religious, recreational, charitable or philanthropic institution; generally, such uses have the purpose of primarily serving the public, such as churches, private schools and universities and similar uses."

The request received a recommendation to deny from the planning commission at the April 26, 2022 meeting.

Background

In February, the Tanners applied for a conditional use permit to operate a private school as a quasi-public used in the R-1-10 zone. This request was denied based on the interpretation that private schools are not a quasi-public used under West Bountiful Municipal Code. The Tanners appealed this decision, and the original denial was upheld.

The Tanners submitted a request for text change in conjunction with their appeal, and when the appeal concluded, re-submitted a formal application for the change. Mr. Tanner has stated that he is currently looking for property in the city's A-1 zone that would be suitable for a small private school.

Applicant Proposal

Attached to this memo is the application submitted by Mr. Tanner that included a cover letter explaining his justifications for the requested change. The letter includes a table displaying the zones that would be affected by adding the new uses as permitted or conditional.

Planning Commission Recommendation

The planning commission reviewed the application and listened to arguments from the applicant. The commission expressed an openness to having a private school in the city; however, they raised concerns about changing uses and definitions that apply zone-wide in most of the city's zones. They suggested the applicant come back with a suitable location and expressed a willingness to find a solution on a property-specific basis.

After the public hearing on April 26, 2022, the Commission voted (4-1) to recommend a denial of the application.

Council Options

Now that the planning commission has held a public hearing and made a recommendation, the city council may:

1. Make a motion to deny the application, finding that it is not in the best interest of the city and, that as submitted, the request is too broad in how it may affect the various zones.
2. Direct staff to prepare an ordinance to:
 - a. Approve the requested code changes in full.
 - b. Approve the requested code changes in a part.
 - c. Approve the requested code changes after making additional modifications.
3. Refer the application back to planning commission with additional instructions on areas to review for code changes.
 - a. For example, Centerville City has a specific zone for certain public uses. This or something similar like an overlay could potentially accomplish the planning commission's desire to find appropriate properties or areas.
 - b. Another example would be to create a more specific use, such as Private School, and define its parameters and appropriate zoning districts.
4. Table the request for additional consideration or information.

February 21, 2022

Re: West Bountiful City Code Text Change Request

To Whom It May Concern:

For context, CHOICE Education, L3C applied for a conditional use permit (WBMC 17.24.030) for a property (841 W. 400 N.) in zone R-1-10 with the assumption that primary education is a "public or quasi-public use" of the property. Our application was reviewed and rejected by the land use administrator (see letter from February 17, 2022) because the definition of quasi-public is ambiguous and subject to review by the administrator. City code 17.08.070 gives the administrator the determining power. We contest that our school is a quasi-public use and would like to address that in another letter, but for this purpose, we seek a text change to WBMC to include "places of worship or primary schools (private, parochial, and homeschool pods)" in each section of the code that references "public or quasi-public use". The municipal code impacted by this text change is:

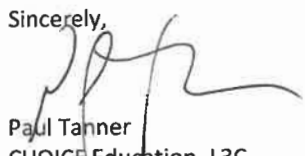
Zone	Permitted, Conditional Use, Not allowed	WBMC
A-S	Conditional	17.14.030
A-1	Conditional	17.16.030
R-1-22	Conditional	17.20.030
R-1-10	Conditional	17.24.030
C-N	Permitted (Note: the word "institutions" is used instead of "uses")	17.28.030
C-G	Permitted (Note: "commercial schools" are in Conditional Uses, the word "institutions" is used instead of "uses" in Permitted Uses)	17.32.030
L-I	Permitted (Note: the word "institutions" is used instead of "uses")	17.36.020
I-G	Permitted (Note: the word "institutions" is used instead of "uses")	17.40.020

The B-U Blended Use District 17.26 does not reference public or quasi-public uses. However, I think this would likely be a good area for places of worship or primary schools.

It is important to note that WBMC 17.34.020.F. Permitted Uses states "Public and quasi-public facilities not prohibited in Section 17.34.040 Prohibited Uses", which states in 17.34.040.G that "Schools and churches" are not allowed. It is relevant to note that schools (not defined as public or private) and churches are considered "public or quasi-public". Why are not schools and churches allowed in this zone? I believe it is because this zone has a high traffic impact and is not appropriate for schools and churches for the safety of children and families. Ironically, Zone C-G has more traffic (20,000 AADT) than C-H (14,000 AADT) [Traffic Statistics | UDOT \(utah.gov\)](#). Zones C-H and C-G are candidly terrible locations for primary schools. Primary schools (private, parochial, and homeschool pods) should be in safer low traffic areas in A-S, A-1, R-1-22, R1-10, and C-N where there is land and children can safely play like they do in publicly funded primary schools.

We feel this text change is appropriate and will lead to more objective use of "public or quasi-public use".

Sincerely,


Paul Tanner
CHOICE Education, L3C



APPLICATION TO REZONE/CHANGE TEXT

West Bountiful City

PLANNING AND ZONING

550 N 800 W

West Bountiful, UT 84087

(801) 292-4486

www.WBCity.org

PROPERTY ADDRESS: _____

DATE OF APPLICATION: 2/22/22

PARCEL NUMBER: _____

CURRENT ZONE: _____

PROPOSED ZONE: _____

LEGAL DESCRIPTION ATTACHED: YES _____ NO _____

Applicant Name(s): Paul Tanner

Applicant Address (if different than above): 3474 South 100 East, Bountiful Utah 84010

Primary phone: (801) 440-5456

E-mail address: pbtanner@gmail.com

Describe in detail the request being made and the reasons why the change will benefit the people of West Bountiful. A separate sheet with additional information may be submitted if necessary.

Addition of "places of worship and primary schools (public, private, homeschool pods)" wherever "public and quasi-public uses" or "public and quasi-public institutions" exists in permitted or conditional uses in WBMC.

Alternatively, "quasi-public uses" should be defined as "A use operated by a private non-profit, educational, religious, recreational, charitable or philanthropic institution; generally, such uses have the of purpose primarily serving the public, such as churches, private schools and universities and similar uses."

I hereby apply to change text in the West Bountiful Municipal Code, or rezone the property identified above in accordance with the provisions of Utah State Code 10-9a-503. I certify that the above information is true and correct to the best of my knowledge.

Date: 2/22/22

Applicant Signature: [Signature]

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: 4/11/22

Public Hearing Date: _____

Letters sent to affected neighbors: _____

Public Notice Sign Placed _____

Planning Commission Approval: _____

City Council Approval: _____

MEMORANDUM



TO: Mayor & Council

DATE: April 29, 2022

FROM: Staff

RE: Water-efficient Landscape Regulations

This memo introduces amendments to city code related to the installation of water efficient landscaping for all new and rehabilitated “public facility projects, residential projects with developer or contractor-installed landscaping, and front yards of single family dwellings installed by the homeowner.” The planning commission recommended these amendments at the April 26, 2022 meeting.

