NEXT

HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, December 7, 2021

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION

YouTube Live: http://bit.ly/HC-youtube

Email comments prior to meeting: council@highlandcity.org

6:00 PM CLOSED SESSION

The City Council may recess to convene in a closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Council Member Kurt Ostler
Pledge of Allegiance – Council Member Timothy A. Ball

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

2. RECOGNITION ITEMS

a. Mayor Recognition Awards

Mayor Rod Mann will give special recognition to individuals who have contributed to Highland City.

b. Recognition Award for Mayor Rod Mann

Mayor Elect Kurt Ostler will thank Mayor Rod Mann for his years of service to Highland City and present a special recognition award.

3. PRESENTATIONS

a. Parks

Parks Superintendent Josh Castleberry will report on the status of parks and open space maintenance for the 2021 growing season.

b. Pressurized Irrigation

Assistant Public Works Director Jeff Murdoch will present an update to the City Council regarding the 2021 pressurized irrigation water usage.

c. Youth Council

A member of the Highland City Youth Council will report on their activities and service during the last month.

d. Traffic Data
Mayor Rod Mann will present to the City Council information regarding traffic data which has been collected on various roads in Highland City.

4. CONSENT ITEMS *(5 minutes)*

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. Approval of Meeting Minutes *Administrative*
Regular City Council Meeting – October 19, 2021 and Special City Council Meeting - November 16, 2021

b. Action: Award Contract for the Murdock Irrigation Pump Station & Pheasant Hollow Sewer Lift Station *Administrative*
City Council will consider a request to approve a bid to Nelson Brothers for $2,877,000.90 for the construction of the Murdock Irrigation Pump Station and Pheasant Hollow Sewer Lift Station Projects and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

c. Resolution: Highland Blvd – Intent To Annex *Legislative*
The City Council will hold a public meeting to consider a request by Highland City to annex approximately 184,944 square feet (4.246 acres) of property located approximately east of 11800 North and Highland Blvd into Highland City boundaries. The City Council will take appropriate action.

d. Plat Amendment: Peck Hollow Plat B Lot 2 Amended (PA-21-11) *Administrative*
The City Council will consider a request by Ezra Lee Design + Build on behalf of Vess Pearson to amend the Peck Hollow Plat B subdivision to combine Lot 2 with a portion of the property behind 6387 W 9600 N. The City Council will take appropriate action.

e. Resolution/Action: Disposal of Equipment from Public Works Department *Administrative*
Staff is requesting that the City Council approve the surplus sale of a utility dump truck bed from the Highland City Public Works fleet. The Council will take appropriate action.

f. Voter Participation Areas *Administrative*
City Council will consider reaffirming the City's Voter Participation Areas until updated Areas are available for the purpose of signature collection for initiatives and referendums as required in Utah Code 20A-7-401.3. The Council will take appropriate action.

5. PUBLIC HEARING/ORDINANCE: RIGHT-OF-WAY VACATION – MILLERS ACRE SUBDIVISION PLAT B *Legislative*

The City Council will hold a public hearing and consider a request by Highland City to vacate approximately 1,385 square feet of right-of-way in the Millers Acre Subdivision Plat B. The City Council will take appropriate action.

6. PUBLIC HEARING/ORDINANCE: GENERAL PLAN TEXT AMENDMENT – TRANSPORTATION *Legislative*

The City Council will hold a public hearing to consider a request by City Staff to amend the General Plan to discourage external road connections that are not existing or listed in the General Plan. The City Council will take appropriate action.

7. RESOLUTION: ADOPTION OF THE DESIGNATION OF DISPOSABLE PROPERTIES *Legislative*

The City Council will review and discuss the open space requests that were deferred on November 9th, 2021. The City Council will also consider the adoption of a resolution designating specific parcels of public real property as orphan parcels that may be disposed of. The Council will take appropriate action.

8. ORDINANCE: PARKS TAX ORDINANCE *Legislative*

City Council will consider the proposed ordinance to institute the Parks Tax and govern the use of the funds. The Council will take appropriate action.

9. SITE PLAN AMENDMENT: HIGHLAND MARKETPLACE PHASE 2 *Administrative*

The City Council will consider a request by MNG Management LLC for master site approval for five (8) commercial buildings located at northeast corner of Alpine Highway (SR74) and Timpanogos Highway (SR92). The City Council will take appropriate action.

10. ACTION: AWARD CONTRACT FOR WELL #4 *Administrative*

City Council will consider a request to approve a bid to Lang Equipment for $1,439,292.00 for the drilling of the Culinary Well #4 Project and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

11. DISCUSSION: FY2022 Q1 FINANCIAL STATEMENT *Administrative*

City Council will discuss financial statements for the first quarter of fiscal year 2022. This item is being presented for discussion only, formal action will not be taken.

12. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Hollows Trail

City Engineer/Public Works Director will present an update on the progress of the portion of trail associated with the Hollows Subdivision.

b. Future Meetings

- January 4, Swearing In Ceremony, 7:00 pm, City Hall

- January 11, City Council Meeting, 7:00 pm, City Hall
- January 12, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- January 18, City Council Meeting, 7:00 pm, City Hall
- January 25, Planning Commission Meeting, 7:00 pm, City Hall

ADJOURNMENT

(These items are for information purposes only)

Description	Owner	Due Date	Status
Garbage Cans in Parks with Restrooms - 8/3/2021	Josh Castleberry	9/2021	Complete
Park Use Policy – 8/17/2021	Erin Wells	12/2021	Council Communication Item 1/2022
Hollow Subdivision: Can road money be used for islands - 8/17/2021	Mayor		Council Discussion 1/11/2022
Asphalt Tailings – 9/21/2021	Residents/PW		In Progress
Playground equipment for Highland Glen Park: look at different vendors – 9/21/2021	Brittney Bills Kim Rodela	12/2021	Meeting with staff in December
Park and Open Space Fund Analysis - 9/21/2021	Tyler Bahr	Council Presentation Jan/Feb	
Community Center Carpet and Paint - 9/21/2021	Erin Wells	2/2021	In Progress
Policy on encroachment and maintenance agreements	City Council		
Work with agreement with USAC for soccer fields – 10/19/2021	Mayor & PTTC	11/9/2021	

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION
Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

CERTIFICATE OF POSTING
I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, at the Lone Peak Fire Station and Lone Peak Police Station, on the Utah State website (http://pmn.utah.gov), and on Highland City's website (www.highlandcity.org).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda on the 1st day of December 2021. **Stephannie Cottle, City Recorder**

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.

HIGHLAND CITY COUNCIL MINUTES

Tuesday, October 19, 2021

Waiting Formal Approval

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION

YouTube Live: http://bit.ly/HC-youtube

Email comments prior to meeting: council@highlandcity.org

7:00 PM REGULAR SESSION

Call to Order – Mayor Rod Mann
Invocation – Alan Rencher
Pledge of Allegiance – Paul Adams

The meeting was called to order by Mayor Rod Mann as a regular session at 7:03 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Alan Rencher and those in attendance were led in the Pledge of Allegiance by Paul Adams.

PRESIDING: Mayor Rod Mann

COUNCIL MEMBERS PRESENT: Timothy A. Ball, Brittney P. Bills, Kurt Ostler, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, City Engineer Andy Spencer, Planner & GIS Analyst Kellie Bronson, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Library Director Donna Cardon, Code Compliance Officer Brent Wallace

OTHERS PRESENT: Scott Hart, Jerry Abbott, Cody Dingus, Sarah Petersen, Derric Rykert, Jennie Hare, Terese Hansen, Wesley Warren, Alan Rencher, Paul Adams, Carley Tall, Brian Braithwaite, Sherry Kramer, Hillary Gardner, Blaine Hale

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

Alan Rencher stated he is thrilled that Mountain Ridge Park will be completed and offered his services to the City by way of fundraising for the project. He encouraged the Council to be wise stewards of the City's resources and encouraged them to hold off on executing the agreement that is before the Council tonight until more funding is available. As the City

negotiates the contract, it is important to be mindful of its stakeholders, namely the City's residents. He stated that a 15-year term is very long, and it will restrict the City from doing other things with the park, such as renting it out to recoup some of the money spent on the project.

Carly Tall also referenced Mountain Ridge Park, which is seven acres in size and the Council is considering an agreement that would dedicate five of those acres to a soccer club for exclusive use over the next 15 years. She stated the land is prime real estate located in the middle of the City where open space has been greatly diminished; the land is worth millions of dollars and will only continue to increase in value and the decision the Council will make on this issue matters very much and is connected to large sums of money. It has become clear to her that this is a land grab, and she finds it offensive; giving up land like this should be considered very cautiously, with the primary concern being the benefit for residents, not a third party. The City has had this land for 14 years and has yet to see the potential benefit of it and she understands that is discouraging; however, it is important to realize that the land was purchased about a decade before the homes were built around it and there is now an established group of neighbors who are very interested in what is happening in their back yard. The challenge is no longer getting people to care about park development but keeping neighbors well informed and organized and helping them work together. She stated that since she has been monitoring this project, she has seen two really expensive design concepts for the space, and it is now time for the City to decide upon a design and refer the project to the Parks Committee or create a committee to address this park project specifically. A final plan is needed so that fundraising can begin. If given a reasonable timeframe for fundraising, and the residents fail to produce, the City can then begin negotiating deals with other clubs and organizations. The project is still in the early design stage, and it is not necessary to give up such a large part of it for such a long time. She is of the opinion that a good deal today is a good deal tomorrow, and if the residents fail to fundraise, the soccer club or another organization like them will still be willing to enter into this type of agreement.

Paul Adams echoed the comments made by Mr. Rencher; he actually purchased his home because of the possibility of having a park right next door. He stated that 15 years is a very long time for the type of agreement the Council is considering for exclusive use of the park. He coaches youth teams in the area and practice space is scarce and as a private citizen with a vested interest in the park, he is also willing to fundraise for the project. He and his wife are willing to start fundraising for the park with $500,000 for naming rights. Many others would also be willing to donate for similar rights and to fund common park amenities.

Wesley Warren stated he is the Co-Chair of the Parks, Trails, and Open Space Committee. He stated that the idea of partnering with Surf Soccer Club is exciting as it gives the City the ability to get a larger portion of the park paid for. However, he has a lot of reservations and many of the terms of the agreement need to change in order for it to be beneficially to the City. Subletting and severely restricting public land is not good-government and is a bit of government overreach. There is a committed contingency of residents that are heavily invested in the success of the park as a whole and dedicating three-quarters of the overall park area and restricting its use for at least 15 years without giving the residents a full chance to fundraise for the project, is unfair. The residents have an attachment to the project and not validating their desires would disincentivize them and cause them to lose interest. He stated he will send the Council a list of specific concerns he has. He concluded he does

love the idea of partnering with another organization, but he is opposed to the current version of the agreement as it is too restrictive.

Sherry Kramer echoed the comments made by Mr. Warren and read a written statement she emailed to the Council before the meeting. "I hope Highland does not decide to lease the fields to Surf Soccer. This is not the best use of the land for the residents of Highland in my opinion. This gives exclusive rights to our public park land to a private club, which I am opposed to at this park. Let's be creative and take the time to actively reach out to our community for donations for this park so that it can be a beautiful open space park that all residents have the opportunity to enjoy and use, and not a park where only a private club has access to some of the fields all of the time. Many of our residents are members of the American Fork Recreation Center and they are always looking for fields to rent or reserve for the residents of American Fork and Highland that are involved in their programs. Please do not tie the City down to a contract with one organization when many other organizations who also benefit Highland residents would like the opportunity to use these fields as well. Everyone should have a fair shot at reserving the fields in a public park in my opinion." She then reiterated this is a beautiful piece of ground and it would be a shame to give exclusive rights to one organization when there are many others that would benefit from it. Fundraising for this type of project can be done; the City could assemble a committee of dedicated people that could focus on the project and she thinks they would be successful.

Hillary Gardner stated she lives in the same neighborhood as others who have already spoken and is excited about the park as well; it would be a shame to see it be dedicated exclusively to Surf Soccer for 15 years. This is a long time and many residents who were excited to live near a park have young children who will be grown by the time the contract expires. This is a plan that does not make sense for the City and if the citizens could have the chance to fundraise, a better solution could be reached.

Terese Hansen stated she attended the meeting tonight because she is retired and wants to become more invested in the City she has lived in for 40 years. She retired from Alpine School District three years ago as a building and field rental employee. She will do more research on the agreement, but from her professional perspective, she would never take land and give it to one sole group. There were many problems when the District was asked to dedicate land to one group; the arrangement only lasted a short period of time before the District chose to reclaim the park space to manage on its own. Groups like Surf Soccer are in business to make money and these types of arrangements are all about money and control for them.

2. CONSENT ITEMS *(5 minutes)*

Items on the consent agenda are of a routine nature or have been previously studied by the City Council. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. Approval of Meeting Minutes *Administrative*
Regular City Council Meeting – September 7, 2021

b. Purchase Contract: 5401 West Pebble Lane *Administrative*

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The City Council will consider a Real Estate Purchase Contract (REPC) to the residential lot located at 5401 West Pebble Lane to David Hodges for $550,000. The Council will take appropriate action.

Mayor Mann explained that money generated by this property transaction will be deposited back into the Corridor Preservation Fund managed by the county; the money is retained for cities or the county to use for corridor preservation in the future.

Council Member Kurt Ostler asked to pull item 2b from the consent agenda.

Council Member Kim Rodela MOVED to approve consent item 2a.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball Yes
Council Member Brittney P. Bills Yes
Council Member Kurt Ostler Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion passed 5:0.

2b. Council Member Ostler referenced the purchase agreement and noted that there was no agent on the buyer's side. He asked if that means the City will save the buyer's commission. City Administrator/Community Development Director Crane stated there is an addendum that identifies the buyer's agent, though that document was not included in the meeting packet. Council Member Ostler asked if the commission to both agents is three percent. Mr. Crane stated the seller's agent will earn three percent commission, but he will need to verify the amount of commission for the buyer's agent.

Council Member Kurt Ostler MOVED to approve consent item 2b.

Council Member Scott L. Smith SECONDED the motion.

Council Member Smith stated he remembers when this property was purchased for approximately $200,000; based upon the sales price, the County will make more than was spent on the property.

The vote was recorded as follows:

Council Member Timothy A. Ball Yes
Council Member Brittney P. Bills Yes
Council Member Kurt Ostler Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion passed 5:0.

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3. PUBLIC HEARING: DISPOSAL OF PUBLIC PROPERTY *Legislative*

The City Council will hold a public hearing to dispose of 31,226 square feet of property surplus for the purpose of adjusting the boundaries of existing building lots in the Pheasant Hollow subdivision. This is associated with the Canal Boulevard project and the intent is to sell the property for residential use. The Council will take appropriate action.

Planner and GIS Analyst Kellie Smith reported State Law defines the decision to sell public property as legislative in nature; the Council has followed this process a number of times in the past. Action to approve the disposal of property can be taken after a public hearing is held. The subject property is 31,226 square feet and is located in the Pheasant Hollow subdivision. Staff recommends the Council hold a public hearing and approve the disposal of the property.

Mayor Rod Mann opened the public hearing at 7:29 pm.

There were no public comments.

Mayor Rod Mann closed the public hearing at 7:30 pm.

Council Member Smith addressed City Attorney Patterson, noting a legal standard has been set in the past in regard to conflicts of interest and ethical standards. He lives in the Pheasant Hollow Subdivision and, while he has no intent to purchase the property, the HOA fees paid by the buyer of the property could potentially benefit him. He also referenced agenda item four and noted that he paid the legal fees for the Highland Foundation. He is concerned about having a conflict that does not meet the legal standard for declaration, but that could handicap the Council. He asked if he should recuse himself even though he does not truly stand to benefit financially from the action to be taken by the Council. Mr. Patterson explained that an officer of the City cannot use their official position to further their own economic interest or receive special benefits. As a resident of the Pheasant Hollow Subdivision, Council Member Smith may benefit in an indirect way as a result of this action, but that does not meet the definition of a special benefit. As such, there is no strict requirement for recusal as he does not see a conflict of interest. He stated that there are instances where property must be sold and the Council adopts rules to govern that process.

Council Member Ostler referenced 2.04.070 of the Highland City Code; this Section provides standards of conduct for Council Members and Council Member Smith's relationship to this agenda item does not rise to the level of being a conflict of interest as he is not personally benefitting and is not securing a personal benefit for another.

Council Member Kim Rodela MOVED that the City Council approve the property disposal and direct city staff to proceed with the real estate sale.

Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball Yes
Council Member Brittney P. Bills Yes
Council Member Kurt Ostler Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

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The motion passed 5:0.

4. ACTION: ADDITIONAL FUNDING FOR ADONIS DRIVE STREETSCAPE PROJECT *Administrative*

The City Council will consider a request to approve additional funding for the construction of the Adonis Drive streetscape project and of the bid from Decorative Landscaping for $129,180.21 and authorize the Mayor and City Recorder to execute the necessary documents. The Council will take appropriate action.

City Administrator/Community Development Director Nathan Crane stated on June 18, 2019 the City Council approved a request from residents in the Mercer Hollow Estates subdivision to improve the streetscape along Adonis Drive. The estimated cost of the project was $89,309. The residents committed to raise $70,000 towards the cost of the project and the City cover the remaining costs. The $70,000 has been donated to the Highland Foundation. On August 4, 2020, the City Council approved a bid from Wasatch Lawn and Landscape for $89,884.67. The Council included a provision that allowed the city to go with the second bidder, Decorative Landscaping ($99,988 plus an additional $15,000 to meet city specifications for sprinklers). In the event Decorative Landscaping was chosen the extra cost was to be divided equally between the city and residents.

In Spring 2021, both the city and the residents were informed by Wasatch Lawn and Landscape that the cost of the project had increased to $113,306.56. The cost increase was covered by a resident. In May 2021, the City paid Rocky Mountain Power $10,740.56 to provide power to for the project. This cost was not included in the original estimate. Unfortunately, since the spring of 2021, Wasatch Lawn and Landscape has been unresponsive and despite the best efforts of staff and the residents we have not been able to get the contract completed and signed. As a result, at the request of the residents, new bids were obtained. Three companies were contacted for bids and two companies were responsive: Decorative Landscaping was the low bidder at $129,180.21 and ACE at $147,062.90. Initially the City's cost was not going to change so additional Council action was not required. However, the residents are now requesting that the City provide additional funding using open space capital funds that have been generated by property sales; as of January 2021, the City has collected $69,000 with and additional $11,553 to be collected from approved purchased in the Mercer Hollow Subdivision.

Council Member Bills inquired as to the difference between administrative and legislative actions. Mr. Crane stated that administrative actions relate to the implementation of policy decisions. Mayor Mann added that administrative decisions cannot be referred to the residents for a vote. Mr. Crane stated that is correct; classic examples of legislative decisions include many land use actions. City Attorney Patterson added that administrative actions are typically related to day-to-day operations of the City. Council Member Bills then stated that residents are often confused by the difference between legislative and administrative functions. She then noted that she feels that the process for determining the use of open space sales proceeds is somewhat unclear.

Council Member Ostler stated that it is his understanding that the money generated by property sales are used for general open space improvements and are not necessarily dedicated back to the subdivision in which the property was sold. He stated that it is his understanding the money must stay in the open space service district. Mr. Crane stated that is correct. Council Member Bills stated that either way, the City needs to prioritize open space projects; such a prioritization document would be helpful as the City sells more open space.

Council Member Smith stated that he personally believes it is amazing that the neighborhood has contributed to a project that will benefit so many people; he is the Council liaison to the Highland Foundation and the residents donated $70,000 to the Foundation, and that money was directed to the City for this project specifically. He asked if the City still has that funding in reserve for this project, to which Mr. Crane answered yes; the request for funding tonight is to cover a shortfall in the budget for the project due to increased costs.

Council Member Bills stated she also thinks it is amazing that residents have supported this project by way of financial support. Council Member Rodela agreed.

Council Member Scott L. Smith MOVED that the City Council approve the additional funding and authorize the Mayor to sign a contract with Decorative Landscaping to proceed with the construction of the Adonis Drive streetscape.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

5. ACTION: REPAIR & MAINTENANCE OF WELL #1 AND WELL #5

Administrative

The City Council will consider a request by staff to pursue work on culinary Well #1 and Well #5 to optimize their pumping functions. The Council will take appropriate action.

City Engineer Spencer provided the Council with information regarding Wells #1 and #5, noting that staff would like to perform routine maintenance of the casing of Well #1 and lengthen the supply pipe by several hundred feet; the estimated cost of this work is $120,000. Well #5 is experiencing a problem commonly referred to as 'cascading' where water is introduced from areas outside of the main pumping zone. While this does not compromise the water quality, it does introduce a lot of air into the water giving it a cloudy appearance. Work on this pump will increase the pumping depth from 440 feet to 520 feet. Repairs made to the casing should resolve the cascading problem and allow use of the well more effectively. Costs for these improvements are also estimated at $120,000. Staff recommends that City Council approve work to proceed on Well #1 in advance of Well #5 with Rhino Pumps at a cost not to exceed $120,566.60. Once work is completed and Well #1 is functioning, staff will approach the City Council for approval to proceed with work on Well #5.

Council Member Smith asked if the City is proceeding with work to drill Well #4 deeper, to which Mr. Spencer answered yes; the project will go to bid in the next few weeks, but it could take about

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18 months to complete the work. Council Member Smith asked if the majority of the culinary water system in the City is being supported by Wells #2 and #3, with plans to get five functioning wells that are deep enough to serve the demands of the City. Mr. Spencer answered yes. Council Member Smith asked if the water system would still operate in a power outage situation. Mr. Spencer answered yes, the City has a mobile generator that could run the culinary water wells. He stated that Wells #2 and #3 are the current work horses of the City and Administration has chosen to focus on Well #1 to provide needed redundancy. Eventually, all five wells will be fully functioning and reliable.

Council Member Kim Rodela MOVED that the City Council approve the work associated with Well #1 by Rhino Pumps and ID Electric not to exceed $120,566.60 and authorize the City Administrator to execute any necessary agreements.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Kurt Ostler	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

6. DISCUSSION: PUBLIC/PRIVATE PARTNERSHIP WITH USAC

Administrative

The City Council will review a proposed lease agreement with Utah Surf Athletic Club (USAC) for a Public/Private Partnership for the construction and use of the soccer fields at Mountain Ridge Park. This item is being presented for information and direction only.

Chairman of Parks, Trails and Tree Commission Brian Braithwaite provided a brief overview of the background of this matter; Highland City purchased the subject land for a community park in 2009, but due to the size of the property, a park to be built there cannot meet all the activity needs of Highland residents. Current design includes an all-abilities element, pavilion, parking areas, sports fields, restrooms, etc. There has been a great deal of discussion about options for developing the park and the possibility of leasing a portion of the ground to aid in funding the project as the City does not have sufficient money to complete the park development. He referenced the comments made by residents earlier this evening about the option of fundraising for the project, but noted that fundraising will likely be needed in addition to leasing the land because the lease revenue will not cover all development costs. He indicated the tenant would pay the majority of the lease revenue at the onset of the agreement, which benefits the City; the tenant would then pay yearly maintenance fees. The proposed lease agreement was not negotiated by the Council, Mayor, the Parks, Trails, and Tree Commission, or any City employee; it is based upon a lease agreement currently in place in Lehi City, and the lease scenario in that city has been very positive and beneficial to both parties. He believes a similar lease agreement could work in Highland City if it is designed correctly. He stated that Blaine Hale, President of Utah Surf Athletic Club (USAC)

is present this evening to answer questions about the proposed agreement. He advised the Council to ask questions about the details of the project and then think about those items over the coming weeks. The Council does not need to make a decision tonight and all terms and conditions in the agreement are up for negotiation. He stated the Council represents all residents of Highland City and this agreement should create a positive scenario for them as well as USAC. He noted a large portion of the participants in USAC, a non-profit, are Highland residents. There are differences between the Lehi City agreement and the proposed Highland City agreement; the Lehi agreement was based upon all park land being exclusively used for soccer while only a portion for the Highland property would be leased. Additionally, the initial term for the Lehi agreement was 10 years, while the initial term proposed for the Highland agreement is 15 years. Surf would have control of 80 percent of the park area and Highland would have control of the other 20 percent, compared to the Lehi lease, which was a 70-30 split. The most important components of the agreement for the Council to focus on include the length of the agreement, pre-paid lease revenue (or cash required up front), the exclusivity of the land being leased, the size of the land being leased, and ongoing maintenance requirements. He reiterated the lease term is 15-years, but renegotiation of the agreement after seven years. The pre-paid lease amount is $1.58 million and should be dedicated to capital improvements. He added there has been discussion about fencing at the park, but the Council needs to get clarity on those plans from USAC. He stated that it is his understanding that ongoing maintenance includes mowing, watering, and fertilizing the field areas. He then provided a preliminary cost estimate for the initial capital outlay for the project; he reviewed the breakdown, noting the total estimated cost of $1.58 million includes a $200,000 contingency. He also provided the City's policy regarding field rental costs and noted in 2020-2021 the City realized $10,962 in facility rental revenue.

Mayor Mann then invited input from Mr. Hale of USAC. Mr. Hale stated he is excited about the possibility of partnering with Highland City on this project and looks forward to discussing the matter further with the Council.

Council Member Smith first asked about the concept of fencing around the park; there is a trail that runs behind the field areas, and he wondered how fencing would impact access to the trail. He added there has been a great deal of debate in the City regarding building a park maintenance building on a portion of the park property, but it was ultimately built near the community center. Yet, the agreement includes a maintenance building on the park that includes some bathroom facilities. However, there will already be a restroom facility on the north end of the park. He stated that his third question relates to the 80-20 ratio mentioned by Mr. Braithwaite; he has been told that there will be three soccer fields, but one of them would always be open and available for public use. This means the split should be closer to 70-30. Mr. Hale stated the fencing in the agreement was just part of the agreement that he copied from Lehi City; if there is no need for a fence, he will remove that from the agreement. He is also willing to remove the maintenance building from the project; he expects that USAC will be maintaining the sprinklers and sod at the park and it would be nice to store maintenance equipment on site. Perhaps that can be accomplished with the placement of a small shed. He stated that the ratio of control can be re-evaluated and re-defined in the agreement. The 80-20 split was only intended to apply to the field space, not the entire park area.

Council Member Rodela inquired as to the type of usage that will be allowed on the 20 percent of the field space that is not controlled by USAC. Mr. Hale stated that residents could use the public field space for any recreation activities they desire; the reason he would like to control a certain

amount of the field space is to ensure that it is not being overused and damaged. It may be possible to simply close off the soccer goal areas as that is the area of a soccer field that is damaged most by overuse.

Mayor Mann suggested that a possible outcome of tonight's discussion could be to select one or two Council Members to continue detailed negotiation of the agreement with Mr. Braithwaite and Mr. Hale; the intent was not to determine all details and take possible action on the agreement this evening.

Council Member Ostler asked if activities other than soccer would be permitted on the public field space. Mr. Hale stated that he would suggest that certain sports, such as football teams, use another facility because that sport can be very hard on a sports field. He expects other soccer teams to use this facility and repairs and maintenance responsible to that use should not be too burdensome. Council Member Ostler asked if USAC needs control of the fields year-round or just at certain times of the year. Mr. Hale suggested that usage ratios be broken down on a quarterly basis. Percentage usages will shift throughout the year. Council Member Ostler asked Mr. Hale if he is flexible on the number of fields needed at the park. Mr. Hale answered yes; his participation in the agreement could be based on a reduced number of fields. Council Member Ostler also asked if he is flexible on the term of the agreement, perhaps a reduction from 15 years to 10 years, to which Mr. Hale answered yes.

Council Member Smith stated he appreciates when private parties are willing to partner with the City on projects like this and he appreciates Mr. Hale's flexibility. He addressed the matter of potential vandalism of the park and structures therein and asked Mr. Hale if he would participate in remediation of vandalism. Mr. Hale stated that he would like to include language in the agreement that addresses the manner in which that responsibility would be fairly split between the City and USAC; he is not willing to take full responsibility for vandalism remediation unless he is able to fence the area that he is responsible for. Council Member Smith asked how usage restrictions would be enforced. Mr. Hale stated that he could erect signage that communicates restrictions on public access to certain areas of the park. This led to brief discussion about the manner in which the City currently handles reservations of field space at City parks and the manner in which usage conflict is resolved.

Council Member Bills asked Mr. Hale for information about the field space he will develop at the park. Mr. Hale stated that the grass will be the same as the rest of the grass at the park, but watering systems may be different, and it will be necessary to designate rest periods for the play surface to ensure that is does not fall into disrepair due to overuse.

Council Member Rodela inquired as to the heaviest usage periods, to which Mr. Hale answered May and June and usage during those months is typically very heavy. The fields will also be used each Saturday, nearly all day, in the spring and fall months.

Council Member Ostler inquired as the percentage of USAC's participants that are from Highland. Mr. Hale stated that 40 to 50 percent of his participants are from Highland; he has a total of 800 participants. Council Member Ostler asked Mr. Hale if he will secure a contractor to develop the field space. Mr. Hale stated he will work with the City to determine appropriate specifications and to select a contractor for the project. He is willing to negotiate further on those issues with the City.

Council Member Smith asked if there is adequate parking and spectator space for the planned use of the facility. Mr. Hale answered yes; he will manage the schedule of the field space in a way that does not overwhelm parking and spectator accommodations.

There was then brief high level discussion about the average number of participants and spectators that would be at the facility at each time, whether there will be concessions, potential noise nuisances generated by usage of the facility, and signage advertising access to the fields, after which Mr. Hale stated he feels this is a good fit for both USAC and the City and he wants to continue discussions of the proposed arrangement and try to find a way to make it work.

Council Member Ostler stated that Mr. Hale seems to be very flexible and he is willing to continue discussions with him, while keeping in mind the concerns and suggestions that have been expressed by residents. Council Member Bills agreed; what has been presented this evening seems to be different than the draft agreement that was presented to the Council.

Council Member Smith stated that he is still very concerned about the placement of a maintenance building at the park; the residents have expressed a great deal of concern about that component of the project. Council Member Bills suggested that an open house be held to give residents the ability to provide more detailed input regarding continued negotiation of the agreement. Mayor Mann stated that is a good idea.

Mayor Mann facilitated discussion among the Council to determine who is interested in working with Mr. Hale and City Administration to further negotiate the terms of the agreement. Council Member Ostler volunteered to be involved. He suggested that two citizens be involved in negotiations as well.

Mr. Braithwaite stated the purpose of this discussion is to cover the expense of the capital improvements at the land. Mr. Hale has shown some flexibility in his willingness to adjust the scope of his involvement in the project, but there is a great deal of difference between three fields and two fields. The financial contribution will be based upon the number of fields to be developed and dedicated to USAC. He needs some direction from the Council regarding the manner in which the agreement should be crafted. Mayor Mann polled the Council regarding the number of fields they would like to see and the level of exclusivity they are willing to give to USAC. Council Member Rodela stated she is very concerned about exclusivity. Council Member Ostler stated that he is unsure whether the City can move forward with development of any portion of the park due to funding limitations. Mr. Braithwaite agreed; the City does not have sufficient funding to complete the remainder of the park aside from the sports fields. This led to high level discussion about past fundraising endeavors for other recreation projects, including the recent pickleball project.

Council Member Ostler inquired as to the estimated cost for three fields, with Council Member Smith inquiring as to the total cost of developing all 17 acres. Mr. Crane stated that the total cost is $7.96 million and USAC is offering $1 million. The $7.9 million does not include upgrades to the all-abilities playground.

Council Member Bills referenced fundraising; she asked if a contract with USAC would change the minds of the residents who offered to fundraise. She encouraged the residents who spoke tonight to send her an email with their feelings on that subject.

Mayor Mann stated that he feels that continued negotiations with USAC are worth pursuing based solely on the fact that the City does not have sufficient funds to complete the project. He again asked for Council Members to volunteer to participate in those discussions. Council Members Ostler and Smith indicated they will work with Mr. Braithwaite and Mr. Hale to further negotiate the agreement.

Concluding dialogue then centered briefly upon the amount of programmable field space that is available in the City, the increase in recreation participants, and the types of sports fields that are in highest demand. There was also a brief focus on the likelihood of the success of a fundraising campaign for this type of project, with the Mayor and Council acknowledging the generosity of the residents who spoke tonight and expressed a willingness to facilitate a fundraising campaign for this project.

7. DISCUSSION: FUND ANALYSIS *Administrative*

The Council will discuss a summary of Highland City's fund balances, including major sources of revenue and intended uses. This item is being presented for discussion only, formal action will not be taken.

Finance Director Bahr used the aid of a PowerPoint presentation to provide a fund analysis; financial statements include budgeted revenue and expenses for each fiscal year, as well as actual revenue and expenses year-to-date. The purpose of financial statements is to summarize available cash balances in each fund, identify major sources of the balances, and specify intended uses of the balances. Observations are that the Council prefers the use of cash assets versus debt, sound financial management, and Council discretion over spending. For consistency, balances included in the fund analysis are taken from the audited financial statements at the end of fiscal years 2015 and 2020. He then presented the fund analysis document and identified the use of color coding to group commonalities and uses; the breakdown was as follows:

- General Fund, Open Space, and Library;
- NW Annexation and Town Center;
- Utilities;
- Pass-through and Restricted; and
- Capital Improvement;

Council Member Smith asked when the Council will have current fund balances. Mr. Bahr stated that the annual audit will be completed near the end of the year, and fund balances can be updated with current information.

Council Member Rodela stated that the Capital Improvement Fund had a balance of $3.4 million in June 2020 and $1.9 million has since been dedicated to the Mountain Ridge Park project. She asked if the remaining fund balance will be dedicated to debt service on the outstanding bond. Mr. Bahr stated that impact fee revenues are forecasted to be sufficient to cover bond debt service through until it matures.

High level discussion among the Council, Mayor, and Mr. Bahr centered on various accounts that contribute to the fund balances included in Mr. Bahr's presentation; there was a brief focus on adjustments to utility rate structures, projects identified in impact fee analysis documents,

ongoing debt service payments, and large capital infrastructure projects that will be completed in the coming years.

Council Member Smith complimented Mr. Bahr on his efforts to prepare this summary document; it contains a lot of great information and is evidence of the City's efforts at developing conservative and reasonable budgets from year to year. He added it is also fun to use this type of information to compare Highland's expenditures with those in other cities. For a small City, Highland is very efficiently run.

Council Member Ostler asked if the City's funds are maintained in one account or separate accounts. Mr. Bahr stated they are segregated in the accounting software, but the actual funds are located in a few different bank accounts at Wells Fargo and in the State's Public Treasurer's Investment Fund (PTIF).

8. MAYOR/COUNCIL AND STAFF COMMUNICATION ITEMS

The City Council may discuss and receive updates on City events, projects, and issues from the Mayor, City Council members, and city staff. Topics discussed will be informational only. No final action will be taken on communication items.

a. Short Term Rentals – *City Administrator/Community Development Director Nathan Crane*

City Administrator/Community Development Director Crane referenced an email he sent to the Mayor and Council regarding complaints about short term rentals in the City. The purpose of this discussion is to determine if the Council wants to pursue an ordinance amendment to either prohibit short term rentals or include a owner occupancy requirement for the land use. This would require an owner to live at the home in order to use a portion of the home or an accessory structure as a vacation or short-term rental.

Council Member Bills inquired as to how the owner occupancy requirement would be enforced. Mr. Crane and City Attorney Patterson stated it can be very difficult to enforce, specifically because State law indicates the City cannot review short term rental listings to aid in enforcement of a City ordinance. Assistant City Administrator Erin Wells added that the City receives a lot of complaints about rentals of accessory dwelling units (ADUs) for short-term or long-term purposes.

There was high level philosophical debate regarding the concept of restricting the rental of residential properties in the City; Council Member Smith stated that he does not feel the problem is too great at this point to warrant tighter restrictions. He suggested that the City wait to see if there are more complaints before taking action. Council Member Ostler stated that there may be increased problems in certain areas of the City based upon the prevalence of certain types of residential units that are better suited as a rental property.

Council Member Bills stated that she would be interested in hearing about ordinances in place in other cities to govern short term rentals.

Code Compliance Officer Brent Wallace briefly summarized the rules that he must follow when visiting a property to determine if the use is allowed; he noted he can send an email to the Council to provide more detailed information, but noted that restrictions on short term rentals or the rental

of an ADU on a property can be very difficult to enforce. It is difficult to identify if a property is being used for a short-term rental and if the owner is occupying the property.

