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**Minutes of the
BOUNTIFUL CITY COUNCIL
August 22, 2023 – 7:00 p.m.**

Official notice of the City Council Meeting was given by posting an agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Journal and Standard Examiner.

Regular Meeting – 7:00 p.m.
City Council Chambers

Present: Mayor Kendalyn Harris
Councilmembers Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
City Manager Gary Hill
City Engineer Lloyd Cheney
City Attorney Clinton Drake
Planning Director Francisco Astorga
Finance Director Tyson Beck
Power Director Allen Johnson
Recording Secretary Maranda Hilton

WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER

Mayor Harris called the meeting to order at 7:02 p.m. and welcomed those in attendance. Ms. Caroline Bahr led the Pledge of Allegiance and Ms. Heather Joy Zelch, Hope House of Prayer, offered a scripture and a prayer.

PUBLIC COMMENT

The public comment section was opened at 7:07 p.m.

Mr. Dave Newbold (Devon Drive) thanked the Mayor and Council for their service. He also thanked them for approving new policies at the cemetery that allowed him to erect a raised headstone without having to purchase four plots.

The public comment section was closed at 7:09 p.m.

CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD AUGUST 8, 2023

Councilmember Bradshaw made a motion to approve the minutes and Councilmember Bahr seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

1 **COUNCIL REPORTS**

2 Councilmember Bell reported that the summer concerts went well, and publicly thanked Mr.
3 Richard Watson, Ms. Rachel Steenblik and Toast for helping make it all happen. He also reported
4 that the BCYC is in full swing with new leadership for this school year, but they are looking for a
5 new advisor as Ms. Chelsea Moultrie, who has done a wonderful job, will be stepping down.

6 Councilmember Bradshaw reported that the Utah League of Cities and Towns will meet the
7 first week of September and will be proposing two resolutions for a vote. The first will deal with the
8 preservation of local authority and the second will deal with dignity and civility in local politics.

9 Councilmember Higginson reported that both hydro reservoirs are still quite full, and it is
10 likely the City may be able to generate power from them all winter. He also reported that a speaker at
11 the UAMPS conference in Wyoming recently advised cities that they should be preparing for the
12 increase in electric vehicles by having variable power rates in place and installing smart meters.

13 Councilmember Bahr did not have a report.

14 Councilmember Price-Huish encouraged everyone to patronize the BDAC, see the latest
15 exhibits and look into their new class offerings. The BDAC will have a free family art night this
16 coming Monday.

17
18 **BCYC REPORT**

19 No report was given.

20
21 **CONSIDER APPROVAL OF:**

22 **A. EXPENDITURES GREATER THAN \$1,000 PAID AUGUST 2 & 9, 2023**

23 **B. PRELIMINARY JUNE 2023 FINANCE REPORT**

24 Councilmember Bahr made a motion to approve the expenditures paid August 2 & 9,
25 2023, and the preliminary June 2023 finance report and Councilmember Higginson seconded
26 the motion, which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-
27 Huish voting “aye.”

28
29 **CONSIDER APPROVAL OF RESOLUTION 2023-12 WHICH ESTABLISHES AN**
30 **INTERFUND LOAN BETWEEN THE CAPITAL PROJECTS FUND AND THE FIBER**
31 **FUND – MR. TYSON BECK**

32 Mr. Tyson Beck explained that this resolution will establish an interfund loan between the
33 Fiber Fund and the Capital Projects Fund. A bond was issued for the financing of the Bountiful Fiber
34 project construction costs, but monthly payments on the bond will be due before the Fiber Fund is
35 generating revenue from fiber subscriptions. The City had the option to issue a higher bond amount to
36 begin paying those monthly payments with the excess, but staff and Council decided the City would
37 rather loan the money to the Fiber Fund from the Capital Projects Fund and then pay itself back, with
38 interest once subscriptions can cover the monthly installments. The maximum loan amount is \$5.5 M
39 and staff believes the subscription revenue will be enough to pay operation and loan costs in about
40 five years.

41 Councilmember Bradshaw wished to clarify that residents who do not subscribe to Bountiful
42 fiber will not be cheated out of the interest the Capital Projects Fund would have earned if the money
43 had not been loaned to the Fiber Fund. Mr. Beck affirmed that all projections show this is a viable
44 project and that the Capital Projects fund will be paid back with interest and there will be no loss of
45 tax dollars.

1 **A. PUBLIC HEARING**

2 The public hearing was opened at 7:32 p.m.

3
4 Mr. Tim Gregory (1141 East 300 North) asked questions about what subscription fees
5 will be and what Bountiful will do once the ten-year agreement with UTOPIA is over. Mr.
6 Gary Hill answered his questions.

7
8 The public hearing was closed at 7:36 p.m.

9
10 **B. ACTION**

11 Councilmember Price-Huish reiterated that anyone who chooses not to sign up for
12 Bountiful Fiber will not be “on the hook” financially and that the Capital Projects Fund
13 will be paid back with interest.

14 Councilmember Bell expressed the importance of this point as well and said he would
15 rather pay interest internally and minimize the amount of interest the City pays to external
16 entities.