Background

The initial catalyst for these code changes was to allow property owners to qualify for the “Flip Your Strip” rebate program offered by Weber Basin Water Conservancy District (WBWCD); however, the real goal of the changes is the long-term conservation of water far beyond park strips.

The Flip Your Strip rebate program offers property owners a rebate of \$1.25 per square to convert a turf park strip to a more water- efficient area (approx. \$250 for a typical .25 acre lot). To be eligible, property owners must:

- Be in a city that has modified ordinances to meet water efficient requirements.
- Have a fully landscaped park strip with living, well maintained lawn at the time of the application (the effect of water restrictions will be taken into account).
- Attend a class offered by WBWCD.
- Enter into an agreement with WBWCD.
- Install a drip system to maintain water-wise plantings.
- Converted park strips must be covered by at least 3 inches of mulch permeable to water and air.

While the Flip Your Strip program has received a lot of attention, the code modifications required by WBWCD apply far beyond park strips, and the primary goal is the long-term conservation of water by changing how landscaping is done moving forward. WBWCD estimates that up to 60% of residential water is used outdoors. Conservation of water is viewed as much more financially efficient than additional capital projects trying to capture additional water for future needs.

To date, the Davis County cities of Clearfield, Layton, Farmington, and South Weber have adopted similar ordinances. Others such as Kaysville have declined to do so, and many others are still in the process of consideration.

Highlights of Code Modifications

- Applies to all new and rehabilitated landscaping for public facility projects, commercial and industrial development projects, and residential projects with developer or contractor-installed landscaping. It

also applies to new or rehabilitated landscaping in front yards of single family dwellings installed by the homeowner.

- It was the planning commission's intent that the requirements apply to only the front yard for single family properties.
- Requires that properties maintain landscape in a well-cared for manner that enhances the appearance of the property.
- Requires a minimum of twenty-five percent (25%) of the landscaped area be vegetation.
- Requires that turf area not exceed thirty-five percent (35%) of the total landscaped area on residential properties, and not exceed 15% in mixed use or non-residential properties.
- No turf in park strips less than 8' wide.
- All irrigated non-turf areas must be covered with a minimum three (3) inch layer of mulch.
- Irrigation must have a smart automatic controller.
- Landscape plans must be included with building permits or when a property's landscape is rehabilitated.
- Completion of landscaping must be within 1 year for residential properties and before Certificate of Occupancy for others.

Planning Commission Recommendation

The planning commission spent a couple of months developing and negotiating new regulations consistent with Weber Basin's standards that replace the city's current landscape ordinance, WBMC 12.28. Following a public hearing on April 26, 2022, the planning commission voted unanimously to recommend approval of the attached proposal.

Consideration

In considering planning commission's proposal, the council may want to consider the following:

Pros:

1. Will help conserve water, especially associated with new development, and could contribute to the city's required Water Conservation Plan.
2. Over time it will help change the public's mindset as to appropriate landscape going forward.
3. Provides consistent standards with WBWCD and other Davis County cities.

Cons:

1. Required plans and reviews will increase burden of the building permit process.
2. Will increase long-term enforcement issues.
3. New and rehabilitated properties will look drastically different than current properties, legally limiting property owners that may want a traditional front yard lawn.
4. The incentive to participate in the Flip Your Strip rebate program will apply to a limited number of property owners as compared to the scope of the new regulations.

(NEW) Water Efficient Landscape Ordinance**12.28 Water Efficient Landscape Standards and Requirements****12.28.010 Purpose****12.28.020 Applicability****12.28.030 Definitions****12.28.040 General Standards****12.28.050 Landscape Design Standards****12.28.060 Irrigation Design Standards****12.28.070 Landscape and Irrigation Plans Required****12.28.080 Completion of Improvements****12.28.090 Homeowners Association Restrictions****12.28.100 Prohibited Watering Practices****12.28.110 Enforcement And Penalties****12.28.010 Purpose**

The purpose of this chapter is to protect and enhance the city's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water in landscapes within the city; reduce water waste; and establish a structure for designing, installing, and maintaining water efficient landscapes throughout the city.

12.28.020 Applicability

Except as provided in this chapter, the requirements of this chapter apply to all new and rehabilitated landscaping for public facility projects, residential projects with developer or contractor-installed landscaping, and front yards of single family dwellings installed by the homeowner.

The landscaping requirements in this chapter also apply to new and rehabilitated landscaping for commercial and industrial development projects, as well as landscaping of any commercial or industrial site where a proposed addition increases the footprint of buildings on the site by thirty percent (30%) or more, and site modifications where thirty percent (30%) or more of the site, less any buildings, is modified, such as a parking lot addition or alteration.

In addition to the foregoing, compliance with the landscaping standards in this chapter is highly encouraged for all landscaped areas.

12.28.030 Definitions

The following definitions shall apply to this chapter.

"Hardscape" means durable landscape materials such as brick or concrete pavers, benches, artificial turf, walls, decorative rocks, mulch, curbing, planters, concrete, asphalt, or other like materials that are not of a vegetative nature. Hardscape does not include building or structure footprints, driveways, and sidewalks.

“Landscaped area” means improved areas of the property that make up the landscape and may include hardscape. The landscaped area does not include non-irrigated natural areas that are intentionally left undeveloped.

“Landscape” means a combination of living vegetation and hardscape.

“Mulch” means any material such as rock, bark, or wood chips that is left loose and applied to the soil.

“Park strip” means a typically narrow landscaped area located between the back-of-curb and sidewalk.

“Rehabilitated landscaping” means altering, repairing, or adding to a landscaped area to make possible a compatible use, adopt water-wise standards, increase curb appeal, or decrease maintenance.

“Smart automatic irrigation controller” means an automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart automatic irrigation controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather or soil moisture conditions.

“Turf” means a surface layer of earth containing grass species with full root structures that are maintained as mowed grass, also called lawn.

“Xeriscape” is a style of landscape design requiring little or no irrigation or other maintenance using plants that can survive on low or minimal water usage.

12.28.040 General Standards

- A. Every property within the city to which this chapter applies shall maintain landscape in a well-cared for manner that enhances the appearance of the property.
- B. Landscaping shall consist of a balance of vegetation and hardscape that does not violate any other federal, state, or municipal statute, ordinance, or law. A minimum of twenty-five percent (25%) of the landscaped area shall be vegetation.
- C. Landscape and hardscape shall comply with the clear view, fencing, and setback requirements of the Municipal Code.