Mayor Mann stated he likes the idea of pursuing an owner occupancy requirement for short term rentals. Council Members Rodela and Bills agreed.

b. Christmas Lights – *Assistant City Administrator Erin Wells*

Assistant City Administrator Erin Wells stated that last year the City spent $8,300 for Christmas lights. The current year's budget includes $4,500 for light installation. The City is planning a tree lighting ceremony for the weekend before Thanksgiving, but lights will not be turned on until after Thanksgiving. There are three options for the Council to choose from using their discretionary funds: additional trunk wraps ($200 per tree), more pine trees ($1,500 per tree), and more trees of life ($3,000 per tree). Council Members Ostler and Smith noted they have already committed their discretionary funds to the Community Center. Council Member Rodela stated that she will dedicate her discretionary funds to the lighting display for an additional tree of life. Council Member Bills added she will contribute some of her funds as well for a pine tree.

c. Future Meetings

- October 20, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- October 26, Planning Commission Meeting, 7:00 pm, City Hall
- November 9, City Council Meeting, 7:00 pm, City Hall
- November 10, Lone Peak Public Safety District Board Meeting, 7:30 am, City Hall
- November 16, Board of Canvassers Meeting, 6:00 pm, City Hall
- November 16, Planning Commission Meeting, 7:00 pm, City Hall
- December 7, City Council Meeting, 7:00 pm, City Hall

ADJOURNMENT

Council Member Scott L. Smith MOVED to adjourn the regular meeting and Council Member Kurt Ostler SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 9:59 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on October 19, 2021. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle
City Recorder

DRAFT

HIGHLAND CITY COUNCIL MINUTES

Tuesday, November 16, 2021

Waiting Formal Approval

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

6:00 PM SPECIAL SESSION

Call to Order – Mayor Rod Mann

The meeting was called to order by Mayor Rod Mann as a special session at 6:05 pm. The meeting agenda was posted on the *Utah State Public Meeting Website*.

PRESIDING: Board of Canvass Chair Rod Mann

BOARD MEMBERS PRESENT: Brittney P. Bills, Kurt Ostler, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, City Recorder/Election Official Stephannie Cottle

OTHERS PRESENT: Briggs Rodela

1. ACTION: ELECTION CANVASS RETURNS

The City Council will review and formally certify the Election Canvass Returns from the 2021 General Municipal Election. The Council will take appropriate action.

City Recorder/Election Official Stephannie Cottle presented the results from the Highland City 2021 General Municipal Election, reviewed the final numbers of votes cast for each candidate and proposition and the percentage of voters in Highland City.

Board Member Kim Rodela MOVED that the Highland City Council, acting as Board of Canvassers, certify and approve the Election Canvass Returns from the 2021 General Municipal Election and declare Kurt Ostler as Mayor, and Sarah D. Petersen and Scott L. Smith as City Council members. Also, declaring Proposition 1 Wimbleton Subdivision Open Space Disposal as voted against and Proposition 11 Parks Tax as voted for.

Board Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

Board Member Timothy A. Ball	*Absent*
Board Member Brittney P. Bills	*Yes*
Board Member Kurt Ostler	*Yes*
Board Member Kim Rodela	*Yes*

DRAFT

Board Member Scott L. Smith Yes

The motion passed 4:0.

ADJOURNMENT

Board Member Kurt Ostler MOVED to adjourn the regular meeting and Board Member Scott L. Smith SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 6:12 pm.

I, Stephannie Cottle, City Recorder/Election Official of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on Tuesday, November 16, 2021. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle
City Recorder/Election Official

DRAFT

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4b

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
City Engineer/Public Works Director

SUBJECT: **ACTION:** Award contract for the Murdock Irrigation Pump Station & Pheasant Hollow Sewer Lift Station

TYPE: **ADMINISTRATIVE**: The Council is acting in an administrative capacity and fulfilling their responsibilities as the Governing Body as defined in the Municipal Code in providing a pressurized irrigation and sanitary sewer system.

PURPOSE:
City Council will consider a request to approve a bid to Nelson Brothers for $ 2,877,000.90 for the construction of the Murdock Irrigation Pump Station and Pheasant Hollow Sewer Lift Station Projects and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

BACKGROUND:
This is a two-part project. The Murdock Irrigation Pump Station is a new facility we will be adding to our Pressurized Irrigation system. This will allow us to access more of our stored water resources that come through the Murdock Canal pipeline from Deer Creek Reservoir. Currently we only have one connection to the Murdock Pipeline. With the increased demand on the system city staff has recommended we construct this facility to improve our system and allow us to access the resources we need. The location of the new pump station is on North County Blvd. and Murdock Trail crossing. This pump station will give us the ability to pull an additional 4 CFS into the system via the 12" main line which was installed in Canal Blvd. In years past we have relied on the CUP pipeline to supply us with the needed water, with the growing demand on their system and our limited capacity in their pipeline, they brought to our attention that we would need to obtain another point of connection on the Murdock pipeline to meet our needs. This project is part of the Master plan for the Pressurized Irrigation system.

The Pheasant Hollow Lift station will be upgraded to a new facility, due to the increased volume of sewage associated with the Ridgeview Development and growth in the community. The existing lift station is currently reaching its capacity and staff has seen the need to upgrade the old lift station to accommodate the future needs of this area.

Highland City is contractually obligated to construct this lift station before a predetermined number of building permits are issued in the Ridgeview development. This new lift station will be constructed creating a safer working environment for the staff by eliminating a wet well and utilizing a dry well pumping system. In conjunction with this upgrade, we construct a cleanout station for our vac-truck. This project will be partially funded by impact fees.

Bids for the work were solicited and the city received five bids with the low bid being Nelson Brothers. Nelson Brothers bid for the Murdock Pump Station is $1,199,879.96 and for the Pheasant Hollow lift station $1,424,666.31. A credit of $10,000 was given if both projects are awarded bringing the combine total to $2,614,546.27. City staff is confident in the ability of Nelson Brothers to perform this work for the city. They have many years of experience working in this type of construction.

FISCAL IMPACT:

ITEM	AMOUNT	FUNDING SOURCE
Pump Station		53-40-60
Base Bid	$ 1,199,879.96	
Less C5 Deduction	$ (5,000.00)	
10% Contingency	$ 119,988.00	
	$ 1,314,867.96	
PH Lift Station		
Base Bid	$ 1,424,666.31	52-40-73
Less C5 Deduction	$ (5,000.00)	
10% Contingency	$ 142,466.63	
	$ 1,562,132.94	
Project Total	$ 2,877,000.90	

This project will be funded from the Pressurized Irrigation and Sewer Capital Expense Projects. They were both identified in the Utility Rate Study.

Funding for the Pressurized Irrigation Pump Station was identified in the Utility Rate Study at a cost of $1,206,676. For this fiscal year, a total of $1.2 million for Pressurized Irrigation projects were budgeted in line item (53-40-60). This included 11800 North well improvements and this pump station. The Council previously approved budget adjustments for the additional costs associated with the 11800 North improvements. If all contingency is used, this project will require a budget adjustment of $114,867.96. The total budget adjustment in Pressurized Irrigation will be $290,944.

The Finance Director has determined that there are sufficient reserves to pay for the project. In addition, the City is contractually required to completed the project as part of

the agreement with the Boyer Company. The City will be reimbursed some of the costs of the project through the impact fees collected from the Ridgeview Development.

Funding for the Sewer Lift Station was identified in the Utility Rate Study at a cost of $1,026,480. For this fiscal year, a total of $1.4 million for Sewer projects was budgeted in line item (52-40-73). The contemplated projects included the sewer lining project, the Victor View Lift Station bypass project, and the Pheasant Hollow Sewer Lift Station replacement. If all contingency is used, this project will require a budget adjustment of $162,132.94. The Council previously approved the Sewer Lining Project in the amount of $268,601.34 and the Victor View project in the amount of $523,160. The total budget adjustment in Sewer will be $953,894.

The Finance Director has determined that there are sufficient reserves to pay for the project. In addition, the City is contractually required to completed the project as part of the agreement with the Boyer Company. The City will be reimbursed some of the costs of the project through the impact fees collected from the Ridgeview Development.

RECOMMENDATION:
Staff recommends that the City Council APPROVE the contract with Nelson Brothers to proceed with the construction of the Murdock Irrigation Pump Station and Pheasant Hollow Sewer Lift Station project for $ 2,877,000.90 and AUTHORIZE the City Administrator to execute the necessary contract documents for the project.

PROPOSED MOTION:
I move that City Council APPROVE the contract with Nelson Brothers and authorize a contract amount up to $2,877,000.90 for the construction of the Murdock Irrigation Pump Station and Pheasant Hollow Lift Station and AUTHORIZE the City Administrator to execute the contract documents.

ALTERNATIVE MOTION:
I move that City Council REJECT the proposal for the Murdock Pump Station and Pheasant Hollow Sewer Lift Station Project. (The Council should draft appropriate findings).

ATTACHMENTS:
1. Nelson Brother's Bid
2. Bid Tabulation

DOCUMENT 00400
BID FORM

Project Identification:
HIGHLAND CITY – MURDOCK IRRIGATION PUMP STATION AND PHEASANT HOLLOW SEWER LIFT STATION

ARTICLE 1 - BID RECIPIENT

1.1 This Bid Is Submitted To: **HIGHLAND CITY**

1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGMENTS

2.1 Bidder accepts all of the terms and conditions of the Advertisement and Instructions to Bidders, including without limitations those dealing with the dispositions of Bid security. The Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.1 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
Addendum 1	November 11, 2021
Addendum 2	November 18, 2021

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except

Underground Facilities) which have been identified in SC-5.03, and (2) reports and drawings of Hazard Environmental Conditions, if any, at the Site that have been identified in SC-5.06 as containing reliable "technical data."

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 3.1.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 - BIDDER'S CERTIFICATION

4.1 Bidder further represents that:

A. This Bid is genuine and not made in the interest of or on the behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.1.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 - BASIS OF BID

5.1 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

BID SCHEDULE A - MURDOCK IRRIGATION PUMP STATION

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
A1	Mobilization	1	L.S.		$ 101,936.81
A2	Construction Surveying	1	L.S.		$ 4,294.54
A3	Traffic Control	1	L.S.		$ 11,618.78
A4	Meter Vault and Internal Piping	1	L.S.		$ 138,131.46
A5	Pump Station Building	1	L.S.		$ 305,509.53
A6	Pump Station Internal Piping and Pumps	1	L.S.		$ 243,079.19
A7	Electrical and HVAC Systems for Meter Vault	1	L.S.		$ 166,352.72
A8	Electrical and HVAC Systems for Pump Station	1	L.S.		$ 35,137.55
A9	SCADA Programming and Integration by ICTech	1	L.S.		$26,576.77
A10	Site Piping and Connection to Existing Turnout Vault	1	L.S.		$ 67,955.67
A11	Site Improvements	1	L.S.		$ 8,025.99
A12	3" Thick Asphalt Access Road and Parking Area	5,700	S.F.	$	$ 41,268.00
A13	Relocate Existing Asphalt Path near Meter Vault	880	S.F.	$	$ 6,459.20
A14	6' Tall Black Vinyl Chain Link Fence	152	L.F.	$	$ 15,022.16
A15	6' Tall Black Vinyl Chain Link 16'-Wide Double Swing Gate	1	L.S.		$ 4,594.57
A16	6' Tall Black Vinyl Chain Link 20'-Wide Double Swing Gate	1	L.S.		$ 5,154.62
A17	6' Tall Black Vinyl Chain Link 4'-Wide Access Gate	1	L.S.		$ 2,074.32
A18	4800 West Drive Approach and 16'-Wide Single Arm Gate	1	L.S.		$ 16,789.08
	BID SCHEDULE A TOTAL			$	

BID SCHEDULE B – PHEASANT HOLLOW SEWER LIFT STATION

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
B1	Mobilization	1	L.S.		$ 43,472.68
B2	Materials Testing	1	L.S.		$ 9,660.94
B3	Construction Surveying	1	L.S.		$ 5,708.79

B4	Site Clearing/Excavation/Backfill	1	L.S.		$ 69,353.83
B5	Lift Station Building	1	L.S.		$ 538,947.40
B6	Lift Station Internal Piping and Pumps	1	L.S.		$ 141,312.32
B7	Grinder Manhole	1	L.S.		$ 79,063.93
B8	Backup Generator	1	L.S.		$ 31,465.43
B9	Electrical and HVAC Systems	1	L.S.		$ 230,777.84
B10	SCADA Programming and Integration by ICTech	1	L.S.		$30,608.57
B11	Site Piping and Connection to Existing Lines	1	L.S.		$ 50,426.61
B12	Washout Box	1	L.S.		19,624.49
B13	Site Improvements	1	L.S.		$ 32,792.48
B14	3" Thick Asphalt Access Road and Parking Area	11,900	S.F.	$	$ 91,511.00
B15	Enlarge Existing American Fork Pond	1	L.S.		$ 67,601.52
BID SCHEDULE B TOTAL				$	

BID SCHEDULE C –ADDITIVE ALTERNATES

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
C1	Murdock Pump Station – Install Ameristar Echelon II fencing and gate instead of black vinyl chain link	1	L.S.		$ 47,275.21
C2	Pheasant Hollow Lift Station - Dewatering (0-50 gpm flow)	1	L.S.		$ 5,895.00
C3	Pheasant Hollow Lift Station Increase/Deduct for substitute pump (specify pump that will be used and provide pump data with bid) _____	1	L.S.		$ 64,935.23
C4	Murdock Irrigation Pump Station Increase/Deduct for substitute pump (specify pump that will be used and provide pump data with bid) _____	1	L.S.		$ 17,696.34
C5	Deduct if both projects are awarded to the same Contractor	1	L.S.		$ -10,000.00

Owner reserves the right to award a combined contract for both the Murdock Irrigation Pump Station and the Pheasant Hollow Sewer Lift Station, or two separate contracts for the pump station (Schedule A) and for the sewer lift station (Schedule B).

Unit Prices have been computed in accordance with paragraph 13.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities, determined as provided in the contract Documents.

ARTICLE 6 - TIME OF COMPLETION

6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.2 Bidder accepts the provisions of the Agreement as to liquidated damage.

ARTICLE 7 - ATTACHEMENTS TO THIS BID

7.1 The following documents are attached to and made a condition of the Bid:

A. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) or Certified Check);

B. Document 00453 – Subcontractors and Supplier Report;

C. Evidence of authority to do business in the state or jurisdiction of the Project; or a written covenant to obtain such license within the time frame for acceptance of Bids.

ARTICLE 8 - DEFINED TERMS

8.1 The terms used in this Bid with the initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 - BID SUBMITTAL

9.1 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): n/a

SEAL, if required by State

By: n/a

(Individual's signature)

Doing business as:
n/a

A Partnership

Partnership Name: n/a

SEAL, if required by State

By: n/a

(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed):
n/a

A Corporation

Corporation Name:
Nelson Brothers Construction Corp.

State or Jurisdiction of Incorporation: Utah

Type (General Business, Profession, Service, Limited Liability):
General Contractor

By: Leland W Redd

(Signature -- attach evidence of authority to sign)

Name (typed or printed):
Leland W. Redd

Title: President

CORPORATE SEAL, if required by State

Attest

(Signature of Corporate Secretary)

Date of Qualification to do business in Utah [State or other jurisdiction where Project is located] is 06 / 30 / 1959

A Joint Venture

Name of Joint Venture:
n/a

First Joint Venture Name: n/a

SEAL, if required by State

By: n/a
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed):
n/a

Title: n/a

Second Joint Venture Name:
n/a

SEAL, if required by State

By: n/a
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed):
n/a

Title: n/a

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is party to the venture should be in the manner indicated above.)

Bidder's Business address: Nelson Brothers Construction Co.
347 west 1600 south
Salt Lake City, UT 84115

Business Phone No. (801) 487-5401

Business FAX No. (_____)_____

Business E-Mail Address
lredd@nelsonbros.com

State Contractor License No. 225813-5501. (If applicable)

Employer's Tax ID No. 87-0242060

Phone and FAX Numbers, and Address for receipt of official communications, if different from Business contact information:

same

9.2 Bid submitted on November 23, 2021.

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER *(Name and Address)*:
Nelson Brothers Construction Co
347 W 1600 S
Salt Lake City, UT 84115

SURETY *(Name and Address of Principal Place of Business)*:
Western Surety Company
151 N Franklin Street 17th Floor
Chicago, IL 60606

OWNER *(Name and Address)*:
Highland City
5400 W Civic Center Dr, Suite 1
Highland, Utah 84003

BID
Bid Due Date: November 23, 2021
Description: **Murdock Irrigation Pump Station and Pheasant Hollow Sewer Lift Station**

BOND
Bond Number: Bid Bond
Date *(Not earlier than Bid due date)*: November 23, 2021
Penal sum Five Percent of Bid (Words) $ 5% of bid (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER	**SURETY**
Nelson Brothers Construction Co (Seal)	Western Surety Company (Seal)
Bidder's Name and Corporate Seal	Surety's Name and Corporate Seal
By: Signature	By: Signature (Attach Power of Attorney)
Leland W. Redd	Colleen Stanton
Print Name	Print Name
President	Attorney-in-Fact
Title	Title
Attest: Signature	Attest: Signature
Secretary / Treasurer	Account Manager
Title	Title

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.

2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.

3. This obligation shall be null and void if:

3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or

3.2 All Bids are rejected by Owner, or

3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).

4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.

5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.

6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.

7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.

8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.

9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.

10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Parks Mangelson, Colleen Stanton, Kris Powers, Britney Burton, Individually

of Salt Lake City, UT, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 22nd day of June, 2021.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota
County of Minnehaha } ss

On this 22nd day of June, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
March 2, 2026

M. BENT
NOTARY PUBLIC
SOUTH DAKOTA

M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 23 day of November, 2021.

WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.

DOCUMENT 00453
LIST OF SUBCONTRACTORS

The bidder shall list below the names and business address of each subcontractor who will perform Work under this Contract in excess of five percent (0.05) of the total bid price and shall also list the portion of the work which will be done by such subcontractor. After the opening of proposals, no changes or substitutions will be allowed without the written approval of the Owner.
NOTE: Attach additional sheets if required.

WORK TO BE PERFORMED	SUBCONTRACTOR'S NAME AND ADDRESS
1. See attached	
2.	
3.	
4.	
5.	
6.	

- END OF DOCUMENT -

NELSON BROS.
CONSTRUCTION CO.
SALT LAKE CITY

347 WEST 1600 SOUTH
SALT LAKE CITY, UT 84115
PHONE: (801) 487-5401 ● FAX: (801)487-5418
UT LICENSE# 225813-5501 B100, E100, S240
ID LICENSE# PWC - C - 15205 - UNLIMITED - 1 - 2 - 3

Subcontractor Participation Report

Project Name:	21-39 - Murdock Irrigation PS_Pheasant Hollow LS	**Customer:**	Highland City
Job Number:		**Billing Address:**	5400 W Civic Center Dr, Suite 1
Bid As:	Prime Contractor		Highland City, UT 84003
Estimator:	Brian Gardner	**Phone:**	(801) 756-5751
Project Address:	9700 North 4800 West, Highland CITY, UT	**Contact:**	
Completion Date:	10/1/2022	**Target Bid Price:**	$2,816,968.17

Subcontractor Information

Subcontractors: 13 **Total Subcontracted †:** $886,031.75 **% of Target Price:** 31.45%

Company Name	Contact	Phone	Amount	% of Price	License #	Address	City	State	Zip
All Weather Roofing		(801) 467-4270	$48,184.00	1.71%		5941 Stratler Street	Murray	UT	84107
Barricade Services	Nicole Shields	(801) 282-9088	$9,875.00	0.35%		P.O. Box 1406	West Jordan	UT	84084
Burton Lumber		(801) 952-3700	$72,440.00	2.57%		1170 South 4400 West	Salt Lake City	UT	84104
Custom Fence Co			$78,576.00	2.79%		293 N 650 W	Kaysville	UT	84037
HVAC Construction	Nick Salmon	(801) 298-4822	$39,950.00	1.42%		624 West 900 North	North Salt Lake	UT	84054
I-D Electric Co.	Doug Edwards	(801) 268-1471	$354,185.00	12.57%		3690 South 500 West #101	Salt Lake City	UT	84165
Loan Peak Masonary Inc			$59,661.00	2.12%		404 East Azure Circle	Draper	UT	84020
Orion Construction, LC		(801) 763-8999	$43,059.00	1.53%		9802 North 5740 West	Highland	UT	84003-9198
Redcon Land Surveying	Jon DeMass	(801) 298-2401	$8,502.00	0.30%		25 S Main St #200	Centerville	UT	84014
Ridge Rock Inc	Ken Anderson	(801) 747-1055	$68,726.80	2.44%		985 W 14600 S	Riverton	UT	84065
Sunbelt Rental			$23,056.00	0.82%			Salt Lake City		
Terracon	Sy Winkelman	(801) 746-5469	$8,160.00	0.29%		6949 S. High Tech Drive	Midvale	UT	84047
USI Superior Insulation		(801) 972-3737	$3,532.00	0.13%		895 West 2600 South	Salt Lake City	UT	84119

Legend: † denotes that the Total Subcontracted value may include "Quick" subcontracted cost.

NELSON BROTHERS CONSTRUCTION CO.
347 West 1600 South, Salt Lake City, Utah 84115
Phone: 801/487-5401 Fax: 801/487-8534

To:

BE IT RESOLVED: That the President, Vice President, or Secretary-Treasurer of this corporation, Nelson Bros. Construction Company, shall have authority to sign bids and enter into construction contracts for the corporation and shall have authority to execute surety bonds and contracts. The officers referred to are named as follows, to wit:

(1) Lee Redd, President

(2) Dale Nelson, Vice President

(3) C. Jared Freeman, Secretary-Treasurer

I, C. Jared Freeman, Secretary of Nelson Bros. Construction Company, hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the unanimous vote of the Board of Directors of said company at a meeting thereof duly called and held at the office of said company on the 3rd day of December 2019, at which meeting all directors were present and voting; that said resolution appears in the minutes of said meeting and that the same has not been rescinded or modified and is now in full force and effect.

I further certify that the said corporation is duly organized and existing, and has the power to take the action called for by the foregoing resolution.

Date November 23, 2021

C. Jared Freeman
Secretary

Utah Department of Commerce
Division of Corporations & Commercial Code
168 East 300 South, 2nd Floor, PO Box 146705
Salt Lake City, UT 84114-6705
Service Center: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: http://www.commerce.utah.gov

04/05/2010
578857-0142040520l0-2165058

CERTIFICATE OF EXISTENCE

Registration Number:	578857-0142
Business Name:	NELSON BROTHERS CONSTRUCTION COMPANY
Registered Date:	June 30, 1959
Entity Type:	Corporation - Domestic - Profit
Current Status:	Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.

Kathy Berg
Director
Division of Corporations and Commercial Code

Highland City - Murdock Irrigation PS & Pheasant Hollow Sewer Lift Station
Bid Tabulation
Printed: November 23, 2021

UNIT PRICE SCHEDULE - BASE BID						NELSON BROTHER	FX CONSTRUCTION	PROBUILD	COP CONSTRUCTION	VanCon
Item #	Description	Unit	Quantity	Unit Price	Amount	Amount	Amount	Amount	Amount	Amount
	SCHEDULE A **Murdock Irrigation Pump Station**									
1	Mobilization and Demobilization	1	L.S.			$ 101,836.81	$ 115,500.00	$ 80,000.00	$ 120,000.00	$ 225,000.23
2	Construction Surveying	1	L.S.			$ 4,294.54	$ 11,000.00	$ 5,000.00	$ 6,500.00	$ 20,000.00
3	Traffic Control	1	L.S.			$ 11,618.78	$ 20,600.00	$ 10,000.00	$ 10,000.00	$ 5,000.00
4	Meter Vault and Internal Piping	1	L.S.			$ 138,131.46	$ 134,400.00	$ 130,000.00	$ 160,000.00	$ 180,000.00
5	Pump Station Building	1	L.S.			$ 305,508.53	$ 249,000.00	$ 500,000.00	$ 268,000.00	$ 285,000.00
6	Pump Station Internal Piping and Pumps	1	L.S.			$ 243,079.19	$ 273,400.00	$ 400,000.00	$ 247,000.00	$ 300,000.00
7	Electrical and HVAC Systems for Meter Vault	1	L.S.			$ 166,352.72	$ 58,200.00	$ 50,000.00	$ 15,000.00	$ 20,000.00
8	Electrical and HVAC Systems for Pump Station	1	L.S.			$ 35,137.55	$ 218,400.00	$ 150,000.00	$ 186,000.00	$ 200,000.00
9	SCADA Programming and Integration by ICTech	1	L.S.			$ 26,576.77	$ 26,576.77	$ 26,576.77	$ 26,576.77	$ 26,576.77
10	Site Piping and Connection to Existing Turnout Vault	1	L.S.			$ 67,955.67	$ 41,500.00	$ 95,000.00	$ 155,000.00	$ 100,000.00
11	Site Improvements	1	L.S.			$ 8,025.99	$ 21,000.00	$ 50,000.00	$ 29,000.00	$ 35,000.00
12	3" Thick Asphalt Access Road and Parking Area	5,700	S.F.			$ 41,268.00	$ 24,795.00	$ 28,500.00	$ 43,890.00	$ 28,500.00
13	Relocate Existing Asphalt Path near Meter Vault	880	S.F.			$ 6,459.20	$ 5,456.00	$ 10,560.00	$ 21,120.00	$ 3,520.00
14	6' Tall Black Vinyl Chain Link Fence	152	L.F.			$ 15,022.16	$ 8,360.00	$ 6,080.00	$ 13,984.00	$ 15,200.00
15	6' Tall Black Vinyl Chain Link 16'-Wide Double Swing Gate	1	L.S.			$ 4,594.57	$ 2,200.00	$ 5,000.00	$ 4,300.23	$ 5,000.00
16	6' Tall Black Vinyl Chain Link 20'-Wide Double Swing Gate	1	L.S.			$ 5,154.62	$ 4,100.00	$ 10,000.00	$ 4,800.00	$ 6,000.00
17	6' Tall Black Vinyl Chain Link 4'-Wide Access Gate	1	L.S.			$ 2,074.32	$ 1,100.00	$ 5,000.00	$ 1,900.00	$ 2,500.00
18	4800 West Drive Approach and 16' - Wide Single Arm Gate	1	L.S.			$ 16,789.08	$ 18,250.00	$ 20,000.00	$ 16,000.00	$ 26,000.00
					SCHEDULE A TOTAL	**$ 1,199,879.96**	**$ 1,233,837.77**	**$ 1,581,716.77**	**$ 1,329,071.00**	$ 1,483,297.00
	SCHEDULE B **Pheasant Hollow Sewer Lift Station**									
1	Mobilization		1	L.S.		$ 93,472.68	$ 149,950.00	$ 80,000.00	$ 200,000.00	$ 141,500.43
2	Materials Testing		1	L.S.		$ 9,600.94	$ 11,800.00	$ 15,000.00	$ 11,000.00	$ 10,000.00
3	Construction Surveying		1	L.S.		$ 5,708.79	$ 21,550.00	$ 5,000.00	$ 4,400.00	$ 20,000.00
4	Site Clearing/Excavation/Backfill		1	L.S.		$ 69,353.83	$ 87,600.00	$ 150,000.00	$ 130,000.00	$ 15,000.00
5	Lift Station Building		1	L.S.		$ 538,947.40	$ 600,200.00	$ 600,000.00	$ 707,000.00	$ 1,125,000.00
6	Lift Station Internal Piping and Pumps		1	L.S.		$ 141,312.32	$ 165,000.00	$ 200,000.00	$ 176,000.00	$ 160,000.00
7	Grinder Manhole		1	L.S.		$ 79,063.93	$ 92,600.00	$ 100,000.00	$ 77,000.00	$ 85,000.00
8	Backup Generator		1	L.S.		$ 31,465.43	$ 64,400.00	$ 60,000.00	$ 42,000.00	$ 35,000.00
9	Electrical and HVAC Systems		1	L.S.		$ 230,777.84	$ 323,700.00	$ 250,000.00	$ 159,000.00	$ 225,000.00
10	SCADA Programming and Integration by ICTech		1	L.S.		$ 30,608.57	$ 30,608.57	$ 30,608.57	$ 30,608.57	$ 30,608.57
11	Site Piping and Connection to Existing Lines		1	L.S.		$ 50,426.61	$ 49,300.00	$ 75,000.00	$ 135,000.00	$ 94,000.00
12	Washout Box		1	L.S.		$ 19,624.49	$ 38,500.00	$ 80,000.00	$ 55,000.00	$ 54,000.00
13	Site Improvements		1	L.S.		$ 32,792.48	$ 42,400.00	$ 60,000.00	$ 39,000.00	$ 25,000.00
14	3" Thick Asphalt Access Road and Parking Area		11,900	S.F.		$ 91,511.00	$ 47,600.00	$ 59,500.00	$ 44,030.00	$ 47,600.00
15	Enlarge Existing American Fork Pond		1	L.S.			$ 7,100.00	$ 25,000.00	$ 8,900.00	$ 30,000.00
					SCHEDULE B TOTAL	**$ 1,424,666.31**	**$ 1,732,308.57**	**$ 1,790,108.57**	**$ 1,818,938.57**	**$ 2,097,709.00**
	BID SCHEDULE C - Additive Alternates									
Item #	Description	Unit	Quantity	Unit Price	Amount	Amount	Amount	Amount	Amount	Amount
C1	Murdock Pump Station – Install Ameristar Echelon II fencing and gate instead of black vinyl chain link	L.S.	1			$ 28,853.00	$ 22,000.00	$ 100,000.00	$ 46,207.00	$ 15,000.00
C2	Pheasant Hollow Lift Station - Dewatering (0-50 gpm flow)	L.S.	1			$ 5,895.00	$ 30,000.00	$ 50,000.00	$ 40,000.00	$ 25,000.00
C3	Pheasant Hollow Lift Station Increase/Deduct for substitute pump (specify pump that will be used and provide pump data with bid)	L.S.	1			$ 15,621.00	$ -	$ -	$ 19,000.00	$ -
C4	Murdock Irrigation Pump Station Increase/Deduct for substitute pump (specify pump that will be used and provide pump data with bid)	L.S.	1			$ 2,576.00	$ -	$ -	$ (15,000.00)	$ (18,000.00)
C5	Deduct if both projects are awarded to the same Contractor	L.S.	1			$ (10,000.00)	$ (110,000.00)	$ -	$ (20,000.00)	$ -
					SCHEDULE C TOTAL					
					TOTAL A & B	$ 2,624,546.27	$ 2,966,146.34	$ 3,371,825.34	$ 3,148,009.57	$ 3,581,006.00
					TOTAL A & B LESS C5	$ 2,614,546.27	$ 2,856,146.34	$ 3,371,825.34	$ 3,128,009.57	$ 3,581,006.00

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4c

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Stephannie Cottle, City Recorder

SUBJECT: **RESOLUTION:** Highland Blvd – Intent To Annex

TYPE: **LEGISLATIVE:** Annexation is a legislative process, subject to state code requirements for procedural matters and notices.

PURPOSE:
The City Council will hold a public meeting to consider a request by Highland City to annex approximately 184,944 square feet (4.246 acres) of property located approximately east of 11800 North and Highland Blvd into Highland City boundaries. The City Council will take appropriate action.

BACKGROUND:
On October 5, 2021, Highland City Council entered into a tri-party agreement between Highland City, Lehi City, and DR Horton, Inc. relating to the development of the property located west of Highland Blvd, which is owned by DR Horton, Inc. As part of this agreement, Highland City is required, within 45 days of the execution of the agreement, to file a petition to annex those portions of Highland Blvd that are owned by Highland City but are currently unincorporated.

Highland City has worked with the County to provide notice of its intent to file a petition for annexation. The City received confirmation from the County on November 17, 2021 that the County had sent out the required notice, which allows the City to take the next step of filing the annexation petition. Highland City filed its petition on November 17th, which was within the 45-day time period under the tri-party agreement.

The next step in the annexation process is for City Council to adopt a resolution accepting the petition for further consideration, indicating their intent to annex this property. Accepting the petition for further consideration does not approve the annexation. Rather it allows the staff to complete the notification and review requirements outlined in State Code.

After the petition is accepted, notice has been provided, and the city has received the Notice of Certification, a 30-day period is provided for a legislative body or affected entity to protest the annexation. If an annexation is protested the item is heard by the Boundary Commission. If no protest is filed, a public hearing is held, and the City Council approves or denies the ordinance

for the annexation.

FISCAL IMPACT:
This action will not have a financial impact on this fiscal year's budget expenditures.

RECOMMENDATION:
Staff recommends the City Council approve the resolution accepting the annexation petition and indicating the intent of Highland City to annex those portions of Highland Blvd that are owned by Highland City but are currently unincorporated.

PROPOSED MOTION:
I move that City Council approve the resolution accepting Highland City's intent to annex those portions of Highland Blvd that are owned by Highland City but are currently unincorporated.

ALTERNATIVE MOTION:
I move that City Council deny the request for the annexation based on the following findings: (The City Council will need to draft appropriate findings.)

ATTACHMENTS:
1. Resolution
2. Petition for Annexation
3. County Certificate of Notice
4. Tri-Party Agreement

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF A PORTION OF HIGHLAND BOULEVARD FOR FURTHER CONSIDERATION, CALLING A PUBLIC HEARING, AND RELATED MATTERS

WHEREAS, Highland City has filed a petition for annexation ("Petition") of the portion of Highland Boulevard not included within Highland City boundaries, consisting of approximately 4.246 acres of real property ("Property)" as shown in the attached map;

WHEREAS, Highland City desires to annex the Property;

WHEREAS, the Highland City Council has determined that the Property is within the Highland City Annexation Policy Plan and contiguous to Highland City Corporation and should be annexed into Highland City;

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

1. The Petition for Annexation is accepted for further consideration.

2. The City Council directs that the mayor and City staff take such actions as necessary under state law to determine whether the Petition meets the requirement of state law and to certify the Petition, if possible.

3. Upon issuance of a notice of certification of the Petition, the City Council directs that the mayor and City staff issue notice of a public hearing to be held on the Petition and potential annexation of the Property, in accordance with state law.

4. The provisions of this resolution shall take effect immediately upon its passage and publication as required by law.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this _____ day of _____, 2021.

_____
Mayor

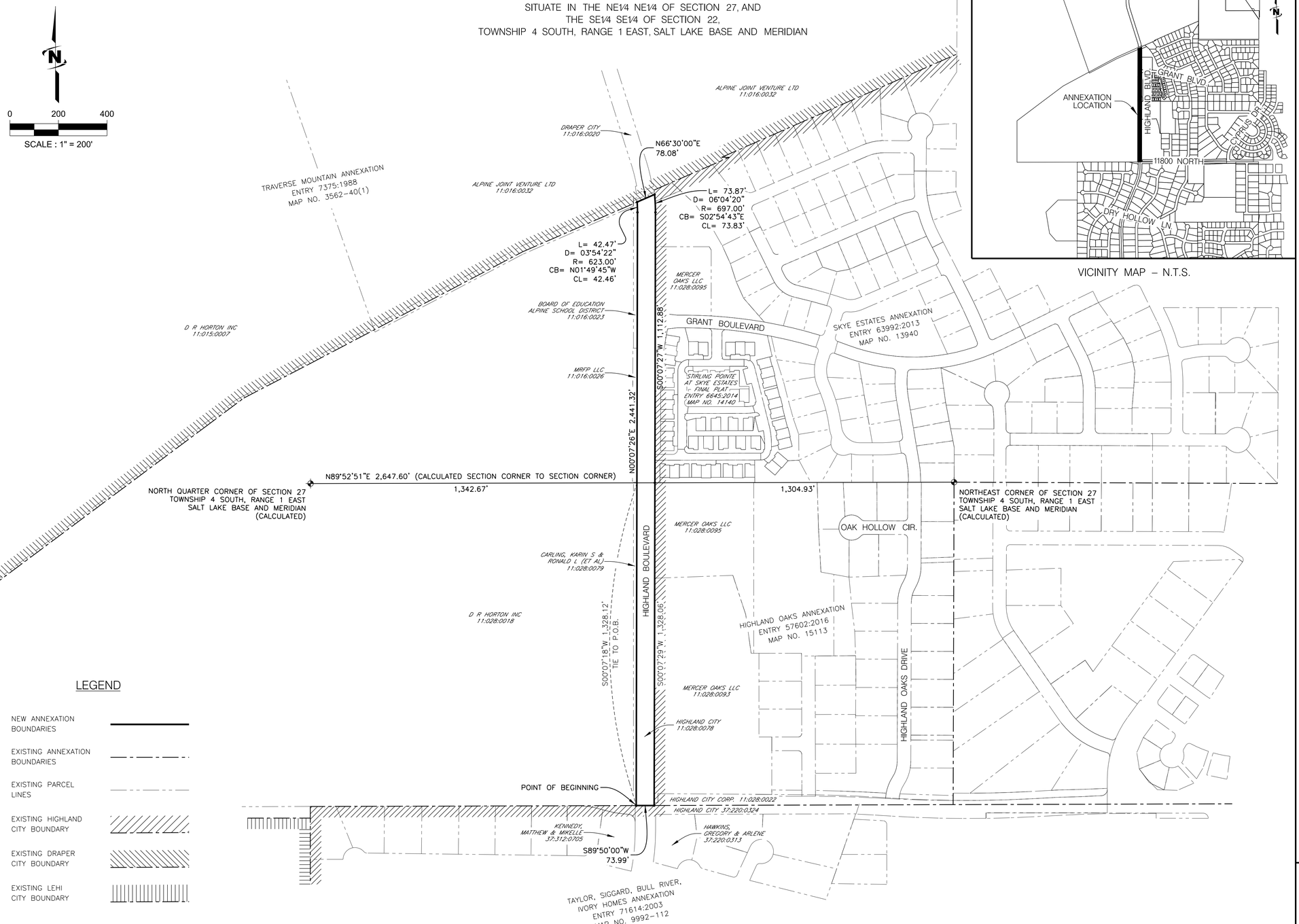
ATTESTED:

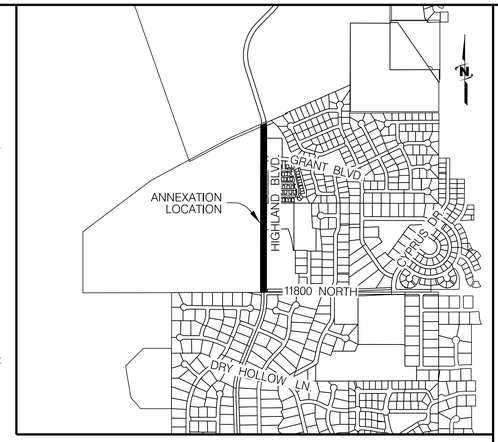
_____
City Recorder

COUNCILMEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Kurt Ostler	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

HIGHLAND BOULEVARD ANNEXATION

SITUATE IN THE NE¼ NE¼ OF SECTION 27, AND
THE SE¼ SE¼ OF SECTION 22,
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN





VICINITY MAP – N.T.S.