17 Councilmember Bell made a motion to approve Resolution 2023-12 establishing
18 the interfund loan and Councilmember Higginson seconded the motion. The motion
19 passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting
20 “aye.”

21
22 **CONSIDER APPROVAL OF A LOT LINE ADJUSTMENT TO LOTS 11, 12 AND 13 OF**
23 **THE BRIDLEWOOD SUBDIVISION PHASE 1 – MR. LLOYD CHENEY**

24 Mr. Lloyd Cheney explained that this lot line adjustment is being pursued by Mr. Andrew
25 Winegar, who owns lots 11 and 12. The line adjustment will significantly increase the size of lot 11
26 and significantly decrease the size of lot 12, but both lots will still meet code for size and frontage.
27 Lot 13 will only change in area by six square feet. Mr. Cheney pointed out that there is a private
28 sewer easement that ran through lot 12, but now runs through lot 11 and lot 12, so language needs to
29 be included that reminds the property owners of the obligation to honor that easement. The Planning
30 Commission and staff both recommend approval of the lot line adjustment.

31 Councilmember Price-Huish made a motion to approve the lot line adjustment with the
32 clarification about the sewer easement and Councilmember Bahr seconded the motion. The motion
33 passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

34
35 **CONSIDER APPROVAL OF ENERGY MANAGEMENT CORPORATION’S PROPOSAL**
36 **FOR THE PURCHASE AND INSTALLATION OF GENERATOR EQUIPMENT AT FOUR**
37 **SITES IN THE AMOUNT OF \$726,346 – MR. LLOYD CHENEY**

38 Mr. Cheney explained that in 2019 the City applied for a FEMA grant for the purchase and
39 installation of generators at certain City facilities. These four sites include the Streets building, the
40 Water building, the water treatment plant and the Public Safety building. Staff was informed that the
41 City was awarded the grant in November 2022. Mr. Cheney explained that the original request for
42 funds was based on price estimates from 2019, and because of significant increases in the cost of
43 materials and products since then, the grant will only cover about 50% of the cost of the project. The
44 rest of the funding will come from the City’s enterprise and general funds. The FEMA grant was for
45 \$392,412, and the City will pay the remainder. The generators are being purchased through a state
46 contract which includes the cost of installation.

1 Councilmember Bradshaw asked if this unexpected increase in the budget will affect other
2 projects scheduled for this fiscal year. Mr. Gary Hill explained that no projects will be postponed as a
3 result, but it will most likely require that the budget to be adjusted toward the end of the year.

4 Councilmember Bahr made a motion to approve the proposal from Energy Management
5 Corporation and Councilmember Bell seconded the motion. The motion passed with
6 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
7

8 **CONSIDER PROVIDING DIRECTION REGARDING SUBMITTING A LETTER OF**
9 **INTENT TO REDUCE BOUNTIFUL’S POTENTIAL TO EMIT (PTE) 48 TONS OF**
10 **NITROGEN OXIDES (NO_x) – MR. ALLEN JOHNSON**

11 Mr. Allen Johnson explained that the Power Department received a letter from the Division of
12 Air Quality saying that Davis County is a non-attainment zone and they must take measures to reduce
13 emissions and improve air quality. All “major” sources of emissions in the region are being
14 evaluated, which includes Bountiful City Light and Power. Currently the power plant has the
15 potential to emit (PTE) 65 tons of nitrogen oxides (NO_x) and will need to either reduce its PTE
16 below 50 tons of NO_x or add expensive equipment to the generators to lower the emissions, which
17 will cost about \$10M. Staff recommends lowering the PTE to 48 tons of NO_x, because the power
18 plant averages between only eight to ten tons of NO_x annually, so lowering the PTE to 48 tons will
19 not have any impact on the generation of power. An official letter stating the intent to lower the
20 City’s PTE must be submitted to the Division of Air Quality by the end of October. Mr. Johnson
21 explained that he was bringing this before the Council to receive their feedback, because lowering the
22 PTE is easy, but if the City wants to raise it in the future it could be challenging and costly.

23 Councilmembers asked a few questions about how it would impact operations, and Mr.
24 Johnson answered their questions.

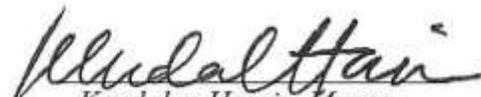
25 Councilmember Bradshaw pointed out that since the State has not been able to model
26 attainment and is reducing the flexibility of power generation along the Wasatch Front, they need to
27 be actively working on increasing the City’s flexibility to get energy from outside sources.

28 Councilmember Higginson made a motion to approve the letter to the Division of Air Quality
29 to reduce PTE and Councilmember Bradshaw seconded the motion. The motion passed with
30 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
31

32 **ADJOURN**

33 Councilmember Bahr made a motion to adjourn the regular session and Councilmember
34 Higginson seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw,
35 Higginson and Price-Huish voting “aye.”
36

37 The regular session was adjourned at 8:01 p.m.


Kendalyn Harris, Mayor


City Recorder