17.28.050 Landscape Design Standards

The following landscape design standards are required for all applicable properties, and strongly encouraged for all landscape projects, to conserve the public’s water resources and promote water efficient landscaping. Landscaping may include a combination of turf, plant cover, hardscape, and xeriscape as described below.

- A. Plant Selection. Plants shall be selected for various landscape situations and conditions and be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as reasonably practicable. (*Visit weberbasin.com for a list of recommended water-conserving*

plants.)

- B. Turf/Lawns. Except for designated recreational areas that allow access to the public,
 - 1. Turf area shall not exceed thirty-five percent (35%) of the total landscaped area on residential properties.
 - 2. Turf area shall not exceed fifteen percent (15%) of the total landscaped area on non-residential or mixed-use properties, or ten percent (10%) if secondary water is not available.
 - 3. No turf will be planted in park strips, areas less than eight (8) feet wide, parking lot landscaping, or on slopes greater than twenty-five percent (25%).
 - a. Water-conserving plants not requiring overhead spray irrigation may be planted in park strips subject to clear view regulations.
 - b. Park strip areas may be designed as bioswales, especially recommended in commercial, industrial and HOA common areas.
- C. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch.
- D. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. *(See city website for a list of general recommendations and trees prohibited in park strips.)*

12.28.060 Irrigation Design Standards

The following irrigation design standards are required for all applicable properties, and strongly encouraged for all landscape projects.

- A. Irrigation Controller. Landscaped areas shall be provided with a WaterSense-labeled smart automatic irrigation controller, equipped with rain delay or rain shut-off capabilities.
- B. Irrigation valves shall irrigate landscapes with similar site, slope, soil conditions and plant materials with similar water needs.
 - 1. Drip irrigation shall be used for all non-turf areas and be equipped with pressure regulator and filter.
 - 2. Turf and non-turf areas shall be irrigated on separate valves.
 - 3. Drip emitters and sprinklers shall be placed on separate valves.

12.28.070 Landscape and Irrigation Plans Required

For new construction, these requirements shall take effect when building permits are required. An acceptable landscape and irrigation plan shall be provided to the city for approval as part of the building permit application package.

For rehabilitated landscaping, an acceptable landscape and irrigation plan shall be provided to the city for approval prior to work beginning when the rehabilitated landscape area exceeds thirty-five percent (35%)

in commercial, industrial, developer, and multi-family properties, or exceeds sixty percent (60%) in single-family residential properties.

A landscape plan shall include graphic and written descriptions and specifications that clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf areas, driveways, sidewalks, hardscape features, and fences to comply with this chapter.

An irrigation plan will show the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit or zone, and identification of all equipment.

For commercial, industrial, developer, and public facility projects, the required landscape and irrigation plans shall be prepared by a licensed landscape architect.

The city reserves the right to perform site inspections at any time during the irrigation and landscape installation and to require corrective measures if the requirements of this chapter are not satisfied.

12.28.080 Completion of Improvements

All landscaping improvements required for new construction in accordance with the approved landscape and irrigation plans shall be completed as follows.

- A. Commercial, developer, industrial, and public facility projects shall be completed prior to issuance of a Certificate of Occupancy.

A performance bond or cash deposit, in an amount estimated by staff as equivalent to the cost of the required landscaping, may be required to assure installation of required landscaping within the time prescribed in this section.

- B. Individual residential projects shall be completed within one year, but no later than October 31 of the year following completion of construction.

If the installation of any of landscaping improvements cannot be completed due to weather, including drought conditions or other circumstances beyond the control of the owner or developer, an extension of up to nine (9) months may be granted by the land use administrator or designee for good cause shown.

12.28.090 Homeowners Association Restrictions

No Homeowners Association documents that govern the operation of a common interest development shall:

- A. Require the use of any uniform plant material requiring overhead spray irrigation in landscaped areas less than eight (8) feet wide or in other areas that exceed thirty-five percent (35%) of the landscaped area;
- B. Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or

- C. Have the effect of prohibiting or restricting compliance with this chapter or other water conservation measures.

12.28.100 Prohibited Watering Practices

Notwithstanding any provision of this chapter to the contrary, water shall be properly used. Waste of water, including but not limited to the following, is prohibited on any property within the city, regardless of whether the standards in this chapter otherwise apply to the property.

- A. Using culinary water for irrigation where restrictions are in place for the use of available existing secondary water.
- B. Washing sidewalks, driveways, parking areas, tennis courts, patios, or other hard surface areas except to alleviate immediate health or safety hazards.
- C. Irrigating any landscape between the hours of 10:00 am and 6:00 pm.

12.28.110 Enforcement and Penalties

The land use administrator and public works director, or their designee, shall be authorized to enforce all provisions of this chapter in accordance with the Municipal Code.

17.XX.080 Development Standards (Commercial Neighborhood, Commercial General, Light Industrial)

- A. Site Plan. A site plan for all phases of the proposed development shall be presented for review and approval, as provided in the ~~land development code~~Municipal Code.
- B. Landscaping. ~~(Add reference to 12.28)~~ No less than fifteen (15) percent of the total lot area shall be landscaped. ~~A landscaping plan shall be approved by the planning commission as a part of the site plan review.~~ Required side and rear yard areas may be used for driveways or parking; provided, that trees and shrubs of sufficient size and quantity to assure a visual screen from abutting residential properties are installed. ~~All landscaping shall be adequately irrigated and maintained. The planning commission may require a performance bond or cash deposit, in an amount estimated by the planning commission as equivalent to the cost of the required landscaping, to assure installation of required landscaping within six months of approval date. A building permit shall not be granted until receipt of such bond or deposit.~~
- C. Outdoor Storage and Merchandising. Storage and merchandising shall be accomplished entirely within an enclosed structure or as provided by the zoning matrix following this title.