LEGEND

- NEW ANNEXATION BOUNDARIES
- EXISTING ANNEXATION BOUNDARIES
- EXISTING PARCEL LINES
- EXISTING HIGHLAND CITY BOUNDARY
- EXISTING DRAPER CITY BOUNDARY
- EXISTING LEHI CITY BOUNDARY

PREPARED BY

J-U-B ENGINEERS, INC.
240 WEST CENTER ST. SUITE #200
OREM, UT (801) 226-0393
PROJECT #50-21-047 (009)
NOVEMBER 2021

SURVEYOR'S CERTIFICATE

I, JASON D. WILLES, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NUMBER 376067 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED. I FURTHER CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO HIGHLAND CITY, UTAH COUNTY, UTAH.

DRAFT COPY

JASON D. WILLES, P.L.S. DATE

ANNEXATION BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF HIGHLAND BOULEVARD AS DESCRIBED IN DEED ENTRY 154716:2002 AT THE OFFICE OF THE UTAH COUNTY RECORDER, WHICH POINT IS ALSO ON THE NORTHERLY BOUNDARY LINE OF THE TAYLOR, SIGGARD, BULL RIVER, IVORY HOMES ANNEXATION AS DEPICTED ON THE OFFICIAL PLAT THEREOF, FILED AS ENTRY 71614:2003, MAP NUMBER 9992–112, WHICH POINT IS NORTH 89°52'51" EAST 1,342.67 FEET ALONG THE SECTION LINE AND SOUTH 00°07'18" WEST 1,328.12 FEET FROM THE NORTH QUARTER CORNER OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE THE FOLLOWING TWO (2) COURSES WHICH ARE ALONG THE WESTERLY RIGHT OF WAY LINES OF SAID HIGHLAND BOULEVARD AS DESCRIBED IN DEED ENTRY 154716:2002 AND DEED ENTRY 153953:2002: (1) NORTH 00°07'26" EAST 2,441.32 FEET TO A POINT OF CURVATURE; (2) NORTHERLY 42.47 FEET ALONG THE ARC OF A 623.00–FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 03°54'22", THE CHORD OF WHICH BEARS NORTH 01°49'45" WEST 42.46 FEET, MORE OR LESS, TO A POINT OF NON–TANGENCY ON THE SOUTHERLY BOUNDARY LINE OF THE TRAVERSE MOUNTAIN ANNEXATION AS DEPICTED ON THE OFFICIAL PLAT THEREOF, FILED AS ENTRY 7375:1988, MAP NUMBER 3562–40(1); THENCE NORTH 66°30'00" EAST 78.08 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO A POINT OF NON–TANGENT CURVATURE ON THE WESTERLY BOUNDARY LINE OF SKYE ESTATES ANNEXATION AS DEPICTED ON THE OFFICIAL PLAT THEREOF, FILED AS ENTRY 63992:2013, MAP NUMBER 13940; THENCE THE FOLLOWING TWO (2) COURSES WHICH ARE ALONG THE WESTERLY BOUNDARY LINES OF SAID SKYE ESTATES ANNEXATION: (1) SOUTHERLY 73.87 FEET ALONG THE ARC OF A 697.00–FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°04'20", THE CHORD OF WHICH BEARS SOUTH 02°54'43" EAST 73.83 FEET; (2) SOUTH 00°07'27" WEST 1,112.88 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE HIGHLAND OAKS ANNEXATION AS DEPICTED ON THE OFFICIAL PLAT THEREOF, FILED AS ENTRY 57602:2016, MAP NUMBER 15113; THENCE SOUTH 00°07'29" WEST 1,328.06 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID TAYLOR, SIGGARD, BULL RIVER, IVORY HOMES ANNEXATION; THENCE SOUTH 89°50'00" WEST 73.99 FEET ALONG SAID NORTHERLY BOUNDARY TO THE POINT OF BEGINNING.

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APPROVAL OF LEGISLATIVE BODY

WE, THE DULY ELECTED COUNCIL OF THE CITY OF HIGHLAND, UTAH HAVE RECEIVED A REQUEST TO INITIATE PROCEDURES FOR THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON, WHICH TRACT CONSTITUTES A PORTION OF AN EXISTING ISLAND OR PENINSULA WITHIN OR CONTIGUOUS TO THE CITY, AND DO HEREBY CERTIFY: (1) THE COUNCIL HAS ADOPTED RESOLUTION SETTING FORTH ITS INTENT TO ANNEX THE TRACT, PROVIDED NOTICE AND CONDUCTED HEARINGS ON THE MATTER AND ADOPTED AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE TRACT TO THE CITY; ALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10–2–418 UTAH CODE ANNOTATED, AS AMENDED AND (2) THAT THE COUNCIL DOES HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON AS A PART OF HIGHLAND CITY, TO BE KNOWN HERE AFTER AS THE HIGHLAND BOULEVARD ANNEXATION.

DATED THIS _____ DAY OF _____, A.D. 2021

MAYOR	CITY COUNCIL MEMBER
CITY COUNCIL MEMBER	CITY COUNCIL MEMBER
CITY COUNCIL MEMBER	CITY COUNCIL MEMBER

ATTEST: _____
CLERK – CITY RECORDER

APPROVAL BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. 17–23–20 AS AMENDED.

_____
COUNTY SURVEYOR

FINAL LOCAL ENTITY PLAT

HIGHLAND BOULEVARD ANNEXATION

SITUATE IN THE NE¼ NE¼ OF SECTION 27, AND
THE SE¼ SE¼ OF SECTION 22,
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN

American Fork City, Utah County, Utah | Scale 1" = 200' | Sheet 1 of 1

SURVEYOR'S SEAL	CITY RECORDER SEAL	COUNTY RECORDER

ANNEXATION PETITION

RECEIVED
BY:
DATE: 11/17/2021

OWNERS REQUEST FOR ANNEXATION
FOR
Highland Blvd
(Annexation Name)

We the undersigned hereby certify that we are the owners of said real property to be annexed, and that said land is contiguous to the Corporate limits of Highland City, and we do hereby request that Highland City consider annexation of said land by resolution. The requested zoning is R-1-40. Total number of acres 4.246.

Name: Highland City Address: 5400 W Civic Center Dr, Ste 1, Highland, UT 84003
Phone: (801) 756-5751 Tax I.D./Parcel #(s): see attached Proposed Zone District Assignment: _____
Acreage: 4.246 Value: _____ Signature: _____
Mayor Rodney W. Mann

Name: _____ Address: _____
Phone: _____ Tax I.D./Parcel #(s): _____ Proposed Zone District Assignment: _____
Acreage: _____ Value: _____ Signature: _____

Name: _____ Address: _____
Phone: _____ Tax I.D./Parcel #(s): _____ Proposed Zone District Assignment: _____
Acreage: _____ Value: _____ Signature: _____

Name: _____ Address: _____
Phone: _____ Tax I.D./Parcel #(s): _____ Proposed Zone District Assignment: _____
Acreage: _____ Value: _____ Signature: _____

Each owner and signer for himself says: I have personally signed this Application; I am aware of the request for Annexation and understand the terms and conditions of this Application; I am an owner of a portion of the property above mentioned and located at or near Highland, Utah County, State of Utah, and my post office address is correctly written after my name.

NOTICE: There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election. If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the Highland City Recorder. If you choose to withdraw your signature, you shall do so no later than 30 days after Highland City receives notice that the petition has been certified.

(Attach additional sheets as necessary)

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DRAFT

HIGHLAND BOULEVARD ANNEXATION

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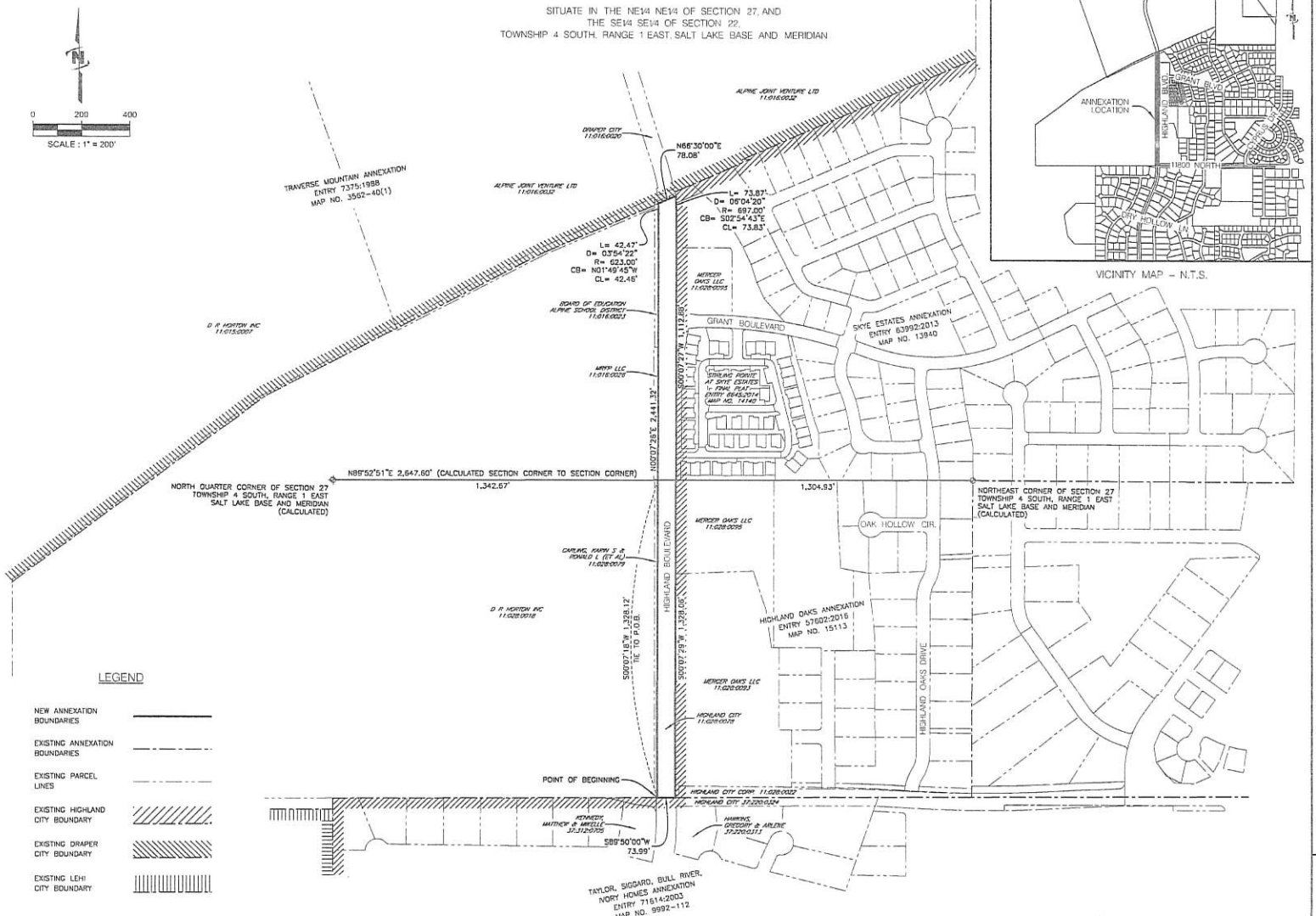

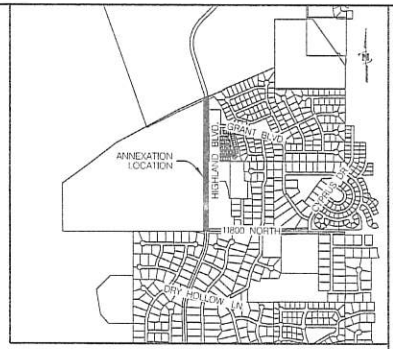

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PREPARED BY

J-U-B ENGINEERS, INC.
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NOVEMBER 2021

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DATED THIS _____ DAY OF _____, A.D. 2021

MAYOR — CITY COUNCIL MEMBER

CITY COUNCIL MEMBER — CITY COUNCIL MEMBER

CITY COUNCIL MEMBER — CITY COUNCIL MEMBER

ATTEST: _____
CLERK - CITY RECORDER

APPROVAL BY COUNTY SURVEYOR

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. 17-23-20 AS AMENDED.

_____
COUNTY SURVEYOR

FINAL LOCAL ENTITY PLAT

HIGHLAND BOULEVARD ANNEXATION

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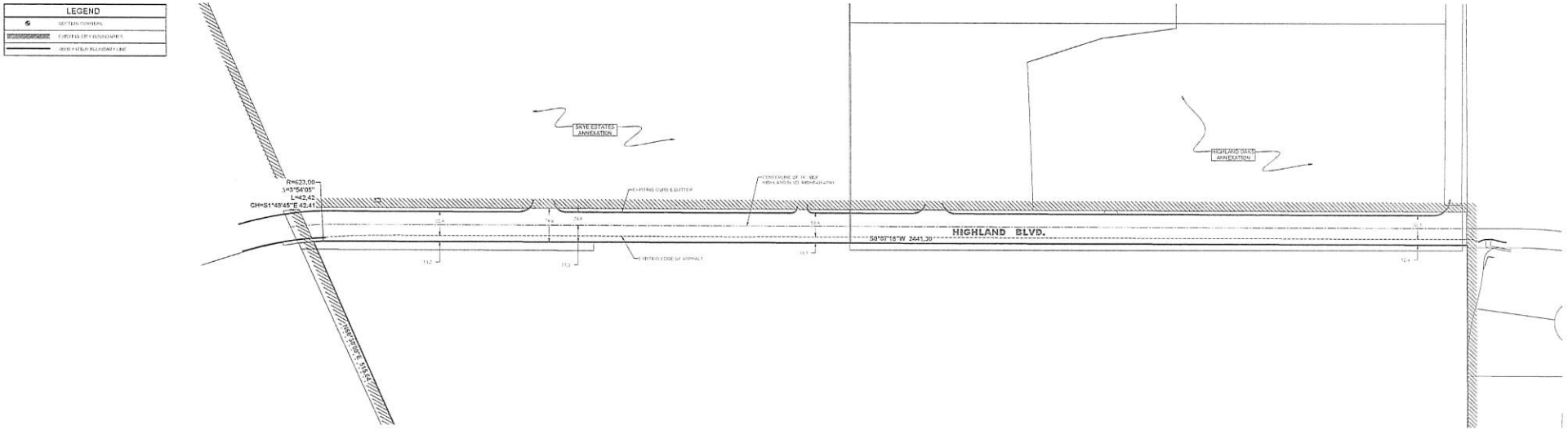
American Fork City, Utah County, Utah — Scale 1" = 200' — Sheet 1 of 1

SURVEYOR'S SEAL	CITY RECORDER SEAL	COUNTY RECORDER



ENGINEERS
SURVEYORS
PLANNERS

HIGHLAND BOULEVARD ANNEXATION EXHIBIT

HIGHLAND CITY

Highland City
5400 W Civic Center Dr.,Ste 1
Highland, UT 84003
(801) 756-5751
www.highlandcity.org

NOTICE OF INTENT - ANNEXATION
HIGHLAND BLVD

October 19, 2021

To Whom It May Concern:

Per an agreement with Highland City, Lehi City, and DR Horton LLC, approved by Highland City Council on October 5, 2021, Highland City hereby declares its intent to annex the road known as Highland Blvd north of 11800 N to Draper into Highland City.

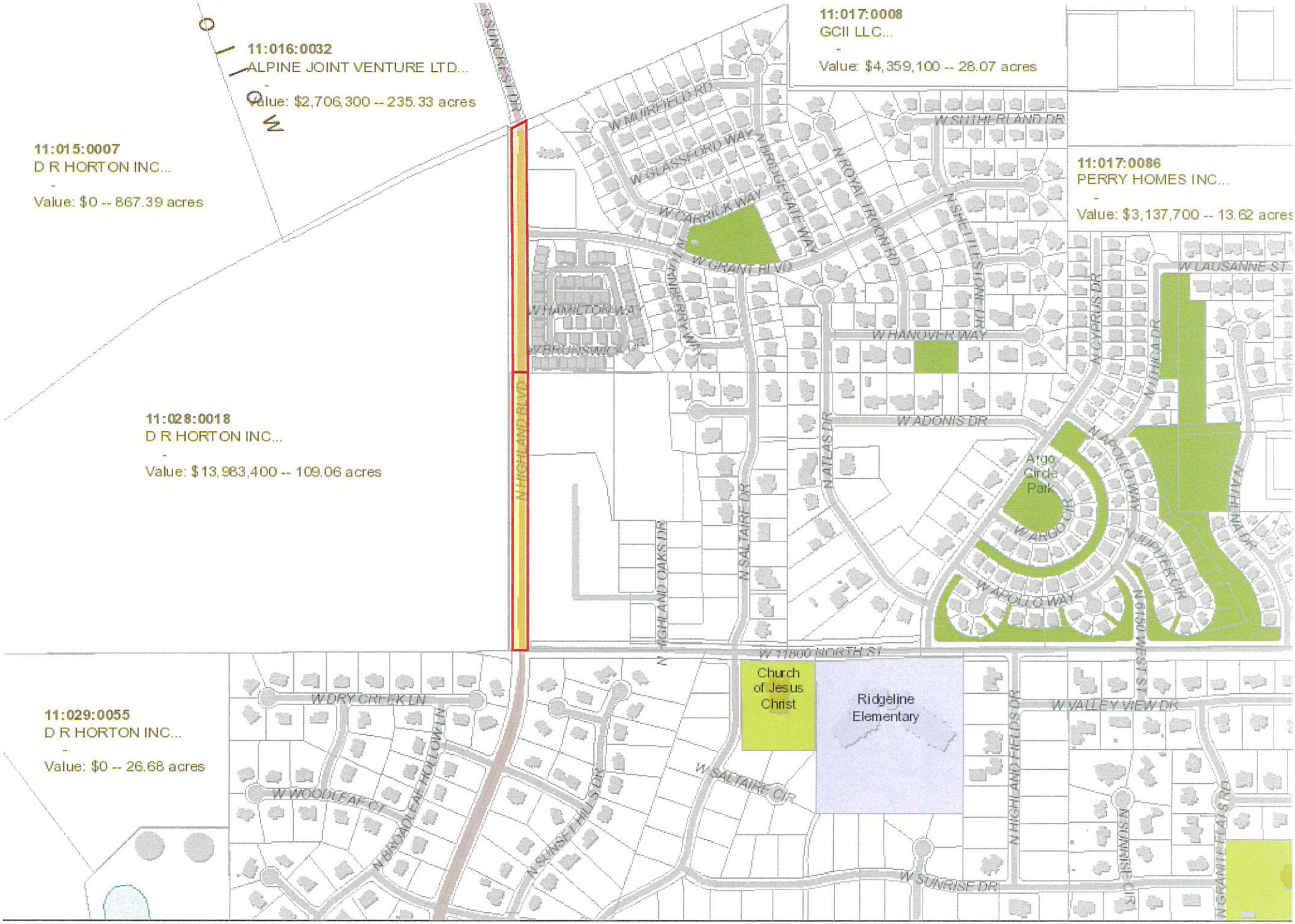
You are receiving this notice because you are an affected entity. Highland City would like to invite you to provide any information for consideration regarding this request.

A vicinity map showing the intended annexation is attached for your review.

If you have any questions or would like to provide information for consideration, please contact me at (801) 772-4505 or at scottle@highlandcity.org

Sincerely,

Stephannie B. Cottle
City Recorder



Utah County Parcel Map

Highland Annexation

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 10/19/2021

N

Rocky Mountain Power
Annexations
P.O. Box 400
Portland, OR 97207-0400

Comcast/Xfinity
1250 East Miller Avenue
Salt Lake City, UT 84106

Utah Valley Dispatch Special
Service District
3047 North 400 West
Spanish Fork UT 84660

TSSD
P.O. Box 923
American Fork, UT 84003

Alpine School District
575 North 100 East
American Fork, UT 84003

American Fork Hospital
170 North 1100 East
American Fork, UT 84003

Utah County Health Department
151 South University Avenue
Provo, UT 84601

Mountain Point Medical Center
3000 Triumph Blvd
Lehi, UT 84043

Utah County Recorder
100 East Center Street, Ste. 1300
Provo, UT 84606

Alpine City
20 N Main
Alpine UT 84004

Dominion Energy
P O Box 45360
Salt Lake City UT 84145-0360

Utah County Clerk
ATTN: Josh Daniels
100 E Center Street
Provo UT 84606

Utah County Assessor
100 E Center Street
Provo, UT 84606

Kris Poulson
Utah Cty Boundary Commission
P O Box 122
Provo UT 84603

Questar Gas
1640 Mountain Spring Road
Springville, UT 84663

Utah County Commission
100 East Center Street
Provo UT 84606

North Point Solid Waste
Special Service District
2000 West 200 South
Lindon UT 84042

Centurylink
1600 Stout Street
Denver, CO 80202

Utah County Planning Dept.
100 East Center
Provo UT 84606

Governor's Office Of Planning
And Budget
P O Box 142210
Salt Lake City UT 84114-2210

Utah Dept. Of Transportation
4501 South 2700 West
Mail Stop 141200
Salt Lake City UT 84114-1200

Draper City
ATTN: City Recorder
1020 E Pioneer Road
Draper, UT 84020

cbrown@lonepeakpolice.com
njones@lonepeakfire.com
coutpss@wm.com
danielj@utahcounty.gov

Lehi City
ATTN: City Recorder
153 N 100 E
Lehi, UT 84043

Josh Daniels
Clerk/Auditor
UTAH COUNTY CLERK/AUDITOR

November 15, 2021

Highland City
Stephannie Cottle, City Recorded
5400 W. Civic Center Dr., Ste. 1
Highland, Utah 84003

Re**: Proposed **Highland Blvd.** into **Highland City

Dear Stephannie,

I hereby certify that the notice required by Utah Code Section 10-2-403(2)(b)(i)(A) was mailed on November 10, 2021 to each property owner within the proposed area for annexation and within 300 feet of the proposed annexation area. The list of property owners who were mailed notice is enclosed.

If you have any questions regarding this certification, please feel free to contact the Utah County Clerk/Auditor's office.

Sincerely,

Alice Black

ALICE BLACK
Deputy Utah County Clerk

STATE OF UTAH COUNTY CLERK AUDITOR UTAH COUNTY

100 E. Center Street, Room 3610, Provo, UT 84606 (801) 851-8109 utahcountyclerk@utahcounty.gov

November 10, 2021

PARCEL ID:

Dear Sir or Madam,

Attention: Your property may be affected by a proposed annexation.

Records show that you own property within an area that is intended to be included in a proposed annexation to Highland City or that is within 300 feet of that area. If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Highland City within 30 days after Highland City receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

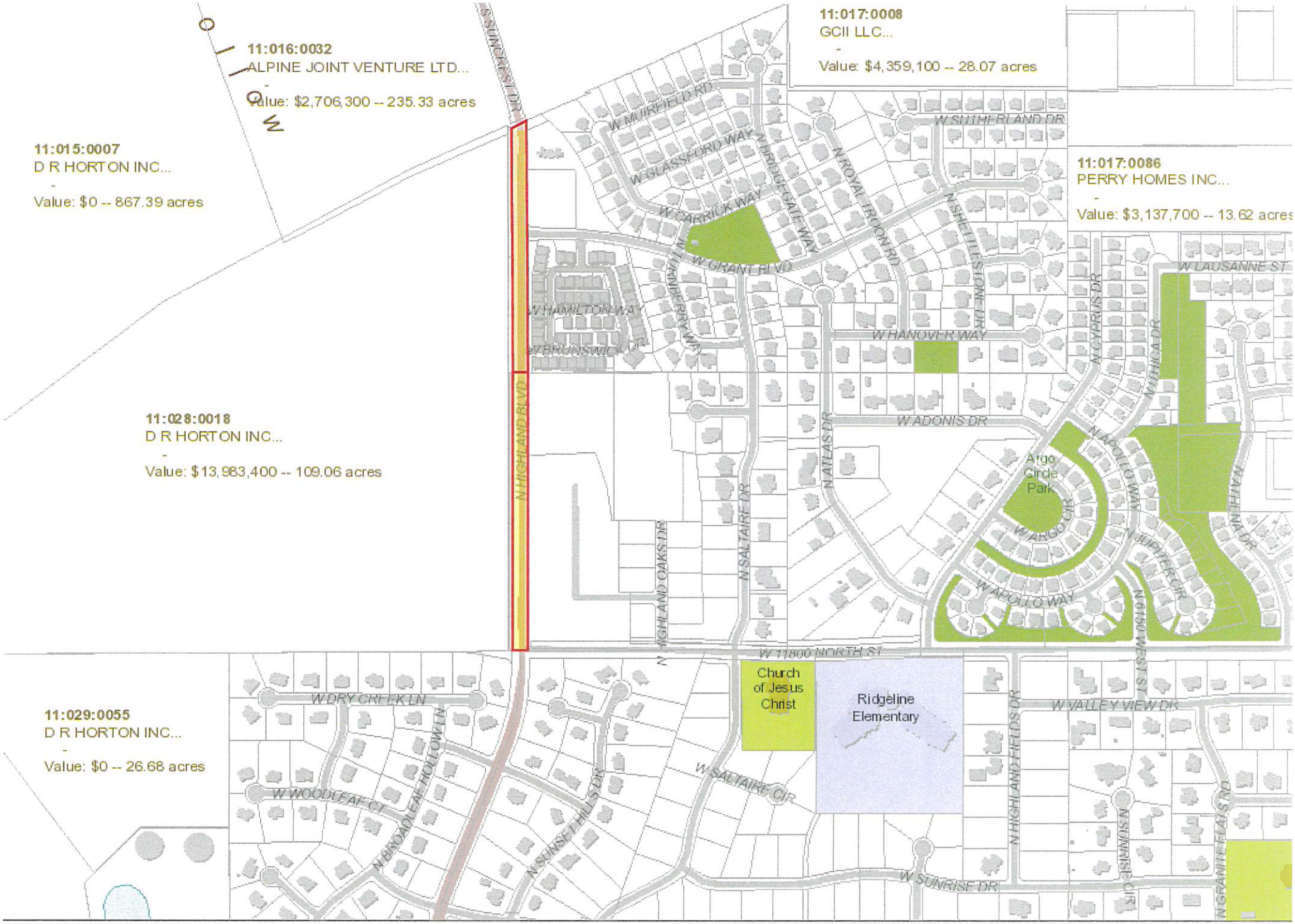
You may obtain more information on the proposed annexation by contacting:

Anthony Canto, Utah County Surveyor
2855 South State Street
Provo, Utah 84606
801-851-8671
AnthonyC@utahcounty.gov

Stephannie Cottle, Highland City
5400 W. Civic Center Dr., Ste. 1
Highland, Utah 84003
801-772-4505
scottle@highlandcity.org

Once filed, the annexation petition will be available for inspection and copying at the office of Highland City located at 5400 W. Civic Center Dr., Ste. 1, Highland, Utah 84003.

(map of the proposed annexation area as provided by petitioner on back of page)



Utah County Parcel Map

Highland Annexation

This cadastral map is generated from Utah County Recorder data. It is for reference only and no liability is assumed for any inaccuracies, incorrect data or variations with an actual survey

Date: 10/19/2021

N

TRI-PARTY AGREEMENT

This TRI-PARTY AGREEMENT (this "***Agreement***"), dated to be effective as of Oct. 5, 2021 (the "***Effective Date***"), is entered into by and between the CITY OF HIGHLAND, a Utah municipal corporation (the "***Highland***"), the CITY OF LEHI, a Utah municipal corporation ("***Lehi***"), and D.R. HORTON, INC., a Delaware corporation ("***Horton***"). Highland, Lehi, and Horton are referred to herein individually as a "***Party***" and together as the "***Parties***."

RECITALS

A. Horton owns some parcels of land located in unincorporated Utah County, as depicted on the map attached as Exhibit A (the "***Horton Property***"), which Horton intends to develop as part of a larger master planned residential community with certain other property of Horton's located within the City of Lehi

B. Highland Boulevard is a public street owned and/or maintained by Highland located adjacent to the Horton Property (the "***Highland Boulevard Section***"), as generally shown on conceptual site plan attached as Exhibit B (the "***Concept Plan***").

C. In connection with the development of the Horton Property, Horton intends to file a petition to annex the Horton Property to Lehi (the "***Annexation Petition***").

D. The Parties desire to set forth certain agreements and obligations concerning the Annexation and the ongoing maintenance and other obligations relating to the Highland Boulevard Section following approval of the Annexation Petition, subject to the terms and conditions set forth below.

NOW, THEREFORE, to these ends and in consideration of the mutual covenants and the agreements set forth below, as well as the mutual benefits to be derived from this Agreement, the Parties agree as follows:

AGREEMENT

1. Consent to Annexation. Highland hereby consents to the filing of the Annexation Petition and Lehi's approval of the proposed annexation to Lehi (the "***Annexation***"), and agrees to reasonably cooperate with Horton and Lehi, at no out-of-pocket cost to Highland, to effectuate the Annexation as contemplated by this Agreement. Highland acknowledges and agrees that Lehi and Horton may provide an executed copy of this Agreement to Utah County to demonstrate evidence of Highland's consent to the Annexation.

2. Maintenance Obligations. Highland shall continue to own and maintain the Highland Boulevard Section, and Lehi shall be responsible for fifty percent (50%) of the cost (the "***Lehi Maintenance Contribution***") incurred by Highland to maintain and repair the Highland Boulevard Section in accordance with Highland's roadway standards and requirements (as the same may be modified from time to time) and Highland's bidding and contracting procedures. Highland staff shall coordinate with Lehi staff as part of any planned maintenance, improvement,

repair, or other construction project involving the Highland Boulevard Section, and Highland and Lehi may as part of such coordination agree on bidding processes, construction timing and procedures, payment schedules, and other terms regarding work on the Highland Boulevard Section and payment of the Lehi Maintenance Contribution. Highland and Lehi will agree to an estimated cost based on construction submittals from both cities, if necessary. Once Highland has completed all required work according to Highland standards and procedures, it shall submit an invoice to Lehi for the Lehi Maintenance Contribution within 60 days of completion of the maintenance or repair work on the Highland Boulevard Section. Lehi shall pay such invoice within 30 days after receipt of the invoice.

3. Public Services. The parties acknowledge that from and after final approval of the Annexation Petition, Lehi shall be solely responsible for the provision of all public services, including, without limitation, police and fire protection services, for the area incorporated pursuant to the Annexation.

4. Highland Boulevard Section Improvements/Annexation.

a. As part of the development of the Horton Property following final approval of the Annexation Petition, Horton shall install an additional traffic light or other traffic control measure along the Highland Boulevard Section at the intersection 11800 North (the "***Additional Traffic Control***"). The total cost for the Additional Traffic Control shall be shared by the Parties as follows: (a) Lehi and Highland shall each be responsible for thirty-three percent (33%) of such costs; and (b) Horton shall be responsible for thirty-four percent (34%) of such costs. The Parties shall coordinate and agree in writing on the type, timing, costs, and other details of the Additional Traffic Control at such time as Horton begins to develop the Horton Property adjacent to the Highland Boulevard Section.

b. As part of the development of the Horton Property following final approval of the Annexation Petition, Horton shall be responsible for 50% of the costs associated with the installation of medians within the Highland Boulevard Section, if Highland requests the installation of medians. Highland shall make the request as part of the Parties' coordination of the Additional Traffic Control, and Highland may not request Horton contribute to the cost of medians after the Parties have agreed on the details of the Additional Traffic Control.

c. Within 45 days of the execution of this Agreement, Highland City will file a petition to annex those portions of Highland Boulevard that are owned by Highland City but are currently unincorporated.

5. Development of the Horton Property. As part of the development of the Horton Property following final approval of the Annexation Petition, Horton agrees to do each of the following:

a. Develop the Horton Property substantially in accordance with the Concept Plan, subject to the following density limitations for each pod of development shown on the Concept Plan (each, a "***Pod***"): (which Horton may increase by no more than ten percent (10%) depending on the final location and layout of proposed open spaces and roads):

i. No more than seventy-seven (77) single family lots located the forty-five (45)-acre Pod designated on the Concept Plan as "Estate";

ii. No more than ninety-five (95) single family lots located on the thirty-six (36)-acre Pod designated on the Concept Plan as "Emerald";

iii. No more than one hundred seventy-four (174) single family lots located on the forty (40)-acre Pod designated on the Concept Plan as "Horton Plus";

iv. No more than two hundred forty-nine (249) units located on the thirty-nine (39)-acre Pod designated on the Concept Plan as "Active Adult"; and

v. No more than two (2) total clubhouses (one for the single-family residences and one for the active adult units).

Notwithstanding the foregoing, Horton may increase the total number of lots or units permitted in any Pod by up to ten percent (10%) so long as the total density of the Horton Property as a whole does not exceed five hundred ninety-seven (597) units.

b. Incorporate Highland's standard Parkway Detail along the west side of the Highland Boulevard Section, provided that Horton shall be permitted to use xeriscape or other waterwise landscaping in accordance with Highland's standards.

c. Address stormwater runoff generated by the development of the Horton Property in accordance with applicable law.

d. Incorporate the recommendations set forth in that certain Traffic Study, dated Aug 18, 2021, prepared byHorrocks Engineers, with respect to Highland Boulevard.

e. Set the minimum lot size of any subdivision of the Horton Property directly adjacent to the boundary with Highland shown on the Concept Plan to be no less than one-half (1/2) an acre.

f. Include a trail connection to the Dry Creek area of Highland as part of the development of the Horton Property so long as the intervening landowner(s) have granted an easement to Highland for trail purposes prior to the date on which Horton obtains Area Plan Approval from the Lehi City Council for the Horton Property.

g. Install monument signage on the northeast and southeast corners of the Horton Property that includes both the name of the proposed Horton subdivision and jurisdiction.

6. No Requirement to Develop. Nothing in this Agreement shall require the continued efforts of Horton to process the Annexation Petition and/or develop the Horton Property. Horton may, at any time and for any reason, elect to abandon such efforts, in which event Horton may elect to terminate this Agreement upon providing written notice to Lehi and Highland.

7. Further Assurances. Each Party shall do and perform, or cause to be done and performed, all such further acts and things, and shall execute and deliver all such other agreements,

certificates, instruments and documents, as any other Party may reasonably request in order to carry out the intent and accomplish the purposes of this Agreement and the Annexation Petition.

8. Notices. All notices, requests, demands, and other communications required under this Agreement, except for normal, daily business communications, shall be in writing. Such written communication shall be effective upon personal delivery to any party or upon being sent by overnight mail service, by electronic email (with confirmation of receipt), or by certified mail, return receipt requested, postage prepaid, and addressed to the respective parties as follows:

If to the Developer:	D.R. Horton, Inc. Attn: Boyd Martin & Rob Hartshorn 12351 South Gateway Park Place Suite D-100 Draper, UT 84020 email: RBHartshorn@drhorton.com [_____]
With a copy to:	D. R. Horton, Inc., West Region 1081 Whitney Ranch Drive, Suite 141 Henderson, NV 89014 Attn: David Jennings, Region Counsel E-mail: DSJennings@drhorton.com
If to the Highland:	City of Highland 5400 Civic Ctr. Dr. Ste 1 Highland UT 84003 Attn: City Recorder
If to Lehi:	City of Lehi 153 North 100 EAST Lehi Utah 84043 Attn: City Recorder

9. No Partnership or Joint Venture; Nonliability of Individuals. Nothing contained in this Agreement shall be construed to make, or is intended to create, any partnership or joint venture between Horton, Lehi, or Highland. In no event shall any shareholder, officer, director, member, partner, affiliate, agent or employee of Horton or any of Horton's affiliates be or be held liable or responsible in any way for the obligations or liabilities of Horton under this Agreement.

10. Severance; Survival; Further Assurance. This Agreement contains the entire agreement between the Parties relating to the subject matter hereof, and neither Party shall be bound by any verbal statement or agreement made heretofore. This Agreement cannot be modified or amended except by written agreement executed by the Parties. If any term in this Agreement or part hereof is ever held invalid or unenforceable by any court or is otherwise not in compliance with any law, such term, or part shall be deemed severed and the remainder of this Agreement and applications thereof shall not be affected thereby. This Agreement shall be binding upon the Parties, their successors and assigns.