17.34.090 Development Standards (Commercial Highway)

- A. Site Plan. A site plan for all phases of the proposed development shall be presented to the City for review and approval, as provided in the ~~land development code~~Municipal Code.
- B. Landscaping. ~~(Add reference to 12.28)~~
 - 1. ~~A landscaping plan shall be submitted to and approved by the City as a part of the site plan review;~~
 - 2. No less than twenty-five percent (25%) of the front set back shall be landscaped. ~~All landscaped areas shall be landscaped with a mixture of grasses, ground cover, shrubs and trees, and may include sculptures, fountains and patios.~~ Unimproved areas (raw ground) ~~without native trees~~ will not count toward such landscaping requirement~~s~~.
 - 3. ~~All landscaping shall be adequately irrigated and maintained in a healthy, neat and attractive manner; and~~
 - 4. ~~The City may require a performance bond or cash deposit, in an amount estimated by the City as equivalent to the cost of the required landscaping, to assure installation of required landscaping within six months of approval date. A building permit shall not be granted until receipt of such bond or deposit.~~
- C. Design Standards.
 - 1. ~~The required minimum front setback may be reduced by ten feet (10') if the entire setback area incorporates manicured landscaping and berming;~~
 - 2.1. Building exterior materials facing the public road shall be eighty-five (85%) percent brick, stone, stucco, glass, colored decorative block or cement fiberboard, or stone aggregate; and
 - 3.2. All outdoor storage must comply with Section 17.92 of this code. If allowed, all outdoor storage shall be screened from public view and shall be located in the side or rear yard, provided that landscaping may be used in conjunction with berms, walls and fences to screen outdoor storage areas from public view.

17.40.080 Development Standards (Industrial General)

1. Site Plan. A site plan for all phases of the proposed development shall be presented for review and approval, as provided in the ~~land development code~~.
2. Landscaping. ~~(Add reference to 12.28) No minimum area is required~~ No less than ten (10) percent of the total lot area shall be landscaped; however, landscaping shall be considered and provided where deemed appropriate. A landscaping plan shall be approved by the planning commission as a part of the site plan review. Required side and rear yard areas may be used for driveways or parking; provided, that trees and shrubs of sufficient size and quantity to assure a visual screen from abutting residential properties are installed. ~~All landscaping shall be adequately irrigated and maintained. The planning commission may require a performance bond or cash deposit, in an amount estimated by the planning commission as equivalent to the cost of the required landscaping, to assure installation of required landscaping within six months of approval date. A building permit shall not be granted until receipt of such bond of deposit.~~
3. Outdoor Storage and Merchandising. The storage of merchandise or equipment shall be accomplished entirely within an area enclosed by a wall or other visual screen.

WEST BOUNTIFUL CITY

ORDINANCE #453-22

AN ORDINANCE AMENDING WBMC 12.28 AS THE CITY'S WATER EFFICIENT LANDSCAPE ORDINANCE

WHEREAS, water is an increasing scarce resource, of limited supply, and is subject to ever increasing demands; and

WHEREAS, the West Bountiful City Council desires to promote the conservation and efficient use of water and to prevent waste of this valuable resource; and

WHEREAS, West Bountiful City desires to promote the design, installation and maintenance of landscapes that are both attractive and water efficient; and

WHEREAS, Utah Code Annotated §10-3-702 et seq., grants authority to the West Bountiful City Council to accomplish these goals by adopting this ordinance; and

WHEREAS, the West Bountiful Planning Commission held a properly noticed public hearing on April 26, 2022, to consider appropriate modifications and recommends approval of a water efficient landscape ordinance.

NOW THEREFORE BE IT ORDAINED by the City Council of West Bountiful that WBMC 12.28 and Sections 17.28.080, 17.32.080, 17.36.080, 17.34.090, and 17.40.080 be modified as shown in attached Exhibit A.

This ordinance will become effective upon signing and posting.

Adopted this 3rd day of May 2022.

By:

Kenneth Romney, Mayor

<u>Voting by the City Council:</u>	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

Attest:

Cathy Brightwell, City Recorder

MEMORANDUM



TO: Mayor & City Council

DATE: April 29, 2022

FROM: Staff

RE: Clarification of Yard Regulations for Non-commercial Structures

This memo reviews background and planning commission's recommendation related to a request by the city council to consider amending the city's land use code to require properties with Non-Commercial Structures to retain space for a future primary structure.

The request received a recommendation to deny at the planning commission's April 26th meeting.

Background

In June 2020, the planning commission recommended, and the city council adopted, Ordinance 427-20 amending uses in the A-1 Agricultural District. As part of this change, non-commercial structures (NCS) were added as a permitted use. A non-commercial structure is defined as a structure that (1) is not designed or used for commercial purposes, (2) is not designed or used as a dwelling, (3) is not accessory to a principal building or use on the same lot, and (4) is not a landscape enhancement. The definition goes on to say that if a principal building or use is established on the same lot as an NCS, the NCS will be deemed an accessory structure subject to all regulations governing accessory uses, building, or structures. An NCS requires a recorded agreement between the city and the property owner confirming that it not be used for commercial purposes.

In 2021, the city council asked the planning commission to review regulations for non-commercial structures including setbacks and height. The planning commission determined that there was a need for this use in the agricultural districts and recommended increasing rear and side yard setbacks based on height of the structure. This recommendation was adopted by city council as part of Ordinance 441-21.

Current Review

The city council has asked planning commission to again review NCS regulations and clarify that when an NCS is proposed, sufficient space remains on the property for a principal building. Vacant land is expected to become extremely scarce in the future with a high demand for in-fill. It is important to plan ahead for these needs by ensuring that future dwellings may be constructed on lots that currently only consist of an NCS.

The planning commission considered language that any plans submitted for an NCS include clearly delineated buildable area for a principal building and that the footprint after all applicable yard regulations, such as setbacks and coverage ratios, are taken into account. To avoid submittals for very small dwellings, the following options were considered.

1. The footprint of the NCS cannot exceed the maximum buildable area or building envelope of the main structure. This would ensure that when a main structure is built, its footprint could be at least as large as the NCS's footprint. – or –
2. Choose a certain square footage such as, "the buildable area of a future dwelling must have a minimum footprint of 1000 sq. ft. not including garage. This would allow an average 2000 sq. ft. home with two levels.

Planning Commission Recommendation

Planning Commission considered the proposed language, held a public hearing, and voted unanimously to leave the current NCS regulations as is. They believe that land use regulations are imposed to protect neighbors, not to protect property owners from themselves when making poor decisions.

Options

Based on the planning commission's recommendation, the city council can choose to:

1. Accept planning commission's recommendation to leave the current NCS regulations as is.
2. Instruct staff to draft an ordinance to adopt language that includes a requirement for buildable space to be included on any site plan where an NCS is proposed that may or may not include minimum buildable areas, as represented in the public hearing.

MEMORANDUM



TO: Mayor and City Council

DATE: April 27, 2022

FROM: Duane Huffman, City Administrator

RE: **Financial Audit Services**

This memo recommends that the council select the Christensen, Palmer, & Ambrose as the firm to conduct the financial audit services for the Fiscal Year ending June 30, 2022.

Background

As required by state law, bonding arrangements, and general best practices, West Bountiful City contracts an annual independent audit of its financial statements by a certified public accountant. The audit and associated services are vital to ensuring that funds are properly accounted and that the residents, city council, and administration have an accurate picture of the city's financial health.

The auditors from FY 21 now act as financial consultants for the city, necessitating a new arrangement.

RFP Results

The city issued a "Request for Proposals to Provide Audit Services." Christensen, Palmer, & Ambrose supplied a proposal that meets the technical requirements and had the lowest cost (\$9,150).

Staff's evaluation of the proposals consisted of the following criteria:

A. Technical Factors

1. Responsiveness of the proposal in clearly stating an understanding of the audit services to be performed.
 - a. Appropriateness and adequacy of proposed procedures.
 - b. Reasonableness of time estimates and total audit hours.
 - c. Appropriateness of assigned staff levels.
2. Technical experience of the firm.
3. Qualifications of staff.
4. Size and structure of firm, considering the scope of the audit.
5. Geographic location of key personnel and responsible office.
6. Municipal client references.

B. Cost of the Audit

WEST BOUNTIFUL CITY
PROPOSAL TO PROVIDE
PROFESSIONAL AUDITING SERVICES



**Christensen,
Palmer & Ambrose**
Certified Public Accountants
Business Advisors

Kent R. Christensen, CPA
Jeffrey L. Ambrose, CPA
Chuck Palmer, CPA

April 22, 2022

West Bountiful City
550 North 800 West
West Bountiful City, UT 84087

We are privileged to be considered for appointment as auditors for West Bountiful City and hereby submit our proposal for providing auditing services. We appreciate the opportunity we had to review the information in your request for proposal. That information and our prior experience with entities similar to West Bountiful City has given us a good understanding of the City and its operations.

This proposal presents our understanding of your needs together with other comments designed to give you an understanding of our firm's capabilities to successfully undertake this work. This proposal is divided into the following sections:

- Your Needs and Objectives
- Our Recommendations
- Our Firm Profile
- Our Firm's Qualifications
- Our Approach to the Audit and Time Requirements
- Proposed Fees
- Nondiscrimination Clause

Your Needs and Objectives

We believe West Bountiful City needs an auditing firm that can perform audit functions in compliance with *Government Auditing Standards* issued by the Comptroller General of the United States and Generally Accepted Auditing Standards promulgated by the American Institute of Certified Public Accountants. The above standards satisfy all requirements of the Utah State Auditor's Office. Your auditing firm also needs to be well versed in generally accepted accounting procedures as they relate to governmental organizations.

Your audit should be conducted by highly trained and experienced accountants who will not only provide competent audit services but will locate and communicate to you verbally and in management letters areas in which the City's operations, internal controls and accounting systems can be improved.

Your auditing firm should also act as a year-round consultant that is always available to provide feedback and recommendations on the wide range of issues that can occur in any organization. Our firm has shown through service to other entities that we are qualified to meet all of these needs.

Our Recommendations

We recommend that West Bountiful City engage a firm that can not only perform the audit function as described above and act as a year-round consultant, but also one that will treat you as a valued client. That means treatment like returning your calls promptly, researching questions in depth, coming to your offices for meetings, and treating each West Bountiful City staff member as if he or she were individually a valued client.

The firm engaged should be large enough to provide the specialized expertise needed to perform this complex engagement but small enough to avoid the higher national firm fee structures and impersonalized service. Again, our firm has competently proven that we can meet these needs.

Our Firm Profile

Christensen, Palmer & Ambrose is a professional corporation with offices located in the Old Post Office Building in Ogden. The firm is properly licensed to do business in the State of Utah. Our firm employs three CPA's all of whom are properly licensed in the State of Utah. Our firm includes two officers/stockholders, two full-time staff accountants, one part-time staff accountant, and two support personnel. The firm's governmental audit staff consists of two officers and two full-time staff accountants who report directly to the engagement officer.

The firm has not been subject to any federal or state desk reviews or field reviews during the past three years and we are not under any disciplinary actions nor have we been at any time in our existence.

We have extensive experience in auditing governmental and nonprofit organizations, and other entities subject to *Government Auditing Standards* and the Single Audit Act (see table below). Our experience includes a great deal of familiarity with a variety of software packages including Caselle software. One of our officers is a member of the **Government Finance Officers Association** and has successful experience in GFOA's Certificate of Achievement Program. We also have an officer who has a great deal of training and experience in computer system installation, training and support, including **CYMA Software**.

Our firm and its members meet the independence requirements of the American Institute of Certified Public Accountants and the *Government Auditing Standards* (including recent amendments). We also meet the continuing education and external quality control review requirements contained in the *Government Auditing Standards*. We have complied with the peer review requirements of the AICPA and *Government Auditing Standards*, and have recently undergone our ninth such review and received an unqualified opinion (attached).

Christensen, Palmer & Ambrose has always had a policy of nondiscrimination on the basis of race, religion, sex, color, age, disability or national origin. This policy will be enforced in regard to work we do for West Bountiful City and all other clients.

None of our officer/shareholders or employees have any personal or business relationships with any official, officer, or employee of West Bountiful City. We are independent of West Bountiful City by all definitions.

Our Firm's Qualifications

GFOA Certificate of Achievement Experience:

We have assisted the following entities that have been awarded the GFOA Certificate of Achievement for Excellence in Financial Reporting:

Davis County	Ogden City
Weber County	Roy City

(We also helped Sunset City receive the award the first year they applied for it but they chose not to continue with the program.)

References:

We believe that our firm has a reputation for excellent quality service to our clients and that our growth over the years is mainly attributable to the willingness of our clients and others to recommend us.

We have extensive experience in consulting with, and audits of, governmental and nonprofit organizations. A partial listing of the other local Utah governmental and nonprofit organization audit engagements we have conducted during the past few years together with the dates of the engagement, a reference name and telephone number you may contact follows:

Counties:

Weber County	12-31-13 to present	Scott Parke	801-399-8487
Morgan County	12-31-94 to 12-31-07	Stacy Netz	801-845-4011

Cities:

Morgan City	6-30-12 to present	Denise Woods	801-829-3461
Riverdale City	6-30-10 to present	Cody Cardon	801-436-1205

Special Districts:

North Davis Sewer District	12-31-07 to present	Angela Lupcho	801-825-0712
Wolf Creek Water & Sewer	12-31-10 to present	Annette Ames	801-745-3435

Nonprofit Organizations:

Futures Through Training, Inc.	6-30-07 to present	Marcelle Stewart	801-394-9774
Visit Ogden	12-31-12 to present	Ashlee Rodriguez	801-778-6250

We encourage you to contact some of the people on the above list for a better understanding of the kind of service our firm provides its clients.

Any auditing firm is only as good as its people and we think we have top caliber individuals. Following are short resumes of the people that will be involved in your audit and consulting service. All are in compliance with Government Auditing Standards requirements for governmental related CPE.