11. Attorneys' Fees. If this Agreement or any provision hereof is enforced by an attorney retained by a Party hereto, whether by suit or otherwise, the reasonable fees and costs of the attorney for the prevailing Party shall be paid by the losing Party, including fees and costs incurred upon appeal.

12. Construction. This Agreement shall be governed and interpreted under the laws of the State of Utah. Failure of any Party to insist in any one or more instances upon the performance of any of the covenants, agreements, and/or conditions of this Agreement, or to exercise any right or privilege herein conferred shall not be construed as a waiver of any such covenant or condition. The agreements contained herein shall not be construed in favor of or against either Party, but shall be construed as if all Parties prepared this Agreement. If any items, terms, or provisions contained in this instrument are in conflict with any applicable federal, state, or local laws, this Agreement shall be affected only as to its application to such items, terms, or provisions, and shall in all other respects remain in full force and effect.

13. Incorporation; Counterparts. The recitals set forth above and exhibits attached hereto are incorporated herein by this reference. This Agreement may be executed in counterparts and transmitted electronically, each of which shall be deemed to be an original, but such counterparts when taken together shall constitute one Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by and through their respective duly authorized representatives to be effective as of the Effective Date.

CITY OF HIGHLAND, a Utah municipal corporation

By: _____
Name: Rodney W Mann
Its: Mayor

ATTEST:

_____
City Recorder

CITY OF LEHI, a Utah municipal corporation

By: _____
Name: MARK JOHNSON
Title: MAYOR

ATTEST:

_____
City Recorder

D.R. HORTON, INC., a Delaware corporation

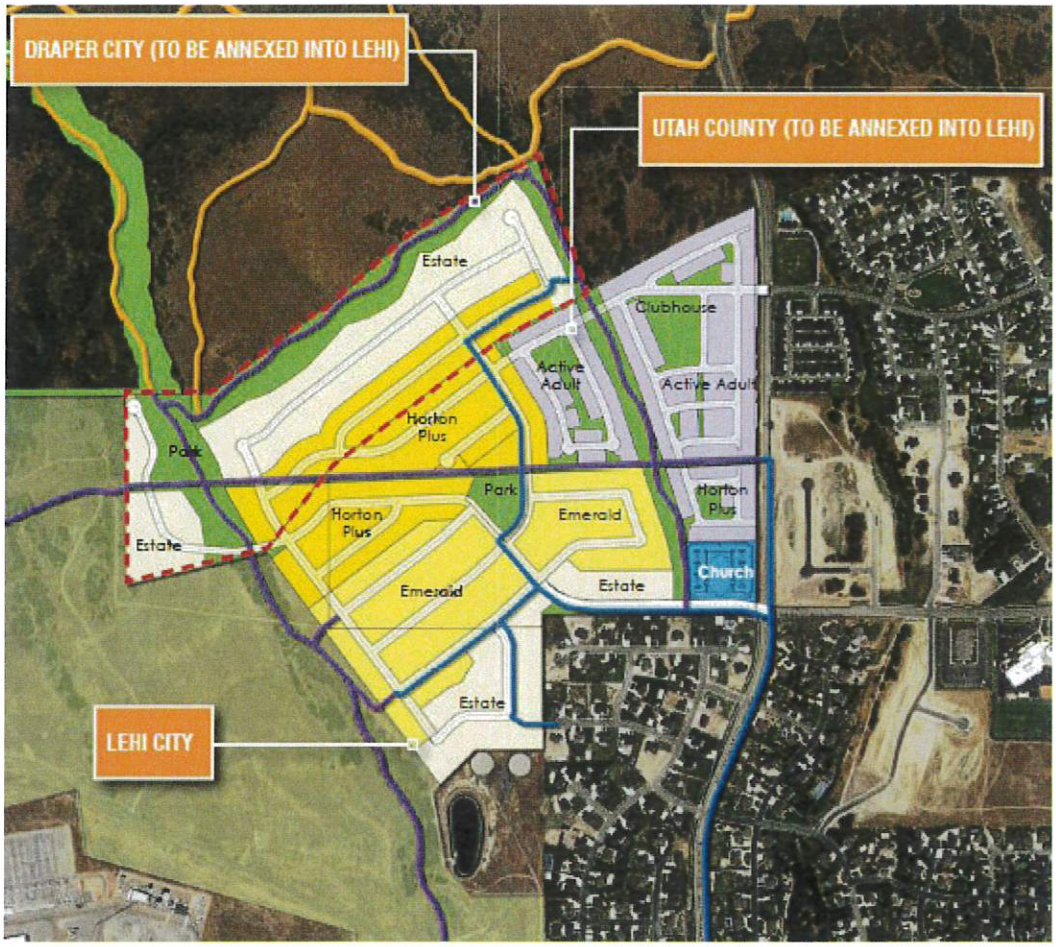
By: _____
Name: Adam B. Loser
Title: Vice President

EXHIBIT A

Depiction of the Horton Property

EXHIBIT B

Concept Plan



AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4d

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner & GIS Analyst

SUBJECT: **PLAT AMENDMENT:** Peck Hollow Plat B Lot 2 Amended (PA-21-11)

TYPE: **ADMINISTRATIVE:** The City Council is the Land Use Authority for Plat Amendments and is subject to Section 5-10-103 of the Highland City Development Code. Final plat amendments are an administrative process.

PURPOSE:

The City Council will consider a request by Ezra Lee Design + Build on behalf of Vess Pearson to amend the Peck Hollow Plat B subdivision to combine Lot 2 with a portion of the property behind 6387 W 9600 N. The City Council will take appropriate action.

BACKGROUND:

On February 7th, 2018, the City Council approved the final plat for Peck Hollow Plat B. The final plat included 2 single family lots. This subdivision is in the R-1-20 Zone.

Ezra Lee Design + Build is representing property owner Vess Pearson. The property owner has purchased approximately 22,230 square feet of land from the property owner to the east. The request is to combine Lot 2 with the southern portion of parcel 12:058:0108.

SUMMARY OF THE REQUEST:

1. The applicant is requesting to combine Lot 2 of Peck Hollow Plat B with the southern portion of parcel 12:058:0108.

CITIZEN PARTICIPATION:

Notice of the plat amendment request was mailed to all property owners within 500 feet on November 23rd, 2021. No comments have been received.

ANAYLSIS/FINDINGS:

- The proposed amendment meets all requirements of the Development Code.

- The Peck Hollow subdivision was approved with two (2) lots. The proposed plat amendment does not add any lots. The number remains two (2). By adding the

additional property to the one (1) lot, the overall density of the subdivision decreases.

- Prior to recordation, the applicant will be required to provide water shares for the square footage that is proposed to be added to the lot.

- The addition of the property will not impact or require any changes to the approved infrastructure and public improvements that the developer is required to provide in connection with the approved subdivision. The overall construction plan for the subdivision (roads, utilities, etc.) are unaffected by the proposed plat amendment. There are no anticipated or proposed modifications to the road alignments or expected traffic, as density and lot configurations remain the same.

RECOMMENDATION AND PROPOSED MOTION:

Staff recommends the City Council accept the findings and **APPROVE** the final plat amendment subject to the following stipulations:

1. The recorded plat shall be in substantial conformance with the final plat received October 25th, 2021.
2. Prior to recording, the recorded plat shall be revised as required by the City Engineer.

I move that the City Council accept the findings and **APPROVE** Peck Hollow Plat 'B' Lot 2 Amended subject to the two (2) stipulations recommended by Staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** Peck Hollow Plat 'B' Lot 2 Amended based on the following findings: (The Council will need to draft appropriate findings).

FISCAL IMPACT:

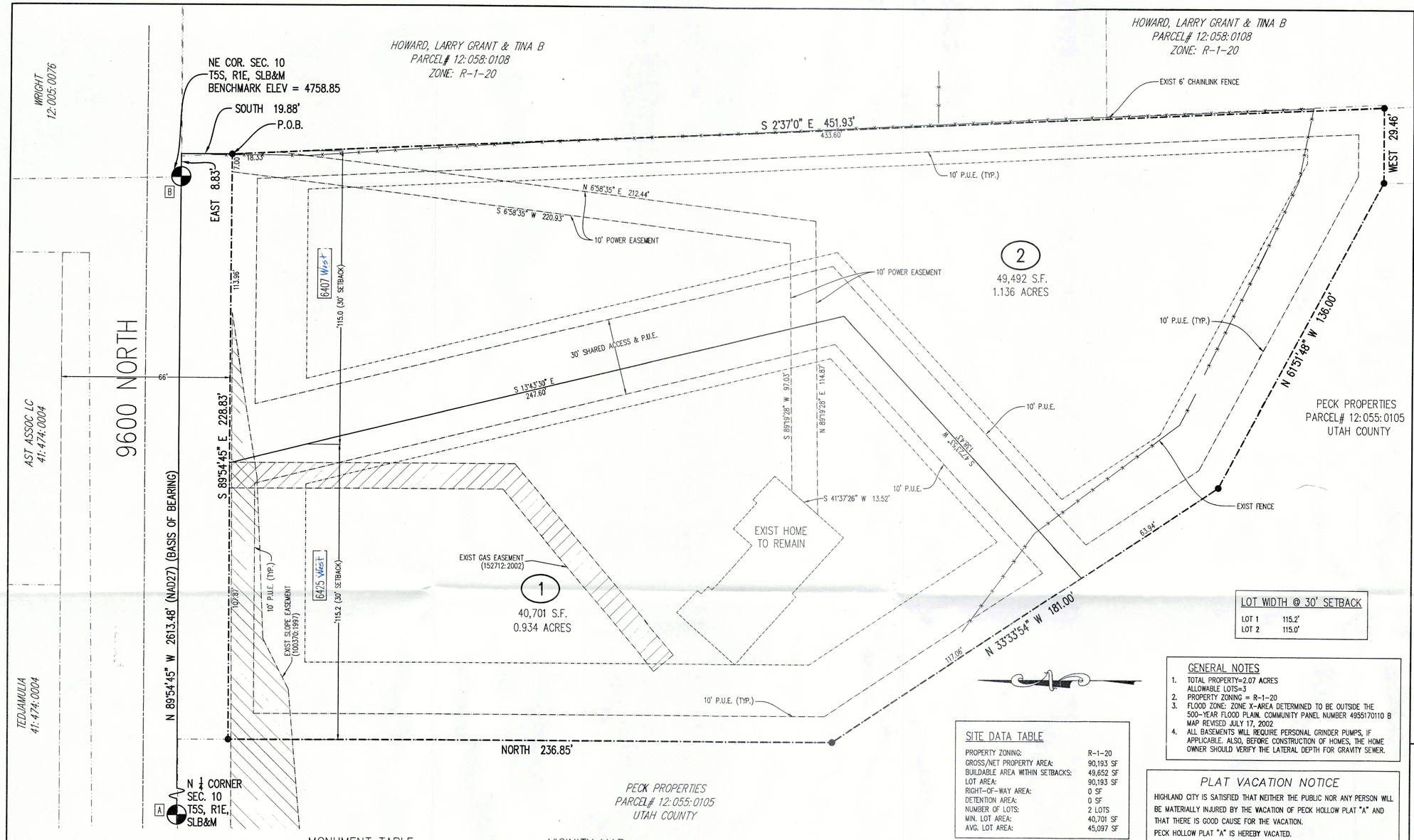
This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Vicinity Map
2. Peck Hollow Plat B Subdivision
3. Proposed Plat Amendment

ATTACHMENT 1:

ATTACHMENT 2:



LOT WIDTH @ 30' SETBACK

LOT 1	115.2'
LOT 2	115.0'

GENERAL NOTES

1. TOTAL PROPERTY=2.07 ACRES
   ALLOWABLE LOTS=3
2. PROPERTY ZONING = R-1-20
3. FLOOD ZONE: ZONE X-AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. COMMUNITY PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002
4. ALL BASEMENTS WILL REQUIRE PERSONAL GRINDER PUMPS, IF APPLICABLE. ALSO, BEFORE CONSTRUCTION OF HOMES, THE HOME OWNER SHOULD VERIFY THE LATERAL DEPTH FOR GRAVITY SEWER.

SITE DATA TABLE

PROPERTY ZONING:	R-1-20
GROSS/NET PROPERTY AREA:	90,193 SF
BUILDABLE AREA WITHIN SETBACKS:	49,652 SF
LOT AREA:	90,193 SF
RIGHT-OF-WAY AREA:	0 SF
DETENTION AREA:	0 SF
NUMBER OF LOTS:	2 LOTS
MIN. LOT AREA:	40,701 SF
AVG. LOT AREA:	45,097 SF

PLAT VACATION NOTICE

HIGHLAND CITY IS SATISFIED THAT NEITHER THE PUBLIC NOR ANY PERSON WILL BE MATERIALLY INJURED BY THE VACATION OF PECK HOLLOW PLAT "A" AND THAT THERE IS GOOD CAUSE FOR THE VACATION.

PECK HOLLOW PLAT "A" IS HEREBY VACATED.

SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418780 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THAT IS LOCATED EAST 8.83 FEET AND SOUTH 19.88 FEET FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN;

THENCE SOUTH 02°37'00" EAST 451.93 FEET; THENCE WEST 29.46 FEET; THENCE NORTH 61°51'48" WEST 136.00 FEET; THENCE NORTH 33°33'54" WEST 181.00 FEET; THENCE NORTH 236.85 FEET; THENCE SOUTH 89°54'45" EAST 228.83 FEET TO THE POINT OF BEGINNING.

AREA = 2.07 ACRES

ENT 13472:2018 Map # 15917
JEFFERY SMITH
UTAH COUNTY RECORDER
2018 Feb 09 3:53 pm FEE 22.00 BY SW
RECORDED FOR HIGHLAND CITY

JAN. 18, 2018
DATE

SURVEYOR
(SEE SEAL BELOW)

OWNERS' DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.
IN WITNESS HEREOF, WE HAVE SET OUR HANDS THIS 2 DAY OF 2, A.D. 20 18

Scott Barlow — Alecia Barlow

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE 2 DAY OF Feb, A.D. 20 18 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES _____
Robyn Stanley
NOTARY PUBLIC
(SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 1 DAY OF February, A.D. 20 18

APPROVED BY MAYOR _____
APPROVED _____ CITY ENGINEER (SEE SEAL BELOW)
ATTEST Cindy M. Quick CLERK-RECORDER (SEE SEAL BELOW)

LIEN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS 6 DAY OF February, 20 18
HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS ____ DAY OF ____, 20 ____
COMMUNITY DEVELOPMENT DIRECTOR
PLANNING COMMISSION CHAIR

CONDITIONS OF APPROVAL

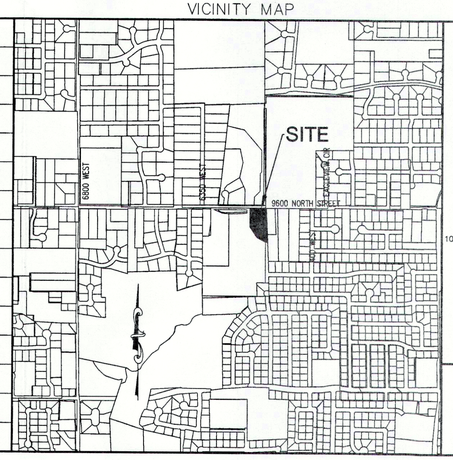
There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have also been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binging Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development Code, are as follows:

1. 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
2. Landscaping and construction materials of any type are not permitted to be stockpiled within the street, curb & gutter, park strip or sidewalk (street right-of-way).
3. A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. All fences require a fence permit prior to installation. In addition, retaining walls are regulated by ordinance and require a retaining wall permit prior to construction.
4. Highland City Ordinances restrict height of foundation above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

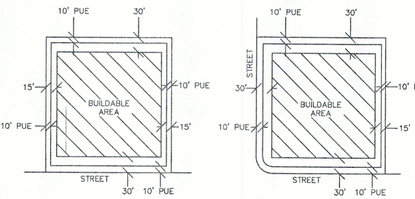
MONUMENT TABLE

A	N: 755,201.05 E: 1,910,880.47	
B	N: 755,197.06 E: 1,913,493.14	
	SCALE FACTOR = 0.9997	

VICINITY MAP



TYPICAL BUILDING SETBACKS



(NTS)

20 0 10 20 40 80
SCALE: 1" = 20 FEET

15917

DOMINION ENERGY COMPANY

Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion Energy's right-of-way department.

Approved this 19th day of JAN 20 18 Dominion Energy By: _____ Title: Right-of-Way Agent

UTILITIES APPROVAL

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the Public Utilities Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove such structures at the owner's expense, or the utility may remove such structures at the owner's expense. At no time any permanent structures be placed within the PUE or any other obstructions with interferes with the use of the PUE with out the prior written approval of the utilities with facilities in the PUE.

Rocky Mtn. Power _____ Date: 1/19/18
Qwest _____ Date: 1/19/18
Comcast _____ Date: 1-19-18

PECK HOLLOW

PLAT "B"

LOCATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
INCLUDING A VACATION OF PECK HOLLOW PLAT "A"
NAD 27
SCALE: 1" = 20 FEET

SURVEYOR'S SEAL — NOTARY PUBLIC SEAL — CITY ENGINEER SEAL — CLERK-RECORDER SEAL

Surveyor: Aztec Engineering, Inc.
491 North 450 West
Orem, UT 84057
(801) 224-7308

Engineer: Excel Engineering, Inc.
12 West 100 North, #201
American Fork, UT 84003
(801) 756-4504

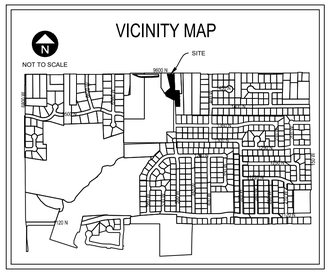
Developer: DR 76, Inc.
Ron Peck
6989 West 9600 North
Highland, Utah 84003
Phone: (801) 836-4512

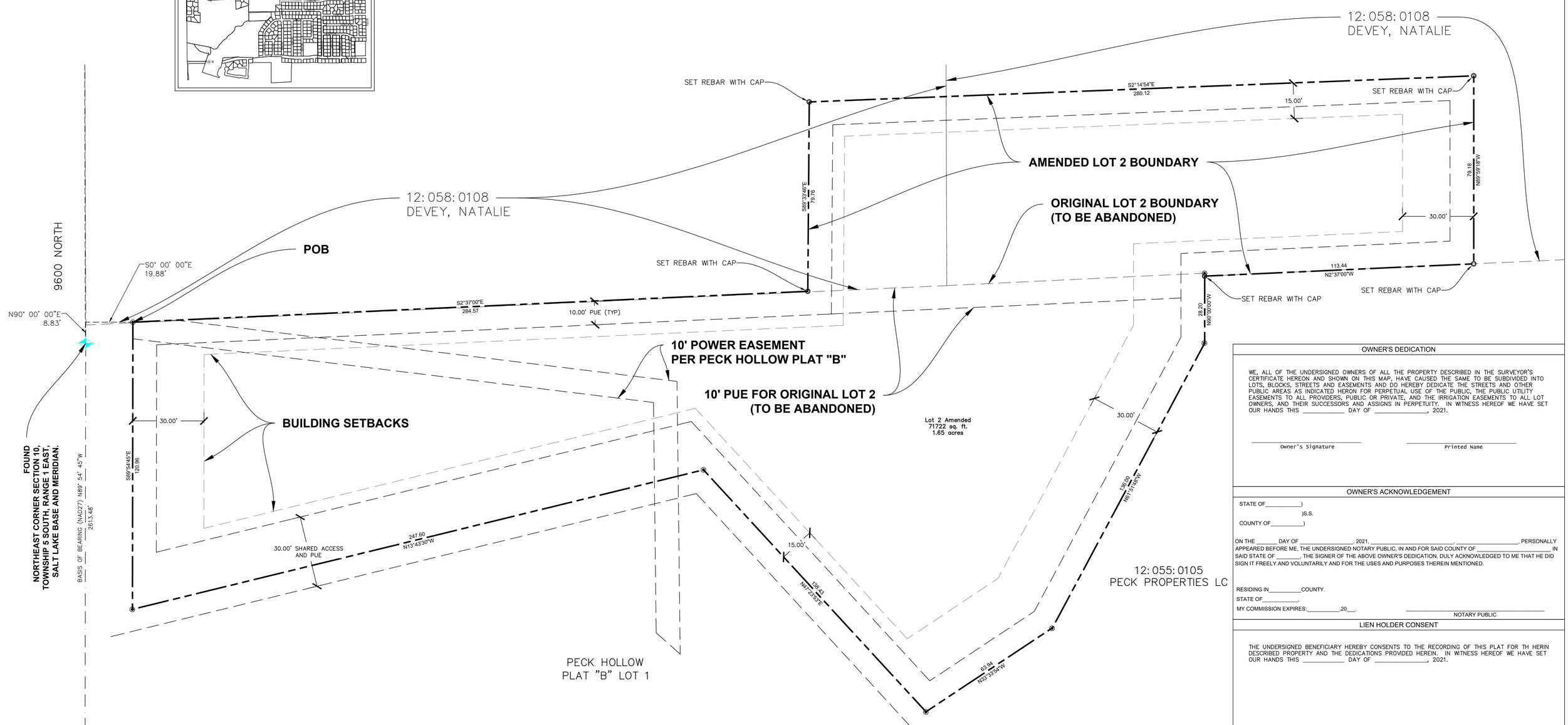
PLAT PREPARED ON 01/18/18

SEE LOTS 2 & 3 PLAT "A" PECK HOLLOW

DocuSign Envelope ID: EED8736C-9259-41F2-88D6-FDB6E1BE76FC

ATTACHMENT 3:





OWNER'S DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HERON FOR PERPETUAL USE OF THE PUBLIC, THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE, AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY. IN WITNESS HEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, 2021.

_____ Owner's Signature

_____ Printed Name

OWNER'S ACKNOWLEDGEMENT

STATE OF_____)
)S.S.
COUNTY OF_____)

ON THE _____ DAY OF _____,2021,_____,_____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF _____ THE SIGNER OF THE ABOVE OWNER'S DEDICATION, DULY ACKNOWLEDGED TO ME THAT HE DID SIGN IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

RESIDING IN_____COUNTY.
STATE OF_____.
MY COMMISSION EXPIRES:_____,20___.

_____ NOTARY PUBLIC

LIEN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR TH HERIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN. IN WITNESS HEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____, 2021.

SURVEYOR'S CERTIFICATE

I, JASON G. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6119653 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

DocuSigned by:
Jason Jenkins
JASON G. JENKINS

DATE 10/7/2021

PROFESSIONAL LAND SURVEYOR
No. 6119653
JASON G. JENKINS
STATE OF UTAH

DEVELOPER	GENERAL NOTES
EZRA LEE DESIGN BUILD 363 SOUTH MAIN STREET, SUITE 100 ALPINE, UT 84004 801-448-6876	1. TOTAL PROPERTY = 1.65 ACRES 2. PROPERTY ZONING = R-1-20 3. FLOOD ZONE: ZONE X-AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. COMMUNITY PANEL NUMBER 4955170110 B MAP REVISED JULY 17, 2002. 4. ALL BASEMENTS WILL REQUIRE PERSONAL GRINDER PUMPS, IF APPLICABLE. ALSO, BEFORE CONSTRUCTION OF HOMES, THE HOME OWNER SHOULD VERIFY THE LATERAL DEPTH FOR GRAVITY SEWER.
SURVEYOR	SITE DATA TABLE
JASON G. JENKINS, PLS, LLC PO BOX 411 MIDWAY, UT 84049 435-671-2595	PROPERTY ZONING: R-1-20 GROSS/NET PROPERTY AREA: 71,722 SF BUILDABLE AREA WITHIN SETBACKS: 41,508 SF LOT AREA: 71,722 SF RIGHT OF WAY AREA: 0 SF DETENTION AREA: 0 SF NUMBER OF LOTS: 1 LOT MIN. LOT AREA: 71,722 SF AVG. LOT AREA: 71,722 SF

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS EAST 8.83 FEET AND SOUTH 19.88 FEET FROM THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN,
THENCE SOUTH 02° 37' 00" EAST 284.57 FEET;
THENCE SOUTH 89° 33' 46" EAST 79.76 FEET;
THENCE SOUTH 02° 14' 54" EAST 280.12 FEET;
THENCE NORTH 89° 59' 18" WEST 79.18 FEET;
THENCE NORTH 02° 37' 00 WEST 113.44 FEET;
THENCE WEST 28.20 FEET;
THENCE NORTH 61° 51' 48" WEST 136.00 FEET;
THENCE NORTH 33° 33' 54" WEST 63.94 FEET;
THENCE NORTH 47° 23' 53" EAST 138.43 FEET;
THENCE NORTH 13° 43' 30" WEST 247.60 FEET;
THENCE SOUTH 89° 54' 40" EAST 120.96 FEET TO THE POINT OF BEGINNING.
CONTAINS 1.65 ACRES, MORE OR LESS.

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____, 2021.

_____ HIGHLAND CITY MAYOR

_____ ATTEST - CLERK/RECORDER

_____ HIGHLAND CITY ENGINEER

PLANNING COMMISSION	APPROVAL AS TO FORM
APPROVED THIS_____DAY OF_____,2021.	APPROVED THIS_____DAY OF_____,2021.
PLANNING COMMISSION CHAIR COMMUNITY DEVELOPMENT DIRECTOR	HIGHLAND CITY ATTORNEY

PECK HOLLOW

PLAT "B" LOT 2 AMENDED

LOCATED IN THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

Utah County, Utah

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4e

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: JoAnn Scott

SUBJECT: **RESOLUTION/ACTION:** Disposal of Equipment from Public Works Department

TYPE: **ADMINISTRATIVE**: The Council is acting in an administrative capacity and fulfilling their responsibilities as the Governing Body as defined in the Municipal Code.

PURPOSE:

Staff is requesting that the City Council approve the surplus sale of a utility dump truck bed from the Highland City Public Works fleet. The Council will take appropriate action.

BACKGROUND:

The utility truck bed was purchased in conjunction with a truck for the Street Department to haul asphalt, road base, and other miscellaneous material. It has been used for the past seven years. This utility bed has been replaced with another that fits the newer truck chassis.

Staff will abide by the following section of the Municipal Code when disposing of said vehicles.

Pursuant to Municipal Code 2.44.040: Once the City Council approves the disposal of Personal Public Property a reasonable notice of at least 14 days prior to disposition shall be placed on the City Website. After the notice period the City will then dispose of personal public property by means of auction, sealed bid or other method designed to best serve the interests of City residents. Property valued below $300 may be disposed of under the direction of the City Administrator in accordance with City Ordinance. Those items that have no economic value shall be donated to a charitable organization or destroyed.

Disposal/Donation of property will not take place until after January 1, 2022.

FISCAL IMPACT:

No impact on the budget

ATTACHMENTS:

1. Highland City Asset disposal sheet
2. Resolution

Asset Disposal Sheet
Surplus of equipment from City fleet

2014 Standard Truck Utility Dump Bed

A RESOLUTION OF HIGHLAND CITY, UTAH
DECLARING SURPLUS PROPERTY FOR SELLING, CONVEYING OR DISPOSING

WHEREAS, the Highland City Council has been made aware of a truck utility dump bed that is no longer needed; and

WHEREAS, the Highland City Council has established a process for disposing of personal public property which is:

1. The City Administrator shall be responsible for the coordination and disposal of all personal public property; and

2. Each department head shall identify assets for disposal and complete an Asset Disposal sheet determining the market value of the asset taking into account the replacement cost and depreciation rate for the item; and

3. The City Administrator shall select the best disposal option; and

4. The City Council shall authorize by resolution the surplusing of all personal public property valued over $300; and

5. Notice shall be given to the public on the Highland City website after the items have been declared surplus and at least fourteen days prior to the disposition.

NOW, THEREFORE be it resolved by the Highland City Council that the following item is hereby declared surplus property and the City Council hereby authorizes the City Administrator to sell, convey or dispose of the equipment as listed below following City policy as set forth above:

2014 Standard Utility Dump Bed

This resolution shall take effect immediately upon passage.

PASSED AND ADOPTED by the Highland City Council this 7th day of December 2021.

ATTEST:

Stephannie B. Cottle, City Recorder

HIGHLAND CITY, UTAH

Rodney W. Mann, Mayor

COUNCILMEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Kurt Ostler	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4f

DATE: Tuesday, December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Erin Wells, Assistant City Administrator

SUBJECT: **RESOLUTION:** Voter Participation Areas

TYPE: **ADMINISTRATIVE:** The Council is acting in an administrative capacity and fulfilling their responsibilities as the Governing Body as defined in the Municipal Code.

PURPOSE:

City Council will consider reaffirming the City's Voter Participation Areas until updated Areas are available for the purpose of signature collection for initiatives and referendums as required in Utah Code 20A-7-401.3. The Council will take appropriate action.

BACKGROUND:

During the 2019 Legislative General Session, HB 119 was passed. This bill required the creation of Voter Participation Areas which play a role in any initiatives or referendum that are filed. These Areas are not precincts, but do follow precinct lines. For our size of a City, state law requires that we make 4 Areas out of our 10 precincts. Beginning in 2020, any initiative or referendum filed in Highland needs to obtain legal signatures equal to 11.5% of the number of active voters in the City and 11.5% of the number of active voters in at least 75% of the City's Voter Participation Areas.

As Highland is a fourth-class City, we were required to adopt these Voter Participation Areas prior to 2020, which the Council did on October 15, 2019. The state law also requires to the City to again adopt Areas prior to 2022 as new census and precinct data can be taken into account.

Utah County has required Highland to allow the County to establish the Voter Participation Areas because state law requires that the County be the ones to certify referendum and initiative signatures. The County had to wait for the State Legislature to complete redistricting prior to being able to establish the Voter Participation Areas. As the maps were only finalized a short time ago, Utah County is not yet ready to update cities' Voter Participation Areas.

Because of the state law requirement to adopt Areas prior to January 1, 2022, Utah County recommended that the City adopt a Resolution reaffirming our current Voter Participation Areas with the intention that when new areas are produced from the

County, those will be adopted. Administrative and legal staff agree that this is the best short-term solution.

FISCAL IMPACT:
None.

RECOMMENDATION:
Staff recommends that Council approve the resolution as proposed.

PROPOSED MOTION:
I move that City Council approve the Resolution Reaffirming the 2020 Voter Participation Areas with the Intention to Update Areas When New Census Data is Available.

ATTACHMENTS:
1. Resolution
2. 2020 Voter Participation Areas

A RESOLUTION OF HIGHLAND CITY, UTAH REAFFIRMING The 2020 VOTER PARTICIPATION AREAS WITH THE INTENTION TO UPDATE AREAS WHEN NEW CENSUS DATA IS AVAILABLE

WHEREAS, Utah State Code Section 20A-7-401.3 Voter Participation Areas, requires that the city, no later than January 1, 2022 and January 1 each 10 years after 2022 divide the city into four contiguous and compact voter participation areas of substantially equal population; and

WHEREAS, the city shall use the voter participation areas for the purposes described in Utah State Code 20A-7-501 and 20A-7-601; and

WHEREAS, an eligible voter seeking to have an initiative submitted to a local legislative body or to a vote of the people for approval or rejection or a local law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to 11.5% of the number of active voters in the city; and 11.5% of the number of active voters in at least 75% of the city's voter participation areas; and

WHEREAS, updated Voter Participation Areas with new Census data are not yet available from Utah County.

NOW THEREFORE, BE IT RESOLVED by the City Council of Highland that the attached Voter Participation Areas as shown on Exhibit A and adopted in 2020 be reaffirmed until such time that updated census data is available so the Voter Participation Areas can be updated as appropriate.

This Resolution shall become effective immediately upon its passing.

ADOPTED by the City Council of Highland City, Utah, this 7th day of December, 2021.

HIGHLAND CITY, UTAH

_____

ATTEST: Rod Mann, Mayor

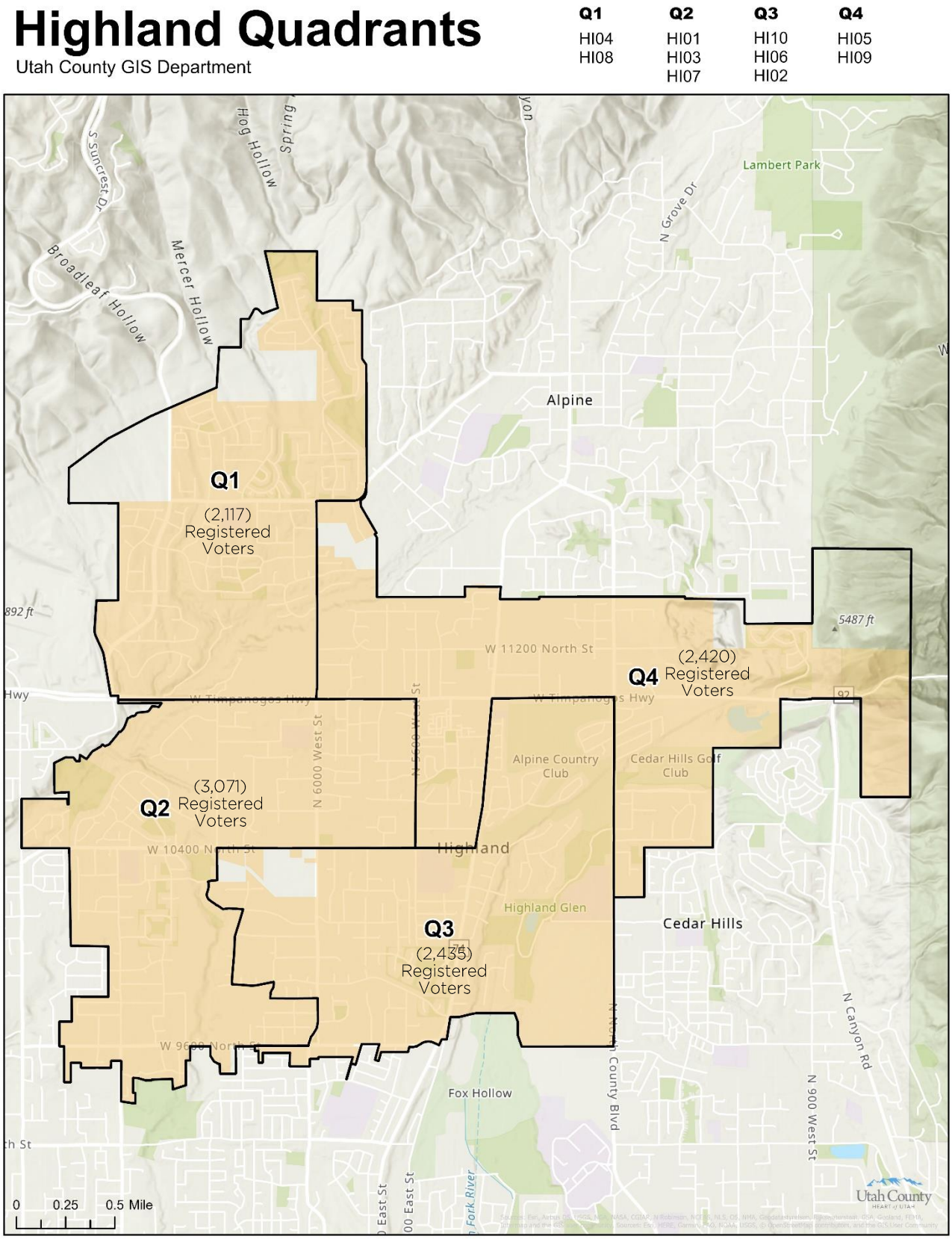
_____

Stephannie Cottle, City Recorder

COUNCILMEMBER	YES	NO
Tim Ball	□	□
Brittney Bills	□	□
Kurt Ostler	□	□
Kim Rodela	□	□
Scott Smith	□	□

EXHIBIT A

VOTER PARTICIPATION AREAS



AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #5

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner & GIS Analyst

SUBJECT: **PUBLIC HEARING/ORDINANCE:** Right-of-Way Vacation - Millers Acre Subdivision Plat B *Legislative*

TYPE: **LEGISLATIVE:** The City Council is the Land Use Authority for Right of Way Vacations. Right of way vacations are a legislative process and are subject Section 10-9a-609.5 of Utah State Code.

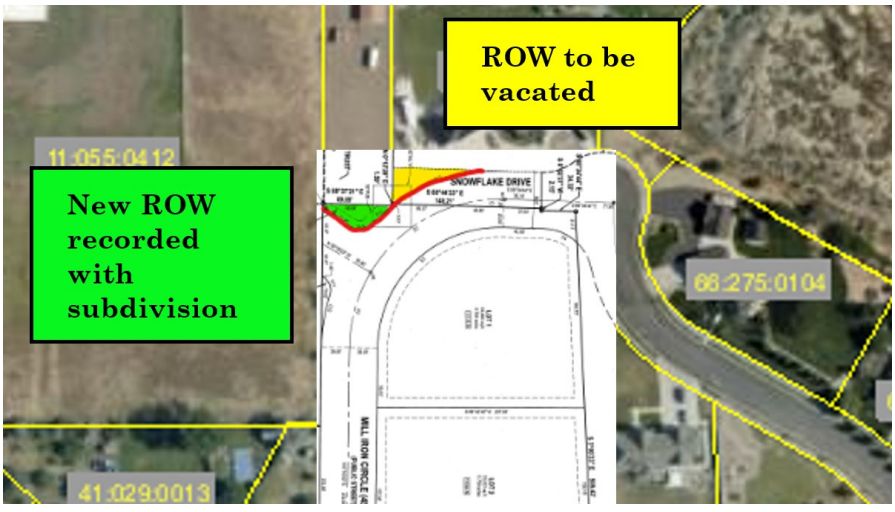
PURPOSE:

The City Council will hold a public hearing and consider a request by Highland City to vacate approximately 1,385 square feet of right-of-way in the Millers Acre Subdivision Plat B. The City Council will take appropriate action.