**Jeffrey L. Ambrose CPA
Governmental Audit Officer/Engagement Officer**

Mr. Ambrose holds a Bachelors Degree in accounting from Weber State College. He has been in public accounting since 1979.

He has accounting experience with a locally based financial institution and has experience in governmental, commercial and nonprofit auditing. He has directed many of the firm's audits and has been involved in a large audit engagement on which he received valuable experience in the auditing of governmental contracts. Mr. Ambrose has managed the audits of Morgan City, Pineview Water Systems, Davis County, Riverdale City, South Ogden City, Morgan County, Ogden City, Tread Lightly! Inc., Ogden River Water Users Association, Roy City, North Davis Sewer District, Sunset City, Weber County, Weber Basin Water, Visit Ogden, and Wendover City. He has also attended numerous courses dealing with governmental accounting and auditing such as the UACPA's annual "Governmental Update" and the AICPA's "Single Audit Concepts," "GASB 34 Auditing: Home of the Brave," "Extra Strength GASB 34," and the GFOA's "Advanced Financial Reporting for Governments." *Mr. Ambrose has experience in GFOA's Certificate of Achievement Program and has helped Ogden City, Roy City and Sunset City receive the award.*

Mr. Ambrose is a member of the American Institute of Certified Public Accountants and the **Government Finance Officers Association (GFOA)**. He is a licensed Certified Public Accountant in the State of Utah.

**Chuck Palmer CPA
Audit Officer**

Mr. Palmer graduated from Weber State College in 1988 with a Master of Accountancy and a Bachelors Degree in accounting. He has been in public accounting since January 1989 and has supervised in the audits of Fruit Heights City, Riverdale City, Weber County, Y.C.C., Ogden City, Perry City, Morgan County, Ogden Nature Center, Weber Human Services, Roy City, and Davis County.

As a member of the firm's audit staff, he has experience and training in governmental and nonprofit organizations auditing. He has completed seminars in auditing sponsored by the American Institute of Certified Public Accountants, and the Utah Association of CPA's including course work dealing with GASB 34. Recent courses included "Fraud in the Government Environment," "Government Accounting and Reporting" (includes GASB 34), and UACPA's "Annual Government Update."

Mr. Palmer also has extensive training and experience in the area of computer systems installation and consulting. He is a **Certified Cyma Consultant**. He is a licensed Certified Public Accountant in the State of Utah.

**Amy Wilson
Audit Staff**

Ms. Wilson holds a Bachelors Degree and Masters Degree from Western Governors University. She has worked on several of the firm's governmental and nonprofit audits including Davis County, Weber County, Harrisville City, North Davis Sewer District, Marriott-Slaterville City, Riverdale City, Visit Ogden, and Weber Human Services. Her course work included studies in governmental accounting and auditing.

**Alex Carlos
Audit Staff**

Mr. Carlos is currently pursuing an accounting degree at Weber State University and has assisted on the audit of Weber County. His course work includes studies in accounting and auditing.

Following is a table showing pertinent information about the audit team that would be involved in the audit of West Bountiful City:

	<u>Office Location</u>	<u>Years of Government Audit Experience</u>	<u>Specific Government Audits</u>	<u>CPE Courses Relative to Government Audits and GASB 34</u>	<u>Experience with GASB 34</u>
Ambrose	Ogden	39	See Above	See Above	8 Cities, 3 Counties, 5 Special Districts
Palmer	Ogden	29	See Above	See Above	5 Cities, 2 Counties, 1 Special District
Wilson	Ogden	6	See Above	See Above	4 Cities, 3 Special Districts, 2 Counties
Carlos	Ogden	1	See Above	See above	1 County

Our Approach to the Audit and Time Requirements

We normally rely on our broad base of auditing experience to plan, conduct and evaluate each audit we perform. We anticipate that our planning time will be spent evaluating the City's internal control, performing analytical procedures, determining materiality, deciding what audit tests need to be performed and scheduling our field work to meet your reporting deadline. Our field work normally involves performing the procedures decided upon during our planning phase. We then evaluate our procedures, prepare our reports and review all work performed during the audit.

Time requirements:

We feel that the reporting deadline can best be met by properly planning your audit. By performing various analytical procedures and evaluating your internal control during the planning phase, we can determine the timing of other audit procedures more efficiently. Based on our experience with other governmental entities, we estimate the time required to complete your audit would be about 120 hours in total. That time would be split approximately 80 hours at the staff level and approximately 40 hours at the officer level.

If the City's general ledger and trial balances are ready to audit by August 15, we should be able to perform our field work during August and September which will enable us to have the report ready by the end of October. We do not anticipate using any specialists or auditors from outside our firm.

In the history of our firm, we have regularly met our clients' reporting deadlines except in situations where the clients themselves have encountered an issue that has held up the audit process.

Our work plan:

Our work plan normally consists of substantive testing of material account balances by means of confirmation, physical observation, analytical procedures and/or sampling of transactions. We employ audit programs and questionnaires developed by Practitioners Publishing Company in addition to checklists our firm has developed over the years. We also use analytical audit software developed by CCH. Our experience with cities similar to West Bountiful City has shown that most staffs keep detailed schedules which support nearly all accounts on the trial balance. We anticipate applying the audit procedures mentioned above to these schedules during August and September and then tying them to your financial reports in October.

We anticipate observing inventories and confirming cash accounts, receivables and revenues around the first of July, and testing other account balances as they become finalized by the City's staff. Based on our review of West Bountiful City's prior audit report, we do not anticipate any potential audit problems at this time.

Proposed Fees

Listed below are the approximate hourly billing rates for the professionals that would be involved in providing auditing and consulting services for West Bountiful City.

	<u>Audit Rate</u>	<u>Requested Consulting Services</u>
Jeffrey L. Ambrose, CPA	\$ 134	\$ 134
Chuck Palmer, CPA	\$ 130	\$ 130
Amy Wilson	\$ 54	\$ 54
Alex Carlos	\$ 40	\$ 40

We have detailed our "not-to-exceed" fees for the City's audit below based on our estimated total time budget of approximately 120 hours for the audit.

	<u>If the City Prepares the Report</u>	<u>If we prepare the report</u>
June 30, 2022	\$7,750	\$9,150
June 30, 2023	\$7,900	\$9,330
June 30, 2024	\$8,050	\$9,520

It is our firm's policy to bill monthly for professional services provided. Amounts are due upon receipt of those monthly billings. Since our billing system is based on units of "quarter hours," we will only charge for consultation or telephone calls that exceed 15 minutes in duration (i.e., there would be no charge for a two minute telephone call).

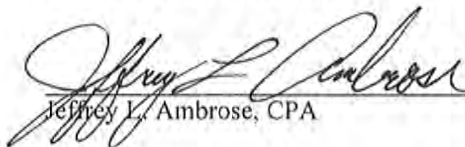
Nondiscrimination Clause

Christensen, Palmer & Ambrose has always had a policy of nondiscrimination on the basis of race, religion, sex, color, age, disability, or national origin. These attributes shall not be a factor in consideration for employment, training, promotion, recruitment, compensation, demotion, or separation. This policy will be enforced in regard to work we do for West Bountiful City and all other clients.

Because you would be one of our best audit clients, we commit to give you the close personal attention you deserve. We are most anxious to be appointed as your auditors and we are prepared to commence work on this engagement immediately. If you have any questions about this proposal or would like additional information about our firm or services, please call us.

Sincerely,

CHRISTENSEN, PALMER & AMBROSE


Jeffrey L. Ambrose, CPA

Poulsen VanLeuven & Catmull PA

Certified Public Accountants

Members of the American Institute of CPA's
and the Idaho Society of CPA's
Jeffrey D. Poulsen, CPA
Darren B. VanLeuven, CPA
Jacob H. Catmull, CPA

Report on the Firm's System of Quality Control

November 20, 2020

To the Owners of
Christensen, Palmer & Ambrose, P.C.
and the Peer Review Committee of the Nevada Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Christensen, Palmer & Ambrose, P.C. (the firm) in effect for the year ended May 31, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Christensen, Palmer & Ambrose, P.C. in effect for the year ended May 31, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Christensen, Palmer & Ambrose, P.C. has received a peer review rating of *pass*.

Poulsen, VanLeuven & Catmull
Poulsen, VanLeuven & Catmull P.A.

WEST BOUNTIFUL POLICE DEPARTMENT

K9 Proposal



History

- West Bountiful previously operated a K9 program from 2012 to 2014
- The initial program was created through monetary and in-kind donations and a donated K9
- The program was well received by the community and enhanced opportunities for public relations
- There were 300 deployments during that two-year period
- Additional career opportunities and development were available
- Allowed WBPD to partner more with neighboring agencies

Financial (donations/grants)

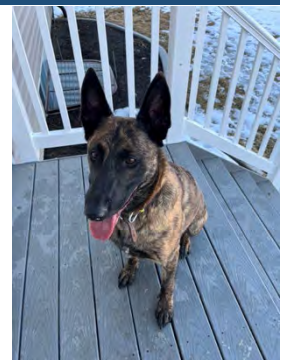
- Purchase a new dog: \$7,500 - 15,000 (K9 already donated)
- Vehicle equipment: \$6,500 (donations/grants)
- K9 equipment: \$4,300 (donated/grants)
- Yearly ongoing maintenance: \$1,000 (donations/grants)
- New Handler Training: 720 hours (currently not needed)
- FLSA: 7 hours per pay period (federal requirement)
- Financial burden to the city should be minimal

Previous Challenges

- Department was experiencing heavy turnover
- The donated K9 had known health issues causing early retirement
- Handler left for another agency after K9 retirement
- The replacement handler and K9 left WBPD to return to their previous agency
- The program was disbanded due to turnover

Current Opportunities

- Sgt. Smith has 15+ years as a K9 handler/instructor/judge
- Sgt. Smith currently maintains a previously certified 5-year-old Belgian Malinois
- WBPD is no longer experiencing significant attrition
- Creates additional career opportunities and enhances morale
- Funded through monetary donations and grant funds
- Provides additional resources to neighboring agencies
- Once again, enhance public relations opportunities
- Existing vehicle equipment would transfer to the upcoming detective vehicle



PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, April 19, 2022, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

MEMBERS: Mayor Ken Romney, Council members James Ahlstrom, James Bruhn, and Mark Preece, Rod Wood

STAFF: Steve Doxey (City Attorney), Steve Maughan (Public Works Director), Kris Nilsen (City Engineer), Josh Virostko (Golf Superintendent), and Patrice Twitchell (Finance Specialist)

EXCUSED: City Council Member Kelly Enquist, Duane Huffman (City Administrator), Cathy Brightwell (City Recorder)

PUBLIC: Alan Malan, Richmond Thornley, Dale Pierson, Jace Allen, Blake & Lauralee Anderson, Diane Anderson, Jered Anderson, Ashalee Anderson, Jennifer Yee, Peyton Yee, Deby Marshall, Dennis Vest, Erin Kelley, Amanda Hamilton, Neil Hamilton

Mayor Romney called the regular meeting to order at 7:32 pm. Rod Wood offered a prayer and Mark Preece led the Pledge of Allegiance.

1. Approve the Agenda.

MOTION: *James Bruhn made a Motion to approve the agenda as posted. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

2. Presentation of Award for Best Tasting Water in Utah by Dale Pierson, Executive Director, Rural Water Association.

Mayor Romney commented that in 2007 the city recognized some serious issues with its water system. Old pipes were causing water line breaks so after a lot of work and meetings with citizens, a program was put together to begin replacing outdated water infrastructure. The goal was to replace 60,000 linear feet of pipe over 20 years. Since then, the city has replaced 43,000 ft. (8.3 miles) of pipe and this year's 600 West project will add another 2500 ft. The city also needed to find additional water supply and resources. A well was drilled but unfortunately, there wasn't any water. Another well was drilled last year on 400 North, and it was successful. This is the well where water samples were taken for the Best Tasting Water in Utah contest.

Dale Pierson Executive Director of the Utah Rural Water Assn presented the 2022 Award for Best Tasting Water in Utah to West Bountiful City's Water department. He said he applauds the city's efforts to provide safe, clean water to the city and noted that the city also won the award in 2015. Erin Kelley, representing Congressman Stewart's office, also awarded an appreciation certificate to the city for this achievement.

3. Public Comment – Two Minutes Per Person, or Five Minutes if Speaking on Behalf of a Group.

Deby Marshal, resident, asked for a copy of Ivory's initial plans for a 9-lot subdivision on 400 North. Mayor Romney responded that nothing formal has been submitted. She asked about Ivory's permit to haul dirt onto the property and said she counted 136 dump truck loads today before 3 pm and in some cases they drive too fast. She was told that their Permit allows 32 loads per day and includes a dust plan. She was told to notify the city as soon as possible when she sees problems. She is concerned that too much dirt being hauled in will cause drainage problems for surrounding properties. She is also concerned that traffic on 400 North will increase significantly with new west side development.