BACKGROUND:

On February 2nd, 2010, the City Council approved the Millers Acre Subdivision Plat B, a 1-lot subdivision that included a dedication of right-of-way for Snowflake Drive. Millers Acre Plat B was planned for Spruce Drive to eventually connect through to Snowflake Drive in the Pace Manor subdivision.

When the developer of Spruce Subdivision Plat G had to continue the road west, the property owner to the north was not agreeable toward selling any property to the developer for the road. The developer had to then adjust the direction of the road to avoid this property owner's land. This adjustment created a portion of right-of-way that would no longer be used as part of the roadway. See Attachment #2 for full vicinity map.



Section 10-9a-609.5 of the Utah State Code and section 5-10-103(5) of the Highland Development Code describes the process for a petition to vacate some of a public street:

10-9a-609.5 Petition to vacate a public street

A petition to vacate some or all of a public street or municipal utility easement shall include:

1. the name and address of each owner of record of land that is:
    a. adjacent to the public street or municipal utility easement between the two nearest public street intersections; or
    b. accessed exclusively by or within 300 feet of the public street or municipal utility easement.
2. proof of written notice to operators of utilities and culinary water or sanitary sewer facilities located within the bounds of the public street or municipal utility easement sought to be vacated; and
3. the signature of each owner under Subsection (2)(a) who consents to the vacation.

If a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a **public hearing** in accordance with Section 10-9a-208 and determine whether:

a) good cause exists for the vacation; and
b) the public interest or any person will be materially injured by the proposed vacation.

If the legislative body finds that good cause exists for the vacation, and neither the public interested nor any person will be material injured by the vacation, the legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement.

If the legislative body adopts an ordinance vacating some or all of a public street or municipal utility easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:

a) a plat reflecting the vacation; or
b) an ordinance described in Subsection (4); and a legal description of the public street to be vacated.

The City's development code contains substantially the same language and requirements.

SUMMARY OF THE REQUEST:

1. The applicant is requesting to vacate approximately 1,385 square feet of right-of-way with the intent to request a plat amendment to add the vacated right-of-way to Lot 1 in Millers Acre Subdivision Plat B.

2. The applicant has provided a petition with signatures from property owners within the 300-ft radius of the mentioned right-of-way.

CITIZEN PARTICIPATION:
Section 10-9a-208 requires that a sign be posted 10 days before the public hearing on or near the public street in a manner that is calculated to alert the public. This sign was posted on November 22nd, 2021. A letter was sent to all property owners within 300 feet of the vacation. Property owners within the 300-ft radius signed a petition consenting to the vacation.

ANAYLSIS/FINDINGS:
- Good cause exists for the vacation. Staff recommends that the City not keep any dedicated right-of-way that is not being used as roadway. The recordation of Spruce Subdivision Plat G created a surplus of land dedicated as right-of-way. The proposed vacation will bring the public right-of-way width to City Standard.
- The public interest or any person will *not* be materially injured by the proposed vacation. The property owner to the north has used the Snowflake Drive stub road as an access to his property in the past. Because the property owner was not willing to cooperate with the developer to have the road go straight through, they will no longer have a drive-access to the back of their property. Good cause still exists as the property's primary access is on 11200 N.
- The proposed amendment meets all requirements of the Development Code.

RECOMMENDATION AND PROPOSED MOTION:
Staff recommends the City Council hold a public hearing, accept the findings, and **APPROVE** the request to vacate the proposed right-of-way.

I move that the City Council accept the findings and **APPROVE** the request to vacate the proposed right-of-way in the Millers Acre Subdivision Plat B.

ALTERNATIVE MOTION:
I move that the City Council **DENY** the request to vacate the proposed right-of-way based on the following findings: (The Council will need to draft appropriate findings).

FISCAL IMPACT:
This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:
1. Ordinance
2. Vicinity Map
3. Millers Acre Subdivision Plat B
4. Spruce Subdivision Plat G

ATTACHMENT #1

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL VACATING A PORTION OF THE SNOWFLAKE DRIVE RIGHT OF WAY IN THE MILLERS ACRES SUBDIVISION PLAT B

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-609 and City Development Code 5-10-103; and

WHEREAS, the City Council held a public hearing and meeting on this Ordinance on December

WHEREAS, the City Council finds that good cause exists for the vacation, neither the public interest nor any person will be materially injured by the vacation, and the vacation does not affect utilities nor is contrary to the City's development code.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That a portion of Mountain View Drive is hereby closed to the public pursuant to law and the dedication thereof is hereby vacated as set forth in Exhibit A.

SECTION 2. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its first posting or publication.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, December 7, 2021.

_____

Rodney W. Mann
Highland City Mayor

ATTEST:

_____

Stephannie Cottle

Highland City Recorder

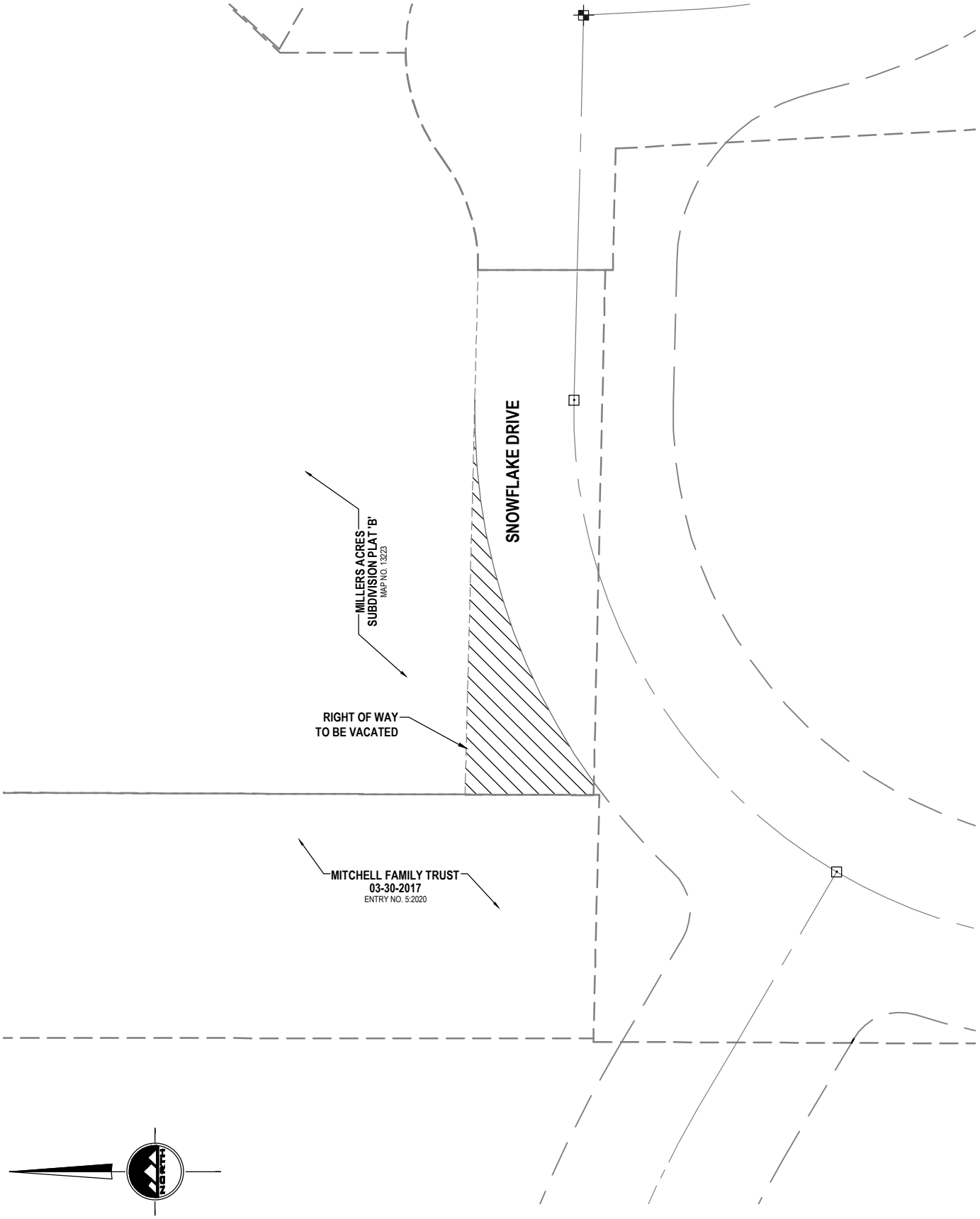
COUNCILMEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Kurt Ostler	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

EXHIBIT A

A parcel of land situated within the Northwest Quarter of Section 31, Township 4 South, Range 2 East, Salt Lake Base and Meridian, located in Highland City, County of Utah, State of Utah and being more particularly described as follows:

Beginning at a point East 1391.31 and South 398.74 feet from the Northwest Corner of Section 31, Township 4 South, Range 2 East, Salt Lake Base and Meridian; (Basis of Bearing being South 00°04'50" West along the West line of the Northwest Quarter) and running thence South 88°34'44" East 111.98 feet; thence Southwesterly 115.63 feet along the arc of a 178.00 foot radius curve to the left (center bears South 01°25'16" West and the chord bears South 72°48'39" West 113.61 feet with a central angle of 37°13'13"); thence North 88°44'23" West 3.54 feet; thence North 00°12'28" East 36.27 feet to the point of beginning.

Contains 1,385 Square Feet or 0.032 Acres.



PROJECT # 9823
DATE 10/14/21

C1.0

FILE: F:\SURVEY\DRAWINGS\PLAT

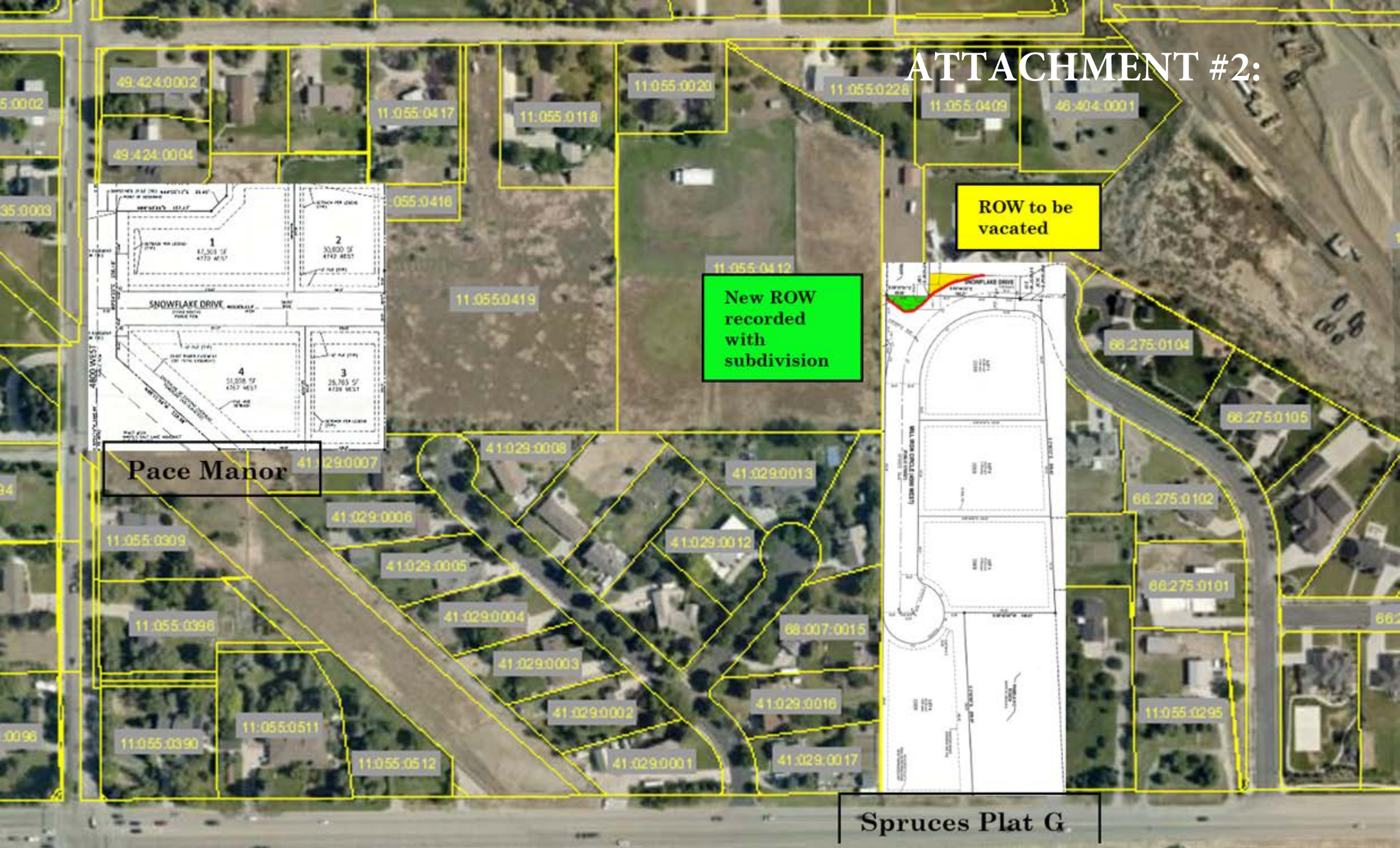
SPRUCE SUBDIVISION

MILL IRON CIRCLE
HIGHLAND, UTAH
ROAD VACATION EXHIBIT

FOR:
FARREN CONSTRUCTION
11316 S BECKSTEAD LANE
SOUTH JORDAN, UTAH 84095
PHONE: 801.446.3532

45 W. 10000 S. Ste 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
www.ensigneng.com

ENSIGN


ATTACHMENT #2:
ROW to be vacated
New ROW recorded with subdivision
Pace Manor
Spruces Plat G
SNOWFLAKE DRIVE
4800 WEST
49:424:0002
49:424:0004
11:055:0417
11:055:0118
11:055:0020
11:055:0228
11:055:0409
46:404:0001
11:055:0416
11:055:0412
11:055:0419
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41:029:0007
41:029:0013
41:029:0006
41:029:0012
11:055:0309
41:029:0005
41:029:0004
11:055:0396
68:007:0015
41:029:0003
41:029:0016
41:029:0002
11:055:0511
11:055:0390
11:055:0512
41:029:0001
41:029:0017
66:275:0104
66:275:0105
66:275:0102
66:275:0101
11:055:0295

ATTACHMENT #3:

NOTES

1. WILDLIFE, INCLUDING MULE DEER, ROCKY MOUNTAIN GOATS, AND BIG HORN SHEEP, HAVE HISTORICALLY AND CONSISTANTLY WINTERED AND/OR MIGRATED THROUGH THIS AREA AND MAY CONTINUE TO DO SO. THERE ARE POTENTIAL CONCERNS THAT MAY SURFACE ASSOCIATED WITH THE EXISTING WILDLIFE, AND THE PERSPECTIVE BUYERS OF PROPERTY IN THIS SUBDIVISION SHOULD BE AWARE OF THIS PRIOR TO PURCHASING PROPERTY.
2. THE DEVELOPER OF THE ADJACENT SPRUCE ESTATES SUBDIVISION TO THE SOUTH, AND THE OWNER OF WESTROC GRAVEL COMPANY TO THE EAST, WERE CONSIDERING PROVIDING A ROAD CONNECTION TO ACCESS THE WESTROC PROPERTY FOR THE PURPOSE OF FUTURE DEVELOPEMENT OPTIONS AND THAT THIS ACCESS MAY BE REQUESTED AND PROVIDED AT SOME POINT IN TIME TO BE LOCATED ON THE EAST PORTION OF THE ROAD KNUCKLE WHERE SPRUCE DRIVE CONNECTS WITH CANTERBURY ROAD.
3. NOTICE IS HEREBY GIVEN THAT THE PURCHASER/OWNER OF A LOT WITHIN MILLERS ACRE PLAT B SUBDIVISION IS SUBJECT TO TYPICAL OPERATING CONDITIONS OF A GRAVEL PIT IMMEDIATELY ADJACENT TO THE EAST OF THIS PROPOSED SUBDIVISION.
4. CANTERBURY ROAD WILL CONTINUE TO THE WEST IN THE FUTURE, AND THE DEVELOPER SHALL INSTALL A SIGN ON THE FENCE BLOCKING CANTERBURY ROAD, INDICATING THAT " THIS IS A TEMPORARY FENCE AND CANTERBURY ROAD WILL CONTINUE TO THE WEST AS DEVELOPMENT OCCURS. "
5. THE DEVELOPER SHALL CONSTRUCT A TEMPORARY FENCE, WITH A GATE, PER THE CITY ENGINEER, FOR THE PURPOSE OF BLOCKING ACCESS ONTO CANTERBURY ROAD, UNTIL SUCH TIME THAT LAND DEVELOPES TO THE WEST CONNECTING THIS ROAD TO SOME FURURE DEVELOPMENT AND ALLOWED RIGHT OF WAY. "
6. [illegible] OWNERS ADJACENT TO THIS SUBDIVISION MAY HAVE EXISTING [illegible] MAY INCLUDE HORSES, COWS AND GOATS, THESE RIGHTS ARE PROTECTED BY BOTH THE MUNICIPAL AND [illegible] OF HIGHLAND CITY. THERE ARE NOISES, SMELLS AND [illegible] ASSOCIATED WITH THESE ANIMALS THAT CAN OCCUR ALL [illegible] THROUGHOUT THE DAY AND NIGHT. AND PROSPECTIVE BUYERS SHOULD BE AWARE OF THIS SITUATION PRIOR TO PURCHASING THIS PROPERTY.

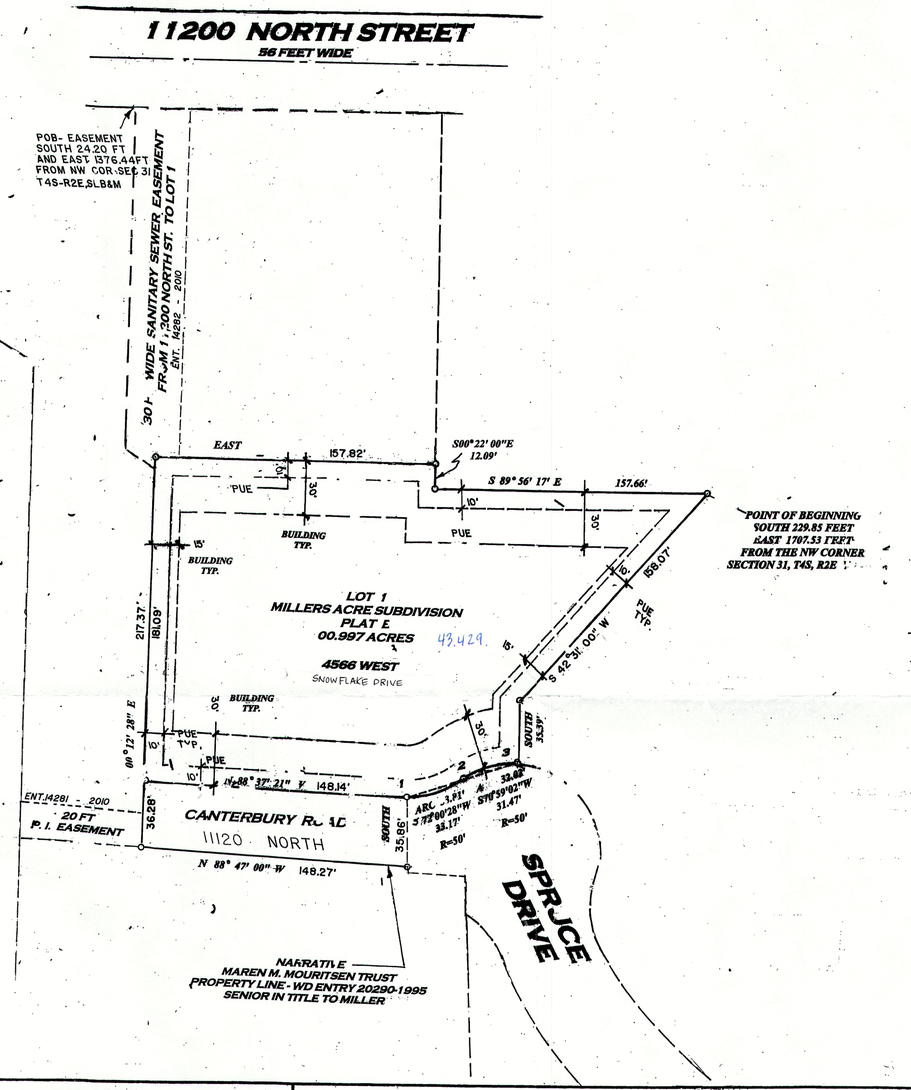
LEGEND

○ — 5/8 IN. DIA. REBAR, 24 INCHES LONG/ CAP STAMPED - "WILSON 170766"

CURVE DATA

CURVE	RADIUS	CHORD	BEARING	ARC
1 - 2	50.00'	33.1'	S 72°00'28" W	33.81'
2 - 3	50.00'	31.47'	S 70°59'02" W	32.02'

11200 NORTH STREET
56 FEET WIDE



SURVEYOR'S CERTIFICATE

I, GEORGE B. WILSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 170766 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

BASIS OF BEARINGS: UTAH STATE PLANE BEARINGS.
ALL THAT PART OF THE NW 1/4 SECTION 31, T4S-R2E, SLB&M, CITY OF HIGHLAND, UTAH COUNTY, STATE OF UTAH, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED SOUTH 229.85 FEET AND EAST 1707.53 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 31, AND RUN THENCE

S 42°31' 00" W	158.07	FEET; THENCE
SOUTH	35.39	FEET; THENCE
SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT 32.02 FEET, WHOSE RADIUS IS 50.00 FEET AND WHOSE CHORD BEARS S 70°59'02" W 31.47 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT 33.81 FEET, WHOSE RADIUS IS 50.00 FEET AND WHOSE CHORD BEARS S 72°00'28" W 33.17 FEET; THENCE		
SOUTH	35.86	FEET; THENCE
N 88°47' 00" W	148.27	FEET; THENCE
N 00° 12' 28" E	217.37	FEET; THENCE
EAST	157.82	FEET; THENCE
S 00°22' 00" E	12.09	FEET; THENCE
S 89°56' 17" E	157.66	FEET TO THE POINT OF BEGINNING

CONTAINING 1.121 ACRES OF LAND.

GEORGE B. WILSON – RLS 170766

OWNER'S DEDICATION

WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP , HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND EASEMENTS AND DO HEREBY DEDICATE THE PUBLIC UTILITY EASEMENTS TO ALL PROVIDERS, PUBLIC OR PRIVATE , AND THE IRRIGATION EASEMENTS TO ALL LOT OWNERS, AND THEIR SUCCESSORS AND ASSIGNS IN PERPETUITY.

IN WITNESS HEREOF WE HAVE SET OUR HANDS THIS 23rd DAY OF February 2010 AD

JOHN DON MILLER — ROSELLA K. A. MILLER

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH SS.
ON THE 23rd DAY OF February 2010 PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES 6/28/12

NOTARY PUBLIC Todd J. Ranovich (SEE SEAL BELOW) Utah State Notary

ACCEPTANCE BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 23rd DAY OF February 2010 AD

APPROVED BY THE MAYOR

APPROVED — CITY ENGINEER – MATT SHIPP SEAL BELOW — ATTEST — CLERK - RECORDER SEAL BELOW

LEIN HOLDER CONSENT

THE UNDERSIGNED BENEFICIARY HEREBY CONSENTS TO THE RECORDING OF THIS PLAT FOR THE HEREIN DESCRIBED PROPERTY AND THE DEDICATIONS PROVIDED HEREIN.

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS 4 DAY OF March 2010 AD

HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS 4th DAY OF March 2010 AD

PLANNING COMMISSION CHAIR — PLANNING COMMISSION SECRETARY

CONDITIONS OF APPROVAL

THERE ARE CONDITIONS OF APPROVAL ATTACHED TO THIS SUBDIVISION WHICH ARE INDICATED ON THIS PLAT. THESE CONDITIONS HAVE ALSO BEEN RECORDED WITH THIS SUBDIVISION. POTENTIAL BUYERS ARE REQUESTED TO READ THESE CONDITIONS CAREFULLY AND OBTAIN A COPY OF THESE CONDITIONS AND RESTRICTIONS PRIOR TO PURCHASING OR CONTRACTING TO PURCHASE ANY LOTS WITHIN THIS SUBDIVISION. THESE CONDITIONS ARE BINDING AND HAVE BEEN IMPOSED BY THE LEGISLATIVE BODY OF HIGHLAND CITY. A COPY OF THESE CONDITIONS MAY BE OBTAINED THROUGH THE UTAH COUNTY RECORDERS OFFICE OR THE HIGHLAND CITY RECORDERS OFFICE. IN ADDITION HIGHLAND CITY HAS APPROVED BINDING ZONING LAWS THROUGH A LEGALLY BINDING DEVELOPMENT CODE. IT IS THE RESPONSIBILITY OF THE BUYER TO DO THEIR DUE DILIGENCE IN OBTAINING ALL ACCURATE INFORMATION AND/OR REGULATIONS THAT MAY DIRECTLY OR INDIRECTLY AFFECT THE USE OF PROPERTY OR CONTRACTING TO PURCHASE ANY PROPERTY ANYWHERE. CONDITIONS OF APPROVAL CONVEYED ON THIS PROPERTY BY THE LEGISLATIVE BODY OF HIGHLAND CITY , WHICH ARE IN ADDITION TO THE DEVELOPMENT CODE, ARE AS FOLLOWS:

1. 70 % OF THE FRONT YARD LANDSCAPING SHALL BE INSTALLED BY THE HOMEOWNER WITHIN ONE YEAR AFTER RECEIVING A CERTIFICATE OF OCCUPANCY.
2. LANDSCAPING AND CONSTRUCTION MATERIALS OF ANY TYPE ARE NOT PERMITTED UPON OR WITHIN THE STREET, CURB & GUTTER, PARK STRIP OR SIDEWALK (STREET R/W) WITH THE EXCEPTION OF THE PARK STRIP WHICH REQUIRES 75 % TO BE LANDSCAPED.
3. A FENCE THAT ABUTS OPEN SPACE OR HAS A TRAIL, HAS ADDITIONAL RESTRICTIONS OF THE SIZE AND CAPACITY. FENCES ALONG OPEN SPACE OR A TRAIL MUST COMPLY WITH HIGHLAND CITY ORDINANCE. A FENCE PERMIT IS REQUIRED FOR ALL FENCES.
4. HIGHLAND CITY ORDINANCES RESTRICT HEIGHT OF FOUNDATION ABOVE CURB. IT IS THE RESPONSIBILITY OF THE BUYER TO CONTACT THE CITY PRIOR TO PURCHASING ANY LOT. THIS RESTRICTION APPLIES TO ALL LOTS IN THIS SUBDIVISION.

ENT 32230:2010 Map # 13223
RODNEY D. CAMPBELL
UTAH COUNTY RECORDER
2010 Apr 23 12:05 pm FEE 31.00 BY SW
RECORDED FOR HIGHLAND CITY

MILLERS ACRE SUBDIVISION
PLAT B

13223

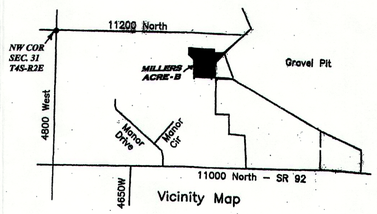
MONUMENT TABLE

A	N/A
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	

NORTH

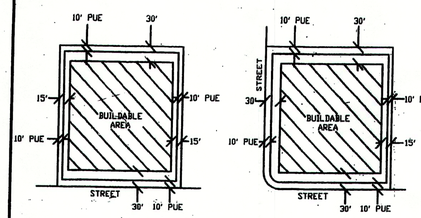
PLAT BEARINGS ARE REFERENCED TO UTAH STATE PLANE BEARINGS CENTRAL ZONE – NAD 27

VICINITY MAP



Vicinity Map

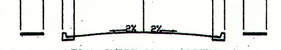
TYPICAL BUILDING SETBACKS



SCALE 1 IN = 40 FEET

0 50 100 150 200

3 INCHES ASPHALT
4 IN. CON. SIDEWALK
8 IN. ROAD BASE
UNDER CURB & ASPH.
6 IN. ROADBASE
UNDER SIDEWALK.



QUESTAR GAS COMPANY

Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of Natural Gas Service. For further information please contact Questar's R/W Department.

NAME (PLEASE PRINT) Wendy Edwards TITLE / POSITION Pre-Construction

SIGNATURE [signature] DATE 02-19-2010

UTILITIES APPROVAL 03/02/09 AND 02/22/2010

Utilities shall have the right to install, maintain and operate their equipment above and below ground and all other related facilities within the public utility easements identified on the plat as may be necessary or desirable in providing utility services within and without the Lots identified herein , including the right of access to such facilities and the right to require removal of any obstructions including Structures, Trees and Vegetation that may be placed within the PUE. The Utility may require the lot owner to remove such structures at the owners expense, or the Utility may remove such structures at the owners expense. At no time permanent structures be placed within the PUE or any other obstructions which interfaces with the use of the PUE, without the prior written approval of the Utility with facilities in the PUE.

ROCKY MTN PWR	QUEST	COMCAST
NAME (PLEASE PRINT) Tecia Walker	Ryan Wright	Wendy Wray
SIGNATURE	SIGNATURE	SIGNATURE

GEORGE B. WILSON – LIC. 170766 – AMERICAN FORK, UTAH — STATE OF UTAH — GEORGE B. WILSON

NOTARY PUBLIC SEAL

CITY ENGINEER SEAL — APPROVED CITY ENGINEER — STATE OF UTAH — 03/04/10

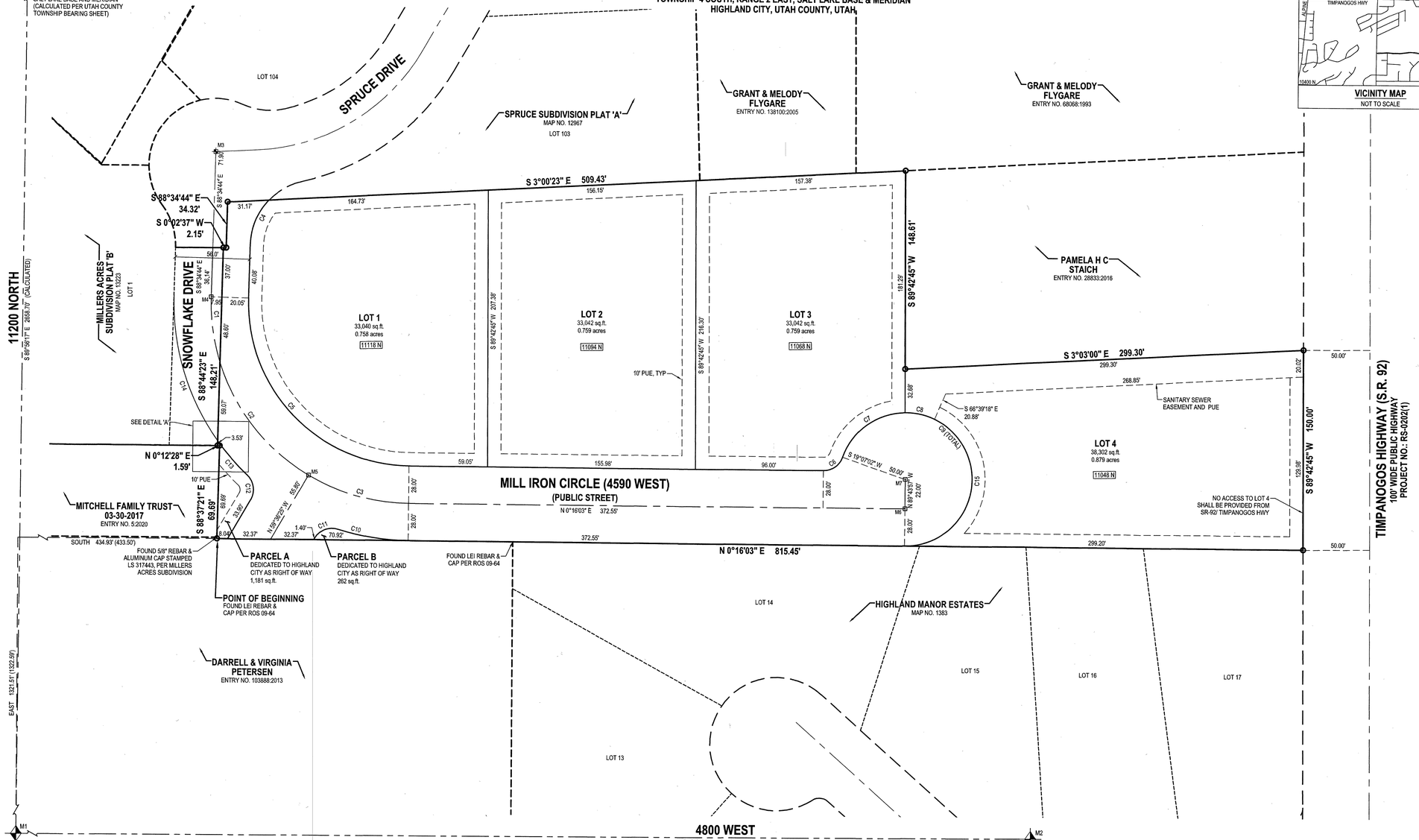
CLERK-RECORDER SEAL — HIGHLAND CITY CORPORATE SEAL — STATE OF UTAH

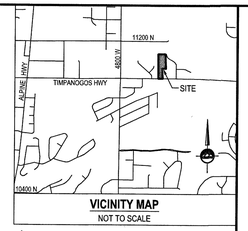
SBE 3/4.25 70-095

ATTACHMENT #4:

SPRUCE SUBDIVISION PLAT 'G'

LOCATED IN THE NORTHWEST QUARTER OF SECTION 31,
TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN
HIGHLAND CITY, UTAH COUNTY, UTAH





VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 286882 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyor's Act; I further certify that by authority of the Owners, I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to accurately establish the lateral boundaries of the herein described tract of real property; and has been drawn correctly to the designated scale and is a true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records of the county recorders office. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land situate within the Northwest Quarter of Section 31, Township 4 South, Range 2 East, Salt Lake Base and Meridian, located in Highland City, County of Utah, State of Utah and being more particularly described as follows:

Beginning at a point East 1321.51 and South 434.93 feet from the Northwest Corner of Section 31,Township 4 South, Range 2 East, Salt Lake Base and Meridian; (Basis of Bearing being South 00°04'50" West along the West line of the Northwest Quarter) and running

thence South 88°37'21" East 69.69 feet along the South Line of Mitchell Family Trust Lot to the Southeast Corner thereof;
thence North 00°12'28" East 1.59 feet along the East line of said lot to the Southerly line of Snowflake Drive, as dedicated per Millers Acres Subdivision Plat 'B';
thence South 88°44'23" East 148.21 feet along said Southerly line to the West line of Spruce Subdivision Plat 'A';
thence along the lines of Spruce Subdivision Plat 'A the following three (3) courses:
(1) South 00°02'37" West 2.15 feet
(2) South 88°34'44" East 34.33 feet;
(3) South 03°00'23" East 509.43 feet;
thence South 89°42'45" West 148.61 feet;
thence South 03°03'00" East 299.30 feet to the Northerly line of Timpanogos Highway (S.R.-92);
thence South 89°42'45" West 150.00 feet along said Northerly line to the East line of Highland Manor Estates;
thence North 00°16'03" East 815.45 Feet along said East line to the point of beginning.

Contains 179,231 Square Feet, or 4.115 Acres, in 4 Lots and 2 Parcels

NOV. 4, 2021
DATE

PATRICK M. HARRIS
CERTIFICATE NO. 286882
(SEE SEAL BELOW)

OWNER'S DEDICATION

We, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into lots, blocks, streets, and easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public. The public utility easements to all providers, public or private, and the irrigation easements to all lot owners, and their successors and assigns in perpetuity.

In witness hereof we have set our hands this 4th day of November A.D. 20 21

By: Maren M. Mouritsen, Trustee of The Maren M. Mouritsen Revocable Trust, dated February 9th, 2009

By: Tamara M. Quick, Trustee of The Tamara M. Quick Revocable Trust, dated February 9th, 2009

By: Merrilee Fairbanks

ENT 193661:2021 Map # 18013
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Nov 17 2:42 pm FEE 62.00 BY SA
RECORDED FOR HIGHLAND CITY

ACKNOWLEDGMENT

STATE OF UTAH
County of Utah)S.S.

On the 4th day of November A.D. 2021, personally appeared before me Maren M. Mouritsen the signer of the foregoing dedication who duly acknowledge to me that she did execute the same as trustee on behalf of The Maren M. Mouritsen Revocable Trust dated February 9th, 2009, and executed it with lawful and proper authority, and execution was a valid and binding act on said Trust.

My commission expires: Aug. 31, 2025
NOTARY PUBLIC
(SEE SEAL BELOW)

ACKNOWLEDGMENT

STATE OF UTAH
County of Utah)S.S.

On the 4th day of November A.D. 2021, personally appeared before me Tamara M. Quick of the foregoing dedication who duly acknowledge to me that she did execute the same as trustee on behalf of The Tamara M. Quick Revocable Trust, dated February 9th, 2009, and executed it with lawful and proper authority, and execution was a valid and binding act on said Trust.

My commission expires: Aug 31, 2025
NOTARY PUBLIC
(SEE SEAL BELOW)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH
County of Utah)S.S.

On the 4th day of November A.D., 20 21,

Merrilee Fairbanks,

personally appeared before me, the undersigned Notary public, in and for said County of Utah in said State of Utah, who after being duly sworn, acknowledged to me that ~~He~~/She/~~They~~ signed the Owner's Dedication, ____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: Aug 31, 2025
NOTARY PUBLIC RESIDING IN Utah COUNTY.

APPROVAL BY LEGISLATIVE BODY

THE DEPARTMENT OF PUBLIC WORKS AND ENGINEERING OF HIGHLAND CITY, COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSE FOR THE PERPETUAL USE OF THE PUBLIC THIS 20th DAY OF October A.D. 20 20.

APPROVED BY MAYOR

APPROVED CITY ENGINEER (SEE SEAL BELOW)

ATTEST CLERK- RECORDER (SEE SEAL BELOW)

HIGHLAND CITY ATTORNEY

APPROVED AS TO FORM THIS 9th DAY OF November A.D. 20 21

HIGHLAND CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS 28th DAY OF July A.D. 20 20

COMMUNITY DEVELOPMENT DIRECTOR

PLANNING COMMISSION CHAIR

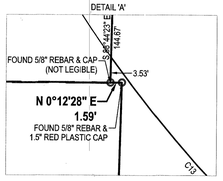
CONDITIONS OF APPROVAL

There are conditions of approval attached to this subdivision which are indicated on this plat. These conditions have been recorded with this subdivision. Potential buyers are requested to read these conditions carefully and obtain a copy of these conditions and restrictions prior to purchasing or contracting to purchase any lots within this subdivision. These conditions are binding and have been imposed by the legislative body of Highland City. A copy of these conditions may be obtained through the Utah County Recorder's office or the Highland City Recorder's office. In addition, Highland City has approved binding zoning laws through a legally binding Development Code. It is the responsibility of the buyer to do their due diligence in obtaining all accurate information and/or regulations that may directly or indirectly affect the use of property prior to purchasing or contracting to purchase any property anywhere. Conditions of approval conveyed on this property by the legislative body of Highland City, which are in addition to the Development , are as follows:

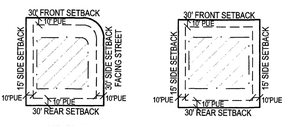
1) 70% of the front yard landscaping shall be installed by the homeowner within one year after receiving a certificate of occupancy.
2) Landscaping and construction materials of any type are not permitted upon or within the street, curb & gutter, park strip or sidewalk (street right-of-way) with the exception of the park strip which requires 75% to be landscaped.
3) A fence that abuts open space or has a trail has additional restrictions of size and opacity. Fences along open space or a trail must comply with Highland City Ordinance. A fence permit is required for all fences.
4) Highland City Ordinances restrict height of foundations above curb. It is the responsibility of the buyer to contact the city prior to purchasing any lot. This restriction applies to all lots in this subdivision.

LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV." AT ALL LOT CORNERS; OFFSET PINS TO PLACED IN BACK OF CURBS
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE

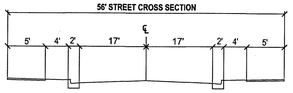


TYPICAL BUILDING SETBACKS



(NTS)

56' STREET CROSS SECTION



HORIZONTAL GRAPHIC SCALE

40 0 20 40 80
(IN FEET)
HORZ: 1 inch = 40 ft.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	150.00'	49.49'	18°54'12"	S81°58'10"W	49.26'
C2	150.00'	110.28'	42°07'29"	S51°27'20"W	107.82'
C3	150.00'	78.87'	30°07'32"	S15°19'49"W	77.96'
C4	50.00'	36.99'	42°23'34"	N67°22'57"W	36.16'
C5	122.00'	194.09'	91°09'16"	S45°50'39"W	174.26'
C6	15.00'	18.63'	71°09'03"	S35°18'29"E	17.45'
C7	50.00'	61.36'	70°18'30"	N35°43'45"W	57.58'
C8	50.00'	22.81'	26°08'02"	N12°29'31"E	22.61'
C9	50.00'	157.81'	180°50'33"	N89°50'46"E	100.00'
C10	178.00'	53.60'	17°15'08"	S8°53'37"W	53.39'
C11	15.00'	20.19'	77°07'36"	N21°02'37"W	18.70'
C12	15.00'	20.19'	77°07'36"	N81°49'47"E	18.70'
C13	178.00'	33.97'	10°56'04"	S48°44'01"W	33.92'
C14	178.00'	115.63'	37°13'13"	S72°48'39"W	113.61'
C15	50.00'	135.01'	154°42'31"	S77°05'13"E	97.57'

POINT TABLE

POINT	NORTHING	EASTING
M1	7327513.37	1564297.95
M2	7324847.90	1564294.20
M3	7327081.17	1565909.19
M4	7327083.86	1565800.51
M5	7327009.79	1565667.40
M6	7326562.06	1565645.05
M7	7326561.96	1565667.05

18013

SHEET 1 OF 1
PROJECT NUMBER : 9823
MANAGER : DAJ
DRAWN BY : KFW
CHECKED BY : PMH
DATE : 11/4/21

ENSIGN
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT. 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON Phone:801.547.1100
TOOELE Phone: 435.843.3590
CEDAR CITY Phone: 435.865.1453
RICHFIELD Phone: 435.590.0187
COLORADO SPRINGS Phone: 719.475.0119

SPRUCE SUBDIVISION PLAT 'G'

LOCATED IN THE NORTHWEST QUARTER OF SECTION 31,
TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN
HIGHLAND CITY, UTAH COUNTY, UTAH

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CITY RECORDER SEAL
PROFESSIONAL LAND SURVEYOR 11-4-21 No. 286882 PATRICK M. HARRIS STATE OF UTAH	Notary Public - State of Utah Andrea Allen Commission # 714131 My Commission Expires on Aug 31, 2025	HIGHLAND CITY CITY ENGINEER STATE OF UTAH	CORPORATE SEAL HIGHLAND CITY STATE OF UTAH

Sec 31, T4S, R2E SLBM S

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #6

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner & GIS Analyst

SUBJECT: **PUBLIC HEARING/ORDINANCE:** General Plan Text Amendment – Transportation

TYPE: **LEGISLATIVE:** The Council is acting in their role as the Land Use Authority. The review and approval of an amendment to the General Plan is a legislative action.

PURPOSE:
The City Council will hold a public hearing to consider a request by City Staff to amend the General Plan to discourage external road connections that are not existing or listed in the General Plan. The City Council will take appropriate action.

BACKGROUND:
The Highland City General Plan was adopted in 2008 and included a Transportation Element. State law requires each city to have a section of their general plan that addresses transportation and traffic circulation and identifies major transportation options and connections. Utah Code § 10-9a-403(2)(a)(ii). State law also provides, "After the legislative body has adopted a general plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan." Utah Code § 10-9a-406. Accordingly, ensuring that the Transportation Element of the City's General Plan remains current and reflects City policy is crucial for future development and planning.

The General Plan evaluates the existing transportation conditions and calls out major roads that serve both intra-city and inter-city trips:

- 11000 North (SR-92)
- Alpine Highway (SR-74)
- 4800 West
- 6000 West
- 10400 North
- 9600 North
- Highland Boulevard

- Canal Boulevard/9850 North
- 6800 West
- 11800 North

On August 4, 2020, the City Council adopted ordinance 2020-22, which created Municipal Code section 12.08.050, which provides:

12.08.050 New Roads Serving Property Outside Highland City Corporate Limits

A. The city shall not accept, extend, or construct roads, nor permit the extension or construction of roads on city-owned property, nor require the extension or construction of roads if such roads will primarily serve property outside the Highland City corporate limits and will increase the impact on existing public roads under the jurisdiction of Highland City, unless such new roads are planned for in the city's transportation plan or the property is included within the city's annexation policy plan.

B. At the discretion of the city council, the city may allow or require the roads described in subsection (A) if the city has in place an agreement on such terms and conditions as are acceptable to the city council with at least one of the following entities:

1. With the owners of the property outside of Highland City, who shall be required to annex the property into Highland City and pay all costs of extending and constructing the roads to the property, acquiring rights of way, and upgrading or widening of existing roads to accommodate the increased impact; and/or
2. With the governmental entity that has jurisdiction over the property, regarding the allocation of road construction and upgrade costs.

C. The restrictions of this Section shall not restrict planned or existing local neighborhood street connections with existing cities.

The proposed amendment to the transportation element of the City's General Plan ensures that the General Plan conforms to the Council's adopted policy regarding external, inter-city road connections by limiting future external, inter-city connections to those that are already identified in the City's general plan (listed above) or those that meet the standards described the City's municipal code.

SUMMARY OF THE REQUEST:

1) The proposed General Plan amendment is to discourage external road connections that are not existing or listed as a major road in the General Plan. The proposed amendment is as follows:

   a) Add the following text to the Recommended Transportation Network on page 3-50:

External Connections
Since the adoption of the Highland City General Plan, the City and its municipal neighbors (Lehi, Alpine, Cedar Hills, American Fork, Draper, and others) have seen significant growth and development. That growth has resulted in significant transportation and traffic demands on the City, both from new residents and businesses within Highland City as well as new residents and businesses outside of Highland that use Highland City roads. Highland City recognizes the need to ensure interconnectivity between Highland City and neighboring communities and supports cooperative planning efforts to address the needs of all communities in the area. However, connections to neighboring communities outside of Highland have the possibility of increasing the burden on Highland City residents in terms of additional traffic, congestion, safety issues, and road maintenance costs without providing offsetting benefits.

The City's General Plan identifies the City's primary inter-city transportation connections. Highland City's policy regarding connecting Highland City roads to neighboring communities is that such connections should be limited to currently existing connections and those connections specifically identified in the City's General Plan. Additional connections that primarily benefit neighboring communities and other property outside of Highland City or that primarily serve as alternative access points for areas outside of the City to connect to major transportation routes in or through Highland are discouraged. Requests for additional external or inter-city connections should be carefully reviewed to ensure that such connections are not a burden on Highland City or its residents, and they should only be approved if the property served by such connection is annexed into Highland City or there are appropriate measures in place to address safety, traffic loads, and construction and maintenance costs.

b) Add the following Policy and Implementation measure to the second Transportation goal page 3-51:

Policy: Prohibit the extension or construction of roads outside the Highland City corporate limits that will increase the impact on existing public roads that will unless such new roads are planned for in the city's transportation plan or the property is included within the city's annexation policy plan.

Implementation Measure: Update the Development Code and Municipal Code as needed.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on November 16th, 2021. There were no comments from the public on the proposed amendment. The Planning Commission did not voice any concerns with the proposal. The Commission voted 4-0 to recommend **APPROVAL** of the proposed amendment.

ANALYSIS:

- The proposed amendment recognizes that it is important to ensure interconnectivity between Highland City and neighboring communities, but also points out that connections to neighboring communities "have the possibility of increasing the burden on Highland City residents in terms of additional traffic, congestion, safety issues, and road maintenance costs without providing offsetting benefits."

- The permissibility of external connections is not specifically addressed in the City's current general plan, leading to uncertainty. The proposed amendment clarifies the City's policy regarding external, inter-city connections, updates the transportation element in response to growth over the last 13 years, and ensures that the City's General Plan properly addresses road connections in conformance with current City policies and goals, as required by state law.

CITIZEN PARTICIPATION:

Notice of the public hearing held at Planning Commission was published in the Daily Herald on October 30th, 2021 and posted on the state and city websites on October 27th, 2021.

On October 28th, 2021, a notice of intent was mailed to affected entities including public utility facilities (Rocky Mountain Power, Comcast, Dominion, etc.), Utah County, neighboring cities, and the Alpine School District. No written correspondence has been received.

Notice of the public hearing associated with this City Council meeting was published in the Daily Herald on November 20th, 2021 and posted on the state and city websites on November 18th, 2021. No written correspondence has been received.

FINDINGS:

The proposed General Plan amendment appears to meet the following findings:

- It is consistent with the goals and policies found in the *Transportation* element of the General Plan and City code.

RECOMMENDATION AND PROPOSED MOTION:

Staff recommends the City Council hold a public hearing and **APPROVE** the proposed General Plan amendment.

I move that the City Council accept the findings and **APPROVE** the proposed General Plan amendment to discourage external road connections that are not existing or listed as a major road in the General Plan.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the proposed General Plan amendment to discourage external road connections that are not existing or listed as a major road in the General Plan based on the following findings: (The Council will need to draft appropriate findings).

FISCAL IMPACT:

This action will not have a financial impact on this fiscal year's budget expenditures.

ATTACHMENTS:

1. Ordinance

ATTACHMENT 1:

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE HIGHAND CITY GENERAL PLAN RELATING TO EXTERNAL ROAD CONNECTIONS AS SHOWN IN FILENAME (GP-21-02).

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearing on this Ordinance on November 16, 2021; and

WHEREAS, the City Council held a public meeting on this Ordinance on December 7, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1. That the Highland City General Plan is hereby amended as shown on "Exhibit A", attached and incorporated herein by reference.

SECTION 2. That the Mayor, the City Administrator, and the City Recorder are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance shall take effect immediately after posting.

SECTION 4. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, December 7, 2021.

HIGHLAND CITY, UTAH

_____

Rodney W. Mann, Mayor

ATTEST:

_____

Stephannie Cottle, City Recorder

COUNCIL MEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Kurt Ostler	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

EXHIBIT A

1. Add the following text to the Recommended Transportation Network on page 3-50:

External Connections

Since the adoption of the Highland City General Plan, the City and its municipal neighbors (Lehi, Alpine, Cedar Hills, American Fork, Draper, and others) have seen significant growth and development. That growth has resulted in significant transportation and traffic demands on the City, both from new residents and businesses within Highland City as well as new residents and businesses outside of Highland that use Highland City roads. Highland City recognizes the need to ensure interconnectivity between Highland City and neighboring communities and supports cooperative planning efforts to address the needs of all communities in the area. However, connections to neighboring communities outside of Highland have the possibility of increasing the burden on Highland City residents in terms of additional traffic, congestion, safety issues, and road maintenance costs without providing offsetting benefits.

The City's General Plan identifies the City's primary inter-city transportation connections. Highland City's policy regarding connecting Highland City roads to neighboring communities is that such connections should be limited to currently existing connections and those connections specifically identified in the City's General Plan. Additional connections that primarily benefit neighboring communities and other property outside of Highland City or that primarily serve as alternative access points for areas outside of the City to connect to major transportation routes in or through Highland are discouraged. Requests for additional external or inter-city connections should be carefully reviewed to ensure that such connections are not a burden on Highland City or its residents, and they should only be approved if the property served by such connection is annexed into Highland City or there are appropriate measures in place to address safety, traffic loads, and construction and maintenance costs.

2. Add the following Policy and Implementation measure to the second Transportation goal page 3-51:

Policy: Prohibit the extension or construction of roads outside the Highland City corporate limits that will increase the impact on existing public roads that will unless such new roads are planned for in the city's transportation plan or the property is included within the city's annexation policy plan.

Implementation Measure: Update the Development Code and Municipal Code as needed.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #7

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner/GIS Analyst

SUBJECT: **RESOLUTION:** Adoption of the Designation of Disposable Properties

TYPE: **LEGISLATIVE:** The Council is acting in a legislative capacity in fulfilling their responsibilities as the Governing Body as defined in the Municipal Code. State Law defines the decision to sell public property as a legislative action. State Law defines the decision to sell public property as a legislative action.

PURPOSE:
The City Council will review and discuss the open space requests that were deferred on November 9th, 2021. The City Council will also consider the adoption of a resolution designating specific parcels of public real property as orphan parcels that may be disposed of. The Council will take appropriate action.

BACKGROUND:
On June 15th, the City Council passed Resolution 2021-15 Adoption of the Orphan Property Disposal Policy that established a policy for the City Council to follow when considering the disposal of open space property. Below is the list of criteria in the approved policy:

1. The City Council declares that is the policy of Highland City to review and potentially surplus and dispose of real public property owned by the City without the procedures required for significant parcels of real estate, when the property meets the following non-exclusive criteria:
    a. Property should not be disposed of if it is part of a trail corridor, meaning the normal width of the trail and any required buffer areas, unless the Council determines the trail is not used and does not have infrastructure in the ground below;
    b. Property should not be disposed of if it adds to the open space feel of an open space neighborhood;
    c. Property should not be disposed of if there are potential future City needs for the property;

d. Property should not be disposed of if the transfer of property would result in an increase of irrigable acreage that would unduly strain or burden the City's pressurized irrigation system;
e. Property should not be disposed of if the transfer of property would result in the creation of orphan parcels;
f. If property adjacent to a trail is disposed of, the City must be able to maintain ownership of the trail with a five foot buffer on both sides of the trail;
g. Property to be disposed of should otherwise have issues regarding access, connectivity, usability, and/or location that render the parcels unsuitable for City purposes.
h. The City Council shall designate by separate resolution those specific properties that are surplus orphan parcels that may be sold in accordance with this resolution and policy.

On June 15th, the City Council passed Resolution 2021-16 Designation of Orphan Properties for Disposal that approved 54 properties for purchase. Thirteen (13) property requests were deferred for future consideration.

On November 9th, the City Council reviewed the deferred property requests and approved an additional two (2) properties. Requests in two (2) subdivisions were deferred for further review.

DISCUSSION:

Beacon Hills Plat I *(3 requests + 1 concerned/interested resident)*

- **Timberline Dr & Wildflower Ln:** The policy that the City Council adopted includes criteria that "property should not be disposed of if the transfer of property would result in an increase of irrigable acreage that would unduly strain or burden the City's pressurized irrigation system".

  Staff looked at the impact these property sales could potentially have on the City's pressurized irrigation system. The City's consultant engineer that works with the pressurized irrigation (P.I.) system did a brief analysis of the existing P.I. system in the Twin Bridges area.

  Pressurized Irrigation Capacity (see Attachment #3)

  - It appears that there may be approximately 20 more homes added to the system. With the assumption that each home has 0.3 acres of irrigable acreage or 6 irrigated acres total. An additional future peak instantaneous flow of 6 acres*20 gpm/acre = 120 gpm may be expected.
  - The addition of the future homes will put the pump station nearer to full capacity and over the 690 gpm capacity of 2 pumps.
  - Any additional demands including watering of open space will put more stress on the existing pump station, already running above its 2 pump design.

- There are numerous City open space parcels in the area that have been landscaped with sod by adjacent landowners. This increase of irrigated acreage impacts the pump stations excess capacity.

  Options:
  - Request residents water during non-peak hours to stretch the pumping curve to an extended time and 'flatten the curve'.
  - Run the station as is. This option likely would decrease pressures so that sprinklers don't work as intended and cause residents to increase watering times and use more water.
  - Replace the pumps to a higher capacity. This may require electrical improvements also. Cost estimate $20k-$50k.

On November 9th, the City Council reviewed the pressurized irrigation issue and discussed possibly putting the money that's received from these purchases toward paying for the replacement of the pumps.

Property Boundaries

- The City Council discussed having the western boundary along the potential property sale be 10 feet from the scrub oak on the City property. Staff walked along the bike trail and scrub oak boundary to come up with a possible property line as the scrub oak is inconsistent throughout the property. The Council requested that staff recommend a boundary that provides reasonable accommodation for the encroachments while still trying to maintain ownership of the scrub oak. See Attachment #4 for staff's proposed boundaries based on the Council's direction.
- The property owners that have the deferred requests have met several times to discuss a solution to their boundaries and have not yet been able to come to an agreement.

Encroachments

- Either existing or previous property owners have installed improvements on the public property without permission. The Council will need to provide direction to staff relating how to address this issue.

<u>Highland Hills Plat C</u> *(6 requests)*

- **Extension of Jupiter Circle Sales:** The City Council discussed wanting to maintain the open space feel of the area and expressed the desire to have the property lines curve along the existing property lines. This would keep the flatter area of the park City-owned. The property owners have expressed their desire to purchase more than this proposed boundary, as one of the purchasers was hoping to put a sports court on the property. See Attachment #6 for correspondence from one of these residents.

  The policy that the City Council adopted included criteria that "property should not be disposed of if it adds to the open space feel of an open space neighborhood".

- **Horseshoe trail:** Staff prefers to sell all or nothing to prevent checkerboarding the city-maintained property. Sprinklers would also need to be addressed. (The property owner directly east submitted a request for 2022).

RECCOMENDATION AND PROPOSED MOTION:

Staff recommends that the Council organize a list of disposable orphan parcels for staff to include in the proposed resolution and **ADOPT** the resolution.

I move the Council **ADOPT** the resolution to designate the following parcels as disposable: (the Council will need to draft the specified list).

ATTACHMENTS:

1. Resolution 2021-15 Adoption of the Orphan Property Disposal Policy
2. List of Deferred Properties
3. Pressurized Irrigation System Analysis
4. Staff Proposed City Boundary – Twin Bridges
5. Resident Correspondence – Extension of Jupiter Circle Sales

ATTACHMENT 1:

A RESOLUTION DESIGNATING THE FOLLOWING PARCELS OF PUBLIC REAL PROPERTY AS ORPHAN PARCELS THAT MAY BE DISPOSED OF

WHEREAS, the Highland City Council is authorized under State law, Highland City Code 2.44.030, and Highland City resolutions and policies to designate real public property as surplus orphan parcel property that is eligible to be sold, leased, conveyed, and/or otherwise disposed of without the procedures required for significant parcels of real public property;

WHEREAS, the Highland City Council has previously adopted a resolution and policy regarding the designation of property as surplus orphan parcels and now desires to designate certain property as surplus orphan parcels.

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

2. The City Council hereby designates the following parcels of property as orphan parcels that may be disposed of in accordance with Highland City code, resolution, and policy:

    a. Property

    b. Property

    c. Property

PASSED AND ORDERED PUBLISHED by the Highland City Council, December 7, 2021

HIGHLAND CITY, UTAH

_____
Rodney W. Mann
Highland City Mayor

ATTEST:

_____
Stephannie Cottle
Highland City Recorder

COUNCILMEMBER	YES	NO
Timothy A. Ball	□	□
Brittney P. Bills	□	□
Kurt Ostler	□	□
Kim Rodela	□	□
Scott L. Smith	□	□

ATTACHMENT 2:

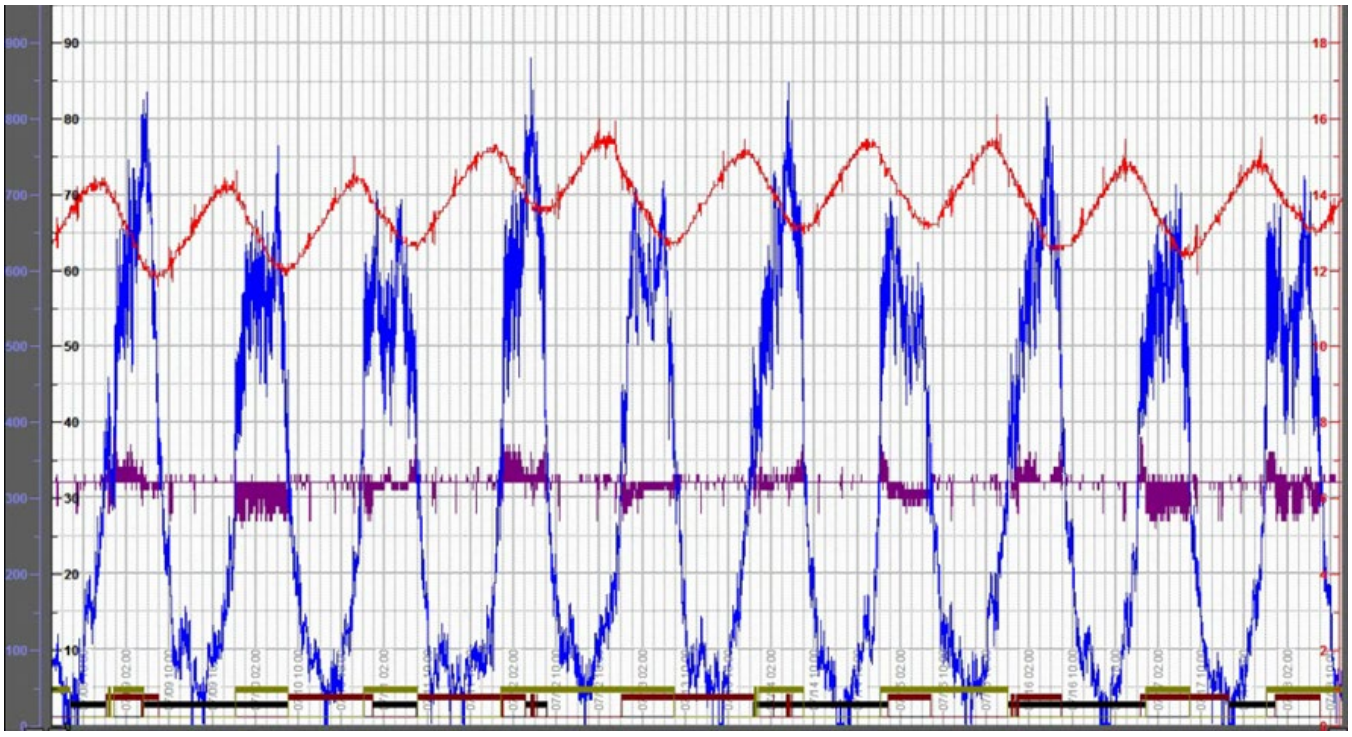
	Approved acreage and value:		4.00	$477,073			Yes	Deferred	No		
	Total acreage and value:		8.56	$1,021,521		# of home owners:	56	9	27		
Name	Address	Subdivision	Size Sq Ft	Price	Trail	Utilities	Council Review	Sell	Notified by Email	Staff Notes	Staff Notes PART 2
Scott Smith	12283 Timberline Dr	Beacon Hills Plat I	11,326	$31,040	No		They have already encroached on city property. Rod - A maintenance agreement would be a better option if we don't want to set a precedence.	D	Yes	The requested property is outside of the scrub oak; We'd just need to clarify that they can't touch any of the existing trees/shrubbery. They also would need to agree with neighbors as to boundaries.	If all the scrub oak is grass, what issue does it create for water pressures (get Tavis's calculations)
Brady & Kristen Giles	12303 Timberline Dr	Beacon Hills Plat I	13,068	$35,815			Rod - maintenance agreement would be better option if we don't want to set a precedence.	D	Yes	The requested property is outside of the scrub oak; We'd just need to clarify that they can't touch any of the existing trees/shrubbery	If all the scrub oak is grass, what issue does it create for water pressures (get Tavis's calculations)
Grant Carlson	5843 W Wildflower Ln	Beacon Hills Plat I	3,920	$10,745			Several neighbors need to agree on maintenance agreement might be better option	D	Yes	The requested property is outside of the scrub oak; We'd just need to clarify that they can't touch any of the existing trees/shrubbery. They also would need to agree with neighbors as to boundaries. Additionally, they have already encroached on city property.	If all the scrub oak is grass, what issue does it create for water pressures (get Tavis's calculations)
Chason Hawkins	5886 W Timber Ridge Ln	Beacon Hills Plat I	3,485	$9,551			All or nothing to the west. On the west end there is a property where there is signficant encroachment.	D		Borders Blue Bison; city border.	Trails Master Plan and MAG Vision Trail Plan have a trail connecting the Bonneville Shoreline Trail to Pfiefferhon..It's the only public connection. Recommendation to wait until General Plan update.	Deferred until General Plan Update
Stuart & Christine Anderson	11934 N. Apollo Way; Highland, UT 84003	Highland Hills Plat C						D	Yes		4'' PI line that would need to be addressed. Need to look at storm drain and any potential slope issues.
Corey & Mindy Freeze	11926 N. Apollo Way; Highland, UT 84003	Highland Hills Plat C						D			4'' PI line that would need to be addressed. Need to look at storm drain and any potential slope issues.
Mark & Lari Todd	11944 N. Apollo Way; Highland, UT 84003	Highland Hills Plat C						D			4'' PI line that would need to be addressed. Need to look at storm drain and any potential slope issues.
Jonathan Myres	11914 Apollo Way	Highland Hills Plat C	2,178	$5,969	Yes		NO	D	Yes	Nathan said it was too steep there; ask him for more details on why the original disposal south of the property stopped there.	4'' PI line that would need to be addressed. Need to look at storm drain and any potential slope issues.
Cameron & Audrey Smart	11949 APOLLO WY	Highland Hills Plat C	2,178	$5,969				D			Prefer all or nothing (no checkerboarding). Sprinklers would also need to be addressed. **The neighbor to the east came in and is also interested. They submitted a request for 2022.

ATTACHMENT #3:

Nathan & Kellie,

I reviewed the PI system that provides Twin Bridges outdoor irrigation water and can provide the following:

- The system is supplied exclusively through an on-demand booster station – Hogs Hollow Pump Station.
- The pump station must meet peak instantaneous demands as there isn't a pond to regulate flows.
- The pump station has 3 pumps with the intent of only using 2 for demands and the other would be standby/emergency.
- The capacity of the station is 690 gpm with 2 pumps and roughly 1000 gpm with all 3 pumps running.
- This last summer the pump station would often run above 800 gpm to meet peak instantaneous demands. The graph below shows flow in Blue for 10 days in the middle of July.



- It appears that there may be approximately 20 more homes added to the system. With the assumption that each home has 0.3 acres of irrigable acreage or 6 irrigated acres total. An additional future peak instantaneous flow of 6 acres*20 gpm/acre = 120 gpm may be expected.
- The addition of the future homes will put the pump station nearer to full capacity and over the 690 gpm capacity of 2 pumps.
- Any additional demands including watering of open space will put more stress on the existing pump station, already running above its 2 pump design.
- There are numerous City open space parcels in the area that have been landscaped with sod by adjacent landowners. This increase of irrigated acreage impacts the pump stations excess capacity.

Options:

- Request residents water during non-peak hours to stretch the pumping curve to an extended time and ‘flatten the curve’.
- Run the station as is. This option likely would decrease pressures so that sprinklers don’t work as intended and cause residents to increase watering times and use more water.
- Replace the pumps to a higher capacity. This may require electrical improvements also. Cost estimate $20k-$50k.

Please let me know if I can provide additional information. I thought to provide some info/facts that you could review. Happy to discuss further in person.

Tavis

ATTACHMENT 4:

ATTACHMENT #5:

From: Stu Anderson
To: Kellie Smith
Subject: RE: Open Space and Orphan Property Disposal Application & Request
Date: Monday, November 22, 2021 12:28:08 PM
Attachments: image002.png
image008.png
Importance: High

OK. If you want the short version…we're all interested in moving forward, but we do have additional questions, concerns, etc.

- We'd like to follow the same consistent standard as was used for our neighbors…with a setback of 5' off the trail. In speaking with Jonathan Myres (2 houses down from us that had submitted his request separately), he seemed to think that the setback off the trail may be 8' instead of 5'? I haven't physically walked out to measure it. I was actually planning on doing so toward the end of this week when I had some time off work due to the Thanksgiving holiday so that we could confirm what the measurement actually is for everybody else.

- Indeed…the whole idea was that we could purchase some "usable" land that we could enjoy that nobody else does anyway so we all definitely aren't *happy* with the idea of purchasing that much less space than our neighbors were able to purchase. Some of our neighbors got more, some less. Some have a steeper grade and some have a flatter area. Even for us…Jonathan and Corey would have a steeper, less desirable space, but the Todds (end), and us, the Andersons, second from the end, would have a flatter, more usable space.

- We get the vibe that the City thinks that people actually use that space between the walkway and our properly line. During the summer that simply does happen**. All the activity is folks walking on the trail…and down in the "park" area where people play sports, have family gatherings, etc.** Now, during the wintertime, we do get more folks coming onto that area, but frankly, for my wife and I, that's one of the main reasons we want to purchase that property and put our fence back up. During winter, when there's snow on the ground, we have people, literally by the truck and van loads, show up to sled at that park and constantly trespass on our properties—using our land as a "cut thru" to get back to the park. (Of course, if we had fending up that wouldn't be a problem. The Todds have fencing up. We used to, but took it down in 2017.) People that do this to us, park in front of our homes, and then walk along the sides of our houses. Often times we have them (mostly kids), use the side of our properties and the associated drop offs as a launch pad for their sled runs. Being in the insurance business, and being a retired police officer, I understand how civil law works and how sue-happy folks can be if/when they get hurt on somebody else's property. I don't want that to be me. Nor do my neighbors. So, suffice to say, that besides my wife and I getting tired of shewing folks off our property during winter, we don't like being "that guy"—the grumpy guy always saying "stay off my lawn". While it mostly happens during winter, even during summer we'll have folks run up from the park and use our water to fill up water balloons and ask to use our water for a slip-n-slide, etc. Matter of fact, the family now living in Jonathan Myres house had (twice) folks, that they didn't know, come up and strong arm them into relenting to let them use water for a slip-n-slide—during the drought this year! We refused. So, this is a lot of effort to simply explain that **when we shew folks off our property*, they no longer come up on our property or even on the side of the trail closest to our home*…**THEY GO DOWN TO THE TRAIL AND USE THAT AS THEIR LAUNCH PAD FOR SNOW OR WATER ACTIVITIES**. So, the space isn't used and we'd like to purchase it, fence it and use it.**
- Now, all that said, we do have questions:
    - What is the cost per sq. ft.?
    - When the other properties were purchased, a 2-slat post-rail fence was installed—did the City

do that? Or did all the homeowners pitch in and do that? If that's on us, what is the time frame to get that installed? I've installed them previously and know it's not difficult, but now we're heading into winter again and the ground will be freezing soon.

- How does the City watering get adjusted? Currently, it only runs along the four homes now that we're referring to in this transaction. Is it as simple as you guys capping off the sprinkler line that feeds that line and bingo it's done? Or, is there a cost associated with that for the four of us to cap or move/relocated that line? ***** <u>Something to consider…</u> If the City is willing to allow us to purchase the land with the same offset as was granted to the other neighbors on our side of the street, then the watering issue is no longer an issue for the City…because the City line would simply be capped and then it would be on the homeowners to run sprinkler lines down to the newly-acquired property; HOWEVER, if the City doesn't' allow us to go all the way down to the same offset, then the City has an expense to move the water line in order to continue to water the part of their land that would be on our side of the trail. I'd assume that the cost/expense to the City, in doing that (moving the line), would be about the same regardless of how much land you allow us to purchase on our side of the trail. Does what I'm explaining make sense? Basically I'm saying that, if you don't sell all that land to us, then the city has an expense to water whatever land they want to keep. And if the City is wanting to keep that small portion of land because of what they think it won't be aesthetically pleasing or that it's currently being used…that's just not the case. I've lived here 8 + years now…that land isn't used. Letting the homeowners buy the land along the same offset is a benefit to the homeowners because we now have the extra use of owned land and it's a win for the City because it brings in $ for the city and reduces the expense for water and for the relocation of a water line. *****
- Additionally, in speaking with Mark & Lari Todd last week, he said that, if it saves us all $, and or the City would be more willing to work with us on the purchase of the land with the original offset that we're interested in…how about we leave water lines (or any other line) in place and simply offer up an easement (or whatever the technical/legal term is) for the City to access said line if/whenever needed. So that's an idea we had too.

We can appreciate the City being concerned about the "look" of the property/fencing (especially for the Todd's end/corner property), but we also believe it's really a concern that people in the neighborhood have—unless, of course, as mentioned, they're trespassing thru our properties to get back to the park.

I was planning on measuring and marking with some stakes the area in question to give a visual of what this land purchase would look like. When I did so , I was also going to send those to you as well—in an effort to make a case for allowing us to buy the land as we'd originally anticipated we could. I don't have those pics ready tho, obviously, today to send with this email. They'll be forthcoming.

So, let me know your thoughts. Does this help you guys at least see where we're coming from and what we're thinking?

Best,
Stu

Stu Anderson, Agent
375 S. Main St., Suite 3
Alpine, UT 84004
B: 385.695.2452 | F: 385.695.2453 | C: 801.330.7545

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #8

DATE: Tuesday, December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Erin Wells, Assistant City Administrator

SUBJECT: **ORDINANCE:** Parks Tax Ordinance

TYPE: **LEGISLATIVE:** Council is adopting an ordinance to institute the Parks Tax and govern the use of its funds.