Mayor Romney addressed her concerns. Consideration of any new development will include safeguards to ensure drainage is not a problem. He added that the city's master plan for roads has included looking at ways to move traffic without making 400 North a main thoroughfare. There is a long-term plan to connect 1450 W to 500 S and new westside development will also likely connect to 1200 North so traffic will not fall completely onto 400 North.

4. Public Hearing to Receive Public Comment Regarding a Request to Vacate the Public Utility and Drainage Easement Between Lots 7 and 8 of the Ashby Acres Subdivision (1632 N 1100 West and 1640 N 1100 West) – Jace Allen and James Bruhn.

Council member Bruhn disclosed he has a conflict of interest with agenda items 4, 5, & 6 as he is a party to the requests.

MOTION: *Rod Wood Made a Motion to Open the Public Hearing. Mark Preece Seconded the Motion which PASSED as reflected below.*

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – excused	Mark Preece – aye
Rod Wood - aye	

Kris Nilsen summarized the request which is to vacate the public utilities and drainage easement between Lots 7 and 8 of Ashby Acres. Utility companies were contacted and do not object to the release. A separate plat amendment is proposed to move the property line ten feet to the west which requires relocation of the easement.

No Public Comments were offered.

MOTION: *Rod Wood made a Motion to Close the Public Hearing. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

5. Ordinance 452-22, An Ordinance Releasing the Public Utility and Drainage Easement Between Lots 7 & 8 in Ashby Acres Subdivision – Jace Allen & James Bruhn.

MOTION: *Rod Wood Made a Motion to Adopt Ordinance 452-2 Releasing the Easement with the Conditions Described in Staff Memo. Mark Preece Seconded the Motion which PASSED as reflected below.*

James Ahlstrom – aye
Kelly Enquist – excused
Rod Wood - aye

James Bruhn – aye
Mark Preece – aye

6. Request for Plat Amendment for Ashby Acres 2 – Jace Allen & James Bruhn.

Kris Nilsen summarized the request which is to move the property line between Lots 7 and 8 of Ashby Acres for the purpose of enlarging Lot 7. He described a diagram showing the resulting building footprint including required fire turnaround space.

MOTION: *Mark Preece Made a Motion to Approve the Plat Amendment for Ashby Acres 2 With Recommendation Included in Staff Memo. Rod Wood Seconded the Motion which PASSED as reflected below.*

James Ahlstrom – aye
Kelly Enquist – excused
Rod Wood - aye

James Bruhn – aye
Mark Preece – aye

7. Expenditure Approval for Golf Course Fence to Protect 1200 North.

Mayor Romney described Hole 10 and the impact of golf balls onto properties on 1200 North. The proposed fence is expected to minimize the impact. There are two options – 2-inch versus 1-inch mesh chain link fencing. With 2-inch, depending on the angle of the ball it could go through but it would certainly slow the ball. The 1-inch fence would stop any ball but may cause some visibility issues by blocking the view. Also plan to remove several trees and move the fairway. Gas easements do not allow us to add as many trees as we would like.

Neil Harrison stated that the golf course staff has been great to work with. The issue is balls being hit on the road bounce into their house and yard, and it happens far too frequently. He prefers not to have the view disturbed with the fence. He and his neighbors do not think a 12-ft fence will solve the problem. Instead, he asked for a twenty-foot fence similar to the driving range fence that can be taken down in the off season. He suggested moving the tee box and fairway to see if it improved the situation before deciding on a fence. He was asked how frequently balls come in his yard. He said he gets balls daily more in back than in front, neighbors have had broken windows and car windshields.

Mayor Romney agreed that it may be best to move the fairway and re-angle the tee box first to see how those changes help the problem.

MOTION: *James Ahlstrom Made a Motion to TABLE the Decision on Golf Course Fencing to Protect 1200 North Until More Research is Done. James Bruhn Seconded the Motion which PASSED by unanimous vote of all members present.*

8. Meeting Minutes from March 29 & April 5, 2022.

MOTION: *James Bruhn made a Motion to Approve the Meeting Minutes from March 29 & April 5, 2022, as Presented. Mark Preece Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

9. Staff Reports

Police – Brandon Erikson

- Asst. Chief Wilkinson and Mischelle Robinson have been attending the Spillman user meetings.
- There were 8-9 vehicle burglaries and one vehicle theft over the weekend.
- Last month stats: 313 calls, 246 traffic stops with 77 citations given, 8 traffic accidents, 3 DUI's, 1 sexual offense, 2 assaults, 7 drug offenses, and 5 frauds. With Spillman we will be able to generate reports weekly. We now expect Spillman to be up first quarter next year.

Public Works – Steve Maughan

- 600 West road construction is set to begin Monday, April 25. Road will be milled beginning end of week.
- Blake attending Davis County water fair and teaches some classes.
- A new water valve was installed at 640 W 2200 N to allow us to leave customers water on while working on road project.
- Fire hydrant replacement work continues.
- Have been super busy at the parks, no seasonal help on board yet. Working on water conservation plans.
- The road-side mower is to be repaired.
- Public Works facility – site work is being prepped.
- Spring clean-up finished on Saturday. This year was only 3 days and was busy, especially from 4-8 pm.

Engineering & Community Development

- Letter of Intent is being prepared Davis County grant money for 1100 W road widening (200 N to 400 N).
- Rocky Mtn Power claims the poles on 1000 North just off 550 West belong to Century Link, so they won't move them.
- Working on water conservation plans that are due to the State in July.
- Doug Coons' Corner subdivision submission are near complete and will likely be on the next agenda for final plat approval.
- Still waiting for corrections on final submittal for Olsen Farms 8.

10. Mayor / Council Reports

James Bruhn – no comment.

Rod Wood – Admired the hard work done by the water department for receiving the Best Tasting Water award. It's a great achievement.

James Ahlstrom – Youth Council's Easter egg scramble was successful and well attended.

Flashing speed signs are great but asked if the flashing lights should be changed to flash at more than 1 mile over the limit? Maybe 3-4 miles over would be better? Other council members prefer it to remain at 1 mile over.

Clint Drake, Bountiful attorney that helped us with private school issue, commented that we were a well-oiled machine and worked well together on a sensitive issue.

Mark Preece – South Davis Sewer district is not burning gas; things are going well.

Mayor Romney – Discussed water restrictions. Irrigation water usage will be reduced 60% this year. He has a xeriscape front yard but has all grass in the back that he did not restrict last year. He looked at his meter reports and he used 65% less than what was allowed. Curious to see how much water can be reduced and still have lawns and flowers stay green. The city is working on a new ordinance so residents can qualify for ‘flip your strip.’

11. Adjourn.

MOTION: *James Ahlstrom made a Motion to Adjourn the Meeting. Mark Preece Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, May 3, 2022.

Cathy Brightwell, City Recorder