PURPOSE:
City Council will consider the proposed ordinance to institute the Parks Tax and govern the use of the funds. The Council will take appropriate action.

BACKGROUND:
Utah State Statute 59-12-1402 authorizes cities, upon the approval of voters, to implement a 0.1% sales tax in their City whose funds must be dedicated to: cultural, recreational, or zoological facilities or botanical, cultural, or zoological organizations. For some time, Council and staff have discussed implementing this tax and in August of this year, City Council directed staff to place the following question on the ballot for the approval of voters, "Shall Highland City, Utah, be authorized to impose a 0.1% sales and use tax to help fund recreational facilities in Highland?" Per the canvassed results, 62.26% of voters voted for the implementation of the Tax. As such, Council needs to adopt an ordinance to institute the Tax and plan for the use of the funds.

Staff's recommendation for determining the use of the Parks Tax funds is as follows. A high-level overview of this process is included in the ordinance text.

- Administration and the Parks Department will work to add any updates to the Park Inventory completed by blu line designs in May of this year.
- Staff will work with the Parks, Trails, and Trees Commission (PTTC) to prioritize the projects based on the Park Inventory and importance scoring.
- Staff will draft a proposed project list based on the prioritization from the PTTC and take it the PTTC for their approval.
- Staff will bring the PTTC's recommended project list to City Council for their final approval.
- If any individual Parks Tax project is over $25,000, that project will come back to City Council for final approval before proceeding.
- This process would repeat each year.

Council should also note that the draft ordinance also limits the spending of Parks Tax Funds to, "capital projects and equipment replacement or additions" meaning funds cannot be used on maintenance costs. The intention here is to limit spending to physical items going in parks such as playgrounds, benches, pavilions, picnic tables, bike racks etc. Over the past six fiscal years (including FY22), the City has spent about $165,000 on large park capital projects – Spring Creek Park and the fence around the Splash Pad. Some other funds have been spent on smaller items such as bench or table replacement or garbage can additions.

If one of the annual Parks Tax projects approved by the Council is playground equipment replacement, staff is proposing that staff work with a playground installation company to create a few designs that would work in the given space and within the budgeted amount. Staff will then survey local residents through mailers and a sign at the playground to determine the neighborhood preference. Because the cost of a playground would be over $25,000, City Council would have the final approval of that project.

In addition to the implementation plans discussed above, staff also plans to work with a designer to create a logo for the Parks Tax that can be branded on each piece of equipment purchased with its funds. Staff will also create a website page for the Parks Tax that will include the branding and basic information about the tax along with the overall parks prioritized list, the annual project list, and pictures of equipment purchased with the Tax funds. This information would also be shared on the City's other communications channels such as social media.

FISCAL IMPACT:

Based on previous year's sales tax earnings, City staff estimates that the Parks Tax will annually produce between $135,000 and 164,000 in revenue. As the tax will only be in effect for 3 months of this fiscal year, the estimated revenue for this fiscal year is $33,750-41,000.

RECOMMENDATION:

Staff recommends that Council approve the ordinance as proposed to institute the Parks Tax and govern the use of its funds.

PROPOSED MOTION:

I move that City Council Approve Ordinance Adopting a 0.1% Local Sales and Use Tax to Fund Recreational Facilities in the City and Adopting 3.06 Parks Tax in the Municipal Code.

ATTACHMENTS:

1. Ordinance
2. Proposed Municipal Code Text

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL ADOPTING A 0.1% LOCAL SALES AND USE TAX TO FUND RECREATIONAL FACILITIES IN THE CITY AND ADOPTING 3.06 PARKS TAX IN THE MUNICIPAL CODE

WHEREAS, Highland City has the authority under Utah Code 59-12-1401 et seq. to impose a 0.1% sales and use tax for certain recreation and cultural facilities and projects subject to voter approval; and

WHEREAS, the City Council has placed the question of whether to adopt such a tax on the 2021 municipal ballot to determine if the tax will be approved by the voters in the City; and

WHEREAS, the ballot question was approved by the voters at the municipal election held in November 2021.

NOW, THEREFORE be it ordained by the Highland City Council as follows:

SECTION 1: The Highland City Municipal Code 3.06 Parks Tax is hereby created as attached.

SECTION 2: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4. The Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall take effect December 8, 2021.

SECTION 6: The effective date of the parks tax is April 1, 2022. Effective dates for billing periods and catalogue sales shall be computed as set forth in state law. The parks tax shall be levied for a period of ten (10) years (through March 31, 2032), unless renewed as proved by state law.

SECTION 7: The City Recorder shall give notice to the Utah Tax Commission prior to December 31, 2021, as provided for in Utah Code 59 -12-1402(5)(b)(ii), stating that the city has enacted the parks tax pursuant to Utah Code 59-12-1401 et seq. with an effective date of April 1, 2022 at the statutory rate of 0.1%.

PASSED AND ADOPTED by the Highland City Council, December 7, 2021.

HIGHLAND CITY, UTAH

Rodney W. Mann, Mayor

ATTEST:

Stephannie Cottle, Highland City Recorder

COUNCILMEMBER	YES	NO
Timothy A. Ball	□	□
Brittney P. Bills	□	□
Kurt Ostler	□	□
Kim Rodela	□	□
Scott L. Smith	□	□

3.06 Parks Tax

3.06.010 Title
This ordinance shall be known as the "Parks Tax Chapter" of the Highland City Code. The local option sales and use tax imposed herein shall be known as the "Parks Tax" of Highland City.

3.06.020 Purpose and Intent
The purpose of this ordinance is to establish, enact, impose, and levy a Parks Tax in accordance with Utah Code § 59-12-1401, et seq. (City or Town Option Funding for Botanical, Cultural, Recreational, and Zoological Organizations or Facilities).

3.06.030 Parks Tax
Highland City hereby establishes, enacts, imposes, levies, and authorizes a local sales and use tax of one-tenth (1/10) of one percent (1%) (the Parks Tax) on transactions described in Utah Code § 59-12-103(1), as amended, that are located within Highland City, except as such transactions are exempt from sales and use taxes pursuant to Utah Code §§ 59-12-104 and 59-12-1402, as amended. The Parks Tax supplements, but does not replace, the previously adopted general sales and use tax established in Highland City (Sales and Use Tax).

3.06.040 Dedication of Funds
All funds collected by the City from the Parks Tax shall annually be paid into the Parks Tax Fund, which is hereby created as an established fund in the City budget. Parks Tax revenues earned shall be used to fund City-owned recreational facilities, as the term is defined in state law including, but not limited to, capital projects and equipment replacement or additions.

3.06.050 Funding Determination
Each year the Parks, Trails, and Trees Commission shall make a recommendation to the City Council on the projects that should be funded from the tax based on parks needs analysis and anticipated revenues. The City Council shall then make the final determination on the annual projects to be funded. This approval shall not constitute the necessary approvals outlined in Municipal Code 3.08 Purchases and Encumbrances.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #9

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith
Planner/GIS Analyst

SUBJECT: **SITE PLAN AMENDMENT:** Highland Marketplace Phase 2 *Administrative*

TYPE: **ADMINISTRATIVE:** The Council is the Land Use Authority for Site Plan Approval in the CR Zone subject to Section 3-4373 of the Highland City Development Code. Site Plan review implements the previous legislative actions that adopted the CR District and the Development Code and Development Agreement. As such, review is limited to compliance to the Development Code. Approval of site plan grants the applicant permission to proceed with civil construction plans.

PURPOSE:
The City Council will consider a request by MNG Management LLC for master site approval for eight (8) commercial buildings located at northeast corner of Alpine Highway (SR74) and Timpanogos Highway (SR92). The City Council will take appropriate action.

BACKGROUND:
The property is 9.64 acres and is in the CR Zone.

A Development Agreement for the Highland Marketplace subdivision was entered into on April 24, 2007. This agreement outlined architecture, landscaping, lighting, and signage of Highland Marketplace. The approved site plan included 118,250 square feet of grocery and retail on the subject property.

On February 2nd, 2021, the City Council reviewed and approved an updated master commercial site plan for Highland Marketplace. That site plan included a 45,000-grocery building. The applicant has requested to amend the site plan because of the failure to find a grocer interested in the site.

The applicant has expressed the desire to receive the Council's approval of the general locations of the commercial buildings before moving forward with the civil plans.

Architectural plans for each of the buildings will be reviewed by the Planning Commission.

SUMMARY OF THE REQUEST:

1. The applicant's request is to amend the Council site plan approval given February 2, 2021 for five (5) commercial buildings and increase the number of buildings to eight (8). This change adjusts building placement, therefore adjusting circulation and parking.

2. This master commercial site plan is preliminary in nature. The purpose is to establish the general locations of buildings and property ownership. The applicant wanted to get approval of these overall adjustments before spending the time and money on civil plans. Staff is striving to accommodate the applicant's timeline and marketing campaign as they were unable to find a grocer. Staff will provide a formal review and administrative approval once a complete civil application is provided.

3. The master site plan shows pads for two 3,000 square foot restaurants, one 2,600 square foot restaurant, one 7,600 square ft retail building (5 units), two 6,000 square foot retail buildings (5 units each), one 32,214 square foot office building, and one 65,000 square foot office/fitness building. The first phase of development will be the southern-most retail building.

4. The plan shows a total of 125,914 square feet of commercial space. This is a 1,414 square foot increase from the master commercial site plan previously approved.

5. Plans show 580 parking stalls, 18 of which are handicap spaces.

ANALYSIS:

Zoning

- The site is designated as Commercial on the General Plan Land Use Map and the site is zoned CR. The proposed use is consistent with the General Plan and existing zoning.

- The surrounding properties are zoned CR, Commercial C-1, Residential Professional, and R-1-40. Properties to the east and south are other retail and office buildings. Properties to the west are single family homes and the property to the north is a church. The proposed use is compatible with the surrounding uses.

Site Plan

	Before	**After**
# of Buildings	5	8
Total Square Footage	124,500	125,914
Building Footprint Sq Ft	81,167	65,974
% Site Coverage	19.7%	16.1%
Grocery Building	45,000 (1 story)	32,214 (2 stories)

- The site plan shows the correct landscape and hardscape percentages as required by the Development Code.

- Section 3-4355 establishes that the "coverage of a site by all building structures shall not exceed thirty (30) percent of the total site." The proposed site plan shows 16.1%.

Access, Traffic Circulation, and Parking

- Access to the site is limited due to the existing office and retail developments along SR-92 and SR-74. The accesses along SR-92 and SR-74 were approved as adequate access to the site in the 2007 Development Agreement.

- There are 580 parking stalls provided, including 18 handicap spaces. The proposed total number of parking stalls meets the requirements in Section 3-4359 of the Development Code. The distribution of the handicap stalls meets ADA requirements.

FINDINGS:

With the proposed stipulations, the master commercial site plan appears to meet the following findings:

- It is consistent with the Highland City Development Code.
- It is compatible with existing and future development within the CR Zone.
- It is consistent with the intent of the Development Agreement for Highland Marketplace.

RECOMMENDATION AND PROPOSED MOTION:

Staff recommends that the City Council **APPROVE** the amendment to the master commercial site plan subject to the following stipulations recommended by staff.

1. Development of the site shall comply with the site plan and building elevations dated November 30th, 2021 except as modified by these stipulations.
2. All signage shall require a separate permit and meet the requirements of the Development Code.
3. Final civil engineering plans shall be reviewed and approved by the City Engineer. The site shall meet all requirements of the City Engineer.
4. Landscaping shall occupy no less than 20% of the total land area of the site, unless the requirements mentioned in Section 3-4362 of the Development Code are met, the landscaping shall occupy no less than 15%.
5. The hours of operation and number of employees will be in compliance with Highland City's Municipal Code.
6. All proposed buildings will be required to go through an architectural review by Planning Commission and Council.
7. The City share with UDOT a copy of the approved site plan and the phasing of the

development.

I move that the City Council accept the findings and **APPROVE** the amendment to the master commercial site plan for Highland Marketplace Phase 2 subject to the seven (7) stipulations recommended by staff.

ALTERNATIVE MOTION:

I move that the City Council **DENY** the master commercial site plan for Highland Marketplace Phase 2 based on the following findings (The Council will need to draft appropriate findings).

ATTACHMENTS:

1. Vicinity Map
2. Site Plan approved February 2nd, 2021
3. Project Narrative
4. Site Plan
5. Landscape Plan
6. Building Elevations

ATTACHMENT 1:

ATTACHMENT 2:

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65,000 sf
Office/Fitness
260 stalls
at 4/1000

154,151 sf
parcel

45,000 sf
Grocery
180 stalls
at 4/1000

184,658 sf
parcel

PARCEL LINES

PARCEL LINES

FUTURE
MONUMENT
SIGN

3,000 sf
Restaurant

18,692 sf
parcel

8,500 sf
Retail

35,352 sf
parcel

3,000 sf
Restaurant

23,708 sf
parcel

Proposed Shopping Center Monument Sign

0 50 100

SEE ELECTRICAL LIGHTING PLAN FOR SITE LIGHTING.

HIGHLAND MARKET PLACE

5326 UTAH 92
HIGHLAND CITY, UTAH COUNTY, UTAH 84003
SITE PLAN APPROVAL

SEAL

PROJECT #	20130
DATE	STATUS
01/07/21	SITE PLN APVL

SITE PLAN

AS-101

File : X:\2020\20130 HMKTSITE\02-Dwg\01-Xref\Site Plan _ CURRENT.dwg Jan 05, 2021 - 3:56pm By: kurtis

ATTACHMENT #3:

FFKR ARCHITECTS

MEMO

To:	City of Highland Utah 5400 Civic Center Dr Highland, UT 84003	**Memo #:**	01
		Date:	November 8, 2021
		Project:	Highland Marketplace 5326 Utah 92 Highland City, Utah County, UT 84003
From:	Joe Ham	**FFKR Project #:**	20130

Remarks:: Project Narrative

The proposed project is an expansion of the Highland Marketplace, the existing retail shopping center and office development at the corner of Highway 92 and 5300 West. The design of which will complement the existing buildings, providing a similar color palette, but enhance it with a more contemporary and refined aesthetic. The expansion proposes the addition of 3 retail pads, two new office buildings and retail shop buildings, to attract new and expanding businesses to serve the surrounding community while providing a safe and aesthetically pleasing business center.

The project will comply with all required setbacks and the maximum height restriction of forty-five feet. The architecture will be in compliance with all local design guidelines.

Attached to this proposal is a site lighting and photometric analysis for the property as a whole. All proposed buildings will be required to submit a lighting plan as part of their individual submission process. The design of the parking lot lighting meets all regulatory standards and is in compliance.

All parking on site meets, or exceeds, city requirements and traffic patterns to and through the site are designed to alleviate any undo burden on the surrounding community. The project will make use of the existing access points - 2 access points from Highway 92 and 1 access point from 5300 West. The design of the parking lot will allow safe and easily navigable traffic circulation and will accommodate proper circulation for deliveries and emergency vehicle, including fire access.

The proposed uses will operate in compliance with the City of Highland's restrictions on hours of operation. The number of employees will vary by business and will also be in compliance with regulatory standards.

100

240

214

66

16,107 sf x 2floors
=32,214 sf total

92,657 sf
parcel

65,000 sf
Office/Fitness

1,200sf
1,200sf
1,200sf
1,200sf
1,200sf

1,200sf
1,200sf
1,200sf
1,200sf
1,200sf

PLAZA

3,000 sf
Restaurant

2,800sf
1,200sf
1,200sf
1,200sf
1,200sf

3,000 sf
PAD 1

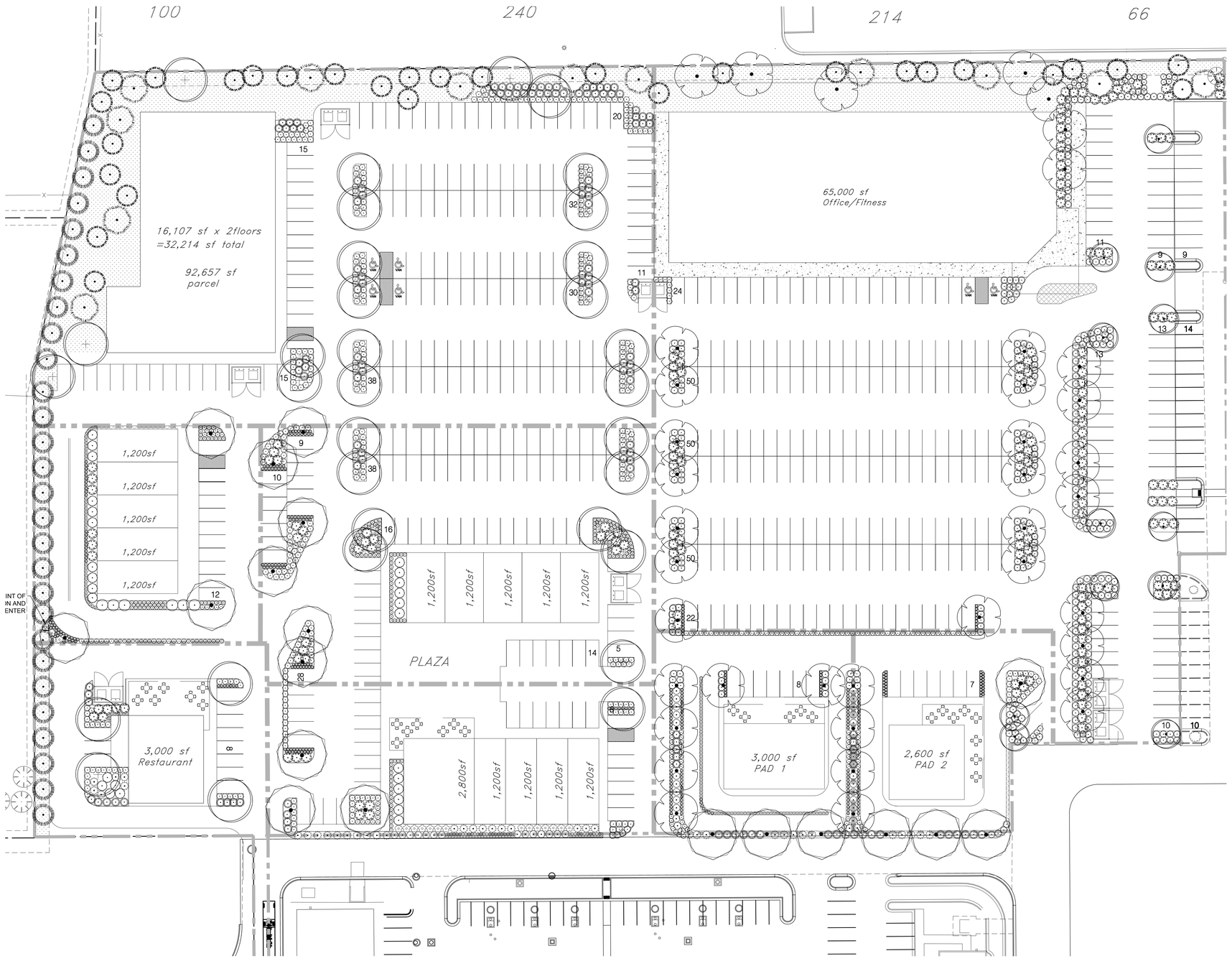
2,600 sf
PAD 2

Proposed
Shopping Ce
Monument S

Proposed Shopping Center
Monument Sign

0 50 100

ATTACHMENT #5:



PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	SIZE	CAL	QTY
	Ac3	Abies concolor White Fir Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	B & B	8` H x 10` W	12
	Aa	Acer rubrum `Autumn Radiance` Red Maple Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	2" Cal.		39
	Gt	Gleditsia triacanthos inermis `Shademaster` TM Shademaster Honeylocust Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	B & B	2"Cal	33
	Pl	Pinus leucodermis Bosnian Pine Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	B & B	6`-8` H	29
	Sh	Sorbus hybrida Oak Leaf Mountain Ash Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	2" Cal.		12
	TG	Thuja 'Green Giant' Arborvitae Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	B & B	10` H	28
	Zg	Zelkova serrata `Green Vase` Sawleaf Zelkova Trees in native seed mix to be irrigated with root watering system. Trees in shrub areas to be irrigated with In-Line drip.	B & B	2"Cal	19

SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	HZ*	QTY
	Au	Arctostaphylos uva-ursi Kinnikinnick In-Line Drip to irrigate shrubs.	5 gal		37
	Bt	Berberis thunbergii `Crimson Pigmy` Barberry In-Line Drip to irrigate shrubs.	5 gal		149
	Jh	Juniperus horizontalis `Blue Chip` Creeping Juniper In-Line Drip to irrigate shrubs.	5 gal		6
	Mr	Mahonia repens Creeping Mahonia In-Line Drip to irrigate shrubs.	5 gal		305
	Mg	Miscanthus sinensis `Gracillimus` Eulalia Grass In-Line Drip to irrigate shrubs.	4"pot		136
	Ps	Panicum virgatum `Shenandoah` Shenandoah Switch Grass In-Line Drip to irrigate shrubs.	1 gal		366
	Ph	Pennisetum alopecuroides `Hameln` Hameln Dwarf Fountain Grass In-Line Drip to irrigate shrubs.	1 gal		192
	Pb	Pennisetum alopecuroides `Little Bunny` Little Bunny Fountain Grass In-Line Drip to irrigate shrubs.	1 gal		138
	Pa2	Perovskia atriplicifolia Russian Sage In-Line Drip to irrigate shrubs.	5 gal		23
	Pa	Pinus sylvestris `Albyn Prostrata` Albyn Prostrata Scotch Pine In-Line Drip to irrigate shrubs.	5 gal		42
	Pc	Prunus x cistena Purple Leaf Sand Cherry In-Line Drip to irrigate shrubs.	5 gal		27
	Rg	Rhus aromatica `Gro-Low` Gro-Low Fragrant Sumac In-Line Drip to irrigate shrubs.	5 gal		172
	Sl	Schizachyrium scoparium Little Bluestem Grass In-Line Drip to irrigate shrubs.	5 gal		346
	Sc	Spiraea japonica `NCSX1` TM Double Play Candy Corn Spirea In-Line Drip to irrigate shrubs.	4"pot		45
	Sa	Symphoricarpos albus Common White Snowberry In-Line Drip to irrigate shrubs.	5 gal		17

MULCH	CODE	BOTANICAL / COMMON NAME	SIZE	HZ*	SPACING	QTY
	DR	Decorative Rock	SQFT			632 sf

SOD/SEED	CODE	BOTANICAL / COMMON NAME	SIZE	HZ*	SPACING	QTY
	Cb	Native Seed Cabin Blend via Granite Seed	seed			30,007 sf

GENERAL NOTES

1. ALL LANDSCAPE AREAS TO RECEIVE IRRIGATION. TYPE OF IRRIGATION FOR EACH PLANT CONDITION IS NOTED ABOVE IN THE PLANT SCHEDULE. THE IRRIGATION SYSTEM WILL BE OPERATED VIA SMART CONTROLLERS.

CONCRETE CALCS

- TOTAL CONCRETE AREA - 15,207 SQFT
- TREATED CONCRETE AREA - 3,198 SQFT
- 21% OF THE TOTAL CONCRETE IS TREATED CONCRETE

LANDSCAPE MAINTENANCE SCHEDULE

LANDSCAPE IRRIGATION MAINTENANCE BEGINS WITH SPRING STARTUP OF THE IRRIGATION SYSTEM. STARTUP IS TO BEGIN PRIOR TO PLANT NEED BUT FOLLOWING DANGER OF DAMAGING FROST NO LATER THAN APRIL 1ST. CONTRACTOR SHALL ENERGIZE ENTIRE MAINLINE, ALL REMOTE-CONTROL VALVES, AND CHECK FOR CORRECT PROGRAM INSTALLATION AND OPERATION OF CONTROLLER, EACH REMOTE-CONTROL VALVE, AND EACH QUICK COUPLER VALVE. IRRIGATION MAINTENANCE ENDS IN THE FALL AS THE CONTRACTOR WINTERIZES THE SYSTEM PRIOR TO HARD FROST--BUT NO LATER THAN NOVEMBER 15TH.

AS THE LANDSCAPE WAS DESIGNED TO EMPHASIZE THE PLANTS NATURAL STATE MINIMAL PRUNING SHOULD BE NEEDED. RESEARCH EACH PLANT TYPE TO DETERMINE THE BEST TIME FOR PLANTING. PRUNING REQUIREMENTS VARY BASED ON PLANT TYPES. DEAD AND BROKEN BRANCHES CAN BE PRUNED AT ANY TIME. FERTILIZE PLANTS AT INSTALLATION WITH A SLOW RELEASE, LONG LASTING TABLET. WEEDING AROUND TREES AND SHRUBS SHOULD BE COMPLETED WEEKLY. PLANTS SHALL BE ROUTINELY CHECKED TO ENSURE EROSION HAS NOT EXPOSED THE ROOTS. IF ROOTS ARE EXPOSED SOIL TO BE ADDED TO THE ROOT FLARE HEIGHT AND NO HIGHER. FALL LEAF CLEANUP SHOULD BEGIN WHEN THE LEAVES BEGIN TO FALL AND BEFORE THE FIRST WINTER STORM.

NATIVE SEED AREAS SHALL HAVE PERIODIC WEEDING, ONCE OR TWICE MONTHLY DEPENDING ON NEED, AND SHALL BE CUT DOWN IN THE FALL COINCIDING WITH FALL LEAF CLEANUP OPERATIONS.

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HIGHLAND MARKET PLACE

5326 UTAH 92
HIGHLAND CITY, UTAH COUNTY, UTAH 84003
SITE PLAN APPROVAL

SEAL

PROJECT # 20130

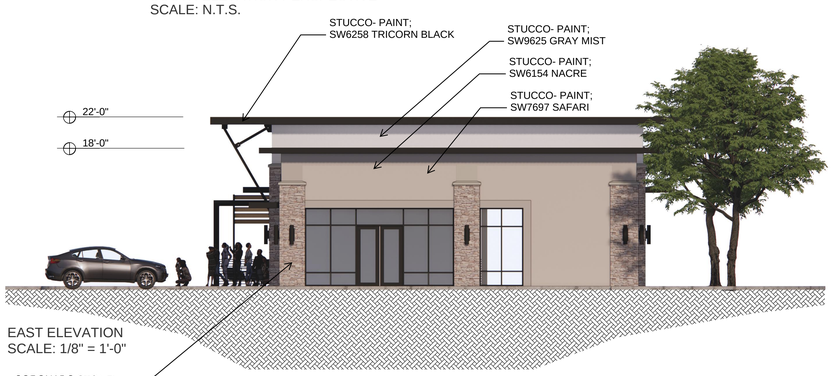
DATE STATUS

LANDSCAPE PLANTING PLAN

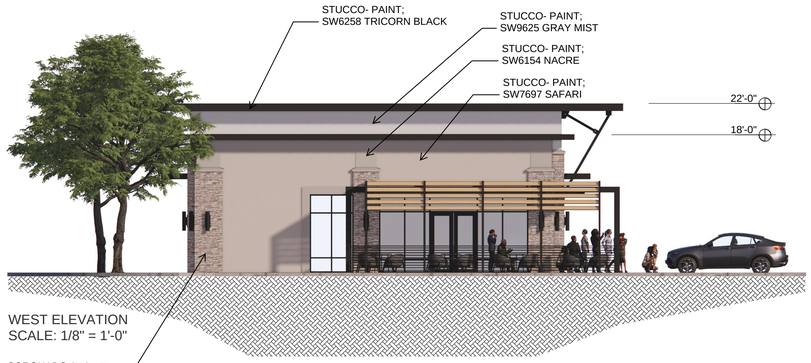
LA501

ATTACHMENT #6:

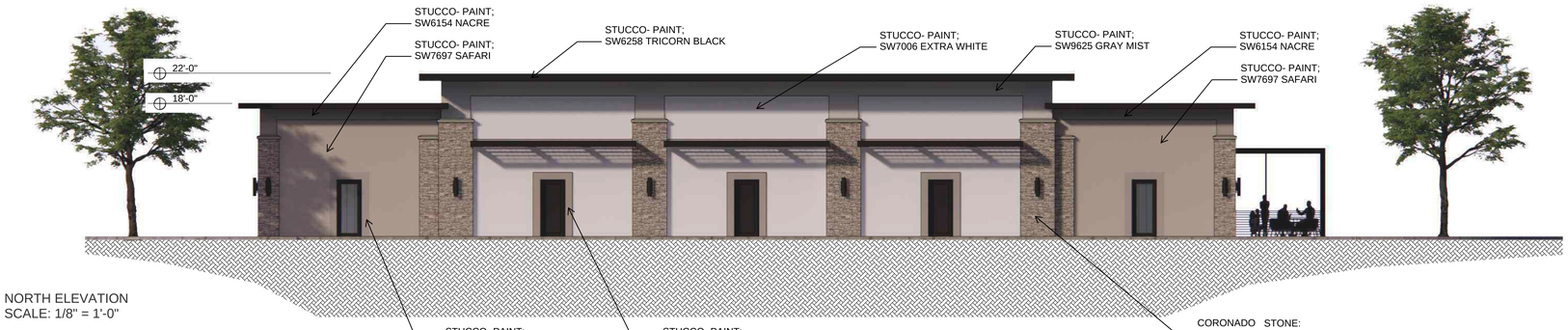
SOUTH ELEVATION PERSPECTIVE
SCALE: N.T.S.



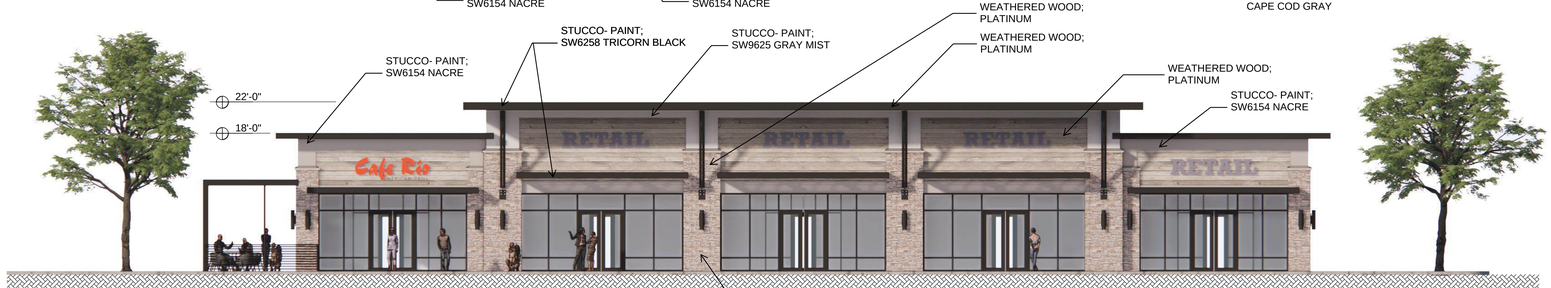
EAST ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

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HIGHLAND MARKET PLACE
5326 UTAH 92
HIGHLAND CITY, UTAH COUNTY, UTAH 84003
SITE PLAN APPROVAL

SEAL

PROJECT # 20130

DATE	STATUS
01/07/21	SITE PLAN AP
10/31/21	SITE PLAN AP

EXTERIOR ELEV. & RENDER'GS

A-201

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #10

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
Engineer/Public Works Director

SUBJECT: **ACTION:** Award contract for Well #4

TYPE: **ADMINISTRATIVE:** The Council is acting in an administrative capacity and fulfilling their responsibilities as the Governing Body as defined in the Municipal Code in providing a safe drinking water system.

PURPOSE:
City Council will consider a request to approve a bid to Lang Equipment for $1,439,292.00 for the drilling of the Culinary Well #4 Project and authorize the City Administrator and City Recorder to execute the necessary contract documents for the project. The Council will take appropriate action.

BACKGROUND:
To provide adequate drinking water for the existing and future residents, the city operates five culinary water wells which are located throughout the city. Most of these wells were drilled between in the 1958 and 1987. In 2015 and 2016, we began a Maintenance Program and Capital Improvement Program to improve the condition and operation of the wells. The most recent improvements are as follows:

Well	*Location*	*Existing Estimated Production*	*Existing Depth*	*Repair/Issue*
Well 1	6800 West	550 gpm	600 ft	Replaced the pump and motor and piping and lowered the pump
Well 2	AF Canyon	900 gpm	600 ft	Replaced the pump and built a new well house
Well 3	10400 N & Mitchell Hollow Park	900 gpm	600 ft	Replaced the pump and built a new well house
Well 4	11200 North	450 gpm with no air	600 ft	Limited production due drop in ground water levels

Well 5	Meier's	0 gpm with no air	600 ft	Limited production due to cascading water which produces air entrainment

Well Operation

It is anticipated that all five wells will need to be operational upon buildout. This may change depending on the ultimate production of well four.

During non-summer peak times (winter) wells two and three are used in alternating fashion. This is done to keep the wells working to exercise the pumps and keep them free from bio deposits.

During summer peak hours, wells two and three are used in alternating fashion along with well one. With the completion of Ridgeview, Beacon Hills, and Hollows, it is likely that wells two and three will have to be run concurrently. Full production of well four will be needed at this point to provided back up.

Well Four

Well four was drilled originally in 1978. An inspection showed that the well it currently is a 16" casing which has been reduced to a 12" casing at the 490-foot depth level. This is known as necking down. Necking down inhibits the lowering of the well because it reduces the capacity of the well to produce the amount of water needed. This has left us unable to add additional depth to the well at the current location. Additionally, since the drilling in 1978 the water level in the aquifer has experienced a 100-foot drop.

Staff has been working with a hydrologist to determine the best approach. Through work with a hydrologist a recommendation was given that a new well be drilled and that we extend our pumping depth to the 1200-foot level.

DISCUSSION:

Staff is proposing to redrill well four on the existing property. The well will be an 18-inch casing (hole) well drilled to a depth of 1,200 feet. This will put the well into a deeper aquifer with a potential increased capacity. It is estimated that the capacity will be 2,000 gpm. Work will compose of drilling a 6" pilot hole to this depth to check the geology and then proceed with placing the casing. The 18-inch casing will best meet the current and future needs for years to come.

The well installation methods that will be implemented will not allow for the well drilling process to stop once it has commenced. As such, the work will continue 24-hours a day

until it is finished. There will be night work during an initial 2-week pilot hole process, there will be a break in time without night and evening work, and a later 3~4-week full installation process where there is work at night. These timeframes are approximate as the work duration will need to stretch to accommodate the pace of the material that is being drilled. During the work process, the contractor will install sound curtains to limit the noise leaving the site at to 60-decibels daytime, and 50-decibels nighttime. For a reference, 60 decibels is as loud as two people sitting three feet apart and having a conversation at a restaurant. Staff will work with the contractor to advise the adjacent homeowners of the work that will be done, the sound attenuation measures that will be implemented, and the anticipated duration of the work.

The Council will note when reviewing the bid tabulation that Lang Equipment was the second lowest bidder when awarding the 18-inch casing option. The lowest bid received was determined to be incomplete. As such, the award is recommended to the lowest complete bid.

FISCAL IMPACT:

This project will be funded from the Culinary Water Capital Expense Projects (55-40-50) and was identified in the Utility Rate Study. Funding identified in the rate study for the complete well costs was $1,622,400 however this included an additional $600,000 in expenses for the well house and pumps to be installed. The additional costs are related to increase in construction costs since the Utility Rate Study was completed last year. The total expenses for the Well #4 project are currently projected at $2,200,000.

A bid will be brought back in the future to the Council for approval for the well house and pumps. Sufficient fund balance exists to cover the increased cost.

ITEM	AMOUNT	FUNDING SOURCE
Well #4 Re-drill		55-40-50
Base Bid	$ 1,439,292.00	
10% Contingency	$ 143,929.20	
	$ 1,583,221.20	

RECOMMENDATION:

Staff recommends that the City Council APPROVE a contract with Lang Equipment to proceed with the drilling of Well #4 for $139,292.00 authorizing additional 10% contingency amount of in the amount of $143,929.20 for a total authorized expenditure of $1,583,221.20 and AUTHORIZE the City Administrator to execute the necessary contract documents for the project.

PROPOSED MOTION:
I move that City Council APPROVE the contract with Lang Equipment and authorize a contract amount up to $1,583,221.20 for the redrilling of Well #4 and AUTHORIZE the City Administrator to execute the contract documents.

ALTERNATIVE MOTION:
I move that City Council REJECT the drilling of Well #4 project. (The Council should draft appropriate findings).

ATTACHMENTS:
1. Lang Equipment's Bid
2. Bid Tabulation
3. Culinary Water Master Plan

DOCUMENT 00400
BID FORM – REVISED 11-11-2021

Project Identification:
HIGHLAND CITY – WELL #4 REPLACEMENT

ARTICLE 1 - BID RECIPIENT

1.1 This Bid Is Submitted To: **HIGHLAND CITY**

1.2 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGMENTS

2.1 Bidder accepts all of the terms and conditions of the Advertisement and Instructions to Bidders, including without limitations those dealing with the dispositions of Bid security. The Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.1 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
1	11/11/2021

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in SC-5.03, and (2) reports and

drawings of Hazard Environmental Conditions, if any, at the Site that have been identified in SC-5.06 as containing reliable "technical data."

E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.

F. Based on the information and observations referred to in Paragraph 3.1.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.

G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.

J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 - BIDDER'S CERTIFICATION

4.1 Bidder further represents that:

A. This Bid is genuine and not made in the interest of or on the behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.1.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;

2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 - BASIS OF BID

It is understood that all drillers have different diameter tooling and approaches. The diameters given are approximate. Each driller will submit his tooling size with his bid. Drillers are free to bid project with a different approach with an explanation of why they feel their approach is acceptable.

5.1 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

BID SCHEDULE A – 16" WELL DRILLING

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
1	Mobilization and Demobilization	1	LS		$ 189,000.00
2	Install Surface Casing (if contractor opts) Driller to estimate footage.	110	Feet	$ 630.00	$ 69,300.00
3	Drill Pilot Hole from 0 to 1,200	1,200	Feet	$ 163.00	$ 195,600.00
4	Ream Hole to Minimum 20 ¾"	1,200	Feet	$ 315.00	$ 378,000.00
5	Install Minimum 16" Diameter Steel Casing	650	Feet	$ 242.00	$ 157,300.00
6	Install 16" Diameter, 0.100"-0.125" slot SS wire wrap screen	550	Feet	$ 294.00	$ 161,700.00
7	1/4" to 1/8" or Other Available Gravel Pack (Tremmied in Place)	30	CY	$ 1,418.00	$ 42,540.00
8	Bentonite or Cement Seal 110-115	4	CF	$ 58.00	$ 232.00
9	Sanitary Seal 0-110	4	CY	$ 1,418.00	$ 5,672.00
10	Drill Rig Development and Airlift	60	Hrs	$ 578.00	$ 34,680.00
11	Pump Testing (2000 gpm, 550 TDH)	84	Hrs	$ 462.00	$ 38,808.00
12	Sound Control during Well Construction	1	LS		$ 48,000.00
13	Geophysical Log & Testing	1	LS		$ 19,000.00
14	Video Well Log	1	LS		$ 2,600.00
BID SCHEDULE A - 16" WELL DRILLING TOTAL				$	1,342,432.00

ADDITIVE ALTERNATE BID SCHEDULE

	Description	Qty	Unit	Unit Bid Amount	Total Bid Amount
A.1	Additional Cost to Comply with Highland City "Time of Day" Noise Restrictions (10 PM to 7 AM)	1	L.S.		$ NOT POSSIBLE
A.2	(***In Lieu of Item 2, If 18" Selected by Owner***) Cost for Surface Conductor to allow 18" Casing. Assume same footage as estimated	110	Feet	$ 131.00	$ 14,410.00

	for Item 2.				
A.3	(***In Lieu of Item 4, If 18" Selected by Owner***) Ream Hole to Minimum 22 ¾"	1,200	Feet	$ 368.00	$ 441,600.00
A.4	(***In Lieu of Item 5, If 18" Selected by Owner***) Install Minimum 18" Diameter Steel Casing	650	Feet	$ 315.00	$ 204,750.00
A.5	(***In Lieu of Item 6, If 18" Selected by Owner***) Install 18" Diameter, 0.100"-0.125 slot SS wire wrap screen	550	Feet	$ 368.00	$ 202,400.00
A.6	(***In Lieu of Item 11, If Selected by Owner***) Pump Testing (3000 gpm, 550 TDH)	84	HRS	$ 578.00	$ 48,552.00
A.7	Deduct if 1/2 AC of land to the north of well site is available for driller	1	L.S.		$ 7,350.00
A.8	Standby Rate	0	Hrs	$ 578.00	
A.9	Deduct if City removes and disposes of stockpiled cuttings at the end of the project	1	L.S.		$ 7,350.00
A.10	Deduct if City removes and disposes of drillers mud at the end of the project	1	L.S.		$ 15,750.00

Unit Prices have been computed in accordance with paragraph 13.03.B of the General Conditions.

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities, determined as provided in the contract Documents.

ARTICLE 6 - TIME OF COMPLETION

6.1 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.

6.2 Bidder accepts the provisions of the Agreement as to liquidated damage.

ARTICLE 7 - ATTACHEMENTS TO THIS BID

7.1 The following documents are attached to and made a condition of the Bid:

A. Bid Schedule A – 16" Well Drilling and Bid Schedule B – Additive Alternate.

B. Required Bid security in the form of a Bid Bond (EJCDC No. C-430) or Certified Check);

C. Document 00440 – Contractor's Qualifications and Experience Affidavit

D. Document 00453 – Subcontractors and Supplier Report;

E. Evidence of authority to do business in the state or jurisdiction of the Project; or a written covenant to obtain such license within the time frame for acceptance of Bids.

ARTICLE 8 - DEFINED TERMS

8.1 The terms used in this Bid with the initial capital letters have the meanings indicated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 - BID SUBMITTAL

9.1 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): Alan Lang, Lang Equipment

SEAL, if required by State

By: Alan Lang

(Individual's signature)

Doing business as:
Lang Drilling

A Partnership

Partnership Name: _____

SEAL, if required by State

By: _____

(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed):

_____

A Corporation

Corporation Name:

_____

State or Jurisdiction of Incorporation: _____

Type (General Business, Profession, Service, Limited Liability):

_____

By: _____

(Signature -- attach evidence of authority to sign)

Name (typed or printed):

_____

Title: _____

CORPORATE SEAL, if required by State

Attest _____

(Signature of Corporate Secretary)

Date of Qualification to do business in _____ [State or other jurisdiction where Project is located] is ___/___/_____

A Joint Venture

Name of Joint Venture: _____

First Joint Venture Name: _____ SEAL, if required by State

By: _____
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed):
_____

Title: _____

Second Joint Venture Name: _____ SEAL, if required by State

By: _____
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed):
_____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is party to the venture should be in the manner indicated above.)

Bidder's Business address: 205 S. 1200 W., North Salt Lake, UT 84054

Mailing: PO Box 27558, Salt Lake City, UT 84127

Business Phone No. (801) 294-5178

Business FAX No. (801) 294-5218

Business E-Mail Address
alan.lang@langdrilling.com

State Contractor License No. Water Well Driller License 568. (If applicable)

Employer's Tax ID No. 27-1210302

Phone and FAX Numbers, and Address for receipt of official communications, if different from Business contact information:

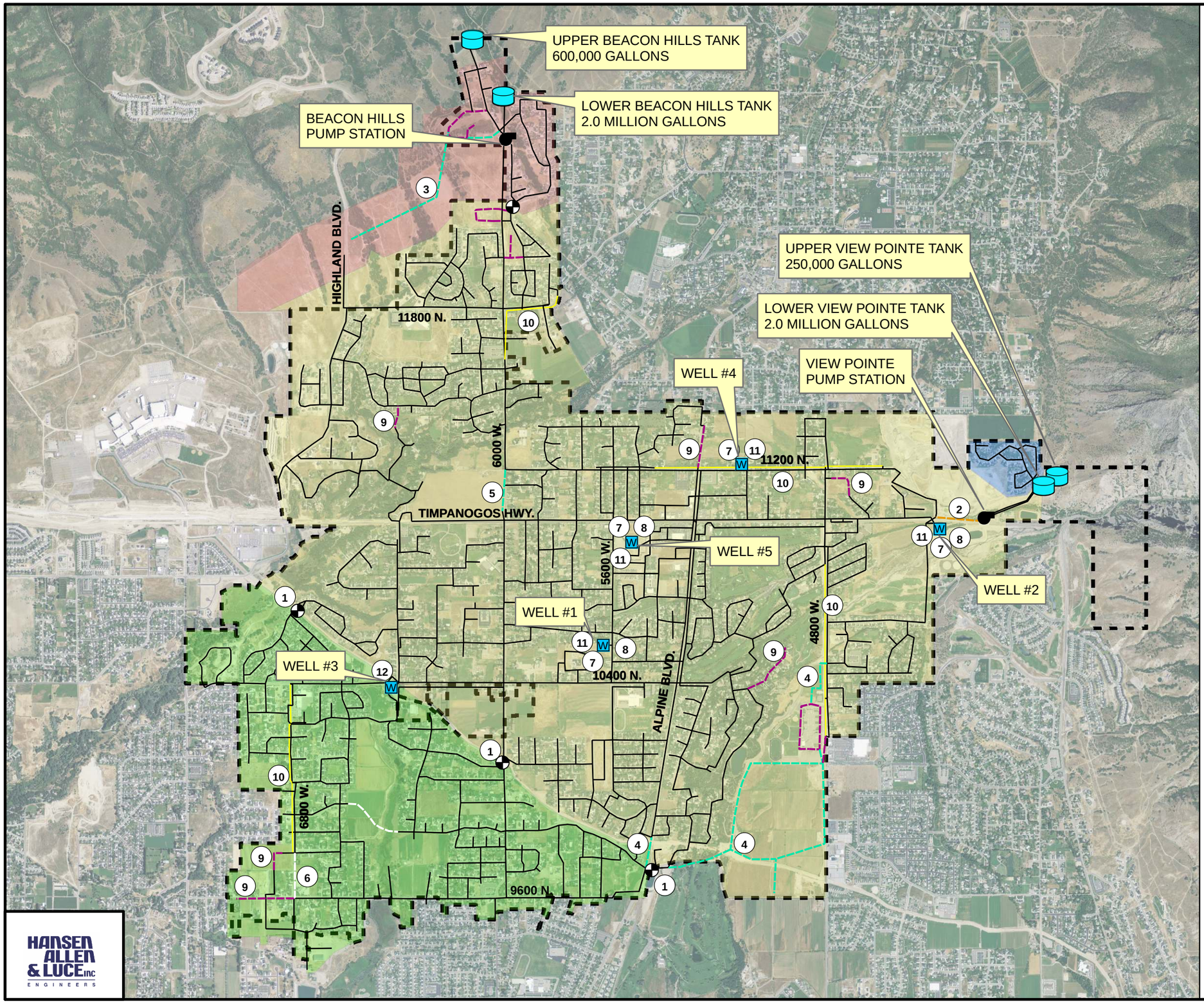
_____

_____

9.2 Bid submitted on November 17, 2021.

Highland City - Well #4 Replacement
Bid Tabulation
Printed: November 17, 2021

													16"		18"
UNIT PRICE SCHEDULE - BASE BID						**Hydro Resources - Rocky Mtn Inc**			**KP Ventures Drilling & Pump**		**LANG Equipment**	
Item #	**Description**	**Unit**	**Quantity**	**Unit Price**	**Amount**	**Unit Price**	**Amount**		**Unit Price**	**Amount**	**Unit Price**	**Amount**
	SCHEDULE A **16" Well Drilling**											
1	Mobilization and Demobilization	LS	1			$136,000.00	$ 136,000.00		$145,000.00	$ 145,000.00	$189,000.00	$ 189,000.00
2	Install Surface Casing (if contractor opts) Driller to estimate footage.	FT	40			$1,230.00	$ 49,200.00		$600.00	$ 24,000.00	$630.00	$ 69,300.00
3	Drill Pilot Hole from O to 1,200	FT	1,200			$177.00	$ 212,400.00		$160.00	$ 192,000.00	$163.00	$ 195,600.00
4	Ream Hole to Minimum 20 ¾"	FT	1,200			$190.00	$ 228,000.00		$192.00	$ 230,400.00	$315.00	$ 378,000.00
5	Install Minimum 16" Diameter Steel Casing	FT	650			$210.00	$ 136,500.00		$115.00	$ 74,750.00	$242.00	$ 157,300.00
6	Install 16" Diameter, 0.100"-0.125" slot SS wire wrap screen	FT	550			$335.00	$ 184,250.00		$227.00	$ 124,850.00	$294.00	$ 161,700.00
7	1/4" to 1/8" or Other Available Gravel Pack (Tremmied in Place)	CY	30			$1,300.00	$ 39,000.00		$1,250.00	$ 37,500.00	$1,418.00	$ 42,540.00
8	Bentonite or Cement Seal 110-115	CF	4			$4,800.00	$ 19,200.00		$25.00	$ 6,350.00	$58.00	$ 232.00
9	Sanitary Seal 0-110	CY	4			$9,100.00	$ 36,400.00		$800.00	$ 3,200.00	$1,418.00	$ 5,672.00
10	Drill Rig Development and Airlift	HRS	60			$1,349.00	$ 80,940.00		$650.00	$ 39,000.00	$578.00	$ 34,680.00
11	Pump Testing (2000 gpm, 550 TDH)	HRS	84			$572.00	$ 48,048.00		$850.00	$ 71,400.00	$462.00	$ 38,808.00
12	Sound Control during Well Construction	LS	1			$125,000.00	$ 125,000.00		$65,000.00	$ 65,000.00	$48,000.00	$ 48,000.00
13	Geophysical Log & Testing	LS	1			$20,000.00	$ 20,000.00		$9,000.00	$ 9,000.00	$19,000.00	$ 19,000.00
14	Video Well Log	LS	1			$2,800.00	$ 2,800.00		$9,000.00	$ 9,000.00	$2,600.00	$ 2,600.00
	SCHEDULE A TOTAL						**$ 1,317,738.00**			**$ 1,031,450.00**		**$ 1,342,432.00**
	SCHEDULE A w/ 18"						**$ 1,451,738.00**			**$ 1,133,550.00**		**$ 1,439,292.00**
	ADDITIVE ALTERNATE BID SCHEDULE											
Item #	**Description**	**Unit**	**Quantity**	**Unit Price**	**Amount**	**Unit Price**	**Amount**		**Unit Price**	**Amount**	**Unit Price**	**Amount**
A.1	Additional Cost to Comply with Highland City 'Time of Day' Noise Restrictions	LS								$65,000.00		No Bid
A.2	(In Lieu of Item 2, If 18" Selected by Owner) Cost for Surface Conductor to allow 18" Casing. Assume same footage as estimated	FT	40			$1,230.00	$ 49,200.00		$800.00	$32,000.00	$131.00	$14,410.00
A.3	(In Lieu of Item 4, If 18" Selected by Owner) Ream Hole to Minimum 22 ¾"	FT	1,200			$247.00	$ 296,400.00		$218.00	$261,600.00	$368.00	$441,600.00
A.4	(In Lieu of Item 5, If 18" Selected by Owner) Install Minimum 18" Diameter Steel Casing	FT	650			$239.00	$ 155,350.00		$150.00	$97,500.00	$315.00	$204,750.00
A.5	(In Lieu of Item 6, If 18" Selected by Owner) Install 18" Diameter, 0.100"-0.125 slot SS wire wrap	FT	550			$420.00	$ 231,000.00		$300.00	$165,000.00	$368.00	$202,400.00
A.6	(In Lieu of Item 11, If Selected by Owner) Pump Testing (3000 gpm, 550 TDH)	HRS	84			$700.00	$ 58,800.00		$1,000.00	$84,000.00	$578.00	$48,552.00
A.7	Deduct if 1/2 AC of land to the north of well site is available for driller	LS	1							$1,500.00		$7,350.00
A.8	Standby Rate	HRS				$600.00			$650.00		$578.00	
A.9	Deduct if City removes and disposes of stockpiled cuttings at the end of the project	LS	1				$ 5,000.00			$11,500.00		$7,350.00
A.10	Deduct if City removes and disposes of drillers mud at the end of the project	LS	1				$ 12,000.00			$11,500.00		$15,750.00



N
W E
S

0 0.25 0.5 1 Miles

Legend

- PRV
- Pump Station
- Tank
- Well
- Project
- Existing Pipe
- Abandon Pipe
- 8" Pipe/Project
- 10" Pipe/Project
- 12" Pipe/Project
- 16" Pipe/Project
- Highland City
- Northwest Upper Zone
- View Pointe Zone
- City Zone
- Lower Murdock Zone

FUTURE DRINKING WATER SYSTEM

FIGURE 6-1

HIGHLAND CITY

HIGHLAND CITY DRINKING WATER MASTER PLAN UPDATE

HANSEN ALLEN & LUCE INC
ENGINEERS

AGENDA

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #11

DATE: December 7, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Bahr, Finance Director

SUBJECT: **DISCUSSION –** FY2022 Q1 Financial Statement

TYPE: **ADMINISTRATIVE –** Utah Municipal Code (10-6-148) requires quarterly detail financial reports be presented to the City Council.

PURPOSE:

City Council will discuss financial statements for the first quarter of fiscal year 2022. This item is being presented for discussion only, formal action will not be taken.

BACKGROUND:

Staff reviews the City's finances on a monthly basis and provides updates to the Council each quarter as required by State Law. In addition to electronic distribution of detailed financial reporting to the Council, staff will highlight significant trends each quarter to identify areas that may be of particular interest to the Council. For the first quarter (25% completed) of fiscal year 2022 ending September 30, 2021, the following trends are worth noting:

Revenue

- **General Fund** – Sales tax is trending approximately higher than the budgeted projection of $3,025,000 – approximately 16% higher based on sales tax revenues received through November
- **Cemetery Fund** – Lot sales are at 38% of the projection for the full year
- **Impact Fees** – Impact fees are trending significantly higher than anticipated due to a high volume of Ridgeview permits being issued as well as impact fee changes that went into effect at the end of FY2021 (e.g. Sewer and Pressurized Irrigation):
    - Park – $468,506 (53% of the full year projection already received)
    - Road – $45,258 (56%)
    - Public Safety (Building) – $60,229 (53%)
    - Sewer – $179,460 (119%)
    - Pressurized Irrigation – $134,750 (90%)
    - Culinary Water – $47,637 (100% – the budget erroneously projected no revenue on this line)

Expenses

- **General Fund** – Staff is monitoring revenue and expenses carefully, and budget adjustments will be presented to the Council for approval in January
- **Enterprise Funds**

    - **Pressurized irrigation** has seen exceptional repair costs already totaling approximately $42K in two accounts where only $26K was budgeted; fund balance exists to cover these costs and staff will present budget adjustments to Council in January
    - **Fuel costs** continue to run high, impacting Fuel & Oil budgets across all of the enterprise funds; budget adjustments are anticipated in January
- **Major Road Maintenance (Road Capital) –** 61% of budgeted project funds have been used primarily due to projects that were planned in FY2021, but not completed/paid until FY2022; fund balance/savings from prior years exist to cover these costs and staff will present budget adjustments to Council in January to complete as much of the planned FY2022 project on time as possible

FISCAL IMPACT:

None.

ATTACHMENTS:

1. FY2022 Budget Snapshot by Fund as of 9/30/2021
2. Highland City Financial Statement – General Fund Summary for the 3 Months Ending September 30, 2021
3. Highland City Financial Statement – Combined Cash Investment, Balance Sheet, and Revenues & Expenditures with Comparison to Budget for the 3 Months Ending September 30, 2021

FY2022 Budget Snapshot by Fund

As of 9/30/2021

FUND NAME	REVENUE ACTUAL	REVENUE BUDGETED	% REVENUE EARNED	EXPENSES ACTUAL	EXPENSES BUDGETED	% EXPENSES REALIZED
GENERAL FUND	(3,414,648)	(10,944,734)	31%	1,868,223	10,696,450	17%
OPEN SPACE	(79,477)	(767,413)	10%	85,997	754,604	11%
CEMETERY PERPETUAL FUND	(115,588)	(306,974)	38%	40,532	493,129	8%
LIBRARY	(30,589)	(388,140)	8%	110,027	366,239	30%
DEBT SERVICE	-	(1,379,200)	0%	1,318,933	1,379,200	96%
CAPITAL IMPROVEMENT - PARKS	(473,951)	(1,060,100)	45%	-	3,108,150	0%
CAPITAL IMPROVEMENT - ROADS	(46,625)	(528,700)	9%	502,909	600,000	84%
CAPITAL IMPROVEMENT - BUILDING	(61,061)	(116,104)	53%	2,650	359,152	1%
NW ANNEXATION	(90)	(500)	18%	-	-	0%
TOWN CENTER EXACTION	(282)	(60,000)	0%	61,503	-	0%
SEWER	(725,468)	(2,318,424)	31%	437,087	3,558,052	12%
PRESSURIZED IRRIGATION	(700,535)	(2,405,819)	29%	387,857	3,427,643	11%
STORM SEWER	(152,940)	(543,000)	28%	71,929	938,581	8%
CULINARY WATER	(401,174)	(965,847)	42%	243,811	2,918,032	8%
UTILITY TRANSPORTATION	(269,668)	(1,090,822)	25%	301,901	1,088,048	28%
INTERNAL SERVICE IT	-	(32,000)	0%	8,498	32,000	27%

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE-TRANSFERS	.00	.00	767,234.00	767,234.00	.0
TAXES	960,705.64	960,705.64	6,145,000.00	5,184,294.36	15.6
LICENSES AND PERMITS	382,764.74	382,764.74	537,500.00	154,735.26	71.2
INTERGOVERNMENTAL REVENUE	1,513,906.14	1,513,906.14	962,000.00	(551,906.14)	157.4
FEES AND SERVICES	180,809.55	180,809.55	706,500.00	525,690.45	25.6
COURT FINES	49,755.77	49,755.77	121,500.00	71,744.23	41.0
OTHER REVENUE	36,370.97	36,370.97	74,000.00	37,629.03	49.2
CEMETERY REVENUE	.00	.00	.00	.00	.0
MISCELLANEOUS REVENUE	38,309.31	38,309.31	368,700.00	330,390.69	10.4
REVENUE-GARBAGE & OTHER	252,025.90	252,025.90	1,262,300.00	1,010,274.10	20.0
	3,414,648.02	3,414,648.02	10,944,734.00	7,530,085.98	31.2
EXPENDITURES					
COUNCIL	21,171.64	21,171.64	130,355.00	109,183.36	16.2
COURT	45,049.21	45,049.21	240,300.00	195,250.79	18.8
ADMINISTRATIVE	150,255.93	150,255.93	462,310.00	312,054.07	32.5
AUDITOR	4,167.00	4,167.00	20,000.00	15,833.00	20.8
FINANCE DEPT	43,912.34	43,912.34	166,371.00	122,458.66	26.4
RECORDER	23,583.17	23,583.17	179,905.00	156,321.83	13.1
TREASURER	13,503.43	13,503.43	53,482.00	39,978.57	25.3
ATTORNEY	7,445.00	7,445.00	65,000.00	57,555.00	11.5
LIBRARY	.00	.00	.00	.00	.0
APPEAL AUTHORITY	.00	.00	2,500.00	2,500.00	.0
PLANNING & ZONING	25,676.32	25,676.32	192,707.00	167,030.68	13.3
EDUCATION AND PROMOTION	.00	.00	.00	.00	.0
POLICE DEPARTMENT	566,196.00	566,196.00	2,273,204.00	1,707,008.00	24.9
ANIMAL CONTROL	.00	.00	.00	.00	.0
EMERGENCY SERVICES	499,887.00	499,887.00	1,096,373.00	596,486.00	45.6
BUILDING INSPECTION	43,393.27	43,393.27	318,750.00	275,356.73	13.6
STREETS AND ROADS	134,229.72	134,229.72	1,187,977.00	1,053,747.28	11.3
ENGINEER	50,887.30	50,887.30	254,256.00	203,368.70	20.0
PARKS & RECREATION	116,010.68	116,010.68	955,138.00	839,127.32	12.2
CEMETERY	.00	.00	.00	.00	.0
COMMUNITY EVENTS	61,092.49	61,092.49	138,899.00	77,806.51	44.0
GARBAGE	61,762.68	61,762.68	997,038.00	935,275.32	6.2
TRANSFERS	.00	.00	1,961,885.00	1,961,885.00	.0
	1,868,223.18	1,868,223.18	10,696,450.00	8,828,226.82	17.5
	1,546,424.84	1,546,424.84	248,284.00	(1,298,140.84)	622.9

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE-TRANSFERS	.00	.00	767,234.00	767,234.00	.0
TAXES	960,705.64	960,705.64	6,145,000.00	5,184,294.36	15.6
LICENSES AND PERMITS	382,764.74	382,764.74	537,500.00	154,735.26	71.2
INTERGOVERNMENTAL REVENUE	1,513,906.14	1,513,906.14	962,000.00	(551,906.14)	157.4
FEES AND SERVICES	180,809.55	180,809.55	706,500.00	525,690.45	25.6
COURT FINES	49,755.77	49,755.77	121,500.00	71,744.23	41.0
OTHER REVENUE	36,370.97	36,370.97	74,000.00	37,629.03	49.2
CEMETERY REVENUE	.00	.00	.00	.00	.0
MISCELLANEOUS REVENUE	38,309.31	38,309.31	368,700.00	330,390.69	10.4
REVENUE-GARBAGE & OTHER	252,025.90	252,025.90	1,262,300.00	1,010,274.10	20.0
	3,414,648.02	3,414,648.02	10,944,734.00	7,530,085.98	31.2
EXPENDITURES					
COUNCIL	21,171.64	21,171.64	130,355.00	109,183.36	16.2
COURT	45,049.21	45,049.21	240,300.00	195,250.79	18.8
ADMINISTRATIVE	150,255.93	150,255.93	462,310.00	312,054.07	32.5
AUDITOR	4,167.00	4,167.00	20,000.00	15,833.00	20.8
FINANCE DEPT	43,912.34	43,912.34	166,371.00	122,458.66	26.4
RECORDER	23,583.17	23,583.17	179,905.00	156,321.83	13.1
TREASURER	13,503.43	13,503.43	53,482.00	39,978.57	25.3
ATTORNEY	7,445.00	7,445.00	65,000.00	57,555.00	11.5
LIBRARY	.00	.00	.00	.00	.0
APPEAL AUTHORITY	.00	.00	2,500.00	2,500.00	.0
PLANNING & ZONING	25,676.32	25,676.32	192,707.00	167,030.68	13.3
EDUCATION AND PROMOTION	.00	.00	.00	.00	.0
POLICE DEPARTMENT	566,196.00	566,196.00	2,273,204.00	1,707,008.00	24.9
ANIMAL CONTROL	.00	.00	.00	.00	.0
EMERGENCY SERVICES	499,887.00	499,887.00	1,096,373.00	596,486.00	45.6
BUILDING INSPECTION	43,393.27	43,393.27	318,750.00	275,356.73	13.6
STREETS AND ROADS	134,229.72	134,229.72	1,187,977.00	1,053,747.28	11.3
ENGINEER	50,887.30	50,887.30	254,256.00	203,368.70	20.0
PARKS & RECREATION	116,010.68	116,010.68	955,138.00	839,127.32	12.2
CEMETERY	.00	.00	.00	.00	.0
COMMUNITY EVENTS	61,092.49	61,092.49	138,899.00	77,806.51	44.0
GARBAGE	61,762.68	61,762.68	997,038.00	935,275.32	6.2
TRANSFERS	.00	.00	1,961,885.00	1,961,885.00	.0
	1,868,223.18	1,868,223.18	10,696,450.00	8,828,226.82	17.5
	1,546,424.84	1,546,424.84	248,284.00	(1,298,140.84)	622.9

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

HIGHLAND OPEN SPACE SSD

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	467,313.00	467,313.00	.0
FEES	74,163.35	74,163.35	291,600.00	217,436.65	25.4
PROPERTY SALES	4,928.03	4,928.03	.00	(4,928.03)	.0
OTHER REVENUE	385.70	385.70	8,500.00	8,114.30	4.5
PY CARRYOVER	.00	.00	.00	.00	.0
	79,477.08	79,477.08	767,413.00	687,935.92	10.4
EXPENDITURES					
DEPARTMENT 40	.00	.00	.00	.00	.0
EXPENDITURE-OPEN SPACE	85,997.07	85,997.07	754,604.00	668,606.93	11.4
TRANSFERS	.00	.00	.00	.00	.0
	85,997.07	85,997.07	754,604.00	668,606.93	11.4
	(6,519.99)	(6,519.99)	12,809.00	19,328.99	(50.9)

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

CEMETERY PERPETUAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	6,474.00	6,474.00	.0
REVENUE	115,387.50	115,387.50	300,000.00	184,612.50	38.5
OTHER INCOME	200.59	200.59	500.00	299.41	40.1
PY CARRYOVER	.00	.00	.00	.00	.0
	115,588.09	115,588.09	306,974.00	191,385.91	37.7
EXPENDITURES					
EXPENSE	40,531.64	40,531.64	250,895.00	210,363.36	16.2
TRANSFERS	.00	.00	242,234.00	242,234.00	.0
	40,531.64	40,531.64	493,129.00	452,597.36	8.2
	75,056.45	75,056.45	(186,155.00)	(261,211.45)	40.3

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

LIBRARY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
TRANSFER IN	.00	.00	.00	.00	.0
TAX REVENUE	13,416.05	13,416.05	313,740.00	300,323.95	4.3
FEES & FINES	13,568.94	13,568.94	34,200.00	20,631.06	39.7
OTHER INCOME	3,604.24	3,604.24	15,200.00	11,595.76	23.7
PY CARRYOVER	.00	.00	25,000.00	25,000.00	.0
	30,589.23	30,589.23	388,140.00	357,550.77	7.9
EXPENDITURES					
OPERATING EXPENSES	110,026.62	110,026.62	366,239.00	256,212.38	30.0
TRANSFERS	.00	.00	.00	.00	.0
	110,026.62	110,026.62	366,239.00	256,212.38	30.0
	(79,437.39)	(79,437.39)	21,901.00	101,338.39	(362.7)

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

DEBT SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	1,379,200.00	1,379,200.00	.0
OTHER REVENUE	.00	.00	.00	.00	.0
	.00	.00	1,379,200.00	1,379,200.00	.0
EXPENDITURES					
EXPENDITURES	1,318,933.20	1,318,933.20	1,379,200.00	60,266.80	95.6
	1,318,933.20	1,318,933.20	1,379,200.00	60,266.80	95.6
	(1,318,933.20)	(1,318,933.20)	.00	1,318,933.20	.0

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

CAPITAL IMPROVEMENT FUND-PARKS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	167,000.00	167,000.00	.0
FEES AND SERVICES	468,506.00	468,506.00	878,100.00	409,594.00	53.4
OTHER REVENUE	5,445.00	5,445.00	15,000.00	9,555.00	36.3
REVENUE-OTHER	.00	.00	.00	.00	.0
	473,951.00	473,951.00	1,060,100.00	586,149.00	44.7
EXPENDITURES					
EXPENDITURES-PARK CAPITAL	.00	.00	2,669,100.00	2,669,100.00	.0
TRANSFERS	.00	.00	439,050.00	439,050.00	.0
	.00	.00	3,108,150.00	3,108,150.00	.0
	473,951.00	473,951.00	(2,048,050.00)	(2,522,001.00)	23.1

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

CAP IMP FUND ROAD PROJECTS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	438,000.00	438,000.00	.0
INTERGOVERNMENTAL REVENUE	.00	.00	.00	.00	.0
FEES AND SERVICES	45,258.40	45,258.40	80,700.00	35,441.60	56.1
OTHER REVENUE	1,366.90	1,366.90	10,000.00	8,633.10	13.7
REVENUE-OTHER	.00	.00	.00	.00	.0
	46,625.30	46,625.30	528,700.00	482,074.70	8.8
EXPENDITURES					
EXPENDITURES-ROAD CAPITAL	502,909.23	502,909.23	600,000.00	97,090.77	83.8
	502,909.23	502,909.23	600,000.00	97,090.77	83.8
	(456,283.93)	(456,283.93)	(71,300.00)	384,983.93	(640.0)

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

CAP IMP FUND BUILDING

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
OTHER REVENUE	61,060.50	61,060.50	116,104.00	55,043.50	52.6
REVENUE-OTHER	.00	.00	.00	.00	.0
	61,060.50	61,060.50	116,104.00	55,043.50	52.6
EXPENDITURES					
EXPENDITURES-BUILDING CAPITAL	2,650.00	2,650.00	302,100.00	299,450.00	.9
TRANSFERS OUT	.00	.00	57,052.00	57,052.00	.0
	2,650.00	2,650.00	359,152.00	356,502.00	.7
	58,410.50	58,410.50	(243,048.00)	(301,458.50)	24.0

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

NW ANNEXATION CAP PROJECT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
OTHER REVENUE	89.55	89.55	500.00	410.45	17.9
REVENUE-OTHER	.00	.00	.00	.00	.0
	89.55	89.55	500.00	410.45	17.9
EXPENDITURES					
EXPENDITURES-NW CAPITAL	.00	.00	.00	.00	.0
TRANSFERS	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	89.55	89.55	500.00	410.45	17.9

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

TOWN CENTER EXACTION FEE CAP

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
OTHER REVENUE	282.48	282.48	60,000.00	59,717.52	.5
REVENUE-OTHER	.00	.00	.00	.00	.0
	282.48	282.48	60,000.00	59,717.52	.5
EXPENDITURES					
EXPENDITURES-TOWN CENTER EXA	61,503.10	61,503.10	.00	(61,503.10)	.0
TRANSFERS	.00	.00	.00	.00	.0
	61,503.10	61,503.10	.00	(61,503.10)	.0
	(61,220.62)	(61,220.62)	60,000.00	121,220.62	(102.0)

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
LICENSES AND PERMITS	.00	.00	.00	.00	.0
REVENUE	721,899.15	721,899.15	2,288,424.00	1,566,524.85	31.6
MISCELLANEOUS REVENUE	3,568.62	3,568.62	30,000.00	26,431.38	11.9
SOURCE 39	.00	.00	.00	.00	.0
	725,467.77	725,467.77	2,318,424.00	1,592,956.23	31.3
EXPENDITURES					
EXPENDITURES-SEWER FUND	437,086.65	437,086.65	3,558,052.00	3,120,965.35	12.3
	437,086.65	437,086.65	3,558,052.00	3,120,965.35	12.3
	288,381.12	288,381.12	(1,239,628.00)	(1,528,009.12)	23.3

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

PRESSURIZED IRRIGATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
REVENUE	696,301.50	696,301.50	2,375,819.00	1,679,517.50	29.3
MISCELLANEOUS REVENUE	4,233.37	4,233.37	30,000.00	25,766.63	14.1
REVENUE-OTHER	.00	.00	.00	.00	.0
	700,534.87	700,534.87	2,405,819.00	1,705,284.13	29.1
EXPENDITURES					
EXPENDITURES-PI FUND	387,857.40	387,857.40	3,427,643.00	3,039,785.60	11.3
	387,857.40	387,857.40	3,427,643.00	3,039,785.60	11.3
	312,677.47	312,677.47	(1,021,824.00)	(1,334,501.47)	30.6

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

STORM SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
LICENSES AND PERMITS	.00	.00	.00	.00	.0
REVENUE	151,740.76	151,740.76	523,000.00	371,259.24	29.0
MISCELLANEOUS REVENUE	1,198.84	1,198.84	20,000.00	18,801.16	6.0
REVENUE-OTHER	.00	.00	.00	.00	.0
	152,939.60	152,939.60	543,000.00	390,060.40	28.2
EXPENDITURES					
EXPENDITURES-STORM SEWER	71,929.02	71,929.02	938,581.00	866,651.98	7.7
TRANSFERS	.00	.00	.00	.00	.0
	71,929.02	71,929.02	938,581.00	866,651.98	7.7
	81,010.58	81,010.58	(395,581.00)	(476,591.58)	20.5

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

CULINARY WATER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
REVENUE	399,521.86	399,521.86	945,847.00	546,325.14	42.2
MISCELLANEOUS REVENUE	1,652.14	1,652.14	20,000.00	18,347.86	8.3
REVENUE-OTHER	.00	.00	.00	.00	.0
	401,174.00	401,174.00	965,847.00	564,673.00	41.5
EXPENDITURES					
EXPENDITURES-CULINARY WATER	243,811.07	243,811.07	2,918,032.00	2,674,220.93	8.4
CONSTRUCTION	.00	.00	.00	.00	.0
	243,811.07	243,811.07	2,918,032.00	2,674,220.93	8.4
	157,362.93	157,362.93	(1,952,185.00)	(2,109,547.93)	8.1

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

UTILITY TRANSPORTATION

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	.00	.00	.0
REVENUE	268,795.01	268,795.01	1,085,822.00	817,026.99	24.8
MISCELLANEOUS REVENUE	873.23	873.23	5,000.00	4,126.77	17.5
	269,668.24	269,668.24	1,090,822.00	821,153.76	24.7
EXPENDITURES					
EXPENDITURES-ROAD FEE	301,901.17	301,901.17	1,088,048.00	786,146.83	27.8
	301,901.17	301,901.17	1,088,048.00	786,146.83	27.8
	(32,232.93)	(32,232.93)	2,774.00	35,006.93	(1162.

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

INTERNAL SERVICE IT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
REVENUE	.00	.00	32,000.00	32,000.00	.0
	.00	.00	32,000.00	32,000.00	.0
EXPENDITURES					
EXPENDITURES-INTERNAL SVC IT	8,498.11	8,498.11	32,000.00	23,501.89	26.6
	8,498.11	8,498.11	32,000.00	23,501.89	26.6
	(8,498.11)	(8,498.11)	.00	8,498.11	.0

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

FUND 71

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
SOURCE 36	.00	.00	.00	.00	.0
SOURCE 37	.00	.00	.00	.00	.0
SOURCE 39	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
EXPENDITURES					
	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

GENERAL FIXED ASSETS

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
SOURCE 30	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
EXPENDITURES					
DEPARTMENT 40	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0

HIGHLAND CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2021

LONG TERM DEBT

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
REVENUE					
EXPENDITURES					
DEPARTMENT 40	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0
	.00	.00	.00	.00	.0